

## TOWN OF PAVILION PLANNING BOARD

Regular Meeting Minutes  
April 19, 2023

**Present:** Bill Fuest (Chairperson), Tim Welch (Vice Chairperson), Don Brooks, Gary Kingsley, Scott Savidge(7:07), Lisa Schiske, Lisa Sauer(clerk)

**Absent:** Liz Conway

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

**Visitors:** 3

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

Minutes from the 3/15/23 meeting were reviewed. Moved by Don Brooks, seconded by Gary Kingsley to approve minutes. Voice vote unanimous.(5)

**Old Business:** Status of the Zoning Code/Setback Update Proposal-Review Final Draft- Copy of draft was distributed to board members. Rob Lapoint presented the draft to the Board Members, requesting any input.

Some areas highlighted and discussed:

\*Clarification around the definition of a standard Gas Station or a Gas Station Convenience Store vs.a Truck Stop,Travel Plaza. The buildings and impermeable surfaces must be less than 100,000 sq ft to be considered a Gas Station/Gas Station Convenience Store. Over 100,000 sq ft is considered a Truck Stop/Travel Plaza.

\*The Town of Pavilion did not opt out of the New York State law making cannabis sales legal. Cannabis sales and Cannabis Cafes for on site consumption will be permitted in the Industrial/Commercial Zone. Parameters for signage and exterior display are also defined.

\*The newly created Industrial/Commercial Zone that is part of the Comprehensive Plan will now become part of the Zoning Code. This zone is located at the intersection of Rt 63 and Rt 20. Land parcels in this location will not automatically be rezoned, but owners of these parcels now will have the option to rezone

\*Multiple Special Uses - In the Ag/Res1 Districts, Special Use Permits may be requested to cover multiple uses, as long as the additional uses are of lesser impact than the primary use

\*Setback Changes - Setback changes are being updated for Commercial Communication Tower installations. Also, for all projects requiring a Special Use Permit in the Ag/Res1 & Ag/Res2 Zones, regulations are being put in place around the distance of these projects from dwellings, schools, churches, daycare facilities, and senior care facilities, depending on the size of the project.

After questions were answered by Rob from the Board. The Planning Board resolved to support the draft. Motion to support made by Tim Welch, seconded by Don Brooks. Voice vote unanimous(6).

On Feb 10th a moratorium was put in place by the Town Board in regards to communication towers. However an application came in on Feb 14th. Since an application came in, legally the moratorium has to be closed out in 5 months now, which will be July.

The County Planning Board Mtg is May 11th, The Town Board Mtg. Is May 10th. This would push the public hearing for the ZoningCode/Setback Update to June. Rob Lapoint proposed a joint meeting next month May 17th with The Town Board and have the public hearing at that time. The Planning Board agreed they would like to do a joint meeting/public hearing next month. Rob will confirm with the Town Board Members availability. After the law goes into effect, then the moratorium presumably will be lifted.

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**New Business:** Review "Excavation" Special Use Permit Application for a location on Perry Rd  
At this point the application has been deemed incomplete. Still needs further review by The County Planning Board and County Highway Department. No action at this time.

7:31 PM motion to adjourn by Tim Welch, seconded by Don Brooks.  
Voice vote was unanimous.(6)

Draft submitted by Lisa Sauer 4/26/23