



WAITSFIELD DEVELOPMENT REVIEW BOARD FINDINGS OF FACT AND NOTICE OF DECISION

Application #:	3804-CU
Land Owner:	Glentoran Corporation
Applicant:	Michael George
Property Address:	5031 Main St.
Parcel Number:	99131.000 in the Irasville Village Zoning District
Meeting Dates:	March 13, 2018
Proposal/Type:	Request for approval to convert the former restaurant and retail mixed use space (Sweet Pea) to an artist studio/gallery. No exterior alterations are proposed besides sign replacement.

A. GUIDING ORDINANCE and POLICY PROVISIONS

1. Town of Waitsfield Zoning Bylaws, as adopted March 2, 1971 and amended through September 26, 2016:
 - a. Table 2.03 Irasville Village Zoning District.
 - b. Section 3.03 Conversion and Change of Use.
 - c. Section 3.09 Parking & Loading Standards.
 - d. Section 5.03 Conditional Use Review.
 - e. Section 7.02 General Definitions; "Artist Studio" and "Gallery."
2. Waitsfield Subdivision Regulations, amended on January 21, 2008.
3. Waitsfield Town Plan, as adopted on December 18, 2017.

B. MATERIALS SUBMITTED

On February 14, 2018, the applicant submitted a conditional use application, a sketch plan, and an authorization to apply on behalf of the owner.

C. FINDINGS OF FACT

1. The property is located at 5031 Main Street and is a vacant, former restaurant/retail mixed use space (Sweet Pea). The parcel is identified as #99131.000 in the Irasville Village Zoning District.
2. The applicant proposes to convert the former mixed use composition (restaurant/retail) to an artist studio/gallery. The proposed hours of operation for the retail space and gallery are 10am to 5pm every day. The applicant proposes that the studio space (for individual use and classes) be open until 10pm.

3. The applicant plans to make interior renovations, including an upgraded bathroom which will be ADA compliant. No exterior alterations are proposed, except to replace signage.
4. A kiln will be installed per state code, and three fire extinguishers will be kept on-site.
5. Ten parking spaces were required for the former mixed use. The Zoning Bylaws require a parking space per 300 square feet of commercial space; the studio/gallery will be 2,400 square feet so eight parking spaces are required. The existing parking spaces are adequate for this change of use.
6. The public hearing was held on Tuesday, March 13, 2018. The abutting property owners were sent notice on February 21, 2018 and the notice appeared in the February 22, 2018 issue of *The Valley Reporter*.
7. The applicant presented the proposal. The artists will primarily be using ceramics but some will paint and be wood workers. Montpelier Mud serves as the business model.
8. Mr. George explained that there will not be solid waste from the artists' work, as they will use settling tanks to reclaim material. The wash water is settled out and will be clear when disposed. The leftover clay will be recycled by adding a binder and reused.
9. There is an odor from the kiln but it dissipates; the vent will be out the back of the building where the walk-in cooler was located.
10. The board closed the hearing on this application and stated that a written decision would be issued within 45 days.

D. CONCLUSIONS OF LAW

Based on its review of the application materials, submitted site plans, presented testimony, and Findings of Fact above, the Waitsfield Development Review Board hereby concludes this application as proposed, and when finalized and implemented, does meet the conditional use criteria of the Town of Waitsfield Zoning Bylaws and is in conformance with the Waitsfield Town Plan.

E. DECISION

Application #3804-CU is hereby APPROVED, subject to any and all applicable local, state, and federal permit approvals.

Dated at Waitsfield, Vermont this 27 day of March, 2018 for the Town of Waitsfield Development Review Board by:



Chris Cook, Development Review Board Chair

Voting in the Affirmative: Chris Cook, Gib Geiger, Chris Jernigan, Rudy Polwin, Brian Shupe.

Voting in the Negative: None.

Absent: John Donaldson and Michael Kingsbury.

Appeal

Pursuant to Title 24 VSA §4471 and §4472, an interested person who has participated in the review of this application may appeal this decision to the Environmental Division of the Vermont Superior Court by filing a Notice of Appeal directly to the Court, 32 Cherry Street, Suite 303, Burlington, Vermont 05401, by certified mail within thirty (30) days of the date this decision is issued. A copy of the notice must also be sent to the Zoning Administrator or the Municipal Clerk who is required to provide a list of interested persons to the appellant within five days of receipt of the Notice. The appellant is required to send a copy of the Notice, via certified mail, to each interested person.

