

**TOWN OF WARREN
DEVELOPMENT REVIEW BOARD
MINUTES OF MEETING
WEDNESDAY SEPTEMBER 23, 2009**

Members Present: David Markolf, Lenord Robinson, Virginia Roth and Bob Kaufmann.

Others Present: Andrew Cunningham, Don Swain, Miron Malboeuf and Ruth Robbins.

Agenda: Call meeting to order, 7:00 pm

1. **Application, 2009-11-CU**, Conditional Use – Setback Relief from a private road for an Accessory Structure. The applicant, Cynthia **Cintron**, seeks a conditional use approval for set back relief from Loop Road to construct an Accessory Structure. The applicant has submitted a Zoning Application to construct a twenty feet (20') by eighteen feet(18') residential garage on their property at 60 Loop Rd. The 1± acre parcel is located in the Rural Residential District, (Parcel Id# 038002-500). This Application requires review under Article 3, § 3.6(Height & Setback Requirements) and Article 5, Development Review of the Warren Land Use and Development Regulations.
2. **Application 2009-03-SD**: Minor Subdivision, 4 lots, Preliminary Plan Review /Final Plan Approval - 323 Carleton Rd... The applicant, Denise D **Durling**, request a Preliminary Plan Review/Final Plan Approval hearing for a 4 lot subdivision of 65.5 ± Acres located off West Hill Rd at 323 Carleton Rd in the Rural Residential District. This application requires review under Article 2 (Table 2.2, Rural Residential (RR)); Article 6, §6.4,(Final Plan Review); and Article 7, Subdivision Standards of the Warren Land Use and Development Regulations.(Continued from August 19th, 2009)
3. Other Business:
 - a. Sign Minutes from previous meeting

Mr. Markolf called the meeting to order at 7:13 pm.

1. **Application, 2009-11-CU**, Conditional Use – Setback Relief from a private road for an Accessory Structure. The applicant, Cynthia **Cintron**, seeks a conditional use approval for set back relief from Loop Road to construct an Accessory Structure. The applicant has submitted a Zoning Application to construct a twenty feet (20') by eighteen feet(18') residential garage on their property at 60 Loop Rd. The 1± acre parcel is located in the Rural Residential District, (Parcel Id# 038002-500).

Mr. Malboeuf reported on the site visit attended by Mr. Markolf, Mr. Robinson and himself. They took measurements and determined that the closest point was just at 28 feet. Mr. Cunningham described the lot as small, and steep towards the Prickly Mountain side of the parcel. The wastewater system is located on the only other flat area leaving few if any other options for the garage. He also noted that the garage could potentially be built without having to use the entire amount of the relief allowed. He further explained that it was a one bay garage.

MOTION by Mr. Markolf that Sec. 5.3 Conditional Use Review Standards (A) (1-5) are found by the DRB to be either satisfied by the applicant or not applicable. **SECOND** by Mr. Robinson. **VOTE**: all in favor, the motion passed.

MOTION by Mr. Markolf that from any point of the proposed accessory structure, a garage, is to be no less than 28 feet from the edge of the traveled way. **SECOND** by Mr. Robinson. **VOTE**: all in favor, the motion passed.

MOTION by Mr. Markolf that Sec. 5.3 (B) (1-11) are found by the DRB to be either satisfied by the applicant or not applicable. **SECOND** by Mr. Robinson. **VOTE**: all in favor, the motion passed.

Mr. Markolf noted that Sec. 5.3 (C) District Standards was not relevant to this application.

MOTION by Mr. Markolf to approve the applicant's request for setback relief as provided under Sec. 3.6 (C) having met the conditional use review standards. **SECOND** by Mr. Robinson.

VOTE: all in favor, the motion passed.

MOTION by Mr. Markolf to continue the hearing of the Mackie application from October 7th until November 4th. **SECOND** by Mrs. Roth. **VOTE:** all in favor, the motion passed.

2. **Application 2009-03-SD:** Minor Subdivision, 4 lots, Preliminary Plan Review /Final Plan Approval - 323 Carleton Rd... The applicant, Denise D **Durling**, request a Preliminary Plan Review/Final Plan Approval hearing for a 4 lot subdivision of 65.5 ± Acres located off West Hill Rd at 323 Carleton Rd in the Rural Residential District.

This hearing began with the submission and discussion of a letter submitted by the applicant from Conservation Planning Biologist Jens Hilke that in essence confirmed evidence of current wildlife use, but not to the degree to be considered "significant" wildlife habitat. Mr. Swain then went over the laundry list as he knew it from the previous meeting: grading plan for the gravel pit, definition of what the septic is, and an erosion control plan. Mr. Malboeuf also added that the Board would want a draft of the covenants for the project. The Fire Dept. letter is also outstanding.

Mr. Swain presented the Board with the proposed grading plan of which is primarily centered on the gravel pit and affects two of the proposed lots. He showed the members how he had incorporated terracing in addition to standard grading that would create a slope of less than 25%. Discussion included the need for drainage and seeding/matting as erosion control measures to be incorporated. It was also noted that this was a unique situation where a gravel pit, already an erosion hazard, was being improved to be less of a hazard. Mr. Malboeuf also brought up the possibility of creating a fire pond since requiring the homes to be sprinkled could be cost prohibitive. At this point however, a Fire Dept letter with their recommendations has yet to be received. Mr. Swain said that the location and feasibility of a fire pond has yet to be determined. He also added that the existing pond on Ms. Durling's lot could potentially be used as well.

Mr. Markolf asked about the road maintenance agreement and noted that there was a neighbor from the Win Lakes subdivision that shares part of Camp Road at the last meeting with some road concerns. It was stated that any road agreement could only be conditioned by the DRB for those in the proposed Durling Subdivision. However, it is not unusual for the DRB to encourage neighboring land owners who share an access road to have a conversation with the land owner of the proposed subdivision to discuss how road issues will be handled going forward. Mr. Swain had said that the section of Camp Road above Orion Road would be improved so that rain waters would shed off to the sides and not run straight down the middle of the road. The concern about the culvert and Camp Road condition at the point where it intersects with Lincoln Gap will have to be resolved with the Town.

Mr. Swain told the Board that he did not have an erosion control plan yet as he had hesitated to go too far forward until he felt any wildlife issues with lot #3 had been resolved. Conversation continued on the plan for the gravel pit. The grading plan would create some 25% slopes along with some terracing. Mr. Malboeuf pointed out that the ordinance does not allow development on steep slope of 25% but does not preclude them being used in a grading/erosion control fashion or as remediation for an old defunct gravel pit.

In summary, since the Board felt they were not ready for a final plan approval, they listed four items that needed to be either resolved or submitted for review. They are: 1) covenants, 2) letter from Fire Dept., 3) erosion control/grading plan, and 4) detailed plans for the improvements to be made to upper Camp Road.

MOTION by Mr. Markolf that the Board continues this hearing until November 18th at 7pm.
SECOND by Mr. Kaufmann. **VOTE:** all in favor, the motion passed.

Mr. Markolf adjourned the meeting at 8:35 pm. The next scheduled meeting of the DRB is for Wednesday October 7, 2009.

Respectfully submitted,

Ruth V. Robbins
DRB/PC Assistant

DEVELOPMENT REVIEW BOARD

David Markolf date

Bob Kaufmann date

Virginia Roth date

Lenord Robinson date