

Frank Pavia

Partner

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Education

- Pace University School of Law, JD
- Boston University, BA

Practices & Industries

- Environmental
- Land Use & Zoning
- Project Development
- Energy
- Nuclear Energy
- Data Center & Digital Infrastructure

Admitted to Practice

- New York

Court Admissions

- US Bankruptcy Court for the Western District of New York
- US Court of Appeals for the Second Circuit
- US District Court for the Northern District of New York
- US District Court for the Southern District of New York
- US District Court for the Western District of New York

Biography

Frank focuses his practice on environmental law and litigation, permitting, land use and zoning, New York State Environmental Quality Review Act (SEQRA) and National Environmental Policy Act (NEPA) reviews, Brownfield redevelopment, energy project siting, renewable energy and environmental due diligence, and risk management concerning real estate and corporate transactions. He serves private and public companies, developers, financial institutions, economic development agencies, governmental authorities, school districts, and municipalities throughout New York State on a variety of projects and matters. He has represented clients in the development, acquisition, and management of renewable energy projects, including wind, solar, and biomass.

An experienced litigator, Frank defends clients in federal, state, and local courts and advises on major industrial, commercial, energy, and residential development projects. He also has extensive experience with administrative and permitting proceedings before the US Environmental Protection Agency, the US Army Corps of Engineers, and the NYS Department of Environmental Conservation concerning Brownfields, wetlands, petroleum spills, inactive hazardous and solid waste facilities, remedial cleanups, and Resource Conservation and Recovery Act, Clean Water Act, Clean Air Act, and Safe Drinking Water Act compliance.

Frank also assists municipalities as special counsel on large-scale projects, eminent domain proceedings, the consolidation of sewer, water, and drainage districts as well as landfill expansions and closures.

For almost 10 years, Frank has been the Town Attorney for the Town of Victor, New York. Previously, he was the Town Attorney for the Town of Rush, New York, for over 20 years.

Bar Associations

- Monroe County Bar Association
- New York State Bar Association

Representative Experience

- Represented Trammell Crow and Amazon in securing zoning, SEQRA, and public finance approvals and benefits for the construction of a 4 million square foot regional warehouse distribution facility in the Town of Clay, New York, as well as a 2.8 million square foot warehouse facility in the Town of Gates, New York.
- Provided Brownfield and SEQRA representation for the City of Canandaigua North Shore Redevelopment Project, a multi-use lakefront project along the shores of Canandaigua Lake.
- Provided zoning services to the developer of a medical cannabis grow facility in the County of Orange, New York, as well as for various medical marijuana dispensaries located throughout New York State.
- Provided Brownfield, SEQRA, and zoning services to a client relating to the redevelopment of a 100-year-old manufacturing facility into a mixed-use site in Buffalo, New York.
- Provided Brownfield, SEQRA, and zoning services for a client developing a biomass fuel production facility on the former Griffiths Air Force Base in Rome, New York.
- Provided SEQRA and zoning services for the Seneca County IDA regarding biomass fuel production on the former Seneca Army base as well as successfully defended approval of the project in an Article 78 proceeding.
- Provided SEQRA and zoning compliance services for a 1,250-acre advanced technology manufacturing park located in the County of Genesee, New York.
- Assisted the City of Yonkers IDA in the Brownfield redevelopment of the former Austin Avenue landfill into a regional retail center.
- Provided SEQRA assistance to the Steuben County IDA on the review and approval of four wind farm developments located on approximately 100 square miles and represents the Steuben County IDA in an Article 10 review of a proposed 242-megawatt wind farm project.
- Provided ongoing zoning due diligence for NextEra on its acquisition of solar energy facilities located throughout the State of New York.
- Assisted the developer of a $300 million college campus extension in obtaining federal wetlands permits.

- Assisted a town on the closure of its former landfill and defended the town in EPA cost recovery matters concerning the Onondaga Lake and Lower Ley Creek CERCLA sites.
- Provided zoning code development for the Town of Richland, New York, and the Village of Pulaski, New York.
- Served as counsel for the Niagara County Refuse Disposal District, counseling on regulatory matters associated with landfill operations, including expansion under Part 360 regulations and supplementing the closure of previously closed facilities.
- Represented the developer of a mixed-use residential project along the banks of the New York State Canal System in the Village of Pittsford, New York.
- Represented a developer on a Brownfield and land use project involving the construction of an affordable housing development in the Bronx Borough of the City of New York.
- Represented an Erie County local development corporation in a Brownfield project for a component of the former historical Bethlehem Steel Corporation facility in Lackawanna, New York.
- Represented an Erie County local development corporation in completing the SEQRA review and wetlands compliance for the planning of the Erie County Agribusiness Park to be developed on the former Evans-Angola Airport site.
- Represented the Broome County Industrial Development Agency in the planning and SEQRA assessment of its proposed 350-acre science and technology park.
- Represented the City of Binghamton, New York, in its condemnation of a vacant regional shopping center and successfully defended its associated SEQRA review in appellate court.

Prior Experience

- Harris Beach PLLC, Member and Environmental Practice Group Chair
- Boylan, Brown, Code, Vigdor & Wilson, LLP, Partner
- New York City Department of Environmental Protection, Assistant Counsel

Selected Community Activities

- Italian Heritage Foundation of Rochester, Board Member
- Country Club of Rochester, Board of Stewards Member

Selected Honors

- *The Best Lawyers in America*®: Environmental Law, 2019–2027; Land Use and Zoning Law, 2024–2027; Litigation – Land Use and Zoning, 2021–2027