

Pittsford Planning Commission Special Meeting

January 6, 2022

Board Members Present: Mark Winslow, Rick Conway, Mark Pape, Robb Spensely, Chuck Charbonneau, Donna Wilson, Derek Blow, Kevin Blow

Board Members Via Zoom: Mike Norris

Others Present: Jeff Biasuzzi

1. Call to order

The meeting was called to order at 7:02PM by Mark Winslow – Chair.

2. Approval of Meeting Agenda

A motion was made by Kevin Blow and seconded by Chuck Charbonneau to approve the agenda. **The motion passed unanimously.**

3. Approval of Minutes

. November 18, 2021 – Planning Commission Meeting

A motion was made by Mark Pape and seconded by Rick Conway to approve the minutes of the November 18th meeting. **The motion passed with two abstentions – Mark Winslow and Kevin Blow.**

4. Public Comments

Mark Winslow thanked Mr. Conway for chairing the last board meeting and wished to comment on a couple of items from the last meeting. He advised that he added an agenda item for Act 171 comments. Mr. Winslow also wanted to remind the Board that all members are volunteers and life does happen and not all can make every meeting.

5. Response to Act 250 – 1R0925-4 – Sections 14 &15

Mark Winslow advised the Board needs to respond to the Act 250 recess order IR0925-4, Sections 14 and 15. All members received a copy of the recess order for review and the Planning Commission is requested to provide information on the sections. Mr. Winslow requested an extension that was granted to January 22nd.

Under Section 14, the Board is to provide a copy of the prepared statement of September 30th that was read by Mike Norris at the hearing. Rick Conway advised there was a typo in

the statement as the hearing was in February 2015 not 2016. Robb Spensely noted it should be clarified to Act 250 that it is a typo. Mr. Conway noted the set of plans the State presented was dated February 18, 2015. Mr. Winslow noted that he will address the date typo.

Under Section 15, the Board is to provide evidence the project does not conform with the village center, that it is in conflict with the Town Plan (Criteria 8) and that the project will create an unsafe intersection under Section 59(a). Mr. Winslow requested assistance with putting together the evidence to assure that it is done in a timely manner. Mr. Winslow stated there should be answers for three areas that Act 250 has asked for information. Rick Conway noted that he has presented information on his own but the Planning Commission has presented their own reasons.

Mike Norris stated he spent 7 hours at the Act 250 meeting and asked if there is a video of the meeting as a lot of the rebuttal information could be drawn from the meeting that was pointed and challenged of the DOT's assumptions. Rick Conway noted it is on a PEG-TV video. Robb Spensely stated the video could be used siting the times in the video the information can be found. Mr. Norris stated the safety concerns were dwelled on for hours. Robb Spensely stated people at the Select Board had safety concerns and all are potential issues that could be rewatched and sited to point out exhibits and timestamps. It will require watching the videos on the meetings and noting the evidence. Donna Wilson stated the Planning Commission will need to make statements and back it up with the evidence. Recommended sections of the Town Plan include Page 5, Section 4 – Vision regarding Preserving the Historical Character of Pittsford concerning the Historic Green at Route 7 and 3 intersections as it contributes to the character of Pittsford. Donna Wilson noted the State had written a letter stating that it is not a historical area but had indicated previously that it was historical. Rick Conway advised the State has taken the position that it wasn't historical but previously in the 2015 scoping report there were documents the State had provided from Historic Preservation that noted the existing bridge was historical and the grass island would need to be restored. The Historic Society of Pittsford supported the 2015 bridge replacement not removing the green island. On Page 12 of the Town Plan – Economic Development supports the village as historical, business, and residential that refers to the historical aspect. On Page 15 of the Town Plan – Land Use – Visions and Goals – indicates to protect and preserve natural and historic features and on the same page under Land Use – the village is to maintain the physical and social area. On Page 16 – Reduce Sprawl – it indicates Pittsford has a designated village center and a historic area has been included. On Page 22 – Transportation, Vision and Goals – indicates safe, convenient, and economic transportation. On Page 24 – Section 5 – Trucks and Bridges – trucks are a significant issue and bike traffic. On Page 26 – Upgrade Segments – the Plan indicates bridge road and bridge construction to begin no sooner than 2028. It was noted this is complicated because the State has taken the bridge out of Segment 2 and made it a separate project. Originally there was not going to be changes to the road, but now there are changes. Mark Pape stated as far as the safety concerns the Select Board letter provides good evidence. Mr. Norris noted there is a critical challenge as the State and DOT have never done a layout like what is being proposed. Mr. Conway stated the Select Board issued a letter to VTrans that will be included with the evidence. The recess order has requested

VTrans provide information for the turn lane. VTrans had provided crash statistics for the slip lane and the recess order asks for crash statistics for this lane. Mr. Conway has statistics from VTrans that indicate no accidents for the slip lane. It was noted the existing lane is safe as there have been no accidents in that lane. Mark Winslow stated there needs to be someone to watch the videos to notate the timestamps for the safety notations. Mark Pape will review the videos and write a summarization for the safety issues and distribute to the Board. Mr. Conway will also provide the petition with signatures that Mr. Norris had referenced during the Act 250 hearing in opposition to the proposed changes.

Mark Pape will do the summarization for the safety issues from the Select Board meeting and the Act 250 hearing. Rick Conway will provide the petition and traffic statistics to Mark Winslow. Mr. Winslow requested the information be provided to him by next Thursday and he will put together a rough draft and distribute to the Board members for review. It was also noted the removal of the flashing lights could also be another safety issue.

6. Act 171 Forest Block and Habitat Connectors for Town Plan Webinar Review

Mark Winslow reported Donna Wilson and he attended a webinar regarding Act 171 and noted this is an issue that all members should be aware of. Mr. Winslow advised the Act is on the ANR website and requested all members review it. At the webinar, it was discussed how to overlay the maps for forest blocks and habitat connectors. The webinar was run by Fish and Wildlife and the Vermont Natural Resource Council (VNRC). The VNRC is a private-nonprofit and not a government organization. The Act is making it mandatory that towns map all land in the Town for forest blocks and habitat connectors. There is a definite road that planners are being required to map that include private land and they provided words to nullify legal issues. Donna Wilson stated they want to show the segments that they have determined and are requiring the towns to implement the plan. The Planning Commission has to remember it is driven by a non-government organization. Rick Conway stated if it is not put in the Town Plan, the RRPC will not approve the Town's Plan. It was noted that the RRPC is put in the same position and they have to implement it. This is bordering on unconstitutional as people's rights will be taken away regarding their property. Other towns have started phases on their own, but all towns will have to do this. Mr. Winslow requested all board members read this to be able to do what is right for the Town. Currently, 25% of the land is protected or owned by the State. Mr. Winslow noted there is not much new land being conserved by the State at this point in time. When looking at the statistics, the tax base will decrease dramatically. Mr. Winslow strongly encouraged the Board to review the act for a future discussion. The Pittsford Town Plan is in place until 2026 as it had been previously approved in 2018. Jeff Biasuzzi stated there also has to be coordination with the adjacent towns to have a continuous forest block. Mr. Winslow noted the entire State is a wildlife corridor and this will be contentious when private landowners want to develop. Mr. Winslow advised the Town already has designated conversation areas. Mr. Conway asked Donna Wilson as the alternate to the RRPC to obtain their comments on this subject. Mr. Winslow stated it is important for the Board to educate themselves on this Act as there are many requirements that the State is asking the towns to administer. Mr. Biasuzzi stated they are making a concerted effort to make the Act

mandatory under the statute and will be a required element in the town plans going forward, noting it is a new law and has never been tested.

7. New Business

There was no discussion held.

8. Old Business

Mark Winslow advised that the Planning Commission report has been submitted for the Town's annual report.

Mr. Winslow reported he has received the Certificate of Public Goods for Adams Solar. Mr. Winslow attended a meeting with the PUC on Monday with John Haverstock regarding scheduling another meeting where they may receive more comments. Mr. Haverstock will speak on behalf of the Town at the next meeting but currently nothing has happened with the project. Mr. Winslow will be doing a separate request to be able to provide information on behalf of the Planning Commission.

Rick Conway reported Donna Wilson has put together information for the historical marker and advised the application needs to be submitted. This item will be added to the agenda for the next meeting for review.

Mark Winslow asked Mike Norris about the status of the solar checklist. Mr. Norris advised that he has the checklist completed. This item will be added to the agenda for the next meeting.

. Schedule Date/Agenda for Next Meeting

January 27th @ 7:00PM – Planning Commission Meeting (In Person)

9. Adjournment

A motion was made by Derek Blow and seconded by Rick Conway to adjourn the meeting at 8:16PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant
Recording Secretary

Approved by,

The Pittsford Planning Commission