

**Town of Warren
Development Review Board
Findings of Fact and Notice of Decision
Conditional Use Review
2017-15-CU Kirk-Jackson & McPhillips**

The applicants **Spencer Kirk-Jackson & Karen McPhillips** have requested permission to establish a yoga studio and a glass blowing studio at 3955 VT. Route 100. The property is owned by Linda H. Shaw and is described as 8 acres and a 9 bedroom, 4 bath dwelling with a basement apartment. It is located in the Rural Residential District, Parcel ID. # 100005-400.

A duly warned hearing was held on Monday April 3, 2017 and attended by DRB members Peter Monte, Bob Kaufmann and Tom Boyle. Others in attendance were Brian and Connie Moulton, Steven Robbins, George McCain, Dave Olenick, Karen McPhillips, Spencer Kirk-Jackson, Helen Bridgewater, Miron Malboeuf and Ruth Robbins.

Findings of Fact and Conclusions of Law:

- 1) The applicant submitted a complete application including project narrative, site plan, floor plans, notice to abutters and proof of mailing.
- 2) The site plan shows parking for a maximum of eight yoga students, two glass blowing students and two residents for a total of 12 parking spaces. Classes for glass-blowing would be held no more than twice per day and the yoga studio would also only conduct a maximum of two classes per day.
- 3) Applicant stated that dense shrubbery would be installed to create screening along the north side of the parking area to the left at the top of the driveway.
- 4) An electric furnace versus a propane gas one would be utilized which would produce less emissions than from a propane furnace. The only emissions from the melting glass is sodium hydroxide but the furnace itself captures that with a filter that can be emptied and easily and safely disposed of. The amount of sodium hydroxide captured is extremely minimal – less than a pound over a couple years or so.
- 5) The hours for yoga instruction/glass blowing would fall between eight am to eight pm.
- 6) The Board found the 10 spaces for parking to be adequate to meet the requirements of Table 3.1 even though there is no specific formula for this type of mixed use; there are ten spaces allocated for the personal services/artist studio activities and two for the residential use.
- 7) The applicants stated that they had no intention to have any employees and the Board reminded them that they were located in a residential zone and that there would be limits should they ever want to have additional help. The Board also told them they were only allowed to sell that which they actually produced on premises – nothing brought in from other sources.
- 8) The Board found that the proposed glassblowing instruction/production satisfies the definition of Artist Studio as defined in Article 10; the yoga instruction falls under the definition of Home Occupation.

9) The Board found that Sec. 5.3 (A) items (1) through (5) has been satisfied by the applicant.

Notice of Decision:

Having found that the applicant has satisfied the standards of Table 3.1 (Parking) and those of Conditional Use, Sec. 5.3, the DRB hereby approves the application for the operation of a glassblowing studio and yoga studio subject to the following:

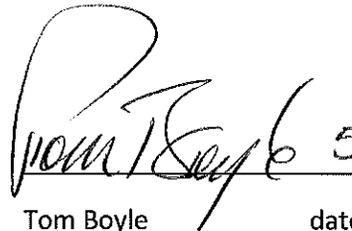
- 1) The project is developed as per the plans and specifications submitted to the DRB with the application;
- 2) The applicant is required to dispose of any sodium hydroxide through a commercial recycling handler.

The applicant is also advised to submit a Zoning Application for the construction of this project within 30 days of the execution of this approval unless already submitted.

Development Review Board

 5-1-17

Peter Monte date

 5-1-17

Tom Boyle date

 5-1-17

Bob Kaufmann date