

CHARLOTTE PLANNING COMMISSION
Charlotte Town Office
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Charlotte, VT 05445
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January 18, 2018

Susan Ballek & Imanol Echeverria
90 Mt. Archer Road
Lyme, Connecticut 06371

Re: Sketch Plan Review – Application Number PC-17-145-SK

Dear Mr. Echeverria & Ms. Balleck,

The purpose of this letter is to summarize the Sketch Plan Review for a proposed Subdivision of the 52.66 acre property located at 5223 Mt. Philo Road. The development is proposed to occur within the Rural (RUR) zoning district.

Public meetings for the proposal were held by the Planning Commission on November 2, 2017 and December 7, 2017. Although it is not required by 24 VSA Chapter 117 to warn for a public hearing for Sketch Plan Review applications, hardcopy notification of the public meeting were nevertheless mailed out to all of the adjoining property owners, posted at the Town offices, the Old Brick Store, and the Spear Street Store on October 17, 2017, and published within “The Citizen” newspaper on October 12, 2017. Electronic notice was also posted on the Town of Charlotte website Meeting Calendar.

On Saturday, October 28, 2017, the Planning Commission attended a site visit prior to the public meeting held on November 2nd. An additional site visit was undertaken at the summit of Mount Philo on Saturday, November 11, 2017.

Planning Commissioners attending the November 2nd public meeting included; Peter Joslin (Acting Chair); Charlie Pughe, Richard Eastman, Marty Illick, and Gerald Bouchard. Additional participants of the public meeting included; the Town Planner; applicant representatives Jeremy Matosky and Andrea Dotolo; neighbors David Diaz and Josh Golek; and the Charlotte Trails Committee member Margaret Russell. Planning Commissioners attending the December 7th meeting included; Peter Joslin (Acting Chair), Charlie Pughe, Richard Eastman, Marty Illick, and Gerald Bouchard. Additional participants of the public meeting included applicant representatives Jeremy Matosky and Andrea Dotolo.

The Planning Commission has classified your project as a “3-Lot Minor Subdivision” in accordance with Section 6.1(C)(2) of the Charlotte Land Use Regulations (hereafter referred to as “the Regulations”), creating two 5.1-acre lots (Lots #1 and #2) and a 41.7-acre lot (Lot #3).

The Planning Commission is providing the following observations and recommendations for your Final Plan Review Application, which should be addressed in addition to the standard submission requirements within the Regulations;

1. The following Areas of High Public Value (AHPV) were identified on the property:
 - a. Land in active agricultural use – The property is not enrolled in active agricultural use.
 - b. Wildlife habitat – There are about 5 acres of *Significant Forest Habitat* on the western wooded portion of the property. About 1/4 of the parcel consists of *Significant Aquatic Habitat* that exists along the tributary streams and in a small area along the southern portion of the property. About 3.5 acres of *Linkage Habitat* to Mt. Philo State Park exists along the northeast of the property (in proximity to where the driveway is proposed from Mt. Philo Road). About 2 acres of *Significant Shrubland Habitat* exists along the north-central area of the parcel, along the stream tributary.
 - c. Primary Agricultural Soils (Primary and Statewide) – About 2 acres along the southeastern portion of the parcel along the Mt. Philo Road comprise Primary Agricultural soils. Except for the stream and the wetland identified across the northwestern section, most of the remainder of the parcel contains Statewide Agricultural soils (according to the USDA-NRCS data).
 - d. Surface waters, wetlands and associated setback and buffer areas: The Kimball Brook (VT04-01) and associated tributaries runs along the northwest portion of the parcel. Class II wetland has been identified along the primary tributary.
 - e. Special Natural Areas: Mt. Philo State Park (identified as a '*Special Natural Area*' within the Town Plan) abuts the property to the east, across Mt. Philo Road.
 - f. Scenic views and vistas – Mt. Philo Road is classified as a '*most scenic public road*' within the Charlotte Town Plan.
 - g. Conserved Land on adjacent parcels - About 13 acres of designated Open Space with the Town abuts the property to the west. Roughly 40 acres of land in conservation with the Charlotte Land Trust exists on the property to the south, across State Park Road. Mt. Philo State Park to the east comprises about 130 acres.
2. The Planning Commission feels that protection of the viewshed (an Area of High Public Value) from Mt. Philo Road (and from the summit of Mt. Philo) is important. The Commission appreciates your representative's offer to undertake an analysis of the visual impacts from Mt. Philo Road during the December 7, 2017 public meeting. Your Final Plan Application should include a 3-D viewshed analysis that discusses impacts from identified key observation points along Mt. Philo Road and the summit of Mt. Philo with respect to proposed building and infrastructure structure design and placement (including bridges) upon all three lots. The study should entail the optional placement of the paddock, the barn, and other structures proposed for the properties. The study

- should also include the option of participation from Planning Commissioners (and other interested citizens) in the determination and analysis of the key observation points.
3. During the December 7th public hearing, your representative stated that there are three curb cuts proposed for the project; two on Mt. Philo Road (that would serve Lot #2 and Lot #1) that currently serve as agricultural access points; and one on State Park Road (that would serve Lot #3), which does not serve as an agricultural access point. For each proposed curb cut, a Highway Access Permit application should be submitted prior to, or concurrent with the submittal of the Final Plan Application.
 4. The primary building envelope for Lot #3 will be 1-acre or less.
 5. The accessory dwelling proposed for Lot #3 (i.e. "caretaker house") shall conform with 4.2(B) of the Regulations.
 6. As the areas intended for installation of culverts are within identified *Significant Aquatic Habitat*, they shall be designed to facilitate Aquatic Organism Passage (AOP). To this end, an ecologist will be consulted to identify the relevant aquatic organisms that would need to be accommodated within the design of the infrastructure. The Planning Commission will require a professional ecologist to undertake a site visit to recommend habitat mitigation measures as a condition of a decision.
 7. Use of the proposed barn will conform with the State's Required Agricultural Practices.
 8. All Wastewater System and Potable Water Supply Permit applications must be submitted prior to, or concurrent with submittal of the Final Plan Application. Any wellheads should be placed in such a way to protect potential agricultural use of the property.
 9. 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.

To complete the project you will need to submit a Final Plan Application (including any waiver requests) within six months of the date of this letter and participate in one public hearing, in accordance with Section 6.5 of the Regulations. Upon receipt of your Final Plan Application, a Final Hearing will be scheduled.

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

Sincerely,



Peter Joslin, Chair
Charlotte Planning Commission