

CHARLOTTE PLANNING COMMISSION
Charlotte Town Office
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April 2, 2019

Benjamin Mason (land owner)
2897 Greenbush Road
Charlotte, VT 05445

Chris von Trapp (project representative)
1798 Maple Street
Waltham, VT 05491

Re: Sketch Plan Review – Application Number PC-18-196-SK

Dear Mr. Mason & Mr. von Trapp,

The purpose of this letter is to summarize the Sketch Plan Review for a proposed 2-Lot Subdivision and Site Plan Review for the property located at 140 Ferry Road that traverses three zoning districts within the Town of Charlotte: **1.** the West Charlotte Village (WCV), **2.** the Village Commercial district (VCM), and **3.** The Rural (RUR) district.

It is understood by the Planning Commission as displayed on the proposed map within your application (see: <https://is.gd/Dprxcx>) and discussions from the public meeting(s) that you propose to:

1. Subdivide a *1.05 acre lot* within the VCM zoning district from the existing *37.5 acre lot* located at 140 Ferry Road (to be applied for by Mr. Mason).
2. Undertake a Site Plan Review for the proposed *1.05 acre lot* to develop a Health Center, (to be applied for by the Charlotte Family Health Center).

The Planning Commission undertook two site visits to the property on: **1.** Saturday December 29, 2018 at approximately 9:00 AM attended by Planning Commissioners: Charlie Pughe (Vice Chair), Gerald Bouchard, and Marty Illick, and applicant Ben Mason, and; **2.** Saturday January 5, 2019 at 9:00 AM attended by: Gerald Bouchard, Peter Joslin (Chair), Dick Eastman, Charlie Pughe (Vice Chair), Chris von Trapp, and Ben Mason. Three public meetings for the proposal took place on:

1. Thursday January 3, 2019 attended by Planning Commissioners; Peter Joslin (Chair), Charlie Pughe (Vice Chair), Gerald Bouchard, Dick Eastman, Marty Illick, and David Kenyon. Also in attendance were; Christopher von Trapp (applicant representative), Ben Mason (applicant), Paul Reiss, Mark Moser, Ronda Moore, Lucas Adler, Dr. Andrea

Regan, Cydney Spohn, Patrice Machavern, Dick St. George, Tom Cosinuke, Julann Phelps, the Town Planner, and others.

2. Thursday February 7, 2019 at approximately 8:00 PM attended by Commissioners; Peter Joslin (Chair), Charlie Pughe (Vice Chair), Gerald Bouchard, Mary Illick, and David Kenyon. Additional participants included; Ben Mason (applicant), Chris von Trapp (applicant representative), Gay Regan, Ronda Moore, Andrea Regan, Paul Reiss, and the Town Planner.
3. Thursday February 21, 2019 at approximately 8:25 PM attended by Commissioners; Peter Joslin (Chair), Charlie Pughe (Vice Chair), Gerald Bouchard, Dick Eastman, Shawn Coyle, David Kenyon. Additional participants included; Ben Mason (applicant), Andrea Regan, Dave Marshall (consultant), Fritz Tegatz, Nan Mason, Doug Brines, Rob Suite, and the Town Planner.

The Planning Commission has classified your project as a "2-Lot Major Subdivision/PUD and Site Plan Review" in accordance with **Sections 6.1(C)(2)** and **5.5(C)** of the 2016 Charlotte Land Use Regulations (hereafter referred to as "the Regulations").

The Planning Commission provides the following observations on your proposed application:

1. **Section 2.3** related to the Application of District Standards states that Planned Unit Development (PUD) review is required for all subdivisions that occur within the West Charlotte Village (WCV) district, and the Village Commercial District (VCM). As the proposed lot would exist within the VCM district, the forthcoming application will be reviewed as a PUD under **Section 8.2(C)** of the Regulations.

Your submitted "Proposed Conditions Site Plan" (drawing number C1.1), dated February 2019 (rec'd by the Planning & Zoning Office on 14 Feb 2019), indicates that you meet the VCM district dimensional standards. Because this subdivision application is a PUD, the Planning Commission has the authority to modify the district dimensional standards. Any such changes to your proposal should be highlighted in your forthcoming Site Plan Review application and maps.

2. **Table 3.1** of **Section 3.11** related to Parking, Loading, and Service Area Requirements indicates that at least five (5) off-street parking spaces per physician, dentist or other primary care giver should exist for the proposed facility.
3. **Section 5.5(E)** pertinent to General Site Plan Review Standards require the following items to be addressed as part of your forthcoming Site Plan, along .
 - a. Site Features: Site layout and design shall incorporate and protect significant site features including the (forthcoming) Class II wetland delineation and associated 50 foot buffer.
 - b. Site Layout & Design: Site maps and elevations that ensure that the size, scale, arrangement, and appearance of the proposed structure(s) remain harmonious with the character of the area, and does not have an undue adverse aesthetic impact.

- c. Access: At the 21 February Planning Commission meeting, your consultant proposed having the access road to the proposed health center traverse over the Charlotte Volunteer Fire and Rescue Services (CVFRS) lot by 3.5 feet over their property line. Where the PUD provision allows for the modification of district dimensional standards, it would not allow for their modification on adjoining lots. In this case, it is recommended that the road is moved 3.5 feet eastward from the CVFRS property. Potential traffic impact does not initially appear to be an issue at this point in time.
 - d. Parking, Loading, & Service Areas: There were no recommendations made to change the parking, loading, or service area indicated your "Proposed Conditions Site Plan".
 - e. Landscaping & Screening: You will be required to submit a landscaping plan that preserves and incorporates existing vegetation suited to the proposed site conditions, enhances development and features unique to the site, and integrates the proposed development with surrounding properties.
 - f. Stormwater Management & Erosion Control: You will be required to submit a stormwater and erosion control plan with your application. The plan should address the contents of the 2015 "Ferry Road Stormwater and Pedestrian Feasibility Study", prepared by DuBois & King, Inc., which is available on the Town's website.
 - g. Outdoor Lighting: The applicant should follow the guidance from **Section 3.9** of the Regulations, which addresses "Outdoor Lighting".
4. In accordance to **Section 7.2**, the following Areas of High Public Value (AHPV) were identified on the property:
- a. Primary Agricultural Soils (Prime and Statewide - PAS): Prime and Statewide comprise a majority of the entire parcel property (according to the *USDA Natural Resources Conservation Service (NRCS) GIS database*).
 - b. Surface Waters, Wetlands, and associated buffer areas: Class II wetland is estimated to exist along the southern end (and northern end) of the parcel (according to the Vermont Department of Environmental Conservation's *Vermont Significant Wetlands Inventory (VSWI)*). The Health Center representative (Dr. Regan) has planned in coordination with the Vermont Wetlands Program to produce a delineation map for Spring 2019. *Pringle Brook*, an ANR designated "small stream" traverses northern end of the property along the boundary of 2289 Greenbush Road (the Lavalette property) and 2213 Greenbush Road (the Clemmons property).
 - c. Significant Wildlife Habitat: About 20 acres of *Forest Habitat*, about 7.3 acres of *Aquatic Habitat*, 1.6 acres *Persistent Shrubland Habitat*, and 1.8 acres of *Linkage Habitat* exists along the northern end of the property. These identified habitat lands exist north of the proposed location of the *1.0 acre lot* to be created at the southern end of the property (according to the "*Charlotte Significant Wildlife Habitat Map and Database*"). These AHPVs are appropriate for open space protection in accordance **Section 8.2** with respect to undertaking a PUD (outlined below).

- d. Water supply source protection areas (SPAs):
 - Ground water: The Charlotte Childrens' Center System (System ID: VT0020761) is an active Groundwater Source Protection Area, which includes about 3.4 acres of the southern portion of the 140 Ferry Road property and would contain the proposed *1.0 acre parcel*.
 - e. Historic Districts, Sites, and Structures: "*Four Corners Historic District*" exists adjacent to the west of the 140 Ferry Road property.
 - f. Scenic Views and Vistas: US Route 7, just to the east of the property is a "*Scenic Highway*" that serves as part of the *Lake Champlain Byway*. According to the Charlotte Town Plan, the northern portion of US Route 7 is a '*most scenic public road*'.
5. **Section 8.5(B)** of the Regulations relating to General Standards of PUDs state that in addition to the subdivision standards, PUDs shall meet the following that are pertinent to your application:
- (1) A greater concentration or intensity of development may be located within some portion(s) of the site provided there is an offset by a lesser concentration in another portion(s) or an appropriate reservation of open space on the remaining land in accordance with **Section 8.6**, which is covered in item 6, below.
 - (2) The PUD shall be designed to establish or extend an interconnected network of streets, and distinct streetscapes defined by consistent building setbacks, sidewalks, and street trees. This is covered in your Site Plan Review in **Section 5.5(E)** above.
 - (3) Provision shall be made for year-round pedestrian circulation within the site, and for pedestrian access to adjacent properties. Pedestrian circulation should include a network of pathways and sidewalks connecting existing land uses within and adjacent to the site. This criterion has appeared to have been met in your "*Proposed Conditions Site Plan*".
 - (4) Buildings envelopes (or footprints) shall front toward and relate to streets, entrance drives and public spaces (e.g. greens, parks, plazas), both functionally and visually, and not be oriented toward parking lots. Proposed building envelopes (or footprints and elevations) shall reflect a diversity of building scale and massing. Excessively large, monolithic buildings shall be avoided. Lots and building envelopes within Village Districts shall be configured to be consistent with the pattern created by historic structures within the district/vicinity.
 - (5) Proposed building sites shall be clustered and integrated within a compact village pattern, present a well-defined edge between the built environment and surrounding open space, and visually enhance village entrances.
6. **Section 8.6(A)** of the Regulations require that a Planned Unit Development (PUD) make adequate provision for the protection of open space and common land in accordance with **Sections 7.11, 7.12**, and consider the site features identified in **Table 8.1**. At the

public hearing it was discussed that this would include the designation of open space to protect the identified *Areas of High Public Value* (e.g. the Significant Wildlife Habitat, the Class II wetland along the northern portion of the property, and scenic aspect of the property). However, the designation of open space will be deferred to a future master plan application. Any further subdivision of the existing 140 Ferry Road property will require a master plan (i.e. a PRD under **Section 8.4** of the Regulations).

7. As there are potential Class II wetlands on the property, their verification and delineation will be required as part of your application submission. The results of the delineation will determine the location, size, or shape of the proposed development.
8. With the submission of your preliminary application, adequate wastewater capacity and potable water supply must be verified. Furthermore, a draft wastewater (and possible water supply) easement should be submitted as part of your application, which is designed to connect the proposed *1.05 acre* parcel with its water supply and wastewater system.
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, unless an additional six-month extension is formally requested from the Planning Commission before the expiration date.

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

Sincerely,



Peter Joslin, Chair
Charlotte Planning Commission