

DRAFT
Pittsford Planning Commission Meeting
March 27, 2025

Board Members Present: Rick Conway, Kevin Blow, Donna Wilson, Robb Spensley, Gordon Fox – via phone

Board Members Present via Zoom: Mike Norris

Others Present: Jeff Biasuzzi, Ann Reed, Logan Solomon

1. Meeting - Call to order

The meeting was called to order at 7:00PM by Kevin Blow – Chair.

2. Approval of Meeting Agenda

A motion was made by Rick Conway and seconded by Robb Spensley to approve the agenda, as amended. **The motion passed unanimously.**

Correct Item 5 to indicate Logan Soloman rather than Jeremy Gildrien

3. Approval of Minutes

. February 27, 2025 Planning Commission Meeting

A motion was made by Donna Wilson and seconded by Rick Conway to approve the February 27, 2025 Planning Commission meeting minutes. **The motion passed unanimously.**

4. Public Comment

There was no discussion held.

5. New Business

a. Review Zoning Information with Logan Solomon

Logan Solomon of the RRPC was present to review zoning information relating to changes in State law. Mr. Solomon advised there are areas in the Town's zoning where there are conflicts and he will provide suggested revisions. Pittsford zoning was approved in 2019 and there is a bylaw grant for revisions. In 2023 there was a law that impacted municipal zoning and another in 2024 that supersedes municipal zoning and also changed the 2023 law. Mr. Solomon focused on the two laws and will review the other laws to ensure that all State boxes are checked. With State law there are provisions that are specific and other provisions that can be interpreted differently. When there are gray areas, the most permissive was used to avoid litigation. When talking about State law there are instances where there are multiple ways to do it but, in some cases, there is only one option.

Section 106 is a standard section referring to a section in State law. Mr. Solomon will provide an on-line copy that will note the State law. The current zoning is restating 24 VSA 4403 and the Home Act of 2023 changed the provision. Mr. Solomon provided some suggestions to align with State law.

For Section 300 Table of Uses, there is a new provision in State law that speaks to the need for areas served by municipal sewer and water. In the current zoning there is single, duplex, and multi-family and there needs to be a revision for four or fewer dwellings are permitted where there is sewer and water. It was asked if the one-acre provision is included. Mr. Solomon stated the current zoning for all districts one, two, and multi-family dwellings is a conditional use in

Conservation 1, Rural, Village and Commercial. The sewer service is generally around the Village district. Jeff Biasuzzi stated there is not much in Commercial that has both sewer and water, but there is potential in the future. Mr. Solomon stated the Village district and part of the Commercial district that have both sewer and water, the Town would have to allow 4 or fewer dwellings and he noted the simplest way in the table of uses would be to add this verbiage in the comment column or instead of breaking into two categories, it could be broken into 3 categories. A third option might be to refine the zoning map where there is a sewer and water district. Mr. Solomon noted density is a separate State law. Rick Conway stated the State is trying to avoid sprawl and he does not think this is the way to go. Mr. Solomon stated there are other considerations such as traffic impacts can be considered. Jeff Biasuzzi stated conditional use would allow for rules to be set for a project as there needs to be a provision that allows for a review of a project to allow for a change on a case-by-case basis. Mr. Biasuzzi asked if it is required to be a permitted use or reviewable under conditional use. Mr. Solomon advised it depends on where there is sewer and water and suggested he could contact the State to clarify and the Commission was in agreement.

Mr. Solomon advised dimensional standards under 24 VSA 44 has been changed twice and at the core it is saying for all residential uses, the dimensional standards have to be the same. In the current zoning table, for all districts except Conservation, minimum lot size is broken down differently and State law is requiring having the same dimensions for all residential uses. All of the dimensions in the table in the Village district have to be treated the same and it can be determined by thinking about existing development patterns and what the average lot size is in the Village district and then have regulations to assure that the traditional character is maintained. This dimensional alignment is another item that the State is requiring.

Mr. Solomon advised some towns have a maximum density requirement; Pittsford does not have such a requirement. The State has a requirement that allows for density of five or more dwellings per acre. Mr. Solomon stated one building with 4 units is a type of use, the other piece is speaking to the density and are two different standards, and reiterated it is where there is both water and sewer. Mr. Solomon stated when taking the two provisions together, the smallest lot would be an .8 acre for a 4-unit dwelling. Rick Conway asked what the maximum number of people could be and Mr. Solomon advised it would be based on the number of bedrooms. Mr. Conway noted concern with the water and sewer capacity and Mr. Solomon noted there is a definition of what served is and it does speak to capacity. Mr. Solomon will check on this definition and advise the Commission. Mr. Solomon stated a municipal bylaw can exclude specific areas and this is a definition that can be added. Robb Spensley would also like to know how much capacity there is. Jeff Biasuzzi stated five dwelling units is the minimum and the State wastewater rules may come into play. Mr. Conway expressed concern that the changes could double the amount of usage depending on the size of the building. Mr. Biasuzzi stated the Town has the ability to determine that, but there is no maximum occupancy on public buildings. Ann Reed advised the Town is currently working on the sewer capacity and if it is expanded to the north and south, and down Furnace Road, it will use up the capacity of what the Town has. Water is not a concern. Mr. Spensley stated capacity needs to be tracked and the Town may need to get more capacity for these regulations to work. Ms. Reed advised she has the capacity by month and what reserve remains. Mr. Spensley requested the Commission receive this information and suggested it appears that the Town could not grow much before needing a new plant. Mr. Conway noted the Police Academy was considering hooking on. Ms. Reed stated preliminary plans were drawn up but it is unsure how many residents would hook on if the sewer were run to the Academy. Mr. Solomon stated this pertains to only areas served by both sewer and water, and septic is a constraint. Mr. Solomon stated Pittsford does not have specific density but does have minimum lot size. For affordable housing development, this density requirement is only in areas served by sewer and water and an additional 40% density would be allowed. The State also specifies that in order to allow for the density one can exceed the height by one floor. Since there is talk about maximum density the Town may want to consider a maximum density metric and have it aligned with the State provisions. This could be separate to ensure that the Zoning Administrator checks it. Mr. Solomon will provide examples of text for the bylaws for a potential revision. Mr. Solomon stated Pittsford has a maximum building height of 40 feet, and this would mean the height could be 50. Rick Conway noted concern with changing the character of the Town.

Mr. Solomon stated Article 7 has to do with parking spaces and in 2024 the State provided a standard size for residential parking of 9 feet x 18 feet and Pittsford would have to lower the length from 20 feet to 18 feet. The second piece is that a parking space not meeting the requirement would count toward the parking requirement if it is an existing residential building.

T1402 - Interested Persons has to do with the appeals process. There is a definition of interested persons and there were changes made and this section needs to be updated. In the appeals process, the State is indicating the Zoning Board of Adjustment when rendering a decision of a mixed-use development, the housing portion has to be followed. Mr. Solomon stated it would be best to reference State law 1 VSA 4464(7)(a) and suggested referring to the subsection in the zoning plan. Jeff Biasuzzi stated it could also be added as an addendum. Mr. Solomon stated there are specific case studies that resulted in the creation of this provision and that is what towns are normally doing. There were specific towns that led to the legislature writing this provision and this is ensuring that the Town has met this provision. Article XIV is adding a section that an appeal for affordable housing, as defined by the State, a Town cannot include the character of the area for an affordable housing project. For the hearing process, Section 1702, there is an addition to State law that within 120 days of an application completed, the ZBA shall notice and warn a hearing. Mr. Biasuzzi noted the State is doubling the time to warn a hearing.

Ann Reed advised the zoning, Town Plan and the subdivisions have to be completed by December 31st as the Town Plan has to be approved by February 6, 2026. The zoning and Enhanced Energy plan has to be done by July and the Town Plan can be worked from September through November. Rick Conway noted concern with how the new regulations are going to affect the Town. Ms. Reed stated if the Town does the zoning, subdivision, and the Town Plan, it will be a Tier 1b designation that will eliminate Act 250. The subdivision has to be in the Town Plan and zoning completed to meet Tier 1. Ms. Reed offered to assist and will work with Devon Neary of the RRPC. Mr. Solomon stated there are 4 towns that the RRPC is assisting with the bylaws and the idea is to provide a framework for the Commission to work with to make it fit for Pittsford. Mr. Conway noted the Commission had a lot of input on the Town Plan and he does not support these zoning changes and suggested talking with the legislative representative about this as he did not think this is going to be well received by the community. Mr. Solomon stated there needs to be a discussion of how to mitigate some of the regulations. Mike Norris suggested developing actions to mitigate the requirements as much as possible. Robb Spensley stated these are mandates and asked what can be done to mitigate some of the changes. Mr. Solomon stated there could be impacts considered like scenic, environmental, or traffic implications as certain things done to mitigate some of the requirements. Mr. Solomon noted he can be a resource in helping the Commission discuss ideas and determine what the concerns are. Ms. Reed stated in order to receive the grant for zoning, the revisions have to be done by December 31st. For the Enhanced Energy plan, the Commission needs to choose a date for the hearing and noted May 15th would be soonest date possible. Mr. Conway stated the largest thing is to make the zoning compliant with State mandates. Ms. Reed noted she has outlined this with the Select Board and they have said to get this all done. Mr. Biasuzzi stated subdivision have been previously discussed and he could provide the Commission with a couple of drafts. Mr. Solomon suggested starting from a template and noted with subdivision regulations there are minor and major ones, and each town defines what they are. Ms. Reed noted the Select Board wants the Tier 1b classification. Mr. Conway asked Mr. Solomon provide information prior to the next meeting regarding the zoning revisions. Mr. Spensley requested a new article that could incorporate capacity, scenic, traffic studies, etc. to the extent possible to analyze these items. Mr. Solomon suggested there items could include water, sewer and school capacity, traffic, scenic, architecture, parking, geographical features, no excess clearing, and the character of the area.

b. Pittsford Village Farm

Gordon Fox was called for this agenda item for consideration of a letter of support for the Pittsford Village Farm grant application.

Donna Wilson stated the Pittsford Village Farm was applying for a grant application and requested the Commission consider approving a letter of support. Ms. Wilson noted she is making this request of the Commission because the new Town Plan includes housing, childcare, and economic development. The proposed project will provide more jobs in the childcare center and café. Ms. Wilson provided a rendering of the house, noting historic preservation has been involved in the project. The ground floor would have a community room, kitchen, and utility area. The first floor is where the childcare center will be located, plus a preschool program that includes a kitchen area and rest area. The center would accommodate 26 children and 10 infants. The grant application is for the community room and the café. The RRPC, MacClure Library, Historical Society, and Chamber & Economic Development of Rutland County have provided letters of support. There will be one 2-bedroom and one 1-bedroom apartment. The Welch CDS grant request is for Phase II of \$906,750 for the community center and café. The rest of the funding is through fundraising, a corporate drive, and capital sponsors. This has a historic feature and will be a good hub for everyone. Mike Norris requested information about

corporate sponsors. Robb Spensley will provide Mr. Norris the information on corporate sponsors. Mr. Spensley stated all of the wetlands of 150 acres were gifted to the Village Farm. The childcare center would be run by the Parent Child Center of Brandon.

A motion was made by Rick Conway and seconded by Mike Norris to approve a letter of support for the Pittsford Village Farm project to Senator Welch dated March 27, 2025, and authored by Donna Willson. **The motion passed- Donna Wilson and Robb Spensley recused themselves.**

6. Old Business

a. Discuss Next Steps of Enhanced Energy Plan

Robb Spensley reported the maps have been received and that the solar energy potential listed sites are provided up to 2020. Rick Conway suggested asking the RRPC for an updated map once available.

Ann Reed will scan the Enhanced Energy plan and include it on the Town's website for all to review. Jeff Biasuzzi stated the Select Board will have to hold two public hearings and the Planning Commission will have to hold one hearing, unless there are changes required by the Select Board. Mr. Biasuzzi advised the abutting municipalities, the Department of Housing and Community Development and the RRPC have to be provided a copy. The Plan will be posted on the website and physical copies will be available. Lothrop School could be contacted as a backup for the location of the Energy Plan hearing. Robb Spensley will ask Jeremy Gildrien if there is an updated map for solar energy potential listed sites. The Planning Commission hearing was scheduled for May 15th at 6:30PM. Ms. Reed will discuss hearing dates with the Select Board and will request that they be in attendance at the Planning Commission's hearing. Ms. Reed will also invite the Select Board to the Commission's April meeting as the Energy Plan will be reviewed.

Robb Spensley suggested an agenda item for the April Planning Commission meeting to discuss the May 15th public hearing. Copies of the zoning bylaws will be printed for the Planning Commission.

b. Discuss Deadlines for EEP, Zoning and Town Plan

This agenda item was discussed previously in the meeting.

7. Next Meeting

April 24, 2025 @ 6:30PM at the Pittsford Town Office

8. Adjournment

A motion was made by Rick Conway and seconded by Robb Spensley to adjourn the meeting at 9:20PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant
Recording Secretary

Approved by,

The Pittsford Planning Commission