

**TOWN OF WARREN
DEVELOPMENT REVIEW BOARD
MINUTES OF MEETING
SEPTEMBER 15, 2003**

MEMBERS PRESENT: David Markolf, Jason Heroux & Jeff Schoellkopf.
OTHERS PRESENT: Tom Clark, Robert Neuberger, Jim Caffry, Neuberger
Representatives; Shannon Hill, DRB/PC Assistant.

AGENDA: 1) 7:30 Call to Order
2) Neuberger Continuation – Conditional Use for development within the
Forest Reserve District and a variance request for the maximum lot coverage.
3) Signing of Minutes & Decisions

I. CALL TO ORDER

Mr. Markolf called the meeting to order at 7:35 PM.

II. NEUBERGER CONDITIONAL USE / VARIANCE

Application # 2003-11-ZP submitted by Robert Neuberger seeking a variance for the Maximum Lot Coverage in the Forest Reserve District. This project requires Review under Article 5, *Development Review*, and Article 9.6, *Variances*, of the *Warren Land Use & Development Regulations*.

STAFF REPORT

This hearing is a continuation from August 27, 2003.

Ms. Hill reported that her original calculations for the existing footprint of the house did not include the deck area. The area was calculated as approximately 750 ft² and including the deck is 942 ft². She calculated the new proposed development footprint to be 1,638 ft² including the deck.

PUBLIC INPUT

There was no public input.

GENERAL DISCUSSION

Mr. Markolf proposed leaving the existing screen between the house and the Roxbury Mountain Road. Mr. Neuberger intends to leave the screen in tact, with the exception of cutting a few trees so the plow has a place to push snow and the to allow room for the front entry.

The board and Mr. Neuberger discussed the options for reducing the glare on the windows. Mr. Neuberger feels that the house is well screened by the existing trees and does not receive much direct light that would produce a glare. He believes that the two upper banks of windows on the gable at the north end of the western façade are the only ones that may be seen from other parts of the valley and would produce a glare.

The proposed development is 85' from the Town Right of Way.

The no-cut area surrounding the house is measured from the walls of the structure rather than the overhang.

DELIBERATION/DECISION

MOTION by Mr. Schoellkopf, seconded by Mr. Markolf, pursuant to §9.6(A)(1) to find the unique physical circumstances are created by the shape of the lot, the topography of the lot and the fact that it is a preexisting small lot. VOTE: unanimous; motion carried.

MOTION by Mr. Markolf, seconded by Mr. Schoellkopf, pursuant to §9.6(A)(2) & §2.1(F)(3) to find that a more reasonable use of the property would be achieved if the variance were issued than with strict conformance to the Forest Reserve Dimensional Standards. VOTE: unanimous; motion carried.

MOTION by Mr. Heroux, seconded by Mr. Schoellkopf, pursuant to §9.6(A)(3) to find that the applicant did not create the hardship. VOTE: unanimous; motion carried.

MOTION by Mr. Schoellkopf, seconded by Mr. Heroux, pursuant to §9.6(A)(4) to find that the proposed development will not alter the character of the neighborhood, substantially or permanently impair the appropriate use or development of adjacent property, reduce access to renewable energy resources, nor be detrimental to the public welfare. VOTE: unanimous; motion carried.

MOTION by Mr. Markolf, seconded by Mr. Schoellkopf, pursuant to §9.6(A)(5) to find that the variance represents the minimum that will afford relief and will represent the least deviation possible from the zoning regulations and from the plan. VOTE: unanimous; motion carried.

MOTION by Mr. Markolf, seconded by Mr. Heroux, pursuant to §9.6(B) to find that the proposed development is not applicable to the standards for Flood Hazard Overlay District. VOTE: unanimous; motion carried.

MOTION by Mr. Markolf, seconded by Mr. Heroux, pursuant to §9.6(C) to find that the proposed development is not applicable to the standards. VOTE: unanimous; motion carried.

MOTION by Mr. Markolf, seconded by Mr. Heroux, pursuant to §9.6(D) to find that the proposed development is acceptable subject to the conditions found in the July 9, 2003 Conditional Use Review meeting minutes as well as the following conditions:

- 1) The two upper banks of windows on the gable end of the Western elevation will have year round low glare or exterior screening on the windows.**
- 2) Three additional 75-watt incandescent soffit lights may be added on the entry porch in addition to the 2 exterior lights already approved.**

VOTE: unanimous; motion carried.

MOTION by Mr. Markolf, seconded by Mr. Heroux, to grant the variance subject to the conditions contained herein. VOTE: unanimous; motion carried.

MOTION by Mr. Schoellkopf, seconded by Mr. Heroux that given the variance and the previous findings and motions from July 9, 2003 to grant the Conditional Use for the final plan dated September 5, 2003. VOTE: unanimous; motion carried.

MOTION by Mr. Markolf, seconded by Mr. Heroux, to grant the permit as reviewed under Article 5, *Development Review*, and Article 9.6, *Variances* of the Warren *Land Use & Development Regulations*. VOTE: unanimous; motion carried.

III. ADJOURNMENT

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

The meeting adjourned at 9:05 PM.

Respectfully submitted,
Shannon M. Hill
DRB/PC Assistant

DEVELOPMENT REVIEW BOARD

David Markolf (date)

Jason Heroux (date)

Jeff Schoellkopf (date)