

TOWN OF WARREN
DEVELOPMENT REVIEW BOARD
FINDINGS OF FACT AND NOTICE OF DECISION
CONDITIONAL USE REVIEW
#2010-02-CU BEAUDIN

The applicants, Scott *Beaudin* and Robert & Carol *Ackland* request conditional use approval to construct a driveway over steep slopes to a residential house site on a 8.9 ± acre parcel adjacent (south) to 56 Retriever Run. The road access to the property is off of West Hill Rd and this property is located in the Rural Residential District (Parcel ID#016005101).

A duly warned hearing was held on Monday March 1, 2010 and attendee by the following members: Peter Monte, Chris Behn, Lenord Robinson and Virginia Roth. Others also in attendance were: Shelia Getzinger, John Grenier, Bob Ackland, Sharon Kellerman, Miron Malboeuf and Ruth Robbins.

Though a decision was rendered by the Board on March 1st, the applicant later requested that the hearing be re-opened due to a revision in the road cut location. The Board reviewed and approved the new location at a hearing on Monday April 5, 2010. Members in attendance were: Peter Monte, Virginia Roth and Lenord Robinson. Others in attendance were: Bob Ackland, Scott Beaudin, Sharon Kellerman, Miron Malboeuf and Ruth Robbins.

Findings of Fact and Conclusions of Law:

1. The applicant submitted a complete application, notice to abutters with proof of mailing, and a site plan prepared by Charles Grenier Consulting Engineer with a date of 2/22/10.
2. Grenier Consulting Engineer submitted a revised plan dated 3/31/10.
3. The Warren Fire Dept. submitted a letter dated March 1, 2010.
4. Mr. Ackland clarified for the Board that this was a previously approved lot from a previous subdivision that is adjacent to the lot where his home is at 56 Retriever Run Road.
5. This lot (which is not 56 Retriever Run Road) is accessed from West Hill Road and the landowner Mr. Ackland is giving an easement over his parcel in order to provide for the best possible access due to the amount of steep slopes on the subject parcel.
6. The 50 foot right-of-way granted by Mr. Ackland would lead up to the building site over two low drainage areas from a curb cut that has been approved by the Warren DPW Mr. Simpson and Warren Select Board. The revised curb cut presented at the April 5th hearing is north of the previous location by approximately eighty feet and is pending an updated approval by the Warren Select Board.
7. The engineer, Mr. Grenier stated that there were good sight distances in both directions, no more than an 8 to 10 foot grade, a pull off as requested by the Fire Dept., and the road (drive) is fourteen feet wide. He also noted that the majority if not all of the cut and fill will be used from the site. This is the case for both the original road cut location and the revised location.
8. An erosion control plan was submitted that included a pre-construction conference so that the any questions/concerns can be addressed as well as the normal erosion control requirements.

Notice of Decision:

With the requirements of Sec. 3.4 Erosion Control & Development on Steep Slopes (B) (1), (C), and (D) having been satisfied by the applicant and that the standards of Sec. 5.3 Conditional Use

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Review Standards (A) (1) through (5) having been either satisfied or found not applicable, the Development Review Board grants Conditional Use approval with the following conditions:

- > The project is completed as per the plans submitted.
- > That upon completion of construction and prior to occupancy, a registered/licensed engineer certifies to the Zoning Administrator that the driveway construction and erosion control measures have been executed as per the plans submitted to and approved by the DRB.

DEVELOPMENT REVIEW BOARD

Peter Monte 4/5/10
 Peter Monte date

Virginia Roth 4/5/10
 Virginia Roth date

Chris Behn
 Chris Behn date

Lenord Robinson 4/5/10
 Lenord Robinson date

TOWN OF WARREN, VT

Received for Record 4/6 20 10
at 1 o'clock P M and Received in

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Paul Goss
TOWN CLERK