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**TOWN OF CHARLOTTE  
PLANNING COMMISSION  
TOWN HALL  
NOVEMBER 3, 2016**

**DRAFT**

**MEMBERS PRESENT:** Jeff McDonald, Chair; Peter Joslin, Gerald Bouchard, Puspa Luitel, David Kenyon, Charlie Pughe (arrived 7:04 p.m.) **ABSENT:** Marty Illick.

**ADMINISTRATION:** Daryl Benoit.

**OTHERS:** Britney Tenney, George McCain, Gunner McCain, Tyler Barnard, Susan Krasnow, Michael Krasnow, Eddie Krasnow, Jane Krasnow, Tom Walsh, Isaiah Kiley, Eric Boyce, John Calcagni, David McNally, Missy Kraus, George Darling, Nancy Calcagni, Larry Sommers.

*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.*

**AGENDA ITEMS:**

- PC-116-137-SD KR Properties, LLC – Major Subdivision Amendment
- Continuation of 2016 Town Plan Review

**CALL TO ORDER**

Mr. McDonald, Chair, called the meeting to order at 7:00 p.m.

**AGENDA**

Approved.

**PUBLIC COMMENTS**

None.

**APPROVAL OF MINUTES: October 20, 2016**

**MOTION** by Mr. Joslin, seconded by Mr. Bouchard, to approve the Planning Commission minutes of October 20, 2016, as written, with edits.

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

**PC-16-137- SD KR PROPERTIES, LLC – MAJOR SUBDIVISION AMENDMENT**

Gunner McCain, George McCain and Britney Tenney, McCain Consulting, Inc., and Michael Krasnow, applicant, appeared on behalf of the application.

**STAFF NOTES**

Mr. McDonald, Chair, reviewed staff notes and explained that the application is at the Preliminary Review level and then would go through Final Review at a future hearing.

Mr. Joslin recused himself.

## 48 APPLICANT COMMENTS

49 Mr. (Michael) Krasnow reviewed a brief history of the purchase of 88 acres of pasture  
50 land consisting of two parcels from the Raymond and Hamel farms 40 years ago and that  
51 three of the Krasnow families live on the land. The application proposed development of  
52 9 lots for estate planning purposes.

53

54 Mr. Krasnow reviewed the following goals:

- 55 • Estate planning
- 56 • To preserve and protect prime agricultural land
- 57 • Minimizing impacts to the environment and abutting neighbors
- 58 • Create a limited plan to develop 9 lots on the 88 acres that stays within the  
59 character of the neighborhood
- 60 • Pre-drill a well to provide adequate water to serve the proposed lots
- 61 • Locate building envelopes that do not block existing neighbors views
- 62 • Preserve a 30 acre meadow for agricultural use with the exception of 1 building  
63 envelop
- 64 • Create a nature corridor with a no buildings allowed
- 65 • Changes made to address Planning Commission concerns identified at the Sketch  
66 Plan Review level that include reduced number of curb cuts from 4 to 2 with one  
67 off One Mile Road and one off the west side of Mt Philo Road
- 68 • Moved Lots 5 and 6 building envelopes north
- 69 • Plant screening at the top of Lot 9 at the top of the woods

70

71 Mr. Krasnow said that the families will continue to live on the existing adjacent  
72 properties.

73

74 Mr. (Gunner) McCain, explained changes made to the site plan to address concerns noted  
75 during the Sketch Plan review. The 30 acre meadow would be preserved and a proposed  
76 house site located at the top corner of the meadow that is far from Mt Philo Road. The  
77 land fronting Mt Philo Road and wrapping around to the State Park would remain as open  
78 land, and a wildlife corridor from State Park and across the property, said Mr. McCain.

79

80 Mr. (Gunner) McCain pointed out wooded land on the site plan, and said that the  
81 Arrowwood Report suggestion that the corridor dumped out into someone's back yard is  
82 not accurate. There is a house and a back yard. The back yard is a small part of this. The  
83 corridor leaves the wooded area and opens up to a broad open area and follows a power  
84 line and would be assessable for animal movement, explained Mr. McCain.

85

86 Mr. (Gunner) McCain explained that one curb cut is proposed off One Mile Road, and  
87 there is an agreement to use one shared driveway to one proposed house and an existing  
88 neighbor. A second curb cut off Mt Philo Road services Lots 9, 8, 7, 6 and 5. A drilled  
89 well location would completely serve the 9-lot development. The well has an estimated  
90 25 gpm flow, said Mr. McCain.

91

92 Mr. (Eddie) Krasnow said that adequate water is an issue in the Mt Philo area. His own  
93 well has a weak flow as are some of the neighboring wells. The Krasnow family doesn't  
94 want to impact those wells. The drilled well hit a deep aquifer, explained Mr. Krasnow.

95

96 Mr. (Gunner) McCain reviewed a shared septic leach field on Lot 5 would serve Lots 2, 3  
97 and 4, and individual leach fields on Lots 1 and 6. The state permits would be applied for.  
98 The building envelopes for Lots 6, 5 and 8 were moved. The building envelopes have  
99 been reduced in size, said Mr. McCain.

100

#### 101 PLANNING COMMISSION QUESTIONS/COMMENTS

102 Mr. McDonald asked for clarification regarding a proposal to enlarge the existing  
103 Krasnow's suggested at the Sketch Plan level. Mr. (Gunner) McCain said that at Sketch  
104 Plan the existing Krasnow lots were originally proposed as expanded lots. A state ACT  
105 250 jurisdictional opinion for a PRD held that "modified lot lines created new lots", and  
106 the Krasnow's decided their lots will not change. The land was absorbed by the newly  
107 created lots. The steepest grade is 10 percent, which is within the Town Road Standards.  
108 The driveway was curved to achieve those grades. No fire ponds are proposed. There is  
109 an existing pond, said Mr. McCain.

110

111 Mr. Pughe asked for clarification of the building lots on the site plan. Mr. McCain  
112 explained that the lot lines are not a part of the project and should have been deleted.

113

#### 114 PUBLIC COMMENTS

115 Mr. Joslin, an adjoining neighbor, asked if the well will serve all the new houses. Mr.  
116 (Gunner) McCain replied yes. An easement for the well would run underground through  
117 Lots 5, 4, 3, and 2 to Lot 1.

118

119 Mr. Joslin said that his well is 1,300' deep and he still has a water issue. Mr. (Gunner)  
120 McCain said that the applicants know that water is a problem and were proactive. A well  
121 has been drilled to prove that there will be an adequate water supply. In addition each  
122 new house must have a water storage system to avoid any water shortages, said Mr.  
123 McCain.

124

125 Mr. McNally, abutting neighbor off One Mile Road, said he has read through the  
126 Planning Commission packet. The Lincoln Applied Geology water survey had suggested  
127 a longer term test. Was that done and is that report available, asked Mr. McNally.

128

129 Mr. McNally said that the leach field for the proposed Lot 2 runs in front of his property.  
130 That area gets flash surface flows in storm events. He has concerns that his well would be  
131 impacted from down stream contaminants, said Mr. McNally. Mr. (Gunner) McCain  
132 replied that the state requires designs to protect wells. The deep water aquifer will not be  
133 impacted by the surface water flows. Shallow wells are different. There should be no  
134 impacts of well failures down hill. The state requires a 100' isolation zone. Lincoln  
135 Applied Geology conducted well testing that is required to show that there is protection  
136 for ground water and that would be done before the project is fully permitted and  
137 approved. The preliminary work has been done, said Mr. McCain.

138

139 Mr. Kiley, East Charlotte resident, expressed concerns regarding wildlife impacts related  
140 to the location of Lots 6, 7, 8 and 5, which are in areas of high public value. Mr. Benoit  
141 pointed out that the proposed wildlife corridor is in the center of the acreage as shown as  
142 crosshatching lines on the site plan.

143

144 Mr. McCain asked Mr. Kiley if he was an abutting neighbor. Mr. Kiley replied no; he has  
145 lived in Charlotte his whole life.

146

147 Mr. Kiley said the concerns outlined in the Arrowwood Report are how the Lots 6, 7, and  
148 8 house sites would impact connectivity east to west, north, and northwest where it joins  
149 the Kimball Brook in the Mt Philo area that is a 'block' on the Conservation  
150 Commission areas of high public value map. The Lot 6 leach field is within the core  
151 habitat and would need a buffer of 100 meters from open fields, roadways, houses, or  
152 human activity as per the report. Lot 7 is on the border of the core habitat, and Lot 5 is  
153 north of the core habitat. The proposed road is within the core habitat. It seems like the  
154 core forest would dump into a backyard and interrupt animal movement. It would be  
155 great to have a Krasnow Park next to the Mt Philo State Park. In his opinion the house  
156 site at the top of the field should be put near the field versus in the woods. At Sketch Plan  
157 a comment was made to try and minimize the impacts on resources, and that doesn't  
158 seem to have happened. This project could set future development standards in Charlotte,  
159 said Mr. Kiley. Mr. (Gunner) McCain replied that regarding the comment that this could  
160 set future development standards - yes, this could. The Krasnow's have spent years in this  
161 process and talked to neighbors to come up with a good proposal. The Krasnow's are  
162 developing the land at one-half the density that they could do. Regarding the whole core  
163 habitat issue, he has read the Charlotte wildlife habitat assessments and reports. The  
164 information is hard to get your head around. A 100 meter/300' buffer is suggested. The  
165 Arrowwood Report points out, as per the Town Plan, that there should be 100' set backs  
166 from houses, roads, fields, and human activity. If you look at what is mapped as proposed  
167 the core forest isn't 100 meters from the field. If human activity on an agricultural field  
168 impacts the ability of animals moving through the core forest, then how does the  
169 significant human activity at Mt Philo State Park not impact the same resources, asked  
170 Mr. McCain.

171

172 Mr. McCain said that there are thousands of people using Mt Philo State Park. The  
173 Krasnow's proposal has far less impact than the State Park. For example, the State Park  
174 closed for a few days in October to run car races up the mountain. The Krasnow's have  
175 moved building envelopes as suggested, and have provided wildlife connectivity from  
176 north to south and east to west, said Mr. McCain. Mr. (Gunner) McCain pointed out  
177 several east to west, and north to south avenues for animals to move through the Krasnow  
178 property on the site plan.

179

180 Mr. (Eddie) Krasnow said that the family struggled with this. It is a compromise. They  
181 have watched animals move through their property for 40 years. When the families built  
182 their houses up there that impacted farming. Instead of maximizing a possible 17 house  
183 development, the families have listened to the Planning Commission and neighbors to

184 come up with this proposed plan. This is the best they can do and still meet their goals.  
185 The core forest is measured out in distances. There is a paved road through State Park  
186 and now the park officials are talking about dog trails in the park. Dog trails with 30,000  
187 dogs in the park have a big impact on animals, stated Mr. Krasnow.

188  
189 Mr. Bouchard asked for clarification regarding the “approximate” leach field area as  
190 noted on the site plan. Mr. (Gunner) McCain said that is a note that should not be there. It  
191 is on another adjoining piece of land added to the plan so that resource locations could be  
192 noted and impacts avoided, said Mr. McCain.

193  
194 Mr. McDonald explained that for reference that anyone who is a participant in the  
195 process may appeal, which entails more than signing in; they must actually participate in  
196 discussions.

197  
198 Ms. Kraus, Mountain’s Edge Road resident, asked if there are two lots proposed by her  
199 house. Mr. (Gunner) McCain replied that there is one Mountain’s Edge Road house site  
200 just south of Rene Ball’s house. That house could possibly be seen from the road in  
201 winter when the leaves are off trees.

202  
203 Mr. Sommer, Mountain’s Edge Road resident, asked if he would see the house. Mr.  
204 (Gunner) McCain pointed out the Ball’s house site across the road from the proposed lot.  
205 There are trees between Mountain’s Edge Road and the proposed house site, said Mr.  
206 McCain.

207  
208 Mr. Walsh said he is not opposed to the Krasnow’s development. The Krasnow’s have  
209 offered to preserve the bulk of the land for eternity and it is appreciated, said Mr. Walsh.  
210

211 Mr. Boyce, Mountain’s Edge Road resident, said that the existing pond is next to Lot 1,  
212 and neighbors use it for swimming. Mr. (Gunner) McCain said that there will be no  
213 impact on the pond, which is way up the hill. There are various state permits required,  
214 such as erosion control, and stormwater, said Mr. McCain.

215  
216 Mr. McDonald asked if there have been any updates to the two wildlife reports submitted  
217 at the Sketch Plan Review stage. Mr. (Gunner) McCain replied no.

218  
219 Mr. Kiley asked if there would be impacts to the forest what related to the proposed road  
220 to Lots 1 and 2. Mr. (Gunner) McCain replied that there is an existing curb cut to lots 1  
221 and 2, which is off the Ball’s driveway. The Krasnow’s chose to keep less traffic on it,  
222 said Mr. McCain...

223  
224 Mr. McDonald noted that 400’ of road could be deleted if Lot 1 went to the existing  
225 driveway. Mr. (Eddie) Krasnow said he shares that driveway with family members and  
226 that is enough. He takes care of the road. He is concerned that additional users would add  
227 to the wear, tear and cost of maintaining the road. He wouldn’t expect houses to be built  
228 in 2 years or 10 years. It speaks to privacy and the cost of sharing a driveway, explained  
229 Mr. Krasnow.

230

231 Mr. McDonald asked if the applicants will construct the infrastructure. Mr. (Gunner)  
232 McCain replied no. A future owner will. The road to Lots 7 and 8 will get built, said Mr.  
233 McCain.

234

235 Mr. McDonald asked if there will be a home owner's association. Mr. (Gunner) McCain  
236 replied that it is spelled out in covenants, and explained that funds go to an escrow  
237 account when a lot is sold.

238

239 Mr. Pughe asked what the size of the building envelopes are. Lot 9 has a large envelope,  
240 said Mr. Pughe. Mr. (Gunner) McCain said that Lot 9 is at the top of the meadow. This  
241 creates a home owner to farm the meadow, such as a horse farm. The building envelope  
242 is reduced to 1.6 acres on a 30 acre lot, which leaves flexibility to decide where to locate  
243 a house, garage, or outbuildings, said Mr. McCain. Mr. (Michael) Krasnow said that the  
244 building envelope was reduced to protect the views for the Marchand property.

245

246 Mr. Pughe noted that a barn can go anywhere on agricultural use land. Ms. Tenney  
247 clarified that an agricultural use must meet the state definitions for an agricultural  
248 business. For example, 4 animals, such as horses, cows, etc.

249

250 In response to a question regarding light mitigation, Mr. (Gunner) McCain said that light  
251 fixtures will be down cast and could be limited to a time restriction.

252

253 Mr. McNally asked if farming on the open lot allowed spreading of manure, which is a  
254 concern. Mr. (Gunner) McCain replied that manure can only be spread if it is generated  
255 on site. Mr. (Eddie) Krasnow said the land has never had anything non-organic on it  
256 except cows not fed organic food. They tried to address liquid manure coming in from  
257 other farms and looked at covenants from 5 other towns, said Mr. Krasnow.

258

259 Mr. McNally asked if manure could be brought in from elsewhere if the land is leased for  
260 hay. Mr. (Michael) Krasnow said that the land has been hayed for the last 40 years. Mr.  
261 (Gunner) McCain said that he would research the question.

262

263 **MOTION by Mr. Bouchard, seconded by Mr. Pughe, to continue the hearing**  
264 **regarding PC-116-137-SD KR Properties, LLC – Major Subdivision Amendment, to**  
265 **December 1, 2016 at 7:00 p.m., and to schedule a Site Visit for Saturday, November**  
266 **19, 2016, at 9:00 a.m., and that the applicant will stake or flag the proposed building**  
267 **envelopes and road routes.**

268

**DISCUSSION:**

269

270 **Mr. Darling, Mountain's Edge Road resident, asked if the house site in the open**  
271 **meadow could have a smaller building envelope, and are there any restrictions on**  
272 **the house size. He was concerned that a 5,000-6,000 square foot house could have**  
273 **unforeseen impacts, said Mr. Darling. Mr. (Gunner) McCain replied that**  
274 **restrictions are related to a minimum 1,200 square foot house exclusive of a garage.**  
275 **A larger home would enhance the property values, suggested Mr. McCain. Mr.**  
**(Eddie) Krasnow said that he was not certain what to do about square footage sizes.**

276

277 **Mr. Kenyon noted that he had purchased land from the Vermont Land Trust and**  
278 **was restricted to a 3,500 square foot house. Mr. Bouchard suggested considering**  
279 **covenants regarding a minimum or maximum number of bedrooms. Mr. (Gunner)**  
280 **McCain said that the water analysis assumed 4 bedrooms houses. The septic rules**  
281 **regarding a subdivision of 5 houses or more must have on-site systems equal to 4**  
282 **bedrooms, said Mr. McCain.**

283

284 **Mr. (Eddie) Krasnow said that the concept plan is to have storage of water at each**  
285 **house to have enough water for each home.**

286

287 **Mr. Bouchard suggested placing water meters on the houses to ensure that no one**  
288 **house abuses water usage.**

289 **VOTE: 5 ayes, 1 abstention (Mr. Joslin), 1 absent (Ms. Illick); motion carried.**

290

291 Mr. Joslin rejoined the Planning Commission.

292

### 293 **CONTINUATION OF 2016 TOWN PLAN REVIEW**

294 Starting at 8:10 p.m. the Planning Commission held a discussion regarding a proposed  
295 draft 2016 Town Plan.

296

### 297 **OTHER BUSINESS**

298 UP COMING AGENDA:

- 299 • November 17, 2016 – Lewis Creek Water Quality Report discussion; Create a  
300 timeline for Town Plan approval

301

### 302 **ADJOURNMENT**

303 **MOTION by , seconded by , to adjourn the meeting.**

304 **VOTE:**

305

306 The meeting was adjourned at p.m.

307

308 Minutes respectfully submitted, Kathlyn Furr, Recording Secretary.

309