

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48

**Town of Charlotte**  
**PLANNING COMMISSION**  
**Meeting Conducted at Town Hall and via Teleconference**  
**April 18, 2024**

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

**Planning Commission:** Charlie Pughe (Chair), Matt Krasnow (Vice Chair), Kyra Wegman, Linda Radimer, Robert Bloch. *Virtual:* Gerald Bouchard, Carrie Spear.

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

**OTHERS:** Frank Tenney, Charles Russell, Paul Plante, Claudia Mucklow.

***Posted Agenda:***

7:00 PM Call to Order  
7:02 PM Changes to Agenda (if any); Public Comment  
7:05 PM Review & discuss new LURs draft: Act 47-mandated changes  
7:40 PM Finalize(?) Sec. 3.8.b, NC Structures & Sec. 3.1 & setback definition drafts  
8:10 PM Discuss & mark up draft LURs revisions to Sec. 9.7 (continued)  
8:40 PM Review & approve draft meeting minutes: April 4 meeting  
8:45 PM Adjourn

**Call to Order:** Charlie Pughe called the meeting to order at 7:09 p.m.

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

**Public Comment:** None.

**Review & discuss new LURs draft: Act 47-mandated changes:**

Charlie Pughe suggested that *dwelling unit* be replaced by *use* for Minimum Lot Area & Minimum Density. Charlie pointed out that if, in the future, more than one type of use per lot is permitted, that would trigger the need to update Land Use Regulations (LURs).

Matt Krasnow asked if *principal use* is defined in the LURs and if it's wise to change it, without understanding how it's used throughout the LURs. Larry Lewack said he believes the intent of this language is to allow diverse commercial uses in the Villages. Kyra Wegman asked how principal use is determined in a mixed use. Is it the use that generates the most revenue?

Larry directed the conversation back to Charlie's question and asked if *use* is omitted from minimum lot area, is the intended meaning still conveyed? Larry added that Act 47 requires us to allow duplexes and accessory dwelling units (ADU) on any lot where year-round single-family dwellings are currently allowed. Robert Bloch pointed out that single-family, duplexes, and ADUs are all residential uses. To which Charlie responded that an in-home business is not residential. [*Ed. note:* actually, small businesses conducted at home are defined in Sec. 4.11 as part of a residential use, not regulated as a commercial enterprise.]

In response to the discussion, Larry said that he is also proposing amending Sec. 3.6.A to edit the sentence: *only one (1) principal use ~~or structure~~ shall be located on a single lot.* Matt asked again that *principal use* be defined. Frank Tenney responded that if not defined in LURs, common usage definition is applied.

Charlie pointed out that omitting *use* leaves density undefined, and suggested *permitted use* as a replacement.

49 Charlie suggested that under Minimum Lot Area, Residential: 5 acres, Non-Residential: 1  
50 acre would suffice. Claudia Mucklow and Matt gave examples where acreage could be less than the  
51 minimum. To this point, Charlie acknowledged the statement: *Dimensional Standards (unless*  
52 *otherwise specified by use type)* under the Table 2.1 heading, covers outliers. Consensus reached:

53 Minimum Lot Area: Residential: 5 acres, Non-Residential: 1

54 Minimum Density: Residential: 5 acres/use, Non-Residential: 1 acre/use

55 In response to the statement *Dimensional Standards (unless otherwise specified by use type)*,  
56 Matt suggested an exhaustive list of use types. Instead, Charlie suggested we simply remove the  
57 word *type* from the header “(E) **Dimensional Standards (unless otherwise specified by use type).**”

58 Larry revisited Section 3.6 subsection (A) and the edit removing *or structure* from the  
59 sentence: “*only one (1) principal use ~~or structure~~ shall be located on a single lot.*” Matt suggested it  
60 would be helpful to do a document search on all occurrences of “principal use” appears in the  
61 LURs, to ensure we don’t overlook any possible unintended consequences. Larry said he will do  
62 this. Charlie added, and to determine if removing “*principal*” from the phrase “*principal use*”  
63 changes the meaning. Matt asked what was the rationale for the Regional Planning Commission  
64 consultant’s rationale for deleting this language. Larry responded that it’s Taylor Newton’s view  
65 that subsection (A) unnecessarily limits & complicates our reviews of multi-use projects.

66 Larry proposed removal of subsection (C) due to redundancy (these issues are already  
67 fully addressed in Conditional Use review at Sec. 5.4, and Site Plan review at Sec. 5.5.

68 Charlie suggested that the LURs should be fully revamped, as it has been piece-mealed  
69 throughout the years. Larry responded that would be a good project for a consultant; we do not  
70 have the bandwidth to do this, either at the staff level or for the PC as a whole. Kyra noted editing in  
71 a group setting is always difficult. Larry said short-term, incremental editing is the only option  
72 available for now. He looks for related edits when changes are made. Charles Russell pointed out  
73 that LURs and the Town Plan are supposed to match. That during the upcoming Town Plan  
74 rewrite, LURs also be reviewed (as part of that consultant project, assuming it’s funded).

75 Larry moved on to the cleanup of public facilities language that appears under (F) District  
76 Standards in Tables 2.1-2.5. Current language is inaccurate. Larry proposed deleting erroneous  
77 first sentence in each of these clauses. He then directed us to see revised Table 4.2 Public  
78 Facilities, which includes a new (required) entry for emergency shelters. Charlie suggested  
79 referencing state statute reference to emergency shelters in the table.

80 Larry directed conversation to Section 4.4 Affordable Housing. Affordable housing must be  
81 treated as any other use. Further, affordable housing projects proposed for lands served by public  
82 wastewater and water supply may include an additional floor above the district height limit. Larry  
83 deleted subsection (2) as character of the area cannot be used to discriminate. Charlie felt some of  
84 subsection (2) is relevant. Instead of deleting, revised to: “*The Development Review Board may*  
85 *require ~~increased setbacks, buffers, landscaping, screening, or building design modifications to~~*  
86 *mitigate the physical and visual impacts of higher density development on adjoining properties, and*  
87 *to maintain the historic appearance and integrity of historic structures.*”

88 Larry moved to Section 4.15, Table 4.2 and asked if the PC wants to restrict the location of  
89 emergency shelters to specific districts. Consensus to potentially permit in all districts.

90 Larry directed conversation to housing non-discrimination in conditional use & site plan  
91 reviews. Edited to reflect the exception of residential developments when imposing conditions.

92 Larry moved on to appeal rights. Edits include: Any combination of 10 or more residents,  
93 voters or real property owners who have signed and submitted a valid petition are eligible to file  
94 appeals. Proposed to add: “An appeal shall not address the character of the area affected if the  
95 project has a residential component that includes affordable housing.”

96 The final section, definitions, where duplex and emergency shelter have been defined.

97

98 **Finalize(?) Sec. 3.8.b, NC Structures & Sec. 3.1 & setback definition drafts:**

99       Agenda item tabled.

100

101 **Discuss & mark up draft LURs revisions to Sec. 9.7 (continued):**

102       Agenda item tabled.

103

104 **Review/approve draft PC meeting minutes: for April 4, meeting:**

105       **MOTION by Robert Bloch, seconded by Linda Radimer, to approve the PC meeting**  
106 **minutes for April 4, 2024, as amended. VOTE: 5 ayes, motion carried.** Charlie Pughe and Kyra  
107 Wegman abstained.

108

109 **Adjournment:**

110       **MOTION by Robert Bloch; seconded by Matt Krasnow, to adjourn the meeting. VOTE:**  
111 **7 ayes, motion carried.** The meeting was adjourned at 8:57 p.m.

112

113 Minutes respectfully submitted:

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