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**TOWN OF CHARLOTTE
PLANNING COMMISSION
September 3, 2015**

Minutes are subject to correction by the Charlotte Planning Commission. Changes, if any, will be recorded in the minutes of the next Planning Commission meeting.

MEMBERS PRESENT: Jeff McDonald, Chair; Peter Joslin, Gerald Bouchard, Charles Pughe, Mary Illick, and Paul Landler. **ABSENT:** Donna Stearns.

ADMINISTRATION: Jeannine McCrumb, Town Planner/Zoning Administrator.

OTHERS: Michael Russell, T.J, Whalen, Mike Yantachka, Gary Farnsworth, Ronda Moore, and Brian Otley.

AGENDA ITEMS:

a. Town Plan

- i. Add statement re: Village Designation**
- ii. Amend Energy Section (Today and Tomorrow)**

b. Land Use Regulations

- i. Energy project siting standards- addition**
- ii. ‘Oops Book’- grammatical and punctuation errors corrected**
- iii. Conditional Uses- consideration for changing use in Village Commercial and Commercial/ Light Industrial districts from conditional use to permitted use; also involves changes to dimensional standards**
- iv. Two-family dwellings and density- consideration to allow two-family wherever single-family is permitted or by district**

CALL TO ORDER

Mr. McDonald, Chair, called the meeting to order at 7:05p.m.

DISCUSSION REGARDING ADDING STATEMENT TO THE TOWN PLAN: RE VILLAGE DESIGNATION

Mr. McDonald explained that Village Designation supports commercial properties within the delineated Village District by providing them with tax incentives for qualified improvements. Improvements funded by the project include, but are not limited to, technology upgrades and enhancements that bring the structure up to code. The boundaries for the Village Designation will be much smaller than the Town’s village zoning districts, as it focuses only on the commercial properties in the core of the village. The boundaries associated with the Village Designation program do not impact the current zoning districts. The Village Designation Program also benefits the community as a whole, because it gives the Town improved standing when applying for state grants.

47 Ms. Illick asked if regulatory language would need to be added to the Town Plan as a
48 result of Village Designation.

49

50 Ms. McCrumb explained that the Village Designation Program has no regulatory
51 functions. The language in the Town Plan has to simply state that the Town is
52 considering Village Designation.

53

54 **Motion by Mr. McDonald, Seconded by Ms. Illick to add Village Designation to the**
55 **October 8th agenda for formal consideration.**

56 **6 ayes; 1 absent. Motion Carried.**

57

58

59 DISCUSSION REGARDING AMENDING ENERGY SECTION (TODAY &
60 TOMORROW)

61

62 Ms. McCrumb explained that Section 4.8 “Today” serves as an inventory of how the
63 Town is currently using energy in terms of type and quantity. This revised section will
64 replace the current “Today” section in the Town Plan. The “Tomorrow” Section
65 discusses key planning initiatives that references siting standards for renewable energy
66 projects. Ms. McCrumb explained that both the Town Plan and Land Use Regulations
67 will reference energy siting standards in case the State passes legislation that will allow
68 Town’s to apply such standards. Currently, municipalities have no authority over the
69 siting of renewable energy projects.

70

71 Mr. Landler recommended that for the complete Town Plan revision, the Planning
72 Commission look into adding language about housing size, particularly stressing the
73 importance of smaller homes.

74

75 Mr. McDonald expressed that in terms of formatting, he would like to see the use of
76 numbers, rather than bullets.

77

78 Brian Otley, A Charlotte Resident who works for Green Mountain Power asked if the
79 Town had any preferred/recommended siting standards for renewable energy projects.
80 Mr. Otley said that having recommended standards and guidelines that a developer can
81 review will lead to better siting. Developers prefer having an idea of what the Town is
82 looking for in terms of siting. Using this approach saves time, money, and frustration.

83

84 Ms. McCrumb noted that as of now, the Planning and Zoning Office doesn’t have a
85 handout or check list to direct applicants through the steps. She agreed that creating a
86 checklist or some form of guidance would be a great idea. The Zoning and Planning
87 Office will look into it. Ms. McCrumb did note that she recommends developers of
88 renewable energy projects meet with the Planning Commission for an informal “sketch”
89 review. This gives abutters and the Town a chance to weigh in on the design before it’s
90 submitted to the State for review. The Site Plan Standards will be used for guiding
91 renewable energy projects.

92

93 There is discussion about regulating sound involved with renewable energy projects. Ms.
94 McCrumb suggested setting the sound limit at 70 decibels, which is the current sound
95 limit under the Performance Standards.

96
97 Ms. Illick suggested that sound should be regulated over a span of time. For example the
98 average amount of sound generated over a one hour span.
99

100 Mr. Pughe said he would reach out to one of his contacts and ask how they have dealt
101 with regulating sound.

102
103 Ms. McCrumb suggested adding a letter “D” to the Site Plan Regulations in Section 5.5
104 of the Land Use Regulations. Letter “D” will contain “focal point” language, which will
105 address impact on views.

106
107 Mr. Otley noted that the visual impact standards should be tailored to the individual
108 project as the type of installations can impact views differently, for example, fixed solar
109 vs. solar trackers.

110
111 ‘OOPS BOOK’ GRAMMATICAL AND PUNCTUATION CORRECTED

112 Ms. McCrumb explained that “Oops Book” changes were broken up into two sections:
113 insubstantial and substantial changes. Ms. McCrumb explained that she went back
114 through the insubstantial list and pulled out changes that could have a more substantial
115 impact. The substantial changes would be reviewed during the complete Town Plan
116 Revision but would not be covered during this partial update.

117
118 The Planning Commission reviewed each of the insubstantial changes and suggested
119 modifications accordingly.

120
121 PROPOSED CHANGES TO DIMENSIONAL STANDARD IN THE VILLAGE
122 COMMERCIAL AND COMMERCIAL/LIGHT INDUSTRIAL DISTRICTS.

123
124 Ms. McCrumb noted that in addition to changing permitted uses to conditional uses, the
125 proposal also seeks to change the density in the Village Commercial District to one acre.
126

127 Mr. McDonald stated the non-continuous PRDS were created to allow development in
128 villages without having to reduce the density. Mr. McDonald said that historically,
129 Charlotte Citizen’s did not support one acre density.

130
131 Ms. McCrumb stated that the non-contiguous PRDS still require people to obtain the
132 density, which can be difficult. Non-contiguous PRDS have not been a popular option.

133
134 Ms. Moore stated that she would like to see the Town address the lack of water and
135 wastewater capacity for the current properties in the West Village before allowing more
136 development.

137

138 Mr. McDonald explained that the Town had a water study done in the West Charlotte
139 Village. The study showed that water is available; it's just a matter of accessing it. A
140 map showing where the aquifers are located will be included with the new Town Plan. As
141 for wastewater, the Town is still looking into its options.

142
143 Ms. McCrumb stated that new development in the village would require
144 Water/Wastewater Permits that show that the property could support the development.
145 Water and wastewater would be another factor that would limit development on one acre
146 parcels.

147
148 Mr. McDonald explained that he does not want to address changes in the dimensional
149 standards in the Village Commercial and Commercial/Light Industrial districts as part of
150 this partial update. He would like to revisit the dimensional standards in all the districts
151 as part of the complete Town Plan update.

152
153 DISCUSSION REGARDING CHANGING CONDITIONAL USES TO PERMITTED
154 USES IN THE VILLAGE COMMERCIAL AND COMMERCIAL/LIGHT
155 INDUSTRIAL DISTRICTS.

156
157 Ms. McCrumb explained that there were three options on the table. Approve the
158 Community Development Group's proposal, which suggests switching nearly every
159 Conditional Use to a permitted use in the Village Commercial and Commercial/ Light
160 Industrial to permitted uses, making no changes to the permitted uses, or approving a
161 third proposal, that Ms. McCrumb drafted that meets in the middle.

162
163 Mr. Lander explained that if the Zoning Board is doing its job, Conditional Uses should
164 be as obtainable as a regular zoning permit.

165
166 Mr. Russell explained that requiring Conditional Use allows interested parties to appeal a
167 Zoning Board decision, which can bog the permit down in the Environmental Court for a
168 very long time. This is unappealing to potential developers.

169
170 Mr. Russell stated that it has been a goal of the Town Plan to encourage development in
171 the village. Mr. Russell explained that the regulations need to be updated so the Town
172 can move towards reaching this goal.

173
174 Ms. McCrumb stated that even if a use changes from conditional to permitted, site plan
175 review will still be required.

176
177 Mr. Whallen stated that the current regulations do not support the Town Plan goals. If the
178 Town isn't satisfied with what's happening in their villages, then changes will need to be
179 made to the regulations. If the Town is happy, then no changes are needed.

180
181 There is lengthy discussion regarding retail square footage maximums and minimums in
182 the West Charlotte Village Commercial District.

183 Ms. McCrumb suggests making the West Charlotte Village Commercial District -East of
184 Route 7, a separate zoning district.

185

186 Ms. Illick stated that the 10,000 square footage limit East of Route 7 seemed excessive
187 and should be reduced.

188

189 Mr. McDonald suggested making any retail over 3,500 square feet a Conditional Use
190 both East and West of Route 7.

191

192 Mr. Farnsworth stated the Uncle Sam's and the shop building were currently about 6,500
193 square feet. He suggested allowing 6,500 square feet of retail space East of Route 7 as a
194 permitted use. Mr. Farnsworth agreed that a maximum retail of 10,000 square feet, east
195 of Route 7 seemed excessive.

196

197 Mr. Landler voiced concern that allowing larger retail as a permitted use will detract from
198 current businesses.

199

200 Mr. Joslin explained that it's not the Planning Commission's duty to protect existing
201 businesses and that competition is healthy.

202

203 Mr. Joslin suggested that up to 6,500 square feet of retail space be a permitted use in the
204 East of Route 7 Village District and anything over 3,500 square feet a Conditional Use
205 West of Charlotte Village.

206

207 Ms. McCrumb explained that there is currently a milk distribution service and a telescope
208 manufacturer working out of the buildings in the East of Route 7 Village Commercial
209 District. Ms. McCrumb suggested that they add light manufacturing/ distribution to the
210 East of Route 7 Village District.

211

212 Mr. Pughe voiced concerned that the townspeople would vote down the entire
213 amendment if they thought the Planning Commission would be allowing a major gas
214 station to come to town, such as the new one in Ferrisburgh.

215

216 Mr. Pughe thought that design review may be a way to control the aesthetic aspects of
217 proposed development in the East of Route 7 Village District.

218

219 Mr. Farnsworth asked if the Town would consider reducing the setback from Route 7 in
220 the East of Route 7 Village District from 100ft to 30ft. Mr. Farnsworth explained that the
221 State right-of-way already mandated an 80ft setback from the center line.

222

223 Ms. McCrumb agreed to look at the Route 7 setback.

224

225 Ms. McCrumb provided an overview of the proposed changes to the Commercial/ Light
226 Industrial District. Changes include converting every Conditional Use to a Permitted Use,
227 changes to the Dimensional Standards, and the elimination of some uses, including
228 residential use.

229

230 Mr. Pughe stated that he would like Mobile Home Sales, Retail 20,000 square feet Max,
231 Transfer Station, and Transit Facility to move to a Conditional Use. Mr. Pughe stated that
232 he would be comfortable allowing retail up to 6,500 square feet as a permitted use.

233

234 DISCUSSION REGARDING TWO-FAMILY DWELLINGS WHERE SINGLE-
235 FAMILY DWELLINGS ARE ALLOWED OR BY DISTRICT.

236

237 Mr. McDonald explained that historically, the townspeople have been resistant to
238 changing the density to allow development on smaller parcels. Mr. McDonald stated that
239 he did not feel comfortable with allowing two-family homes wherever single-family
240 homes are allowed.

241

242 Ms. McCrumb asked about allowing two-family dwellings where single-family homes
243 are allowed exclusively in the villages.

244

245 Mr. McDonald stated that he didn't think the townspeople would support that change,
246 even if it was limited to the Village Districts.

247

248 Ms. McCrumb noted that it is important to check back in with the citizens because
249 opinions change over time. Ms. McCrumb agreed to draft new language that she hopes
250 will be a compromise between the competing interests.

251

252 Mr. McDonald explained that the Planning Commission would meet on October 8th for
253 an official hearing. The draft will be finalized and sent to the Selectboard for approval.

254

255 **ADJOURNMENT**

256 The meeting was adjourned at 10:20 p.m.

257

258 Minutes respectfully submitted, Britney Tenney, Planning and Zoning Assistant.

259

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