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Town of Warren
Development Review Board
Findings of Fact and Notice of Decision
Conditional Use Approval – Steep Slopes
#2024-08-CU Willis-Ruiz

TOWN OF WARREN VERMONT
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VPTTR # _____

Application #2024-08-CU submitted by Rebecca Willis and Brice Ruiz are requesting Conditional Use approval for construction of a single family dwelling and associated infrastructure in the Forest Reserve District. The property is located at 812 Cider Mountain Road and listed as parcel id # 012003-001 in the Warren Grand List.

A duly warned hearing was held Monday July 1, 2024 and DRB members in attendance were: Chris Behn, Megan Moffroid, Peter Monte (Chair) and Jeff Schoellkopf. Others in attendance were Maria Burfoot, Nancy Fields, Randy Graves, Caroline McHugh, Brice Ruiz, Jon Stack, Rebecca Willis, Ruth Robbins (ZA) and Carol Chamberlin (Recording Secretary).

The hearing was continued to July 15th and the Yestermorrow class in which the house will be designed does not convene until September thus the hearing was continued until September 30th. No meeting was held on the 30th and the application was heard at the next scheduled meeting of October 7th.

Findings of Fact and Conclusions of Law:

- 1) The Board found there was a previous Conditional Use approval issued by the Board in December 2021 for the development of a larger single family residence on the property, with some conditions included in that approval. Because the previous approval contained references to the specific plans provided for the house to be constructed, it was agreed that the application should be reviewed by the Board rather than administratively approved.
- 2) The applicant submitted a complete Conditional Use application and Worksheet, notice to abutters and proof of mailing.
- 3) The Board noted that all conditions included in the December 2021 approval of Application #2021-17-CU also apply to the proposed development of the property.
- 4) The Board found that the house site and drive are on mostly level portions of the lot; other sections of the property are steeply sloped.
- 5) The applicants submitted a final modified building plan, which is for a single story dwelling of 650 square feet. The living space is the same as in the original plan, but with a slightly larger footprint and removal of the loft area. They confirmed that there will be no pylon placement in the area of the parcel which drops off; they will be installed on a level area. The proposed dwelling is located in the approved building envelope.
- 6) The applicants requested a waiver of the required sprinkler system due to the small size of the proposed house. Jeff Campbell, Warren Volunteer Fire Chief, provided a letter stating that the fire suppression infrastructure required could be removed for this dwelling, with conditions outlined for any change in the size or ownership of the structure.
- 7) The Board found that the Standards included in Table 2.1, items E and F, are satisfied by the materials presented in the application, and that item D is not applicable due to the lot's being part of a previously approved PUD.

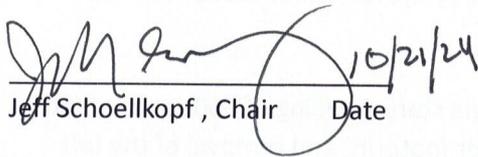
- 8) The Board found that the Conditional Use standards of Section 5.3(A) of the Regulations are satisfied by the plans for the house presented in the application.

Notice of Decision:

The Development Review Board, having reviewed the applicable standards in the Warren Land Use and Development Regulations as adopted by the Warren Select Board on March 25, 2008 and last amended November 11, 2012, hereby approves Conditional Use of a single-family residence in the Forest Reserve District upon the findings and conclusions of the Decision previously issued for Application #2021-17-CU and those additional conditions imposed upon the most recent hearings.

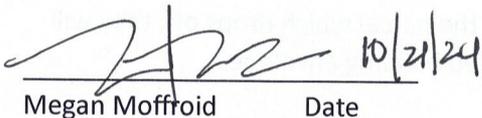
- 1. The project shall be completed, operated, and maintained in accordance with the conditions of this permit and the permit application, plans, and exhibits on file with the Board and other material representations.
- 2. Work shall not commence until any and all required VT State permits have been obtained.
- 3. The applicant is subject to the conditions as stated in the letter dated October 7, 2024 issued by the Warren Volunteer Fire Chief and attached to this decision.
- 4. The applicant is required to install either non-reflective glass or permanent screening for all windows on the western side of the principal dwelling and required the use of muted earth tone colors for the roof and exterior siding of the structures.
- 5. Any stumps from trees cut in any area greater than 25% slope are to be left in the ground.
- 6. There will be no restriction on tree cutting within any of the areas depicted on the site plan that are a) less than 25% in slope; b) within 25 feet of any permitted building structure footprint; or c) where tree removal is necessary to install the driveway or septic system. Within 50 feet of permitted structures, trees may be removed if it has been documented by a certified forester that the tree is dead, diseased, or dying; all stumps and root systems of such trees must be left in place.

Development Review Board



Jeff Schoellkopf, Chair Date 10/21/24

Chris Behn Date



Megan Moffroid Date 10/21/24



Maria Burfoot Date 10/23/24

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].