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TOWN OF WARREN
DEVELOPMENT REVIEW BOARD
MINUTES OF MEETING
MONDAY JULY 19, 2010

Members Present: Lenord Robinson, Peter Monte, Chris Behn, Virginia Roth and Bob Kaufmann.

Others Present: Carl Johnson, Mark Bannon, Gunner McCain, Don Swain, Miron Malboeuf and Ruth Robbins.

Agenda: Call meeting to order, 7:00 pm.

- 1) **2010-08-CU**, Construction of Single family Dwelling and Garage with an Accessory dwelling on slopes exceeding 15%: The applicants, **Michael J & Elise B Black**, request permission to construct a residence, garage, & accessory dwelling on a preexisting non-conforming lot. This project is located at 63 West Drive in the Sugarbush Village Residential District (Parcel Id# (210021-00). This application requires review under Article 2, Table 2.4 Article 3, § 3.4 (Erosion Control & Development on Steep Slopes), Article 4, §4. §4.1 (Accessory Dwellings) and Article 5 of the Warren Land Use and Development Regulations.
- 2) **2010-16-SD**, Amendment to an Approved Subdivision, 2002-12-SD, Six Lot Major Subdivision, approved April 9th, 2003: the applicant, the **Shirley M Ritchie Trust**, request permission to amend the existing approved plat to conform to the State of Vermont storm water regulations. The subdivision, parcel id. 0090047, is located off of Airport Road in the Rural residential District. This application requires review under Article 2, Table 2.2, Rural Residential Zone, Article 6, §6.7, (Revisions to and Approved Plat), §6.7 and Article 7, Subdivision Standards, of the Warren Land Use and Development Regulations.
- 3) **2009-02-SD**, Minor Subdivision, 4 lots, Final Mylar Review - 323 Carleton Rd. The applicant, **Denise D Durling**, request a Final Plat/Plan Review hearing for a 4 lot subdivision of 65.5 ± Acres located off West Hill Rd at 323 Carleton Rd in the Rural Residential District.(Continued from June 21st, 2010)
- 4) Other Business:
 - a) Sign Minutes from Development Review Board meeting of June 7th & 21st, 2010.
 - b) Decisions: Mad River Path Foot Bridge & Davis Conditional Use
 - c) G Robinson Mylar

Mr. Monte called the meeting to order at 7:06 pm.

- 1- **2010-08-CU**, Construction of Single family Dwelling and Garage with an Accessory dwelling on slopes exceeding 15%: The applicants, **Michael J & Elise B Black**, request permission to construct a residence, garage, & accessory dwelling on a preexisting non-conforming lot. This project is located at 63 West Drive in the Sugarbush Village Residential District (Parcel Id# (210021-00).

Mark Bannon, representing the applicants, presented the information to the DRB. He explained that it was an existing lot near the top of Sugarbush Village where an old house once was there but burnt down sometime in the mid 1980's. The old driveway is still visible as well as an old LP tank. The entire lot averages about a 21% grade with the steep slopes being primarily man-made. Mr. Bannon noted that the ordinance does allow for the disturbance of man-made 25% grade slopes. The proposed plan is to come in with a new driveway, build a garage with an apartment included, then a single family residence located above, up the slope, from the garage. He also noted that the upper driveway will remain as access to the main house; the new driveway will access the garage and apartment. Mr.

Monte asked if the applicant was committed to building both structures, and Mr. Bannon said yes. Mr. Malboeuf also informed the Board that Sugarbush will be issuing the additional curb cut since the street is under their jurisdiction. Mr. Bannon also pointed out to the Board the erosion control measures that were detailed on the site plan.

MOTION by Mr. Monte that the Board finds that the site is subject to the standard under Sec. 3.4 (B) (1), not Sec. 3.4 (B) (2) as those slopes of 25% grade or more are not "natural" gradients but man-made. **SECOND** by Mr. Behn. **VOTE:** all in favor, the motion passed.

There was a consensus that Sec. 3.4 © was not applicable. Mr. Bannon confirmed that there were no roadway sections of 50 feet or more that had a grade of 12% or greater. Topsoil removed should be stockpiled and stabilized but Mr. Bannon said there was little if any true top soil at this site.

MOTION by Mr. Robinson that the Board finds the requirements under Sec. 3.4 (D) are satisfied by the applicant. **SECOND** by Mr. Behn. **VOTE:** all in favor, the motion passed.

MOTION by Mr. Monte that the Board imposes a condition that the construction of both structures (garage & single family dwelling) be commenced and completed within the life of the permit including one (1) two year renewal. **SECOND** by Mr. Behn. **VOTE:** all in favor, the motion passed.

MOTION by Mr. Monte that Sec. 4.1 (A) (1) (a) is found to be satisfied by the applicant. **SECOND** by Mr. Robinson. **VOTE:** all in favor, the motion passed.

MOTION by Mr. Monte that the Board imposes a condition that a licensed professional engineer certifies to the zoning administrator before occupancy of either structure that all the required erosion control measures have been adhered to. **SECOND** by Mr. Robinson. **VOTE:** all in favor the motion passed.

MOTION by Mr. Behn that the standards of Sec. 5.3 (A) (1) through (5) are satisfied. **SECOND** by Mr. Kaufmann. **VOTE:** all in favor, the motion passed.

MOTION by Mr. Monte that the Board approves the application subject to the conditions already voted on and that the project will be built as per the plans submitted. **SECOND** by Mr. Behn. **VOTE:** all in favor, the motion passed.

- 2- **2009-02-SD**, Minor Subdivision, 4 lots, Final Mylar Review - 323 Carleton Rd. The applicant, **Denise D Durling**, request a Final Plat/Plan Review hearing for a 4 lot subdivision of 65.5 ± Acres located off West Hill Rd at 323 Carleton Rd in the Rural Residential District.(Continued from June 21st, 2010)

After review of the corrected plat and revised covenants by the members the following motion was offered.

MOTION by Mr. Robinson that the Board approves the final plat and covenants for the Durling subdivision. **SECOND** by Mr. Kaufmann. **VOTE:** all in favor, the motion passed.

- 3- **2010-16-SD**, Amendment to an Approved Subdivision, 2002-12-SD, Six Lot Major Subdivision, approved April 9th, 2003: the applicant, the **Shirley M Ritchie Trust**, request permission to amend the existing approved plat to conform to the Sate of Vermont storm water regulations. The subdivision, parcel Id. 0090047, is located off of Airport Road in the Rural residential District.

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