

**Town of Warren
Development Review Board
Minutes of Meeting
Monday, November 29, 2021**

NOTE: This meeting was conducted both in-person and electronically via Google Meet.

Members Present: Chris Behn, Devin Klein-Corrigan, Peter Monte (Chair), Jeff Schoellkopf (online)

Others Present: Ruth Robbins (ZA), Mark Bannon, Bob Baron, Nancy Baron, Dori Barton (Arrowwood Environmental), Jeff Campbell (Chief, Warren Fire Department), Susan Hemmeter, Bruce Kerns, Holly Kerns, and Carol Chamberlin (Recording Secretary).

The meeting was called to order at 7:02 pm.

Application #2021-17-CU submitted by Bruce & Holly Kerns requests Conditional Use approval to build a single-family dwelling and garage with associated infrastructure In the Forest Reserve District. Additionally, there are potential disturbances of slopes of 15% or greater and an Accessory Dwelling is proposed within the garage. The property is located on Cider Mountain Road, Lot 1, parcel ID# 012003-001 consisting of 6.87 +/- acres

A site visit was held earlier in the day. The driveway and approximate house location were both staked out; the building envelope boundaries were not marked, but the map provided clearly depicts those lines. Both the house site and drive are on mostly level portions of the lot; other sections of the property are steeply sloped.

Mr. Bannon reviewed the plans for the house, garage/accessory dwelling, and driveway, noting that the house and accessory building had been pulled away from the steep slope area, and that the maximum finished driveway slope will be 9.5%.

Currently there is only one other house on the road; it was indicated that this provides for only minimal expenses to be incurred and shared for road maintenance.

The Kerns requested relief from the sprinkler requirement for the structures, which was a condition included in the original subdivision permit. They explained that this request stems from aesthetics considerations. Mr. Campbell indicated that the condition of the access road will impede a rapid arrival time of fire equipment during an emergency, and pointed out that for safety and respect of both the homeowners and the fire department, a sprinkler system should be installed.

MOTION by Mr. Monte to deny the request for a waiver from the pre-existing requirement for installation of a sprinkler system. **SECOND** by Ms. Klein-Corrigan. **VOTE:** All in favor, the motion carries.

There was a discussion regarding the cutting of trees on steep slopes at the site. It was noted that on very steep slopes, removal of vegetation is prohibited in the Land Use and Development Regulations. The Kerns have consulted with a forester who advised that some trees on the very steep slope area near the house site should be removed to prevent damage if they fall in the direction of the house. Overall, they explained, they have no intention of doing much clearing or lawn creation. It was agreed that the house is not likely to have much visual impact, but that vegetation is important for erosion prevention on steep slopes.

MOTION by Mr. Schoellkopf to impose the following conditions related to tree removal: There will be no restriction on tree cutting within any of the areas depicted on the site plan that are a) less than 25% in slope; b) within 25 feet of any permitted building structure footprint; or c) where tree removal is necessary to install the driveway or septic system. Within 50 feet of permitted structures, trees may be removed if it has been documented by a certified forester that the tree is dead, diseased, or dying; all

stumps and root systems of such trees must be left in place. **SECOND** by Ms. Klein-Corrigan. **VOTE:** All in favor, the motion carries.

The Kerns were reminded to ensure that the buildings do not exceed the height allowance for the district.

MOTION by Mr. Monte that approval of this permit will require installation of either non-reflective glass or permanent screening for all windows on the western side of the principal dwelling. **SECOND** by Mr. Schoellkopf. **VOTE:** The motion carried, with Mr. Behn voting 'No' and the rest of the members in favor.

MOTION by Ms. Klein-Corrigan that approval of this permit will require the use of muted earth tone colors for the roof and exterior siding of the structures. **SECOND** by Mr. Schoellkopf. **VOTE:** All in favor, the motion carries.

MOTION by Mr. Monte to find that the Standards included in Table 2.1, items E and F, are satisfied by the materials presented in the application, and that item D is not applicable due to the lot's being part of a previously approved PUD. **SECOND** by Mr. Behn. **VOTE:** All in favor, the motion carries.

Mr. Schoellkopf made and then, after discussion and clarification among the Board members, withdrew a motion finding that the proposed accessory dwelling is a permitted use.

MOTION by Mr. Behn to find that the conditions included in Section 5.3(A)1-5 of the Land Use and Development Regulations are satisfied by the plans presented. **SECOND** by Mr. Monte. **VOTE:** All in favor, the motion carries.

No Board members felt that it was necessary to address other specific Conditional Use standards. Mr. Behn pointed out that lighting must meet the standards set forth in Section 3.9 of the Land Use and Development Regulations.

MOTION by Mr. Monte to approve Application #2021-17-CU subject to the conditions agreed upon at the hearing and all customary conditions. **SECOND** by Ms. Klein-Corrigan. **VOTE:** All in favor, the motion carries.

Other Business:

The drawings requested outlining erosion control and sedimentation plans for the Baron application had been received from Gunnar McCain. Communication regarding the same application had been received from Lakeside Environmental. Ms. Barton and Ms. Hemmeter were present to request that this information become part of the record; Board members explained that the hearing was closed, and no new materials could be accepted into the record.

The upcoming meeting schedule was outlined.

Board members briefly discussed scheduling a review of the DRB's Rules of Procedure, and that it would be beneficial to set standards/protocols for covering tree cutting and other natural resource considerations when reviewing development proposals.

The meeting adjourned at 9:21 pm.

Respectfully submitted,

Carol Chamberlin, Recording Secretary

Development Review Board

Peter Monte Date

Chris Behn Date

Devin Klein-Corrigan Date