

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

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

Members Present: Chris Behn, Maria Burfoot, Chris Noone, Jeff Schoellkopf
Staff Present: Ruth Robbins (ZA)
Others Present: Maura Connolly, John Egan, Dick King, Mike Marino, Charlotte Robinson, Moxie Robinson, Sam Robinson, Donovan Ward

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

Application # 2024-04-SD submitted by Steven & Charlotte Robinson (owners) and applicants Sam & Moxie Robinson, requesting Sketch Plan Review for a 2-lot Subdivision. The existing lot 12 will become 8.1 +/- acres and the new lot designated Lot 15 will be 2.0 +/- acres. The property is located at 426 Robinson Road consisting of 10.1 +/- acres, parcel id# 028001-904 in the Rural Residential District.

Donovan Ward outlined the subdivision plans, reviewing the lot layout, wastewater plans, access drive, and utilities. Following the sketch plan review, lot lines had been adjusted to allow for 200 feet of frontage along Leonard Lane. Mr. Donovan confirmed that a 100-foot stream setback will be in place. There was some discussion among Board members regarding the need to depict a building envelope on the new lot to be created, and some discussion of what road standards need to be used in constructing the extension of the private road providing access to the new lot. Applicants indicated that a road maintenance agreement will be in place. Board members posed no questions regarding other aspects of the proposed subdivision.

MOTION: Mr. Behn made a motion to find that the application is for a Minor Subdivision. The motion was seconded by Mr. Noone, and passed unanimously.

Ms. Robbins and the Board members reviewed the documentation that was submitted as part of the application.

MOTION: Mr. Behn made a motion to find that Application 2024-04-SD was complete. The motion was seconded by Ms. Burfoot, and passed unanimously.

Board members reviewed Article 7 of the Land Use Regulations, specifically Section 7.2, which outlines the general standards for subdivisions.

MOTION: Mr. Behn made a motion to find that the proposed subdivision meets the standard outlined in Section 7.2 (A). The motion was seconded by Mr. Noone, and passed unanimously.

MOTION: Mr. Schoellkopf made a motion to waive the 14' road width standard, and allow for a 12' width for the extension of the road required to access the new lot. The motion was seconded by Mr. Behn, and passed unanimously.

MOTION: Mr. Behn made a motion to find that, with the road width waiver in place, the standards outlined in Section 7.2 (B), (C), and (D) are satisfied. The motion was seconded by Mr. Noone, and passed unanimously.

Board members did not suggest a need to define a building envelope smaller than what would be provided by the standard property setbacks on three sides (40' front and 25' for sides/rear) and a stream setback of 100' on the northeastern side of the property.

MOTION: Mr. Schoellkopf made a motion require that the final plat depict a building envelope outlined using the dimensions discussed. The motion was seconded by Mr. Behn, and passed unanimously.

Mr. Schoellkopf pointed out to the applicants that any roof overhang must be within the building envelope.

Landscaping and screening plans were discussed. Mr. Ward indicated that no specific design plans had been developed. Mr. Robinson explained that the Cohens, the closest neighbors, had been consulted and had not requested any screening between the properties. It was confirmed that no clearing is planned other than what is necessary for the house and septic system installation.

MOTION: Mr. Behn made to motion to find that the Standards outlined in Section 7.2 (F), (G), and (H) are satisfied or not applicable to this subdivision. The motion was seconded by Mr. Schoellkopf, and passed unanimously.

Next there was a discussion of primary and secondary conservation area standards, during which it was noted that the parcel is not located in the Meadowland Overlay, that there will be a 100' stream buffer in place, no steep slopes are present on the property, and that utility lines will be shared where possible.

MOTION: Mr. Schoellkopf made to motion to find that the Standards outlined in Section 7.3 are satisfied, noting that the only applicable property feature is the stream. The motion was seconded by Mr. Noone, and passed unanimously.

MOTION: Mr. Behn made to motion to find that, per the application materials and testimony presented, the Standards outlined in Sections 7.4 through 7.9 have been satisfied or not applicable to this subdivision. The motion was seconded by Ms. Burfoot, and passed unanimously.

MOTION: Mr. Schoellkopf made to motion to, given the findings and the information presented, approve the subdivision, subject to all the usual conditions and requirements. The motion was seconded by Mr. Behn, and passed unanimously.

Application # 2024-05-SD submitted by Maura L. Connolly, requesting Sketch Plan Review for a 2-lot Subdivision. The current parcel of 28.4 +/- acres will become Lot A with 27.35 acres and Lot B will be 1.5 acres. The property is located at 108 Cold Springs Farm Road parcel id# 009001-300 in the Rural Residential District.

The applicants provided a modified site plan, incorporating an extension of the proposed new property line to abut the access road in order to create the frontage required for the new lot. This change was precipitated by feedback received during the sketch plan review for the proposal, and adds a thin pie-shaped piece to Lot B. It was confirmed that no changes to any of the structures or uses on the property are planned, and that no easement is needed for access to the new lot, as the road is a Class 4 Town highway.

Mr. Marino asked about the business operation in the parcel's District; Ms. Robbins explained that the distillery is permitted as a cottage industry. This led to some discussion of the associated requirements in the Regulations, including that the business operator reside on the site of the cottage industry. Board

members agreed with Mr. Egan's proposal that a common ownership condition be associated with approval of the subdivision.

MOTION: Mr. Behn made a motion to condition approval of the subdivision on the requirement that Lot A and Lot B remain in common ownership by covenant and deed in order for the existing cottage industry permit to remain in effect. The motion was seconded by Ms. Burfoot, and passed unanimously.

The water supply and wastewater disposal for both parcels was discussed. Mr. Egan indicated that the applicants are willing to deed any necessary easements between the properties in order to assure access to both water and wastewater needs. Board members noted that the locations of this infrastructure will need to be depicted on the final site plan.

It was agreed that a building envelope on Lot B may be established by using the property line setbacks; this will also need to be depicted on the final site plan.

MOTION: Mr. Behn made a motion to find that the application is for a Minor Subdivision. The motion was seconded by Mr. Schoellkopf, and passed unanimously.

MOTION: Mr. Schoellkopf made a motion to find that Application 2024-04-SD was complete, subject to the presumption that the final plat will depict property line setbacks on the new parcel as outlines of an approved building envelope. The motion was seconded by Mr. Noone, and passed unanimously.

MOTION: Mr. Behn made a motion to find that the proposed subdivision meets the Standards outlined in Sections 7.2 (A) – (D). The motion was seconded by Ms. Burfoot, and passed unanimously.

MOTION: Mr. Behn made a motion to require that the building envelope will be depicted for Lot B, and that the newly created lot will not create a nonconforming setback for the existing structures on Lot A, satisfying the Standards of Section 7.2 (E). The motion was seconded by Mr. Noone, and passed unanimously.

MOTION: Mr. Noone made to motion to find that the Standards outlined in Section 7.2 (F), (G), and (H) are satisfied or not applicable to this subdivision. The motion was seconded by Mr. Behn, and passed unanimously.

Due to there being no new development planned, Board members did not feel it necessary to address primary or secondary conservation area standards.

MOTION: Mr. Schoellkopf made to motion to find that, due to there being no intent to change existing structures, the Standards outlined in Sections 7.3 through 7.7 have been satisfied or not applicable to this subdivision. The motion was seconded by Mr. Behn, and passed unanimously.

It was confirmed by the applicants that definitive locations of the water and wastewater infrastructure have not been determined. Board members indicated that this information is required, and if necessary, easements will be deeded to ensure that both lots continue to have access to both a water supply and wastewater disposal.

MOTION: Mr. Behn made to motion to find that the Standards outlined in Section 7.8 will be satisfied with inclusion of deed language indicating that the water supply for both lots will be provided by the source located on Lot A and that the wastewater system for Lot B is indicated on the final plat, with an

easement for access to that system created if necessary. The motion was seconded by Ms. Behn, and passed unanimously.

MOTION: Mr. Behn made to motion to find that Standards outlined in Section 7.9 have been satisfied due to all utilities being preexisting. The motion was seconded by Mr. Schoellkopf, and passed unanimously.

MOTION: Mr. Schoellkopf made to motion to approve the subdivision, subject to review of the final plat as well as all the usual conditions and requirements. The motion was seconded by Mr. Noone, and passed unanimously.

Other Business:

Minutes were signed.

The upcoming schedule was reviewed.

Adjournment

The meeting adjourned at 8:28 pm.

Respectfully submitted,

Carol Chamberlin, Recording Secretary

Development Review Board

Maria Burfoot Date

Chris Noone Date

Jeff Schoellkopf Date