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1154 Roscoe Road  
Charlotte, Vermont 05445

**RECEIVED**  
MAR 15 2018  
CHARLOTTE  
PLANNING & ZONING

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To: Dean Bloch and Lee Krohn  
Town of Charlotte  
159 Ferry Road  
Charlotte, VT 05445

March 15, 2018

NOTICE OF APPEAL PURSUANT TO CHARLOTTE LAND USE REGULATIONS  
SECTIONS 9.6 & 9.9

Appellants

Stuart and Pati Bennett reside at 1154 Roscoe Rd. Charlotte, and they are “interested persons” with respect to the issues raised in this appeal.

The Basis for The Appeal

On September 15, 2017, Debbie and Lee Minkler filed a Home Occupation II zoning permit application for a business called Logical Machines located at 1158 Roscoe Road, Charlotte, VT.

On October 23, 2017 the Charlotte Zoning Administrator, Joe Rheume, denied this Home Occupation II application. This denial was not appealed, and is therefore final.

This October 23, 2017 denial of the Home Occupation II application has not been recorded by the

Zoning Administrator in the Charlotte Land Records as required by Charlotte Land Use Regulations Section 9.9(F)(1).

In light of the failure of the Zoning Administrator to record the denial of the Home Occupation II zoning permit application, on March 7, 2018, the Appellants requested confirmation of the denial of the Home Occupation II application. *See the attached letter.*

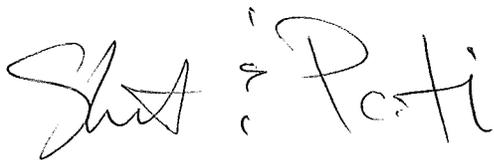
Appellants requested a reply by March 15, 2018.

Despite the Appellant's March 7, 2018 letter, and an email reminder to the Zoning Administrator on March 9<sup>th</sup>, 2018 to reply to the letter, the Appellants have received no response.

Charlotte Land Use Regulations sections 9.6 and 9.9 collectively provide for appeals to the Zoning Board of Adjustment of the "acts" or "failure to act" of the Zoning Administrator. The Zoning Administrator is obligated to "literally administer and strictly enforce" the Charlotte Land Use Regulations, and to shall inspect development, maintain records, and perform other related tasks as are necessary and appropriate.

Relief Requested – That the Zoning Administrator record the October 23, 2017 denial of the September 15, 2017 Home Occupation II application in the Charlotte Land Records as required by Section 9.9 (F)(1) of the Charlotte Land Use Regulations.

Regards,

A handwritten signature in black ink, appearing to read "Shit & Perti". The signature is written in a cursive, somewhat stylized font.

Enclosed is the \$250 filing fee.

cc - AJ LaRosa, Esq. Murphy, Sullivan & Kronk

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To: Zoning Administrator  
Dean Bloch/Lee Krohn  
Town of Charlotte  
159 Ferry Road  
Charlotte, VT 05445

March 7, 2018

Dear Dean & Lee

As you know, Pati and I own property at 1154 Roscoe Road which is adjacent to the Debbie and Lee Minkler property at 1158 Roscoe Rd.

On September 15, 2017, the Minklers filed an application for a Home Occupation II for the business Logical Machines - <http://logicalmachines.com>. A copy of their application is attached.

The Town Zoning Administrator, Joe Rheume, reviewed the application, and he made a site visit.

On October 23, 2017, Joe Rheume, denied the Home Occupation II application for Logical Machines. A copy of Joe's letter denying the application is also attached. This decision was not appealed, and it is therefore final. 24 VSA 4472(a)(d).

In addition to denying the application, Joe raised several other issues related to presence of Logical Machines on the property.

1. Zoning permits requirements for buildings related to Logical Machines.
2. Set back encroachments by some Logical Machines buildings.
3. Logical Machines employee parking.
4. Septic capacity/requirements related to Logical Machines

Notwithstanding Joe Rheume's change of jobs, his October 23, 2017 letter clearly outlined the Town's expectations, and the course of action expected of the Minklers. This course of action included the filing of a Home Occupation III application.

The interim Zoning Administrator, Lee Krohn, corresponded with Lee Minkler on January 25, 2018, but apparently did not emphasize that Joe Rheume's October 23, 2017 decision was final.

Lee Krohn and I traded the attached correspondence on February 26<sup>th</sup> and 28<sup>th</sup>. I pointed out Joe Rheume's October 23, 2017 final decision. That decision placed the burden on the Minklers to apply for a Home Occupation III, and to affirmatively address the other issues mentioned above.

The Town just has to insist on literal and timely compliance with Joe Rheume's decision. This should not be difficult, but so far as we are aware this has not happened. Therefore, Pati and I are asking that you confirm that Joe Rheume's October 23, 2017 denial of the Home Occupation II application was final. Please confirm this not later than March 15, 2018.

Pati and I are statutory "interested persons". As interested persons, we can appeal an action or in-action of the zoning administrator to the Zoning Board of Adjustment. 24 VSA 4465 (a) & Charlotte Land Use Regulations 9.6(A) & 9.9(A)(2).

Moreover, as citizens we just want the Town to consistently, and literally, apply the Town's Land Use Regulations. 24 VSA 4448(a)

Thank you. We look forward to hearing from you.

cc – A.J. La Rosa Esq. Murphy, Sullivan & Kronk

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