

TOWN OF WARREN
DEVELOPMENT REVIEW BOARD
MINUTES OF MEETING
MONDAY NOVEMBER 4, 2013

Members Present: Lenord Robinson, Jeff Schoellkopf, Tom Boyle and Virginia Roth.

Others Present: David Sellers, Geordie Hall, Richard Avery, Miron Malboeuf and Ruth Robbins.

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

- 1) Application **2013-50-CU/ZP** Conditional Use Review for approval for Gallery/Artist Studio; The applicant, David **Sellers** has requested the use as per Article 2, Table 2.2 ,(C) Conditional Uses(14), Gallery/Artist Studio; to his Single Family Dwelling at 1635 West Hill Rd.. The property, 4.2 acres, is located in the Rural Residential District, parcel id # 016003-502. Continued from October 21st, 2013
- 2) Application **2013-68-CU/ZP** Conditional Use Review for conversion of a Single Family Dwelling to a Two-Family Dwelling the applicant, Richard J. **Avery** has requested the use as per Article 2, Table 2.2 ,(C) Duplex dwelling (12).; and to convert is Single Family Dwelling at 5208 VT RTE 100.. The property, 1. ± Acres is located in the Rural Residential District, parcel id # 100007-100.
- 3) Application **2013-69-CU/ZP** Conditional Use Review for Development on Slopes exceeding 15 %. The applicant, George E. **Hall Jr** Trustee of George E Hall Jr Nominee Trust # 1, requests Conditional Use approval to construct a drive pull-off at 544 Anne Burns Rd. The property, 6± acres is located in the Rural Residential Zoning District, parcel id. # 023002-800.

These applications require review the Warren Land Use and Development Regulations as adopted by the Warren Select Board on March 25, 2008 and last amended November 11, 2012.

- 4) Other Business:

The meeting was called to order at 7:05 pm. With both the DRB Chairman and Vice Chairman not in attendance a motion was made by Mrs. Roth to appoint Mr. Schoellkopf as temporary Chairman for the night's hearings. This was seconded by Mr. Boyle and the vote was unanimously in favor of Mr. Schoellkopf chairing the meeting.

- 1) Application **2013-50-CU/ZP** Conditional Use Review for approval for Gallery/Artist Studio; The applicant, David **Sellers** has requested the use as per Article 2, Table 2.2 ,(C) Conditional Uses(14), Gallery/Artist Studio; to his Single Family Dwelling at 1635 West Hill Rd.. The property, 4.2 acres, is located in the Rural Residential District, parcel id # 016003-502. Continued from October 21st, 2013

This hearing was continued from the DRB meeting on October 21st where it was suggested by Mr. Sellers and Mr. MacLaren that they get together and see if they could suggest to the DRB an agreement as to some of the particulars regarding Mr. Seller's use of his property at 1635 West Hill Road. What was most at issue were fireworks late at night and parking on West Hill Road. Mr. Sellers submitted to the DRB a parking plan and a copy of the emails between himself and Mr. MacLaren. Mr. Sellers went on to say that over the past three years he has had fireworks only two times and that camping has only taken place for one or two nights usually over a

weekend. Despite the input from Mr. MacLaren via the emails submitted, the DRB felt he should be present in person.

MOTION by Mr. Robinson to continue this application until Monday January 6, 2014. **SECOND** by Mr. Boyle. **VOTE:** all in favor, the motion passed.

- 2) Application **2013-68-CU/ZP** Conditional Use Review for conversion of a Single Family Dwelling to a Two-Family Dwelling the applicant, Richard J. Avery has requested the use as per Article 2, Table 2.2 ,(C) Duplex dwelling (12),; and to convert is Single Family Dwelling at 5208 VT RTE 100.. The property, 1. ± Acres is located in the Rural Residential District, parcel id # 100007-100.

Mr. Avery is requesting a permit to change an existing four bedroom house into a duplex containing a one bedroom unit and a two bedroom unit. He told the Board that he borders the US Forest Service on three sides and on the fourth is VT Rte 100 and the Mad River thus there are no issues to be had from neighbors regarding his requested change. He also added that he has more than enough parking to accommodate two living units.

The DRB then proceeded with a Conditional Use Review of the application.

MOTION by Mr. Schoellkopf that the DRB finds that the proposed change by the applicant to convert the dwelling from a single family to a duplex creates no adverse impact and thus the standards under Sec. 5.3 items 1 – 5 are satisfied. **SECOND** by Mr. Robinson. **VOTE:** all in favor, the motion passed.

The Board members had no concerns applicable to the standards under Section 5.3 (B) Specific Standards for this application.

MOTION by Mr. Boyle that the Board grant Conditional Use approval for the change of use for the structure at 5208 VT Rte 100 from a single family dwelling to a Duplex dwelling. **SECOND** by Mr. Robinson. **VOTE:** all in favor, the motion passed.

- 3) Application **2013-69-CU/ZP** Conditional Use Review for Development on Slopes exceeding 15 %. The applicant, George E. Hall Jr Trustee of George E Hall Jr Nominee Trust # 1, requests Conditional Use approval to construct a drive pull-off at 544 Anne Burns Rd. The property, 6± acres is located in the Rural Residential Zoning District, parcel id. # 023002-800.

Mr. Hall, who recently had an accessory dwelling approved by the DRB, is now requesting approval to create a drive pull-off area measuring 25 feet by 30 feet to provide for pedestrian access to his new accessory dwelling. In first discussing the topography of the site the Board learned that the site does not consist of "steep slopes" per the ordinance but that some steep slopes will be created upon the construction of the parking area. Since the steep slope is man-made and not a situation of man disturbing an existing steep slope, Section 3.2 of the Land Use and Development Regulations does not come into play. The members then moved on to Conditional Use review of the application.

MOTION by Mr. Schoellkopf that the DRB finds the standards under Section 5.3 (A) General Standards items (1) through (5) do not apply and are therefore dispensed with. **SECOND** by Mrs. Roth. **VOTE:** all in favor, the motion passed.

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