

Town of Warren  
Development Review Board  
Findings of Fact and Notice of Decision  
Conditional Use Review – Steep Slopes  
#2021-16-CU Baron

**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.
- Before a building permit is issued the applicant must file with the DRB a graphic depiction and description of the easterly ditch above the proposed roadway as well as the culvert/splash pad that will drain that ditch
- The applicant is required to use secondary silt fencing during construction of the driveway.
- The applicant must adherence to the requirements and standards of Sections 3.4(D)5-8 of the Warren Land Use and Development Regulations.
- Except as necessary for development of the driveway, no tree cutting or removal of vegetation will take place in areas of 25% slope or greater, and stumps will not be removed from any trees which must be cut on such slopes due to disease, death, or the creation of dangerous conditions.
- 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**

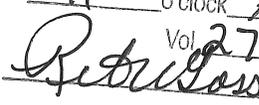
\_\_\_\_\_  
Peter Monte                      Date

\_\_\_\_\_  
Robert Kaufman              Date

  
\_\_\_\_\_  
Devin Klein-Corrigan              Date

  
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Megan Moffroid                      Date

  
\_\_\_\_\_  
Jeff Schoellkopf                      Date

TOWN OF WARREN, VT  
Received for Record 2/16 2022  
at 11 o'clock A M and Received in  
Vol. 274 Page 266-267  
  
\_\_\_\_\_  
TOWN CLERK  
VT Property Transfer Tax Return # \_\_\_\_\_

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Application #2021-16-CU submitted by Robert & Nancy Baron requests approval to build a single-family dwelling with associated infrastructure. To do so would require disturbance to steep slopes between 15% and 25% and some very steep slopes of 25% + outside of the proposed building envelope. The property is located on Anne Burns Road Lots 19 & 20, parcel ID# 023002-603 consisting of 6.4 +/- acres in the Rural Residential District.

A duly warned hearing was held on Monday November 15, 2021 and DRB members in attendance were Devin Klein-Corrigan (online), Bob Kaufman, Megan Moffroid, Peter Monte (Chair), Jeff Schoellkopf. Others in attendance were Ruth Robbins (ZA), Bob Baron, Nancy Baron, Robin Bleier (Conservation Commission), Susan Hemmeter, Gunner McCain, Chris Noone, Peter Spring, John Whitcomb, and Carol Chamberlin (Recording Secretary). Board members Peter Monte, Devin Corrigan, Jeff Schoellkopf and Megan Moffroid and ZA Ruth Robbins participated in a site visit earlier in the day, where the line of the proposed driveway and house site were flagged.

**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 prepared by McCain Consulting dated 09/24/2021, notice to abutters and proof of mailing.
- 2) Mr. McCain stated that his firm has confirmed the wetland boundary through the work of two biologists and that none of the site work will impact either the wetland or the associated buffer area.
- 3) The wetland buffer will be marked to ensure that no tree cutting or other site work takes place within that zone.
- 4) Mr. McCain stated that approaching from the south side of the lot is problematic due to the switchback design that would be necessary to cover the vertical distance between the road and the house site. Moving the drive slightly north of what has been proposed is feasible, but would essentially be trading an increase in disturbed area for the benefits of a slightly reduced slope.
- 5) The Board found that the erosion control and sediment reduction plans as presented are adequate for general minimization of erosion risk.
- 6) The Board found that development of slopes greater than 25% is necessary to facilitate development on this property
- 7) The Board determined that the development has been sited to minimize impacts on areas of steep and very steep slope.
- 8) The Board found that Sections 3.4(D)1-4 of the Land Use and Development Regulations have been satisfied by the information presented in the application.
- 9) It was noted that the requirements outlined in Section 3.4(D)5-8 have not yet been detailed on the plan. Mr. McCain indicated that there will be no storage of topsoil during construction.
- 10) The Board found that the general standards of Sections 5.3(A)1-5 of the Land Use and Development Regulations are satisfied by the information provided in the application.