

# CHARLOTTE PLANNING COMMISSION

## FINDINGS OF FACT AND DECISION IN RE APPLICATION OF

### **Arnold Koss & Anne Rillero Application for a Subdivision Amendment Application # PC-03-35**

#### **Background**

The subject parcel is Lot 2 of a three-lot subdivision by the Vermont Land Trust approved in May 1988. Sketch Plan Review for the current project was held on September 4, 2003.

#### **Application**

The application consists of:

1. An application form and appropriate fee.
2. A survey map entitled “Final Plat, Subdivision Amendment, Property of Arnold Jay Koss and Anne F. Rillero, Charlotte, Vermont” by Stuart J. Morrow dated July 2003, no revisions.
3. A wastewater disposal plan by Ridge Consulting Engineers (three pages) entitled “Arnold Koss, 955 Orchard Road, Charlotte, Vermont”. Sheet 1 is labeled “Site Plan” and is dated 10/06/03 (no revisions), sheet 2 is labeled “Sanitary Design” and is dated 10/13/03 (no revisions) and sheet 3 is labeled “Details” and is dated 12/01/03 (no revisions).

#### **Public Hearing**

A public hearing for this application was held on December 4, 2003. David Miskell and Stuart Morrow were present representing the applicant.

#### **Regulations in Effect**

Town Plan as amended March 2002

Zoning Bylaws as amended March 2002

Subdivision Bylaws as amended March 1995

#### **Findings**

1. The purpose of the current application is to move the wastewater disposal system for the subject parcel from Lot 1 to an on-lot system.
2. A building envelope was required for the original subdivision. The current application does not make any changes to the building envelope.
3. The Town’s septic consultant has indicated that the septic plan is acceptable.

**Decision**

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

1. A mylar (18" x 24") of the survey will be submitted to the Planning Commission for review within 60 days, and recorded in the Town Land Records within 90 days.

**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 of the date of 4<sup>th</sup> signature below approving this decision, as per requirements of 24 VSA Chapter 117, Sections 4471 and 4475.**

**Members Present at the Public Hearing on December 4<sup>th</sup>:** Jeff McDonald, Al Moraska, Jim Donovan, Gordon Troy, Linda Radimer, and Robin Pierce.

**Vote of Members after Deliberations:**

The following is the vote for or against the application, with conditions as stated in this Decision:

1. Signed:\_\_\_\_\_ For / Against Date Signed:\_\_\_\_\_
2. Signed:\_\_\_\_\_ For / Against Date Signed:\_\_\_\_\_
3. Signed:\_\_\_\_\_ For / Against Date Signed:\_\_\_\_\_
4. Signed:\_\_\_\_\_ For / Against Date Signed:\_\_\_\_\_
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