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**Town of Warren
Development Review Board
Findings of Fact and Notice of Decision
Condition Use Review – New Accessory Dwelling
#2023-12-CU Tuck / Falconer**

Application #2023-12-CU submitted by Tammy Tuck & Bruce Falconer are requesting Conditional Use approval for the development of an Accessory Dwelling located at 290 Dump Road, parcel ID # 922001-000 in the Rural Residential District.

A duly warned hearing was held on Monday November 06, 2023 and attended by DRB members Chris Behn, Megan Moffroid, Peter Monte (Chair), Jeff Schoellkopf [via Zoom]. Others in attendance were Ruth Robbins (ZA), Carol Chamberlin (Recording Secretary), Bruce Falconer, Whitney Phillips and Tammy Tuck. There was also a site visit attended by Whitney Phillips, Tammy Tuck, Bruce Falconer, Peter Monte and Ruth Robbins.

Findings of Fact and Conclusions of Law:

- 1) The applicant submitted a complete application and worksheet, site plan and structure drawings, wastewater design, notice to abutters and proof of mailing.
- 2) At the site visit it was observed that the entire area proposed for development is on open, level land, in an area near the road; that driveway access will be from the existing driveway; and that the septic system will also be constructed on open land thus very little if any tree clearing will be needed. It was confirmed that measurements were taken at the site, and the setbacks are all in conformance with the District standards.
- 3) The building is planned to be a single level, and confirmed that it will be served by a separate septic system. It will be used as a guest house and possibly as a future Airbnb site.
- 4) Any future change of use for the building will require further review by the DRB, including it becoming a primary dwelling should a future subdivision place it on a separate lot.
- 5) The Board found that the General Standards of Section 5.3 A 1 – 4 are satisfied by the application materials presented and that Section 5.3 A 5 are not applicable to this application. No Board member indicated that any of the Specific Conditional Use Standards needed to be addressed for this application.

Notice of Decision:

The Development Review Board having reviewed the request for Conditional Use for the construction of an Accessory Dwelling with its own wastewater system and have made the above findings hereby approves the application subject to the following conditions:

1. The proposed development must be constructed in accordance with the plans submitted and approved by the DRB.
2. The permit for the accessory dwelling shall clearly state that the dwelling is an accessory structure to the single family residence and shall be retained in common ownership. An accessory dwelling may only be subdivided and/or converted for sale or use as a single or duplex