

Town of Warren
Planning & Zoning Commission
PUBLIC HEARING - Regular Meeting – Minutes
Tuesday, October 9, 2018 – 7:30PM
Warren Town Hall – 50 Cemetery Road

Present: Chairman: Susan Bates – **Vice Chairman:** Christoffer Brodhead - **Regular Members:** Bob Bolte, Robyn Kasler, Howard Lethbridge, Philip Good – **Alternate:** None - **Zoning Enforcement Officer:** Stacey Sefcik -
Land Use Secretary: Brenda Zampaglione
Excused: NONE **Absent:** Brian Coyle, John Papp, John Miller, Kelly Tobin

1. CALL TO ORDER AND DESIGNATION OF ALTERNATES.

- a.** The **PUBLIC HEARING** was called to order at 7:50PM. All regular members present were seated for the meeting. The proceedings were recorded digitally, and copies are available in the Land Use Office.

CONTINUED PUBLIC HEARING

- 1. Arthur Howland & Associates for Barbara Johnson, Trustee, 10 North Shore Road** – Special Exceptions Per §14.2.1-F and 14.3 to Construct Patio Larger than 100 Square Feet and Single Family Dwelling within the Shoreline Setback Area.

Paul Szymanski of Arthur Howland & Associates for Barbara Johnson, Trustee, 10 North Shore Road requested to Table this Application for 38 days (November 13, 2018) extension due to the **WITHDRAWAL** of the application for Petition to Amend §14.3 of the Town of Warren Zoning Regulations Pertaining to Attached & Detached Garages in the Shoreline Setback Area 50-100 Feet from Water. The site plan will be adjusted to shift the Garage location to comply with the current regulations.

MOTION: Mr. Bolte, second Mr. Lethbridge to **CONTINUE** the **PUBLIC HEARING** until **November 13, 2018**.

APPROVED: Robyn Kasler, Chris Brodhead, Susan Bates, Philip Good

OPPOSED: NONE

ABSTENTIONS: NONE

MOTION CARRIED

PUBLIC HEARING

The hearings opened at 7:53PM. Regular members present were seated for the meeting. The proceedings were digitally recorded and copies are available in the Land Use Office.

- 1. Arthur Howland & Associates for Barbara Johnson, Trustee, 10 North Shore Road** – Petition to Amend §14.3 of the Town of Warren Zoning Regulations Pertaining to Attached & Detached Garages in the Shoreline Setback Area 50-100 Feet from Water.

Paul Szymanski of Arthur Howland & Associates for Barbara Johnson, Trustee, 10 North Shore Road requested to **WITHDRAW** the Petition.

Ms. Bates then opened the meeting for Public Comment.

Heather Allen – 96 North Shore Road, Requested clarification of “Tabling”. The Commission clarified that it meant the Public Hearing would be continued until the November 13, 2018 Planning & Zoning meeting.

REGULAR MEETING

1. CALL TO ORDER

- a. The **Regular Meeting** was called to order at 7:55PM immediately after the Public Hearing. All regular members present were seated for the meeting. The proceedings were recorded digitally, and copies are available in the Land Use Office.

2. OPPORTUNITY FOR PUBLIC COMMENT

Blake Levitt – 355 Lake Road, requested that Ridgeline Protection be included in the Plan of Conservation and Development. In addition, Ms. Levitt would like to see increased setbacks for Pool near Water Sources and to take the slope into consideration. Lastly, Ms. Levitt requested that the Commission to allow residents to interact with Homeland Towers during the upcoming presentation.

3. APPROVAL OF MINUTES:

- a. September 11, 2018 Regular Meeting

MOTION: Mr. Lethbridge, second Mr. Brodhead to **APPROVE** the September 11, 2018 **REGULAR Meeting minutes**;

APPROVED: UNANIMOUSLY

ABSTENTIONS: NONE

MOTION CARRIED

4. OLD BUSINESS:

- a. **Arthur Howland & Associates for Barbara Johnson, Trustee, 10 North Shore Road** – Special Exceptions Per §14.2.1-F and 14.3 to Construct Patio Larger than 100 Square Feet and Single Family Dwelling within the Shoreline Setback Area. **Mr. Szymanski requested this discussion be TABLED until November 13, 2018 meeting.**
- b. **Arthur Howland & Associates, PC** – Petition to Amend §14.3 of the Town of Warren Zoning Regulations Pertaining to Permitting Detached Garages in the Shoreline Setback Area by Special Exception. **The Applicant has Withdrawn the Petition via emailed letter received October 9, 2018.**
- c. **Arthur Howland & Associates for Barbara Johnson, Trustee, 10 North Shore Road** – Zoning Permit #18-18 to Tear Down & Rebuild Single Family Dwelling, Construct In-Ground Pool & Pool House, and Relocate Driveway. **Mr. Szymanski requested this discussion be TABLED until November 13, 2018 meeting.**
- d. **Town of Warren Planning & Zoning Commission** – Text Amendments to Zoning Regulations - Section 2 (Definitions) and Section 5 (Use Table). **Public Hearing scheduled for November 13, 2018**

5. NEW BUSINESS:

- a. **Robert Fisher, Esq. for Lake Waramaug, LLC, 387 Lake Road** – 2-Lot Subdivision

Attorney Fisher presented the Commission with a Proposed Declaration of Restriction which would comply with §5.7.2 pertaining to Sub-division Regulations which require 15% set aside for Open Space (0.87 acre on this site), and a site map. Also included is a Waiver for §5.7.2b requirements for Open Space Regulation. Ms. Sefcik read into the record §5.2.7b. Ms. Sefcik finds this request reasonable. As TAHD approval has not been received, the Commission deemed the **application as incomplete**. Ms. Sefcik read into the record §11.1 and 11.2. Fee in lieu of Open Space was also discussed. Mr. Fisher stated he expects the TAHD report by the November 13, 2018 meeting.

- b. **Brian Neff, PE for Haley Built Homes, LLC for Trena Keating & David Pitofsky, 7 Hopkins Road** – Zoning Permit to Tear Down & Reconstruct Single Family Dwelling, Construct In-Ground Swimming Pool & Utilities

Mr. Neff presented and summarized a site plan for the Commission. It is a 1 acre lot with no Wetlands on the site. Maximum building height is 28.8'. Approval from TAHD has been received. Mr. Neff also submitted a House Plan. The Commission reviewed and discussed the plans

MOTION: Mr. Lethbridge, second Mr. Good to **APPROVE** the Application as submitted with the proviso of an **As Built** to comply with the Setbacks.

APPROVED: UNANIMOUSLY

ABSTENTIONS: NONE

MOTION CARRIED

- c. **Homeland Towers on Behalf of Town of Warren Board of Selectmen** –§8-24 Referral – Lease of Town-Owned Property Located At 50 Cemetery Road (Assessor's Map 23 Lot 10) and/or Revised Location on Carter Road (Assessor's Map 27 Lot 20) for Location of Cell Phone Tower and Associated Equipment.

Mr. Ray Bergati for Homeland Towers presented a site plan of the two locations for the Commission. The revised Laurel Mountain Road/Carter Road location site plan was discussed at length. The platform (75' x 75') site was moved back @ 600' and was now @ 809' from East and West property lines, moving the site further to the West could be a Wetland and elevation issue. Wetlands have not been flagged as of yet but will be done once a carrier is signed on and an application is made to the Siting Council. The Town's possible lease to Homeland Towers will go to a Referendum vote on Thursday, October 18, 2018. After the vote, it is approximately 6 to 9 month process for Siting Council approval.

MOTION: Mr. Brodhead, second Mr. Lethbridge to grant a **FAVORABLE** recommendation as the plan is consistent with the Plan of Conservation and Development and with the proviso that a good faith effort to keep the tower away from Wetlands and Visibility of the Tower away from Dwellings in keeping with the rural character of the Town of Warren. The Commission Favors the Laurel Mountain Road/Carter Road site to the Town Hall site at 50 Cemetery Road as it is more in keeping with the rural character and considered for possible location of Affordable Housing on the Town Hall property.

APPROVED: UNANIMOUSLY ABSTENTIONS: NONE MOTION CARRIED

6. CORRESPONDENCE

- a. Ms. Sefcik received several letters regarding the requested amendment to §14.3 of the Town of Warren Zoning Regulations Pertaining to Attached & Detached Garages in the Shoreline Setback Area 50-100 Feet from Water. This Petition has been withdrawn by the Applicant.

7. ZONING ENFORCEMENT OFFICER'S REPORT

- a. No written report was available. Ms. Sefcik summarized for the Commission that she had received several applications for Sheds and Pools in the last month which were processed by the Land Use Office. Ms. Sefcik will finish her written report and send to all Commission members.

8. OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION

- a. **Update from Plan of Conservation & Development Subcommittee**

Ms. Sefcik summarized the most recent POCD Forum Topic meeting held on October 4, 2018. At this point, Ms. Sefcik and the POCD Sub-committee will start to put the document together in order to have a first draft ready for the December 4, 2018 meeting.

- b. NHCOC has a 5th Thursday on Weds., October 17, 2018 the topic pertaining to Agri-tourism and Agri-business and encouraged all Commission members to attend.
- c. Ms. Bates suggested that Planning & Zoning Applications being submitted for consideration at meetings be submitted the Wednesday BEFORE the meeting, giving the ZEO enough time to construct her report. Ms. Bates further suggested that application copies be given to Commission members before the meeting.
- d. TAHD delays/difficulties were discussed among Commission members
- e. Business Registration was discussed at length amongst the Commission. Regulations, amnesty, moratorium and tier levels were considered. Variances and Special Exceptions were also deliberated. An increase in the budget may be necessary for additional hours for enforcement. No conclusions were drawn at this time.

9. ADJOURNMENT.

MOTION: Mr. Bolte, second Mr. Brodhead to **ADJOURN** the meeting at 10:13PM;

APPROVED: UNANIMOUSLY ABSTENTIONS: NONE

Respectfully submitted,

Brenda Zampaglione

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Land Use Secretary