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TOWN OF WARREN VERMONT

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VPTTR #

Town of Warren

Development Review Board

Findings of Fact and Notice of Decision

Condition Use Review – Meadowland Overlay

#2022-13-CU Alta Assets LLC [T. Johnson]

Application # 2022-13-CU submitted by Alta Assets, LLC [Johnson] has requested Conditional Use approval for development of a 3-bedroom SFR with detached garage and associated infrastructure that encroaches into the Meadowland Overlay District. The property is Lot 20 on Applewood Road, parcel ID # 009007-4.1 in the Rural Residential District.

A duly warned hearing was held on **August 1, 2022**. *Members attending:* Chris Behn, Peter Monte (Chair), Virginia Roth, Jeff Schoellkopf. *Others in attendance:* Amy Hunter, Timothy Johnson, Steve Platt, Josh Vogel, Ruth Robbins (ZA) and Carol Chamberlin (Recording Secretary). This hearing was continued to **August 29, 2022**. *Members attending:* Chris Behn, Peter Monte, Chris Noone, Jeff Schoellkopf. *Others in attendance:* Timothy Johnson, Evan Fitzgerald, Heather Platt, Steve Platt, Allison Rogers, Carol Chamberlin (Recording Secretary), Bobbie Platt, Stacey Weston, Fabio Schulthess, Nathan Bedford, Luman and Jennie Wadhams, Josh Vogel, Cindy Carr, Liz Raddock, Ruth Robbins (ZA). The application was continued until **September 19, 2022**. *Members attending:* Chris Behn, Peter Monte (Chair), Chris Noone, Jeff Schoellkopf. *Others in attendance:* Ruth Robbins (ZA), Nate Bedford, Cindy Carr, Evan Fitzgerald, Timothy Johnson, Steve and Bobbie Platt, Stacy Weston, Luman Wadhams, Amy Hunter, Allison Rogers, Mr. Rodgers, Carol Chamberlin (Recording Secretary), NYC Urbanism. The hearing was again continued until **October 17, 2022** [for the purpose of an additional review of the wetlands]. *Members attending:* Chris Behn, Peter Monte (Chair), Chris Noone, Jeff Schoellkopf. *Others in attendance:* Ruth Robbins (ZA), Jennifer Allen, Sam Allen, Nate Bedford, Evan Fitzgerald, Todd Hill, Timothy Johnson, Megan Moffroid, Steve Platt, Allison Rogers, Keith Streeter, Josh Vogel, Carol Chamberlin (Recording Secretary). A final hearing was held on **December 05, 2022**. *Members attending:* Chris Behn, Bob Kaufman, Peter Monte (Chair), Chris Noone. *Others in attendance:* Stacey Weston, Allison Rogers, Josh Vogel, Tim Johnson, Nathan Bedford, Amy Hunter, Bobbie Platt, Heather Platt, Steve Platt, Kirsten Siebert, Lyman Wadhams, Jennie Wadhams, Ruth Robbins (ZA) and Carol Chamberlin (Recording Secretary).

A **site visit** was formally conducted on August 29, 2022 attended by Mr. Schoellkopf, Ms. Robbins, Mr. Behn, and Mr. Platt. Other Board members visited the site independently. All were able to observe the location of the proposed buffer, which had been staked out.

Findings of Fact and Conclusions of Law:

- 1) The applicant submitted a complete application, site plans by Tim Johnson, Architect, wetlands map by Fitzgerald Environmental Associates, LLC, Wetlands review by Rose Environmental, LLC, State Wastewater permit #WW-5-8796, Landscape Plans by Broadleaf Landscape Architecture, Letters from abutters Steve Platt, Bobbi Platt, Nate Bedford and Amy Hunter, Notice to abutters with proof of mailing.
- 2) The majority of the property is located in the Meadowland Overlay District in the Rural Residential District.
- 3) The Board found that the wetland depicted on the materials presented, generally located in the northeast corner of the property, is a Class II wetland and thus requires a 50-foot buffer according to State Wetland Rules; and that this is the only wooded area (not part of the Meadowland Overlay) on the entire parcel.

- 4) The Board found that the northern end of the property is not available as a building site in the area shown to be a wetland and associated buffer area, so the building envelope must be south of that.
- 5) The Board found that the deciduous landscape plan presented needed to be amended as follows: the deciduous plantings to be increased to 4" diameter trees and the plan to be amended to include a 5' conifer between each deciduous tree in the northeast corner as well as two 5' conifers to be planted on the southern side of the house, one between the deciduous trees and one outside that line to break up the visual impact.
- 6) The Board found that the application materials, together with the conditions voted upon at the hearing, satisfy the requirements outlined in Table 2.13 Section E, as the lot has no developable land outside of the Meadowland Overlay and the siting approved allows for the least impact to both agricultural soils and visibility.
- 7) The Board found that the General Standards outlined in Section 5.3 A 1-5 have been met by the application materials and the conditions applied to approval of the application.
- 8) The Board found that Sec. 5.3, (B) (6) Landscaping & Screening, has been satisfied with the submittals of a revised site plan dated 12-19-2022.

Notice of Decision:

The DRB hereby approves Application 2022-13-CU subject to usual conditions, and those conditions agreed upon during the hearing process.

1. The project will be developed according to the plans submitted and approved by the DRB.
 - a. The southernmost line of the building envelope is to be no closer than 100 feet from the southern border of the property.
 - b. The structures developed being no larger in footprint than what is depicted on the most recent plan presented, and the spacing between the dwelling and the garage maintained as depicted.
 - c. The rectangular building envelope will be as follows: an east-west width of 45 feet beginning from a 30-foot setback line, and a length of 120 feet from south to north, beginning at the previously established southernmost line. This should be consistent with the final site plan [12-19-2022] approved by the DRB.
2. Any plantings included on the approved landscape plan which become diseased or die must be replaced as soon as practicable with a replacement planting that meets the same specification as the original.

Development Review Board


 Peter Monte, Chair Date 12/19/22


 Robert Kaufman Date 12/22/22


 Chris Behn Date 12/20/22


 Chris Noone Date 12/21/22