

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

Application #2005-03-SD, Boundary Line Adjustment, *Article 6.2 (E)*, submitted by Attorney James A. Caffrey on behalf of Christopher and Danyel Rodgers. The Rodgers are currently under contract to purchase the Voorhees property (parcel ID # 001002-400). A title search discovered a defect that inadvertently eliminated an easement that provided access from the Voorhees property to a public road (Rte 100). This application seeks to correct that defect.

A duly warned hearing was convened on Wednesday May 25, 2005. Members in attendance were: Peter Monte, David Markolf, Chris Behn, Lenord Robinson and Virginia Roth who recused herself as her husband had done the survey that was included in the application. Others in attendance were: Ted Joslin, Jeff Hoffer, John Donaldson, Don Swain, Joan Foster, Neil Johnson, Dottie Kyle, Eric Brattstrom, Belinda Norris, Michael Walsh, Melna Hall, Peter Hall, Ken Friedman, Phil Huffman, Cindy Carr, Karin Ware, Erin Cozzi, Zeke Church, Justin Kenney, Paula Nye, Barrie Fisher, Jim Caffrey, Chris Rodgers, Miron Malboeuf and Ruth Robbins.

FINDINGS OF FACT AND CONCLUSIONS OF LAW:

1. The applicant submitted the following: Completed application, list of adjoiningers, Certificate of service, and a copy of a survey of the property recorded May 2, 1963.
2. Attorney Richard King submitted a letter on behalf of the Voorhees stating that his clients had no objection to the request by the applicants being granted.
3. There is no development proposed for this property.
4. The Town Attorney, Paul Giuliani, rendered an opinion that stated the Town would have statutory access to the river for the purpose of monitoring for the Town wastewater system without the property owners granting a specific easement.
5. Parcel II as indicated on the survey map dated May 2, 1963 to be merged with The Rodgers Living Trust parcel # 100002-700.
6. Parcel II as indicated on the survey map dated May 2, 1963 to be purchased by the applicants from Mary Rodgers and subsequently merged with Parcel III, the Voorhees property, parcel # 001002-400 which is also under contract to be purchased by the applicants.
7. The requirements for a subdivision plat have been waived by the Development Review Board by a vote of three to one.

NOTICE OF DECISION:

Based on the forgoing Findings of Fact and Conclusions of Law, application #2005-03-SD submitted by Attorney James A. Caffrey on behalf of Christopher and Danyel Rodgers requesting a Boundary Line Adjustment is hereby approved with the following conditions:

1. One (1) +/- acres also known as Parcel II will remain and be merged with the Rodgers Living Trust parcel ID # 100002-700.

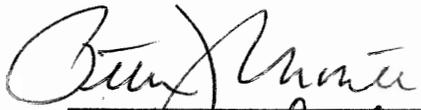
TOWN OF WARREN, VT
Received for Record June 24 20 05
at 2:30 o'clock P M and Received in
Vol 174 Page 815-816
Clairne E. Fuller
assistant TOWN CLERK

**THE TOWN OF WARREN
DEVELOPMENT REVIEW BOARD
FINDINGS OF FACT AND NOTICE OF DECISION
SUBDIVISION REVIEW – RODGERS BOUNDARY LINE ADJUSTMENT**

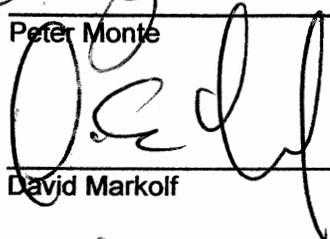
- 2. Upon the execution of the purchase of Parcel I from the Rodgers Living Trust, and upon the execution of the purchase of Parcel III aka the Voorhees property, parcel # 001002-400, by the applicants Christopher and Danyel Rodgers, the two properties will be merged and deeded into one.

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

Development Review Board

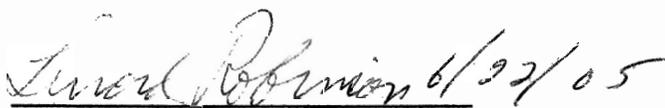
 6/22/05

Peter Monte date

 6/22/05

David Markolf date

Chris Behn date

 6/22/05

Lenord Robinson date