

**Town of Warren  
Development Review Board  
Findings of Fact and Notice of Decision  
Conditional Use Review – Steep Slopes  
#2022-12-CU Hyde**

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Application #2022-12-CU submitted by Anne Hyde, is requesting Conditional Use approval for a building envelope within which to build a 2-bedroom single family dwelling that will impact steep slopes greater than 15% but less than 25%. The house has been reduced in size to minimize unnecessary land disturbance on the steep slopes. The property is located at 1268 Fuller Hill Road in the Rural Residential District and is parcel ID # 023002-300. Though there are Meadowlands on this parcel, the requested building envelope does not encroach on them. This project is also part of a Boundary Line Adjustment that was reviewed and approved by the Administrative Officer. The final plat Mylar is pending.

A duly warned hearing was held on Monday August 15, 2022 and attended by DRB Megan Moffroid, Chris Noone, Jeff Schoellkopf (Chair) and Don Swain. Others in were Ruth Robbins (ZA), Richard Frost, Lynn Hayes, Sarah Kersock, Richard Levitan, Gunnar McCain, Mac Rood, Anne Hyde, Bill Haynsworth, Eddie Merma, Heather Payson, Kyle McLaughlin, Carol Chamberlin (Recording Secretary). Mr. Schoellkopf, Ms. Moffroid, Mr. Noone, Ms. Robbins, Mr. McCain and Mrs. Hyde all participated in a site visit prior to the hearing, where they observed the building envelope marked out and the areas of steep (between 15% and 25%) slopes that would be impacted by the proposed plans.

**Findings of Fact and Conclusions of Law:**

- 1) The applicant submitted a complete application including a site plan with slope analysis, an erosion control plan and a building envelope prepared by McCain Consulting, Inc. dated 06/23/2022 and revised 07/25/2022, notice to abutters and proof of mailing.
- 2) Mr. McCain outlined the proposed development, noting that clearing approximately 25-30 feet below the house site is being requested to facilitate construction. Mr. McCain pointed out that the proposal is to build up against a steeper area, but to not cut into it at all. There is one small intrusion into the Meadowlands portion of the site needed for driveway construction. It is not anticipated that State stormwater permitting will be necessary, as there will be less than one-half acre of new impervious surface created; Mr. McCain indicated that silt fencing will be used as necessary, and Low Risk Handbook guidelines will be followed.
- 3) The Board affirmed that the barn depicted on application materials is not part of this application and that any future proposal to construct a barn will need to be appropriately permitted.
- 4) The Board found no part of the site affected contains very steep slopes, and that none of the 1000+ square feet impacted is within the area necessary for driveway construction. Additionally, the Board found that the requirements of Section 3.4 B are satisfied by the material presented with the tree cutting limits imposed, or are not applicable.
- 5) The Board found that the general standards of Section 5.3 A have been satisfied by the application materials presented, or are not applicable. No Board members saw a need to address the specific standards outlined in Section 5.3 B.

