

CHARLOTTE PLANNING COMMISSION

FINDINGS OF FACT AND DECISION IN RE APPLICATION OF

Yvan Plouffe

**Final Plat Application
For a
2-Lot Subdivision
Application # PC-01-22**

Background

Sketch Plan Review was held for the project on January 4th, 2001.

Application

The application consists of:

1. A subdivision application form and appropriate fee.
2. A map entitled "Subdivision Plat, Yvan Plouffe, Plouffe Lane, Charlotte, VT" by Summit Engineering dated 2/23/01, most recently revised 4/30/01.
3. A septic plan entitled "Subdivision Plan, Yvan Plouffe, Carpenter Road, Charlotte, Vermont" in two sheets, by Frank OBrien, dated 12/7/93, no revisions.

Public Hearing

A Public Hearing was held for this application on June 7, 2001. Present at the hearing on behalf of the applicant was Yvan Plouffe.

Regulations in Effect

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

Findings

1. The proposed lots are subject to State Subdivision Permit EC-4-1904.
2. Section 5.11.A. of the Zoning Regulations requires that septic disposal systems shall be set back a minimum of 150 feet from the edge of the streambed of all named streams.
3. At the public hearing, the applicant submitted a revised survey map entitled "Subdivision Plat, Yvan Plouffe, Plouffe Lane, Charlotte, VT" by Summit Engineering dated 2/23/01, most recently revised 6/06/01, and a memo from Larry Young of Summit Engineering to Yvan Plouffe dated June 6, 2001
4. The residential lots which currently use Plouffe Farm Lane for access are subject to an access easement and maintenance agreement recorded in volume 93 page 579 of the

Decision

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

1. The septic system shall be installed at least 150 feet from the streambank of the LaPlatte River, or at least 50 feet from the edge of the adjacent wetland, whichever distance is greater.
2. Prior to obtaining a building permit for a primary residence, the owner of Lot C2 shall record necessary documents in the town land records to become subject to the Plouffe Farm Road Agreement, as recorded in volume 93 page 579 of the Charlotte Land Records.
3. All new power lines shall be installed underground.
4. An 18” by 24” mylar of the map entitled “Subdivision Plat, Yvan Plouffe, Plouffe Lane, Charlotte, VT” by Summit Engineering dated 2/23/01, most recently revised 6/06/01 shall be submitted to the Planning Commission within 60 days and 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, Al Moraska, Jim Donovan, Gordon Troy, and Josie Leavitt.

Vote of Members Present:

AYES: Unanimous

NAYS:

ABSTENTION:

Date Approved: June 7, 2001

Signed: _____ (Chair/Vice Chair)

Date Signed: _____