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**TOWN OF CHARLOTTE
PLANNING COMMISSION
APRIL 17, 2014**

Approved

Minutes are subject to correction by the Charlotte Planning Commission. Changes, if any, will be recorded in the minutes of the next Planning Commission meeting.

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

ADMINISTRATION: Jeannine McCrumb, Town Planner/Zoning Administrator.

OTHERS: Scott Hardy, Rod Dike, Kathy Dike, Jeff Small, Charles Russell, and others.

6:00 P.M. SITE VISIT: for the Hardy proposed 3-lot subdivision at 768 Mt Philo Road.

AGENDA ITEMS:

- **PC-14-06 Continuation: Sketch Plan Review for Scott Hardy for a 3-lot subdivision at 768 Mt Philo Road.**
- **PC-14-07 Final subdivision Review for Beatrice Dike Trust for a 3-lot subdivision located at 3015 Guinea Road.**
- **Deliberative Session**
- **Town Plan Work session**

CALL TO ORDER

Mr. McDonald, Chair, called the meeting to order at 7:05 p.m.

APPROVE REGULAR AGENDA AND CONSENT AGENDA

The agenda was approved.

PUBLIC COMMENT

None.

MINUTES:

None.

PC-14-06 CONTINUATION: SKETCH PLAN REVIEW FOR SCOTT HARDY FOR A 3-LOT SUBDIVISION AT 768 MT PHILO ROAD.

Scott Hardy, owner, appeared on behalf of the application.

STAFF NOTES

Mr. McDonald reviewed staff notes. A site visit was done at 6:00 p.m. this date.

Ms. McCrumb pointed out that the applicant has submitted a revised site plan, dated 03/26/2014.

SITE VISIT:

Mr. McDonald reported that the Planning Commission members viewed the subject property and proposed septic areas.

APPLICANT COMMENTS

49 Mr. Hardy said that the existing house and lot on the west side of Mt Philo Road has been sold. A
50 revised site plan proposes to subdivide a 10 acre lot on the east side of Mt Philo Road into two 5-
51 acre lots. The plan would cluster everything around the existing barn, said Mr. Hardy.

52

53 PLANNING COMMISSION QUESTIONS/COMMENTS

54 Mr. McDonald reviewed that when the Mansfield's previously subdivided the property the
55 approval included certain conditions. An Open Space requirement was deferred and the 10 acre
56 building lot did not include building envelopes. The lot was subdivided with the intent of "some"
57 future purpose by the Mansfield's. The lot was clearly intended as two 5-acre lots, said Mr.
58 McDonald.

59

60 Ms. McCrumb noted that the applicant at the time wanted the barn lot to stay with the house
61 across the road. Mr. McDonald said that the Sogoloff's were in agreement with that intent at the
62 time of the subdivision. Ms. Radimer recalled that there had been discussion not to create a lot
63 with the barn, but to keep the farm together. A Town road divided the two parcels and that
64 created the division.

65

66 Ms. McCrumb said that approval to create the barn lot, Lot 1, required that an applicant return
67 before the Planning Commission to identify open space on the lot.

68

69 Ms. Illick expressed concern that Mr. Hardy was considering two new residential houses on the
70 lot versus using the barn. A question was if the barn was a historic structure, said Ms. Illick. Mr.
71 Joslin read a definition of a "historic structure" as listed, or eligible to be listed, as a Vermont
72 Historic Structure.

73

74 Mr. Hardy said that he had the barn looked at by an expert, who thought it was circa 1930s.

75

76 Mr. McDonald suggested that the applicant consider re-purposing the barn as a multi-unit
77 affordable housing project. There was an open space requirement to preserve as much of the
78 agricultural fields as possible, which could be designated behind and to the south. The open space
79 requirement was 50 percent of each lot, said Mr. McDonald.

80

81 Ms. Illick suggested retaining as much of the esthetics of a barn-farm house characteristic as
82 possible. It was not atypical to have a "farm" house nestled next to a barn, said Ms. Illick.

83

84 Ms. McCrumb said that she would contact the state regarding the potential historic nature of the
85 barn as a landmark in the valley.

86 Mr. Joslin expressed concern that the field would be bisected in the back. One option was to build
87 one house and use the development rights elsewhere. Or, was it possible to work two house sites
88 either to the north, or south, of the barn, asked Mr. Joslin.

89

90 Mr. Bouchard asked for clarification of the well shield locations. As currently configured, the
91 fields could not be farmed. The use of organic or chemical fertilizers could not be used near the
92 well shields, pointed out Mr. Bouchard.

93

94 In response to a question on proposed water wells, Mr. Hardy said that a water line from a drilled
95 well on the west side of the road went to the barn. Three houses should not share one well, said
96 Mr. Hardy.

97

98 There was discussion regarding prime agricultural soils, the potential of impacts on the
99 agricultural characteristics of the property on the east side of Mt Philo Road, a suggestion to

100 move the two proposed water wells closer together, consideration of a PRD, exploring an
101 adaptive re-use of the barn, and identifying open space to the south portion of the lots where it
102 appeared that the southern part of the lot was more contiguous with the farm fields.

103

104 Mr. Joslin read Land Use regulations, page 38, Adaptive Re-uses, and page 39, (f)(3), Uses. Mr.
105 McDonald explained that if the barn was re-used then the barn and prime agricultural soils could
106 be saved. However, it was Mr. Hardy's property and he could tear it down. A PRD would be
107 triggered if a sewer line was bored under Mt Philo Road, said Mr. McDonald.

108

109 Mr. Hardy noted that the 32'X130' barn had no footings and a minimal foundation. There was a
110 concern on how to convert the barn for a residential use, said Mr. Hardy.

111

112 **MOTION by Mr. Joslin, seconded by Mr. Landler, to classify the Scott Hardy proposed 3-**
113 **lot subdivision, located at 768 Mt Philo Road as a minor/PRD subdivision.**

114

DISCUSSION:

115

116 **Ms. Illick asked Mr. Hardy to verify that the barn was, or was not, an historic structure. If**
117 **it was historic then there would possibly be grant money for the structure, or for affordable**
118 **housing, said Ms. Illick. Mr. Joslin said that the barn was a large structure that could have**
119 **4 affordable units. Mr. McDonald said that he would support additional density for that**
120 **proposal.**

120

121 **Mr. McDonald noted that the Selectboard approved curb cuts. There were two existing**
122 **accesses, pointed out Mr. McDonald.**

123

VOTE: 6 ayes, 1 absent (Ms. Stearns); motion carried.

124

125 **PC-14-07 FINAL SUBDIVISION REVIEW FOR BEATRICE DIKE TRUST FOR A 3-**
126 **LOT SUBDIVISION LOCATED AT 3015 GUINEA ROAD.**

127

Jeff Small, agent, and Rod Dike, owner, appeared on behalf of the application.

128

129 STAFF NOTES

130

Mr. McDonald reviewed staff notes.

131

132 APPLICANT COMMENTS

133

Mr. Small reviewed a proposal for the following:

134

- Lot 1 that included an existing house on 5.5 acres with a large septic replacement area in case the existing septic failed.

135

136

- Lot 2 with 10 acres and a proposed 5 bedroom in-ground septic.

137

- Lot 3 with 6.8 acres and a proposed 5 bedroom mound system.

138

- One shared curb cut that would serve lots 2 and 3. A written maintenance agreement was completed for the shared driveway.

139

140

- Restrictions in the deeds for preservation of the woods and a 200' buffer zone.

141

- A boundary adjustment to benefit a neighbor.

142

143 Mr. Small said that the cut and fill profile of the driveway would keep the slope to an allowable 6
144 percent grade. There may be some blasting of a ledge to create a basement for one of the
145 proposed homes, and to use as fill for the roadway. The height of the buildings was in the 27'
146 height range. The middle lot home site was pulled out of the woods as per a Planning
147 Commission request, said Mr. Small.

148

149 PLANNING COMMISSION QUESTIONS/COMMENTS

150 Mr. McDonald asked for clarification of the proposed building envelope measurements, which
151 should be physically staked out and noted on the site map. Mr. Small explained that the building
152 envelope locations were limited by the 200' setback, woodland, steep slopes and mature trees.

153

154 Ms. McCrumb said that the building envelope measurements would be added to the Final Plat
155 Mylar to be filed in the Town records.

156

157 Mr. McDonald said that the Planning Commission could include language that someone could
158 come in and request an amended building envelope in the future in order to make their house
159 plans fit on a lot. Mr. Small said that the building envelope measurements, setbacks, septic, water
160 shields and septic replacement areas would be identified on the engineering drawing.

161

162 **MOTION by Ms. Radimer, seconded by Mr. Joslin, to close the Final Subdivision Review**
163 **hearing for the Beatrice Dike Trust for a 3-lot subdivision located at 3015 Guinea road.**

164 **VOTE: 6 ayes, 1 absent (Ms. Stearns); motion carried.**

165

166 **DELIBERATIVE SESSION**

167 The Planning Commission recessed the regular meeting and entered Deliberative Session at 8:05
168 p.m. The Commission came out of deliberative session at 8:30 p.m.

169

170 **TOWN PLAN WORKSESSION**

171 The draft Town Plan, Lake and Shoreline, was discussed.

172

173 **ADJOURNMENT**

174 The Planning Commission meeting was adjourned at 11 p.m.

175

176 Respectfully submitted, Kathlyn L. Furr, Recording Secretary

177