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**TOWN OF CHARLOTTE
PLANNING COMMISSION
JULY 2, 2015**

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; Peter Joslin, Gerald Bouchard, Marty Illick, Paul Landler. **ABSENT:** Donna Stearns, Charles Pughe.

ADMINISTRATION: Jeannine McCrumb, Town Planner/Zoning Administrator.

OTHERS: Tom Smith, Nancy Smith, Michael Russell, Howard Seaver, Gregg Beldock, Jonathan Couture, Charles Russell, Jack Pilla, Karen Frost, Michael Frost, Andy Thomas, and others.

6:15 pm SITE VISIT: Charlotte Ferry Road Solar, LLC 500 kW Group Net Metering Project

AGENDA ITEMS:

- Continuance of PC-15-08 Final Plan Hearing for Harriet Patrick Trust for a Boundary Adjustment between properties at 1355 Church Hill Road. (M05B02L07.1 and M05B02L07)
- PC-15-14 Preliminary Plan Application for Jonathan Couture for Major Subdivision Amendment at Vineyard View (Lots 1-5)
- Charlotte Ferry Road Solar, LLC 500kW Group Net Metering Project Discussion.
- Continuation of PC-15-12 Final Plan Hearing for Scott Hardy for a Minor Subdivision at 197 Mutton Hill (applicant has requested a continuance until 7/16/2015, at 7:05 PM)
- Draft Energy Section/Siting Standards work session

CALL TO ORDER

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

APPROVAL OF REGULAR AGENDA / CONSENT AGENDA

Added: Proposed Amendments to Land Use Regulations by a citizen Charlotte Community Development group – discussion

Mr. McDonald signed the William Hill Mylar.

PUBLIC COMMENT

None.

REVIEW MINUTES FROM PRIOR MEETING (6/4/15)

MOTION by Mr. Joslin, seconded by Mr. Bouchard, to approve the Planning Commission minutes of 06/18/2015 as written, with the following edit:

- 46 • Page 3, following line 112 - insert two bulleted items: 1st bullet “Recommend
- 47 a target capacity maximum of 6,499 gpd as a desirable approach without
- 48 changes, except for new subdivision applications.” 2nd bullet “Explore a
- 49 Septic Capacity Reserve as a resource to replace failed septic systems in the
- 50 West Village, or as a way to address other public health issues.”

51 **VOTE: 4 ayes, 1 abstention (Ms. Illick), 2 absent (Mr. Pughe, Ms. Stearns); motion**

52 **carried.**

53

54 **CONTINUANCE OF PC-15-08 FINAL PLAN HEARING FOR HARRIET**

55 **PATRICK TRUST FOR A BOUNDARY ADJUSTMENT BETWEEN**

56 **PROPERTIES AT 1355 CHURCH HILL RD. (M05B02L07.1 and M05B02L07)**

57 **MOTION by Ms. Illick, seconded by Mr. Joslin, to continue PC-15-08, Final Plan**

58 **Hearing for Harriet Patrick Trust for a Boundary Adjustment between properties**

59 **at 1355 Church Hill Road, to August 6, 2015 as requested.**

60 **VOTE: 5 ayes, 2 absent (Mr. Pughe, Ms. Stearns); motion carried.**

61

62 **PROPOSED AMENDMENTS TO LAND USE REGULATIONS BY A CITIZEN**

63 **CHARLOTTE COMMUNITY DEVELOPMENT GROUP – DISCUSSION**

64 Howard Seaver and Michael Russell, Charlotte Community Development Group

65 representatives, reviewed a written citizen group draft proposal regarding amendments to

66 Land Use Regulations. Mr. Seaver said that proposed changes to the regulations as

67 Permitted Uses versus Conditional Uses would encourage small businesses, such as craft

68 shops, limited seat restaurants/cafes, or small grocery stores, to locate in the West

69 Village, and to allow Contractor Yards in the Commercial/Industrial District only.

70

71 Ms. Illick said that she has not seen the proposed language and would like time to review

72 the documents.

73

74 Mr. McDonald suggested continuing the discussion at the 8:16 p.m. Energy work section

75 this evening. A PC/ZBA joint meeting with the citizen group should be scheduled for a

76 future meeting, said Mr. McDonald.

77

78 **PC-15-14 PRELIMINARY PLAN APPLICATION FOR JONATHAN COUTURE**

79 **FOR MAJOR SUBDIVISION AMENDMENT AT VINEYARD VIEW (LOTS 1-5)**

80 Jonathan Couture, owner, appeared on behalf of the application.

81

82 **STAFF NOTES**

83 Mr. McDonald reviewed staff notes.

84

85 **APPLICANT COMMENTS**

86 Mr. Couture noted that the Planning Commission had conducted a site visit previously.

87

88 Mr. Couture explained changes to the site plan as follows:

- 89 • Lots 4 and 5 were reconfigured so that the 10 acre wooded area was become Lot
- 90 3.
- 91 • A second building site that was located near the State Park has been eliminated.

- 92 • Lot 4 remained the same. The building envelope would stay as staked out
93 previously.
94 • Lot 5, the ‘barn’ lot, was Mr. Couture’s current residence. The building envelope
95 has been reduced.
96 • The previous Lots 5, 6 and 7 were now Lot 5.
97 • A density issue was eliminated.
98

99 PLANNING COMMISSION QUESTIONS/COMMENTS

100 Mr. McDonald stated that the application was still a major subdivision at the Preliminary
101 Review level.
102

103 Ms. Illick asked what the gradient was for the ‘steep’ slope, and if there was a storm
104 water management plan to keep water from flowing down off the site.
105

106 Ms. McCrumb asked if water well noted on the site map would be used. Mr. Couture said
107 that it was an unused old cistern.
108

109 Mr. Couture pointed out that a proposed utility easement would follow the Lot 4 property
110 line. The current open space agreement would need to be modified to include the re-
111 aligned lots. The open space area would remain the same and the location would not
112 change, said Mr. Couture.
113

114 Ms. McCrumb noted that the trail easement would need to be amended as per the Town
115 Administrator’s written comments.
116

117 In response to questions, Mr. Couture said that Lot 2 was now 5.01 acres, 2.3 acres would
118 be added to Lot 1 (Tom and Nancy Smith’s lot) as a boundary adjustment, Lot 3 would
119 change from 7.2 acres to 14.94 acres with a building envelope near the road, Lot 4 would
120 be 1.52 acres, and Lot 5 would have 2.35 acres.
121

122 There was discussion regarding areas of high public value, such as Kimball Brook and
123 wetlands in relationship to a trail easement; farming uses across Lots 1 and 3 by the
124 Smith’s; and a 6’ wide trail easement on Lot 4 that continued across Lot 3 where the trail
125 could be located within a 100’ wide area along State Park Road. Water quality and
126 stormwater management were discussed for Lot 4 as a foundation drain easement was
127 included on the draft plan.
128

129 Mr. (Michael) Russell, Trails Committee member, said that the trail easement across Lot
130 3 was 20’ in width versus 6’. It was a wet area and leeway was needed to locate a trail.
131 The Trail Committee was currently seeking grant funding for design and construction of
132 the trail, said Mr. Russell.
133

134 Mr. McDonald reviewed the following items:

- 135 • An update of the site map footnotes regarding a trail easement across Lot 4 as a 5-
136 6’ width and a 20’ width within a 100’ wide area across Lot 3.
137 • Add driveway access to the lots on the site map.

- 138 • Clarify design and language for a storm water management plan.

139

140 Ms. McCrumb suggested that Mr. Couture contact an engineer/consultant and the state
141 regarding storm water management plan. Mr. McDonald said that some language would
142 be included in the Planning Commission's letter to the applicant.

143

144 **MOTION by Mr. Joslin, seconded by Mr. Landler, to close the hearing regarding**
145 **PC-15-14 Preliminary Plan Application for Jonathan Couture for a Major**
146 **Subdivision Amendment at Vineyard View (Lots 1-5).**

147 **VOTE: 5 ayes, 2 absent (Mr. Pughe, Ms. Stearns); motion carried.**

148

149 **CHARLOTTE FERRY ROAD SOLAR, LLC 500KW GROUP NET METERING**
150 **PROJECT DISCUSSION.**

151 Andrew Thomas, Charlotte Ferry Road Solar, LLC representative, appeared on behalf of
152 the project.

153

154 STAFF NOTES

155 Mr. McDonald noted that a site visit was conducted at 6:15 p.m. this date.

156

157 APPLICANT COMMENTS

158 Mr. Thomas explained that a 45 warning notice for a proposed 500kW Group Net
159 Metering project was sent out. The application would be submitted to the Public Service
160 Board (PSB) for a July 21 hearing date. The applicant was seeking comments and
161 feedback prior to submitting the application to the PSB, said Mr. Thomas.

162

163 Mr. Thomas reviewed the following:

- 164 • A new utility pole was proposed between two existing poles on Ferry Road.
- 165 • The setback from the edge of Ferry Road would be as far south as possible at 125-
166 130'.
- 167 • The side yard setback would be 50', and a 50' setback at the west side pinch point
168 and 50+' elsewhere along the west side.
- 169 • No changes were proposed to the existing structures.
- 170 • There would be no equipment in any sheds, or structures. All equipment would be
171 mounted on poles. The arrays were a fixed rack assembly of galvanized steel,
172 with posts driven into the ground.
- 173 • An access road would be located on the south end of the existing parking lot with
174 a gate to allow mowing equipment to enter. Mowing was the primary
175 maintenance. The applicant would be agreeable to utilizing sheep for grazing.
- 176 • The installation would be entirely fenced.

177

178 PLANNING COMMISSION QUESTIONS/COMMENTS

179 Mr. Landler asked if there were gravel drives between the array rows. Mr. Thomas
180 replied no. The grounds would be mowed as routine maintenance. Any 'by hand'
181 maintenance would be addressed, said Mr. Thomas.

182

183 Mr. Thomas explained that the maximum pole height was 9'. Power generated by the
184 arrays would be carried underground to a termination point at a new pole on Ferry Road.
185 Green Mountain Power (GMP) would maintain any GMP equipment in the Ferry Road
186 right-of-way. Power from the array to the pole would be undergrounded, reiterated Mr.
187 Thomas.

188

189 Ms. Illick asked if the southerly view shed would have a new buffer. Mr. Thomas replied
190 no. There were trees that existed to the south, east and west. A full application would
191 have an aesthetic plan that would include screening on the north, said Mr. Thomas.

192

193 Mr. McDonald asked if the applicant was open to a screening or landscaping plan on the
194 north.

195

196 Ms. McCrumb handed out copies of written concerns expressed by adjoining neighbors
197 to the proposed project. The Bill Lockwood parcel was located to the west and wrapped
198 around on the south.

199

200 Ms. Frost, easterly neighbor from across the railroad tracks, asked if there were any
201 sounds associated with the project. Mr. Thomas explained that a sound study was
202 required in the PSB process. The study would include dB levels - how loud any sounds
203 would be to the closest neighbors. There would be 17 string inverters mounted on the
204 back of the panels, which would produce little or no noise. The most noise might be a
205 small buzz on a bright sunny day when the most power would be generated, explained
206 Mr. Thomas.

207

208 Mr. Frost asked if a sound barrier behind the inverters could be installed. Mr. Thomas
209 replied yes, if necessary.

210

211 Ms. Illick asked if there was a vegetation plan to buffer the north and south sides of he
212 project. The east and west sides were already vegetated. Willows on the south side would
213 get big. A simple hedge that grew no more than 8'-9' high around the installation fence
214 would be better, suggested Ms. Illick. Mr. Thomas said that the applicant would consider
215 a hedge.

216

217 Mr. McDonald asked if the applicant would provide a simulation of view shed impacts
218 west toward Lake Champlain down Ferry Road before the PSB hearing.

219

220 Ms. Illick noted that the applicant should be mindful of the back 40 acres, which were not
221 yet built out.

222

223 Mr. Beldock said that screened renewable energy projects were better then projects such
224 as the General Dollar store being built in the Vergennes Route 7 historic view corridor,
225 and looked better then the VELCO power lines.

226

227 There were no further questions.

228

229 Mr. Thomas summarized requested information on the following:

- 230 • Aesthetic impacts on Ferry road driving west toward Lake Champlain.
231 • Noise study.
232 • A landscaping or screening plan.

233

234 Mr. Thomas said that noise modeling would be submitted to the Town as soon as it was
235 done. A report may not be completed by 07/21/2015, said Mr. Thomas.

236

237 **CONTINUATION OF PC-15-12 FINAL PLAN HEARING FOR SCOTT HARDY**
238 **FOR A MINOR SUBDIVISION AT 197 MUTTON HILL (APPLICANT HAS**
239 **REQUESTED A CONTINUANCE UNTIL 7/16/2015, AT 7:05 PM)**

240 **MOTION by Ms. Illick, seconded by Mr. Bouchard, to continue PC-15-12, Final**
241 **Plan hearing for Scott Hardy for a Minor Subdivision at 197 Mutton Hill, to July**
242 **16, 2015, at 7:05 p.m. as requested.**

243 **VOTE: 5 ayes, 2 absent (Mr. Pughe, Ms. Stearns); motion carried.**

244

245 **DRAFT ENERGY SECTION/SITING STANDARDS WORK SESSION**

246

247 **ADJOURNMENT**

248 The meeting was adjourned at

249

250 Minutes respectfully submitted, Kathlyn L. Furr, Recording Secretary.

251

252

253