

**TOWN OF CHARLOTTE  
SELECTBOARD MEETINGS  
FEBRUARY 21, 2008**

**MEMBERS PRESENT:** Charles Russell, Chairperson; Jenny Cole, Winslow Ladue, Ed Stone, Frank Thornton.

**OTHERS:** Jessica Donovan, Peter Schneider, Amanda Lafferty, Liam Murphy, Peter Joslin, Jeff McDonald, John Owen, Robin Pierce, Linda Radimer, Jeff McDonald.

**AGENDA ITEM: Schneider-Donavan//Pease Mountain Development Litigation**

**CALL TO ORDER:** Charles Russell called the meeting to order at 7:00 PM.

**DISCUSSION**

The group discussed the Schneider/Donavan request for the relocation of the clearing areas and lot lines as depicted in the Donovan/Schneider Proposed Site Plan dated 1/24/08, the presence and location of “fractures” and ledges, and potential for impact on water quality of the recharge area for Charlotte Central School. Charles and Jenny met with Peter Schneider, Jessica Donovan, and Steve Revell of Lincoln Applied Geology, Inc. earlier in the day. Steve provided a sketch plan with locations of and depth of test pits.

Winslow Ladue, speaking as an hydrogeologist familiar with protecting public water sources and contamination of bedrock wells, described his assessment of soil types in the area of development, provided examples of well contamination from gasoline spills, and explained the level of risk of contamination with shallow to bedrock soils. He concluded that relocating the house sites as proposed in the Donovan/Schneider Proposed Site Plan moved them from the ledge area and placed them on areas of thick soils. He felt that this would be an improvement from a water quality protection standpoint. He stated that spilling a very small quantity of gasoline would not likely be a problem, but homeowners should be reminded of the protection area and use great care so as to not spill gasoline or other liquids that can contaminate a well. Use of pesticides, herbicides, and nitrites should also be controlled. Slow-release nitrogen fertilizer would be recommended. He described this as a public education issue. He also recommended against large storage of #2 fuel oil.

Peter Schneider stated that they will spec all equipment with these concerns in mind, including using other fuel types and requiring a secondary containment area to catch spills. Winslow was not aware of concerns with propane.

Winslow made further recommendations:

1. That there should be no floor drains, and that drains be curtain drains to daylight.
2. Refueling of tools and equipment should be done over areas of thicker soil or on an impermeable surface so that a spill can be cleaned up.
3. He advised against excessive cuts and blasting, and suggested the use of fill for roads and driveways.

4. Peter Schneider stated that there was one location where blasting might be necessary for the sewer force main, but that they had considered shifting the location of the line to avoid blasting. Winslow asked if they had considered the use of insulated pipe. Winslow stated that the force main is also a potential source of contamination and suggested an upgrade of pipe material (to iron) and change in the type of joints.
5. Parking areas should not be located near a conduit to bedrock aquifer.
6. The CCS source protection area should be extended to encompass the total area of development (and up the hill).

There was discussion of the unnamed stream, and the impact of allowing clearing at 50 feet as shown in the Proposed Site Plan. It was noted that the buffer between the stream and the wastewater treatment area is 50 feet. Winslow stated that the smaller buffer for the clearing area on Lot 1 was not likely to have a significant impact on water quality.

Condition 11 of the Planning Commission decision, requiring infrastructure and plantings prior to application for the first Zoning Permit, was discussed. Alternatives were considered, including replacing “Zoning Permit” with “Certificate of Occupancy,” and phasing—allowing building permits for the first lots, but requiring road, sewer, and landscaping to be completed before issuing further permits.

Peter and Jessica asked the Selectboard to consider allowing clearing (for solar gain) south of houses on upper lots. They felt this could be accomplished by shifting southern lot lines and clearing areas 40 feet to the south, and making northern lots smaller.

The three items to be included in the agreement were summarized:

1. Change of the Zoning Permit requirement;
2. Allowing lot lines and building envelopes in the Donovan/Schneider 1/24/08 Proposed Site Plan, including reducing the buffer for clearing on Lot #1 adjacent to unnamed stream.

Ed Stone asked if Peter and Jessica would consider a donation of septic capacity to the Town for school use. Peter replied that they are willing to consider this.

**8:15 PM: Liam, Peter and Jessica left the meeting.**

**Winslow made a motion, seconded by Jenny to go into Executive Session to discuss the Schneider-Donovan//Pease Mountain Development Litigation. Motion carried. (9:33 PM: Planning Commission members Peter Joslin, Jeff McDonald, John Owen, Robin Pierce and Linda Radimer joined the meeting.)**

**Ed made a motion, seconded by Winslow to come out of Executive Session. The meeting was adjourned at approximately 9:45 PM.**

Respectfully submitted by Jenny Cole