

**Town of Warren
Development Review Board
Minutes of Meeting
Monday, May 1, 2023**

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

Members Present: Chris Behn, Peter Monte (Chair), Chris Noone, Jeff Schoellkopf
Staff Present: Ruth Robbins (ZA), Carol Chamberlin (Recording Secretary)
Others Present: Evan Fitzgerald, Timothy Johnson, Alli Rogers, Matt Sargent, Kirsten Siebert (Broadleaf), Bobbie Platt, Stephen Platt, Josh Vogel, Stacey Weston

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

Appeal of Zoning Permit # 2023-06-ZP issued to Alta Assets LLC for the construction of a single family dwelling and detached garage at 299 Applewood Road consisting of approximately 3.1 +/- acres in the Rural Residential District and the Meadowland Overlay District, identified as parcel id# 009007-4.1 in the Warren Grand List.

Mr. Platt read aloud the appeal which had been submitted, outlining the three items upon which the appeal was based.

He then reported that, after being notified of the appeal, Mr. Johnson reached out to State Wetlands Ecologist Shannon Morrison, who subsequently issued a wetlands classification report. No report had been issued during the DRB hearings associated with this development; the issued report provides the appellants with an opportunity to request a Wetlands Determination for the area in question. This request was filed on May 1, 2023.

Ms. Robbins and members of the Board spoke to the aspects of the appeal related to open meeting practices and permit conditions. They confirmed that no decisions regarding Mr. Johnson's application had been made outside of the public hearing process; the pertinent minutes were reviewed. It was agreed that some conditions outlined in the Notice of Decision were inconsistent with the information presented on the approved final site plan. The conditions noted were the diameter of the deciduous trees required to be planted, and the additional two conifers to be planted - one on the south side of the dwelling and one easterly of the garage. Mr. Monte acknowledged that the Notice of Decision is inconsistent with the DRB's approval of the final site plan at the December 5, 2023 hearing.

There was further discussion on the matter of the wetlands classification; Mr. Monte explained that the DRB acted based upon the information available at the time of the hearing.

MOTION by Mr. Behn to sustain the appeal insofar as the permit issued does not satisfy the Conditions outlined in the Notice of Decision. **SECOND** by Mr. Monte. **VOTE:** All in favor, the motion carries.

MOTION by Mr. Monte to dismiss the appeal on the remaining two grounds: that the State had not at the time of the DRB decision officially made a Wetland Determination and that none of the proceedings were conducted outside of an Open Meeting. **SECOND** by Mr. Behn. **VOTE:** All in favor, the motion carries.

Ms. Robbins clarified that this outcome indicates that the permit will be rescinded and a new permit must be applied for by Mr. Johnson.

Some of those present requested that this matter not be finalized until the State has completed the Wetland Determination process.

Sketch Plan Review for Application #2023-02-SD submitted by Brandt Cassidy and represented by Matthew Sargent for a 3-lot subdivision on Plunkton Road, parcel id # 028002-500, consisting of 74.1 acres +/-.

Mr. Sargent outlined the proposed subdivision, noting that the areas to be developed are all on the lower portion of the property, and that the higher elevation area will be conserved in some manner. He indicated the approximate location for three building envelopes and associated driveways and reported that wastewater test pits that were dug indicate suitable soils.

Ms. Robbins noted that she had completed a site visit, and that the proposed development will be staked out in preparation for a site visit by Board members prior to the Preliminary/Final Review hearing which is scheduled to be held on June 5.

Board members explained that a slope analysis will be required for any areas being impacted by development, that a maintenance agreement for the shared roadway will need to be in place, and that an explanation of how the conservation of the upper portion of the lot will be memorialized should be provided. Driveway plans and stormwater plans will also be needed for approval.

Board members confirmed that the lots will need to be surveyed and that information recorded with the Town within the required time frame following approval.

Mr. Behn pointed out that a 400 foot driveway will not require a turnout, but that a sufficient turn radius will be asked for by the Fire Department.

Other Business:

Minutes were signed.

The upcoming schedule was reviewed.

The meeting adjourned at 8:11 pm.

Respectfully submitted,

Carol Chamberlin, Recording Secretary

Development Review Board

Peter Monte, Chair Date

Chris Behn Date

Devin Klein Corrigan Date

Megan Moffroid Date

Jeff Schoellkopf Date

