

Conditional Use Hearing
Gail Gorman
April 24, 2013

To consider a conditional use permit by Gail Gorman for a home business and a sign larger than the permitted 2 square feet

The conditional use permit requires a review under the following sections of the Greensboro Zoning By-Laws 2.6 Rural Lands District, 4.5 Home Business, and 5.4 Conditional Use.

Warnings were posted on April 8, 2013 at the Town Hall, the Greensboro Post Office and the Greensboro Bend Post Office and sent to the applicant, Gail Gorman and the following abutters: Eugene and Rose Meyerowich, Karen Campos, Leslie Campos, and Frank and Ellen Fabiani. It was published in the Hardwick Gazette on Wednesday, April 10, 2013.

Zoning Board members present: Bud Harvey, Nat Smith, Linda Romans, Janet Travers, Jane Woodruff and Wayne Young

Others present: Gail Gorman, applicant; and Kristen Leahy, zoning administrator;

During the course of the hearing the following exhibits were submitted to the Development Review Board:

Exhibit #1 A letter from abutters, Randy Bulpin and Leslie Campos

Exhibit #2 A letter from abutter, Karen Campos

Exhibit #3 A 1 page bulleted statement from the applicant, Gail Gorman, giving details about the property and proposed business.

These exhibits are available at the Greensboro Town Clerk's office.

Summary of Discussion

Ms. Woodruff began the hearing at 7:02 PM. She noted that the hearing was semi-judicial, explained the procedure for the hearing, and asked the clerk to swear in all those who wished to speak at the hearing. She then asked Ms. Gorman to explain the proposed plan for a gymnastic school in the barn on her property. Ms. Gorman stated that there would be only three or four groups per day, each with four to five students, six at the most. They would be coming there for recreational gymnastics; not training for competition. To avoid some of the traffic issues, Ms. Gorman has planned a ten to fifteen minute break between classes, planned a class to be in session at the time the mail is delivered, and noted that the u-shaped driveway to her house next door could be used so vehicles traveling in opposite directions may pass each other. The parking lot has recently been expanded to include two spaces on the right side as well as the four or five on the left side of the drive. The gymnastic barn has its own septic system and well. Ms. Gorman stated that there is adequate storage space in the barn so no materials will be stored outside. There will be no planned changes to the outside of the building other than painting/staining.

The hearing ended at 7:26 and the Board went into deliberative session. They returned to public session to announce their decision at 7:43.

Findings:

The Board first considered the criteria in 4.5 (Home Business) in the Greensboro Zoning By-laws. It found that the proposed home business will be conducted by Ms. Gorman in an accessory structure on her property. There will be no exterior storage of equipment. The accessory structure is barnlike and is in keeping with the character of the area. Ms. Gorman has considered the traffic on the road and has made accommodations to help alleviate any problems. There is adequate off-street parking. There will be no deliveries for this business nor will any solid waste be generated. Noise will not be discernible outside the structure. A home business permit allows up to two employees.

The Board then considered the provisions in 2.6 (Rural Lands District) in the Greensboro Zoning By-laws. The minimum lot size and setback requirements for the district have been met. A home business is allowable in this district with a conditional use permit. One sign up to six square feet in area would be permitted.

Conditional Use Review (5.4 B pg. 29 & 30)

The Board considered the general and specific criteria for conditional uses in the Greensboro Zoning By-Laws (5.4 Conditional Uses) and based on the application and exhibit the Development Review Board makes the following findings:

B) The proposed business would not have an adverse effect on:

1. the capacity of existing or planned community facilities.
2. the character of the area.
3. traffic in the vicinity.
4. by-laws and ordinances presently in effect.
5. the utilization of renewable energy resources.

C) Specific Standards:

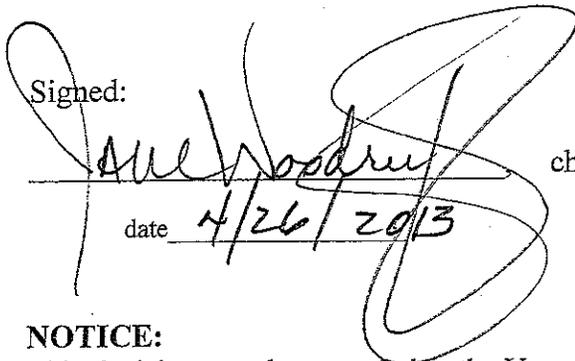
1. The lot easily meets the minimum lot size.
2. The building meets the setback requirements from all lot lines.
3. No fencing or landscaping is required for screening.
4. One sign, up to six square feet in area, may be erected. It may not be internally lit, must be compatible with the area and meet setback requirements.
5. The building is compatible with other structures in the area.
6. The building adheres to the conditional uses allowed in the Rural Lands District.
7. The business will not affect the noise or create air pollution in the area.

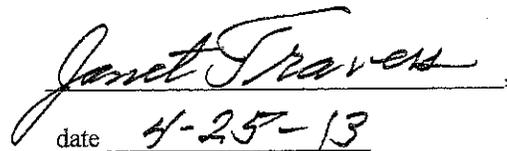
The gymnastic home business meets all of the conditional use criteria.

Decision and Conditions

Based upon these findings, the Development Review Board voted unanimously to approve this conditional use application.

The home business meets all criteria for the Rural Lands district, a home business and a conditional use permit.

Signed:  chair
date 4/26/2013

 clerk
date 4-25-13

NOTICE:

This decision may be appealed to the Vermont Environmental Court by an interested person who participated in the proceeding (in person or in writing) before the Zoning Board of Adjustment. Such appeal must be made within 30 days of the date of this decision, pursuant to 24 V.S.A. #4471 and Rule 5(b) of the Vermont Rules for Environmental Court Proceedings.