

Minutes of February 14, 2023 Meeting
Warren Selectboard
Streamed on MRVTV
6:30 PM

Members Present: Luke Youmell, Chair; Andrew Cunningham, Vice Chair; Bob Ackland; Camilla Behn, Devin Klein Corrigan.

PC Members Present: Michael Bridgewater, Macon Phillips, Dan Raddock, Jim Sanford.

Staff Present: Ruth Robbins, Zoning Administrator; Carol Chamberlin, Recording Secretary.

Others Present: 8023430185, Alex, Robert Berg, Kris Blomback, Alice Cheney, Connie Colman, John Connell, Maura Connolly, Justin Cook, Pam Day, Dennis, Brooke Dingleline, Victoria Eardensohn, John Egan, Amy Hunter, iPhone, Jeff, Jennifer, Jesse, David Kaiser, Dotty Kyle, LTIPadPro, Kelly Mazur, Lisa Miserendino, Halsey Morris, Mark O'Connell, Carole Parker, Liz Raddock, Dan Reicher, Pete Reynells, Andrew Russell, Pat Sagui, Stan, John Stebbins, Ellen Strauss, Todd Thomas, Dorothy Tod, Tony, Margo Wade, Callie Willis, Tom Wilson, Brian Zelman

The meeting was called to order at 6:37 pm.

6:30 PM – Public Comment

No public comments were offered.

6:32 PM – Agenda Changes

No changes were made to the agenda.

6:35 PM – Land Use Development Regulations (LUDRs) Selectboard Public Hearing as warned

Mr. Youmell outlined the process to be followed in approving the adoption of the LUDRs, including the opportunity for members of the public to comment on the proposed regulations.

Selectboard members had posed some questions to the PC based upon their review of the LUDRs, and PC members present provided related information. The following points were noted during this discussion:

- Regarding the requirement for a permit to bring fill onto a property
 - Originally two truckloads was recommended as the threshold; the PC decided to increase this to five
 - In some situations the DRB is seeking this type of specificity
 - Standard maintenance (i.e., driveways) may need several truckloads of material, so potentially could be differentiated
 - It may be that a different number will satisfy the trigger point for environmental protection
 - The ZA should have an avenue to know when fill is being added or removed from a property
 - 'Truckload' needs clarification/definition
 - The intent is understood, the clerical/administrative specifics may need some ironing out

- Regarding the LUDRs serving to implement Town Plan goals
 - It was expressed that there are too many requirements to be satisfied for attaining affordable housing
 - There are avenues to pursue outside the LUDRs to achieve housing goals; the regulations allow for a wide range of housing types, lot sizes, and so forth
 - Unknown if there are any portions of the LUDRs that actually impede Town Plan goals
 - Rural lots should be larger to preserve more green space
 - The PC met resistance going from 1-acre to 5-acre lots in a large portion of the town; even larger lot size requirements would be difficult to include
 - One-acre zoning has not led to a majority of one-acre lots in the current Rural Residential zone
 - Further conversations involving both the PC and Selectboard will be useful in furthering establishment of philosophical/vision/aspirational statements and achieving the intent behind regulations without overburdening residents
- Other points raised
 - The necessity of landscape plans
 - Regulation of garage heights – potentially greater height where not visible
 - Driveway width – usability vs stormwater impacts of impervious areas
 - Driveway grade at town road access points – it was agreed that a slight edit to this section of the LUDRs would make this less confusing
 - Pier foundations – noted that approval requires engagement of a professional, and this type of foundation is more likely to be used by those who are less able to afford paying professionals
 - Abandoned development and its impacts on the community in general
 - Prohibition of grading in setback areas
 - Using road ditch materials as fill – it was noted that only uncontaminated fill is provided to property owners
 - Occupancy limit of 36 for workforce housing for situations where no residential advisor is required
 - An explanation of the foundation of a requirement for Sugarbush to provide additional employee housing if the number of employees increases significantly
 - Regulation of EV charging
 - Vehicle/equipment repairs and contractor’s yards
 - Home occupation vs home business standards
 - PUD differences, and for which type(s) a density bonus is appropriate
 - Further discussion needed regarding the use of ‘should’ vs ‘must’ in the LUDRs

Ms. Klein Corrigan raised concerns regarding new LUDR requirements necessitating more oversight/enforcement effort, broader education, and the potential need on the applicant’s part for hiring of consultants or other experts.

The Selectboard and PC will work together on issues raised at upcoming meetings.

It was explained that another public hearing will need to be scheduled once any edits decided upon have been incorporated and a new report regarding the changes has been drafted. In the meantime, Mr. Youmell noted that this hearing would be continued.

Mr. Youmell opened the floor to comments from members of the public.

Ms. Wade explained that there is a set of comments being circulated among Sugarbush Resort management, as there are some concerns with portions of the LUDRs, in particular related to the language surrounding Master Plan requirements and the potential for losing approvals which have already been received for future development. It was explained that PlaceSense had advised of the need for an updated Plan, as there currently are several partial approvals for plans that have not been completed, and further review should take place. It was agreed that the related correspondence from PlaceSense will be reviewed by the Town and the Resort. Ms. Wade noted that there is more of a concern with the scope of the Plan that is required, rather than the requirement for a Plan.

Mr. Reynells and Ms. Mazur were present, representing Long Associates and requesting that the placement in the Resource Protection District of the 66 acres of their property adjacent to the Farms and bordering the Access Road be reconsidered. Mr. Reynells noted that he was working with an engineer to submit an application under the current LUDRs, but that the new LUDRs were warned earlier than anticipated, precluding his ability to submit the application for the property in its current District. He explained that the plans for the acreage include approximately 50 acres of common, undeveloped land and that the second (non-Farms) access that exists would be eliminated. He requested that the parcel be considered for inclusion in either the Rural or Resort Development District.

Ms. Robbins pointed out that there is an adjacent property in the same situation, regarding which a letter from Paul Brogna had been received by the Selectboard and the PC. She indicated that putting both these properties in the Rural District would allow for the compact development which has been planned for the sites, both of which have characteristics which would preclude further development. The Brogna parcel has already conserved the majority of the acreage.

Ms. Cheney read a statement she had composed regarding smaller lot sizes outlined in the proposed LUDRs, along with related dimensional standards and the impact on the character of the Village; the statement was submitted to the Selectboard.

Ms. Miserendino also commented on the smaller Village lot size, noting that she did not feel that a smaller lot size is a solution that will address affordable housing needs.

Ms. Tod spoke of the unique character of Warren Village, in part due to its location off of a state highway.

Mr. Egan, Ms. Parker, and Ms. Colman all provided comments related to the regulation of telecommunication towers. Mr. Egan submitted a related petition to the Selectboard, and Ms. Parker read a statement she had composed, as well as one from Win Smith; copies of the statements were provided to the Board as well.

It was agreed to continue this hearing until February 28, 2023 at 6:30 pm

Other Business

Mr. Cunningham reported on a site visit to a subdivision access point for Jennifer Allen on Fuller Hill Road, noting that there is sufficient sight line in both directions and providing photos he took at the site. He indicated that no clearing should be necessary for the curb cut to be completed, and that the road is level at the site, providing the best access point.

MOTION: A motion to approve the curb cut application for Jennifer Allen was made by Mr. Cunningham, seconded by Mr. Ackland. The motion passed, with Ms. Behn abstaining.

MOTION: A motion to approve the minutes of January 24, 2023 passed unanimously.

MOTION: A motion to approve the AP Warrant in the amount of \$51,878.88 passed unanimously.

MOTION: A motion to approve the Payroll Warrant in the amount of \$50,876.25 passed unanimously.

The upcoming schedule was discussed, including the logistics of working with the PC on edits to the LUDRs.

The meeting adjourned at 9:36 PM

Respectfully Submitted,
Carol Chamberlin

The Warren Selectboard

Andrew Cunningham, Chair

Luke Youmell, Vice Chair

Bob Ackland

Camilla Behn

Devin Klein Corrigan