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TOWN OF WARREN  
DEVELOPMENT REVIEW BOARD  
FINDINGS OF FACT & NOTICE OF DECISION  
SUBDIVISION REVIEW  
#2010-06-SD RITCHIE

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The applicant, the **Shirley M Ritchie Trust**, requests permission to amend an approved 6-lot subdivision, #2002-12-SD, approved April 9th, 2003 in order to conform to the State of Vermont storm water regulations which have changed since the subdivision was originally approved. The subdivision, parcel id # 009004-700, is located off of Airport Road in the Rural Residential District and has yet to be developed.

A duly warned hearing was held on Monday July 19, 2010 and attended by DRB members: Lenord Robinson, Peter Monte, Chris Behn, Virginia Roth and Bob Kaufmann. Others in attendance were: Carl Johnson, Mark Bannon, Gunner McCain, Don Swain, Miron Malboeuf and Ruth Robbins. The applicant was represented by Gunner McCain of McCain Consulting, Inc.

**Findings of Fact & Conclusions of Law:**

- 1) The applicant submitted a complete application, site plan prepared by McCain Consulting, Inc dated 3/17/10, notice to abutters and proof of mailing.
- 2) At the time the subdivision was approved the jurisdictional "trigger" for an operational stormwater permit was two (2) acres but has since been changed to one (1) acre, and there is approx one and one half acres of impervious surface subject to this regulation in this project. Since the project has not been developed a state Stormwater Permit is now required which adds infrastructure not included in the original approval thus the request for an amendment.
- 3) The changes to the approved plat come in the form of a stormwater retention pond/rain garden/bio-retention area on each of the six lots. It was Mr. McCain's understanding that the future individual lot owner(s) would be responsible for the installation of the required stormwater ponds.
- 4) Mr. McCain told the Board that the State will oversee the compliance with the stormwater permit which is actually issued to the homeowners association with a two times a year certification by a homeowner that the stormwater system is operating as designed and then once every three years a licensed professional must certify all is operating as it should be.
- 5) Mr. McCain also noted for the Board that the wastewater systems have been revised; they are in the same locations but have no pre-treatment element.

**Notice of Decision:**

*The Development Review Board, finding that the proposed changes do not have any significant or adverse impact on the original review criteria for the approval of the subdivision approved the revisions with the condition that a revised mylar showing the revisions be filed within the statutory timeframe as noted below.*

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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The surveyed site plan to be recorded in the Warren Land Records shall include a separate sheet that shows only the following information: Lot Lines, Lot Line Dimensions, Parcel Area Text, Building and Out Building Locations, Boundary Information such as fences, stone walls, boundary markers, and additional sheet(s) that show the same information plus all other detail required by this approval.

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 caused to be filed 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 latter 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

 8/30/2010  
Peter Monte date

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Bob Kaufmann date

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Virginia Roth date

 8/30/2010  
Lenord Robinson date

 08/30/2010  
Chris Behn date

TOWN OF WARREN, VT

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TOWN CLERK