



# Town of Charlotte

ESTABLISHED 1762

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August 8, 2018

Chris Coleman  
529 Church Hill Road  
Charlotte, VT 05445

Patricia Coyle  
527 Church Hill Road  
Charlotte, VT 05445

Re: Violation of Condition #4 of the December 15, 2015 ZBA Decision regarding screening at  
529 Church Hill Road

Dear Chris & Patricia,

I recently received a complaint regarding your property's compliance with Condition #4 of the December 15, 2015 Zoning Board of Adjustment decision #ZBA-15-07, approving the construction of an accessory dwelling on your property. As you are well aware, former Zoning Administrator Joe Rheume issued you two warning letters in 2016. I did a site visit today, August 8, 2018, and found that the trees that were planted do not comply with the terms of Condition #4 of the ZBA's December 15, 2015 decision.

In regard to the natural screening, the ZBA decision in Condition #4 states:

*Pursuant to section 5.4 (2), the Applicant shall retain the existing natural screening along Church Hill Road, and install coniferous plantings of at least 4 feet in height above the natural grade, with the intent that the plantings will grow to at least 10ft in height when mature. The applicants shall select tree species that would be expected to grow ten feet in height within five years. The plantings shall be situated to provide adequate screening from Church Hill Road. Plantings shall be installed within seven months of this decision and shall be replaced in the event that a specimen dies,*

It appears that two cedars are at most four feet tall today, two to three others are much shorter (approximately two feet tall), and the eastern white pines provide little screening of the accessory dwelling from Church Hill Road. While I appreciate your initial effort to create an adequate hedgerow, you must meet the original intent of the Zoning Board's decision: provide adequate screening from Church Hill Road.

I consulted two local nurseries for cedar screening advice, and they recommended planting each tree three to four feet from the center of the next plant. Multiple rows can provide additional screening. Based on my observation today, I believe you could meet the intent of the Zoning Board by planting six

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159 FERRY ROAD P.O. BOX 119 CHARLOTTE, VERMONT 05445-0119

TOWN CLERK: (802) 425-3071 ♦ PLANNING & ZONING: (802) 425-3533 ♦

LISTER: (802) 425-3855 RECREATION: (802) 425-6129 ♦ FAX: (802) 425-4713

additional four-foot cedars in and around the existing hedgerow you started. You still have time to establish trees this year, and you might find nurseries offering end-of-season sales.

Within 10 days of receipt of this letter, please provide me by email ([zoningadmin@townofcharlotte.com](mailto:zoningadmin@townofcharlotte.com)) or regular mail a plan to install additional trees.

Your failure to comply with Condition #4 is a violation of 24 V.S.A. § 4449(a) and 4451 and Land Use Regulations § 9.3(A), which requires in part that land development on your property be in compliance with any conditions of the ZBA's December 15, 2015 decision, including but not limited to Condition #4. Further, if a formal notice of violation is issued as a result of your failure to comply with Condition #4 of the ZBA's December 15, 2015 decision, you may be subject to fines of up to \$200/day for each day your violation continues.

Sincerely,

A handwritten signature in black ink, appearing to read "Aaron Brown". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Aaron Brown  
Zoning Administrator

cc: Parcel File, Zoning Board of Adjustment (email), and Town Administrator Dean Bloch (email)