

7-1 Documents received for record on 20 25 at 12:45 PM
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Town Clerk
VPLTR #

Application #2025-02-CU submitted by Richard & Elizabeth Swartz request a Conditional Use approval for setback relief from a property line and setback relief from a stream to allow for a 2-car garage. The property is located at 410 Stony Hill Road, parcel id# 016005-510 in the Rural Residential District [RR].

A duly warned hearing was held on Monday April 21, 2025 and attended by DRB members Maria Burfoot, Chris Behn, Megan Moffroid, Chris Noone and Jon Rickard. Others in attendance were Ruth Robbins (ZA), Carol Chamberlin (Recording Secretary) and unfortunately, the Swartz were a "no-show". The DRB forwarded the application to Monday May 19, 2025 which was attended by Jeff Schoellkopf, Maria Burfoot and Jon Richard. Others in attendance were Richard and Elizabeth Swartz and Ruth Robbins (ZA). The application was continued to Monday June 2, 2025 and attended by DRB members Chris Behn, Maria Burfoot, Megan Moffroid, Jon Rickard. A site visit was conducted by Jeff Schoellkopf, Maria Burfoot, Jon Rickard and Ruth Robbins on May 27, 2025.

Findings of Fact and Conclusions of Law:

- 1) The applicant submitted a complete application, Conditional Use worksheet, drawings of the proposed structure, site plan, notice to abutters and proof of mailing.
- 2) A site visit by DRB members found that the topography and natural features between the house site and stream indicate that there is likely to be no impact to the stream due to runoff from the house and related impervious surface.
- 3) The Board found that though there is a pin indicating the property line there is no survey available which indicates the exact boundary line. The homeowners have a potential for some risk if a future survey shows that they had actually encroached further on the property line setback than was approved. Though they did not ask for the full distance allowed for a waiver, it was suggested they request the maximum amount of 7.5 feet.
- 4) The Board found that the standards of Section 3.6 Height & Setback Requirements, (C) 1-2 have been satisfied by the application.
- 5) The Board found that the requirements of Section 3.13 Surface Water Protection (A) is not applicable and Section 3.13 (B) 1-3 is satisfied by the revised plans which have been submitted.
- 6) The Board found that the General Standards outlined in Section 5.3 (A) 1-5 have been satisfied by the application materials submitted or are not applicable.
- 7) The Board found that Conditional Use Standards outlined in Section 5.3 (B) 1-6 are either satisfied by the application materials submitted or are not applicable.
- 8) The Board found the Standards outlined in Section 5.3 (B) 7 related to the protection of natural resources have been satisfied based upon what was observed at the May 27 site visit.

Town of Warren
Development Review Board
Findings of Fact and Notice of Decision
Conditional Use Review – Setback Waiver
#2025-02-CU Swartz

- 9) The Board found that the Standards outlined in Section 5.3 (B) 8-9 have been satisfied.
- 10) The Board found that the Standards outlined in Section 5.3 B 10-11 are not applicable.

Notice of Decision:

The Development Review Board, having found that the application has satisfied the requirements under Sec. 3.6 Height & Setback Requirements, Sec. 3.13 Surface Water Protection and the standards under Article 5 Conditional Use Review, approves the applicant’s request to construct a 2-car garage attached to their current home as per the plans and specifications submitted to the Board in the application.

Development Review Board

Megan Moffroid Date

Maria Burfoot 6/30/25

Maria Burfoot Date

Jon Rickard 6/30/25

Jon Rickard Date

Chris Behn 6/30/25

Chris Behn 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].