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TOWN OF WARREN
DEVELOPMENT REVIEW BOARD
FINDINGS OF FACT AND NOTICE OF DECISION
CONDITIONAL USE REVIEW
#2013-50-CU SELLERS

1. The applicant, **David Sellers** has requested the use of Gallery/Artist Studio as per Article 2, Table 2.2, (C) Conditional Uses (14), be approved for his Single Family Dwelling at 1635 West Hill Rd. The property consisting of 4.2 acres is located in the Rural Residential District, parcel id # 016003-502.

A duly warned hearing was held on **Monday October 21, 2013** and attended by DRB members: Lenord Robinson, Peter Monte and Jeff Schoellkopf. Others in attendance were: Peter MacLaren, David Sellers, Miron Malboeuf and Ruth Robbins. The hearing was continued to **Monday November 4, 2013** at which the DRB members in attendance were: Lenord Robinson, Jeff Schoellkopf, Tom Boyle and Virginia Roth. Also in attendance were: David Sellers, Miron Malboeuf and Ruth Robbins. A final hearing was held on **Monday February 3, 2014** and attended by DRB members: Lenord Robinson, Peter Monte, Don Swain and Tom Boyle. Also in attendance were: David Sellers, Lucy O'Brien, Miron Malboeuf and Ruth Robbins.

Findings of Fact and Conclusions of Law:

1. The applicant submitted a complete application, parking site plan, notice to abutters and proof of mailing.
2. This application originated from the applicant receiving a zoning violation regarding the use of his property. Though this hearing was previously warned for a Conditional Use permit for a cottage industry use, it has since been determined that the use as an Artist's Studio/Gallery was more accurate.
3. The applicant told the Board he uses the property as a studio/workshop for the creation of "artistic and unusual architectural creations" that are used as components to buildings and homes. The projects are all different and that sometimes it may only require one person working on the project where there may be occasion for as many as eight people.
4. The applicant also told the Board that the property is also used for residential purposes when there has been an "artist" in residence or one of his workers on an art project has needed a place to stay.
5. Submitted December 2, 2013 to the DRB: an agreement between David Sellers and Peter and Susan MacLaren [principal owners of MacLaren Holdings dba The West Hill House B&B.]

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- 6. The applicant has been informed that the DRB does not have the authority to approve any on-street parking.
- 7. The Board found the application satisfies the standards under Section 5.3 (A) items 1 through 5.

Notice of Decision:

The DRB approves the use of the property located at 1635 West Hill Road as an Artist Studio/Gallery and additionally approves a residential accessory use for those individuals who are involved with the use, creation or marketing of the crafts made on this property subject to the following conditions:

- 1. *Fireworks: No fireworks shall be set off after 10pm.*
- 2. *Outside music: No music shall be played that is audible outside after 11pm except in the case where participants at an event taking place at the property have booked all 9 of the guest rooms at West Hill House B&B for the night of the event.*
- 3. *Contact information: Should an event take place at the property when the owner is out of town or otherwise unreachable, an alternative local contact shall be provided to both the individual in charge of the event and to West Hill House B&B.*

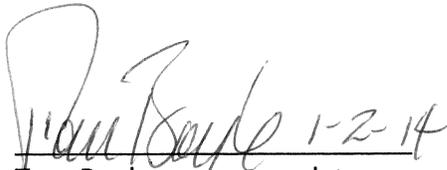
Development Review Board



 Peter Monte date



 Lenord Robinson date *Mar 31*



 Tom Boyle date

 Don Swain date

TOWN OF WARREN, VT

Received for Record 4/2 2014

at 3:41 o'clock P M and Received in

Robertson
Vol 228 Page 125-126

TOWN CLERK

VT Property Transfer Tax Return # _____

2.2 ACRES

4.2 ACRES

NO SCALE

PARKING

SELLER'S STUDIO

* 20 CARS ON SITE

** 30 CARS OFF ROAD WEST HILL

2013-50-cu Seller

1635 West Hill Rd

