

**Town of Warren
Development Review Board
Minutes of Meeting
Monday, August 18, 2025**

Members Present: Megan Moffroid, Chris Noone, Jon Rickard, Jeff Schoellkopf
Staff Present: Ruth Robbins (ZA)
Others Present: Victor Amesoeder (VHB), Robin Bleier, Jim Crafts, Mary Gow, Peter Hays, Dan Heil (VHB), Sarah Heneghan (Grenier Engineering), Jen Kennedy, Sean Kennedy, Devin Klein Corrigan (Selectboard), Paul Lynch, MRVTV, Kenneth Oppenheimer, John Pittfield, Quayl Rewinski, Steven Roy (WLA), Jim Sanford, Tim Seniff

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

Application # 2025-06-SD submitted by John Pitfield & Paul Lynch request a Preliminary/Final Review for a 2-lot subdivision. The property is located at 845 Cider Hill Road consisting of a total of 36.7 +/- acres, parcel id# 012003-400 in the Rural Residential District.

This hearing was continued from July 21, 2025.

Mr. Schoellkopf provided a reminder of the concerns expressed at the prior meeting regarding the clearing that took place at the property prior to the application for subdivision being submitted. He noted that a forestry plan had since been submitted, which was drafted by Mike Marino, who had done the logging work at the site. According to the plan, the clearing was undertaken with the intent to create a view. Ms. Heneghan clarified that the goal of the logging was to determine if the site had development potential, and she and the Mr. Pitfield and Mr. Lynch all noted that the applicants now recognize that they should have been in touch with the Town before doing this work. Mr. Marino's report also includes information regarding the erosion control measures he put in place and guidance on stabilizing the site following the logging which was done. The report also indicates that most of the area cleared was spruce, a portion of which was dead/dying, and some birch that was affected by the conditions of the spruce forest.

Ms. Heneghan had provided a revised site plan, which includes an erosion control plan and depiction of the swale near the current house site, which was agreed to be put in place at the last meeting as an effort to prevent runoff reaching the houses below this site. She confirmed that an application for a curb cut has been submitted.

It was noted by Board members that there does not appear to be concern that the proposed house site will be visible from other locations, and confirmed that the proposed building envelope is in the area where clearing has occurred.

Ms. Robbins indicated that she did not see a need for Fire Department approval for the access to the proposed house site on the lot to be created.

Board members reviewed the pertinent sections of the Land Use and Development Regulations.

MOTION: *Mr. Schoellkopf moved to find that there is a 4BR wastewater permit in place for the second lot. The motion was seconded by Mr. Noone, and passed unanimously.*

MOTION: *Mr. Schoellkopf moved to condition approval of the subdivision on an Access Permit being granted by the Town. The motion was seconded by Ms. Moffroid, and passed unanimously.*

Ms. Heneghan outlined the swale improvements planned for addressing stormwater, which will direct water to existing drainage and will help prevent soil saturation. She confirmed that no additional clearing is proposed in order to create the swale at the current house site.

MOTION: *Ms. Moffroid moved to find that Section 7.2 A – D has been satisfied by the application materials submitted. The motion was seconded by Mr. Noone, and passed unanimously.*

It was noted that a building envelope has been depicted for the new site, that there are no slopes greater than 25% in the envelope, and that open space is also included in the site plan.

MOTION: *Mr. Schoellkopf moved to find that Section 7.2 E has been satisfied by the application materials submitted. The motion was seconded by Mr. Noone, and passed unanimously.*

The applicants confirmed that they do not plan to stump the cleared area, although the report submitted by Mr. Marino states that stumping may take place a year after the work was completed. It was confirmed that about 2 acres have been cleared, with 30 acres of forest remaining, and the stream buffer has not been impacted. No Board members requested that any planting of vegetation be required.

MOTION: *Mr. Schoellkopf moved to find that Section 7.2 G has been satisfied. The motion was seconded by Mr. Noone, and passed unanimously.*

MOTION: *Ms. Moffroid moved to find that Section 7.2 H has been satisfied, as the applicants have indicated that there are no further subdivision plans for the parcel. The motion was seconded by Mr. Schoellkopf, and passed unanimously.*

Ms. Robbins confirmed that the property is not within the Meadowland Overlay.

It was noted that development on other portions of the proposed second lot would have a greater impact on conservation areas than development of the proposed access/building envelope will have.

MOTION: *Mr. Schoellkopf moved to find that Section 7.3 A is not applicable and that Section 7.3 B has been satisfied. The motion was seconded by Ms. Moffroid, and passed unanimously.*

It was noted that the building envelope to the extent feasible has minimized the overall disruption of steep slopes on the property.

A reminder was offered that the driveway, when a building permit is applied for, will require Conditional Use review, due to its crossing of 25% slopes.

MOTION: *Mr. Schoellkopf moved to condition approval upon following the stabilization plan outlined by Mr. Marino, including that no stumping may occur until one year after the work was completed, and that any stumped area will have erosion control in place. The motion was seconded by Mr. Noone, and passed unanimously.*

MOTION: *Mr. Schoellkopf moved to find that, based upon the previous finding, Section 7.3 C has been satisfied to the extent feasible. The motion was seconded by Ms. Moffroid, and passed unanimously.*

MOTION: *Ms. Moffroid moved to find that Section 7.4 has been satisfied by the submission of the forestry plan. The motion was seconded by Mr. Noone, and passed unanimously.*

MOTION: *Mr. Schoellkopf moved to find that, based upon the proposed development of a stormwater swale and the condition related to the forestry stabilization plan, Section 7.5 A has been satisfied. The motion was seconded by Mr. Noone, and passed unanimously.*

MOTION: *Mr. Schoellkopf moved to find that Section 7.6 has been satisfied. The motion was seconded by Mr. Rickard, and passed unanimously.*

MOTION: *Mr. Schoellkopf moved to find that Section 7.7 is not applicable to the application. The motion was seconded by Mr. Noone, and passed unanimously.*

MOTION: *Mr. Schoellkopf moved to find that Section 7.8 has been satisfied. The motion was seconded by Ms. Moffroid, and passed unanimously.*

Ms. Heneghan confirmed that utility lines will be added to the site plan.

MOTION: *Mr. Schoellkopf moved to approve the subdivision application #2025-06-SD. The motion was seconded by Mr. Rickard, and passed unanimously.*

Application # 2025-04-CU submitted by Dan Heil, PE of VHB, Winooski, VT for the benefit of the Town of Warren, requests Conditional Use approval for a Public Facility (closed) & Steep Slopes to build a new Town Garage. The property is located at the intersection of Vaughn Brown Rd and VT Route 100 [aka 10 Vaughn Brown Rd] consisting a total of 78.3 +/- acres, parcel id# 100003-101 in the Rural Residential District.

It was clarified that this application is for Conditional Use Review of the access road, which contains some sections of very steep slopes, and that Public Facilities require Conditional Use Review in the Rural Residential District.

Dan Heil provided an overview of the project, explaining that the proposal is to construct a new Town Garage in order to replace the existing Garage on School Road. The site proposed and development to take place was described as follows:

- The drive currently existing on the property will be used for access. This roadway traverses a slope to a formal gravel extraction area, which is currently used for stockpiling of materials used by the Highway Department.
- There is an existing fire pond on the site, for which no modifications are proposed.
- The site is heavily wooded, with the exception of the gravel/stockpile area.
- Natural resource delineation is in place, and has been confirmed by the State. This information is included in the application materials, and denotes wetland areas and associated buffers as well as streams and those associated buffers.

Mr. Heil then reviewed the overall site plan, which he noted had been designed to minimize impacts to natural resources located on the property.

- The current access drive is 20' wide, this is planned to be increased to 24' in order to accommodate two-way traffic.
- A new garage building and separate salt shed are proposed to be constructed, along with associated parking.
- There will be areas for outdoor storage and for storage of materials.
- Onsite water and septic are planned.
- Stormwater runoff will be addressed through the development of two gravel wetlands, one at the garage area and one at the bottom of Vaughn Brown Road. There will also be swales and check dams along the roadway.
- A slope analysis was provided in the application materials.
- The access drive averages from 10% - 13% slope, leveling out at the top. There are a few areas where the slopes range from 15% - 25% and areas along the perimeter that are currently over 25%; those grades will be taken down as necessary.

- The access drive will be paved.
- There is an erosion control plan in place for the upper gravel wetland, which is near a sloped area.
- The garage building orientation is sited in a manner to screen activity from properties to the south; the building itself will serve as screening, as the entrance is on the north and the stockpile areas will be located north of the garage.
- The vast majority of the existing vegetation will be preserved, with some limited cutting necessary for the access drive completion and stormwater management. The vegetation will also serve as a screen for the site, its buildings, and activities.
- The building will be sited and designed to allow for future solar installation if that is pursued.

There was some discussion of traffic impacts. Mr. Heil forwarded a copy of a traffic memo during the meeting, and noted the following:

- There are currently five employees, which indicates that there will be five morning and five evening peak trips. Those trips are currently on School Road, and this will serve to relocate them.
- There is good sight distance at Route 100.
- As employee numbers increase, so will the peak morning and afternoon trips (up to 10); this level of use does not require that a traffic study be completed for VTrans.
- Other than the peak-hour trips, there will not be a significant change to traffic, as the materials currently stored on site are already regularly accessed by the Department.
- Hours of operation will be Monday through Thursday for a set schedule, and as needed in an emergency. Winter hours will be more variable.
- Daytime deliveries which currently go through the Village will now be able to provide service without doing so.

Jim Sanford noted that from the point of view of the Planning Commission, and his view as an architect, this is a very thorough, well thought out, and professional plan. Ms. Klein Corrigan echoed this, and outlined that the committee working on these plans with Mr. Heil and his team have tried to be very conscientious about potential concerns, have planned to use the existing road to prevent incursion in natural resource areas, and have been mindful of the neighbors in planning the building's orientation to minimize noise and other disturbances. She explained that any deliveries using equipment with backup beepers will take place during normal business hours, that the tree buffer will be maintained to the extent possible, with no traffic to be passing directly in front of any homes. It was emphasized that moving the garage will reduce what are now dangerous traffic impacts at the current Garage site.

Mary Gow, Peter Hayes, Robin Bleier, and Tim Seniff provided some input, including the following:

- Traffic impacts and what they see as the problematic intersection with Route 100, which is complicated by the nearby Main Street and West Hill Road intersections
- The grade of the lower section of the access drive to the Garage site being somewhat steep
- Concerns regarding the ability to persuade VTrans that the speed limit on that section of Route 100 be lowered
- A prior agreement regarding recreational use only at the property
- Potential for site contamination due to the Garage use
- That there are sections of steeper slopes on the site, and concerns about stormwater runoff

Ms. Klein Corrigan explained that the Selectboard has been working with VTrans, and that the information on file has been reviewed by the State agency. She noted that there are plans to update some of the signage along Route 100, but that the statistics VTrans has on file do not provide the data to support them in changing

the intersection with Main Street or the speed limit on that section of Route 100. The Board has therefore reached out to VHB regarding what steps the Town can implement in order to create some traffic calming on Main Street at the Route 100 intersection. The Board is also hoping that the new Garage location, as well as the planned crossing of the Route 100 Multi-use Transportation Corridor, will provide more impetus for VTrans to consider further changes along this section of Route 100.

Mr. Heil noted that the stormwater control plans to be implemented will improve the Route 100 runoff. He indicated that the slope near the bottom of the access drive is less steep than other portions of the roadway. Mr. Sanford noted that a previous environmental assessment of the current Garage site indicated no need for remediation.

Mr. Heil provided more details regarding the slopes of the access drive; he did not have the information on hand regarding the slope at the lower portion of the drive where it meets Vaughn Brown Road. He noted the impacts to wetlands that would be necessary if plans are designed to make the roadway grade more level, and the need to remove a greater amount of existing vegetation. He also explained that this has been discussed with the Fire Chief, who agrees that using the existing roadway is the best solution, as does Andrew Bombard, Warren's Road Foreman.

Mr. Schoellkopf indicated that allowing the continued use of an existing roadway likely does not need to be reviewed under the Steep Slopes sections of the Regulations, as there will be no further impacts to steep slopes except for the minimal areas where those slopes will be reduced. It was also discussed that the Regulation language related to road construction is found in the Subdivision Section, which is not pertinent to this application. He indicated, however, that more traffic information should be provided for the Board's review of the Conditional Use for the Public Facility.

Mr. Schoellkopf noted that a site lighting plan and study have been submitted with the application materials, which indicates that all lighting will be down facing and shielded, with nothing directed at the neighboring homes. Mr. Heil confirmed that the use of timers/dimmers/photocell controls will be included if the Town requires.

Mr. Schoellkopf reviewed the conditions which may be regulated for closed public facilities.

Mr. Heil reviewed the wetland buffer impacts, noting that in addition to Town review, this work will require both a State Wetlands Permit and an Act 250 review. He stated that the Wetlands Program has indicated a preference for continued use of the current roadway, outlined the erosion control which will be in place where slopes are to be cut back, and explained the filtering and other functions which will be performed by the gravel wetlands which are to be constructed on the property.

Mr. Schoellkopf outlined the language in the Regulations related to erosion control and steep slopes (Section 3.4), noting that limited site improvements necessary to allow development on contiguous land is the only development allowed on very steep areas of over 25% slope. Mr. Heil provided some estimates of the square footage of such areas to be disturbed by the proposed plan, noting that some could be minimized at the building's dooryard through the construction of a retaining wall, which would add some cost to the project. Mr. Schoellkopf asked that the applicant provide information regarding the square footage of areas over 25% slope to be disturbed, as well as areas of 15% - 25% slope, as well as the percentage of these areas in relation to the area of the entire project. (The gravel piles do not need to be included in these calculations.)

Mr. Schoellkopf noted that stormwater infrastructure will be covered by State permitting requirements, rather than being in the Town's purview.

Performance Standards outlined in Section 3.11 of the Regulations were reviewed, prompting a discussion of noise levels, vibration levels, and dust created at the proposed site. Mr. Heil noted that these impacts will be comparable to those experienced currently at the site. He indicated that he would discuss these in more detail with Mr. Bombard and gather further information. It was noted that Mr. Bombard has spoken of addressing the noise created by the slamming of tail gates through the use of dampers.

Mr. Schoellkopf outlined the General Standards which need to be met for Conditional Use approval, explaining to Board members how these relate to the application. He noted that at this time it did not appear that any of the Specific Conditional Use Standards would need to be addressed.

Mr. Schoellkopf indicated his preference for continuing this hearing, and it was decided to continue until the September 15, 2025 DRB meeting. The items to be provided for review at that hearing were outlined, and include:

- More information is to be provided regarding the grade at the bottom of the driveway.
- The square footage of areas over 25% slope which will be impacted, and more details on those areas, as well as the percentage of the total area to be developed which is over 25%.
- Traffic information details.
- Dust and vibration information to be obtained from Andrew Bombard.

Application # 2025-03-CU submitted by Sean & Jennifer Kennedy are requesting Conditional Use approval for a setback waiver. The property is located at 67 Upper Village Road, Unit F, parcel id # 301006 in the Sugarbush Village Residential District.

Mr. Schoellkopf noted that a site visit had been held earlier in the day, attended by the applicant, Mr. Schoellkopf, Mr. Rickard, and Ms. Robbins. It was observed during that visit that this is an older row house project, constructed in 1964, long before zoning regulations existed in Town, consisting of two blocks of five houses each. Each house is completely independent, and independently owned. The Kennedy's house is on the end of one set of units, across an open space from the end unit of the other set.

It was explained that the distance between the two sets of units is 38' and thus the property line for the parcels is assumed to be at the 19' mark. The District requires a 20' side and rear setback, and a 25' front setback. It was noted that the Board is able to provide up to 30% relief of the setback distance through the waiver process.

Board members offered input on the need for fire safety measures to be in place, and advised the applicants to consult with the State Fire Marshall.

It was noted that a small area of steep slope will be impacted, which will become less steep when the proposed addition is completed.

Ken Oppenheimer, the adjoining neighbor on the other side of the open space between the buildings, spoke in support of this application. He noted that there is an agreement in place that the space be left open for skiers, but that this addition will still allow that access.

Ms. Robbins indicated that the non-conforming nature of the lot and dwelling do not need to be considered, noting that this is simply a request for a setback waiver under Section 3.6 C of the Regulations.

The Board members reviewed the Conditional Use Standards as they relate to this application.

MOTION: *Mr. Schoellkopf moved to find that the General Standards of Section 5.3 A 1 -5 are either satisfied by the application materials presented or not applicable to the proposed development. The motion was seconded by Mr. Rickard, and passed unanimously.*

No Board members felt that any of the Specific Standards needed to be addressed.

It was explained to the Kennedys that setbacks are measured to overhangs, not to exterior walls.

MOTION: *Mr. Schoellkopf move to approve a waiver of the side setback distance for this property, by up to 30%. The motion was seconded by Ms. Moffroid, and passed unanimously.*

MOTION: *Mr. Schoellkopf move to approve application #2025-03-CU, subject to the usual conditions associated with approval. The motion was seconded by Mr. Rickard, and passed unanimously.*

Other Business

The Minutes of July 21, 2025 were signed.

Adjournment

The meeting adjourned at 10:10 pm.

Respectfully submitted,

Carol Chamberlin, Recording Secretary

Development Review Board

Megan Moffroid Date

Jeff Schoellkopf Date

Jon Rickard Date

Chris Noone Date