

TOWN OF WARREN
DEVELOPMENT REVIEW BOARD
FINDINGS OF FACT AND NOTICE OF DECISION
SUBDIVISION REVIEW – BOUNDARY LINE ADJUSTMENT
#2010-01-SD MENKES

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Peter and Loretta Menkes, owners of parcel # 006004-800, 141 Sugar Ledge Road, are requesting a boundary line adjustment as the result of obtaining ownership by adverse possession of a triangular parcel measuring approximately .19 acre from abutting property owners Kasey and Carol Kelaher, owners of parcel # 006004-900, 185 Sugar Ledge Road, per order of the Washington County Superior Court, Docket No. 356-5-09 Wncv, dated November 18, 2009.

A duly warned hearing was held on Monday January 18, 2010 and attended by the following members: Peter Monte, Lenord Robinson, Chris Behn and Virginia Roth. Others in attendance were: Loretta & Peter Menkes, Paul Gilles, and Miron Malboeuf and Ruth Robbins.

Findings of Fact and Conclusions of Law:

- I. The applicant submitted a complete application, copy of the court order, map of the properties, and notice to abutters with proof of mailing.
- II. The Board determined that the acquisition of the additional piece of land would not create any non-conformity to either the Menkes or the Kelaher's parcels.
- III. The Board classified the application as a minor subdivision.

Notice of Decision:

The Board classifies this request as a Boundary Line Adjustment under Section 6.2 (E) and gives Final Plan approval as applied for in the application subject to the filing of the final plat as required under Section 6.5.

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
- The Subdivision Plat as approved by the Development Review Board [DRB]. All findings of fact and conclusions previously stated above in this decision.

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

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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.

DEVELOPMENT REVIEW BOARD

Peter Monte 2/1/2010

Peter Monte date

Chris Behn date

Virginia Roth 2/1/10

Virginia Roth date

Lenord Robinson 2/1/2010

Lenord Robinson date

TOWN OF WARREN, VT

Received for Record 2/2 2010

at 11 o'clock A M and Received in

Vol 204 Page 529-530

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TOWN CLERK