

CHARLOTTE PLANNING COMMISSION

FINDINGS OF FACT AND DECISION IN RE APPLICATION OF

ALEXANDER AND CONSTANCE LEWIS

For A

2-Lot Subdivision

Application # PC-00-32

Background

The Planning Commission held Sketch Plan Review on September 7, 2000.

Application

The application consists of:

1. A Subdivision application form and appropriate fee.
2. A survey map entitled "Final Plat, Minor Subdivision, Property of Alexander S. and Constance S. Lewis, Charlotte, Vermont" by Stuart Morrow, dated July, 2000, no revisions.
3. A septic design entitled "Sanitary Design, Alexander Lewis, Mount Philo Road, Charlotte, Vermont" (3 sheets) by Ridge Consulting Engineers, dated 9/8/00, no revisions.

Public Hearing

A Public Hearing was held for this application on October 5, 2000. Alexander Lewis, David Lewis, and Stuart Morrow were present at the hearing representing the applicants. Hilary Jordan, Mike Jordan, and Jack Lazaraowski were also present.

Regulations in Effect

Town Plan readopted March 2000
Zoning Bylaws as amended March 1997
Subdivision Bylaws as amended March 1995

Findings

1. The tree-line on the north side of the property creates a measure of screening of the proposed residence on Lot #3.
2. The "Open Space Area" was delineated during the 2-lot subdivision by Jane Titus because of the wildlife value of the area.
3. The current applicant is proposing to maintain the Open Space Area.
4. The septic system and water system will be shared. The town's septic consultant recommended requiring a septic maintenance contract and a well yield test and water system design.

Decision

Based on these Findings, the Planning Commission approves the 2-lot subdivision with the following conditions:

1. The tree-line on the north side of Lot #3 shall be maintained.
2. There shall be no structures built in the "Open Space Area".
3. The following shall be added to the survey: the septic line easements, the barn on the Lazaraowski lot, and dimensions of the open space area.
4. A mylar of the survey map, with revisions as noted above, shall be submitted to the Planning Commission for review within 60 days, and recorded in the Town Land Records within 90 days.
5. Before a Certificate of Occupancy is issued for a house on either Lot #2 or Lot #3, a maintenance contract for the sand filter, and a yield test and water system design shall be submitted for administrative approval.

Additional Conditions: All plats, plans, drawings, testimony, evidence and conditions listed above or submitted at the hearing and used as the basis for the Decision to grant permit shall be binding on the applicant, and his/her/its successors, heirs and assigns. Projects shall be completed in accordance with such approved plans and conditions. Any deviation from the approved plans shall constitute a violation of permit and be subject to enforcement action by the Town.

You and any interested parties are entitled to appeal this decision to the Environmental Court within 30 days as per requirements of 24 VSA Chapter 117, Sections 4471 and 4475. If you fail to appeal this decision during this period, your right to challenge this decision in the future may be lost; you and subsequent property-owners will be bound by this decision, pursuant to 24 VSA Section 4472(d) (exclusivity of remedy; finality).

Members Present at the Public Hearing: Al Moraska, Ed Stone, Dave Brown, Jim Donovan, Josie Leavitt, and Jeff McDonald

Vote of Members Present:

AYES: Unanimous

NAYS:

ABSTENTION:

Date Approved: October 5, 2000

Signed: _____ (Chair/Vice Chair)

Date Signed: _____