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

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8 *As approved by the Planning Commission – 5.18.23*

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

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

11 **OTHERS:** Frank Tenney, Paul Plante, Peter Demick, Claudia Mucklow, Chea Evans, Taylor Newton, Darren Schibler, Peter Joslin, Patrice DeMarco, Rosemary Zezulinski

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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 Zoning Administrator nomination to Selectboard

18 7:10 PM Presentation by CCRPC staff on draft timeline/work plan for FY 24-26 – to provide planning support to Charlotte for LURs & Town Plan work

19 8:00 PM Discuss outline of LURs audit recommendations; prioritize for LURs amends

20 8:40 PM Review/Approve draft PC meeting minutes: for April 6, April 20 mtgs.

21 8:50 PM Update on S. 100 (housing reform bill at VT Legislature)

22 9:00 PM Adjourn

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25 **Call to Order:** Charlie Pughe called the meeting to order at 7:00 p.m.

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27 **Changes to Agenda (if any):**

28 Larry Lewack reminded Charlie of need to review and finalize cannabis regulations. This was added to the agenda after the update of S. 100.

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31 **Public Comment:** None.

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33 **Zoning Administrator nomination to Selectboard:**

34 **MOTION by Charlie Pughe; seconded by Robert Bloch to nominate Aaron Brown to the position of Zoning Administrator (also called Administrative Officer),** in accordance with 24 VSA §4448 for a term of 3 years, to begin upon appointment by the Selectboard. **VOTE: 4 ayes, motion carried.**

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39 **Presentation by CCRPC staff on draft timeline/work plan for FY 24-26 – to provide planning support to Charlotte for LURs & Town Plan work:**

40 Taylor Newton, Planning Program Manager for the Chittenden County Regional Planning Commission (CCRPC) reviewed the draft timeline for the next 3 years of their proposed planning support to the Town of Charlotte. In January of this year, Charlotte received a Bylaw Modernization Grant. The grant includes a local match of \$3,400 to secure \$13,600 in state grant funding. This \$17,000 project was then leveraged into an application for \$85,000 in additional funding from CCRPC to the town via the Unified Planning Work Program (UPWP). Charlotte's application for UPWP funding is pending and will be decided upon on May 17<sup>th</sup>. Next step is consultant procurement. Taylor explained that the CCRPC will put out a Request for Qualifications

49 (RFQ) for land consultants. Consultants are then prequalified. The hope is to have the RFQ out in  
50 May, prequalified consultants presented to Charlotte in July/August. Charlotte will make  
51 consultant selections, CCRPC will hold the contract. Robert Bloch asked about potential issues  
52 with a consultant and how that would be addressed. Taylor Newton introduced Darren Schibler,  
53 Senior Planner at CCRPC that will be working with Charlotte.

54 After consultant is hired, the scope of work in the Bylaw Modernization Grant will be  
55 followed. September 2023 is the scheduled project kickoff. Between October 2023 and February  
56 2024, the initial focus will be helping the town develop a shared vision for development of the East  
57 and West villages (using a variety of tools, including public forums, surveys, illustrations, and  
58 design charettes). Following that, consultant will generate a draft master plan for both villages  
59 and conceptual street designs (required as part of the Grant). March through August of 2024 will  
60 be devoted to drafting LURs amends to implement that vision. Community outreach to promote  
61 adoption of those LURs amends will follow. Final phase (Nov. 2024 through May 2025): another  
62 round of outreach to identify broad-based community values to guide new & revised policies to be  
63 included in the 2026 Town Plan, and suggest district map and policy changes that build upon  
64 those insights for inclusion in the new plan. Taylor also suggested the town apply for a 2025 state  
65 planning grant to provide additional resources for revising & updating the Town Plan.

66 Linda Radimer asked if Charlotte's natural resources that are protected now, such as  
67 wetlands, would continue to be protected in redraft of town regulations. Taylor confirmed. Frank  
68 Tenney questioned if open space would be delineated on the master plan. Taylor affirmed. Paul  
69 Plante suggested that additional village planning studies may be redundant and referenced study  
70 completed on the West Village 20 years ago, which was essentially shelved. Charlie added that an  
71 East Village study was completed in 2010, and commented these studies will definitely be utilized  
72 as starting points for this project. (Studies can be found on ['Studies' page](#) on Planning section of  
73 town website.) Robert Bloch asked Taylor to identify potential pitfalls in this process, and how to  
74 avoid them. Taylor responded that often in these projects, the focus is planning only, momentum  
75 is lost when there are gaps between planning and writing new regulations. This project includes  
76 both. Robert asked if infrastructure should be addressed first. Taylor responded that LURs need to  
77 be updated regardless, and noted infrastructure projects move slowly. It's best to get started early,  
78 which is why that's proposed here.

79 Regardless, planning for community wastewater needs to occur, if the town decides to  
80 pursue high-density development in either (or both) village centers. We first need to confirm  
81 that's what we want. If yes, there are subsidies available to pay for required engineering studies.  
82 Those are included in this project; CCRPC staff will initiate these applications on behalf of the  
83 town. They will prepare RFQs to fund Preliminary Engineer Reports (PER). Larry commented on  
84 the need for the town's leadership to buy-in for this project to succeed, which is why Taylor and  
85 Darren will be presenting this plan to the Selectboard next week.

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87 **Discuss outline of LURs audit recommendations; prioritize for LURs amends:**

88 Charlie noted that Larry summarized the CCRPC's 17-page audit into single page of bulleted  
89 items for this discussion. Larry's outline also provides page number references to the audit  
90 document. Robert asked if the recommendations had been prioritized; they have not. Larry  
91 pointed out updates to village standards (section III) will be addressed through the grant-funded  
92 BMG and UPWP projects, starting late this year. Charlie suggested focus on section II, as that work  
93 can be done prior to village updates. From this section, Patrice DeMarco questioned rationale for  
94 removing requirement to bury utility lines outside of the village district. Charlie responded that  
95 that rule increases construction cost, thus housing cost. Patrice believes this would be  
96 controversial. Larry asked Taylor to clarify separating minimum lot area from maximum density.

97 Taylor advises decoupling these two standards, specifically in the village districts, to allow more  
98 dense development. The rules should support density in areas where you want that. Linda  
99 mentioned of transferrable development rights (TDR), which Larry confirmed exist in the LURs,  
100 but go unused. In any event, TDRs cannot transfer from rural to village commercial districts.  
101 Frank cautioned that lifting TDR restrictions could cause hyper-density in the village.

102 Charlie called attention to the recommendation to remove the limit of 1 residence in Mixed  
103 Use project as an item that may not be as controversial. Re: Taylor's suggestion that we substitute  
104 prohibited uses in each village district versus a long list of Conditional Uses: Frank said it would be  
105 simpler to instead move many conditional uses over to permitted uses. Charlie referenced the  
106 recommendation to modify affordable housing rules to remove discriminatory standards, and  
107 asked Taylor to explain. Taylor noted the LURs define affordable housing as a conditional use,  
108 whereas in most towns, all forms of housing are permitted uses in town centers. Charlie noted it  
109 was intended as a density bonus. Taylor agreed, but it is a benefit only up to a point; the number of  
110 affordable units per project is capped, which he believes could be held as discriminatory. Larry  
111 commented that this incentive is clearly not working; not a single unit of affordable housing has  
112 been added in Charlotte in the past 15 years. Taylor advised the focus remain on increasing  
113 allowed density in the villages, where we want to foster adding new housing.

114 Peter Joslin asked about the recommendation to remove the ban on new houses making  
115 connections to the water supply from the Champlain Water District. Larry provided historical  
116 context: a previous Selectboard enacted this ban out of concern for what was perceived as  
117 rampant growth in Shelburne. Robert Bloch called attention to the recommendation to add EV  
118 charging stations to development that would be exempt from local permitting. Taylor clarified  
119 with a hypothetical, a local corner store, must apply for a permit to add an EV charging station; we  
120 should eliminate this. Larry suggested targeting these facilities where people are spending blocks  
121 of time, such as schools and work places; convenience stores are not a good fit. Frank suggested  
122 EV charging stations be allowed by right as an accessory use to all permitted uses town-wide.

123 **Next step:** Charlie asked that Planning Commission members review the revised bulleted  
124 summary, and assign priority to each recommendation in section II. This will help us narrow  
125 down to a more manageable scope for where to begin drafting new LURs amendments.

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127 **Review/Approve draft meeting minutes: for April 6, April 20 mtgs.:**

128 Amendment made to April 6<sup>th</sup> draft minutes. Planning Commission did not have quorum  
129 needed for approval of minutes for either meeting. So, these were tabled for a vote at next mtg.

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131 **Update on S. 100 (housing reform bill at VT Legislature):**

132 Larry reported on the Rural caucus suggestion to reform Act 250 to include small towns in  
133 the Act 250 exemption for increased housing units in developed village and town centers. Another  
134 update, doing away with any 10 landowners' ability to petition to appeal permit, and moving to  
135 one aggrieved person. Chea Evans commented that the one aggrieved person versus 10  
136 landowners had been removed from the draft.

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138 **Review and finalize cannabis regulations:**

139 Charlie brought up revisiting where we landed in our last work session on definitions. He  
140 thought only 'cannabis,' 'cannabis control commission' and 'cannabis cultivation' mixed license  
141 would be defined in LURs; all others would be deleted. Larry advocated to keep all the definitions  
142 in the draft, to ensure clarity on the meaning of key terms for the Development Review Board.  
143 Following some discussion, Larry proposed a compromise: maintain 'cannabis establishment' in  
144 definitions section; this lists all the uses referenced in the other definitions. Charlie agreed with

145 this, provided that state statutes 7 VSA §831 and §861 are referenced in that definition. (They  
146 are.) Larry made that change.

147 **MOTION by Charlie Pughe; seconded by, Robert Bloch, to accept the cannabis LUR**  
148 **edits as now complete, and forward to the Selectboard for action. VOTE: 4 ayes, motion**  
149 **carried.**

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151 **Update on appointment of new member:**

152 Charlie provided an update on the appointment of a new Planning Commission member.  
153 The Selectboard will be holding final interviews on May 8<sup>th</sup> and will likely appoint a new member  
154 at that time. If that unfolds as planned, the new member should be available for our next meeting.

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156 **Adjournment:**

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

158 **VOTE: 4 ayes, motion carried.** The meeting was adjourned at 9:13 p.m.

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160 Minutes respectfully submitted:

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