

TOWN OF PAVILION PLANNING BOARD

January 26, 2022

Public Hearing: Special Use Permit to construct the Lokee-Hikee Campground.

Location :10156 Perry Rd., Pavilion.

Zoning District: Agricultural-Residential 1(AR-1) District

Present: Bill Fuest (Chairperson), Patrick Boyd, Don Brooks, Liz Conway, Gary Kingsley, Lisa Schiske, Tim Welch, Lisa Sauer (clerk)

Absent: None

Guests: Jonathan Hinman, P.E. MRB Group, David Roach Esq., Matt Mahaney(Zoning), Robert LaPoint(Town Supervisor), Jim Thater(Liaison to Town Board)

Others Present: Sara Gilbert, P.E. Pinewoods Engineering, David Ciurzynski (Ciurzynski Consulting LLC), Jesse and Jolene Coots

Visitors: 21 signed in to speak at Public Hearing

The Pledge of Allegiance opened the meeting at 7pm led by Bill Fuest

Minutes from the 12/15/21 meeting were reviewed. Motion to approve the minutes by Gary Kingsley, seconded by Don Brooks; carried unanimously (7 votes).

Bill Fuest began by addressing the attendees with the history of the application process. He also gave guidelines for those who signed up to speak. This included a time limit for each speaker and if further input is needed beyond the time allocated, information can be submitted to the planning board via email. Speakers are to adhere solely in reference to the application of the land use.

Presentation by the Application Team: Sara Gilbert, PE gave a project overview of the site plan. It is located on 110 acre parcels of land proposing 145 campsites. The site would include a registration building, food pavilion, recreational pond, and hiking trails. Designed to comply 100% with Town zoning laws. 3 sites per acre plan, Sara points out that zoning allows 12 sites per acre. Setbacks are 100 feet, exceeding what is needed for zoning. Explained all the agencies involved helping to coordinate the project. Positive economic impact for the town. Supported by the Genesee Economic Development Committee and supports that it will have a positive revenue for the town. Also supported by the US Department of Agriculture part of their Ag tourism and will increase the tax base for the town in a positive way. Owners hope to create jobs for young people of the town and a place for families to gather.

Highlights from the MRB group on their findings: Jonathan Hinman PE (Town Engineering) verified all the claims presented by the application team. He has been in contact with the DEC, Army Corps of Engineers, County water,sewer,septic, traffic and entrance study, and well system report. Offering comments for the pond, storm water control to protect residents and wetlands. Have been working on this for 6 months and the client has been compliant along the way Reviewed that the town has done its due diligence regarding engineering. MRB group has requested an easement back to the stormwater retention systems, this is a standard procedure to protect the town, in case property was not maintained or abandoned.

Motion to open the Public Hearing at 7:14 by Gary Kingsley, seconded by Don Brooks, carried unanimously(7 votes)

Guy Laesser-Neighbor on Perry Rd: Against Campground at this site, concerned about effect on wildlife, water, and his lifestyle.

Ray Butler-Neighbor Perry Rd-Opposed to the campground. Believe it does meet the standards applicable for the special use permit. It is not harmonious, and will decrease property value. More invasive than other surrounding campgrounds-sited other campgrounds setbacks. Concerned about the proposed setting of a propane tank Feels it doesn't have enough buffering from his home will create undo noise lighting glare, odor and unsightliness. Mr Butler submitted his written concerns to the board.

Dana Poray: Perry Rd: -No issues with the campground, feels good for the community

Todd Hackett: York Rd-Thinks a great idea. Community should support.

Denise McPherson: Lake Rd - Great idea good for the community. Friends and family are campers. Likes to walk,extra hiking trails

Duke Dubis: Telephone Rd- Lives 1 mile away. Camping is about meeting people. Good for the community.

Allan Buchanan: Roanoke Rd Lives about 3 miles away. In favor of the campground. Campgrounds did not shut down with Covid. Hard to find. Kids are not interested in their digital devices when camping.

Scott Savidge: Junction Rd-In favor of the campground. Had been a part of the Comprehensive Plan Committee. This is within the use of the AR 1 district. It will create jobs for kids that are local and safe. Potential will bring water, reduce taxes, feels denying that it will go against the Comprehensive plan. The use will be harmonious as long as the zoning requirements are met.

Terry Barthlomew: River Rd.- In favor of the campground. Feel all the criteria, zoning laws and regulatory agencies have been met. Feels this will be positive for the Town.

Kraig Reamer: Hartwell Rd-Lives about a mile away. In favor of a campground. Feels this will be great for the community, bringing taxes in.

Jerry Harding: Buckman Rd-lifelong residence. Not a lot to do in this town. This will have hiking trails, a swimming pond, and fishing. Will bring money into the town. For the campground.

Jurgen Liczewsky: Perry Rd - Opposed to campground. Sent an email to the Board.

Joanne Horine: Cook Rd-In favor of the campground. Family has been campers for 8 years, it promotes family. Find that other campers are respectful to others' property. Feels it will be a beautiful, maintained area.

Carrie Page: Perry Rd-Opposed to the campground. Concerns about privacy,traffic safety, property value and water, already have a problem with water.

Darryl Robb: Black St- In favor of the campground. It will be great for the community, provide jobs and be a nice atmosphere.

Matt Jacobus: Perry Rd-For the campground. Bring jobs and income. "Why wouldn't you want something like this?"

Mickey Hyde: W Main St-Grew up in Pavilion. In favor of the campground. Feels it will bring people back to the community. Hoping they take proper considerations in regards to the buffers for the neighbors.

TOWN OF PAVILION PLANNING BOARD

Regular Meeting Minutes
February 16, 2022

Present: Bill Fuest (Chairperson), Patrick Boyd, Don Brooks, Liz Conway, Gary Kingsley, Lisa Schiske, Tim Welch, Lisa Sauer(clerk)

Absent: None

Guests: Jonathan Hinman, P.E., MRB Group (Town Engineering Representative), David Roach Esq.(Town Legal Consultant), Matt Mahaney(Zoning)

Others Present: Robert Lapoint(Town Supervisor), Jim Thater (Liaison to Town Board)

Visitors: 26

The meeting was called to order at 7:00 PM by Bill Fuest. The Pledge of Allegiance opened the meeting

Bill Fuest asked for a motion to close the Campground Public Hearing. Moved by Tim Welch to close the public hearing, seconded by Lisa Schiske. Voice Vote unanimous. (7 votes)

Public Hearing for the Lokee-Hikee Campground closed at 7:01

8 more responses were received in writing in regards to the public hearing. These will be included with the minutes as part of public record.

Minutes from the 1/26/22 meeting were reviewed. Moved by Don Brooks to approve minutes, seconded by Gary Kingsley. Voice vote unanimous. (7 votes)

Bill Fuest wanted to thank the groups and all the work involved: Application Team, MRB Group, Planning Board and input from the community.

Bill Fuest reviewed the updates to the campground since the January meeting: Propane tank and maintenance building location has been adjusted. Evergreens will be planted in a continuous strip around the southeast neighbor. The Town's Zoning Code only allows for one business with a Special Use Permit. Therefore the application for a massage therapy business has been dismissed. The Board Members had no further questions.

MRB group reported all application engineering responses to outstanding issues are acceptable.

SEQR Resolution to Designate the Planning Board as Lead Agency: read by Bill Fuest. Motion to approve resolution by Gary Kingsley, seconded by Don Brooks. Voice vote: Carried unanimously (7 votes)

Bill Fuest asked the Planning Board if there were any further questions regarding the Environmental Assessment.

Forms, parts 1-3. Part 1 was prepared by the Applicant. Part 2 was prepared by the MRB Group(potential impact). There were no further questions from the Board Members.

SEQR Resolution for Determination of Type I Action and Nonsignificance: read by Bill Fuest. Motion to approve Gary Kingsley, seconded by Don Brooks. Voice vote. Carried Unanimously (7 votes)

Special Use Permit and Site Plan Approval Resolution- read by Bill Fuest. Motion to accept the resolution approval by Gary Kingsley, seconded by Liz Conway. Roll Call vote: Patrick Boyd-yes, Don Brooks-yes, Liz Conway-yes, Bill Fuest-yes, Gary Kingsley-yes, Lisa Schiske-yes, Tim Welch-yes: Carried unanimously(7 votes)

Town Planning Board of the Town of Pavilion, 2/16/22. Hereby granted a Special Use Permit for the Construction and Operation of a campground/Recreational Vehicle Park pursuant to and in consideration of Town of Pavilion Zoning Ordinance, Section 611.B(entitled "Campground/Recreational Vehicle Parks"), 808.C (entitled "Site Plan Review"), 808.D (entitled "Special Use Permit"), and all other applicable sections. Property Location 10156 Perry Rd Pavilion, NY SBL 5.-1-20.2 and 9.-1.4.

New Business: Matt Mahaney gave preliminary information of a Special Use Permit and site plan review for a 19.6 acre commercial solar energy system. Located at 6464 Shepard Rd. Agricultural Residential-1(AR-1) District. GCDDP referral ID-T-01-Pav-2-22.

Next Month: Solar Farm Application Team to present an overview of their project/application.

7:43 PM motion to adjourn by Gary Kingsley, seconded by Liz Conway.
Voice vote was unanimous. (7 votes)

Draft submitted by Lisa Sauer 2/22/22

Mike Fisher: Junction Rd-Opposed to the campground. Some concerns are the noise, lights, litter and traffic. Concerned about septic. Bill Fuest clarified that the MRB group has done due diligence to make sure all is in compliance. Mr Fisher feels it will diminish the property value.

Rick and Tina Payton: South St Rd- In favor of a campground. Own the Ridge Campground in Mt Morris for the past 10 years. This will be positive for the town. Will bring in tax revenue,jobs. A campground can bring in charity and community events.

Lori Quackenbush: Junction Rd-Grew up in this neighborhood. In favor of the campground. " It's a way to unplug" Hiking trails, fishing. "We spend our money in other communities now, why can't we spend it here"

Brooke Coniber: Boyd Rd- In favor of the campground. More revenue for the community. Good for socialization and 1st jobs for kids. " I Think it is a great idea."

Motion to keep the Public Hearing Open until Feb 16, 2022 made by Gary Kingsley, seconded by Liz Conway; carried unanimously (7 votes)

Next Meeting: Will read any further input that the Board receives.

Moved by Gary Kingsley, seconded by Don Brooks to adjourn the meeting at 8:09; carried unanimously (7 votes).

Draft submitted by Lisa Sauer 2/1/22

TOWN OF PAVILION PLANNING BOARD

Regular Meeting Minutes

March 16, 2022

Present: Bill Fuest (Chairperson), Patrick Boyd, Don Brooks, Liz Conway, Lisa Schiske, Tim Welch

Absent: Gary Kingsley, Lisa Sauer (clerk)

Guests: Mark Boylan Esq. (Town Legal Consultant), Matt Mahaney (Town Zoning Officer),

Others Present: Robert LaPoint (Town Supervisor), Jim Thater (Liaison to Town Board), Don Oberlin (Town Board member), Steven C. Mellott (Senior Project Manager at Fisher Associates, working on behalf of NY CDG Genesee 4 LLC), Daniel Huntington (Project Developer BW Solar/NY CDG Genesee 4 LLC)

Visitors: Jesse & Jolene Coots

The meeting was called to order 7:01pm by Bill Fuest. The Pledge of Allegiance opened the meeting.

Minutes from the 2/16/22 meeting were reviewed. Moved by Don Brooks to approve minutes, seconded by Liz Conway. Voice vote unanimous (6 votes)

New Business:

Steve Mellott, (Senior Project manager for Fisher Associates) and Daniel Huntington (Project Developer BW Solar/NY CDG Genesee 4 LLC) opened the meeting by presenting to the board their site plan review for building a 4.275 Megawatt Solar Farm for which they are requesting a Special Use Permit from the Town of Pavilion. The project boundary is approximately 31.03 acres, of which 19.6 acres is the fenced in solar panel array area. BW/NY CDG Genesee 4 LLC has signed a 40 yr. lease agreement for their project with land owners Suzanne and Doug Waite. After the presentation of the site plan, Daniel and Steve reviewed the questions that the Planning Board had previously submitted via email, and provided answers for the questions.

It was stated by Daniel Huntington that if BW Solar ever sold their LLC, any potentially granted Special Use Permit for this project would transfer to the new owners of the LLC with the purchase. Jesse Coots asked the Planning Board Chairman if all Special Use Permits that are granted to an LLC in the Town of Pavilion can be transferred to the new owners of that LLC should it be sold. The question was directed to the Town of Pavilion Attorney, Mark Boylan, who stated "I would say yes".

The NEC code for enclosures of electrical installations over 600v nominal requires a 7ft surrounding fence. According to Town of Pavilion Zoning Code on fencing (Section 614), the fencing height can not exceed 6ft. Therefore, Zoning Officer Matt Mahaney will put in an application with the ZBA requiring a variance approval of a fence height of 7ft.

Daniel Huntington shared that this Solar Farm Project will require between 10,000-15,000 solar panels and that there could be delays in being able to procure all of the panels required due to high demand and supply chain issues. Bill Fuest reminded the applicant that if and when the SUP is granted, they will have one year to begin construction. Matt Mahaney reminded the board that an extension could be made available if the applicant isn't able to meet the 1 yr. deadline.

8:15PM motion to adjourn by Pat Boyd, seconded by Don Brooks. Voice vote unanimous (6 votes)

Draft submitted by Lisa Schiske 3/19/22

TOWN OF PAVILION PLANNING BOARD

Regular Meeting Minutes

April 20, 2022

Present: Bill Fuest (Chairperson), Patrick Boyd, Don Brooks, Liz Conway, Lisa Schiske, Tim Welch, Lisa Sauer(Clerk)

Absent: Gary Kingsley

Guests: Mark Boylan Esq. (Town Legal Consultant), Matt Mahaney (Town Zoning Officer),

Others Present: Jim Thater (Liaison to Town Board), Daniel Huntington (Project Developer BW Solar/NY CDG Genesee 4 LLC). Attending via zoom- Steven C Mellott(Senior Project Manager) and Bogan Dinu(BW Solar), *Jon Hinman Pe (MRB group)*

Visitors: Jesse Coots

The meeting was called to order at 7:00 pm by Bill Fuest. The Pledge of Allegiance opened the meeting.

Minutes from the 3/16/22 meeting were reviewed. Moved by Don Brooks to approve minutes, seconded by Lisa Schiske. Voice vote unanimous (6 votes)

Old Business: Continue discussion for the solar farm SUP application status located at 6634 Shepard Rd. Tax Map No. 15.-1-38.11 Applicant Name: NY CDG Genesee 4 LLC. Property Owners: Suzanne and Douglas Waite.

Genesee County Planning Board approved the 7ft variance for the fence on 4/14/22 per Matt Mahney. ZBA also approved variance on 4/18/22.

Verbal agreement that the engineering cost for the MRB Group will be picked up by the Application team. A signed agreement is needed to be on file. Referred to Matt Mahney and Mark Boylan.

Daniel Huntington reviewed the answers to the questions submitted by the MRB group to the Application Team. He also provided clarification around EAF questions regarding noise, pesticides, and the effect on endangered species. Jon Hinman(MRB group) requested a water erosion and sediment control plan to be provided before the next Planning Board meeting.

A generic Decommissioning Plan has been provided by the Application Team. However, this plan needs to be reviewed by Mark Boylan Esq. and the final Decommissioning Plan needs to be approved by the Town Board, before a building permit can be issued.

The applicant needs to meet with the Pavilion Fire Dept to coordinate the fire code requirements for the project MRB needs to hear from the fire dept per Jon Hinman. Will try and have a representative at the next meeting.

Request native conifer trees to help with visual mitigation. Landscape architect will be show specific plants on site plan

Jonathan Hinman read through the Site Plan and SWPPP review for the Board.

Operation plans in regards to maintenance of property were discussed. The Board Members had no further questions.

If all the outstanding information and issues raised by the MRB Group and the Planning Board are submitted and resolved by the Application Team by mid-May, the SUP process may continue.

Bill Fuest read the Declaration Intent to Become Lead Agency Motion to declare intent for lead agency by Tim Welch, seconded by Don Brooks. Bill Fuest-yes; Patrick Boyd-yes; Don Brooks-yes; Liz Conway-yes; Lisa Schiske-yes; Tim Welch-yes.

The list of agencies to be notified include the: NYS Dept of conservation, NYS Dept of Agriculture & Markets, NYS Office of Park, Recreation and Historic Preservation, Town of Pavilion ZBA, Genesee County Dept of Planning, Town of Pavilion Board, Town of Pavilion Highway Dept, Genesee County Emergency Management Services, Pavilion Central School District, Genesee County Soil and Water Conservation District, Pavilion Fire Department and Army Corp of Engineers.

MRB group will initiate the SEQR process.

Next Month: Proposal for a Public Hearing on May 18th. Planning board agreed to have a special meeting on May 25th for SUP consideration. Provided sufficient public notification.

7:44 pm motion to adjourn by Tim Welch, seconded by Lisa Schiske. Voice vote unanimous (6 votes)

Draft submitted by Lisa Sauer 4/28/22

TOWN OF PAVILION PLANNING BOARD

Regular Meeting Minutes/ Public Hearing Solar Farm

May 18, 2022

Present: Bill Fuest (Chairperson), Patrick Boyd, Don Brooks, Liz Conway, Lisa Schiske, Tim Welch, Lisa Sauer(Clerk)

Absent: Gary Kingsley

Guests: Mark Boylan Esq. (Town Legal Consultant), Matt Mahaney (Town Zoning Officer),

Others Present: Jim Thater (Liaison to Town Board), Jon Hinman PE(MRB group-Town Engineering), Daniel Huntington (Project Developer BW Solar/NY CDG Genesee 4 LLC), Steven C Mellott(Senior Project Manager), Doug Waite (Property Owner)

Visitors: Jesse Coots

The meeting was called to order at 7:02 pm by Bill Fuest. The Pledge of Allegiance opened the meeting.

Minutes from the 4/20/22 meeting were reviewed. Moved by Don Brooks to approve minutes, seconded by Lisa Schiske. Voice vote unanimous (6 votes)

Old Business: Continue discussion for the solar farm SUP application status located at 6634 Shepard Rd. Tax Map No. 15.-1-38.11 Applicant Name: NY CDG Genesee 4 LLC. Property Owners: Suzanne and Douglas Waite.

Confirmation by Mark Boylan Esq. and Jon Hinman PE, that the Application team has signed the written agreement to cover the costs of the MRB Group

The Planning Board at the 4/20/22 meeting requested that the Application team modify FEAF Part 1 regarding noise level. Noise levels, although not ongoing, will exceed levels during construction. Steve Mellot addressed the board that this was missed but will be adjusted. Bill Fuest asked that it be completed in the next couple days, in order for the process to continue.

Confirmation the Decommissioning Plan/Bond Proposal is acceptable by the town. Jon Hinman, PE stated there were items that needed to be addressed. Daniel Huntington informed the board that the answers were sent out this pm, however members have not received these yet. Mr Huntington brought up the questions and answers on an overview and presented it to the Board. Some points reviewed: Contour of land will not change. Decommissioning estimates will be updated every 5 years and adjusted upon the changing conditions. Decommissioning Bond will be in place for the life of site plus 35 years 18 months. The estimate will be finalized closer to the building permit step. This presentation will be sent to the Board members.

SEQR process started on 4/20/22-this is a 30 day process-thus not complete yet. Jon Hinman, PE gave an update. I will address questions from the Board.

New Business: Solar Farm Special Use Permit Public Hearing

Motion to open the Public Hearing at 7:20 by Tim Welch, seconded by Liz Conway. Bill Fuest asked if anyone wanted to speak or ask questions besides the Application Team. No response. Bill Fuest then asked if Daniel Huntington had anything more he would like to highlight. Mr Huntington then informed the Board that he spoke with the Fire Chief. Discussion on access roads and power shut off. The fire dept will have training and a walk through once the facility is built.

No comments from the land owner or Board Members. Motion to close the Public hearing by Don Brooks, seconded by Tim Welch. Voice vote unanimous(6 votes)

Public hearing Closed at 7:25

7:28 pm motion to adjourn by Tim Welch, seconded by Don Brooks. Voice vote unanimous (6 votes)

Draft submitted by Lisa Sauer 5/21/22

TOWN OF PAVILION PLANNING BOARD

Special May 25th Planning Board Meeting Minutes/Solar Farm Application

Present: Bill Fuest (Chairperson), Patrick Boyd, Don Brooks, Liz Conway, Lisa Schiske, Lisa Sauer(Clerk)

Absent: Gary Kingsley, Tim Welch

Guests: Mark Boylan Esq. (Town Legal Consultant), Jon Hinman PE(MRB Group-Town Engineering), Matt Mahaney (Town Zoning Officer),

Others Present: Jim Thater (Liaison to Town Board), Daniel Huntington (Project Developer BW Solar/NY CDG Genes 4 LLC), Steven C Mellott(Senior Project Manager), Douglas Waite (Property Owner)

Visitors: None

The meeting was called to order at 7:00 pm by Bill Fuest. The Pledge of Allegiance opened the meeting.

Minutes from the 5/18/22 meeting were reviewed. Moved by Don Brooks to approve minutes, seconded by Lisa Schiske. Voice vote unanimous (5 votes)

Solar Farm Special Use Permit application -located at 6464 Shepard Rd. Tax Map No. 15.-1-38.11 Applicant Name NY CDG Genesee 4 LLC. Property Owners: Suzanne and Douglas Waite

Confirmation that the decommissioning Plan/Bond Proposal is acceptable to the Town: Conditions of final approval

Final decommissioning Plan/Bond needs to be signed off by a NY State Licensed Engineer.

Current estimate is \$0 for tree removal however, in the event the property owner changes or present owner change their minds, there needs to be an estimate for tree removal.

Final estimated amount needs to be provided for erosion and sediment control.

Status update of the SEQR process from MRB Group: No further comments from outside agencies. OK to proceed with Part II and III (Full Environmental Assessments Forms) per Jon Hinman PE.

Designating Lead Agency Resolution: Bill Fuest read through the document: SEQR-Determination of Significance Resolution to the Board. The proposed action is to be a Type I action under Part 617 of the State Environmental Quality Review(SEQR) Regulations. The Resolution was offered by Lisa Schiske and seconded by Don Brooks. To Declare a Lead Agency. Roll Call vote-Bill Fuest-yes; Patrick Boyd-yes; Don Brooks-yes; Liz Conway-yes; Lisa Schiske-yes. So carried.

*Noted (2 members absent) 5 members sufficient for a quorum

Environmental Assessment Form Part 2: (Identification of Potential Impacts)- Reviewed by Board Members include that there is no impact on community health, no impact on geological features, surface water, groundwater, flooding plants and animals. There will be a small impact on community character, but small due to mitigation due to planting of trees. There will be emissions by heavy construction equipment vehicles, during construction only and finally impact on noise level during construction only. No other changes or questions by the Board members.

Determination of significance Resolution: Bill Fuest read through the Document: Be It Further Resolved based upon the information and analysis, the proposed action will not result in any significant adverse environmental impact.

Determination of Non-Significance on the proposed development. The Resolution was offered by Liz Conway, seconded by Don Brooks. Roll Call vote. Bill Fuest-yes; Patrick Boyd-yes; Don Brooks-yes; Liz Conway-yes; Lisa Schiske-yes. So carried

Sign Environmental Assessment Form Part 3: (Evaluation of the Magnitude and Importance of Project Impacts on Determination of Significance) The project will result in no significant adverse impacts on the environment, and therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued. Document signed by Bill Fuest(Chairperson)

Resolution to issue a Special Use Permit: Jan 26th,2022 ,The Town of Pavilion received an application pursuant its Commercial Solar Law for a Special Use Permit submitted by NY CDG Genesee 4 LLC for a 4.275MW solar production facility. April 14, 2022 The Genesee County Planning Board pursuant to section 239-m of Genesee Municipal Law recommended approval. The Planning Board hereby approves the Special Use Permit based on the site plan and layout dated May 12,2022 subject to compliance by Applicant with the following conditions: Approved Decommissioning Plan, amendments around tree removal, cost of erosion and sediment control and signed by a NY State licensed engineer.. With the Amendments -The Resolution was offered by Lisa Schiske and seconded by Don Brooks. Roll Call vote: Bill Fuest-yes; Patrick Boyd-yes; Don Brooks-yes, Liz Conway-yes; Lisa Schiske-yes. So Carried.

Bill Fuest thanked the Application team for all their due diligence as well as the MRB Group, Mark Boylan, Matt Mahaney and The Planning Board Members

Cancellation of June Planning Board Meeting- The Board Members agreed due to no new business pending, this was verified by Matt Mahaney.

7:30 pm motion to adjourn by Lisa Schiske, seconded by Don Brooks. Voice vote unanimous (5 votes)

Draft submitted by Lisa Sauer 6/7/22

TOWN OF PAVILION PLANNING BOARD

Regular Meeting Minutes
July 20, 2022

Board Members Present: Bill Fuest (Chairperson), Tim Welch (Vice Chairperson), Patrick Boyd, Don Brooks, Liz Conway, Lisa Schiske, Lisa Sauer (clerk)

Absent: Gary Kingsley

Guests: Jim Thater (Liaison to Town Board)

Visitors: Jesse Coots

Bill Fuest called the meeting to order at 7:00 pm

Pledge of Allegiance opened the meeting

Moved by Don Brooks to approve the minutes from May 25, 2022, seconded by Patrick Boyd, carried unanimously (6 votes)

Bill addressed the board that there is no new business from Matt Mahaney (Zoning). Jesse Coots requested to be on the agenda tonight to discuss the Town's Zoning Code for Commercial Communication Towers. Concerned about height restrictions. Bill Fuest checked with Matt Mahaney prior and at this time there are no permits submitted. The Board Members discussed the present policy for communication towers. Discussed 5G tower requirements. They agreed that the policy needs to be better defined in regards to height restrictions, setbacks, radiation concerns and also benefits for the community. At the next meeting the Board would like to come up with a proposal to bring to the Town Board. The Town Board does establish the code.

The Board Members will research codes for Commercial Communication Towers of other towns.

Tim Welch will research Ag and Market Law, check with the County Planning Board and Riga's town code who presently have towers.

Jim Thater will bring the matter to Rob Lapoint (Town Supervisor) and check with Matt Mahaney.

The Planning Board Members thanked Mr Coots for bringing this to their attention.

Next Meeting: Work on proposal for Commercial Communication Tower Code

Motion to adjourn at 7:38 pm by Tim Welch, seconded by Don Brooks, carried unanimously. (6 votes)

Draft submitted by Lisa Sauer 7/22/22

TOWN OF PAVILION PLANNING BOARD

Regular Meeting Minutes
September 21, 2022

Present: Bill Fuest (Chairperson), Patrick Boyd, Don Brooks, Liz Conway, Gary Kingsley, Lisa Schiske, Tim Welch, Lisa Sauer (clerk)

Absent: None

Guests: Robert LaPoint (Town Supervisor)

Others Present: Jim Thater (Liaison to Town Board)

Visitors: 5

The meeting was called to order at 7:00 PM by Bill Fuest.

Bill Fuest led the Pledge of Allegiance

Moved by Tim Welch, seconded by Don Brooks to approve the minutes from the meeting on 7/20/22. Voice vote unanimous. (7 votes)

New Business: Rob LaPoint began by explaining, the Comprehensive Plan was updated in 2017. The Town Board and Planning Board talked about unifying the Zoning Ordinance with the Comprehensive Plan. A shared vision of zoning laws. Due to the pandemic there has been a delay. The intention of the presentation is to have discussions and feedback from the Zoning, Planning and Town Boards. It was brought to the Town Board last week. Rob LaPoint presented to the Board the zoning codes definitions and update proposals. This included Commercial Communication Towers setbacks brought up at the July 20th meeting. Tim Welch informed the members that townships cannot put a cap on the height of a tower; however they must have a good reason to put in a new tower vs using an existing one. Some other items highlighted and discussed were, truck stop plaza's, cannabis definitions, language on solar farms and the industrial commercial zoning district. Before these proposals are passed into law, there will need to be a public hearing, public comment/input, etc. Rob answered questions from the board, encouraging them to send any future comments or input of proposals via email. If there are no reservations from any of the Boards, it will be brought to the code enforcement officers and attorneys for review. No action taken at this time.

ZONING CODE OFFICIALS: Rob informed the board that the contract with Batavia for code enforcement services remains the same but Matt Mahaney will be working in another area. Troy Williams will be replacing Matt and handling new permits etc. Bill asked Rob to convey the Board thanks to Matt for all his help.

7:34 PM motion to adjourn by Don Brooks, seconded by Tim Welch. Voice vote was unanimous. (7 votes)

Draft submitted by Lisa Sauer 9/30/22

TOWN OF PAVILION PLANNING BOARD

Regular Meeting Minutes

October 19, 2022

Present: Bill Fuest (Chairperson), Tim Welch (Vice Chairperson), Patrick Boyd, Don Brooks, Liz Conway, Gary Kingsley, Lisa Schiske, Lisa Sauer(Clerk)

Absent: None

Guests: Troy Williams and Jim Jacobs (New Zoning Officers), Ray Butler, Guy Laesser

Others Present: Jim Thater (Liaison to Town Board), Robert Lapoint (Town Supervisor)

Visitors: 2

The meeting was called to order at 7:00 pm by Bill Fuest. The Pledge of Allegiance opened the meeting.

Minutes from the 9/21/22 meeting were reviewed. Moved by Don Brooks to approve minutes, seconded by Tim Welch. Voice vote unanimous. (7 votes)

No New Business:

Old Business: Continued discussion on the zoning code update proposal (including Commercial Communication Tower setbacks.) Ray Butler and Guy Laesser requested to be on the agenda in regards to the zoning code update proposal that was presented at last month's meeting.

Some items Mr Butler wanted the Board to consider are future campgrounds be a Class 2 designation, clarifying language in regards to setbacks, secondary uses, and buffers. Mr Butler gave a handout to the members of his proposals. Mr Fuest thanked Mr Butler for his proposals. Mr Laesser addressed buffers and buffer strips. There was a lengthy discussion in regards to this with input from Troy Williams and Rob Lapoint as well as Board Members. Included definitions and clarification of the difference between buffers and buffer strips.

Bill Fuest stressed that the final decision of the zoning codes will be made by the Town Board. Bill Fuest thanked everyone for their input, and instructed that it will be taken into consideration.

8:06 pm motion to adjourn by Tim Welch seconded by Don Brooks. Voice vote unanimous (7 votes)

Draft submitted by Lisa Sauer 10/27/22