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3 **Town of Charlotte**  
4 **PLANNING COMMISSION**  
5 **Meeting Conducted at Town Hall and via Teleconference**  
6 **June 29, 2023**

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8 ***DRAFT – subject to approval by the Planning Commission***

9 **Planning Commission:** Charlie Pughe, Matt Krasnow, Robert Bloch, Carrie Spear, Kyra Wegman  
(absent), Gerald Bouchard (absent), Linda Radimer, (absent)

10 **Staff:** Larry Lewack, Town Planner; Nicole Burnell, Recording Secretary

11 **OTHERS:** Paul Plante, Alexa Lewis, Maggie Citarella, Susan Blood, Sharon Mount, Charles Russell

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13 ***Posted Agenda:***

14 7:00 PM Call to Order  
15 7:02 PM Changes to Agenda (if any); Public Comment  
16 7:05 PM Joint mtg. #2 w/ Charlotte Conservation Commission  
17 8:00 PM Refine LURs amends: EV charging, res. units in Mixed Uses & PUDs; Act 47 changes  
18 to expedite; Nonconforming structures  
19 8:40 PM Cannabis Standards draft: fwd. to Selectboard?  
20 8:50 PM Review/Approve draft PC meeting minutes: for June 15 mtg.  
21 9:00 PM Adjourn

22  
23 **Call to Order:** Charlie Pughe called the meeting to order at 7:02 p.m.

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25 **Changes to Agenda (if any):** None.

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27 **Public Comment:** None.

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29 **Joint meeting #2 with the Charlotte Conservation Commission:**

30 Maggie Citarella opened by speaking to Act 171 (protection of forest blocks and habitat  
31 connectors) and Act 126 (goal of conserving 30% of Vermont’s land by 2030, 50% by 2050).  
32 Maggie also noted that she participated in an environmental leadership training sponsored by the  
33 Vermont Fish and Wildlife Department. A takeaway from that training is guidance to use specific  
34 language such as *should* or *must* in Land Use Regulations (LURs) to avoid ambiguity.

35 Maggie called attention to the *Standards* section in the letter the Charlotte Conservation  
36 Commission previously presented to the Planning Commission on proposed LURs amendments.  
37 The table in this section offers chapter/section/page number, proposed amendment, and Town  
38 Plan reference.

39 She discussed a proposed new standard for the Rural District; modify 2.5(F) to require  
40 building envelopes for all new structures, for site plan review, permitted and conditional uses.  
41 Robert Bloch asked if this would effectively preclude development on many more parcels than are  
42 currently regulated. Matt Krasnow pointed out that proposed language provides the Zoning  
43 Administrator with the authority to designate building envelopes. Larry Lewack noted that the  
44 Development Review Board (DRB), during subdivision and site plan reviews, already considers  
45 areas of high public value, requires designation of building envelopes, and (for subdivisions)  
46 establishes an Open Space Agreement to protect conserved land,. The proposed amendment  
47 would apply to zoning permits that do not require DRB review or conditional use. Many more

48 landowners would see their property rights restricted. Charlie asked to table the conversation due  
49 to time constraints. Maggie said the goal is of this change is to reduce fragmentation of habitat.

50 Maggie moved on to 3.15 (C), *Setbacks from Streams* item in the table. Their memo  
51 proposed increasing stream bank setbacks from buildings and wastewater systems by 50%.  
52 Charlie asked for comparison of the suggested setbacks with those of the state. Maggie doesn't  
53 know, but commented they researched other towns' rules; this standard based on Williston's. She  
54 stated their rationale for the proposal based upon identified stressed waters in Charlotte, and to  
55 prevent further runoff into impaired waters. Robert asked Maggie if she could identify stressed  
56 waters caused by residential versus agricultural. He noted when asking to restrict rights of a  
57 property owner, the request should be evidence-based. Larry pointed out the location of  
58 wastewater leach fields must follow state standards; town standards cannot be more restrictive.  
59 Charlie agreed with Robert; evidence must provide a clear and compelling rationale for proposed  
60 amendments, for eventual adoption. Charlie endorsed Matt Krasnow's comment from the last mtg.  
61 that conserving land should be incentivized. Robert proposed narrowing focus to what is critical.

62 Sharon Mount asked if any support could be provided by the Town for these research  
63 efforts. Larry offered to assist with drafting grant applications if their members identified any  
64 available funding sources. Charlie suggested utilizing faculty to identify projects for interns in the  
65 school of natural resources at the University of Vermont.

66 Matt suggested the Town attorney could review the CCC's proposal and differentiate what's  
67 legal from what's not, to better define our workload. Charlie responded that such a review & even  
68 proposing specific LURs amendments at this stage may be premature. It's a very long list & its  
69 diverse elements are not clearly tied to policy objectives. A better starting point would be for the  
70 CCC to produce a summary of its values & policy goals. For instance, identify priority problems or  
71 issues to be addressed, such forest & habitat fragmentation, and improved water quality  
72 protection of Lake Champlain and its tributaries. Larry added it would be helpful if the CCC posted  
73 specific ways landowners could reduce or avoid environmental harms on their property when  
74 planning building projects or maintenance. Matt added he wants to see a better balance between  
75 restriction and incentive. For example, the Town could purchase conserved lands of high public  
76 value. Charlie added perhaps we could persuade legislators to allow multiple parcels of conserved  
77 forest to be combined to meet the 25-acre minimum threshold for enrollment in the current use  
78 program. Charles Russell pointed to the Town Plan's call (on p. 1-6) to prioritize high-value areas  
79 for conservation (this was never done).

80 Maggie asked for direction to move forward. Charlie proposed they draft a two-page  
81 document that outlines important focal points for more stringent rules, with a science-based  
82 rationale. Larry suggested to focus on desired outcomes. Matt encouraged them to focus on  
83 mechanisms to accomplish those outcomes, as well. Robert asked if we could figure out how many  
84 lots in the Rural District might be impacted by these changes. Larry said, 'too many to count.'  
85 Along those lines, Maggie asked if the 28% of currently conserved land could be identified as  
86 agriculture, forest, etc. Larry: it would be difficult to tease this out from the data we have; there  
87 are too many variables. Maggie asked if they could schedule another joint meeting in the near  
88 future. Charlie said he didn't think that would be timely.

89  
90 **Refine LURs amends: EV charging, res. units in Mixed Uses & PUDs; Act 47 changes to**  
91 **expedite; Nonconforming structures:**

92 Regarding EV charging, Larry stated that he had added Level 1 as previously discussed.  
93 Members support the revised language for this amendment.

94 Larry moved on to Mixed Uses. Larry recapped that there is a conflict between this section  
95 and Planned Unit Development (PUD) rules & suggested cleaning that up. When considering

96 Mixed Uses, he suggested removing the current restriction that only allows permitting a Mixed Use  
97 in the Village Districts. Charlie asked how a commercial operation would be permitted in the Rural  
98 District. Larry responded that the DRB would oversee. Charles questioned if multiple dwellings  
99 would be permissible with the proposed changes. Larry confirmed. Charles then asked about  
100 density standards, Larry responded density rules would still apply. Larry noted that Mixed Use is  
101 currently only permitted under PUD; the PUD process is rigorous when land is not being  
102 subdivided. Landowners may still opt to undergo the PUD process but would not be required to do  
103 so. Matt asked if allowing Mixed Use on large parcels disincentivizes subdivision. Larry responded  
104 that it might. Robert asked for clarity on what is being solved. Larry answered removing  
105 regulatory barriers that get in the way of people proposing new uses of their land. Robert followed  
106 by asking if the proposed language positively achieves that goal. Matt believes it does; Charlie isn't  
107 sure of this. Larry pointed out that all new uses would require DRB review. Charlie asked for  
108 further consideration before finalizing.

109 Larry shifted to Act 47 implications which involves duplexes, which are now permissible  
110 anywhere single-family homes are. Another takeaway, any area within a Town served by  
111 municipal water and sewer, must allow a minimum of 5 dwelling units per acre. Larry noted that  
112 the West Village fits this criterion. Charlie responded that the West Village does not have a  
113 municipal water supply. Larry stated he would likely have a corrected draft of this document  
114 available to share with the Commission for the July 20<sup>th</sup> meeting.

115

#### 116 **Cannabis Standards draft:**

117 Charlie said he thought we already made this decision. Larry pointed out that Act 47  
118 includes that the Selectboard can amend the LURs directly, without going to the voters for  
119 approval. He asked that we have the Town attorney review before submission to the Selectboard.  
120 Larry will forward the latest draft to the attorney for final review/markups.

121

#### 122 **Review/approve draft PC meeting minutes: for June 15 mtg.:**

123 **MOTION by Matt Krasnow; seconded by Carrie Spears to approve the PC meeting**  
124 **minutes for June 15, 2023. VOTE: 4 ayes, motion carried.**

125

#### 126 **Other:**

127 Robert suggested the Planning Commission lay out a timeline for renewal of the Town Plan.  
128 Larry noted this was a key part of the work plan presented to the Commission recently by CCRPC  
129 staff, and approved by the Commission. He added the CCPRC published a Request for Quotes  
130 (RFQ), which drew a total of 9 responses. Larry commented on the CCRPC list, most of which  
131 consist of firms that are based out of state. Consensus that a local firm would be more appropriate  
132 for Charlotte. The CCPRC has noted that Charlotte can hire whomever we choose, to carry out our  
133 project. Larry had previously drafted a Request for Project (RFP), and has companies in mind. The  
134 CCPRC asked if the Planning Commission would like to be involved in the interviewing process.  
135 Charlie asked Larry to share the RFQ, and the proposals it received in response. Robert suggested  
136 the RFP be understood as part of the hiring process. Larry will distribute that as well.

137

#### 138 **Adjournment:**

139 **MOTION by Robert Bloch; seconded by, Carrie Spears, to adjourn the meeting. VOTE:**  
140 **4 ayes, motion carried.** The meeting was adjourned at 9:22 p.m.

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142 Minutes respectfully submitted:

143 Nicole Burnell, Recording Secretary, with edits by Larry Lewack, Town Planner