

My Concerns about the approved East Charlotte Village Commercial District zoning changes.

Dear fellow members of the Planning Commission:

Below are my concerns about the recent East Charlotte Village Commercial District Zoning Changes, which you recently approved. As you know, I still had concerns about these changes, and did not vote in favor of them. I hope you will address these concerns.

I am not opposed to up-zoning the commercial district. But to me these changes which you passed are not ready for "prime time". I fully support all the other technical changes. But I believe these ECV zoning changes contain flaws.

My concerns are:

(1) These changes seem to contain a transfer-of-development-rights (TDR) loophole, which may allow these housing units to be transferred OUT of the ECV Commercial area into the Rural or Village areas in certain circumstances, such as preservation of wetlands or areas considered high-public-value. We do not want these new units to leave this area.

(2) These changes undermine our current Affordable Housing and Transfer of Development Rights programs. It takes away the incentive to do both in the ECV Commercial District.

(3) These changes do not address pedestrian and traffic safety issues. It is very important to get these issues addressed in conjunction with these changes. Attempting to do it after-the-fact will likely be extremely challenging, and expensive. It's simply poor planning to not have these addressed now. Densities such as this often require sidewalk and special traffic impact regulations involving trip-ends.

(4) These changes perform "spot zoning", without a recommended prior Development Agreement.

The ECV Commercial District boundary changes nearly entirely benefit one landowner, as those areas are not developed. This is therefore spot zoning. Spot zoning should always be typically avoided. When absolutely necessary, one should have a prior Development Agreement in place. Otherwise what one might get may not be what one desires, and this promotes appeals and litigation. This is a 500% increase in density, and development can take different forms.

(5) These changes have a 500% (5x) increase in density. This is substantial, and it may affect wells and potable water resources, as well as have unforeseen impacts upon neighboring properties. As you know, we are having a drought year. Should a drought pattern continue, this could be problematic. Impact studies need to be done.

(6) If you up-zone the ECV Commercial District, the West Charlotte Village Commercial area should have a similar up-zoning, even if the boundaries are changed to confine it to a small area, such as Ferry Road from Rt. 7 to Greenbush Road. It's important to have consistency in our regulations. Plus, nearly all of the Town's amenities are in West Charlotte Village, and it is significantly more pedestrian friendly. The Post Office, Town Hall, Library, Senior Center, Health Center, Old Brick Store, Fire Station and Rescue, etc., are all located in that area.

Sincerely,

Bill Stuono