

**TOWN OF WARREN
DEVELOPMENT REVIEW BOARD
MINUTES OF MEETING
WEDNESDAY SEPTEMBER 19, 2007**

TOWN OF WARREN VT 0521
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at 12:20 o'clock P M and Received in
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Robinson
TOWN CLERK

Members Present: David Markolf, Chris Behn, Lenord Robinson and Bob Kaufmann (arr. 8:25).

Others Present: Vince and Diana Gauthier, Shelia Getzinger, Alex Newcomb, Charles Snow, Jen Moffroid, Kara Herlihy, Susan Hemmeter, Miron Malboeuf and Ruth Robbins.

Agenda: Call meeting to order 7:00 pm

- 1) Application **2007-17-SD**, Adjustment to an Approved Plat(Boundary Line Adjustment - 2007-04-SD) The applicants, Eric & Jennifer **Moffroid** and Nancy & Randy Taplin seek to correct the filed plat transferring .1 & .2 ± acres, 344 Dimetro Road, Parcel Id. 038000-800 No development is proposed for these lots This application requires review under Article 2, Table 2.2, Rural Residential Zone, Article 6, §6.7, Revisions to and Approved Plat, §6.2(E)Boundary Adjustments and Article 7, Subdivision Standards, of the Warren Land Use and Development Regulations.
- 2) Application **2007-11-CU**, Conditional Use, conversion of an Existing Camp to a Single Family Residence. The applicants, Vincent & Diane **Gauthier** and Anthony M. & Mary E. **Campano**, property owners, seek Conditional Use Approval to convert a structure, presently a camp, located on .2 ± Acres in the Forest Reserve District, to a single family residence. This application requires review under Article 2, Table 2.1, Forest Reserve District, and Article 5, Development Review, of the Warren Land Use and Development Regulations.
- 3) Application **2007-16-SD**: (Continued to September 19th, 2007) Danforth and Alex **Newcomb**, Three Lot Subdivision, off the South End of Main Street(# 839), Warren Village The applicant, Danforth and Alex Newcomb, seek Preliminary Plan Review, Article 6, §6.4 for a Minor Subdivision , 3 lots, 36 ± Acres, off Main Street and VT. Route 100.in the Rural Residential District and Warren Village Historic Residential Districts. This application requires review under Article 2, Zoning Districts & District Standards, Table 2.2, Rural Residential District and Table 2.3 Warren Village Historic Residential District, and Article 6, Subdivision Review § 6.3, Preliminary Plan Review & § 6.4, Final Plan Approval and Article 7, Subdivisions Standards of the Warren Land Use and Development Regulations
- 4) Other Business:
 - Review and approve Minutes of September 5th, 2007
 - Review and sign any decisions, mylars

Mr. Markolf called the meeting to order at 7:00 pm.

- 1- Application **2007-17-SD**, Adjustment to an Approved Plat(Boundary Line Adjustment - 2007-04-SD) The applicants, Eric & Jennifer **Moffroid** and Nancy & Randy Taplin seek to correct the filed plat transferring .1 & .2 ± acres, 344 Dimetro Road, Parcel Id. 038000-800

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Ms. Moffroid presented to the Board a revised site plan showing the boundary line adjustment that now takes in the entire septic area where before it did not. The amount of land being transferred increases from .2 acre to .5 acre.

MOTION by Mr. Markolf that the Board approves the revised plat as shown with a revised date of August 2007 and with all previous findings and conditions of the former approval still in effect.

SECOND by Mr. Behn. **VOTE:** all in favor, the motion passed.

- 2- Application **2007-11-CU**, Conditional Use, conversion of an Existing Camp to a Single Family Residence. The applicants, Vincent & Diane **Gauthier** and Anthony M. & Mary E. **Campano**, property owners, seek Conditional Use Approval to convert a structure, presently a camp, located on .2 ± Acres in the Forest Reserve District, to a single family residence.

Mr. Markolf began the hearing with a summary of the observances from the site visit held prior to the meeting. At the site visit were: Mr. Markolf, Mr. Robinson, Mr. Behn, Mr. Malboeuf, Ms. Getzinger and the Gauthiers. The following was observed and taken note of: the existing structure, the four pins delineating the parcel boundaries, the driveway, several out buildings, the existing overhead power lines, and viewed the site from the road.

Ms. Getzinger, representing the applicants, outlined for the Board what the applicant's intentions are. She said that in converting the structure to a year-round use that the renovation would primarily be limited to the interior though the plans include new windows which the Gauthiers are aware that they may be required to utilize non-reflective glass or year-round screening. Ms. Getzinger also brought to the Board's attention some proposed conditions for the approval including : a State Wastewater permit, recording of a deed conveying an easement for the wastewater system as permitted by the State and a recorded deed that conveys a twenty-five foot wide easement for access to the Campano property.

Discussion ensued about the actual dimensions of the existing building. The importance is due to the fact that this structure is currently a pre-existing, non-conforming structure and verifying what was permitted and currently exists is important in going forward. It was suggested that taking a look at the original lister's card might be helpful and Ms. Getzinger also noted that she had come upon a deed dated in 1964 that verified the existence of this structure. It is most likely that a structure that old would not have any permits on file.

Ms. Getzinger noted for the Board that there were no new structures proposed nor were there any plans for clearing, landscaping or new exterior lighting. She continued to say that though there were no immediate plans for roof replacement or exterior painting that the applicant would like to know what conditions the Board would place on such improvements for when they were performed. The issue of windows was brought up and the Board expressed their desire to see non-reflective glass or year-round screening on any south or westerly facing windows or glass doors should they be replaced.

Mr. Markolf asked about the debris piles and his concern about the applicant's intent to burn them. He continued to say that the applicant needed to check with the fire warden, Mr. Burfoot, and that it was an issue about what was being burned as well as the burning itself. Mr. Markolf also asked about the status of the adjacent parcel also owned by the applicant as to any future development plans. Mr. Gauthier replied that the property was currently enrolled in the current use program and that the acreage located over the town line in Roxbury has been on the market.

The next item Mr. Markolf addressed was an agreement the owners have with their neighbors for the maintenance of a "view swath". Mr. Gauthier wanted to make sure there was no problem in

this practice being continued. He specifically said that the area was about the width of the property, approx. 200 feet deep and that the Campano's cut about every six or seven years and left the debris on the ground to serve as wildlife habitat. Mr. Behn said that he thought that as long as it didn't exceed what existed he was ok with it.

With no public comment, and no further questions from the Board members, the Board proceeded to review the standards.

MOTION by Mr. Behn that the Board grants the applicant's request for change of use under *Article 3 General Regulations § 3.2 Conversion or Change of Use item (5)* with the condition of the receipt of a State wastewater permit, recording of a deed conveying an easement for the wastewater disposal system, recording of the conveyance of a twenty-five foot wide easement for access and any easement or permission granted for a view clearing is not to exceed the width of the property by 200 feet deep [see letter from the Gauthiers to the Zoning Administrator dated 9/19/07]; and *item (6)* which calls for compliance with the standards under *§ 3.8 Nonconforming Structures and Uses (A) Nonconforming Structures items (1) through (4)*. **SECOND** by Mr. Markolf. **VOTE:** all in favor, the motion passed.

MOTION by Mr. Markolf that *Article 5 Development Review § 5.3 Conditional Use Review Standards (A) General Standards, (B) Specific Standards and (C) District Standards* are found to be either satisfied or not applicable subject to the conditions found herein. **SECOND** by Mr. Behn. **VOTE:** all in favor, the motion passed.

MOTION by Mr. Markolf that any approval includes the following conditions: 1) any new glass or windows that are replaced on the south-west side of the structure must be either anti-glare/non-reflective glass or have full year-round exterior screening, and 2) any colors on the exterior [including the roof] of the structure from this date forward be of a muted earth-tone color that is in keeping with the surroundings. **SECOND** by Mr. Behn. **VOTE:** all in favor, the motion passed.

MOTION by Mr. Markolf that the Board approves the Conditional Use application subject to the conditions herein voted on. **SECOND** by Mr. Robinson. **VOTE:** all in favor, the motion passed.

- 3- Application **2007-16-SD:** (Continued to September 19th, 2007) Danforth and Alex **Newcomb**, Three Lot Subdivision, off the South End of Main Street(# 839), Warren Village The applicant, Danforth and Alex Newcomb, seek Preliminary Plan Review, Article 6, §6.4 for a Minor Subdivision , 3 lots, 36 ± Acres, off Main Street and VT. Route 100.in the Rural Residential District and Warren Village Historic Residential Districts.

Mr. Markolf verified that this was Preliminary Plan Review by the Board. He also verified that proper and timely notification to abutters was given. Mr. Newcomb updated the Board on the current status of the plans. He referred to the new [replacement] culvert that was a condition imposed by the Select Board in the granting of the road access permit. Mr. Newcomb also stated that as a result of conversations with the Conservation Commission they had indicated and marked the edge of the deer yards consistent with what was delineated with the upper lots. Also discussed was the indication on the site plan of three additional lots (10, 11 & 12) that was an exercise showing the potential for higher density in the future.

Mr. Snow expressed his displeasure in the Select Board's approval of the road into the proposed development as it utilizes his mother's driveway which he feels is unnecessary. Instead he would like to see the access go straight up, at a "T" to Main Street. This would still remain in the actual opening or curb cut off of Main Street. Mr. Markolf asked about the topography and if it might not be an issue if the road went straight up. Mr. Robinson asked if they really had anything to say about it as he thought all road issues came under the pervue of the Select Board. Mr. Newcomb said they were not opposed to complying with Mr. Snow's request, with the understanding that it would not affect the proposed barn, but that the Select Board felt the other approach was a better

way to go. Mr. Behn and Mr. Robinson both said that they were arguing about something they (the DRB) had no control or jurisdiction over, and that Mr. Snow needed to make his appeal to the Select Board. Mr. Snow expressed frustration with the Select Board paying attention to his request and stated that "it was never going to happen" as it was currently approved. He continued to say that it was his understanding that the Select Board had deferred to the DRB. Mr. Behn said IF that was the case, then he would want to see an engineer's drawing and analysis of putting the road in as Mr. Snow has proposed. Mr. Markolf asked if there was a road profile in the file. Mr. Newcomb said yes, and that the road was laid out for the Select Board as Mr. Snow had proposed yet the Select Board opted for the other design. Mr. Markolf summed the situation up as "beating a dead horse" and moved the hearing forward.

Ms. Hemmeter was asked if she had any comments and she was pleased to see the conservation area/deeryards noted on the site plan. She also asked if there were any streams amongst the three proposed lots. Mr. Robinson said that if there were any streams they would be seasonal, thus the probable reason for naming the project "Vanishing Brook". Mr. Markolf noted one seasonal stream that was located behind the existing home on lot # 3.

Mr. Markolf put together a short list of items to be dealt with prior to final approval. There are: Site plan to show a "buffer" area to the seasonal stream located behind the current home, a plan showing the "theoretical" access to lots 10, 11, 12 and 9, and designation of the Dettor's septic on the Newcomb property.

MOTION by Mr. Markolf that the Board grants Preliminary Plan approval and move to Final Plan Review at the November 7, 2007 meeting at 7:00 pm. **SECOND** by Mr. Behn. **VOTE:** all in favor, the motion passed.

4- Other Business

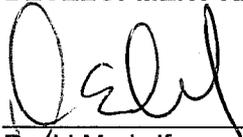
In other business the Board reviewed and signed the minutes of September 5, 2007. They also review and signed the mylar (plat/plan) for the approved Newcomb 6-lot subdivision. Ms. Hemmeter raised the issue about whether or not there had been a warning for the review and signing of the final plat, as it was her understanding that it had been modified since the last hearing. The revisions had been discussed by the Board at the time of the approval and were ones proposed by the Conservation Commission. The Chair of the Conservation Commission had reviewed the mylar prior to the meeting and confirmed that the modifications were there as discussed. The decisions for Kyle and Spector were also reviewed and signed.

The meeting was adjourned at 8:58 pm. The next scheduled DRB meeting is for Wednesday October 17, 2007.

Respectfully submitted,

Ruth V. Robbins
DRB/PC Assistant

DEVELOPMENT REVIEW BOARD


David Markolf 10/17/07
date


Lenord Robinson 10/17/07
date


Chris Behn 10-17-2007
date

Bob Kaufmann date