

TOWN OF WARREN
DEVELOPMENT REVIEW BOARD
FINDINGS OF FACT AND NOTICE OF DECISION
AMENDMENT TO A PREVIOUSLY APPROVED PLAT
#2013-11-SD/CU/ZP amending #2000-08-SD TAYLOR

The applicants, **Zachary & April Taylor**, request an amendment to an approved plat, #2000-08-SD and Conditional Use approval for a development road. The proposed project will result in a "common land" lot of 35 acres and two single-family homes lots (SFD'S sites) with shared infrastructure. This is a reduction from the previously approved project, from three to two residential lots. All other project components such as shared access road, water and wastewater systems, and protection of meadowland, wetlands, and woodland will be reviewed by the Board under Conditional Use Review. The property, 50± acres, identified as Parcel Id. # Parcel ID: 002000-400 is located in the Rural Residential & Meadowland Overlay Zoning Districts at 5464 East Warren Rd.

A duly warned hearing was held on April 15, 2013 and attended by DRB members Peter Monte, Tom Boyle, Virginia Roth and Jeff Schoellkopf. Others in attendance were: Bruce Bertholon, Shelia Getzinger, Gunner McCain, Doug Ricketts, Zach Taylor, Miron Malboeuf and Ruth Robbins.

Findings of Fact and Conclusions of Law:

1. The applicant submitted a complete application, site plan, notice to abutters and proof of mailing.
2. The applicant proposes to amend the original approval in three ways:
 - a. reduce the subdivided lots from 3 to 2;
 - b. reduce the overall size of the building lots from about 10 acres to approx. 6 acres each which would then
 - c. increase the designated common area from 18 acres to 35 acres.
3. These proposed changes will not affect the utilities other than the reduction of leach fields due to one less residence. Wastewater system, underground utilities and the road are all the same.
4. Since the original approval, some of the State requirements have changes necessitating a Stormwater permit and class 3 wetlands now being viewed as class 2 wetlands. A stormwater permit will be obtained that will most likely require some dry ponds and swales.
5. The barn depicted on the site plan, if built, will be used for agricultural purposes and there is some thought about a one half acre pond in the future as well.
6. The DRB finds that the building envelope proposed on Lot A ^{does} ~~does not~~ require any change as there have already been protected areas [est. 150 feet] conveyed to the abutting land owner(s).
7. The open land is currently under the agricultural use provisions but the forest area is not under plan at this time. There may be an old forest management plan that goes back to the previous owner.
8. The DRB finds that this amendment does not alter any conditional use criteria from the original approval in 2001 and the renewal in 2006

Notice of Decision:

The Board approves the requested amendment to the subdivision subject to the following:

- 1) The project to be developed as per the plans submitted
- 2) The application for a zoning permit to build a house on any of the lots must include a topographical map showing the slopes and conservation areas and if the proposed construction affects any slopes greater than 15% then the DRB must review and approve the erosion control measures to be employed.
- 3) The applicant must [A] investigate the relocation of the wells so that the well shields do not overlap onto adjoining property OR [B] if not possible must state so in writing as to the lack of viability to the DRB prior to the commencement of any construction. The DRB also grants permission for the well / well shields to be located in the Meadowland Overlay District if necessary.
- 4) All road improvements and placement of underground utilities shall be completed within four (4) years of final approval unless a written request for an extension is submitted to and approved by the DRB. [condition #12 from previous approval, amended.]
- 5) All other previous conditions for this subdivision shall remain in force unless superseded by this approval.
- 6) 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.

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.

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DEVELOPMENT REVIEW BOARD

Jeff Schoellkopf 6/4/13
date
Peter Monte 6/3/13
date

Virginia Roth 6/3/13
date

Tom Boyle _____
date

TOWN OF WARREN, VT
Received for Record 6/14 2013
at 9:20 o'clock A M and Received in
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Robert Goss
TOWN CLERK

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