

TOWN OF WARREN  
DEVELOPMENT REVIEW BOARD  
FINDINGS OF FACT & NOTICE OF DECISION  
CONDITIONAL USE REVIEW

000801

#2009-12-CU TOWN OF WARREN TOWN GARAGE SITE

The applicant, the **Town of Warren**, seeks a conditional use approval for setback relief of approximately 28' from a stream in order to accommodate the placement of a thirty-two foot (32') by eight foot (8') mobile office trailer on the present town garage site at 119 School Rd. This site is part of a 40.6 ± acre parcel, which includes the Warren Elementary School and Brooks Field, and is located in the Warren Village Historic Residential District, (Parcel Id# 001002-300).

A duly warned hearing was held on Wednesday December 2, 2010 and attended by DRB members Lenord Robinson, Peter Monte, Chris Behn, Bob Kaufmann and Virginia Roth. Others in attendance were: Andy Cunningham, Don Swain, Miron Malboeuf and Ruth Robbins. The hearing was continued until Monday December 14, 2009 so that members could conduct a site visit on their own. The Friends of the Mad River also wanted an opportunity to look at the site and make comment as well. The December 14<sup>th</sup> hearing was attended by DRB members: Mrs. Roth, Mr. Monte, Mr. Behn, Mr. Robinson and Mr. Kaufmann. Others in attendance were: Gunner McCain, Paul & Victoria Eardensohn, Bob Messner, Barry Simpson, Miron Malboeuf and Ruth Robbins.

The hearing was continued until July at the latest to allow for the ability to develop an erosion control and run-off plan for approval by the DRB. The hearing was held on Monday June 21, 2010 and attended by DRB members Lenord Robinson, Peter Monte, Bob Kaufmann and Virginia Roth. Others in attendance were: Marcella & Raymond Gratton, Chris Austin, Cindi Jones, Charles Snow, Peggy Rodrigues, Don Swain, Rudy Elliot, Miron Malboeuf and Ruth Robbins.

**Findings of Fact & Conclusions of Law:**

- 1) Barry Simpson, Town of Warren Director of Public Works, submitted a site plan showing the location of the newly acquired mobile office trailer.
- 2) Notice to the abutters and proof of mailing was submitted by the Town of Warren Zoning Administrator.
- 3) The location and installation of the office trailer was executed prior to any permit being applied for.
- 4) The purpose of the office trailer is to provide a gathering place for the workers outside and separate from the work area which was a requirement imposed by VOSHA and secondly to provide an adequate office area for the garage foreman.
- 5) To move the building back further away from the stream would entail excavating into a bank; additionally the road crew wanted the convenience of being able to see the entrance to the garage yard.
- 6) The trailer was purchased with funds that the Select Board approved that were in the road crew's budget.
- 7) The trailer is not equipped with plumbing, is not on a foundation nor is it on a slab.
- 8) The Board found that the allowance of a 72 foot setback will not adversely affect the ability of the stream to carry floodwaters.
- 9) Concern was expressed about motorized equipment and a school bus being parked within the buffer zone. Mr. Simpson, the DPW, stated that the parking of equipment, employee vehicles was tight on this lot.

TOWN OF WARREN, VT

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TOWN CLERK

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- 10) The engineers at FA&A (Forcier Aldrich & Associates) produced a site plan of the Town Garage parcel showing the office trailer. Along with the site plan, a narrative erosion control plan was submitted that stated in part: "Because there is no significant soil disturbance, increase in impervious surface or additional run off caused by this project, no additional erosion control measures are needed."
- 11) It was stated by the Town Administrator that the ground surface is such that there will be no excess runoff as a result of the addition of the 8x26 foot trailer.
- 12) Three years ago the Town provided parking with electric plug-in ability at a lot adjacent to the Warren Elementary School above the Town Garage site.

**Notice of Decision:**

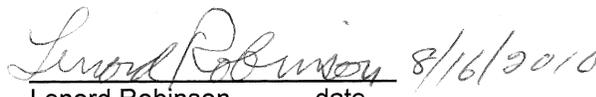
The DRB with the above findings and with finding that the requirements of Section 3.13 Surface Water Protection and Section 5.3 Conditional Use, (A) General Standards have been met, approve the location of the mobile office trailer with the condition that the Town Garage site is limited to the parking of Town trucks, equipment and Town Garage employee vehicles.

**DEVELOPMENT REVIEW BOARD**

  
Peter Monte                      date

Bob Kaufmann                      date

  
Virginia Roth                      date

  
Lenord Robinson                      date