



# TOWN OF PITTSFORD ZONING APPLICATION

Application for: (Check all that Apply):  Zoning Permit  Appeal of Admin Decision  Variance  
 Site Plan Review  Subdivision  Conditional Use  Lot Line Adjustment

\*For applications including conditional use, variance, subdivision, and lot line adjustment, an addendum sheet will need to be completed for the application to be complete.

### APPLICANT INFORMATION

Name: PITTSFORD VILLAGE FARM, INC Telephone #: \_\_\_\_\_

Mailing Address: 42 Elm St., Florence, VT 05744

E-mail Address: \_\_\_\_\_

### OWNER INFORMATION (if Different than Applicant) BOARDED MEMBER

Name: TERRY WAITE (PIF BOARD) Telephone #: 802-558-2632

Mailing Address: 1039 Elm St., Florence, VT 05744

E-mail Address: Terrywhite3c.comcast.net

### PROJECT LOCATION

Parcel #: 0435 Tax Map # 07-272-0042 Lot #: \_\_\_\_\_ Plot #: \_\_\_\_\_

Street Address: 42 Elm St., Pittsford, VT

Is the Property in a Flood Plain?  Yes  No Wetlands area:  Yes  No

Lot Size: 153A Zoning District: Village

Present Use of Property:  Vacant  One-Family  Two-Family  Multi-Family  
 Commercial  Industrial  Other: Describe \_\_\_\_\_

### PROPOSED WORK TO BE COMPLETED/USE OF PROPERTY

New Building  Alteration/Addition  Change of Use  Subdivision

Description of Proposed Work: Multi-use Rehab - 2 APARTMENTS, CHILD CARE, CAFE, COMMUNITY CENTER.

### CERTIFICATIONS OF PROPERTY OWNER AND/OR APPLICANT

PROPERTY OWNER: The undersigned property owner hereby certifies that the information for this application is true and accurate, consents to its submission either by themselves, the co-applicant, agent, or lessee, and understands that if the application is approved, that the zoning permit and any attached conditions will be binding on the property. Further, the undersigned authorizes the Administrative Officer access at reasonable times to the property covered by the permit issued under this application for the purposes of ascertaining compliance with said permit.

PROPERTY OWNER'S SIGNATURE: Terry Waite 6/30/26

APPLICANT (if not property owner): The undersigned applicant hereby certifies that ALL the information submitted for this application is true and accurate.

APPLICANT'S SIGNATURE: Terry Waite 6/30/26

Date Received 6/30/26 Permit #: 26-35 Fee Paid/Date \_\_\_\_\_

date completed application 7-9-26



## Ann Reed

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**From:** terrywhite3@comcast.net  
**Sent:** Tuesday, June 30, 2026 7:09 AM  
**To:** Ann Reed  
**Cc:** Baird Morgan  
**Subject:** RE: PVF zoning application  
**Attachments:** Town ZBA Amend App 6-30-26.pdf; C PLAN SET REV 5-8-26.pdf

Good Morning Ann,

Please find attached the amendment app. page 1 completed and signed.

I could not readily find the lot # and plot #, but trust the tax map number is sufficient info.

Regarding parking, the new plan (attached plan C2) indicates total 28 parking spaces, which is the same as in our original Act 250 permit issued 1/13/25. We have relocated several spaces for vehicles to be further from the street and more behind the barn. I note that the current ZBS permit 24-13 notes the "addition of 20 spaces." I am not sure how many spaces were existing, but I think it is reasonable to say approx. a half dozen.

Regarding childcare, yes, this amendment request includes the increase from the currently permitted 26 children to the proposed maximum 30 children.

Please let me know if there are any other questions or additional info needed.

Thanks,  
Terry White  
[Terrywhite3@comcast.net](mailto:Terrywhite3@comcast.net)  
802-558-2632

**From:** Ann Reed <Manager@pittsfordvermont.com>  
**Sent:** Monday, June 29, 2026 8:11 AM  
**To:** Terry White <terrywhite3@comcast.net>  
**Subject:** zoning application

Terry,

I need page one only of this and then the site plan and the updated information for what you are looking for as far as number of children/daycare area versus the café now and any other changes to numbers for each location (daycare, café, community center).

Please feel free to reach out if you have any further questions as you are filling this out.

Thank you,

Ann M. Reed  
Town Manager  
Town of Pittsford  
426 Plains Road





## NOTICE INITIAL ACT 250 APPLICATION FILING Schedule G

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State of Vermont  
Land Use Review Board  
District 1 Environmental Commission  
440 Asa Bloomer State Office Building  
Rutland, VT 05701-5903  
<https://act250.vermont.gov/>

Today's Date: February 17, 2026

Date Application Submitted: February 17, 2026

Date Application Received: February 17, 2026

Application Number: 1R1030-1

Pittsford Village Farm Inc.  
42 Elm Street,  
Pittsford, VT 05763

The above Applicant filed an application pursuant to 10 V.S.A. § 6000 et seq. ("Act 250") for the following project:

**Pittsford Village Farm (PVF) is proposing to increase the capacity of the childcare center to a total of 30 children, an increase of 4 children from the 26 listed in the LUP. In addition, PVF will reduce the seats in the Café to 14 seats. These changes will result in an increase to the flows by 4 gpd for water and wastewater flows resulting in an the total flow of the building being 1,996 gpd. A certification has been sent to the Town and they have approved the increased Water and Wastewater flows.**

The project is located at 42 Elm Street in the town of Pittsford.

In compliance with 10 V.S.A . § 6084 (<https://legislature.vermont.gov/statutes/section/10/151/06084>), this Schedule G has been sent to the municipality, the municipal and regional planning commissions in which the land is located, the Vermont Agency of Natural Resources Office of Planning, and any adjacent Vermont municipality, municipal or regional planning commission if the land is located on a municipal boundary. **This notice should be posted with other legal notices in the town office.**

This application (1R1030-1) can be viewed on the public Act 250 Database online (<https://anrweb.vt.gov/ANR/Act250/Details.aspx?Num=1R1030-1> ).

In the event you wish to receive further notice concerning this application, please contact:

Act 250 District 1 Office  
440 Asa Bloomer State Office Building  
Rutland, VT 05701-5903  
Tel: 802-786-5920

Schedule G Notice of Initial Application Filing, 1R1030-1  
Pittsford Village Farm Inc.  
Pittsford  
Page 2

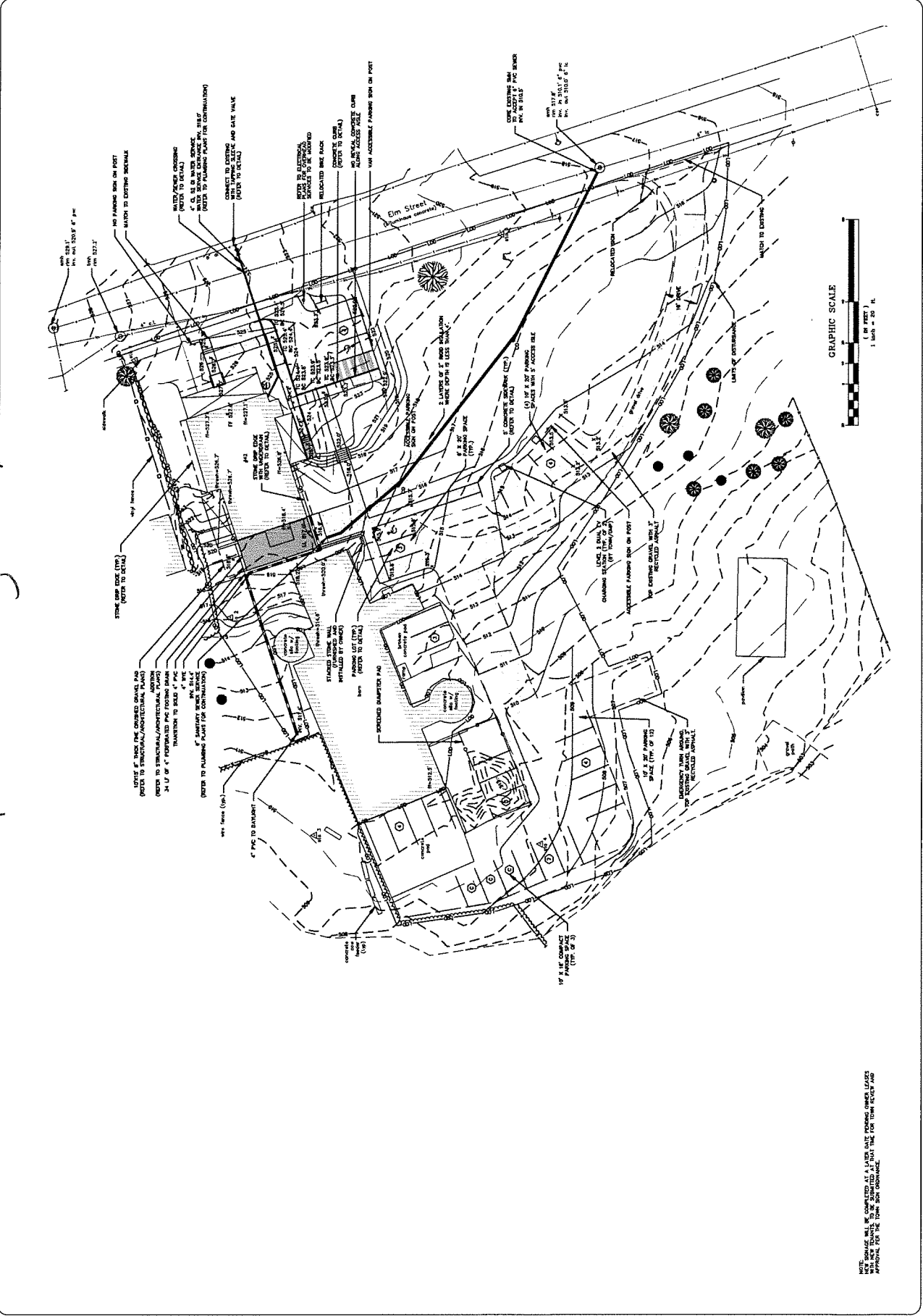
[Act250.Rutland@vermont.gov](mailto:Act250.Rutland@vermont.gov)





# Proposed Parking Plan

<p><b>OTTER CREEK ENGINEERING</b>          400 EAST MAIN STREET          DANVER, VERMONT 05440          PHONE: 802.249.1234          FAX: 802.249.1235          WWW: WWW.OTTERCREEK.COM</p>		<p>OTTER CREEK ENGINEERING, INC.          05/15/2023          10/15/2023</p>		<p><b>PITTSFORD VILLAGE FARM</b>          PITTSFORD, VERMONT</p>	<p>BID          DATE: 10/15/2023          BY: [ ]          CHECKED BY: [ ]          SCALE: 1" = 20'          EASTING: [ ]          NORTHING: [ ]</p>
					<p>DATE: 10/15/2023          BY: [ ]          CHECKED BY: [ ]          SCALE: 1" = 20'          EASTING: [ ]          NORTHING: [ ]</p>



NOTE: THIS PLAN IS FOR INFORMATION ONLY. A 10% PLAN SHALL BE SUBMITTED TO THE TOWN ENGINEER FOR APPROVAL. THE TOWN ENGINEER'S APPROVAL DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED HEREON.



Proposed Amendments to Zoning Permit  
Previous Applications: 20-03, 23-01, 25-08

Traffic control for events be differentiated by anticipated size of event:

Less than 250 people - Notify Pittsford Police Chief in advance

More than 250 people - As indicated on 20-03 Approval

Exception: remove signage requirement at approaches to Cooley Bridge

Portable Restrooms “no less than 3 portable restrooms for events that have 500 attendees or less” - 1 portable restroom for 250 attendees or less

- 2 indoor bathrooms will be accessible after community center is finished.



MEMORANDUM OF MUNICIPAL ACTION, Pursuant to 24 VSA, Section 1154 (c)

**Owner/Grantor:** Pittsford Village Preservation Corporation (a.k.a. Pittsford Village farm)

**Grantee:** Town of Pittsford, VT

**RE: Town Conditional Use Application # 20-03 that:**

1. DENIES without prejudice the Indoor Community Events, Play Ground, Family Child Day Care Center, And Professional Office Uses requested on Application 20-03. A new & complete application is required before the Zoning Board of Adjustment (ZBA) may consider future approval of these Uses.
2. APPROVES with Conditions, Use of the Grounds for Outdoor Community Events, as specified in the ZBA's Decision (with Exhibits) dated July 15, 2020, and attached as part of the Final Permit issued by the Zoning Administrator.

**Permit Issued:** 7/19/2020

**Property Location:** 42 Elm Street Pittsford VT 05763

**Municipal Parcel I.D.# 0435 Tax Map #7-272-0042 Deed Reference: Book , Pg.**

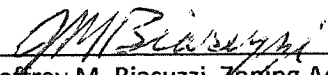
As required by VT statute, this Town permit is not in effect until a 15 day warning period has elapsed without an appeal of the Zoning Administrator's Actions. If not appealed, the Effective Date of the Permit is August 4, 2020. An appeal of the decision of the Zoning Board of Adjustment (ZBA) must be filed by an Interested Party in VT Superior Court (Environmental Division) and a copy of this appeal delivered to the Town, within 30 days of the decision's signed date.

The Notice Poster provided with Permit 20-03 shall be installed and shall remain within view of the public traveled way for a minimum of 15 days before the permit is in effect and the project may start.

*Town permits will expire if not started within One (1) Year from the Effective Date, and Completed within Two (2) Years. This PERMIT's EXPIRATION DATE (per Section 1302-G; Pittsford Zoning 10/27/2016) is 7/19/2022. An extension may be granted by the Zoning Administrator IF requested prior to the initial expiration date of the permit. Any changes or amendments to the permitted project must be approved in advance by the Town.*

*This local permit does not release owner &/or applicant from also obtaining any & all VT or federal approvals that the project may require. For additional information on state permits, contact the VT Permit Assistance Specialist at [Rick.Oberkirch@vermont.gov](mailto:Rick.Oberkirch@vermont.gov) or (802) 282-6488.*

*A copy of this Memorandum will be recorded with the Town Clerk and a copy of the Permit and ZBA Decision maintained in the Zoning Files at the Town of Pittsford's Municipal Offices.*

Issued by:   
Jeffrey M. Biasuzzi, Zoning Administrator

Delivered with Notice Poster to Applicant via USPS Certified Mail w/ return receipt.

Cc: ZA file, Lister

**Appeal Information (if applicable):**



Final  
**TOWN OF PITTSFORD, VT ZONING BOARD OF ADJUSTMENT (ZBA)**  
**FINDINGS OF FACT, CONCLUSIONS OF LAW, DECISION & ORDERS**

**Application 20-03 - Request for Commercial Conditional Uses for Buildings and Grounds**

**Applicant; Property Owner:** Pittsford Village Preservation Corporation (a.k.a. Pittsford Village Farm)  
**Property address:** 43 Elm St. Florence VT 05744  
**Parcel I.D. #0435 Tax Map #7-272-0042**

**INTRODUCTION**

The Zoning Administrator received a (complete) Application on 1/31/2020 which was reviewed and referred to the ZBA. The initial Public Hearing scheduled for 3/23/20 was warned on 3/4/20, but rescheduled due to Covid19 pandemic restrictions imposed by the State & Town. The Owner/Applicant was notified of the rescheduled Public Hearing by Certified Mail on 4/17/20. Public Notice of a Hearing by the ZBA was posted in three locations, road Poster; with the Applicant and abutting ownerships notified (with Certificate of Mailing) on 4/18/20. Notice was published in the Rutland Herald 4/18/2020. A Public Hearing was held on May 4, 2020; with limited Conference Room attendance and via a public teleconference option. A quorum of the ZBA participated in person and remotely in the proceeding. Jeffrey Biasuzzi (as Zoning Administrator), Bruce Pyle (Applicant's representative), Gary Kupferer (as Town attorney), and a number of Participants (identified in Addendum I, attached) communicated to the ZBA in person or by Conference Call. All were sworn in, and those that gave testimony (as identified in the Meeting Minutes) are identified as Interested Parties. Jurisdiction is taken under Articles III (Table of Uses), V (Conditional Uses), X (Site Plan Approval) and Article XX (Definitions) of the Pittsford Zoning Regulations (effective 2019).

This Hearing was recessed until 5/11/20, where a 6:00 pm Site Visit was followed up by a 7:00 pm continued Hearing. Participants were both in attendance at Town office and by Conference Call. This Hearing was recessed until 6/8/2020, at 7:00 pm, at Town Office and by Conference Call. On 6/8/20, the ZBA heard additional testimony and then voted to Close the Hearing on the Community Center /Outdoor Event portion of the Application. Exhibits entered into testimony include Site Plans (Exhibit "A": Photos 1-A thru 6-A; 6 pages total).

The ZBA entered Deliberative Session, which was recessed until 7:00 pm, 6/15/2020, at Town offices. On 6/15/2020, Deliberative Session was recessed until 7/7/2020.

On July 7, 2020, the ZBA voted to exit Deliberative Session and issued the following Findings, Conclusions, and Decision:

**FINDINGS OF FACT**

1. The subject property includes approximately 21.8 acres with frontage on Elm Street and Town Hill Road; located in the Village Zoning District.
2. The property is improved with a large (former farmhouse) principal structure, connected to municipal sewer and water services. There is a large (former dairy) barn, silos, and several miscellaneous out-buildings. The adjacent acreage is mostly open crop or pasture land.
3. A portion of the ground floor of the principal structure currently has local permits for two small specialty (retail) shops and signs (Permitted Uses in the Village District).
4. The application and testimony requests a number of changes of use for the principal structure and grounds; to be conducted only on real estate owned by the Applicant:
  - a) **Use as a Community Center:** This would provide mainly for outdoor (warm weather) Events (although the application also references indoor gatherings in the principal structure),
    - i. Up to Six (6) Outdoor Events (each involving up to two days of event activities (not including set-up & take-down time) are requested for each calendar year.

- ii. There would not be any new permanent facilities installed. An *Event's* venue's presentation area or stage, food services, restrooms (minimum of 10 portable toilets at full occupancy), lighting & sound systems, signage and any associated services would all be portable and temporary. Testimony included submission of Site Plan Exhibit "A" (Photos 1-A thru 6-A; 6 pages total).
  - iii. Catering of food and any alcohol sales for an *Event* would be the assigned to VT licensed operators, approved by both Town & State with conditions, and Applicants/Owners. The food & alcohol service area would be confined within an approximate 50 foot X 250 foot Concession area (Photo 6A). Alcohol beverages brought on premises by Visitors is not allowed.
  - iv. All Visitor Parking would be on a 300 foot X 500 foot portion of the existing (grass) meadow west of the principal structure. This is calculated to accommodate 352 vehicle spaces (Photos 3E, 4A). One access/exit location on to Farm Hill Road (Photo 5B) would be used to service all the event visitor traffic.
  - v. A second access on/off Farm Hill Road would only serve the *Event* stage and support services. Testimony included discussion on using the existing semi-circular driveway serving the principal structure only by Emergency Services, during an *Event*.
  - vi. All Traffic and Parking control on premises would be the responsibility of the Applicant/ Owners, or their *Event* Promoters.
  - vii. All other Traffic Control approaching or leaving the premises during an *Event* would under the jurisdiction of Town Police, County Sheriffs, State Police, or VTRANS; and contracted by the Event promoters or the Applicant; at their expense.
  - viii. *Event* Hours of operation proposed would be no earlier than 8:00 a.m. and no later than 9:00 pm from Sunday to Thursday; and no earlier than 8:00 a.m. and no later than 10:00 pm from Friday thru Saturday.
5. *The other proposed Uses* as a Family Child Care Facility, Outdoor Recreation Facility (Playground), and Professional offices. The Applicant stated the eventual intention for the primary structure was for a multi-use space. An architectural and engineering review was underway with the objective of recommending specific use designs. Current VT occupancy was established at 49 persons. No additional details were provided by the Applicant.

#### **CONCLUSIONS of LAW**

1. The Application identifies all the requested Uses of the subject property as a Community Center, Play Ground, Family Child Care Center, and Professional Offices as Conditional Uses under Article III (Table of Uses).
2. The ZBA finds the portions of Application 20—03, and testimony pertaining to proposed uses for the property as a Play Ground, Family Child Care Center, and Professional Offices, to be incomplete, with regard to Section 1205 and Section 1302 (C)(b) & (D). *As such, this portion of Application 20-03 may not be considered further until a separate application is submitted, with all required information and new application fee.*

3. Article V (Conditional Uses) requirements , the ZBA determines for Outdoor Community Center activities:
  - a. The project and proposed use does not impact the capacity of local sewer & water, but may result in *Event* related demands on local Police and Emergency response services.
  - b. As a six *Event* seasonal use, and considering no permanent structures will be constructed, the project is not expected to create any long term, undo, or adverse impact to the character to the area.
  - c. The resulting *Event* traffic is a short-term concern, warrants additional Conditions, but is approved.
  - d. The application conforms to existing bylaws and ordinances; subject to additional Conditions.
  - e. There is no undo or adverse impact to local schools.

### DECISION and ORDER

Based on the information included in Application 20-03 and the testimony presented; the majority Decision of the ZBA is to :

1. **DENY without prejudice the Indoor Community Events, Play Ground, Family Child Care Center, and Professional Office Uses requested in Application 20-03.** The ZBA requires a separate new application, complete with all required information and application fee, before it may consider future approval of these uses.
2. **APPROVE the Outdoor Community Center portion of Application 20-03 with the following CONDITIONS:**
  - a. **For OUTDOOR EVENTS:**
    - i. Up to Six (6) Outdoor *Events*, as defined in Conclusions of Law, each *Event*, involving up to two days of *Event* activities (not including set-up & take-down time), are approved for each calendar year.
    - ii. Only temporary facilities to serve permitted activities or *Events* are approved. An *Event's* presentation area or stage, food services, restrooms (minimum of 10 portable toilets at full occupancy), lighting & sound systems, signage and any associated services will all be portable and temporary.
    - iii. All temporary facilities will be sited in accordance with the (approved) Site Plans (Exhibit "A": Photos 1-A thru 6-A; 6 pages total) attached to this Decision. All temporary facilities shall be installed within 72 hours of the *Event's* scheduled start time; and be removed within 72 after it's scheduled closure.
    - iv. All catering of food and any alcohol sales for an *Event* would be by VT licensed operators. Alcohol sales shall be approved by both Town State and the Applicants/Owners, with applicable conditions. The food & alcohol service area would be confined within an approximate 50 foot X 250 foot Concession area (Photo 6A).
    - v. All required *Event* (outdoor) Alcohol Service Approvals shall be provided to the Town Clerk at least 21 days prior to the *Event*. Alcohol beverages brought on premises by Visitors or un-approved *Event* Personal is prohibited.
    - vi. All Visitor Parking shall be on a 300 foot X 500 foot portion of the existing (grass) meadow west of the principal structure. The parking area (352 vehicle spaces, Photos 3E, 4A) shall be mowed & maintained to accommodate Visitor use by two wheel drive passenger automobiles. The one access/exit location on to Farm Hill Road (Photo 5B) shall be sized and maintained to service maximum *Event* visitor traffic permitted.
    - vii. A second access on/off Farm Hill Road would only serve the *Event* stage and support services. Testimony included discussion on using the existing semi-circular driveway serving the principal structure only by Emergency Services, during an *Event*.

- viii. During an *Event*, *exclusive use by Traffic Control, Emergency Services and Applicant/Owner* shall be reserved for the existing semi-circular driveway serving the principal structure at 42 Elm Street.
- ix. All Traffic and Parking control within the Premises are the responsibility of the Applicant/ Owners, or their designated *Event Promoters*.
- x. All other Traffic Control approaching or leaving the premises during an *Event* shall be under the jurisdiction of Town Police, County Sheriffs, State Police, or VTRANS; and contracted by the Event promoters or the Applicant; at their expense. Required Traffic Control shall extend to VT Rt. 7, on Elm St. and Town Hill Roads, and in the Cooley Covered Bridge area. Free standing durable signs, at least 20" X 30" in area, stating "*Event in Progress, Traffic Control & Delays Ahead*" shall be provided by Applicant/ Owner and installed at clearly visible locations on both ends of Elm Street, and at both approaches to the Cooley Covered Bridge, at least two hours prior to start of an *Event*, and removed within 12 hours after.
- xi. *Event Hours* of operation are to be no earlier than 8:00 A.M. and no later than 9:00 pm from Sunday to Thursday; and no earlier than 8:00 A.M. and no later than 10:00 pm from Friday thru Saturday.
- xii. No over-night camping on premises is permitted.
- xiii. Written notification shall be given to the Town of Pittsford Zoning Administrator at least 15 days prior to any *Event* occurring.

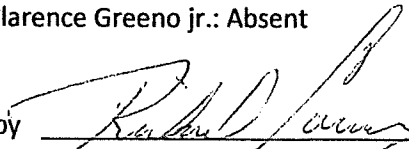
**b. THAT ALL THE FOLLOWING ADDITIONAL CONDITIONS APPLY to all Uses:**

- i. The Applicant/Owners shall obtain and maintain all other Town, State, and Federal permits or approvals their project requires.
- ii. Any misrepresentation of the Facts, or deviations from the specified approved Use and/or Conditions of this Permit may be grounds for Violations and revocation of this approval and the resulting Zoning Permit.
- iii. That the decision of this Municipal Panel may be Appealed by an Interested Party, within 30 days of its issue; by filing said Appeal to VT's Environmental Court, in accordance with 24 VSA chapter 117 Section 4471 and Pittsford's Zoning Ordinance.

Accordingly, the ZBA instructs the Zoning Administrator to issue Permit #20-03 with the Conditions stated in this this Decision, which is to attached to and part of the final Permit. The ZBA Members so voting as follows:

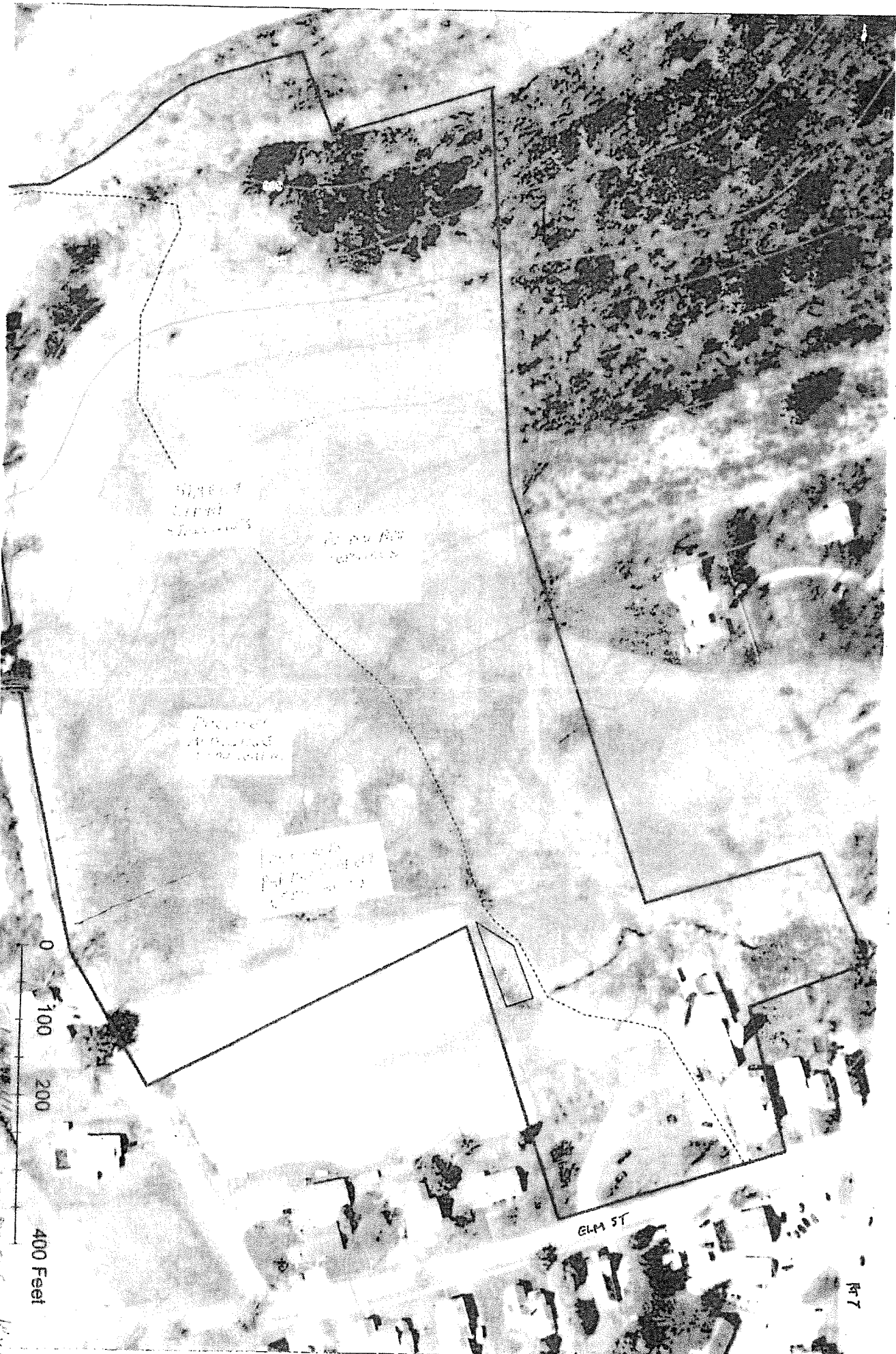
Stanley Markowski: Yes    Richard Conway: Yes    Ed Keith jr.: Yes    Jack Orvis: Yes  
 Daniel Adams: Yes    Nicholas Michaels: Absent    Clarence Greeno jr.: Absent

Approved on behalf of the ZBA, this 15th day of July, 2020 by



Richard Conway, ZBA Vice Chairman

Received by the Zoning Administrator the this 15<sup>nd</sup> day of July, 2020 by J. Biasuzzi, J. Biasuzzi, ZA



Application Zones

2075 A-111



**TOWN of PITTSFORD 426 Plains Road Pittsford VT**  
**ZONING PERMIT DECISION & MEMORANDUM OF MUNICIPAL ACTION**

**Owner/Applicant(s):** Pittsford Preservation Corp., d.b.a. Pittsford Village Farm  
**Applicant's Mailing Address:** 42 Elm St. Florence VT 05744  
**Property Owner of Record** (if not the Applicant): same  
**Physical Location of Property:** 42 Elm St.

**Tax Map #** 07-272-0042 **Town Parcel#:** 0435 **Deed:** Bk. 166 **Pg.** 755

**Permit #23-01 APPROVES the following PROJECT or USE:**  
**Conditional Use Permit 23-01 amends Conditional Use Permit #20-03 for expanded operations of Outdoor Events on the property referenced. The conditions are detailed in the ZBA Decision signed 2/16/2023; attached to and part of this permit.**

**The Notice Poster received with this Permit shall be displayed on the property and within view of the public road for a minimum of 15 days, before the Permit is in effect. Failure to comply with this statutory requirement are grounds for extension of the Effective Date or Appeal of this Permit.**

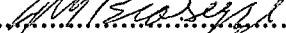
**The Zoning Administrator (ZA) on 2/17/2023 ISSUED Approved Permit 23-01 with Conditions, per details submitted, in accordance with Pittsford zoning regulations (2019), which may be Appealed on or before 15 days from issue date for permits granted by the Zoning Administrator. If the ZA actions are not Appealed, the EFFECTIVE DATE of this Permit is 3/5/2023.**

If Appealed, the Permit will Not be effective until the Development Review Board has reached a determination, as documented in the Minutes and/or Findings of Fact, Conclusions of Law, and Decision.

The ZBA Decision may be Appealed by Interested Parties directly to VT Environmental Court (Pursuant to Title 24, VSA §§4471, 4472, 4475). An Interested Person who has participated in the review of this application may appeal this decision to the Vermont Environmental Court by filing a Notice of Appeal directly to the Environmental Court, by certified mail within thirty (30) days of the date of receipt of this decision. A copy of the Appeal must also be delivered to the Pittsford ZA or Municipal Clerk.

**This Permit will expire if approved activities are not initiated within 12 months and/or completed within 24 months of the Effective date and it shall become null & void and reapplication to complete any activities shall be required. Any misrepresentation, or unapproved variation from the Town, State or Federal permits shall constitute grounds for a Violation and/or Revocation.**

This Town Permit approval does not release the Applicant(s) or Property Owner(s) from also obtaining any and all other permits or compliance with other Town, State, or Federal regulations that their Project *may* require. These *may* include Town or VT Waste Water Disposal & Potable Water Supply; Shore Line Protection; Storm water, Flood Hazard area, Wetland, and VTRANS access regulations. Rental & commercial properties may be subject to VT Fire Safety regulations. For information on VT permit requirements you are advised to review the *VT PERMIT NAVIGATOR* program on-line or contact the VT Community Assistance Specialist at Rick.Oberkirch@vermont.gov or (802) 282-6488.

Permit Approved by ZA .....  ..... Jeffrey Biasuzzi, on Feb. 17, 2023

This Permit with Notice Poster was Received by Applicant/Owner from ZA either:  
\_\_\_\_\_ in Lieu of USPS Certified Mail on 2/\_\_\_\_ 2023 by \_\_\_\_\_ (Signature of recipient)  
\_\_\_\_\_ Mailed USPS Certified Mail w/ return receipt

Appeal Information:

RECORDED in Pittsford Land Records in Bk. \_\_\_\_\_ Page(s) \_\_\_\_\_ on \_\_\_\_\_

BY:



FINAL

TOWN OF PITTSFORD, VT ZONING BOARD OF ADJUSTMENT (ZBA)  
FINDINGS OF FACT, CONCLUSIONS OF LAW, DECISION & ORDERS

Application #23-01 – Request to Amend Conditions of Zoning Permit #20-03

Applicant/Property Owner: Pittsford Preservation Corp., d/b/a Pittsford Village Farm, hereinafter (“PVF”)

Property address: 42 Elm Street

Parcel I.D. #0435      Tax Map #7-272-0042

INTRODUCTION

Pittsford Preservation Corp., d/b/a Pittsford Village Farm (“PVF”) submitted Zoning Permit Application #23-01 to amend certain conditions of Zoning Permit #20-03 on January 6, 2023. The Zoning Administrator referred the matter to the ZBA, whereby the Public Hearing was warned on January 6, 2023. The Owner/Applicant was notified of the Public Hearing by the ZA in person, in lieu of Certified Mail on January 6, 2023. Public Notice of a Hearing by the ZBA was posted in three locations, road Poster; and abutting ownerships notified (with Certificate of Mailing) on January 6, 2023. Notice was published in the Rutland Herald January 6, 2023. A Public Hearing was held on January 23, 2023, with conference room attendance and via a public teleconference option. A quorum of the ZBA participated in person and remotely in the proceeding. Jeffrey Biasuzzi (as Zoning Administrator), C. Baird Morgan, Donna Wilson, and Eric Mallette (Applicant’s representative), and two abutting property owners, communicated to the ZBA in person or by Conference Call. Gary Kupferer and Jared Blake (as Town Attorneys) were also present. All Participants were sworn in, and those that gave testimony (as identified in the Meeting Minutes) are identified as Interested Parties. Jurisdiction is taken under Articles III (Table of Uses), V (Conditional Uses), X (Site Plan Approval) and Article XX (Definitions) of the Pittsford Zoning Regulations (effective 2019).

After the conclusion of testimony by the Applicant and Participants, the ZBA entered into Deliberative Session at the Town Office. The ZBA voted to exit Deliberative Session and the Hearing was closed to testimony on January 23, 2023.

FINDINGS OF FACT

1. That the subject property includes approximately 23.5+/- acres with frontage on Elm Street and Town Hill Road located in the Village Zoning District.
2. That the subject property has increased in acreage since Zoning Permit #20-03 was issued with the acquisition of a contiguous 1.7 +/- acre parcel from Barbara Lalancette.
3. That the application and testimony requests changes of uses to the Conditions as approved in Zoning Permit #20-03 as follows:
  - a. PVF testified that they would like to be permitted to use the parcel acquired from Barbara Lalancette for parking an additional 175 vehicles, and to increase the total number of parking spaces to 525 vehicles. Testimony was provided that the additional acreage would have the capacity to accommodate parking an additional 175 vehicles as requested. See Exhibit B.
  - b. PVF testified that they would like to eliminate the restriction on number of Events. The current number of annual Events permitted are six (6). The Applicant testified that PVF

was seeking to increase the number of Events and envisioned that PVF could grow into hosting as many as fifty (50) annual Events at the Property.

- c. PVF testified that they would like to add an additional Event location on the Property. The neighbor along the northerly boundary near the proposed additional Event location testified that she had no objection with the proposed site. See Exhibit B.
- d. PVF testified that they would like to add an additional concession area located along the northerly boundary of the property. The abutting neighbor along the northerly boundary testified that she had no objection with the proposed site. See Exhibit B.
- e. PVF testified that they would like to have flexibility in the number of portable toilets present during its Events based on the number of anticipated attendees. PVF testified that based on their experience holding Events, the number of toilets as required under Zoning Permit #20-03 exceeded what was practical based on the duration of Events and attendees.
- f. PVF testified that it would like to eliminate the need for traffic control approaching or leaving by Town Police, County Sheriffs, State Police or VTRANS.
- g. PVF testified that it would like to amend the notification process to eliminate the requirement to notify the Zoning Administrator fifteen (15) days prior to an Event, and would prefer to produce a calendar of events for the upcoming year that shows all Events scheduled to the Zoning Administrator thirty (30) days prior to the first Event. The Applicant testified that if they added any new Events added to the calendar after the initial submission, they would be willing to supplement the calendar by providing an updated calendar to the Zoning Administrator at least 15 days prior to a new Event occurring.

#### CONCLUSIONS OF LAW

1. Article V (Conditional Uses) requirements, the ZBA determines for Outdoor Community Center activities:
  - a. The project and proposed use does not impact the capacity of local sewer & water, but may result in Event related demands on local Police and Emergency response services.
  - b. As a fifty (50) annual Event use, and considering no permanent structures will be constructed, the project is not expected to create any long term, undo, or adverse impact to the character to the area.
  - c. The resulting Event traffic is a short-term concern, warrants additional Conditions, but is approved.
  - d. The application conforms to existing bylaws and ordinances; subject to additional Conditions.
  - e. There is no undo or adverse impact to local schools.

#### DECISION and ORDER

Based on the information included in Application 23-01 and the testimony presented, the ZBA issues the following Decision:

1. **DENY without prejudice** PVF's request to amend Zoning Permit 20-03 Section 2(a)(x) with respect to the Traffic Control requirement. The terms and conditions with respect to Zoning Permit 20-03 Section 2(a)(x) shall remain in full force and effect.
2. **APPROVE** the following amendments to Zoning Permit 20-03 as follows:
  - a. Section 2(a)(vi): "All Visitor Parking shall be on a 300' x 500' portion of the existing (grass) meadow west of the principal structure to accommodate 352 vehicles and on a 1.7 acre parcel, more or less, as depicted on Exhibit B labeled "23-01 Additional Parking Area" to accommodate 175 vehicles for a total permitted parking of 525 vehicles (the "Parking Area"). The Parking Area shall be mowed and maintained to accommodate Visitor use by two wheel drive passenger automobiles. The one access/exit location on to Farm Hill Road shall be sized and maintained to service maximum Event visitor traffic permitted."
  - b. Section 2(a)(i): "Up to Fifty (50) Annual Outdoor Events, involving up to two days of Event activities (not including set-up & take-down time), are approved for each calendar year. A two-day Event shall constitute one (1) Event. Two separately affiliated Events held on consecutive days shall constitute two (2) Events."
  - c. Section 2(a)(iv) shall be amended to include an additional Concession area along the northerly boundary of the property as depicted in Exhibit B.
  - d. Section 2(a)(ii): "Only temporary facilities to serve permitted activities or Events are approved. An Event's presentation area or stage, food area or stage, food services, restrooms, lighting & sound stage systems, signage and any associated services will all be portable and temporary. An additional Event location shall be permitted as depicted on Exhibit B. The Applicant shall provide the minimum number of portable restrooms as required by any applicable State of Vermont regulations in effect at the time of the Event. However, no less than 3 portable restrooms for Events that have 500 attendees or less, and no less than 6 portable restrooms for Events with 500 to 1,000 attendees."
  - e. Section 2(a)(xiii): "PVF shall provide a written schedule of Events for the upcoming year to the Zoning Administrator thirty (30) days prior to the first Event scheduled, and shall provide a supplemental schedule to the Zoning Administrator for Events added to the schedule at least 15 days prior the occurrence of an Event that was not on the original schedule."
  - f. Zoning Permit 20-03 shall be amended to add a condition to limit the maximum number of attendees to 1,000 people (excluding employees, vendors, and Event volunteers).
  - g. That all other terms and conditions of Zoning Permit 20-03 shall remain in full force and effect. Any provision within this Zoning Permit 23-01 and Zoning Permit 20-03 that are in conflict, the terms and conditions of Zoning Permit 23-01 shall prevail.

Accordingly, the ZBA instructs the Zoning Administrator to issue Permit #23-01 with the Conditions stated in this Decision, which is attached to and part of the final Permit. The ZBA Members voted as follows:

Stanley Markowski: Absent      Richard Conway: Yes      Ed Keith: Yes      Daniel Adams: Absent  
Nicholas Michaels: Yes      Clarence Greeno: Absent      Charles Simpson: Yes

Approved on behalf of the ZBA, this \_\_\_\_ day of February, 2023 by \_\_\_\_\_  
Richard Conway, ZBA Vice Chairman

Received by the Zoning Administrator, this \_\_\_\_ day of February, 2023 by \_\_\_\_\_  
Jeffrey Biasuzzi, ZA

2A  
MEMORANDUM OF MUNICIPAL ACTION, Pursuant to 24 VSA, Section 1154 (c)

GRANTOR: Pittsford Village Farm Inc; also formerly known as Pittsford Preservation Corp. and Green Pastures LLC

GRANTEE: Town of Pittsford, VT

PROPERTY LOCATION : 42 Elm St. Pittsford Village

LOCATION OF COMPLETE MUNICIPAL LAND USE PERMIT: Zoning Files, Town of Pittsford Municipal Offices , 426 Plains Rd. Pittsford VT 05763

PERMIT #24-13

TYPE OF MUNICIPAL ACTION: Permit 24-13 is Approved with Conditions (as determined by Zoning Board of Adjustment Decision with Addendum 1, dated 7/8/2024 and attached to the final permit) for changes in Use to the principal structure (former farmhouse) to include two residential Apartments, a Community Meeting Space, an Early Childhood Learning/Daycare Center for up to 26 children, and (proposed) 16 seat Café in existing Commercial spaces. New construction includes 641+/- sq. ft. of additions, and renovations to the structure to utilize the ground, first and second levels. The permit also approves improvements to the adjacent grounds for Parking and Access.

VT Statute requires the public Notice Poster provided with this permit be displayed on the property and within view of travelers on Elm Street for a minimum of 15 days without an appeal, before the permit is in effect and construction may begin.

This Town Permit does Not release the Owner(s) or their assigns from obtaining and maintaining compliance with any and all other local, state, or federal permits or approvals their project requires. Copies of all state and federal approvals are to be provided to the Town Zoning Administrator.

Any changes to the approved project, and new signage, requires review and approval by the Zoning Administrator in advance of work.

DEED REFERENCE: Book 175, Page 517


DATE ISSUED: 7/31/2024

EFFECTIVE DATE (if not appealed) 8/16/2024

PERMIT EXPIRATION DATE (per Section 1302-G; Pittsford Zoning 7/21/2019) if not complete 8/16/2026. An extension may be granted IF the project was started within first year of effective date and an extension is requested in writing prior to the expiration date.

TAX MAP #7-272-0042

MUNICIPAL PARCEL # 0435

Permit 24-13 with Notice Poster was received in person by  on 8/2/2024, in lieu of delivery via USPS Certified Mail w/ return receipt.

APPEAL FILED:



*final*  
**TOWN OF PITTSFORD, VT ZONING BOARD OF ADJUSTMENT (ZBA)  
FINDINGS OF FACT, CONCLUSIONS OF LAW, DECISION & ORDERS**

**Application #24-13**  
**Conditional Use request for existing Structure**

**OWNER/Applicant: Pittsford Village Fam, Inc. (PVF)**  
**Postal Address: 42 Elm St. Pittsford 05763**

**Subject Property: 42 Elm St. , Pittsford**

**Parcel I.D. #0435**

**Tax Map # 07-272-0042**

**INTRODUCTION**

The Zoning Administrator (ZA ) received a complete application on 4/24/2024 which was referred to the ZBA. ZBA Public Hearing Notices include:

- a) posting in four public locations (including road Poster),
- b) The Applicant arranged to receive Notice from the ZA in person on 5/2/2024
- c) Abutting ownerships were notified by USPS on 4/26/2024
- d) On 4/27-28/2024 the Hearing Notice including Application 24-13 was published in the Rutland Herald.

A Public Hearing was held in-person and via Zoom remote conferencing at 7:00 pm on May 13, 2024 in Town Offices. A quorum of the ZBA was in attendance. The Applicant participated remotely (Zoom). Pittsford's Zoning Administrator and members of the Public were in attendance. Participating Interested Parties that were sworn in, and presented testimony included J. Biasuzzi (ZA), Terry White (PVF Trustee), Barbara LaLancette (abutter).

Following receipt of testimony, the ZBA voted to Close the Hearing and reached a decision (without Deliberative Session).

Jurisdiction is taken under Articles III (Table of Uses), V (Conditional Uses, Uses Subject to Conditions), X (Site Plan Approval), and XVII (Public Hearings) of Pittsford Zoning Regulations (PZR), effective 4/11/2019.

Upon deliberation, the ZBA has determined the following Facts, Legal issues, Decisions, and Orders:

**FINDINGS of FACT**

1. The PVF owns a 15.3+/- acre parcel on west side of Elm St. The property includes a pre-zoning three-level farm house connected to municipal sewer and water services, and a detached Barn. It is located in the Village zoning district.
2. The property has Permits (16-41, 19-22, 19-56, 20-03, 23-01, 23-24) that approve two subdivisions, organizing & hosting seasonal Outdoor Events, two retail sales spaces in the Farmhouse with signs, and a picnic pavilion. These activities did not require a VT Land Use permit.
3. Application 24-13 requests approval for an addition to the Farmhouse and 20 additional parking spaces. It also requests a change of use to this structure to include two residential (rental) dwelling Units, a Community Meeting Space, an Early Childhood Center for up to 26 children, and a 16 seat Café (or retail) space.
4. The Farmhouse is deemed an historic structure and is receiving partial funding from VT and federal agencies.
5. With the exception of the two residential apartments, all other proposed Uses are Conditional Uses (per Zoning -Article III).
6. It is anticipated that an Act 250 review of this project will be required.
7. B. Lalancette noted that this project provided needed services to Pittsford, and attract new residents.

**CONCLUSIONS OF LAW**

1. The Board reviewed the project under the five criteria for Conditional Use (Article V) and 4/10/2024 **Project Narrative (Addendum I attached) submitted, and found the application compliant with all criteria.**
2. The Board reviewed the (final) Site Plans under Article 10 and found them satisfactory.



**DECISION**

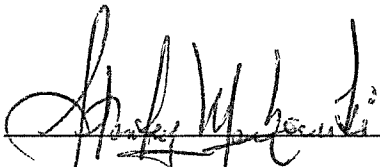
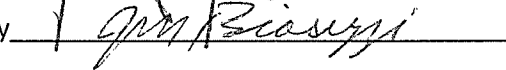
Based on the Application and testimony presented, the ZBA Decision is to *APPROVE Application 24-13 per Site Plans, details submitted in the* to the Application, and in testimony and authorizes the Zoning Administrator to issue Permit 24-13, with this Decision attached to and part of the Permit.

The ZBA Members so voting as follows:

Richard Conway: Absent      Clarence Greeno jr.: Approve      Ed Keith jr.: Approve      Charles Simpson: Approve  
Nicholas Michael: Approve      Stanley Markowski: Approve

The Decision of this Municipal Panel may be Appealed by an Interested Party, within 30 days of its signing date; by filing an Appeal to VT's Superior Court (Environmental Division), in accordance with 24 VSA chapter 117 Section 4471 and Pittsford's Zoning Ordinance, with a copy delivered to the Town Clerk.

Addendum I: PVF Project Narrative 4/10/2024

Approved on behalf of the ZBA, this 8<sup>th</sup> day of July, 2024 by , Chairperson  
Received by the Zoning Administrator on July 24, 2024 by 



**TOWN of PITTSFORD 426 Plains Road Pittsford VT**  
**ZONING PERMIT DECISION & MEMORANDUM OF MUNICIPAL ACTION**

**Owner/Applicant(s):** Pittsford Preservation Corp., d.b.a. Pittsford Village Farm (PVF)  
**Applicant's Mailing Address:** 42 Elm St. Florence VT 05744  
**Property Owner of Record** (if not the Applicant): same  
**Physical Location of Property:** 42 Elm St.

**Tax Map #** 07-272-0042 **Town Parcel#:** 0435 **Deed:** Bk. 166 **Pg.** 755

**Conditional Use Permit #25-08 APPROVES the following PROJECT or USE:**

At the Public Hearing held on 4/7/2025 and Decision signed 4/28/2025, the ZBA approved the PVF's request for installation of the portable staging at the beginning of each Event season, to be left in place until the end of the Event season; to be dismantled and stored until following season(s). This amends the Decision & Order (signed 7/15/2020) portion of Conditional Use Permit #20-03; which required installation and removal of portable outdoor staging for each event during the season. The stage location and all other conditions are same as approved by Permit #20-03 and subsequent permits that approved other amendments. The ZBA Decision is attached to and part of Permit 25-08.

The Notice Poster received with this Permit shall be displayed on the property and within view of the public road for a minimum of 15 days, before the Permit is in effect. Failure to comply with this statutory requirement are grounds for extension of the Effective Date or Appeal of this Permit.

The Zoning Administrator (ZA) on 5/9/2025 ISSUED Approved Permit 25-08 with Conditions, per details submitted, in accordance with Pittsford zoning regulations (2019), which may be Appealed on or before 15 days from issue date for permits granted by the Zoning Administrator. If the ZA actions are not Appealed, the EFFECTIVE DATE of this Permit is 5/23/2025.

If Appealed, the Permit will Not be effective until the Development Review Board has reached a determination, as documented in the Minutes and/or Findings of Fact, Conclusions of Law, and Decision.

The ZBA Decision may be Appealed by Interested Parties directly to VT Environmental Court (Pursuant to Title 24, VSA §§4471, 4472, 4475). An Interested Person who has participated in the review of this application may appeal this decision to the Vermont Environmental Court by filing a Notice of Appeal directly to the Environmental Court, by certified mail within thirty (30) days of the date of receipt of this decision. A copy of the Appeal must also be delivered to the Pittsford ZA or Municipal Clerk.

This Permit will expire if approved activities are not initiated within 12 months and/or completed within 24 months of the Effective date and it shall become null & void and reapplication to complete any activities shall be required. Any misrepresentation, or unapproved variation from the Town, State or Federal permits shall constitute grounds for a Violation and/or Revocation.

This Town Permit approval does not release the Applicant(s) or Property Owner(s) from also obtaining any and all other permits or compliance with other Town, State, or Federal regulations that their Project *may* require. These *may* include Town or VT Waste Water Disposal & Potable Water Supply; Shore Line Protection; Storm water, Flood Hazard area, Wetland, and VTRANS access regulations. Rental & commercial properties may be subject to VT Fire Safety regulations. For information on VT permit requirements you are advised to review the *VT PERMIT NAVIGATOR* program on-line or contact the VT Community Assistance Specialist at 802 477-2241.

Permit Approved by ZA *J. M. Biasuzzi*.....Jeffrey Biasuzzi, on May 9, 2025

This Permit with Notice Poster was Received by Applicant/Owner from ZA either:  
\_\_\_\_\_ in Lieu of USPS Certified Mail on 5/ \_\_\_\_\_ 2025 by \_\_\_\_\_  
(Signature of recipient)

Appeal Information:

RECORDED in Pittsford Land Records in Bk. \_\_\_\_\_ Page(s) \_\_\_\_\_ on \_\_\_\_\_

BY:



*final*  
TOWN OF PITTSFORD, VT ZONING BOARD OF ADJUSTMENT (ZBA)  
FINDINGS OF FACT, CONCLUSIONS OF LAW, DECISION & ORDERS

Application #25-08                      OWNER/Applicant: Pittsford Preservation Corp.; aka Pittsford Village Farm, Inc. (PVF)  
Request to amend Conditions of Permit 20-03                      Postal Address: 42 Elm St. Pittsford 05763

Subject Property: 42 Elm St. , Pittsford                      Parcel I.D. #0435                      Tax Map # 07-272-0042

**INTRODUCTION**

The Zoning Administrator (ZA ) received a complete application on 3/7/2025 which was referred to the ZBA. ZBA Public Hearing Notices include:

- a) posting in four public locations (including road Poster),
- b) The Applicant arranged to receive Notice from the ZA in person on 3/21/2025
- c) Abutting ownerships were notified by USPS on 3/21/2025
- d) On 3/22/2025 the Hearing Notice including Application 25-08 was published in the Rutland Herald.

A Public Hearing was held in-person and via Zoom remote conferencing at 7:00 pm on April 7, 2025 in Town Offices. A quorum of the ZBA was in attendance. The Applicant, Pittsford's Zoning Administrator and members of the Public were in attendance. The only participating Interested Parties that were sworn in, and presented testimony include J. Biasuzzi (ZA) and Baird Morgan.

Following receipt of testimony, the ZBA voted to Close the Hearing and voted (without Deliberative Session) their Decision.

Jurisdiction is taken under Articles III (Table of Uses), V (Conditional Uses, Uses Subject to Conditions), X (Site Plan Approval), and XVII (Public Hearings) of Pittsford Zoning Regulations (PZR), effective 4/11/2019.

Upon deliberation, the ZBA has determined the following Facts, Legal issues, Decisions, and Orders:

**FINDINGS of FACT**

1. The PVF owns a 15.3+/- acre parcel on west side of Elm St. The property includes a pre-zoning three-level farm house connected to municipal sewer and water services, and a detached Barn. It is located in the Village zoning district.
2. The property has Permits (16-41, 19-22, 19-56, 20-03, 23-01, 23-24, 24-13) that approve two subdivisions, organizing & hosting seasonal Outdoor Events, two retail sales spaces in the Farmhouse with signs, and a picnic pavilion, and increase in size and use of the Farmhouse. With exception of permit 24-13, outdoor activities did not require a VT Land Use permit.
3. Application 25-08 requests approval to amend Condition 2(a)(iii) of the ZBA's 7/15/2020 Decision & Conditions for approval of Permit 20-03. This Condition required the portable outdoor staging be delivered , installed and taken down within days of each event. Application 25-08 requests approval for the portable staging be installed at beginning of the Event Season and left in place through-out the season. The staging would be dismantled at the end of the Event Season and stored on the premises until the next season. No other changes to Permit 20-03 or other permits were requested.

**CONCLUSIONS OF LAW**

1. The Board reviewed the project under the five criteria for Conditional Use (Article V) and 4/10/2024 *Project Narrative (Addendum I attached) submitted*, and found the application compliant with all criteria.
2. The Board reviewed the (final) Site Plans under Article 10 and found them satisfactory.

**DECISION**

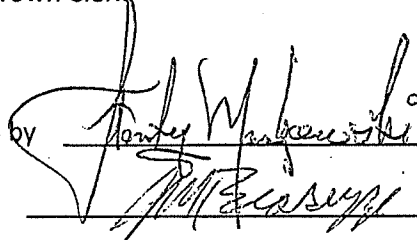
Based on the Application and testimony presented, the ZBA Decision is to *APPROVE Application 25-08 per Site Plans, details submitted in the* to the Application, and in testimony and authorizes the Zoning Administrator to issue Permit 25-08, with this Decision attached to and part of the Permit.

The ZBA Members so voting as follows:

Stanley Markowski: Approve    Richard Conway: Approve    Clarence Greeno jr.: Approve  
Charles Simpson: Approve    Ed Keith jr.: Approve    Nicholas Michael: Absent

The Decision of this Municipal Panel may be Appealed by an Interested Party, within 30 days of its signing date; by filing an Appeal to VT's Superior Court (Environmental Division), in accordance with 24 VSA chapter 117 Section 4471 and Pittsford's Zoning Ordinance, with a copy delivered to the Town Clerk

Approved on behalf of the ZBA, this 28<sup>th</sup> day of April, 2025 by



Chairperson

Received by the Zoning Administrator on April 28. 2025

