

CHARLOTTE PLANNING COMMISSION

FINDINGS OF FACT AND DECISION IN RE APPLICATION OF

JANE KIRBY/PROPERTY OF HUNTINGTON SHELDON

FINAL PLAT REVIEW For a 2-LOT SUBDIVISION

Background:

The purpose of the subdivision is to divide the parcel of approximately 98 acres into two lots; Lot #1 will be 88.81 acres, and Lot #2 will be 10.10 acres. A house which was converted from a barn in 1986 currently exists on the portion of the parcel which will become Lot #2. The house is currently rented to Jane Kirby, who is the applicant for this subdivision. No house is proposed for Lot #1, and it is currently used for agriculture. The project was classified as a minor subdivision at the Sketch Plan Review on 5/20/99.

Application

The application consists of:

1. A subdivision application form.
2. A survey by Charles Dunham of Civil Engineering Associates, Inc. entitled AFinal Plat, Minor Subdivision Property of Dr. Huntington Sheldon, Charlotte, Vermont@ dated April 1999, last revised July 22, 1999.
3. A septic design by Paul Duchesneau of Civil Engineering Associates dated August 1986, no revisions.

Public Hearing

A public hearing was held for this application on August 5, 1999. Huntington Sheldon and Jane Kirby were present at the hearing.

Regulations in Effect

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

Findings

1. The original parcel is approximately 98 acres and therefore is required to be reviewed under the provisions of Chapter V. Section 5.15 of the Zoning Bylaws which require that between 15% and 50% of the parcel being subdivided be reserved as open space.
2. Lot #1 is currently used for agricultural purposes and is not proposed for a building site at this time.

3. The Town's septic consultant indicated that the septic design, as shown on the design sheets by Civil Engineering Associates is appropriate for a 1 bedroom house on Lot #2.
4. The applicant has a Certificate of Occupancy for the house on Lot #2 as a 1 bedroom house.

Decision

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

1. Open space shall be designated on Lot #1 when that lot is subdivided.
2. The house on Lot #2 shall remain a 1-bedroom house unless a Wastewater Permit is approved by the town for any additional bedrooms.
3. A mylar shall be submitted within ninety days of subdivision 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 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, Dave Brown, David Woolf, Josie Leavitt

Vote of Members Present:

AYES: Unanimous

NAYS:

ABSTENTION:

Date Approved: August 5, 1999

Signed: _____ (Chair/Vice Chair)

Date Signed: _____