

NORWICH DEVELOPMENT REVIEW BOARD

MINUTES

August 7, 2014

Tracy Hall Meeting Room

Members present: Lawe, Teeter, Dean, Carroll, Ciccotelli, Rotman

Members not present: Tuggle

Alternates present: Stucker **Alternates not present:** McCabe

Clerk: Phil Dechert **Others:** George Fraser, Tom Sargent, Dean Seibert, Nate Stearns, Cirian Geraghty, John Eller, Glen Gurman and Roger Blake

1. The meeting was called to order by the Chair, John Lawe, at 7:05 PM

Note: The meeting and hearings scheduled for July 17, 2014 were postponed to this meeting

2. **Minutes** – The following minutes were approved without change: 6-19-14

3. Administrative Issues

- a. Future Schedule & Agendas
 - i. August 21, 2014 – No Hearings Scheduled
 - ii. September 4, 2014 - No Hearings Scheduled
- b. Open Meeting Law Changes and DRB Bylaw changes,
 - i. Draft Revisions of DRB Rules of Procedure ver. 7-14-14 includes changes based on the revised “Open Meeting” statute and minor changes reflecting current practices. The Board will review and discuss at a future meeting,
- c. “Deemed Approval” issue – The Clerk briefly explained that “deemed approval” of an application when a decision has not been issued within 45 days must be granted by the court. It is not automatic. Related documents were distributed.
- d. Draft – the DRB: Hearings & Appeals Information handout will be discussed at a future meeting along with Revisions of DRB Rules of Procedure

4. Boundary Line Adjustment:

20 BLA14 Sargent (Revised) - Review

Transfer .47 acres from Lot #06-031c, Dwight Sargent et al, landowner to Lot #06-016b, Thomas Sargent, landowner. The .47 acre parcel being transferred contains one house. Remaining house will stay on remaining one acre lot with another one acre transferred from Lot #06-031a, Dwight Sargent et al, to make it a two acre lot.

In order to make the remaining 1 acre lot with a house, Lot #06-031c, conforming, the applicant proposes to transfer an additional acre from adjacent Lot #06-031a to Lot #06-031c. A survey indicates that these two lots are abutting.

Lawe moved that the proposed Boundary Line Adjustment conforms to the criteria in Section 2.1(D)(1) NSR and therefore the Zoning Administrator is authorized to issue an administrative permit for the Boundary Line Adjustment. The motion was seconded by Dean and was approved 7-0.

5. Public Hearing:

#5APP14: An appeal by Ann and Dean Seibert, et al. of the decision of the Norwich Zoning Administrator to issue Zoning Permit #4BAD14 to Norah Geraghty, Landowner, for an addition on Lot 20-132.000, at 383 Main Street and a 2/7/14 Response Memorandum of Zoning Administrator. (Continued from June 5, 2014)

Members Participating: Lawe, Teeter, Ciccotelli, Dean, Rotman, Carroll

Applicant/Appellant: Dean Seibert

Landowner: Nate Sterns, Cirian Geraghty

Interested Persons: None

The Chair opened the hearing at 7:31 PM.

Document Submitted by Appellants:

APL-6 Email - Withdrawal of Appeals, submitted by Jack Candon, dated 8/7/14.

Appellants withdrew their Appeal #5APP14 on August 7, 2014 through their Attorney, Jack Candon.

Dean moved to accept the request to withdraw and dismiss the appeal. The Motion was seconded by Ciccotelli and passed 7-0. The hearing was closed at 7:46 PM.

6. Public Hearing:

#33BSUB14: Preliminary Plan Review of a Subdivision Application by the Daniel S. Fraser Trust, Applicant and Landowner to divide Lot #10-059.000 into 2 lots at 137 Turnpike Road.

The record in this case includes the following documents:

Submitted by Applicants

A-1 Application #33BSUB14, dated 6-19-14.

A-2 Site Plan, by Pathways Consulting, LLC, dated 6-20-14.

Submitted by Zoning Administrator

ZA-1 Documents and Interested Parties list, dated 7-8-14.

ZA-2 Zoning Administrator Report, dated 7-3-14.

ZA-3 Checklist for Development Envelopes, dated 7-3-14.

ZA-4 Development Envelopes Sketch, dated 7-3-14.

Members Participating: Lawe, Teeter, Dean, Carroll, Ciccotelli, Rotman, Stucker

Applicant/Landowner: George Fraser

Interested Persons: None

The Chair opened the hearing at 7:50 PM.

Site Visit Report: 5:35 PM at 137 Turnpike Road – Members: Teeter, Ciccotelli, Rotman, Carroll and Stucker Clerk: Dechert Applicant: George Fraser

Participants viewed the existing house on Lot 1, observed the Primary Shoreline Protection Area and Special Flood Hazard Area along Blood Brook, and the staked out new lot lines. They walked the proposed access road to new Lot 2.

George Fraser, for Applicant, discussed the proposed subdivision.

Dechert explained that although a portion of the existing lot is in the Rural Residential District, the density determination allowing two lots is based on the area in the Village Residential I District.

Although there is an existing driveway to existing accessory buildings on proposed Lot 2, a new driveway access permit for a change of use may be required by the Department of Public Works.

Rotman moved to close the preliminary hearing. Dean seconded the motion and the motion passed 7-0. The preliminary hearing was closed at 8:15 PM.

7. Public Hearing:

#32BCU14: Conditional Use Application by John J. Eller, Applicant and Landowner to build a 10' x 10' shed within the Shoreline Protection Overlay District on Lot 06-072.000 at 194 Kendall Station Road.

Members Participating: Lawe, Teeter, Dean, Carroll, Ciccotelli, Rotman, Stucker

Applicant/Landowner: John Eller

Interested Persons: Glen Gurman, (Abutter at 186 Kendall Station Road) and Roger Blake (Abutter at 176 Kendall Station Road)

The Chair opened the hearing at 8:18 PM.

Site Visit Report: 5:00 PM at 194 Kendall Station Road – Members: Teeter, Ciccotelli, Rotman, Carroll Clerk: Dechert Applicant: John Eller

Participants viewed the location of the new shed which is already substantially built. The shed is 10 feet from the property line to the south and approximately 35 feet from the top of the river bank to the east. It is approximately 20 feet from the river side of the existing house.

The Applicant explained that he was under the impression that he had permission to build the shed at its present location without a permit and had cleared it with the Zoning Administrator. The Zoning Administrator explained that a site on the road side of the house had been flagged and was approved and he was unaware that the current site on the river side had also been flagged and did not see it. As long as the shed footprint was less than 100 square feet and was located outside of setbacks it was exempt from requiring a permit.

The board discussed options of allowing the shed to remain or to where it could be relocated. The abutting landowner to the south, Glen Gurman, expressed concern with privacy and asked that the shed be located on the north side of the lot.

Dean moved to close the hearing. Rotman seconded the motion and the motion passed 7-0. The hearing was closed at 9:22 PM.

The meeting was adjourned at 9:38 PM.

Phil Dechert, Clerk

APPROVED 10/2/14