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3 **Town of Charlotte**  
4 **PLANNING COMMISSION**  
5 **Meeting Conducted at Town Hall and via Teleconference**  
6 **July 10, 2025**

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

9 **Planning Commission:** Matt Krasnow (Chair), Robert Bloch (Vice Chair), Bill Stuono, Ken Smith,  
Linda Radimer, Carrie Spear, Ashley Berliner.

10 **Staff:** Nate Bareham, Town Administrator, Nicole Burnell, Recording Secretary.

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12 **OTHERS:** Paul Plante, Frank Tenney, Charles Russell, JD Herlihy.

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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 7:03 PM Review & approve draft PC meeting minutes: June 19 meeting  
18 7:05 PM Review CCRPC's final draft of the Land Use Regulations  
19 7:30 PM Finalize the Act 250 processes  
20 7:45 PM Discussion of TDRs versus non-contiguous PRDs  
21 8:15 PM Strategy for updating Town Plan  
22 8:55 PM Updates from around Town  
23 9:00 PM Adjourn

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25 **Call to Order:**

26 Matt Krasnow called the meeting to order at 7:00p.m.

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28 **Changes to Agenda (if any); Public Comment (for items not on the agenda):**

29 Matt added establishing the agenda for the July 24<sup>th</sup> meeting, and discussion of the possible  
30 appointment of Rebecca Kaplan, Planning and Zoning Assistant, as interim Zoning Administrator for a  
31 period of six months. Matt also noted that review Chittenden Couty Regional Planning Commission  
32 (CCRPC) final draft of the Land Use Regulations (LURs) would be tabled until a clean version is  
33 available.

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36 **Review & approve draft PC meeting minutes: June 19 meeting:**

37 **MOTION by Robert Bloch; seconded by Linda Radimer, to approve the PC meeting**  
38 **minutes for June 19, 2025, as amended. VOTE: 5 ayes, motion carried.** Carrie Spear, Ashley  
39 Berliner abstained.

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41 **Finalize the Act 250 processes:**

42 Bill Stuono spoke to the lack of a formal process for notifying the Planning Commission and  
43 Charlotte Conservation Commission (CCC) of Act 250 applications. Matt said that he thought that the  
44 state's Land Use Review Board is responsible for notifications. Bill agreed that initial notification comes  
45 from the state. Bill asked whoever receives the notification forwards to the Planning Commission, and  
46 CCC Chairs. Nate Bareham, Town Administrator, offered to contact the state's Land Use Review Board  
47 and update the notifications list.

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49 **MOTION by Linda Radimer; seconded by Robert Bloch, to recess to take an updated**  
50 **Planning Commission photo. VOTE: 7 ayes, motion carried.**

51 **MOTION by Bill Stuono; seconded by Matt Krasnow, to come out of recess. VOTE: 7 ayes,**  
52 **motion carried.**

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54 **Discussion of TDRs versus non-contiguous PRDs:**

55 Bill suggested review of Vermont State Statute 24 VSA 4423 Transfer of Development Rights,  
56 which was distributed.

57 Bill said that in his opinion, transferring development rights via non-contiguous Planned  
58 Residential Development (PRD), is a Transferrable Development Rights (TDR) program, and does not  
59 meet State Statutes. Bill emphasized that State Statutes trump local bylaws. Bill then reviewed 24 VSA  
60 4423 and noted where bylaws are not in compliance.

61 Matt suggested consultation with the Town's attorney to determine if LURs pertaining to non-  
62 contiguous PRDs are triggering TDRs. Charles Russell said that question was posed to the Vermont  
63 League of Cities and Towns (VLCT) and the VLCT's response was distributed to the Planning  
64 Commission.

65 Bill pointed to a specific question as to whether it is possible to transfer density from a non-  
66 buildable area, such as a wetland. In response, Frank Tenney said that classifying land that is not  
67 buildable as having no density would reduce property value.

68 Bill noted that when bylaws lack specificity, density can be transferred from one rural area to  
69 another, which is not the intent of a TDR. Charles said a notable difference between PRD and TDR is  
70 that PRDs are to enable flexibility in planning, and TDRs are to encourage development in certain areas.

71 Charles discussed Jericho's ordinance for non-contiguous PRDs. Bill asked if Jericho's  
72 ordinance allows for different ownership of 2 parcels. Charles said that State Statute allows for different  
73 ownership under Planned Unit Development (PUD).

74 Charles pointed to a process where a landowner can sever development rights, a town mapping  
75 those severed rights, to later distribute as needed.

76 JD Herlihy said that there is a distinction between 24 VSA 4417 Planned Unit Development and  
77 24 VSA 4423 Transfer of Development Rights. JD noted that 24 VSA 4417 outlines that it may involve  
78 single or multiple properties and one owner or multiple owners. Bill read rationale outlined in 24 VSA  
79 4417 to implement PUDs and suggested that the Development Review Board (DRB) needs guidance to  
80 oversee and again questioned if transferring density from wetlands is appropriate. JD felt that  
81 transferring density from wetlands falls under the conservation rationale in 24 VSA 4417. Bill disagreed  
82 as wetlands are non-buildable. Charles said that Jericho subtracts 25% of the total acreage when  
83 calculating density to account for non-buildable areas, such as wetlands.

84 Regarding Charlotte's PRDs, Bill asked if the DRB is tying 2 properties together permanently  
85 and conserving 50% open space. Charles confirmed. Bill said that he does not think that allowing  
86 different ownership in a non-contiguous PRD was the goal when enacted. Bill stated concern for  
87 transferring density to a nonconforming lot that could then be built upon.

88 Carrie Spear spoke about the benefit of conservation that may result from TDRs. Ken Smith  
89 noted that TDRs are a complicated and subjective process that would benefit from guidelines. Matt  
90 suggested that the pros and cons, what the bylaws enable, and liability be considered.

91 Bill noted that the maximum density that can be transferred needs to be specified.

92 Robert Bloch suggested the next steps be determined. Charles suggested a committee be formed  
93 and meet before the next Joint Meeting between the DRB, CCC, and Planning Commission. Bill asked  
94 Charles if an opinion had been obtained from the Town's attorney. Bill felt that the VLCT attorney's  
95 response skirted the question. Matt offered to hold a conference call with Nate and the Town's attorney.  
96 Bill suggested the response be in writing. Subsequent discussion of possible biases and agreement that  
97 opinion should be based on case law.

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**Draft PC Agenda for July 24 Meeting:**

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**Strategy for updating Town Plan:**

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**Interim Zoning Administrator appointment:**

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**Updates from around Town:**

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Linda Radimer commented on the appearance of the new bridge on Spear Street. Bill asked if funding for the new bridge had been received. Nate confirmed.

Bill asked Nate if he had any Selectboard related updates. Nate said the Energy Committee is working on some energy modernization projects, and there has been some discussion of capital spending coming up for the next budget season. In response to this, Robert noted that the current Town Plan outlines the Planning Commission's role in capital planning.

145 Bill asked Nate about the Town's paving budget. Nate answered that there was a slight deviation  
146 due to paving on Spear Street. Charles reported that paving is budgeted for 3 miles per year, down from  
147 6 miles due to increase in asphalt.

148 Bill asked Nate about federal funds being withheld and if that is trickling down to impact any of  
149 Charlotte's organizations. Nate responded that this has not occurred.

150 Bill asked for an update on the Recreation Director position. Nate said that Gary Robbins had  
151 been hired as the Recreation Director.

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153 **Adjourn:**

154 **MOTION by Robert Bloch; seconded by Linda Radimer, to adjourn the meeting. VOTE: 7**  
155 **ayes, motion carried.** The meeting was adjourned at 8:59p.m.

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157 Minutes respectfully submitted:

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