

## **TOWN OF PAVILION PLANNING BOARD**

Regular Meeting Minutes/ Public Hearing Communication Tower  
July 19, 2023

**Present:** Scott Savidge(Chairperson) Tim Welch(Vice Chairperson), Liz Conway, Don Brooks, Lisa Schiske, Lisa Sauer (clerk)

**Absent:** Gary Kingsley

**Guests:** Jim Thater (Liaison to Town Board), Troy Williams (Zoning), Steve Fantuzzo and Jeff Szkolnik from Nixon Peabody LLP-for Verizon Wireless application

**Visitors:** Jesse Coots as per sign in log

The meeting was called to order at 7:00 PM by Scott Savidge

The Pledge of Allegiance opened the meeting.

Minutes from the June 23, 2023 meeting were reviewed. Motion to approve by Lisa Schiske and seconded by Tim Welch. Voice vote was unanimous.(5 votes)

### **Public Hearing open at 7:02 for the Communication Tower Special Permit:**

Steve Fantuzzo from Nixon Peabody was asked to give an overview of the project.to be located at 8135 Black Street of an 180 ft tower. This included a waiver from the neighbor and engineering comments from MRB.

Scott Savidge began by giving guidelines for those who speak at the Public Hearing.Then asked for any comments on the proposed project..

Jesse Coots-addressed the board in regards to buffering of the project to make less of an eye sore..States area is presently surrounded by dead ash trees. Any type of way to camouflage the tower itself? Referenced a tower in Attica.

Jeff Szkolnick from Nixon Peabody commented stating -tower to be set in a big grove of forested land. Will not be able to see the base of the tower from access Rd. Stealth towers can inhibit reception.

Discussion on buffering. No light required by FAA if under 200ft.

No further comments or questions at 7:14-Public Hearing will remain open at this time.

The Genesee County planning board did not have a quorum to vote, thus no action was taken. Per our attorney this would not be a concern for the Town to move forward with a vote.

SEQR at the last mtg-the applicant did not have a copy of the comprehensive plan. Thus C.2 was not completed. The Project is not inconsistent with the Comprehensive Plan. The Project addresses one of the weaknesses identified in the plan( lack of consistent broadband internet).

Planning Board Members also needed clarification on the fence height and field storage. Code for fences is 8ft. A description is given of a 7ft fence with barb wire on top making 8ft. . Generator is 210 gallons storage capacity. No objection from the Board Members

Scott Savidge went through Part II and III the SEQR forms. Discussing the areas that were answered yes. These areas were determined to have a small to no impact on the environment.

**Public Hearing closed at 7:33**

Board members, Troy Williams and Representatives from Nixon Peabody continued discussion on the buffering on the southside of the project.

Project has been reviewed by the Town's engineering group and attorney-reviewed recommendations.

Scott Savidge asked for a motion to approve the special use permit contingent upon the following items:

1- The applicant to have a licensed engineer prepare and stamp an itemized estimate that takes into account the decommissioning costs of the project site and would develop the rest of the recommendations outlined in MRB commitment letter dated 6/29/23

2- Provide an operation and maintenance bond prior to issuance of building permit

3- Geotechnical engineering analysis/investigation of the soil conditions and bearing capacities to identify the soil parameters necessary for design of the access road and the structural components of the site prior to issuance of a building permit

4- Structural analysis report to be provided and stamped by a licensed structural engineer regarding the proposed structural plan prior to issuance of a building permit

5- The applicant to provide a visual buffer on the south side of the driveway in the buffer area with conifer trees. Number and layout to be determined by the town engineer prior to issuance is a building permit

Motion to approve Special Use Permit with the aforementioned contingencies made by Don Brooks, seconded by Tim Welch

Roll call vote taken: Liz Conway: Yes; Don Brooks: Yes; Lisa Schiske: Yes; Scott Savidge: Yes; Tim Welch: Yes

### **No New Business**

Motion to adjourn at 8:15pm by Tim Welch and seconded by Don Brooks. Voice vote was unanimous. (5 votes)

Draft submitted by Lisa Sauer  
7/22/23