



**PLANNING BOARD
TOWN OF CONESUS**

**OCTOBER 19, 2023
7:00 PM**

A Regular Meeting of the Planning Board of the Town of Conesus, County of Livingston and the State of New York was held at the Town Hall, 6210 South Livonia Road, Conesus, New York 14435 on the 19th day of October 2023.

PRESENT:	Brad Francis	-----	Chairman
	Kim Grab	-----	Vice Chairwoman
	Barbara Anderson	-----	Member
	Chris Imm	-----	Member
	Carol Crane	-----	Secretary
 ABSENT:	 Angela Levenson	 -----	 Member

OTHERS PRESENT: Matthew Sousa (MRB Group), Jackie Bartolotta (Tarpon Towers), Steve Fantuzzo (Nixon Peabody/Tarpon Towers), Phil West and Ron Maxwell

CALL TO ORDER: Chairman Francis called the meeting to order at 7:02 PM.

ANNOUNCEMENTS AND COMMUNICATIONS

1. Copy of October 19, 2023 Agenda
2. Copy of September 21, 2023 Meeting Minutes

RESOLUTION #47-2023

APPROVAL OF MINUTES September 21, 2023

On a motion of Barb Anderson and seconded by Chris Imm, the following resolution was

ADOPTED	Ayes	4	Anderson, Francis, Grab, Imm
	Nays	0	
	Absent from this meeting	1	Levenson

Resolved the Planning Board approve the September 21, 2023 meeting minutes as written.

OLD BUSINESS

1. Tax Map #119.-1-35.2
Philip West/Tarpon Towers III, LLC
6637 East Swamp Road
Conesus, New York 14435

Last month Steve Fantuzzo presented the application to the County Planning Board. The application was approved with some conditions. The Planning Board has not received the letter from the County Planning Board yet.

RESOLUTION #48-2023



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APPROVAL OF DESIGNATION OF TOWN OF CONESUS PLANNING BOARD AS LEAD AGENCY

WHEREAS, the Town of Conesus Planning Board (hereinafter referred to as the Board) is considering a Site Plan and Area Variance approved for the installation of a 169-foot monopole cell tower located at 6637 East Swamp Road within the Agricultural/Rural Residential District (A/RR) as detailed on the Site Plan prepared by Tectonic Engineering and all other relevant information submitted as of October 19, 2023 (the current application), and

WHEREAS, the Board has determined that proposed action referenced above to be an Unlisted Action under Part 617 of the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Board has on Monday, September 21, 2023 declared its intent to be designated the Lead Agency for the proposed Action under the provisions of the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Board has provided written notices to this effect to the involved and interested agencies; and

WHEREAS, the Board has not received any written objections from the involved agencies to the Board's being designated as the lead agency under the SEQR Regulations; and

WHEREAS, the Board has previously determined that it is the most appropriate agency to ensure the coordination of this Action and for making the determination of significance thereon under the SEQR Regulations.

NOW, THEREFORE BE IT RESOLVED that the Board does hereby designate itself as the lead agency for the Action identified above herein;

The above resolution was offered by Chris Imm and seconded by Kim Grab at the meeting of the Planning Board meeting held on Thursday, October 19, 2023. Following discussion thereon, the following roll call vote was taken and recorded:

Kim Grab	AYE
Barb Anderson	AYE
Brad Francis (Chair)	AYE
Chris Imm	AYE
Angela Levenson	ABSENT

I, Carol Crane, Clerk of the Board, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the minutes of the Town of Conesus Planning Board for the October 19, 2023 meeting.



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RESOLUTION #49-2023

APPROVAL OF DETERMINATION OF SIGNIFICANCE

WHEREAS, the Town of Conesus Planning Board (hereinafter referred to as the Board) Has determined the above referenced Action to be an Unlisted Action pursuant to Part 617 of the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Board determined that said Action to be subject to a coordinated review and approval by other involved agencies under SEQR Regulations; and

WHEREAS, the Board has been designated the Lead Agency, under the provisions of Part 617.6 (3) and (4) of Article 8 of the State Environmental Conservation Law; and

WHEREAS, the Board has given consideration to the comments provided by the involved agencies and interested agencies at tonight's meeting; and

WHEREAS, the Board has completed its' review of Parts 2 and 3 of the Full Environmental Assessment Form (EAF); and

WHEREAS, the Board has given consideration to the criteria for determining significance as set forth in Section 617.7 1© of the SEQR Regulations and the information contained in Parts 1, 2 and 3 of the Full EAF.

NOW, THEREFORE, BE IT RESOLVED that the Board does hereby accept the findings contained in Parts 2 and 3 of the EAF and directs the Board Chairperson to sign and date the EAF Part 3.

NOW, THEREFORE, BE IT RESOLVED that the Board has reasonably concluded the following impacts are expected to result from the proposed Action, when compared against the criteria in Section 617.7 ©.

- (i) There will not be a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;
- (ii) There will not be large quantities of vegetation or fauna removed from the site or destroyed as the result of the proposed Action; there will not be substantial interference with the movement of any resident or migratory fish or wildlife species as the result of the proposed Action; there will not be a significant impact upon habitat areas on the site; there are no known threatened or endangered species of animal or plant, or the habitat on the site;
- (iii) There are no known Critical Environmental Area(s) on the site which will be impaired as the result of the proposed Action;
- (iv) The overall density of the site is consistent with the Town's Comprehensive Plan land use recommendations;



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- (v) The project is within an identified Archeological Sensitive Area and coordination with the State Historic Preservation Office (SHPO) has begun; issuance of a No Impact letter is required prior to any site disturbance activities taking place on site;
- (vi) The proposed action will not impair the existing community or neighborhood character;
- (vii) There will not be an increase in the use of either the quantity or type of energy resulting from the proposed Action;
- (viii) There will not be any hazard created to human health;
- (ix) There will not be a change in the used of active agricultural lands that receive an agricultural use tax exemption or that will ultimately result in the loss of ten acres of each productive farmland;
- (x) There will not be a larger number of persons attracted to the site for more than a few days when compared to the number of persons who would come to the site absent the Action;
- (xi) There will not be created a material demand for other Actions that would result in one of the above consequences;
- (xii) There will not be changes in two or more of the elements of the environment that when considered together result in a substantial adverse impact; and
- (xiii) There will not two or more related Actions which would have a significant impact on the environment.

BE IT FURTHER RESOLVED THAT based upon the information and analysis above and the supporting documentation referenced above, the proposed Action **WILL NOT** result in any significant adverse environmental impacts.

BE IT FINALLY RESOLVED that the Board directs that copies of this determination be filed as provided for under the SEQR Regulations.

The above resolution was offered by Barb Anderson and seconded by Brad Francis at a meeting of the Planning Board meeting held on Thursday, October 19, 2023. Following discussion thereon, the following roll call vote was taken and recorded:

Kim Grab	AYE
Barb Anderson	AYE
Brad Francis (Chair)	AYE
Chris Imm	AYE
Angela Leverson	ABSENT

I, Carol Crane, Clerk of the Board, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the minutes of the Town of Conesus Planning Board for the October 19, 2023 meeting.

NEW BUSINESS

None scheduled.



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GENERAL DISCUSSION

- Discussion of a current complaint made by several people regarding the same property.

With no further business, on a motion of Kim Grab and seconded by Chris Imm, the meeting was adjourned at 7:54 PM.

Respectively submitted,
Carol Crane, Planning Board Secretary