

Permitting & Environmental Science for  
Heavy Civil Construction

January 31, 2017

Town of Charlotte Planning and Zoning  
PO Box 119  
159 Ferry Road  
Charlotte, VT 05445

Re: Sketch Plan Review for Crabbe Property, 5692 Ethan Allen Highway

To Whom It May Concern:

On behalf of landowner, John H. Crabbe, Jr., we are submitting an application for Sketch Plan Review for the parcel at 5692 Ethan Allen Highway to consider a possible Subdivision Amendment allowing the placement of fills on a portion of the property subject to an Open Space Agreement (OSA) that prohibits fill. The proposed fill area is 2.6 acres and 1.5 acres of this proposed fill area is in the portion of the property subject to the OSA (please see the enclosed maps for details). This activity would not violate the intent of the OSA and there is no interest in removing the OSA. Changes to the existing contour of the land are minor (see grading plan), and there is evidence of prior fills in some of this area.

The proposed fill placement during the 2017 and/or 2018 construction seasons would support the ongoing VAOT US Rt. 7 roadway reconstruction project in Charlotte being completed by Kubricky Construction Corp. Fills would be materials excavated from beneath the current US Rt. 7 Roadway as part of the reconstruction work.

This proposal was the subject of an on-site meeting on September 12, 2016 and subsequent meeting at the town office whereby a former landowner referenced special provisions in the OSA which prohibit fills on the property. The majority of the approximately 22-acre parcel, and 17.66 acres subject to the OSA, would not be impacted by this proposed work.

This proposed activity is in compliance with the town plan because there would be no changes to the parcel size, boundaries, public access, land use, or use of town resources. The fill activity is considered 'development' by town regulations as it proposes placing more than 500 cubic yards of fill on the site, and pending approval of a Sketch Plan Review and a Minor Subdivision Amendment, would require both a Conditional Use Review and a Site Plan Review prior to issuance of a zoning permit. The proposed activity has already been subjected to extensive environmental regulatory review including:

- VAOT Environmental Unit Archeology Review – Approved 5/24/2016
- VAOT Environmental Unit Wetland Review – Approved 5/24/2016
- VT ANR Stormwater Construction General Permit – Approved 8/17/2016

- VT ANR Waste Management IWMEA – Approved 8/10/2016
- US Army Corps of Engineers – Approved 7/7/2016
- VT Agency of Agriculture – Approval pending a reclamation plan for primary agricultural soils (in progress)

Regarding the 14 items requested in the application, please see the enclosed "Application Information Waiver Request" for numbers 4b, 4h, 4k, 6 - 10, and 12-14. The remainder are addressed below:

- 2) The \$50.00 fee for sketch plan review is enclosed.
- 3) A list of adjoining property owners is enclosed along with addressed stamped envelopes for each.
- 4) Plans and maps containing the requested information are attached (6 sheets total).
- 5) This letter contains a statement of compliance with town plan & applicable local regulations.
- 11) The proposed work would be completed during the 2017 and/or 2018 construction seasons – April 15 to December 1, of each year.

Finding an appropriate location to place these excavated materials has been challenging and we feel this site provides an environmentally responsible outlet. Existing land uses and open space on the Crabbe property would be maintained. Relocating these excavated materials is necessary to complete this publicly-funded infrastructure maintenance project which will provide substantial benefits to Charlotte residents and the traveling public.

Please contact me if you have any questions or require additional information at 802-735-3244 or [apearce@complaincevt.com](mailto:apearce@complaincevt.com).

Thank you for your prompt review of this application.

Best regards,



Andrea Pearce, Ph.D.  
Environmental Engineer

Enclosures:

- Town of Charlotte Application for Sketch Plan Review
- Application Information Waiver Request
- Sketch Plan Review Fee
- List of abutters
- Stamped, addressed envelopes to abutting property owners
- Plan and maps (6 sheets)

CC: John H. Crabbe Jr., Landowner