

TOWN OF WARREN  
DEVELOPMENT REVIEW BOARD  
FINDINGS OF FACT & NOTICE OF DECISION  
SUBDIVISION REVIEW – BOUNDARY LINE ADJUSTMENT/CORRECTION  
#2007-10-SD – BOOHER / SIERRA PROPERTIES LLC

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Susan and Charles Booher, Sierra Properties LLC, are requesting a "correction" as the site plan utilized for the 2-lot subdivision in 2004 was recorded instead of a survey by a licensed surveyor as required by State statute. The property is located at 212 Fuller Hill Road, parcel id #'s 023001-010 & 023001-000. The applicants were represented by Attorney Hal Stevens.

A duly warned hearing was held on Wednesday June 6, 2007 and attended by the following Board members: David Markolf, Peter Monte, Bob Kaufmann and Lenord Robinson. Others in attendance were: Jason Lisai, Pete Reynells, Dave Olenick, Erin Post, Margo Wade, Deirdre Malone, Jack Malone, Hal Stevens, John Hammond, Miron Malboeuf and Ruth Robbins.

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

1. The applicant submitted a completed application with Subdivision Worksheet, notice to abutters and certification of mailing and a survey of the property by Little River Survey Company, LLC dated 07/26/06 rev 12/11/06.
2. The Board reviewed the presented survey, checked it against the site plan they had previously approved, and found no significant differences that warranted concern.

**Notice of Decision:**

The Development Review Board, finding that the application meets the standards of Article 7 Subdivision Standards, hereby approves the application subject to the approval of the Subdivision Plat by the DRB.

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 3 copies of the final subdivision plat, 1 mylar copy and 2 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.

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.

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 which interested parties may appeal the decision to the State Environmental Court.



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Development Review Board

Peter Monte 7-18-07  
Peter Monte date

David Markolf 7/18/07  
David Markolf date

Lenord Robinson 7/18/07  
Lenord Robinson date

Bob Kaufmann 7/18/07  
Bob Kaufmann date

TOWN OF WARREN, VT

Received for Record 7/23 2007

at 12:40 P M and Received in

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[Signature]  
TOWN CLERK

