

Conditional Use Hearing
Glen Kirkpatrick
October 2, 2013

To consider a conditional use application by Glen Kirkpatrick, to build a boathouse on his property at 1940 Lakeshore Rd.

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

Warnings were posted on September 11, 2013 at the Town Hall, the Greensboro Post Office and the Greensboro Bend Post Office, and sent to Glen Kirkpatrick, applicant; John Mackin, contractor; and the following abutters: David Neylon, Jane Coventry, and John and Melanie Clarke. It was published in the Hardwick Gazette on Wednesday, September 18, 2013.

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

Others present: John Mackin, contractor

Summary of Discussion

Ms. Woodruff began the hearing at 7:04 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 Mr. Mackin to explain the proposed plan for the boathouse. He stated that the structure presently on the land near the lake will be moved away and a boathouse will be built above the berm. The building will be 15 by 26 feet which is an area of 390 square feet. The side facing the lake will be a screened-in porch (included in the 15' by 26' dimensions). It will not exceed 15 feet in height. There will be no electricity or plumbing.

The board went into deliberative session at 7:12 and came back into public session at 7:20 to announce their decision.

Findings:

2.5 Lakeshore District

A boathouse is a permitted conditional use in the Lakeshore District.

The proposed boathouse meets the requirements for boathouses in the lakeshore district.

3.9 Protection of Water Resources

#5 The structure will be less than 400 square feet in size and 15 feet or less in height. It will be located behind the high water mark and at least 20 feet from both side lines. It will not have plumbing. The stumps of any trees cut for the construction will be left in the ground.

The proposed boathouse meets the requirements in 3.9 #5.

5.4 Conditional Use Review

B) The proposed boathouse 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:

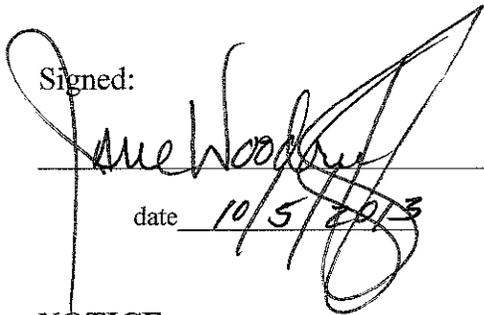
1. The lot is meets the minimum lot size in the lakeshore district.
2. The boathouse meets the setback requirements from all lot lines.
3. No fencing or landscaping is required for screening.
4. There will be no exterior signs.
5. The boathouse is compatible with other structures in the area.
6. The boathouse adheres to the conditional uses allowed in the Lakeshore District.
7. The boathouse will not affect the noise or create air pollution in the area.

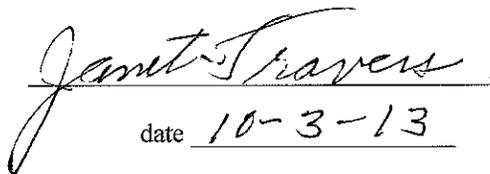
The proposed boathouse meets all of the conditional use criteria.

Decision and Conditions

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

The proposed structure meets all requirements for a boathouse in the Lakeshore District.

Signed:  _____, chair
date 10/5/2013

 _____, clerk
date 10-3-13

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 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.