

CHARLOTTE PLANNING COMMISSION

FINDINGS OF FACT AND DECISION IN RE APPLICATION OF

**Liam L. and Laura P. Murphy
100 Tamarack Road**

**Final Plan Application
For A
Major Subdivision and Planned Residential Development
Application # PC-11-25**

Background

The Planning Commission held Sketch Plan Review for the proposed subdivision on March 4, 2010 and an amended Sketch Plan Review on December 2, 2010, at the end of which it classified the project as a Major Subdivision in accordance with Section 6.1(C)(2) of the Charlotte Land Use Regulations (“Regulations”), and also noted the project will be proposed as a Planned Residential Development as provided in Chapter VIII of the Regulations. The Planning Commission held a hearing for the Preliminary Plan Application (PC-11-18) on August 18, 2011, and issued a decision on September 21, 2011. The Planning Commission conducted site visits on February 13, February 16 and December 11, 2010, and on January 14, 2012.

Application

Materials submitted with the applications are listed in Appendix A.

Public Hearing

The Planning Commission held a public hearing for this application on January 5 and January 19, 2012. The following persons were present at the hearing or submitted comments in writing:

January 5

Representing the applicant: Liam Murphy, Laura Murphy and David Marshall

Other parties: Roger Foster, Tony Blake, Vincent (VJ) Comai, Marty Illick, Darrilyn Peters, Charles Gluck, Robert Hyams (on behalf of the Conservation Commission), and Gary Pittman (on behalf of the Conservation Commission).

January 19

Representing the applicant: Liam Murphy, Laura Murphy

Other parties: Tony Blake, Laura Crandall, Vincent (VJ) Comai, Frances Foster, Roger Foster, Marybeth Rust, Bill Rust

Regulations in Effect

Town Plan, amended March, 2008

Land Use Regulations adopted March, 2010.

Recommended Standards for Developments and Homes adopted September, 1997

Findings

Background

1. The applicant owns a 51.26 acre parcel on Tamarack Road, which hosts a single family dwelling. The parcel was created by a three-lot subdivision approved on May 28, 1996.
2. The applicant has received approval for a Subdivision Amendment (PC-11-17) which allows the adjoining property-owner to the south (Doris Maeck Trustee) to convey five acres to the applicant. The proposed subdivision includes these five acres in the development plan.
3. The application proposes an eight lot subdivision to create six building lots for single family dwellings (Lots 1-6), one lot for an existing single family dwelling (Lot 7), and one lot to be conserved (Lot 8).

Applicable standards in Chapter VII of the Charlotte Land Use Regulations (“Regulations”) are reviewed below in Findings 4-56.

Sections 7.2 and 7.3—Areas of High Public Value

4. The parcel includes or is adjacent to the following areas of high public value:
 - A. Primary agricultural soils: A map included with the Preliminary Plan Application depicted prime agricultural soils on the northern and southern portion of the parcel, and statewide agricultural soils on much of the rest of the parcel, as classified by the Natural Resources Conservation Service.
 - B. Surface waters, wetlands and associated setbacks and buffer areas: Town Plan map 7 depicts wetland on much of the eastern portion of the parcel. The applicant has obtained a wetland delineation by Arrowwood Environmental, and also had staff from the State Wetlands Division and the U.S. Army Corps of Engineers evaluate the wetland delineation. The delineated wetland includes much of the northeastern and some of the southwestern portion of the parcel.
 - C. Wildlife habitat: Town Plan map 6 depicts the wetland area described above as wetland wildlife habitat. The applicant also obtained an assessment of wildlife habitat on the parcel from Jeffrey Parsons (submitted with the Preliminary Plan Application) and the Charlotte Land Trust obtained an assessment of wildlife habitat on and in the vicinity of the parcel from Marc Lapin, which they submitted during the review of the Preliminary Plan Application. (The Commission notes that the proposed subdivision lot lines were not finalized at the time of Lapin’s assessment).
5. Considering the resources on and adjacent to the parcel, the Planning Commission finds that the wetland (and associated buffer) and wildlife habitat are the most important areas of high public value associated with the parcel, and on much of the parcel these two features are co-located as clayplain forest, which may be of statewide significance (Lapin, page 2). These are the resources that most strongly characterize the property, and which the Planning Commission feels are the most important to protect during the subdivision process.
6. Section 7.2(C)(5) of the Regulations states “irregular shaped lots (e.g., with curves, jogs, doglegs; excessively rectilinear, etc.) shall not be created unless warranted by topography, surface waters, or to avoid the fragmentation of significant natural or cultural resources.”
7. At the Preliminary Plan Review hearing, the applicant stated that the westerly boundary of Lot 8 approximates the boundary of the large wetland and the edge of the woods.

8. The Planning Commission notes that a straight westerly boundary for Lot 8 would result in fragmenting the wetland and wildlife habitat, and therefore finds the irregular boundary is acceptable.
9. Section 7.3 (D)(1), (2) and (3) of the Regulations indicate that building envelopes, lot lines, infrastructure, roads, driveways and utility corridors should not create any undue adverse impacts on areas of high public value, and that building envelopes shall be designed to minimize undue adverse impacts.
10. The proposed development will impact wetland, wetland buffer and wildlife habitat (as further discussed below), which are indicated as areas of high public value in Table 7.1 of the Regulations.
11. Proposed Lot 1 is adjacent to and includes a portion of a red pine plantation (located to the west of Lot 1).
12. The wildlife habitat reports by Parsons and Lapin indicate the red pine plantation does not have significant natural community values, although Lapin states it does function as part of the large forest patch (Lapin, page 6).
13. Proposed Lots 2, 3 and 4 are located within an early successional forest to the west of an early successional wet clayplain forest (Lapin, page 6 and 18).
14. Both Parsons and Lapin recommend maintaining the maximum possible forest width at the boundary of the Murphy parcel and the southerly Maeck parcel in order to provide a viable wildlife corridor between the forests to the north and south.
15. In the Final Plan Application the applicant reduced the sizes of Lots 2 and 4, thereby increasing the width of the forest near the southerly boundary of the Murphy and Maeck parcels (compared to the Preliminary Plan Application).
16. The primary impacts to the wetland will be created by the shared driveway serving Lots 2, 3 and 4, which will result in filling approximately 325 feet of wetland and approximately 100 feet of wetland buffer. Additionally, although the building envelopes do not include wetland or wetland buffer, significant portions of Lots 2, 3 and 4 include wetland and wetland buffer, and dwellings sited at the edge of wetland buffer can impact existing wetland functions. Taken together, the project will have an impact on wetland and wetland buffer in the vicinity of these lots; however, the remainder of the wetland and wetland buffer on the parcel will not be impacted.
17. In considering Section 7.3 (D)(1), (2) and (3) of the Regulations, the Planning Commission deliberated on whether reducing the number of proposed lots or changing the configuration of the lots or driveways would change the impacts to the wetland, wetland buffer, and wildlife habitat. The wetland impact would not be reduced if the number of lots in the southwest corner were to be reduced to two or one. As long as there is at least one lot in the southwest corner, there will be an impact on the wetland and wetland buffer from the shared driveway.
18. The Regulations require the applicant to “take generally available reasonable mitigating steps to improve the harmony between the proposed development and its surroundings.” [From the definition of “undue adverse effect (impact)”].
19. The applicant is proposing to conserve Lot 8 (discussed in more detail below), which is approximately 33.64 acres and is wetland and nearly entirely clayplain forest which may be of statewide significance.
20. The applicant has obtained an Individual Wetland Permit from the State of Vermont (dated January 4, 2012) and an authorization from the Department of the Army, Corps of Engineers (dated May 26, 2011) for the proposed impacts to wetland and wetland buffer

from the access road and driveways serving Lots 2, 3 and 4.

Conclusion 1: The applicant has sufficiently mitigated the project's impact on prioritized areas of high public value (wetland and wildlife habitat), and therefore the project will not have an undue adverse impact on those prioritized areas of high public value.

Section 7.4—Compatibility with Agricultural Operations

21. The nearest agricultural operation is the South Forty Nursery. The building envelopes are not bordering the nursery and there is a significant vegetated buffer between the project and the nursery.
22. The westerly field of approximately ten acres, which has some agricultural potential, will not be developed with housing, although it will be divided into two lots.
23. The proposed Declaration of Covenants, Conditions and Easements includes a “Notice of Commercial Wholesale Landscaping and Nursery Operation”.
24. Well shields for the proposed wells are located on the applicant's parcel.

Conclusion 2: The project will not have an impact on the nearby agricultural operation. The project will divide the westerly field into two lots, however, the field is not a significant agricultural resource, and in any event, it will not be impacted by physical construction, so it will still be able to be used for some agricultural purposes.

Section 7.5—Facilities, Services & Utilities

25. The application proposes two fire ponds and dry hydrant systems, one located on Lot 8 adjacent to Wexford Lane and one located on Lot 6 and accessed via the South Forty Road and then the driveway shared with Lot 5.
26. The northerly fire pond and dry hydrant are not required by the Regulations or Recommended Standards for Developments and Homes, since there are no other lots in Charlotte that are accessed by South Forty Road. Nevertheless, the Charlotte Fire Chief has indicated that Charlotte and Shelburne fire departments could make use of a fire pond in this vicinity, since there are no other fire ponds on Orchard Road, and the Shelburne water system has limited capacity on South Forty Road.
27. The applicant has provided a draft Fire Pond Agreement, Waiver and Easement, and the draft Declaration of Covenants, Conditions and Easements addresses ongoing maintenance of and easements for the fire ponds.
28. All new utility lines are proposed to be underground, and are adjacent to the existing or proposed roads and driveways. There is a proposed sewer line easement that will run through a portion of the forest on Lot 8, however, this sewer line already exists.

Conclusion 3: The project will not create an unreasonable burden on existing or planned municipal facilities or services, and will be providing facilities (two fire ponds and dry hydrants) that will assist the Town's fire-fighting capacity. Construction and operational certifications are needed for the fire pond and dry hydrant.

Section 7.6—Water Supply

28. There is a history of water scarcity in the vicinity of the project.
29. The application proposes shared wells if sufficient yield is obtained.
30. The application includes a draft Declaration of Covenants, Conditions and Easements

which provides easements and designates responsibility for ongoing maintenance to the prospective lot owners if wells are to be shared.

31. Well shields for the proposed wells are located on the applicant's parcel.

Conclusion 4: The history of water scarcity is a fundamental concern. Therefore, before the issuance of a zoning permit on a lot, the applicant will need to demonstrate that sufficient water can be provided to that lot.

Section 7.7—Sewage Disposal

32. The application proposes one shared wastewater disposal system to serve the seven residential lots, which is an extension of the existing system serving the existing dwelling.
33. The Town's wastewater consultant has reviewed the disposal area of the wastewater system and indicated that there is sufficient capacity for the proposed lots.
34. The application includes a draft Declaration of Covenants, Conditions and Easements which provides easements and designates responsibility for ongoing maintenance of the wastewater system to the prospective lot owners.
35. The application includes a draft Sewage Service Agreement, Waiver and Easement.

Conclusion 5: The parcel has sufficient wastewater disposal capacity. The applicant needs to demonstrate that the project can obtain a Wastewater Disposal and Potable Water Supply Permit.

Section 7.8—Stormwater Management & Erosion Control

36. The Project Review Sheet from the Vermont Department of Environmental Conservation indicates that the project will need a Construction General Permit.
37. The application includes erosion control plans, details and specifications.
38. The project will not affect steep or very steep slopes.

Conclusion 6: The application and state permit system adequately address erosion control given the flat topography, the dispersed lot configuration, and the relatively small amount of prospective soil disturbance.

Section 7.9—Landscaping and Screening

39. The application proposes clearing limits on Lots 1, 2, 3, 4 and 5. The proposed clearing limits mostly coincide with the 50 foot lot setbacks except for Lot 1.
40. The westerly and southerly setbacks of Lot 1 effectively create the easterly boundary of the wildlife corridor between the southern forest and the northern forest.
41. As indicated above, both Parsons and Lapin recommended maintaining the maximum possible forest width at the boundary of the Murphy parcel and the southerly Maeck parcel in order to provide a viable wildlife corridor between the forests to the north and south.
42. The Final Plan Application significantly reduced the clearing limits to for the southerly and westerly lot lines, in conjunction with moving the building envelope.

Conclusion 7: The proposed clearing limits for Lot 1 are not compatible with the recommendation of both Parsons and Lapin, i.e. to maintain the maximum possible

forest width at the boundary of the Murphy parcel and the southerly Maeck parcel in order to provide a viable wildlife corridor between the forests to the north and south. The site plan should be revised to depict the westerly and southerly clearing limits on Lot 1 at the 50 foot setbacks.

Section 7.10—Roads, Driveways & Pedestrian Access

43. The proposed subdivision will not create a significant increase in traffic on public roads in the vicinity of the project over what currently exists, and therefore, is unlikely to create unreasonable traffic congestion or unsafe traffic conditions.
44. As noted above, the applicant has obtained an Individual Wetland Permit from the state for the proposed shared driveway to Lots 2, 3 and 4.
45. The Final Plan Application includes three 30” culverts which will be half buried in order to facilitate the flow of water in the wetland from one side of the driveway to the other, as required by the Preliminary Plan Decision.
46. Section 3.2(D)(2)(d) of the Regulations states: “Techniques for the preservation of scenic views and cultural features should be employed for the construction and maintenance of roads, including but not limited to the selection of visually compatible materials, the preservation of existing features, and appropriate management of vegetation within the road corridor. The use of surfacing material that minimizes driveway visibility and enhances surface permeability is encouraged, and may be required by the Commission or Board for development subject to subdivision, site plan, or conditional use review. A crushed stone or gravel surface is recommended.”
47. The proposed subdivision is to be accessed by Tamarack Road, an existing private road located off Orchard Road, a gravel town road.
48. The applicant has indicated that a section of Tamarack Road near the easterly end currently has a grade of 14%. The application proposes to reduce the grade of this section to 12%.
49. The applicant stated at the hearing that reconstructing the easterly end of Tamarack Road to achieve a maximum grade of 8% would require widening the shoulders extensively, which would require removing many of the existing trees on either side of the road and adding fill to the wetlands adjacent to the road.
50. A letter from Christopher Davis, Charlotte Volunteer Fire Department Chief, dated January 2, 2012 indicates that a grading design which achieves an average grade of 10% and does not exceed 13% would provide sufficient access to emergency vehicles.
51. The applicant stated at the hearing that the maximum grade of the easterly end of Tamarack Road could be reduced from 14% to 10% without impacting the adjacent wetland, although some of the adjacent trees will be impacted.
52. The applicant stated at the hearing that traction is improved on steep section from paving the road. The Final Plan Application includes a statement that the easterly end of the road is proposed to be paved, and Sheet C2.0 includes a label indicating a paved surface is proposed from station 0+00 to 2+75.

Conclusion 8: Reducing the grade of the easterly section of Tamarack Road will be an improvement from the current grade of 14%. A maximum grade of 13%, although indicated as being acceptable by the Charlotte Fire Department Chief, is too great of a departure from the Recommended Standards for Developments and Homes adopted in September, 1997; and paving the easterly end of Tamarack Road to accommodate the

steep grade, as proposed by the applicant, would be uncharacteristic of the rural area. Considering the prospective impacts to the adjacent wetland and trees that would result from reducing the maximum grade to 8%, a maximum grade of 10% will provide an improvement to the road grade from the existing situation while creating relatively limited impacts to the adjoining vegetation and no impacts to the adjacent wetland. Therefore, the creation of a 10% grade on Tamarack Road is acceptable.

**Section 7.11—Common Facilities, Common Land, & Land to be Conserved; and
Section 7.12—Legal Requirements**

53. Proposed common facilities include the wastewater disposal system, the two fire ponds and dry hydrant systems, and potentially the water wells. Wexford Lane and the easement over Tamarack Lane are limited common facilities serving Lots 1, 2, 3, 4 and 7, and a foundation drain is a limited common facility for Lots 2, 3 and 4. Lots 5 and 6 will have a non-exclusive easement over South Forty Road.
54. The draft Declaration of Covenants, Conditions and Easements addresses how these facilities will be maintained, and it also provides easements to each lot for use of these facilities as appropriate, except that it appears South Forty Road should be also included in Section 2.2, Limited Common Elements of the Declaration.
55. The applicant has proposed that Lot 8 will be conserved via the donation of a conservation easement to the Charlotte Land Trust. A letter and e-mail from the Charlotte Land Trust confirm the land trust's interest in conserving Lot 8. Lot 8 is proposed to be held in individual ownership. The applicant has proposed a condition of any final approval granted by the Planning Commission such that prior to or in conjunction with the submission of any zoning permits applications on lots within the project, a Grant of Development Right and Conservation Restriction over Lot 8 will be recorded in the Town of Charlotte Land Records.
56. From information provided by the applicant and representatives of the adjoining parcels belonging to Doris Maeck Trustee, it is possible that Lot 8 may become part of a larger conservation project.

Conclusion 9: The application has appropriately addressed common facilities and land that is to be conserved, with the exception of not including South Forty Road in Section 2.2 of the Declaration.

The applicable standards in Chapter VIII are reviewed below in Findings 57-59.

General Standards and Rural District Standards

57. The Planning Commission often encourages or requires applicants to cluster subdivision layouts as a means of developing in a manner that is consistent with the goals and policies of the Town Plan.
58. The initial Sketch Plan application for this project included a clustered layout, however, adjoining property-owners expressed objections regarding that plan.
59. The layout has since been revised into a more dispersed pattern, however, it will still allow the applicant to conserve over 65% of their parcel and almost 60% of the involved property (including the five acres that are proposed to be conveyed from Maeck to Murphy), and also to provide an important link in a prospective joint conservation project involving the adjoining parcels to the north and south.

Conclusion 10: The development will have adverse impacts on wetland, wetland buffer, and wildlife habitat; however, with the proposed conservation of Lot 8 and with conditions described below, the project will meet the goals and policies of the Town Plan and sufficiently mitigate undue adverse impacts to, and fragmentation of, areas of high public value.

Decision

Based on these Findings, the Planning Commission approves the Final Plan Application for the proposed subdivision with the following conditions:

1. The survey plat by Stuart J. Morrow entitled “Final Plan, Subdivision Amendment, Wexford Subdivision, Property of Liam L. and Laura P. Murphy, Charlotte, Vermont” dated July 2011, no revisions, will be revised as follows:
 - A. The title will be changed from “Subdivision Amendment” to “Subdivision and Planned Residential Development”
 - B. Dimensions of building envelopes and distances from the two nearest property lines or survey markers will be indicated.
 - C. The line type for the building envelopes on Lot 1 and Lot 4 will be changed to match the legend.
2. Site plans by Civil Engineering Associates, Inc. will be revised as follows:
 - A. For all plans:
 - i. The symbol in the legend for “P.U.D. Limits” and “Sewer Force Main” will be corrected to match the plan, and “P.U.D.” will be changed to “P.R.D.”
 - ii. The westerly and southerly clearing limits on Lot 1 will be depicted at the 50 foot setbacks.
 - B. Site plan sheet C1.0:
 - i. Building envelopes will be depicted, or a note will be added stating “Refer to the plat for building envelopes”.
 - ii. The line types for existing and proposed property lines will match the legend.
 - iii. Proposed drilled wells will be added.
 - C. Site plan sheet C2.0: the label “Paved Surface STA 0+00 to 2+75” will be deleted.
3. One digital copy (pdf), two paper copies (one 11”x 17” and one full size) and a mylar (18” x 24”) of the survey plat and the Overall Site Plan as amended by Conditions #1 and #2, respectively, and a full set of all site plan sheets (11”x 17”) as amended by Condition #2, will be submitted to the Planning Commission for review and signature (of the mylars) within 160 days. The applicant will record the signed mylars in the Charlotte Land Records within 180 days.
4. Prior to the submission of the mylars in accordance with Condition #3 above, the applicant will complete the following steps:
 - A. Obtain a Wastewater Disposal and Potable Water Supply Permit for the project.
 - B. Submit a letter from the surveyor indicating he has set the survey markers in the field as indicated on the plat. If the survey pins cannot be set at this time because of frozen ground, the applicant shall submit a letter from the surveyor indicating

- that he will set the pins when the ground thaws and has been paid to do so.
- C. Submit a maintenance and inspection plan for the proposed wastewater system on letterhead of the wastewater system designer.
 - D. Execute and record (with the mylars) the following documents after review and approval by the Selectboard and Town Attorney:
 - i. Roadway Agreement and Waiver
 - ii. Sewage Service Agreement, Waiver and Easement
 - iii. Fire Pond Agreement, Waiver and Easement (with edits)
 - E. Execute and record (with the mylars) the Declaration of Covenants, Conditions and Easements for Wexford, A Planned Residential Development, Charlotte, Vermont essentially as submitted, but including South Forty Road in Section 2.2 if appropriate and making other edits as necessary to complete the document.
5. No new pole-mounted light fixture will be taller than 8' off the ground, and no new building-mounted light fixture will be taller than 15' off the ground. Fixtures will be shielded to direct light downward, and will not direct light onto adjacent properties or roads, and will not result in excessive lighting levels that are uncharacteristic of the neighborhood.
 6. All new utility lines will be underground.
 7. Tamarack Road will have a maximum grade of 10%.
 8. Tamarack Road, Wexford Lane and all new driveways will be surfaced with non-white crushed stone.
 9. All structures, including those exempt from zoning permits under Section 9.2 of the Charlotte Land Use Regulations, will be located within building envelopes.
 10. Warranty deeds used for the conveyance of all lots will reference this Findings of Fact and Decision as well as all documents listed in Conditions 4D. & 4E.
 11. Prior to submitting a Zoning Permit application for the first dwelling within the subdivision, the applicant will convey a Grant of Development Rights and Conservation Restrictions for all of Lot 8 to the Charlotte Land Trust and/or the Vermont Land Trust.
 12. Prior to submitting an application for the first Zoning Permit for any lot located on Wexford Lane, the applicant will install a road sign for Wexford Lane at the intersection with Tamarack Road.
 13. Prior to submitting a Zoning Permit application for each lot within the subdivision, the applicant will set wooden stakes at the corners of the building envelope on that lot and maintain them until a Certificate of Occupancy has been issued.
 14. The Zoning Permit applications for dwellings on all lots within the subdivision will include a certificate from an appropriately certified engineer indicating that the well yield will provide sufficient water supply for the number of bedrooms in the proposed dwelling.
 15. Prior to submitting an application for a Certificate of Occupancy for each dwelling, the applicant will install 911 address numbering on the parcel and directional signs at forks of driveways.
 16. The application for the first Certificate of Occupancy shall include a letter from an appropriately certified engineer stating that the septic system has been constructed in conformance with the design.
 17. The applications for the first Certificates of Occupancy on Wexford Lane and South Forty Road shall include letters from an appropriately certified engineer stating that Wexford Lane or South Forty Road, as applicable, has been constructed in conformance

with the submitted and approved design up to the dwelling which is to be occupied.

- 18. The application for the Certificate of Occupancy for the sixth dwelling served by Tamarack Road will include a letter from an appropriately certified engineer stating that the new roadway, reconstructed existing roadway, shared driveways, and the fire pond and dry hydrant located on Wexford Lane have been constructed in accordance with the plans by Civil Engineering Associates, Inc. as revised by Condition #2, and a letter from the Charlotte Fire Department certifying that the fire pond/dry hydrant system is operational.

Additional Conditions: All plats, plans, drawings, documents, 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.

This decision may be appealed to the Vermont Environmental Court by the applicant or an interested person who participated in the proceeding. Such appeal must be taken within 30 days of the date of the 4th signature below, pursuant to 24 V.S.A. Section 4471 and Rule 5(b) of the Vermont Rules for Environmental Court Proceedings.

Members Present at the Public Hearing on January 5, 2012: Jim Donovan, Linda Radimer, Peter Joslin, Ellie Russell, Gerald Bouchard and Paul Landler

Members Present at the Public Hearing on January 19, 2012: Jeff McDonald, Jim Donovan, Peter Joslin, Ellie Russell, Gerald Bouchard and Paul Landler

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: _____
- 5. Signed: _____ For / Against Date Signed: _____
- 6. Signed: _____ For / Against Date Signed: _____
- 7. Signed: _____ For / Against Date Signed: _____

APPENDIX A

The following items were submitted in association with the application:

1. A Final Plan application form (the appropriate fee for an eight-lot subdivision was submitted with the Preliminary Plan Application).
2. A survey plat by Stuart J. Morrow entitled “Final Plan, Subdivision Amendment, Wexford Subdivision, Property of Liam L. and Laura P. Murphy, Charlotte, Vermont” dated July 2011, no revisions.
3. A packet of plans by Civil Engineering Associates, Inc. entitled “Laura & Liam Murphy, 100 Tamarack Road, Charlotte, Vermont, Wexford Subdivision, Wexford Lane and South Forty Road, Charlotte, Vermont” with the following sheets:
 - A. Overall Site Plan, sheet C1.0 dated November, 2011, no revisions.
 - B. Site Plan East, sheet C2.0 dated November, 2011, no revisions.
 - C. Site Plan West, sheet C2.1 dated November, 2011, no revisions.
 - D. Site and Utilities Plan North, sheet C2.2 dated November, 2011, no revisions
 - E. Utilities Site Plan East, sheet C3.0 dated November, 2011, no revisions
 - F. Utilities Site Plan West, sheet C3.1 dated November, 2011, no revisions
 - G. Road Profiles, Sheet C4.0 dated November, 2011 no revisions
 - H. Road Sections and EPSC Plan, sheet C4.1 dated November, 2011, no revisions
 - I. EPSC Details and Specifications, sheet C4.2 dated November, 2011, no revisions
 - J. Fire Pond Details, Sheet C4.3 dated November, 2011, no revisions
 - K. Community Wastewater Disposal Site Plan, Sheet C5.0, dated November, 2011, no revisions
 - L. Wastewater Cross Section and Details, Sheet C5.1 dated November, 2011, no revisions
4. A letter from David Marshall of Civil Engineering Associates, Inc. to Mr. Tom Mansfield dated November 15, 2011 regarding “Wexford Green Wastewater Disposal System Summary, Final Plat Application Information Submittal” and accompanying materials
5. A letter from Christopher Davis, Chief of Charlotte Volunteer Fire Department, to Dean Block dated January 2, 2012 regarding “Wexford Green, Tamarack Road design”
6. An Individual Wetland Permit from the Vermont Agency of Natural Resources dated January 4, 2012.
7. A plan entitled “History of Orchard Road Neighborhood Water Supply”
8. A plan entitled “ANR Well Locator; Wells in the Orchard Road Area” dated 12/9/11.
9. A memorandum entitled “Wexford Green Well Capacity Requirements” dated January 3, 2012
10. A letter from David Marshall of Civil Engineering Associates to Mr. Tom Mansfield dated January 5, 2012 regarding “Wexford Green-Water Supply”
11. A memorandum from Jeff Parsons (signed by Dori Barton) of Arrowwood Environmental to Town of Charlotte Planning Commission dated January 9, 2012 regarding “Murphy Subdivision” and accompanying materials
12. A plan by Civil Engineering Associates, Inc. entitled “Murphy Planned Unit Development Lot 1, Charlotte, Vermont” dated June, 2011, last revised 1/19/12
13. A Project Review Sheet from the Agency of Natural Resources and Natural Resources Board based on request by Dave Marshall received November 14, 2011
14. A document entitled “Declaration of Covenants, Conditions and Easements for Wexford, A Planned Residential Development, Charlotte, Vermont” draft dated 11/28/11
15. A letter from Dori Barton of Arrowwood Environmental to Ms. Julie Foley dated August 16, 2011
16. Color photographs of the site

17. Orthophotos of the site from Google Earth and Google Map