

000540

**TOWN OF WARREN
DEVELOPMENT REVIEW BOARD
FINDINGS OF FACT AND NOTICE OF DECISION
CONDITIONAL USE REVIEW
#2009-04-CU GIOMETTI**

Mr. and Mrs. Giometti are seeking to build an addition onto their home located at 147 Sugarbush Woods Rd in the Vacation Residential District Parcel ID # 006000-900. The construction of this addition requires Conditional Use approval as it is located on terrain that qualifies as steep slopes.

A duly warned hearing was held on Thursday April 9, 2009 and attended by the following Board members: Peter Monte, Bob Kaufmann, Virginia Roth and Lenord Robinson. Others in attendance were: Mark Bannon, Mark & Patty Giometti, Miron Malboeuf and Ruth Robbins.

Findings of Fact and Conclusions of Law:

1. Applicant submitted a complete application, conditional use review worksheet, notice to abutters and proof of mailing, site plan prepared by Bannon Engineering and floorplan and elevations by Apple Island Design.
2. The current dwelling is a four bedroom home to which an approx. 3800 sq. foot additon is being added. The actual footprint of the addition is just under 1000 square feet.
3. The wastewater system had been redesigned to better accommodate the improvements being made with this addition. The grade for the wastewater system is less than 15%.
4. The side of the house that the addition is planned has terrain that slopes off to the east and the south resulting in some minor steep slope issues. Right under the house the grade runs from 22% to 13%.
5. Stone retaining walls were being utilized to address the slope issues.
6. Though the site plan indicated the addition as an accessory dwelling, that is not the case.
7. The Board found under Section 3.4 Erosion Control and Development on Steep Slopes that the application before them fell under (B) Applicability (1) Steep Slopes (15+%) and not Very Steep Slopes (25+%).
8. The Board found that it was evident by the site plan that the only and best place to enlarge the dwelling was on the side that they are proposing, that there was no other way to add on to the dwelling and avoid encountering steep slopes to some degree.

Notice of Decision:

The Board, finding that the application complies with the requirement of subsection (D) of Section 3.4 Erosion Control and Development on Steep Slopes, numbers (1) through (11) and the standards under Section 5.3 Conditional Use Review Standards (A) General Standards, hereby approves the application subject to the findings herein and the following conditions:

1. A licensed, professional engineer shall conduct two inspections of the implementation of the erosion control plan as submitted; 1st- within 10 days of the inspection of the wastewater system; 2nd- between October 1st and October 15th with a written report submitted to the Zoning Administrator with the results after each inspection.
2. That the erosion control plan as described in the site plan and separately [both documents] shall be adhered to at all times.
3. The plans as submitted.

DEVELOPMENT REVIEW BOARD

Peter Monte date 5/20/09

Virginia Roth date 5-20-09

Bob Kaufmann date

Lenord Robinson date May 20 09

TOWN OF WARREN, VT
Received for Record 5/21 2009
at 10:30 o'clock A M and Received in
Vol 200 Page 540-41
Robert Goss
TOWN CLERK