**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 Dingledine, 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

# Town of Warren Public Meeting

Select Board

**Tuesday February 14, 2023**

## Sign- In

All attendees at this public meeting must sign-in if they wish to testify.

**PLEASE - PRINT**

If you wish to receive the minutes from this hearing in the mail, please record your mailing address.

| Name | Address | Mailed Minutes? |
|---|---|---|
| DAN REICHER | 266 Galloping Wind Trail, Warren | |
| Carole Parker | 266 Galloping Wind TR., Warren | |
| John Egan | 108 Airport Road Warren VT | |
| Alice Cleves | Fuller Hill Warren VT | |
| DOROTHY TOD | Hazel Brook Rd Warren VT | |
| Lisa Miserandino | 395 Main St. miserandino@gmavt.net | |
| Mary Wade | mwade@sover.net | yes |
| Pam Day | 3972 E Warren Rd | |
| Andrew Russell | 3972 E Warren Rd | |
| Chloe Wolff | | |
| Maura Connolly | 108 AIRPORT Rd | yes |
| John Egan | maura.connolly@comcast.net | |

Agenda
Warren Selectboard
Tuesday, February 14, 2023
6:30 PM
Warren Town Hall
Via Zoom or In Person

6:30 PM – Public Comment –

6:32 – PM – Agenda Changes -

6:35 PM – Land Use Development Regulations Selectboard Public Hearing as warned – Notice attached With Zoom Information.

9:00 PM – Other Business
Approval of Minutes for 1/24/2023
Approval of Road Use Permit - Allen / Dzelzitis
Warrents-Payable = $51,878.88, Payroll: $50,876.25

Time: Feb 14, 2023 06:30 PM Eastern Time (US and Canada)
Town Of Warren is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting
https://us06web.zoom.us/j/85854742502?pwd=c1JxMHZpcFdpUm0rdWpEVVBKWGVQQT09

Meeting ID: 858 5474 2502
Passcode: 953369
One tap mobile
+16468769923,,85854742502#,,,,*953369# US (New York)
+16469313860,,85854742502#,,,,*953369# US

Dial by your location
+1 646 876 9923 US (New York)
+1 646 931 3860 US
+1 507 473 4847 US
+1 564 217 2000 US
+1 669 444 9171 US
+1 669 900 6833 US (San Jose)
Meeting ID: 858 5474 2502
Passcode: 953369
Find your local number: https://us06web.zoom.us/u/kcMoAI2htK

Posted 1/31/23

# Town of Warren
## Public Notice of Hearing
## Warren Selectboard

On Tuesday, February 14, 2023 at 6:30 PM, the Warren Selectboard will be holding a Public Hearing to receive comments on the final draft of the revisions of the Warren Land Use and Development Regulations [LUDRs].

The LUDRs in their current form were initially adopted in 2001. The town has made a series of minor amendments to the LUDRs over the past 20 years. The 2019 Warren Town Plan recognized that it was time for a comprehensive review and amendment of the LUDRs. The Town Plan identified a need to realign the LUDRs with the town's planning policies and to address inconsistencies resulting from the many changes that have been made to state statute and programs over the past two decades. There was also a commitment from the PC to improving the clarity of the LUDRs and the town's development review and permitting processes.

This revision will affect the entire Town in that the existing zoning districts have been renamed and the boundaries redrawn. There are currently 12 Zoning Districts and this revision has ten. There are additionally two Overlay Districts.

The document contains six chapters:

1- General
2- Zoning districts
3- Development Standards
4- Administration and Enforcement
5- Definitions
6- Maps

The full text of the revised LUDRs and the Planning Commission's report can be viewed at http://planning.warrenvt.org.

This hearing will be held via Zoom which can be accessed by computer or phone. Those who do not have access to a computer can come to the Municipal Building to view the Zoom meeting and make comments. Space is limited and a mask is required. The Zoom information is:

Time: Feb 14, 2023 06:30 PM Eastern Time (US and Canada)

Join Zoom Meeting
https://us06web.zoom.us/j/85854742502?pwd=c1JxMHZpcFdpUm0rdWpEVVBKWGVQQT09

Meeting ID: 858 5474 2502
Passcode: 953369
One tap mobile
+16468769923,,85854742502#,,,,*953369# US (New York)

Dial by your location
+1 646 876 9923 US (New York)
Meeting ID: 858 5474 2502
Passcode: 953369
Find your local number: https://us06web.zoom.us/u/kcMoAI2htK

Bauer Gravel Farnham, LLP
Attorneys at Law

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**MONTPELIER** By Appointment Only · Phone 802.229.2000
**ST. ALBANS** By Appointment Only

February 9, 2023

Warren Town Selectboard
c/o Cindi Jones, Town Administrator
42 Cemetery Road
Warren, VT 05674

**RE: Town of Warren Proposed Land Use Development Regulations**

Dear Cindi and Warren Selectboard Members:

Our Firm represents Paul Brogna and Brad Gardner, who own a 114-acre +/- parcel of land located easterly of Golf Course Road, under SPAN 690-219-11058 and Parcel ID 053001-001 (the "Property"), in the Town of Warren. We are writing to voice concerns we have with the proposed Land Use Development Regulations that the Warren Planning Commission is presenting to you.

Our clients purchased the Property in 1996. Access to the Property is provided over an easement leading from Golf Course Road across common land for The Farms Condominium Association. The Property was the former "Green Mountain Estates" residential development that was initially planned by Skitch Henderson and Ruth Henderson in the 1980's. The proposed development was intended to be consistent with The Farms Condominium Association development, with an initial phase of seven duplex buildings (fourteen units in total) and a second phase of three duplex buildings (six units in total), for a total proposed development of twenty units on the Property.

Several State of Vermont land use development permits have been issued for the Property over the years, under Land Use Permit 5W0835 (as amended numerous times) and also under State of Vermont Wastewater System and Potable Water Supply Permit WW-5-0896. Municipal review and approval was also obtained from the Warren Planning Commission for the initial 14-unit phase prior to our clients' purchase in 1994. While the original Act 250 Permit and Planning Commission approvals have since expired, the associated Certification of Compliance approvals and Wastewater System and Potable Water Supply Permit remain valid and do not have an expiration date. An initial duplex building was constructed on the property and was used for a long period of time, until that duplex building burned down circa 2004.

For various reasons, my clients have not yet proceeded to complete development of this property. However, they are looking toward getting the project re-permitted and constructed in the coming decade. We feel that the project, or some close variation to it, is consistent with the existing development in the area, including The Farms Condo Association. This proposed development would provide a great benefit to the Town of Warren by increasing the tax base while concentrating development in an area that is already similarly-developed.

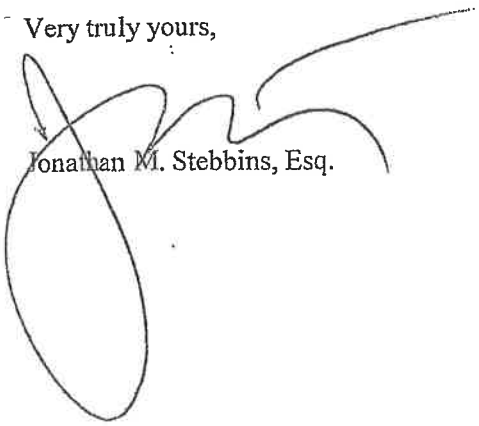
Based on the foregoing, you can understand why our clients are very concerned that the proposed Warren Land Use Development Regulations that the Planning Commission is presenting to the Selectboard shows our clients' parcel designated as being in the Resource Protection Zoning District (the "RP District"). Our position is that the Property should be designated as being in the Resort Residential Zoning District (the "RR District"), consistent with the Farms Condominium Association zoning district designation. The RP District would result in the inability for our clients to proceed with the development that they have planned at the Property over the past thirty years. Our clients have asked me to review whether this change of zoning district for a parcel of land that has already been permitted might result in an unconstitutional taking of their existing property rights.

The Property appears to be placed in the RP District with two adjacent parcels (SPAN 690-219-11771 owned by Long Associates and SPAN 690-219-11248 owned by Hartshorn) to create three-parcel area in this highly restrictive zoning district. We do understand the goals and aim of the RP District, but we do not feel that the topographical characteristics of the Property warrant such restriction, as evidenced by prior Act 250 approval of twenty housing units. The area of development of the proposed twenty housing units is a relatively flat area consisting of roughly fifteen acres, impacting no more than thirty acres, which would leave more than 80 acres of land undeveloped preserved from development. The concerns of the Planning Commission (in protecting steep slopes located on the Property) would actually be met through the proposed development. Furthermore, the Property is subject to a Warranty Deed and Grant of Development Rights and Conservation Restrictions (the "Grant") from Green Mountain Estates Limited Partnership to Ottauquechee Land Trust dated October 20, 1986 and recorded January 22, 1987 in Volume 81 at Page 414 of the Town of Warren Land Records. Within said Grant, the scenic, silvicultural and natural values of the Property are recognized and conserved. Fifteen acres are reserved for development, but the remainder of the Property (nearly 100 acres) is conserved and subject to stringent conservation restrictions. Finally, of the approximately 12,500 feet of property boundary more than 80% of that boundary is surrounded by properties in the RR District. The RP District designation appears on its face to be highly inconsistent with the designation of adjacent parcels in the RR District.

Frankly speaking, we believe the goals of the RP District for this property will *already* be met, due to the planned development and the impact of the Grant on the Property.

We appreciate the tremendous amount of work that has been done by the Planning Commission to prepare and present the proposed Land Use Development Regulations to the Selectboard for review, and we applaud their efforts. We certainly regret not being aware of these efforts sooner and engaging with the Planning Commission to discuss our concerns. That being said, it is not too late to review this issue and consider whether this is the correct zoning district designation for this Property. Thank you for your time and consideration of this matter.

Very truly yours,



Jonathan M. Stebbins, Esq.

Bauer Gravel Farnham, LLP
Attorneys at Law

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February 13, 2023

Warren Town Selectboard
c/o Cindi Jones, Town Administrator
42 Cemetery Road
Warren, VT 05674

**RE: Town of Warren Proposed Land Use Development Regulations**

Dear Cindi and Warren Selectboard Members:

Supplementing our February 9, 2023 letter to you from last week, I wish to offer the following additional information.

First, I would like to clarify the inconsistent information in my letter about the impacted area for the proposed development at the Property. In one portion of the letter, I indicated that approximately thirty acres would be impacted by development, leaving more than eighty acres of undeveloped and preserved land. Later in the same paragraph, I referenced the Land Trust Conservation Grant, which reserves fifteen acres for development and excludes the remainder of the property (nearly one hundred acres). The latter information is correct - the proposed development would only be allowed to occur on the reserved fifteen acres, leaving nearly one hundred acres of conserved undeveloped land.

Second, I have enclosed with this letter the plans that were prepared for the proposed development that was contemplated in the Act 250 and Wastewater permits, for your review. While my clients may not ultimately develop the property in exactly this configuration, I think it does provide a reasonably accurate depiction of the type of development that would be likely to occur in the reserved fifteen-acre parcel. Thank you.

Very truly yours,

Jonathan M. Stebbins, Esq.

Encl.

Bauer Gravel Farnham, LLP
Attorneys at Law

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February 14, 2023

Warren Town Selectboard
c/o Cindi Jones, Town Administrator
42 Cemetery Road
Warren, VT 05674

**RE: Town of Warren Proposed Land Use Development Regulations**

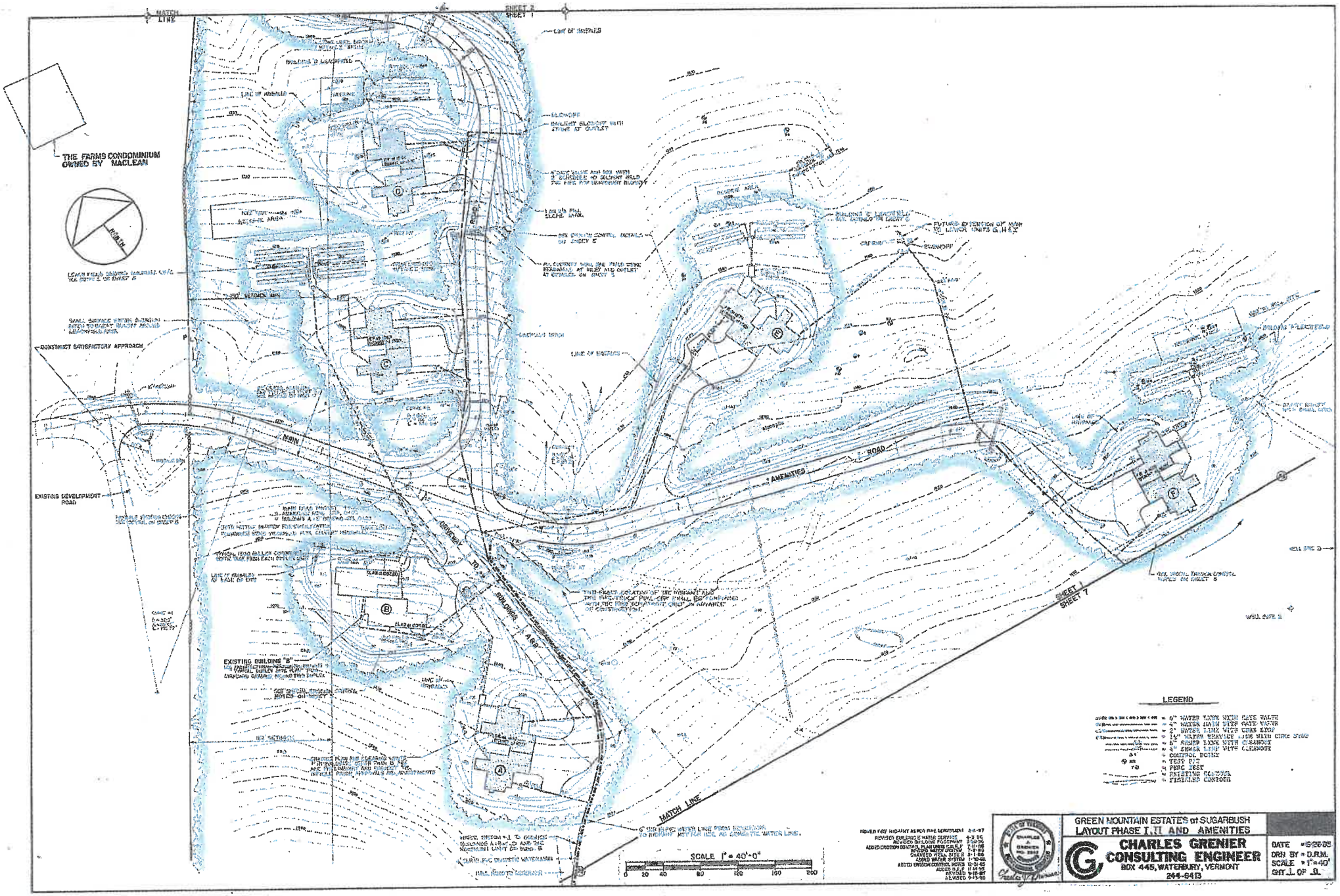
Dear Cindi and Warren Selectboard Members:

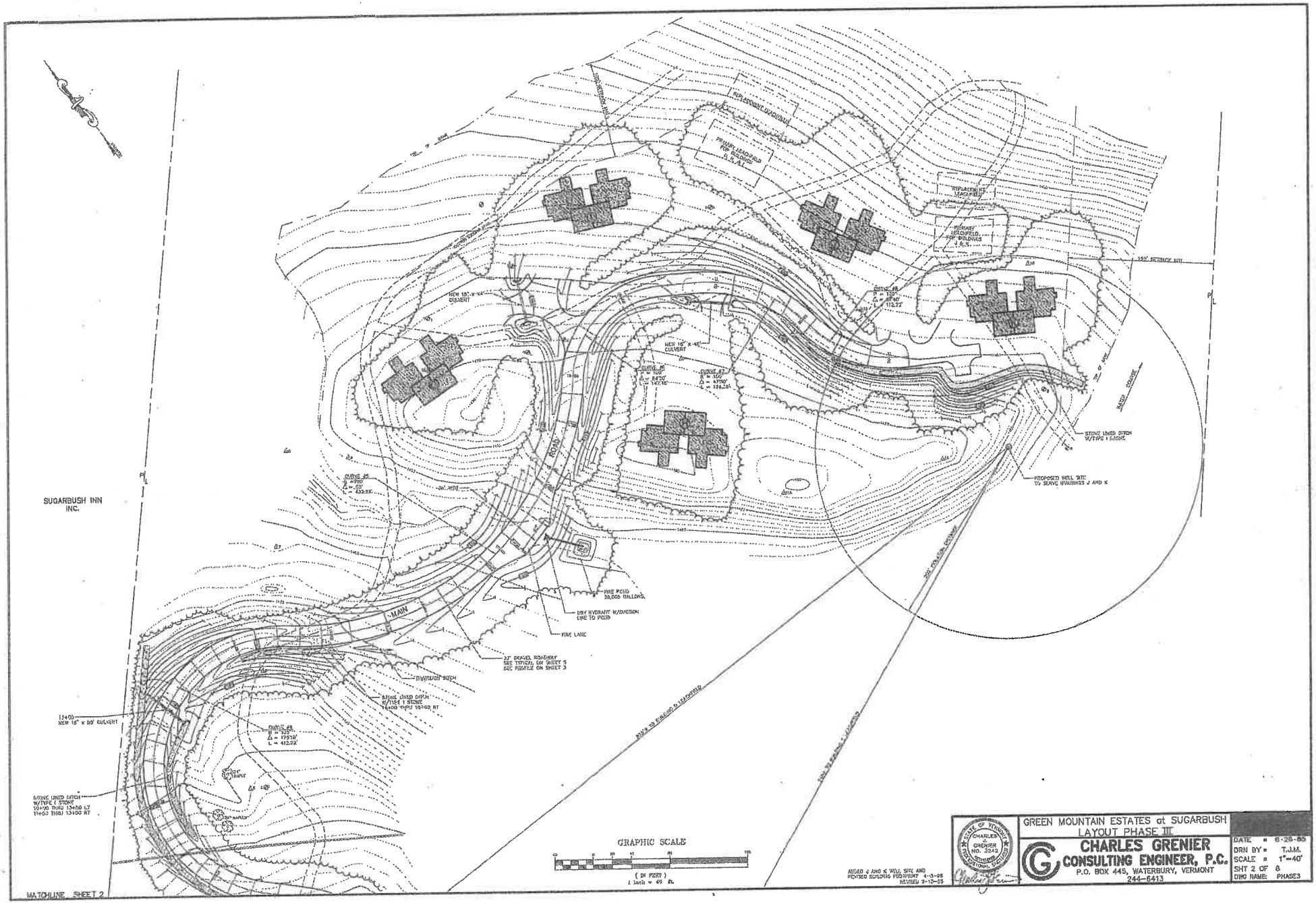
Supplementing our February 9, 2023 letter to you from last week, as well as the follow-up letter dated February 13, 2023, I wish to offer the following additional information.

In the February 9, 2023 letter, we indicated that the we wished to have the Property designated as being within the Resort Residential Zoning District. This assertion was based on our characterization of the proposed development on the Property as being similar in nature to The Farms Condominium Association development, which is on adjacent property. However, in continuing to review the proposed Land Used Development Regulations and based on subsequent telephone conversations with Ruth Robbins, it appears that the Rural Zoning District may be an appropriate designation for the Property as well. There is other adjacent land to the east and some land to the west of the Property that is proposed to be within the Rural Zoning District. The dimensional requirements within the Rural Zoning District would allow for substantially the same kind of low-density residential development that was previously approved on the Property. Therefore my clients would accept a downgrade to a revision to the proposed Land Use Development Regulations that would designate the Property as being located within the Rural Zoning District, rather than the Resource Protection Zoning District. Thank you.

Very truly yours,

Jonathan M. Stebbins, Esq.


MATCH LINE
SHEET 2
SHEET 1
THE FARMS CONDOMINIUM
OWNED BY MACLEAN
NORTH
MAIN
ROAD
AMENITIES
DRIVEWAY
EXISTING DEVELOPMENT ROAD
EXISTING BUILDING "B"
SHEET 7
MATCH LINE
SCALE 1" = 40'-0"
0 20 40 80 120 160 200
LEGEND
6" WATER LINE WITH GATE VALVE
4" WATER MAIN WITH GATE VALVE
2" WATER LINE WITH CURB STOP
1½" WATER SERVICE LINE WITH CURB STOP
6" SEWER LINE WITH CLEANOUT
4" SEWER LINE WITH CLEANOUT
CONTROL POINT
TEST PIT
PERC TEST
EXISTING CONTOUR
PROPOSED CONTOUR
GREEN MOUNTAIN ESTATES at SUGARBUSH
LAYOUT PHASE I, II AND AMENITIES
CHARLES GRENIER
CONSULTING ENGINEER
BOX 445, WATERBURY, VERMONT
244-6413
DATE 6/26/05
DRN BY D.R.M.
SCALE 1"=40'
SHT 1 OF 8



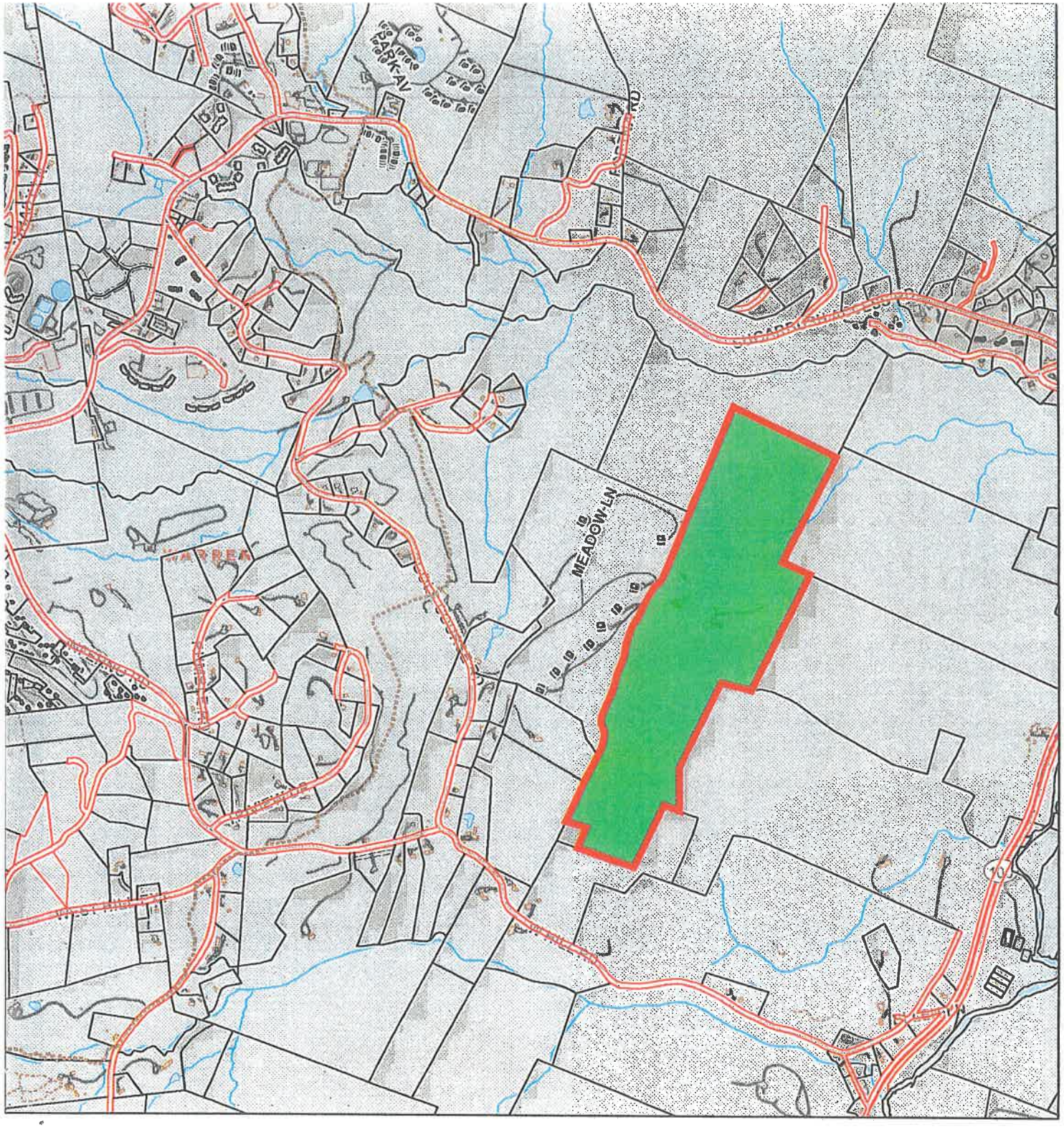

GREEN MOUNTAIN ESTATES at SUGARBUSH
LAYOUT PHASE III

CHARLES GRENIER
CONSULTING ENGINEER, P.C.
P.O. BOX 445, WATERBURY, VERMONT
244-6413

CHARLES A. GRENIER NO. 3543 STATE OF VERMONT REGISTERED PROFESSIONAL ENGINEER

ADDED J AND K WELL SITE AND REVISED BUILDING FOOTPRINT 4-3-06
REVISED 9-15-05

DATE = 6-26-85
DRN BY = T.J.M.
SCALE = 1"=40'
SHT 2 OF 8
DWG NAME: PHASE3




# Town of Warren, VT

## Gardner/Brogna 053001001 114 acres

Disclaimer

This map is a public resource of general information. The Town of Warren shall assume no liability for:

1. Any errors, omissions, or inaccuracies in the information provided regardless of how caused; or
2. Any decision made or action taken or not taken by the reader in reliance upon any information or data furnished hereunder.

**Legend**

- Catamount Trail
- Trails
- Parcel Lines
- Other
- Lot Line
- Right Of Way

Feet

0 550 1,100 2,200

N

1 inch:1,888 Feet

Select Board meeting 2/14/22

Tonight I would like to address the PC and select board with a written statement.

My name is Alice Cheney and I have lived in Warren village for 27 years on the corner of Main st. and Fuller Hill rd. My property is currently under Village Mixed Use VMU

When I moved here in 1996 village lot sizes were 1 acre which is 43,560 SF. Under the current town plan now we are at 1/4 acre lot size 10,890 SF.

The new proposed lot size for VMU is 10,000 SF. This proposal is for infill development, which will allow for 70% lot coverage, 12ft setbacks on the side, and rear, with 8ft setback in the front. The building footprint allows for 6000 sf foot plan and structure height of 35 ft. The 10,000 sf lot size, with the 6000sf footprint will include 3 districts,; Village Commercial VC, Village Mixed Use VMU, and Village Residential VR. This district will run from rt 100 on both sides of the river along Main St. up Brook road to Dump Rd and up Fuller Hill Rd to beyond the first corner. This is a huge track of land that will allow land to be developed with 10,000 sf lots. The biggest impact will come from the Village Residential district ability to infill this land.

This proposal will change the character of Warren Village. There is not available infrastructure for water, sewer, and parking. If these lots all drill their own wells, how is this going to impact the water table for already existing wells? Our town septic system is a leach field on Brooks field which has a very limited capacity for further growth. Parking on 10,000 sf lots is also questionable.10,000 sf does not allow for adequate space for parking multiple cars. Look at the parking that has occurred on existing lots on Main St. in the past 5 years, with parking from construction trucks, homeowners, rentals and Airbnbs because of limited space on the owners land.The town has addressed this issue by allowing people to park in the municipal parking lot. The municipal lot is also used by the Pitcher Inn, library and the Church.

Since the pandemic we have seen a surge in the state as never before, and the cost of housing has sky rocketed leaving the average VTer now unable to afford a new home. These lots will not be sold as affordable housing, that does not exist in recreational towns. The traffic on Main street has increased dramatically, and one of the simple beauties of this village is that rt 100 by passed the core center. That saves this little community as residential with our little green space in our backyards. They aren't that big but they are our refuge for peace in our ever increasing population. They are historic ....many of these spaces were part of small

farms where people had a cow to milk. We are slowly whittling away this simple green space with this type of infrastructure. It is important to note that this village has steep mtns on both sides of the Mad River making this a very narrow area for space availability. Statewide cookie cutter zoning mandates are not appropriate for Warren Village.

The new plan was started before the pandemic. Because of the pandemic I was unable to attend the first meeting on zoom when these districts were first purposed. I had never used zoom and could not figure it out. I have now attended several PC meetings, and select board meetings in the past year. When I first came to the open PC meeting to inquire about these plans, it was very difficult to get answers to many of my questions. I wrote three letters one letter was lost, and basically the answer was they had worked hard, and were not interested in making any changes to their new town plan proposal.

I would like to make a request that 10,000 sf lot size for the village residential district stay a 1/4 of a acre. It will give us time to see what kind of development will happen in the next few years, This is allowing of the 890 sf to be used for infrastructure: beneficial for construction, more parking availability, septic or well drilling. Because of all the construction around my house in the past 3 years, I know what the impact is like with such close proximity — with construction vehicles, with noise starting very early in the morning. If this infill development were to take hold it would be good if there was a time limit on outdoor construction. I am also concerned about heat pump fan installation— how close should they be allowed to adjoining property owners? Once installed they seem to run all day and night. With only 8–12 ft setbacks that could be very disturbing.

Look at the changes that have happened to our state in this very short time! I don't believe there is any quick answers to the building crisis, but it is important to preserve our village centers. Especially when they have a bit of rural character.

Finally I would like to end my statement with this old Irish proverb

"The water isn't missed until the well dries up."

**PETITION TO THE**
**TOWN OF WARREN SELECTBOARD**

Re: Public Hearing on LUDRs, February 14, 2023

The Warren Select Board has scheduled a public meeting on February 14, 2023 to consider a proposed amendment to the Town of Warren Land Use and Development Regulations ("LUDRs") recently submitted by the Planning Commission.

As a result of a recent Advance Notice filing by Verizon proposing the development of a new cell tower in Warren, it became apparent that the draft LUDRs do not include important protections provided in the current LUDRs relating to the location, height, or conditional use status of cell towers. In addition, many other Vermont towns have amended their zoning ordinances to provide enhanced protections regarding cell tower projects.

The Warren Residents for Responsible Cell Tower Siting and Development, an organization committed to educating Mad River Valley residents about appropriate development of cell towers, has recommended Revisions to the Planning Commission's proposed amended LUDRs to address these concerns, restoring the omitted provisions and suggesting additional protections including more rigorous requirements regarding co-location, height limitations, and set-backs.

The voters and residents listed below believe that the Revisions recommended by the Warren Residents group will be beneficial to the town and its residents and urge the Select Board to revise proposed amended LUDRs to incorporate these important changes.

**ACCORDINGLY, WE THE UNDERSIGNED:**

- REGISTERED VOTERS OF THE TOWN OF WARREN,
- BUSINESS OWNERS IN THE TOWN OF WARREN and
- PROPERTY OWNERS OF THE TOWN OF WARREN,

**HEREBY REQUEST THAT THE WARREN SELECTBOARD, MAKE THE ATTACHED REDLINE-STRIKEOUT REVISIONS TO THE PROPOSED AMENDED LUDRs.**

| | NAME | STREET ADDRESS |
|---|---|---|
| 1 | John Egan | 108 Airport Road, Warren, VT |
| 2 | Maura Connolly | 108 Airport Road, Warren, VT |
| 3 | Dan Reicher | 266 Galloping Wind Trl. Warren, VT |
| 4 | Carole Parker | 266 Galloping Wind Trl. Warren, VT |
| 5 | Lindsay Thompson | 133 Cider Mountain Rd., Warren, VT |

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| 6 | Joseph Thompson | 133 Cider Mountain Rd., Warren, VT |
| 7 | Carol Charles | 226 Loop Rd, Warren, VT |
| 8 | Dori Ingalls | 440 Galloping Wind Trail, Warren, VT |
| 9 | Ian Sweet | 440 Galloping Wind Trail, Warren, VT |
| 10 | Donn Simpson | 226 Loop Rd, Warren, VT |
| 11 | Christopher Stone | 960 Fuller Hill road, Warren, VT |
| 12 | Win Smith | 246 Galloping Wind Tr. Warren, VT |
| 13 | Seddon Johnson | 145 Penny Lane, Warren, VT 05674 |
| 14 | Kevin Hannaway | 358 Fleming Road, Warren, VT |
| 15 | Rayna Hannaway | 358 Fleming Road Warren, VT |
| 16 | Tamme Haskell | 56 Old Orchard Way, Warren, VT |
| 17 | Kristine Korman | 221 Behn Road, Warren, VT |
| 18 | Susan Schickler | 565 Behn Road, Warren, VT |
| 19 | Bryan Leskowicz | 358 Volkstown Rd Warren, VT |
| 20 | Callie Willis | 126 Old Orchard Way, Warren, VT |
| 21 | Julia Purinton | 413 Loop Road, Warren, VT |
| 22 | John Pitfield | 845 Cider Hill Road, Warren, VT |
| 23 | Kathy Meyer | PO BOX 74, Warren, VT |
| 24 | Pamela Day | 3972 E Warren Rd, Warren, VT |
| 25 | Laura Arnesen | 494 Hanks Rd., Warren, VT 05674 |
| 26 | Bob Meany | 494 Hanks Rd., Warren, VT 05674 |
| 27 | Barry Bronfin | 188 Cider Hill Rd., Warren, VT 05674 |
| 28 | Cecile Bronfin | 188 Cider Hill Rd., Warren, VT 05674 |
| 29 | Charlotte Tyler | 1008 Golf Course Rd., Warren, VT 05674 |
| 30 | Victoria Eardensohn | 258 Lichen Rock Road, Warren VT 05674 |
| 31 | Chuck Black | 1464 Roxbury Mountain Road, Warren VT |

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| 32 | Paul Eardensohn | 258 Lichen Rock Road, Warren VT 05674 |
| 33 | Britton Rogers | 90 Fairview Rd, Warren VT 05674 |
| 34 | Mark O'Connell | 1555 Roxbury Mt. Road, Warren, VT |
| 35 | Kathy Palmer | 1555 Roxbury Mt. Road, Warren, VT |
| 36 | Jim Schley | 497 Anne Burns Rd. Warren, VT 05674 |
| 37 | Danielle Schley | 497 Anne Burns Rd. Warren, VT 05674 |
| 38 | Roni Donnenfeld | 330 Rice Mountain Rd., Warren, Vt 05674 |
| 39 | Elizabeth McComas | 176 Shady Lane, Warren VT, 05674 |
| 40 | Suzanne Amon | Warren, VT |
| 41 | Mary Jane Blouin | 115 Lichen Rock Road Warren VT, 05674 |
| 42 | Dennis Gray | 115 Lichen Rock Road Warren, VT 05674 |
| 43 | Wendy Brauer | 702 Plunkton Road Warren VT 05674 |
| 44 | Mary Nichols | 282 Purple Briar Ln. Warren, VT |
| 45 | Dave Nichols | 282 Purple Briar Ln. Warren, VT |
| 46 | Cynthia Kirkwood | 124 Green Mountain Drive Warren VT |
| 47 | Henry S Romaine Jr | 124 Green Mountain Drive Warren VT |
| 48 | Brent Berc | 495 Burnt Mtn Road Warren VT |
| 49 | Lena Berc | 495 Burnt Mtn Road Warren VT |
| 50 | Constance Colman | 200 Burnt Mountain Rd Warren VT |
| 51 | Richard Travers | 200 Burnt Mountain Rd Warren VT |
| 52 | Paul Comey | 189 Charlie Ashley Rd Warren VT |
| 53 | Barbara deLima | 189 Charlie Ashley Rd Warren VT |
| 54 | Sharon Kellermann | 49 Two Ponds Road-#4, Warren, VTG |
| 55 | Tina Huck | 102 Christmas Tree Rd #11 Warren VT |
| 56 | Kristina Grado | 1331 Cider Hill Rd., Warren VT |
| 57 | Aaron Hersey | 1331 Cider Hill Rd., Warren VT |

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| 58 | John Connell | 189 Brook Road, Warren, VT |
| 59 | April Smith | 189 Brook Road, Warren, VT |
| 60 | Patty Giometti | 147 Sugarbush Woods Rd.,Warren, VT |
| 61 | Mark Giometti | 147 Sugarbush Woods Rd.,Warren, VT |
| 62 | Richard Swartz | 410 Stony Hill Rd, Warren VT |
| 63 | Ryan Bowen | 83 Cockleburr Farm Rd Warren VT |
| 64 | Kate Bowen | 83 Cockleburr Farm Rd Warren VT |
| 65 | Elizabeth Swartz | 410 Stony Hill Rd, Warren VT |
| 66 | Janet Ellison | 125 Eastview Rd, Warrent |
| 67 | Paul Mahoney | 440 Main St., Warren, VT |
| 68 | Justin Cook | 211 Cider Hill Rd., Warren, VT |
| 69 | Molly Cook | 211 Cider Hill Rd., Warren, VT |
| 70 | Julie Westervelt | Warren, VT |
| 71 | Bill Westervelt | Warren, VT |
| 72 | John Wilson | 90 Fairview Rd., Warren, VT |
| 73 | Michael Palmer | 1093 Cider Hill Rd, Warren, VT |
| 74 | Scott Dolny | 1093 Cider Hill Rd, Warren VT |
| 75 | Dorothy Kyle | 136 West Hill Ext., Warren, VT |
| 76 | Alexis Leacock | 970 Dump Rd. Warren, VT |
| 77 | Jim Edgcomb | 970 Dump Rd. Warren, VT |
| 78 | Margaret Smith | Fortna Rd, Warren, VT |
| 79 | Heather Winkelmann | Fortna Rd, Warren, VT |
| 80 | David Winkelmann | Fortna Rd, Warren VT |
| 81 | Robert DiSabato | 22 Forest Lane, Warren,VT |
| 82 | Christina DiDabato | 22 Forest Lane, Warren,VT |
| 83 | Jon Gavin | 22 Forest Lane, Warren, VT |

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| 84 | Lori Gavin | 22 Forest Lane Warren, VT |
| 85 | Paul E. Lynch | 845 Cider Hill Road, Warren, VT |
| 86 | Arnold W Cohen | 182 Sunset Dr. , Warren, VT |
| 87 | Anna Levitan | Fuller Hill Road, Warren, VT |
| 88 | Rich Levitan | Fuller Hill Road, Warren, VT |
| 89 | Alex Harvey | Old Farm Lane, Warren, VT |
| 90 | Tom Turner | West Hill Road, Warren, VT |
| 91 | Paul Reynolds | Village Road, Warren, VT |
| 92 | Eloise Zeeman | East Warren Rd, VT |
| 93 | Kinny Perot | Brook Road, Warren, VT |
| 94 | Richard Czaplinski | Brook Road, Warren, VT |
| 95 | Linda Tyler | West Hill RD, Warren, VT |
| 96 | Carl Tyler | West Hill Rd, Warren, VT |
| 97 | Dorothy Tod | Hazel Brown Rd, Warren, VT |
| 98 | Amy Hunter | Warren, VT |
| 99 | Catherine Dillon | 620 Dump Rd, Warren, VT |
| 100 | Robert Dillon | 620 Dump Rd, Warren, VT |
| 101 | Gregg Riskin | 27 Old Orchard Way, Warren, VT |
| 102 | Amy Riskin | 27 Old Orchard Way, Warren, VT |
| 103 | Maria Burfoot | 144 Green Mtn. Dr. Warren, VT |
| 104 | William Doenges | 239 Old Orchard Way, Warren, VT |
| 105 | Debra Brink (RM) | 179 Old Orchard Way, Warren, VT |
| 106 | Callie Willis | 126 Old Orchard Way, Warren, VT |
| 107 | Jill Bobrow | Stetson Brook Rd. Warren, VT |
| 108 | John Anderson | Stetson Brook Rd. Warren, VT |
| 109 | Andrew Russell | 3972 East Warren Rd, Warren VT |

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|---|---|---|
| 110 | Beth Schoellkopf | Lincoln Gap road, Warren, VT |
| 111 | Molly Cook | 211 Cider Hill Rd, Warren |
| 112 | Mark Katz | 85 Burnt Mountain Rd, Warren, VT |
| 113 | Alycia Biondo | Warren, VT |
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When I became interested in this issue a few months I had no idea it would become so heated and controversial.

Afterall, as someone who both works from home and moved to the Valley for its beauty and community, I strongly support both policy goals here: maintain the aesthetics of Warren and provide modern cell phone coverage.

I readily admit, that I have called Waitsfield Telecom more than once to ask when fiber will be installed on my road. I also keep my expensive AT&T cell phone plan because it has the best coverage in the Valley.

At the same time, aesthetics brought me here in 2002 and then back again in 2021 after jobs took our family to California for 15 years. In the interim, we returned every summer. I always savor the moment when I turn onto 100 at 100b, see the view, and notice my blood pressure begin to drop.

When we moved back to VT, I found myself explaining to my CA friends how this Valley is different from every other place I have ever lived. Sometimes I showed them that sweet promo film the chamber put out: "Almost There: The Mad River Valley". You know the one!

Aesthetics and the Valley's rich natural resources are reasons many of us live here. I'm reminded of it constantly — including last weekend when I drove to Williamstown to purchase maple sap buckets from a guy on "Tower Road". I found the location many miles before Mama Google did — spotting an enormous industrial tower on an otherwise pristine ridgeline.

Win Smith, who couldn't be here tonight, wanted me to read his thoughts on this subject:

"The Valley is a crown jewel. We are not Stowe, Killington, Manchester, Stratton, Okemo. That's our differential advantage. We don't have box stores, traffic lights, etc. Our views, ridges, rivers and streams have been fiercely protected. We have grown, development has occurred, but in the context of who we are. An example: we purposefully rebuilt the Pitcher Inn so that it resembled the former inn

that had burned down, but then created a totally new interior that still reflected the aesthetics of the Valley and Vermont to make it economically viable. We always strove to do the same at Sugarbush during my twenty years of ownership. Aesthetics were an important consideration in everything we did and that did not prevent changes, improvements and modernization."

In the past months, I have heard it argued that some Warren residents want better cell coverage and don't really care about towers affecting their view. Others make a strong argument for preserving Warren's aesthetics, which in the past has included policies to not build in meadows, not put up stoplights, and to bury power lines.

I don't see any reason why we can't have both: better cell coverage and maintain the beauty of the valley. I don't understand why these have to be opposing views.

And I'm saddened that this topic has pitted some folks in this town against others, when I think we all want the same thing.

Like so many issues, it is a matter of balance. In the LUDRs the PC worked very hard to balance preservation with housing. But because cell towers were not a front burner issue then, I think we all paid less attention and made some simple mistakes.

We now have a great opportunity to fix this: to balance these two important policy issues by giving the town more tools to consider and make these decisions in the future.

I urge the SB to consider and adopt the changes that have been proposed here today.