

# CHARLOTTE PLANNING COMMISSION

## FINDINGS OF FACT AND DECISION IN RE APPLICATION OF

**Charlotte Senior Center  
212 Ferry Road**

**Site Plan Amendment  
To Upgrade Lighting in the Parking Lot  
Applications PC-12-27**

### **Background**

Sketch Plan Review was waived by the Town Planner as allowed by Section 5.5(C) of the Charlotte Land Use Regulations due to the project's minor proposed change to the approved site plan.

### **Application**

Materials submitted with the application are listed in Appendix A. Materials submitted for the March 7<sup>th</sup> hearing are listed in Appendix B.

### **Public Hearing**

The Planning Commission held a public hearing for this application on December 6, 2012. Gary Pittman represented the applicant. Jennifer Chiodo, a member of the Charlotte Energy Committee, submitted comments by e-mail dated November 16, 2012. No other parties participated in the hearing or submitted written comments in advance of the hearing.

On its own motion made on January 3, 2013, the Planning Commission approved a motion to reopen the Final Plan hearing in order to obtain additional information about the proposed lighting plan. The reopened hearing was warned and held on March 7, 2013. Gary Pittman represented the applicant. No other parties participated in the hearing or submitted written comments in advance of the hearing.

### **Regulations in Effect**

Town Plan amended March, 2008

Land Use Regulations amended March, 2010

Recommended Standards for Developments and Homes adopted September, 1997

### **Findings**

1. The project consists of:
  - A. Adding four 47 watt cutoff LED luminaire fixtures mounted on three new 17 foot tall poles within and adjacent to the existing parking lot.
  - B. Replacing the wall-mounted fixture mounted at a 20 foot height on the northerly gable end of the building, facing towards the parking lot.

- C. Replacing the wall-mounted fixture mounted at a 15 foot height on the southerly gable end of the building, facing towards the parking lot.
- D. Adding a movement sensor for each of the two building-mounted fixtures.

*Applicable standards in Chapter V of the Charlotte Land Use Regulations (“Regulations”) are reviewed below in Findings 2-21.*

**Section 5.5—Site Plan Review**

**(D)(1)—Site Features**

- 2. The existing structure is not a historical architectural resource.
- 3. The project will have no impact on site features on the parcel (as site features are described in the Regulations).

**(D)(2)—Site Layout & Design**

- 4. Two of the poles are proposed to be located on an existing “island” and the third pole is to be located at the southerly edge of the circle near the building entryway.
- 5. The installation of poles at the proposed locations will not require a change to the circulation pattern of the parking area, or the removal of any trees.
- 6. The photometric plan for Option E (which was provided for the re-opened hearing) indicates that pole heights of 15 feet (with poles in the same locations as for Option D) would result in less-than adequate lighting in the interior portion of the parking area south of the northerly edge of the parking area.
- 7. The addition of a fourth pole at the northerly end of the “T” island was not evaluated.
- 8. Gary Pittman stated at the hearing that adding a fixture at the northerly end of the “T” island would result in lighting the neighboring parcel to the north, which would run counter one of the goals of the lighting plan.
- 9. Siting a pole at the northerly and southerly ends of the “T” island would require the removal of two 10-year old trees.
- 10. The proposed 17 foot tall poles will be higher than the eaves of the building, but lower than the peak of the lowest portion of the building (i.e. the center and southerly wing with the building where the entryway and dining room are located).
- 11. The lighting plan uses the least number of poles possible which accomplish the multiple goals of the project, i.e. sufficiently lighting the parking area while minimizing the number and height of the poles, and avoiding lighting of the adjacent property. The plan also does not necessitate changing the traffic circulation or landscaping.
- 12. The location of the wall-mounted fixtures will not change.
- 13. The proposed lighting plan will not have an undue adverse aesthetic impact on site features or the surrounding area.

**(D)(3)—Access**

- 14. The project will not change the existing access.

**(D)(4)—Parking, Loading, & Service Areas**

- 15. The project will not change existing parking, loading and service areas.

**(D)(5)—Landscaping and Screening**

- 16. The project will not change the existing landscaping.

**(D)(6)—Stormwater Management and Erosion Control**

- 17. The project will not change or create a need for stormwater management or erosion control.

**(D)(7)—Outdoor Lighting**

- 18. The purpose of the proposed lighting is to ensure the existing parking area is adequately

illuminated for reasons of safety and liability. As indicated in the applicant’s memo of 3/7/13, the proposed plan will produce the minimum recommended lighting levels for commercial parking lots.

- 19. The four pole-mounted fixtures and the two wall-mounted fixtures will direct light downward.
- 20. As indicated by the photometric plan, the proposed fixtures will minimize glare, will not direct light onto adjacent properties or roads, and will not result in excessive lighting levels uncharacteristic of the surrounding neighborhood.
- 21. The applicant’s representative stated at the hearing all fixtures will only be illuminated when the site is in use.

**Decision**

Based on these Findings, the Planning Commission determines that the proposed lighting plan complies with the Site Plan Review standards (Section 5.5) and Outdoor Lighting Standards (Section 3.9) of the Charlotte Land Use Regulations, and approves the plan with the following condition:

- 1. If the poles are to be mounted on concrete pedestals or similar features, the poles will be reduced in length so the fixture heights remain at 17 feet, as proposed.

**Additional Conditions:** All plats, plans, drawings, testimony, evidence and conditions listed above or submitted at the hearing and used as the basis for the Decision to grant permit shall be binding on the applicant, and his/her/its successors, heirs and assigns. Projects shall be completed in accordance with such approved plans and conditions. Any deviation from the approved plans shall constitute a violation of permit and be subject to enforcement action by the Town.

**This decision may be appealed to the Vermont Environmental Court by the applicant or an interested person who participated in the proceeding. Such appeal must be taken within 30 days of the date of the 4<sup>th</sup> signature below, pursuant to 24 V.S.A. Section 4471 and Rule 5(b) of the Vermont Rules for Environmental Court Proceedings.**

**Members Present at the Public Hearing on December 6:** Jeff McDonald, Jim Donovan, Ellie Russell, Linda Radimer, Paul Landler and Gerald Bouchard.

**Members Present at the Public Hearing on March 7:** Jeff McDonald, Jim Donovan, Ellie Russell, Peter Joslin, Linda Radimer, and Gerald Bouchard.

**Vote of Members after Deliberations:**

The following is the vote for or against this Findings of Fact and Decision as written:

- 1. Signed: \_\_\_\_\_ For / Against Date Signed: \_\_\_\_\_
- 2. Signed: \_\_\_\_\_ For / Against Date Signed: \_\_\_\_\_
- 3. Signed: \_\_\_\_\_ For / Against Date Signed: \_\_\_\_\_

- 4. Signed: \_\_\_\_\_ For / Against Date Signed: \_\_\_\_\_
- 5. Signed: \_\_\_\_\_ For / Against Date Signed: \_\_\_\_\_
- 6. Signed: \_\_\_\_\_ For / Against Date Signed: \_\_\_\_\_
- 7. Signed: \_\_\_\_\_ For / Against Date Signed: \_\_\_\_\_

**APPENDIX A**

The application and additional materials submitted in support of the application consists of:

- 1. An application form for a Site Plan Amendment. The application fee was waived by the Selectboard on October 15, 2012.
- 2. A plan by Phelps Engineering, Inc. entitled “Charlotte Senior Center, Site Improvements, Proposed Site Plan dated June 7, 2000, no revisions.
- 3. A photometric plan of the Senior Center parking lot, Option D, showing foot-candles at ground level resulting from the proposed fixtures.
- 4. A fixture schedule.
- 5. A cut-sheet for The Edge ARE-EDG-2M-DA by Cree, rev date 6/26/2012 (2 pages)
- 6. A cut-sheet for The Edge LED Wall Pack SEC-EDG-4M-WM, rev date 2/21/12 (2 pages)
- 7. A cut-sheet for fixture WPLED26N by Rab Lighting (2 pages)
- 8. A specification sheet for EW Low Voltage Outdoor Motion Sensor by WattStopper (2 pages)
- 9. A specification sheet for Crown-Weld Square Straight Steel Poles by Beta Lighting (2 pages).

**APPENDIX B**

- 1. A memo from Gary Pittman dated 3/7/2013 (2 pages)
- 2. A photometric plan of the Senior Center parking lot, Option E, showing foot-candles at ground level resulting from the proposed fixtures.