Town of Charlotte

ESTABLISHED 1762

12/15/2016

Chris Coleman
529 Church Hill Road
Charlotte, VT 05445

Patricia Coyle
527 Church Hill Road
Charlotte, VT 05445

Re: Violation of Condition #4 of the December 15, 2015 ZBA Decision regarding screening at 529 Church Hill Road

Dear Chris & Patricia,

I recently received a complaint in regards to the above-referenced property's compliance with Condition #4 of the December 15, 2015 Zoning Board of Adjustment ("ZBA") decision, #ZBA-15-07, approving the construction of an accessory dwelling on your property. I did a site visit on November 17, 2016, and found that the new trees that were planted do not comply with the terms of Condition #4 of the ZBA's December 15, 2015 decision.

In regard to the natural screening, the ZBA decision in Condition #4 states:

Pursuant to section 5.4 (2), the Applicant shall retain the existing natural screening along Church Hill Road, and install coniferous plantings of at least 4 feet in height above the natural grade, with the intent that the plantings will grow to at least 10ft in height when mature. The applicants shall select tree species that would be expected to grow ten feet in height within five years. The plantings shall be situated to provide adequate screening from Church Hill Road. Plantings shall be installed within seven months of this decision and shall be replaced in the event that a specimen dies.

I wrote you a letter previously on August 11, 2016. Since that time you have installed plantings that do not satisfy Condition #4, and the issue has yet to be resolved. Your failure to comply with Condition #4 is a violation of 24 V.S.A. § 4449(a) and 4451 and Land Use Regulations § 9.3(A), which requires in part that land development on your property be in compliance with any conditions of the ZBA's December 15, 2015 decision, including but not limited to Condition #4. Further, if a formal notice of violation is issued as a result of your failure to comply with Condition #4 of the ZBA's December 15, 2015 decision, you may be subject to fines of up to $200/day for each day your violation continues.

159 FERRY ROAD P.O. BOX 119 CHARLOTTE, VERMONT 05445-0119
TOWN CLERK: (802) 425-3071 ♦ PLANNING & ZONING: (802) 425-3533 ♦
LISTER: (802) 425-3855 RECREATION: (802) 425-6129 ♦ FAX: (802) 425-4713

At this time due to planting restrictions because of the season please replace the current plantings with others that comply with Condition #4 of the ZBA's December 15, 2015 decision by no later than May 15, 2017. If on that date the issue is not resolved I will issue a formal notice of violation. Please contact me if you have any questions.

Sincerely,

Joe Rheaume
Zoning Administrator

c: Parcel File