

CHARLOTTE PLANNING COMMISSION

FINDINGS OF FACT AND DECISION IN RE APPLICATION OF

Gregg and Elizabeth Beldock Subdivision Amendment To Move Location of Septic Field Application # PC-01-48

Background

The applicants bought a lot created by Yvan Plouffe in a subdivision approved by the Planning Commission on June 7, 2001 (#PC-01-22). The lot is labeled C2 on the map by Summit Engineering Inc. entitled "Subdivision Plat, Yvan Plouffe, Plouffe Lane, Charlotte, VT" dated 2/23/01, last revised 6/06/01. This application is to change the location of the approved septic field to other lands owned by the applicants, which is designated as Lot 5 on the north side of Plouffe Lane on the subdivision map.

Application

The application consists of:

1. A Subdivision Application form and appropriate fee.
2. A plan by Civil Engineering Associates, Inc. entitled "Beldock, Proposed Wastewater System, Plouffe Lane, Charlotte, Vermont, Wastewater Plan" dated 11/1/2001, last revised 1/31/02.
3. A draft document entitled "License Agreement."

Public Hearing

A Public Hearing for this application was held on February 7, 2002. Gregg Beldock was present at the public hearing representing the applicants.

Regulations in Effect

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

Findings

1. The septic disposal area approved for Lot C2 of the Yvan Plouffe subdivision (#PC-01-22) is located approximately 150 feet (on the wastewater plan) from the LaPlatte River.
2. The newly proposed septic disposal area, located on the northwest side of Plouffe Lane, is further away from the LaPlatte River than the septic disposal area designated on the approved wastewater plan for Lot C2, and will cause less disruption to riparian wildlife areas, and is less likely to impact the LaPlatte River.
3. The septic system approved for Lot C2 of the Yvan Plouffe subdivision (#PC-01-22)

includes a force-main which crosses Plouffe Lane from the building envelope on the south side of Plouffe Lane, to the north side of Plouffe Lane; the force main then runs parallel to Plouffe Lane for several hundred feet, then crosses back to Lot C2.

4. The newly designed septic system crosses Plouffe Lane within the limits of the existing septic system right-of-way (ie: from Lot C2 on the south side of Plouffe Lane to Lot 5 on the north side of Plouffe Lane).
5. The Town's septic consultant, Vermont Contours Inc., indicated in a memo dated 11/12/01, that the soils and design of the proposed septic system are adequate.
6. A memo from Ernest Christianson of the State Wastewater Management Division dated December 18, 2001 recommends that the permit EC-4-1904 be amended to reflect the system modification.
7. Since the location of the force main is within the existing right-of-way where it crosses Plouffe Lane, a license agreement is not necessary for this Subdivision Amendment.

Decision

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

1. The applicant shall submit a survey map similar to Yvan Plouffe's subdivision plat, except showing the new septic system and associated easements. A mylar of the map shall be submitted to the Planning Commission for review within 60 days, and recorded in the Town Land Records within 90 days.
2. The applicant shall obtain an amendment to EC-4-1904 from the State Wastewater Management Division prior to obtaining a septic permit from the Town of Charlotte.

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 Public Hearing: Jeff McDonald, Al Moraska, Dave Brown, Jim Donovan, Gordon Troy and Martha Perkins.

Vote of Members Present after Deliberations:

AYES: Jeff McDonald, Al Moraska, Dave Brown, Jim Donovan, Gordon Troy and Martha Perkins.

NAYS: 0

ABSTENTION:

Date Approved: February 7, 2002

Signed: _____ (Chair/Vice Chair)

Date Signed: _____