

Conditional Use Hearing

Laura Hill

February 10, 2014

To consider a conditional use application by Laura Hill to create a home business on her property at 353 Hillcrest Rd and a request for 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-Law, 2.6 Rural Lands District; 4.5 Home Business; and 5.4 Conditional Uses.

Warnings were posted on January 16, 2014 at the Town Hall, the Greensboro Post Office and the Greensboro Bend Post Office, and sent to Laura Hill, applicant; and the following abutters: the Jaffin Family Trust; The Nature Conservancy; Donald Maynard; Richard and John Gumpert; Steve and Christine Shatney; The Passionist Foundation of the State of Vermont; Kevin and Terrie Rich; and Michael and Sandy Thompson. Corrected copies of the warning (site visit changed from Saturday to Friday) were posted, as above, and sent to abutters on Tuesday, January 21, 2014. The corrected warning was published in the Hardwick Gazette on Wednesday, January 22, 2014.

Development Review Board members present: Linda Romans, Nat Smith, Sean Thomson, Janet Travers, Jane Woodruff, and Wayne Young

Others present: Laura & Warren Hill, applicants, and their children, Warren and Natalie; and Kristen Leahy, zoning administrator

Correspondence from interested persons: none

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

Exhibit #1 an application for a roadside business sign.

This exhibit is available at the Greensboro Town Clerk's office.

Summary of Discussion

Ms. Woodruff began the hearing at 7:07 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. Hill to explain the proposed plan for her home business and the sign she wishes to erect.

Ms. Hill stated that she wants to reopen Hillcrest Nursery with the main focus on edible produce such as fruit trees and berries. It will be a nursery/landscaping and retail business with an educational component. She plans to have a farmstand located in the existing barn attached to the house to sell her garden produce. There will probably be piles of compost and/or mulch for sale on the property. All pesticides will be stored, applied and disposed of as appropriate, but Ms. Hill wants to be as organic as possible. As of now Ms. Hill plans to have the nursery and farmstand open five days per week from 3:00 to 7:00 PM. She does not plan to hire any more employees this year. There is adequate room for off-road parking for any family and staff as well as 6 or more other cars. There are 42 acres in this parcel of land and all the existing buildings meet the setback requirements in the Rural Land District. There are no plans to build more structures on the property. There is already quite a bit of traffic on the road that goes past their house since the nearby brewery opened and Ms. Hill feels that the people coming to her nursery/farmstand would not add a significant amount of traffic to the area. She would also like to erect a sign for her business near the road. The area of the sign will not exceed 6 square feet.

Findings:

2.6 Rural Lands District

The lot size and width meet the standards in the Rural Lands District and the buildings meet the setback requirements. A home business is a conditional use in the Rural Lands District.

4.5 Home Business

- A) The home business will be conducted by the residents of the dwelling and will not have more than two employees.
- B) The home business will be carried out in an existing barn/shed attached to the house.
- C) There will be some external storage of compost and/or mulch on site. Equipment will be stored in existing sheds on the property.
- D) The business will not change the character of the neighborhood or the exterior of the dwelling or barns/sheds presently on the property.
- E) The traffic generated will not significantly affect the volume of traffic presently in the area.
- F) There is plenty of off-street parking for the business.
- G) Organic solid waste will be composted. There will be appropriate use, storage, and disposal of any

icides used.

- H) The business will not cause undue noise or air pollution in the area.
- I) Applies only to a Bed and Breakfast.
- J) Applies only to the Lakeshore District.

5.4 Conditional Uses

B) Creation of a nursery/landscaping/retail business at 353 Hillcrest Rd. will 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.

There is presently quite a bit of traffic in the area going to the Hill Farmstead Brewery and traffic for this business will not significantly add to it.

- 4. by-laws and ordinances presently in effect.
- 5. the utilization of renewable energy resources.

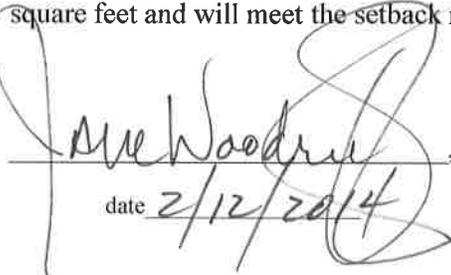
C) Specific Standards:

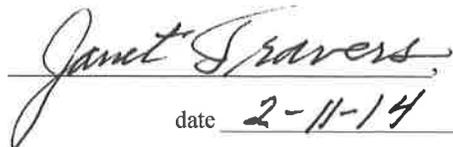
- 1. The lot meets the minimum lot size.
- 2. The buildings associated with the business meet the setback requirements from all lot lines.
- 3. No fencing or landscaping is required for screening.
- 4. Ms. Hill is requesting an unlit, exterior sign to be located near the road. The sign will not exceed 6 square feet and will meet all setback requirements.
- 5. The buildings associated with the home business are compatible with other structures in the area. The existing attached shed/barn and other outbuildings will be used.
- 6. The structures and business adhere 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.

Decision and Conditions

Based upon these findings, the Development Review Board voted unanimously to approve the conditional use applications for a home business and a sign.

Creating a nursery/landscaping/retail business on this property will not adversely affect the character of the area and does not deviate from the conditional uses allowed in the Rural Lands District. The area of the sign will not exceed 6 square feet and will meet the setback requirements.


_____, chair
date 2/12/2014


_____, clerk
date 2-11-14

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 Development Review Board. 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.