

Town of Warren  
Development Review Board  
Minutes of Meeting  
Wednesday June 8, 2005

**Members Present:** David Markolf, Lenord Robinson, Chris Behn, Eric Brattstrom, Jeff Schoellkopf

**Others Present:** James B. Roth, William Robinson, Miron Malboeuf, Ruth Robbins

**Agenda:**

- 1- **#2005-03-CU Vickers** (Sandra S. Vickers Revocable Trust, Sandra S. Vickers, Trustee) **Conditional Use** request for the conversion of an existing accessory structure to an accessory dwelling. Located at 368 Old Roxbury Road, parcel ID # 001009-300 in the Forest Reserve District. (Requested to be rescheduled to June 22, 2005)
- 2- **#2005-24-CU Roth** (James "B'fer" Roth and Dana Jenkins) **Conditional Use** request for reduction of sideyard setback. Located at 124 Vickery Hill Road, parcel ID # 003003-200 in the Rural Residential District. Application is being presented by Jeff Schoellkopf for the applicants
- 3- **#2005-02-CU Robinson** (William & Janet Robinson) **Conditional Use** request to convert the use of an existing single family residence to a two family rental dwelling. Located at 445 Robinson Road, parcel ID # 028001-902A in the Rural Residential District.
- 4- **Other Business:**
  - a. Review minutes of 5/25/05
  - b. Review & sign Summit Ventures Final Plat

TOWN OF WARREN, VT

Received for Record June 24 20 05  
at 2:30 o'clock PM and Received in

Vol. # 174 Page 811-814  
Elaine P. Fuller  
assistant TOWN CLERK

Mr. Markolf called the meeting to order at 7:04 pm

**1- #2005-03-CU Vickers Conditional Use request**

**MOTION** by Mr. Markolf to honor the request to reschedule the hearing of this application and continue it to June 22, 2005 at 7:00 pm. **SECOND** by Mr. Behn. **VOTE:** all in favor, the motion carried.

**2- # 2005-24-CU Roth Conditional Use request**

(NOTE: During the hearing of this application, DRB member Jeff Schoellkopf was not acting in the capacity of a Board member, but as a consultant to the applicant)

Mr. Markolf opened the discussion asking for verification of abutter notification, which was presented by the applicant. Mr. Markolf also reminded the Board that this request fell under **§ 3.6 Height & Setback Requirements, (C) (1)**; which allows the Board to grant a reduction in setback requirements up to 30%.

It was also noted that though this hearing was additionally warned as a request for a boundary line adjustment that the applicant had asked to withdraw that request.

Mr. Markolf asked Mr. Roth to give an overview of what he was planning on doing. Mr. Roth explained that he wanted to build a detached single car garage, as close to the house as he could go, that would put him at 17' 6" from the property line, maximizing the 30% reduction in the setback requirement. That would give him a structure that was 16' x 26' and 20' high.

Mr. Behn asked if the 17'6" setback distance was from the corner of the foundation of the building or the overhang of the roof. Mr. Roth replied that he had measured it from the foundation and that his drip edge was 6". Mr. Markolf informed Mr. Roth that since he was requesting the maximum reduction in the setback requirement that he needed to make sure the entire building, including the overhang was at the 17'6" point. Mr. Roth indicated that he could juggle the placement of the building to maintain the 17'6" distance.

Mr. Markolf asked Mr. Roth what his plan was for the color of the garage, and his answer was that it would be consistent with the current color of the house (green).

#### **Section 5.3 Conditional Use Review Standards**

**MOTION** by Mr. Markolf that § 5.3 (A) (1-5) is either satisfied or not applicable to this application. **SECOND** by Mr. Brattstrom. **VOTE:** all in favor, the motion carried.

**MOTION** by Mr. Behn that § 5.3 (B) (1 & 2) are satisfied and that (3&4) are not applicable. **SECOND** by Mr. Markolf. **DISCUSSION:** Both Mr. Markolf and Mr. Behn wanted it noted that the applicant had agreed that the color and materials of the garage would be consistent with the main dwelling. **VOTE:** all in favor, the motion carried.

**MOTION** by Mr. Behn that § 5.3 (B) (5&6) are satisfied and that (7) is not applicable. **SECOND** by Mr. Markolf. **VOTE:** all in favor, the motion carried.

**MOTION** by Mr. Behn that § 5.3 (B) (8,9,10 & 11) are satisfied. **SECOND** by Mr. Markolf. **DISCUSSION:** Mr. Behn asked what the plans were for lighting. Mr. Roth said the plan was for 100 watt and Mr. Markolf pointed out that it had to be downcast with a maximum of 75watts. **VOTE:** all in favor, the motion carried.

**MOTION** by Mr. Markolf that § 5.3 (C) *District Standards* are not applicable to this application. **SECOND** by Mr. Behn. **VOTE:** all in favor, the motion carried.

**MOTION** by Mr. Markolf that the Board grants the request of the application subject to:

- a) the drip edge being at/within the 17'6" mark
- b) the color and finishing of the building being consistent with the main dwelling
- c) any lighting be in conformance with the Town lighting ordinance

**SECOND** by Mr. Brattstrom. **VOTE:** all in favor, the motion carried.

#### 3- **#2005-02-CU Robinson (William & Janet Robinson) Conditional Use request**

(NOTE: Board member Lenord Robinson did not participate in the proceedings for this application)

Mr. Malboeuf started off the hearing for this application by providing some background. He said that the subject property was a single-family house that Bill and his wife used to live in, but has since put a trailer on another lot he owns where he now resides. Mr. Malboeuf went on to say that it appeared as if there might be two different parties living in

the house and he suggested to Bill Robinson that he get the structure permitted as a two family dwelling. Mr. Markolf asked about the septic and if it was compliant for a two family home even though the number of bedrooms wasn't changing. Mr. Robinson informed the Board that the system was only nine or ten years old and designed by Mr. McCain. Mr. Malboeuf said he would double check with Mr. McCain's office to make sure the system was "ok" for the proposed use, and that they could have the applicant have the system re-certified if they thought necessary.

Mr. Markolf asked if all the abutters had been notified and if there had been and response from any of them, of which there had been none. Mr. Markolf also stated that on any dwelling other than a single-family that the State Department of Labor & Industry had to be involved as they had standards such as smoke detectors, fire walls, egress etc. Mr. Schoellkopf asked if there was adequate area for parking and Mr. Robinson indicated on his map that there was.

### ***Section 5.3 Conditional Use Review Standards***

**MOTION** by Mr. Markolf that **§ 5.3 (A) General Standards, (1-5)** are satisfied or not applicable to this application. **SECOND** by Mr. Schoellkopf. **VOTE:** all in favor, the motion carried.

**MOTION** by Mr. Markolf that **§ 5.3 (B) Specific Standards, (1-7)** are satisfied or not applicable to this application. **SECOND** by Mr. Behn. **VOTE:** all in favor, the motion carried.

**MOTION** by Mr. Behn that **§ 5.3 (B) Specific Standards, (8-11)** are satisfied or not applicable to this application. **SECOND** by Mr. Brattstrom. **DISCUSSION:** Mr. Behn asked if there would be any exterior construction, and Mr. Robinson said no, only interior unless Labor & Industry requires anything. He also stated that lighting would remain as is unless Labor & Industry required something different. **VOTE:** all in favor, the motion carried.

Mr. Markolf made note that **§ 5.3 (C) District Standards** did not apply in this instance.

**MOTION** by Mr. Markolf to grant the request of the applicant subject to:

- a) verification that the wastewater system is in compliance for a two-family dwelling
- b) the applicant calling Labor & Industry and getting their stamp of approval

**SECOND** by Mr. Behn. **VOTE:** all in favor, the motion carried.

#### **4- Other Business**

- a) Due to the length and amount of detail in the minutes of 5/25/05, the members did not sign them at this time.
- b) The Board did sign the Final Plat for Summit Ventures LLC
- c) Jeff Schoellkopf asked if he could have the attention of the Board members to share information about the affordable housing committee activities since he was the DRB representative to that committee. He gave who the committee was comprised of, and a general overview of some of the aspects they were considering such as site situation, type of structures, all for purchase or a mix with rental units, ways to make the properties affordable.

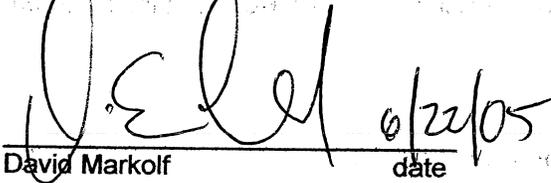
The meeting was adjourned at 8:17 pm.

DEVELOPMENT REVIEW BOARD  
MINUTES OF MEETING - 6/8/05

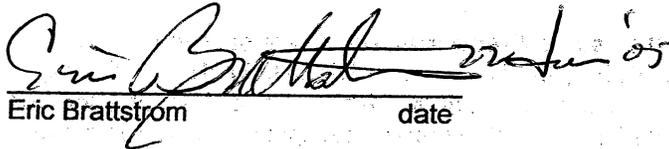
Respectfully submitted,

Ruth V. Robbins  
DRB/PC Assistant

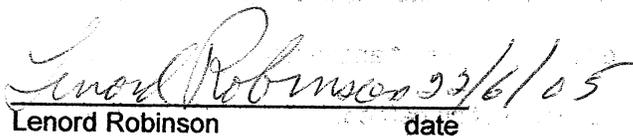
Development Review Board

  
David Markolf date 6/22/05

Chris Behn date

  
Eric Brattstrom date

Jeff Schoellkopf date

  
Lenord Robinson date 6/26/05