

**TOWN OF WARREN  
DEVELOPMENT REVIEW BOARD  
FINDINGS OF FACT & NOTICE OF DECISION  
CONDITIONAL USE REVIEW  
#2007-14-CU - DIGIULIO**

---

000271

Robert and Marie DiGiulio have submitted an application for a conditional use permit for two purposes: one, to obtain a permit for a deck that was built at the time the house was built but was not included in the original permit, and two, for permission to add a mudroom and garage. The property located at 438 Woods Road South, Parcel id #009005-500, is also part of the Meadowland Overlay District and requires review under Article 2, Zoning Districts & District Standards, Table 2.2, Rural Residential District and Table 2.13 Meadowland Overlay District, and Article 5, Development Review of the Warren Land Use and Development Regulations.

A duly warned hearing was held on Wednesday November 7, 2007 and attended by the following Board members: David Markolf, Lenord Robinson, Peter Monte, Virginia Roth, Bob Kaufmann and Chris Behn [arr. 7:46]. Others also in attendance were: David Olenick, Shelia Getzinger, Mac Rood, Rebecca Winter, Andrew Winter, Kara Herlihy, Miron Malboeuf and Ruth Robbins.

Findings of Fact and Conclusions of Law:

- 1) The applicant submitted a completed application, narrative, site plan, list of abutters and proof of mailing.
- 2) Submitted during the hearing was an invoice from Beaver Meadow Construction dated 5/24/93.
- 3) The property is located in the VIP subdivision which was laid out prior to Act 250 and prior to the creation of the Meadowland Overlay District.
- 4) The Zoning Administrator stated that the subdivision lots were created before the Meadowland Overlay District was enacted. He also stated that there were several homes with similar situations that had been permitted since 1992 and with the Meadowland Overlay not being clear it would have been easy to permit a structure and not be fully aware of the Meadowland's boundaries.
- 5) A Board member stated that the purpose of the meadowland overlay [preservation of agricultural soils and scenic quality] would not be better served by forcing this development [addition of garage] into the back corner of the parcel versus leaving it by the house which causes only minimal disruption.
- 6) This application falls under the classification of Table 2.13 Meadowland Overlay District, (E) Supplemental Development Standards item (1) (a).

Notice of Decision:

Under the standards of Article 5 Development Review Section 5.3 Conditional Use Review Standards, (C ) District Standards (3) Meadowland Overlay District and having found the application satisfies Table 2.13 Meadowland Overlay District, (E) Supplemental Development Standards item (1) (a), the Board approves the application for an expanded building envelope to accommodate a mudroom and garage, and, approves the deck as it currently exists, subject to the following conditions:

- 1- The expanded building envelope will be located as an extension of the lines of the existing structure; 32 feet along the adjoining edge of the structure and extended west by 38 feet.
- 2- The building envelope can be utilized to construct a garage and mudroom, the exterior to be compatible with the existing house including the siding, exterior color, roof pitch and color.

TOWN OF WARREN  
DEVELOPMENT REVIEW BOARD  
FINDINGS OF FACT & NOTICE OF DECISION -#2007-14-CU - DIGIULIO

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 dated 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 12/5/07  
Peter Monte date

David Markolf 12/5/07  
David Markolf date

Lenord Robinson 12/5/07  
Lenord Robinson date

Virginia Roth 12/5/07  
Virginia Roth date

\_\_\_\_\_  
Bob Kaufmann date

TOWN OF WARREN, VT  
Received for Record 12/6 2007  
at 9 o'clock A M and Received in  
Vol 193 Page 271-272  
R. Brown  
TOWN CLERK