

CHARLOTTE PLANNING COMMISSION

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

**LAKE CHAMPLAIN WALDORF SCHOOL, Applicant
GREENWOOD AMERICA, Landowner**

**Site Plan Review
For the
Operation of a Private High School
Application # PC-01-18**

Background

Sketch Plan Review was held for the project on January 4th, 2001. The location for the proposed high school is an existing building known as “the Creamery,” located at 735 Ferry Road.

Application

The application consists of:

1. A Site Plan Review application form and appropriate fee.
2. A map entitled “Lake Champlain Waldorf High School, Ferry Road, Charlotte, Vermont” by Trudell Consulting Engineers, dated 5/16/01, no revisions.
3. A map entitled “735 Ferry Road, Charlotte, Vermont, Vicinity Map” by Heindel and Noyes, dated May 4, 2001, no revisions.
4. An application narrative describing the following issues: structures, water, sewage capacity, occupancy and vehicle trips, parking, and future subdivision.

Public Hearing

A Public Hearing was held for this application on June 7, 2001. Present at the hearing on behalf of the applicant were Michael Russell, Sandy Fead, and Jim Emerson. The landowner was represented by Mel Hawley.

Regulations in Effect

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

Findings

1. During the first and second years of operation, the school will be used by approximately 16 and 40 full-time-equivalent people (students and staff), respectively. No student drivers will be using the site during the first two years.
2. The owner of the parcel has initiated permitting for subdivision. A potential buyer of the proposed building-lot has initiated permitting for a commercial use on that lot.

3. The site plan shows sufficient parking for the estimated occupancy level during the first four years of operation.
4. The existing lighting on the site includes fixtures that contribute to sky-glow.
5. The applicant proposes a 20 square foot non-illuminated sign, mounted to a ten-foot height at the highest point of the sign.
6. Subdivision of the parcel and/or future development in the vicinity of the site may result in a shared driveway/road. With such a land-use configuration, a shared sign would be appropriate.
7. Paving of the driveway and parking lot could affect drainage patterns and stormwater runoff quality and quantity on the site.

Decision

Based on these Findings, the Planning Commission approves the Site Plan Review application for the development of a private high school with the following conditions:

1. Site access, including the road-cut and the configuration of the driveway/road, and parking capacity and layout will be reviewed by the Planning Commission at the time of subdivision of the property or the elapse of two years from the date of this approval, whichever happens first. The Planning Commission reserves the right to make conditions at that time, including requiring a change of the location of the access and requiring expanded or shared parking lots.
2. The four parking spaces to the north of the barn shall be eliminated from the site plan. If these spaces are needed in the future, the applicant shall seek administrative approval from the Town Planner. A likely condition will be the planting of shrubs or trees to the west of the spaces.
3. Vehicle parking shall be prohibited from all areas not delineated as “parking spaces” on the approved site plan to ensure emergency access. “No Parking” signs shall be installed at the north and south entrance areas of the main building and to the east of the barn building.
4. New fixtures or “shields” which direct light downward shall be added to the existing freestanding lights located in the parking lot. The proposed fixtures or shields shall be submitted to the Town Planner for administrative approval.
5. The applicant shall attempt to replace the existing fixture on the pole-mounted light on Ferry Road with a down-ward directed, low-glare fixture.
6. Any change to exterior lighting on the site other than what is required in Conditions #4 and #5 above will require a Site Plan Amendment application. This will require a lighting plan for the entire site, which shall include fixture types and wattages, mounting heights, and lighting patterns (in footcandles). The replacement of existing fixtures may be required.
7. The site plan shall be revised to show the proposed sign as being located outside of the Ferry Road right-of way.
8. Signage will be reviewed by the Planning Commission at the time of subdivision of the property or the elapse of two years from the date of this approval, whichever happens first. The Planning Commission reserves the right to make conditions at that time, including requiring shared and/or signposts.
9. The site plan shall be revised to include the location of exterior trash containers.
10. The site plan shall include a survey reference and the signature of the engineer.

11. An 18” by 24” mylar of the map entitled “Lake Champlain Waldorf High School, Ferry Road, Charlotte, Vermont” by Trudell Consulting Engineers, dated 5/16/01, with revisions as described in Conditions #2, #7, #9 and #10 above, shall be submitted to the Planning Commission within 60 days and recorded in the Town Land Records within 90 days.
12. The surface of the driveway parking and parking areas shall remain crushed stone. A Site Plan Amendment shall be required to pave the driveway or parking areas, for which a drainage plan will be required.
13. The applicant is encouraged to share the parking lot with adjacent uses.

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, Josie Leavitt, and Gordon Troy

Vote of Members Present:

AYES: Unanimous

NAYS:

ABSTENTION:

Date Approved: June 7, 2001

Signed: _____ (Chair/Vice Chair)

Date Signed: _____