

**TOWN OF WARREN
DEVELOPMENT REVIEW BOARD
MINUTES OF MEETING
MAY 23, 2001**

- MEMBERS PRESENT:** Chris Behn, Eric Brattstrom, David Markolf, Vice Chair; Lenord Robinson, Jason Heroux.
- OTHERS PRESENT:** Jeff, Beth & Carson Schoellkopf, applicants; Bouse Anderson; applicant; Margo Wade, DRB/PC Assistant.
- AGENDA:**
- 1) 7:30 p.m. Call to Order
 - 2) Public Hearing: Schoellkopf – Conditional Use Review for Cottage Industry use designation
 - 3) Public Hearing: Town of Warren and Bouse and Sarah Anderson – Boundary Line Adjustment
 - 4) Other Business:
 - a) Edgcomb Appeal - discussion
 - b) Signing of minutes

I. CALL TO ORDER

Mr. Markolf called the meeting to order at 7:30 p.m.

II. PUBLIC HEARING: Schoellkopf – Conditional Use Review

Beth & Jeff Schoellkopf seeks approval for Cottage Industry use designations for a home base business. The project is located on 9.8 +/- acres off Lincoln Gap Road in the Rural Residential District and requires review under Article 5 – *Development Review* in accordance with §4.8 – *Home Based Businesses* of the Warren Land Use and Development Regulations.

Beth, Jeff and Carson Schoellkopf came before the board.

STAFF REPORT

Mr. Markolf read the public notice, which ran in the May 3, 2001 issue of the Valley Reporter.

APPLICANT COMMENTS

Mr. Schoellkopf presented a site plan showing existing conditions and described the lay out of the property. The project is located on 9.8 +/- acres off Lincoln Gap Road in the Rural Residential District. There is an existing house and detached studio. The plan accommodates parking of 9 vehicles in the winter months. More parking is available during the summer months. The driveway accessing the studio is not plowed in the winter, instead a pathway between the house and the studio is maintained for walking access. No physical changes to the existing structures are proposed. Neither signs nor additional lighting is proposed. The home office use is low impact with enough buffer between the site and the neighboring properties.

Mr. Schoellkopf explained that he had used the studio as office space since his purchase of the property in the mid 1980's. He believes the use would qualify as a pre-existing home occupation with up to two non-resident employees. Currently the studio houses Ms. Schoellkopf's environmental consulting business, which employs two non-resident employees, and Mr.

Schoellkopf architectural office. The space is also used for storage of records and files and is used as overflow guest quarters. No hazardous material is stored in the building. A permit was applied for and received to expand the studio space last year.

The septic system is pre-existing with no capacity documentation. There is a 2000-gallon tank, distribution box and leach field. The dwelling has 4 bedrooms. If the business were to increase in size beyond 4 non-resident employees, the bedroom in the studio would be converted to work space. A redesigned septic system would be necessary if the business increased in size, beyond 4 non-resident employees, and more than 4 bedrooms were serviced by the existing system.

PUBLIC INPUT

There was no public input.

DELIBERATION/DECISION

The board reviewed Conditional Use criteria and the submitted material.

MOTION by Mr. Behn, seconded by Mr. Heroux to deem the application complete. VOTE: unanimous; motion carried.

MOTION by Mr. Markolf, seconded by Mr. Brattstrom, pursuant to §5.3(A)(1), to find the use will not adversely affect the capacity of existing or planned community facilities or services. VOTE: unanimous; motion carried.

Should the business increase in size to 6 non-resident employees the vehicle access to the studio will be plowed to the upper corner on the seasonal driveway.

MOTION by Mr. Behn, seconded by Mr. Heroux, pursuant to §5.3(A)(2), to find the use will not adversely affect the character of the neighborhood or area. VOTE: unanimous; motion carried.

No parking associated with the business will take place on a regular basis on the Lincoln Gap Road.

MOTION by Mr. Behn, seconded by Mr. Heroux, pursuant to §5.3(A)(3), to find the use will not adversely affect the traffic on roads and highways in the vicinity. VOTE: unanimous; motion carried.

MOTION by Mr. Brattstrom seconded by Mr. Heroux, pursuant to §5.3(A)(4) and (5), to find the use conforms to all municipal bylaws in effect, and will not interfere with the utilization of renewable energy resources. VOTE: unanimous; motion carried.

MOTION by Mr. Heroux, seconded by Mr. Behn, pursuant to §5.3(B), to find the criteria met or not applicable because the conditions on site are pre-existing and no physical changes are proposed at this time. VOTE: unanimous; motion carried.

MOTION by Mr. Markolf, seconded by Mr. Behn, pursuant to §5.3(C)(1) through (4), to find the criteria not applicable to the application. VOTE: unanimous: motion carried.

MOTION by Mr. Markolf, seconded by Mr. Brattstrom, pursuant to §5.3(D)(1) through (12), to find the criteria not applicable to the application. VOTE: unanimous: motion carried.

MOTION by Mr. Heroux, seconded by Mr. Behn to grant Conditional Use Approval for Cottage Industry use designation for a home office with up to 6 non-resident employees with the following conditions:

- 1) A redesigned septic system would be necessary if the business increased in size, beyond 4 non-resident employees, and more that 4 bedrooms were serviced by the existing system.**
- 2) When the business increases in size to 6 non-resident employees the vehicle access to the studio will be plowed to the upper corner on the seasonal driveway.**
- 3) No parking associated with the business will take place on a regular basis on the Lincoln Gap Road.**

VOTE: unanimous; motion carried.

III. PUBLIC HEARING: Town of Warren / Anderson Boundary Adjustment

The Town of Warren and Bouse and Sarah Anderson seeks approval for a boundary line adjustment of 0.11 +/- acres, and a waiver of subdivision hearing requirements, by way of combining the initial meeting and warned public hearing. The properties are located off Brook Road and Luce Pierce Road in the Warren Village Historic Residential District. The application requires review under Articles 6 – *Subdivision Review* and 7 – *Subdivision Standards* of the Warren Land Use and Development Regulations.

Bouse Anderson came before the board.

STAFF REPORT

Mr. Markolf read the public notice, which ran in the May3, 2001 issue of the Valley Reporter.

APPLICANT COMMENTS

Mr. Andersen explained the request for boundary line adjustment. Mr. Anderson constructed a deck off the north side of his dwelling, which is in violation of a setback variance granted by the ZBA in 1997. To assist in curing the violation the Town has agreed to sell a portion of land to Mr. Anderson. Mr. Anderson and the Town have already received a state subdivision permit. The Town subdivision permit is the last requirement to cure the zoning violation.

The Town seeks to subdivide off 0.11 +/- acres from the 29.0 +/- acre Elementary School/Town Shed property. Mr. Anderson has purchased the parcel and will merge it with his 0.28 +/- acres parcel located off Luce Pierce Road.

No new developable parcels are being created.

PUBLIC INPUT

There was no public input.

DELIBERATION/DECISION

MOTION by Mr. Heroux, seconded by Mr. Behn, pursuant to Article 6 – Subdivision Review and Article 7 – Subdivision Standards, to find the application complete, grant the request for a waiver of hearing requirements, and grant the request for a boundary line adjustment of 0.11 +/- acres between the Town of Warren and Bouse and Sarah Anderson with the condition that the plat mylar, along with 2 paper copies, be filed with the Town within 90-days. VOTE: unanimous; motion carried.

Mr. Behn and Mr. Heroux departed at 9:15 p.m.

IV. OTHER BUSINESS

a) Edgcomb Appeal – discussion

Wesley and Charles Porter have appealed the Edgcomb permit granting conditional use approval for adaptive reuse and cottage industry use designations. At this time, they have not stated the basis of their appeal. The group discussed the board's position on the appeal and decided to wait for Mr. Monte's input. Ms. Wade will contact Mr. Monte and get back to the other members.

b) Signing of minutes

MOTION by Mr. Robinson, seconded by Mr. Brattstrom to approve the May 9, 2001 minutes as submitted. VOTE: unanimous; motion carried.

VI. ADJOURNMENT

MOTION by Mr. Brattstrom, seconded by Mr. Robinson to adjourn. VOTE: unanimous; motion carried.

The meeting adjourned at 9:30 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)