

**Town of Warren
Development Review Board
Subdivision Review
Findings of Fact and Notice of Decision
Mad Gap Corp. #2016-20-SD**

The applicant, **Mad Gap Corporation**, requests approval for the subdivision of an existing 124 acre parcel with a dwelling and accessory structure into 2 parcels; a 27 acre parcel with the existing structures and a 97 acre parcel. No development is proposed for the 97 acres parcel. The property is located at 420 Lincoln Gap Road, in the Rural Residential District, property id # 003000-800.

A Sketch Plan review session was held with the DRB on Monday April 4, 2016 with the following DRB members in attendance: Peter Monte, Chris Behn, Tom Boyle and Bob Kaufmann. Others also attending were Alice Olenick, Miron Malboeuf and Ruth Robbins. A duly warned hearing for final plan review was held on Monday May 16, 2016 and attended by the following DRB members: Peter Monte, Tom Boyle, Jeff Schoellkopf and Chris Behn. Others also at the hearing were: Joe Kasper, Neil Johnson, Ron Simpson, Pat Simpson, Miron Malboeuf and Ruth Robbins.

Findings of Fact and Conclusions of Law:

- 1) The applicant submitted a complete application, site plan prepared by Bannon Engineering, project narrative, notice to abutters and proof of mailing.
- 2) The applicant submitted an email from Bannon Engineering dated 05/18/2016 that verified the acreage of Lot 4 as being 97 acres, not the original indication of 89 acres.
- 3) The Board reviewed the proposed final plat and found that it showed both lots and a building envelope for the existing dwelling; setback boundary for the riparian habitat as well as indication of slopes that exceed 15% grades. These were items requested at the Sketch Plan review.
- 4) The Board found the standards under Sec. 7.2 General Standards [for subdivision] (A) through (H) have been satisfied by the applicant.
- 5) The Board found the standards under Sections 7.3 through 7.10 to have been satisfied by the applicant.

Notice of Decision:

At the May 16, 2016 meeting the Board approved conditions of approval requiring (1) confirmation of the property's correct acreage and (2) recital of the correct acreage on the final recorded plat. Mr. Bannon's confirmation of the acreage satisfies the first of these conditions. The condition requiring recital of the correct acreage on the final plat remains in force.

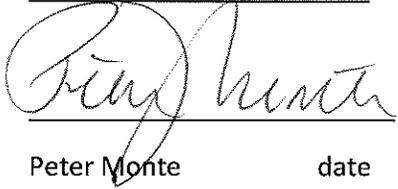
The Board also stipulates that a condition of this approval is that Lot 4 (97 acres) may not be developed without prior review and approval by the DRB.

In Accordance with Section 6.5 and the Act[§ 4416], within 180 days of the receipt of final plan approval under Section 6.4 (C), the applicant shall file 4 copies of the final subdivision plat, 1 mylar copy and 3 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.

Not later than ten (10) days after the date the surveyed site plan is filed for record in the Warren Land Records, the applicant shall be caused to file with the Town Zoning Administrator a certificate by a Vermont registered

land surveyor or a Vermont licensed professional engineer that the certifier has delivered a readable digital copy of the site plan as filed in the Warren Land Records in AutoCAD drawing format release 2000 or later format to the Warren Lister's office. In addition the drawing should be referenced to Vermont State Plane Feet Coordinates. The deadline for filing this certificate may be delayed to a later date with either (a) approval of the DRB (b) the written permission of the Warren Lister's Office. Such DRB approval or Town Lister's permission may be given at any time before or after the deadline.

Development Review Board

 6/5/16
Peter Monte date

 06/6/2016
Chris Behn date

Tom Boyle date

 6/6/16
Jeff Schoellkopf date

TOWN OF WARREN, VT
Received for Record 6/8 2016
at 9 o'clock A M and Received in
Arthur Glass Vol. 239 Page 564-565
TOWN CLERK
VT Property Transfer Tax Return # —