

## **Memo**

To: Planning Commission

Fr: Maura Wygmans, AIA

Dt: June 1, 2017

### **Re: Request to Rewrite the Petition for Changes to the Land Use Regulations Regarding Old Lantern**

Unfortunately, I am not able to attend tonight's meeting, but I would like to comment on the April 20<sup>th</sup> meeting minutes.

On April 20<sup>th</sup>, the Planning Commission discussed the request by the Selectboard to "assist in a rewrite of a Petition to Amend the Land Use Regulations regarding the Old Lantern..." During the April 20<sup>th</sup> discussion, members of the Planning Commission weighed options on how to proceed with this task. The Planning Commission concluded that the Planning Commission members "hold a meeting with **stakeholders** to modify the petition language and then hold a public informational hearing." The item was to be added to a Planning Commission Agenda.

When I inquired to Daryl Benoit, Town Planner, as to whom the stakeholders were, I received the following response"

"I can only assume that 'stakeholders' are the public, as any meeting would need to be warned to the public and any member of the public who is recognized by the Planning Commission may participate in the proceedings. As this process is an attempt to change the Town's Land Use regulations, I believe any citizen of the Town is potentially a stakeholder."

I appreciate Daryl's response. I hope that the "**stakeholders**" mentioned above at a minimum include the neighbors who are directly impacted by the activity at the Old Lantern, and not simply the owners of the Old Lantern.

The Land Use Regulations have many purposes. However, one of the most important purposes is the protection of one's own property and the peaceful enjoyment of their property. Land Use Regulations separate uses specifically for this purpose. In Charlotte, we enjoy residential, rural and commercial zones, each serving specific purposes. In residential zones, there is an expectation of residential activities and the noise levels that are associated with residential activities.

The Selectboard, in their discussions regarding this Petition felt that there were actually two issues to be addressed with possible changes to the Land Use Regulations. Per the March 20<sup>th</sup> meeting minutes,

"There are two separate issues. We are looking at a desire for more event facilities, and a grandfathered non-conforming use put into the Land Use Regulations. They are very separate issues, stated Mr. Krasnow."

And at the conclusion of the meeting,

"Mr. Morrison replied there are two issues: one is the grandfathered nature of the Old Lantern and the other is new event facilities. That is a challenge, said Mr. Morrison."

The issues before the Planning Commission regarding the Petition are not only in regard to the Old Lantern. They are precedent setting, both in terms of the treatment of “grandfathered facilities” and in the possible inclusion of “event facilities” in the Land Use Regulations. Both of these issues warrant careful consideration and should not be rushed. They should be looked at in relation to the Town Plan, which is also undergoing a rewrite. These changes will not only affect the neighbors of the Old Lantern, but possibly any resident in Charlotte who lives within several miles of an old barn. And so, who are the “stakeholders?”

The owners of the Old Lantern want to be “protected” from the scrutiny of their neighbors. They are asking the Town to rewrite regulations to provide them with protections. At the same time, the neighbors are also asking for protections. We moved into homes in a residential area, next to a facility that held occasional events, mostly events for the community. Today the Old Lantern holds over 80 events a year, at least 70 of which are weddings for people outside of the community. The Old Lantern used to be the “Old Lantern Barn and Campground” on over 200 acres. The campground is gone, and we live in houses where the campground used to be. When the Town and the Land Trusts brokered the deal to subdivide the land, surely they understood that the concerts, pow wows, outdoor auctions, and boyscout campouts that once took place on the 200 acre parcel would not continue? If the Old Lantern Barn is allowed to conduct in a similar manner to the past, then why aren’t the Frosts, Wygmans, and Kingstons who also live on land that was formerly part of the campground afforded the same privileges?

The Old Lantern Barn and Campground is part of the history of Charlotte, but it is not part of the present. As the Town and the Land Trusts subdivided the land around the Old Lantern, they believed that the future of the Old Lantern was a **banquet hall** that would serve the community. The term **banquet hall** is specifically used in the deed for the Old Lantern, as well as in the deed to the Wygmans parcel. Jim Dickerson himself, who sold the Old Lantern to the Gaujacs, acknowledged at the March 20, 2017 Selectboard Meeting, that with his plan for the Old Lantern the “Town received a large parcel of land with septic, water sources, hiking trails and more... there must be common ground.”

The neighbors have been asking and continue to ask for common ground. Please consider us **stakeholders** as you move forward with a possible rewrite of the Land Use Regulations.