

General Information	
Applicant:	KR Properties / Ed Krasnow
Application No.: PC-15-02R	Parcel Num: M09B03L03.1
Status of Applicant:	Represented by McCain Consulting
Requested Action:	Sketch Review – revised submittal
Purpose:	12-lot Subdivision / Planned Residential Development (PRD) ¹
Existing Zoning:	Rural / Conservation along Kimball Brook
Location:	SE Corner of One Mile Rd / Mount Philo Road
Size:	113+/- acres -> 12 Lots ranging from 3 to 30 acres in size
Existing Land Use:	Open (Agriculture / Wooded)
Surrounding Land Use and Zoning:	North – Road/Agriculture / LDR South – Mount Philo State Park East – MDR West – Road / MDR / LDR
Town Plan:	Rural Area Strategies - During development review, Areas of High Public Value will be identified and prioritized based on the qualities and relative values of each resource. This analysis will be site specific, but will also consider resources in a broader context as appropriate.
Recent Permitting History:	2010 Boundary Adj Originally subdivided in 1985 with various boundary adj since that time.
Applicable Regulations:	Town Plan 2013 Land Use Regulations 2010 Recommended Standards for Developments and Homes, 1997
Chapter VII – Subdivision Review Standards 7.2 General Standards Table 7.1: Areas of High Public Value	<ul style="list-style-type: none"> ▪ <u>Agricultural use</u>: Portions of property still used for agriculture ▪ <u>Agricultural soils</u>: Some Prime but mostly statewide soils in areas that are currently field or not wooded (NRCS data) ▪ <u>Steep slopes</u>: 15-25% slopes throughout much of wooded area ▪ <u>Flood hazard areas</u> – minor along Kimball Brook ▪ <u>Surface waters, wetlands and associated setback and buffer areas</u>: Kimball Brook and a few small tribs traverse nw corner and western part of project area ▪ <u>Wildlife habitat</u>: wooded area mapped as forest habitat and state habitat block ▪ <u>Water Supply Source Protection Area</u>: Easternmost part of property is part of SPA for CWD ▪ <u>Scenic Views and Vistas</u>: Mount Philo Rd. is scenic road ▪ <u>Conserved land on adjacent parcels</u>: Several properties to north (open space from subd along Quarter Mile Rd) and south is State Park

¹ Boundary adjustments and subdivisions are reviewed under the same criteria. As these are being proposed as one application, the boundary adjustment would be reviewed as part of subdivision (involved lands under affiliated ownership).

Comments and Recommendations provided in sketch letter dated May 14, 2015:

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.

The applicant has indicated they are discussing 'a modest conservation proposal' with the Charlotte Land Trust.

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.
 - 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.

Lot sizes remain the same and some building envelopes have been reduced in size. New curb cuts reduced from 4 to 2. Modest areas of open space proposed along southern boundary (border with

Mt Philo State Park), open space between Half Mile Rd and Mountain's Edge Rd and 'Nature Corridor on portions of Lot 4, Lot C, Lot 5 and Lot 6.

The project as designed continues to encroach into area defined as core habitat (Lots 6 and 7). A habitat report has been provided by the applicant. Staff recommends an independent technical review of this report prior to consideration of allowing Lots 6 and 7 as presented. There appears to be some room for reconfiguration in this area to allow the same number of lots while avoiding impact to town identified core habitat. Staff has requested a map depicting lot lines, building envelopes, roads with wildlife habitat overlay for discussion at the meeting. Staff commends the applicant for reducing the number of curb cuts.

The nature corridor should be included in the open space area and all open space should be subject to an open space agreement that include management plans for the various areas – grasslands / agriculture, wildlife corridor, and wildlife habitat.

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)(footnote included in letter identifying concerns with Lots 6, 7 and 8 as presented). The Habitat Assessment Report will provide site level data that will be used by the Commission in evaluating future application submittals.

See above

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 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.

Applicant has communicated concerns with requirement for architectural renderings. Upon further discussion, staff indicated that purpose was not for design review of structure but rather for landscaping and screening of the viewshed.

Engineering plans moving forward will also be subject to an independent technical review.

Public Notice: Public notice was achieved by mailing a copy of the meeting agenda to all adjoining landowners and posting on 8/24/15.

Prepared By: Jeannine M. McCrumb, Planner / Zoning Administrator 9/11/15.

Attachments: Revised application materials, sketch letter from previous submittal

Documents to be provided at the meeting: same