

**The Town of Warren  
Development Review Board  
Minutes of Meeting  
Monday January 4, 2016**

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Members Present: Peter Monte, Chris Behn, Don Swain and Jeff Schoellkopf.

Others Present: Alicia Feiler, Jeff Ladner, Henry Erickson, William Gallup, George McCain, Travis Morse, Miron Malboeuf and Ruth Robbins.

Agenda: Call to order, 7:00 pm

1. **Application 2015-71-CU** amend Conditional Use approval 2014-50-CU/ZP; Continued November 30th, 2015, the applicant, **Mountainside Condominium Association** requests approval for a revised building site; the new location will require excavation on adjacent steep slopes. Additionally, the applicant proposes a relocation of the parking lot and increased excavation of adjacent slopes. This application will be reviewed under Sections 3.17 & 5.3 of the WLUD regulations. The property located in the Sugarbush Village Commercial District, at 251 Mountainside Drive and is identified as Warren Parcel Id. #'s 316056-090.
2. **Application 2015-75-SD**, Final Plan Approval for a two lot minor subdivision of 15.6 acres located at 900 Plunkton Road; The applicants, Peter & Suzanne **Sanborn**, propose the creation of 12 .2 acre parcel (Lot 1) for an existing two bedroom house to be converted to a 4 bedroom residence and a 3.4 acres parcel (lot 2) with a 4 bedroom single family residence. . The property is located in the Rural Residential District (RR), and is identified as Warren Parcel Id. # 028002-001
3. **Application 2015-76-SD**, Final Plan Approval for a two lot minor subdivision of 42.97 acres located at 4690 VT RTE. 100; The applicant Travis L. **Morse** proposes the creation of 39.94 parcel (Lot 1) for an existing two bedroom house and a 3.03 acres parcel (lot 2) with a 3 bedroom single family residence. The property is located in the Rural Residential District (RR), and is identified as Warren Parcel Id. # 100006-002.

Mr. Monte called the meeting to order at 7:09 pm.

- 1) Application 2015-71-CU amend Conditional Use approval 2014-50-CU/ZP; Continued November 30th, 2015, the applicant, Mountainside Condominium Association requests approval for a revised building site; the new location will require excavation on adjacent steep slopes. Additionally, the applicant proposes a relocation of the parking lot and increased excavation of adjacent slopes

The DRB continued the hearing from 11/30/15 to allow the applicant to meet with the Warren Volunteer Fire Department [WVFD] to review the modifications to the rebuilding of Mountainside to see if there were any further changes that could be made to help assist the fire department in clear and easy access to the building. An email from Mr. DeFreest and Mr. Morehouse representing the WVFD stated that they had both reviewed the new plans and that it "all looks right". The email also included five items the WVFD wanted considered with the rebuilding: revise signage to include towing of vehicles parked in a no parking area; create a continuous contract with a local towing company and strictly enforce the no parking areas; install a self-draining dry hose connection system; install the dry hose connection line at a minimum depth of 5 feet and the WVFD would like to review material submittals

relating to the dry hose connection. These items were agreed to via the representative from DeWolfe Engineering Associates who met with the WVFD. Also noted by the applicant were two items that were different from the original building that were better as far as fighting fires: asphalt roofing instead of metal roofing and a less steep pitch to the roof making it safer for firemen should they have to access the roof. It was suggested by a DRB member that the applicant make it a priority to invite members of the WVFD at least two to three times during the construction so that the firemen would have a better understanding of the structure.

MOTION by Mr. Monte that if the amendment to the permit is approved that a condition will that the applicant must maintain an agreement at all times with a local towing company to aid in strictly enforcing the no parking areas and that a contact person with the towing company be supplied to both the Warren Zoning Administrator and the WVFD. SECOND by Mr. Behn. VOTE: all in favor, the motion passed.

MOTION by Mr. Monte that any approval will include a condition that the Warren Volunteer Fire Department [WVFD] must review the design and construction specifications of the dry hose connection system before construction. SECOND by Mr. Swain. VOTE: all in favor, the motion passed.

A brief discussion took place with the engineer from DeWolfe about the specifications of the retaining wall. One of the queries was whether or not blasting might be utilized. The answer was they did not know and wouldn't know until they actually got in to the ground. However, it prompted the next motion.

MOTION by Mr. Swain that there be a provision in the contract with the company that will do the blasting that requires notification be made to all adjacent land owners [can be via the condominium association] in writing two weeks prior that blasting may occur and 24 hour notice of the time at which blasting will occur. SECOND by Mr. Behn. VOTE: all in favor, the motion passed.

MOTION by Mr. Monte that there is no basis to find that the naturally occurring slopes will be adversely affected by the proposed retaining wall and therefore the plans meet the purpose and intent of the standards of Sec. 3.4 (A). SECOND by Mr. Schoellkopf. VOTE: all in favor, the motion passed.

MOTION by Mr. Monte that the Board finds that the standards under Sec. 3.4 (D) items (1) through (11) are satisfied by the application. In addition, the improvements made with the modifications of the parking area will facilitate the access of emergency vehicles. SECOND by Mr. Behn. VOTE: all in favor, the motion passed.

The Board having reviewed all but one of the standards under conditional use returned to Sec. 5.3 (A) (1) which speaks to the issue of community facilities and services. Since the DRB wanted the Warren Fire Dept. to be able to discuss the changes that were made since the original approval, the Board had not voted on this item. Since the Board has heard from the Warren fire Dept. that they have had a satisfactory meeting with the applicant regarding the changes they returned to finish their conditional Use review.

MOTION by Mr. Schoellkopf that the Board finds that Sec. 5.3 (A) (1) has been satisfied by the applicant. SECOND by Mr. Behn. VOTE: all in favor, the Motion passed.

MOTION by Mr. Monte that the Board approve the application to amend the previous approval with the changes as submitted and the project being built as per the plans and specifications submitted to the Board. SECOND by Mr. Swain. VOTE: all in favor, the motion passed.

- 2) Application 2015-75-SD, Final Plan Approval for a two lot minor subdivision of 15.6 acres located at 900 Plunkton Road; The applicants, Peter & Suzanne Sanborn, propose the creation of 12 .2 acre parcel (Lot 1) for an existing two bedroom house to be converted to a 4 bedroom residence and a 3.4 acres parcel (lot 2) with a 4 bedroom single family residence. . The property is located in the Rural Residential District (RR), and is identified as Warren Parcel Id. # 028002-001.

The applicant had been before the Board on November 30<sup>th</sup> for a Sketch Plan review of a proposed 2-lot subdivision. The DRB gave them a short “laundry list” of things they wanted to see and the applicant was now back for preliminary and final plan approval.

The first item address by the applicant was his presentation of a modified site plan that now shows the building envelopes for both parcels and the setbacks. The site plan also show the names of the adjoining property owners which was not indicated before. The last item that the DRB requested was that the applicant obtain a road access permit from the town. George McCain, representing the applicant told the Board that an application for a road cut has been submitted to the Select Board. With all “laundry items reviewed, the DRB tuned to reviewing the standards under Article 7.

MOTION by Mr. Monte that the Board finds that applicant has satisfied the standards under Sec. 7.2 items (A) through (H). SECOND by Mr. Schoellkopf. VOTE: all in favor, the motion passed.

MOTION by Mr. Monte that the standards of Sec. 7.3 have been satisfied by the applicant. SECOND by Mr. Swain. VOTE: all in favor, the motion passed.

MOTION by Mr. Monte that the standards under sections 7.4, 7.5, 7.6 and 7.7 are not applicable for this subdivision request. SECOND by Mr. Behn. VOTE: all in favor, the motion passed.

The topic of utilities came up and it was disclosed that Green Mountain Power will be moving their existing poles from back in the woods out to the street in the near future.

MOTION by Mr. Behn that the applicant is required to place the utilities underground. SECOND by Mr. Schoellkopf. VOTE: all in favor, the motion passed.

MOTION by Mr. Monte that the Board finds that Sec. 7.8 has been satisfied subject to the receipt of a state wastewater permit; Sec. 7.9 is satisfied based on the preceding vote with a condition that all utilities be placed underground; and that Sec. 7.10 Signs, in not applicable to this application. SECOND by Mr. Schoellkopf. VOTE: all in favor, the motion passed.

MOTION by Mr. Monte that the Board approves the application for a two-lot subdivision subject to any conditions voted on and the standard subdivision conditions. SECOND by Mr. Behn. VOTE: all in favor, the motion passed.

- 3) Application 2015-76-SD, Final Plan Approval for a two lot minor subdivision of 42.97 acres located at 4690 VT RTE. 100; The applicant Travis L. Morse proposes the creation of 39.94 parcel (Lot 1) for an existing two bedroom house and a 3.03 acres parcel (lot 2) with a 3 bedroom single family residence. The property is located in the Rural Residential District (RR), and is identified as Warren Parcel Id. # 100006-002.

MOTION by Mr. Monte that the applicant is required to submit within four weeks a 1) revised site plan that clearly shows that the building envelope on lot 2 is a minimum of 100 feet from the top of bank of the river; 2) dimensional setbacks of both building envelopes indicated on site plan; and 3) the Zoning Administrator to confirm that there are no slopes of 15% or greater within the building envelope on lot 2. SECOND by Mr. Schoellkopf. VOTE all in favor, the motion passed.

MOTION by Mr. Monte that based on the preceding condition voted on, the Board finds Sec. 7.3 satisfied, Sections 7.2, 7.4, 7.5, 7.6, 7.8 and 7.10 are also satisfied by the application. SECOND by Mr. Behn. VOTE: all in favor, the motion passed.

MOTION by Mr. Monte that the applicant is required to obtain a 'right to work within the right-of-way' permit from the state dept. VTRANS before any sale of lot 2 can take place. SECOND by Mr. Behn. VOTE: all in favor, the motion passed.

MOTION by Mr. Behn that all utilities must be placed underground with any development that takes place on lot 2. SECOND by Mr. Monte. VOTE: all in favor, the motion passed.

MOTION by Mr. Monte that the Board approves the application for a two-lot subdivision subject to any conditions voted on and the standard subdivision conditions. SECOND by Mr. Behn. VOTE: all in favor, the motion passed.

There was no further business brought before the Board and they adjourned at 8:32 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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Don Swain                      date

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Jeff Schoellkopf              date