

**Town of Warren  
Development Review Board  
Minutes of Meeting  
Monday, March 7, 2022**

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

Members Present: Chris Behn, Peter Monte (Chair), Chris Noone, Virginia Roth (online), Jeff Schoellkopf (online)

Others Present: Ruth Robbins (ZA), Peter Alfano (online), Caldwell Clark, David Frothingham, Austin Kelly, Tim Kelly, Tom McHugh, and Carol Chamberlin (Recording Secretary, online).

The meeting was called to order at 7:00 pm.

**Application #2022-02-CU** submitted by Peter C. Alfano, III, is requesting Conditional Use approval for development of a three-bedroom SFR and one-bedroom Accessory Dwelling that will impact steep slopes greater than 15%. The project is located on West Hill Road, parcel ID 016004-900, 115 acres +/-, with the development located in the Rural Residential District.

Mr. Behn noted that he was the listing agent when property was sold to Mr. Alfano, and confirmed he has no continuing financial interest in the parcel. There were no objections to Mr. Behn's participation in the hearing.

Mr. Frothingham reviewed the development plans, explaining that access will be from West Hill Road and necessitate a stream crossing near the southern boundary. The driveway will cross slopes greater than 15% in some locations (for a total disturbance of about 3000 ft<sup>2</sup>) and at one point greater than 25% (disturbing approximately 800 ft<sup>2</sup>), in order to access a plateau where the house site has been designated. Mr. Frothingham explained that this route has been planned in order to avoid a significant wetland, although the wetland buffer will be impacted and the appropriate State permit has been applied for. A culvert is planned to allow for water passage under the driveway; it has been confirmed that the design as planned will not require a Stream Alteration Permit from the State. The driveway will have check dams and stone lining installed where appropriate. It was noted where swales will be located, and confirmed that utilities will be located in a corridor along the driveway.

Board members who had participated in a site visit earlier in the day confirmed that there is no other obvious route to be used to get to the house site without an even steeper approach or greater impact to the wetland.

Mr. Frothingham reviewed the plans for clearing on the lot, the plans submitted indicate the limits of clearing proposed for the house site. Any clearing on steep slopes will only be what is required for the driveway, house site, and septic system. Along the property line, the plans identify a no-cut zone width of 25 feet.

It was noted that the other two building sites depicted on the plans are potential future sites, but there are no definitive plans in place for creating these lots.

Neighboring property owners were present and asked several questions. Mr. Frothingham confirmed for Tim Kelly that the stream crossing will not impact large mammals, and Mr. Alfano indicated that the Catamount Trail does not cross the property, but runs just north of the boundary. Ms. Robbins explained to Austin Kelly that the Regulations in place allow for maximum building height of 35 feet, and detailed how that measurement is calculated. It was clarified for Mr. McHugh where the driveway entrance and potential additional building sites are located in relation to his property.

Mr. Frothingham confirmed that the proposed driveway is designed as a feeder driveway, and will meet the standards of a subdivision road.

He also noted that there is no previous building envelope approved for the property.

The practice of including no-cut provisions in Conditional Use decisions was explained to Mr. Alfano, and it was outlined that these conditions usually exclude dead or diseased trees that may cause damage to structures, that the purpose is to avoid impacts to the soil created by tree loss, and that the option exists to apply for changes to the conditions through future DRB review. Board members explained that these provisions are customary on lots where DRB approval is required for development, and that the criteria are typically applied to sites with steep slopes.

**MOTION** by Mr. Monte to include in approval of this application the following conditions related to tree cutting: No cutting of trees will be allowed on portions of the property with greater than 25% slopes except a) dead, dying, or diseased trees, b) those that must be removed to allow for construction of the roadway or installation of the septic system, c) cutting authorized by a forest management plan which has been approved under participation in the Current Use Program, d) trees less than 6" in diameter at chest height, and e) all trees 8" or greater in diameter at chest height which are in the view corridor which was depicted on the plan at the hearing and will be included in the final plans submitted .  
**SECOND** by Mr. Schoellkopf. **VOTE:** All in favor, the motion carries.

**MOTION** by Mr. Schoellkopf to find that the application meets the general requirements of Section 3.13 of the Land Use and Development Regulations, allowing for site work necessary for road development while avoiding sensitive areas. **SECOND** by Ms. Roth. **VOTE:** All in favor, the motion carries.

Conditional Use Review for this application was discussed.

**MOTION** by Mr. Monte to find that the General Standards of Section 5.3 A 1-5 of the Land Use and Development Regulations have been satisfied by the application. **SECOND** by Ms. Roth. **VOTE:** All in favor, the motion carries.

It was agreed that no additional specific standards were pertinent to this application.

**MOTION** by Mr. Monte to approve Application 2022-02-CU, subject to submission of a final plan including depiction of the view corridor agreed upon, the usual conditions, and the additional conditions approved at the hearing. **SECOND** by Ms. Roth. **VOTE:** All in favor, the motion carries.

**Application #2022-01-SD-CU Preliminary/Final Plan Review** submitted by Caldwell Clark & Laura Jackson requesting re-approval for a 3-lot Subdivision with Conditional Use approval due to some minimal development over steep slopes. The approximately 95-acre parcel is proposing the following: Lot 2, 4.4-acres; Lot 3, 4.28-acres and Lot 4 will be the remaining 87+/- acres. Lot 1 was previously subdivided in 2016. There is no intention of any further subdivision. The property is located at 1094 VT Route 100 in the Warren Rural Residential District and is PID # 100002-2 in the Warren Grand list.

The Sketch Plan Review for this application was held on October 5, 2021.

Mr. Noone confirmed that he had visited the site and reviewed the materials from the prior hearing.

Ms. Robbins explained that reapproval is necessary, as the Decision has not been signed nor the mylar recorded within the specified time limit.

Mr. Frothingham briefly reviewed the plans for the parcel, explaining the lot configuration, road design, and minimization of impacts to steep slopes and the wetland area.

Mr. Clark confirmed that nothing at the property has changed since the previous hearing.

**MOTION** by Mr. Monte to find that there have been no changes to the applicable Regulations and no changes in the surrounding properties or the subject property that would impact the previous findings of fact agreed upon on December 7, 2020; therefore, no need is found to adjust the conclusions of law or the decision rendered, and those should be readopted as originally drafted. **SECOND** by Mr. Behn.

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

**Other Business:**

A valid permit for shed on the Sharry lot had been located, and Ruth had available the associated paperwork for signing to finalize the permit for the proposed addition to that building.

The upcoming schedule was reviewed.

The meeting adjourned at 8:09 pm.

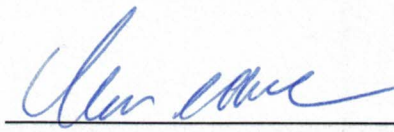
Respectfully submitted,

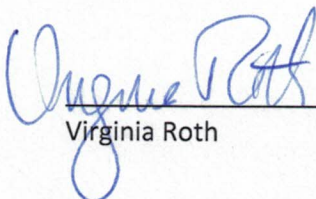
Carol Chamberlin, Recording Secretary

**Development Review Board**

 3/21/22  
Peter Monte, Chair      Date

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Chris Behn      Date

 3/21/22  
Chris Noone      Date

 3/22/22  
Virginia Roth      Date

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Jeff Schoellkopf      Date