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**TOWN OF CHARLOTTE
PLANNING COMMISSION
DECEMBER 4, 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; Peter Joslin, Gerald Bouchard, Linda Radimer, Marty Illick. **ABSENT:** Donna Stearns, Paul Landler.

ADMINISTRATION: Jeannine McCrumb, Town Planner/Zoning Administrator.

OTHERS: Thomas Larson, Kristine Larson, Kristopher Larson, Sarah Larson, and Scott Hardy.

AGENDA ITEMS:

- **7:15 PM Continuation of PC-14-19, BlackRock Construction application was deferred to a future date (1/15/15) due to a request by the applicant.**
- **7:45 PM PC-14-28 Thomas and Kristine Larson: Final Minor Subdivision Application for a 2-lot Subdivision at 1007 Lake Road.**
- **8:15 PM PC-14-25 Scott Hardy: Final Minor Subdivision Application for a 3-Lot Planned Residential Development at 768 and 783 Mt. Philo Rd.**

CALL TO ORDER

Mr. McDonald, Chair, called the meeting to order at 7:11 p.m.

APPROVE REGULAR AGENDA AND CONSENT AGENDA

The agenda was approved with the following additions:

- Replace Zoning Amendment discussion with Town Plan discussion
- Deliberative Session

Consent Agenda: none.

PUBLIC COMMENT

None.

MINUTES: November 20, 2014

MOTION by Ms. Illick, seconded by Mr. Bouchard, to approve the Planning Commission minutes of November 20, 2014, as written, with the following edits:

- **Page 3, line 115 – replace the words “10 acre barn lot” with “entire parcel”; line 118 – replace the words “wanted to” with “could”; line 126 insert the word “house” between “barn” and “lots”;**
- **Page 4, line 139 – insert the words “side yard setback” between “barn” and “area”; line 156 – replace the word “language” with “approach”;**
- **Page 5, lines 206-208 – delete paragraph;**
- **Page 9, line 389 – change to read: “...would be regarding parking spaces.”**

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

48

49 **TOWN PLAN – discussion**

50 Ms. McCrumb handed out copies of an organizational spread sheet regarding e-mailed
51 public comments received in response to proposed Town Plan revisions for Planning
52 Commission review. A Planning Commission meeting scheduled for December 18, 2015
53 would concentrate on four draft Town Plan chapters: Introduction, Vision, Demographics
54 and Housing, and Natural Resources, said Ms. McCrumb.

55

56 **PC-14-28 THOMAS AND KRISTINE LARSON: FINAL MINOR SUBDIVISION**
57 **APPLICATION FOR A 2-LOT SUBDIVISION AT 1007 LAKE ROAD.**

58 Thomas Larson and Kristine Larson, owners and applicants, and Kristopher Larson and
59 Sarah Larson, appeared on behalf of the application.

60

61 **STAFF NOTES**

62 Mr. McDonald reviewed staff notes.

63

64 **APPLICANT COMMENTS**

65 Mr. (Kristopher) Larson reviewed that the application was for a minor subdivision to
66 create a 2.67 acre lot from his father's 80 acre property. The engineering has been done
67 for a water well and waste water septic system, said Mr. Larson.

68

69 **PLANNING COMMISSION QUESTIONS/COMMENTS**

70 Mr. Joslin asked if a shared driveway would be considered as previously discussed. Mr.
71 (Kristopher) Larson replied no. Septic soils were located where a driveway could connect
72 with his father's existing driveway, said Mr. Larson.

73

74 Mr. (Kristopher) Larson pointed out his father's existing driveway, a proposed driveway
75 to the 2.67 acre lot, and a septic area on the site map.

76

77 Mr. Joslin asked what the sight distances were from the corner to the north. Ms.
78 McCrumb said that the applicant had secured a Highway Access Permit from the
79 Selectboard, and the Charlotte Road Commissioner has reviewed the sight distances as
80 well.

81

82 Ms. McCrumb noted that the proposed house site was located close to a ravine and
83 seasonal wet area. There were clay soils there and she had suggested to the applicant that
84 they move the house site back from that area, said Ms. McCrumb.

85

86 Mr. (Kristopher) Larson said that the wet area was seasonal spring runoff. Steve Revell
87 was working on drainage on the agricultural land and would look at the ravine. The
88 drainage off the field went into the ravine. Would it be possible to put in drainage pipe
89 and fill in the ravine, asked Mr. Larson.

90

91 Mr. (Thomas) Larson pointed out a 12" culvert that went under the road in that area. It
92 had been there a long time. The Road Commissioner did some work on the culvert a few
93 years ago, said Mr. Larson.

94

95 Mr. (Kristopher) Larson explained that he had talked to the engineer about putting the
96 house closer to the septic. The engineer had moved the house site further away. He was
97 not opposed to moving the site toward the septic. He would talk with Steve Revell. There
98 were the 50' setbacks to consider, said Mr. Larson.

99

100 Mr. McDonald said that a building envelope should be defined on the site map. There
101 was some flexibility regarding 50' setbacks since the application was for a PRD. Was this
102 the first subdivision of the parcel, asked Mr. McDonald. Ms. McCrumb replied yes.

103

104 Mr. Joslin suggested defining an open space at this time.

105

106 Mr. Bouchard asked why the house site couldn't be pulled closer to the septic area. Ms.
107 McCrumb replied that there were isolation regulations regarding space between a mound
108 system, leach field and a house foundation. She would ask for clarification on that, said
109 Ms. McCrumb.

110

111 Mr. McDonald said that historically the Planning Commission has deferred open space
112 requirements for a first subdivision. Open space was 50 percent or more and could be
113 combined across lots. Mr. McDonald asked if there was any further discussion regarding
114 open space.

115

116 Ms. McCrumb pointed out that Thomas and Kristine Larson's lot had an existing house
117 and a building envelope was not needed.

118

119 There was discussion regarding a stream and wetlands on the Larson land that had high
120 public value; future planning that could include clustering homes, how to protect wildlife
121 habitat and leave areas open if the applicant might want to develop later; consider some
122 form of selling density of the parcel to someone else, or discuss conservation with the
123 Land Trust; and to consider the southern half of the parcel and stream area for open
124 space. Mr. (Kristopher) Larson stated that there were no further plans to develop the
125 property.

126

127 Ms. (Kristine) Larson asked if the Planning Commission was suggesting that there should
128 be a future plan in place before the commission would approve this application. Mr.
129 Joslin said that in the future should the applicant decide to carve off another 5 acre lot
130 there should be a plan in place. Mr. (Thomas) Larson said that his plan was to work the
131 wood lot. The forest would stay in Current Use for forestry, stated Mr. Larson.

132

133 Mr. Joslin asked what the field topography was like. Mr. (Thomas) Larson replied that it
134 was flat and had been fenced in for beef. Currently it was hayed, said Mr. Larson.

135

136 Ms. (Kristine) Larson said that they would need to discuss the idea of open space as a
137 family. This application has taken time to plan and there were costs associated with it,
138 said Ms. Larson.

139

140 Ms. (Sarah) Larson pointed out that there were engineering costs as well. During the first
141 hearing there was talk about a public easement across the parcel to the beach. The family
142 was not comfortable with that, said Ms. Larson.

143

144 Mr. McDonald summarized the following:

- 145 • That a deferral of open space would be written into the record.
- 146 • Draw a building envelope on the site map in the northwest corner of the 2.67 acre
147 lot.
- 148 • Designate a 1 acre building envelope, which could be done administratively with
149 the Zoning Administrator.

150

151 **MOTION by Mr. Joslin, seconded by Ms. Radimer, to close the hearing regarding**
152 **PC-14-28, Thomas and Kristine Larson, for a 2-lot Minor Subdivision application**
153 **located at 1007 Lake Road.**

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

155

156 **PC-14-25 SCOTT HARDY: FINAL MINOR SUBDIVISION APPLICATION FOR**
157 **A 3-LOT PLANNED RESIDENTIAL DEVELOPMENT AT 768 AND 783 MT.**
158 **PHILO RD.**

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

160

161 STAFF NOTES

162 Mr. McDonald reviewed staff notes.

163

164 APPLICANT COMMENTS

165 Mr. Hardy handed out copies of a revised site map for Planning Commission review, and
166 explained that the well shield had been moved off the Mansfield property. The wetlands
167 on the two proposed barn lots were defined on the site map and a building envelope on
168 Lot 3 was moved. One foot of the new building envelope on Lot 3 encroached into the
169 existing barn. Whoever purchased the lot had the option to locate a house site within the
170 building envelope, explained Mr. Hardy.

171

172 Mr. Hardy said that he was looking at rehabbing the barn as a personal residence.

173

174 PLANNING COMMISSION QUESTIONS/COMMENTS

175 Mr. McDonald asked if a wetland buffer was delineated. Ms. McCrumb replied yes. It
176 was a Class II wetland. The limit of the wetland has been identified and a 50' buffer
177 would come off that, clarified Ms. McCrumb.

178

179 Mr. McDonald asked if the applicant was proposing more than 50 percent open space on
180 Lots 2 and 3.

181

182 Ms. Illick suggested that the wetland shouldn't be called agricultural land.

183

184 Mr. Joslin recalled that the Historical Preservation group had suggested clustering the
185 two houses around the barn in a 'farm stead' configuration. The home locations should be
186 defined, said Mr. Joslin. Mr. Hardy explained that a house could be sited behind the barn,
187 or connected to the barn. He wanted some flexibility, said Mr. Hardy.

188

189 Ms. Radimer suggested reducing the size of the building envelope and bringing it closer
190 to the barn. There was no problem with a house behind the barn, said Ms. Radimer.

191

192 Mr. McDonald drew proposed open space across Lots 2 and 3 on the revised site map and
193 two building envelopes that were reduced in size and closer to the barn. The agricultural
194 use was not impacted by open space, stated Mr. McDonald.

195

196 Mr. Joslin asked for details regarding access to the lots. Mr. Hardy replied that a second
197 access was noted on the site map, and was pending Selectboard approval.

198

199 Mr. Hardy asked if the existing shed by the road could be used as a farm stand. Ms.
200 McCrumb explained that an agricultural use of the property was defined as 51 percent of
201 produce coming from the property.

202

203 Mr. Hardy asked if someone who purchased a lot and wanted to move the building
204 envelope. Mr. McDonald said that the lot owner would need to come back before the
205 Planning Commission. The suggestion would be added to the written Decision. The
206 current configuration gives a clustered effect.

207

208 Ms. McCrumb said that a note waiving the barn setbacks would be added.

209

210 **MOTION by Mr. Joslin, seconded by Ms. Radimer, to close the hearing regarding**
211 **PC-14-25, Scott Hardy, for a Minor Subdivision for a 3-lot Planned Residential**
212 **Development, located at 768 and 783 Mt. Philo Road.**

213 **DISCUSSION:**

214 **Mr. Hardy asked if the setbacks were flexible due to the PRD. Ms. McCrumb**
215 **replied yes.**

216

217 **Mr. McDonald clarified that the side yard setback for Lot 3 was reduced to 15' and**
218 **25' on Lot 2.**

219

220 **Ms. Illick suggested crafting custom language in an open space agreement that**
221 **defined what high public values were being protected, and to reflect that language in**
222 **the Decision.**

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

224

225 **DELIBERATIVE SESSION**

226 **MOTION by Ms. Illick, seconded by Mr. Joslin, to enter Deliberative Session.**

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

228

229 The Planning Commission entered Deliberative Session at 8:45 p.m.

230

231 **MOTION by Ms. Illick, seconded by Mr. Bouchard, to exit Deliberative Session and**
232 **adjourn the regular meeting**

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

234

235 The Planning Commission adjourned Deliberative Session at 9:10 p.m.

236

237 **ADJOURNMENT**

238 The meeting was adjourned at 9:10 p.m.

239

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

241

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