

**TOWN OF WARREN  
DEVELOPMENT REVIEW BOARD  
MINUTES OF MEETING  
JULY 26, 2000**

- MEMBERS PRESENT:** Chris Behn, Eric Brattstrom, David Markolf, Peter Monte, Chair; Lenord Robinson.
- OTHERS PRESENT:** Bill Maclay, Gunner McCain, Saltzman Representative; Jason Heroux, Keir Representative; Margo Wade, DRB/PC Assistant.
- AGENDA:**
- 1) 7:30 p.m. Call to Order
  - 2) Discussion: Maclay PRD Amendment question
  - 3) Initial Meeting: Saltzman 6-Lot Subdivision – E. Warren Road
  - 4) Public Hearing Continuation: Kier Subdivision Amendment
  - 5) Other Business
    - a) signing of minutes 7/12/00, and Forbes decisions
    - b) sign Sugarbush Inn Pavilion Building decision amendment

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**I. CALL TO ORDER**

Mr. Monte called the meeting to order at 7:30 p.m.

**II. DISCUSSION: Maclay PRD Amendment Question**

Bill Maclay came before the board to discuss the possible need for an amendment to the Fuller Hill Farm 8-Lot Subdivision and PRD. The Fuller Hill Farm 8-Lot Subdivision and PRD was approved by the Planning Commission in the early 1990's. Site Plan map dated Dec. 93 is hereto referenced and attached to these minutes.

The proposed change entails moving septic allocation from Lot 1.6 to Lot 1.4. Three (3) of the five (5) septic disposal areas for the Fuller Hill Farm PRD are located on Lot 1.8, which is common land and is restricted from development included in landuse permits and a landuse easement. Lot 1.6 has approved and allocated septic capacity for three (3) house sites, and Lot 1.4 has approved and allocated septic capacity for one (1) house site.

Lot 1.6 has recently sold without the septic allocation for two (2) of the approved house sites. Mr. Maclay wished to retain control of those two (2) septic capacities. This change requires State approval. The State also requires that he indicate on the Site Plan all septic allocations for each lot. Mr. Maclay has received a state permit indicating three house sites on Lot 1.4 and one house site on Lot 1.6. Mr. Maclay wishes to move the two (2) septic allocations from Lot 1.6 to Lot 1.4, but has no intention to develop his lot with two more house sites at this time.

Approved total septic capacity is not increasing or decreasing for the PRD. Only the allocation of the capacity is changing. The Lot 1.6 allocation is decreasing by two (2) house sites and the Lot 1.4 is increasing by two (2) house sites.

The board agreed that this change does not require an amendment to the Town's PRD permit. When and if Mr. Maclay wishes to develop Lot 1.4 with two more house sites or move the

house sites to another lot in the PRD he would need to amend the PRD permit.

**III. INITIAL MEETING: Saltzman 6-Lot Subdivision**

Richard Saltzman seeks approval for a 6-lot subdivision of 50 +/- acres located off the west side of TH#2 (East Warren Road) in the R-2 (Rural Residential) District. The lots range in size from 1.5 +/- acres to 20.5 +/- acres.

Gunner McCain came before the board on behalf of the applicant.

Mr. Behn notified the board that he recently hired Mr. McCain to consultant on the Behn 2-Lot Subdivision project. He does not see a need to recuse on the Saltzman application. The remaining board members did not object to him sitting for the application.

**STAFF REPORT**

Ms. Wade explained that this was the initial meeting for the project. The board needs to classify the project as a major or minor subdivision; determine if the project conforms to Town Plan, and meets the purpose of regulations; and schedule the preliminary public hearing and site visit.

**APPLICANT COMMENTS**

Mr. McCain explained the 50 +/- acres, 6-Lot subdivision project will comprised of Lot-A (10 +/- acres), Lot-B (10 +/- acres), Lot-C (10 +/- acres), Lot-D (1.5 +/- acres), Lot-E (1.5 +/- acres), and Lot-F (20.5 +/- acres). A portion of the 50 +/- acres parcel lies within the Meadowland Overlay District. Lots D and E will be non-developable "out" parcels, which will be transferred and merged with abutting properties. Lot-F is common land, which may be developed for agricultural use. All septic disposal fields will be located mainly on Lot-A, with a small portion on Lot-B. Each dwelling will have a separate mound. An easement will be deeded to Lots B and C for use and access the septic disposal area.

A portion of the 50 +/- acre parcel is located in designated meadowland. The majority will be designated as common land and used for agricultural purposes. Portions of Lots A and B are also designated meadowland. The proposed house sites on Lots A and B are sited in the wooded portion of the lots, not in the designated meadowland.

The existing line of trees and growth is further forward of the edge of the designated meadowland. The meadowland area, which has grown up since the designation, is fairly wet and non-productive.

The existing row of trees along the East Warren Road will remain intact.

The board asked if Mr. Saltzman would accept a condition requiring maintenance of the existing meadowland. Mr. McCain stated that a condition requiring maintenance of the meadowland would probably be acceptable if it did not include the area, which has grown-up and is non-productive.

PUBLIC INPUT

There was no public input.

DELIBERATION/DECISION

**MOTION by Mr. Markolf, seconded by Mr. Behn to classify the project as a major subdivision because the applicant is proposing a 6-lot subdivision. VOTE: unanimous; motion carried.**

**MOTION by Mr. Monte, seconded by Mr. Robinson that the project conforms to the Town Plan because the project as proposed will be a low-density use of the parcel. VOTE: unanimous; motion carried.**

**MOTION by Mr. Monte, seconded by Mr. Behn that the proposed project appears to conform with the zoning regulations and meadowland restrictions, and is low density therefore is not in conflict with the zoning or capital budget and program. VOTE: unanimous; motion carried.**

The board requested that the applicant submit the following additional information:

- proposed rendering of the barn
- ownership details for lot D and E with merger provisions
- fire dept. recommendations
- open space provisions (maintenance of meadowland)
- common land and barn agreement

If a formal agreement exists between Mr. Saltzman and Ole's Cross Country Ski Center than Ole's should be notified of the project. If no formal agreement exists than continued, use of the parcel for cross-country ski trails should be handled privately.

For the site visit the applicant will have the following locations flagged:

- development road and driveways
- house sites
- septic disposal area
- boundary corners of "out" parcels
- barn and pond locations

**MOTION by Mr. Monte, seconded by Mr. Robinson to schedule a site visit on August 23, 2000 at 6:45 p.m. with the preliminary hearing following at 7:30 p.m. at the Municipal Building. VOTE: unanimous; motion carried.**

**IV. PUBLIC HEARING: Keir 3-Lot Subdivision Amendment**

Helen C. Keir Trust, Jack Keir, and Jason Heroux seek approval to amend a previously approved 3-Lot subdivision of 364 +/- acres and waiver of subdivision hearing requirements, by means of combining the initial and warned meetings. The subdivision consists of Parcel 2 (357 +/- acres),

Parcel 3 (8.0 +/- acres), and Parcel 4 (4.0 +/- acres). The property is located on Plunkton Road in the R-2 (Rural Residential) District.

Mr. Heroux came before the board on behalf of the applicant.

#### STAFF REPORT

Mr. Monte read the public notice which ran in May 2, 2000 Time Argus and the May 4, 2000 Valley Reporter. The public hearing has been continued three times – from May 17, 2000 to June 14, 2000 to June 28, 2000 to this evening.

#### APPLICANT COMMENTS

Mr. Heroux explained the reason why it is necessary to change the previously approved lot sizes. The dam parcel, which was previously approved for one acre, needs to increase in size to 4 acres because one acre does not encompass all of the dam structure nor does it allow space to work on the structure without the necessity of an easement to cross the abutting property. The farmhouse parcel, which was previously approved for 6.5 acres, will be increasing to 8 acres to give the parcel lake frontage. This will increase the value of the farmhouse parcel in the event of a sale.

Mr. Heroux is also asking approval to remove the two screened peat piles the first located on the south side of the lake and the second located west of the farmhouse. These piles had been extracted, screened and sold before the previous subdivision approval, which specifically prohibited for the removal of any more peat from the property. Mr. Heroux was not aware that the piles had been sold when he agreed to the condition. He assured the board that once the two prepared piles were removed there would be no further extraction of peat and the extraction area would be re-graded.

#### PUBLIC INPUT

There was no public comment.

#### DELIBERATION/DECISION

**MOTION by Mr. Monte, seconded by Mr. Behn to grant the request to waive the hearing requirements by way of combining the initial meeting and warned public hearings, and to approve the boundary line reconfiguration as submitted, such that the dam parcel will be increasing from 1 +/- acres to 4 +/- acres, and the farm-house parcel will be increasing from 6.5 +/- acres to 8 +/- acres. VOTE: unanimous; motion carried.**

**MOTION by Mr. Monte, seconded by Mr. Behn to adopt the findings of facts approved March 8, 2000, except as amended tonight. VOTE: unanimous; motion carried.**

**MOTION by Mr. Behn, seconded by Mr. Brattstrom to allow for the removal of the two prepared peat piles as requested by the applicant. VOTE: unanimous; motion carried.**

**MOTION by Mr. Behn, seconded by Mr. Monte to approve the subdivision as amended.  
VOTE: unanimous; motion carried.**

Mr. Behn and Mr. Monte departed at 9:30 p.m.

**V. OTHER BUSINESS**

a) signing of minutes 7/12/00, and Forbes decisions

**MOTION by Mr. Robinson, seconded by Mr. Brattstrom to approve the July 12, 2000 minutes as submitted. VOTE: unanimous; motion carried.**

The Forbes appeal and conditional use decisions were approved and signed.

b) sign Sugarbush Inn Pavilion Building decision amendment

The Sugarbush Inn Pavilion Building decision amendment was approved and signed.

**VI. ADJOURNMENT**

**MOTION by , seconded by , to adjourn. VOTE: unanimous; motion carried.**

The meeting adjourned at 9:45 p.m.

Respectfully submitted,  
Margo B. Wade  
DRB/PC Assistant

**DEVELOPMENT REVIEW BOARD**

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Chris Behn (date)

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Eric Brattstrom (date)

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Lenord Robinson (date)

\_\_\_\_\_  
David Markolf (date)

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Peter Monte, Chair (date)