

TOWN OF WARREN, VT

Received for Record 4/17 2018at 10:20 o'clock 12 M and Received inVol. 250 Page 578-579Retulson
TOWN CLERKVT Property Transfer Tax Return #

Town of Warren

Development Review Board

Findings of Fact and Notice of Decision

Planned Unit Development [PUD] Review

Conditional Use Review

2018-02-PUD/2018-03-CU Steadman

The applicant, **Steadman Property Services, LLC**, is requesting approval for the development of a PUD {Article 8} consisting of three duplexes and the Conditional Use {Article 5, Sec 5.3} approval to construct a single family residence with a shop building and sand/mulch storage and for the development on Steep Slopes {Sec. 3.4} The property is located at 71 Golf Course Road, is approx. 2.5 acres and in the Vacation Residential District (VR).

A duly warned hearing was held on Monday March 5, 2018 and attended by DRB members Peter Monte, Chris Behn, Jeff Schoellkopf (for Mountainside Condominiums only), and Virginia Roth. Others in attendance were Elizabeth Pittis, Bob Cummiskey, Gunner McCain and Ruth Robbins. A site visit was conducted on Wednesday March 28, 2018 and attended by DRB members Peter Monte, Chris Behn and Virginia Roth. Others at the site visit were the applicants Mr. Steadman and Mr. Dezan along with engineering consultant Mr. McCain and two abutting property owners' Bob and Susan Cummiskey and Elizabeth Pittis. DRB Secretary and Acting Zoning Administrator Ms. Robbins was also at the site visit. The next hearing was held on Monday April 2, 2018 and attended by DRB members Peter Monte, Virginia Roth, Chris Behn and Tom Boyle. Also in attendance were Elizabeth Pittis, Bob Cummiskey, Ken Steadman, Jeremiah Dezan, Gunner McCain and Ruth Robbins.

Findings of Fact and Conclusions of Law:

- 1) The applicant submitted a complete application and worksheet, site plans showing final site conditions [C-1], existing conditions and conservation area plan [C-2], water and wastewater design [C-3], existing and proposed contours [C-4], stormwater management and EPSC plan [SW-1] and landscaping plan by McCain Consulting. A lighting plan was submitted by The Design Group. A notice to abutters and proof of mailing was also done. Revised plans of C-3, C-4, SW-1 and L-1 were also submitted.
- 2) The three duplexes will be a two level townhome style with parking underneath with three bedrooms and approximately 1600 square feet total.
- 3) Two of the abutting neighbors expressed concern about the property management business in regards to how it would operate [noise, general appearance with equipment, trucks, hours of operation] and how it would change their current bucolic view(s). After attending the site visit they met with the applicant and came up with a plan to mitigate their concerns.
- 4) Along with the three duplexes, a single family dwelling, a shop building and two storage piles for sand and mulch are being proposed for the property which will remain as one parcel.
- 5) The property management company whose owners will be living in the single family dwelling, has 6 trucks, 5 of which are also used as plow trucks, and a skid steerer. Most of the work will take place off-site.
- 6) The applicant has presented the project to the Warren Fire Department.
- 7) The Board found that the standards of Article 7, Sections 7.2 through 7.9 have been satisfied by the applicant.

- 8) The Board found with previously voted on conditions, that the standards of Sec 8.4 [C] General Standards and 8.5 Open Space & Common Land have been satisfied by the applicant.

Notice of Decision:

The Development Review Board approves the application subject to the conditions below and that the project be developed as per the plans and specifications submitted.

Conditions:

1. The Operational Parameters as noted on the Site Plan C-3 are to be amended to state that "commercial on-site activities outside of normal business hours will be limited to responding to unanticipated emergencies only and will be avoided to the greatest extent possible."
2. No more than eight [8] trucks will be used in the commercial operation and stored on site without further approval from the DRB.
3. No parking will be allowed by condominium owners/their guests or the commercial operation employees on the shared right-of-way access and the applicant is required to post three [3] "No Parking" signs on the right-of-way.
4. The applicant is required to submit the condominium declarations to the Warren Zoning Administrator prior to the first sale of any of the condominiums.
5. The applicant will be required to plant five [5] trees to an additional screening area between the applicant's house and Mr. Cummiskey's house if Mr. Cummiskey puts in writing within 90 days of the new dwelling being occupied his request to the Warren Zoning Administrator
6. The only lighting allowed in the Commercial area is on the north gable end of the building that will be downcast and shielded and will operate outside of the designated operating hours only by means of a motion detector. An additional motion sensor light may be installed on the northeast corner for use to access the stored materials.
7. The applicant is to submit a lighting plan within 12 days from 4/2/18.
8. A Mylar of the final site plan will be submitted for DRB approval to then be recorded in the Town records within 180 days of the signed decision.

Development Review Board

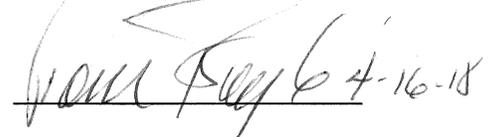
Chris Behn date

 4/16/2018

Virginia Roth date

 4/16/18

Peter Monte date

 4-16-18

Tom Boyle date