

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

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Application # **2005-04-CU** submitted by Robin Ashley and Martin Gubernick, for a Conditional Use request for an Accessory Dwelling located on the second floor of a garage currently under construction. The property is located at 2505 Fuller Hill Road, **parcel ID # 023005-400** in the Rural Residential District. This application requires review under *Article 4. Specific Use Standards, § 4.1 Accessory Dwelling* and *Article 5. Development Review, § 5.3 Conditional Use Review Standards*.

A duly warned hearing was held on Wednesday July 20, 2005 at which Mark Bannon of Bannon Engineering represented the applicants. Members present were: Peter Monte, David Markolf, Eric Brattstrom, Virginia Roth and Lenord Robinson. Others present were: Mark Bannon, John Donaldson, Jim Trihy, Brian Shea, Don Swain, Dotty Kyle, Kenneth Friedman, Kathleen Friedman, Lenore Budd, Margo Wade, Miron Malboeuf and Ruth Robbins.

**Findings of Fact and Conclusions of Law:**

1. The applicant submitted a completed application, Conditional Use Worksheet, site map, abutter notification letter and proof of mailing.
2. The proposed Accessory Dwelling will be a one-bedroom apartment located on the second floor above a garage that is currently under construction.
3. The Accessory Dwelling will be 595 square feet in size. The Main dwelling that it is an accessory to is 4,756 square feet in size.
4. The wastewater system was designed with the anticipation of a potential accessory dwelling. The Main dwelling has four bedrooms and the Health Permit is for a six-bedroom system.
5. There is adequate parking for an accessory dwelling.
6. The applicant was informed to investigate what if any State permits might be required for an accessory dwelling and its use.
7. This dwelling is an accessory structure to a 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 multi-family dwelling if it meets all current local and state regulations applying to such dwellings, including all density, dimensional and other requirements for the district in which it is located. A separate zoning permit shall be required prior to sale and/or conversion.

**Notice of Decision:**

Based on the forgoing Findings of Fact and Conclusions of Law, application # **2005-04-CU** submitted by Robin Ashley and Martin Gubernick, for a Conditional Use request for an Accessory Dwelling located on the second floor of a garage currently under construction is hereby approved.

TOWN OF WARREN, VT

Received for Record Aug 5 2005

at 11:00 o'clock A M and Received in

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Elaine E. Fuller  
 Assistant TOWN CLERK

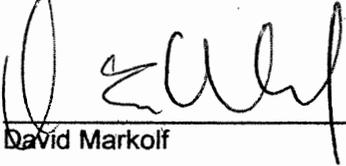
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Approval shall become effective once this decision has been signed by at least three members of the Warren Development Review Board who participated in the final decision. Beginning the effective date of this decision, there is a 30-day period during which parties may appeal the decision to the Environmental Court.

**Development Review Board**

\_\_\_\_\_  
Peter Monte date

 8/3/05  
\_\_\_\_\_  
David Markolf date

 8/3/05  
\_\_\_\_\_  
Lenord Robinson date

 3 Aug 05  
\_\_\_\_\_  
Eric Brattstrom date

\_\_\_\_\_  
Virginia Roth date