

CHARLOTTE PLANNING COMMISSION

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

**STATE OF VERMONT DEPARTMENT OF FORESTS, PARKS AND RECREATION
FOR
SITE PLAN REVIEW**

Background:

The Department of Forests, Parks, and Recreation has applied for Site Plan Approval to construct a 60-car parking lot at Mount Philo, in order to reduce the hazards associated with cars parked on the side of the road near the park entrance.

Findings:

1. The application includes a Site Plan map with four sheets (not labeled as such). Sheet #1 is the Site Plan presented at the joint meeting on 4/28/99 labeled Aphil04.dwg@ drawn on 10/98; sheet #2 is named ASections at STA 0+00 to 2+50" drawn on 12/98; sheet #3 is named ASections at/STA 2+50 to 3+50" drawn on 12/98; and sheet #4 is named ATypical Sections and Erosion Control Details@ drawn on 10/98.
2. The Site Plan map is in error in describing the location of the proposed parking lot. The correct location is approximately 210 feet east of the intersection of State Park Road and Mt. Philo Road, and 50 feet to the north of the park entrance road.
3. A joint Public Hearing of the Planning Commission and Zoning Board of Adjustment was held on 3/24/99, and continued on 4/28/99 so that the applicant could respond to comments received. Bruce Brown was present at the hearing representing the applicant.
4. The original application was for a 40-car parking lot and a 20-car overflow lot, and this was amended by the applicant to be a 60-car parking lot which incorporates the overflow lot.
5. The proposed parking lot will be 300 long (southerly to northerly) and 60 feet wide, according to the Site Plan.
6. The proposed parking lot will have a graveled surface.
7. A berm approximately one foot high will be created west of the parking lot for the entire length of the parking lot which will have plantings of species common in the area.
8. A second gate is proposed for on the Park Entrance Road just past the driveway to the

proposed parking lot (as shown on sheet #1). This gate is proposed to be locked after sunset. It is proposed that a resident in the neighborhood be given responsibility for unlocking the gate in the morning. Alternatively, park staff would unlock the gate at 10:00 AM.

9. It is proposed to leave the existing gate near the intersection of Park Entrance Road and Mt. Philo Road open at all times, and to monitor the use of the parking lot during the nighttime for security issues.

Decision:

Based on these Findings, the Planning Commission approves the Site Plan with the following conditions:

1. The gravel shall be dark colored.
2. Plantings shall be a mixture of evergreen and deciduous bushes and trees of species typically found in the area, and shall include Dogwood and Maple varieties. The final planting plan shall be reviewed before installation by the Planning Commission on site after the construction of the parking lot.
3. Plantings shall be in non-uniform spacings.
4. Use of the parking lot shall be reviewed no later than November in 2001. If the parking lot is not regularly used to its capacity, the Department of Forests, Parks, and Recreation shall topsoil and seed the portion of the lot not needed.
5. The approved Site Plan shall be labeled "As approved on April 28, 1999" and shall include general locations for plantings and a list of typical species to be planted, and shall be submitted for administrative approval within 60 days of notice of approval.
6. A mylar shall be submitted for recording within 90 days of notice of 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 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 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.

Board Members Present For Hearing: Ed Melby, David Allen, Jim Donovan, Dave Brown, David Woolf

Vote of Members Present:

AYES: unanimous

NAYS:

Date Approved: _____

Signed: _____
(Chair/Vice Chair)

Date Signed: _____