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**TOWN OF CHARLOTTE  
PLANNING COMMISSION  
MARCH 6, 2014**

**APPROVED**

**MEMBERS PRESENT:** Jeff McDonald, Chair; Gerald Bouchard, Donna Stearns, Paul Landler, Marty Illick, Linda Radimer. **ABSENT:** Peter Joslin.

**ADMINISTRATION:** Jeannine McCrumb, Town Planner/Zoning Administrator.

**OTHERS:** Gary Thibault, Mary Thibault, Joanna Cummings, Abby Rehkugler, Dave Hyerstay, Clark Hinsdale III, Suzanne Hinsdale, and others.

**AGENDA ITEMS:**

- **PC-14-02 Sketch Plan Review for Gary & Mary Thibault for a 3-lot subdivision at 1490 Carpenter Road. The Subdivision will create 2-5 +/- acre parcels with existing houses and an 80+- acre farm parcel with existing farmstead complex.**
- **PC-14-04 Nordic Holsteins LLC/Trust of Clark Hinsdale Jr for a boundary adjustment of two parcels located at 1824 Hinesburg Road. A 5-acre lot with an existing mobile home and a 96 acre parcel (71 acres under conservation easement) will be adjusted to create a 30 acre parcel and a 71 acre parcel.**

**CALL TO ORDER**

Mr. McDonald, Chair, called the meeting to order at 7:07 p.m.

**APPROVE REGULAR AGENDA AND CONSENT AGENDA**

The Regular Agenda was approved with the addition of a request by Clark Hinsdale III to discuss a Planning Commission denial of a boundary adjustment.

Consent Agenda: none.

**PUBLIC COMMENT**

Mr. Hinsdale reviewed a memo sent to the Planning Commission, dated 02/20/2014, regarding a denial of a boundary adjustment on the Charlotte Solar Farm, LLC lot.

Mr. Hinsdale said that if he had been told that he needed to have a master plan, then he would have added master plan testimony to the application. His goal was to add the meadow to the Bean Farm and conserve it, said Mr. Hinsdale.

Mr. McDonald stated that the issue was in Environmental Court and the Planning Commission could not discuss it. If Mr. Hinsdale was meeting with the Selectboard he could ask the Board to meet with the Planning Commission on the road issue, suggested Mr. McDonald.

45 Mr. Hinsdale said that the idea was for everyone on the Planning Commission and the  
46 Selectboard to receive his memo. We could all talk about it. Mr. Bloch said that it was on  
47 the Selectboard's short list along with the Varney Farm, said Mr. Hinsdale.

48

49 **MINTUES: February 20, 2014.**

50 **MOTION by Ms. Illick, seconded by Mr. Landler, to approve the Planning**  
51 **Commission minutes of 02/20/2014 as written with edits:**

52 • **Page 4, line 174; add: "Mr. McDonald questioned if a site plan review was**  
53 **needed."**

54 • **Page 5, "The meeting adjourned at 9:30 p.m."**

55 **VOTE: 7 ayes, 1 absent (Mr. Joslin); motion carried.**

56

57 **PC-14-02 SKETCH PLAN REVIEW FOR GARY & MARY THIBAUT FOR A 3-**  
58 **LOT SUBDIVISION AT 1490 CARPENTER ROAD. THE SUBDIVISION WILL**  
59 **CREATE 2-5 +/- ACRE PARCELS WITH EXISTING HOUSES AND AN 80+-**  
60 **ACRE FARM PARCEL WITH EXISTING FARMSTEAD COMPLEX.**

61 Gary Thibault and Mary Thibault, owners, appeared on behalf of the application.

62

63 **STAFF NOTES**

64 Mr. McDonald reviewed staff notes.

65

66 **APPLICANT COMMENTS**

67 Mr. Thibault handed out copies of a site map of the subject property and pointed out his  
68 mother's existing home and 5 acre lot, a retained house lot, his existing house and 5 acre  
69 lot, a farmstead barn complex area, and his septic system. His boundary line followed the  
70 LaPlatte River bank, said Mr. Thibault.

71

72 Mr. Thibault reviewed the following:

- 73 • The Vermont Land Trust had purchased the development rights in 2001.  
74 • There were 90 acres remaining.  
75 • His mother's 5 acre house lot and his 5 acre house lot were excluded from the  
76 Vermont Land Trust agreement, but were not subdivided from the conserved  
77 land.  
78 • Joe Donegan has rented the 80.3 acre farm for the last 5 years and wanted to  
79 purchase the farm.  
80 • He was proposing to subdivide the two excluded 5 acre lots.  
81 • The Vermont Land Trust would put the rest of the land into an agricultural  
82 easement and the land would stay as farm land.  
83 • He had built his home in 1998 and the lot has 800' of road frontage.  
84 • No new homes were proposed.

85

86 There were no further comments or questions.

87

88 **MOTION by Mr. Landler, seconded by Ms. Radimer, to classify PC-14-02 Sketch**  
89 **Plan Review for Gary & Mary Thibault for a 3-lot subdivision at 1490 Carpenter**

90 **Road that would create 2-5 +/- acre parcels with existing houses and an 80+- acre**  
91 **farm parcel with existing farmstead complex as a minor subdivision.**  
92 **VOTE: 6 ayes, 1 absent (Mr. Joslin); motion carried.**  
93

94 **PC-14-04 NORDIC HOLSTEINS LLC/TRUST OF CLARK HINSDALE JR FOR**  
95 **A BOUNDARY ADJUSTMENT OF TWO PARCELS LOCATED AT 1824**  
96 **HINESBURG ROAD. A 5-ACRE LOT WITH AN EXISTING MOBILE HOME**  
97 **AND A 96 ACRE PARCEL (71 ACRES UNDER CONSERVATION EASEMENT)**  
98 **WILL BE ADJUSTED TO CREATE A 30 ACRE PARCEL AND A 71 ACRE**  
99 **PARCEL.**

100 Clark Hinsdale III, Trustee, appeared on behalf of the application,  
101

#### 102 STAFF NOTES

103 Mr. McDonald reviewed staff notes.  
104

#### 105 APPLICANT COMMENTS

106 Mr. Hinsdale submitted a site plan map and reviewed a brief history of the property that  
107 included the conservation of the Bean Farm, a 71.18 acre conserved lot with a 25 acre  
108 exemption, and a 5 acre lot with an existing mobile home.  
109

110 Mr. Hinsdale explained the following:

- 111 • The development rights/density would transfer from the Sheehan property off  
112 Hinesburg Road to a proposed 30 acre parcel created from the existing 96 acre  
113 parcel for a future non-contiguous PRD village style 8-9 home development.
  - 114 • The future development could be located north toward Hinesburg Road on 13-14  
115 acres of the created 30 acre parcel.
  - 116 • The 30 acre parcel would be created via a boundary adjustment utilizing a  
117 hedgerow that would leave the southerly 17 acres conserved.
  - 118 • The proposed 30 acre lot was near the East Charlotte Village boundary. The  
119 village boundary ended on Peter Walker's property, which was the east boundary  
120 of the subject parcel.
- 121

#### 122 PLANNING COMMISSION QUESTIONS/COMMENTS

123 Mr. Landler asked if the proposed density transfer would allow more than 8-9 homes. Mr.  
124 Hinsdale replied that density build out would end at a proposed hedgerow boundary.  
125 Homes could be located along the edge of the woods and into the meadow. He had no  
126 density numbers yet, which would take site planning to figure out. The back 17 acres and  
127 woods would stay in single ownership. The request was for a Planning Commission  
128 opinion in a Sketch Plan letter regarding density, said Mr. Hinsdale.  
129

130 Mr. Hinsdale pointed out that in the Big Oak development he did 5 acre lots with one  
131 large conserved lot. Ms. Radimer spoke in favor of condensing density and conserving  
132 large areas and woods.  
133

134 Mr. Hinsdale said that 3-4 lots could be put behind a tree island, which would be  
135 screened from Hinesburg Road, and accessed off a shared roadway. There was an

136 existing right-of-way through the mobile home lot. Spencer Harris has already looked at a  
137 large area of identified loam/gravel soil for septic systems, said Mr. Hinsdale.

138

139 Mr. Landler said that the proposal was for a two lot subdivision now. Would Mr.  
140 Hinsdale follow up with a PRD on the northern portion along Hinesburg Road at a later  
141 time. The proposal was not within the village district, but on the border. Why not go for a  
142 PRD now that would put density near the village, asked Mr. Landler. Mr. Hinsdale  
143 explained that his budget would only go so far at one time. Planning and building a road  
144 based on the level of homes to be served would take a large part of the budget to begin  
145 with. It was not unusual to do phased master planning, such as the Sheehan Green  
146 development, which was permitted in four phases, said Mr. Hinsdale.

147

148 Ms. McCrumb stated that Mr. Hinsdale's application was to create one 30 acre lot as a  
149 boundary adjustment. The presentation was a big change from what was applied for,  
150 pointed out Ms. McCrumb. Mr. Hinsdale said that the regulations had language for  
151 bringing multiple ideas at Sketch Plan.

152

#### 153 PUBLIC COMMENTS

154 Ms. Cummings, Conservation Commission representative, asked for clarification of a red  
155 line shown on the site map. Mr. Hinsdale explained that the red line would be a new line  
156 that would divide conserved land and non conserved land. Stuart Morrow had done a  
157 survey to identify conservation land from excluded land. Currently he could develop the  
158 mobile home lot. The existing trailer could be removed. The lot has an approved mound  
159 system and well, a driveway, and a right-of-way. He would only want one curb cut, said  
160 Mr. Hinsdale.

161

162 Mr. Walker, an abutting neighbor, expressed concern that the proposal would result in  
163 congested one-acre lots that bordered his 30 acres. Who would purchase 17 acres to the  
164 south that had to be accessed through congested one-acre lots, asked Mr. Walker. Mr.  
165 Hinsdale stated that he didn't know the capacity of the 13 acres yet. Mr. Walker said that  
166 he would like to see a development proposal before he commented on it.

167

168 Ms. Radimer asked where a proposed septic field would be located and if trees would be  
169 cleared. Mr. Hinsdale pointed out a cleared area within the woods where there was an old  
170 potato patch. A wet area was located in that area. Peter Walker's pond was near that area,  
171 said Mr. Hinsdale.

172

173 Ms. Radimer said that Bobcat have been seen on the west side of the big fields by  
174 Mindy's farm. This was one of the remaining forested tracts by the village, said Ms.  
175 Radimer.

176

177 There was discussion regarding wildlife in the area, a VAST snowmobile trail that went  
178 through Sheehan Green, across the Caplan land and through the Nichols' farm.

179

180 Mr. Walker suggested using an access from the Morningside Cemetery Road off of Spear  
181 Street versus Hinesburg Road. Mr. McDonald said that one access off Hinesburg Road  
182 was better.

183

184 Mr. McDonald asked if Mr. Hinsdale had considered affordable housing for the density.  
185 Mr. Hinsdale said that he owned a 15 acre lot on the Sheehan corner that was in the  
186 village district. The lot was behind the church, grange and Hancock House. He had  
187 sought a curb cut off Spear Street, which the Selectboard has not heard yet. A standard  
188 PRD on 15 acres was 6 units, noted Mr. Hinsdale.

189

190 There was further discussion regarding density related to spacing of lots. Mr. Walker said  
191 that density in a village district should be located in a village; not out of a village.

192

193 Mr. Hinsdale reviewed a history of conserving farm land as open blocks of continuous  
194 agricultural lands along a 2 mile stretch of Hinesburg Road from the old Town Center at  
195 the school to the East Village. Housing should be clustered closer to the village, said Mr.  
196 Hinsdale.

197

198 Ms. Cummings asked if the conserved land related to the proposal would be kept as hay  
199 land, or corn fields. Mr. Hinsdale said that it was crop land. There were no farm structure  
200 complex rights on that land, said Mr. Hinsdale.

201

202 Ms. Cummings suggested that a high density development near conserved farm land  
203 would be in conflict. Mr. Hinsdale explained that a single loaded road would help to  
204 deflect some of the conflicts between residential homes and actively farmed land.  
205 Keeping homes and backyards on the other side of a road created a buffer from farm  
206 land, said Mr. Hinsdale.

207

208 Mr. McDonald summarized the applicant's proposal as one 30 acre parcel with the  
209 potential of 6 lots. The applicant was seeking a simple boundary adjustment currently,  
210 said Mr. McDonald.

211

212 Mr. McDonald said that he did not see an advantage for a non-contiguous PRD as  
213 proposed. There was an advantage to do so on the 15 acre village lot. The applicant could  
214 move the density from this proposal to the village lot, suggested Mr. McDonald. Mr.  
215 Hinsdale pointed out that he had a proposal for a boundary adjustment denied on the solar  
216 farm lot because the Planning Commission said he didn't do a master plan. Here he was  
217 talking about master planning. It was logical to use a hedge row as a boundary line for a  
218 development, stated Mr. Hinsdale.

219

220 Ms. McCrumb reiterated that the application was for one boundary adjustment for one  
221 lot, not two lots. It was change from what was warned, said Ms. McCrumb. Mr.  
222 McDonald said that this was sketch plan and he would want to hear the applicant's plans.

223

224 Mr. Bouchard asked what would happen if a boundary line was created from where Peter  
225 Walker's lot jogged and went straight west. Mr. Hinsdale replied that would put the line  
226 almost at the hedge row.

227

228 Mr. Walker said he would support moving density from the proposed land to the 15 acre  
229 village lot. He was concerned that the two proposed lots would end up loaded with  
230 density, said Mr. Walker. Mr. Hinsdale explained that the back 17 acre lot did not have  
231 the characteristics for density or development. He could build a house now on the 5 acre  
232 lot, said Mr. Hinsdale.

233

234 Mr. McDonald said that a boundary line change would create two lots and there was an  
235 existing lot. There would be further discussion regarding the potato area later, said Mr.  
236 McDonald. Mr. Hinsdale clarified that by making the existing 5 acre lot into a 13 acre lot  
237 that would leave 17 acres in the back once a new boundary line was approved.

238

239 **MOTION by Mr. Landler, seconded by Ms. Illick, to classify PC-14-04 Nordic**  
240 **Holsteins LLC/Trust of Clark Hinsdale Jr as a minor subdivision.**

241 **VOTE: 6 ayes, 1 absent (Mr. Joslin); motion carried.**

242

243 Mr. McDonald said that the Planning Commission would draft a Sketch Plan letter to the  
244 applicant with comments regarding one 13 acre lot and a second lot of 17 acres.

245

246 **DELIBERATIVE SESSION**

247 **MOTION by Ms. Illick, seconded by Mr. Landler, to enter Deliberative Session.**

248 **VOTE: 6 ayes, 1 absent (Mr. Joslin); motion carried.**

249

250 The Planning Commission entered Deliberative Session at 8:50 p.m.

251

252 **ADJOURNMENT**

253 The Planning Commission meeting was adjourned at 9:35 p.m.

254

255 Respectfully submitted, Kathlyn L. Furr, Recording Secretary

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