

Variance Hearing
Town of Greensboro
Mitchell Associates (Beverly Corbett)
October 4, 2012

To consider a request by Beverly Corbett for Mitchell Associates for two variances from the setback requirements so they can subdivide the property at 20 Sprague Rd. into three parcels.

This plan requires review under the following regulations: 2.5 Lakeshore District, 5.1 D #2 subdivisions; and 5.5 Variances

Warnings were posted at the Town Hall, the Greensboro Post Office and the Greensboro Bend Post Office on September 14, 2012. It was published in the Wednesday, September 19, 2012, Hardwick Gazette. On September 14, 2012, the warning was sent to the applicants, Beverly Corbett, Joan Watrous, and Lucy Mitchell; and the following abutters: Thomas Howell, et al; Lynn Daudon Jenness; Richard and Jacqueline Lovett; Walter and Jane Gardner; Joanna Beresford; and Maureen Mitchell.

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

Others present: Beverly and William Corbett, Joan Watrous, Doug Schuneman, Ted Donovan, Valdine Hall, Paul Brierre and Kristen Leahy, zoning administrator

Oath: administered to those present

During the course of the hearing the following exhibits were submitted to the Zoning Board of Adjustment:

1. A map of the property marked with the approximate place to which the pottery shed will be moved.
2. A letter from abutter, Thomas Howell.

These exhibits are available at the Greensboro Town Clerk's office

Summary of Discussion

The hearing was opened at 7:04 PM. The board went into deliberative session at 7:34 and came back into public session to announce their decision at 7:55.

The oath was given to those present and Ms. Woodruff stated that the hearing was semi judicial and explained the procedure for the hearing. A letter from abutter Thomas Howell was read. (exhibit #2) In it he stated that he would have no objection to the subdivision as proposed.

Mr. Schuneman, owner with his wife, of proposed parcel 3, began the hearing by saying he plans to move the pottery shed, which is on the proposed lot line between parcel 2 and parcel 3, closer to the house in parcel 3. This move would make the shed meet all setback requirements. He then marked the map showing the proposed subdivisions with the approximate placement of the shed. (Exhibit #1) He added that the walkway between parcels 1 and 2 was historic and created a nice view from the lake enjoyed by many.

Ms. Corbett then explained that they would like to divide the original houses and land into three parcels. Her parcel, labeled parcel 1, would include four small cottages all connected by a long walkway that goes on to the cottage in proposed parcel 2. She said the walkway was designed and built by her grandmother and asked that it be allowed to remain in order to maintain the integrity of the original design. Later, Ms. Corbett asked if the shed had to be moved before the land could be subdivided. She was told that if the variance were granted, Mr. Schuneman would have one year to move the shed.

Ms. Watrous, owner of proposed parcel 2, then explained that that parcel had part of the walkway in question. She asked that it be kept since it was such a beautiful place and the walkway was a special part of that beauty.

Mr. Corbett added that the walkway had been there for a long time and nothing would be gained by its removal. It doesn't inconvenience anyone now and will not in the future.

Ms. Woodruff asked each of the owners of proposed parcels 1 and 2 if they had any objections to the walkway being within their twenty foot setback. They both answered, no.

Ms. Woodruff then asked the owner of parcel 3 if he or his wife had any objections to the subdivision of the original property, including the walkway in question. He also answered, no.

Mr. Brierre, an abutter, suggested that the division of the lots through the walkway could be thought of as being the minimum required since the division could have been drawn closer to the houses on the parcels. He added that no one in his family would like to see the walkway demolished.

Ms. Hall spoke in favor of the walkway remaining because of its history in the lake community. Things in the lake community are changing and this is a change that is also trying to preserve the past and she feels we should honor that.

Findings

Based on the application, testimony, exhibits, and other evidence the Zoning Board of Adjustment makes the following findings:

1. There are unique and historical conditions peculiar to the property.
2. Because of these unique conditions, the authorization of a variance is necessary to enable the reasonable development of the property.
3. Unnecessary hardship has not been created by the applicant. The walkway has been there for almost 100 years.
4. The variance will maintain and enhance the character of the neighborhood in which the property is located.
5. The variance, if authorized, will represent the minimum that will afford relief and will represent the least deviation possible from the bylaws and town plan.

Decision and Conditions

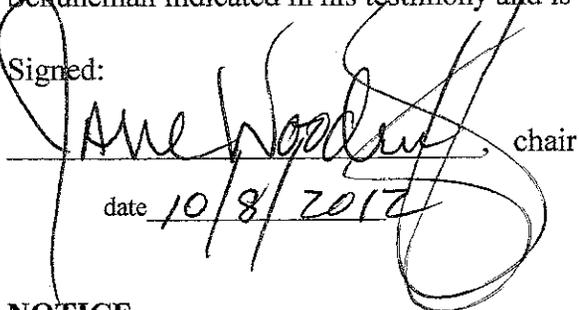
Based upon these findings, (and subject to the conditions set forth below), the Zoning Board of Adjustment unanimously voted to grant this variance.

The walkway is historic and its continued existence will uphold the essential character of the area.

This approval is subject to the following condition:

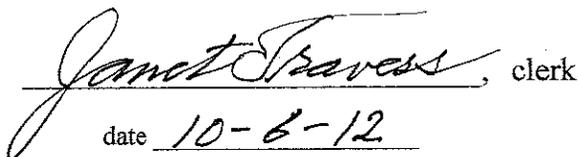
The pottery shed located on the proposed lot line between parcels 2 and 3 must be moved as Mr. Sekuneman indicated in his testimony and is shown in exhibit #1.

Signed:



date 10/8/2012

chair



date 10-6-12

clerk

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.