

TOWN OF WARREN  
DEVELOPMENT REVIEW BOARD  
FINDINGS OF FACT AND NOTICE OF DECISION  
CONDITIONAL USE REVIEW  
#2008-09-CU WEINSTEIN

000014

Larry and Maddy Weinstein are requesting a Conditional Use Permit to build a residential pond for the main purpose of providing fire protection and lowering insurance costs. Their parcel is located at 1203 West Hill Road, parcel id # 016002-800 and is located in the rural Residential district.

A duly warned hearing was held on Wednesday October 22, 2008 and attended by the following members: David Markolf, Lenord Robinson, Peter Monte and Virginia Roth. Others also in attendance were: Sue Frechette, Maddy Weinstein, Larry Weinstein, Dean Grover, Miron Malboeuf and Ruth Robbins.

Findings of Fact & Conclusions of Law:

- 1) The applicants submitted a completed application, project narrative, site plan, planting plan, notice to abutters and proof of mailing.
- 2) There were limited options as to where to place the pond, therefore it encroaches on the 100 foot setback but preserves a 50 foot buffer.
- 3) The Warren Fire Department was consulted and their recommendations are included in a letter dated September 30, 2008.
- 4) The pond will hold approx. 50,000 gallons of water.
- 5) The vegetation was between the proposed pond and the stream currently consists of some disturbed ground, unmowed grasses, bush, ferns and a few willows.
- 6) The pond will be largely spring/ground water fed with a subtle intermittent water course that is south west of the pond. There will be times of the year that the water level of the pond will be low according to the engineer, Mr. Grover.
- 7) An erosion control plan has been incorporated into the site plan.

Notice of Decision:

The Development Review Board, finding that the application meets the standards under *Section 3.13 Surface Water Protection (B) items (1) through (3)* and *Section 5.3 Conditional Use Standards (A) General Standards items (1) through (5)*, hereby grants conditional use approval for the construction of a residential fire pond subject to the following conditions:

1. Project to be constructed as presented in the application,
2. The Warren Fire Chief inspects the standpipe before it is buried, and
3. All of the conditions stated in the Warren Fire Department letter of September 30, 2008 are complied with.

**Development Review Board**

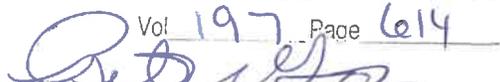
  
David Markolf      date 11/5/08

  
Lenord Robinson      date 11/5/08

\_\_\_\_\_  
Peter Monte      date TOWN OF WARREN, VT

  
Virginia Roth      date 11/5/08

Received for Record 11/6 2008  
at 11:46 o'clock A M and Received in

Vol 197 Page 614  
  
TOWN CLERK