

**TOWN OF WARREN  
PLANNING & ZONING COMMISSION**

**Regular Meeting Minutes**

**Tuesday, June 14, 2016 - 7:30 pm**

Town Hall - Lower Level Meeting Room - 50 Cemetery Road

**PRESENT** were Chairman Bob Bolte, Vice Chairman Chris Brodhead, Phil Good, Susie Bates, Robyn Kasler. Also present were Stacey Sefcik, ZEO, and Richelle Hodza, Recording Secretary. **ABSENT** were Kelly Tobin, John Miller, and Howard Lethbridge, as well as Alternates Brian Coyle and Darin Willenbrock.

The meeting was called to **ORDER** at 7:45 p.m. No alternates were present.

Ms. Bates **MOVED** to accept the **May 10, 2016** regular meeting **MINUTES**. Mr. Brodhead **SECONDED** and the motion **CARRIED**.

No **OLD BUSINESS** required consideration.

**NEW BUSINESS** included David & Kelly Williams, 149 North Shore Road – Zoning Permit for Driveway Relocation and Tear Down/Rebuild of Single Family Dwelling.

Mr. Kenneth Hrica appeared on the applicants' behalf presenting plans. He noted that the 750 foot driveway, which had been relocated for improved sight lines and visibility, included two pulloffs, and an emergency vehicle turnaround. To be completely paved, the driveway was under 10% grade at every interval, and met the 60 foot inside radius requirement at every turn. Proper approvals for the driveway had been received, including from the CT DOT. Warren's Inland Wetlands & Conservation Commission approved the site plan after close consideration; all zoning setback requirements are met; TAHD approved the septic system, as did the State of Connecticut, since multiple buildings (main house, cottage, and garage) were to have bedrooms. While only 6 bedrooms were to be constructed in total, the system was approved for 7. The boathouse was to include a toilet and shower and therefore a sewage ejector pump and a second pump up to fields. A few questions were asked for clarification. Ms. Sefcik recounted the application's progression through the Wetlands approval process: both the applicants and the commissioners had been conscientious, and neighbors to either side of the applicants stated that they had no concerns. Mr. Broadhead made a **MOTION** to approve the application; Ms. Kasler **SECONDED**; the motion **CARRIED** unanimously.

**NEW BUSINESS** also included David Wilson, PE for Mark & Sheila Simonian, 143 North Shore Road – Special Exception per Section 17.3.B to Construct 2<sup>nd</sup> Floor Addition to Nonconforming Structure. Mr. Wilson presented the plans for the construction of a shed-style dormer to an existing nonconforming barn, which stands within both a side- and the rear setbacks. The barn was to be razed and reconstructed retaining the same footprint while a portion of the second floor loft was to be bumped out by way of building a dormer not higher than the original structure. No part of the structure would be closer to the existing property lines. Ms. Kasler made a **MOTION** to accept the application and to schedule a public hearing for July 12, 2016 at 7:30 p.m. at the Warren Town Hall, 50 Cemetery Road, Warren, Connecticut in the lower level meeting room. Mr. Good **SECONDED** the motion, which **CARRIED** unanimously.

During the **OPPORTUNITY FOR PUBLIC COMMENT**, Mr. Rober L. Fisher introduced himself as the attorney representing Charles P. Eaton in the matter of the former Boulders Inn on Lake Waramaug. Mr. Fisher recounted the history of the property since Mr. Eaton's company, Lake Waramaug, LLC purchased it at the end of 2013. Mr. Fisher stated that he, himself, first appeared before the commission in April 2014 after substantial renovations had been made to the property by Mr. Eaton's builder Rafe Churchill, and after the change of use from an inn to a residence was sought and granted. Presently, four dwellings remain on the now-residential property, including an original "main house", a substantial "carriage barn" house; and two cottages, therefore, the property does not comply with zoning regulations. Mr. Fisher stated that the conversion of use caused unintended consequences. In order to attempt to more nearly comply with the zoning regulations, to the Zoning Board of Appeals were brought four separate variance applications resulting from a proposal to split the parcel, so that each lot had but a single main building, plus one

accessory dwelling unit. The plan to split the parcel in such a way engendered new kinds of non-compliance, generally involving non-compliant accessways and the granting of easements vis-à-vis fee simple rules.

The ZBA denied all four variances. As a result of those denials, Mr. Fisher and the Town's attorney had tried to draft an amendment to the text of the Zoning Regulations which would solve the unusual circumstances of the former inn, while being neither too narrow nor too broad. No language has been agreed upon. Mr. Fisher then read a couple of proposed text amendments. Ms. Sefcik, familiar with the proposed amendments and subsequent comments by the Town's attorney, explained to the Commission that the former risked being considered "spot zoning," the latter risked being too broad to be in keeping with the Town's plan of conservation and development.

Mr. Fisher explained that Mr. Eaton does not want to run an inn and that he would rather keep it as on piece of land. One commission member wanted clarification: had the use not been changed, the owners could have used the property as a private residence without causing violation of the zoning regulations. Mr. Fisher affirmed the statement. If it were returned to use as an inn now, the building would stand in violation of building and health codes. All of the fire escapes, exit signs, and other due specifications had been removed or altered. The Commission had concerns about changing its regulations to accommodate the singular property and was wary of any solution smacking of spot zoning. Mr. Brodhead suggested that Mr. Fisher go back to the drawing board; the other Commissioners agreed that tabling the matter was in order.

Ms. Sefcik **CORRESPONDENCE** informed the Commission that another NH COG meeting would be held on June 30 and that at least one committee member from Warren, one of 21 member towns, was encouraged to attend. Ms. Kasler volunteered to go to the meeting again this quarter. Ms. Sefcik also said she would send via pdf the report on transportation published by the NH COG. Ms. Hodza offered to mail Chairman Bolte a hard copy.

Ms. Sefcik provided her written **ZONING ENFORCEMENT OFFICER'S REPORT** on over two pages. After reviewing the report and seeking clarifications, Mr. Brodhead made a **MOTION** to accept it. Mr. Good **SECONDED**, the motion **CARRIED**.

**OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION** was a discussion regarding **Possible Zoning Text Amendments** (which may include but not be limited to Timber Harvests, Definition of Farm, Merging Sections 22 & 33 Pertaining to Special Exceptions, Fixing Incorrect & Unclear References, and Renumbering Sections & Subsections). Ms. Sefcik handed out drafts of possible text amendments in response to discussions of same at last month's meeting along with comments by the Town's attorney. She reviewed these with the Commission which agreed to ruminate until next month.

Ms. Sefcik also brought up Sections 13.0 and 26.0 for discussion regarding **Home Occupations and Home Businesses** respectively because questions of use had arisen in the normal course of the Zoning Enforcement Officer's responsibilities. Some discussion ensued with regard to the wish to protect contractors' shops and storage in residential zones, possibly by issuing special permits for such use. Commission members were amenable to Ms. Sefcik drawing up language addressing same for discussion.

The discussion regarding **Possible Zoning Text Amendment Pertaining to Nonconforming Lots** was tabled.

At 9:11 p.m., Mr. Brodhead **MOVED** to adjourn the meeting until **Tuesday, July 12 at 7:30 p.m.** and was **SECONDED** by Ms. Kasler. The motion **CARRIED**.

Respectfully submitted,



Richelle Hodza  
Recording Secretary