

Comments of Thompson's Point Leaseholders Association Steering Committee On Charlotte Planning Commission's Proposed Changes to the Land Use Regulations

Date: October 18, 2023

Members: Fran Stoddard, President; Dean Williams, Treasurer; Erin Hanley, Secretary; Beth Humstone, Leaseholder; Christine Colby Giraud, Leaseholder; Jessie Price, Leaseholder

Priorities of the TPLA Committee:

The Committee has discussed the proposed changes as set forth in a document, Table 2.7 Shoreland Seasonal Home Management District, Rev. 5, provided to us by Larry Lewack, Town Planner. This document presents the areas of consensus of the Committee. Individual members of the Committee and of TPLA at large may have different opinions.

The Committee agrees with the Planning Commission and the purpose language in the regulations and in the Town Plan that Thompson's Point is a unique area with important natural resources, including Lake Champlain and its shoreline, and scenic beauty as well as an established, historic seasonal home community of leaseholders.

Based on two years of addressing the issues of regulations on Thompson's Point, the TPLA committee has these priorities for changes to the regulations:

- Achieve greater fairness, clarity, and certainty in the permit process
- Address current issues with the regulations that face leaseholders, including:
 - Onerous procedures and fees for minor changes
 - Lack of clear standards in the regulations
 - Impractical and unrealistic provisions

Recommended Changes to the LUR by the Committee:

- Purposes: The Committee suggests that the following clause be removed from (1) "and have remained essentially unchanged over the years." This is not an accurate description of the Point in our opinion. Leaseholders have made changes over time – camps have been expanded, accessory structures have been added or changed, driveways have been relocated, walkways have been added, and gardens have been established.
- Permitted Uses: The Committee agrees with the suggested change that accessory structures and demolition be a permitted use and not subject to conditional use review except where noted elsewhere in the regulations.
- Dimensional Standards: The Committee agrees that the side yard setback requirement should be reviewed. While we were undecided on what a reasonable new standard would be, we agreed that the 50' setback causes unnecessary hardship to most camps on the Point. The standards for nonconforming structures in the Regulations should be

reviewed to see if any further changes should be made to specifically address the Point situation.

- District Standards: Accessory Dwellings: We have no issue with the standard in F (3) that prohibits permanent accessory dwellings although we note that some leaseholders have longstanding accessory dwellings on their land. Regarding temporary accessory dwellings, we think the following:
 - Definitions of campers, recreational vehicles, and dwellings built on trailers are needed.
 - Some leaseholders have camper cabs on the back of their vehicles and this would be onerous for them.
 - As the Point has a history of tenting, including on platforms, we are concerned about eliminating them where they already exist.
 - Alternative language should be considered requiring the leaseholder to be in residence for any temporary parking of recreational vehicles and establishing a time limit for parking of recreational vehicles on a leaseholder's lot.
- District Standards: Cutting and Pruning: We ask the Planning Commission why pruning no longer would require the Tree Warden's approval. Excessive pruning can damage trees to the extent they must be removed. Is there a way to avoid excessive over-pruning in this section?
- District Design Review Standards: For both conditional use review and design review, if the latter is to continue, we think the standards should be expanded and clarified. The language is vague in many parts. In the absence of a Design Review Committee, the Development Review Board, should utilize the standards (revised) in this section for conditional use review. If there is to be a functioning Design Review Committee, we think it should be required to 1) consist of qualified design professionals and 2) communicate their findings to both the DRB and the applicant well in advance of the public hearing. We have mentioned before this Commission several times that Thompson's Point is made up of several unique areas, including the historic district, North Shore Road, Flat Rock, and Lane's Lane. Changes to camps in these areas should be reviewed under this section for the unique characteristics of the area within which they are located. (For example, North Shore Road camps should not be expected to look like camps in the historic district.)

Thank you for the opportunity to work with Larry and the Commission on these changes.