

## 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)

**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 Owner's Suzanee 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 went through the questions proposed by the MRB group to the application team. EAF questions and clarification These included answers to questions regarding noise, pesticides, and the effect on endangered species. Jon Hinman(MRB) requested a water erosion and sediment control plan before the next meeting.

Decommissioning bond value and plan. Generic plan at this time, however at time of the building permit will be more specific. Mark Boylan Esq will review the plan. A building permit is not issued until a final decommissioning plan is submitted.

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 issues the MRB Group identified can be submitted by the May meeting the 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 Highway Dept, Genesee County Emergency, Pavilion FD, Town Board and Planning Board, PCS, PFD, Genesee County soil and water district Also suggested the 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