

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

Application #2005-11-SD submitted by Geoff and Lauren Slater requesting a 2-lot subdivision of 11 +/- acres, parcel ID # 028003-700, off of Beaver Lane in the Rural Residential District. This project requires Review under Article 6, Subdivision Review, Article 7, Subdivision Standards and Article 2, Table 2.2, Rural Residential Districts, of the Warren Land Use and Development Regulations.

Duly warned hearings were held on September 7, 2005 and September 21, 2005. Members in attendance on September 7th were: Peter Monte, David Markolf, Chris Behn, Eric Brattstrom, and Lenord Robinson. Others in attendance were: Geoff Slater, Joe Kasper, Dexter Lefavour, Jason Lisai, Margo Wade, Bob Ackland, Miron Malboeuf, and Ruth Robbins.

At the September 21st hearing the members present were: Peter Monte, David Markolf, Virginia Roth, Eric Brattstrom, and Lenord Robinson. Others present were: Michael Bransfield, Larry & Karol Auer, Rick Gehlert, Joe Kasper, Lauren Slater, Barbara Murphy, Julie Johnson, Melinda Meyer, Glenn Johnson, Dexter Lafavour, Catherine Moore, Miron Malboeuf, and Ruth Robbins.

A site visit was also conducted prior to the regular meeting on September 21st at which members Mr. Markolf, Mr. Brattstrom, and Mr. Robinson were there, the applicant Lauren Slater, staff Miron Malboeuf and abutter Glenn Johnson.

FINDINGS OF FACT AND CONCLUSIONS OF LAW:

- 1- The following documents were submitted by the applicant:
 - Completed application and fee
 - Sketch Plan
 - Lot 1 Plans & Details, C-1
 - Lot 2, Plans & Details, C-2
 - Certificate of mailing and copy of abutter letter
 - Letter from applicant to DRB requesting preliminary and final review hearings be in one evening.
 - Proposed road maintenance agreement

- 2- The proposed project is a 2-lot subdivision producing one lot of approx. 3.25 acres and the other of approx. 7.75 acres. The applicant plans to build a four bedroom home on the larger lot and sell the second lot to a friend who plans on building a three bedroom home. The DRB is considering this as a minor subdivision under Article 6.

- 3- The planned development is located away from the existing wetlands on the property and an 18" culvert is planned for the driveway crossing over a section of wetlands on Lot #1.

- 4- The DRB has requested that the building envelope for Lot #2 be reduced to exclude the area designated for both the primary wastewater system and the replacement area.

- 5- The DRB placed limitations on tree and brush cutting as set forth in the conditions of this permit, to maintain the character of the neighborhood and provide screening for both Blueberry Lake and the neighbors on Beaver Lane.
- 6- The DRB has called for the placement of the access road to be located as far West within the right of way as possible to help maintain the existing screening for the neighbors.

Notice of Decision:

The Development Review Board approves the application subject to the following conditions:

- 1) The project shall be constructed and used only in accordance with the terms, plans, procedures and specifications stated:
 - In the application
 - All exhibits furnished by the applicant
 - All findings of fact and conclusions stated above in this decision.
 - The Subdivision Plat approved by the DRB.
- 2) No zero clearance fireplaces shall be allowed, no combustible materials are to be in direct contact with masonry, and only masonry chimney shall be acceptable. Wood-burning stoves are suggested for backup heat only.
- 3) Both lots are prohibited from cutting trees or brush in the designated wet land areas; Lot #1 is prohibited from cutting any brush or trees outside of the building envelope to the North and West (area of the property facing Blueberry Lake), and for the balance of the area outside of the building envelope limited to cutting only those trees of 6" in diameter or less, dead or dying, and those necessary for the installation of the driveway, septic and well; Lot #2 is not only restricted to no cutting in the wetlands but also the area east of the wetlands to the property line, and the balance of the property outside of the "to be revised" building envelope is limited to only those trees of 6" in diameter or less, dead or dying, and those necessary for the installation of the driveway, septic and well.
- 4) The access road for the subdivision, the commonly shared portion of approx 200', be a minimum of 16' in width and maintained (plowed) to a minimum of 14'; the individual driveways be maintained to a minimum of 10', the turning radius into the driveways not to be less than 30', and at the terminus of the driveways nearest the dwelling there be a hammerhead with a turning radius of not less than 30'.
- 5) The first approximate 200' of the access road off of Beaver Lane be situated as far to the West within the right of way as possible.
- 6) On or before the filing of the final site plan the applicant must provide evidence to the Zoning Administrator that they have secured an approved road name and have made the request to purchase a 911 approved road sign.
- 7) Executed Road Maintenance Agreement to be filed with recorded deed.

