

CHARLOTTE PLANNING COMMISSION

Charlotte Town Office

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August 30, 2019

Clark Hinsdale
1211 Ethan Allen Highway
Charlotte, Vermont 05445

Re: Sketch Plan Review – Application Number PC-18-151-SK

Dear Mr. Hinsdale,

The purpose of this letter is to summarize the Sketch Plan Review to develop a master plan for your 1824 Hinesburg Road property located within the Rural Zoning District (RUR) in the Town of Charlotte.

This proceeding took place over the course of four (4) Planning Commission meetings, including October 4 and December 20, 2018; and March 21 and July 18, 2019. The proposed project sought to ascertain the possible development density and transfer of development rights (TDRs) from the property.

1. October 4, 2018 at 7:40 PM. In attendance were Commissioners: Peter Joslin, (Chair), Gerald Bouchard, Richard Eastman, Shawn Coyle, Charlie Pughe (Vice-Chair), and Marty Illick. The site visit to the property took place prior to the Planning Commission meeting at 6:00 PM (hosted by the applicant Clark Hinsdale, III) and was attended by Planning Commissioners Peter Joslin (Chair) and Charlie Pughe (Vice-Chair). Also in attendance during the site visit were the Town Planner, Mike Hinsdale, members of the Trails Committee, Amos Baer, Krista Hoffsis, and other members of the Conservation Commission, et al.

The meeting discussion covered a TDR scenario where two units could be transferred to Michael Hinsdale's property located at 3795 Ethan Allen Highway (an effort that would later be deemed unnecessary as that property already had sufficient density having undergone a prior PRD subdivision review in 2015 – see Sketch Plan letter PC-18-150-SK). The discussion also covered possible density bonuses of 10-20 units for affordable housing upon the property if the East Charlotte Village (ECV) zoning district expanded to include this property.

At this hearing, the Planning Commission approved of the initiation of an offshoot Boundary Adjustment application (that would not require a Sketch Plan Review) and

subsequent decision (**PC-18-194-BA**), which fulfilled any open space requirement for the property, as per a 2016 Judgement Order from the Vermont Superior Court (Docket No. **116-8-14 Vtec**).

2. December 20, 2018 at 7:05 PM. In attendance were Commissioners: Peter Joslin, Gerald Bouchard, Charlie Pughe, and Marty Illick, David Kenyon. Further discussion on possible densities for an affordable housing subdivision if it were part of an expanded ECV zoning district. The hearing was continued to March 21, 2019.
3. March 21, 2019 at 7:35 PM. In attendance were Commissioners: Peter Joslin, Gerald Bouchard, Richard Eastman, Charlie Pughe, David Kenyon, and Marty Illick. Continued discussion on possible densities for an affordable housing subdivision if it were part of an expanded ECV zoning district. The hearing was continued to June 6, 2019. It was later continued to July 18th.
4. July 18, 2019 at 8:15 PM. In attendance were Commissioners: Peter Joslin, Shawn Coyle, Marty Illick, and Gerald Bouchard. The proposed subdivision of the property was conceptually changed to a standard market-rate residential project, where four less-than-five acre lots and a fifth large lot with an approximate 8 to 10 acre building envelope would be created that may host a senior housing development.

The Planning Commission did not classify your project because it was conceptually part of an ongoing master plan (and PRD) with various possible parcel designs and densities that may be subject to your available TDRs. Your prospective subdivision already has a designated fifty percent (50%) open space via the **PC-18-194-BA** Boundary Adjustment decision. Nevertheless, the Planning Commission is providing the following observations on your proposed application, in accordance with the 2016 Charlotte Land Use Regulations:

Section 2.3(D) - Application of District Standards, Table 2.5 Rural District (RUR):

The four parcels proposed to be less than five (5) acres along the southern end of the parcel are acceptable as the property is under a PRD status, as per **116-8-14 Vtec**. The larger fifth proposed parcel will need a more specific design, as an 8-10 acre building envelope is highly unusual for a residential unit. It may make sense to significantly reduce the envelope to 1-2 acres for a single residence unless you propose a multi-unit affordable or senior housing development, in which case you would need to redesign your subdivision in accordance to Section 4.4, below.

Section 4.4 – Affordable Housing:

Under the current understanding of the Regulations, your minimum allowable lot size is limited to one (1) acre. The allowable development densities for a PRD/PUD subdivision developing “Elderly/Affordable Housing” within the Rural (RUR) zoning district are a **Maximum of 5 units per parcel/10 units per subdivision** (with a Conditional Use Review with the ZBA)

These maximum density provisions hold for a ten (10) year period, but they may also be approved for one subdivision application. Regardless if development occurs as a PRD/PUD, the

cap for any property or subdivision is the same for that ten (10) year period, and no additional density bonuses may be applied. A minimum of 75% of dwelling units in a subdivision that use these densities must meet the definition of "Affordable Housing" as defined in **Section 10.2** of the Regulations.

Furthermore, there is a provision that caps the maximum "Affordable/Elderly Housing" units per proposed structure. As your subdivision currently falls under the PRD/PUD provisions, a single multi-unit structure, or several units may be located upon one parcel, in which case you would follow the table below.

Affordable Housing-Maximum Units per Structure

<u>Maximum Units/Structure in all districts</u>	<u>Total allowed</u>
New Structures	4 units
Conversion of Non-Historic Structures	6 units
Adaptive Reuse of Historic Structures	10 units
Elderly Dwellings	10 units

Section 5.5(A) - Site Plan Review, Applicability:

Site Plan Review by the Planning Commission is required for all development except for agriculture, forestry, Single and two-family dwellings, and associated accessory uses and structures . . . and except for development that is specifically exempted from these regulations under Section 9.2.

If your forthcoming application proposes to develop any units beyond a single or two-family residential dwelling structure, you would be required to undertake a Site Plan Review application for those units, as per Section 5.5 of the Regulations.

In accordance with **Section 6.3(D)** of the Regulations, this Sketch Plan Review is valid for six months, but may be extended for up to a year from the date of this letter upon request from the Planning Commission.

Please let me know if I can answer any further questions.

Sincerely,



Peter Joslin, Chair
Charlotte Planning Commission