

**Town of Warren  
Development Review Board  
Minutes of Meeting  
Monday February 15, 2021**

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*NOTE: This meeting was conducted electronically via Google – Meet.*

Members Present: Chris Behn, Devin Klein Corrigan, Peter Monte (Chair), Virginia Roth, and Jeff Schoellkopf.

Others Present: Ruth Robbins (ZA), Katharine Berke, Cindy Carr, Bill Elliot, Sarah Lindenfeld, Bryan Lowe, George McCain, Mark McDonough, Zach Walbridge, and Carol Chamberlin (Recording Secretary).

Mr. Monte called the meeting to order at 7:03 p.m.

Application #2021-04-CU submitted by applicants Katherine Berke & Zachary Walbridge seeking Conditional Use review for earth disturbance to “steep slopes” greater than 15% and 25%, respectively for the construction a single-family residence and associated infrastructure. The property is owned by Kenneth Volpe located between Journey’s End and High View Road, Lots 10/11 totaling 2.1 +/- acres, parcel id# 480810.

Ms. Klein-Corrigan recused herself from the hearing, citing potential conflict if her company is selected to do construction at the site.

Mr. Monte, Ms. Klein-Corrigan, Ms. Robbins, and Mr. McCain had visited the site earlier in the day and were able to observe site characteristics and proposed locations for the driveway and house.

Mr. McCain outlined the proposed plans, noting that the building envelope is for a planned 20 x 30 foot deck which will serve as the platform for a 10 x 20 foot tiny house. He also explained that the proposed driveway location requires some disturbance to 25% slopes, but that the disturbance will be minimized as much as possible through having a shorter drive/parking area and utilizing a small footpath from the parking area to the building site. A small retaining wall has been designed along the drive, and erosion control measures are included in the submitted plans. A slope map is also included in the application materials; Mr. McCain explained that the slopes presented were from McCain’s work rather than State lidar, and no work had been completed in the sections of the map with no slope shading because those areas did not contain any level areas suitable for development.

Board members asked about the possibility of placing the house site at the opposite end of the lot, where the map indicates a greater area of more level land. Mr. McCain explained that Ms. Berke and Mr. Walbridge preferred the more secluded portion of the lot and its ability to provide views with no tree cutting. It was also noted that placing the house lower would require a greater total amount of steep slope disturbance to access the area of the property which is suitable for septic disposal.

Mr. Schoellkopf pointed out that any future plan to expand the building envelope might not be possible, as an expansion into very steep slopes of 25% or greater would be required. Ms. Berke responded that she and Mr. Walbridge understood this limitation.

There was some discussion regarding any future decision to sell one of the two lots being developed in this proposal and what would be required for a lot-line adjustment or subdivision to maintain adequate setback areas. Mr. McCain noted that the plan is to merge the two lots, and that any future engineering work would be the same for either a line adjustment or subdivision. The applicants noted that they were comfortable with a condition requiring the merging of the two lots into one.

**MOTION** by Mr. Monte, based upon the setback issues that could be possible given the location of the house site in relation to the current shared lot boundary line, to condition approval on the formal merger of the two lots into a single lot, to be recorded in the Town's land records. **SECOND** by Mr. Behn. **VOTE:** All in favor, the motion carries.

Mr. Monte pointed out that development on steep slopes must be reviewed to ensure that there are plans in place to minimize risk through appropriate erosion and sedimentation control. Mr. McCain pointed out that, in addition to the considerations noted earlier in the hearing for preferring the proposed house site over one closer to Journey's End, any stormwater runoff created at the proposed site would stay on the property rather than potentially run into the roadway.

**MOTION** by Mr. Monte to find that:

- a) There is no practical building site on the property that is on an area of less than 15% slope;
- b) There are no areas of slope 25% or greater in the proposed building envelope;
- c) The area of 25% or greater slope that is affected by the driveway and parking area has been kept to the smallest practical size;
- d) Moving development to the lower end of the property would not create less disturbance to very steep slopes due to the need to access the suitable septic location; and
- e) Erosion and sediment controls plans submitted are adequate to control the risks of carrying out the development proposed by the applicants.

**SECOND** by Mr. Behn. **VOTE:** All in favor, the motion carries.

Board members reviewed Conditional Use standards applicable to the proposed development.

**MOTION** by Mr. Schoellkopf to find that the general standards of Section 5.3 (A) 1 – 5 are either satisfied or not applicable to this application. **SECOND** by Mr. Behn. **VOTE:** All in favor, the motion carries.

**MOTION** by Mr. Schoellkopf to find that the specific standards of Section 5.3 (B) 7 are satisfied by the proposed plans. **SECOND** by Mr. Monte. **VOTE:** All in favor, the motion carries.

No other specific standards were determined to require being addressed.

**MOTION** by Mr. Behn to approve Application #2021-04-CU with the standard conditions as well as those conditions approved at the hearing. **SECOND** by Mr. Schoellkopf. **VOTE:** All in favor, the motion carries.

Application 2021-02-SD-BLA: Re-affirmation/re-approval of previously approved application #2006-17-SD-BLA, a Boundary Line Adjustment between June Sardi and Thomas & Charlotte McHugh, whereas it was recently discovered that the Mylar was filed 2 days beyond the required date. The property is located at 2255 West Hill Road, PID 016004-600, in the Rural Residential District. The application was reviewed under the Warren Land Use and Development Regulations as adopted by the Warren Select Board on March 25, 2008 and last amended November 11, 2012.

Ms. Robbins explained that shortly following the approval of the Boundary Line Adjustment (BLA) for which the mylar was filed late (#2006-17-SD-BLA), another BLA was approved for Lot 4 of the same subdivision, and so the mylar available for filing now is a corrected one, which depicts all the changes. The mylar for the second BLA was filed correctly.

Mr. Schoellkopf clarified that, although the mylar contains names of previous adjoining property owners, all current abutters were notified of this hearing and made aware of the related boundary line adjustment.

**MOTION** by Mr. Monte to find that there has been no change in the governing Regulations and no change in any relevant facts or conditions, therefore the #2006-17-SD findings and conclusions as well as the #2006-17-SD-BLA findings and conclusions should be readopted. **SECOND** by Mr. Schoellkopf.

**VOTE:** All in favor, the motion carries.

**MOTION** by Mr. Behn to approve Application #2021-02-SD-BLA. **SECOND** by Mr. Schoellkopf. **VOTE:** All in favor, the motion carries.

**Other Business:**

Ms. Robbins reported that a reminder system will be put in place to avoid missing mylar filing dates; this will be particularly useful to prevent the need to review and reapprove the underlying subdivisions for unfiled mylars under the new Regulations once they are adopted.

Meeting attendance and potential resignations of current members as well as possible candidates for Board positions were discussed.

The meeting adjourned at 8:06 pm.

Respectfully submitted,

Carol Chamberlin, Recording Secretary

**Development Review Board**

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Peter Monte                      Date

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Devin Klein Corrigan      Date

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Virginia Roth                      Date

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Jeff Schoellkopf              Date