

**Town of Warren
Development Review Board
Findings of Fact and Notice of Decision
Conditional Use and Subdivision Review
#2017-90-SD-CU Eardensohn**

The applicants, **Paul & Victoria G. Eardensohn**, request a two lot Minor subdivision and Conditional Use approval for construction of a single family residence and creation of a building envelope with a driveway access through the Meadowland Overlay District. The existing property is located at **627 Airport Rd** and is in the Meadowland Overlay (MO) and Rural Residential (RR) Districts. , and is identified as Warren Parcel Id. #009001-302.

A duly warned hearing was held on Monday November 20, 2017 and attended by DRB members Peter Monte, Bob Kaufmann and Virginia Roth. The meeting was continued to Monday December 4, 2017 for the purposes of conducting a site visit with a second hearing to follow. On December 4, 2017 the following DRB members were both at the site visit and the hearing: Peter Monte, Jeff Schoellkopf, Bob Kaufmann and Virginia Roth.

Findings of Fact and Conclusions of Law:

- 1) The applicant submitted a complete application, subdivision worksheet, site plan prepared by Bannon Engineering dated 10/20/17 and revised 11/21/17, notice to abutters with proof of mailing, and a state wastewater permit # WW-5-7541.
- 2) The Board found that with the amended site plan showing a relocated and shorter driveway that goes over the meadowland is in compliance with the standards of Table 2.13 (E) (1) (a).
- 3) The standards under Conditional Use Sec. 5.3 (A) items (1) through (5) are found by the Board to be satisfied by the applicant.
- 4) Article 7 Subdivision Standards Sec. 7.2 (A), (B), (C), and (D) are found by the Board to be satisfied by the applicant.
- 5) The Board found Sec. 7.2 (E) is satisfied by the applicant as it follows the setbacks or greater and it is all contained in non-meadowland.
- 6) Sec. 7.2 (F), (G) and (H) are found by the Board to be satisfied by the applicant.
- 7) The Board found that Sec. 7.3 is satisfied by the compliance with the standards of the Meadowland Overlay District, Table 2.14 as the Meadowlands are considered a conservation area and there are no other conservation areas on the parcel.
- 8) The Board found Sec. 7.4 is satisfied since the remaining lot, which is Meadowland, will continue to be maintained and utilized as a hay field.
- 9) Sec. 7.5, 7.6, 7.7 and 7.9 are found by the Board to be satisfied by the applicant.
- 10) The Board found Sec. 7.8 is satisfied by the applicant with the issuance of a State Wastewater and Potable Water Supply permit #WW-5-7541 dated 11/6/17.
- 11) The Board found Sec. 7.10 is not applicable to this application.

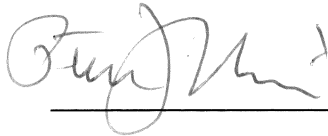
Notice of Decision:

The DRB, having found that the applicant has satisfied the standards of Table 2.13 Meadowland Overlay District, Article 5 Sec. 5.s Conditional use and Article 7 Subdivision Standards, is hereby approved for a two-lot subdivision subject to the driveway located as presented in the updated site plan of 11/21/17 and the following:

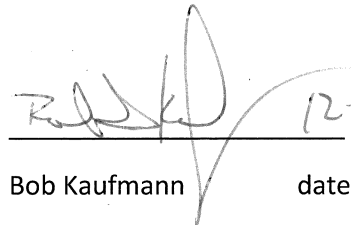
In Accordance with Section 6.5 and the Act[§ 4416], within 180 days of the receipt of final plan approval under Section 6.4 (C), the applicant shall file 4 copies of the final subdivision plat, 1 mylar copy and 3 paper copies, for recording with the town in conformance with the requirements of 27 V.S.A., 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.

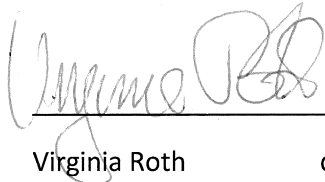
Development Review Board

 12-7-17

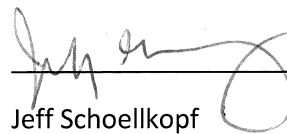
Peter Monte date

 12-8-17

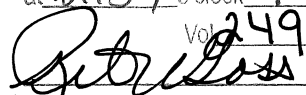
Bob Kaufmann date

 12-8-17

Virginia Roth date

 12-8-17

Jeff Schoellkopf date

TOWN OF WARREN, VT
Received for Record 12/8 2017
at 12:37 o'clock P M and Received in
Vol 249 Page 65-66

TOWN CLERK
VT Property Transfer Tax Return # —