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Town of Charlotte
DEVELOPMENT REVIEW BOARD
Meeting Conducted at Town Hall and via Teleconference
May 5, 2022

Minutes as approved by the Development Review Board, May 25, 2022.

Development Review Board Commission: Charles Russell (Acting Chair), JD Herlihy, Gerald Bouchard, Christina Asquith, Alexa Lewis

Staff: Larry Lewack, Town Planner; Rebecca Kaplan, P&Z Clerk; Danielle Atherton, Recording Secretary

OTHERS: via Zoom: Scooter Macmillan, Paul Plante, Genia Curler, Laurie Curler, Corey McDonald

Posted Agenda:

- 5:30 PM Call to Order; changes to agenda (if any)
5:32 PM Public Comment (not pertaining to pending applications)
5:35 PM Board discussion on the DRB process and the Rules of Procedure
6:30 PM Review & Approve meeting minutes: April 13 DRB meeting
6:40 PM Markup & Approve draft Decisions (Public Deliberations; no public testimony or comment will be allowed): 22-20-SD Curler – Decision
6:45 PM Adjourn (Planning Commission meeting follows at 7:00 p.m.)

CALL TO ORDER: Charles Russell called the meeting to order at 5:33 p.m.

Public Comment: Scooter Macmillan asked the Board to identify themselves.

Board discussion on the DRB process and the Rules of Procedure:

The Board marked up the Rules of Procedure.

- Charles Russell asked if the Board wanted to continue with oaths.
- Charles Russell suggested to add language that changes to the agenda can only be done at the beginning of the meeting.
- Gerald Bouchard wanted to add that written testimony is acceptable.
- Charles Russell wasn't sure if they should limit testimony to 3 minutes

Re: DELIBERATIONS:

- Charles Russell wanted to add a definition for Deliberative Session vs Deliberations. The Board agreed a Deliberative Session would be done in private. Charles Russell asked if they want the option to recess the hearing to deliberate. He discussed that deliberations can be done via email and those shouldn't be shared publicly. Christina Asquith added the Board can chose whether or not to share the emails. Larry Lewack clarified that it is optional. JD Herlihy added that when the Board is in deliberations, open meeting laws do not apply. Larry Lewack suggested the Chair to announce to the public to recess the hearing to allow deliberations amongst the Board only. JD Herlihy felt a motion should be made to go into deliberations.

Re: CONFLICT OF INTEREST:

- Alexa Lewis discussed the Conflict-of-Interest policy and suggested a compliance officer for these situations. Gerald Bouchard thought the Selectboard, or possibly the town lawyer. JD

49 Herlihy felt this would be beneficial and that the Selectboard should initiate this town-wide.
50 Charles Russell thought the potential conflict should be brought up to the Board and staff
51 prior to the hearing. Christina Asquith felt it could take up to 6 months for a compliance
52 officer to be initiated, and wanted a process defined if this were to come up in the
53 meantime. JD Herlihy suggested the person with the potential conflict to notify the Board,
54 and the Board would decide. Alexa Lewis added the Conflict of Interest also applies when a
55 member has an opinion on an application. Gerald Bouchard felt a revision is needed on this
56 policy. Larry Lewack suggested that if a Board member felt another member had a conflict,
57 they should first address it privately with them and not at a meeting. Charles Russell added
58 there are two types of interest, a curiosity interest and a financial interest. JD Herlihy felt
59 that "interested party" needs clarification. Alexa Lewis suggested keeping it broader,
60 besides just the abutting property owners. A Board member could recuse themselves and
61 become an interested party.

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63 **Review & Approve meeting minutes: April 13 DRB meeting:**

64 **Motion** by Gerald Bouchard; seconded by JD Herlihy, to approve meeting minutes from April 13.

65 VOTE: 5 ayes, motion approved.

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67 **Markup & Approve draft Decisions (Public Deliberations; no public testimony or comment**
68 **will be allowed): 22-20-SD Curler – Decision:**

69 The Board made edits to the draft. Alexa Lewis did not find a condition in the decision that before
70 any further development, the existing buildings need to conform within the required setbacks. This
71 application would create 2 non-conforming lots. Larry Lewack suggested to extend this for the next
72 meeting.

73 **MOTION** by JD Herlihy; seconded by Alexa Lewis, to adjourn the meeting. VOTE: 5 ayes, motion
74 approved. The meeting was adjourned at 6:48pm.

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