Town of Pittsford
Zoning Board of Adjustment
Hearing for Application #25-60: Chad Fox

Zoning Board of Adjustment Members present: Rick Conway, Jim LaCoille, Ed Keith, Jr., and Nicholas Michael

Others present: Ann Reed, Jeff Biasuzzi, Chad Fox, Ed Fox, Pam Smith

January 12, 2026 was the date of the original hearing for application 25-60 submitted by Chad Fox. This was the second item on the agenda for that hearing.

At 7:50pm on January 12, 2026, Rick Conway started the hearing for Chad Fox, application 25-60. Rick Conway stated that he felt he needed to step down and that Gary Kupferer should be present for this hearing. With Rick Conway stepping down, there was not a quorum of ZBA members in attendance to continue the hearing.

Jim LaCoille made a motion to recess until legal council can be present on February 2, 2026 at 7:00pm at the Town Offices. Ed Keith, Jr. seconded the motion and it passed 4-0.

Continuation of Hearing February 2, 2026:
Due to weather, lack of quorum, and inability of members to be present for a hearing for 25-60 until a spring date, this meeting was continued until April 6, 2026 at 7:00pm at the Town Offices.

Continuation of hearing April 6, 2026:
Zoning Board of Adjustment Members Present: Ed Keith, Jr., Jim LaCoille, Ernie Racette

- It should be noted that during the course of the continuations, the ZBA was changed from a seven member board to a five member board by the selectboard

Others Present: Chad Fox, Ed Fox, Brian Kamuda, Gary Kupferer – Town Attorney, Ann Reed

The hearing was opened at 7:00pm by Gary Kupferer.

There was a motion to approve the agenda by Ed Keith, Jr. and seconded by Jim LaCoille. This was passed 3-0.

Gary Kupferer asked Chad Fox if he wanted to put his prepared packet into the findings as Exhibit A. Chad Fox agreed to this.

G. Kupferer asked if the existing grain bunkers were going to hold #2 fuel. Chad Fox stated that there would be three tanks of various sizes. There would be a 30,000 gallon tank that

would hold #2 fuel, a 10,000 gallon tank that would be for #2 fuel in the summer and kerosene in the winter, and a 15,000 gallon tank that would be for on-road diesel fuel. As of right now, 90% of Fox Fuels business is #2 fuel. Currently, the only construction planned is for a rubber bladder to be laid in the concrete bunker and up the walls. There would be one new wall poured at the entrance to the bunker. There would be a stairway or ladder built in to go up and down the sides of the bunker on this newly poured side. There would be piping put through to the three tanks within the bunker. Green Mountain Power would need to run power to it for lighting. This would be either power poles or buried, whichever Green Mountain Power decides to do.

Jim LaCoille asked how high the concrete walls are. Chad Fox said the current walls are 8' high and the new wall will be between 3-4' high, as it only needs to contain a potential spill. The current bunker is 100' x 40' x 8' high for the concrete walls in existence.

Ernie Racette asked about fire regulations. Chad Fox stated there needs to be fire suppression and the fire department needs to be notified and part of the planning. Act 250 would be involved in this portion too. Chad Fox has someone from within the industry assisting him with the process.

There were questions about the tanks that Chad Fox is proposing to purchase and use. Chad Fox stated they were decommissioned three to four years ago and have been inspected.

Gary Kupferer asked if an Act 250 permit is going to be needed. Chad Fox believes so and has a call into an attorney, but has not heard back yet from them.

Ernie Racette asked if the town fire department is okay with this. Chad Fox stated it would be part of Act 250. Ed Keith stated that Bill would know about it and what is needed.

Jim LaCoille asked about hours of the day for deliveries. Chad Fox stated it would be 1-2 tankers a week currently because he is still small. He would use Stevens Road and Route 3 to get to the property. Gary Kupferer asked if Chad is currently using one truck. Chad stated for now he is one truck, maybe in the future there will be more trucks. Gary Kupferer asked if he is getting his fuel third party right now. Chad stated he is third party, getting some of it out of Rutland and, if the pricing is better, sometimes out of Burlington. Gary Kupferer asked about hours of operation. Chad stated daylight hours. In the winter it is 7:00am to about 4:00pm, not much at all for after hour traffic.

Gary Kupferer asked if it is rural and about a hundred acres for the parcel. Ed Fox stated it is about 250 acres with all of the contiguous parcels put together. Chad Fox stated everything is in the packet for information.

Gary Kupferer closed evidence at 7:16pm. He stated the ZBA will recess to deliberative session after the other hearing on the agenda, and Chad Fox will have a written decision within 45 days.

ZBA members came out of deliberative session and voted to deny the permit 3-0.