

**Town of Warren
Development Review Board
Findings of Fact and Notice of Decision
Conditional Use Review
2018-06-CU Austin**

The applicant, **Jane Austin**, seeks Conditional Use approval for earth disturbance to slopes 25% or greater necessary to construct a driveway to serve a proposed single family home. The property is on Cider Mountain Road in the Forest Reserve District, consisting of 102.4 acres and identified as parcel id # 012002-600 on the Town of Warren grand list.

A duly warned hearing was held on April 30, 2018 and attended by DRB members Peter Monte, Jeff Schoellkopf, Virginia Roth and Bob Kaufmann. Others in attendance were Gunner McCain and Ruth Robbins.

Findings of Fact and Conclusions of Law:

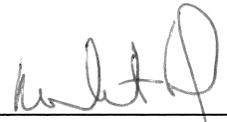
1. The applicant submitted a complete application worksheet, site plan with erosion control plan, notice to abutters and proof of mailing.
2. Ms. Austin actually owns three parcels but since two of them are less than 25 acres and therefore non-conforming for the Forest Reserve District the two smaller parcels are considered merged with each other for zoning compliance as a 29.5 acre parcel. The third parcel of 77+/- acres remains as a separate conforming parcel. This project is located on the two merged parcels of 29.5 acres.
3. The drive off of Cider Mountain Rd crosses a culvert that had been installed in 2007. The drive then follows for a bit an old woods road which when the proposed drive is constructed will be done to town standards of no more than a 12% grade.
4. Though the DRB members were shown a site plan with a proposed building envelope with possible house/garage/barn locations on a flat area of the parcel, the main purpose of the application was to obtain approval to construct a driveway so that the property would be more easily marketable.
5. Due to the length of the drive a pullout has been included where a proposed utility building is labeled.
6. A State Wastewater permit for a five bedroom dwelling has been obtained - #WW-5-7612.
7. The Board found that there are two areas of very steep slopes that are allowed under Sec. 3.4 (B) (2) (a) which allows limited site improvements necessary to facilitate development on contiguous land with a slope of less than 25% gradient.
8. The DRB found based on what the applicant has represented to the Board that the plan submitted is in compliance with the VT Handbook for Erosion Prevention and Sediment Control standards.
9. The Board found that the standards of Sec. 5.3 (A) items (1) through (5) are satisfied by the application.
10. The Board found Sec. 5.3 (B) items (7), (8) and (9) have been satisfied with the previous conditions and findings.

Notice of Decision:

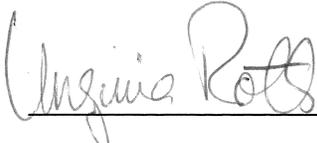
The Board approves the application to construct a driveway on steep slopes in the Forest Reserve District subject to the project being constructed in accordance with the plans and specifications submitted.

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.

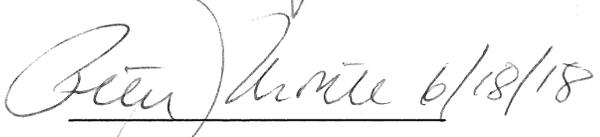
Development Review Board



Bob Kaufmann date



Virginia Roth date



Peter Monte date

Jeff Schoellkopf date

TOWN OF WARREN, VT
Received for Record 6/26 2018
at 9 o'clock A M and Received in
Vol 252 Page 124-125


TOWN CLERK
VT Property Transfer Tax Return # _____