

CHARLOTTE PLANNING COMMISSION

FINDINGS OF FACT AND DECISION IN RE APPLICATION OF

JACKSON AND LYDIA CLEMMONS FINAL PLAT REVIEW

For a 2-LOT SUBDIVISION Application # PC-99-34

Background:

The applicant originally had a Sketch Plan Review on July 21, 1998. The applicant submitted a subdivision application on September 14, 1998 and submitted the required application fee (receipt #6952). The applicant's survey was delayed, however. When the survey was finished, it appeared that the proposed lot-line would not provide the required setback from an existing structure (the renovated barn). The applicant applied for a variance, which was denied because the Zoning Board of Adjustment indicated that the lot-line could be angled so that it would allow the required setback.

The applicant therefore reapplied for Sketch Plan Review, because the original review had expired. The second Sketch Plan Review was held on November 4, 1999, and the application was classified a Minor Subdivision. On October 4, 1999, the Charlotte Selectboard voted to allow the applicant to use the fee from the earlier subdivision application for the current subdivision application.

Application

The application consists of:

1. A map entitled "Final Plat of Minor Subdivision, Property of Jackson J.W. and Lydia M. Clemmons, Charlotte, Vermont" by Stuart J. Morrow, dated July 1999. (It is noted that this map is a revision of an earlier map, although this is not indicated on the map).
2. A septic plan entitled "Wastewater Plan for Jack Clemmons" sheets 1 and 2, by Civil Engineering, dated May 1998, no revisions.

Public Hearing

A Public Hearing was held for this application on January 6, 1999. Jackson Clemmons was present at the hearing. Linda Hamilton of the Conservation Commission was also present.

Regulations in Effect

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

Findings

1. The town's septic consultant performed a site visit to check the existing septic system and found no apparent signs of failure.
2. The town's septic consultant reviewed the plans for the new septic system and found that they are appropriate.

Decision

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

1. The plat shall be submitted to the Planning and Zoning Office within 60 days and recorded with the Town Clerk within 90 days, and shall be corrected for the following:
 - A. the plat shall indicate the correct revision date;
 - B. the plat shall be stamped and signed by a licensed surveyor;
 - C. a signature block shall be added for endorsement by the Planning Commission and the Town Clerk;

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 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: Al Moraska, Ed Melby, David Brown, Jeff McDonald,

Vote of Members Present:

AYES: Unanimous

NAYS:

ABSTENTION:

Date Approved: January 6, 2000

Signed: _____ (Chair/Vice Chair)

Date Signed: _____