

**Town of Warren
Development Review Board
Findings of Fact and Notice of Decision
Appeal of #2022-53-ZP Rouleau**

The Zoning Permit #2022-53-ZP issued by the Warren Zoning Administrator to Jared Rouleau for the construction of a 22"x60" garage/workshop at 143 Buck Road, was appealed by an abutting neighbor as not conforming to zoning regulations. The property consists of approximately .65 +/- acres in the Alpine Village Residential District and identified as parcel id# 417043-000 in the Warren Grand List.

A duly warned hearing was held on November 7, 2022 and attended by DRB members Chris Behn, Megan Moffroid, Peter Monte (Chair), Chris Noone and Jeff Schoellkopf. Also in attendance were Ruth Robbins (ZA) and Carol Chamberlin (DRB Secretary). Site visits were done independently by the DRB members and others. There were many folks from the public in attendance. Please see the minutes of 11/7/2022 for those listed.

The appellant and his attorney stated that as there is no home occupation permitted at the Rouleau property, there should not be a garage workshop permitted on the site. Mr. Abad felt that even one garbage truck parked overnight would create an adverse impact on the neighborhood. Mr. Stevens, attorney for Mr. Abad, also spoke of use of a nonconforming lot not being expanded, and noted a concern that fill may have been improperly placed on the property without a permit.

Findings of Fact and Conclusions of Law

1. Mr. and Ms. Rouleau stated that all the trucks used in their business are housed off-site in Duxbury and that all the employees of the business work from the Duxbury location. They noted that the permit was issued with the condition that only one commercial vehicle could be parked at the property at any time, and that the garage would at times be used for basic vehicle maintenance.
2. The Board found that an accessory structure to a residential structure is a permitted use in the Alpine Village Residential District.
3. The Board found that the proposed structure, despite its availability for commercial use, falls within the accessory structure use, given the condition imposed by the Zoning Administrator which allows for the housing of only one commercial vehicle in any given day.
4. The Board found that the permit for the garage was properly issued, with the understanding that the use of fill was implied in its issuance; the use of fill was thus erroneously implicitly approved.

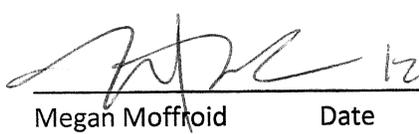
Notice of Decision

The Board agreed to grant the appeal, ***only to the extent of the fill being applied to steep slopes without a permit***, and required that Mr. Rouleau apply to the DRB for the filling of steep slopes and produce proper sediment and erosion control plans associated with the placement of that fill.

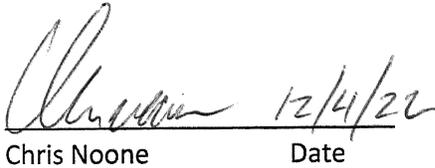
Development Review Board

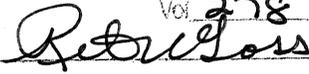

Peter Monte, Chair Date 12/4/22

 12/7/22
Jeff Schoellkopf Date

 12/4/22
Megan Moffroid Date

Chris Behn Date

 12/4/22
Chris Noone Date

TOWN OF WARREN, VT
Received for Record 12/7 2022
at 10:30 o'clock A M and Received in
Vol. 278 Page 511-512

TOWN CLERK
VT Property Transfer Tax Return # _____