

CHARLOTTE PLANNING COMMISSION

FINDINGS OF FACT AND DECISION IN RE APPLICATION OF

Edward A. Deeds and Converse Bay Trust Subdivision Modification Application # PC-03-01

Application

The application consists of:

1. An application form and appropriate fee.
2. A survey map entitled "Plat of Boundary Adjustment Between Properties of Deeds Family Converse Bay L.P. and Converse Bay Realty Trust" by Civil Engineering Associates, Inc. dated December, 2002, no revisions.
3. A portion of a purchase and sales agreement dated October 13, 2002.

Public Hearing

A public hearing for the Final Plat application was held on February 20, 2003. Matthew Wamsganz was present at the hearing representing both applicants.

Regulations in Effect

Town Plan as amended March 2002
Zoning Bylaws as amended March 2002
Subdivision Bylaws as amended March 1995

Findings

1. The proposed modification will not impact access to any parcel.
2. The proposed modification will not create a non-complying lot.
3. The property that is proposed to be conveyed is forested, and is contiguous with a forested area over fifty acres in size. This area is indicated as *forest habitat* on the Critical Wildlife Habitat (map #6 in the Charlotte Town Plan).
4. The applicants indicated that they desire to keep the property to be conveyed with forested land cover.

Decision

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

1. There will be no tree-cutting on the property that is the subject of this application. A note will be added to the plat to this affect.

2. The survey will be stamped and signed by a licensed land surveyor.
3. An 18” by 24” mylar of the submitted survey, as amended by Conditions 1 and 2 above, will be submitted to the Planning Commission within 60 days of this decision and recorded in the Charlotte Land Records within 90 days.
4. The property that is the subject of this application will be conveyed within 180 days of the issuance of this decision.
5. Prior to the conveyance of the property, survey pins will be set in the field as indicated on the survey.

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 of the date of the 4th signature below approving this decision, as per requirements of 24 VSA Chapter 117, Sections 4471 and 4475.

Members Present at the Public Hearing on February 20: Jeff McDonald, Al Moraska, Jim Donovan, Gordon Troy, Gene Diou and Linda Radimer.

Vote of Members after Deliberations:

The following is the vote for or against the application, with conditions as stated in this Decision:

1. Signed: _____ For / Against Date Signed: _____
2. Signed: _____ For / Against Date Signed: _____
3. Signed: _____ For / Against Date Signed: _____
4. Signed: _____ For / Against Date Signed: _____
5. Signed: _____ For / Against Date Signed: _____
6. Signed: _____ For / Against Date Signed: _____
7. Signed: _____ For / Against Date Signed: _____