

TOWN OF WARREN
DEVELOPMENT REVIEW BOARD
MINUTES OF MEETING
WEDNESDAY JULY 19, 2006

Received for Record Aug 23 2006
at 10 o'clock A M and Received in
Vol 184 Page 31-35

Robertson

TOWN CLERK

Members Present: Chris Behn, Virginia Roth, Bob Kaufmann and Lenord Robinson
Others Present: Steve Dollmeyer, Mark Flinn, Kate Burn, Miron Malboeuf and Ruth Robbins
Agenda: Call meeting to order at 7:00 pm.

- 1) **Review Notes of Site Visit:** Side-yard Set Back Relief, K Burn & Dollmeyer, Revision to Conditional Use. Stream Set Back
- 2) **Application 2006-08-CU**, Applicant, Stephen **Dollmeyer**, seeks a Conditional Use Permit to relocate an Accessory Structure within the one hundred foot setback from Freeman Brook. The property is located in the Warren Village Commercial District. The property, parcel Id 001000-600, is located at 76 Brook Road on .2 acres. This project requires review under Article 2, Zoning Districts & District Standards, Table 2.10(Warren Village Commercial), (B-2) Aarticle3, General Regulations, §3.13, Surface Water Protection and Article 5, Development Review of the Warren Land Use and Development Regulations. (Continued from June 21, 2006).
- 3) **Application 2006-11-CU**, Conditional Use, Side-yard Set Back Relief. The applicant Kathryn **Burn** requests a Conditional Use Review Process for a reduction of front and side yard setbacks to allow placement of Garage and Shed. The property located at 2322 Brook Road is in the Rural Residential District, Article 2, Table 2.2, and the Meadowland Overlay District, Article 2, Table 2.13. this application requires review under Article 5, Development Review and Article 3, General Regulations § 3.6, C. and Article 5, of the Warren Land Use and Development Regulations.
- 4) **Application 2006-04-SD**, Boundary Line Adjustment. George E **Hall Jr.**, Trustee, requests a minor subdivision for his property located 544 Anne Burns Road, Parcel Id. # 023002-800. Applicant seeks permission to adjust swap from .06± acre, 1,200 SF, to .02± acre, 400 SF, with an adjacent parcel, Id 3 023002-801 on Anne Burns Road, owned by Christine Goulet. This application requires review under Article 6, §6.2(D)Sketch Plan Review, (E) Boundary Line Adjustment, of the Warren Land Use and Development Regulations
- 5) **Application 2006-05-SD, 2006-06-CU, 2006-03-PRD**, Preliminary Plan Approval/ Subdivision Approval, **Blue Tooth** HLP, for Summit Ventures(Blue Tooth Property), **Continued to August 9, 2006***
- 6) **Other Business:**
 - a. Review and approve Minutes from June 21, 2006
 - b. Review and Sign Williams/Resnick 4 Lot & 2 Lot Subdivision & Lincoln Ridge

NOTE: Both the Development Review Board (DRB) Chairman, Peter Monte, and Vice Chair, David Markolf, were not in attendance, so member Chris Behn was Acting Chair for this meeting.

Mr. Behn called the meeting to order at 7:06 pm.

- 1- **Application 2006-04-SD**, Boundary Line Adjustment, applicant George E Hall Jr., Trustee.

Due to an error by the surveyor, the applicant has resubmitted his request for a boundary line adjustment showing a swap with the adjoiner of an amount of land that is less than originally presented. Instead of it being an exchange of .06 acres, it is actually only .02 acres.

MOTION by Mr. Robinson that the Board, based on the previous decision, accepts the change in the amount of land to be exchanged. **SECOND** by Mrs. Roth. **VOTE:** all in favor, the motion passed.

The Board members also signed a revised Notice of Decision and mylar, both of which will replace the previous ones.

2- **Application 2006-05-SD, 2006-06-CU, 2006-03-PRD**, Preliminary Plan Approval/ Subdivision Approval, **Blue Tooth HLP**, for Summit Ventures (Blue Tooth Property), **Continued to August 9, 2006.**

MOTION by Mr. Robinson to continue the hearing for the Blue Tooth housing project until August 9, 2006 at 7pm. **SECOND** by Mrs. Roth. **VOTE:** all in favor, the motion passed.

3- **Review Notes of Site Visit**

Mr. Behn noted for the record that two site visits had taken place earlier in the day. One was to the Dollmeyer property and the other was to the Burn property. Both involve setback requests. The members attending the site visits were: Mr. Behn, Mrs. Roth, and Mr. Robinson and Zoning Administrator Mr. Malboeuf.

4- **Application 2006-08-CU**, Applicant, Stephen **Dollmeyer**, seeks a Conditional Use Permit to relocate an Accessory Structure within the one hundred foot setback from Freeman Brook.

Mr. Dollmeyer is requesting a permit to allow him to construct a garage that due to the size and configuration of the parcel will encroach on the required 100-foot setback from Freeman Brook. Under the previous old ordinance a variance had been granted that has since expired and Mr. Dollmeyer's plans have changed slightly as the proposed footprint is larger than the original.

Mr. Behn pointed out that under conditional use review the main issue would be surface water protection and if that would be jeopardized in any way by allowing the structure to be located closer than the prescribed 100 feet.

MOTION by Mr. Behn that the Board finds the application complete. **SECOND** by Mr. Kaufmann. **VOTE:** all in favor, the motion passed. (NOTE: copy of letter to abutters to be submitted.)

MOTION by Mr. Behn that *Article 5 Development Review § 5.3 Conditional Use Review Standards (A) General Standards items (1) through (5)* are found to be satisfied by the Board. **SECOND** by Mrs. Roth. **DISCUSSION:** The Board suggested to the applicant that he get clarification from the Select Board about the access to be used to gain entry into the proposed garage. **VOTE:** all in favor, the motion passed.

MOTION by Mr. Behn that *Article 5 Development Review § 5.3 Conditional Use Review Standards (B) Specific Standards items (1) and (2)* are satisfied, *items (3) through (5)* are not applicable, *item (6)* satisfied, *item (7)* not applicable, and *item (8)* is satisfied. **SECOND** by Mr. Robinson. **DISCUSSION:** Under item (1) *Building Design*, the applicant was asked about the design of the garage and he replied that it would be consistent with the house and similar

to his next-door neighbors, thus consistent with the neighborhood. **VOTE:** all in favor, the motion passed.

MOTION by Mr. Behn that *Article 3 General Regulations § 3.13 Surface Water Protection (A) items (1) through (4)* are either satisfied by the application or not applicable. **SECOND** by Mr. Robinson. **VOTE:** all in favor, the motion passed.

MOTION by Mrs. Roth that *Article 3 General Regulations § 3.13 Surface Water Protection (B) items (1) through (3)* is satisfied. **SECOND** by Mr. Robinson. **VOTE:** all in favor, the motion passed.

MOTION by Mr. Behn that *Article 3 General Regulations § 3.13 Surface Water Protection (C), (D) and (E)* are not applicable to this application. **SECOND** by Mr. Kaufmann. **VOTE:** all in favor, the motion passed.

MOTION by Mr. Behn that *Article 3 General Regulations § 3.13 Surface Water Protection (F)* is not applicable for this application. **SECOND** by Mr. Robinson. **VOTE:** all in favor, the motion passed.

MOTION by Mr. Behn that *Article 5 Development Review § 5.3 Conditional Use Review Standards (B) Specific Standards item (9) Surface Water Protection* is satisfied based on the review of the criteria under *Article 3 General Regulations § 3.13 Surface Water Protection* and the previous votes. **SECOND** by Mrs. Roth. **VOTE:** All in favor, the motion passed.

MOTION by Mrs. Roth that *Article 5 Development Review § 5.3 Conditional Use Review Standards (B) Specific Standards item (10)* is satisfied. **SECOND** by Mr. Kaufmann. **VOTE:** all in favor, the motion passed.

MOTION by Mr. Behn that that *Article 5 Development Review § 5.3 Conditional Use Review Standards (B) Specific Standards item (B) Specific Standards item (11)* is satisfied. **SECOND** by Mr. Kaufmann. **VOTE:** all in favor, the motion passed.

MOTION by Mr. Behn that that *Article 5 Development Review § 5.3 Conditional Use Review Standards (C) District Standards item (2) Warren Village (a) and (b)* are satisfied with the condition that the applicant continue the landscaping of shrubbery along the side of the proposed building facing Brook Road as well as the addition of an architectural detail such as a diamond shaped window in the peak of the gable also on the side of the building facing Brook Road. **SECOND** by Mr. Kaufmann. **VOTE:** all in favor, the motion passed.

MOTION by Mr. Behn that the Board grants approval for a Conditional Use permit based on the foregoing decisions and conditions. **SECOND** by Mr. Robinson. **VOTE:** all in favor, the motion passed.

5- Application 2006-11-CU, Conditional Use, Side-yard Set Back Relief. The applicant Kathryn **Burn** requests a Conditional Use Review Process for a reduction of side yard setback to allow placement of Garage.

Mr. Malboeuf explained to the board that the proposed structure was right at the 25-foot setback mark that did not take into account any eave overhang. He suggested that the Board consider granted the full 30% set back waiver to allow ample "elbow room" for the garage. Ms. Burn also pointed out that if she were to place the proposed garage to comply with the 25-foot setback, her wellhead would be in the middle of the entry into the garage.

300031

MOTION by Mrs. Roth that the application is found to be complete. **SECOND** by Mr. Robinson. **VOTE**: all in favor, the motion passed.

MOTION by Mr. Robinson that *Article 5 Development Review § 5.3 Conditional Use Review Standards (A) General Standards items (1) through (5)* are either satisfied by the application or found not to be applicable. **SECOND** by Mr. Kaufmann. **VOTE**: all in favor, the motion passed.

NOTE: *Though part of the parcel owned by Ms. Burn is in the Meadowland Overlay District, the Board stated that the building area, the current house and the proposed garage, are exempt from Meadowland Overlay review.*

MOTION by Mr. Behn that § 5.3 *Conditional Use Review Standards (B) (1) Building Design* is satisfied. **SECOND** by Mr. Robinson. **DISCUSSION**: As discussed, the applicant told the Board that the garage would be one and half stories with double doors and clapboard siding, all in keeping with the house and neighborhood. **VOTE**: all in favor, the motion passed.

MOTION by Mr. Behn that § 5.3 *Conditional Use Review Standards (B) items (2) through (9)* are all either satisfied by the applicant or not applicable. **SECOND** by Mr. Kaufmann. **DISCUSSION**: Under item 6, Landscaping and Screening, the applicant told the Board that putting in the garage would necessitate the removal of two trees. **VOTE**: all in favor, the motion passed.

MOTION by Mr. Kaufmann that § 5.3 *Conditional Use Review Standards (B) item (10) Lighting* is satisfied by the application. **SECOND** by Mr. Robinson. **VOTE**: all in favor, the motion passed.

MOTION by Mr. Behn that § 5.3 *Conditional Use Review Standards (B) item (11) Performance Standards* is not applicable for this application. **SECOND** by Mr. Robinson. **VOTE**: all in favor, the motion passed.

MOTION by Mr. Behn that based on the foregoing decisions the Board grants Conditional Use Approval to allow a 30% waiver of the side yard setback requirements (25 foot setback reduced by 30% equals a setback of 17 feet 6 inches) for the purpose of the construction of a garage as presented in the application. **SECOND** by Mr. Kaufmann. **VOTE**: all in favor, the motion passed.

6- Other Business

In other business the Board signed the minutes of June 21st and the Williams Decision. The next DRB meeting is scheduled for Wednesday August 9th at 7pm. The meeting adjourned at 8:53 pm.

Respectfully submitted,

Ruth V. Robbins
DRB/PC Assistant

Development Review Board

Lenord Robinson 8/9/06
Lenord Robinson date

Bob Kaufmann 8-22-06
Bob Kaufmann date

Chris Behn date

Virginia Roth date

8/9/06