

TOWN OF WARREN
DEVELOPMENT REVIEW BOARD
MINUTES OF MEETING
MONDAY AUGUST 5, 2013

Members Present: Lenord Robinson, Peter Monte, Tom Boyle and Don Swain.
Others Present: Peter MacLaren, Craig Klofach, Miron Malboeuf and Ruth Robbins.
Agenda: Call meeting to order, 7:00 pm.

1. Application **2013-40-CU/ZP**, Conditional Use Review for revisions to an approved site plan. **The West Hill House** has requested a revision to previous Development Review Board Findings of Fact and Conditions of permit numbers 2006-05-CU and 2010-10-CU. The applicants request the addition 18 parking spaces. This application requires review under Article 3, Table 3.1 (Minimum off Street parking Requirements), and Article 5(Development Review), §5.3(Conditional Use Review Standards) of the Warren Land Use and Development Regulations s adopted by the Warren Select Board on March 25, 2008 and last amended November 11, 2012. This project is located at 1496 West Hill Rd in the Rural Residential District (Parcel Id# (016003-500).
2. Application **2013-02-ZP/CU** (continued from June 3rd, 2013), Conditional Use Review, for the construction of an Accessory Structure (Deck) in the Flood Hazard Overlay District (FHO). The Zoning Administrator has referred the application of **Gary & Debora Johannesen** for the re-construction of a deck and adjacent retaining wall on their property located at 59 Main Street, parcel id #004000-200. The property is located in the Warren Village Historic Residential and Flood Hazard Overlay Districts. This application requires review under Article 2, table 2.2 & 2.14 (3); and Article 5, § 5.3 of the Warren Land Use and Development Regulations as adopted by the Warren Select Board on March 25, 2008 and last amended November 11, 2012. The property is located at 59 Main Street, parcel id #004000-200. (Continued from May 4th, 2013)
3. Other Business:

Mr. Monte called the meeting to order at 7:02 pm.

- 1) Application **2013-40-CU/ZP**, Conditional Use Review for revisions to an approved site plan. **The West Hill House** has requested a revision to previous Development Review Board Findings of Fact and Conditions of permit numbers 2006-05-CU and 2010-10-CU. The applicants request the addition 18 parking spaces. This project is located at 1496 West Hill Rd in the Rural Residential District (Parcel Id# (016003-500).

Mr. Monte began the hearing by reading the warning. Mr. MacLaren, the owner of the West Hill House explained to the Board the reasons behind his request for the creation of additional parking spaces. He said that parking in the field behind the barn had its challenges even with valet parking. There are times when he might be hosting a Chamber of Commerce or some other non-profit organization meeting and not know how many attendees will show up. Mr. MacLaren continued to tell the members that there was space on the west side of the inn where he would like to put a graveled parking lot for 18 cars. It would have a one-way in and one way out for ease of traffic flow and he has obtained approval from the Select Board for a road cut.

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A letter to the DRB received July 17th from Mr. David Sellers expressed his concern about possible runoff from the parking area contaminating his spring which is fed from uphill sources. Mr. Sellers also has a pond [fed by the spring] that he is also concerned about. In a letter to the MacLarens dated July 19th Mr. Lazorchak of McCain Consulting, Inc., stated that the typical required minimum separation distance from a water supply and a parking lot was 25 feet. With West Hill Road located between the proposed parking and Mr. Sellers spring any runoff will end up in the West Hill Road ditch and travel south approximately 170 feet to a culvert that goes under West Hill Road. In regard to the pond, the proposed project is exempt from State stormwater regulations since the property will have less than 1 acre of impervious surfaces. Mr. Lazorchak also noted that with the road running between the properties the pond is probably already been subject to road runoff and the parking area will not add any significant amount to that.

Mr. MacLaren continued to tell the Board the reasons for his request such as the fact that the snow in the winter disallows the use of the field and noted that he was not requesting an increase in the number of events [he is only limited to 6 events per year for groups of 30 people or more, no limitations for groups under 30 people] but that the additional parking would help in booking smaller events or meetings. It is also his intention to install a 220 plug-in stand for electric cars – most likely one of the first in the valley – that will be available for use by guests of the inn. Mr. Monte asked how this parking lot might change the existing traffic patterns and Mr. MacLaren said that due to how they stage the drop off and pick up for valet parking there would be no real change.

To begin their review of the ordinance on this application, the Board started with Article 3, Sec. 3.10. They determined that the addition of the requested parking lot would not make the impact any greater, and that with less potentially less valet parking the impact could even be reduced. From Article 3 they moved on to Conditional Use Review under Article 5.

MOTION by Mr. Monte that the DRB finds that the proposed parking lot will be an improvement and allows for the through passage of vehicles and avoids the helter skelter movement of vehicles that is associated with valet parking. The Board also finds that the creation of the parking lot will not alter the pedestrian traffic associated with the inn. **SECOND** by Mr. Swain. **VOTE:** all in favor, the motion passed.

When asked about what could be expected with the creation of the parking lot as for loss of trees and vegetation, Mr. MacLaren told the Board that there would be four trees located at the back of the new lot away from the road that would be taken down and that the existing vegetation would be maintained. He had no plans for any new landscaping associated with this project.

MOTION by Mr. Monte that the existing vegetation including trees that are located along the road between the entrance and exit are to be maintained and that any diseased or dying trees that are removed must be replaced with a similar species of at least four inches in diameter at breast height. **SECOND** by Mr. Robinson. **VOTE:** all in favor, the motion passed.

On the topic of erosion it was noted that it shouldn't be an issue as the parking lot would be a gravel surface constructed with a 5% grade and there was no real change in drainage. Mr. Swain suggested that the applicant consider creating a swale up hill of the lot to keep water from coming down and possible icing up in the colder months.

MOTION by Mr. Swain that the applicant is required to follow the states recommended practices for low risk erosion control during the excavation for the creation of the parking lot. **SECOND** by Mr. Boyle. **VOTE:** all in favor, the motion passed.

MOTION by Mr. Monte that the Board finds that the requirements under Sec. 5.3 Conditional Use Standards (A) items (1) through (5) have been satisfied by the applicant. **SECOND** by Mr. Swain. **VOTE:** all in favor, the motion passed.

A discussion then took place regarding what any exterior lighting might be added. Mr. MacLaren said it would be the same as the existing parking lot which complies with the ordinance. It was also suggested that a timer and or motion detector be utilized so that a light doesn't get left on late into the night or all night.

MOTION by Mr. Swain that the applicant is not to install more than two downcast light fixtures located at the north and south ends of the parking lot and to be no higher than 8 to 10 feet. **SECOND** by Mr. Monte. **VOTE:** all in favor, the motion passed.

Mr. MacLaren then asked the Board for an amendment in his permit of 2006. In that permit he is required to utilize valet parking for any event over 30 attendees. ["Notice of Decision" item 6]. He said that though he is allowed to have up to 80 attendees in the barn and up to 125 attendees outside the barn, he has pretty much kept his events at 65 or less. After some discussion Mr. Monte made the following motion:

MOTION by Mr. Monte that Conditional Use approval, #2006-05-CU, under Notice of Decision item 6 be changed to read: "For each of the previously defined six events for which there are 65 or more attendees the applicant must provide valet parking for the guests vehicles. Transfer to the valet will occur at the existing parking area located on the West side of the road." **SECOND** by Mr. Robinson. **VOTE:** all in favor, the motion passed.

MOTION by Mr. Monte that the applicant is required to place an "IN" sign at the north entrance to the new lot and an "OUT" sign at the south exit of the new lot. **SECOND** by Mr. Robinson. **VOTE:** all in favor, the motion passed.

Mr. MacLaren also request that the requirement for "no parking on road" signs be eliminated from item 4 of the Conditional Use approval as with the added parking lot and then the required valet parking for larger events parking on the road should not occur.

MOTION by Mr. Swain that the applicant has the responsibility to make sure that no guests of the inn park on West Hill Road. **SECOND** by Mr. Monte. **VOTE:** all in favor, the motion passed.

MOTION by Mr. Monte that condition #4 of the 2007 Conditional Use permit is amended by eliminating item #1 and thus renumbering condition 4. **SECOND** by Mr. Robinson. **VOTE:** all in favor, the motion passed.

MOTION by Mr. Monte that the DRB approves the parking lot plan submitted as "option 2" as amended by findings as well as the amendment of the existing permit. **SECOND** by Mr. Boyle. **VOTE:** all in favor, the motion passed.

- 2) Application 2013-02-ZP/CU (continued from June 3rd, 2013), Conditional Use Review, for the construction of an Accessory Structure (Deck) in the Flood Hazard Overlay District (FHO). The Zoning Administrator has referred the application of Gary & Debora Johannesen for the re-construction of a deck and adjacent retaining wall on their property located at 59 Main Street, parcel id #004000-200. The property is located in the Warren Village Historic Residential and Flood Hazard Overlay Districts. This application requires review under Article 2, table 2.2 & 2.14 (3); and Article 5, § 5.3 of the Warren Land Use and Development Regulations as adopted by the Warren Select Board on March 25,

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2008 and last amended November 11, 2012. The property is located at 59 Main Street, parcel id #004000-200. (Continued from May 4th, 2013)

Mr. Malboeuf told the Board that he had received an email from engineer Peter Lazorchak saying that he did not yet have all the information necessary for the Board's consideration of this application and thus requested a continuance.

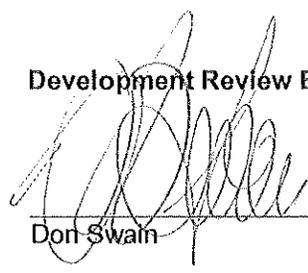
MOTION by Mr. Monte that the DRB continues the above referenced application until September 30th at 7:00pm. **SECOND** by Mr. Boyle. **VOTE:** all in favor, the motion passed.

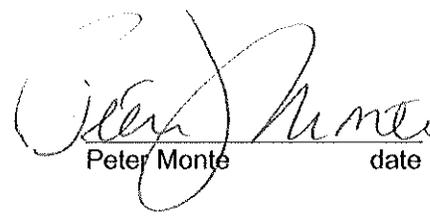
With there being no other business, Mr. Monte adjourned the meeting at 8:17 pm.

Respectfully submitted,

Ruth V. Robbins
DRB/PC Assistant

Development Review Board


Don Swain date 9/1/13


Peter Monte date 9/16/13


Lenord Robinson date 9/16/13

Tom Boyle date

TOWN OF WARREN, VT

Received for Record 9/17 2013
at 11:30 o'clock A M and Received in
Vol 224 Page 523-526


TOWN CLERK