

**CHARLOTTE PLANNING COMMISSION
FINDINGS OF FACT AND DECISION
IN RE APPLICATION OF

HOWARD AND JACQUELINE HAIGHT
And
SPRAGUE AND HOLLY CALLERY
For A
SUBDIVISION MODIFICATION**

Background

A Subdivision Modification is required if the applicants want to adjust lots lines of lots that were created after the Town adopted Subdivision Regulations in 1969. The Haight lot was created by a subdivision approved in November 1980 (map vol. 4 page 22). The Callery lot was most recently modified by a Subdivision Modification (map vol. 11 page 79). A Sketch Plan Review was held on September 16, 1999.

Application

The application consists of:

1. A Subdivision Modification application form submitted on November 18, 1999 (with fee);
2. A map entitled "Subdivision Modification, Howard and Jacqueline Haight and Holly and Sprague Callery, East Thompsons Point Road and U.S. Route 7, Charlotte, Vermont" by Vermont Land Surveyors dated August 6, 1999, revised November 10, 1999.

Public Hearing

A Public Hearing was held for this application on December 16, 1999. Clark Hinsdale III was present representing the applicants. The applicants had indicated on the Sketch Plan application that Mr. Hinsdale would be representing them.

Regulations in Effect

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

Findings

1. There are no conditions of the previous subdivisions creating these lots which would affect this Subdivision Modification.
2. After the modification, the Haight lot will remain larger than the minimum lot size, which is five acres.
3. The Town has a longstanding policy, as expressed in Chapter VII Section 6.C. of the Subdivision Bylaws and Section 6.5.D. of the Zoning Bylaws, of controlling vehicular access on U.S. Route 7.

Decision

Based on these Findings, the Planning Commission approves the application for a Subdivision Modification with the following conditions:

1. The line-type for the old lot-line shall be added to the legend (indicating “old lot line”), and a label shall be added showing the old and new lot lines.
2. The resulting 71.9 acre parcel shall be considered one building lot, unless the owner receives subdivision approval from the Planning Commission.
3. It is noted that if subdivision is sought for the 71.9 acre parcel in the future, resulting lots shall likely be required to use a shared curb-cut on East Thompson’s Point Road.

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 Woolf, Jeff McDonald, Jim Donovan

Vote of Members Present:

AYES: Unanimous

NAYS:

ABSTENTION:

Date Approved: December 16, 1999

Signed: _____(Chair/Vice Chair)

Date Signed: _____