

1 **Town of Charlotte**
2 **PLANNING COMMISSION**
3 **Meeting Conducted at Town Hall and via Teleconference**
4 **January 19, 2023**

5
6 *As approved by the Planning Commission – 2.2.2023*
7

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

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

11 **OTHERS:** Greg Veltkamp, Jesse Lukas, James Faulkner, Jen Banbury, Paula Johnson, Claudia
12 Mucklow, Peggy Sharpe, Susan Smith, Frank Tenney, Paul Plante, Steve Wisbaum, Lynn Hale, Bud
13 Shriner, Malcolm _____.

14
15 ***Posted Agenda:***

16 7:00 PM Call to Order
17 7:02 PM Changes to Agenda (if any); Public Comment
18 7:05 PM Review/Approve draft meeting minutes: for December 15 mtg.
19 7:10 PM Work session #3 on Cannabis standards: review 3rd draft; next steps
20 7:50 PM Discuss/follow up Community Heart & Soul: PC role; ties to Bylaw grant project
21 8:10 PM Special Event Ordinance: recommendation to Selectboard
22 8:20 PM PC Rules & Ethics policy: status, next steps
23 8:30 PM CCRPC UPWP: review/approve final draft of work plan/application
24 8:45 PM Adjourn
25

26 **Call to Order:** Charlie Pughe called the meeting to order at 7:05 p.m.
27

28 **Changes to Agenda (if any); Public Comment:** None.
29

30 **Review/Approve draft meeting minutes: for December 15th meeting:**

31 (Unable to approve the December 15th draft, due to missing sections in the draft being reviewed.
32 Will be taken up at the next PC mtg. after these glitches are repaired.)

33 **MOTION by Gerald Bouchard; seconded by Robert Bloch to approve the PC meeting**
34 **minutes for Jan. 5, 2023, with no changes. VOTE: 4 ayes, 2 abstained, motion carried.**
35

36 **Work session on Cannabis standards:**

37 Larry Lewack suggested reconsideration of the elimination of the cannabis cultivation in
38 the Shoreline district from the draft discussed at the last meeting. Larry noted that there is a
39 current state licensed cannabis cultivation in the Shoreline district now. Not allowing that as a
40 conditional use could make it impossible to gain DRB approval, thus invite legal action against the
41 town. Further, according to his informal survey using the Charlotte Map Viewer, there are at least
42 11 large properties in the Shoreline district with a history of agricultural use with barns or other
43 large non-residential structures that are several hundred feet distant from the lakeshore, with
44 potential for adaptive reuse. That is the same criteria we are using to permit cannabis cultivation
45 in the Rural District. Why would we have a different standard for the Shoreline district?

46 Robert questioned rationale for restriction if not lake conservation, such as water
47 treatment or usage. In response, Kyra Wegman reported on scheduled video conference with a
48 grower in Massachusetts that had configured means to recycle water. Kelly Devine asked for

49 current conditional uses in the Shoreline district. She finds no parallels to cannabis cultivation in
50 that list & does not wish to revisit that topic now.

51 Charlie called attention to the proposed outdoor cultivation buffer of 200 ft. from nearby
52 existing residences. The Commission noted letters from several residents who believe a 200 ft.
53 buffer would be insufficient. To address the concern, Charlie proposed that the buffer be from the
54 cultivator's property line. Larry noted that active farms in Charlotte often create odors, and that
55 it's not unusual for odors from spreading manure (for example) to be bothersome half a mile or
56 more distant from the source. Kelly Devine questioned what a buffer is trying to accomplish.

57 Steve Wisbaum conveyed disagreement with the classification of cannabis cultivation as a
58 commercial business, while acknowledging it is current state statute. Steve reported that he lives
59 near an established cannabis cultivation operation on Greenbush Rd. and has not been bothered
60 by odor. He has not heard complaints from other neighbors about odors either. Lynn Hale stated
61 that she has had a different experience with the operation on Prindle Rd. and asked for
62 consideration of how grow operations alter neighborhoods. Jen Banbury also addressed concerns
63 with the neighboring operation on Prindle Rd., which included odor and safety.

64 Kelly inquired about authority of restriction. Larry clarified the town can restrict business
65 operations by location, and size. The Development Review Board also has the option to impose
66 larger, subjective buffers in site plan & conditional use reviews, as appropriate.

67 Kyra questioned if runoff is an issue. Larry responded that it could be, which is why he had
68 used the same standard for distance from wells and surface waters (100 ft.) as in state wastewater
69 regulations. Charlie noted that runoff and sound are easily quantified; odor impacts are subjective.

70 Charlie suggested that more research is needed on air handling standards for indoor
71 cultivation. Gerald advocated to enact a 500 ft. buffer, to permit cannabis cultivation in the
72 Shoreline district, and to act soon to finalize a draft to move to public hearing. Larry agreed and
73 noted that information gathering could continue in preparation for the hearing, and that it's
74 possible to amend the draft based on feedback from the hearing before it's submitted to the
75 Selectboard. Consensus reached that the draft would be finalized during the February 2nd meeting.
76 Kyra, and possibly 1 or 2 other PC members, will participate in a video conference with a cannabis
77 grower in Massachusetts to learn more about odor control in the context of cannabis cultivation.
78 Larry was asked to split the 'screening and security' sections of standards into two separate sub-
79 sections, and to do further research into effective buffers and land usage repercussions prior to
80 the next meeting.

81
82 (Due to time constraints, Charlie suggested deferring two agenda items to the
83 Commission's next mtg.: Special Event Ordinance: recommendation to Selectboard; PC Rules &
84 Ethics policy: status, next steps.)

85
86 **CCRPC UPWP & state planning grants: updates**

87 Larry provided an update on a \$13,400 state bylaw modernization grant that was awarded
88 to Charlotte last week. Larry was advised by staff at the Regional Planning Commission that we
89 could leverage that grant as a match for additional support from CCRPC's Unified Planning Work
90 Program, which would provide more consultant help valued at up to \$85,000 to further the same
91 project's goals. He drafted that application, which was presented to the Selectboard on January 9th
92 and approved by resolution. The application is due to CCRPC on January 20th (tomorrow).

93 The draft application was reviewed. Kelly noted that input from outreach should be
94 combined with best practice. Larry confirmed in his experience, that's what skilled consultants
95 bring to the table. Charlie sought to confirm that the Community Heart and Soul initiative would
96 be removed from the application, as instructed by the Selectboard. Larry confirmed.

97 Charlie questioned if state support for building water systems is available, as it is for
98 building community wastewater treatment. Larry clarified, at present, no state funding grants are
99 available to build community water systems to support new development. However, the town still
100 has options if we decide these systems are needed to support higher-density development in the
101 village center: we could (for example) potentially bond to extend the Champlain Water District
102 supply line to the West Village, or to pay for drilling new wells and water treatment systems. In
103 both cases, as well as for adding wastewater capacity, user fees would help pay off the bonds and
104 cover operating expenses for these services, as they do elsewhere.

105 *Next steps:* Incorporating a couple of edits suggested by members, Larry will submit the
106 UPWP application on behalf of the town tomorrow.

107

108 **Community Heart & Soul (CHS): PC role; ties to Bylaw grant project:**

109 Charlie noted that Robert was asked by the Selectboard to secure active Planning
110 Commission support before they address the CHS group's request for town funding. Kelly
111 conveyed concern regarding time needed for PC involvement. Robert clarified the role would be
112 oversight, and to ensure connection to the PC's other planning projects. Kelly thought the intent of
113 this project was mostly outside the scope of official regulatory bodies. Kyra responded the idea is
114 to demonstrate that CHS would not work at cross purposes to the PC's core planning roles.

115 Charlie noted CHS kick-off events are to be held on January and 20th and 27th. Robert
116 elaborated their goal is to bring in many new volunteers from these events, ultimately leading to
117 broad public involvement in the upcoming rewrite of zoning bylaws to increase density in the
118 village centers, and for the rewrite of the Town Plan (starting in 2025). James Faulkner noted that
119 the Selectboard is facing budgetary challenges, thus financial support from the town is not likely in
120 the near future.

121 *Next steps:* Robert agreed to redo the CHS outline, then circulate to PC members to be
122 discussed at our next meeting. We will take up whether to formally endorse at that time. If
123 approved, the funding request will be modified to reflect that support.

124

125 **Adjournment:**

126 **MOTION by Robert Bloch; seconded by Gerald Bouchard, to adjourn the meeting.**

127 **VOTE: 6 ayes, motion carried.** The meeting was adjourned at 9:07 pm.

128

129 *Minutes respectfully submitted:*

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