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

Application # 2005-11-CU submitted by Joseph Scanzillo, for a Conditional Use request to convert an existing Accessory Structure to an Accessory Dwelling. The property is located at 211 South Hollow Road, **parcel ID # 016005-901** in the Rural Residential District. This application requires review under *Article 2, Table 2.2, Article 4, Specific Use Standards, § 4.1 Accessory Dwelling and Article 5. Development Review, § 5.3 Conditional Use Review Standards*.

A duly warned hearing was conducted on Wednesday October 1, 2005. Members in attendance were: Peter Monte, David Markolf, Chris Behn and Virginia Roth. Others in attendance were: Betty Maguire, Joyce Crabtree, Pamela Lerner, Stephen Willis, Patti Kaufmann, Bob Kaufmann, Joe Geiger, Laura Geiger, Joyce Westcott, Joe Scanzillo, Erin & Peter Cozzi, Mark Bannon, Miron Malboeuf and Ruth Robbins.

At the hearing on November 2, 2005, attended by members Mr. Behn, Mr. Robinson and Mrs. Roth, additional documentation was reviewed and discussed prior to signing this decision.

Findings of Fact and Conclusions of Law:

1. The applicant submitted a completed application, Conditional Use Worksheet, site map, abutter notification letter and proof of mailing.
2. The current accessory structure is a rebuilt old barn consisting of three levels and a total of approx. 4500 square feet. The applicant is proposing to finish off the third level for use as an Accessory Dwelling.
3. A newly updated wastewater system is designed to accommodate a total of seven bedrooms. The main house has four bedrooms and the accessory dwelling is proposing one bedroom.
4. The abutter (parcel # 016006-000) to the east and downhill from the applicant expressed concern about the distance between the applicants wastewater system and her well.
5. The applicant was informed to investigate what if any State permits might be required for an accessory dwelling and its use.
6. This 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 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.

TOWN OF WARREN, VT

Received for Record Nov 15 2005

at 11 o'clock A M and Received in

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R. Scanzillo

TOWN CLERK

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FINDINGS OF FACT & NOTICE OF DECISION
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7. The applicant stated there was adequate parking, especially with the first level of the barn able to house several vehicles.
8. The current water supply is from a spring that has been used for many years and found to be adequate.
9. The height of the barn is 32' over average grade; 37' at the highest, 30' at the lowest.
10. All exterior lighting currently conforms to the regulations and is downcast of no more than 75 watts or 1,000 lumens.

Notice of Decision:

Based on the forgoing Findings of Fact and Conclusions of Law, application # 2005-11-CU submitted by Joseph Scanzillo, for a Conditional Use request to convert an existing Accessory Structure to an Accessory Dwelling is hereby approved with the following conditions:

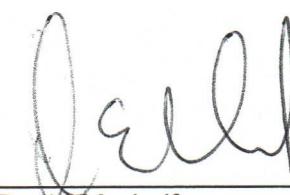
- 1) Final floor plan showing actual living space of no more than 1500 square feet
- 2) A complete site plan that also shows that the distance between the applicants wastewater system and the neighbor's well (on parcel # 016006-000) meets State and local requirements to be reviewed by the DRB on November 5, 2005.

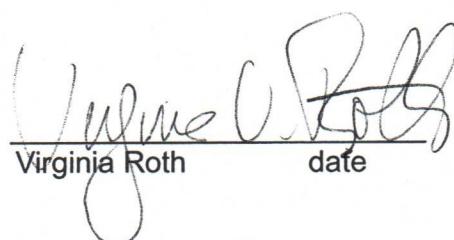
Approval shall become effective once this decision has been signed by at least three members of the Warren Development Review Board who participated in the final decision. Beginning the effective date of this decision, there is a 30-day period during which parties may appeal the decision to the Environmental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

Development Review Board

Peter Monte date

 11-02-05
Chris Behn date

 11/4/05
David Markolf date

 Nov. 2, 2005
Virginia Roth date