

**TOWN OF WARREN
DEVELOPMENT REVIEW BOARD
MINUTES OF MEETING
FEBRUARY 21, 2001**

- MEMBERS PRESENT:** Chris Behn, Eric Brattstrom, David Markolf, Vice Chair; Lenord Robinson, Jason Heroux.
- OTHERS PRESENT:** Jeff Fuller, Applicant; Sheila Getzinger, Cooke/Isaacson Attorney; Margo Wade, DRB/PC Assistant.
- AGENDA:**
- 1) 7:30 p.m. Call to Order
 - 2) Public Hearing: Fuller – 2 Lot Subdivision Review
 - 3) Public Hearing: Cooke/Isaacson – Tow Unit Dwelling Conditional Use Review
 - 4) Other Business:
 - a) signing of minutes

I. CALL TO ORDER

Mr. Markolf called the meeting to order at 7:35 p.m.

II. PUBLIC HEARING: Fuller 2-Lot Subdivision

Jeff and Elaine Fuller seek approval to subdivide Lot-8 (3.2 acres) of the Mad Meadows Subdivision into Lot-8A (1.76 +/- acres) and Lot-8B (1.45 +/- acres). The project is located off the east side of Senor Road in the Rural Residential District. The applicants also request a waiver of subdivision hearing requirements by way of combining the initial meeting and warned public hearing. The application requires review under the Warren Permanent Subdivision Regulations.

Mr. Fuller came before the Board.

STAFF REPORT

Mr. Markolf read the warning, which ran in the February 1, 2001 issue of the Valley Reporter.

APPLICANT COMMENTS

Mr. Fuller explained the Mad Meadows subdivision, which was created in the late 1960s before Town and State subdivision requirements. No association was ever formed, though some deed restrictions date back to 1967. Design Development Inc. held the authority to enforce, and transfer the authority to enforce restrictions, but Design Development Inc. is now defunct and the authority was never transferred to a new entity. There are currently seven dwellings located off Mad Meadows Road. Mr. Fuller plows and maintains the road.

The Fullers propose to subdivide Lot-8 into Lot-8A and Lot-8B. The lot line will run along the center of the stream running through the lot. Lot-8B will be retained by the Fullers, but will not be merged with Lot-7. The Fuller's residence is located on Lot-7. Lot-8A will be transferred to the purchaser of Lot-11. Development is not anticipated for either Lot-8A or Lot-8B. A deferral of permit had been received from the State. If either of the new lots were developed in the future the property owner(s) would have to applied to amend the subdivision with the Town and

amend the deferral of permit with the State.

The utility lines are pre-existing, run overhead and along the established roadway.

PUBLIC INPUT

Ms. Getzinger questioned the validity and enforceability of the old covenants because Design Development Inc. never exercised their authority nor transferred that authority.

DELIBERATION/DECISION

MOTION by Mr. Heroux, seconded by Mr. Behn to deem the request a minor subdivision and find the application submittal data complete. VOTE: unanimous; motion carried.

MOTION by Mr. Heroux, seconded by Mr. Robinson to grant the waiver request to combine the initial meeting and warned public hearing. VOTE: unanimous; motion carried.

MOTION by Mr. Behn, seconded by Mr. Brattstrom to find Article IV. Planning and Design Standards, § 1. *General Planning Standards* – satisfied. VOTE: unanimous; motion carried.

MOTION by Mr. Behn, seconded by Mr. Heroux to find Article IV. § 2. *Roads* – not applicable because there are no new roads proposed, the application decreases the number of developable lots, and the road maintenance is handled privately. VOTE: unanimous; motion carried.

MOTION by Mr. Behn, seconded by Mr. Heroux to find Article IV. § 3. – 5. *Parking, Pedestrian Access and Sidewalks* – not applicable. VOTE: unanimous; motion carried.

MOTION by Mr. Behn, seconded by Mr. Heroux to find Article IV. § 6. – 10. *Utilities, Drainage and Erosion Control, Fire Protection, Lighting and Signs* – not applicable. VOTE: unanimous; motion carried.

MOTION by Mr. Heroux, seconded by Mr. Brattstrom to find Article IV. § 11. *Provisions of Buffer Areas* – not applicable. VOTE: unanimous; motion carried.

Motion Mr. Heroux, seconded by Mr. Robinson to find Article IV. § 12. *Site Preservation and Improvements* – not applicable and § 13. *Disclosure of Subsequent Development Plans* – satisfied. VOTE: unanimous; motion carried.

MOTION by Mr. Heroux, seconded by Mr. Brattstrom to approve the Fuller 2-Lot Subdivision as submitted. VOTE: unanimous; motion carried.

III. PUBLIC HEARING: Cooke/Isaacson – Conditional Use Review

Martin Cooke and Rachel Isaacson seek approval to construct a Two-Unit Dwelling on Lot-4 (5.38 +/- acres) of the Lake Subdivision located off the north side of Lincoln Gap Road in the Rural Residential District. This application requires Conditional Use Review under Article V, § 3. of the Warren Zoning Bylaws.

Ms. Getzinger came before the Board on behalf of the applicants.

STAFF REPORT

Mr. Markolf read the warning, which ran in the February 1, 2001 issue of the Valley Reporter.

APPLICANT COMMENTS

Ms. Getzinger explained the request – Mr. Cooke and Ms. Isaacson seek approval to construct a caretakers apartment attached to the main residence. The main residence will have 3 bedroom and the apartment will have 1 bedroom. The septic is designed for a 4-bedroom dwelling. This request conforms to the pre-approved septic plans.

Two-unit Dwellings are a conditional use in the Rural Residential District. The proposed structure conforms to the two-unit dwelling definition.

Ms. Getzinger pointed out a mistake on the Zoning Administrators referral letter – the parcel is located in the R-2 District not the C-2 District (the warning was correct).

PUBLIC INPUT

There was no public input.

DELIBERATION/DECISION

MOTION by Mr. Heroux, seconded by Mr. Behn, per Article V, § 3. A. Conditional Uses – to find that the proposed development will not adversely affect:

1. The capacity of existing and planned community facilities;
2. The character of the area;
3. Traffic on roads and highways in the vicinity;
4. Bylaws in effect; nor the
5. Utilization of renewable energy resources.

VOTE: unanimous; motion carried.

MOTION by Mr. Heroux, seconded by Mr. Behn to find that the proposed development will not result in the discharge of harmful wastes into surface or subsurface water systems nor will it violate any of the standards in Article V § 7. VOTE: unanimous; motion carried.

MOTION by Mr. Heroux, seconded by Mr. Robinson to find Article V, § 3. B. Conditional Uses, Specific Standards §§ 1. – 8. not applicable. VOTE: unanimous; motion carried.

MOTION by Mr. Heroux, seconded by Mr. Brattstrom to grant Martin Cooke and Rachel Isaacson Conditional Use Approval for a Two-Unit Dwelling as requested. VOTE: unanimous; motion carried.

Mr. Heroux and Mr. Robinson departed at 8:30 p.m.

IV. OTHER BUSINESS

a) signing of minutes

MOTION by Mr. Behn, seconded by Mr. Brattstrom to approve the January 24, 2001 meeting minutes. VOTE: unanimous; motion carried.

V. ADJOURNMENT

MOTION by Mr. Behn, seconded by Mr. Brattstrom to adjourn the meeting. VOTE: unanimous; motion carried.

The meeting adjourned at 8:45 p.m.

Respectfully submitted,
Margo B. Wade
DRB/PC Assistant

DEVELOPMENT REVIEW BOARD

Chris Behn (date)

Eric Brattstrom (date)

Lenord Robinson (date)

David Markolf, Vice Chair (date)

Jason Heroux (date)