

Charlotte Planning Commission Minutes from Oct. 16th, 2014

Members Present: Gerald Bouchard, Peter Joslin, Paul Landler, Linda Radimer, Marty Illick, Donna Stearns, Jeffrey McDonald.

Staff present: Jeannine McCrumb, Town Planner/Zoning Administrator & Freeda Powers, Recording Secretary.

Others Present: Enrique Corredera, Lee Ann Cox, Sarah Thompson, Jeff Parsons, Trina Bianchi, Steven Smith, Ben Avery, Alex Wolf, Zeb Martin, Dave Marshall, Kate Barnes, Jim Wells, John Quincy, Sara Shays, Sue Moraska, Roel Boumans, Linda Hamilton, Larry Hamilton, Eunice Froeliger, Lisa & John Hauenstein, Tai Dinnan, Evan Webster, Terry Dinnan, Ken Ruddy.

Peter J. chaired the meeting, which was called to order at 7:04pm.

There were no public comments for non-agenda items.

Minutes of 10/2/14: The following changes/edits were made to the minutes of October 2nd: Line 104 add *be* to end of line. Line 105 change *build* to *built*. Line 119 add *to* after *related*. Line 197 change *specific* to *specifically*. Lines 199 & 200 change to read *A site visit may be precluded by whether or not it has the acreage*. Line 241 add *are* after *and*. Marty I. made a motion to approve the minutes of 10/2/14 as amended. Peter J. seconded the motion. The Commission voted 6-0; Jeffrey M. abstained.

The Commission briefly discussed the draft letter for Jonathan Couture's proposed subdivision. The Commission was in unanimous consent of the submitted letter.

PC-14-19 Black Rock: The Commission reported their comments and observations from a recent site visit to the location. Present at the site visit were: Gerald Bouchard, Peter Joslin, Paul Landler, Linda Radimer, Marty Illick, Donna Stearns.

Linda R. said she was struck by the measurements of the proposed road, the size and placement of the proposed lots, the number of trees that would be cut and the corresponding erosion impact especially on the existing detention pond.

Gerald B. noted a good deal of buckthorn and honeysuckle in the area which he said would be nice to see eradicated, but he said ultimately, he has a hard time envisioning this proposed project at the site.

Donna S. said she has questions regarding drainage to the catch ponds and the potential impact to adjacent properties.

Marty I. said she is not confident that the storm water regulations will help us enough as inundation issues are likely in that area. Encroachment into wildlife habitat area is also a concern for her as the core forest has significant encroachment in this proposal which in her view is simply not okay. She would encourage the applicants to consider placing the homes more to the edge of the forest which would be a better design in her view.

Paul L. said when viewed in the context of the larger town, this project offers quite an undesirable development plan which amounts to a large cluster of homes in the middle of a rural, undeveloped area.

He said the applicants' use of our PDR rules actually acts to diminish the open space in his view. What counts, ultimately, he said, is how the land use regulations apply.

Peter J. said he was struck by the "loop" design of the drive and wondered why this design was chosen by the applicant. Also, he noted the development is fairly dense and for him it was difficult to get a total picture. Lots 8&9 in this proposal are set off by themselves. He feels a need to further discuss details of this plan and the environmental report submitted by Jeff Parsons.

Sara Shays spoke from the audience, saying she is an adjacent landowner and she also attended the site visit for this project. She invited the Commission to come to her property to view the proposed site from her location which she says will give them a better idea of the layout and the larger picture. She said she has counted over 19 trees that she believes would be cut for this project. She has concerns with the impact this will have in regards to water flow, erosion and potential flooding which could negatively impact her land and her ability to grow hay. She said from her viewing of the site, the septic area is very low; she feels it is not an ideal location for this number of homes. Additionally, she voiced concerns with the impact of this project on wildlife habitat.

Roel B. spoke from the audience, saying he is with Bob Hyams from the Conservation Commission in feeling that this project represents a risk to the LaPlatte and increases the potential for flooding. The housing portion is in an important part of forestland, also part of a core wildlife corridor. As a member of the Conservation Commission, he said, we feel that this project is not a good idea.

Enrique C. spoke from the audience, as a resident on Spear Street, he said he appreciates the Commission doing a site visit. He is concerned with the proposed road width and said vehicle/traffic impacts would be immediate and direct. Also, he said, across the wetland, the fill necessary is a concern in regards to the impact to potential flooding of the roadway. He has a short video he would like to show for the Commission and those present which demonstrates the water flow in that area. Also, he said, it is hard to imagine how the proposed houses would look further up into the forest. He has concerns with the visual impact of the development as well. He has a letter to submit to the Commission and requests that it be entered into the record.

Jeannine McCrumb acknowledged receipt of the written submission and said there have been several other written submissions as well and all will be entered into the official record.

Jeff Parsons, a consultant who completed an environmental report and habitat assessment for the Town, summarized the report for those present. He identified three areas of importance here: Forested area, drainage area and wetland areas were all noted. Core habitat, Connectivity, Rare Features & Species and other aspects of the natural habitat found on this site were all looked at in his report. The findings were: several bird species, gray fox, and other species were noted as being present in this location however, none that are in the Highest Priority category from the State's Priority Species of Concern list. The primary issue is core wildlife habitat; 5 of the 9 homes in this proposal are in core wildlife habitat and a 6th will require edge clearing. The Commission viewed a site map with core wildlife habitat and proposed house sites shown.

It was noted that the area is potential bobcat habitat and that the forest is part of the 5th largest undeveloped forested block in Charlotte. Jeff Parsons cautioned against incremental development into these areas/forest blocks. He said connectivity is important to maintain and this project greatly diminishes that connectivity.

Marty I. noted the importance of linkage corridors as well in terms of the larger area.

Ben Avery, applicant, noted that the western corridor opens to open fields and homes to the south. There was some discussion regarding what is considered good cover for animal movement in regards to the two main corridors in this area.

Trina Bianchi, an adjacent landowner, spoke from the audience, asking Jeff Parsons where he would suggest development take place. Jeff P. said he would recommend development take place along Spear Street.

** spoke from the audience, asking how long it takes wildlife to adjust to new development? Jeff P. said that varies based on a variety of factors.

The applicant said they have aimed in this project to keep the development to the west of the densely forested area and reminded those present that the site is constrained due to existing wetlands, ag land and forest areas.

Robert Silverstein spoke from the audience, saying he can personally attest to wildlife use of the corridor to the west.

Larry H. spoke from the audience, saying in reference to the 100 meter zone of influence that the state recommends, the WWC suggests 200 meters as the zone of influence. Also, he said, tracking is a weak tool to establish wildlife presence. Instead, he suggests, the existence of appropriate habitat will establish the presence of wildlife in an area.

Jeannine McCrumb acknowledged submittals from the following parties: Tina Sharff, Lee Ann Cox & Enrique Corredera, Bob Hyams and Roel Boehmans from the Conservation Commission, Dave Quickel, Linda Hamilton, Janet & Gary Landrigan.

Sarah Thompson & Trina Bianchi presented a series of slides which shared their ideas on the application as it relates to the Town Plan. They suggest that the forested area should be protected. Development should be on Spear Street to match existing development patterns. They voiced concern with the projects' threat to the existing wetlands. This project is proposed within a portion of a larger, 303 acre contiguous tract of forest. Songbirds, fox, bobcat, deer and others animals have been evidenced in the area by use of trail cameras which demonstrates an abundance of wildlife. They said that Spear Street has been designated as a scenic road and that Dorset Street is an area of noteworthy wildlife value. They voiced concern with the projects' compatibility with the existing agricultural operations in the area. They feel that the proposed design, as shown on the applicants' website, is also not compatible with the existing development.

Marty I. made a motion to continue the application to 11/6/14. Donna S. seconded the motion. Peter J. said the Board needs to consider the application in terms of the Land Use Regulations and what the land

can handle/sustain. Ben Avery said they are open to that discussion. The Commission voted 7-0 in favor of the continuance.

PC-14-23 Hauenstein: The applicants presented this application, which seeks approval for a Final Plat for a Subdivision. The applicant described the 30 acre lot which they would like to subdivide, putting the existing barn and 15 acres on one lot and the existing house and 15 acres on a second lot. The applicant described future plans for a solar array and a barn restoration project to take place with funds from a state grant.

Jeffrey M. encouraged the applicant to identify the building envelope on the plat for the lot with the barn. The applicant said the barn footprint would be the building envelope.

Marty I. was curious about the solar array and the potential use of that land going forward. The applicant said solar arrays are generally looked at in 20yr terms and added that having them would not preclude having animals there as well. The applicant said the solar arrays will be screened from Spear Street.

Regarding staff comments about the density, Jeffrey M. suggested a density table for the site be added to the plat.

Marty I. made a motion to close the public hearing. Paul L. seconded the motion. The Commission voted 7-0.

PC-14-24 Webster / Dinnan: Marty I. recused herself from this application. The applicants described their application for a minor amendment to change the location of a shared driveway. The existing driveway enters Spear Street at an unsafe angle and grade. The curb cut will remain the same. The new grade will be safer, the applicants approximate it will be 8-9.5%.

Peter J. made a motion to close the public hearing. Donna S. seconded the motion. The Commission voted 6-0.

Linda R. made a motion to enter deliberative session at 8:54p.m. Peter J. seconded the motion.

The Commission came out of deliberative session at 9:25 pm.

Motion by Joslin, seconded by Stearns to approve the Webster / Dinnan request to move the right-of-way as presented in application PC-14-24. Vote: 6-0 in favor, Illick abstained.

Motion by Landler, second by Radimer to adjourn the meeting. Vote: 7-0 in favor. Meeting was adjourned at 9:27pm.