

**Town of Warren  
Development Review Board  
Findings of Fact and Notice of Decision  
Condition Use Review  
#2021-01-CU Turner / Crowley**

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Application #2021-01-CU submitted by Sarah & Henry Turner is requesting a Conditional Use approval due to development over steep slopes to build a 4-bdrm SFR on a 1.10 acre lot located on East Warren Road and owned by the Dorothy W. Crowley Living Trust. This property is in the Rural Residential District and parcel ID# 002003.

A duly warned hearing was held on Monday January 18, 2021 and attended by DRB members Devin Klein Corrigan, Peter Monte (Chair), Virginia Roth, and Jeff Schoellkopf. Others in attendance were Ruth Robbins (ZA), Chris Austin, David Frothingham, Sarah Lindenfeld, Bryan Lowe, George McCain, Sue Anne Stager, Henry Turner, Sarah Turner, and Carol Chamberlin (Recording Secretary). A site visit was also conducted earlier on the 18<sup>th</sup> and attended by David Frothingham, Ruth Robbins and Henry & Sarah Turner. Others made a visit on their own.

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

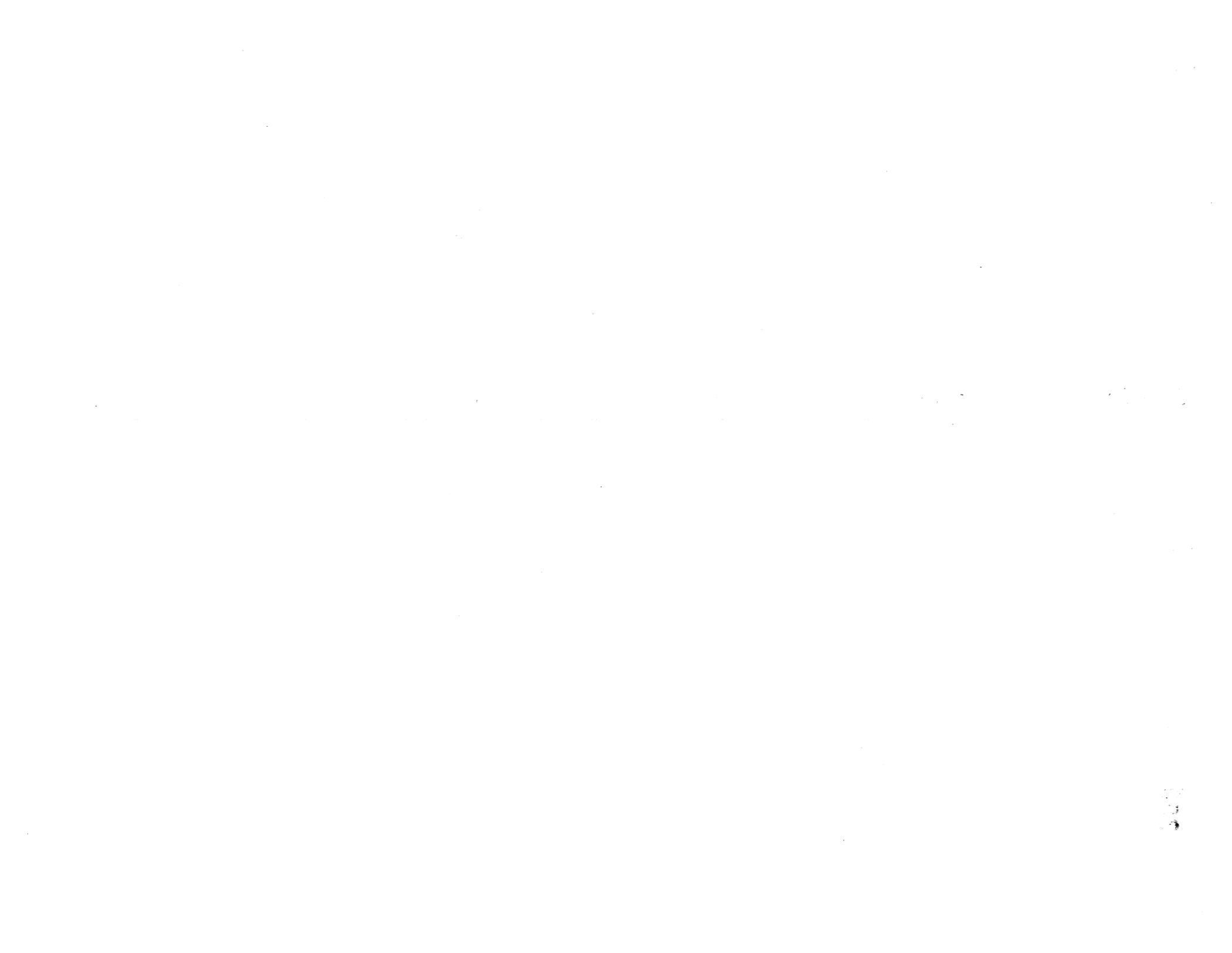
The applicant submitted a complete application, including a site plan with slope analysis, erosion control plan prepared by Wilcox and Barton dated 11/17/2020, State Wastewater permit dated 9/7/2017, house plans by *bca Architectural Design*, notice to abutters and proof of mailing.

Mr. Frothingham of Wilcox & Barton stated that there are two lots involved, with the house site at the most level location at the rear of one lot. An existing culvert will be used for the curb cut, and the drive will go straight into the lot from the East Warren Road. Wetlands on the north end and Folsom Brook crossing the northwest corner create setback conditions that dictate where the driveway and house can be located. The septic will be directly below and the well directly above the house.

The curb cut crosses a very steep (above 25%) section and the driveway crosses a couple of steep (15% - 25%) locations. The grading for the septic and house site also extends from the level areas into steep areas just over 15% slope. The driveway is approximately 200 feet long, and is level at the bottom near the road; the rest of the grade ranges from 12% to 18% slope, with an average of 15%. Mr. Frothingham explained that septic considerations and steep areas preclude placing the house closer to the road.

Mr. Frothingham told the Board that some tree clearing will be needed along the powerline easement, and that some cutting would likely take place for creating a view. He indicated that the existing trees are white pines, and that replacement with shrubs and grass would provide the same or better soil erosion prevention. None of the areas which would be thinned are over 25% slope; other cutting is precluded by the stream and wetland buffer areas.

The Board found that the General Conditional Use Standards of Sections 5.3(A)(1-5) of the LUDRs have been satisfied and that the Specific Standards did not require addressing.



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**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.
- An additional plan be filed prior to construction; the plan shall locate the southerly corner of the structure by a measured distance to the southerly corner of the lot for the purpose of aiding in compliance.
- 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**

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Peter Monte                      Date

  
Devin Klein Corrigan                      Date

  
Virginia Roth                      Date

  
Jeff Schoellkopf                      Date

TOWN OF WARREN, VT  
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Vol 268 Page 350-351  
  
TOWN CLERK  
VT Property Transfer Tax Return # \_\_\_\_\_

