

**TOWN OF WARREN  
DEVELOPMENT REVIEW BOARD  
MINUTES OF MEETING  
DECEMBER 3, 2003**

**MEMBERS PRESENT:** Peter Monte, Chair, David Markolf, Chris Behn, Eric Brattstrom & Lenord Robinson.

**OTHERS PRESENT:** Amalia Veralli, Henry Erickson, Terry and Kirstin Reilly, Shannon Hill, DRB/PC Assistant.

**AGENDA:**

- 1) 7:30 Call to Order
- 2) Amalia Veralli – Informal meeting to discuss a change of use from a residence/business to a multi-family dwelling
- 3) Reilly Conditional Use – review of a residential addition and garage within the district setbacks
- 4) Richardson Conditional Use – review of a residential development in the Meadowland Overlay District
- 5) Signing of Minutes & Decisions

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**I. CALL TO ORDER**

Mr. Monte called the meeting to order at 7:30 PM.

**II. AMALIA VERALLI – INFORMAL DISCUSSION**

**GENERAL DISCUSSION**

Ms. Veralli came before the board to discuss a potential change of use for her property. She has two potential buyers who would like to use the property in the following ways:

- 1) multi-family dwelling
- 2) existing multi-use, but replace the existing gas kiln with a wood burning kiln and take the walls off the accessory structure.

If she receives approval for a multi-family dwelling, Ms. Veralli would like some time to close down her business and move out before the change of use occurs.

In response to the multi-family dwelling question the board stated that they could place a condition on the permit that the change of use would occur by a date certain. The board also explained that if she obtains the change of use and the sale falls through that the permit would still remain on the property and she would lose her existing use approval.

The board recommended Ms. Veralli ask Mr. Malboeuf, the Zoning Administrator, if a zoning permit is required for replacing the stove and removing the walls of the accessory building.

**III. REILLY - CONDITIONAL USE REVIEW**

Application #2003-95-CU submitted by Kirstin & Terry Reilly seeking approval for a residential addition and garage at Main Street in the Warren Village Historic Residential District. This project requires Conditional Use Review.

### STAFF REPORT

Mr. Monte read the legal warning which ran in the Times Argus on Saturday November 15, 2003 and the Vermont Journal on November 19, 2003.

### PUBLIC INPUT

Sherry Sherman, the neighbor of the Reilly's to the south, called Ms. Hill to express concern about the proposed garage. She was concerned about the aesthetics of the garage and it blocking her view of the river. Ms. Hill suggested she either attend the hearing or submit written comments. The Reilly's also spoke with Ms. Sherman and noted that once they explained what the structure would look like to Ms. Sherman she was a lot more comfortable with the proposed development.

### GENERAL DISCUSSION

Kirstin and Terry Reilly came before the board to present the project. The project is made up of two different components. They would like to convert their existing garage into living space and extend the second floor over the garage as well as build a new garage across the street. They would also like to extend the living space beyond the footprint of the garage onto an existing concrete slab in the back and extend the porch in the front to the entire length of the house.

The proposed garage across the street would require conditional use approval for a reduction in the setback from Main Street as well as the property to the South owned by the Town of Warren. They are also requesting a reduction of the river setback to 50 feet.

The proposed garage would be built on a gravel base and would not have plumbing or electricity. Half of the garage would be used for storage. The applicant stated that they would only be removing one tree and the access to the river would not be affected.

The applicant testified that the proposed living space above the garage would be the same height as the existing structure. The proposed addition to the house would not encroach any further on the property boundary. The existing garage has a block concrete wall that would be removed and replaced with a poured concrete wall in the same location. The ground would be graded to allow for better drainage which would direct water to an existing culvert that runs under Main Street.

The board discussed the Warren Land Use & Development Regulations definition of degree of noncompliance which specifically states that an existing structure can be expanded as long as the expansion does not encroach further on the setbacks. The definition also states that the expansion of the volume of a preexisting structure does not constitute an increase in the degree of non compliance.

Mr. Monte, Mr. Markolf and Mr. Behn expressed concern about approving an isolated structure at the gateway of the village. Some of the board members have not conducted a site visit. Mr. Robinson noted that all of the lots in the village are small and the structures on the west side of Main Street are closer than 100 feet. Mr. Brattstrom feels that having a nice structure there would be an enhancement to the Warren Village gateway.

The board reviewed the Land Use & Development Regulations standards for reducing the setback from the road, adjoining properties and the river. They decided they would like to conduct a site visit and the applicant to submit detailed elevations for all four sides of the buildings and indicate what colors and textures will be used on the proposed garage.

The board advised the Reilly's they should talk to the Selectboard and determine if they need a road access permit to access the proposed garage.

The applicant decided to withdraw the application for the garage and request a permit for the residential addition from the Zoning Administrator. They will submit a new application for the garage and come back for conditional use approval from the DRB on January 7<sup>th</sup>, 2003. The board will conduct a site visit on December 13, 2003. Mr. Behn requested the applicant place a stake 50' from the river.

**DELIBERATION/DECISION**

**MOTION by Mr. Monte, seconded by Mr. Markolf, to find that the project entails two different structures that are included in the one application**

- 1) **Enlargement of the house**
- 2) **Garage across the street**

**VOTE: unanimous; motion carried.**

**MOTION by Mr. Monte, seconded by Mr. Markolf, to find that the enlargement of the house should be granted a zoning permit from the Zoning Administrator and does not require conditional use review because it complies with the requirement of the Land Use and Development Regulations. According to the definition of degree of noncompliance on page 111 the enlargement of the structure is a permitted use. VOTE: unanimous; motion carried.**

**MOTION by Mr. Monte, seconded by Mr. Markolf, to find that the proposed retaining wall on the southern side of the house does not require conditional use review and is part of the enlargement of the house. VOTE: unanimous; motion carried.**

**IV. RICHARDSON CONDITIONAL USE FOR DEVELOPMENT IN THE MEADOWLAND OVERLAY DISTRICT**

Ms. Ware, Richardson Representative, requested the board continue the hearing to the next available meeting.

**MOTION by Mr. Monte, seconded by Mr. Brattstrom, to continue the Richardson Conditional Use hearing to January 21, 2003 at 7:30 PM. VOTE: unanimous; motion carried.**

**V. OTHER BUSINESS**

**a) Discuss Trusova/Nadir Draft Plat**

The board reviewed the Draft Plat from Maclay Architects and Planners. The board

discussed the pros and cons of requiring a survey of the property. They decided it was important to have some accurate dimensiond of the property so the Zoning Administrator can locate the main house footprint and the building envelopes of the PRD. However, since none of the property lines are changing and there are dimensions on the plan the DRB decided they would not require the Trusoval/Nadir Mylar Plat to be a survey.

b) Meeting Time

The DRB decided to begin their meetings at 7PM.

**VI. ADJOURNMENT**

**MOTION by Mr. Robinson, seconded by Mr. Markolf, to adjourn the meeting.**

**VOTE: unanimous; motion carried.**

The meeting adjourned at 10:00 PM.

Respectfully submitted,  
Shannon M. Hill  
DRB/PC Assistant

**DEVELOPMENT REVIEW BOARD**

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David Markolf (date)

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Lenord Robinson (date)

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Eric Brattstrom (date)

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Chris Behn (date)

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Peter Monte (date)