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3 **Town of Charlotte**
4 **PLANNING COMMISSION**
5 **Meeting Conducted at Town Hall and via Teleconference**
6 **February 2, 2023**

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8 *Approved by the Planning Commission – 2.16.2023*

9 **Planning Commission:** Charlie Pughe, Kelly Devine, Gerald Bouchard, Robert Bloch, Carrie Spear
10 Kyra Wegman, Linda Radimer.

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

12 **OTHERS:** Frank Tenney, Paul Plante

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 Review/Approve draft meeting minutes: for December 15, January 19 mtgs.
17 7:10 PM Work session #4 on Cannabis standards: markup latest draft; next steps
18 7:40 PM Special Event Ordinance: recommendation to Selectboard
19 8:00 PM PC Rules & Ethics policy: review Charlie's redrafts; next steps
20 8:30 PM Community Heart & Soul: follow-ups from last meeting
21 8:40 PM Adjourn

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

24
25 **Changes to Agenda (if any); Public Comment:** None.

26
27 **Review/Approve draft meeting minutes: for December 15, January 19 meetings:**

28 **MOTION by Gerald Bouchard; seconded by Linda Radimer to approve the PC meeting**
29 **minutes for Dec. 15, 2022, as amended. VOTE: 5 ayes, 1 abstained motion carried.**

30 **MOTION by Gerald Bouchard; seconded by Kelly Devine to approve the PC meeting**
31 **minutes for Jan. 19, 2023, as amended. VOTE: 5 ayes, 2 abstained, motion carried.**

32
33 **Work session on Cannabis standards:**

34 Larry Lewack reviewed edits made to the draft since the previous work session. These
35 included the separation of screening and security standards into two subsections, and further
36 research on buffers. Based on research, Larry suggests a 200 ft. buffer from property line for any
37 outdoor cultivation. This standard exists in current land use regulations for active agriculture
38 operations. Further, standards set must be achievable to avoid lawsuits.

39 Larry noted an outstanding question regarding industry standards for air quality and air
40 handling equipment to mitigate odor discharges from enclosed facilities. This research was tasked
41 to Kyra Wegman. Kyra has not been able to meet with the grower in Massachusetts since the last
42 meeting. Charlie had researched industry standards for air quality and air handling and presented
43 a summary, based on Yolo County's (California) rules. Linda Radimer questioned where financial
44 responsibility would lie if efforts outlined in Charlie's research were enacted. Compliance costs are
45 always the responsibility of the operator. Robert Bloch suggested adding additional fees to the

46 application process in anticipation of increased Town employee workload. Gerald responded that
47 it would fall on the Selectboard to set a different fee structure if required.

48 Robert asked to revisit the decision to remove cannabis uses to be allowed to be considered
49 as conditional uses in the Shoreline District. He says it did not seem to be directly related to
50 protecting water quality. Kelly responded that the Commission is treating cannabis as it does any
51 other business. Aside from marinas, business is not permitted in the Shoreline District. Charlie
52 reviewed Shoreline District regulations, which conditionally allow other business uses (including
53 Inns, B&B's, Restaurants, and Ferry Facilities). Linda questioned why adaptive reuse would not be
54 permitted. Larry revisited his previous research that identified 11 properties with adaptive reuse
55 potential with sufficient setback from the lake. Kelly reiterated that the Shoreline District is
56 significantly restricted. Robert noted the support the Commission had previously expressed for
57 adaptive reuse. Frank Tenney said in his view, adaptive reuses should be compatible with other
58 conditional uses in that district. Larry reminded the Commission that all conditional uses are
59 reviewed by the Development Review Board; any application for a cannabis business could be
60 restricted or denied, if the Board feels it's not meeting all standards.

61 The Commission discussed whether to reconsider a requirement for conditional use
62 reviews of cannabis businesses in the Commercial/Light Industry District. Charlie proposed that
63 in this district, any indoor cultivation, manufacturing, or testing under 10,000 square feet be a
64 permitted use. Commission members agreed.

65 Charlie again sought to conclude the work session. He suggested to let the decision to
66 exclude the Shoreline District hold for now, and let the public weigh in at the hearing. He offered
67 to edit the draft to include specific odor control standards, and distribute for comments prior to
68 the next meeting. Members agreed to proceed on that basis; this seems to be the last remaining
69 issue before we complete work on this draft & warn a public hearing on these standards.

70

71 **Special Event Ordinance: recommendation to Selectboard:**

72 Charlie stated that the draft Special Event Ordinance, which has been pending before the
73 Selectboard for almost a year, would regulate temporary, short-term uses. As an Ordinance, it falls
74 under the Selectboard. Kelly questioned what problem this ordinance would solve. Larry
75 responded that this is a response to the issues that arose when food trucks were deployed,
76 without any standards or town approval. An ordinance would also create a simple process to
77 ensure public safety, and address health concerns. After some discussion, Charlie withdrew his
78 request for the PC to make a recommendation to the Selectboard to adopt this draft ordinance.

79

80 **PC Rules & Ethics policy: review Charlie's redrafts; next steps:**

81 Charlie explained that separating policy from procedures made sense, as policies tend to
82 have a longer lifespan, while procedures tend to evolve over time. Kelly suggested members be
83 asked to sign the conflict-of-interest policy, once adopted. Larry asked what would happen if a
84 Commission member did not disclose conflict of interest. Gerald believes a conflict-of-interest
85 policy is not necessary, given land use regulations are voted on town-wide. Larry responded that
86 written adopted policy would make it plain that the Commission is aware of the issues, and has
87 endorsed that standard. Robert emphasized the intent is to ensure disclosure. Kelly asked if the
88 Town has a conflict-of-interest policy, and if so, is it similar? Charlie suggested that Larry
89 distribute the Town's policy, which could possibly be adopted if supported by the Planning
90 Commission.

91 Rules and Procedures policy was used before all permit reviews were moved to the
92 Development Review Board. As a result, much of the original draft is no longer applicable. Both

93 Charlie and Larry made edits. Larry will merge the two versions into one, and post online for the
94 Commission to review.

95
96 **Community Heart & Soul project: follow-ups from last meeting**

97 Robert reported on the two launch events held in January, which generated over 100
98 participants total. Robert presented a redrafted grant application, which will go to the Orton
99 Foundation for review. He reiterated that the Selectboard has stated its preference for Planning
100 Commission oversight of this project. Town financial support is not being sought at this time for
101 the required \$10,000 match. If the grant is approved, the match would be raised via private
102 donations, and grant-seeking from other sources.

103 Kelly questioned what would be this project's desired outcome. Kyra said this would result
104 in increased ownership by residents in their community, and involvement in community planning.
105 Charlie asked that members review the redraft before the next meeting, and be prepared to vote
106 on an endorsement of the project.

107
108 **Adjournment:**

109 **MOTION by Robert Bloch; seconded by Kyra Wegman, to adjourn the meeting. VOTE:**
110 **7 ayes, motion carried.** The meeting was adjourned at 9:26 pm.

111
112 Minutes respectfully submitted:

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