

**CHARLOTTE PLANNING COMMISSION**

**Charlotte Town Office**

**PO Box 119**

**Charlotte, VT 05445**

**Phone: 802.425.3533**

March 19, 2019

Richard, Louise, & Lucia Plante / Richard W. Shappy  
1801 and 1807 Spear Street  
Charlotte, VT 05445

Re: Sketch Plan Review – Application Number PC-18-209-SK

Dear Richard, Louise, and Lucia Plante, and Richard Shappy,

The purpose of this letter is to summarize the Sketch Plan Review for a proposed 3-Lot Boundary Adjustment between the three adjacent properties located at: 1801, 1807, and 1555 Spear Street within the Rural District (RUR) in the Town of Charlotte.

It is understood by the Planning Commission as displayed on the proposed map within your application (see: <https://is.gd/xrBPJ3>) and discussions from the public meeting that you propose to:

1. Adjust the 1801 Spear Street property from an existing *1.0 acre lot* into a *5.1 acre lot*.
2. Adjust the 1807 Spear Street property from an existing *0.97 acre lot* into a *5.1 acre lot*.
3. All of the acreage to increase aforementioned lots would be adjusted from the 1555 Spear Street property, thereby reducing it from an existing *138.9 acre lot* to an *approximate 130.7 acre lot*.

The Planning Commission undertook a site visit to the property on Saturday February 2, 2019 at approximately 9:00 AM attended by the applicants and Planning Commissioners: Peter Joslin (Chair), Gerald Bouchard, Dick Eastman, and Marty Illick. The public meeting for the proposal was held the following Thursday February 7, 2019 at approximately 7:05 PM. In attendance were Commissioners: Peter Joslin (Chair), Charlie Pughe (Vice Chair), Gerald Bouchard, Mary Illick, and David Kenyon. Additional participants included the applicants Rick Shappy and (applicant representative) Paul Plante II, and the Town Planner.

The Planning Commission has classified your project as a “3-Lot Boundary Adjustment” in accordance with **Sections 6.1(C)(3)** of the 2016 Charlotte Land Use Regulations (hereafter referred to as “the Regulations”).

The Planning Commission is providing the following observations on your proposed application:

1. The following Areas of High Public Value (AHPV) were identified on the property:

- a. Land in active agricultural use: The entire 8-acres of land (outside of the existing lots) to be adjusted from the undeveloped *138.9 acre* property to the 1801 and 1807 Spear Street properties is enrolled in the “current use” program.
  - b. Primary Agricultural Soils (Prime and Statewide - PAS): On the 1801 Spear Street property about 0.4 acres of Prime Agricultural exist on the southern property boundary and about 0.2 acres of Statewide soils exist along the western boundary. On the 1807 Spear Street property about 0.7 acres of Prime Agricultural soils exist along the eastern portion, and about 0.2 acres of Statewide soils exist along the western boundary. Once the properties are each adjusted to 5.1 acres in size, the majority of their soils will consist of Primary Agricultural soils. Substantial acreage of Primary Agricultural soils exists on the 1555 Spear Street property (according to the *USDA Natural Resources Conservation Service (NRCS) GIS database*).
  - c. Surface Waters, Wetlands, and associated buffer areas: Class II wetland is estimated to exist along a VT ANR designated “small stream”, which traverses through the center of the 1555 Spear Street property (according to the Vermont Department of Environmental Conservation’s *Vermont Significant Wetlands Inventory (VSWI)*).
  - d. Wildlife Habitat: About 0.2 acres of *Significant Forest Habitat* exists along the northern side of the existing 1801 Spear Street property. After the proposed boundary adjustment, the proposed 5-acre property would then contain about 1-acre of habitat. Approximately 77 acres of *Significant Forest Habitat*, 20 acres of *Significant Linkage Habitat*, and 11 acres of *Significant Aquatic Habitat* exist on the 1555 Spear Street property (according to the “*Charlotte Significant Wildlife Habitat Map and Database*”).
  - e. Water supply source protection areas (SPAs):
    - Ground water: N/A
    - Surface water: The entirety of parcel falls within the Champlain Water District – Zone 3 (System ID: VT0005092).
  - f. Scenic Views and Vistas: Spear Street, abutting to the west of the property is classified as a “*Most Scenic Public Highway*” according to the 2018 Charlotte Town Plan.
2. To further protect the identified *Primary Agricultural Soils (PAS)* of the properties, it is recommended that building envelopes measuring approximately one (1) acre be created around all structures and impervious surfaces (except the driveways) for both the 1801 and 1807 Spear Street lots. Excepting for the accommodation of the pre-existing non-conforming structures that are within the fifty-foot (50’) setback of each property, the delineation of the building envelopes should otherwise follow the Rural Zoning District (RUR) dimensional standards outlined in Table 2.5(E) of Section 2.3 of the Regulations. Please include the building envelopes within the survey that is to be submitted with your forthcoming Boundary Adjustment application. **Section 7.2(E)** of the Regulations state:

*“All proposed lots intended for development shall include designated building envelopes within which all structures and parking areas shall be located, unless waived in accordance with Section 6.2. . . The Commission also may require the identification of specific building footprints if such information is needed to determine conformance with these regulations.”*

3. As was stated at the public hearing, any future subdivision of the 1555 Spear Street property will require a master plan to be reviewed as a PRD (in accordance with **Section 8.2(B)(3)** of the Regulations). This would include the designation of 50% open space to protect the identified Areas of High Public Value discussed above. **Section 8.1(B)** of the Regulations regard the purpose of the Planned Residential Development (PRD) as follows:

*“PRD provisions are intended to allow clustering of residential development and innovative design to promote the most appropriate use of land and the preservation of Areas of High Public Value identified in Table 7.1;”*

4. For your forthcoming survey, all of the water supply and wastewater infrastructure should be updated and/or reference previous surveys or other related documentation.
5. Other issues may be considered during the review of your forthcoming Final Plan application. In accordance with **Section 6.3(D)** of the Regulations, this Sketch Plan Review is valid for six months, unless an additional six-month extension is formally requested from the Planning Commission before the expiration date.

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

Sincerely,

Peter Joslin, Chair  
Charlotte Planning Commission