

## TOWN OF PAVILION PLANNING BOARD

Regular Meeting Minutes  
March 15, 2023

**Board Members Present:** Bill Fuest (Chairperson), Don Brooks, Liz Conway, Gary Kingsley, Scott Savidge, Lisa Sauer(clerk)

**Board Members Absent:** Lisa Schiske and Tim Welch

**Guests:** Jim Thater (Liaison to the Town Board), Troy Williams(Zoning), Rob Lapoint(Town Supervisor)

**Visitors: 3**

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

Minutes from the 10/19/22 meeting were reviewed. Moved by Don Brooks, seconded by Gary Kingsley to approve minutes. Voice vote unanimous.

Bill Fuest announced that Pat Boyd will no longer serve on the Planning Board and wanted to thank him for his service.

Bill then welcomed Scott Savidge who is joining the Planning Board. Scott comes with experience of serving on the Zoning Board in the past.

**Update on Special Use Permit Activity:** In December the Center Aggregate/Spallina Materials put in a special use permit application for modification to mining at the McDuffy Pit which is on Pavilion Center Road. This is under the jurisdiction of the DEC. Rob Lapoint updated the Board on the project. He received an update with the full modifications of the Mining Permit which he forwarded to the County and Attorney to be certain this is under full DEC jurisdiction and no local oversight is required. The size of operation is increasing and a berme will be all around the property. No Action required.

**Request for Communications Tower on Black Street:** The Pavilion Town Board placed a 6 month moratorium on the installation of any new communication towers at the February Town Board Meeting, as current zoning and setback regulations are under review. The Black Street Communication Tower special use permit came in after this moratorium was put in place, so no action has been taken on this application at this time. Rob Lapoint stated, however, that because an application has been submitted, the length of the moratorium has been shortened to 5 months, due to rulings. No action required at this time.

**SEQR for Genesee County Water Supply Phase 3 Project:** This will eliminate the needs for water towers in Batavia and replace them with pumping stations/transmission mains. The changes should add 7.6 million gallons of water into the system a day. Rob Lapoint provided an update. The water authority is going to construct a very large concrete ground storage tank behind the building on Walker Road. This is on Water Authority property. No action required.

**White Creek Solar Farm in Town of York:** York is putting in a 135 MW facility. In comparison the one approved by the Planning Board on Shepard Rd is 4.275 MW, taking up about 20 acres. The Town of York's facility will take about 3000 acres. We are made aware, due to it coming within 5 miles of the border with the Town of Pavilion, at the intersection of routes 63 and 246, on top of a hill, near school. No action required.

**Old Business: Status of the Zoning Code/Setback Update Proposal.** The current set back rules specify required distance from property lines. The proposal being worked on specifies required distance from residences, schools, churches, etc. and suggests varying set back distances depending on the project size.

Currently being reviewed by the Attorney. Also under review by the Genesee County Planning Board. Will need final approval by the Attorney and then a public hearing.

**No New Business**

7:23 pm motion to adjourn by Don Brooks, seconded by Gary Kingsley.  
Voice vote was unanimous.

Draft submitted by Lisa Sauer 3/21/23