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**TOWN OF CHARLOTTE
PLANNING COMMISSION
October 22, 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: Peter Joslin, Gerald Bouchard, Charles Pughe, Marty Illick, and Paul Landler. **ABSENT:** Donna Stearns and Jeff McDonald.

ADMINISTRATION: Jeannine McCrumb, Town Planner/Zoning Administrator and Britney Tenney, Planning & Zoning Assistant.

OTHERS: Michael Russell, Mike Yantachka, Gary Farnsworth, Ronda Moore, Ellie Russell, Rachel Stein, David Pill, Katelyn Ellermann, Nancy Severance, Denise Kessler, Mark Moser, Margret Russell, Jeremy Brault, Abby Foulk, Dave Marshall, Harold Abilock Ruah Swennerfelt, Cathy Hunter, Erich Finley, Louis Cox, Rebecca Foster, Catherine Bock, Catherine Bochman, Andrew Swayze, Mike Yantachka, Deirdre Holmes, Howard Seaver, King Milne, and Lane Morrison.

NOTICE OF PUBLIC HEARING:

a. Proposed Changed to the Town Plan:

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

b. Proposed changes to the Charlotte Land Use Regulations:

- i. Addition of Energy project siting standards**
- ii. Technical clarifications or corrections to various provisions in the regulations**
- 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 dwellings in village districts and/ or as adaptive reuse of existing structures in all districts. Density requirements for single-family and two-family dwellings would be the same and would be per underlying district.**

CALL TO ORDER

Mr. Joslin, Vice Chair, called the public hearing to order at 7:05p.m.

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

PUBLIC COMMENT:

47 Mr. Russell explained that Village Center Designation is a voluntary program that
48 provides tax benefits to the properties that qualify under the program and provide the
49 Town with a better standing when applying for state grants. Language that indicates the
50 Town is interested in pursuing Village Center Designation must be approved by the
51 Selectboard and published in the Town Plan before an application for Designation can be
52 submitted. Mr. Russell noted that he didn't see any downside to enrolling in the program.

53

54 Mrs. McCrumb stated that there were no written public comments received regarding
55 Village Designation.

56

57 **DISCUSSION REGARDING PROPOSED AMENDMENTS TO THE ENERGY**
58 **SECTION (TODAY & TOMORROW)**

59 Ms. McCrumb explained that the State currently controls the installation of renewable
60 energy projects, but may soon look to the local Town Plan and/or Land Use Regulations
61 for energy siting recommendations. The current Town Plan and Land Use Regulations do
62 not provide guidance for energy siting. Ms. McCrumb explained that the Energy
63 Committee is working on a comprehensive energy section update for the complete 2016
64 Town Plan revision. The changes reviewed for this partial Town Plan update include
65 updating the inventory and trends section and key planning considerations.

66

67 **PUBLIC COMMENT:**

68 Mr. Abilock reviewed the "good vs. poor" solar project language and suggested the
69 section be revised to be more specific. He would encouraged the Planning Commission to
70 consider adding language that evaluates how the energy benefits of the project compare
71 to possible visual, financial, and environmental impact.

72

73 Ms. Illick asked if the Planning Commission should eliminate the examples of "poor"
74 projects and add emphasis to the aspects "good" solar projects.

75

76 Ms. Swennerfelt reviewed renewable energy goal #4, which provides for 10% town-wide
77 renewable energy production by 2020. Ms. Swennerfelt explained that she felt that the
78 town may currently surpass this production goal and feels that a higher goal should be
79 set. Ms. Swennerfelt reviewed other goals that she felt were under ambitious and
80 recommended that the goal section be reviewed. Ms. Swennerfelt asked if the town had
81 existing data for the amount of renewable energy resources being used.

82

83 Ms. McCrumb pointed out the revised Inventory Section in the Energy "Today" Section.
84 Mr. Pughe explained that while it was easy to obtain electricity consumption, it's difficult
85 to calculate the amount of propane, wood, and fuel oil used by Charlotters.

86

87 Ms. Swennerfelt asked if there were any incentives that the town could provide for
88 businesses that would support renewable energy consumption goals. She suggested that
89 the Planning Commission consider incentives for the 2016 comprehensive Town Plan
90 update.

91

92 Ms. Foster asked how “locally produced” energy was being defined. She explained that it
93 will be difficult to track locally produced renewable energy consumption when many
94 larger projects outsource the energy produced.

95
96 Mr. Abilock stated that he does not believe that local energy that is outsourced should
97 count towards Charlotte’s net-zero goals.

98
99 Mr. Marshall reiterated that the town should look into providing incentives to support the
100 energy consumption goals proposed in the Town Plan. Mr. Marshall also indicated that
101 the Town could pursue a building code for energy standards. Mr. Pill was asked and
102 responded that he does not believe the State’s RBES and CBES criteria are strong
103 enough.

104
105 Ms. McCrumb explained that the Energy Committee was in the process of drafting
106 energy building codes, which will be incorporated in the comprehensive update. The
107 RBES and CBES form are currently acting as an interim step, so that at least some level
108 of energy standards are being applied to new construction projects.

109
110 Cathy Hunter noted that she would like the Planning Commission to address greenhouse
111 gas emissions.

112
113 Mr. Abilock noted that an all-encompassing energy efficiency vision statement should be
114 crafted.

115
116

117 **DISCUSSION REGARDING THE ADDITION OF ENERGY SITING**
118 **STANDARDS TO THE CHARLOTTE LAND USE REGULATIONS.**

119
120 Mr. Joslin explained that the update to the Energy Section of the Town Plan and the
121 addition of Energy Siting Standards to the Land Use Regulations were directly linked.
122 The Land Use Regulations act as the regulatory standards to achieve the goals that are set
123 forth in the Town Plan. In anticipation that the State will allow towns to have more
124 participation in the siting of renewable projects, the Planning Commission is revising
125 both the Town Plan and Land Use Regulations.

126

127 **PUBLIC COMMENT:**

128

129 Mr. Yantachka voiced concern regarding solar panels counting towards lot coverage. He
130 noted that tracking solar panels should be treated differently than fixed solar panels.

131

132 Mr. Joslin explained that the updated siting standards will work as a guideline for the
133 town when they participate in the PSB hearings as an interested party.

134

135 Ms. Swennerfelt reviewed the section regarding scenic bicycle routes and noted that
136 avoiding “scenic areas” will seriously impact the space available for renewable energy
137 projects. Ms. Swennerfelt noted that the majority of Charlotte could be considered scenic.

138 Ms. Swennerfelt expressed concern that the proposed regulations presuppose that all solar
139 is “ugly”.

140

141 Ms. McCrumb explained that specific scenic areas and roads have been mapped and are
142 included in the Town Plan.

143

144 Mr. Pughe noted that the visual impact of energy projects will vary greatly depending on
145 the size and type of facility. Each project will have to be evaluated individually to
146 balance the interests of preserving the scenic qualities of Charlotte and the pressing need
147 to become less fossil fuel reliant.

148

149 Mrs. Margret Russell voiced concern that the goals of the Energy Section of the Town
150 Plan are not being supported by the Siting Standards in the Regulations. Mrs. Russell
151 stated that it seems the Siting Standards are putting up road blocks for energy projects.

152

153 Mr. Joslin explained that it was the Planning Commission’s intent to encourage energy
154 projects to be designed well and sited appropriately.

155

156 Ms. Severance stated that she would like to see the Planning Commission encourage
157 single solar panels for individual use. Ms. Severance suggested that this be encouraged
158 under the “good solar” language.

159

160 **DISCUSSION REGARDING TECHNICAL CLARIFICATIONS OR**
161 **CORRECTIONS TO VARIOUS PROVISIONS IN THE LAND USE**
162 **REGULATIONS.**

163

164 Mr. Joslin explained that there are several proposed technical clarifications and
165 corrections that need to be revised. Mr. Joslin noted that the changes are clerical in nature
166 and the Planning Commission would accept written comments from the public, but did
167 not feel it necessary to review each correction during the public hearing.

168

169 **DISCUSSION REGARDING CHANGING CONDITIONAL USES TO**
170 **PERMITTED USES IN THE VILLAGE COMMERCIAL AND**
171 **COMMERCIAL/LIGHT INDUSTRIAL DISTRICTS.**

172

173 Mr. Joslin explained that the proposal to change many conditional uses to permitted uses
174 in the Village Commercial and Commercial Light Industrial Districts was brought forth
175 by the Community Development Group.

176

177 **PUBLIC COMMENT:**

178

179 Mr. Russell explained that the Community Development Group has been working with
180 the Planning Commission for the last year to focus on promoting growth in the Village
181 Commercial and Commercial Light Industrial Districts. Mr. Russell explained that
182 historically, the Town Plan has encouraged growth in the villages, so that open spaces
183 may be maintained in the rural areas of the town. It is the Community Development

184 Group's intent to have the Land Use Regulations amended so that they support the goals
185 of the Town Plan. Mr. Russell explained that requiring Conditional Use review in the
186 village areas requires an extra permitting step, extra money, and leaves applicants open to
187 an appeal to Environmental Court. The Community Development Group believes
188 eliminating Conditional Use approval would promote business growth in the villages and
189 Commercial Light Industrial District. Mr. Russell noted that as part of the Community
190 Development Group's proposal, they are suggesting that residential uses be eliminated
191 from the Commercial Light Industrial District.

192

193 Ms. Moore explained that she did not support the Group's proposal to change Conditional
194 Uses to permitted uses in the villages. Ms. Moore explained that she first would like to
195 see the Planning Commission address potable water supply issues and traffic related
196 issues before they open the door for greater commercial development in the West
197 Charlotte Village.

198

199 Mr. Seaver stated that a change in Conditional Uses to permitted uses does not give an
200 applicant a "free pass". The applicant will still have to obtain the necessary water and
201 wastewater permits and obtain Site Plan approval from the Planning Commission. Mr.
202 Seaver noted that the town is taking steps for reviewing a public wastewater system and
203 could look into a public water system as well.

204

205 Ms. McCrumb explained that she received comments from Dana Hanley and Karen Frost
206 regarding the East of Route 7 Village Commercial District. Ms. McCrumb clarified that
207 even though Ms. Hanley & Ms. Frost are part of the Community Development Group,
208 they were not in 100% agreement with the Group's proposal for the old Citgo lot, as they
209 would like to see some form of design review standards for the larger commercial uses
210 proposed in the East of Route 7 Village Commercial District.

211

212 Ms. Ellie Russell noted that part of the former Burns property was designated as village
213 commercial and suggested that the Planning Commission review the VT Land Trust
214 agreement to confirm that commercial uses are permissible on the property.

215

216 Mr. Unser(?) asked the Planning Commission how public comments are incorporated into
217 the planning process.

218

219 Mr. Joslin explained that the Planning Commission reviews comments and makes
220 changes accordingly. The final proposal then goes to the Selectboard, who will also hold
221 at least one public hearing. The proposal will ultimately be voted on by the public.

222

223 Mr. Russell noted that the Community Development Group was pushing the Selectboard
224 to sell the existing capacity on the town owned Burns property to fund a new community
225 wastewater system. Mr. Russell explained that at one point the town looked into
226 connecting to the Champlain water system but the town's people ultimately decided that
227 it would lead to too much development too quickly.

228

229 Ms. Foster asked if it would be possible to stipulate that there can be no construction of
230 chain stores, as she would like to see locally owned boutiques.

231

232 Mrs. Margaret Russell stated that she would like to see vibrant village areas to provide
233 services for existing residents and attract young families.

234

235 Ms. Moore suggested forming committees to review the traffic, waster, and septic in the
236 villages.

237

238 Ms. Milne suggested adding crosswalks to the intersection of Ferry Road and Greenbush
239 Road to make it safer for pedestrian traffic.

240

241 Mr. Finley, owner of the Old Brick Store, explained that he would like to expand the
242 services that the Old Brick Store can offer, but because of the limited wastewater
243 capacity, expansion is not feasible.

244

245 Ms. McCrumb explained that there is a group of citizens who are opposed to a
246 community wastewater and water system, as it is a way to limit growth.

247

248 Ms. McCrumb read written comments submitted by E.W. Bitter who was opposed to
249 eliminating residential uses in the Commercial Light Industrial District. Mr. Bitter
250 represents Mr. Greg Beldock who purchased the former Waldorf School property.

251

252 Mr. Russell suggested breaking the proposals for the East of Route 7 and West of Route 7
253 District into two articles.

254

255 DISCUSSION REGARDING TWO-FAMILY DWELLINGS AND DENSITY-
256 CONSIDERATION TO ALLOW TWO-FAMILY DWELLINGS IN VILLAGE
257 DISTRICTS AND/OR AS ADAPTIVE REUSE OF EXISTING STRUCTURES IN ALL
258 DISTRICTS.

259

260 PUBLIC COMMENTS:

261 Ms. McCrumb explained that she received comments from Mr. Liam Murphy, Esq.
262 regarding the proposed amendments to the two-family dwelling density.

263

264 Ms. Ellermann, reviewed Mr. Murphy's comments, and explained that she represented
265 Mrs. Kessler, who owns a historical structure, and would benefit from the proposed
266 changes. Mrs. Ellermann spoke in support of allowing two-family dwellings under the
267 adaptive reuse provision and stated that the reuse of existing structures would have a
268 minimum impact, as existing structures would be utilized.

269

270 Ms. McCrumb explained that the original proposal was to allow two-family dwellings
271 wherever single-family dwelling were allowed. After receiving public feedback, the
272 scope of the proposal has been minimized to allowing two-family dwellings in the village
273 districts and/ or as an adaptive reuse in all districts.

274

275 Mrs. Kessler stated that it has been her experience that a two-family dwelling attracted
276 better tenants than renting the entire house out to a larger group of roommates.

277

278 Mr. Russell spoke in support of allowing two-family dwellings, and noted that the next
279 generation will live different, and smaller living units will be preferable.

280

281

282 **MOTION by Mr. Joslin, Seconded by Ms. Illick to close the public hearing.**

283 **5 Ayes; 2 Absent.**

284

285 **ADJOURNMENT**

286 The meeting was adjourned at 9:35 p.m.

287

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

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