

CHARLOTTE PLANNING COMMISSION

**FINDINGS OF FACT AND DECISION
IN RE APPLICATION OF**

**CHARLOTTE SENIOR CENTER, Applicant
FRIENDS OF THE WALTER IRISH SENIOR COMMUNITY CENTER, Property
Owner
Site Plan Amendment
For the Development of a Senior Center
Application # PC-00-26**

Background

The Planning Commission issued Site Plan Approval on June 1, 2000. Because of proposed movement of the Fire and Rescue Station building footprint and parking lot to the west, the applicant requested an amendment which would move the shared driveway to the west, move the Senior Center building six feet to the west, move the wastewater holding tank, and slightly reconfigure the parking lot. The Planning Commission requested that the applications for Site Plan Amendment for both Fire and Rescue and the Senior Center be heard at a joint public hearing.

Application

The application consists of:

1. An application form.
2. A map entitled "Charlotte Senior Center, Site Improvements, Charlotte, Vermont, Proposed Site Plan" by Phelps Engineering, Inc. dated 8/14/2000, last revised September 6, 2000, drawing 1 (1 sheet).

Public Hearing

A joint Public Hearing was held for this application and the Charlotte Fire and Rescue Site Plan Amendment on September 7, 2000. Representatives from the Charlotte Senior Center were Wally Gates, Joan Gates, Patricia Coleman, Shirley Bean, and Peter Coleman. Representatives from Charlotte Fire and Rescue were Ray Walker, Richard St. George, Chris Davis, and Rick Pollack. Joseph Zilko, an adjoining landowner, 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, Joseph Zilko indicated that the proposed new location of the building would block his views and would also block the sun from his gardens.
2. The Charlotte Zoning Bylaws require one off-road parking space per 200 square feet of

floor area for public uses, and one off-road parking space per 150 square feet of floor area for restaurants. The bylaws also allow the Planning Commission to reduce the parking requirements where information supports the reduction.

3. The square footage of the building footprint indicates that eighteen parking spaces are required by the Zoning Regulations.
4. The proposed site plan shows twenty-eight parking spaces.
5. The Fire and Rescue representatives stated at the public hearing that people using the Senior Center will be allowed to park in the Fire and Rescue parking lot.

Decision

Based on these Findings, the Planning Commission approves the Site Plan Amendment application with the following conditions:

1. Four parking spaces shall be eliminated.
2. The building shall be located as previously approved.
3. A mylar of the amended site plan shall be recorded in the Town 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. 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: Jeff McDonald, Dave Brown, David Woolf, Josie Leavitt, and Ed Stone

Vote of Members Present:

AYES: Unanimous

NAYS:

ABSTENTION:

Date Approved: September 7, 2000

Signed: _____ (Chair/Vice Chair)

Date Signed: _____