

DRAFT
Pittsford Planning Commission Meeting
November 30, 2023

Board Members Present: Kevin Blow, Rick Conway, Robb Spensley, Derek Blow, Mark Pape, Chuck Charbonneau

Others Present: Jeff Biasuzzi

1. Meeting - Call to order

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

2. Approval of Meeting Agenda

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

3. Approval of Minutes

. October 26, 2023

A motion was made by Rick Conway and seconded by Kevin Blow to approve the October 26, 2023, Planning Commission Meeting minutes. **The motion passed with one abstention – Chuck Charbonneau.**

4. Public Comment

There was no discussion held.

5. Old Business

a) Grant Status Update

Derek Blow spoke with Dave Atherton regarding the status of the grants. Mr. Atherton indicated all applications were submitted on time and the Town will receive notification mid-to-late December on whether they have been approved.

b) Regional Planning's Preliminary Findings on Pittsford Town Plan

It was noted that Donna Wilson has done research on some of the items and Logan Solomon has provided some information. Rick Conway advised there is not a rush to start this process and will do a deeper dive into the process once the contract is finalized with the RRPC. Mr. Conway noted concern the last time the Town applied for the grant it was denied. Jeff Biasuzzi noted Mr. Solomon has been impressive with putting out product. The RRPC likes to establish a template, but he has observed Mr. Solomon is attentive to towns' needs. If the grant is received, the timeline will be much easier to achieve and the Planning Commission will need to provide Mr. Solomon with instructions, but he will do the majority of the work. Mr. Conway stated the Plan needs to be what the people of the Town want. Chuck Charbonneau clarified the grant will pay RRPC for the work done on the Town Plan. Mr. Conway noted the Town has a delegate and has access to their expertise, but it is not sure how the process works. Mr. Biasuzzi advised because the Town is a member of the RRPC, the RRPC grants each town a certain number of hours, depending on revenue for certain projects. They will provide technical support and case-by-case support to all towns, but by rewriting zoning because of Act 47, the grant will generate the funds and a town's out of pocket expense is typically 10%. The grant used to be \$8,500 was with no match, but the legislature is now requiring a match. Mr. Biasuzzi stated the Town has applied for two grants, one is a planning grant for the Town Plan and the other is a by-law grant for the zoning changes. Mr. Biasuzzi noted the Town Plan approval process takes three months and is more complicated and the Town does not have to agree to what the RRPC is

recommending, but the current town plans are being written to be friendly to the community. Rick Conway also noted after the town plan hearings are held, the Plan is then sent to the RRPC for approval.

Robb Spensley asked if Rick Conway was going to speak to the Select Board about a proposed change to a 10-acre town and Mr. Conway noted he was going to talk to them about the subdivision regulation changes. Mr. Biasuzzi advised the zoning has to be updated to be compliant with the Home Act and will require a series of changes and a town cannot have a 10-acre town without zoning and subdivision. Mr. Conway stated until the grants are confirmed the Planning Commission cannot move forward. Mr. Spensley suggested bringing the subdivision subject back to the Select Board for clarification. Chuck Charbonneau suggested the Planning Commission could begin drafting the changes to submit to the Select Board for approval. Mr. Biasuzzi advised the Town Plan has an expiration date and zoning does not, but due to the Home Act instituting changes as of July 1, 2023, there are housing rules that are allowed by the State. Other towns have been providing variances to comply with the State legislation.

Rick Conway stated at the last meeting, Dave Atherton had indicated the Select Board wants an Enhanced Energy Plan. Chuck Charbonneau advised at the last Select Board meeting, their direction was for the Planning Commission to start working on the Town Plan with an Enhanced Energy Plan, but there has not been direction provided. Mr. Conway noted Logan Solomon indicated he could work with the Planning Commission on an Enhanced Energy Plan. Robb Spensley asked whether the Commission is interested in changing to a 10-acre town and if so, whether it should move forward with the proposed changes. Mr. Charbonneau asked if it should also be in the Town Plan if there is the change to a 10-acre town, and if so, suggested this change should be taken to the voters. Jeff Biasuzzi stated most towns have adopted subdivision regulations to provide an orderly set of rules and allow businesses to come in and work with 10-acres or less. A one-acre town is regulated by Act 250. Subdivision regulations are part of the zoning document and not the town plan. Mr. Conway suggested talking with the Select Board regarding this subject and noted the Town has not had a problem with zoning, and since he has been on the Zoning Board, there has been only one time that a zoning issue was overturned. Mr. Conway noted concern if there are mandates connected with the grants that have been applied for. Mr. Biasuzzi stated with regard to the town plan, there is a trend to cut out the fluff and include what the statutes require at the minimum level. Mr. Conway noted if a town plan is in effect, for purposes of Act 250, the Town has automatic party status. Mr. Biasuzzi noted both the PUC and Act 250 use the town plans. Mark Pape asked if the Town is at capacity with water and sewer and it was not noted that is not the case. Derek Blow advised Logan Solomon indicated this type of information should be included in the town plan. Chuck Charbonneau noted concern if the State is allowed to dictate what is in the town plan that it may change the Town. Mr. Biasuzzi suggested the Town has the ability to restrict Act 250 to 10-acres or more in going to a 10-acre town. In giving up the 10-acre loophole, it falls under State jurisdiction. In keeping Act 250 uninvolved in small projects, it keeps the process uncomplicated. Mr. Biasuzzi advised that Act 250 has a number of triggers and can take jurisdiction on some other items. Mr. Conway stated Act 250 permits can cost upward of \$100,000 but noted concern with a 10-acre concept it could draw large businesses and he is not sure that is what the community would want. Mr. Biasuzzi stated the 10-acre concept is more for the smaller and middle-sized business owners and a benefit of this concept is to attract more small businesses when not having to deal with Act 250. Mr. Conway stated there is a lot of land in Pittsford that could potentially be developed by businesses and there needs to be discussion with the landowners to determine if this change is wanted. Derek Blow asked if there could be some stipulations when going to a 10-acre town and Mr. Biasuzzi advised those could be included in the zoning regulations. Mr. Conway advised it would have to be equal application and there could not be spot zoning. Mr. Biasuzzi stated as long as there is a consistent track record in evaluating applications, it strengthens the town's approval and denial position. Mr. Charbonneau stated the Planning Commission needs to determine if the community wants to increase industry.

Robb Spensley suggested the Planning Commission research other towns' subdivision regulations to consider starting the process. Chuck Charbonneau noted the Planning Commission will need to speak with community members on whether this change is desired, providing scenarios on what could happen. Derek Blow suggested doing a mailer to provide information on the current regulations and what is being proposed with the pros and cons. Mr. Charbonneau stated his question to community members would be what they would like Pittsford's model to be. The Commission requested Mr. Biasuzzi provide a summary of the pros and cons of Act 250 prior to the next meeting. Mr. Biasuzzi suggested creating a poll that could be distributed at Town Meeting. Derek Blow agreed with distribution at Town Meeting but would also like to send a mailing as well. It was also suggested to insert it in the Pittsford Newsletter.

Jeff Biasuzzi reported Boondocks appeared in Environmental Court that was a full day of testimony. The Act 250 hearing is scheduled for Tuesday, December 12th for anyone in Pittsford to attend to discuss the application. The plan is to meet at the Town Office, have a site visit, and come back to the Town office for the hearing. The notice for the hearing will be posted on the Town's website and bulletin board.

6. New Business

a) Brandon Town Plan Information

Derek Blow forwarded the Brandon Town Plan notice to all Commission members and advised that anyone is invited to attend their hearing. He also noted Brandon's Enhanced Energy Plan was included in the information and suggested reviewing it as a reference.

7. Next Meeting

A motion was made by Robb Spensley and seconded by Kevin Blow to cancel the December regular Planning Commission meeting. **The motion passed unanimously.**

January 25, 2023, 7:00PM at the Pittsford Town Office

9. Adjournment

A motion was made by Kevin Blow and seconded by Chuck Charbonneau to adjourn the meeting at 8:49PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant
Recording Secretary

Approved by,

The Pittsford Planning Commission