

TOWN OF WARREN  
DEVELOPMENT REVIEW BOARD  
MINUTES OF MEETING  
MONDAY MAY 2, 2011

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00010500

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

Others Present: Melissa Roberts, Susan Lee, Sue Carter, Miron Malboeuf and Ruth Robbins.

Agenda: Call meeting to order 7:00 pm

1. Application 2011-05-VR/CU, Conditional Use/Variance request for Development on Steep Slopes to improve an existing Right-of-Way: The applicants, Edward J Jr & Constance Medico & John L & Margret Fox, request a variance or conditional use approval under sections 3.1, Access, Driveway and Frontage Requirements and 3.4, Erosion Control & Development on Steep Slopes, of Article 3, General Regulations. They seek approval to use an existing Right Of Way (ROW) for a single family residential structure. The ROW provides access from the 4 ± acre parcel, owned by Edward J Jr & Constance Medico, to German Flats Rd. and is principally located on a 93± acre parcel with approximately 263 feet of road frontage, owned by the New England Forestry Foundation (parcel Id # 006004-300). The project is located on a 4 ± and a 93 ± acre parcel in the Rural Residential District (RR) off German Flats Rd. This application requires review under Article 2, Table 2.2, Article 9, § 9.6 (Variances) and Article 5 - Development Review of the Warren Land Use and Development Regulations. The Board requests that the applicant obtain a Town of Warren Road Access Permit before it reviews this application.
2. Application 2011-06-CU, Revision to permit 2010-15-CU to modify Mixed Use: The Applicant, Alta Enterprises, Inc., requests permission to modify a previously issued conditional use permit for Mixed Use. The applicant proposes to discontinue the personal services and to substitute the use, Artist Studio. They will maintain the retail use and residential apartment. The project location is at 247 Main Street, on a .25 ± acre parcel in the Warren Village Commercial District (Parcel Id# 001000-200). This application requires review under Article 2, Table 2.10 (Warren Village Commercial District), Article 3, Table 3.1, Article 4, § 4.11 (Mixed Use) and Article 5(Development Review), §5.3(Conditional Use Review Standards) of the Warren Land Use and Development Regulations.
3. Other Business:
  - a. Sign Minutes from Development Review Board meeting of April 4th, 2011.
  - b. Decisions:
  - c. Annual election of officers

Mr. Monte called the meeting to order, 7:04 pm.

- 1- Application 2011-05-VR/CU, Conditional Use/Variance request for Development on Steep Slopes to improve an existing Right-of-Way: The applicants, Edward J Jr & Constance Medico & John L & Margret Fox, request a variance or conditional use approval under sections 3.1, Access, Driveway and Frontage Requirements and 3.4, Erosion Control & Development on Steep Slopes, of Article 3, General Regulations. They seek approval to use an existing Right Of Way (ROW) for a single family residential structure. The ROW provides access from the 4 ± acre parcel, owned by Edward J Jr & Constance Medico, to German Flats Rd. and is principally located on a 93± acre parcel with approximately 263 feet of road frontage, owned by the New England Forestry Foundation (parcel Id # 006004-300). The project is located on a 4 ± and a 93 ± acre parcel in the Rural Residential District (RR) off German Flats Rd.

**MOTION** by Mr. Monte to continue the hearing of this application until Monday June 6, 2011 due to the lack of an approved Road Access Permit from the Warren Select Board.

000106100

Additionally, a site visit will be held on June 6<sup>th</sup> at 5:30 pm prior to the hearing which is scheduled at 7:00 pm. **SECOND** by Mrs. Roth. **VOTE:** all in favor, the motion passed.

- 2- Application **2011-06-CU**, Revision to permit 2010-15-CU to modify Mixed Use: The Applicant, **Alta Enterprises, Inc.**, requests permission to modify a previously issued conditional use permit for Mixed Use. The applicant proposes to discontinue the personal services and to substitute the use, Artist Studio. They will maintain the retail use and residential apartment. The project location is at 247 Main Street, on a .25 ± acre parcel in the Warren Village Commercial District (Parcel Id# 001000-200).

Mr. Malboeuf began the hearing by summarizing the recent activity at this property which is located in the Warren Village Commercial District. They were granted a permit by the DRB to add a residential use to the solely commercial building. The applicant now would like to drop one of the commercial uses and substitute and different one: delete "Personal Services" and add "Gallery/Artist Studio".

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A prospective tenant would like to have not only an art gallery/studio but also give art lessons as well. They would also like the option to allow the use of space they are not using for possible yoga classes, as was offered last year. It was suggested by the Zoning Administrator that the Board might want to consider conditioning the permit so that any yoga instruction not take place at the same time as art instruction so as to not create a parking issue.

It was noted that "Gallery" denotes a "retail" function of which the building is already permitted for. "Art Studio", especially with classes involved, creates another type of activity. The overriding issue is that of parking and making sure there is enough parking allocated. One parking space is required for the residential unit. The commercial activities are required to have one parking space for every 250 square feet of space – in this case 1210 square feet is commercial thus a total of five parking spaces are needed. There are currently seven parking spaces by the Alta building with another three off site off of Flat Iron Road should they be needed.

**MOTION** by Mr. Monte that the proposed addition of an art gallery/studio/art instruction is equivalent to that of retail use and does not alter the requirements for parking as per Table 3.1. **SECOND** by Mr. Behn. **VOTE:** all in favor, the motion passed.

**MOTION** by Mr. Monte that any other retail use combinations in the non-residential part of the building [1210 square feet] would not require further review by the DRB. **SECOND** by Mr. Behn. **VOTE:** all in favor, the motion passed.

Ms. Carter spoke up and asked the Board what the hours of operation would be. She was informed that the hours would not be changed from the existing hours permitted [#2010-15-CU states: *The current permit disallows any business activity after 8 pm at night. This will remain in effect. Neighboring businesses start activity as early as 7 am seven days a week and no morning restriction was made for this requested use.*]

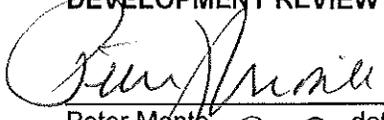
**MOTION** by Mr. Behn to approve the applicant's request for a change in the commercial uses allowed at 247 Main Street subject to the conditions already voted on and those standard conditions for conditional use review. **SECOND** by Mrs. Roth. **VOTE:** all in favor, the motion passed.

In other business, Mr. Monte signed the minutes from April 4, 2011 and adjourned the meeting at 7:40 pm.

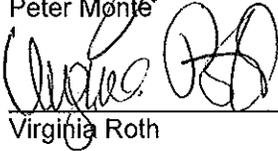
Respectfully submitted,

Ruth V. Robbins  
DRB/PC Assistant

DEVELOPMENT REVIEW BOARD

  
Peter Monte date

  
Chris Behn date

  
Virginia Roth date

TOWN OF WARREN, VT

Received for Record 5/17 2011

10:45 o'clock A M and Received in

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TOWN CLERK

