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3 **Town of Charlotte**
4 **PLANNING COMMISSION**
5 **Meeting Conducted at Town Hall and via Teleconference**
6 **December 19, 2024**

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

9 **Planning Commission:** Charlie Pughe (Chair), Matt Krasnow (Vice Chair), Bill Stuono, Linda Radimer, Carrie Spear, Robert Bloch.

10 **Staff:** Rebecca Kaplan, Planning and Zoning Assistant, Recording Secretary, Nicole Burnell.

11 **OTHERS:** Paul Plante, Frank Tenney, Charles Russell, Claudia Mucklow, Ken Smith, Pete Demick, Patrice Demarco, Darren Schibler, Kate McCarthy.

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14 ***Posted Agenda:***

15 7:00 PM Call to Order
16 7:01 PM Changes to Agenda (if any); Public Comment (for items not on the agenda)
17 7:02 PM Review & approve draft PC meeting minutes: December 5 meeting
18 7:05 PM Review draft timetable and workplan for LUR updates: Darren Schibler and Kate
19 McCarthy, CCRPC
20 7:30 PM Discuss different approaches to regulating uses: Darren Schibler and Kate McCarthy,
21 CCRPC
22 8:00 PM Review Table of Existing Uses for Charlotte’s zoning districts: Darren Schibler and Kate
23 McCarthy, CCRPC
24 9:00 PM Adjourn

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26 **Call to Order:** Charlie Pughe called the meeting to order at 7:01p.m.

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

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30 **Public Comment:** None.

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32 **Review & approve draft PC meeting minutes: December 5 meeting:**

33 **MOTION by Linda Radimer; seconded by Bill Stuono, to approve the PC meeting minutes**
34 **for December 5, 2024, as written. VOTE: 6 ayes, motion carried.**

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36 **Review draft timetable and workplan for LUR updates: Darren Schibler and Kate McCarthy,**
37 **CCRPC:**

38 Darren Schibler recapped the planning exercise that was completed with the Planning
39 Commission during the November 21st meeting as the exercise was used to create the draft timetable and
40 workplan. Darren reviewed upcoming meeting dates and proposed topics as follows:

41 12/19/24 – Approaches to Regulating Uses

42 1/16/25 – Act 181 Engagement

43 2/20/25 – Development Pattern: PUDs, Subdivisions, frontage

44 3/20/25 – Dimensional Standards: Lot Area, Density, Coverage, Side/Rear Setbacks

45 4/17/25 – Roads/Driveways, Parking, Front Setbacks

46 5/15/25 – Clarify Environmental Protections, TDR

47 6/19/25 – Review New Draft LURs

48 Regarding the Act 181 Engagement, Robert Bloch questioned if Act 181 could be used to
49 override municipal planning. Both Darren and Matt Krasnow responded to the question. The intent of

50 Act 181 is not to override, rather to allocate grant funding that aligns with municipal goals. Bill and
51 Linda asked if Act 181 could potentially fund updated wildlife mapping. Darren said that funding and
52 grants could be applied for, and the CCRPC could provide technical assistance.

53

54 **Discuss different approaches to regulating uses: Darren Schibler and Kate McCarthy, CCRPC:**

55 Kate McCarthy opened the presentation with a brief recap of zoning. Zoning's origins are from
56 public health and noxious uses. In Charlotte, zoning came into effect in the 1960s. Kate spoke to the
57 Standard State Zoning Enabling Act. The Act served as a national template. The 100-year-old template
58 creates a mismatch between then and now. Kate acknowledged that zoning has been used negatively to
59 separate by race and class. This has occurred explicitly and subtly.

60 Kate moved to types of review beginning with permitted uses and conditional uses. Permitted
61 uses are established by right and conditional uses can be established if found to be compatible.
62 Standards are discretionary in conditional use and require another level of review. Kate said another type
63 of review is site plan review, which ensures good site design. Kate then spoke to variances, which have
64 stringent statutory standards, and waivers, which have flexible local standards. Kate said that variances
65 and waivers act as relief valves. Darren added that variances can only be applied to lots or structures, not
66 to uses.

67 Kate moved to the review process which begins when the Zoning Administrator receives an
68 application. Administrative applications that meet basic review criteria are reviewed by the Zoning
69 Administrator. Quasi-judicial applications, with more discretionary criteria, are reviewed by the
70 Development Review Board (DRB). With Administrative applications, the Zoning Administrator issues
71 or denies a permit. With quasi-judicial, the DRB issues a decision. Both processes include the
72 opportunity for appeal.

73 Kate then spoke to standards of review. These include dimensional standards: how development
74 is arranged on a parcel. Subdivision standards: how lots are laid out. Roads, streetscapes, and parking:
75 how public and private features connect, so they add up to what the town needs.

76 Darren presented approaches Charlotte could take including: change select conditional uses to
77 permitted uses. Allow more than one principal use (and structure) on a lot. Enable multi-family housing
78 in the Villages. Further promote adaptive reuse of existing buildings.

79 Regarding the approach of some conditional uses moving to permitted uses, Bill asked about
80 criteria, such as hours of operation. Darren said that sketch plan review can still be completed with
81 permitted uses. Kate added use standards can be established and applied broadly, such as for restaurants.
82 Matt said use standards would increase consistency. Bill questioned creating use standards with time
83 constraints. Charlie responded that it is more work up front but reduces workload going forward.

84 Darren then concluded this portion of the presentation with the problem being addressed and the
85 community goal that could be achieved for each approach.

86

87 **Review Table of Existing Uses for Charlotte's zoning districts: Darren Schibler and Kate**
88 **McCarthy, CCRPC:**

89 Darren presented the table of existing uses (by right, permitted, conditional, not allowed) by
90 zoning districts. Darren asked for initial thoughts. Charlie pointed out that there are many duplicative
91 categories, and too many conditional uses. Matt asked if a use is not defined if it is by de facto not
92 allowed. Darren said this is true. Charlie cautioned against reading the blanks in the table as not allowed,
93 rather blanks need to be evaluated. Bill asked if there has been a case of an undefined use, being denied.
94 Charles Russell and Frank Tenney spoke to an example.

95 Darren asked about general approaches the Planning Commission would like to take, such as
96 Charlie's comment on eliminating duplicates. Darren questioned interest in consolidation of residential
97 uses. Matt suggested leaning in on the CCRPC's expertise to create functional uses. Darren said
98 anything conflicting with state statute would be cleaned up. Charlie pointed out that the table should not

99 have any blanks. Matt asked if towns use omitting a use to not permit or it's more common place to
100 prescribe not allowed. Darren said both approaches are used. Darren will begin with suggestions that
101 align with the bylaw modernization grant including feedback from public engagement.

102 Kate recapped the next steps for the CCRPC including evaluating changing select conditional
103 uses to permitted uses and examining the table of existing uses for duplicates.

104

105 **Adjournment:**

106 **MOTION by Robert Bloch; seconded by Linda Radimer, to adjourn the meeting. VOTE: 6**
107 **ayes, motion carried.** The meeting was adjourned at 8:40p.m.

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109 Minutes respectfully submitted:

110 Nicole Burnell, Recording Secretary, with edits by Rebecca Kaplan, Planning and Zoning Assistant