

February 21, 2018

Christopher D. Roy  
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**VIA ELECTRONIC AND FIRST CLASS MAIL**

Dean Bloch, Interim Zoning Administrator  
Town of Charlotte  
159 Ferry Road  
P.O. Box 119  
Charlotte, VT 05445-0119

Re: Reconsideration of Conditional Use Application by Eli Lesser-Goldsmith  
Application No. ZBA-17-165-CU

Dear Dean:

I am writing to you on behalf of Eli Lesser-Goldsmith with respect to the above-referenced conditional use application relating to a residential renovation project proposed for 701 Hills Point Road in the Town of Charlotte (the "Town").

As you know, on January 24, 2018, the Town's Zoning Board of Adjustment (the "ZBA") denied Application No. ZBA-17-165-CU (the "Application"). The Application required conditional use review pursuant to Section 3.8(B) of the Town's Land Use Regulations (the "Regulations") because it involves a currently nonconforming structure that would increase the degree of nonconformance in some respects. My client then filed a Notice of Appeal with the Environmental Division of the Vermont Superior Court on February 6, 2018.

As you also know, the ZBA then voted, at its February 14 meeting, to request a remand of the matter for the purpose of reconsidering the Application. To that end, the parties filed a Stipulated Request for Remand for Reconsideration pursuant to Rule 5(i) of the Vermont Rules for Environmental Court Proceedings. The Court approved the parties' stipulated request on February 16, a copy of which I emailed to you previously.

At this time, Mr. Lesser-Goldsmith formally requests that the ZBA reopen its hearing and reconsider its denial of the Application pursuant to Section 9.9(b) of the Regulations. In particular, the primary basis for the denial, as stated by the ZBA, was that "[t]he proposed house has window/exterior glass (a reflective surface) that appears to be greater than 50% of the exterior wall facing the shoreline." Since the 50% standard does not appear in the Regulations, my client was not prepared to submit at the hearing precise calculations respecting the amount of glass on the lake-facing side of the proposed residence.

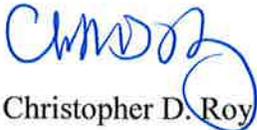
Enclosed herein you will find a building elevation prepared for my client by his architect that identifies the lake-facing glass surfaces and calculates what percentage of the exterior wall area is glass. As you can see, 30.7% of the exterior wall surfaces facing the lake are glass. This new information is important because it demonstrates easy compliance with any 50% standard

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imposed by the ZBA as part of its conditional use review, and rebuts the ZBA's apparent assumption that the exterior wall surface was greater than 50% glass. Since the glass surface issue became the stated basis for denial, this new information unavailable at the time of the prior ZBA hearing satisfies the requirements for reconsideration pursuant to Section 9.9(b) of the Regulations.

Therefore, Mr. Lesser-Goldsmith requests that the ZBA reopen the public hearing to reconsider the Application at its next available hearing time. If any additional information would be helpful to the ZBA as it reconsiders its prior decision, please do not hesitate to get in touch. In the meantime, I look forward to information regarding when the public hearing will be reopened to consider this matter.

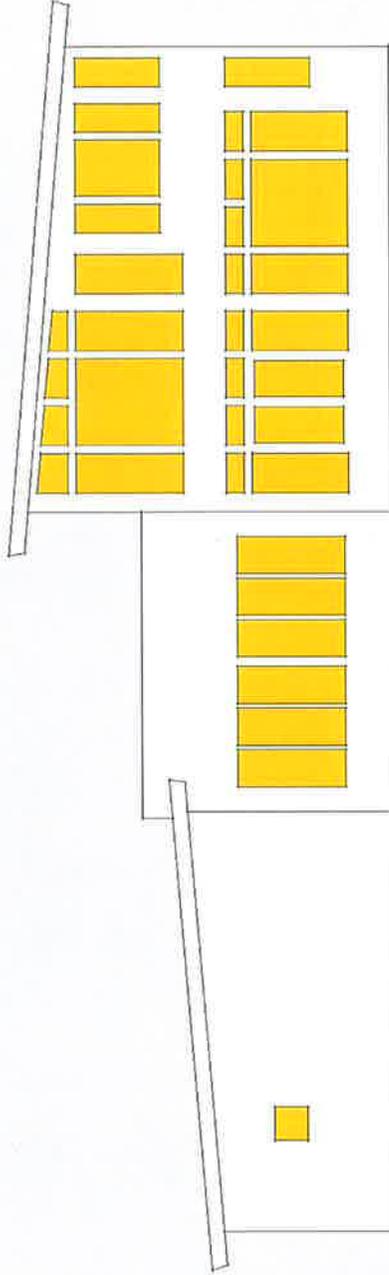
Very truly yours,



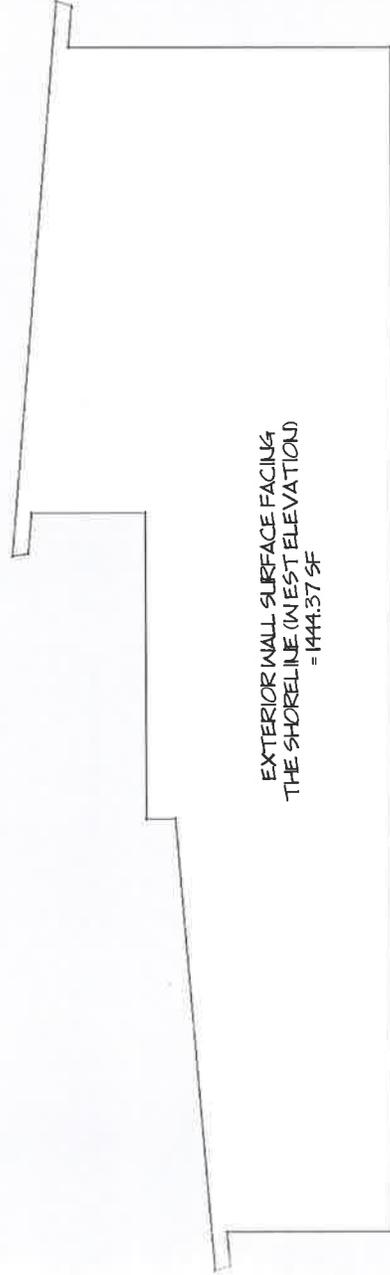
Christopher D. Roy

Encl.

cc: Joseph S. McLean, Esq. (w/ encl.) (via electronic and first class mail)



EXTERIOR GLASS (REFLECTIVE SURFACE) - YELLOW AREA  
FACING THE SHORELINE (WEST ELEVATION)  
= 443.5 SF



EXTERIOR WALL SURFACE FACING  
THE SHORELINE (WEST ELEVATION)  
= 1444.37 SF

PREDOMINATE FEATURE OF  
RESIDENCES ON HILLS POINT ROAD -  
WINDOWS: EXTERIOR GLASS < 50%  
OF THE EXTERIOR WALL AREA  
FACING THE SHORELINE

OUR WINDOWS: EXTERIOR GLASS  
= 30.7% (443.5/1444.4)  
OF THE EXTERIOR WALL AREA  
FACING THE SHORELINE