Charlotte Conservation Commission

February 17, 2026

To: Chair Krasnow and Members of the Charlotte Planning Commission (PC)
RE: Proposed LUR Amendments from the CCC

Three years ago, the Charlotte Conservation Commission submitted a set of proposed amendments to the Land Use Regulations (LURs) to help the Town better protect its remaining forests and advance the conservation vision outlined in the Town Plan. To date, these proposals have not been addressed.

We believe that Charlotte urgently needs new or strengthened regulations to mitigate the negative impacts of development on natural resources and to ensure that the Town Plan's conservation goals are meaningfully implemented.

To that end, we have recently revised our proposed amendments (Sections 2–4 below). We hope these revisions provide a constructive starting point for review, discussion, and collaboration with the Planning Commission.

In this document, you will find the following sections:

1. **Rationale**
2. **Ideas**
3. **Standards**
4. **Definitions**
5. **Resources**

In the **Rationale** section, we explain why we think the suggested changes to the Land Use Regulations (LURs) are needed.

In the **Ideas**, **Standards**, and **Definitions** sections, we include a table in each section with our proposed amendments. Each table has a column with references to the Town Plan. We use red text and "strikethrough" to indicate how we are proposing to change the existing language in the LURs. We did not use special formatting for newly proposed amendments.

In the **Resources** section, we list the materials that we consulted to draft these amendments. We highly recommend that the Town, PC, and interested community members refer to these materials throughout the LUR revision process.

We hope this submission will allow us to begin substantive discussion of these proposals at a joint meeting or to work collaboratively with the Planning Commission toward their implementation.

Sincerely,

—The Charlotte Conservation Commission

1. Rationale

1. **Forests are an integral part of Vermont and essential for the health of our wildlife populations.**
    - Forests are so much more than just a cluster of trees. They are complex ecosystems that support a myriad of plant and animal species and are fundamental for conserving biodiversity.
    - Currently, our forests are still home to a variety of wildlife including deer, bobcat, coyote, and fox and even the occasional bear that typically require blocks of 100+ acres.
    - Some of Vermont's nine bat species rely heavily on forest habitat. The greatly endangered Indiana bat prefers mature shagbark hickory as maternity roost trees, a species commonly found in our clayplain forests.
    - For all these species, smaller forest patches as well as riparian areas often serve as stepping stones to connect to larger habitat blocks and beyond our town borders.
2. **Forests provide a wide range of ecosystem goods and services.**
    - In addition to providing wildlife habitat, forests maintain air quality, water quality, and flood resilience.
    - They help mitigate climate change through carbon sequestration and storage.
    - They provide aesthetic values that directly connect to property value and thus wealth and tax revenue.
    - Forests support recreation, education, research, tourism, and the economy.
    - Continuous forests of 25+ acres can support the working landscape through the Current Use program.
3. **Forests are disappearing due to development pressure and other natural and anthropogenic stressors.**
    - Vermont is now losing forest cover for the first time since the mid-1800s (1,500 acres per year) due mostly to suburban and rural residential sprawl.
    - Habitat loss and fragmentation are considered two of the major factors driving the loss of biological diversity and degradation of ecosystem goods and services.
    - That climate change is upon us, is no longer in doubt. Since 1900, average annual precipitation in Vermont has increased 21%. Intact forests absorb much of this excess rainfall, which is likely to increase. Shifting climate zones also impact wildlife behavior, reproduction, migration, foraging, and survival.
    - Forests are under stress from pests and diseases, such as emerald ash borer, hemlock wooly adelgid, and spongy month (formerly "gypsy" moth).
    - Large, intact forests are more resilient to stress than small or fragmented forests.
    - Unfortunately, in Charlotte, forest blocks are sparse and heavily fragmented. The largest interior forest blocks in Charlotte encompass only a few hundred acres each. Places like Mount Philo State Park and Pease Mountain Natural Area have protected cores, but the surrounding parcels that make up the entire forest blocks

are privately owned. Examining these blocks from above reveals how heavily parcelized and fragmented they already are. The same holds true for most of the remaining privately-owned forest blocks.

4. **Although several LURs aim to protect forests, they need to be strengthened.**
    - Several LURs aim to protect forests by guiding lot and building envelope placement outside of forest habitat (as an Area of High Public Value).
    - However, there are several recent examples where developments have added to the deforestation of formerly untouched forest blocks.
5. **We need to work together and act before we lose our forests.**
    - In 2019, the Charlotte Town Plan was amended to include Act 171, which enables towns to create regulations for the protection of forest blocks and habitat connectors.
    - Per Act 171, "After January 1, 2018, municipalities seeking to have their plans approved by their Regional Planning Commission must include additional information on the future land use map and language that identifies state, regional or locally significant forest blocks and habitat connectors. The plan may also include specific policies on how the community will take steps to reduce forest fragmentation, enhance forest health, and support essential ecological functions."
    - In this document, we recommend a set of proposed amendments to help better protect Charlotte's forests and natural resources.

"Lets start indoors. Lets start by imagining a fine Persian carpet and a hunting knife. The carpet is twelve feet by eighteen, say. That gives us 216 square feet of continuous woven material. Is the knife razor-sharp? If not, we hone it. We set about cutting the carpet into thirty-six equal pieces, each once a rectangle, two feet by three. Never mind the hardwood floor. The severing fibers release small tweaky noises, like the muted yelps of outraged Persian weavers. Never mind the weavers. When we're finished cutting, we measure the individual pieces, total them up -- and find that, lo, there's still nearly 216 square feet of recognizably carpet-like stuff. But what does it amount to? Have we got thirty-six nice Persian throw rugs? No. All we're left with is three dozen ragged fragments, each one worthless and commencing to come apart."

- David Quammen, *The Song of the Dodo* (1996)

2. Ideas

The following table includes ideas for changes to the LURs. We have not yet proposed specific language for the Natural Resource Overlay District and would like to work with the PC and the Town Planner to determine next steps.

Chapter, Section, Page #	**Idea**	**Town Plan Reference**
2.1 p.4 (proposed)	What is the most effective way for the Town to establish a "Natural Resource Overlay District" that will add enhanced protection for important forest blocks and habitat connectors as required by Act 171?	1-11, Natural Resources Policies #2; 1-5 to 1-6 Land Use Strategy #9; 1-20, Key Planning Consideration #8
Between 3.15 and 3.16, p. 35 (proposed)	**Habitats Connectors** Development impacting Habitat Connectors – as identified on maps and within the text of the Charlotte Town Plan (as amended), State of Vermont maps, or as field delineated by a qualified professional – if not being reviewed as a subdivision or Planned Residential or Unit Development under the provisions of Chapters 6, 7 and 8, must be subject to conditional use review by the Development Review Board under Section 5.4 and the following provisions: (A) Minimize disruption and fragmentation of the identified Habitat Connectors. Ensure that the development will not prevent the continued use by wildlife species dependent on the Habitat Connectors to travel between areas of wildlife habitat. The Development Review Board may require an ecological study by a qualified professional to identify species using the Habitat Connectors. (B) Mitigate impacts. If the requirements of (1) above cannot be met, then the applicant must mitigate impacts by restoring or enhancing woody vegetation cover in portions of the identified Habitat Connectors that have been previously disturbed by clearing or similar disturbance. Restoration and enhancement proposals must be approved by the Development Review Board, and the restored or enhanced acreage must be included in an open space agreement.	1-11, Natural Resource Policies #2 and #3

3. Standards

Chapter, Section, Page #	Proposed Amendment	Town Plan Reference
2.5(F)(5) p. 13 (proposed)	**Table 2.5 – Rural District (RUR)** (F) **District Standards:** (5) New permitted and conditional uses shall include designated building envelopes within which all structures, parking areas and associated site improvements shall be located. The locatiosize and shape of each building envelope shall be established in accordance with these regulations, including all applicable standards under this chapter and the district. The Zoning Administrator may also require the identification of specific building footprints if such information is needed to determine conformance with these regulations. Building envelopes must be located, sited and configured so as to exclude Areas of High Public Value. In the event that no other land in the parcel is suitable for development, building envelopes must be designed to minimize encroachments into these areas and to minimize adverse impacts.	1-4 to 1-5, Land Use Policies #8c
3.2 (C) (8) p.23 (proposed)	(8) The maximum allowable length for new driveways shall be **800 feet**, measured along the centerline from the point where the driveway intersects a public or private road to the primary structure it serves. (9) Driveways exceeding 800 feet in length may be approved by the Development Review Board in accordance with Section 5.4 (Conditional Use Review) or Section 5.5 (Site Plan Review), provided the applicant demonstrates that one or more of the following criteria apply: Physical site constraints such as wetlands, flood hazard areas, steep slopes (greater than 15%), ledge, or other significant natural features prevent a shorter driveway alignment that would otherwise comply with this section. (10) In granting an exception under subsection (9), the Development Review Board may impose conditions to ensure compliance with emergency access requirements, protection of natural resources, and consistency with the Charlotte Town Plan. Conditions may include but are not limited to, construction of turnouts or turnarounds for emergency	1-10 Natural Resources Key Planning Considerations #3 There was no consensus among the present CCC members. We decided to keep it in and work with the PC on a possible solution.

Chapter, Section, Page #	Proposed Amendment	Town Plan Reference
	vehicles, use of permeable materials or best management practices for stormwater, vegetation management or screening to limit visual impact.	
3.2 (D)(2)c, p. 24	Roads and driveways ~~should~~ must be located to avoid fragmentation of and/or adverse impacts to areas of high public value listed in Table 7.1. Additionally, to the extent feasible, roads ~~should~~ must follow existing linear features such as utility corridors, tree lines, hedgerows and fence lines.	1-48, Key Planning Considerations #10
3.14 (C) (proposed)	Clearing of trees and natural vegetation on steep and very steep slopes shall be limited to the maximum extent feasible to minimize erosion and stormwater runoff.	
3.15(A), p. 34	**Setbacks from Streams.** To prevent surface runoff and accelerated soil erosion, and to protect water quality and wildlife habitat, all structures and wastewater disposal systems (septic tanks, leach fields) and other impervious surfaces shall be set back a minimum of 100 feet from all named streams, and a minimum of 50 feet from all unnamed streams as depicted on the zoning map, State of Vermont maps, or as identified through field investigation, and as measured horizontally from the top of the nearest stream bank. Where the standards of this section differ from other applicable standards under the Flood Hazard Area Overlay District, the more restrictive shall apply. In addition, all structures and wastewater disposal systems shall be set back a minimum of 150 feet from the top of the nearest stream bank of the following: (1) The tributary of the LaPlatte River which originates near the intersection of Bingham Brook Road and Spear Street Extension and flows generally north through a large wetland adjacent to the microwave tower east of the Spear Street Extension. (2) The stream which originates in a wetland parallel to and west of Bean Road, flows into and out of a wetland near the intersection of Bean Road and Prindle Road, and then generally south to its intersection with Lewis Creek.	1-11, Natural Resource Policies #1, #5, & #6; 1-14, Natural Resources Strategies #5
3.15(C), p. 35	**Stream-bank Buffers.** In order to protect water quality and riparian habitat, and to prevent surface runoff and accelerated soil erosion, an undisturbed, naturally vegetated buffer shall	1-11, Natural Resource Policies #1, #5,

Chapter, Section, Page #	Proposed Amendment	Town Plan Reference
	be maintained along streams and rivers. The buffer will be a minimum of ~~25~~ 50 feet in width and will be measured from the top of the streambank or from the regular high water mark in instances where no stream bank is discernable.	& #7; 1-12, Natural Resources Strategies #1
3.15, between E-F, p. 35 (proposed)	**Wetland Buffers.** To protect wetland functions and values an undisturbed naturally vegetated buffer shall be maintained. Vermont Wetland Rules apply. All structures and impervious surfaces shall be set back: (A) At least one hundred (100) feet in horizontal distance from the boundary of all Class I wetlands. (B) At least seventyfive (75) feet in horizontal distance from the boundary of all Class II wetlands. (C) This applies to both mapped and unmapped Class I and II wetlands.	1-11, Natural Resource Policies #1; 1-12, Natural Resources Strategies #1
Between 5.2 and 5.3 p.62 (proposed)	**Conservation Commission Advisory Review** (A) Purpose. To provide advisory input to the Development Review Board (DRB) and the applicants in conformance with 24 V.S.A. § 4464 on impacts to natural resources identified in the Charlotte Town Plan, Charlotte Significant Wildlife Habitat Map, and adopted resource maps. **(**B) Applicability. The Zoning Administrator shall refer to the Conservation Commission: (1) Subdivision applications. (2) Site plan or conditional use applications located within or adjacent to: (a) Wildlife habitat or connectivity areas; (b) Primary or secondary forest blocks; (c) Wetlands, streams, riparian buffers, or river corridors; (d) Significant natural communities or slopes >15%; (e) Scenic or conservation priority areas. (3) Any application the Zoning Administrator or DRB determines would benefit from natural resource review. (C) Advisory Comments**:** The Conservation Commission may submit written comments to the DRB prior to the public hearing when practicable. Comments become part of the record. If not received within required timeframes, DRB review shall proceed.	1-14 Natural Resource Strategies #5

Chapter, Section, Page #	Proposed Amendment	Town Plan Reference
	(D) Pre-Application Review. Applicants shall be encouraged by the Zoning Administrator to consult with the Conservation Commission prior to filing their application to identify any natural resource constraints. (E) Scope of Review. The Conservation Commission may address wildlife habitat and corridor impacts; forest fragmentation; wetlands and surface waters; erosion, stormwater, and soils; scenic resources; light pollution; and measures to avoid or mitigate impacts. (F)The Conservation Commission shall notify applicants of any adverse recommendations prior to the public hearing, and suggest remedies to address identified deficiencies in the application. (G) DRB Authority. Advisory comments shall be considered by the DRB. Final authority rests solely with the DRB under 24 V.S.A. § 4464 and these Regulations.	
7.2, p. 81	**Development Suitability.** All land to be subdivided shall be suitable for the intended use and proposed density of development, and shall not result in undue adverse impacts to public health and safety, public facilities and infrastructure, or the character of the surrounding area. Moreover, to the extent feasible, land development ~~should~~ must not have an undue adverse impact on Areas of High Public Value (see Table 7.1). During the review process, the Development Review Board will identify specific characteristics of each subject parcel which may be of concern, and will prioritize those resources the Development Review Board considers most important to be addressed in the application.	1-4, Land Use Policy #8
7.3, (D)4, p. 83	Areas of High Public Value ~~should~~ must be identified and should be considered for inclusion as designated open space on the subdivision plat. Buffer areas, management plans, conservation easements, restrictions on further subdivision or comparable site protection mechanisms and mitigation measures may be required to ensure the long-term conservation of these areas.	1-4, Land Use Policy #8
7.5, C(2), p. 84	Utility corridors shall, to the extent feasible,~~-~~be shared with other utility and/or transportation corridors, and be located to minimize site disturbance, fragmentation of Areas of High Public Value, and undue adverse impacts to significant	1-4, Land Use Policy #8

Chapter, Section, Page #	Proposed Amendment	Town Plan Reference
	natural, cultural and scenic features by the destruction of such areas, and to public health.	
8.4, C(1), p. 92	**Conservation Projects.** At the request of the applicant, or as otherwise required under Section 8.2(B), the proposed PRD shall be designed in a manner that maximizes the reduction of lot sizes and modification of setbacks and other dimensional standards to minimize undue adverse impacts to, and fragmentation of, Areas with High Public Value. The conservation subdivision design process described in Table 6.3 shall be followed by the applicant, and modifications to standards shall be allowed by the Board to the extent that such modifications better achieve the standards set forth under Chapter 7. A minimum of 50% of the lot(s) shall be designated as open space in accordance with Section 8.6 for minor PRD subdivisions. A minimum of 60% of the lot(s) shall be designated as open space in accordance with Section 8.6 for major PRD subdivisions. Open space must be contiguous.	1-4, Land Use Policy #8; 1-10, Key Planning Considerations #3

4. Definitions

Chapter, Section, Page #	Proposed Amendment	Town Plan Reference
10.2, p. 120 (proposed)	**Fragmentation:** The division or conversion of tracts of wildlife habitat into smaller pieces leaving remnant patches of wildlife habitat that vary in size and isolation separated by developed or, otherwise non-forested, lands. The reduction in size of wildlife habitat as a result of fragmentation can disrupt wildlife corridors and render core habitat and other habitats unsuitable for certain species of plants and animals.	1-48, Key Planning Considerations #10
10.2, p. 121 (proposed)	**Habitat connectors:** Areas of natural or restored landscape feature, such as wildlife corridors, riparian buffers, hedgerows, or undercrossings, that link otherwise fragmented habitats, allowing the movement, migration, genetic exchange	

Chapter, Section, Page #	Proposed Amendment	Town Plan Reference
	and dispersal of wildlife and plants and the functioning of ecological processes	
10.2, p. 121	**High Public Value:** Areas of land containing the resources listed in Table 7.1 of these regulations. Such areas are as identified on town resource maps such as Charlotte Significant Wildlife Map and Charlotte Map Viewer and databases, State of Vermont maps such as VT ANR Atlas and VT Biofinder, or may be field delineated and/or evaluated by a qualified professional during a land development or subdivision application review process.	1-14, Natural Resources Strategies #5
10.2, p. 133	**Wildlife Habitat:** Areas identified as wildlife habitat on maps and within the text of the Charlotte Town Plan (as amended), State of Vermont maps such as VT ANR Atlas and VT Biofinder, or as field delineated by a qualified professional. This includes but is not limited to: Forest Blocks, Persistent Shrubland Habitat, Aquatic Habitat, and Habitat Connectors.	1-14, Natural Resources Strategies #5; 1-4, Land Use Policy #8

5. Resources

1. **Act 171 Guidance**
    a. Vermont Agency of Natural Resources (VT ANR)
    b. https://anr.vermont.gov/sites/anr/files/co/planning/documents/guidance/Act171Guidance.pdf
    c. Discusses how to address protecting forest and wildlife resources in land use regulations
2. **Conserving Vermont's Natural Heritage**
    a. Vermont Agency of Natural Resources (VT ANR)
    b. https://vtfishandwildlife.com/sites/fishandwildlife/files/documents/Get%20Involved/Partner%20in%20Conservation/Conserving_Vermont's_Natural_Heritage.pdf
    c. A guide to community-based planning for the conservation of Vermont's fish, wildlife, and biological diversity
3. **Mapping Vermont's Natural Heritage**
    a. Vermont Agency of Natural Resources (VT ANR)
    b. https://vtfishandwildlife.com/sites/fishandwildlife/files/documents/Get%20Involved/Partner%20in%20Conservation/MVNH-web.pdf
    c. A mapping and conservation guide for municipal and regional planners in Vermont
4. **Community Strategies for Vermont's Forests and Wildlife**
    a. Vermont Natural Resources Council (VNRC)
    b. https://vnrc.org/wp-content/uploads/2019/08/VNRC-Forestland-Conservation-10-1-links.pdf
    c. See pages 73-77
    d. Guide with regulatory and non-regulatory options for maintaining the integrity of forests and keeping large blocks connected and intact for a range of forest functions and wildlife
5. **Climate Change and Land Use 2022**
    a. Chittenden County Regional Planning Commission (CCRPC)
    b. https://www.ccrpcvt.org/wp-content/uploads/2022/04/Climate-Change-and-Land-Use_Standard-Resolution_20220427.pdf
    c. Discusses how to address climate change in land use regulations
6. **Low Impact Development**
    a. Vermont Agency of Natural Resources (VT ANR)
    b. https://dec.vermont.gov/sites/dec/files/wsm/erp/docs/sw_gi_1.0_LID_series.pdf
    c. Low Impact Development (LID) is defined as "an innovative land planning and design approach which seeks to maintain a site's pre- development ecological and hydrological function through the protection enhancement, or mimicry of natural processes
7. **Forest Block Planning**
    a. Two Rivers-Ottauquechee Regional Commission (TRORC)
    b. https://www.trorc.org/wp-content/uploads/2022/12/Forest-Block-Planning-Forest-Blocks-Subdivisions-and-Rural-density.pdf
    c. A comprehensive PowerPoint presentation on forest blocks, subdivisions, and rural density