

060135

TOWN OF WARREN
DEVELOPMENT REVIEW BOARD
FINDINGS OF FACT AND NOTICE OF DECISION
CONDITIONAL USE REVIEW
#2008-11-CU KATHAN/PLATT

The applicants, Gregory **Platt** & Sheryl **Kurland-Platt** and Wayne **Kathan**, Francis **Kathan**, Wendell **Kathan** and Reta **Goss** seek Conditional Use Approval for the relocation of existing building envelope, associated Single Family Dwelling and Accessory Structures in the Meadow Land Overlay District. The parcel id # 0230074, located at 914 Senor Road, is 20-± acres and is also located in the Rural Residential District.

A duly warned hearing was held on Wednesday November 19, 2008 and attended by the following DRB members: Peter Monte, Virginia Roth, Lenord Robinson and Chris Behn. Others also in attendance were: Reta Goss, John Goss, Dave Olenick, John Vitko, Wayne Kathan, Greg Platt, Sheryl Kurland-Platt, Felix Von Moschzisker, Shelia Getzinger, Craig Klofach, Maryanne Hamilton, Roger Steinhauer, Dan Eckstein, Shannon Gilligan, Deb O'Hara, Ellen Strauss, Anna Whiteside, Miron Malboeuf and Ruth Robbins. All of the attending DRB members also were present at a site visit which took place on Saturday November 15, 2008.

Findings of Fact and Conclusions of Law:

1. The applicants submitted a completed application, project narrative, conditional use worksheet, site plan prepared by Bannon Engineering dated 11/11/08, notice to abutters and proof of mailing.
2. A letter dated 11/11/08 from Mr. Michael Mollow was submitted in support of the plans with the condition that certain trees surrounding the current home be preserved.
3. The reconfiguration of the meadowland exclusion does not increase the area excluded.
4. The purpose of the reconfiguration is to allow the homeowners to take advantage of a southerly exposure for solar energy gain.
5. The addition of a pond in the meadowland is also requested and was determined by the Board to be an agricultural use and subject to the normal pond permitting process. Customary erosion control measures will be employed during the construction of the pond.
6. The Board determined that the location of the wastewater system by the engineer did not adversely affect the meadowland.
7. It is the intention of the Platts to keep the current old barn as a working barn.
8. Ms. Gilligan, an abutter, stated that she and her husband were in favor of the proposed changes as they felt it was a good adjustment with little to no impact on the surrounding area.
9. The existing farmhouse will be retained as an accessory structure, but could be used as an accessory dwelling in the future with Administrative Review for compliance should the owners decide to go that direction. The Platt's did indicate that they may live in the old house while the new one was being built.
10. The Board found that the application complied with the standards as presented under Table 2.13 (E) Supplemental Development Standards (1) (a) and does not disrupt the scenic quality of the site, retains the maximum possible meadowland for agricultural use and utilizes the least productive land thus protecting primary agricultural soils.

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11. It was noted by the Board that any pond must also meet the requirements of Section 4.13.
12. The applicant was made aware of the necessity of obtaining a new curb cut from the Warren Select Board.
13. The Board found that the application meet the requirements of Section 5.3 Conditional Use Review Standards (A) General Standards (1) through (5).

Notice of Decision:

Meeting both the requirements of Table 2.13 (E) Supplemental Development Standards (1) (a) for the Meadowland Overlay District and those under Conditional Use Review, Section 5.3 Conditional Use Review Standards (A) General Standards (1) through (5), The Development Review Board approves the application subject to the findings fact stated above and the following:

- Obtaining permits for the structures and the pond, the latter not to exceed 1 acre.
- Provide a plat meeting subdivision standards that shows the relocation of the meadowland boundaries with the final pond and wastewater locations. This plat will be in mylar, digital and paper forms.

DEVELOPMENT REVIEW BOARD

Peter Monte 12/3/08
Peter Monte date

Virginia Roth date

Chris Behn 12-03-2008
Chris Behn date

Lenord Robinson 12/03/08
Lenord Robinson date

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