

4-11 Documents received for record on 2021 at 11:30 AM
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Page 387-588 of the Warren Land Records.
Attest Brent V. [Signature] VPTTR #

Development Review Board
Findings of Fact and Notice of Decision
Conditional Use Approval – Steep Slopes
#2023-07-CU Rouleau

Application #2023-07-CU submitted by Jared and Amantha Rouleau for a Conditional Use approval for the addition of fill in excess of 1000 or more square feet creating a gradient of 15% or more resulting in a steep to very steep slope. The property is located at 143 Buck Road, consisting of .65 +/- acres, parcel ID # 417043 in the Warren Grand List and located in the Alpine Village Residential District.

A duly warned hearing was held Monday July 17, 2023 and attended by DRB members Chris Behn, Robert Kaufman, Peter Monte (Chair) and Megan Moffroid. Others in attendance were Ruth Robbins (ZA), Carol Chamberlin (Recording Secretary), George Abad, Mark Bannon, Brandt Cassidy, David Ellison, Janet Ellison, Shane Elwell, Todd Hill, Matt Sargent, Amantha Rouleau, Jared Rouleau, Steve Robbins and Ross Sigmund. A site visit was held prior to the meeting, attended by Chris Behn, Robert Kaufman, Peter Monte (Chair), Megan Moffroid, Ruth Robbins and the Rouleaus'.

The hearing was continued to Monday July 31, 2023 and attended by DRB members Chris Behn, Robert Kaufman, Devin Klein Corrigan, Megan Moffroid and Chris Noone. Others in attendance were Ruth Robbins, George Abad, Sue Carter, Kelley Elwell, Todd Hill, Kelley Osgood, Amantha Rouleau, Jared Rouleau, Matt Sargent, Ellen Strauss, Andrew Volansky.

Additional hearings were scheduled for the applicants who requested time to acquire additional documentation required by the DRB after the review at the July 31, 2023 meeting. [August 21, 2023, September 18, 2023, October 2 and 16, 2023, November 20, 2023 and December 20, 2023. January 29, 2024 and March 4, 2024] The Rouleaus' stated in an email on March 4th that they had no further information to submit to the DRB.

Findings of Fact and Conclusions of Law:

1. The applicants submitted a Conditional Use application and notice to abutters with proof of mailing was done for the 15 day notice requirement.
2. The application noted that the Low Risk Handbook guidelines had been used to satisfy the requirements, although Mr. Rouleau confirmed that the handbook was not consulted prior to the stabilization work being completed.
3. The Board noted that the slopes at some points appear steeper than what is allowed in the Handbook. They indicated that it needs to be demonstrated that the work completed is in compliance with the Handbook. It was further explained that the Board is seeking to ensure that the earthwork is sufficient to support the structure which has been permitted, and that proof of compliance with the Handbook, along with verification of the same by a professional, will provide this assurance.
4. The Board found that fill was placed on a slope, and also the fill created a slope in a different configuration. A grading plan had been submitted, as well as an erosion and sedimentation plan, but neither one contained an indication of the percent slope created by the fill. Board members noted that this information needs to be added to the documents submitted. The Board then found that the plan does not contain the information required in Section 3.4 C(2) of the Regulations.

Town of Warren

Development Review Board

Findings of Fact and Notice of Decision

Conditional Use Approval – Steep Slopes

#2023-07-CU Rouleau

TOWN OF WARREN
DEPARTMENT OF PUBLIC WORKS
COMMUNITY DEVELOPMENT
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WARREN, VT 05646
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- 5. Under Conditional Use Review, Article 5, Sec. 5.3, the Board found that the General Standards of Section 5.3 A (1), (2), (4) and (5) are satisfied. With the condition of limited company truck traffic of two visits per 24 hour period, the Board found Section 5.3 A (3) is satisfied.
- 6. Outdoor lighting was addressed and the applicant said that no more than two outdoor fixtures would be used and would be shielded and downcast.

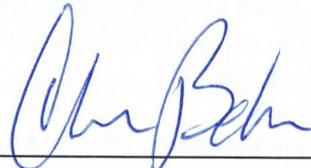
Notice of Decision:

On March 4, 2024, the applicants sent word that they had no more information to submit to the DRB. The DRB denied the pending application #2023-07-CU submitted by Jared and Amantha Rouleau, noting that the denial is without prejudice, due to the incompleteness of the information they have been able to provide.

Development Review Board



 Peter Monte, Chair Date 4-1-24

 04/01/2024

 Chris Behn Date

 4/1/24

 Megan Moffroid Date

 Jeff Schoellkopf Date

 Donald Swain Date

Approval shall become effective when this decision has been signed by at least three members of the Warren Development Review Board who participated in the final decision. The applicant or any other interested person who has participated in a regulatory proceeding of the Development Review Board may appeal a decision rendered by the Board within 30 days of such decision to the Vermont Environmental Court, in accordance with the Act [§4471].