

TOWN OF WARREN  
DEVELOPMENT REVIEW BOARD  
FINDINGS OF FACT & NOTICE OF DECISION  
CONDITIONAL USE REVIEW  
#2006-16-CU – BERKMAN

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Application #2006-16-CU submitted by Eric Berkman seeks approval to build an accessory structure [garage] on parcel # 023008-603, 300 Senor Road, which involves evidence of development on steep slopes. This project requires review under *Article 3 §3.4, Erosion Control & Development on Steep Slopes* and *§ 5.3 Conditional Use Review*.

A duly warned hearing was held on Wednesday September 6, 2006 and a site visit was conducted earlier that same day. Development Review Board (DRB) members at the site visit were David Markolf, Lenord Robinson, Virginia Roth and Zoning Administrator Miron Malboeuf. The DRB members at the hearing were: David Markolf, Virginia Roth, Lenord Robinson and Bob Kaufmann. Others in attendance at the hearing were: David Olenick, John DaCosta, Deb and Gary Johannesen, Susan and Peter MacLaren, Anna Whiteside, Bill Maclay, Bill Westvang, Ralph Venezia, Dottie Kyle, Miron Malboeuf and Ruth Robbins

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

- 1- In addition to a completed application and conditional use worksheet the applicant also submitted proof of mailing and a site plan.
- 2- The applicant is proposing to build a single story detached 24x 32 two-car garage.
- 3- The Board found at the site visit that the topography was not as substantial as expected.
- 4- The Board finds that the parcel contains some Meadowland Overlay District but that the proposed development is not located in said district.
- 5- The proposed structure is sited 110 feet from the stream.
3. All standards of § 5.3 Conditional Use Review Standards are found by the Board are either satisfied or not applicable.

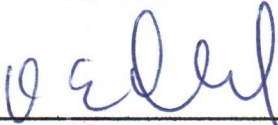
**NOTICE OF DECISION:**

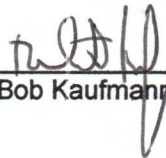
The Development Review Board approves the application subject to the following conditions:

- 1) The project shall be constructed and used only in accordance with the terms, plans, procedures and specifications stated:
  - In the application, as amended
  - All exhibits furnished by the applicant
  - All findings of fact and conclusions previously stated above in this decision
- 2) The development follow the erosion control measures outlined by the Bannon Engineering Erosion Control Plan dated 8/18/06.
- 3) No addition fill is to be utilized to backfill the exterior foundation wall.

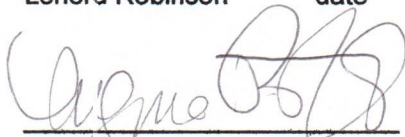
**Approval shall become effective when this decision has been signed by at least three members of the Warren Development Review Board who participated in the final decision. Beginning the effective dated of the decision, there is a 30-day period during which parties may appeal this decision to the Vermont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

Development Review Board

  
David Markolf      10/1/06  
date

  
Bob Kaufmann      10/04/06  
date

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Lenord Robinson      date

  
Virginia Roth      10-4-06  
date

TOWN OF WARREN, VT

Received for Record 10/5 2006

at 10 o'clock A M and Received in

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TOWN CLERK