

# Town of Charlotte Staff Report – Donovan

Prepared for PLANNING COMMISSION sketch plan meeting - **October 1, 2020 @ 8:00 pm**

<b>General Information</b>	
Applicant:	Patricia O'Donnell & Jim Donovan
Application No.: <b>PC-20-125-SK</b>	Parcel ID: 00009-0125
Status of Applicant: (self)	Landowner: (same)
Requested Action:	Sketch Plan Review
Purpose:	Proposed 11-lot subdivision, Planned Residential Development (PRD). The PRD will result in the addition of Lots 2-4.
Existing Zoning:	Rural
Location:	125 Lake Road
Size:	Subject parcel is 124.3 acres. Proposed new lots: Lot 1 – 56.5 acres; Lot 2: .6 acres; Lots 3 & 4: .3 acres ea.; Lots 5-10: .5 to 1.0 acres ea.; Lot 11: ±64 acres
Existing Land Use:	Open land (pasture, forest and wetlands around Holmes Brook)
Surrounding Land Use:	Surrounded by farmland, with developed residential lots to the east (along Greenbush Rd.) and west (at hillcrest of Lake Rd.)
Town Plan:	Rural district goals: to protect ag land, wildlife habitat, productive woodland, natural areas, aquifers, scenic vistas and views, open spaces etc; and allow for low-density residential development.
Recent Permitting History:	Prior subdivision: Reginald & Marjorie Carpenter, 1989 (3 lots); reconfigured Lot 1 to present boundaries (1990); no conditions (but see 'List of concerns for future subdivisions' from 11.14.89 decision
Applicable Regulations:	Town Plan 2019 Land Use Regulations 2016 Recommended Standards for Developments and Homes, 1997
<b>Standards – Chapter VII</b> Areas of High Public Value	<ul style="list-style-type: none"> <li>▪ <u>Agricultural use</u>: Northern half of parcel is in active use as pasture &amp;/or for haying.</li> <li>▪ <u>Agricultural soils</u>: Prime soils extend from northern part of subject lot into proposed Lots 1, 2, &amp; 7-10, and a major portion of Lot 11. Statewide agricultural soils comprise ~40% of the rest of the parcel, including significant areas of Lots 5-10.</li> <li>▪ <u>Steep slopes (&gt;=15%)</u>: n/a</li> <li>▪ <u>Flood hazard areas</u>: (n/a)</li> <li>▪ <u>Surface waters, wetlands and associated setback and buffer areas</u>: there is a wetland complex on along the banks of Holmes Creek. Proposed residential lot layouts for Lots 1-10 do not encroach on stream setbacks or wetland buffers.</li> <li>▪ <u>Shoreland setback and buffer areas</u>: (n/a)</li> <li>▪ <u>Special Natural Areas</u>: (n/a)</li> <li>▪ <u>Wildlife habitat</u>: There is significant forest habitat throughout the southern half of the parcel. Aquatic habitat coincides with wetland complex along the banks of Holmes Creek. Town habitat maps show the Vermont Railway ROW as a significant habitat connector for wildlife. Proposed residential lot layouts do not encroach on any of these habitat blocks. A comment from a neighbor mentions that three mapped occurrences of a rare S2 plant are mapped along the eastern boundary of the parcel (did not identify plant, or if proposed building lots would impact this habitat).</li> <li>▪ <u>Water supply source protection areas (SPAs)</u>: (n/a)</li> <li>▪ <u>Historic districts, sites and structures</u>: (n/a)</li> <li>▪ <u>Scenic views and vistas</u>: Both Greenbush Rd. and Lake Rd. are designated as 'most scenic roads' in the town plan. Properties along Greenbush Rd. have views to the west across subject property; Lake Rd. has views to east &amp; west at hillcrest</li> </ul>

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	(at NW corner of subject parcel). Lake Road in this area is part of the Champlain Bikeway route.
	<ul style="list-style-type: none"> <li>Conserved land on adjacent parcels: There are conserved lands to the east (across Greenbush Rd.)(Charlotte Park &amp; Wildlife Refuge) and north (of Lake Rd.) (VT Land Trust)</li> </ul>
<b>Standards – Chapter VII cont.</b> Lot Layout (7.2.C)	<ul style="list-style-type: none"> <li>Proposed lot sizes are too small to conform to dimensional standards for Rural district unless PRD waivers are granted. Several lots have irregular lot shapes with dog legs. Proposed density conforms (11 res. lots over 124.3 acres).</li> </ul>
Building Envelopes (7.2.E)	(Not yet provided)
District Standards (7.3.D)	<ul style="list-style-type: none"> <li>Proposed residential lots generally avoid slopes, aquatic and forest habitat. All building envelopes are located on state-identified ag soils. Proposed new dwellings are clustered in the central area per PRD standards.</li> </ul>
Compatibility w/ Agricultural Operations (7.4)	<ul style="list-style-type: none"> <li>While residential lots are at some distance from active farms on adjoining lots, subdivision would itself displace an active farm (northern half is active pastureland/hayfields). The entire subject parcel is in current use (for both ag and forest uses).</li> </ul>
Facilities, Services & Utilities (7.5)	<ul style="list-style-type: none"> <li>A shared driveway off Lake Rd. is proposed, generally following the existing farm access road. Applicant states the existing curb cut would shift to improve sight lines for traffic on Lake Rd. The proposed subdivision is located 2 miles from the CVFRS fire station.</li> <li>Electric and telecom connections are available at Greenbush and Lake Roads.</li> </ul>
Water Supply (7.6) and Sewage Disposal (7.7)	<ul style="list-style-type: none"> <li>Septic plans are not yet provided, or permitted. Applicant plans a combination of individual and group septic systems. An engineering report provided notes test pit and soil boring locations identified areas of septic capacity; these are described in an attachment, but locations are not indicated on site plans. Well locations, well shields and septic shields are not delineated on site plans.</li> </ul>
Stormwater Management & Erosion Control (7.8)	(Not yet addressed)
Common Land to be Conserved (7.11)	<ul style="list-style-type: none"> <li>Applicant has proposed to conserve significant portions of Lots 1 (56.5 acres) and 11 (64 acres) as open space, but has not yet committed to specifics. Applicant has not proposed any access to these lands for other property owners or the public, or suggested any permanent protection for these lands.</li> </ul>

### Staff Comments:

This 11-lot development would impact highly visible open land framed by important scenic roads. While proposed building lots are generally clustered, it's not clear from the application if/how project otherwise conforms to PRD standards, with many key subdivision standards not yet addressed. Proposed use & access to Lot 11 is unclear. As long as clearing is limited to the house sites and driveways, the proposed development would not likely impact forest or aquatic habitat. An open space agreement with the town, with conservation easements to benefit existing wildlife habitat and habitat connector areas, and/or shared public access to these open space areas would be essential elements if approved as a PRD.

**Public Notice:** Public notice was provided by posting the meeting agenda posted on town website on 9/1/20, with hard copies of the agenda posted in three public locations on 9/16/20. In addition, a copy of the meeting agenda was mailed to all adjoining landowners on 9/1/20.

**Prepared by:** Larry Lewack, Town Planner – 9.30.2020

Application materials are available online at: <http://bit.do/Donovan-applic> & upon request