

**In re: KR Properties, LLC,
Preliminary Plat Application #PC-16-137-SD and
Final Plan Application # PC-17-168-SD**

APPELLANT'S STATEMENT OF QUESTIONS

NOW COMES Appellant, KR Properties, LLC (KR) by and through its counsel, MSK, and hereby submits, pursuant to Rule 5(f) of the Vermont Rules for Environmental Court Proceedings, the following Statement of Questions:

1. Did the Preliminary and Final Plat approvals improperly impose conditions on the proposed subdivision which are not consistent with the requirements of the Town of Charlotte Land Use Regulations, including but not limited to:
 - a. Designating "wildlife habitat and linkage/no cut" areas and buffers and "wildlife corridors" throughout the property which are not based upon reasonable evidence that such exist or are warranted;
 - b. Imposing conditions on the improperly designated "wildlife habitat and linkage/no cut" areas and buffers and "wildlife corridors" which restrict reasonable forestry management practices and prohibit recreational or other passive uses by the property owners;
 - c. Requiring the expert prepared Forestry Management Plan designed to improve the overall health of the forested areas to be revised, including but not limited to revising to "emphasize protection of 'Maximum Canopy Cover' and to prohibit cutting of any trees (including dead or dying trees or invasive species) in the improperly designated "wildlife corridors" regardless of the effect on the health of the forest;
 - d. Requiring the Open Space Agreement to be revised, including but not limited to revising to prohibit the cutting of any trees (including dead or dying trees or invasive species) in the improperly designated "wildlife corridors"; and
 - e. Restricting the size and location of building envelopes or potential alternative building envelope locations based upon improperly designated "wildlife

habitat and linkage/no cut” areas and buffers and “wildlife corridors” and other unsupported reasons.

Dated at Burlington, Vermont this 18th day of April, 2018.

MSK ATTORNEYS

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