

**TOWN OF WARREN  
DEVELOPMENT REVIEW BOARD  
MINUTES OF MEETING  
AUGUST 22, 2001**

- MEMBERS PRESENT:** Chris Behn, Eric Brattstrom, David Markolf, Peter Monte, Chair; Lenord Robinson.
- OTHERS PRESENT:** Ellen Strauss, Newcomb Architect; Miguel Cintron, Mark Bennett, Co-Applicants; Margo Wade, DRB/PC Assistant.
- AGENDA:**
- 1) 7:30 p.m. Call to Order
  - 2) Initial Meeting: Newcomb – 2-Lot Subdivision
  - 3) Public Hearing: Cintron/Warren Motors – Authorization of pre-existing use namely auto repair and sales (possible Conditional Use Review & Site Plan Approval)
  - 4) Other Business:
    - a) Signing of minutes & decisions

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**I. CALL TO ORDER**

Mr. Monte called the meeting to order at 7:40 p.m.

**II. INITIAL MEETING: NEWCOMB 2-LOT SUBDIVISION**

Danforth & Elizabeth Newcomb seek approval for a 2-lot subdivision of 82 +/- acres located off the east side of Main Street and the west side of Fuller Hill Road primarily in the Rural Residential District and partially in the Warren Village Historic Residential District. The subdivision consists of Lot A (80 +/- acres) and Lot B (2 +/- acres).

**STAFF REPORT**

A site visit was conducted at 7:00 p.m. prior to this meeting. Chris Behn, David Markolf, Peter Monte, Lenord Robinson, Ellen Strauss and Margo Wade attended. At the site visit the group toured the proposed curb cut off Fuller Hill Road, driveway, and Lot B house site.

**APPLICANT COMMENTS**

Ms. Strauss presented the project. The existing parcel is approximately 82 acres with frontage on both Main Street and Fuller Hill Road. The Newcomb's also own an abutting 2-acre parcel off Main Street, which has an existing dwelling. This 2-acre parcel is not part of the proposed subdivision in that it is a separately deeded and existing parcel.

The 82-acre parcel is primarily located in the Rural Residential District with a small portion located in the Warren Village Historic Residential District. The current proposal includes subdividing off 2 acres to create Lot-B, which will be accessed off Fuller Hill Road, and leaving the remaining 80 acres, Lot-A, undeveloped. There is potential for one or two more 2-acre parcels being created from Lot-A in the future, but no formal plans have been made at this time. It is the Newcomb's intention to leave the bulk of Lot-A undeveloped and will be protected with deed language. A shared barn located off the Fuller Hill Road access has been included on the site plan.

Clearing is only proposed for the Lot-B house site, driveway, old meadows, existing logging road, and trails. No significant clear cutting is proposed.

Seasonal streams are indicated on the site plan, but are not represented on the USGS topographic map.

For the next meeting Ms. Strauss will submit an updated site plan including contour lines, proposed clearing areas, zoning district boundaries, location of water supplies, septic disposal area, proposed barn building and clearing envelope; and draft home owner association agreement or deed language, and proposed clearing language.

#### PUBLIC INPUT

There was no public input.

#### DELIBERATION/DECISION

The warned Public hearing has been scheduled for the evening of September 26, 2001.

### **III. PUBLIC HEARING: CINTRON/WARREN MOTORS – AUTHORIZATION OF PRE-EXISTING USE**

Miguel & Evelyn Cintron and Mark Bennett who seek authorization of a pre-existing use, namely auto repair and sales. The project is located on 0.6 +/- acres off the east side of Route 100 in the Warren Village Historic Residential District and requires review under Article V. §3. – *Conditional Uses* and/or §4. – *Site Plan Approval* of the Warren Zoning Bylaws.

Miguel Cintron and Mark Bennett came before the board.

#### STAFF REPORT

Mr. Monte read the public notice, which ran in the August 2, 2001 Valley Reporter.

A site visit was conducted at 6:30 p.m. prior to this meeting. Chris Behn, David Markolf, Peter Monte, Lenord Robinson, Miguel Cintron, Mark Bennett, and Margo Wade attended. At the site visit the group toured the site and viewed the existing site conditions.

#### APPLICANT COMMENTS

Mr. Cintron submitted two sales receipts for vehicles sold within the last 12 months. He stated his purpose before the board was for authorization of his business, which is auto repairs and sales and is considered a pre-existing non-conforming use. The previous owner (Sherwood Brown) had established the use before the Town adopted zoning regulations. Mr. Cintron purchased the property in 1988.

Mr. Bennett is in the process of purchasing the property and seeks to make a few changes, which require Site Plan approval by the board. These changes include renovating the old store into an office and adding a covered walk way to the front, renovating the existing garage, updating the

sign, landscaping, paving, new exterior lighting, defining the curb cut, and removal of the mobile home. Mr. Bennett will continue the use of auto sales with minimal service to vehicles he sells. The retail store has not been in operation within the last 12 months, therefore is a discontinued use.

There was discussion about the State highway right-of-way and Town right-of-way and what modifications to the site could take place within the right-of-ways. There was also discussion about what portion of the application required Site Plan approval and what the ZA could issue a permit for without board review. The board recommended that Mr. Bennett contact the State to find out what is allowed within the State right-of-way. The board did not believe it had authority to grant permission for Mr. Bennett to build a landscaped berm within the State right-of-way.

**PUBLIC INPUT**

There was no public input.

**DELIBERATION/DECISION**

**MOTION by Mr. Monte, seconded by Mr. Markolf to find the property has been the location of an auto sales and service business since before the Town adopted zoning through June of 2001. Pursuant to Article VI, §6.A., the auto sales and service business may be continued as a pre-existing non-conforming use, therefore conditional use review and approval is not necessary. VOTE: unanimous; motion carried.**

**MOTION by Mr. Monte, seconded by Mr. Robinson to consider the previous decision made distinct from the Site Plan Approval. MOTION: withdrawn (PM & LR).**

Mr. Bennett withdrew his portion of the application requiring Site Plan Approval and stated that he would submit an application at a later date including proposed changes. Mr. Monte recommended that he contact the ZA to discuss what improvements can be made to the property without DRB review.

**MOTION by Mr. Behn, seconded by Mr. Brattstrom to terminate further review of the application. VOTE: unanimous; Motion carried.**

Mr. Monte departed at 9:30 p.m.

**IV. OTHER BUSINESS**

a) Signing of minutes & decisions

**V. ADJOURNMENT**

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

The meeting adjourned at 9:45 p.m.

Respectfully submitted,  
Margo B. Wade  
DRB/PC Assistant

**Development Review Board**

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Chris Behn (date)

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Eric Brattstrom (date)

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Lenord Robinson (date)

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David Markolf (date)

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Peter Monte, Chair (date)