

**Town of Warren
Development Review Board
Minutes of Meeting
Monday, August 17, 2026**

Members Present: Chris Behn, Maria Burfoot, Megan Moffroid, Jon Rickard
Staff Present: Ruth Robbins (ZA)
Others Present: Marvin Duncan, Ellen Garaffo, Richard Garaffo, Todd Hill, Andrew Jope, Bruce Jope, Sylvia Jope, Charlie Kahle, Jay Kempf, Scott Kingsbury, Gunner McCain, Betsy Morgan, Sally Yozell

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

Application # 2025-09-CU submitted by McCain Consulting on behalf of Warren Peace LLC requests a Preliminary/Final Review for a 2-lot Subdivision. The property is located at 962 Roxbury Mountain Road consisting of 6.2 +/- acres, with the proposed lots being Lot 1 [4.2 +/- acres] and Lot 2 [2.0 +/- acres], parcel id# 001011 in the Forest Reserve District.

It was confirmed that a Sketch Plan Review for this proposed development was held on October 6, 2025.

Mr. McCain outlined the minimal changes made to the site plan since it was reviewed in October, noting some additional stormwater retention that has been planned for. He reminded the DRB that the new, second, curb cut was planned for the new lot due to there not being very good sight lines at the current location, and that a shared curb cut would necessitate access to the new lot going close to the existing house. A minimal amount of steep slope disturbance is anticipated, and stormwater and erosion control measures have been outlined on the plan.

A letter received from Sally Yozell, an adjacent property owner, was included in the record for this application; the letter raised issues of visibility, stormwater runoff, and wildlife impacts. Mr. McCain pointed out that the proposed house site is at a higher elevation from the Yozell house and 750' away, that runoff crosses the road before reaching the Yozell property, and that ANR maps indicate no significant habitat areas or wildlife crossings on the property.

Ms. Robbins noted that the building envelope for the new lot needs to be depicted on the site plan.

She and Mr. McCain then explained that the subdivision application was not submitted in a timely manner following the Sketch Plan Review because a written report of the DRB's input from that meeting was never provided. It was not clear how customary it has been to provide such a report following Sketch Plan Review.

As the new Land Use Regulations went into effect in March of 2026, before the application was submitted, questions arose as to which set of regulations should be used to review the application. Ms. Robbins will consult with legal counsel regarding this issue. Board members agreed that this legal opinion is necessary before proceeding.

MOTION: *A motion to continue the hearing until September 21, 2026 at 7 pm passed unanimously.*

Ms. Yozell provided further comments regarding runoff from the Jope property and Roxbury Mountain Road.

Application # 2026-07-SD submitted by Todd Hill on behalf of the Ellen R. Garaffo Living Trust requests a Preliminary/Final Plan Review for a 2-lot Subdivision. The property is located at 179 Sunset Drive consisting of 10.1 +/- acres, parcel id # 001011-800 in the Rural District.

A site visit was held prior to the meeting, attended by Mr. Behn, Ms. Burfoot, Mr. Rickard, Ms. Moffroid, Mr. Hill, and Mr. Duncan.

Mr. Hill outlined the plans for this subdivision, noting that there is frontage on Roxbury Mountain Road as well as along Sunset Drive, which is where the access to the current lot is sited; that access will also serve the proposed new lot via a 30' ROW which is depicted on the site plan. A single family residence is planned for the new lot. A Wastewater and Potable Water Supply Permit has been issued for the new house. He confirmed that the acreage for the two lots is based on survey information, and does not include the ROW area.

Mr. Hill indicated that tree cutting limits had been discussed at the site visit, and that the limits depicted on the site plan were to be amended according to the notes he had included during that conversation. The new clearing limits outlined were reviewed, and the updated plan agreed to by the Board; limited clearing for the house site and a 15' perimeter was noted, as well as minimal clearing necessary for septic system installation.

Mr. Hill confirmed that Jeff Campbell, Fire Chief, had reviewed the road width and configuration, and that a couple of areas along the drive were made wider based upon his input.

Mr. Kempf asked about the buffer between his house and the garage, as well as the need for clearing of the septic line. Mr. Hill noted that Mr. Kempf's house is not visible from the proposed house site. Mr. Behn indicated that what is being proposed appears to be the only viable building site.

Mr. Hill outlined the erosion control measures and related language included in the application materials, and pointed out an existing culvert at the site.

It was noted that underground power is planned to be routed along the driveway; Mr. Behn pointed out that if power is accessed from a location other than the pole noted, there will need to be a review for an amendment to the subdivision plans.

Board members then reviewed the development review criteria outlined in Figure 4-02 of the Land Use Regulations, as they relate to subdivisions.

MOTION: *Ms. Moffroid moved to find that Criteria 1 and 3 have been satisfied by the information presented in the application materials. The motion was seconded by Mr. Rickard, and passed unanimously.*

MOTION: *Ms. Burfoot moved to find that Criterion 5 is not applicable to this subdivision proposal. The motion was seconded by Mr. Behn, and passed unanimously.*

MOTION: *Mr. Behn moved to condition approval on clearing limits to not extend beyond the revisions depicted on August 17, and to not be any further west than the easterly edge of Sunset Drive; nothing outside of these limits other than dead, dying, or diseased trees may be removed. The motion was seconded by Mr. Rickard, and passed unanimously.*

MOTION: *Mr. Behn moved to find that Criterion 6 has been satisfied by the above condition. The motion was seconded by Mr. Rickard, and passed unanimously.*

MOTION: *Mr. Behn moved to find that Criterion 7 has been satisfied by the erosion control plan included in the application materials. The motion was seconded by Ms. Moffroid, and passed unanimously.*

MOTION: *Ms. Moffroid moved to find that Criterion 5 is not applicable to this subdivision proposal. The motion was seconded by Mr. Behn, and passed unanimously.*

MOTION: *Mr. Behn moved to condition approval on the development meeting all applicable state and local standards when the infrastructure is put in place, which satisfies Criterion 9. The motion was seconded by Mr. Rickard, and passed unanimously.*

MOTION: *Ms. Moffroid moved to find that Criterion 10 has been satisfied. The motion was seconded by Ms. Burfoot, and passed unanimously.*

MOTION: *Mr. Rickard moved to find that Criteria 11 - 18 have been satisfied by the application materials as presented. The motion was seconded by Mr. Behn, and passed unanimously.*

MOTION: *Mr. Behn moved to approve the subdivision with the conditions approved during the hearing as well as the usual conditions. The motion was seconded by Ms. Moffroid, and passed unanimously.*

Other Business

No other business was taken up by the Board.

Adjournment

The meeting adjourned at 8:35 pm.

Respectfully submitted,

Carol Chamberlin, Recording Secretary

Development Review Board

Jon Rickard Date

Chris Behn Date

Maria Burfoot Date

Megan Moffroid Date