

**CHARLOTTE PLANNING COMMISSION
FINDINGS OF FACT AND DECISION
IN RE APPLICATION OF**

**WILLIAM RYERSON AND LETA FINCH
FINAL PLAT REVIEW
For a
2-LOT SUBDIVISION**

Background:

The applicants own 43.3 acres on Dorset Street Extension. The applicants received Sketch Plan Approval for a two lot subdivision on June 17, 1999. The applicants submitted a subdivision application on July 11, 1999. The applicant had previously done monitoring and soil tests, and the town's septic consultant had reviewed much of this, and he issued a memo on 9/1/99 regarding his review of the septic system.

Application

The application consists of:

1. A subdivision application form and fee;
2. A survey entitled "Plat of Subdivision of Lands of Leta C. Finch and William N. Ryerson, Dorset Street Extension, Charlotte, Vermont" by Albert Harris dated 5/20/99, revised 6/30/99.
3. Site Plan sheets as follows: SP1 "Overall Site Plan" by Trudell Consulting Engineers dated 11/5/98, revised 6/21/99; SP2 "Sanitary Plan" by Trudell Consulting Engineers dated 11/5/98, revised 4/21/99; D1 "Details" by Trudell Consulting Engineers dated 11/5/98, no revision; D2 "Details" by Trudell Consulting Engineers dated 11/5/98, no revision; D3 "Details" by Trudell Consulting Engineers dated 11/5/99, revised 4/21/99.
4. Basis for design of Lot #1 (11 pages)
5. Test Pit Results (3 pages)
6. Groundwater Monitoring Results (4 pages)

Public Hearing

A public hearing was held for this application on September 2, 1999. Leta Finch and John Pitrowiski were present at the hearing. David Carpenter, an adjoining landowner, and Linda Hamilton of the Conservation Commission were also present. The hearing was continued to September 16, 1999. Leta Finch was present at this meeting. The hearing was continued to October 7, 1999. Leta Finch and John Pitrowiski were present at this meeting.

Regulations in Effect

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

Findings

1. The two proposed lots will share a curb-cut on Dorset Street Extension.

2. Dorset Street Extension in the vicinity of the proposed lots is hilly and curvy. The road does not have a posted speed limit, which means that the legal speed limit is 50 miles per hour.
3. The Vermont Agency of Transportation standard for a minimum sight distance for a design speed of 50 miles per hour is 770 feet.
4. In a letter dated 9/10/99, John Pitrowiski of Trudell Consulting Engineers stated that the obtainable sight distance is 600 feet traveling north and 230 feet traveling south. In a letter dated 9/21/99, Mr. Pitrowiski stated that with the vehicle at the edge of the shoulder the sight distance traveling north was 600 feet and 350 feet traveling south. With the vehicle at the edge of the pavement, the sight distance was 625 feet traveling north and 425 feet traveling south.

Decision

Based on these Findings, the Planning Commission approves the application for a 2-lot subdivision with the following conditions:

1. The applicant shall cut back the bank to the north of the curb-cut for its entire length along the westerly face from 12" to 18", with the least possible disturbance. This shall be completed before a Certificate of Occupancy for any new construction on either lot can be approved.
2. The applicant shall install two traffic warning signs such as "Hidden Drive on Left" and "Hidden Drive on Right" in both north and south directions. This shall be completed before a Certificate of Occupancy for any new construction on either lot can be approved.
3. The applicant shall submit for review to the Planning Commission within sixty days the final plat which shall consist of one or more sheets of drawings, and one or more mylar sheets suitable for recording, with a signature block for the Planning Commission's 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 his/her 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: Ed Melby, Dave Brown, David Woolf, Jeff McDonald, Jim Donovan, Josie Leavitt

Vote of Members Present:

AYES: Unanimous

NAYS:

ABSTENTION:

Date Approved: October 7, 1999

Signed: _____ (Chair/Vice Chair)

Date Signed: _____