

CHARLOTTE PLANNING COMMISSION

FINDINGS OF FACT AND DECISION IN RE APPLICATION OF

**Vicki and Samuel Martin
Norman Bean
Boundary Adjustment
Application # PC-02-25**

Background

Sketch Plan Review was held on June 20, 2002.

Application

The application consists of:

1. A Boundary Adjustment application form and appropriate fee.
2. A map entitled "Property Plat, Vicki and Sam Martin, Town of Charlotte, Vermont, Hinesburg Road" by William A. Robenstein dated 3/28/2002, no revisions.

Hearing

The application was heard at the Planning Commission's meeting on December 19, 2002. Diane Johnson, representing Norm Bean, and Vicki and Samuel Martin were present representing the 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 Boundary Adjustment will not create any new lots.
2. The proposed Boundary Adjustment will not impact access to any parcel.
3. The Bean parcel is considerably larger than the minimum lot-size in the Rural District.
4. The Martin parcel is less than the minimum lot-size in the Rural District, and therefore is a non-complying lot. The proposed Boundary Adjustment will add approximately one acre to the Martin parcel, making it less non-complying.
5. At the hearing on December 19, 2002, the applicant submitted a revised plat (without a revision date). Neither the original plat nor the revised plat provides a Location Map that depicts the entire Bean parcel.
6. The Charlotte Wetlands Map indicates there may be wetland on the property proposed to be conveyed from the Bean parcel to Martin parcel.

Decision

Based on these Findings, the Planning Commission approves the Boundary Adjustment with the following conditions:

1. The survey will be revised as follows:
 - A. An additional Location Map will be provided, with a depiction of the entire Bean farm lot. This may be copied from the Charlotte Tax Map.
 - B. The notes on the survey originally submitted with the application will be included, indicating the new lot lines and the lot-line to be deleted.
 - C. The spelling of “existing” will be corrected in the Legend for “existing well” and “existing iron pin.”
2. A mylar of the survey map, with revisions as noted in Condition 1 above, will be submitted to the Planning Commission for review within 60 days, and recorded in the Town Land Records within 90 days.
3. The property subject to this Boundary Adjustment will be conveyed to Vicki and Samuel Martin within 180 days.
4. Prior to any development on the property to be conveyed to Vicki and Samuel Martin, wetlands on the property will be delineated by a qualified professional.

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.

Members Present at the Hearing on December 19th: Jeff McDonald, Al Moraska, Gordon Troy, Jim Donovan, Josie Leavitt, Gene Diou

Vote of Members:

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

Signed:_____ For / Against Date Signed:_____

Signed:_____ For / Against Date Signed:_____