

TOWN OF WARREN  
DEVELOPMENT REVIEW BOARD  
FINDINGS OF ACT AND NOTICE OF DECISION  
VARIANCE REVIEW

#2011-04-VR DRUMLEYS ASSOC./COMMON MAN [Penmont LLP]

The applicants, **Drumleys Association & Penmont LLP (d/b/a Common Man)**, request variance approval to locate two 5000 gallon water reservoir tanks within the setback, of their common boundary, a distance of 10.6 Feet. The placement of the tanks is an integral part of an entire system upgrade, including improvements to the existing control building (interior and roof maintenance); changes to the chlorine delivery system; plumbing and tank modifications to increase chemical contact time and reduce "short-circuiting" of flows within the tank; and the addition of raw water flow meters for each well serving the system. This variance request comes about as a result of a water system upgrade required by Vermont DEC-Water Supply Division (WSD project # C-2472-09.0, PIN: BR97-0590. Variance request for relief from side yard setbacks to install water storage tanks in connection with a water system upgrade required by Vermont DEC-Water Supply Division (WSD project # C-2472-09.0, PIN: BR97-0590.

A duly warned hearing was held on Monday March 21, 2011 and attended by Board members Peter Monte, Lenord Robinson, Jeff Schoellkopf and Don Swain. Also in attendance were: John Pitrowski, Pete Reynells, Alex Peff, Miron Malboeuf and Ruth Robbins.

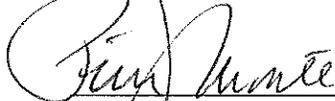
**Findings of Fact and Conclusions of Law:**

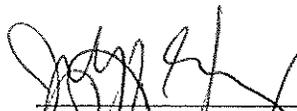
1. The applicant submitted a complete application, a two page site plan prepared by Trudell consulting Engineers dated 2/23/11, and notice to abutters with proof of mailing.
2. All other possibilities for locating the new water storage tanks were considered but the proposed was deemed the most logical especially since it would not create any disruption in service.
3. The Board found that the applicant met the standard for a variance under Sec 9.6 (A) for each of the five criteria: (1) Physical characteristics, conditions of the property; (2) no possibility to place replacement water tanks in conformity with the regulations thus a variance is required for reasonable use of the property; (3) these circumstances were not created by applicant as the water system is 40+ years old; (4) there will be no adverse effect on the character of the neighborhood as the tanks will be underground and (5) the proposed plan is the minimum deviation from the requirement under the zoning regulations.

**Notice of Decision:**

The Development Review Board, by unanimous consent, hereby grants the applicant's request for a variance for setback relief having found that the applicant has satisfied the criteria for a variance under Sec. 9.6 (A) items (1) through (5) with the condition that the project be constructed in accordance with the plans as submitted to the Board.

**DEVELOPMENT REVIEW BOARD**

  
Peter Monte                      date 4-4-2011

  
Jeff Schoellkopf                      date 4/4/11

  
Lenord Robinson                      date 4/4/2011

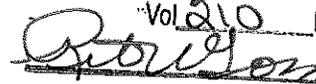
  
Don Swain                      date 4/4/11

TOWN OF WARREN, VT

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