

**Town of Warren
Development Review Board
Minutes of Meeting
Monday, October 17, 2022**

8NOTE: This meeting was conducted both in-person and electronically via Google Meet.

Members Present: Chris Behn, Peter Monte (Chair), Chris Noone, Jeff Schoellkopf.
Others Present: Ruth Robbins (ZA), Jennifer Allen, Sam Allen, Nate Bedford, Evan Fitzgerald, Todd Hill, Timothy Johnson, Megan Moffroid, Steve Platt, Allison Rogers, Keith Streater, Josh Vogel, Carol Chamberlin (Recording Secretary)

The meeting was called to order at 7:03 pm.

Application #2022-13-CU submitted by Alta Assets, LLC [Johnson] is requesting Conditional Use approval for development of a 3-bedroom SFR with detached garage and associated infrastructure that encroaches into the Meadowland Overlay District. The property is Lot 20 on Applewood Road, parcel ID # 009007-4.1 in the Rural Residential District. Continued from September 19, 2022.

Ms. Moffroid recused herself from participation in the review of this application.

Mr. Monte reported that Kristen Rose had been engaged by the Town to evaluate the site, and had determined there to be a similar wetland type and boundary as previously submitted in the application materials. He explained that these findings make it necessary to build in the Meadowland Overlay in order to develop the site.

Mr. Johnson presented his most recent proposal, where the proposed building sites were shifted another 30 feet closer to the tree line. This new siting has been staked out, and DRB members have visited the site recently to observe the new proposed locations.

Mr. Monte indicated that decisions should be made regarding building envelope boundaries and the number of structures to be developed; some discussion of these issues had taken place during portions of the hearing held earlier in the year.

MOTION by Mr. Monte to find that the northern end of the property is not available as a building site in the area shown to be a wetland and associated buffer area, so the building envelope must be south of that. **SECOND** by Mr. Behn. **VOTE:** All in favor, the motion carries.

Mr. Behn spoke of preservation of agricultural soils and that siting the structure(s) closer to the road helps keep a larger portion of those soils intact, but that aesthetic considerations must also be taken into account, and the currently proposed house site is highly visible to all neighboring properties. He proposed moving the house more to the north in order to lessen visibility.

MOTION by Mr. Behn to set the southernmost line of the building envelope to be no closer than 100 feet from the southern border of the property. **SECOND** by Mr. Monte. **DISCUSSION:** There was a suggestion regarding turning the house, a discussion of the benefits/drawbacks of the garage being a separate structure, an explanation that DRB members are taking all visibility factors into consideration, an indication that this change will tuck the house into the Meadowland more appropriately, concerns that the Class II wetland designation is potentially incorrect, confirmation that the Town is able to enforce tree planting requirements, and an explanation that the DRB has never required a full

hedge/screen of trees, but seeks more a more natural configuration when requiring plantings. **VOTE:** All in favor, the motion carries.

There was some discussion regarding whether two distinct or one single structure housing both the garage and house would be preferable, with it noted that the configuration currently presented would have the garage provide screening for the more active structure. The potential to reorient structures was also considered.

MOTION by Mr. Monte to condition approval on the structures developed being no larger in footprint than what is depicted on the most recent plan presented, and the spacing between the dwelling and the garage maintained as depicted. **SECOND** by Mr. Schoellkopf. **VOTE:** All in favor, the motion carries.

The size and shape of the allowed building envelope was the next feature discussed, with it being noted that a northerly boundary must be established.

MOTION by Mr. Schoellkopf to approve a rectangular building envelope, with an east-west width of 45 feet beginning from a 30-foot setback line, and a length of 120 feet from south to north, beginning at the previously established southernmost line. **SECOND** by Mr. Behn. **VOTE:** All in favor, the motion carries.

Mr. Johnson presented the landscape plan for house screening that was included in his most recent application materials, which consists of several deciduous trees of 3" diameter. There was some discussion by Board members indicating that a larger size should initially be planted, and that there should be some conifers included in the plan.

MOTION by Mr. Behn to preliminarily accept the deciduous landscape plan presented, with the deciduous plantings to be increased to 4" diameter trees and the plan to be amended to include a 5' conifer between each deciduous tree in the northeast corner as well as two 5' conifers to be planted on the southern side of the house, one between the deciduous trees and one outside that line to break up the visual impact. **SECOND** by Mr. Noone. **VOTE:** All in favor, the motion carries.

MOTION by Mr. Monte to require that the applicant, by November 30 2022, submit to the DRB for review and approval 1) a revised landscaping plan that depicts the additions outlined in the previous motion as well as identifies the species of trees and other plantings included in the plan 2) a revised site plan that depicts the building locations as approved at this hearing and 3) documentation of payment of the charges for Ms. Rose's wetland investigation work; no building permit will be issued until these conditions are satisfied. **SECOND** by Mr. Behn. **VOTE:** All in favor, the motion carries.

Ms. Rogers requested that screening considerations be provided for the western side of the house.

MOTION by Mr. Monte to find that the application materials, together with the conditions voted upon at the hearing, satisfy the requirements outlined in Table 2.13 Section E, as the lot has no developable land outside of the Meadowland Overlay and the siting approved allows for the least impact to both agricultural soils and visibility. **SECOND** by Mr. Behn. **VOTE:** All in favor, the motion carries.

MOTION by Mr. Monte to include a condition on any approval issued that any plantings included on the approved landscape plan which become diseased or die must be replaced as soon as practicable with a replacement planting that meets the same specification as the original. **SECOND** by Mr. Noone. **VOTE:** All in favor, the motion carries.

Board members took up Conditional Use Review.

MOTION by Mr. Behn to find that the General Standards outlined in Section 5.3 A 1-5 have been met by the application materials and the conditions applied to approval of the application. **SECOND** by Mr. Monte. **VOTE:** All in favor, the motion carries.

MOTION by Mr. Behn to find that the Specific Standard outlined in Section B 6 will be reviewed after receipt of an updated landscaping plan; no permit will be issued until that point. **SECOND** by Mr. Noone. **VOTE:** All in favor, the motion carries.

MOTION by Mr. Monte to continue the hearing for Application 2022-13-CU until December 5, 2022 at 7 pm. **SECOND** by Mr. Behn. **VOTE:** All in favor, the motion carries.

Application #2022-12-SD/#2022-15-CU submitted by Jennifer & Sam Allen as co-executors of the Betty Ann Dzelzitis Estate, are requesting a three-lot Subdivision and a Conditional Use approval for development on Steep Slopes for property at 677 Main Street consisting of 38.5 acres which extends up to Fuller Hill Road and has an existing house and barn on Main Street. The property is parcel id # 004005-000 on the Warren grand list and is in the Warren Village Historic Residential District.

Mr. Behn recused himself from this hearing, and participated on the part of the applicant.

A site visit had taken place prior to the meeting, attended by Mr. Hill, Mr. Monte, Mr. Noone, and Ms. Robbins. The entire site was traversed, and the building locations, septic locations, utility line plan, and driveway routes observed.

Mr. Monte noted that this is the sketch plan review portion of the application review.

Mr. Monte indicated that a map of the parcel which depicts steep and very steep slopes should be submitted as part of the application materials, in order for the Board to determine building envelope and tree clearing impacts to those areas.

Mr. Monte also explained that a map/plat for the existing house/Lot 1 will need to be submitted.

Mr. Schoellkopf inquired about the streams on the property, one being labelled as intermittent and the other not. Mr. Hill indicated that the one year-round stream is not included on USGS mapping.

There was discussion regarding planned tree cutting on the property, with preference for view corridor creation rather than full clearing of a 100-foot strip on the western side of each of the upper lots. It was also noted that the property drops off steeply at the edge of the proposed area to be cleared. There was also a mention of limiting tree clearing on the Fuller Hill side of the parcels, in order to provide some screening.

Mr. Monte explained that more clarity on tree cutting on the upper portions of property should be provided, including information regarding view considerations as well as steep slope considerations.

Mr. Monte closed the Sketch Plan Review for Application #2022-12-SD/#2022-15-CU.

Other Business:

The minutes of September 19, 2022 were signed, and the upcoming schedule was reviewed.

The meeting adjourned at 9:10 pm.

Respectfully submitted,

Carol Chamberlin, Recording Secretary

Development Review Board

Peter Monte, Chair Date

Jeff Schoellkopf Date

Chris Behn Date

Chris Noone Date