

# CHARLOTTE PLANNING COMMISSION

## FINDINGS OF FACT AND DECISION IN RE APPLICATION OF

**Marjorie Majors, Landowner  
Geraldine Cohen, Applicant  
Final Plat Hearing for a  
2-Lot Subdivision  
Application # PC-00-06**

### **Background:**

The applicant received Sketch Plan approval on January 20, 2000.

### **Application**

The application consists of:

1. A Subdivision Amendment application form submitted on March 3, 2000 with fee.
2. A survey map entitled "Subdivision of Marjorie M. Major Property, 'South Farm', Charlotte, Vermont" by G.E. Bedard, dated December 21, 1999, revised 2/28/00.
3. A septic plan entitled "Geraldine Cohen, Prindle Road, Charlotte, Mound System Wastewater Plan" by J.H. Stuart Associates dated January 2000, no revisions.

### **Public Hearing**

A Public Hearing was held for this application on April 6, 2000. Present at the hearing representing the applicant were Geraldine Cohen and John McGinnis. Nancy Walsh of the Conservation Commission was also present.

### **Regulations in Effect**

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

### **Findings**

1. At the public hearing on 4/6/00, the applicant agreed to a building envelope that was hand-drawn on the submitted survey.
2. Section 5.15 of the Charlotte Zoning Bylaws states that any subdivision creating building lots and involving 25 acres or more shall be evaluated under the standards applicable to PRDs, which includes designation of open space. The subject parcel is 177 acres.

### **Decision**

Based on these Findings, the Planning Commission approves the 2-Lot Subdivision with the following conditions:

1. The 80.8 acre lot shall be labeled Lot #1 and the 96.45 acre lot shall be labeled Lot #2 on the survey.
2. The building envelope shall be added to the survey as agreed to at the public hearing on 4/6/00.
3. The designation of open space, as required under Section 5.15 of the Zoning Bylaws, will be deferred until any future subdivision of either Lot #1 or Lot #2; this condition shall be added to the survey.
4. The top layer of the driveway shall not be white limestone.
5. The applicant shall obtain review and approval from the Charlotte Road Commissioner for the driveway.
6. Paper and mylar copies of the survey plat, with corrections as noted in Conditions 1, 2 and 3 of this Decision, shall be submitted to the Planning Commission within 60 days and recorded in the Land Records within 90 days.

**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:** Al Moraska, Ed Melby, David Woolf, Josie Leavitt, David Brown, Jeff McDonald

**Vote of Members Present:**

AYES: Unanimous

NAYS:

ABSTENTION:

Date Approved: April 6, 2000

Signed: \_\_\_\_\_ (Chair/Vice Chair)

Date Signed: \_\_\_\_\_