

Conditional Use or Variance Hearing
Town of Greensboro
Hugh Knox
October 17, 2012

To consider a conditional use permit or variance request by Hugh Knox to move a shed/boathouse within the 150 foot buffer of Caspian Lake on his property at 532 Breezy Ave.

It requires a review under the following sections of the Greensboro Zoning By Laws: 2.5 Lakeshore District, 3.8 Nonconforming Structures, 3.9 Protection of Water Resources, and 5.4 Conditional Uses or 5.5 Variances.

Warnings were posted at the Town Hall, the Greensboro Post Office and the Greensboro Bend Post Office on October 1, 2012. It was published in the Hardwick Gazette on Wednesday, October 3, 2012. On October 1, 2012, the warning was sent to the applicant, Hugh Knox; his representative, Justin Foster; and the following abutters: Gertrude Osterhout and Elizabeth Bishop, Susan McCouch, Charles Garen & Scott Garen, Mary Brochu, the Darlene Brochu Estate, and Landon Properties, LLC.

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

Others present: Kristen Leahy, zoning administrator

During the course of the hearing the following exhibit was submitted to the Zoning Board of Adjustment:

A letter from abutters, Gertrude Osterhout and Elizabeth Bishop

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

Summary of Discussion

The hearing began at 7:15 PM. The Board went into deliberative session at 7:35 and came back into public session to announce their decision at 7:45.

The Board began the meeting by deciding that the structure in question would be considered a boathouse which requires a conditional use permit. Then the board considered the letter from abutters Gertrude Osterhout and Elizabeth Bishop. They asked the board to carefully consider three areas in making their decision. 1. The boathouse not be located closer to the lake than its present position. 2. The boathouse would meet setback requirements from all lot lines. 3. The move would not include the significant removal or cutting of any mature trees. Taking these three items under consideration, the Board discussed the position of the boathouse after the proposed move relative to all lot lines and the lake.

Findings

The Board considered the general and specific criteria for conditional uses in the Greensboro Zoning By-Laws (5.4 Conditional Uses, pg.27) and based on the application and exhibit the Zoning Board of Adjustment makes the following findings:

B) The proposed move of the 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 quite large and easily meets the minimum lot size.
2. The boathouse, when moved, will meet the setback requirements from all lot lines (see conditions).
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.

Moving the boathouse meets all of the conditional use criteria.

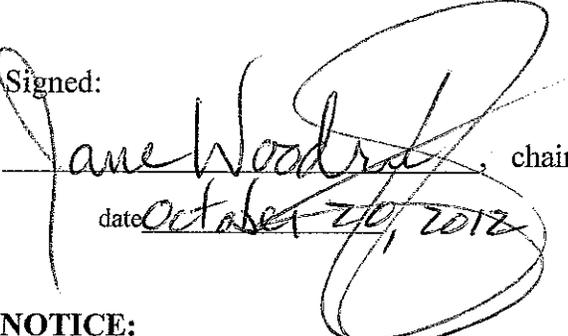
Decision and Conditions

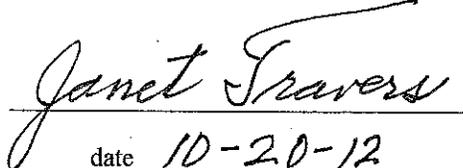
Based upon these findings, (and subject to the condition set forth below), the Zoning Board of Adjustment voted unanimously to approve this conditional use application.

Moving the boathouse further away from the lake, as proposed, decreases its non-conformity and it continues to meet the 20 foot setback from all lot lines as required in the Lakeshore District.

This approval is subject to the following conditions:

The structure must meet the setback requirement from all lot lines (20 feet in the Lakeshore District).

Signed:  , chair
date October 20, 2012

 , clerk
date 10-20-12

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.