

TOWN OF WARREN  
DEVELOPMENT REVIEW BOARD  
MINUTES OF MEETING  
MONDAY AUGUST 20, 2012

Received for Record 9/26 20 12  
at 10:38 o'clock A M and Received in  
Vol 218, Page 309-311  
Robert Goss

Members Present: Lenord Robinson, Virginia Roth, Don Swain and Tom Boyle.

TOWN CLERK

Others Present: Michael Marino, Shelia Ware, John Egan, Maura Connolly, Krietta Phillips, Alex Hilton, Miron Malboeuf and Ruth Robbins.

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

1. Hearing:

**Application 2012-32-CU:** Conditional Use Review – Home Base Business (*Cottage Industry*). The zoning administrator has referred the application of John Egan III and Maura Connolly to renovate an existing horse barn to house a micro spirit distillery to the Warren Development Review Board.

This application requires review under Article 2, Table 2.2 (RR); Article 3, § 3.11 (*Performance Standards*); Article 4, § 4.8 (*Home Based Business*) Article 5, § 5.3 (*Conditional Use Review*) of the Warren Land Use and Development Regulations as adopted by the Warren Select Board on August 24<sup>th</sup>, 2011.

2. Other Business:

3. Adjourn Meeting

Mr. Swain chaired the meeting as both the Chairman and Vice Chairman were not in attendance. He called the meeting to order at 7:08 pm. Mr. Malboeuf read the hearing notice for the one application being considered at this meeting.

The hearing before the Board was for an application for Conditional Use approval for the operation of a Cottage Industry business. Mr. Egan and Ms. Connolly at 108 Cold Springs Farm are looking to use their renovated barn to operate a small micro spirit distillery. Mr. Egan explained that they had two old horse barns on their property, one that has been renovated, and the other that is being renovated. They also bought some additional acreage, about 200 acres two years ago at which time they started thinking of how best to use that land. It was suggested that they do something with apples as they tend to do better than grapes, and with the state promoting craft distilleries, they looked into a small scale distillery operation. He went on to tell the DRB members that it would be run by him and his wife and one other local person and would produce anywhere from 200 to 300 cases or 1200 to 1800 bottles per year. The maximum he thought they could achieve would be 1000 cases or 6000 bottles, no more. They have submitted their applications to the state for state permitting and would also be able to sell their product through the state liquor stores. At this point they are considering making an apple brandy or maybe a maple based rum or bourbon.

Mr. Egan continued to describe the operation and noted for the Board that the barn was set back from the road and well screened. The traffic would be light with some deliveries of product [going out] every other month and maybe one to two times a month for supplies coming in. Some things, such as the apples would be seasonal. They have elected to use the smallest of stills and the by-product is organic in nature as it is from the corn mash which many farmers use for their pigs. Most of their "waste" will be water and they are looking at an additional leach field to accommodate the extra water through their system.

Mr. Marino asked what the probability was of them wanting to expand somewhere down the line as most people don't go into any business venture without wanting to make a profit and grow may

be required so that they don't lose money. Mr. Eagan replied that though he did not want to lose money this was more of an avocation versus a profit driven venture and did not anticipate making a lot of money. The current facility has it's limitations to what they have described and if they were "wildly" successful and wanted to expand then they would have to look at another location. Mr. Swain asked what the maximum volume was that could be produced and was told by Mr. Eagan that if you ran the operation 24/7 you could maybe produce 2,000 bottles versus the 1,000 they are looking to potentially do. In addition to the wastewater permit from the state, a state craft distiller's license is also required. Mr. Swain asked Mr. Malboeuf asked if there were any dimensional standards the Board need to be aware of and Mr. Malboeuf said that the setbacks were all conforming and that there appeared to be adequate parking.

The Board then began their Condition Use review, Article 5 of the Warren Land Use and Development Regulations.

**MOTION** by Mr. Swain that Sec. 5.3 (A) General Standards, item (1) is satisfied by the applicant. **SECOND** by Mr. Robinson. **VOTE:** all in favor, the motion passed.

**MOTION** by Mr. Robinson that the application does not adversely affect the character of the neighborhood as per the standards under Sec. 5.3 (A) item (2). **SECOND** by Mr. Boyle. **VOTE:** all in favor, the motion passed.

**MOTION** by Mrs. Roth that the application complies with the standards of Sec. 5.3 (A) item (3) Traffic on Roads and Highways in the vicinity. **SECOND** by Mr. Robinson. **VOTE:** all in favor, the motion passed.

**MOTION** by Mrs. Roth that the applicant has satisfied the standards under Sec. 5.3 item (4) Bylaws and Ordinances in effect. **SECOND** by Mr. Boyle. **VOTE:** all in favor, the motion passed.

**MOTION** by Mr. Swain that the applicant has satisfied Sec. 5.3 (A) item (5) Utilization of Renewable Energy Sources with the use of recycling the steam from the distiller. **SECOND** by Mr. Robinson. **VOTE:** all in favor the motion passed.

Section 5.3 (B) Specific Standards items (1) through (11) was reviewed in total and voted on in a single motion: **MOTION** by Mr. Swain that the applicant has satisfied the standards under Sec. 5.3 (B) items (1) through (11). **SECOND** by Mr. Robinson. **DISCUSSION:** Mrs. Roth asked about item (5) which refers to outdoor storage. It was discussed that there really was no short or long term storage – Mrs. Roth felt that there still needed to be something spelled out in the event a need arises. With the agreement of the seconder, Mr. Robinson, Mr. Swain amended his motion to add that "*any outdoor storage would be limited to the area south of the barn and existing tree line screen.*" **VOTE:** all in favor, the motion passed.

**MOTION** by Mr. Swain that Sec. 5.3 (C) and (D) are found to not be applicable in regards to this application. **SECOND** by Mrs. Roth. **VOTE:** all in favor, the motion passed.

The Board then reviewed the application under Sec. 4.8 Home Based Business (B) Cottage Industry.

Item (8) of this section required review of the performance standards under Sec. 3.11. **MOTION** by Mr. Robinson that the performance standards as outlined under Sec 3.11 have been met by the applicant. **SECOND** by Mr. Boyle. **VOTE:** all in favor, the motion passed.

**MOTION** by Mr. Swain that Sec. 4.8 (B) items (1) through (12) have been found to be satisfied except verification of receipt of the required State permits (item 7) which must be supplied to the

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Zoning Administrator prior to operation of the business. **SECOND** by Mr. Robinson. **VOTE:** all in favor, the motion passed.

With review and voted on approval of the criteria required, the DRB grants Conditional Use for a Cottage Industry operation to the applicants.

The Board signed the minutes of 8/6/12 and adjourned the meeting at 8:10 pm.

Respectfully submitted,

Ruth V. Robbins  
DRB/PC Assistant

**DEVELOPMENT REVIEW BOARD**

_____	date
Lenord Robinson	
_____	date
Don Swain	

*9/19/12*

_____	date	<i>9/17/12</i>
Virginia Roth		
_____	date	
Tom Boyle		

