

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47

**TOWN OF CHARLOTTE
PLANNING COMMISSION
MARCH 17, 2016**

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, Charles Pughe, David Kenyon, Marty Illick.

ADMINISTRATION: Jeannine McCrumb, Town Planner/Zoning Administrator.

OTHERS: Jen Whalen, T J Whalen, Marvin Fishman, Jeff Oleski, Dan Morris.

SITE VISIT: 6:00 p.m. 700 Mount Philo Road, Dan Morris.

SITE VISIT: 6:30 p.m. 794 Stockbridge Road, Marilyn Holmberg.

AGENDA ITEMS:

- 16-26-SK Sketch Plan meeting for James Mansfield, Lisa Gere, Lance Mansfield, Lynn Mansfield, and Randi McCuin for a Minor Subdivision Amendment at 700 Mount Philo Road. The applicant is proposing development on the previously 'deferred' Lot 1 (44.6 acres).
- 16-28-SK Sketch Plan meeting for Marilyn Holmberg for a Minor 2-lot Subdivision at 794 Stockbridge Road.

CALL TO ORDER

Mr. McDonald, Chair, called the meeting to order at 7:14 p.m.

APPROVAL OF REGULAR AGENDA/CONSENT AGENDA

Regular agenda approved as presented.

Consent Agenda: none.

PUBLIC COMMENT

None.

MINUTES: 03/07/2016

MOTION by Mr. Joslin, seconded by Mr. Bouchard, to approve the Planning Commission minutes of 03/07/2016 as written, with edits.

VOTE: 6 ayes; motion carried.

16-26-SK SKETCH PLAN MEETING FOR JAMES MANSFIELD, LISA GERE, LANCE MANSFIELD, LYNN MANSFIELD, AND RANDI McCUIN FOR A MINOR SUBDIVISION AMENDMENT AT 700 MOUNT PHILO ROAD. THE APPLICANT IS PROPOSING DEVELOPMENT ON THE PREVIOUSLY 'DEFERRED' LOT 1 (44.6 ACRES).

Dan Morris, potential buyer, appeared on behalf of the application.

48

49 STAFF NOTES

50 Mr. McDonald reviewed staff notes.

51

52 APPLICANT COMMENTS

53 Mr. Morris handed out 3 pages of colored ortho-maps of the 44.6 acre Lot 1 for Planning
54 Commission review.

55

56 Mr. Morris explained a proposal to build a single story house with one bedroom over the
57 garage on a 4 acre building envelope for his family. During the site visit he said that he
58 had no plans to subdivide the open field on the north side of the existing farm house,
59 although he might want to develop further at some future time. He was working with the
60 Vermont Land Trust to conserve part of the property. The fields, west slope of the
61 wooded area and former pasture could be seen from Mt Philo Road. The wooded area
62 was the oldest forest growth and was important. A section of the former pasture is the
63 best part to build on as shown on the ortho-map. A driveway would come from Mt Philo
64 Road and along a hedgerow to the proposed house site. The driveway would stay out of
65 the open agricultural field as much as possible. He would need to clear some trees for the
66 driveway. There few big trees in the center of the former pasture would be left there. He
67 may want to reclaim the pasture, said Mr. Morris.

68

69 Mr. Morris pointed to a proposed 4 acre building envelope outlined in yellow that could
70 be shifted 100' to the north. Septic soils were identified on the west slope. He would cut
71 as few trees to the septic as possible. The engineering firm had walked the entire area to
72 identify the best soils, said Mr. Morris.

73

74 SITE VISIT:

75 Ms. Illick reported that the attending Planning Commission members had walked the
76 property. The forested area was young growth with interesting hardwoods that should be
77 looked at critically. She walked about 30' into the forest. Nordic Holstein's adjoining
78 land is conserved except for two house lots he retained. The Town looks for forest
79 connectivity in addition to forest, said Ms. Illick.

80

81 Ms. Illick noted that the strongest forest values were to the north-south. There is a nearby
82 stream corridor on the western side of the hill. Ms. Illick questioned the need for a 4 acre
83 building envelope.

84

85 Mr. Morris explained that the large building envelope would allow him to build a barn, or
86 guest house somewhere within the 4 acre building envelope at some future point.

87

88 PLANNING COMMISSION COMMENTS/QUESTIONS

89 Mr. McDonald pointed out that there was a deferred open space on this lot from a
90 previous subdivision by the Mansfield's.

91

92 Ms. McCrumb explained the function of an open space agreement. There were a few wet
93 areas in the woods that the applicant should have reviewed to ensure the building envelope
94 does not include regulated wetlands.

95

96 Mr. Pughe asked how much clearing would need to be done to get to the septic site. Mr.
97 Morris replied that he didn't know at this time. A mound system might be needed. It
98 could go somewhere on the west slope since there were good septic soils on that entire
99 hillside, said Mr. Morris.

100

101 PUBLIC COMMENTS

102 Mr. Whalen, adjoining neighbor on Lime Kiln Road, said that it was a reasonable
103 development plan; however, he would point out that the west slope of the hill could be
104 seen from Route 7 looking toward Mt Philo as discussed at the site visit. The applicant
105 should have a documented management plan to protect the view shed. Lime Kiln Road
106 has a Scenic Road designation, said Mr. Whalen.

107

108 Mr. Kenyon asked if the proposed garage would be entered straight on from the
109 driveway. Mr. Morris replied yes.

110

111 Mr. McDonald reviewed that when the Mansfields split off their 5 acre lot with the
112 existing farm house in 2009 the open fields were still actively farmed. If the applicant
113 was planning future lots he could do a PRD and cluster the homes to keep the fields open,
114 suggested Mr. McDonald.

115

116 There was brief discussion regarding the Mansfield's 5 acre lot that was carved out of the
117 middle of the open field; a suggestion by Mr. McDonald that the Mansfield lot could be a
118 farm cluster; and the deferred open space from the 2009 subdivision. Mr. Morris said he
119 was not concerned regarding the open space since he wanted to use the property for
120 walking, cross country skiing, etc.

121

122 Ms. McCrumb noted that she would check on the status of the Current Use agreement on
123 the property, which involves a management plan.

124

125 **MOTION by Mr. Joslin, seconded by Mr. Bouchard, to classify, 16-26-SK, Sketch**
126 **Plan application for James Mansfield, Lisa Gere, Lance Mansfield, Lynn Mansfield,**
127 **and Randi McCuin, as a Minor Subdivision Amendment, property located at 700**
128 **Mount Philo Road, for a proposed development on the previously 'deferred' Lot 1**
129 **(44.6 acres).**

130 **VOTE: 6 ayes; motion carried.**

131

132 TASKS:

- 133 • Town Planner to follow up on more detailed development plan
- 134 • Applicant to provide a septic design
- 135 • Draft an Open Space Agreement
- 136 • Staff to research the status of Current Use Agreement
- 137 • Move the driveway location so that it did not disturb the hedgerow root systems

- 138 • A new highway access was needed.

139

140 **16-28-SK SKETCH PLAN MEETING FOR MARILYN HOLMBERG FOR A**
141 **MINOR 2-LOT SUBDIVISION AT 794 STOCKBRIDGE ROAD.**

142 Mr. McDonald recused himself due to a conflict of interest as a resident of the
143 Stockbridge subdivision.

144

145 Jeff Oleski, engineer, appeared on behalf of the application.

146

147 **STAFF NOTES**

148 Mr. Joslin, Acting Chair, reviewed staff notes. A site visit was conducted at the subject
149 property this date, noted Mr. Joslin.

150

151 **APPLICANT COMMENTS**

152 Mr. Oleski reviewed a proposal to subdivide an existing 17 acres as follows:

153

- Lot 1 of 10.6 acres with an existing 5 bedroom house, which has on-site septic.

154

- Lot 2 of 6.3 acres. A new 3 bedroom residential house with on-site septic is proposed.

155

- There was a 60' right-of-way driveway.

156

- Subdivision line ran north-south.

157

- Lot 2 would be accessed by a 60' wide easement to a proposed house site.

158

- The proposed driveway would utilize existing open areas on the western side to minimize clearing.

159

- There was a central wooded area.

160

- An existing septic system that serviced four existing Stockbridge houses was located in a small one-quarter acre clearing to the south.

161

162 **PLANNING COMMISSION COMMENTS/QUESTIONS**

163 Mr. Pughe asked if a berm or landscaping could be installed at the driveway turn to
164 minimize shining car headlights into the existing Thayer house.

165

166 **PUBLIC COMMENTS**

167 Mr. McDonald asked if the Thayers have been contacted regarding the possibility of
168 sharing a driveway and where clearing for a shared driveway could happen. The area
169 included an overgrown pasture as seen during the site visit. The existing septic area was
170 already cleared and a shared driveway off the Holmberg driveway could run around that
171 septic, suggested Mr. McDonald.

172

173 Mr. Oleski said that he had walked along a path on the high ground, which has ledge
174 poking up through the soil. That was the reason the septic system was pushed over a
175 little. There is a drainage way in the middle area as well, so the proposed driveway was
176 designed to avoid that area. The overall amount of clearing was looked at and the
177 proposal is as least intrusive as possible. He could bring up the suggestion to Marilyn,
178 said Mr. Oleski.

179

180

181

182

183 Mr. Joslin asked for clarification regarding the driveway location and possible
184 landscaping to block car headlights from shining into houses. Mr. Oleski said that a
185 heavy landscaping plan could recreate a vegetative buffer. It may take a few years to
186 grow. If the Planning Commission was agreeable, the driveway could encroach 10' into
187 the wooded area. As for a vegetative buffer, there are 3-4 large pines and that was the
188 area to plant vegetation.

189

190 Mr. Oleski pointed to the existing pump station location and large pine trees on a site
191 map.

192

193 Mr. Bouchard asked if the access came off the other driveway would they run into ledge
194 there. Mr. Oleski replied that they have to go through there with a force main to the septic
195 system. It would be more expensive due to the ledge, said Mr. Oleski.

196

197 Mr. McDonald said that this proposed road access was a similar situation to the Hardy
198 application on Mutton Hill Road where the applicant wanted to use an existing right-of-
199 way. The Stockbridge Association owns all the property and maintains the road. There
200 are some residents not in the association that don't contribute to the maintenance costs,
201 but use the right-of-way. He would like the applicant to agree to pay the association fees
202 to help maintain the right-of-way. An easement to access Lot 16 runs across his property
203 and he was not sure that the Lot 16 owner has the right to use it. The issue should be
204 researched, or amend the agreement. Also, an ACT 250 permit would be needed, said Mr.
205 McDonald.

206

207 There was discussion regarding the original Stockbridge subdivision and numbering of
208 the resulting lots; a storm water management permit that the association maintained
209 needed to be renewed; association fees of \$500 per year to cover the road and storm
210 water maintenance costs as well as maintenance of fire ponds; and lots served by the
211 existing septic in the original subdivision.

212

213 Mr. Oleski said that he has reached out to the state regarding ACT 250, and they
214 classified the project as a minor subdivision.

215

216 Mr. McDonald said there may still be some rights in the Holmberg's deed, which says
217 that Lot 16 is exempt from the association. He preferred to have this amended so that Lot
218 16 (Holmberg) and the new lot were now a part of the association.

219

220 **MOTION by Ms. Illick, seconded by Mr. Bouchard, to classify, 16-28-SK, Sketch**
221 **Plan application for Marilyn Holmberg, as a Minor Subdivision, property located at**
222 **794 Stockbridge Road.**

223 **VOTE: 5 ayes, 1 recused (Mr. McDonald); motion carried.**

224

225 **OTHER BUSINESS**

226 H.779 AGRICULTURAL COMMODITIES, PRODUCTS AGRICULTURAL
227 ACCESSORY USES

228 Ms. McCrumb reported on the status of the bill and noted that she had also reached out to
229 Mr. Miskell via e-mail to see if he had heard anything. The bill, as introduced, had not
230 crossed over yet and there was a chance it, or portions of it, may be tagged onto an
231 existing bill.

232

233 **REQUEST FOR AN EXTENSION**

234 Ms. McCrumb reviewed a request for an extension for the Clark Hinsdale III/Congdon
235 Sketch Plan - boundary adjustment application.

236

237 **MOTION by Mr. Joslin, seconded by Mr. Pughe, to approve a 6-month extension**
238 **for the Hinsdale/Congdon Sketch Plan boundary adjustment application, to be done**
239 **administratively.**

240 **VOTE: 6 ayes, motion carried.**

241

242 **UP COMING AGENDA**

243 April 7, 2016, 7:00 p.m. – Douseviz/Mason boundary adjustment and reaffirmation of
244 Bushey Subdivision for purposes of recording plat.

245

246 **ADJOURNMENT**

247 **MOTION by Mr. Joslin, seconded by Mr. Pughe, to adjourn the meeting.**

248 **VOTE: 6 ayes; motion carried.**

249

250 The meeting was adjourned at 8:11 p.m.

251

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

253