

**Town of Warren
Development Review Board
Findings of Fact and Notice of Decision
Revision to an Approved Platt/Subdivision Review
2018-01-SD-AM Kelly**

Applicant **Lisa Bigelow Kelly** requests a change in the location of the previously approved building envelope [2015-55-SD]. The property is located at 1471 Lincoln Gap Road in the Rural Residential District [RR] as well as the Meadowland Overlay District [MO], Lot 2, 60 +/- acres, parcel id # 003003-701.

A duly warned hearing was held on Monday January 29, 2018 and attended by DRB members Jeff Schoellkopf, Chris Behn and Virginia Roth. Other in attendance were Mark Bannon, Perry Bigelow, Whitney Phillips and Ruth Robbins.

Findings of Fact and Conclusions of Law:

- 1) The applicant submitted a complete application, site plan prepared by Bannon Engineering, notice to abutters and proof of mailing.
- 2) There was an approved building envelope with the approval of the subdivision [2015-55-SD]. The Conditional Use permit allowing the building envelope due to its location in the Meadowland had expired and the applicant decided she wanted something different which also took the building envelope out of the Meadowland and shortened the driveway.
- 3) The DRB found the standards for the establishment of building envelopes to be compliant with the setbacks from boundary lines and the 100 feet buffer from the edge of the pond.
- 4) The DRB found the standards protecting conservation areas to be satisfied as the conservation areas (Meadowland, Wetlands and Steep Slopes) have all been clearly identified and protected and there is only one small amount of steep slopes (17 +/- %) at the corner of the building envelope which was considered to be of little concern due to its size.
- 5) The DRB found that with the understanding that the development will follow the State ANR Yellow Book guidelines for erosion control on anything over 10% that the ordinance is satisfied for erosion control measures.
- 6) The DRB found that utilities will be placed underground as per the ordinance.
- 7) The applicant is aware that a State Wastewater Permit is required.
- 8) The DRB found that the General Standards under Article 7, Sec. 7.2 to be either satisfied or in some cases not applicable to this application.

Notice of Decision:

The DRB approves the relocated building envelope as submitted subject to the findings and the following conditions:

1. The applicant is required to obtain an approved Road Access permit from the Town of Warren and meet the standards of Sec. 3.1 (C) for the construction of a driveway.
2. 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.

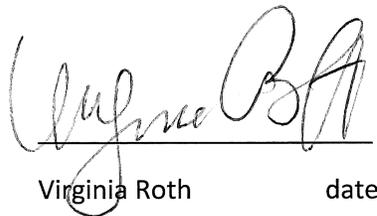
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- 3. Not later than ten (10) days after the date the surveyed site plan is filed for record in the Warren Land Records, the applicant shall be caused to file with the Town Zoning Administrator a certificate by a Vermont registered land surveyor or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

 02-05-2018

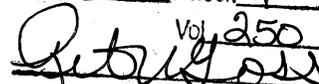
Chris Behn date

 2/5/18

Virginia Roth date

 2/5/18

Jeff Schoellkopf date

TOWN OF WARREN, VT
 Received for Record 2/6 2018
 at 3 o'clock P M and Received in
 Vol. 250 Page 82-83

 TOWN CLERK
 VT Property Transfer Tax Return #