

TOWN OF WARREN
DEVELOPMENT REVIEW BOARD
FINDINGS OF FACT AND NOTICE OF DECISION
CONDITIONAL USE REVIEW

Application # 2005-08-CU submitted by Steve and Carrie Butcher, located at 82 Vickery Hill Road, parcel ID # 003003-100, requesting a Conditional Use permit for an Accessory Dwelling and Cottage Industry Use. This application requires review under *Article 4. Specific Use Standards, § 4.1 Accessory Dwelling, § 4.8 Home Based Business (B) Cottage Industry* and *Article 5. Development Review, § 5.3 Conditional Use Review Standards*. The applicants are renovating their barn and were requesting permission to use the space as follows: the bottom level as a garage for car storage, the middle level as an office (Cottage Industry Use) and the top level as a studio apartment for family (Accessory Dwelling Use).

A duly warned hearing was held on Wednesday August 3, 2005. Members in attendance were: David Markolf, Lenord Robinson and Eric Brattstrom. Others in attendance were: Richard King, Steve Butcher, Richard Frost, Miron Malboeuf and Ruth Robbins.

Findings of Fact and Conclusions of Law:

1. The applicant submitted a completed application, Conditional Use Worksheet, site map, photos, wastewater system design, traffic estimate, abutter notification letter and proof of mailing.
 2. The subject structure is a 30' x 20' 3-level barn that is currently under renovation.
 3. The renovated barn will have two bathrooms, one on the first level to accommodate the office space, and one for the studio apartment on the top level. A newly designed wastewater system will adequately take care of the barn (§ 4.1 (3)) and the main dwelling, though the main dwelling will not be hooked up until sometime in the future. (The system currently used for the main dwelling is still functioning without any problems).
- The main dwelling is 1530 sq. ft., and the Accessory Dwelling is 600 sq. ft., satisfying the 40% rule. (§ 4.1 (2))
5. The Board determined that there was more than adequate parking for the Accessory Dwelling and the Cottage Industry Use. (§ 4.1 (3) and § 4.8 (B) (6)) The Board did determine though that to minimize traffic concerns that the Accessory Dwelling be limited to two (2) cars.
 6. The applicant has no intention to rent the Accessory Dwelling at this time. He was informed to investigate what if any State permits might be required for an accessory dwelling and its use.
 7. To minimize traffic concerns, the Cottage Industry Use, which allows a maximum of six (6) non-family members, employees will be limited to a maximum of four (4) non-family member employees onsite at any one time. (§ 4.8 (B) (4), (5))
 8. The exterior appearance of the barn will be painted red with a galvanized metal roof and is consistent with the character of the neighborhood. (§ 4.8 (B) (3))
 9. No signage is being requested at this time.
 10. The Accessory Dwelling is an accessory structure to a single-family residence and shall be retained in common ownership. An accessory dwelling may only be subdivided and/or converted for sale or use as a single or multi-family dwelling if it meets all current

TOWN OF WARREN, VT

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TOWN OF WARREN
DEVELOPMENT REVIEW BOARD
CONDITION USE REVIEW – BUTCHER – ACCESSORY DWELLING/COTTAGE INDUSTRY USE

local and state regulations applying to such dwellings, including all density, dimensional and other requirements for the district in which it is located. A separate zoning permit shall be required prior to sale and/or conversion.

11. The Cottage Industry is a home-based business that is accessory to the principal residential use, and shall be retained in common ownership and management. A cottage industry may be subdivided and /or converted for sale or use apart from the residential use only if it meets all current municipal and state regulations pertaining to such use, including density, dimensional, and other requirements for the district in which it is located. Separate permits shall be required as appropriate prior to subdivision, sale and/or conversion.

Notice of Decision:

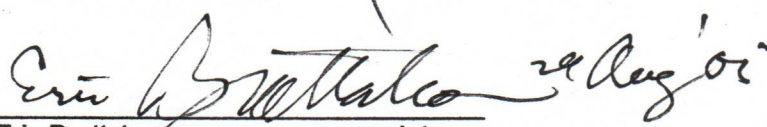
Based on the forgoing Findings of Fact and Conclusions of Law, The Development Review Board approves application # 2005-08-CU submitted by Steve and Carrie Butcher, for an Accessory Dwelling and Cottage Industry Use with the following conditions:

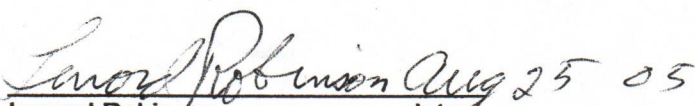
- 1- The Cottage Industry Use will be limited to a maximum of four (4) non-family member employees at any given time
- 2- The occupants of the Accessory Dwelling are limited to having a maximum of two (2) cars.

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 during which parties may appeal the decision to the Environmental Court.

Development Review Board

 8/29/05
David Markolf date

 24 Aug '05
Eric Brattstrom date

 Aug 25 05
Lenord Robinson date

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Elaine E Fuller
assistant TOWN CLERK