

**Town of Warren
Development Review Board
Findings of Fact and Notice of Decision
Condition Use Review
#2021-04-CU Volpe/Berke/Walbridge**

Application #2021-04-CU submitted by Katherine Berke & Zachary Walbridge have requested Conditional Use approval for earth disturbance to “steep slopes” greater than 15% and 25%, respectively for the construction a single-family residence and associated infrastructure. The property is owned by Kenneth Volpe located between Journey’s End and High View Road, Lots 10/11 totaling 2.1 +/- acres, parcel id# 480810.

A duly warned hearing was held on Monday February 15, 2021 and attended by DRB members Chris Behn, Devin Klein Corrigan, Peter Monte (Chair), Virginia Roth, and Jeff Schoellkopf. [Devin Corrigan recused herself from voting on this application due to a possible conflict] A site visit was conducted prior to the hearing and attended by Peter Monte, Devin Corrigan, Ruth Robbins and George McCain.

Findings of Fact and Conclusions of Law:

- 1) The applicant submitted a complete application including a site plan and slope analysis prepared by McCain Consulting dated 01-18-2021, a notice to abutters and proof of mailing.
- 2) Mr. McCain stated that the building envelope is for a planned 20 x 30-foot deck which will serve as the platform for a 10 x 20-foot tiny house. The proposed driveway location requires some disturbance to 25% slopes, but that the disturbance will be minimized as much as possible through having a shorter drive/parking area and utilizing a small footpath from the parking area to the building site.
- 3) Mr. McCain explained that though is a flatter area lower on the property, the applicant felt the upper location would require less tree cutting and provide more privacy. It was also noted that placing the house lower would require a greater total amount of steep slope disturbance to access the area of the property which is suitable for septic disposal. The applicants also acknowledge that the possibility of expansion is unlikely as it would further encroach on 25% or greater slopes.
- 4) The Board made the following findings in review of the proposed and steep slope standards:
 - a) There is no practical building site on the property that is on an area of less than 15% slope;
 - b) There are no areas of slope 25% or greater in the proposed building envelope;
 - c) The area of 25% or greater slope that is affected by the driveway and parking area has been kept to the smallest practical size;
 - d) Moving development to the lower end of the property would not create less disturbance to very steep slopes due to the need to access the suitable septic location; and
 - e) Erosion and sediment controls plans submitted are adequate to control the risks of carrying out the development proposed by the applicants.

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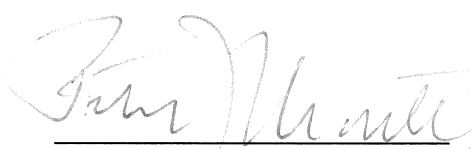
- 5) The Board found that the general standards of Section 5.3 (A) items (1 – 5) are either satisfied or not applicable to this application. Additionally, they also found that the specific standards of Section 5.3 (B) (7) are satisfied by the proposed plans and no other specific standards were determined to require being addressed.

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.
- Based upon the setback issues that could be possible given the location of the house site in relation to the current shared lot boundary line, the applicant is required to formally merge the two lots into a single lot, and to record such document in the Town's land records.
- 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

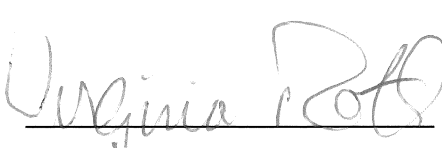
3/3/21

Chris Behn

Date


 Devin Klein Corrigan

Date


 Virginia Roth

Date

3/1/2021


 Jeff Schoellkopf

Date

3/1/21

TOWN OF WARREN, VT

Received for Record 3/3 2021

at 10 o'clock 1 M and Received in

Vol 2168 Page 356-357



TOWN CLERK

VT Property Transfer Tax Return # _____

