

Pittsford Planning Commission Meeting

August 25, 2022

Board Members Present: Kevin Blow, Rick Conway, Mike Norris, Donna Wilson, Mark Pape

1. Call to order

The meeting was called to order at 7:04PM by Kevin Blow – Chair.

2. Approval of Meeting Agenda

A motion was made by Donna Wilson and seconded by Rick Conway to approve the agenda. The motion passed unanimously.

3. Approval of Minutes

. July 28, 2022– Planning Commission Meeting

A motion was made by Donna Wilson and seconded by Rick Conway to approve the minutes of July 28, 2022. The motion passed unanimously.

4. Public Comments

There was no discussion held.

5. Election of Vice-Chair

A motion was made by Mike Norris and seconded by Donna Wilson to appoint Mark Pape as the Vice-Chair of the Pittsford Planning Commission. The motion passed.

6. Old Business

Kevin Blow reported he talked to Representative Shaw about the questions the Board had asked the State Representatives during the April 28th meeting. Rick Conway reviewed the April 28th meeting and highlighted the discussion points with questions. Mark Pape suggested restating the questions in a formal letter to the Representatives. Mike Norris noted it would be reasonable to assume there is not a closed loop unless the Board follows-up with them and agreed with Mr. Pape to provide a document with the questions. Rick Conway suggested discussing the questions with all Planning Commission members prior to sending the document to the Representatives. It was suggested to invite Representative Shaw and Senator Collomore to a subsequent meeting for a discussion. Mark Pape will create a summary and distribute to the Committee members for review prior to submission to the Representatives.

Rick Conway stated there were bills noted in the minutes and he will research whether those bills were passed (Act 171, S234, H606). Mr. Conway suggested contacting Alicia Malay concerning the questions as she was present at the meeting representing the Select Board.

Kevin Blow advised Representative Shaw had asked if the Planning Commission has information on how much solar there is in Pittsford. It was noted there had been preferred solar areas designated by the

RRPC relating to renewable energy goals. Mike Norris advised this is not mandated, and it is not a goal the Town needs to reach. There are transformers and substations throughout the GMP grid, and currently some areas are full. There is a GMP map that shows the available sites for interconnection. Rick Conway provided a historical account of the Planning Commission's process for developing an Energy document for the Town. It was noted the RRPC was to obtain approval of a regional plan and subsequently approve the individual town plans. The Planning Commission developed a Guidance document but did not create an Energy Plan. For any proposed solar projects, the developers submit their plans to the local Planning Commission to request a letter of support for the project to submit to the PUC. Mr. Norris noted he has not seen any mandates from the State for towns to have solar and advised GMP reached their solar energy goals by 2018 and would rather build GMP-owned sites. Rick Conway suggested the Planning Commission request an updated map from the RRPC. Mr. Norris noted that projects can be done without a letter of support from the municipalities and if the PUC does not have an issue with the project, the projects can move forward. Mr. Norris stated there are new rules and there are less restrictions for the larger solar sites. In 2017, the towns and regional planning commissions achieved the right to have legislation through zoning and it is not just state approval. If regional planning or the town has a conditional review process, the developer has to adhere to it, but Pittsford does not currently have anything regulating this subject. Mr. Conway stated power generating stations were exempt previously from the Town's zoning. Mark Pape asked if there have been questions or complaints about this subject. Mr. Norris advised he is only making the members aware the Town could have regulations now and if the Town wants large projects that would be fine, but if the Town would prefer limits, there could be regulations. Mr. Norris stated Charlotte, Waitsfield and Hinesburg currently have regulations in their zoning. Rick Conway noted concern with landowners' individual rights. Mr. Norris noted his intention was to advise there is now the authority to legislate solar on a regional and town level now but was not indicating the Town should have regulations. Mr. Conway wants to assure the community members are made aware of any changes that are being considered and noted developers have to go to the PUC for permitting and did not think that regulations are needed. Mr. Conway reiterated his concern is the Commission assure any change is what the community wants. Mr. Norris noted from the State level, they got rid of any setbacks and he is concerned about the larger developers as there is no legislation. He agreed with Mr. Conway the Planning Commission's obligation is to the landowners of the Town. Mr. Conway suggested there should be requirements for setbacks. Mark Pape suggested some regulations may need to be added to zoning and perhaps there needs to be a difference between in-town and outside the town limits.

A motion was made by Mark Pape and seconded by Mike Norris to create a summary of questions based on the April 28th meeting discussion and submit to the State Representatives for responses. The motion passed unanimously.

Mike Norris reported he had mailed the RRPC's letter to Act 250 concerning the bridge project and received a response from Kim Lutchko. Ms. Lutchko advised the letter should be properly distributed in order for it to be exhibited and included in the application to share with the district commission. Rick Conway noted that as the District Coordinator, it was thought that Ms. Lutchko would forward this information to the appropriate people but suggested Mr. Norris could obtain the list of attendees from the meeting for the Planning Commission to distribute. Mr. Norris indicated he wants to do the right thing and his understanding was that it be forwarded to Ms. Lutchko for distribution. Mr. Norris will call Ms. Lutchko to obtain guidance as the RRPC's letter was created for the Act 250 Board's information. Mr.

Conway stated everything was sent to the State from the Town and in the event of an appeal, the Planning Commission has automatic party status. Mr. Norris advised if he does not receive a timely response from Ms. Lutchko on this matter, he will forward the RRPC letter to all emails that were noted at the hearing. Mr. Norris noted everyone aware of the project is vehemently against the change that was made.

Donna Wilson reported the historic marker has been approved. She has received notification that due to the construction and the bridge issue; it will take a while before it is installed. Rick Conway suggested the marker could be placed temporarily on his property. Ms. Wilson provided Mr. Conway a map to indicate where the marker could be placed. Mr. Conway noted he would be glad to meet with the State when they are prepared to install the marker.

7. New Business

Kevin Blow advised that the Commission received notice concerning Brandon's rewrite of their local Hazard Mitigation plan.

Rick Conway noted that previously when the Commission was doing rewrites for Zoning and the Town Plan, there was discussion of subdivision regulations and it was decided not to go that way as it would eliminate the Zoning Board and create a DRB (Development Review Board). Mr. Conway thinks the system right now works well and the Zoning Board works more in a judiciary capacity. He noted that with a DRB, Act 250 would not have jurisdiction for parcels under 10 acres and if the Town had subdivision regulations, Act 250 would not be involved. Mr. Conway was opposed to changing from a Zoning Board to a DRB previously, however, Act 250 is much more costly now. Mr. Conway noted that the Zoning Administrator has information on this subject as West Rutland has made the change and suggested it is something for the Commission to discuss. Mr. Conway is opposed to the Planning Commission and DRB as one Board.

Kevin Blow advised there will be a VLCT Town Fair sponsored by Efficiency Vermont at the Killington Grand on October 6th and 7th. It was noted any Commission member interested in attending should contact the Zoning Administrator prior to August 31st to register.

It was noted there may be a presentation by a solar developer at the September Planning Commission meeting.

8. Next Meeting

September 22, 2022 @ 7:00PM

9. Adjournment

A motion was made by Donna Wilson and seconded by Mark Pape to adjourn the meeting at 8:38PM. The motion passed unanimously.

Respectfully submitted,

Charlene Bryant
Recording Secretary

Approved by,

The Pittsford Planning Commission