

Conditional Use Hearing  
South and Julie Sigler  
June 3, 2014

*To consider a conditional use application by South and Julie Sigler to build a boathouse within the Caspian Lake buffer zone at 1716 Lake Shore Rd.*

The conditional use permit requires a review under the following sections of the Greensboro Zoning By-Law: 2.7 Shoreland Protection District; 3.9 Protection of Water Resources; 5.4 Conditional Uses, and 8.8, B, #3 New Uses and Encroachments within the Buffer Zone.

**Warnings** were posted on May 12, 2014 at the Town Hall, the Greensboro Post Office and the Greensboro Bend Post Office, and sent to South and Julie Sigler, applicants; and the following abutters: David Neylon; Leonard Swyer; Mary Stedman-Olmsted and Edward and James Olmsted; and Mary Stedman. It was published in the Hardwick Gazette on Wednesday, May 14, 2014.

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

**Others present:** South Sigler, applicant; and Kristen Leahy, zoning administrator

**Correspondence from interested persons:** None

### **Summary of Discussion**

Ms. Woodruff began the hearing at 7:00 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. Sigler to explain what he wanted to do on his property. He explained that he wanted to build a 16 ft. x 24ft. boathouse for storage of their canoes. It would have two carriage type doors; one facing the lake and the other opposite it, facing the cottage and a "man door" on one of the sides. The roof would have a shallow pitch and the walls would be the normal height of 8 – 8 1/2 feet, which will certainly make the boathouse less than 15 ft. high. Mr. Sigler stated that he and his wife had considered another site further south on their land, but felt that site was too wet. Mr. Sigler is willing to move the building 6 ft. further away from the lake to protect the berm and the integrity of the lake. He is looking into piers or a frost wall for a foundation, and is leaning toward a frost wall. The boathouse will probably have no windows except perhaps one in one of the doors, nor will it have plumbing or electricity.

### **Findings:**

#### **2.7 Shoreland Protection District**

A boathouse is a conditional use in the Shoreland Protection district. The setback from all lot lines is more than the required 20 feet.

#### **3.9 Protection of Water Resources**

#2 The vegetation along the lake will remain as is; untouched except for normal maintenance. No trees will be cut in the vegetation buffer of the lake.

#4 The boathouse, with conditions as approved, will not cut into or disturb the natural berm.

#### **5.4 Conditional Uses**

B) Building the planned 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 boathouse meets the setbacks from the side and back lot lines.
2. A boathouse is allowed in the Shoreland Protection District with a conditional use permit.
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 structure adheres to the conditional uses allowed in the Shoreland Protection District.
7. The boathouse will not affect the noise or create air pollution in the area.

**1. 8.8 B #3 New Uses and Encroachments within the Buffer Zone**

- a) As approved, the boathouse will be behind the natural berm.
  - i The boathouse will be built behind the high water mark.
  - ii No trees will be cut.
  - iii Provisions must be made for adequate control of stormwater runoff.
- b) There will be no plumbing in the boathouse.
- c) The boathouse will be less than 400 square feet
- d) The boathouse will be less than 15 feet high.
- e) This will be the only boathouse on the lot.
- f) There will be no decks, porches or other appendages on the boathouse.
- g) A conditional use permit is part of this application.
- h) The planned boathouse will only be used for storing boats and boating supplies.

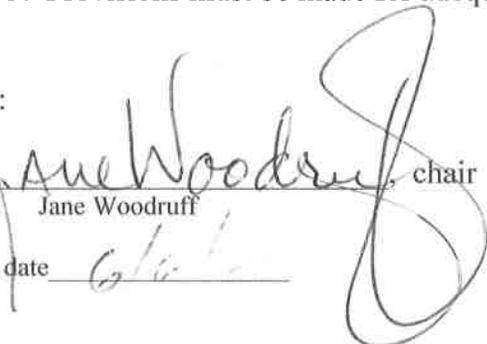
**Decision and Conditions**

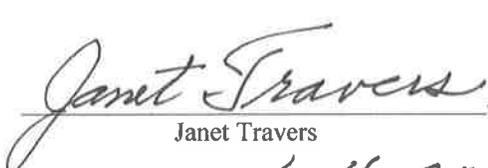
Based upon these findings, and subject to the conditions set forth below, the Development Review Board voted unanimously (6 – 0) to approve the conditional use application for the boathouse.

The planned boathouse, when moved back 6 or more feet, complies with all criteria in the Greensboro By-law.

**This approval is subject to the following conditions:**

1. The building must be at least 6 feet further from the lake as measured from the present front marking pins. Placing the building 6 feet further from the lake will put it behind the natural berm.
2. Prior to construction, the setback must be verified by the Zoning Administrator.
3. Provisions must be made for adequate control of stormwater runoff from the roof.

Signed:  chair  
Jane Woodruff  
date 6-4-2014

 clerk  
Janet Travers  
date 6-4-2014

**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.