

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

2013-30-CU/ZP Ellen R Garaffo Trustee for the Lisa & Paul Garaffo Trust

The applicant, Ellen R Garaffo Trustee for the Lisa & Paul Garaffo Trust, requests Conditional Use approval for construct of an addition & deck, on the west facing side; and set-back relief for a shed on the trust property at 179 Sunset Drive. The property, 10.5± acres, is identified as Warren Parcel Id. # 001011-800 and is located in the Forest Reserve District (FR).

A duly warned hearing was held on July 1, 2013 and attended by the following DRB members: Lenord Robinson, Don Swain, Tom Boyle and Virginia Roth. Others in attendance were: Richard Rivers, Miron Malboeuf and Ruth Robbins.

Findings of Fact and Conclusions of Law:

- 1) The applicant submitted a complete application, site plan, notice to abutters and proof of mailing.
- 2) The Board found that the subdivision this parcel is part of and the existing house were both done prior to the establishment of the Forest Reserve District, thus classified as "pre-existing non-conforming".
- 3) The applicant is requesting the building of an addition and deck to the west side of the dwelling and the building of a storage shed attached to the east side of the existing garage.
- 4) The existing house and proposed construction both lie below the elevation of the road diminishing its visibility.
- 5) The Board found under Table 2.1 Forest Reserve, Section (F) Supplemental Development Standards item #5 Setbacks, that the DRB is allowed to waive the minimum setback requirement if the proposed structure still complies with the standards of item #3 also under Sec. (F). The Board found this to comply and waived the minimum setback requirement.
- 6) The Board found that the addition, deck and attached shed to the garage all satisfy the standards under Table 2.1 (F) item (3) (a) through (d).
- 7) The Board found under Conditional Use Review that Sec. 5.3 Conditional Use Review (A) General Standards items (1) through (5) have been found to be satisfied for all aspects [the addition, the deck and the shed].
- 8) The Board reviewed the Forest Reserve District [FR] exterior building requirements as to whether they were satisfied or needed to be conditions of the approval. They found in particular that the only item of possible concern was possible glare form the west, southwest facing windows of the new addition. They concluded that with the existing elevation, significant overhang of the dwelling and natural screening by vegetation that the requirement for non-glare measures was not necessary.
- 9) The Board found under Conditional Use Review that Sec. 5.3 Conditional Use Review (B) Specific Standards items (1) through (11) have been satisfied for all aspects [the addition, the deck and the shed].

