



Town of Charlotte
Planning & Zoning

Memo

To: Selectboard
From: Jeannine McCrumb, Town Planner / Zoning Administrator 
cc: Planning Commission
Date: 11/9/15
Re: Town Plan and Bylaw Amendments

Attached are the proposed Town Plan and Bylaw Amendments for which a public hearing was held by the Planning Commission on 10/22/15. In addition to the hearing, the Commission held 6 work sessions on the proposals (6/18, 7/2, 7/9, 8/20, 9/3, and 10/15). Each amendment begins with a brief description and purpose. Following is a summary of concerns raised during review and changes presented, if any, based on those concerns.

Town Plan 1 – Village Center Designation statement

There were no concerns raised regarding this amendment. A site visit and meeting with Richard Amore of the Agency of Commerce and Community Development occurred on August 20 at which time he discussed the benefits associated with the program.

Town Plan 2 - Energy Section Update AND

Bylaw 1 – Energy Facility Siting and Development Standards

These updates were prompted by the Commission's interest in establishing some regulatory standards for energy related projects including renewables.

The main public comments included concerns with the cost associated with the proposed efficiency goals; the need to callout greenhouse gas emissions as a specific concern; concerns that we may hinder renewable projects by developing standards; and ways to encourage efficiency in existing and new development.

The Town Plan amendment was revised to reference currently required state efficiency standards only. The Energy Committee is interested in promoting / requiring additional efficiency standards and will work on presenting costs and benefits associated with these.

The Bylaw amendment requires site plan review by the Planning Commission for energy projects greater than or equal to 150 kW in size (>1 acre).¹ Projects will be reviewed using our current standards in addition to a new standard aimed at reducing the visual impact of projects on the surrounding area. The bylaw also notes that solar panels will be considered when calculating lot coverage and may require stormwater management and erosion control plans for larger installations. The Commission hoped to provide a better standard as relates to sound will rely on our existing performance standard at this time.

Bylaw 2 – Housekeeping / “Oops” list

The P&Z office keeps a running list of errors or points needing clarification in the Land Use Regulations. Of that more comprehensive list, those presented in this amendment were determined to be non-substantive and more related to grammar, sentence structure and references.

There were no concerns voiced as relates to this list of revisions.

Bylaw 3 – Conditional to Permitted Uses in Village Commercial and Commercial / Light Industrial Districts

This amendment garnered the most comment from both the Commission and others. The Charlotte Community Development Group, an independent group of interested citizens, recommended changes to zoning that would reduce the uncertainties associated with conditional use review for uses believed to be compatible with the purposes of a zoning district. For example, retail, restaurant and cultural facilities of an appropriate scale seem to be uses congruent with what we envision in our village commercial district; these would become permitted uses rather than conditional uses in that district. Permitted commercial uses will still be subject to site plan review by the Planning Commission.

The main concerns cited in opposition to this amendment included water supply, wastewater disposal, traffic and design review (Route 7). New uses and / or changes to existing uses will require a Wastewater and Potable Water Supply permit in addition to Site Plan review. The Commission felt those concerns would be sufficiently addressed during that review process and understood that some projects may not be feasible due to such limitations. The CCDG felt that traffic concerns at the intersection of Ferry Road / Greenbush Road were largely related to Ferry traffic. The amendment does permit both a gas station and a retail use in the Village Commercial District east of Route 7. Comments were received requesting the Commission to develop more specific design review standards for this area. The CCDG felt that existing Site Plan Review Standards were sufficient to prevent visually unappealing development in this location. The Commission agreed to move forward

¹ This bylaw is being proposed in anticipation of legislative changes that may result in review of energy projects by municipalities. Currently all such projects are reviewed by the Public Service Board.

with a gas station as a permitted use east of Route 7 as this was what had been sited there historically. Several of the 'larger' retail businesses (i.e. boats, etc) were left as conditional uses and two new uses (light industrial and warehouse – both smaller scale) were added to reflect uses occurring within the district.

Bylaw 4 – Two-family dwellings

This amendment also received a lot of comment mainly from residents within the village districts who are concerned about additional density in the village. There was also some comment received regarding owner-occupied versus non-owner occupied units. Again, the Commission noted that a Wastewater and Potable Water Supply permit would be needed before additional uses / units could be added. Originally proposed as applying only to village districts, the proposal was amended to allow two-family dwellings (where single-family dwellings are permitted) as an *adaptive reuse* and permitted use in the village commercial and village residential districts and as an *adaptive reuse* and conditional use in the Rural and Shoreland District. Note: *adaptive reuse* applies to existing historically, culturally or architecturally significant structures, as listed or eligible for listing in the Vermont Historic Sites and Structures survey for Charlotte. The Commission felt this compromise would provide opportunities for additional housing if a property had sufficient water and areas to treat wastewater.