

CHARLOTTE PLANNING COMMISSION

Charlotte Town Office

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April 24, 2019

Jonathan Couture
240 Vineyard View Drive
Charlotte, VT 05445

Katherine Snead
4049 Mt. Philo Road
Charlotte, VT 05445

Re: Sketch Plan Review – Application Number PC-18-227-SK

Dear Mr. Couture and Mrs. Snead,

The purpose of this letter is to summarize the Sketch Plan Review for a proposed Subdivision Amendment to adjust boundaries between two adjacent parcels located at 4049 Mt. Philo Road 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/eb3Uxq>) and discussions from the public meeting that you propose to adjust the boundary between **Lot 1** and **Lot 2** by approximately 90 degrees. Instead of being a north/south-oriented property boundary, it would become east/west-oriented, and perpendicular to Mt. Philo Road, thereby providing direct access to both lots. Furthermore, the acreage for each lot will change in the following form:

Lot 1 – (*~8 acres to be adjusted to ~8.5 acres*)

Lot 2 – (*~5.1 acres to be adjusted to ~5.2*)

The Planning Commission undertook a site visit to the property on Thursday March 21, 2019 at approximately 6:30 PM prior to the public meeting held at approximately 7:05 PM, which was attended by Commissioners: Peter Joslin (Chair), Charlie Pughe (Vice-Chair), Gerald Bouchard, Dick Eastman, David Kenyon, and Marty Illick. Additional participants included the applicants Katherine Snead Ranallo and Greg Ranallo, applicant representative Jonathan Couture, the Town Planner, et al.

The Planning Commission has classified your project as a “Minor Subdivision Amendment/PRD” in accordance with **Sections 6.1(C)(4)(a)** 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. According to **Section 2.3 - Table 2.5**, the Rural Zoning District (RUR) dimensional standards indicate the Minimum (Road) Frontage to be 300 feet. The 1989 survey for the property (Charlotte Land Records: *Map Slide 73, Book 9, Page 37*) indicates that the property in its existing configuration has total frontage **601.24 feet** along Mt. Philo Road. However, on your submitted map, the adjusted road frontage proposed for the southerly **Lot 2** has been reduced to less than 300 feet. In order to obtain a non-conforming dimensional modification of the parcel, you will be required to undertake the application as a Planned Residential Development (PRD) in accordance with **Section 3.6(B)(1)** of the Regulations, which states:

***(B) Dimensional Standards.** The following requirements apply to lots within all zoning districts, with the exception of existing nonconforming lots in accordance with Section 3.7 (i.e. Nonconforming Lots (Existing Small Lots)).*

(1) No lot shall be so reduced in area that it cannot meet area, yard, setback, frontage, coverage and other dimensional requirements for the district in which it is located, except as approved by the Planning Commission for a planned residential or planned unit development under Chapter VIII.

At the public hearing, you had proposed instead to create **Lot 2** with a diagonal boundary originating from the road frontage, which narrows as it extends eastward to conform to the 300' district standard. The Planning Commission feels this is not a preferable option as it would create an irregular shaped lot. A perpendicular boundary between **Lot 1** and **Lot 2** should be maintained.

2. Your forthcoming Highway Access Permit application to the Charlotte Selectboard should be submitted prior to, or concurrent with the submittal of the Final Plan Application. In accordance with **Section 3.2**, the future driveway should be consistent with the 1997 "Recommended Standards for Developments and Homes", as well as **Sections 3.2(C)** and **3.2(D)** of the Regulations pertaining to Access Management and road and driveway standards, respectively.
3. Pursuant to **Section 7.2**, the following Areas of High Public Value (AHPV) were identified on the property:
 - a. Primary Agricultural Soils (Prime and Statewide - PAS): Approximately 5 acres of Prime Soils are located along the eastern portion of the two properties (according to the *USDA Natural Resources Conservation Service (NRCS) GIS database*).
 - b. Surface Waters, Wetlands, and associated buffer areas: An estimated 0.5 acres of (possible) Class II wetland are indicated on the two properties (according to the Vermont Department of Environmental Conservation's *Vermont Significant Wetlands Inventory (VSWI)*).

- c. Wildlife Habitat: Approximately 0.7 acres of *Significant Forest Habitat* has been identified in the northeastern portion of proposed **Lot 1**, according to the “*Charlotte Significant Wildlife Habitat Map and Database*”.
 - d. Water supply source protection areas (SPAs):
 - Ground water: N/A
 - Surface water: The entirety of parcel falls within the surface water source protection area for the Champlain Water District – Zone 3 (System ID: VT0005092).
 - e. Scenic Views and Vistas: Mount Philo Road, along the western end of the two proposed lots, is classified as a “*Most Scenic Road*” according to the 2018 Charlotte Town Plan.
4. As was stated at the public hearing, the Planning Commission classified your proposed application as a PRD (in accordance with **Section 8.2(B)(3)** of the Regulations), due to your proposal to create **Lot 2** with less than conforming road frontage (explained in item 1 above). This would entail the designation of 50% open space to protect the identified *Significant Forest Habitat* and the scenic viewshed (Areas of High Public Value) that are discussed in the above items 3(c) and 3(e), respectively. **Section 8.1(B)** of the Regulations regarding the purpose of the PRD states:

“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;”

5. Within your submitted map, there is an area in the northeastern portion of proposed **Lot 1** labeled as ‘Existing Buildable Area’, which contains a smaller area labeled as ‘Proposed Accessory Buildable Area Lot 1’ intended for the construction of an accessory dwelling. The area appears to overlap the identified *Significant Forest Habitat*, which the Planning Commission had expressed interest in protecting at the public hearing.

The Planning Commission will require building envelopes to be created for both **Lot 1** and **Lot 2**, which measure approximately one-acre of area. Please include your proposed building envelopes (along with their acreage, perimeter, and dimensions from the property lines) within the survey that will be submitted with your forthcoming application. In no case should any of the building envelopes overlap with the identified *Significant Forest Habitat*, or potentially block the eastern viewshed of the Green Mountains.

6. For your forthcoming draft survey, all of the rights-of-ways, water supply, and wastewater infrastructure should be updated and reference previous surveys or other related documentation. Furthermore, you should include the proposed delineation of the open space area.

7. 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