

**TOWN OF WARREN
DEVELOPMENT REVIEW BOARD
MINUTES OF MEETING
APRIL 5, 2000**

- MEMBERS PRESENT:** Chris Behn, Eric Brattstrom, Peter Monte, Chair; Lenord Robinson, Virginia Roth.
- OTHERS PRESENT:** Amalia Veralli, Warren Village Pottery; Linda Failace, A.G. Innovations; Roger Hussey, Rootswork; Margo Wade, DRB/PC Assistant.
- AGENDA:**
- 1) 7:30 p.m. Call to Order
 - 2) Public Hearing: Veralli/Warren Village Pottery clarification of use
 - 3) Public Hearing: Rootswork sign application
 - 4) Other Business
 - a) signing of minutes & decisions

I. CALL TO ORDER

Mr. Monte called the meeting to order at 7:30 p.m.

II. CONTINUATION OF PUBLIC HEARING: Amalia Veralli/Warren Village Pottery

Amalia Veralli and Warren Village Pottery request approvals for pre-existing retail use and freestanding sign. The property is located on 0.8 acres on the corner TH#23 (Fuller Hill Road) and TH#4 (Main Street) in the R-3 (Historic Residential) District and will be reviewed under criteria found in Article V § (3) *Conditional Uses*, Article V § (4) *Site Plan Approval*, and Article VI § (1) (A) *Existing Small Lots*, (2) *Home Occupation*, and (4) *Sign Requirements* of the Warren Zoning Bylaws.

Amalia Veralli came before the Board.

STAFF REPORT

A site visit was conducted at 6:45 p.m. prior to the hearing. Chris Behn, Eric Brattstrom, Peter Monte, Lenord Robinson, Virginia Roth, Amalia Veralli, and Margo Wade were in attendance. The group inspected the 0.8 acres lot with:

- existing dwelling/store building and kiln shed connected by a covered walkway;
- 14 total parking spaces on the property, 4 spaces in front of house off Fuller Hill Road, and 10 additional spaces located easterly of the buildings and accessible by a separate driveway also off Fuller Hill Road;
- two sided 4' X 5' sign located 23 feet from the edge of Main Street, and lighted by overhead lights on both sides; and
- 4' X 8' X 4' display cabinet located in front the sign 17 feet from the edge of Main Street.

Mr. Monte read the public notice, which ran in the March 16, 2000 issue of the Valley Reporter. A second warning ran because Site Plan Approval was not included on first notice.

APPLICANT COMMENTS

Ms. Veralli gave a brief overview of her application, which is requesting Site Plan and Conditional Use approval for a retail shop, Conditional Use approval to employ two non-family members in the home occupation (pottery production), and approval for a free standing lighted sign.

Ms. Veralli also presented copies of the permits granted to Ian Douglas and Ruth Ann Ryan, both of whom are in the R-3 and are permitted for more than one use on less than one acre. At the last meeting Board members had raised concerns regarding the minimum lot requirements in the district.

PUBLIC INPUT

There was no public input.

DELIBERATION/DECISION

There was considerable discussion about the minimum lot standards and how the small lot provisions apply to those standards.

MOTION by Mr. Monte, seconded by Mr. Behn that the small lot provisions of Article VI (1)(A)(1) make inapplicable to this application the standards regarding minimum lot size for this District so that a second use is not barred even though the parcel is less than one acre in size. VOTE: unanimous; motion carried.

Article V§(4) – Site Plan Approval

§(A) – *Site Plan Approval, Submittal Data* was deemed satisfied.

§(B) – *Site Plan Standards and Procedure*

MOTION by Mr. Monte, seconded by Mr. Behn that an additional sign will be placed on the building six feet off the ground directing patrons to park in the upper lot when the lower lot is full, and that the walking access from the upper parking lot to the main entrance of the retail store will be improved and maintained to encourage patrons to use the on site walkway rather than Fuller Hill Road. VOTE: unanimous; motion carried.

MOTION by Mr. Monte, seconded by Ms. Roth that Article V §(B)(1)-(3) are satisfied with the above stated conditions. VOTE: unanimous; motion carried.

MOTION by Mr. Monte, seconded by Mr. Brattstrom that Article V §(B)(4)&(5) are not applicable and Article V §(C) is waived. VOTE: unanimous; motion carried.

MOTION Mr. Monte, seconded by Mr. Behn to grant Site Plan Approval subject to the subsequent granting of Conditional Use approval. VOTE: unanimous; motion carried.

Article V§ (3)(A)(1)-(7) – *Conditional Uses*

MOTION by Ms. Roth, seconded by Mr. Robinson that the use will not adversely affect the capacity of existing and planned community facilities. VOTE: unanimous; motion carried.

MOTION by Ms. Roth, seconded by Mr. Monte that the use will not adversely affect the character of the area. VOTE: unanimous; motion carried.

MOTION by Mr. Behn, seconded by Mr. Robinson that the use will not adversely affect the traffic on roads and highways in the vicinity. VOTE: unanimous; motion carried.

MOTION by Mr. Monte, seconded by Mr. Brattstrom that the use will not adversely affect the bylaws in effect nor the utilization of renewable energy resources. VOTE: unanimous; motion carried.

MOTION by Mr. Behn, seconded by Mr. Robinson that the use will not adversely affect the traffic on roads and highways in the vicinity. VOTE: unanimous; motion carried.

The property has a functioning septic system, and a bathroom is available to patrons upon request.

MOTION by Mr. Behn, seconded by Mr. Robinson because the property has a functioning septic system the use will not result in the discharge of harmful wastes into surface or subsurface water systems. VOTE: unanimous; motion carried.

The sign lights are downward cast and on a timer, which is set to turn the lights off at 11:00 p.m. The lights are also necessary for security purposes of the display case.

MOTION by Ms. Roth, seconded by Mr. Robinson that the sign lights will remain on a time and will be turned off between 11:00 p.m. and daybreak. VOTE: unanimous; motion carried.

MOTION by Mr. Monte, seconded by Mr. Robinson because the sign lights are downward cast and on a timer and no dangerous emissions or vibrations are created on the property the use will not violate any of the standards in Section 7 of Article V. VOTE: unanimous; motion carried.

Ms. Veralli submitted a sign application in 1979. The only record of the application reflects that the application was dis-approved. Ms. Veralli has no recollection of the dis-approval and was never contacted to remove the sign.

The Board finds that freestanding sign has been in place since 1979 in its present location and general configuration. The size of the sign is 4' X 5'. A 4' X 8' X 4' display cabinet is located

in front of the sign. The cabinet is not depicted in the site plan.

The Board does not find the sign objectionable in its present configuration, although it does not conform to the sign requirements. The Board also finds that the statute of limitation has expired, therefore cannot object to the size.

Ms. Veralli withdrew the sign application because her lawyer has counseled her that due to the Bianchi II ruling the sign would be grandfather.

Should the Ms. Veralli or a future owner of the property wishes to change the sign in any way a permit application would need to be submitted to the Zoning Administrator, and would need to be brought into conformance with the sign standards.

MOTION by Mr. Monte, seconded by Mr. Robinson to grant Conditional Use approval for the retail shop, and Conditional Home Occupation for the production of pottery with not more that two (2) non-family employees. VOTE: unanimous; motion carried.

III. PUBLIC HEARING

Rootswork and the Town of Warren request approval for a free standing sign at the East Warren School. The property is located on 1.34 acres off TH#1 (Roxbury Mountain Road) in the R-2 (Rural Residential) District and will be reviewed under criteria found in Article VI § (4) *Sign Requirements* of the Warren Zoning Bylaws.

Linda Failace and Roger Hussey came before the Board on behalf of the application.

STAFF REPORT

Mr. Monte read the public notice, which ran in the March 16, 2000 issue of the Valley Reporter.

APPLICANT COMMENT

The applicants propose to erect a two-sided freestanding-lighted sign at the East Warren School. Rootswork leases the building from the Town. The building currently houses the Rootswork headquarters, the School House Market, and A.G. Innovations. The second floor is used as a Community Center and a meeting space for the Warren Grange. The applicants wish to represent all five services currently houses in the building on the sign, and have the flexibility to add or subtract a service if necessary.

The building has an "East Warren School" historic marker on the front of the building. Also on the front of the building is the sign for the School House Market. Three floodlights are currently used to light the historic marker and market sign.

Mr. Hussey has requested that the Board waive the \$75 hearing fee. Mr. Monte stated that the request would have to be directed towards the Selectboard and not the DRB.

The current sign standard for the Rural Residential District allow four square feet per use, no taller than 16 feet, and 15 feet away from the edge of the traveled way.

The application has not finalized the sign design, but submitted a proposed drawing. The lights on the sign will be turned off no later than 10:00 p.m. There was discussion about the importance of the sign staying in keeping with the rural character of the area.

Security lighting will be used on the backside of the building and in the loading area. The security lighting will be down cast and put on motion sensors.

PUBLIC INPUT

There was no public input.

DELIBERATION/DECISION

MOTION by Mr. Monte, seconded by Mr. Brattstrom to approve the Rootswork sign request with the following conditions:

- 1) **The sign will be a two-sided sign with the overall dimensions of each face not to exceed sixteen (16) square feet.**
- 2) **The height of the sign will not exceed eight (8) feet measured from grade to the tallest portion of the structure.**
- 3) **There will be no more than one sign per business or service. The allocation of space for any one business or service will not exceed four (4) square feet per side.**
- 4) **The overall width of the structure will not exceed four and one half (4.5) feet.**
- 5) **The flag on the proposed drawing is neither approved nor dis-approved.**
- 6) **The closest edge of the structure will be at least 15 feet from the edge of the traveled portion of Roxbury Mt. Road.**
- 7) **The sign will be lighted from above with shielded and down cast lighting, which will not be illuminated between 10:00 p.m. and daybreak.**

VOTE: unanimous; motion carried.

MOTION by Ms. Roth, seconded by Mr. Robinson that the sign will be located on the east side of the driveway. VOTE: unanimous; motion carried.

MOTION by Mr. Behn, seconded by Mr. Brattstrom that the Board understands that the sign is still in the design stages and requests that the applicant be mindful of the rural character of the area while finalizing the plan, the sign will follow the general architectural design as presented in the proposed drawing. VOTE: unanimous; motion carried.

MOTION by Mr. Monte, seconded by Mr. Robinson to amend the existing 1998 Site Plan to require that the business sign, not the historical marker, must be removed once the freestanding sign is erected and will not be re-installed hereafter. VOTE: unanimous; motion carried.

MOTION by Mr. Monte, seconded by Ms. Roth that the sign light “C”, as indicated on the 1998 Site Plan, will be removed once the freestanding sign is installed. VOTE: unanimous; motion carried.

IV. OTHER BUSINESS

Mr. Brattstrom and Mr. Robinson signed the March 8, 2000 minutes, and Sugarbush Meadows subdivision decision. No other participating members were present.

V. ADJOURNMENT

MOTION by Mr. Behn, seconded by Mr. Robinson to adjourn. VOTE: unanimous; motion carried.

The meeting adjourned at 10:05 p.m.

Respectfully submitted,
Margo B. Wade
DRB/PC Assistant

DEVELOPMENT REVIEW BOARD

Chris Behn (date)

Eric Brattstrom (date)

Lenord Robinson (date)

Peter Monte (date)

Virginia Roth (date)