

TOWN OF WARREN
DEVELOPMENT REVIEW BOARD
FINDINGS OF FACT & NOTICE OF DECISION
CONDITIONAL USE REVIEW
#2009-02-CU MRC BUNDY / MANSFIELD

Jack and Barbara Mansfield, owners of the property, and MRC Bundy, Inc., proposed purchaser of the property, are jointly applying for a Conditional Use permit for a mixed use of Lodge and Artist's Studio. The property, known as the Hamilton House, was at one time permitted for use as a small lodge. Currently, it is used as a private residence and the permit as use for a lodge has lapsed. The property is located on Hamilton House Road off of German Flats Road, parcel id # 006000-400 and is in the Vacation Residential District.

A duly warned hearing was held on Wednesday January 21, 2009 and attended by the following members: David Markolf, Lenord Robinson, Chris Behn, Jeff Schoellkopf and Virginia Roth. Board member Virginia Roth recused herself from the hearing for this application due to her involvement with both the Bundy and the property owners. Chris Behn also excused himself and left the meeting. Those members hearing this application were: Mr. Markolf, Mr. Schoellkopf and Mr. Robinson. Also in attendance were: Carl and Linda Schwartz, Donarae Cook, Paul and Joannene Kidder, Bill Peatman, Dick King, Shelia Ware, Piero Bonamico, Susan Simpson, Alan Solomon, Shelia Getzinger, Miron Malboeuf and Ruth Robbins.

Findings of Fact & Conclusions of Law:

- 1) The applicant submitted a completed application, project narrative, site plan, notice to abutters and proof of mailing.
- 2) MRC Bundy, Inc., a company of four different vocal groups, has discontinued their relationship with the Bundy Performing Arts Center as of December 31, 2008 and are looking for a new home.
- 3) MRC Bundy would specifically be using the house to provide member space for private music study, small rehearsals, classes and recitals. They would like to also be able to use two guest rooms for visiting artists – not the general public.
- 4) There will be no *public* performances.
- 5) There are caretaker's quarters that will be utilized.
- 6) No exterior changes are planned, only some interior changes.
- 7) They intend to add marked handicapped parking and a ramp for handicapped access to the house.
- 8) The largest of the vocal groups is the Mad River choral which has approximately 40 to 50 members. Their rehearsal periods consist of once a week during two sixteen week periods: one in the spring starting mid March and the other in September.
- 9) While the choral groups would be practicing inside, it is possible some of the visiting artists or chamber groups occasionally might practice out in the garden on a nice day. However, those practices would not be amplified – acoustic only.
- 10) The applicant was aware that they may need to obtain some State permits.
- 11) Abutters Carl and Linda Schwartz were in attendance and expressed concern about traffic and parking but otherwise were very much in favor of the proposed activities.
- 12) Any maintenance equipment will be stored out of sight of the Schwartz's house.

3/23
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Notice of Decision:

The Development Review Board, finding that the application meets the standards found under Sec. 5.3 Conditional Use Review Standards (A) General Standards and (B) Specific Standards, hereby approves the applicants request for a Conditional Use permit for both a Lodge and an Artist's Studio with the following conditions:

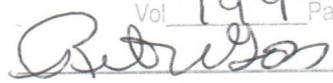
1. Use restricted to member and guest use only – no general public activities.
2. Demonstrate the ability to park a minimum of 30 cars on site plan.
3. Traffic flow to be restricted during choral rehearsals to Hamilton Drive only for both ingress and egress.
4. No dumpsters or maintenance equipment to be placed as to be visible from the Schwartz's home.
5. Applicant is responsible for acquiring any applicable State permits prior to use of the property
6. Any outdoor musical rehearsals will be non-amplified sound.
7. A final site plan must be submitted to the DRB a minimum of 45 days prior to the scheduled property transfer.

DEVELOPMENT REVIEW BOARD


David Markolf 3/19/09
date


Lenord Robinson 3/19/09
date


Jeff Schoellkopf 3/19/09
date

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TOWN CLERK