

**Town of Warren
Development Review Board
Minutes of Meeting
Monday, June 5, 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: BLA, Timothy Johnson, George McCain, Stephen Platt, Alli Rogers, Cameron Stone, Christopher Stone, Josh Vogel, Stacey Weston

The meeting was called to order at 7:02 pm.

Application #2023-03-CU submitted by Tower House LLC [C. Stone], for a Conditional Use approval for the development of a single family home which will impact naturally occurring steep slopes involving some 25+% slopes and a building envelope with partial steep slopes of 15+%. The project is located at 2703 German Flats Road, parcel ID # 006004 consisting of 1.0+/- acres and located in the Rural Residential District.

This Application was previously approved after review under the Draft Land Use and Development Regulations (the Regulations) that were rejected by the Selectboard on April 12, 2023.

MOTION by Mr. Monte to restate the findings of fact found in the March 11, 2023 Decision. **SECOND** by Mr. Behn. **VOTE:** All in favor, the motion carries. **RESCINDED:** This motion was later unanimously rescinded, as the original findings contained references to sections of the rejected draft of the Regulations.

A revised building envelope has been depicted on an updated site plan; the envelope has been moved to be completely outside the area of very steep slopes.

MOTION by Mr. Monte to find that the building envelope has been revised to exclude areas between 20% and 25% slope and to include additional areas of 15% slope or less. **SECOND** by Mr. Behn. **VOTE:** All in favor, the motion carries.

MOTION by Mr. Monte to readopt from the previous Decision issued the finding that the proposed building envelope and other improvements, driveway and septic system, have all been sited and designed to avoid and minimize impacts on steep slopes to the extent possible. **SECOND** by Mr. Noone. **VOTE:** All in favor, the motion carries.

MOTION by Mr. Monte to readopt from the previous Decision issued the finding that Mr. McCain has stated that the plans include 17,800 square feet of total site disturbance, and that the project is designed to stay within the setback limitations through earthwork with no blasting anticipated. **SECOND** by Mr. Behn. **VOTE:** All in favor, the motion carries.

MOTION by Mr. Schoellkopf to find that the standards outlined in Section 5.3 A 1-5 are either satisfied by the materials presented or not applicable. **SECOND** by Mr. Behn. **VOTE:** All in favor, the motion carries.

Mr. McCain confirmed that erosion control and stormwater impacts have been addressed in the application materials.

MOTION by Mr. Schoellkopf to readopt from the previous Decision issued the finding that the applicant submitted a complete application, project narrative, Stormwater project information for small projects,

EPSC plan and site plans by McCain Consulting, structure plans, notice to abutters, and proof of mailing. **SECOND** by Mr. Monte. **VOTE:** All in favor, the motion carries.

MOTION by Mr. Schoellkopf to readopt from the previous Decision issued the finding that a road cut has been approved by the Selectboard and the sight line distance to the south from the driveway location was measured at 220 feet. **SECOND** by Mr. Monte. **VOTE:** All in favor, the motion carries.

MOTION by Mr. Schoellkopf to approve Application 2023-03-CU under the Regulations currently in effect, subject to the customary conditions as well as a condition that blasting be limited to the house footprint when sited, and connections to associated infrastructure. Notification of any blasting determined to be necessary must be provided to the Zoning Administrator at least five days in advance of such work, and the work must be completed by an insured, licensed professional(s). **SECOND** by Mr. Behn. **VOTE:** All in favor, the motion carries.

Application #2023-04-CU submitted by Evonne and Jordan Meranus for a Conditional Use approval for the development of a single family home on a previously approved building envelope to which they are asking for a slight adjustment and for approval of the exterior house plans and siting under the standards of the Forest Reserve District. The property is located at 362 Hillside Road and listed as parcel id # 028004-800.

This Application was previously approved after review under the Draft Land Use and Development Regulations that were rejected by the Selectboard on April 12, 2023.

No additional materials had been submitted for this review; no changes have been proposed.

MOTION by Mr. Monte to find that the District Standards as outlined in Table 2.1 D, E, and F are satisfied by the application materials submitted. **SECOND** by Mr. Schoellkopf. **VOTE:** All in favor, the motion carries.

MOTION by Mr. Monte to expand the approved building envelope by drawing a line connecting the western point of the envelope's panhandle across to the northerly point of the western edge of the envelope, creating a triangular enlargement; this new building envelope must be depicted on a mylar site plan, to be filed within 180 days of approval of this Application. **SECOND** by Mr. Behn. **VOTE:** All in favor, the motion carries.

MOTION by Mr. Monte to find that cutting the majority of trees within the area depicted for creation of a westerly view would create no visual impact from off site, as well as agreement that this area contains no significant area of steep slopes. **SECOND** by Mr. Behn. **VOTE:** All in favor, the motion carries.

MOTION by Mr. Schoellkopf to accept the tree cutting areas as proposed, to be depicted on the final mylar site plan. **SECOND** by Mr. Monte. **VOTE:** All in favor, the motion carries.

MOTION by Mr. Behn to condition approval upon exterior colors used on structures be muted earth tones indigenous to the surrounding area, including those portrayed on the drawings submitted. **SECOND** by Mr. Monte. **VOTE:** All in favor, the motion carries.

MOTION by Mr. Schoellkopf to find that the standards outlined in Section 5.3 A 1-5 are either satisfied by the materials presented or not applicable. **SECOND** by Mr. Noone. **VOTE:** All in favor, the motion carries.

MOTION by Mr. Monte to approve Application #2023-04-CU subject to the usual conditions as well as those agreed upon at this hearing. **SECOND** by Mr. Behn. **VOTE:** All in favor, the motion carries.

Appeal of Decision #2022-13-CU 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

This hearing will also review the revised Landscaping Plan dated 05.01.2023 which required a correction to the previously approved plan.

MOTION by Mr. Behn to approve the current revision of the landscaping plan, dated 5/3/2023, as the correct plan, which was requested per the Decision issued. **SECOND** by Mr. Schoellkopf. **VOTE:** All in favor, the motion carries.

Mr. Vogel explained that no official decision has been made by the State regarding a Wetlands Determination for the Alta Assets parcel; due to their potentially being no Class II Wetland found on the site, he requested that any further decision regarding the matter be postponed.

Board members explained the logistics of the appeal process and the importance of following procedures as outlined in statute.

MOTION by Mr. Monte to dismiss the appeal because the DRB does not have the authority to hear it. **SECOND** by Mr. Behn. **VOTE:** All in favor, the motion passes.

Ms. Rogers pointed out that the Decision did not include information regarding the appeal process, as is required by the Regulations. This was acknowledged by the Board members.

MOTION by Mr. Schoellkopf to amend the Decision by adding a statement recognizing that customary appeal information was omitted, and to allow the appellants a 30-day appeal period. **SECOND:** None.

There followed some discussion of the timing of the effective date of the building permit in relation to the appeal period for the CU Decision. It was confirmed that there would need to be another building permit issued now that the correct landscaping plan had been received and approved.

Other Business:

Minutes, decisions and mylars were reviewed and signed.

It was agreed that NODs should be distributed to DRB members mid-week previous to their scheduled signing, and that related NODs should be available when signing mylars.

The meeting adjourned at 8:41 pm.

Respectfully submitted,

Carol Chamberlin, Recording Secretary

Development Review Board

Peter Monte, Chair Date

Chris Behn Date

Jeff Schoellkopf Date

Chris Noone Date