

**CHARLOTTE PLANNING COMMISSION  
FINDINGS OF FACT AND DECISION  
IN RE APPLICATION OF  
  
RICHARD AND MARTHA GREENE  
And  
JOANNE BRUSKA ESTATE  
For A  
SUBDIVISION MODIFICATION**

**Background**

A Subdivision Modification is required if the applicants want to adjust lots lines of lots that were created after the Town adopted Subdivision Regulations in 1969. The Bruska lot was created by a subdivision approved in May 1989 (map vol. 9 page 18). The Greene lot was created by a boundary adjustment in September 1987 (map vol. 8 page 17). The applicants had Sketch Plan Review on November 18, 1999.

**Application**

The application consists of:

1. A Subdivision Modification application form submitted on November 23, 1999 (with fee);
2. A map entitled "Final Plat Subdivision Modification, Property of the Estate of Joanne Williams Bruska, Charlotte, Vermont" by Stuart Morrow dated April 17, 1997, revised November 1999.

**Public Hearing**

A Public Hearing was held for this application on December 16, 1999. Richard and Martha Greene were present at the hearing.

**Regulations in Effect**

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

**Findings**

1. There are no conditions of the previous subdivisions creating these lots which would affect this Subdivision Modification.
2. After the modification, Lot #2 will remain larger than the minimum lot size, which is five acres.
3. There are lines on the submitted plat which do not correspond to this application.

**Decision**

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

1. The old and new lot lines shall be labeled and the adjusted acreage shall be shown on the plat.
2. The line at the north end of the trees on Lot #2, and the line bisecting (northwest to southeast) the Greene’s parcel shall be removed from the plat.
3. The second sentence of Note 5 shall be changed to read: “It is planned that the additional 4.15 acres will be transferred from the estate to the Bosworths. This transfer is not part of this Subdivision Modification.”

**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:** Al Moraska, Ed Melby, David Woolf, Jeff McDonald, Jim Donovan

**Vote of Members Present:**

AYES: Unanimous

NAYS:

ABSTENTION:

Date Approved: December 16, 1999

Signed: \_\_\_\_\_(Chair/Vice Chair)

Date Signed: \_\_\_\_\_