

**Pittsford Planning Commission Meeting  
February 24, 2022**

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

**Board Members Via Zoom:** Donna Wilson

**Others Present:** Ed Bove

**1. Call to order**

The meeting was called to order at 7:01PM by Mark Winslow – Chair.

**2. Approval of Meeting Agenda**

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

Change #6 Town Plan – Act 171 to include discussion with Ed Bove regarding Route 3/Route 7 Intersection

**3. Approval of Minutes**

***. January 27, 2022- Planning Commission Meeting***

A motion was made by Chuck Charbonneau and seconded by Rick Conway to approve the minutes of January 27<sup>th</sup>. **The motion passed unanimously.**

**4. Public Comments**

There was no discussion held.

**5. Vermont Nature Conservancy – LaBrake Road Parcel (Smith/Wheeler) – Jon Binhammer – TIC**

Jon Binhammer, Protection Director for the Vermont Nature Conservancy, advised they have applied for a grant for partial funding from the Vermont Housing Conservation Board for purchase of the Smith/Wheeler property on LaBrake Road. Mr. Binhammer noted he has met with the Select Board. The property is listed as 138 acres through the lister but is actually 412 acres by survey and they will record the survey in the land records. He does not know why there was a mistake in the listing, but it has been that way for quite a long time. He wanted to discuss with the Planning Commission what the Conservancy is doing and determine what the Planning Commission's interest might be in supporting this and answer any questions. Rick Conway asked how much land the Nature Conservancy owns in Pittsford. It was noted the Town Plan indicates the Conservancy owns 1787 acres. Mr. Conway stated this is important information and is a lot of land. Mr. Binhammer stated the Vermont Housing and Conservation Board will have a conservation easement on this land to allow for forest management and it will require public access and at this point all options are open for forest management. They are doing carbon-based forest management to increase carbon levels. It would involve forest management to increase the amount of storage of carbon both in the trees and in the soil. Chuck Charbonneau asked if the plans have changed as far as that part of the property since meeting with the Select Board. Mr.

Binhammer advised that they do not do logging on the remainder of the High Pond land and the options are open. He has not been back to the Select Board since that change but will be attending their March 2<sup>nd</sup> meeting. Mark Winslow stated the loss of logging is of concern to many people in Town since other people in the program have to log. Jeff Biasuzzi stated the Nature Conservancy is subject to real estate tax and is different from the Forest Service as they pay taxes on all land owned. Robb Spensely stated there is a landowners' map that has the incorrect acreage and asked in relation to the other parcels, how does it go from 138 to 412 acres and how does it affect the adjacent properties. Mr. Binhammer advised the mistake was made when the lister only took into consideration one of the several deeds but the external boundaries were marked and have been that way for a long time. Mr. Binhammer shared a map of the proposed property to purchase. He noted that it is surrounded on three sides by lands owned by the Nature Conservancy and the external boundaries were all marked. Gagliardi and Mystic Mountain Maples are the abutting neighbors. There is a deer camp on the parcel they want to purchase that they will lease to the hunters that use it. It will be open for all hunting if successful in obtaining the grant as it would require public access. The Nature Conservancy does allow public access on all the land they own. Mr. Winslow asked how far along are they in the process and Mr. Binhammer advised they have an agreement with the landowners who are interested in working with the Conservancy. They are moving forward and have made an application to the Conservation Board for partial funding. The timeframe for completion depends on the timing of the Housing and Conservation Board, but Mr. Binhammer could see closing in the next couple of months or a little longer. He noted this discussion is for the Planning Commissions' information and questioned if there are concerns or support in preparation for the Conservancy to meet with the Select Board. Mr. Conway asked what the elevations are on this property as it is quite large. Mr. Binhammer noted it ranges from about 1100 feet to 1800 feet. He noted it is in the Conservation District and the landowners on both sides of LaBrake Road have petitioned to gate that road. People can park at the bottom of the road and walk to get into the parcel. It is not posted but if the Nature Conservancy is not successful in acquiring the parcel, it could be posted by another buyer and public access could not be assured. Mr. Winslow thanked Mr. Binhammer for sharing information with the Board. Mr. Charbonneau stated the road going in is a town road so the Town would be giving up the road if gated, which is the only thing that he questioned. Mr. Winslow noted there is Select Board concern that they would not allow logging. Mr. Biasuzzi advised the State has reversed its policy and is promoting that forest land that is reaching maturity pursue clear cuts and encourage opening up habitats. He is surprised they are saying no logging as the State is encouraging opening lots in the forests. Mr. Winslow stated the Nature Conservancy does not need to cut their lands whereas other landowners are required to do so, which is a bias.

## **6. Town Plan – Act 171**

Ed Bove of the RRPC was present to discuss the position the county will take on the Route 3/Route 7 intersection. Mr. Bove advised there is a Regional Transportation Committee that does projects for Act 250. Donna Wilson had reached out to request a letter of support for the Town that will need to be requested from the Transportation Council. The Council meets the 4<sup>th</sup> Thursday of the month and this topic will be discussed at the next meeting.

Ms. Wilson had briefed Mr. Bove on the situation and noted the request is to revert back to the 2015 Plan. Mr. Bove advised Devon Neary of TAC is the Transportation Planner and will have a presentation for the meeting. The members of the TAC are similar to the RRPC Board and John Haverstock is the Town's representative. Mr. Bove hoped that after the presentation, TAC will create a letter in support for the 2015 version. Mr. Bove asked to see the actual plans that the Town wants to confirm what is being requested and to brief TAC on the project. This meeting would be held on March 24<sup>th</sup> at the Opera House at 5:30PM and will have a virtual link for the meeting. Mr. Bove will provide the zoom link to the Town. Mr. Winslow advised there will be representation from the Planning Commission at the meeting. Mr. Winslow will provide Mr. Bove the Planning Commission's information on the project and the accurate 2015 presentation. Mr. Winslow noted the Planning Commission, Select Board and 400 individuals who signed a petition are all in agreement with the 2015 project. Mr. Bove will advise Mr. Neary that someone from the Planning Commission will be present at the TAC meeting.

Mr. Winslow requested Mr. Bove provide the Planning Commission insight on Act 171 in preparation for the next Town Plan renewal as there is concern about mapping private properties relative to Act 171. Mr. Bove read the following from Statute *"Indicates those areas that are important as forest blocks and habitat connectors and plans for land development in those areas to minimize forest fragmentation and promote the health, viability, and ecological function of forests. A plan may include specific policies to encourage the active management of those areas for wildlife habitat, water quality, timber production, recreation, or other values or functions identified by the municipality."* He noted there is language that is supposed to be in the town plan relative to this subject and the RRPC is charged with approving town plans that hit on this checklist. A Plan may include active management for habitat, water, or other functions of the municipality. Mr. Bove noted when reading Pittsford's Plan, there are land use maps and natural resource maps included. The State has an ANR atlas that is run by the DEC that has floodplains, river corridors, wetlands, and forest blocks. The Town will want to show forest blocks and habitat connectors on the maps and have language about acknowledging them. There is language on pages 20 and 21 in the current Plan that is what they are looking for. There can be a way to show them and talk about doing the best to protect them. Mr. Bove noted there could be compliance with the language but there is not compliance with mapping. Jeff Biasuzzi stated there is a forest resource map but it is not in the Town Plan. Mr. Winslow questioned if it is Mr. Bove's opinion that the maps are what need to be addressed. Mr. Bove stated the Town has big conservation districts that will line up with the forest blocks and matching those should do it. Mr. Charbonneau stated the forest block part is easy with the Ice Caves and Nature Conservancy, but the issue could be the habitat connectors as there will be private land to make the connections. Mr. Bove suggested they could be connected and indicated that it could be regulatory land. The State wants to assure that the towns are thinking about these districts. Mr. Winslow asked if it is mandatory to have wildlife corridor terminology. Mr. Bove stated in Title 24, Section 4382, Item 2 outlines a land use plan and that is already noted in the plan and the Town already has a land use plan showing seasonal bear and deer habitats. Mr. Biasuzzi stated it does not refer to forest blocks but has bear, deer, and wintering habitats as of 2014. Mr. Bove stated the Planning Commissions needs to figure out how to show something on the map. He does not see any

goals and suggested something could be included that does not tread on peoples' rights as it is not the intent to deprive anyone's use of their land. That would set a clear standard and the information would be shown. Robb Spensely reviewed Castleton's Town Plan and noted it provided goals and action steps. It also noted they are aware of the Act but want to preserve people's property rights. Mr. Winslow thought this gives a clearer picture and this will be a good thing to do ahead of time prior to the revision of the Town Plan. Mr. Bove stated another area that needs tweaking in the Plan is flood resiliency, which is also noted in Title 24, Section 4382, Item 12. There is a flood overlay and the flood resiliency section is not as contentious as the habitats but it would be good to update that section. He noted this is the only other item that needs addressing in Pittsford's Plan. Rick Conway asked about river corridors. Mr. Bove stated it is not a required item, but there is useful information in the Hazard Mitigation Plan. Mr. Bove stated the RRPC will do the maps for the Planning Commission. Mr. Winslow thanked Mr. Bove for the work he has done for Rutland County. Mr. Bove also advised there is current legislation on forestry the Planning Commission should keep an eye on.

## **7. New Business**

Ed Bove questioned the status of the Goat Farm Road solar project. Mark Winslow noted the Planning Commission has not taken a position on it as there are issues with the project. They have provided a presentation that was not complete and he thinks the Select Board agrees. It is not known where it stands at the PUC level. Mr. Bove stated the RRPC will not look at it until there is something new to the project.

## **8. Old Business**

There was no old business discussed.

## **. Schedule Date/Agenda for Next Meeting**

March 24, 2022 @ 7:00PM – Planning Commission Meeting (In Person and via Zoom)

## **9. Adjournment**

A motion was made by Chuck Charbonneau and seconded by Robb Spensely to adjourn the meeting at 7:55PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant  
Recording Secretary

Approved by,

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The Pittsford Planning Commission