

**Town of Warren
Development Review Board
Minutes of Meeting
Monday, March 18, 2024**

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

Members Present: Megan Moffroid, Peter Monte (Chair), Chris Noone, Donald Swain
Staff Present: Ruth Robbins (ZA), Carol Chamberlin (Recording Secretary)
Others Present: Jim Crafts, George McCain, Gunner McCain, Francis Faillace, Jenny Faillace, and Cheryl Swann.

The meeting was called to order at 7:03 pm.

Application # 2024-03-CU submitted by Jennifer and Francis Faillace requesting a Conditional Use approval for the construction of an Accessory Structure which will include a small carpentry workshop, home office space and an Accessory Dwelling. A Home Based Business (Cottage Industry) and a set-back waiver of the allowed 30% is also being sought. The property is located a 2322 Brook Road, parcel id # 001007-600 consisting of 1 acre in the Rural Residential District.

Ms. Faillace explained the plans for the accessory building and the uses to be included, noting that the current layout of their property and a retaining wall indicate that a setback waiver for the side of the property is requested. She also explained that the workshop will be used by employees, and part of the application is for a Cottage Industry.

Mr. Faillace provided some of the details regarding the work needed to avoid impacts to the retaining wall, noting that some of the land is fairly wet and that the current plans allow for avoiding work in the wet area. To place the building as planned, the full setback waiver allowance is being requested. Mr. Monte suggested rotating the building to avoid the wet area and the need for a setback waiver. Mr. Faillace explained that doing so would lead to impacts to the existing patio as the building would be very close to the house. Ms. Faillace noted that their property at the location of the planned accessory building abuts the town green, and the setback should not impact neighbors. It was confirmed that there will be no impact to the trees which run along the property boundary between the Faillace property and the town green. Mr. Faillace explained that approximately 4 – 5 feet of the retaining wall will be removed for construction of the new building, and that about 100 feet will be left in place. Ms. Faillace also explained that the proposed location limits the amount of new impervious surface created, as moving it would require more driveway development and other impacts.

Drainage plans were discussed; Mr. Faillace explained that swales would be developed to direct the roof drainage away from the building.

A mound system will be installed to increase septic capacity to accommodate the ADU.

MOTION: Ms. Moffroid made a motion to approve the request for a side setback waiver of 7.5 feet.

SECOND by Mr. Noone. **VOTE:** The motion passes, with Mr. Monte opposed.

Ms. Faillace outlined the following regarding the proposal:

- It is anticipated that the workshop will accommodate two or three employees other than Mr. Faillace
- The first floor will house the workshop, a bathroom, and some storage space
- The second story will contain office spaces, a meeting room, and a kitchenette, as well as the ADU
- There will be no connection between the second floor office/business space and the ADU

- While Ms. Faillace will likely make use of one of the office spaces, it will not be used as a law practice office and she will not be seeing clients in that space
- The building will be designed to look like a garage/barn
- The business will not generate excess traffic
- There will be no outside storage of materials used in the business
- Two residential parking spaces are planned, as well as one for the ADU and one employee space
 - Each space is 9' wide
 - The site is located 300' from the nearby park and ride, providing additional parking if needed
 - No trees need to be removed in order to create the parking area

Mr. Monte noted that the LUDRs require that parking spaces be 22' deep; Mr. Faillace indicated that this is possible and he will adjust the plans accordingly.

Mr. Monte advised that this will be a public building, and appropriate fire safety standards will need to be followed.

MOTION by Mr. Monte to condition approval on applicants providing a minimum of four parking spaces meeting the dimensional requirements of the LUDRs (9' x 22'), with the understanding that the balance of parking needs is provided by the nearby public parking. **SECOND** by Mr. Noone. **VOTE:** All in favor, the motion carries.

MOTION by Mr. Monte to require that, within thirty days of this meeting, applicants will provide a revised, scaled, site plan which depicts regulation parking spaces, tree locations on the northern boundary, and a grading plan. **SECOND** by Mr. Swain. **VOTE:** All in favor, the motion carries.

It was noted that the proposed ADU requires Conditional Use Review due to its being sited in a new structure.

MOTION by Mr. Monte to find that an ADU is permitted on these premises under Section 4.1 (A0(2)(a)), subject to Conditional Use Review. **SECOND** by Mr. Swain. **VOTE:** All in favor, the motion carries.

Mr. Monte noted that Conditional Use review would be simultaneous for both the Cottage Industry and ADU portions of the application.

MOTION by Mr. Swain to find that the Conditional Use General Standards in Section 5.3 (A) are satisfied by the application materials as presented. **SECOND** by Mr. Monte. **VOTE:** All in favor, the motion carries.

MOTION by Mr. Monte to impose a condition prohibiting outdoor storage of materials associated with the operation of the Cottage Industry; the limitation will not apply to items used for residential purposes. **SECOND** by Mr. Noone. **VOTE:** All in favor, the motion carries.

Regarding landscaping and screening requirements, it was confirmed that the trees between the Faillace property and the town green fall on both sides of the property line; no related condition was imposed.

It was noted that the LUDRs require downcast and shielded lighting for all lighting installations.

Board members did not indicate that it was necessary to address any other specific standards.

MOTION by Mr. Monte to approve application # 2024-03-CU subject to the conditions imposed at the hearing and the regular conditions associated with an approval; this approval is also subject to DRB review and approval of the final plan to be presented. **SECOND** by Ms. Moffroid. **VOTE:** All in favor, the motion carries.

MOTION by Mr. Monte to continue the hearing for this application until April 1, 2024 at 7:00 pm. **SECOND** by Mr. Swain. **VOTE:** All in favor, the motion carries.

Application # 2024-02-SD submitted by Jason Fiorita for May Valley LLC requesting Preliminary/Final Plan Review for a 2-Lot subdivision of an 80+/- acre parcel. Lot 1 will be 1.2 +/- acres that will encompass the existing house. The rest of the acreage, 78 +/- acres will contain the remaining lands as Lot 2. The property is located at 964 Lincoln Gap Road, parcel id # 003002-000 consisting of 80 +/- acres in the Rural Residential District

The sketch plan review for this subdivision application was held on March 4, 2024.

Mr. McCain summarized that the existing house will be on the proposed 1.2-acre lot, leaving a lot of approximately 79 acres, regarding which a further subdivision will be applied for once the plans are completed. He confirmed that no development will take place as part of this current application.

Mr. Monte asked whether the remaining acreage will be able to support the infrastructure necessary for further development. Mr. McCain indicated that site work has begun, and the lots will all be located on the lower portion; preliminary soil testing and the location of the planned house sites indicate that septic systems and roadways are possible, confirming development potential.

MOTION by Mr. Monte to classify the proposal as a minor subdivision, due to there being less than six lots created, and to consolidate the preliminary and final approval reviews at this hearing. **SECOND** by Mr. Swain. **VOTE:** All in favor, the motion carries.

The Subdivision Standards of Article 7 of the Land Use and Development Regulations were reviewed.

MOTION by Mr. Monte to find that the 1.2-acre lot, Lot 1, is developable and is developed; and to find that the balance of the acreage on the proposed Lot 2 also has the capacity to be developed. **SECOND** by Mr. Noone. **VOTE:** All in favor, the motion carries.

Mr. McCain confirmed that the current building meets all property line setbacks, and there was agreement that the setbacks create a building envelope for this lot.

MOTION by Mr. Monte to find that the General Standards of Section 7.2 are satisfied. **SECOND** by Ms. Moffroid. **VOTE:** All in favor, the motion carries.

MOTION by Mr. Monte to find that the standards of Section 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.9, and 7.10 are not relevant because no new development is proposed. **SECOND** by Ms. Moffroid. **VOTE:** All in favor, the motion carries.

MOTION by Mr. Swain to approve the two-lot subdivision as proposed. **SECOND** by Mr. Noone. **VOTE:** All in favor, the motion carries.

Application # 2024-01-CU submitted by Anastasia & James Kohl requesting a Conditional Use approval for a Cottage Industry with the construction of a 28 x36 two story barn with solar panels that will be used as a cannabis grow facility. The property is located at 46 Cider Mountain Road, parcel id # 012001-800 consisting of 5.1 +/- acres in the Rural Residential District.

This hearing was continued from March 4, 2024. The applicant had informed Ms. Robbins that the materials requested at that time were not yet available, and requested another continuation.

MOTION by Mr. Monte to continue the hearing for this application until April 1, 2024 at 7:00 pm. **SECOND** by Mr. Swain. **VOTE:** All in favor, the motion carries.

Other Business:

The Board reviewed the Notice of Decision for Application 2024-02-CU, submitted by the Budds. George McCain was present, and explained the portion of the site plan depicting the area of the property in which a maximum of ½ acre of clear cutting will be completed.

Minutes were signed as was the Notice of Decision for the Budd CU.

The upcoming schedule was reviewed.

Adjournment

The meeting adjourned at 8:55 pm.

Respectfully submitted,

Carol Chamberlin, Recording Secretary

Development Review Board

Peter Monte, Chair Date

Chris Behn Date

Chris Noone Date

Megan Moffroid Date

Don Swain Date