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**Town of Warren
Development Review Board
Findings of Fact and Notice of Decision
Conditional Use Review
#2018-05-CU Colwell/Hourihan**

The applicants, **Gary Colwell and Peter Hourihan**, request approval to reconstruct an existing non-conforming dwelling located on existing disturbed slopes greater than 15%. The property at 7 Murray Hill, id# 001002-600, is in the Rural Residential District.

A duly warned hearing was held on Monday April 2, 2018 and attended by DRB members Peter Monte, Virginia Roth, Chris Behn, Tom Boyle and Jeff Schoellkopf. Others in attendance were Peter Hourihan, Mark Bannon, John F. Jones and Ruth Robbins.

Findings of Fact and Conclusions of Law:

1. The applicant submitted a complete application, worksheet, site plan by Bannon Engineering and notice to abutters with proof of mailing.
2. Mr. Bannon, the engineer representing the applicant, described to the Board how at the back of the house the slope goes down and exhibits signs of where over time it had been cut into and fill had been pushed down and he has labeled this as "previously disturbed".
3. The new structure uses the existing footprint but extends to the sides and the back more than what is there. As per Sec 3.8 one cannot increase the degree of non-conformity but as depicted in an illustration in Sec 3.8 the volume can increase laterally.
4. An existing parking area to the south will be abandoned, the existing parking area to the north retained and a new drive off of the private road for parking in a carport attached to the dwelling.
5. The Board found that the project as presented does not increase the degree of non-conformance as allowed under Sec. 3.8 (A) (2) and (3) and thus DRB approval is not required.
6. The Board found that the General Standards of Sec. 5.3 items 1-5 have been satisfied by the applicant.

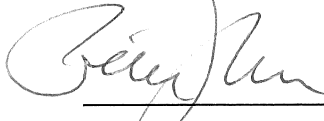
Notice of Decision:

The Board grants Conditional Use approval for the rebuilding of a pre-existing non-conforming structure on steep slopes with the erosion control plan as submitted in the application and the plans and specifications contained within.

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.

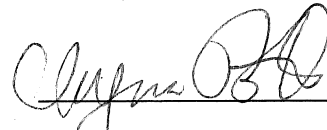
Development Review Board

Chris Behn date

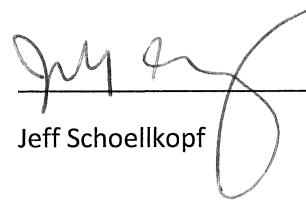
 4-31-18

Peter Monte date

Tom Boyle date

 4/30/18

Virginia Roth date

 4/30/18

Jeff Schoellkopf date

TOWN OF WARREN, VT

Received for Record 5/1 2018

at 9:45 o'clock A M and Received in

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TOWN CLERK

VT Property Transfer Tax Return # _____