

TOWN OF WARREN
DEVELOPMENT REVIEW BOARD
MINUTES OF MEETING
MONDAY MARCH 18, 2013

Members Present: Peter Monte, Lenord Robinson and Virginia Roth.

Others Present: Shelia Getzinger, June Sardi, Rick Darby, Cindy Carr, Lisa Jenison, Miron Malboeuf and Ruth Robbins.

Agenda: Call the meeting to order, 7:00 pm.

- 1) Application **2013-01-SD/Amendment** to an approved plat and clarification of language regarding cutting restrictions for the Sardi –4-lot subdivision dated October 18, 2006 (**2006-09-SD**) plat filed on June 20, 2007. The applicant, June Sardi requests a revision in the location of the building envelope and modification of the "findings" as follows: No 4 *not to require enrollment in the Current Use Program*; and to add to No 8 to allow *periodic timbering in accordance with a forest management plan*. This application requires review under Section 6.7 *Revisions to an Approved Plat* property located at 59 Main Street, parcel id #004000-200. The property is located at 2255 west Hill Road in the Rural Residential and Forest Reserve Districts (Parcel Dina 016004-600). This application requires review under Article 2, table 2.2 & 2.1; and Article 7, of the Warren Land Use and Development Regulations as adopted by the Warren Select Board on March 25, 2008 and last amended November 11, 2012.

- 2) Other Business:

Mr. Monte called the meeting to order at 7:09 pm.

1. Application **2013-01-SD/Amendment** to an approved plat and clarification of language regarding cutting restrictions for the Sardi –4-lot subdivision dated October 18, 2006 (**2006-09-SD**) plat filed on June 20, 2007. The applicant, June Sardi requests a revision in the location of the building envelope and modification of the "findings" as follows: No 4 *not to require enrollment in the Current Use Program*; and to add to No 8 to allow *periodic timbering in accordance with a forest management plan*.

Mr. Monte opened the hearing by reading the warning. The applicant has requested two modifications to the Subdivision approval given back in 2006: the relocation of a building envelope and a change in the language of one of the findings. Mr. Swain spoke to the shift in the location of the building envelope. [Note: Mr. Swain is an Alternate member of the DRB but was not participating as such during this meeting.] Mr. Swain explained that lots one and two were being purchased by the same person and has requested that the building envelope on lot 1 be slightly moved. Lot number two will be maintained as a separate lot as is. Mr. Swain went on to tell the Board that the requested change in the building envelope on lot one will improve the siting of the house and will lessen the impact on steep slopes. The dimensional difference in the building envelope is a shift of about 60 feet avoiding the 15 to 25 percent grade. Mr. Swain also noted that the clearing limits had been adjusted accordingly and that the required setbacks had all been adhered to. It was also noted that both lots would still meet the minimum 25 acres needed for the state's current use program.

The original approval required enrollment in the state's current use program, a requirement that the applicant is asking to change. Atty. Getzinger spoke up and said that the requirement was not the issue as much as the way in which it was worded – that portions in the Forest Reserve District are to be "no cut" areas which is contrary to how the current use program operates. Mr. Monte agreed that that was problematic. Atty. Darby also expressed his view that the intent of the original approval was still maintained, just that they were requesting additional clarification.

TOWN OF WARREN
DEVELOPMENT REVIEW BOARD
MINUTES OF MEETING
MONDAY MARCH 18, 2013

After some additional conversation discussing the particulars of current use and those of the Forest Reserve, the following motion was made:

MOTION by Mt. Monte that the Board amends finding #4 of the approval #2006-09-SD to read: "The parcel is enrolled in the Current Use Program and it is the applicant's intention to continue enrollment as and where that is possible. The Development Review Board Decision in this matter does not require enrollment of the property or any portion thereof in the Current Use Program." And that the Board also change finding #8 to read: "Those sections of the parcels that are in the Forest Reserve District or the designated Tree Thinning Limit areas as shown on the approved plans are "no cut" areas with the only exceptions being (a) dead or diseased trees, (b) periodic timbering in accordance with a Forest Management Plan and (c) trees less than 4 inches at breast height." **SECOND** by Mrs. Roth. **VOTE:** all in favor, the motion passed.

MOTION by Mr. Robinson that the Building Envelope on Lot 1 be modified as shown on the revised plan submitted and dated "revision 2/27/13". **SECOND** by Mr. Monte. **DISCUSSION:** Should the revised tree thinning limit line that is associated with the amended Building envelope also be included? Mr. Robinson accepted that suggestion as an addition to his motion. The **MOTION** now states the Building Envelope on Lot 1 be modified as shown on the revised plan submitted and dated "revision 2/27/13" as well as the associated tree thinning limit line. Mr. Monte maintained his **SECOND**. **VOTE:** all in favor the motion passed.

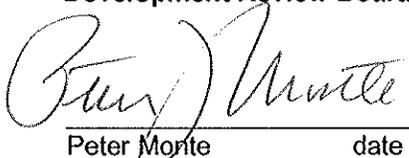
Mr. Darby told the Board that a final version of the Subdivision covenants would be filed with the clerk's office when the matter closes and he received the thanks of the Board.

Mr. Monte adjourned the meeting at 7:43 pm.

Respectfully submitted,

Ruth V. Robbins
DRB/PC Assistant

Development Review Board

 5-6-13
Peter Monte date

 5/6/13
Virginia Roth date

 5/6/13
Lenord Robinson date

TOWN OF WARREN, VT

Received for Record 5/7 2013
at 1:04 o'clock P M and Received in

Vol. 222 Page 261-262

TOWN CLERK