

**Town of Warren
Development Review Board
Minutes of Meeting
Monday, March 21, 2022**

NOTE: This meeting was conducted both in-person and electronically via Google Meet.

Members Present: Chris Behn, Peter Monte (Chair), Chris Noone, Megan Moffroid (online), Virginia Roth (online).
Others Present: Ruth Robbins (ZA), Laurent Fromigue (online), Meg Hourihan, Michael Trahan (online), and Carol Chamberlin (Recording Secretary, online). Meg Hourihan and Peter Hourihan.

The meeting was called to order at 7:00 pm.

Application #2022-04-CU submitted by Meg Hourihan is requesting a Conditional Use approval for a 140sf addition to the first floor northwest corner of a pre-existing/non-conforming residence due to setback requirements. There are also plans for renovations to the existing structure and an energy conservation upgrade. The property is located at 225 Fuller Hill Rd, .5-acre, parcel id # 023001-100 in the Warren Village Historic Residential District [WVR.]

A site visit had been held earlier in the day, Ms. Moffroid outlined the plans for addition, noting that they do not greatly increase the house size and that the planned enclosure of a corner of the house will not significantly affect the landscape or impact any slope at the property.

MOTION by Mr. Monte to find that the setback of the existing building from the rear property line is 10 feet and the proposed addition will not extend any closer than 10 feet from the same boundary.

SECOND by Mr. Noone. **VOTE:** All in favor, the motion carries.

MOTION by Mr. Monte to find that the planned addition does not indicate the creation of any new nonconformity. **SECOND** by Mr. Noone. **VOTE:** All in favor, the motion carries.

MOTION by Mr. Monte to conclude that the new addition will not increase the degree of nonconformity of the existing structure. **SECOND** by Mr. Noone. **VOTE:** All in favor, the motion carries.

Board members reviewed Section 3.8 of the Land Use Regulations, pertaining to nonconforming structures. It was noted that the current structure was built before zoning regulations were adopted, so is a legal structure. Section 3.8 (A)(3) of the Regulations allows for expansion of nonconforming structures that does not increase the degree of nonconformance.

MOTION by Ms. Roth to find that the proposed addition falls within the parameters of Section 3.8(A)(3). **SECOND** by Ms. Moffroid. **VOTE:** All in favor, the motion carries.

Board members began Conditional Use review.

MOTION by Mr. Monte to find that the General Standards of Section 5.3(A) are each satisfied by the application presented. **SECOND** by Mr. Noone. **VOTE:** All in favor, the motion carries.

MOTION by Mr. Monte to approve Application 2022-04-CU, subject to the usual conditions. **SECOND** by Ms. Moffroid. **VOTE:** All in favor, the motion carries.

Application #2022-02-SD/BLA submitted by 3209 German Flats LLC & Drumleys Condominium Association, request a boundary Line adjustment to move land that the Drumleys community water system sits on via an easement to be part of the Drumleys property in exchange for an equal amount of land from their property. The amount of land to be exchanged to accommodate this change is 2,540 SF. The properties are located at 3209 German Flats Road & Drumleys North Road.

Mr. Trahan, representing 3203 German Flats LLC, and Mr. Fromigue, representing the Drumleys Condominium Association, provided some background information on the past ownership of the two parcels, indicating that when the water system infrastructure was put in place the parcels had not yet been subdivided. The current arrangement for Drumleys accessing the building housing the water system is through an easement.

Questions arose regarding the past permit history; it is not possible to allow the setback resulting through the boundary line adjustment through a waiver, as the distance between the building and parcel line requires a variance. Past permit history would aid in determining if the variance requirements can be satisfied in this situation.

MOTION by Mr. Behn to continue the hearing for Application 2022-12-SD/BLA until April 4 at 7:00 pm, to allow for gathering of all available evidence regarding the subdivision of the properties and other prior permitting. **SECOND** by Mr. Monte. **VOTE:** All in favor, the motion carries.

Mr. Trahan offered to provide his attorney's opinion letter, which provides references to prior permitting at the site.

Other Business:

Ms. Robbins had available a revised site plan for the Alfano Conditional Use application, depicting the viewshed for allowed tree cutting with dimensional information included, and indicated that shrubs and stumps must be left in place to maintain the integrity of the slope.

MOTION by Mr. Monte to approve the revised site plan depicting the view corridor for Application 2022-22-CU. **SECOND** by Ms. Roth. **VOTE:** The motion carries with Ms. Moffroid abstaining.

Mr. Behn began a discussion regarding the suitability of approving applications before all evidence regarding prior permitting is available to Board members, noting that the recent application for an addition to a nonconforming structure at the Sharry property on Main Street would more appropriately have been reviewed after determining that the original structure was built under a variance. This led to some discussion regarding the potential reconsideration of the Decision for the Sharry application, which had not yet been finalized.

Ms. Robbins will consult with VLCT regarding the appropriate steps to take for such a reconsideration, and the Board members present at the Sharry hearing made plans to meet again for further review and discussion before issuing the Decision, confirming with Mr. Schoellkopf his availability.

MOTION by Ms. Moffroid to hold an additional Deliberative Session regarding the Sharry clubhouse addition on March 22 at 12:00 pm. **SECOND** by Mr. Noone. **VOTE:** The motion carries with Mr. Monte

and Mr. Behn abstaining.

Annual Reorganization Items:

MOTION by Mr. Behn to re-elect Mr. Monte as Chair and Mr. Schoellkopf as Vice-Chair. **SECOND** by Ms. Moffroid. **VOTE:** All in favor, the motion carries.

MOTION by Mr. Monte to appoint Carol Chamberlin as Recording Secretary. **SECOND** by Mr. Noone. **VOTE:** All in favor, the motion carries.

The meeting adjourned at 8:43 pm.

Respectfully submitted,

Carol Chamberlin, Recording Secretary

Development Review Board

Peter Monte, Chair Date

Chris Behn Date

Megan Moffroid Date

Chris Noone Date

Virginia Roth Date