

**TOWN OF WARREN
DEVELOPMENT REVIEW BOARD
FINDINGS OF FACT and NOTICE OF DECISION
SUBDIVISION REVIEW**

MEMBERS PRESENT: Peter Monte, Chair; David Markolf, Lenord Robinson, Jason Heroux, Eric Brattstrom
OTHERS PRESENT: Bob Messner, Town of Warren; Bryan Kingsbury, Town of Warren; Margo Wade, DRB Assistant.

At a public hearing held November 3, 1999 the Warren Development Review Board reviewed application number **1999-1-SD** submitted by the **Town of Warren for Ruth H. Murphy** who seeks approval for a 2-Lot subdivision of 5.49 acres. The property is located off the east side of Vt. Route 100 across from the Sugarbush Access Road in the R-2 (Rural Residential) District. The project was reviewed under provisions of the Warren Permanent Subdivision Regulations.

FINDINGS OF FACT

- 1) In addition to a complete application submittals include: Murphy, Allen & Peterson to Town of Warren site map by Glenn R. Towne, dated 8/99; letter to the Warren Fire Dept., dated 10/20/99, Stream Alteration Permit Application, dated 8/26/99, and letter requesting to merge the preliminary and final meeting, dated 11/8/99.
- 2) Ms. Murphy is gifting the Town of Warren 2.98 +/- acres in exchange for the Town taking care of the details (survey, deeds, replacement septic easement, and the planting of trees to terminating her existing driveway). The 2.98 acres would be combined with the Allen and Peterson parcels, which were purchased through the flood buyout program, and used for public access as a day-use area.
- 3) The Town has installed an access road located just north of the Sugarbush Service Station. A curb cut permit was granted from the state. The curb cut and new driveway will be included on the mylar. Ms. Murphy's drive way will also be amended on the mylar to reflect its new length.
- 4) No buildings will be constructed on the Town's property. The grounds would be mowed a few times a year. There is ample area for parking.
- 5) A verbal requested was made on 11/3/99 for waiver to combine the initial and warned hearing since no development, other than the access road, would be taking place. The request was granted.
- 6) The project is classified as a minor subdivision.
- 7) The project conforms to the Town Plan, Zoning Regulation, and Capital Budget program.

- 8) The application as submitted, with proof of abutter notification, and other supporting documents satisfies the requirements of Article 3.
- 9) The application satisfies Article III § 1, Article III § 2 A, and Article III § 2 B.
- 10) The Town would be willing to grant an easement to Ms. Murphy if an area suitable for replacement septic could not be located on her property.
- 11) The requirements of Article III § 2 C were waived.

CONCLUSIONS OF LAW and NOTICE OF DECISION

MOTION by Mr. Heroux, seconded by Mr. Robinson to grant the 2-Lot Subdivision as requested. VOTE: unanimous; motion carried.

Based on the foregoing Findings of Facts and Conclusions of Law, the application submitted by the Town of Warren for Ruth H. Murphy is hereby approved.

The approval of this Board does not excuse the applicant from acquiring any other local or State permits or approvals that may be necessary for this application.

This decision shall become effective once signed by at least three members of the Development Review Board who participated in the final decision. Beginning the effective date of the decision, there is a 30-day period during which parties may appeal the decision to the Environmental Court.

DEVELOPMENT REVIEW BOARD

Eric Brattstrom 1 Dec 99
Eric Brattstrom (date)

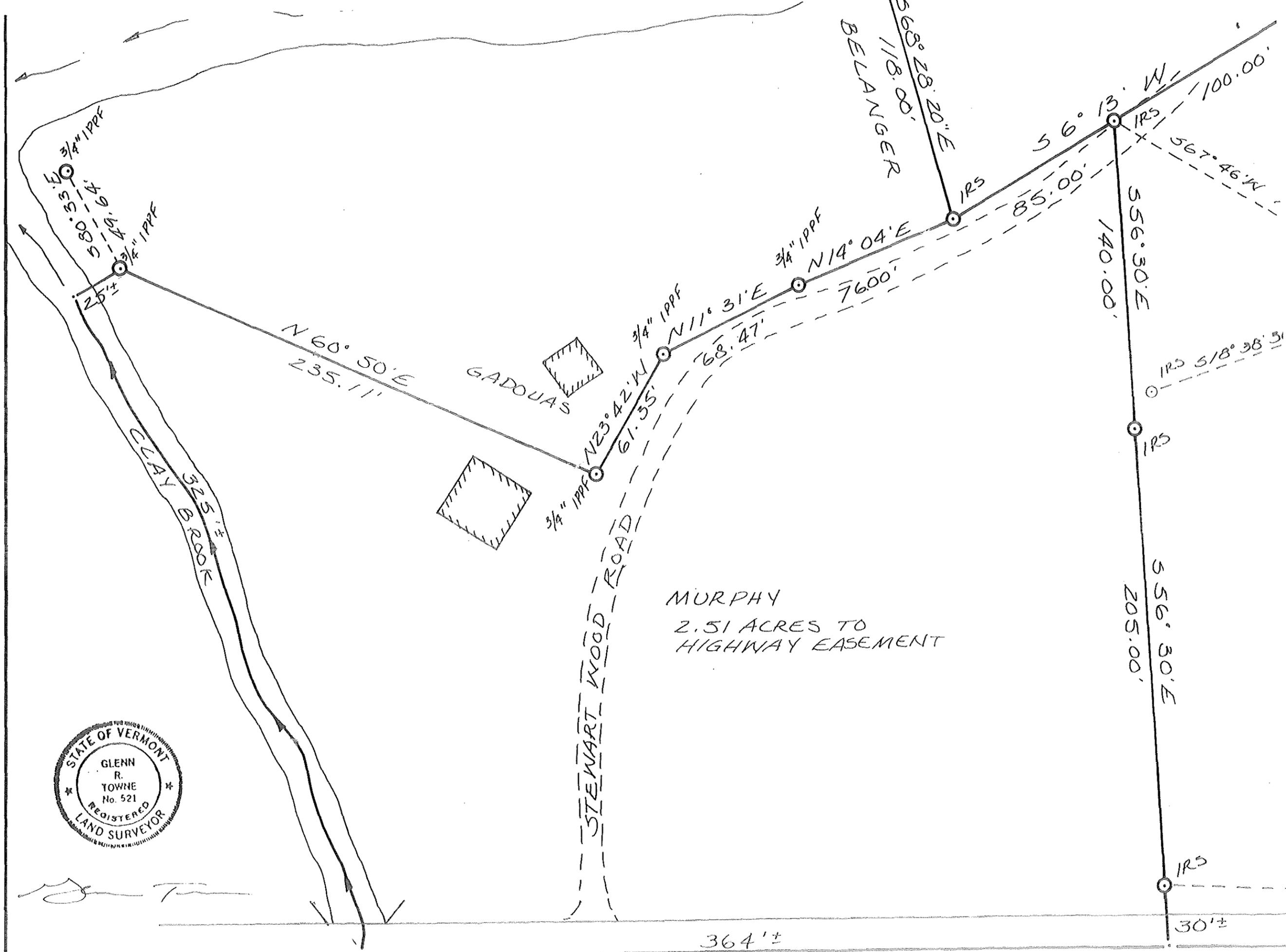
Lenord Robinson 12/1/99
Lenord Robinson (date)

David Markolf 12/1/99
David Markolf (date)

Peter Monte 12/1/99
Peter Monte, Chair (date)

Jason Heroux (date)

<input checked="" type="checkbox"/> APPLICANT	<input checked="" type="checkbox"/> TOWN CLERK
<input checked="" type="checkbox"/> ZONING ADMIN.	<input type="checkbox"/> LISTERS
<input type="checkbox"/> ENV. PL. DIST.	<input type="checkbox"/> CONSULTANT
<input type="checkbox"/> TOWN ATTORNEY	<input checked="" type="checkbox"/> Post
<input type="checkbox"/> CHAIRMAN	<input type="checkbox"/> MEMBERS
<input type="checkbox"/> CHAIRMAN	<input type="checkbox"/> MEMBERS
<input type="checkbox"/> CHAIRMAN	<input type="checkbox"/> MEMBERS
	<input checked="" type="checkbox"/> P. Covelli



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NOTES ETC. ON SHEET 1

ALLEN TO TOWN OF WARREN 0.67 ACRE

MURPHY 2.51 ACRES TO HIGHWAY EASEMENT

