

CHARLOTTE PLANNING COMMISSION
Charlotte Town Office
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November 29, 2018

Stephen Winn
3453 Spear Street
Charlotte, VT 05445

Re: Sketch Plan Review – Application Number PC-18-156-SK

Dear Mr. Winn,

The purpose of this letter is to summarize the Sketch Plan Review for a proposed 3-Lot Subdivision of your 31.5 acre property located at 3453 Spear Street that is within both the Rural District (RUR) and the Conservation District (CON) in the Town of Charlotte.

It is understood by the Planning Commission as displayed on the maps within your application that you propose to subdivide your parcels into the following configuration:

1. **Lot #1:** a 16.1 acre developed lot, including two (2) houses and a barn on the northwestern corner of the property.
2. **Lot #2:** a *pre-existing* 1.87 acre lot (not part of this subdivision, but indicated on the map from the previous subdivision in October 2005) that is owned by Nicholas and Tammy Clark.
3. **Lot #3:** a 13.55 acre lot (with a 0.8 acre building envelope) adjoining to the south of Lot #2 and along Spear Street.
4. **Lot #4:** a 1.85 acre lot (also with a 0.8 acre building envelope) adjoining to the south of Lot #3 and along Spear Street.

A public meeting for the project was held at the Planning Commission meeting at 7:00 PM on Thursday October 18, 2018. In attendance were Commissioners Peter Joslin (Chair), Gerald Bouchard, Dick Eastman, and Shawn Coyle; the applicants Roy Marble and Steve Winn; and the Town Planner. The site visit to the property took place prior to the Planning Commission meeting at 6:00 PM and was attended by the Peter Joslin (Chair), Dick Eastman, and Gerald Bouchard; the applicants Roy Marble and Steve Winn; and the Town Planner.

The Planning Commission has classified your project as a “3-Lot Minor Subdivision/Planned Residential Development (PRD)” in accordance with **Sections 6.1(C)(1)** and **Section 8.4(C)(1)** of the 2016 Charlotte Land Use Regulations (hereafter referred to as “the Regulations”).

The Planning Commission is providing the following observations on your proposed application:

1. **Section 2.3 Application of District Standards - Table 2.5 Rural District (RUR) – (E) Dimensional**

- **Maximum Lot Coverage: 30%:** The proposed building envelope should remain only within the Rural District portion of the proposed demarcation of Lot #3. **As Lot #3 is only 1.85 acres, the proposed 0.8 acre building envelope should only be allowed to be 0.55 acres.**
- **Road Frontage: 300 feet:** According to the submitted map, Lot #3 and Lot #4 have an estimated road frontage of 590 feet. The Planning Commission prefers that the frontage for the lots are designed to the district standard of 600 feet (300 per lot). However, as per Section 8.4 of the Regulations (outlined in item 7 below), a PRD allows for modification of the dimensional requirements of lots.

2. **Section 3.2 Road, Driveway, and Pedestrian Access Requirements**

“...land development may be permitted on lots which have either frontage on a maintained state or Class I, II or III public road or public waters, in accordance with district frontage requirements, or with the approval of the Planning Commission, access to such a road or waters by means of a Class IV road, legal trail and/or a permanent easement or right-of-way at least 50 feet wide, all in accordance with the standards of this section.”

- The proposed shared access right-of-way for Lot #3 and Lot #4 located along the proposed northern property boundary of Lot #4 is sixty (60) feet wide.

“...Highway access permits must be issued prior to the issuance of a zoning permit.”

- **A highway access permit should be obtained from the Selectboard prior to submission of your subdivision application.**

3. **Section 7.2 General Standards - Areas of High Public Value**

The following Areas of High Public Value (AHPV) were identified on the property:

- a. **Primary Agricultural Soils (Primary and Statewide):** About 7.8 acres of Prime and Statewide soils comprise the western portion of the property, along Lots #1, #3, and #4.
- b. **Surface waters, wetlands and associated setback and buffer areas:** About 19.4 acres of wetland is estimated to exist along the eastern majority of the parcel (according to the Vermont Department of Environmental Conservation’s *Vermont Significant Wetlands Inventory (VSWI)*). The property is traversed by a small stream, indicated in the Vermont Agency of Natural Resources, *Vermont Hydrography Dataset (VHD)*. It enters the property on the south, continues through wetland, to the northern boundary.
- c. **Wildlife Habitat:** 3.8 acres of *Significant Forest Habitat* exists on the northeastern portion of the property. About 19.4 acres of *Significant Aquatic Habitat* exists on the eastern half of the property.

- d. Water supply source protection areas (SPAs):
 - Ground water: N/A
 - Surface water: The entirety of parcel falls within the Champlain Water District – Zone 3 (System ID: VT0005092).
- e. Historic Districts, Sites, and Structures: Historic Site #0403-27 (*Baker Rental House*) adjoins Lot #1 to the north and Site #403-26 (*Marble Rental House*) is directly across the street from the two primary houses on Lot #1 has been listed in the *Vermont State Historic Register* since April 9, 1980.
- f. Conserved land on adjacent parcels: No designated Open Space exists upon the property, or upon any adjoining properties.

4. **Section 7.2(E) General Standards – Building Envelopes**

“ . . .The size and shape of each building envelope shall be established in accordance with these regulations, including all applicable standards under this chapter and the district. The Commission also may require the identification of specific building footprints if such information is needed to determine conformance with these regulations. . . ”

Your Sketch Plan Review application had proposed developing one of the lots (Lot #4) as a 1.85 acre parcel with a 0.8-acre building envelope. As the dimensional standards for the Rural District indicate a *Maximum Lot Coverage* of 30%, the proposed envelope could potentially allow for this requirement to be exceeded. Therefore, **you should adjust the size of the proposed building envelope to a maximum of 0.55 acres, unless you propose to increase the size of Lot #4.**

5. **Section 7.3(D)(1) Rural, Shoreland, & Conservation Districts - Building Envelopes**

“Within the Rural, Shoreland and Conservation Districts, all subdivisions and associated site development shall be designed and reviewed according to the following standards:

- (1) *Building envelopes, to the extent feasible, shall be located, sited and configured so as not to create any undue adverse impacts on Areas of High Public Value. In the event that no other land in the parcel to be subdivided is suitable for development, building envelopes shall be designed to minimize encroachments into these areas and to minimize undue adverse impacts.”*

The proposed building envelopes for Lots #3 and #4 should not extend over the boundary of the Conservation District, which appears to traverse both lots. The survey to be submitted should indicate the delineation of the Conservation District.

6. **Section 7.6 Water Supply / 7.7 Sewage Disposal**

“The applicant shall demonstrate to the satisfaction of the Planning Commission that wastewater collection and disposal capacity is available to serve the proposed subdivision in compliance with applicable municipal and state regulations. . . ”

It is understood that each of the proposed lots for the subdivision have planned wastewater and water supply systems designed by Paul Taylor of Trailhead Designs. Lot #2 would host its own system and a replacement system for Lot #1 (originally designed

in 2005 as a replacement system for Lot #2). Lot #3 would host its own system and another for Lot #4.

7. **Section 8.4 Planned Residential Developments [PRDs]**

The Planning Commission has classified the project as a PRD. Therefore, **fifty (50) percent of the 31.5 acre parent parcel would be required to be conserved**. The Areas of High Public Value to be protected would include: the wetlands, the *Significant Forest Habitat*, and the *Significant Aquatic Habitat*. Under the PRD provisions in accordance with **Section 8.4(C)(1)** of the Regulations, the dimensional standards may be modified to accommodate the proposed non-conforming road frontage of 590 feet for Lots #3 and #4 (discussed in item 1 above).

8. 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, but may be extended for up to a year from the date of this letter upon request from the Planning Commission.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'PJ', is written over the word 'Sincerely,'.

Peter Joslin, Chair
Charlotte Planning Commission