

**TOWN OF WARREN  
DEVELOPMENT REVIEW BOARD  
MINUTES OF MEETING  
WEDNESDAY JANUARY 23, 2008**

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000107

Members Present: Lenord Robinson, Peter Monte, Bob Kaufmann and Virginia Roth.

Others Present: Jesse Schwartzberg, Kirsten & Terry Reilly, John Pollack, Derrick Martens, Miron Malboeuf and Ruth Robbins.

Agenda: Call meeting to order 7:00 pm.

- 1) Application, **2007-14-CU**, (Continued from December 5th, 2007) Conditional Use, Removal and Relocation of Single Family Dwelling at 1121 Senor Road. **Kirstin & Terry Reilly** seek Conditional Use Approval for the relocation of building envelope and associated Single Family Dwelling in the Meadow Land Overlay District. This application requires review under Article 2, Zoning Districts & District Standards, Table 2.2, Rural Residential District and Table 2.13 Meadowland Overlay District, and Article 5, Development Review of the Warren Land Use and Development Regulations.
- 2) Applications, **2007-19-SD, 2007-19-PRD**, (Continued from December 5th, 2007) Revisions to an Approved Plat, Mad Gap (Seven Units PRD) to Adjust Building Envelopes & Adjust boundary line between lots 1 & 2 of the Mad Gap Subdivision. The applicant, **RW #1, LLC**, seeks approval to revise an existing plat, previously approved under applications 2007-11-SD/PRD, 2006-14-SD, & 2005-03-PRD for a Seven Units Clustered Housing on 15.75± acres, located off Lincoln Gap Road on parcel id. # 003008-801. In addition, the applicant proposes a boundary line adjustment to transfer 1 acre from lot 1 of parcel id # 003008-801 to Lot #2. Thus lot 2 the approved PRD would become 16.8 Acres and Lot 1 of the Mad Gap Subdivision would become 2 Acres This application requires review under Article 6, §6.4, Final Plan Approval & §6.7, Revisions to an Approved Plat, Article 7, Subdivision Standards & Article 8 Planned Unit & Planned Residential Development of the Warren Land Use and Development Regulations.
- 3) **2007-08-CU**, Conditional Use, Construction of a Development Road & Single Family Residence in the Meadow Land Overlay District Review of settlement agreement, Dated 11, 2007, between, Keith C. and Susan **Underhill** and the Michael Barker.
- 4) Other Business
  - a) Approve minutes from December 5th, 2007.

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

1. Application, **2007-14-CU**, (Continued from December 5th, 2007) Conditional Use, Removal and Relocation of Single Family Dwelling at 1121 Senor Road. **Kirstin & Terry Reilly** seek Conditional Use Approval for the relocation of building envelope and associated Single Family Dwelling in the Meadow Land Overlay District.

The Reilly's went over their revised site plan that reflected where the agreed upon [with their neighbor Mr. Mollow] driveway would be located, which trees were to be retained, and the calculation of the size of the old building envelope versus the size of the proposed envelope. Mrs. Reilly stated that the old envelope was .65 acres and the new was only .30 acres netting a decrease in the building envelope area of .35 acres. In discussion with Mr. Mollow about the road easement, the Reilly's also have included a road maintenance agreement.

**MOTION** by Mr. Monte that the Board classify the property as falling under the standards of Article 2, Table 2.13 (E) Supplement Development Standards (1) (b) [the entire lot is meadowland]; and find that the proposed changes meet the requirements of the section due to the diminished size of the building envelope, less disruption of the scenic qualities and is less destructive of the agriculture potential of the property. **SECOND** by Mr. Robinson. **VOTE:** all in favor, the motion passed.

Mr. Monte asked that it be noted in the minutes that the site plan dated as rec'd 1/10/08 as the site plan of record that shows the location of the new driveway and the trees that are to be retained [unless diseased or dying] as in the agreement with Mr. Mollow.

**MOTION** by Mr. Monte that any approval contains the following conditions:

- 1) the existing driveway access off of Senor Road to be reclaimed as "meadowland" with the appropriate vegetation and the only access to the dwelling will be from the private road located to the northeast of the property;
- 2) the two trees, one maple and one spruce located east and west of the proposed dwelling site are not to be removed unless diseased or dying; and
- 3) the existing dwelling is removed and the site be restored to meadowland vegetation within 60 days of the occupancy/issuance of certificate of compliance of the new building.
- 4) Provide the DRB with a copy of the executed easement and road maintenance agreement with Mr. Mollow.

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

**MOTION** by Mr. Robinson that with the aforementioned and voted on conditions, the application satisfies the standards of Article 5, § 5.3 Conditional Use Standards. **SECOND** by Mr. Monte. **VOTE:** all in favor, the motion passed.

**MOTION** by Mr. Monte that the Board approves the applicants request to relocate the building envelope subject to the aforementioned and voted on conditions. **SECOND** by Mr. Kaufmann. **VOTE:** all in favor, the motion passed.

- 2. Applications, **2007-19-SD, 2007-19-PRD**, (Continued from December 5th, 2007) Revisions to an Approved Plat, Mad Gap (Seven Units PRD) to Adjust Building Envelopes & Adjust boundary line between lots 1 & 2 of the Mad Gap Subdivision. The applicant, **RW #1, LLC**, seeks approval to revise an existing plat, previously approved under applications 2007-11-SD/PRD, 2006-14-SD, & 2005-03-PRD for a Seven Units Clustered Housing on 15.75± acres, located off Lincoln Gap Road on parcel id. # 003008-801. In addition, the applicant proposes a boundary line adjustment to transfer 1 acre from lot 1 of parcel id # 003008-801 to Lot #2.

The Board reviewed the changes and new information from the applicant regarding the revisions they are requesting to their PRD approval. Mr. Monte said the main issue was how the Board could approve the project as a Farmstead Cluster, did the design and layout meet the criteria with the changes as proposed. One aspect was the addition of fencing, which the applicant brought a picture of what it would look like. It was suggested that the fence did not need to necessarily be continuous, but that sections could be placed along the road to help tie the clustered housing with the one stand alone unit. Variation in the height of the buildings is another required feature and Mr. Pollack said that the changing elevation of the parcel would give the appearance of different heights of the buildings. When asked for the distance from the clustered units to the stand alone "barn", the members were told it was approx. 250 feet. Mr. Monte read out loud the four design elements of a Farmstead Cluster from the regulations. While discussing the different aspects it was asked if the applicant had plans for a garage to go along with the stand alone "barn", as it is a frequent request of homeowners to add garages where none exist. Mr. Pollack said he thought

that such an addition should not be a problem. He was also asked about the exterior appearance and told the members that the units would be different colors, the roofs different, but all in keeping with what would be typical of farm type structures.

Mr. Monte suggested that the Board consider approving everything subject to the Board's final review of the design and placement of the stand alone unit and erosion control plan. As discussion continued, a precise list was established as to what would be required for the DRB to sign off on a final approval:

1. Revised site plan to include the boundary line adjustment
2. Revised site plan to include the building envelope for the stand alone "barn" unit
3. Elevation drawings of the proposed "barn" unit and garage
4. Erosion control plan for the "barn" unit site

It was also noted that the DRB would want a copy of the updated (or new) association covenants.

**MOTION** by Mr. Monte that before the Board signs the decision, they review and approve the following: revised site plan to include the boundary line adjustment; revised site plan to include the building envelope for the stand alone "barn" unit; elevation drawings of the proposed "barn" unit and garage; erosion control plan for the "barn" unit site and the revised overall site plan.

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

Discussion ensued regarding the fence. Why it was requested, whether it should be one continuous fence or broken up sections of fence, whether it should be indicated on the final site plan, was it going to be maintained in perpetuity, and what color should it be. Some members felt it needed to be spelled out; others felt it was not necessary. The applicant stated it has been their intention all along to install some fencing, but did not have a specific plan as to how much fencing they would use and specifically where. It was finally agreed that the applicant would show the proposed fencing [with notation of materials and color] on the elevation drawings as specifically as possible, but not necessarily on the final site plan.

**MOTION** by Mr. Monte that subject to the conditions already voted on, the Board approves the alteration of the building envelopes [change of number of units in one building envelope, and the addition of a new, third, building envelope] and structure designs for the PRD. **SECOND** by Mr. Robinson. **VOTE:** all in favor, the motion passed.

**MOTION** by Mr. Monte that the relocated boundary does not violate any conditions or requirements of Article 7. **SECOND** by Mrs. Roth. **VOTE:** all in favor, the motion passed.

**MOTION** by Mr. Robinson that the Board approves the applicants requested revisions subject to the aforementioned and approved conditions. **SECOND** by Mr. Kaufmann. **VOTE:** all in favor, the motion passed.

**MOTION** by Mr. Monte to recess the hearing on this application until March 5, 2008 at which time the Board will review the final conditions. **SECOND** by Mr. Kaufmann. **VOTE:** all in favor, the motion passed.

3. **2007-08-CU**, Conditional Use, Construction of a Development Road & Single Family Residence in the Meadow Land Overlay District Review of settlement agreement, Dated 11, 2007, between, Keith C. and Susan **Underhill** and the Michael Barker.

The Board reviewed the settlement agreement between Mr. Barker and Mr. Underhill regarding the appeal of the Conditional Use approval issued by the Board July 18, 2007.

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MINUTES OF MEETING 1/23/08

**MOTION** by Mr. Monte that the Board approves in principal the settlement agreement reached by the two parties with the condition that the revised site plan be done by a surveyor / engineer with accurate dimensions shown, on a mylar to be filed with the Town Clerk of the Town of Warren. **SECOND** by Mr. Robinson. **VOTE:** YEA: Mr. Monte, Mr. Robinson and Mr. Kaufmann, NEA: Mrs. Roth.

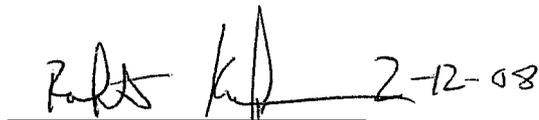
The Board signed the minutes from the December 5, 2007 meeting. Mr. Monte adjourned the meeting at 8:52 pm. The next meeting of the DRB is scheduled for Wednesday February 6, 2007 at 7:00 pm.

Respectfully submitted,

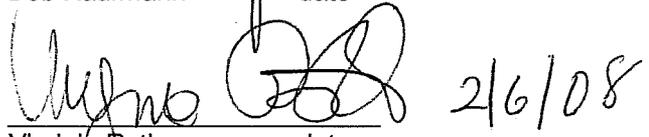
Ruth V. Robbins  
DRB/PC Assistant

**DEVELOPMENT REVIEW BOARD**

  
Peter Monte                      date  
2/20/08

  
Bob Kaufmann                      date  
2-12-08

  
Lenord Robinson                      date  
2/6/08

  
Virginia Roth                      date  
2/6/08

TOWN OF WARREN, VT  
Received for Record 2/21 2008  
at 11 o'clock A M and Received in  
Vol. 194 Page 107-110  
  
TOWN CLERK