TOWN OF WARREN
DEVELOPMENT REVIEW BOARD
MINUTES OF MEETING
WEDNESDAY JUNE 22, 2005

Members Present: Peter Monte, Eric Brattstrom, Lenord Robinson, David Markolf, Virginia Roth

Others Present: Miron Malboeuf, Ruth Robbins

Agenda:

1- **#2005-03-CU, Vickers** (Sandra S. Vickers Rev. Trust, Sandra S. Vickers, Trustee) 368 Old Roxbury Road, parcel ID # 001009-300, Forest Reserve District. Conditional Use request – conversion of an existing Accessory Structure to an Accessory Dwelling.

2- **#2005-04-CU, Ashley**, 2505 Fuller Hill Road, parcel ID # 023005-400, Rural Residential District. Conditional Use request for an Accessory Dwelling located in the second story of a garage presently under construction. **(Continued to July 20, 2005)**

3- OTHER BUSINESS

a) Review and approve minutes from May 25, 2005 & June 8, 2005

The meeting was called to order by Mr. Monte at 7:12 pm.

1- *(Virginia Roth presented the application for the Vickers and was not a voting member for the purposes of this application hearing)*
#2005-03-CU ,Vickers, 368 Old Roxbury Road, in the Forest Reserve District , request for the change of an existing Accessory Structure to an Accessory Dwelling.

While the Board reviewed maps and pictures of the subject property, Mrs. Roth explained that the owners wanted to change the designation of their cottage from an accessory structure to an accessory dwelling. Mrs. Roth explained that the main house has three bedrooms and the cottage, if permitted, would be the fourth bedroom. The cottage itself is 18' by 28'. The health permit issued back in 1999 had a notation from Mike Mayo, Warren's Sewage Officer, indicating that an additional bedroom could not be added without further approval. Mrs. Roth said that the Vickers would have no problem with a conditional permit requiring them to have their system re-certified/revised to be in compliance with a four-bedroom property. (NOTE: upon further review, it was determined that only one small corner of the property is in the Forest Reserve District and the area under consideration is part of the Rural Residential District).

MOTION by Mr. Monte to deem the application as being applicable for review under the standards for the Rural Residential District. **SECOND** by Mr. Markolf. **VOTE:** all in favor, the motion passed.

TOWN OF WARREN, VT
Received for Record July 7 20 05
at 11:15 o'clock A M and Received in
Vol 175 Page 395-397
Elaine E. Fuller
assistant TOWN CLERK

Article 4. Specific Use Standards

§ 4.1 Accessory Dwelling

DISCUSSION: Mr. Monte asked about the square footage of the property as there is a requirement that an accessory dwelling not exceed 40% of the total floor area of the primary dwelling. Mrs. Roth informed the Board that the main house was 3,224 sq. feet and that the cottage was 504 sq. feet. **MOTION** by Mr. Monte that the requirements of § 4.1 are satisfied subject to a) town health permit including the additional bedroom in the cottage, and b) the permit must state the language of § 4.1 (B) (4).. **SECOND** by Mr. Brattstrom. **VOTE**: all in favor, the motion carried.

Article 5. Development Review

§ 5.3 Conditional Use Review Standards

DISCUSSION: Mr. Markolf asked if this falls into the "anything other than a single family" category. He went on to ask if the Board needed to require the applicant to go to the State Labor & Industry Dept. Mr. Monte seemed to think that would only be required if the cottage was to be rented. Mr. Malboeuf stated that they could condition the permit that the cottage could not be rented out to the public. Mr. Monte added that as a board they could inform an applicant about needing Labor & Industry approval, but did they need to condition for it. Further discussion resulted in a general consensus that as long as "any and all applicable State permits required" was put in as a general condition that that would suffice. **MOTION** by Mr. Markolf that a condition of the permit be that the applicant obtain any state permit(s) that may be applicable to an accessory dwelling and its use. **SECOND** by Mr. Robinson. **Further DISCUSSION**: Mrs. Roth asked if it had to be a condition of the permit. Mr. Malboeuf said that it makes it a little more formal and stands out. He also said that the topic/information itself would most likely be note in the Findings of Fact. Mr.Monte expressed concern about making it a condition as a general matter because of the potential of someone who doesn't get a permit from Labor & Industry, does that then turn it into a zoning violation – are we now policing for the Labor & Industry Dept.? He went on to say that he didn't feel the Board was required to tell an applicant what State permits to get and that keeping track of them would be another full time job. Mr. Monte felt that informing the applicant that other State permits might be applicable was enough. Mr. Markolf **WITHDREW THE MOTION**.

MOTION by Mr. Monte that they find all the standards under ***§ 5.3*** are satisfied noting that there is no new structure, and that the addition of an additional bedroom will not alter the characteristics of the neighborhood or increase traffic. **SECOND** by Mr. Markolf. **VOTE:** all in favor, the motion carried.

MOTION by Mr. Monte that the Board approve the request for a Conditional Use change to Accessory Dwelling with the conditions previously voted on. **SECOND** by Mr. Brattstrom. **VOTE**: all in favor, the motion passed.

2- **#2005-04-CU**, **Ashley**, 2505 Fuller Hill Road, Conditional Use request for an Accessory Dwelling located in the second story of a garage presently under construction.

MOTION by Mr. Monte that they continue this application request until July 20, 2005. **SECOND** by Mr. Markolf. **VOTE**: all in favor, the motion passed.

3- Other Business:

The Board reviewed and signed the Minutes from May 25, 2005 and June 8, 2005. The Board also signed the Findings of Fact and Notice of Decision for applications #2005-03-SD, Boundary Line Adjustment for Rodgers, and #2005-24-CU, Side yard setback reduction for Roth.

The Board then reviewed some items of concern regarding the Ward Properties Decision. Items brought to their attention were: the applicant indicating in testimony only one fire hydrant yet the Fire Dept has requested three hydrants; no indication on any map as to the location of the 30,000-gallon water storage tank; and the project narrative stating the largest lot as 8.6 acres yet the sire plan showing lot # 6 at 11 acres. The Board members were also given a draft of the Ward Properties decision for their review.

Mr. Monte also mentioned to the Board that with the Planning commission working on Zoning changes along with 117 changes, that they needed to get their suggestions and requests put together. He also brought up the topic of whether or not they wanted to be a "Board of Record" and what the pluses and minus' were.

The meeting was adjourned at 8:32 pm.

Respectfully submitted,

Ruth V. Robbins
DRB/PC Assistant

Development Review Board

7-6-05
Peter Monte date

7/6/05
David Markolf date

7 Jul '05
Eric Brattstrom date

7/6/05
Lenord Robinson date

Virginia Roth date