

**Town of Warren
Development Review Board
Minutes of Meeting
Monday, July 17, 2023**

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

Members Present: Chris Behn, Robert Kaufman, Peter Monte (Chair), Megan Moffroid
Staff Present: Ruth Robbins (ZA), Carol Chamberlin (Recording Secretary)
Others Present: George Abad, Mark Bannon, Brandt Cassidy, David Ellison, Janet Ellison, Shane Elwell, Todd Hill, Matt Larson, Amantha Rouleau, Jared Rouleau, Steve Robbins, Ross Sigmund

The meeting was called to order at 7:04 pm.

Application #2023-07-CU submitted by Jared and Amantha Rouleau for a Conditional Use approval for the addition of fill in excess of 1000 or more square feet creating a gradient of 15% or more resulting in a steep to very steep slope. The property is located at 143 Buck Road, consisting of .65 +/- acres, parcel ID # 417043 in the Warren Grand List and located in the Alpine Village Residential District.

A site visit was held earlier in the day, attended by Ms. Robbins, the DRB members present at this hearing, and the applicants.

Ms. Rouleau confirmed that the application was to ensure that the requirements imposed by the DRB in December have been met.

The application noted that the Low Risk Handbook guidelines had been used to satisfy the requirements, although Mr. Rouleau confirmed that the handbook was not consulted prior to the stabilization work being completed. Ms. Rouleau explained that there had been consultations with engineers regarding the strategies employed, but that those they contacted were too busy and so the Rouleaus completed the work on their own.

Mr. Monte noted that the slopes at some points appear steeper than what is allowed in the Handbook. He indicated that it needs to be demonstrated that the work completed is in compliance with the Handbook. It was further explained that the Board is seeking to ensure that the earthwork is sufficient to support the structure which has been permitted, and that proof of compliance with the Handbook, along with verification of the same by a professional, will provide this assurance. Board members provided information regarding what types of professional might be engaged to provide a verification statement.

MOTION by Mr. Behn to continue the hearing for Application 2023-07-CU until July 31, 2023 at 7 pm.
SECOND by Mr. Kaufman. **VOTE:** All in favor, the motion carries.

Application #2023-02-SD submitted by the Cassidy Joint Revocable Trust, Brandt Cassidy, Trustee, is requesting approval for a 3-lot subdivision of a 74 +/- acre parcel located on Plunkton Road, parcel ID # 028002-5, creating Lot 1, 13.5 +/- acres, Lot 2, 12.0 +/- acres and Lot 3, 47 +/- acres. This parcel is located in the Rural Residential District

A site visit was held earlier in the day, attended by Mr. Cassidy, Mr. Larson, Mr. Hill, Ms. Robbins, and the DRB members present at the hearing. At the visit, the driveway was navigated, and the take-off lines for each dwelling were observed, along with the proposed building envelopes and septic locations. It was noted that steep slopes appear to be avoided by the proposed plans.

Mr. Larson confirmed that only a short section of the upper shared driveway is above 15% slope, and that none of the building envelopes contain anything over 15%. He explained the Jeff Campbell, Fire

Chief, had been to the site, and that the intent is to blast some of the ledge at the steep point in order to lessen the slope for emergency vehicle accessibility. Mr. Larson indicated that a waiver of the road profile requirement would be requested if the Fire Department approves the final road configuration. Board members explained that the profile is needed in order to confirm that the slope of the driveway is in conformance for its entire length. Ms. Robbins noted that the previously issued access permit may need modification and review by the Select Board.

Ms. Robbins confirmed that erosion control plans are included in the application materials.

In response to questions from abutters, Mr. Larson and Mr. Hill explained that the portion of the property not being developed will remain in Current Use, noting that some forest maintenance is required through that program, and that the new wells to be drilled should have no impact on surrounding properties' water supply.

Board members reviewed the Subdivision Standards outlined in the Regulations.

MOTION by Mr. Monte to classify this as a Minor Subdivision under Section 6.1 C (1). **SECOND** by Mr. Behn. **VOTE:** All in favor, the motion carries.

The General Standards were reviewed, and it was determined that additional information needs to be provided, including dimensional information for the building envelopes and extent of proposed clearing, a road maintenance agreement, and a statement of satisfactory access from the Fire Chief.

It was indicated that there are no further subdivision plans at this point.

MOTION by Mr. Behn to find that the development as proposed satisfies the General Standards outlined in Section 7.2 (A) – (F). **SECOND** by Ms. Moffroid. **VOTE:** All in favor, the motion carries.

Mr. Larson confirmed that the intent is to build the dwellings in accordance with Energy Star standards.

MOTION by Mr. Behn to condition approval of this subdivision on construction meeting or exceeding Vermont Energy Star standards in place as of 2023. **SECOND** by Mr. Monte. **VOTE:** The motion carries, with Mr. Kaufman abstaining.

MOTION by Mr. Behn to find that the General Standards outlined in Section 7.2 (G) – (H) are satisfied with the condition imposed. **SECOND** by Mr. Monte. **VOTE:** All in favor, the motion carries.

Mr. Larson asked if this type of energy efficiency requirement will be included in all upcoming decisions; information related to the upcoming LUDR updates as well as the Residential Building Energy Certificate were explained.

Steep slope and erosion impacts were discussed. It was decided to defer a full review of several sections of the Subdivision Standards until a road profile and a determination of whether 1000 square feet or greater of 15% or greater slopes is impacted. It was also noted that plans for the intersection of the shared driveway with the Town road need to be provided, along with a depiction of any pullouts that will be provided for emergency vehicle access.

Further aspects of Subdivision standards were reviewed.

MOTION by Mr. Monte to find that because the area to be affected by development, including driveways, buildings, and utilities, is a small percentage of the total property acreage, the General Standards outlined in Section 7.4 are satisfied by the materials included in the application. **SECOND** by Ms. Moffroid. **VOTE:** All in favor, the motion carries.

MOTION by Mr. Behn to find that the development as proposed satisfies the General Standards outlined in Section 7.8 (A) – (F). **SECOND** by Ms. Moffroid. **VOTE:** All in favor, the motion carries.

MOTION by Mr. Monte to find that because all utility lines will be installed underground, the development as proposed satisfies the General Standards outlined in Section 7.9. **SECOND** by Mr. Kaufman. **VOTE:** All in favor, the motion carries.

Mr. Larson confirmed that no signs are anticipated to be installed at the property.

MOTION by Mr. Behn to continue the hearing for Application 2023-02-SD until July 31, 2023 at 7 pm. **SECOND** by Mr. Kaufman. **VOTE:** All in favor, the motion carries.

Application #2023-06-CU review of requested driveway profile information.

Mark Bannon indicated that new information had been provided to Board members via email prior to the meeting, including the requested road profile as well as some other information pertinent to requirements outlined in the Regulations. He confirmed that not much clearing is needed in order to develop the road with the profile that was provided, and that the requirements of the Low Risk Handbook are satisfied by the proposed design.

MOTION by Mr. Behn that Sections 3.1 and 3.4 of the Regulations are satisfied by the new plans submitted. **SECOND** by Ms. Moffroid. **VOTE:** All in favor, the motion carries.

MOTION by Mr. Monte to approve Application #2023-06-CU, subject to the conditions imposed during the hearing and the relevant standard conditions. **SECOND** by Mr. Behn. **VOTE:** All in favor, the motion carries.

Other Business:

Minutes and Decisions were reviewed and signed.

The upcoming schedule was reviewed.

The meeting adjourned at 8:53 pm.

Respectfully submitted,

Carol Chamberlin, Recording Secretary

Development Review Board

Peter Monte, Chair Date

Megan Moffroid Date

Robert Kaufman Date

Chris Behn Date