

TOWN OF WARREN
DEVELOPMENT REVIEW BOARD
FINDINGS OF FACT & NOTICE OF DECISION
SUBDIVISION REVIEW
#2007-08-SD SUMMIT VENTURES NE, LLC

Summit Ventures NE, LLC (dba Sugarbush Golf Club) seeks approval to subdivide an approx. 2.5-acre parcel off of the existing Golf Course parcel (parcel id # 053001-200). Once subdivided, it is intended that the 2.5-acre parcel will be transferred to an abutting landowner [parcel id # 016002-800]. The parcel is already "naturally" divided off as it sits south of the Golf Course across West Hill Road. There are no development plans known of at this time and it is understood that a subdivision amendment would be required prior to any development taking place.

A duly warned hearing was held on Wednesday April 18, 2007 and attended by the following Board members: Peter Monte, David Markolf Virginia Roth and Lenord Robinson. Others in attendance were: Jason Lisai, Peter Lazorchak, John Crump, Margo Wade, Miron Malboeuf and Ruth Robbins.

Findings of Fact & Conclusions of Law:

1. The applicant submitted a complete application, project narrative, site maps, abutter notification, certification of mailing and request for waiver of meeting requirements.
2. The dirt, stones, brush and such that were piled there would be removed by the applicant and the applicant also intended to place a couple of boulders at the road cut entrance.
3. The Board discussed whether or not they needed to determine that it was truly a developable lot and to require the designation of a building envelope even though the applicant stated that it was being sold "as is" with no improvements.
4. The DRB Chairman stated that this usual concern [for requiring building envelopes] is not applicable to the lot under consideration due to the existing boundaries, the road as a boundary and that they weren't actually creating a lot in practical terms but the question was who was to own it going forward. In addition, the Board was allowed to provide waivers for many of the provisions so that in turn they should be able to approve the application subject to conditions that the requirements be met in the future.
5. The Board discussed wanting to combine access to this new parcel with the existing access of the abutting parcel [id # 016002-800]. There was an opinion that it would be challenging to do.

Notice of Decision:

The Development Review Board, finding the applicant has satisfied the requirements of Article 7 Subdivision Standards, hereby approves the subdivision request with the following conditions:

- 1) As per terms, plans, procedures and specifications stated in the application and exhibits furnished by the applicant and the findings of fact and conclusions stated in this decision.
- 2) No development shall take place on this parcel except for the removal of stockpiles of dirt/brush/gravel without further review and approval of the DRB and the submission of a plot plan that includes all the requirements of Table 6.2 and with consideration of access being connected to the existing access of the adjacent parcel to the west (id # 016002-800).

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TOWN OF WARREN
 DEVELOPMENT REVIEW BOARD
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 FINDINGS OF FACT & NOTICE OF DECISION - #2007-08-SD SUGARBUSH GOLF CLUB

In accordance with Section 6.5 and the Act [§4416], within 180 days of the date of receipt of final plan approval under Section 6.4(C), the applicant shall file 3 copies of the final subdivision plat, 1 mylar copy and 2 paper copies, for recording with the town in conformance with the requirements of 27 V.S.A., Chapter 17. Approval of subdivision plats not filed and recorded within this 180-day period shall expire. Prior to plat recording, the plat must be signed by at least two authorized members of the Development Review Board.

Approval shall become effective once this decision has been signed by at least three members of the Warren Development Review Board who participated in the final decision. Beginning 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

Lenord Robinson 3/10/07
 Lenord Robinson date

Peter Monte 5/9/07
 Peter Monte date

David Markolf 5/9/07
 David Markolf date

Virginia Roth May 9, 2007
 Virginia Roth date

TOWN OF WARREN, VT

Received for Record 5/10 2007

at 12:05 o'clock P M and Received in

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Robert Goss

TOWN CLERK