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3 **Town of Charlotte**
4 **PLANNING COMMISSION**
5 **Meeting Conducted at Town Hall and via Teleconference**
6 **July 20, 2023**

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

9 **Planning Commission:** Charlie Pughe, Robert Bloch, Carrie Spear, Kyra Wegman. *(Matt Krasnow
10 Gerald Bouchard, and Linda Radimer were absent.)*

11 **Staff:** Larry Lewack, Town Planner

12 **OTHERS:** Paul Plante, Deirdre Holmes, Alexa Lewis, Frank Tenney, Aaron Brown, Claudia
13 Mucklow, Matt Citarella

14 ***Posted Agenda:***

15 7:00 PM Call to Order
16 7:02 PM Changes to Agenda (if any); Public Comment
17 7:05 PM Consultant selection for Villages Master Plan project: scope of work; PC
18 involvement/delegation; timeframe for review/decision
19 7:30 PM Work session, LURs amends: Nonconforming structures; # of housing units &
20 location of mixed use/PUDs
21 8:15 PM Map out topics/schedule for LURs amends: late summer into fall months
22 8:30 PM Act 47 implications for Charlotte: update on current interpretations
23 8:45 PM Review & approve draft meeting minutes: June 29 mtg.
24 8:50 PM Adjourn

25
26 **Call to Order:** Charlie Pughe called the meeting to order at 7:04 p.m.

27
28 **Changes to Agenda (if any):** None.

29
30 **Public Comment:** None.

31
32 **Consultant selection for Villages Master Plan project: scope of work; PC involvement/
33 delegation; timeframe for review/decision:**

34 Larry Lewack reported that the Chittenden County Regional Planning Commission (CCRPC)
35 put out a Request for Quotes (RFQ) for several other towns in Chittenden County that have also
36 been funded for planning projects with the CCRPC. Nine responses were received, which Larry
37 made available to the Planning Commission. Larry participated in a staff vetting process with
38 CCRPC staff to evaluate respondents' qualifications; 2 firms were eliminated. Larry's response
39 focused upon two remaining firms with relevant local experience. Deirdre Holmes, from the
40 Charlotte Energy Committee, joined this process to pursue whether any of these consultants
41 would be suitable to conduct a transit feasibility study grant that was awarded to the Energy
42 Committee by the CCRPC.

43 In a meeting Wednesday with CCRPC staff, Larry & Dierdre discussed next steps with the
44 two firms identified as most qualified that emerged from the prior process. Larry asked the
45 Planning Commission about their desired level of involvement in further vetting of these 2 firms.
46 Larry asked if the entire Commission wants to be involved, or perhaps a sub-committee could be
47 created to meet with those firms' representatives. Robert Bloch asked what the Planning

48 Commission's role would be in the project. Larry responded that the Planning Commission will
49 guide the village planning project throughout. So it seems appropriate for the Commission to be
50 involved in selecting the consulting firm that's hired to carry out the project.

51 Kyra Wegman wants to know more about the two firms that emerged as most qualified
52 from the vetting process. Larry answered that his two highest scoring firms were SE Group and
53 Dubois & King. These firms will be sent the specific Request for Proposals (RFP) that Larry
54 drafted. Charlie suggested that response to this RFP include a breakdown of tasks, deliverables,
55 and costs of each. Larry agreed, and confirmed that this is what's expected in their responses.

56 Deirdre Holmes asked to be a part of this upcoming review process. She noted that the
57 same firm does not need to be used by both the Energy Committee and the Planning Commission,
58 and commented on the difference in timelines between projects. Charlie asked about the timeline
59 for RFP responses and interviews. Through discussion, the Planning Commission concluded that,
60 ideally, interviews will be held on August 3rd. A tentative schedule was set. Any member from the
61 Planning Commission who is interested can participate.

62 Kyra asked if any work product is available for either firm. Larry responded that this
63 material is part of the link sent to PC members. Dubois and King completed a project in Hyde Park.
64 SE Group has done several projects in rural VT towns. Robert asked when a decision is due. Larry
65 responded by the second Planning Commission meeting in August. Robert questioned what
66 happens if neither firm is desirable. Larry responded that other consultants could be considered.
67 Further, this might be necessary if the selected firm is not available in the immediate future. Larry
68 also mentioned that a firm could sub-contract.

69 Kyra commented that sufficient wastewater and public water supply to support more
70 dense development has not yet been developed, and questioned if the planning project should
71 focus on what the town currently has. Larry responded that the CCPRC plans to help with grants
72 for scopes of work for waste and potable water, if the planning process determines that's needed.
73 Charlie added that resident support for high-density growth in the villages needs to be determined
74 first, before infrastructure needs are addressed.

75

76 **Work session, LURs amends: Nonconforming structures; # of housing units & location of**
77 **mixed use/PUDs:**

78 Larry created a draft rewrite of Sec. 3.8.B, in response to the Development Review Board
79 (DRB)'s request for more specific standards for non-conforming structures. Larry presented his
80 goals: to give the DRB standards to apply, and to permit flexibility that balances fair application of
81 the rules with property owners' rights. Larry added that the focus of Land Use Regulations (LURs)
82 generally is to regulate new development. This section is about dealing with the challenges of
83 modifying existing non-conforming structures. Obtaining a permit for building additions within
84 the setback requires a public hearing before the DRB (with opportunity for neighbors to be heard,
85 for & against), and a decision including possible conditions of approval.

86 Kyra questioned why waivers for decreased setbacks should even be considered. Frank
87 Tenney provided a typical example of when a waiver would be needed to make an addition
88 possible. Charlie referenced a viewpoint of having what you have, constraints are known when a
89 homeowner purchases a home. Frank and Charlie discussed their opinions on what constitutes
90 *reasonable use*.

91 Kyra questioned why reasonable use trumps setbacks. Larry provided past decisions of
92 when waivers were approved at the discretion of the DRB. He gave examples of a project that was
93 approved based on health and safety considerations, and a denial when the nature of the request
94 wasn't deemed necessary. Charlie called attention to an item in Larry's draft that would allow for
95 demolition and new construction. Alexa Lewis agreed with Charlie's point that this item could be

96 problematic. Larry spoke to inconsistencies in approval and denial for projects at Thompson's
97 Point. Kyra suggested that only setbacks for Thompson's Point be rewritten. Charlie answered
98 that the issue extends beyond Thompson's Point. Charlie pointed out that abutters also have
99 property rights, too. Frank commented that the DRB has the authority to approve increased non-
100 conformance. Larry is trying to create a basis for when such encroachments into setbacks may be
101 allowable. For example, item 3) (c), which points to consistency with the scale of nearby
102 structures. Alexa suggested regulatory certainty to prevent waste of an applicant's resources.
103 Larry stated that staff already meet with applicants prior to filing conditional use review
104 applications to provide informal feedback, to screen applications that are not likely to pass
105 muster. Charlie proposed that this topic be revisited during the next meeting. Alexa requested
106 deleting a sentence in section 5.4.C.4 and its reference to denial based on *bylaws in effect*.

107

108 **Map out topics/schedule for LURs amends: late summer into fall months:**

109 Charlie suggested that the August 3rd meeting include discussion on the consultant firms'
110 qualifications, cleaning up LURs amendments, and the tabled *Mixed Use* standard. Charlie asked
111 that Planning Commission members review the Town Plan's first three sections before the next
112 meeting. Larry suggested revisiting the PC's vetted priority list from the CCRPC's audit.

113

114 **Act 47 implications for Charlotte: update on current interpretations:**

115 Due to time constraints, this item was deferred to the August 3rd meeting.

116

117 **Review/approve draft PC meeting minutes: for June 29 mtg.:**

118 As there was an insufficient quorum of members tonight who attended the June 29th
119 meeting, this item was deferred until the August 3 meeting, as well.

120

121 **Adjournment:**

122 **MOTION by Robert Bloch; seconded by, Kyra Wegman, to adjourn the meeting. VOTE:**
123 **4 ayes, motion carried.** The meeting was adjourned at 8:52 p.m.

124

125 Minutes respectfully submitted:

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