

**TOWN OF WARREN  
DEVELOPMENT REVIEW BOARD  
MINUTES OF MEETING  
JULY 23, 2003**

**MEMBERS PRESENT:** Eric Brattstrom, Virginia Roth, Jeff Schoellkopf.  
**OTHERS PRESENT:** Robert Neubeger, Tom Clark; Neubeger Representatives;  
Shannon Hill, DRB/PC Assistant.  
**AGENDA:** 1) Call to Order  
2) 7:30 Neubeger Residential Addition in the Forest Reserve District  
3) Signing of Minutes & Decisions

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**I. CALL TO ORDER**

Ms. Roth called the meeting to order at 7:40 PM.

**II. NEUBERGER CONDITIONAL USE**

#2003-11-ZP submitted by Robert Neubeger seeking approval for a residential addition. The property is located on Roxbury Gap Road in the Forest Reserve District. This project requires Conditional Use Review under Article 5 of the *Warren Land Use & Development Regulations*.

**STAFF REPORT**

This hearing is a continuation of the July 9, 2003 meeting.

Ms. Hill contacted the Town of Warren Zoning Attorney, Steve Stitzel, to request some guidance on the 2% maximum lot coverage. Mr. Stitzel advised that a variance could be issued for larger lot coverage if the DRB believed that all of the variance criteria are met.

**GENERAL DISCUSSION**

Mr. Clark and Mr. Neubeger came before the board. The board reviewed the calculations of Lot size and existing versus proposed footprint for the house which are as follows:

Lot Size (acres): 1.47 acres  
Lot Size (ft<sup>2</sup>): 50,965 ft<sup>2</sup>  
Right of Way acreage: 0.30 acres  
Existing Lot Coverage: 750 ft<sup>2</sup> or 1.47%  
Proposed Lot Coverage: 1876 ft<sup>2</sup> or 3.68%  
Maximum Lot Coverage (2%): 1019 ft<sup>2</sup>

The definition of lot coverage specifically excludes the town owned right of way.

The DRB discussed the Maximum Lot Coverage issue and determined that the only way to permit the development is with a variance. They reviewed the variance criteria and felt that the proposed development would likely meet Criteria 9.6(A)(1), (3) & (4). The board felt that the proposed development would likely not meet the criteria for 9.6(A)(2) & (5).

The DRB feels that they would have a difficult time issuing a variance for the 2% Maximum Lot Coverage because they feel that Mr. Neubeger's existing house is a reasonable use of his property.

Mr. Neuberger noted that there has been no one from the public at either of the hearings. He believes this means that no one objects.

Mr. Schoellkopf recommended that Mr. Neuberger consult an attorney to provide an argument for why the DRB should consider his house not to be "reasonable use of the property".

The board members noted that they would like to be able to grant a variance, but the strict interpretation of the *Land Use and Development Regulations* prohibits them from doing so.

**MOTION by Mr. Schoellkopf, seconded by Ms. Roth, to continue the Neuberger hearing to August 27, 2003. VOTE: unanimous; motion carried.**

If the applicant would like to pursue a variance, he will need to submit a written request and the hearing will need to be re-warned.

**III. OTHER BUSINESS**

a) Approval of meeting minutes

**MOTION by Mr. Brattstrom, seconded by Mr. Roth, to approve the July 9, 2003 meeting minutes as submitted/corrected. VOTE: unanimous; motion carried.**

**MOTION by Ms. Roth, seconded by Mr. Schoellkopf, to approve the Ward 2-Lot Subdivision Finding of Facts and Notice of Decision as submitted/corrected. VOTE: unanimous; motion carried.**

**IV. ADJOURNMENT**

**MOTION by Ms. Roth, seconded by Mr. Schoellkopf, to adjourn the meeting. VOTE: unanimous; motion carried.**

The meeting adjourned at 8:45 p.m.

Respectfully submitted,  
Shannon M. Hill  
DRB/PC Assistant

**DEVELOPMENT REVIEW BOARD**

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Eric Brattstrom (date)

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Virginia Roth (date)

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Jeff Schoellkopf (date)