

**Town of Warren
Zoning Board of Appeals
Regular Meeting – Minutes
Wednesday, October 25, 2017 – 7:30PM
Warren Town Hall – 50 Cemetery Road**

Present: Chairman: Jon Garvey - **Regular Members:** George Githens, William Hopkins, Rick Valine -**Alternate:** Robin Ploch – **Zoning Enforcement Officer:** Stacey Sefcik – **Land Use Secretary:** Stephanie Dubray
Excused: Regular Member: Ray Furse, **Alternate:** Tom Paul

1. Call to Order and Designation of Alternates:

- a. The regular meeting was called to order at 7:35PM. All regular members present were seated for the meeting. The proceedings were recorded digitally, and copies are available in the Land Use Office.

2. Election of Officers:

Mr. Valine nominated Jon Garvey as Chairman of the Zoning Board of Appeals Commission; Mr. Githens second the nomination, all in favor.

Mr. Githens nominated Ray Furse as Vice Chairman of the Zoning Board of Appeals Commission; Mr. Hopkins second the nomination, all in favor.

3. Public Hearings:

- a. No business.

4. Approval of Minutes:

a. June 28, 2017 Regular Meeting

Motion: Mr. Valine, second Mr. Githens to **approve** the minutes from the regular meeting on June 28, 2017; **unanimously approved.**

b. October 2, 2017 Special Meeting

Motion: Mr. Githens, second Mr. Hopkins to **approve** the minutes from the special meeting on October 2, 2017; **unanimously approved.**

5. New Business:

- a. Jessica & Michael Dell'Aera, 14 Strawberry Ridge – Request to Vary Section 6.2 and 6.4 of the Town of Warren Zoning Regulations to Permit Installation of Pool Equipment within the Northern Side Yard Setback. *(Accept Application and Schedule Public Hearing for November 15, 2017)*

Mrs. Dell'Aera presents to the commission a survey map of the area in question along with a letter from Shur Shot Gunitite Pools explaining the reason as to why the pool equipment was put in the setback area. It was discussed that the town drainage pipe cuts through the property and comes out into the wetlands near the pool. Ms. Dell'Aera stated that, as the drainage pipe was crushed, they had repaired it themselves during construction. The pool equipment was originally planned in a different area, but the location was changed due to the location of the wetlands right behind the pool, the town drainage pipe, and the setback distances required by Building Code for the propane tank and generator.

Additionally, there were three large ledge outcrops and two sizable maple trees with extensive root systems. Ms. Dell'Aera thought the equipment was sufficient distance from the property line, and was not aware of the problem until Ms. Sefcik pointed it out. Ms. Sefcik explained that, due to the steep slopes onsite, the entire lot was within the Inland Wetlands regulated area; grey-shaded areas on the plans indicated 25% or greater slopes.

Motion: Mr. Githens, second Ms. Ploch to **accept** the application and schedule a public hearing for November 15, 2017; **unanimously approved.**

6. Old Business:

- a. No business was discussed.

7. Other Business Proper To Come Before The Board:

- a. Executive Session to Discuss Strategy and Negotiations with Respect to Pending Litigation to which the Zoning Board of Appeals is a Party.

Motion: Mr. Valine, second Mr. Hopkins to **enter into Executive Session; unanimously approved** to enter at **7:51PM** for the purpose of discussing and negotiating with respect to pending litigation to which the Zoning Board of Appeals is a party. At this time Ms. Sefcik and Ms. Dubray were asked to exit the meeting.

At this time the recorder was turned off, and minutes were no longer notated.

No motions were made while in Executive Session.

The board exited Executive Session and resumed the Regular Meeting at 8:35.

8. Adjournment.

Motion: Mr. Valine, second Mr. Githens to **adjourn** the meeting at **8:50PM; unanimously approved.**

Respectfully submitted,



Stephanie Dubray
Land Use Secretary