TOWN OF CHARLOTTE
PLANNING COMMISSION
JUNE 20, 2013

APPROVED

MEMBERS PRESENT: Jeff McDonald, Chair; Gerald Bouchard, Peter Joslin, Marty Illick, Donna Stearns (arrived 7:08 p.m.). Absent: Linda Radimer, Jim Donovan.
ADMINISTRATION: Dean Bloch, Town Planner; Tom Mansfield, Zoning Administrator.
OTHERS: Patrick O'Brien, Gary Pittman, Bob Hyams, Heather McKen, Michael Abrami, and others.

CALL TO ORDER
Mr. McDonald, Chair, called the meeting to order at 7:00 p.m.

APPROVE REGULAR AGENDA AND CONSENT AGENDA
The Regular Agenda was approved.

Consent Agenda:
MOTION by Mr. McDonald, seconded by Mr. Joslin, to approve the Consent Agenda.
VOTE: 4 ayes, 3 absent (Ms. Stearns, Ms. Radimer, Mr. Donovan); motion carried.

PUBLIC COMMENT
None.

APPROVE MINUTES FROM: April 4, May 2, May 16, and June 6, 2013
MOTION by Mr. Joslin, seconded by Ms. Stearns, to approve the Planning Commission minutes of May 2, 2013, as written, with additions/corrections.
VOTE: 4 ayes, 1 abstention (Ms. Illick), 2 absent (Ms. Radimer, Mr. Donovan); motion carried.

MOTION by Ms. Stearns, seconded by Mr. Bouchard, to approve the Planning Commission minutes of May 16, 2013, as written, with additions/corrections.
VOTE: 3 ayes, 2 abstentions (Ms. Illick, Mr. Joslin), 2 absent (Ms. Radimer, Mr. Donovan); motion carried.

MOTION by Ms. Illick, seconded by Mr. Joslin, to approve the Planning Commission minutes of June 6, 2013, as written, with corrections.
VOTE: 4 ayes, 1 abstention (Ms. Stearns), 2 absent (Ms. Radimer, Mr. Donovan); motion carried.

There was no quorum for the April 4, 2013 Planning Commission minutes.

GREGG AND ELIZABETH BELDOCK; FINAL PLAT HEARING; 2 LOT SUBDIVISION; EAST SIDE OF SPEAR STREET ACROSS FROM FORMER GECEWICZ FARM
Patrick O'Brien, agent, appeared on behalf of the application.

STAFF NOTES
Mr. McDonald reviewed staff notes.

APPLICANT COMMENTS
Mr. Obrien reviewed a proposed two lot subdivision of a lot owned by the Beldock's as follows:

- A westerly lot of 5.1 acres and a second lot to the east with a building envelope;
- A boundary adjustment between the Beldock's and Holmes has been completed and recorded with the Town.
- Natural features have been delineated. There would be no impacts to the features with the exception of the lower field that would be used for agricultural purposes.
- An existing driveway would be used.
- The proposed site plan shows buffer zone.
- The westerly lot would be sold.
- The easterly lot would be retained by the Beldock's for a family member.
- A building envelope was sited as close to the existing Beldock house on the easterly lot.
- There was a 30' elevation change from a higher plateau to the front lower plateau.
- A ravine ends where the existing driveway goes around it to the east as shown on the site map.
- No slopes were more than 25 percent.
- The proposed building envelope has reserved septic.
- A soil analysis was done and reviewed by the Town.
- The applicant was not seeking any waivers.

Mr. O'Brien explained that the term 'clustering' was not a defined term. The proposed 5.1 acre lot could be seen from the road and Beldock did not want to cluster 3-5 homes on that lot. The proposed easterly home would be "clustered" 400-500' from the existing Beldock's house, said Mr. O'Brien.

Mr. O'Brien pointed out features on a habitat map using a Town map.

PLANNING COMMISSION QUESTIONS/COMMENTS
Mr. McDonald asked if septic would be deferred. It could be conditioned in the approval, suggested Mr. McDonald. Mr. O'Brien replied that the building envelope was a fixed site.

There was lengthy discussion regarding the grading of the driveway.

Mr. O'Brien said that he could provide a letter that grades were under 8 percent as per Town guidelines if required.
Mr. Joslin read the Fire and Rescue guidelines for an access road, and asked if this would apply to a driveway. Ms. Stearns said no, that once a shared drive left the first house it was still just a driveway.

Mr. Bloch said in lieu of an 8 percent driveway grade the recommendation was to condition a house to be sprinklered. Mr. McDonald said that the Planning Commission would take under deliberation either a plan by a licensed engineer that it was under 8 percent, or sprinklered. The Zoning Administrator could review that before issuing a building permit, said Mr. McDonald. Mr. Bouchard suggested if the driveway was 8.5 percent, for example, the applicant could add gravel to it to bring it to 8 percent. Mr. O'Brien pointed out that the driveway already existed.

Mr. Bouchard questioned the dimensions and radius of the driveway right-of-way as shown on the site map. As an engineer, he could not build the driveway as shown, stated Mr. Bouchard. Mr. O'Brien briefly reviewed a boundary line adjustment and where the driveway went around an end of a ravine.

Ms. Illick asked that a habitat overlay be added to the site map.

In response to questions regarding hazardous areas and a memo from the Conservation Commission, dated June 20, 2013, Mr. Hyams explained significant forest habitat concerns related to a proposed house site in the eastern portion of the Beldock lot and an existing hedgerow that was an important connection to two forest habitats. Measures should be taken to maintain the connections. Low impact development should be discussed regarding the western most house site related to Mud Hollow Brook and erosion in the wetlands, said Mr. Hyams.

Mr. Hyams noted that the existing Beldock house was not close to the hedgerow. If the hedgerow was allowed to fill in to the south then the proposed easterly house would be out of the zone of impact, said Mr. Hyams.

Ms. Illick asked if the core forest would be impacted. Mr. Hyams replied that the core forest was 100 meters from a man-made disturbance. The proposed easterly house would impact habitat. If the hedgerow was allowed to extend further south that would maintain the value of connectivity, reiterated Mr. Hyams. Mr. O'Brien said that the lot would be farmed and it was a question of putting a house in the edge of the habitat, or the field. Mr. Hyams explained that fields were a managed habitat. A forest existed as a habitat without intervention, said Mr. Hyams.

There was further discussion regarding a habitat features map.

Mr. O'Brien asked if there was a map that showed the core area. The way the ordinance spoke it was all habitat. The proposed building site was where the applicant wanted it. The building envelope area has been brush hogged. The existing hedgerow could be conditioned that "…it shall be maintained", suggested Mr. O'Brien.

Mr. McDonald said it could be addressed under landscaping and screening.

Ms. Illick asked if the building envelope could be moved to a more open spot. Mr. O'Brien said that if it was moved then Beldock could see it from his house.

Mr. O'Brien reviewed points as noted on the Sketch Plan letter that noted the proposed house would be located at the edge of the forest versus set into the forest; the hedgerow portion could be conditioned that it must be maintained; and if the low impact development standards were the same as the Natural Resources standards, then the applicant would agree with it, said Mr. O'Brien.

Mr. Bloch asked if the basis for the north boundary of the easterly building envelope was due to topographic contours. Mr. O'Brien replied yes.

In response to a question, Mr. O'Brien said that the dimensions of the proposed building envelope at less than one-half acre would be shown by meets and bounds. It could be pinned as standard practice, suggested Mr. O'Brien.

Mr. Bloch asked for clarification of a red hash mark on the submitted sketch plan. Mr. O'Brien explained that there was a conservation easement. The intention was to align it with all other open space there. Beldock was not proposing to create perpetual open space with this application, and no future subdivision of the lot was proposed, said Mr. O'Brien.

Ms. Illick asked if the conservation zoning boundary was 100' from the center of the water, or 100' from the top of the bank. Mr. McDonald pointed out that it was "as mapped." Ms. Illick suggested that it was a housekeeping issue on the map. Mr. Joslin read Land Use Regulation, Stream Bank, section 3.1(5), that it was 100' from all named streams, and 50' from all unnamed streams from the top of the bank. Mr. Bloch said that the proposed westerly building envelope would need to be moved 10' +/- if the setback was from the top of the bank. Mr. McDonald said that Mud Hollow Brook was a tributary to the LaPlatt River and a 150' buffer may apply from any structure or septic system.

MOTION by Ms. Illick, seconded by Mr. Bouchard, to close the Gregg and Elizabeth Beldock Final Plat hearing for a 2 lot subdivision on the east side of Spear Street across from the former Gecewicz farm.
DISCUSSION:
Mr. Bloch reviewed proposed conditions to show the slope of the driveway as a part of the zoning permit as per application bylaws.

Mr. Joslin asked if the turn to the south was a significant slope to the west, and if there would be any cut and fill done. Mr. O'Brien said that the driveway already met the requirements. If it didn't meet the grade and improvements were needed then the applicant could return to the Planning Commission. The driveway width was proposed at 14' at the gravel portion, said Mr. O'Brien. Mr. McDonald noted that the driveway does exist. He thought the grade would be close to 10 percent as per state standards, but was shown as 8-10 percent as per the drawing, said Mr. McDonald.

Mr. Joslin suggested leaving the hearing open until the driveway grade issue was clarified. Mr. O'Brien said he was not worried.

Ms. Stearns asked if there were any fire ponds at the site. Mr. O'Brien replied no. The existing driveway was a farm road, said Mr. O'Brien.
VOTE: 5 ayes, 2 absent (Ms. Radimer, Mr. Donovan); motion carried.

WORK SESSION ON THE TOWN PLAN REVISIONS
The Planning Commission reviewed proposed Town Plan revisions.

DELIBERATIONS
The Planning Commission entered Deliberative Session

ADJOURNMENT
MOTION by Mr. Bouchard, seconded by Ms. Stearns, to adjourn.
VOTE: 5 ayes, 2 absent (Ms. Radimer, Mr. Donovan); motion carried.

The Planning Commission meeting was adjourned at 9:00 p.m.

Respectfully submitted, Kathlyn L. Furr, Recording Secretary