

TOWN OF WARREN  
DEVELOPMENT REVIEW BOARD  
MINUTES OF MEETING  
WEDNESDAY SEPTEMBER 6, 2006

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000501

Members Present: David Markolf, Virginia Roth, Lenord Robinson and Bob Kaufmann.

Others Present: David Olenick, John DaCosta, Deb and Gary Johannesen, Susan and Peter MacLaren, Anna Whiteside, Bill Maclay, Bill Westvang, Ralph Venezia, Dottie Kyle, Miron Malboeuf and Ruth Robbins

Agenda: Call to order 7:00 pm

1. Review Notes of Site Visit:

- Johannesen, 59 Main St., Warren Village, 8:00AM
- Berkman – Accessory Dwelling on Steep Slopes 8:30 AM
- MacLaren, West Hill House, Drive in front of Barn: 9:00 AM

2. Application 2006-13-CU The applicants, Gary & Debora Johannesen, requests a Conditional Use Review Process to locate an Accessory Structure (deck) within the one hundred foot setback from the Mad River. The property is located in the Warren Village Historic Residential District. The property, parcel Id 004000-200, is located at 59 Main Street 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.

3. Application 2006-13-SD, Sugarbush Holdings, LLC Four Lot Minor Subdivision, off Sugarbush Access Road The applicant, Sugarbush Holdings, LLC, seeks Sketch Plan Review, Article 6, §6.2 for a Minor Subdivision of 4 lots on 5 acres off the Sugarbush Access Road. This parcel, located in the Vacation Residential Districts, requires review under Article 2, Zoning Districts & District Standards, Table 2.5, Vacation Residential District, Article 6, Subdivision Review § 6.1, 6.2 Sketch Plan Review. Of the Warren Land Use and Development Regulations.

4. Application 2006-06-CU, West Hill House seeks clarification of existing permit conditions and findings. The property, parcel Id 01600-305, is located at 1496 West Hill Road on 9.0 Acres in the Rural Residential Zone. This project requires review under Article 3, §3.6, C, 1, Height & Setback Requirements), Article 4, §4.1(Accessory Dwelling) and Article 5 (Development Review) of the Warren Land Use and Development Regulations.

5. Application, 2006-16-CU, Development Review - Steep Slopes Applicant, Eric Berkman, seeks permission to erect an Accessory Structure to Single Family Dwelling on 4.3. ± Acres, located at 300 Senor Road (Parcel Id No.023008-603) in the Rural Residential and Meadowland Overlay Districts. This application requires review under Article 2, Zoning Districts & District Standards, Table 2.2 Rural Residential District, Table 2.13 Meadowland Overlay District Article 3, §3.4, Erosion Control & Development on Steep Slopes, and Article 5, Development Review, of the Warren Land Use and Development Regulations

6. Other Business:

- a. Review and approve Minutes from August 23rd, 2006
- b. Approve Findings from – Patterson Conditional Use, Patterson Boundary Line Adjustment
- c. Review Schedule for October, November & December

- 3- Application 2006-06-CU, West Hill House seeks clarification of existing permit conditions and findings.

Mr. MacLaren presented the Board with photos of the installation of the required barrier in front of the barn that is located across the street from the West Hill House. He went on to state that he felt the barrier had worked well in practice and was providing the safe guards that the Board was hoping to achieve. Mr. Markolf asked the question "is the barrier permanent" as the condition in the permit requires it to be so. Mr. MacLaren said that yes, they were permanent, but that with much effort could potentially be moved for situations such as plowing in the winter and trash removal. Mr. Markolf said that as long as the intent was that they were staying there, not to be moved, then in his determination they were "permanent".

**MOTION** by Mr. Markolf that the Board approves the plan for the barriers with the understanding that if the barriers need to be moved in a Easterly direction (towards the barn) by a foot or two during the winter months and a 30' opening is maintained then this adjustment will be permitted. **SECOND** by Mr. Robinson. **VOTE:** all in favor, the motion passed.

The other item that Mr. MacLaren brought up to the Board was the condition of having two port-a-lets at any of the six annual events. (condition # 3 of permit) Mr. MacLaren provided the Board with documentation from MS Septic Services of Williston, VT that stated that each port-a-let was adequate for 70 people. Mr. MacLaren also informed the Board that he has asked McCain Consulting to work on a design to expand the current system capacity.

**MOTION** by Mrs. Roth that the Board grant the applicant's request to only be required to have one port-a-let at any of the six annual events, as defined and outlined in the decision signed May 25, 2006. **SECOND** by Mr. Kaufmann. **VOTE:** YEA: Mrs. Roth, Mr. Kaufmann and Mr. Robinson. NAY: Mr. Markolf. The vote passed three to one.

4. Application, 2006-16-CU, Development Review - Steep Slopes Applicant, Eric Berkman, seeks permission to erect an Accessory Structure at 300 Senor Road.

Mr. Markolf started the hearing of this application with a recap of the site visit that was conducted earlier in the day. At the site visit the following DRB members were present: David Markolf, Lenord Robinson, Virginia Roth and Zoning Administrator Miron Malboeuf. Mr. Markolf noted that at the site visit they found the topography was not as substantial as expected. It was also noted that though the parcel contains Meadowland that the proposed structure is not located within that designated area. It was also noted that the proposed structure is sited 110 feet from the stream. Mr. Markolf asked about some of the details as to how the garage was going to be built. His concern was regarding the amount of backfill that might be used as he didn't want to create a greater slope than already exists.

**MOTION** by Mr. Markolf that § 5.3 Conditional Use Review Standards (A) General Standards items (1) through (3) are either satisfied or not applicable. **SECOND** by Mr. Robinson. **VOTE:** all in favor, the motion passed.

**MOTION** by Mr. Markolf that the Board finds that the parcel contains some Meadowland Overlay District but that the proposed development is not located in said district. [Compliance with § 5.3 Conditional Use Review Standards (A) item (4)] **SECOND** by Mr. Robinson. **VOTE:** all in favor, the motion passed.

**MOTION** by Mr. Markolf that § 5.3 Conditional Use Review Standards (A) General Standards item (5) and (B) Specific Standards items (1) through (7) are found to be satisfied or not applicable. **SECOND** by Mrs. Roth. **VOTE:** all in favor, the motion passed.

**MOTION** by Mr. Markolf that § 5.3 Conditional Use Review Standards (B) Specific Standards item (8) Erosion Control is satisfied with the condition that the development follow the erosion

control measures outlined by Bannon Engineering. **SECOND** by Mrs. Roth. **VOTE:** all in favor, the motion passed.

**MOTION** by Mr. Markolf that § 5.3 Conditional Use Review Standards (B) Specific Standards item (B) Specific Standards items (9), (10) and (11) are found either satisfied or not applicable. **SECOND** by Mr. Kaufmann. **VOTE:** all in favor, the motion passed.

**MOTION** by Mr. Markolf that § 5.3 Conditional Use Review Standards (C) District Standards and (D) Flood Hazard Overlay District Standards are all either satisfies or not applicable. **SECOND** by Mr. Robinson. **VOTE:** all in favor, the motion passed.

**MOTION** by Mr. Markolf that no addition fill is to be utilized to backfill the exterior foundation wall. **SECOND** by Mr. Robinson. **VOTE:** all in favor, the motion passed.

**MOTION** by Mr. Markolf that the Board grants the application contingent on the aforementioned conditions. **SECOND** by Mr. Kaufmann. **VOTE:** all in favor, the motion passed and the application was approved.

5. Other Business

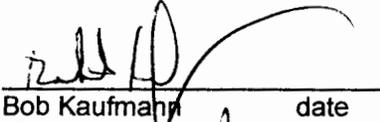
In other business the Board signed the minutes of August 23rd, 2006 and the Patterson CU decision and the Patterson SD decision. The Mylars for Williams and Resnick were also signed.

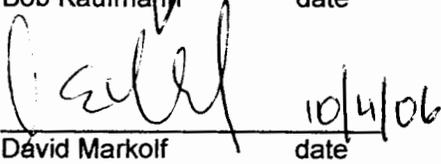
The meeting was adjourned at 9:20 pm.

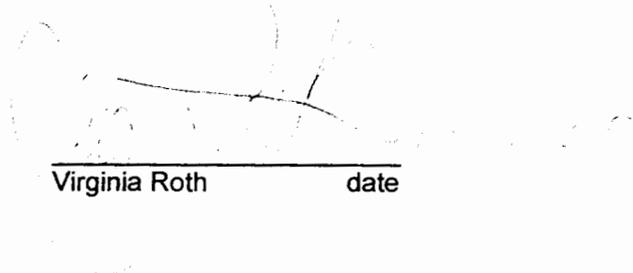
**Respectfully submitted,**

Ruth V. Robbins  
DRB/PC Assistant

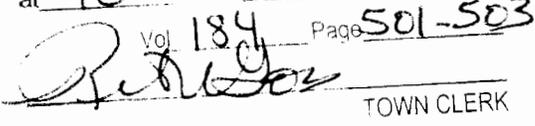
Development Review Board

  
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Bob Kaufmann date

  
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David Markolf date 10/4/06

  
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Virginia Roth date

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Lenord Robinson date

TOWN OF WARREN, VT  
Received for Record 10/5 2006  
at 10 o'clock A M and Received in  
Vol. 184 Page 501-503  
  
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TOWN CLERK