

NORWICH DEVELOPMENT REVIEW BOARD

MINUTES

October 20, 2016

Tracy Hall Meeting Room

Members present: Lawe, Ciccotelli, Dean, Rotman, Stucker

Members not present: Teeter, Carroll **Alternates present:** Pitiger, McCabe

Alternates not present:

Clerk: Phil Dechert **Others:** Veronica and Craig Thurston

1. The meeting was called to order by the Chair, John Lawe, at 7:19 PM

2. **Agenda** – Approved (switched 6a and 6b)

3. **Public Comments & Announcements** – None

4. **Minutes** – The 8-18-16 minutes were deferred to the next scheduled meeting

5. **Administrative Issues**

Future Schedule & Agendas:

November 3, 2016 - Avery Trust PUD

November 17, 2016 – Thurston (Continued from 10-20-16)

6. **Boundary Line Adjustment Review:**

a. **Christakis/Hannam Boundary Line Adjustment, Permit #38BLA16**

The Boundary Line Adjustment proposes to:

- i. Transfer - Approximately 3.37 acres to Lot 1 (Erika and Nicholas A. Christakis, Landowners at 641 Pattrell RD) from Lot 2 (Deborah Hannam, Landowner at 15 Powers RD).

The Board, after reviewing the BLA application, determined that it complies with the criteria for a BLA.

Pitiger moved that the proposed Boundary Line Adjustment #38BLA16 conforms to the criteria in Section 2.1(E)(1) NSR and therefore the Zoning Administrator is authorized to issue an administrative permit for the Boundary Line Adjustment.

The motion was seconded by Stucker and was approved by a vote of 5-0.

b. **Kaufman Boundary Line Adjustment, Permit #34BLA16**

The Boundary Line Adjustment proposes to:

- i. Transfer - Approximately .62 acres from Lot 1 (Stephanie K. Doben and George B. Kaufman, Landowners at 535 Campbell Flats Road) to Lot 2 (Stephanie K. Doben and George B. Kaufman, Landowners of undeveloped lot on Campbell Flats Road). After boundary line adjustment, Lot 2 will become a developed lot to include 537 and 539 Campbell Flats Road. Lot 1 will retain 535 Campbell Flats Road.
- ii. Transfer – Approximately .55 acres from Lot 2 to Lot 1.

The Board, after reviewing the BLA application, determined that it complies with the criteria for a BLA.

Stucker moved that the proposed Boundary Line Adjustment #34BLA16 conforms to the criteria in Section 2.1(E)(1) NSR and therefore the Zoning Administrator is authorized to issue an administrative permit for the Boundary Line Adjustment.

The motion was seconded by Pitiger and was approved by a vote of 7-0.

7. Public Hearings:

NATURE OF APPLICATION - #37BSUB16: Preliminary Plan Review of a Subdivision Application by Veronica L. Thurston and Judson C. Thurston, Applicants and Landowners to divide Lot 03-057.000 into 2 lots of approximately 4.3 acres and 22.4 acres at 1490 Beaver Meadow Road. Application to be reviewed under the Norwich Subdivision Regulations.

The record in this case includes the following documents:

Submitted by Applicant

- A-1 Application #37BSUB16, dated 10-4-16
- A-2 Waiver Request from Subdivision Density Calculation to remove the “Contiguous to Norwich Fire District Agreement Land” calculation, dated 10-6-16

Submitted by Zoning Administrator

- ZA-1 Documents and Interested Parties list, dated 10-19-16
- ZA-2 ZA Report, dated 10-11-16
- ZA-3 Ortho Base (2011) Photo of Site Plan, dated 10-16
 - a. Full Lot View
 - b. Developed Area and Development Envelope
- ZA-4 NFD Review 10-18-16

The Chair opened the Public Hearing at 7:38 PM

Present: Members: Lawe, Dean, Ciccotelli, Rotman, Stucker
Alternates: Pitiger, McCabe
Clerk: Dechert
Applicants: Veronica and Craig Thurston
Interested Parties: none

Site Visit Report: Dechert reported - 4:00 PM at 1490 Beaver Meadow Road – Present: Members: Lawe, Stucker - Clerk: Dechert - Applicant: None - Members: Dean, Pitiger and Rotman previously viewed the site with Dechert.

The DRB viewed the existing two houses, the existing shared access road, and the proposed location of the new boundary line and pool house which may be converted to a house. There are a total of four garages and a sand shed.

A **motion** was made by Dean and seconded by Ciccotelli to accept all of the Exhibits listed in Exhibit ZA-1 for the record. The motion passed 7-0.

The Chair noted a Waiver Request to remove the “Contiguous to NFD Agreement Land” calculation from the density calculation to allow one new lot. The Chair explained the waiver for a Subdivision versus a Planned Unit Development which would not need a waiver. It was agreed to take testimony first and then make a determination on the Waiver Request.

The applicants explained the use of the buildings and probable conversion of the Pool House to a 2 bedroom house. The feedback from potential buyers is there are too many buildings on the lot. The applicants are requesting two lots with the main house, the accessory dwelling

and a garage on one lot, and the pool house, three garages, and the sand shed on the other lot. The pool house, the main house and the accessory dwelling are on separate wastewater systems.

Ciccotelli questioned the motivations of the applicants for needing a waiver and why they didn't realize when they bought it that it could not be subdivided. Several members disagreed with the Ciccotelli line of questioning. Ciccotelli expressed concern that the DRB was issuing too many waivers.

After additional discussion of the waiver request, the board addressed the option presented in the ZA Report of dividing the lot under a Planned Unit Development (PUD) rather than using a subdivision with a waiver. The Clerk explained the application fits as a PUD due to the compact nature of the existing development using less than 4.5 acres of a 26.7 acre lot. There are no plans to expand development outside of the existing developed area.

The Clerk explained that the application could be amended to using a PUD rather than using a waiver to approve the subdivision at a continued hearing.

Richard moved to act on the waiver and if denied use PUD. The motion was seconded by Ciccotelli and was approved by a vote of 5-2 (Lawe and Ciccotelli - no).

The Chair asked for consideration of the Applicants waiver requests:
We request a waiver under Section 2.1 (C) Waiver Authority in accordance with Act [4413(b)].
"A Waiver is requested to remove the 'Contiguous to NFD Agreement Land' calculation from the density calculation to allow one new lot."

Lawe moved to approve waive the request to remove the "Contiguous to Fire District Agreement Land" calculation from the density calculation to allow one new lot. Dean seconded the motion and it was denied 1- yes (Lawe), 5 – No (Ciccotelli, Rotman, Pitiger, Stucker, Dean), 1 – Abstention (McCabe)

The Commission reviewed the PUD option described in Exhibit ZA-2. The Clerk suggested modifying the application for a second hearing for a PUD. The members will review the PUD regulations prior to the hearing.

Dean moved to continue the hearing to November 17, 2016 at 7:30. Rotman seconded the motion and it passed 7-0. The hearing was continued at 9:15 PM.

Stucker moved to adjourn meeting. The motion was seconded by McCabe and it passed 7-0. The meeting adjourned at 9:15 PM

Phil Dechert, Clerk

APPROVED 11-17-16