

**Town of Warren
Development Review Board
Minutes of Meeting
Monday October 5, 2015**

Members Present: Peter Monte, Tom Boyle, Chris Behn and Virginia Roth.

Others Present: Joe Lucchese, Gunner McCain, Mark Bannon, Laurie Calvert, Perry Bigelow, Valene Bigelow, Van Nilsson, Kinny Perot, Richard Czaplinski, Ellen Strauss, Miron Malboeuf and Ruth Robbins.

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

- 1) Application **2015-39-SD/CU**(Continued from September 21st), Final Plan Review for a two lot Minor Subdivision: Long Associates request Final Plan Review for the subdivision of their existing 23.4 acre parcel into two lots: The two new lots will be subdivide as: Lot A, 9. +/- acres and Lot B, 14+/- acres). The two parcels contain slopes exceeding 15%, and require conditional use review. The access to the property is off of Tishman Road and Morning Star Drive and is located in the Rural Residential District, Parcel Identification Number 005001-411.
- 2) Application **2015-55-CU**, (Continued from September 21st), Conditional Use Review for approval of a building envelope for a residential addition and garage/accessory dwelling: The Applicants, La Chanterelle LLC, .Perry and Valerie Bigelow, request approval for residential development to accommodate an addition to their existing single family dwelling and a garage on a 148 acre parcel in the Meadow Land Overlay District. The parcel also located in the Rural Residential District is at 1473 Lincoln Gap Rd. (Parcel ID: 003003-700).
- 3) Application **2015-56-CU**; Conversion of a single family dwelling to a two-family dwelling at 95 Brook Rd, The applicant, Kincaid F. Perot(Kinny) requests permission to convert an existing single family dwelling to a two-unit dwelling (duplex) on a 3.0 acre parcel located in the Warren Village Mixed Use District (VMU). The applicant also proposed the construction of a 1 ½ story garage. The property is identified as 001000-700 in the 2015 Town of Warren Grand List.
- 4) **SKETCH PLAN REVIEW** - The Applicants, La Chanterelle LLC, .Perry and Valerie Bigelow. Request review of a proposed two lot subdivision on the parcel located in the Rural Residential District is at 1473 Lincoln Gap Rd. (Parcel ID: 003003-700).

Mr. Monte called the meeting to order at 7:09 pm.

Application **2015-39-SD/CU**(Continued from September 21st), Final Plan Review for a two lot Minor Subdivision: Long Associates request Final Plan Review for the subdivision of their existing 23.4 acre parcel into two lots: The two new lots will be subdivide as: Lot A, 9. +/- acres and Lot B, 14+/- acres).

The hearing began with a discussion about the lawyer's opinion regarding the current legal status of some form of road maintenance agreement and how it might apply to the future lot owners of the proposed subdivision. The discussion continued going over some of the details and particulars found in the supporting documents to the lawyer's opinion. Several of the current residents spoke and asked questions regarding the current condition of Tishman Road. It was pointed out that the entrance from the Access Road onto Tishman Road would be improved as submitted on the plans for the subdivision application. The residents and Mr. Monte who had done a site visit said that the condition of Tishman further up was in especially tough shape.

Continuing on the subject of a road maintenance agreement and the association that goes with it, the following motion was made.

MOTION by Mr. Monte that a condition to the subdivision request before the Board is that before the applicant sells either of the two lots, (A) formal notice must be issued to the association members responsible for the road maintenance of Tishman Rd. and Morningstar Dr. to call a meeting of its members. The applicant is to submit to the Warren Zoning Administrator a copy of the letter to the association, proof of mailing, and a draft copy of the minutes of the meeting held or (B) before either of the applicant's lots are sold he must provide to the Warren Zoning Administrator a document signed by all members of the Road Association that verifies that an organizational meeting was held. SECOND by Mr. Behn. VOTE: all in favor, the motion passed.

The conversation then turned to the subject of the logging that has been done by the applicant that several of the neighbors felt had heavily contributed to the bad condition of the roads. Mr. McCain said he thought that in the Road Maintenance Agreement filed with the town clerk 12/7/2000 Vol. 134, pg. 462-465 that item #5 would cover the incident of damage caused by logging trucks. The neighbors continued to ask how the road gets restored, who pays, and when it should be done by. Mr. Monte said that was an issue to be dealt with by the Road Association. In further discussion it was found by the Board that for compliance to take place that road standards needed to be spelled out.

MOTION by Mr. Monte that before the sale of the first lot, the developer and/or the road association must improve/repair Tishman Road to the following standards: 1) all culverts cleaned out, 2) road surface crowned and graded with gravel as needed, 3) the travel way to be a minimum of 14 feet, 4) washouts at the intersection with the Access Road to be repaired, and 5) all drainage ditches to be cleaned out as needed. SECOND by Mr. Behn. VOTE: all in favor, the motion passed.

MOTION by Mr. Monte that the applicant is required to submit a revised plat that shows the required frontage for the two new lots and a copy of the document for the shared right-of-way for the two new lots with an included enforcement mechanism. SECOND by Mr. Boyle. VOTE: all in favor, the motion passed.

MOTION by Mr. Behn that the Board finds that the application has satisfied the standard of Sec. 5.3 Conditional Use Review Standards (A) General Standards item (4) Bylaws and ordinances then in effect. SECOND by Mr. Monte. VOTE: all in favor, the motion passed.

MOTION by Mr. Monte that a condition of this approval is that a qualified professional [PE or CPESC] is required to file a statement with the Warren Zoning Administrator that all erosion control measures have been met 1) prior to construction and 2) again before the Certificate of Compliance is issued. SECOND by Mrs. Roth. VOTE: all in favor, the motion passed.

MOTION by Mr. Monte that the Board approves the request for a two-lot subdivision subject to the usual conditions and those voted on during the review proceedings. SECOND by Mr. Behn. VOTE: all in favor the motion passed.

Application 2015-55-CU, (Continued from September 21st), Conditional Use Review for approval of a building envelope for a residential addition and garage/accessory dwelling: The Applicants, La Chanterelle LLC, .Perry and Valerie Bigelow, request approval for residential development to accommodate an addition to their existing single family dwelling and a garage on a 148 acre parcel in the Meadow Land Overlay District. The parcel also located in the Rural Residential District is at 1473 Lincoln Gap Rd. (Parcel ID: 003003-700).

The Bigelow's have had a house at 1473 Lincoln Gap Road since 1966. That was prior to the establishment of the Meadowland Overlay District which when it was created neglected to indicate a building envelope around the existing structure. The applicant is requesting to establish a building envelope around their home that also allows for an addition to the home and a detached garage with finished space above it. The total property is 148 acres of which approx. 140 is south of Lincoln Brook and is in the current use program.

Discussion to be added

MOTION by Mr. Behn that the building envelope of 1.6 acres that is indicated on the site plan be reduced to 1.0 acres prior to the next scheduled DRB meeting [Monday Nov. 2, 2015]. SECOND by Mr. Boyle. VOTE: three (3) members in favor, one (1) opposed, the motion passed with a majority of the vote.

MOTION by Mr. Monte that with a reduced building envelope the project will satisfy the standards of Sec. 5.3 Conditional Use Review Standards (A) General Standards items 1-5. SECOND by Mr. Behn. VOTE: all in favor, the motion passed.

Application **2015-56-CU**; Conversion of a single family dwelling to a two-family dwelling at 95 Brook Rd, The applicant, Kincaid F. Perot(Kinny) requests permission to convert an existing single family dwelling to a two-unit dwelling (duplex) on a 3.0 acre parcel located in the Warren Village Mixed Use District (VMU).

The applicant is proposing to convert a 4 bedroom single family residence into a duplex with a 3 bedroom unit and a 1 bedroom unit. The property is currently on the Town of Warren Municipal Wastewater System which has the capacity to handle additional usage.

Discussion to be added.

MOTION by Mr. Monte that the Board finds that the application as submitted satisfies the standards of Conditional Use under Sec. 5.3 (A) items 1-5. SECOND by Mr. Behn. VOTE: all in favor, the motion passed.

MOTION by Mr. Monte that the Board approves the application for the conversion of a single family home to a duplex as allowed under Table 2.15. SECOND by Mrs. Roth. VOTE: all in favor, the motion passed.

SKETCH PLAN REVIEW - The Applicants, La Chanterelle LLC, .Perry and Valerie Bigelow. Request review of a proposed two lot subdivision on the parcel located in the Rural Residential District is at 1473 Lincoln Gap Rd. (Parcel ID: 003003-700).

Discussion to be added. No votes taken.

The minutes of 8/31/15 were reviewed and signed.

The meeting was adjourned at 9:44 pm.

Respectfully submitted,
Ruth V. Robbins
DRB/PC Assistant

Development Review Board

Peter Monte date

Chris Behn date

Tom Boyle date

Virginia Roth date