

CHARLOTTE PLANNING COMMISSION

FINDINGS OF FACT AND DECISION IN RE APPLICATION OF

Christopher and Heather Kingston

**Final Plat Application
For A
2-Lot Subdivision
Application # PC-01-39**

Background

A Sketch Plan Review was held on 3/0/01. Preliminary Plat Review was held on May 17, 2001.

Application

The application consists of:

1. A Subdivision Application form. The fee was waived by the Selectboard.
2. A survey map entitled "Final Plat, Subdivision—Lots 1 and 4, Property of Christopher and Heather Kingston" by Stuart Morrow, dated March 2001, revised 10/12/01.
3. A plan entitled "Kingston Property-Lot 1, Proposed Driveway Plan, Charlotte, Vermont" by Civil Engineering Associates, date March, 2001, no revisions.
4. A draft Warranty Deed for the proposed 5-acre parcel ("Lot 4").
5. A memo signed by Robert Mack, Charlotte Selectboard Chair, regarding the deed and covenants presented to the Selectboard on October 22, 2001.

Public Hearing

A Public Hearing was held for this application on December 6, 2001. Chris Kingston was present representing the applicant.

Regulations in Effect

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

Findings

1. The applicant has met the conditions of the Preliminary Plat Decision.
2. The applicant has submitted draft deed language for Lot #4, which is to be transferred to the Town of Charlotte.
3. Lot #4 will not be used for purposes which will require wastewater disposal.

Decision

Based on these Findings, the Planning Commission approves the Final Plat application for a 2-lot subdivision, and waives requirements for providing for septic disposal on Lot #4, with the following conditions:

1. A mylar of the survey map shall be submitted to the Planning Commission for review within 60 days, and recorded in the Charlotte Land Records within 90 days.
2. The proposed deed shall be executed and recorded in the Charlotte Land Records within six months.

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.

Members Present at the Public Hearing: Jeff McDonald, Al Moraska, Josie Leavitt, Gordon Troy, and Martha Perkins

Vote of Members Present:

AYES: Unanimous

NAYS:

ABSTENTION:

Date Approved: December 6, 2001

Signed: _____ (Chair/Vice Chair)

Date Signed: _____