

**The Town Warren
Development Review Board
Conditional Use Review
Findings of Fact and Notice of Decision
#2015-30-CU Bennett**

The applicant, Mark Bennett, on behalf of Aldo & Rosina Macioce, owners, seeks Conditional Use approval for the development of a single family dwelling in the Forest Reserve District in the Forest Reserve District. Due to the pre-existing/non-conforming size of the lot, Mr. Bennett is also seeking setback relief. The property consists of 3 +/- Acres and is located on Burnt Mountain Road off of the Roxbury Mountain Road. The property is identified as parcel ID # 001010-920 in the Warren Grand List.

A duly warned hearing was held on Monday June 15, 2015 and attended by DRB members Peter Monte, Tom Boyle, Bob Kaufmann, Jeff Schoellkopf and Virginia Roth. Others in attendance were Charles Grenier, Mark Bennett, Chris and Maria Burfoot, Miron Malboeuf and Ruth Robbins.

Findings of Fact and Conclusions of Law:

1. The applicant submitted a complete application, site plan, house plans [by Huntington Homes], notice to abutters and proof of mailing.
2. The parcel of 3+/- acres is a pre-existing lot that is non-conforming for the Forest Reserve District which requires a 25 acre minimum lot size. The front setback requirement is 150 feet and due to the small size of the lot is difficult to attain.
3. Though there are not slopes greater than 15%, the house will be set into a slope with four foot retaining walls being utilized. Standard erosion control measures will be used.
4. The Board found that the application meet the criteria for variance approval under Sec. 9.6 (A) items (1) through (5).
5. The Board found that the application meet the standards of Table 2.1 Forest Reserve District (F) Supplemental Development Standards – Conditional Uses, items 1 through 5, with conditions.

Notice of Decision:

The DRB, having found that the application satisfies the standards for development in the Forest Reserve District for conditional use approves the application with the following conditions:

- 1) The project is to be constructed as per the plans and specifications submitted with the application;
- 2) It is required that a minimum of ten (10) trees, evenly distributed within the 6,000 to 7,000 square foot area in front of the proposed dwelling with a minimum trunk diameter of six inches at chest height remain after any cutting for the building of the house. It is also a requirement that the remaining trees are to be replaced should they become diseased or die;
- 3) The dwelling is required to have non-reflective glass windows or year round screens on the windows facing northwest.
- 4) It is required that the exterior surfaces of the dwelling be of muted earth tones.

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Development Review Board

Peter Monte date

Tom Boyle 8-10-15

Tom Boyle date

Bob Kaufmann 8-10-15

Bob Kaufmann date

Jeff Schoellkopf date

Virginia Roth 8/10/2015

Virginia Roth date

TOWN OF WARREN, VT

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TOWN CLERK

VT Property Transfer Tax Return #