

TOWN OF WARREN
DEVELOPMENT REVIEW BOARD
FINDINGS OF FACT & NOTICE OF DECISION
CONDITIONAL USE REVIEW
#2007-10-CU STEWART

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The applicant, Harriet M. Stewart, seeks approval to expand an existing structure located at 439 Main Street, parcel id # 004003-900, located in the Warren Village Historic Residential District. The existing structure is located on .4+/- acres and is classified as a Non-conforming structure on a Non-conforming lot.

A duly warned hearing was held on Wednesday August 8, 2007 and attended by the following DRB members: David Markolf, Bob Kaufmann, Virginia Roth and Lenord Robinson. Others also in attendance were: Doreene Stewart, Andrew Stewart, Alice Cheney, Sue Carter, Michael Ketchel, Lisa Miserendino, John Donaldson, John Goss, Miron Malboeuf and Ruth Robbins.

Findings of Fact & Conclusions of Law:

1. The applicant submitted a complete application, municipal sewer use/allocation application, site plan, floor plan notice to abutters and proof of mailing.
2. A letter from an abutter, Mr. Lobel, dated 8/6/07, was submitted which expressed support for the application
3. Currently, in the main house, the first level is open living space and the second floor has two bedrooms and a bath.
4. The applicant wants to renovate the current un-insulated barn into year-round living space to consist of two bedrooms, two baths, a den and a laundry room. In addition, part of the existing porch will be enclosed for a storage room.
5. The new structure replacing the barn would have a dormer on the back side but the height would not exceed what is currently there.
6. The applicant's plan is to have the exterior the same color as it is now (red) and the roof will be either a metal roof like Mr. Lobel's or architectural shingles in gray or black. The siding will be clapboard with simple trim, again consistent with what is existing.
7. The two side setbacks are non-conforming but what was proposed does not increase that degree of non-conformity.
8. It was noted that the footprint was being ever so slightly increased along the rear of the barn to give a straight wall where the current outhouse is attached.
9. An abutter, Ms. Cheney, had concerns about parking during construction, her fence along their property line and the potential burning of refuse during demolition.
10. The driveway can accommodate four cars.
11. It was noted by the Board that there are some lilac bushes along the property line with Mr. Lobel that should be protected during construction.
12. The Board waived the requirement under Table 5.1 (2) that requires the plan to be drawn by a licensed engineer, surveyor, land planner or otherwise.

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Notice of Decision:

The Development Review Board, finding that the proposed expansion of an existing non-conforming structure on a non-conforming lot, meets the requirements of Article 2, Table 2.3, Warren Village Historic Residential District, Article 3, § 3.8, Non-Conforming Structures, and Article 5, Development Review of the Warren Land Use and Development Regulations, hereby approves the application with the following conditions:

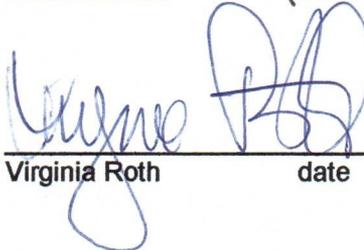
- 1) The project shall be constructed and used only in accordance with the terms, plans, procedures and specifications stated:
 - In the application
 - All exhibits furnished by the applicant
- 2) Contractors are to park so that they do not limit through access along Main Street or infringe on the property of any of the abutters.
- 3) There will be no burning of construction debris
- 4) Any tree pruning or removal to be done in such a fashion as to not damage the stockade fence erected on the Stewart/Cheney property line
- 5) Hours of construction to be limited to the hours of 8 am to 5 pm Monday through Saturday to minimize any noise disturbance to the surrounding neighbors.

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 dated of this decision, there is a 30-day period during which parties may appeal the decision to the Environmental Court.

DEVELOPMENT REVIEW BOARD

 8/22/07
David Markolf date

 aug 22 07
Lenord Robinson date

 8/22/07
Virginia Roth date

Bob Kaufmann date

TOWN OF WARREN, VT
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TOWN CLERK