

Town of Warren  
Development Review Board  
Minutes of Meeting  
Monday February 15, 2016

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Members Present: Peter Monte, Chris Behn, Tom Boyle and Virginia Roth.

Others Present: Scott Kingsbury, Maryellen Kinhan, Dave Olenick, Margo Wade, Geoff Wade, Miron Malboeuf and Ruth Robbins.

Agenda: Call meeting to order, 7:00 pm.

1. Application 2016-05-SD, Subdivision Amendment to the "Berggren" subdivision issued by the Planning Commission on November 11th, 1989. The applicant, Scott Kingsbury, request an amendment to the previously filed plat to relocate the permitted house site and building envelope. The applicant proposed to construct a single family dwelling, the property, 5.3 acre, is located in the Forest Reserve (FR), and Rural Residential District (RR), and is owned Paul L & Christina M Baccari. The property is located the Roxbury Mountain Road across from number 1069 and is identified as Warren Parcel Id. # 001011-100.
2. Review and sign any minutes/decisions
3. DELIBERATIVE SESSION (if required)

Next Meeting- February 29, 2016

Mr. Monte called the meeting to order, 7:02 pm.

Application 2016-05-SD is a requested Subdivision Amendment to the "Berggren" subdivision issued by the Planning Commission on November 11th, 1989. The applicant, Scott Kingsbury, requests an amendment to the previously filed plat to relocate the permitted house site and building envelope. The applicant proposes to construct a single family dwelling on the 5.3 acre parcel which is located in the Forest Reserve (FR), and Rural Residential District (RR), and is owned Paul L & Christina M Baccari. The property is identified as Warren Parcel Id. # 001011-100.

Attorney Olenick, representing the applicant, explained to the Board the three items they wanted considered: 1) to relocate the previously approved proposed house site and driveway to what is shown on a revised site plan, also including a sugar house for the purposes of sugaring 2) to eliminate provision #8 in the Findings of Act of the Warren Planning Commission document dated June 23, 1997 which calls for permission/approval by Mr. Bruce Jope for tree cutting, and 3) for the replacement area for the wastewater system currently located on the Jope property to be relocated to the subject property currently owned by Mr. and Mrs. Baccari. [NOTE: submitted to the DRB was a copy of a document that states Mr. Jope agrees to the elimination of item #8 as listed above and is signed by both Mr. Jope and the applicant Mr. Kingsbury and dated December 31, 2015.]

The site plan also shows an existing "cut zone" which allows the abutters above this parcel to cut trees that may have grown up and impede their view. Those same neighbors were in attendance and expressed some concern as to the exact location of the proposed house site- was there going to be a site visit and was the house site staked out? They said that they did not want to appear obstructionist but did want to know more details as to what to expect. After some discussion the DRB decided to consider those items they could and then continue the hearing during which time a site visit could take place.

MOTION by Mr. Monte that the Board approve the elimination of item #8 under the Findings of Fact of the Subdivision Review made by the Warren Planning Commission and signed August 8, 1997 that required Mr. Jopes' approval for any tree cutting. Mr. Jope has signed a document as an addendum to this application consenting to the removal of this condition dated December 31, 2015. SECOND by Mrs. Roth. VOTE: all in favor, the motion passed.

MOTION by Mr. Monte that the applicant may relocate the replacement wastewater system from Lot A to a new location on Lot B so long as the new location 1) is approved by the State of VT; 2) not located within 150 feet of the southern edge of the right-of-way of Town Highway #1; 3) not located in the cut easement area that benefits the uphill abutters of Strauss and Bullock; and 4) not located within any of the required zoning setbacks of the parcel. SECOND by Mr. Behn. VOTE: all in favor, the motion passed.

MOTION by Mr. Monte that there will be a formal site visit at 4pm on Wednesday February 24, 2016 at which the applicant will have the proposed building sites/building envelopes staked out. Additionally, the applicant is required to submit a site plan showing the building envelope(s) to the Zoning Administrator by Monday February 22, 2016. SECOND by Mr. Boyle. VOTE: all in favor, the motion passed.

MOTION by Mr. Monte that the DRB continue this hearing until Monday February 29, 2016 at 7:00pm. SECOND by Mr. Behn. VOTE: all in favor, the motion passed.

In other business the members reviewed and signed the minutes of January 4, 2016 and the decisions for Mountainside, Sanborn and Morse. The meeting was adjourned at 8:25 pm.

Respectfully submitted,

Ruth V. Robbins

DRB/PC Assistant

**Development Review Board**

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Peter Monte                      date

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Chris Behn                      date

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Tom Boyle                      date

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Virginia Roth                      date