

**Town of Warren
Development Review Board
Findings of Fact and Notice of Decision
Conditional Use Review – Steep Slopes
#2022-09-CU Meranus**

Applicants Evonne & Jordon Meranus submitted application #2022-09-CU requesting approval for the development of a driveway on Steep Slopes and a designated Building Envelope for a future SFR in the Forest Reserve District. The property is located at the end of Hillside Road, 123.4 +/- acres, parcel ID# 028004-800, in both the Forest Reserve District & Rural Residential Districts.

A duly warned hearing was held on **June 20, 2022** and attended by DRB members Chris Behn, Megan Moffroid, Peter Monte (Chair), Chris Noone and Jeff Schoellkopf. Other in attendance were Ruth Robbins (ZA), Barbara Bonan, Cheryl Davis, John Davis, Jim Edgcomb, David Frothingham, Evonne Meranus, Jordan Meranus, John Pitrowiski, Ellen Strauss, Harry Wagner, Carol Chamberlin (Recording Secretary). A site visit was conducted and attended by DRB members Peter Monte and Chris Noone. Evonne Meranus, Jordan Meranus, John Pitrowiski, Ruth Robbins and several neighbors also attended the site visit.

The application was continued to **August 1, 2022** and attended by DRB members Chris Behn, Peter Monte (Chair), Virginia Roth and Jeff Schoellkopf. Others in attendance Ruth Robbins (ZA), Hilary Burditt, Jeff Campbell, Elizabeth Cook, John Davis, Erica Dodge, Isaac Garcia-Dale, Amy Hunter, Timothy Johnson, Brian Kitchens, Bruce Lofgren, Gunnar McCain, Jordan Meranus, Evonne Meranus, John Pitrowiski, Steve Platt, Josh Vogel, Margo Wade (Sugarbush), Carol Chamberlin (Recording Secretary). DRB members Peter Monte, Chris Behn and Jeff Schoellkopf did independent site visits prior to the meeting to view the revised driveway.

The application was again continued to **August 15, 2022** for verification/review of some final documents. This meeting was attended by DRB members Megan Moffroid, Chris Noone, Jeff Schoellkopf (Chair) and Don Swain. Others in attendance were Ruth Robbins (ZA), Barbara Bonan, Joe Bonan, Richard Frost, Lynn Hayes, Sarah Kersock, Richard Levitan, Bruce Lofgren, Gunnar McCain, Heather McLaughlin, Kyle McLaughlin, Jordan Meranus, Evonne Meranus, Caroline Plamondon, John Pitrowiski, Harry Wagner, Carol Chamberlin (Recording Secretary).

Findings of Fact and Conclusions of Law:

- 1) The applicant submitted a complete application including a site plan with slope analysis and an erosion control plan for a proposed driveway prepared by Trudell Consulting Engineers [tce], Williston, VT, notice to abutters and proof of mailing.
- 2) A letter from Bruce Lofgren, an interested party from the neighborhood, and dated 8/11/22 was submitted for the record.
- 3) Ms. Plamondon explained that a neighborhood association is being created to address road maintenance, inviting Mr. and Mrs. Meranus to join and ensure that road impacts from their construction are addressed.
- 4) The plans indicate that the final grade of the road is mostly at about 8%, and does not in any portion exceed 12% slope. These slopes are a lesser gradient than the original proposal, and the total length is shorter by about 200-400 feet. All but one switchback has been eliminated in the second route.

- 5) The applicants engineer, John Pitrowiski, reported that Jeff Campbell (Fire Chief) has also requested that the switchback be widened and that there is the latitude to do so, also indicating that the road width at the switchback is designed to be 20 feet, which is greater than the 18-foot width requested by Mr. Campbell. The Fire Chief also requested installation of either a pond or sprinkler system; a pond however would be difficult with the ledge on the parcel, and would also open up more area to becoming visible.
- 6) It was noted that the backdrop of higher land is to the south of the proposed house site, indicating a need for tree screening between the house and Blueberry Lake, which is to the east of the site.
- 7) Mr. Pitrowiski noted that the intent is to revegetate the area between the roadway and the Blueberry Lake trail network once the road has been constructed.
- 8) A Landscaping Plan was presented by Mr. Wagner via Google-Meet that showed the proposed revegetation along the proposed driveway where it will parallel the Blueberry Lake trails. They propose planting a series of native hardwood and softwood trees as well as native woodland shrubs and groundcover along the cleared edge, with a boulder retaining wall along one portion of the drive. The design was created for both visibility purposes and soil retention on the slope along the drive.
- 9) The Board found that slopes of 25% or more must be crossed in order to allow the building site to be accessed.
- 10) The Board found that the submitted plans by Trudell Consulting Engineers, dated 07/20/2022 [revised drive] provide adequate control of erosion and sedimentation and that the intrusion on steep slopes required for development of the lot has been minimized thus the plans submitted satisfy the driveway gradient requirements outlined in Section 3.4 B1, C1 and C2 of the regulations.
- 11) It was noted that this project will likely require a moderate risk permit from the state, and demarcation of the tree clearing limits for the driveway construction will need to be in place.
- 12) The Board found this review is confined to the roadway development plans and specifically does not include review of the septic disposal, tree cutting, building envelope, or house design.
- 13) The owners and their representatives understood that this is not an approval of the house or its final site. They understand they are at risk to begin to develop the driveway.
- 14) The Board found that this project will be required to satisfy extensive State regulations regarding the septic design and stormwater management.
- 15) The Board found that the standards outlined in Section 5.3 A are satisfied by the plans presented, and the advice of the Fire Chief has been included in that design.

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Notice of Decision:

The Development Review Board having reviewed the request for Conditional Use for development on steep slopes and having made the above findings hereby approves the application subject to the following conditions:

- The proposed development must be constructed in accordance with the plans submitted and approved by the DRB.
- This approval is limited to construction of a driveway from the access off of Hillside Road for a length of 1550' as shown on the plans submitted.
- In the event of permitting a single family residence on this parcel, there will be no further subdivision of the property allowed within the following 35 years.
- A Landscape Plan is submitted to the Zoning Office that outlines the area between the roadway and the Blueberry Lake trail network being revegetated with softwood trees 8 feet in height planted every 10 feet at any point where the roadway is within 150 feet of the trail system.
- All final plans and related work are to be taking place on property owned by Mr. and Mrs. Meranus with no encroachment on a neighboring property.
- 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 unless already submitted.

Development Review Board

Peter Monte 9/19/22 Jeff Schoellkopf 9/19/22
Peter Monte Date Jeff Schoellkopf Date

Chris Behn 09/19/22 Megan Moffroid 9/20/22
Chris Behn Date Megan Moffroid Date

Chris Noone 9/19/22
Chris Noone Date

TOWN OF WARREN, VT
Received for Record 9/20 2022
at 1 o'clock P M and Received in
Vol 277 Page 546-548
Robert Goss TOWN CLERK
VT Property Transfer Tax Return # _____

