

Conditional Use Hearing
Rick Morrill & Dawn Morgan
October 9, 2014

To consider a conditional use request to establish a home business in an accessory structure on the property at 191 Skunk Hollow Road.

The application requires a review under the following sections of the Greensboro Zoning By-Law 2.5 Rural Lands District; 4.5 Home Business; and 5.4 Conditional Use.

Warnings were posted on September 22, 2014 at the Town Hall, the Greensboro Post Office, the Greensboro Bend Post Office, and Smith's and Willey's stores. It was also sent to applicants, Rick Morrill & Dawn Morgan; and the following abutters and neighboring property owners: Wayne & Mary Young; Founders Lodge Trust; Michael & Nancy Lammert; The Nature Conservancy; Irving & Anna Morton; Peter & Yolanda Broad; Ann Goering; SHF LLC; The State of Vermont; Anne Pinkney; and Sharon Jacobs. It was published in the Hardwick Gazette on Wednesday, September 24, 2014.

Development Review Board members present: MacNeil, Linda Romans, Nat Smith, Sean Thomson, Janet Travers, Jane Woodruff, and Lee Wright. (Wayne Young recused himself.)

Others present: Rick Morrill & Dawn Morgan, applicants; and Kristen Leahy, Zoning Administrator.

Correspondence from interested persons: none

During the course of the hearing the following exhibit was submitted to the Development Review Board:

#1 An overview of the business

This exhibit is available at the Town Clerk's office and on the Town web site www.greensborovt.org

Summary of Discussion

Ms. Woodruff began the hearing at 7:12 PM after another hearing took place. She stated that the hearing was semi-judicial, explained the procedure for the hearing, and noted that both of them had already been sworn in. She then asked Mr. Morrill & Ms. Morgan to describe the business they plan to operate in the accessory structure on the property. Mr. Morrill stated that three of them, Mr. Morrill, Ms. Morgan and her father, formed an LLC to provide a wide variety of conservation services, revolving around forest management and use value appraisal programs. They will work not only with private land owners, but also with municipalities, state agencies and educational institutions. They work across the northern forest region from New York State to Maine. Ms. Morgan went on to say that it is a simple business with just the two of them working at their computers or working out in the field. Her dad has a home office in Craftsbury, but he will come over to their office once in a while. They are asking for a home business instead of a home occupation because their office will be located in the accessory structure on the property. Eventually, they plan to build a house across the road and locate the office in their house. Then the business will become a home occupation. There is ample parking for several vehicles in the driveway area. (There were 6 cars there when we did our site visit.) However, they don't anticipate many people coming to the office and only one or two at a time, if they do come there. Any larger meeting will be at the client's site or building. They will have no special vehicles for their business, no sign on the roadside, and no special deliveries for the business. There will only be the two of them and sometimes one other person working at the office.

The hearing ended at 7:20. The DRB went into deliberative session at 7:22 and came back into public session to announce their decision at 7:35.

Findings of Fact:

Based on the application and testimony, the Development Review Board makes the following findings:

2.5 Rural Lands District

The pre-existing house and accessory structure conform to all setback and lot size standards in the rural district. A home business is a conditional use in the rural district.

4.5 Home Business

- A) The business will be conducted by the two residents of the adjoining house with the sporadic addition of the third business partner.
- B) The business will be in the existing accessory structure.
- C) There will be no need for storage of equipment or materials for the business..
- D) There are no plans to change the look of the present structures.
- E) There is no expectation of increased traffic or deliveries
- F) There is ample off-street parking for those few who might come to their business.
- G) No solid waste will be generated by this business.
- H) There will be no noise or air pollution generated by the business.
- I) NA The business is not a bed and breakfast.
- J) NA The business is not in the Shoreland Protection District.

5.4 Conditional Uses

B) General standards

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

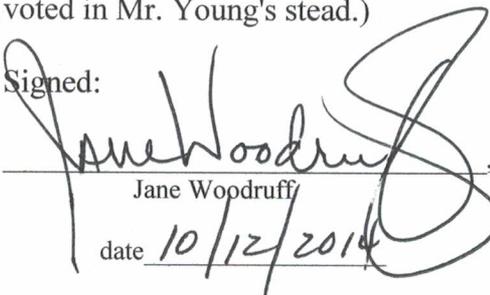
C) Specific Standards:

1. The lot meets the minimum lot size for the rural district.
2. All setbacks for the house and the accessory structure meet the requirements in the rural lands district.
3. No fencing or landscaping is required for screening.
4. There will be no sign.
5. The structure is pre-existing and is compatible with other structures in the area.
6. A home business is a permitted conditional use in the Rural Lands District.
7. The home business will not generate noise or create air pollution in the area.

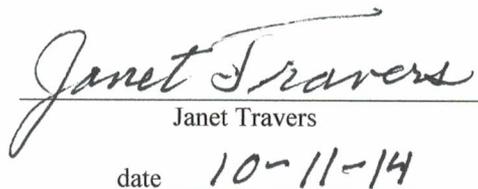
Decision and Conditions

Based upon these findings, the Development Review Board voted unanimously (7 – 0) to approve the conditional use application for a home business. (Wayne Young did not vote. Alternate, Lee Wright, voted in Mr. Young's stead.)

Signed:



Jane Woodruff, chair
date 10/12/2014



Janet Travers, clerk
date 10-11-14

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.

Exhibit 1
Norvill/Morgan
10/9/2014
Admitted

Northern Forest Conservation Services LLC

Mission

Assist private landowners, conservation organizations, municipalities, and state agencies to make informed resource management decisions that will sustain natural and human communities today and in the future.

Service Region

Northern Forest Conservation Services, LLC works across the northern forest region, loosely described as stretching from the Adirondacks in New York to eastern Maine.

Clients

Northern Forest Conservation Services, LLC works with a wide spectrum of clients seeking assistance with land management and conservation planning.

- Private landowners
- Conservation organizations
- Municipalities
- State agencies

Services

Northern Forest Conservation Services, LLC provides a diverse set of conservation related services.

- Forest management planning
- Conservation planning
- GIS mapping, cartography, and spatial analysis
- Ecological inventory
- Data management and analysis
- Public education and outreach
- Wetland evaluation
- Timber sale layout and administration