

Conditional Use Hearing
Andy Kehler and Victoria Von Hessert
March 20, 2013

To consider a conditional use permit by Andy Kehler and Victoria Von Hessert for their camp located at 164 Cheney Road. They want to install new and larger windows in a non-conforming structure within Caspian Lake's 150 foot buffer zone.

The conditional use permit requires a review under the following sections of the Greensboro Zoning By-Laws: 2.5 Lakeshore District; 3.8 Nonconformities; 3.9 Protection of Water Resources; and 5.4 Conditional Uses.

Warnings were posted on March 4, 2013 at the Town Hall, the Greensboro Post Office and the Greensboro Bend Post Office and sent to the applicants, Andy Kehler and Victoria Von Hessert and the following abutters: Daniel Davis & Laurie Callah; Christine B. Perry, trustee for the Christine B. Perry trust; and Caspian Lake Properties. It was published in the Hardwick Gazette on Wednesday, March 6, 2013.

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

Others present: Andy Kehler, applicant; Kristen Leahy, zoning administrator; and Andy Dales.

Summary of Discussion

Ms. Woodruff began the hearing at 7:07. She noted that the hearing was semi-judicial, explained the procedure of the hearing, and asked the clerk to swear in all those who wished to speak at the hearing. She then asked Mr. Kehler to explain the plan proposed in the application. Mr. Kehler said they want to add two windows on the West side of the camp, under the porch roof to allow more light into the house. They would also like to replace three of the small upstairs windows on the North side with larger ones that would allow egress in an emergency. Those windows would be the same size as the downstairs windows. The board went into deliberative session at 7:15 and came back into public session to announce their decision at 7:20

Findings:

Conditional Use Review (5.4 pg. 29 & 30 in the Zoning By-Laws)

The Board considered the general and specific criteria for conditional uses in the Greensboro Zoning By-Laws and based on the application and testimony the Development Review Board makes the following findings:

B) Replacing and adding the proposed windows at the camp 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 size is grandfathered.
2. The present grandfathered setbacks will not be altered.
3. No fencing or landscaping is required for screening.
4. There will be no exterior signs.
5. The camp remains compatible with other structures in the area.
6. The camp adheres to the conditional uses allowed in the Lakeshore District.
7. Adding/replacing the windows will not affect the noise or create air pollution in the

area.

The addition and replacement of windows in the camp 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.

Signed: Janet Woodruff, chair
date 3/24/2013

Janet Travers, clerk
date 3-21-13

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.