

CHARLOTTE PLANNING COMMISSION
Charlotte Town Office
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May 14, 2015

KR Properties LLC
355 Half Mile Road
Charlotte, VT 05445

McCain Consulting, Inc.
93 South Main St., Suite 1
Waterbury, VT 05676

Re: Sketch Plan Review; Application PC-15-02

Dear Eddie, Mike and Gunner,

The purpose of this letter is to summarize the Sketch Plan Review for your proposed 12-lot planned residential development and subdivision¹ held at the Planning Commission's meetings on March 5th and April 16th, and for which site visits were conducted on February 21st and April 11th, 2015.

The Planning Commission classified your project as a Major Subdivision in accordance with Section 6.1(C)(2) of the Charlotte Land Use Regulations. This means that you will have two additional applications, the Preliminary Plan Application and the Final Plan Application. Upon submittal of the Preliminary Plan Application, the Preliminary Hearing will be scheduled.

The Planning Commission is providing the following additional comments and recommendations for the Preliminary Plan Application, which supplement the submission requirements of the Charlotte Land Use Regulations:

1. The Planning Commission encourages you to consider using the provisions of Section 8.4(F) of the Charlotte Land Use Regulations, which allow you to convey development rights from your parcel to another parcel, and in so doing, protect the Areas of High Public Value on your parcel while also receiving compensation for the value of the development rights. We understand that you have discussed protection of portions of your property with the Charlotte Land Trust and the State of Vermont and we appreciate your ongoing efforts to this end.
2. There are several Areas of High Public Value (see Table 7.1 of Charlotte's Land Use Regulations) on the property:
 - A. Land in active agricultural use (per applicant) – The meadow is currently being used for hay.
 - B. Primary (prime & statewide) agricultural soils (from NRCS data) – There are mostly statewide soils located in the field / meadow portions of the property.
 - C. Steep slopes – There are areas with slopes of 15-25% throughout much of the forested area.
 - D. Surface waters, wetlands and associated setback and buffer areas (VTANR data) – There is a presumed Class 2 wetland with a minimum state setback requirement of 50' from the edge of delineated wetland adjacent to Kimball Brook. A phase 2 geomorphic assessment has been completed for Kimball Brook and a fluvial erosion hazard area has been identified for portions of this stream near Mount Philo Road.

¹ Because there is an adjustment of boundaries between lots that will have been created by subdivision (e.g. Lot C and new Lot 4) the 3 existing lots are considered to be part of the subdivision. Under current town regulations, boundary adjustments are reviewed using the same criteria as subdivisions so the clarification is minor.

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- E. Wildlife habitat (from Charlotte Town Plan and Significant Wildlife Habitat Map and VT Agency of Natural Resources) – The wooded portions of the property have been identified as forest habitat. Important linkage habitat has also been identified along Kimball Brook and in the southwestern part of the property. The Agency of Natural Resources provided preliminary comment indicating their observations of deer wintering area on your parcel. In addition, they suggested surveys for known rare, threatened and endangered (RTE) species within the area be completed along with a survey for Dekay’s Brown Snake. Management of the field should take grassland nesting bird habitat into consideration and should be addressed as part of an Open Space Management Plan.
 - F. Water supply source protection areas (SPAs) – The area east of the applicant’s residences is mapped as part of the source protection area for the Champlain Water District.
 - G. Scenic views and vistas (Charlotte Town Plan) – Mount Philo Road is listed as a most scenic road and there are scenic viewing areas from the top of Mount Philo.
 - H. Conserved land on adjacent parcels – There are conservation easements on several properties north of One Mile Road and Mount Philo State Park is a state conserved property.
3. Given the large number of AHPV on the parcel, you should consider reducing the total number of units and / or redesigning the subdivision / PRD so as to avoid or minimize adverse impacts to these areas. The current layout, though designed with lots that are less than the minimum required lot size for the zoning district, does not employ flexibility in the other dimensional standards that would result in more tightly clustered residential areas and reduced limits of disturbance. The Commission recommends reduced lot sizes and more importantly reduced building envelopes. Furthermore, the Commission feels the proposed four new curb cuts creates additional disturbed areas as well as safety concerns at intersections with roads that are unnecessary. The Commission recommends access for new lots off Half Mile Road and one additional cut off Mount Philo Road.
4. The Planning Commission believes the scenic views and vistas (especially the view of the meadow from Mount Philo Road); wildlife habitat; surface waters, wetlands and associated setback and buffer areas; and adjacent conserved lands to be of a higher priority than the other AHPV for this parcel. Thus, prior to considering design alternatives for the parcel that involve development of the core and / or linkage habitat areas, the Commission is requesting the submittal of a Habitat Assessment Report prepared using the protocol developed by the Charlotte Conservation Commission (attached) for evaluating areas identified as either core or supporting habitat or as a wildlife corridor as depicted on the Critical Habitat Map in Charlotte’s Town Plan (Map #6)². The Habitat Assessment Report will provide site level data that will be used by the Commission in evaluating future application submittals.
5. The Preliminary Plan Application must include detailed information on the following in addition to requirements as stated in Chapter VI of Charlotte’s Land Use Regulations:
 - A. Grading plans for road, driveway and building development areas including profiles, cross-sections and cut / fill calculations and certification that the design meets or exceeds Charlotte’s Recommended Standards for Developments and Homes adopted September, 1997. These developed areas shall be included in the evaluation of impacts to AHPV.
 - B. Stormwater management and erosion control (Charlotte Land Use Regulations Section 7.6) and other required utilities (i.e. fire pond). These developed areas shall be included in the evaluation of impacts to AHPV.
 - C. Quality and quantity of potable water. At the sketch meeting, neighbors voiced concerns regarding the quantity of drinking water in the area. Well data and geologic information

² The Commission recommends eliminating development in the area of Lots 6, 7, and 8 and also recommends establishing a 300’ wide corridor running in a north / south direction and straddling the westernmost property line of Lots B and C. Development of areas outside of these areas would not require a Habitat Assessment Report.

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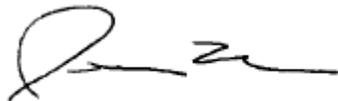
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- indicate that this is an area of low recharge potential. Preliminary well yield information as relates to both average daily and peak demand must be submitted for review.
- D. All existing and proposed easements on the property including water and other utility information.
 - E. Delineation of open space areas, a proposed management plan for these areas, and deed or agreement language clearly identifying the area's purpose and referencing the management plan.
 - F. A three-dimensional site plan rendering as viewed from Mount Philo Road and One Mile Road (~1000 feet from intersection) and an architectural rendering of the type of house (and landscaping and screening) proposed for the large 30 acre meadow lot.
 - G. A completed project review sheet from the State of Vermont Agency of Natural Resources.
6. Other issues may come up during the review of subsequent applications. In accordance with Section 6.3(D) of the Charlotte Land Use Regulations, the Sketch Plan is valid for six months.

Please let me know if I can answer any questions.

Sincerely,



Jeannine McCrumb, Town Planner
For the Charlotte Planning Commission

- c: Tom Walsh, 105 Quarter Mile Road
Larry Sommers and Joanna Denne, 408 Mountain's Edge
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