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**Town of Warren  
Development Review Board  
Findings of Fact and Notice of Decision  
Conditional Use Review  
#2018-19-CU Labrie/Spector**

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Application #2018-19-CU submitted by **Andre Labrie**, is requesting a Conditional Use Approval for the construction of a Single Family dwelling which will require a driveway over slopes of 15% or greater that was not included in the original Subdivision specifications; and a request for both front and side setback relief of 30%. The property is located at Village Road, Lot 1 (10,030 sf) in the Sugarbush Village Residential District and parcel ID # 221005 currently owned by **Allan Spector Retirement Trust** in the Warren Grand List.

A site visit was held at 4:00 on Monday November 19, 2018 and attended by DRB members Tom Boyle, Don Swain and Virginia Roth. Member Jeff Schoellkopf went by the site earlier in the day. Also in attendance were Gunner McCain and Ruth Robbins. A duly warned hearing was held at 7:00 on Monday November 19, 2018 and attended by DRB members Peter Monte, Jeff Schoellkopf, Virginia Roth and Tom Boyle. Others in attendance were Bill Moore, George McCain, Amy Scharges and Ruth Robbins.

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

- 1) The applicant submitted a complete application, conditional Use Worksheet, site plan with erosion control plan included, notice to abutters and proof of mailing.
- 2) The subject lot [Lot #1] is 10,030 sf and triangular in shape. It has access to hook up to the Mountain water and wastewater system. The applicant is buying the adjacent lot [Lot #2] as well. These two lots were part of a subdivision #2007-14-SD.
- 3) There is an above ground drainage ditch that runs across the parcel from west to east. The ditch will be re-routed to allow for the dwelling and the applicant's engineer stated that it could be kept above ground or that it was feasible to pipe it underground.
- 4) The proposed dwelling has been located as far back from the northern point of the lot so as to minimize interference with the sight line of traveling vehicles around the point.
- 5) The setback relief is primarily for the addition of the decks though there is approx. two feet +/- of the corner of the dwelling that also is part of the relief.
- 6) The Board found that the maximum of a 30% waiver for the setbacks is consistent with the general standards as listed in Sec. 5.3 (A) items (1) through (5) for Conditional Use.
- 7) The Board found the Erosion and Sediment Control plan as submitted on the site plan sufficient to satisfy the ordinance.
- 8) The standards of Sec 5.3 (A) (1-5), Conditional Use, General Standards, are found to be satisfied by the Board.

**Notice of Decision:**

The DRB hereby approves the application subject to the following conditions:

1. That the project be constructed in compliance with the plans as presented to and approved by the DRB;
2. That the applicant has submitted within 10 days of this hearing a revised site plan showing the building envelope boundary on the north side be pulled back to the 45 foot mark from the northern point of the parcel which has been reviewed and approved by the DRB.

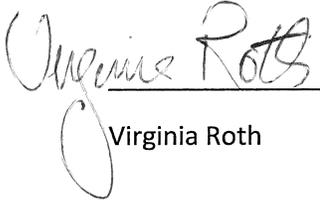
3. That there will be no plantings and no structures higher than three feet in the area between a line ten feet from the revised building envelope to the northern boundary of the parcel.

**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

 12/12/18  
Peter Monte date

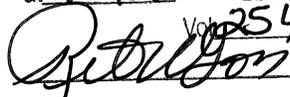
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Tom Boyle date

 12/11/2018  
Virginia Roth date

 12/11/18  
Jeff Schoellkopf date

TOWN OF WARREN, VT

Received for Record 12/17 2018  
at 9:42 o'clock AM and Received in  
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TOWN CLERK

VT Property Transfer Tax Return # \_\_\_\_\_