

CHARLOTTE SELECT BOARD

PUBLIC HEARING TO AMEND LAND USE RELATIONS

October, 2, 2008

Board Members Present: Charles Russell, Chair; Ed Stone, Winslow Ladue, Frank Thornton & Jenny Cole

Community Members Present: Ellie Russell, Helena Spear, Tony Cairns, Gary & Kim Farnsworth, Susan Horsford, William Spear, Sr., Dorothy Pellett, Nancy Wood, Jonathan Fisher, Karen Frost, Dave Krolick, Patricia Coleman, Carlie Krolick

Call to Order

Chairman Russell called the hearing to order at 5:00 p.m.

Discussion

Chairman Russell noted that this hearing is the result of a partition to re-zone the commercial district of the Town of Charlotte. At the first hearing changes were made which then in turn went to the Planning Commission. This will be the final hearing unless there are substantial changes to the proposed changes. Chairman Russell reviewed the amendments Numbers 1 through 5 as noted on the attached hearing notice.

It was noted that this discussion of changing the Land Use Regulations has been going on for many years and people are paying taxes on property and the taxes have been going up but the value of the property has gone down in some cases and the property owners are not able to use the property as they choose. Ms. Horsford noted that she felt that it would be better to avoid a town vote.

The Planning Commission had discussed at 3,500 sq. ft. commercial building with conditional use with a 30 foot set back and at the time (before 1995) the Commission felt these changes had to be made to change from residential use to commercial.

It was noted that is an easier process to go through the Select Board and not go to a town vote for the changes but the community did want to go to a vote.

Ms. Farnsworth noted that she felt it was right for the people who own the property and had for many years felt it was investment property to do as they please with the land and that the community should respect that aspect also.

There was a question to where exactly the footage in front of the structure would start, and that would be 80 feet from the center of the road.

The current owner of the Old Brick Store commented that any type of convenience store would definatly put a business like the Brick Store out of business. Any small local business simply cannot compete with a convenience type of store.

Rich Cunningham noted that one reason for the zoning change was the issue of a pedestrian crossing which people did not want to have.

It was mentioned that the crossing, having a local business was keeping with the town plan and the set back was a part of that plan.

Mr. Farnsworth reminded the group that there is nothing set in stone of what kind of business would go on the property; it could be any variety of businesses including car or boat sales, retail any thing that fit with the town plan and who wanted to purchase the property.

At this point restaurant and other types of business is not a part of the options available, the amendment would have to be changed to place that as an option.

Chairman Russell commented that issues are being discussed that have already been discussed and this hearing is for any possible changes to the proposal.

It was discussed that the property owners have been taxed as if it were retail/commercial property and that it was a legal decision but now perhaps it is the time for that to change.

The question was asked - why couldn't there be office space, restaurant etc. just retail?

It has long been a part of the town plan that the core area would support retail business because of the traffic flow etc. There would be room for car pool parking.

Nancy Wood commented that this should go to the voters and is very clearly written for the ballot. It is a very good area for something special like some nice novelty shops - something really Vermont.

Dean Block noted that how the warning can be written is very restricted according to state law. He recognized that the voters need as much information as possible and through other ways the information can be passed on to the voters - online etc.

Gary Farnsworth showed the graphics with the setbacks and the possible sub-division of the property. It is possible to have one 7,000 sq. ft. building as opposed to two 3,500 sq. ft. buildings - one or the other and there has to be 40% of the property for parking.

It will make a difference in the configuration of the property if it ending up being sub-divided. All of the land cannot be used for development due to the hills and wooded areas.

Robin Reed made note that most people living in that area of town is not happy with the possible change to their neighborhood.

It is felt by some that at the time, of the last vote on this issue years ago on the land regulation there was not enough press given at the time and that is why now it is being revisited with revisions.

There was further discussion regarding the setback and it would be just the east side but it was written in the revisions as both east and west side.

Mr. Russell commented that Table 5.1 would effect the whole town and table 2.3 including the set-back would effect the Village area and the 3,500 sq. ft. would be only the east side of Route 7, and this should be kept as is, and in March can change if necessary.

Motion to Close Hearing

At 5:50 p.m. a motion was made by Ed Stone to close the hearing, the motion was seconded by Frank Thornton and was passed.

Ed Stone made a motion to present the Amendment 1-5 (as attached) on November 4, 2008 vote to the community, the motion was seconded by Jenny Cole and passed.
No Vote - Frank Thornton and Winslow Ladue.

A motion was made by Ed Stone to adjourn the meeting at 5:53 p.m. The motion carried.

Respectfully submitted,

Melodie Gingrow
Substitute Recorder