

CHARLOTTE PLANNING COMMISSION
Charlotte Town Office
PO Box 119
Charlotte, VT 05445
Phone: 802-425-3533

April 27, 2018

Eileen Schilling & Charlie Proutt
2109 Greenbush Road
Charlotte, Vermont 05445

Re: Sketch Plan Review – Application Number PC-18-12-SK

Dear Ms. Schilling & Mr. Proutt,

The purpose of this letter is to summarize the Sketch Plan Review for your proposal to adjust the boundary between two adjacent parcels of your 46.19-acre property located at 2109 Greenbush Road. The development is proposed to occur primarily within the Rural (RUR) zoning district.

Although it is not required by 24 VSA Chapter 117 to warn for a public hearing for Sketch Plan Review applications, hardcopy notifications 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 February 23, 2018, and published within “The Citizen” newspaper on February 22, 2018. A typographical error precipitated the re-publication of a corrected notice in the newspaper on March 8, 2018. Electronic notice was also posted on the Town of Charlotte website Meeting Calendar.

The Planning Commission attended a site visit prior to the public meeting held on March 15, 2018. The public meeting was attended by; Peter Joslin (Chair); Charlie Pughe (Vice Chair), Marty Illick, Gerald Bouchard, and Shawn Coyle. Additional participants at the public meeting included the applicant Charlie Proutt, neighbor Lydia Clemmons, the Town Planner, and others.

The Planning Commission has classified your project as a “Boundary Adjustment” in accordance with Section 6.1(C)(3) of the Charlotte Land Use Regulations (hereafter referred to as “the Regulations”), which would increase the 40.229 acre ‘*nursery parcel*’ to 41.049 acres with acreage from the 5.46 acre ‘*residential parcel*’, reducing it to 5.14 acres.

The Planning Commission is providing the following observations and recommendations for your Final Plan application, which should be addressed in addition to the standard submission requirements outlined 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 used as a nursery and gardens for the business; It is not necessarily RAP, and is not in current agricultural use.
 - b. Primary Agricultural Soils (Primary and Statewide) – Most of the parcel comprises Statewide soils. However, there is about 5.1 acres of Prime Agricultural Soils exist within the northern-central portion of the property, and about 3.8 acres of Prime Agricultural Soils that run along the western boundary of the property (according to the USDA-NRCS data).
 - c. Steep slopes (>=15%) – The property has areas of 15-25% slope and >25% slope exist along the eastern boundary of the property abutting US Route 7 (according to VCGI elevation data).
 - d. Flood hazard areas: The property is within "Area of Minimal Flood Hazard" in the FEMA National Flood Hazard Layer (NFHL).
 - e. Surface waters, wetlands and associated setback and buffer areas – Possible Class II wetland may exist within the area of the proposed boundary adjustment (identified within Vermont Significant Wetlands Inventory – VSWI). However, the proposed boundary adjustment would not impact any potential wetland.
 - f.
 - g. Wildlife habitat – About 11.5 acres of *Significant Forest Habitat*, about 7 acres of *Significant Linkage Habitat*, and about 2 acres of *Persistent Shrubland Habitat* exist along the eastern wooded portion of the property. About 7.2 acres of *Significant Aquatic Habitat* has been identified in areas throughout the parcel.
 - h. Historic Districts, Sites, and Structures – Historic Site #0403-49 (The Jensen Residence, built c.1810) exists on the abutting parcel to the west. The site was listed on the State Historic Register on 9 Apr 1980.
 - i. Scenic views and vistas – US Route 7 abutting the property to the east is a ‘Scenic Highway’ and Greenbush Road abutting to the west is a ‘Most Scenic Road’. Substantial screening exists between the roads and the property under review; especially from US 7.
 - j. Conserved Land on adjacent parcels - There are no conserved lands on adjacent parcels.
2. The historic *corn crib* structure located within the 5.46 acre ‘*residential parcel*’ should retain a minimum fifty (50) foot setback from the proposed property boundary adjustment, particularly with the western boundary. However in the submitted Sketch Plan map, it appears that a greater than fifty (50) foot setback would be created with the proposed adjustment to the southern boundary (thereby eliminating the pre-existing non-conforming status within its current location).
 3. The adjusted boundary within the 5.46 acre ‘*residential parcel*’ should also conform with the *Minimum Isolation Distances* outlined in the State of Vermont, Agency of Natural Resources, “*Wastewater System and Potable Water Supply Rules*” (dated September 29,

2007), stipulated in Section 1-503. You should confirm this with the Charlotte Zoning Administrator who would be familiar with any rule changes or adjustments.

4. It is understood that the proposed Boundary Adjustment does not indicate any expansion of hydrological infrastructure, as per the concerns of the owners of the adjoining property to the south.
5. 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 at least one public hearing, in accordance with Section 6.5 of the Regulations. Upon receipt of your application, the public hearing will be scheduled.

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

Sincerely,

Daryl Benoit, Town Planner
For the Charlotte Planning Commission