

TOWN OF WARREN  
DEVELOPMENT REVIEW BOARD  
MINUTES OF MEETING  
MONDAY FEBRUARY 7, 2011

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000337

Members Present: Peter Monte, Jeff Schoellkopf, Virginia Roth, Don Swain and Lenord Robinson.

Others Present: Ray LaRochelle, Mark Bannon, Brian Shea, Miron Malboeuf and Ruth Robbins.

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

- 1) Application **2011-02-CU**, Revision to 2008-11-CU, and realignment of an approved building site: The Warren Zoning Administrator has referred application 2010-02-ZP, which proposes the renovation and addition to the existing single family residence at 914 Senor Rd. Due to the alignment of the proposed addition the applicants, Terrence & Hillary **O'Bryan** request an adjustment to the previously approved development envelope in the Meadowland Overlay area on the property; the existing development envelope was approved by the Warren Development Review Board on December 3rd, 2008, 2008-11-CU. This application 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, § 5.3(Conditional Use Review Standards) of the Warren Land Use and Development Regulations.
- 2) Application **2010-07-SD**, Final Plat Approval: The staff and applicants request clarification of the proposed plat and the site plan approved by the Development Review Board on August 16th, 2010. This application requires review under Article 2, Table 2.2, Article 6, §6.4(Final Plan Approval); and Article 7 (Subdivision Standards) of the Warren Land Use and Development Regulations.
- 3) Other Business:  
Sign Minutes, decisions.

Mr. Monte called the meeting to order at 7:04 pm.

- 1- Application **2011-02-CU**, Revision to 2008-11-CU, and realignment of an approved building site: The Warren Zoning Administrator has referred application 2010-02-ZP, which proposes the renovation and addition to the existing single family residence at 914 Senor Rd. Due to the alignment of the proposed addition the applicants, Terrence & Hillary **O'Bryan** request an adjustment to the previously approved development envelope in the Meadowland Overlay area on the property; the existing development envelope was approved by the Warren Development Review Board on December 3rd, 2008, 2008-11-CU.

In the previous application, #2008-11-CU, the area exempted from the meadowland overlay district for purposes of development was reconfigured mainly for the purpose of taking advantage of a southerly exposure for solar energy gain and because it just wasn't practical to build within that current configuration. The parcel has changed ownership and the new owners want to keep the siting of the original house which is more linear to the road. Both barns will also be left as they are. The proposed development area has also been squared off versus an elliptical shape.

Mr. Monte asked if the new area was the same amount of land as the old development area was and was told that it was slightly larger. Mr. Monte noted that one of the allowed uses in the Meadowland Overlay District was agriculture and that if they excluded the barn from the developable area then they could maintain the original exclusionary size and not increase it. Mr. Bannon told the Board that the difference was just about one tenth of an acre.

Mr. Schoellkopf stated that he was not in favor of this change as the previous configuration had less impact on the view, agricultural soils and took advantage of an alternative energy source, the sun. This proposal does not do that. Mr. Monte added that the thought the issue of view and potential solar gain were valid but questioned the agricultural soil item as being valid. Mrs. Roth said she thought keeping the linear siting was in keeping with how most farmhouses were placed and then added on to over time. Mr. Swain agreed with Mrs. Roth pointing out that by keeping the house up by the road the meadowland out behind the house was left undisturbed.

In considering the criteria, the Board clarified that they would be considering this change from the original excluded area, not the revised area in the permit of 2008 as that permit was never acted upon. However, it was noted that some of the conditions from the 2008 approval would be considered with this approval.

**MOTION** by Mr. Monte that the southwest boundary of the green bordered non-meadowland area be moved to the northeast a distance sufficient to make the total revised green bordered non-meadowland area equal in size to the original area that was excluded from the meadowland district thus satisfying the requirements of Table 2.13 (E) (1) (a). Additionally, a condition is imposed on the remaining area that no development is allowed except under the same standards and requirements found under Table 2.13 for development in the Meadowland Overlay District. **SECOND** by Mr. Swain. **VOTE:** four members in favor, one opposed, the motion passed with a majority of the members voting in the affirmative.

**MOTION** by Mr. Monte that the applicant is required to submit to the DRB for their approval a revised site plan map with the meets and bounds indicated in a recordable mylar form. **SECOND** by Mr. Robinson. **DISCUSSION:** The members discussed that since there is no real definition of "exclusion area" that the area which is excluded from the meadowland on the original Meadowland Overlay map will be called the development area within which there will be a building envelope. **VOTE:** all in favor, the motion passed.

**MOTION** by Mr. Schoellkopf that the following findings from the approval granted in 2008 be adopted into this approval: finding # 3, 5, 6, 7[with the name of the new land owner], 11 and 12. **SECOND** by Mr. Monte. **VOTE:** all in favor, the motion passed.

The members discussed the proposed pond and determined that since a pond was considered an agricultural use that there was no problem with a pond being installed in the meadowland.

**MOTION** by Mrs. Roth that the standards of Sec. 5.3 (A) items (1), (3) and (4) have been satisfied. **SECOND** by Mr. Monte. **VOTE:** all in favor, the motion passed.

**MOTION** by Mr. Monte that the standards of Sec. 5.3 (A) items (2), and (5) have been satisfied. **SECOND** by Mr. Robinson. **VOTE:** four members in favor, one opposed, the motion carried with a majority in the affirmative.

**MOTION** by Mr. Monte that the Board approves the application subject to the conditions already voted on. **SECOND** by Mr. Robinson. **VOTE:** four members in favor, one opposed, the motion passed with a majority of the members voting in the affirmative.

- 2- Application 2010-07-SD, Final Plat Approval: The staff and applicants request clarification of the proposed plat and the site plan approved by the Development Review Board on August 16th, 2010. This application requires review under Article 2, Table 2.2, Article 6, §6.4(Final Plan Approval); and Article 7 (Subdivision Standards) of the Warren Land Use and Development Regulations.

The members reviewed the revised final plat for the Hidden Brook Subdivision which had recently been amended to reflect an as built road and modified building envelope for Lot #1.

**MOTION** by Mr. Monte that the Board having reviewed the Final Plat approve the modified building envelope as displayed on the Survey Plat dated November 16, 2010 by Short Surveyors. **SECOND** by Mr. Schoellkopf. **VOTE:** all in favor, the motion passed.

The meeting adjourned at 9:12 pm.

Respectfully submitted,

Ruth V. Robbins  
DRB/PC Assistant

**DEVELOPMENT REVIEW BOARD**

*Peter Monte* 3-7-11  
Peter Monte date

*Lenord Robinson* 2/8/11  
Lenord Robinson date

*Don Swain* 3/7/11  
Don Swain date

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Jeff Schoellkopf date

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Virginia Roth date

TOWN OF WARREN, VT  
Received for Record 3/8 2011  
at 4 o'clock P M and Received In  
Vol 210 Page 337-339  
*Ruth Robbins*  
TOWN CLERK