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**Town of Warren  
Development Review Board  
Findings of Fact and Notice of Decision  
Conditional Use Review  
#2018-09-CU BOKAY LTD**

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The applicant, Lucy O'Brien, requests Conditional Use Approval to construct an addition to her residence at 50 Flat Iron Road that will impact a steep slope. The property is located in the Warren Village Mixed Use District [VMU] and is parcel id# 004002-300.

A duly warned hearing was held on Monday May 7, 2018 and attended by DRB members Peter Monte, Virginia Roth and Tom Boyle. Others in attendance were Ray La Rochelle, Lucy O'Brien, Sue Carter, Marilyn Miller, Ruth Robbins and Amy Scharges.

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

1. The applicant submitted a complete application, floorplan, notice to abutters and proof of mailing.
2. Due to the property's proximity to Freeman Brook, it was determined that it was not in the Flood Hazard Area.
3. The scope of the project includes an addition to the back of the existing house containing a living room, laundry room and downstairs bedroom. The original part of the house will be thoroughly renovated.
4. The foundation that will be affecting the slope in question will be crawl space, about 6' high, approximately same as the crawl space/basement in the existing house.
5. Stairs of either concrete or stone will be constructed alongside the foundation/retaining wall of the steep slope.
6. The proposed stairs are not encroaching on the 10' required setback according to Mr. LaRochelle, and a "to scale" drawing is to be submitted verifying compliance.
7. The subject parcel is part of a PUD which the land owner is considering an amendment to.
8. The Board found that the discussion was to be confined to the steep slope issues raised by The Applicant and make The Applicant explicitly aware that other approvals may be required because of the prior PUD approval or other aspects of the relevant zoning district regulations.
9. The Board found that even if the steep slopes exceed 25% by some amount that the proposed development is allowable under Sec3.4 (B) (2) (a) limited site improvements to facilitate development on contiguous land.
10. The Board found the general standards for Sec. 5.3 to be satisfied by the application.

**Notice of Decision:**

The DRB approves the project which impacts steep slopes subject to the following:

- 1) The project is done as per the plans submitted
- 2) The project is in accordance with the conditions of the PUD #2012-22-SD/PUD/CU
- 3) The project adheres to the erosion control plan in the PUD approval #2012-22-SD/PUD/CU

**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

Tom Boyle 6-18-18  
Tom Boyle                      date

Virginia Roth 6-19-2018  
Virginia Roth                      date

Peter Monte 6/18/18  
Peter Monte                      date

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