

TOWN OF WARREN  
DEVELOPMENT REVIEW BOARD  
SUBDIVISION REVIEW  
AMENDMENT TO #2005-05-SD & #2005-05-CU  
LINCOLN RIDGE LLC #2006-10-SD-AM

000621

Lincoln Ridge is an approved 20-lot subdivision on 170+/- acres located on Inferno Road. Subdivision approval was granted by the Warren Development Review Board on July 20, 2005, permit # 2005-05-SD. The applicant is requesting changes/modifications to the existing permit as indicated in the subsequent Findings of Fact.

A duly warned hearing was held on May 17, 2006 and continued to Wednesday June 7, 2006. Members at the May 17<sup>th</sup> meeting were: Peter Monte, David Markolf, Chris Behn, Bob Kaufmann and Lenord Robinson. Others in attendance were: Dana Haskin, Andy Broderick, Bill Maclay, Peter DeGraff, Pat Collins, Kirk Westover, Cindy Carr, Mark Bannon, Virginia Roth, Dottie Kyle, Miron Malboeuf and Ruth Robbins. The hearing on June 7<sup>th</sup> was attended by the following DRB members: Peter Monte, David Markolf, Bob Kaufmann, Virginia Roth and Lenord Robinson. Others also in attendance were: Jennifer Grace, Jay Fetherolf, Amy Hunter, Don Swain, June Sardi, Jeff Swann, Bob & Louise Messner, Dick & Isabelle Frost, Cindy Carr, Miron Malboeuf and Ruth Robbins. A site visit was conducted on June 2, 2006 and attended by David Markolf, Lenord Robinson, Miron Malboeuf, Cindy Carr and Dick Brothers.

**Findings of Fact and Conclusions of Law:**

- 1- In addition to a completed application, the following was also submitted: abutter notification and proof of mailing, narrative listing changes dated 5/17/06, revised 6/7/06, site visit notes dated 6/2/06, maps 1 thru 4 from Thomas C. Otterman dated 4/15/06 (1), 5/10/06 (2 & 3) and 5/11/06 (4).
- 2- The applicant requests the relocation of the building envelope on Lot 10 to the north side of the shared drive to Lot 10 and Lot 11 because the shared drive is too close to the present building envelope. The proposed building site is not in primary conservation area; slopes are 15-25% and the thinning zone is depicted on the site plan and an existing well on Lot 10 will now be usable.
- 3- The applicant requests moving the building envelope on Lot 11 slightly southwesterly on the level plateau for the purpose of gaining additional privacy.
- 4- Changes to Lots 10 & 11 will yield changes in the wastewater system. Lot 9's replacement field moved to lower portion of Lot 10; Lot 10's new primary field was formerly Lot 9's replacement field, Lot 10's replacement field remains the same; Lot 11's replacement field is now its primary field; Lot 11's replacement field is now located on the lower portion of Lot 10.
- 5- The former owner of the spring rights located on Lot 20 stated that the rights have been abandoned except for non-potable use. With that being the case, a newly designed in-ground wastewater system is being proposed for Lot 20. The applicant is also asking for revisions in the thinning zone due to the hazard posed from several tall red and white pine trees.
- 6- The previous application omitted a request for a building envelope at the end of the common parking lot to accommodate a 24x30 structure for equipment.
- 7- The driveway to Lot 6 has been relocated to accommodate state setback requirements from the South Village well easement area.

TOWN OF WARREN, VT

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*Robert G. ...*  
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- 8- The applicant is notifying the Board of changes to their Covenants & Restrictions to include the following: #2 – Add “Downcast or Shielded exterior light fixtures are required”.; Commercial guest houses or lodging businesses shall be prohibited; #9 – Add “Prior to installing electric connections to a shared transformer cabinet, Lot Owners shall notify any Lot Owner sharing the same transformer cabinet.”
- 9- The current permit states that all the building envelopes are on less than 15% slopes. Upon Further review, the Board has discovered that this is not entirely the case.
- 10- Since the current permit was issued, the Warren Fire Department and the principles of Lincoln Ridge LLC have come to the agreement to have more than one hydrant installed in the project.

**Notice of Decision:**

Based on the forgoing Findings of Fact and Conclusions of Law, application #2006-10-SD-AM submitted by Cindy Carr on behalf of Lincoln Ridge LLC is approved and will hereby amend permit #2005-05-SD where appropriate. All other Findings and Conditions of permit #2005-05-SD will remain in effect. The following changes and or additions to the permit are as follows:

- 1) Lot #20 is amended to allow for the clearing of all trees within 100 feet of the primary structure and for any clearing necessary for the primary septic, driveway and utilities.
- 2) Building envelope for Lot # 10 is to be relocated, the building envelope of lot # 11 modified and the revised septic system for Lots 10, 11 & 9 all as shown on Otterman’s map of 4/15/06.
- 3) The Board gives the Zoning Administrator the authority to approve building envelope adjustments when individual lot owners apply for building permits for lot #'s 2, 6, 7, 10, 19 & 20 in order to optimize house site placements minimizing any encroachment on secondary conservation areas..
- 4) The wastewater system on Lot #20 is to be relocated subject to obtaining a health permit.
- 5) The Board approves the construction of a 24’x30’ storage/equipment barn to be located as shown on the Otterman plan dated 5/11/06, and the equipment to be used for ski access may be winter mechanized vehicle(s) to be operated by employee(s) of the Homeowners Association over routes confined to approved access trails from the Sugarbush Ski area to the westerly area of the property and hence to the equipment/storage barn.
- 6) The driveway to Lot #6 is to be relocated as shown on the Otterman map dated 5/11/06. In addition the 200’ well setback is to be shown on the final mylar.
- 7) The Board approves the proposed changes to the Covenants as requested by the applicant and outlined in the narrative dated 6/7/06 item # 7.
- 8) Although Lots # 2, 6, 7, 10, 19 & 20 contain slopes of 15% or greater, they also provide more level areas and it is the Zoning Administrators charge to ensure that when built upon that the building site(s) minimize any encroachment on the secondary conservation areas; it is also a requirement that the lot owner(s) supply a copy of their erosion control plan to the Zoning Administrator prior to the building permit being issued.


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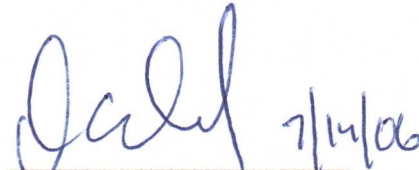
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- 9) The permit is hereby also amended to reflect that the project will include three (3) fire hydrants whose location will be noted on the final mylar plat.
- 10) The project shall be operated and used only in accordance with the terms, plans, procedures and specifications stated:
  - a. In the application
  - b. All exhibits furnished by the applicant, and
  - c. All findings of fact and conclusions stated above in this decision and the decision of 7/20/05 as hereby amended.

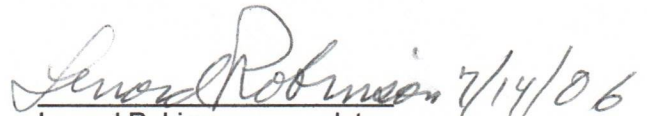
This approval shall become effective when this decision has been signed by at least three members of the Warren Development Review Board who participated in the final decision. Beginning with the effective date of this decision, there is a 30-day period during which parties may appeal the decision to the Environmental Court.

**Development Review Board**

  
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 Peter Monte                      date

  
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 David Markolf                      date

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 Virginia Roth                      date

  
 \_\_\_\_\_  
 Lenord Robinson                      date

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 Bob Kaufmann                      date