v. 8, 9.30.24

TO: Charlotte Planning Commission
FROM: Thompson's Point Leaseholders Association Steering Committee on Land Use Regulations
DATE: August 30, 2025
RE: Updated comments on LUR Changes

To follow up on our meeting on August 21, 2025 we have prepared the following recommended changes to the August 28, 2024 draft of the Planning Commission's changes to the Land Use Regulations for the Seasonal Home Management District (Table 2.7.). The PC changes are highlighted in **blue**. Our recommended changes in addition to those or instead of those are highlighted in **red**.

A few notes to add to our recommendations made on August 21, 2025:

1. We have a goal of decreasing the extent of nonconformity of seasonal dwellings and accessory buildings in the district to add to our goals of fairness, clarity, greater certainty and equity with the rest of the town.
2. We recommend the PC consider a 25 foot sideyard setback for seasonal dwellings and 10 feet for accessory structures in the district
3. We recommend the PC consider for building coverage 10% of the lot area or the existing building coverage whichever is greater. By increasing the allowable lot building coverage to 10% (a figure that was used in older town land use regulations), there would be 73% compliance with the coverage requirement vs a 45% coverage compliance with today's 7% requirement. These percentages are based only on the seasonal dwellings coverage as shown in Charlie Russell's table presented at the last PC meeting and do not factor in the coverage of accessory dwellings.
4. We recommend a 20% maximum lot coverage to make the regulations consistent with the State Shoreland Protection Act.
5. We recommend "Utility Structures" be returned to "Accessory Structures" in (F)(2).
6. We recommend that extended use in (F)(3) be defined as two weeks per season.
7. Regarding soil erosion, in (F)(5) we added stronger language and changed the reference to 3.15. to specify subsection (G) which relates to lakes vs streams. We recommend deleting the last sentence in (F)(5) as it is not applicable to applications for land development but appears to be a general requirement retroactive to all lots in the district which would be illegal in the LURs.
8. We changed the mean high water mark to 98.0' as defined in the LURs .
9. We added language under (G) to make some of the design review standards applicable to all seasonal dwellings when reviewed by the DRB.
10. We recommend that Section 9.2.(8) of the LURs be amended to reflect the change of Accessory Structures to a permitted use in the Seasonal Home Management District.

TABLE 2.7 SHORELAND SEASONAL HOME MANAGEMENT DISTRICT (SHMD)
(8/28/24 PC changes to Table 2.7 highlighted in blue and TPLA Steering Committee recommended changes highlighted in red)

A. The purposes of the Shoreland Seasonal Home Management District are (1) to protect and preserve, for seasonal residential use only, those areas of Thompson's Point that have been historically developed for seasonal residential use; (2) to protect the unique historic and physical character of these areas; (3) to protect the scenic beauty of the shoreland and lake, as viewed from the lakeshore and the water; (4) to protect the environmental quality of the area and the lake, and (5) to allow for development which does not unduly adversely affect the town's natural and scenic resources or properties and uses in the vicinity, and is compatible with the rural character of the town as expressed in the *Charlotte Town Plan*.

(B) Allowed By Right (No permit needed)

1. Agriculture [see Section 9.2]
2. Forestry see Section 9.2

(C) Permitted Uses

1. Dwelling/Seasonal (pre-existing only)
2. Accessory Structure [see (F)(2)]
3. Demolition of an existing structure or portion thereof [see (F)(10)]

(D) Conditional Uses

1. Municipal Facility [see (F)(4); Section 4.15]
2. Alteration, expansion or replacement of an existing seasonal dwelling [see (F)(5), (7), (8) and (G)]
3. Relocation of an existing seasonal dwelling [see (F) (5), (7) and (9)]
4. Shoreline Improvements [see (F)(11) and (F)(12)]

(E) **Dimensional Standards** (unless otherwise specified by use type):

Minimum Lot (Leasehold) Area: existing [see F(1)]

Minimum Frontage/Road:	Existing
Minimum Frontage/Shore:	Existing
Minimum Setback/Front:	50 feet (from ROW)
Minimum Setback/Side:	25 feet – Seasonal Dwellings 10 feet – Accessory structures
Min. Setback/Shore:	Existing (see(F) (9)]

Maximum Height: (Section 3.5): Lesser of 30 ft. or 2 stories
Maximum Building Coverage: 10% or existing building coverage [see (F(8)]
Maximum Lot Coverage: 20%

Subdivisions: Not Allowed
PRDs: Not Allowed
PUDs: Not Allowed

(F) **District Standards:**

(1) For the purposes of these regulations, leaseholds shall be considered a single lot. No further subdivision of leaseholds nor boundary adjustments are allowed.

(2) For leaseholds with no Accessory Structures as of the effective date of these regulations, one accessory structure is allowed per leasehold (e.g., a utility shed) whose dimensions do not exceed eight (8) feet in width, 12 feet in length, and 12 feet in height.

(3) Accessory dwellings and extended use of temporary living quarters (including campers, recreational vehicles and dwellings built on trailers) for more than two weeks per season are prohibited in this district.

(4) Municipal facilities allowed within this district are limited to municipally owned and/or operated outdoor recreational facilities (parks, beaches, lake access, other outdoor facilities and associated accessory structures), and municipal water and wastewater systems.

(5) In addition to the provisions of Section 3.15.(G), existing native vegetation shall be preserved and maintained. No proposed use or activity shall result in soil erosion. Development shall be sited and constructed and slopes stabilized in accordance with accepted engineering and best management practices for stormwater management as delineated in the Vermont DEC's Low Risk Site Handbook for Erosion Prevention and Sediment Control, as most recently amended. Where possible, cleared areas should be replanted with native plantings following construction. All trees on leased lots are owned by the Town, and permission from the Tree Warden shall be required for cutting or pruning standing trees within this district..

(6) Ordinary maintenance and repair of an existing structure which does not alter its footprint, height, appearance or historic character does not require a zoning permit.

(7) No construction activity other than routine maintenance shall occur within this district between July 1 and Labor Day.

(8) The alteration or expansion of an existing seasonal dwelling may be approved by the Development Review Board subject to conditional use review under Section 5.4 provided that:

(a) the lot Building Coverage does not exceed the existing lot Building Coverage or ten percent (10%) of the area of the leasehold it occupies, whichever is greater; and

(b) the alteration or expansion is not for the purpose of increasing occupancy; and

(c) the applicant can demonstrate that all municipal and state regulations for sewage disposal are met for each structure altered or expanded including, where applicable, the Thompson's Point Wastewater System Disposal Ordinance. .

(9) The alteration, expansion or relocation of any structure shall not reduce the structure's existing setback distance from the shoreline - defined as the Mean High Water level - or 100 feet, whichever is less.

(10) ~~Historic~~ Existing seasonal dwellings damaged beyond repair may be replaced within the same footprint, subject to conditional use review under Sections 5.4, and design review under Subsection (G).

(11) Temporary docks which are wooden or metal, used only for noncommercial purposes, are mounted on piles or floats, and removed at the end of each season do not require a zoning permit if the total (combined) length of all docks under single ownership does not exceed 50 feet (from Mean High Water), and the total (combined) area of all docks, including deck areas, does not exceed 500 square feet. No concrete, masonry, earth or rock fill, sheet piling, bulkheading, cribwork, or similar construction may form any part of the dock. Other types of docks shall be considered shoreline improvements.

(12) Shoreline improvements are exempted from shoreline setback requirements, but shall be sited and designed to avoid wetlands and other sensitive shoreline features; shall minimize surface runoff, channeling and soil erosion; and shall avoid adverse impacts and obstructions to adjoining shoreland areas.

(G) **District Design Review Standards**.

Before granting conditional use approval for any alteration~~,~~ or expansion~~,~~ of any seasonal dwelling within the Thompson's Point Historic District, the Development Review Board shall seek the recommendations of the Design Review Committee, if available.* The Committee's recommendation to the Board shall include its findings with regard to the following design review criteria:

(1) The size, scale, style, design and materials of any structural alteration, expansion or replacement are consistent and harmonious with existing structures, and with the overall historic character of the area.

(2) The project shall identify existing unique natural features on site, and avoid or minimize impacts to those features.

(3) Alterations or additions to existing seasonal dwellings within the Thompson's Point Historic District shall be compatible with the visual elements of surrounding seasonal dwellings and the overall historic character of the area.

For other conditional use approval applications for alteration of a seasonal dwelling outside the Thompson's Point Historic District, the Development Review Board shall consider the provisions of (G)(1) and (2) above.

* If the Design Review Committee is unavailable to provide a timely review, the DRB may utilize a historic review of the proposed design from a licensed architect with experience in historic renovations, with the cost paid by the applicant, per Sec. 9.9.B.2 of these LURs.

[*new definition added to Chapter 10, Definitions section of LURs:*]

Thompson's Point Historic District: Seasonal dwellings as documented on pages 191-200 in the *Historic Sites and Structures Survey for the Town of Charlotte*, prepared by the Vermont Division for Historic Preservation (Charlotte properties added to the State Historic Register in 1980) (*excerpt available upon request*),or any subsequent additions of Thompson's Point structures to the State Historic Register.