

**Town of Charlotte
SelectBoard
Meeting Conducted at Town Hall and via Teleconference
October 4, 2022**

APPROVED

SelectBoard; in person: James Faulkner (Chair), Frank Tenney (Vice Chair), Louise McCarren,
Remote: Lewis Mudge (remote until 7:20 pm, then in person)
Absent: Matthew Krasnow

Staff: Dean Bloch; Town Administrator

OTHERS; in person: Gerald Bouchard, Charles Russell, Charlie Pughe, Mark Moser, King Milne, Sarah Beal, Kyra Wegman, Damaris Herlihy, Carla Hunter, Elisa Fante, John Murphy, Lou Allen, Maura Wygmans, Erich Finley, Eric Rice, Julia Rice, Nancy Warren
Remote: JD Herlihy, Peter Joslin, Hugh Lewis, Jr., and others.

Posted Agenda:

7:00 PM Public hearing on proposed amendments to the Land Use Regulations (continuation of recessed hearing from September 27, 2022)
7:30 PM Ferry Road signs
7:40 PM CCS School Zone
7:50 PM Greenbush Road – approaches to traffic calming
8:30 PM Approve hiring John Kerr as Clerk of the Works for Town Garage project

CALL TO ORDER: James Faulkner called the meeting to order at 7:00 p.m.

Public hearing on proposed amendments to the Land Use Regulations (continuation of recessed hearing from September 27, 2022): Lewis Mudge asked for confirmation that Article 1-6 will be voted on separately and noted that Article 1 and 5 both have sections on ADU's. It was confirmed that the amendments related to Accessory Dwellings will be broken into three articles.

Article 1: Removes ADU's from conditional use and changes it to a permitted use. **MOTION** by Frank Tenney; seconded by Louise McCarren, to approve Article 1 to put on the ballot. VOTE: 4 ayes, 0 nays, motion carried.

Article 2:

Lewis Mudge arrived in person.

- Frank Tenney felt the expansion of a non-conforming structure needs more clarification.
- Dean Bloch said the Planning Commission felt that in Section 4.15, listing Public Facility in all of the districts is redundant, although the Town Attorney recommended keeping that in. JD Herlihy disagreed and didn't think Public Facility should be included as a use, and also disagreed with adding health clinic as a public facility. Charles Russell agreed with JD Herlihy with regard to including Public Facility in the conditional use tables, and said if this is pulled from the ballots it wouldn't make a big difference in any review since it mirrors the State statute. The Board agreed to leave it as proposed by the Planning Commission.

- Frank Tenney felt there should be more guidelines for the location of temporary contractor offices. James Faulkner suggested to move forward with the current language and it can be fine-tuned down the road.

Definitions:

- **Board:** Frank Tenney asked for confirmation that the proposed revision to the definition for Board was removed. Dean clarified that the proposed change to Commission was removed, but the change to Board, i.e. changing Zoning Board to Development Review Board, was kept.
- **Deli:** Frank Tenney requested to remove this definition. The Board agreed, and to move it to March.
- **Food Truck:** Frank Tenney felt this should be removed since it's not in the Zoning bylaws. Lewis Mudge suggested to remove this pending the upcoming ordinance. The Board agreed since the ordinance will have jurisdiction.
- **Undue Adverse Effect:** Frank Tenney explained the change was made to make it more in line with the State Statute.

MOTION by Lewis Mudge; seconded by James Faulkner, to put Article 2 on the ballot, with the removal of Section 10.2 Deli and Food Trucks. VOTE: 4 ayes, 0 nays, motion carried.

Article 3: Section 4.2-Dean Bloch explained this amendment doesn't expand the size of the ADU. Frank Tenney asked if you aren't increasing the size of the structure, does this need to go through Conditional Use or the DRB. Dean Bloch and Charlie Pughe said no, it would require just a building permit.

Section 4.15: The Board agreed to remove from Article 3 a proposed amendment that would strike Hazardous Waste Management Facilities from the Public Facility Section, and will make a motion at the end.

Section 4.17: Frank Tenney disagreed with the timeframe saying a temporary structure can stay for a year, plus an additional year with approval. He felt it contradicts the definition of "temporary". A temporary structure can't be associated with a lot that has conditional use. It may change septic, stormwater, lot coverage, etc. Dean Bloch replied that this is currently in the regulations, this just clarifies it needs a permit for 1 year. JD Herlihy felt it should be general practice that any additional development on a parcel with an existing conditional use or site plan permit should trigger a permit amendment. Frank Tenney suggested for that to be added by the PC. **MOTION by** Lewis Mudge; seconded by James Faulkner, to put Article 3 on the ballot with the exception of Section 4.15. VOTE: 4 ayes, 0 nays, motion carried.

Lewis Mudge left the meeting temporarily.

Article 4: MOTION by Frank Tenney; seconded by Louise McCarren, to put Article 4 on the ballot. VOTE: 3 ayes, 0 nays, motion carried.

Lewis Mudge returned to the meeting.

Article 5: Lewis Mudge confirmed we can't make any changes to this Article; it can only be kept in or removed for a vote. He clarified this element will be separated from the others. He felt many people won't find this clear as to the intent. Louise McCarren agreed. Frank Tenney said the State statute is 900 sq ft, the voters need to decide if 1,500 sq ft is appropriate. If this is voted down it

would stay at 1,000. He doesn't agree with it, but is ok with putting it on the ballot. Peter Joslin felt the amendment is clear, but how that plays out in town is unknown. **MOTION by** Lewis Mudge; seconded by Louise McCarren, to put Article 5 as presented on the ballot. VOTE: 4 ayes, motion carried.

Article 6: Charles Russell felt this Article needs more work because it is unknown how many lots are affected. Charlie Pughe felt if a lot doesn't meet the dimensional standards, it should be a PRD and he wants to keep it on the ballot. JD Herlihy agreed with Charles Russell, and added that any lot on a private road that's 10+ acres that wants to subdivide would be affected by this change. The Board looked at Section 3.2 and determined it doesn't eliminate the subdivision, it would just make it a PRD. Frank Tenney said historically this was how it was done and this Article clarifies that and any lot that can't comply with all of the dimensional standards should be a PRD. **MOTION by** Lewis Mudge; seconded by James Faulkner, to put Article 6 on the ballot as presented. VOTE: 4 ayes, motion carried.

Dean Bloch said all of the articles were approved on the warning, which needs to be signed by tomorrow. The only change to the draft warning is the public facility/hazardous material item and the definitions of deli and food truck

Ferry Road signs: James Faulkner explained the road safety audit review was done in 2020.

- They suggested improved signage on Ferry Rd to be done immediately.
- They suggested to have the speed limit sign change from 20 mph to 15 mph at the corner on Ferry Road.

James Faulkner suggested to move these forward and at the next meeting he will show photos of the signs with the costs associated.

CCS School Zone: James Faulkner said the CCRPC suggested more signs and to designate a specific school zone. The speed limit will change from 30 mph to 25 mph. This has nothing to do with flashing lights, which will be discussed at a later date.

- Louise McCarren supported the speed limit change but said the real issue is how to get the cars on and off the road.
- James Faulkner said pick up and drop off is a school issue.
- Frank Tenney added this is a main road in the town, reducing it to 25mph permanently is major.

MOTION by Lewis Mudge; seconded by Louise McCarren to pass the notice of amendment to Town of Charlotte Motor Vehicle and Traffic Regulation Ordinance which specifies the maximum speed limit to be reduced from 30 mph to 25mph. VOTE: 4 ayes, motion carried.

Signage: The Board discussed whether or not signage was needed at the 4-way intersection. Frank Tenney was ok with approving the signage minus the 3 signs at the 4-way, and pending the lights on the school zone speed limit signs. Maura Wygmans felt it was important for the sign to remain on Hinesburg Road, especially since they are removing the flashing lights. JD Herlihy felt the Board should follow the traffic report. **MOTION by** Frank Tenney; seconded by Lewis Mudge, to follow the diagram as presented with the exception that they have the option to add flashing lights at any time. VOTE: 4 ayes, motion carried.

Greenbush Road – approaches to traffic calming: Damaris Herlihy said there is concern for the children and elderly on Greenbush Road due to speeding, and they are suggesting traffic calming measures.

- Ken Spencer said 93.5 % of the houses in the Greenbush Road 25 mph zone signed a petition in support of this. They also spoke to the Road Commissioner and the previous Fire Chief who is also a neighbor.
- Sarah Beal said the survey determined that almost 90% were in favor of traffic tables, 80% were in favor of traffic humps, 75% were in favor of radar speed signs, and 75% were in favor of a welcome sign.
- Carla Hunter listed the recommendations to be done in the Fall of 2022:
 - Install traffic humps, 3 on Greenbush, on each side of Ferry.
 - Install solar power radar signs on each end of Greenbush Rd.
 - Add a Welcome sign past the suggested radar location.
 - Increase speed enforcement by police.
 - In Spring of 2023 replace the crosswalks with traffic tables.

James Faulkner asked how far apart the speed humps should be. Carla Hunter said that would be determined by Jr Lewis. The humps become part of the road topography and last 5-7 years. Jr Lewis wasn't sure how the humps would affect plow trucks and added the neighbors living next to the humps may not care for the noise it will create when the cars go over them. He added that signs will also be needed to notify of the upcoming humps.

Next Steps:

- James Faulkner wanted to make sure the neighbors whose property will be near the humps are notified and aware of the noise. He would like to make sure they work and would like a study done. The material also needs to be decided as to whether its hot mix or cold patch.
- The signs will take some time.
- The solar power will need to be figured out.
- Frank Tenney would like to see a written map showing where the markings and humps will be. The distance between the humps will determine the signage needed. He felt more information is needed.
- Lewis Mudge said police enforcement is very limited.
- Dean Bloch felt an engineer study needs to be done by a traffic engineer for potential liability issues with the speed humps. He will discuss this with the CCRPC.

This will be added to the agenda for the October 24th meeting. The Selectboard would like the above information received by 1 week before this meeting.

Approve hiring John Kerr as Clerk of the Works for Town Garage project: James Faulkner felt he has a lot of experience and the rate will be \$35.00/hour with a cap of \$15,000. Lewis Mudge said the town has his trust and agreed this was reasonable. Frank Tenney asked if it was his own business. Dean Bloch confirmed and that he has insurance. **MOTION by** Frank Tenney; seconded by James Faulkner, to accept John Kerr as Clerk of the Works for the Town Garage. VOTE: 4 ayes, motion carried.

MOTION by James Faulkner; seconded by Frank Tenney, to adjourn the meeting. VOTE: 4 ayes, motion carried. The meeting was adjourned at 9:32 PM.

