

CHARLOTTE PLANNING COMMISSION

Charlotte Town Office

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Charlotte, VT 05445

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January 16, 2020

Robert and Nancy Bloch
1188 Whalley Road
Charlotte, VT 05445

Re: Sketch Plan Review – Application Number PC-19-194-SK

Dear Mr. and Mrs. Bloch,

The purpose of this letter is to summarize the Sketch Plan Review for a proposed subdivision amendment of your 13.43 acre property located at 1188 Whalley Road. The following information contained within this letter relays the Planning Commission's understanding with regard to the status of your property located within the Rural (RUR) zoning district. This letter also cites the Charlotte Land Use Regulations (LURs) pertinent to the proposed development of your property.

It is understood by the Planning Commission (as displayed on the map within your application - <https://is.gd/uAiVyd>) that you propose to adjust the acreage between your two parcels, where:

1. **Lot #1** would be reduced from 7.83 acres to 7.14 acres.
2. **Lot #2** would be increased from 5.6 acres to 6.29 acres.

Two public meetings for the proceeding were held to review your application, on: November 21 (*attended by Commissioners Peter Joslin, Charlie Pughe, Jim Faulkner, Gerald Bouchard, and Shawn Coyle*) and December 5, 2019 (*attended by Commissioners Charlie Pughe, Jim Faulkner, Gerald Bouchard, Marty Illick, and Dave Kenyon*). The site visit to the property took place on the morning of Saturday November 23, 2019, attended by Commissioners Peter Joslin, Charlie Pughe, Jim Faulkner, and Gerald Bouchard; and property-owner Robert Bloch.

The Planning Commission has classified your project as a "2-Lot Minor Subdivision Amendment" in accordance with **Section 6.1(C)(4)(a)** 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 for the subsequent Final Plan Review of your anticipated subdivision application that should be

addressed, in addition to the standard submission requirements outlined within the Regulations;

1. According to the 2007 Planning Commission decision ([PC-07-06](#)) and the relevant minutes ([linked here](#)), there are significant *Area of High Public Value* protections that are required for the property, which address; the Prime and Statewide soils, Class III wetlands, and the mature cedar trees along the southern portion of the property, and hardwoods along the northern portion of the property.
2. In accordance with **Section 7.2** of the Regulations, the following Areas of High Public Value (AHPV) were identified on the property:
 - a. **Primary Agricultural Soils (Prime and Statewide - PAS):** The property is composed mostly of Prime Agricultural soils located along the northern parcel, and Statewide soils on the southern parcel (according to the *USDA Natural Resources Conservation Service (NRCS)* GIS database).
 3. **Wildlife Habitat:** Identified within the GIS layers of the "*Charlotte Significant Wildlife Habitat Map and Database*" the entire property has been identified as *Significant Forest Habitat*.
 - a. **Water Supply Source Protection Areas (SPAs):** About 2.4 acres of the northern parcel (e.g. [Lot #1](#)) along Whalley Road is within an active Surface Water Protection Area known as the "*West Wind Water System*" (System ID: [VT0005557](#)).
4. Your application proposes to adjust the properties to become more regular-shaped, and thereby more conforming with lot layout standards addressed in **Section 7.2(C)(5)** of the Regulations.
5. **Lot #2** will likely require an extension to the existing driveway. In accordance with **Section 3.2** of the Regulations, all roads, driveways, and intersections shall be designed and constructed in accordance with the Town of Charlotte "*Recommended Standards for Developments and Homes*" (adopted September, 1997), to include;
 - A. "*All driveways 500' or more in traveled length shall have a turnaround at the house site large enough to accommodate 3 emergency vehicles at one time (Approx. 1,600 sq. ft.)*"
 - B. "*All Driveways longer than 800' will have vehicle turn-outs (12' wide x 35' long) near the halfway point or every 800'.*"

Furthermore, any modifications to the driveway should adhere to **Section 3.2(D)(2)** of the Regulations, particularly:

"(c) Roads and driveways should be located to avoid fragmentation of and/or adverse impacts to areas of high public value listed in Table 7.1. Additionally, to the extent feasible, roads should follow existing linear features such as utility corridors, tree lines, hedgerows and fence lines."

The *Area of High Public Value* protections and conditions identified in Planning Commission decision ([PC-07-06](#)) should be maintained.

6. Please be advised that the proposed reduction of area for **Lot #1** is approximately 9.7%. According to the Vermont ANR, 2019 Wastewater System and Potable Water Supply Rules (e.g. **§ 1-304 Permit Exemptions**), a Boundary Line Adjustment would be exempt from any permitting requirements if *“the lot is reduced in size by no more than 2 percent”*. An exemption from permitting requirements is also possible if the Agency of Natural Resources determines that the proposed Boundary Adjustment *“will not have an adverse effect on any existing potable water supply or wastewater system on the affected lots”*. You may contact the Charlotte Zoning Administrator to enquire further on this matter. For your convenience you may obtain a copy of documentation of your existing system from the online parcel file for 1188 Whalley Road ([linked here](#)).
7. Along with the proposed adjustment to the property boundary, the **following items should be added to your existing survey** to be submitted with your final subdivision application:
 - a. The location of the footprint of all designated water supply and wastewater infrastructure (including any mounds, septic tanks, and replacement areas); and
 - b. Any proposed driveway improvements and emergency vehicle turnouts within the subdivision area.
8. Additional issues may be considered during the review of your forthcoming Final Plan application. In accordance with **Section 6.3(D)** of the Charlotte Land Use 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