

**TOWN OF WARREN
DEVELOPMENT REVIEW BOARD
FINDINGS OF ACT AND NOTICE OF DECISION
CONDITIONAL USE REVIEW
#2011-02-CU O'BRYAN**

The applicants, Terrence & Hillary **O'Bryan** request an adjustment to the previously approved development envelope in the Meadowland Overlay area on the property located at 914 Senor Road, parcel id# 023007-400, in the Rural Residential and Meadowland Overlay Districts. The existing development envelope was approved by the Warren Development Review Board on December 3, 2008, #2008-11-CU.

A duly warned hearing was held on Monday February 7, 2011 and attended by DRB members Peter Monte, Jeff Schoellkopf, Virginia Roth, Don Swain and Lenord Robinson. Others also in attendance were: Ray LaRochelle, Mark Bannon, Brian Shea, Miron Malboeuf and Ruth Robbins.

Findings of Fact and Conclusions of Law:

1. The applicant submitted a complete application, site plan prepared by Bannon Engineering, letter to abutters and proof of mailing.
2. The new owners of this parcel want to keep the siting of the original house which is more linear to the road. Both barns will also be left as they are. The proposed development area has also been squared off versus an elliptical shape.
3. The proposed new development area was slightly larger [one tenth +/- acre] than the previously approved area.
4. In considering the criteria, the Board clarified that they would be considering this change from the original excluded area, not the revised area in the permit of 2008 as that permit was never acted upon. However, it was noted that some of the conditions from the 2008 approval would be considered with this approval.
5. The following findings from the approval granted in 2008 are adopted into this approval:
 - a. The reconfiguration of the meadowland exclusion does not increase the area excluded.
 - b. 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.
 - c. The Board determined that the location of the wastewater system by the engineer did not adversely affect the meadowland.
 - d. It is the intention of the O'Bryans to keep the current old barn as a working barn.
 - e. It was noted by the Board that any pond must also meet the requirements of Section 4.13.
 - f. The applicant was made aware of the necessity of obtaining a new curb cut from the Warren Select Board.

Notice of Decision:

The Board having found that the applicant has satisfied the standards under Conditional Use in the Meadowland Overlay District hereby approves the applicants request for reconfiguration of the developable area subject to the following:

- 1) The southwest boundary of the green bordered non-meadowland area be moved to the northeast a distance sufficient to make the total revised green bordered non-meadowland area equal in size to the original area that was excluded from the meadowland district thus satisfying the requirements of Table 2.13 (E) (1) (a). Additionally, a condition is imposed on the remaining area that no development is allowed except under the same standards and requirements found under Table 2.13 for development in the Meadowland Overlay District.
- 2) The applicant is required to submit to the DRB for their approval a revised site plan map with the meets and bounds indicated in a recordable mylar form.

The applicant is also advised to submit a zoning application for the construction of this project within 30 days of the execution of this approval.

Respectfully submitted,

Ruth V. Robbins
DRB/PC Assistant

DEVELOPMENT REVIEW BOARD

Peter Monte 3-7-11

Peter Monte date

Lenord Robinson 3/8/11

Lenord Robinson date

Don Swain 3/7/11

Don Swain date

Jeff Schoellkopf date

Virginia Roth date

TOWN OF WARREN, VT

Received for Record 3/8 2011

at 4 o'clock P M and Received in

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Robert Don

TOWN CLERK