

CHARLOTTE PLANNING COMMISSION
Charlotte Town Office
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Charlotte, VT 05445
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Charles Stearns Estate
6889 Spear St.
Charlotte, VT 05445

August 23, 2018

Contact Person: Carl Cole
48 Green Street, Suite 2
PO Box 201
Vergennes, VT 05491

Re: Sketch Plan Review – Application Number PC-18-72-SK

Dear Mr. Cole,

The purpose of this letter is to summarize the Sketch Plan Review for a proposed amendment to Condition #13 of the Planning Commission decision **PC-04-27**, which designated the 1.44 acre **Lot #1** as an affordable housing lot for the approval of a 7-Lot Major Subdivision/PRD (Planned Residential Development) in January 2005. The subdivision is located at 6889 Spear Street Extension and along Partridge Lane within the Rural District (RUR) in the Town of Charlotte.

It is understood by the Planning Commission (as displayed in the materials within your application - <https://is.gd/JVMlpO>) that you propose to change the current condition from:

“Lot 1 may be used for a two family dwelling and allowed accessory uses and structures; all dwelling units on Lot 1 shall be affordable dwelling units, as defined in the Zoning Bylaws (as amended).”

To:

“Lot 1 may be used for a single family dwelling and allowed accessory uses and structures.”

A public meeting for the project was held at the Planning Commission meeting on June 7, 2018 at 7:00 PM. In attendance were Commissioners Charlie Pughe (Acting Chair), Gerald Bouchard, Marty Illick, and Dick Eastman; the Town Planner; Applicants Kim Fath and Chris Metiver (of the Charles Stearns Estate); Consultant Carl Cole; Neighbors Kevin and Sheila Bothwell, and Robert Titus; and Laurie Curler. The site visit to the property took place at 6:30 PM prior to the public meeting for the Sketch Plan Review, which was attended by Commissioners Marty Illick, Dick Eastman, and Gerald Bouchard; Consultant Carl Cole; Kim Fath and Chris Metiver.

The application was continued to the Planning Commission meeting held on July 19, 2018 at 7:00 PM. In attendance were Commissioners Peter Joslin (Chair), Charlie Pughe (Vice Chair),

Gerald Bouchard, Marty Illick, David Kenyon, Shawn Coyle, and Richard Eastman; the Town Planner; and consultant/applicant representative Carl Cole.

Although it is not required by 24 VSA Chapter 117 or the Charlotte Land Use Regulations (hereafter referred to as “the Regulations”), notice of the public meeting was published in “*The Citizen*” newspaper on May 10, 2018. Hardcopy notices were mailed out to adjoining neighbors on May 24, 2018, and were posted at the Town offices, the Old Brick Store, and the Spear Street Store on May 8, 2018. Electronic notice was posted on the *Meeting Calendar* of Town of Charlotte website.

As the parcel was originally approved for subdivision in January 2005 (which was more than ten years ago), the Planning Commission has therefore classified your project as a “Minor Subdivision Amendment” in accordance with **Section 6.1(C)(4)** of the Regulations. 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 subsequent public hearing, in accordance with **Section 6.5** of the Regulations. Upon receipt of your Final Plan Application, a Final Hearing will be scheduled.

The Planning Commission is providing the following observations and recommendations to consider for your subsequent Final Plan Review of your anticipated subdivision application, in addition to the standard submission requirements.

1. The following related Areas of High Public Value (AHPV) were identified on the property:
 - a. Primary Agricultural Soils (Prime and Statewide - PAS): The entire parcel comprises Statewide soils, according to the *USDA Natural Resources Conservation Service (NRCS) GIS database*.
 - b. Surface waters, wetlands and associated setback and buffer areas: The property is traversed by at least 2 small streams, derived from the Vermont Agency of Natural Resources, *Vermont Hydrography Dataset (VHD)*. Possible Class II wetlands have been identified along the southern portion of the parcel, according to the Vermont Department of Environmental Conservation’s *Vermont Significant Wetlands Inventory (VSWI) “Wetlands Class Inventory Layer”*.
 - c. Wildlife Habitat: Identified within the GIS layers of the “*Charlotte Significant Wildlife Habitat Map and Database*” there are approximately 1.3 acres of *Significant Aquatic Habitat* on the property.
2. As there are potential Class II wetlands along the property, their verification and delineation will be required as part of the Final Plan application submission. The results of the delineation may impact the location, size, or shape of the building envelope.
3. Depending on the results of the Class II wetlands delineation, it may be preferable that the driveway to **Lot #1** originate from Partridge Lane rather than Spear Street Extension. As the Rural District dimensional standard calls for a 300 foot *Minimum Frontage* for roadways (according to **Section 2.3, Table 2.5(E)** of the Regulations), **Lot #1** has a non-conforming 264 foot frontage along Spear Street Extension. However, if it is determined

that the Class II wetland would be impacted by constructing a driveway from Partridge Lane, an access may then be approved by the Planning Commission because the 2005 subdivision was undertaken as a PRD, which allows for modification of dimensional lot requirements (according to **Section 3.6(B)(1)** of the Regulations). Furthermore, a Highway Access Permit would also need to be approved by the Charlotte Selectboard for the proposed driveway location on Spear Street Extension.

4. The proposed driveway should also be consistent with the 1997 "*Recommended Standards for Developments and Homes*" and **Section 3.2** of the Regulations.
5. In consideration of the letters received from the *Champlain Housing Trust* and *Green Mountain Habitat for Humanity* indicating a low feasibility for affordable housing development, the Planning Commission is amenable to modifying Condition #13 should you decide to submit a Subdivision Amendment application.
6. Additional 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 up to one year with permission from the Planning Commission.

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

Sincerely,



Peter Joslin, Chair
Charlotte Planning Commission