Town of Charlotte Staff Report – DRB 22-218-CU TOC Recreation

DEVELOPMENT REVIEW BOARD hearing scheduled for February 12, 2022 @ 7:30 p.m.

General Information	
Applicant:	Town of Charlotte – Recreation
Application No.:	**DRB-22-218-CU**
Property Owner:	Town of Charlotte
Requested Action:	Reaffirm Conditional Use Approval
Purpose:	Seasonal boat ramp within lakeshore setback
Existing Zoning:	Conservation
Location:	1371 Lake Road
Parcel ID:	00009-1371
Size:	16.20 acres
Existing Land Use:	Town park/beach; forest/wetland
Surrounding Land Use:	Residences, & forest/wetland (east).
Permitting / Subdivision History:	Zoning permit to construct bath house – 1979 4C0148-1: state potable water and wastewater supply permit
Applicable Regulations	Table 2.8. - Conservation District Sec. 3.15 – Surface Waters & Wetlands Sec. 5.4 - Conditional Use Review
Public Notification:	Public notification was via electronic posting of the notice on the Town website on Sept. 19, 2022, publication in *The Citizen* newspaper on Sept. 29, 2022, mailed to adjoining property owners September 20, 2022 and by posting hardcopies of the notice at the Town Office, the Post Office, and Spear's Corner Store on September 20, 2022.

Exhibits:

1. Zoning Permit application, Town of Charlotte (TOC) Recreation, September 7, 2022
2. Development Review Board cover sheet, TOC Recreation, September 7, 2022
3. Conditional Use Review questionnaire, TOC Recreation, September 7, 2022
4. Lakeshore Buffer questionnaire & narrative, TOC Recreation, September 7, 2022
5. Beach ramp specs, elevation, photo, TOC Recreation, September 7, 2022
6. Beach ramp site plan, TOC Recreation, September 7, 2022
7. Adjoining property owners' list, TOC Recreation, September 7, 2022
8. Natural resources map, Town Planner, September 28, 2022

Project materials available under "TOC Recreation" at https://charlottevt.org/index.asp?SEC={99B2E7DD-2CDA-4045-8C22-43FBAD1E1D87}.

Project background:

The Town of Charlotte received conditional use approval for the installation of a seasonal access ramp at the town beach on October 26, 2022. Over two years have passed since that approval, and the Town has not yet installed the access improvement due to funding, staff turnover, and other factors. The approval has technically expired, and the Town is seeking to re-affirm the original decision.

Staff Comments / Recommendations:

It is unclear whether the project needed Development Review Board approval in the first place. The primary purpose of the approximately 20-foot-long access ramp is to provide beach access to users of wheelchairs and other mobility devices. Section 9.2 exempts "ADA-standard ramps and walkways that do not obstruct public rights-of-way or pedestrian traffic." Furthermore, the regulations read that "Temporary docks which are wooden or metal, used only for noncommercial purposes, are mounted on piles or floats, and removed at the end of each boating season do not require a zoning permit if the total (combined) length of all docks under single ownership does not exceed 50 feet (from the Mean High Water level), and the total (combined) area of all docks, including deck areas, does not exceed 500 sq. ft." While the Town charges a fee to park at the beach, the ramp is arguably non-commercial because people are not charged to go onto the beach.

The Board might wish to consider re-affirming its original decision with the addition that the new approval has no expiration date.

Staff report by: Zoning Administrator Aaron Brown, February 11, 2025

The original staff report is available online here.