

**Town of Warren
Development Review Board
Findings of Fact and Notice of Decision
Conditional Use Review
#2022-05-CU Morse**

Application #2022-05-CU submitted by Alexandra Morse & Larry Levine, is requesting Conditional Use approval to construct an Accessory Dwelling and driveway shared with the existing SFR that will have impact on 15% or greater "steep slopes". The project is located at 200 Dump Road, parcel ID 022000-700, 4.4 acres +/-, located in the Rural Residential District.

A duly warned hearing was held on Monday April 4, 2022 and the DRB members in attendance Devin Klein Corrigan, Bob Kaufman, Megan Moffroid, Peter Monte (Chair) and Chris Noone. Others in attendance were Ruth Robbins (ZA), Jacqueline Coates, Laurent Fromigue, Lexi Leacock, Larry Levine, George McCain, Michael Trahan, and Carol Chamberlin (Recording Secretary, online). A site visit was conducted earlier in the day and attended by Petr Monte, Megan Moffroid, Chris Noone, Bob Kaufmann, George McCain and Ruth Robbins. Devein K. Corrigan did an independent visit.

Findings of Fact and Conclusions of Law

- 1) The applicant submitted a complete application, site plans by McCain Consulting, notice to abutters and proof of mailing.
- 2) The Board found that while the site has some steep slopes, the building envelope for the proposed accessory dwelling is entirely on areas with less than 15% slopes.
- 3) The Board found that though the development proposed in very steep areas, including the leach field and water and sewer lines, it is necessary to facilitate development at the site; and that relocating the leach field to the southwest would increase the amount of steep slope area that would be disturbed by the proposed development.
- 4) The applicant stated that the accessory dwelling is proposed in the planned location rather than on the flatter area near the main house due to the importance of providing privacy and the relative ease of access at the proposed location.
- 5) The Board found that erosion control and protective measures for work on steep slopes are properly laid out in the application materials as they follow the *VT State Low Risk Handbook for Erosion Prevention and Sediment Control*.
- 6) The Board found that the General Standards of Section 5.3(A) items 1-5, are each satisfied by the application presented. No DRB member felt the need to review the Specific Standards of Sec. 5.3 (B) for this application.

Notice of Decision

The Development Review Board having found that the standards of the Land Use and Development Regulations have been met hereby approve the Conditional Use requested subject to the following:

1. The project is to be constructed as per the plans and specifications submitted to and reviewed and approved by the DRB.
2. The Accessory Dwelling is an accessory structure to the existing single family residence and shall be retained in common ownership. An Accessory Dwelling may only be subdivided and/or converted for

sale or use as a single or duplex dwelling if it meets all current local and state regulations applying to such dwellings, including all density, dimensional and other requirements for the district in which it is located. [Article 4, Sec. 4.1 (B)].

- 3. The applicant is also advised to submit an Application for a Zoning Permit for the construction of this project within 30 days of the execution of this approval unless already submitted.

Development Review Board

Peter Monte 4/18/22

Peter Monte, Chair Date

Devin Klein Corrigan 4/20/22

Devin Klein Corrigan Date

Robert Kaufman Date

Megan Moffroid 4/19/22

Megan Moffroid Date

Chris Noone 4/18/22

Chris Noone Date

TOWN OF WARREN, VT

Received for Record 4/20 2022

at 1:52 o'clock P M and Received in

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Robert G. [Signature]

TOWN CLERK

VT Property Transfer Tax Return # _____

