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3 **Town of Charlotte**
4 **PLANNING COMMISSION**
5 **Meeting Conducted at Town Hall and via Teleconference**
6 **June 29, 2023**

7
8 ***DRAFT – subject to approval by the Planning Commission***

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

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

11 **OTHERS:** Paul Plante, Alexa Lewis, Maggie Citarella, Susan Blood, Sharon Mount, Charles Russell

12
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 Joint mtg. #2 w/ Charlotte Conservation Commission
17 8:00 PM Refine LURs amends: EV charging, res. units in Mixed Uses & PUDs; Act 47 changes
18 to expedite; Nonconforming structures
19 8:40 PM Cannabis Standards draft: fwd. to Selectboard?
20 8:50 PM Review/Approve draft PC meeting minutes: for June 15 mtg.
21 9:00 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):** None.

26
27 **Public Comment:** None.

28
29 **Joint meeting #2 with the Charlotte Conservation Commission:**

30 Maggie Citarella opened by speaking to Act 171 (protection of forest blocks and habitat
31 connectors) and Act 126 (goal of conserving 30% of Vermont’s land by 2030, 50% by 2050).
32 Maggie also noted that she participated in an environmental leadership training sponsored by the
33 Vermont Fish and Wildlife Department. A takeaway from that training is guidance to use specific
34 language such as *should* or *must* in Land Use Regulations (LURs) to avoid ambiguity.

35 Maggie called attention to the *Standards* section in the letter the Charlotte Conservation
36 Commission previously presented to the Planning Commission on proposed LURs amendments.
37 The table in this section offers chapter/section/page number, proposed amendment, and Town
38 Plan reference.

39 She discussed a proposed new standard for the Rural District; modify 2.5(F) to require
40 building envelopes for all new structures, for site plan review, permitted and conditional uses.
41 Robert Bloch asked if this would effectively preclude development on many more parcels than are
42 currently regulated. Matt Krasnow pointed out that proposed language provides the Zoning
43 Administrator with the authority to designate building envelopes. Larry Lewack noted that the
44 Development Review Board (DRB), during subdivision and site plan reviews, already considers
45 areas of high public value, requires designation of building envelopes, and (for subdivisions)
46 establishes an Open Space Agreement to protect conserved land,. The proposed amendment
47 would apply to zoning permits that do not require DRB review or conditional use. Many more

48 landowners would see their property rights restricted. Charlie asked to table the conversation due
49 to time constraints. Maggie said the goal of this change is to reduce fragmentation of habitat.

50 Maggie moved on to 3.15 (C), *Setbacks from Streams* item in the table. Their memo
51 proposed increasing stream bank setbacks from buildings and wastewater systems by 50%.
52 Charlie asked for comparison of the suggested setbacks with those of the state. Maggie doesn't
53 know, but commented they researched other towns' rules; this standard based on Williston's. She
54 stated their rationale for the proposal based upon identified stressed waters in Charlotte, and to
55 prevent further runoff into impaired waters. Robert asked Maggie if she could identify stressed
56 waters caused by residential versus agricultural. He noted when asking to restrict rights of a
57 property owner, the request should be evidence-based. Larry pointed out the location of
58 wastewater leach fields must follow state standards; town standards cannot be more restrictive.
59 Charlie agreed with Robert; evidence must provide a clear and compelling rationale for proposed
60 amendments, for eventual adoption. Charlie endorsed Matt Krasnow's comment from the last mtg.
61 that conserving land should be incentivized. Robert proposed narrowing focus to what is critical.

62 Sharon Mount asked if any support could be provided by the Town for these research
63 efforts. Larry offered to assist with drafting grant applications if their members identified any
64 available funding sources. Charlie suggested utilizing faculty to identify projects for interns in the
65 school of natural resources at the University of Vermont. Sharon also commented that some of the
66 language in the town planner's analysis of the CCC's proposal was divisive, and asked for a more
67 collegial and respectful approach in defining a path forward.

68 Matt suggested the Town attorney could review the CCC's proposal and differentiate what's
69 legal from what's not, to better define our workload. Charlie responded that such a review & even
70 proposing specific LURs amendments at this stage may be premature. It's a very long list & its
71 diverse elements are not clearly tied to policy objectives. A better starting point would be for the
72 CCC to produce a summary of its values & policy goals. For instance, identify priority problems or
73 issues to be addressed, such forest & habitat fragmentation, and improved water quality
74 protection of Lake Champlain and its tributaries. Larry added it would be helpful if the CCC posted
75 specific ways landowners could reduce or avoid environmental harms on their property when
76 planning building projects or maintenance. Matt added he wants to see a better balance between
77 restriction and incentive. For example, the Town could purchase conserved lands of high public
78 value. Charlie added perhaps we could persuade legislators to allow multiple parcels of conserved
79 forest to be combined to meet the 25-acre minimum threshold for enrollment in the current use
80 program. Charles Russell pointed to the Town Plan's call (on p. 1-6) to prioritize high-value areas
81 for conservation (this was never done).

82 Maggie asked for direction to move forward. Charlie proposed they draft a two-page
83 document that outlines important focal points for more stringent rules, with a science-based
84 rationale. Larry suggested to focus on desired outcomes. Matt encouraged them to focus on
85 mechanisms to accomplish those outcomes, as well. Robert asked if we could figure out how many
86 lots in the Rural District might be impacted by these changes. Larry said, 'too many to count.'
87 Along those lines, Maggie asked if the 28% of currently conserved land could be identified as
88 agriculture, forest, etc. Larry: it would be difficult to tease this out from the data we have; there
89 are too many variables. Maggie asked if they could schedule another joint meeting in the near
90 future. Charlie said he didn't think that would be timely.

91
92 **Refine LURs amends: EV charging, res. units in Mixed Uses & PUDs; Act 47 changes to**
93 **expedite; Nonconforming structures:**

94 Regarding EV charging, Larry stated that he had added Level 1 as previously discussed.
95 Members support the revised language for this amendment.

96 Larry moved on to Mixed Uses. Larry recapped that there is a conflict between this section
97 and Planned Unit Development (PUD) rules & suggested cleaning that up. When considering
98 Mixed Uses, he suggested removing the current restriction that only allows permitting a Mixed Use
99 in the Village Districts. Charlie asked how a commercial operation would be permitted in the Rural
100 District. Larry responded that the DRB would oversee. Charles questioned if multiple dwellings
101 would be permissible with the proposed changes. Larry confirmed. Charles then asked about
102 density standards, Larry responded density rules would still apply. Larry noted that Mixed Use is
103 currently only permitted under PUD; the PUD process is rigorous when land is not being
104 subdivided. Landowners may still opt to undergo the PUD process but would not be required to do
105 so. Matt asked if allowing Mixed Use on large parcels disincentivizes subdivision. Larry responded
106 that it might. Robert asked for clarity on what is being solved. Larry answered removing
107 regulatory barriers that get in the way of people proposing new uses of their land. Robert followed
108 by asking if the proposed language positively achieves that goal. Matt believes it does; Charlie isn't
109 sure of this. Larry pointed out that all new uses would require DRB review. Charlie asked for
110 further consideration before finalizing.

111 Larry shifted to Act 47 implications which involves duplexes, which are now permissible
112 anywhere single-family homes are. Another takeaway, any area within a Town served by
113 municipal water and sewer, must allow a minimum of 5 dwelling units per acre. Larry noted that
114 the West Village fits this criterion. Charlie responded that the West Village does not have a
115 municipal water supply. Larry stated he would likely have a corrected draft of this document
116 available to share with the Commission for the July 20th meeting.

117

118 **Cannabis Standards draft:**

119 Charlie said he thought we already made this decision. Larry pointed out that Act 47
120 includes that the Selectboard can amend the LURs directly, without going to the voters for
121 approval. He asked that we have the Town attorney review before submission to the Selectboard.
122 Larry will forward the latest draft to the attorney for final review/markups.

123

124 **Review/approve draft PC meeting minutes: for June 15 mtg.:**

125 **MOTION by Matt Krasnow; seconded by Carrie Spears to approve the PC meeting**
126 **minutes for June 15, 2023. VOTE: 4 ayes, motion carried.**

127

128 **Other:**

129 Robert suggested the Planning Commission lay out a timeline for renewal of the Town Plan.
130 Larry noted this was a key part of the work plan presented to the Commission recently by CCRPC
131 staff, and approved by the Commission. He added the CCPRC published a Request for Quotes
132 (RFQ), which drew a total of 9 responses. Larry commented on the CCRPC list, most of which
133 consist of firms that are based out of state. Consensus that a local firm would be more appropriate
134 for Charlotte. The CCPRC has noted that Charlotte can hire whomever we choose, to carry out our
135 project. Larry had previously drafted a Request for Project (RFP), and has companies in mind. The
136 CCPRC asked if the Planning Commission would like to be involved in the interviewing process.
137 Charlie asked Larry to share the RFQ, and the proposals it received in response. Robert suggested
138 the RFP be understood as part of the hiring process. Larry will distribute that as well.

139

140 **Adjournment:**

141 **MOTION by Robert Bloch; seconded by, Carrie Spears, to adjourn the meeting. VOTE:**
142 **4 ayes, motion carried.** The meeting was adjourned at 9:22 p.m.

143

144 Minutes respectfully submitted:
145 Nicole Burnell, Recording Secretary, with edits by Larry Lewack, Town Planner