

Naomi Ranz-Schleifer  
491 Country Club Road  
Greensboro, VT 05841  
c. 802.535.8090

Re: 83 Breezy Ave. Greensboro, VT

May 18, 2017

To the Greensboro Development Review Board,

I am writing to appeal the determination issued by Greensboro's Zoning Administrator, Audrey DeProspero, that 83 Breezy Avenue "no longer fits within the definition of a "public building" under the zoning regulations since this property is no longer owned by a public entity nor is it serving a public need such as the provision of services" with her explanations provided as follows:

1. 83 Breezy Ave does not qualify as a Public Building because it is owned by a private citizen and no longer by a public entity.
  2. 83 Breezy Ave no longer serves the public need as a firehouse and therefore does not retain its permitted status as a Public Building.
  3. Events are not permitted at Public Buildings and a suggestion of a donation for activities on the premises constitutes commercial activity and is not permitted at Public Buildings.
- (1) The definition of a "Public Building" in the Greensboro Zoning bylaws does not include a statement or qualification of ownership. The bylaws simply state "Public Building: buildings of an institutional nature and serving a public need, such as houses of worship; hospitals; schools; libraries; museums; post offices; police, rescue, and fire stations; and public utilities and services." Furthermore, the Zoning Review that was conducted of 83 Breezy Ave. by our former Zoning Administrator, Kristen Leahy, and was presented to the Town prior to my purchasing of the building explicitly states that the firehouse building "could continue to be a Public Building." Being owned by a private citizen does not prohibit the building on 83 Breezy Avenue from being designated as a Public Building. For example, the Greensboro Post Office (a Public Building) is located on property owned by a private citizen.
- (2) While 83 Breezy Avenue no longer serves as the Town's firehouse, this does not prohibit it from continuing to serve a public need as a Public Building in a different capacity. The Zoning Review of 83 Breezy Ave. states that "the conversion of this Public Building to a new Public Building would not require a conditional use permit if the conversion occurred within two years of the Fire Department departure." I have continued to use 83 Breezy Ave. as a Public Building as the Firehouse Museum, which exhibits contemporary art and culture. As a result, no change of use has occurred that alters the permit category.

(3) Having an event or having a suggested donation does not prohibit 83 Breezy Ave from being designated a Public Building. The Library, Church, and Historical Society all have events and activities, and ask for suggested donations. In some instances, these buildings even allow for the sale of goods or services. Tickets have been sold to various events at the Church (including concerts) and the Post Office conducts business on a regular basis. Having an event or hosting activities with suggested donations or fees does not prohibit 83 Breezy Ave from remaining a Public Building.

I ask that you review my appeal and consider that 83 Breezy Ave is still permitted as a Public Building as the Firehouse Museum.

Sincerely,

A handwritten signature in black ink, appearing to read 'Naomi Ranz-Schleifer', written in a cursive style.

Naomi Ranz-Schleifer

Attached Documents:

Notice stating that 83 Breezy Avenue is not permitted to host public events (March 15)  
Email from Audrey DeProspero Regarding 83 Breezy Ave (May 5, 2017)  
Request for Review and Explanation of Determination (May 8, 2017)  
Notice of Violation Regarding 83 Breezy Ave (May 10, 2017)  
Zoning Review of 83 Breezy Ave conducted by Former Zoning Administrator, Kristen Leahy

# TOWN OF GREENSBORO

PO Box 119  
81 Laundon Ave  
Greensboro VT 05841

May 10, 2017

Ms. Naomi Ranz-Schleifer  
491 Country Club Road  
Greensboro VT 05841

RE: 83 Breezy Avenue

Dear Ms. Ranz-Schleifer:

As the owner of the above referenced property, you are hereby notified that you are in alleged violation of Greensboro Zoning Bylaw

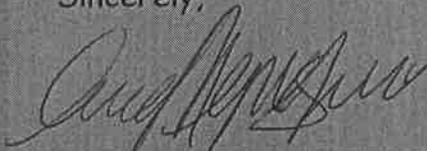
**2.3 Greensboro Village District, (D) Conditional Use** (Conditional Use: A use which is permitted in a given zoning district only after a hearing and decision before the Development Review Board in which particular conditions are set for the planned use. This Bylaw contains a list of conditional uses for each zoning district. See §5.4 of this Bylaw), **3. Club, private or camp** (Club, Private or Camp: A corporation, organization, or association or group of individuals existing for fraternal, social, recreational, or educational purposes, for cultural enrichment or to further the purposes of agriculture, which owns, occupies, or uses certain specified premises, which is not organized or operated for profit, and the benefits of which are available primarily to members only).

The violation exists as follows: Two parties (Music & People = Dance Party) at 83 Breezy Avenue (2/4/17 and 5/5/17) which has not applied for a zoning permit (Application for Condition Use/Variance). Please refer back to previous emails for details.

You should be aware that further action may be taken.

Please feel free to contact me should you have any questions and/or time to set up a meeting.

Sincerely,



Audrey DeProspero  
Greensboro Zoning Administrator

cc: file

## Re: 83 Breezy Avenue

Naomi Ranz-Schleifer <nranzschleifer@gmail.com>  
To: Audrey DeProspero <zoning@greensborovt.org>

Mon, May 8, 2017 at 11:18 AM

Hi Audrey,

I would like to formally request that you conduct a zoning review of 83 Breezy Ave. and give me a written explanation as to your determination that "this property no longer fits within the definition of a "public building" under the zoning regulations since this property is no longer owned by a public entity nor is it serving a public need such as the provision of services."

Regards,  
Naomi

Greensboro Zoning Bylaws definition of a

**Public Building:** buildings of an institutional nature and serving a public need, such as houses of worship; hospitals; schools; libraries; museums; post offices; police, rescue, and fire stations; and public utilities and services

83 Breezy Avenue is no long a town owned entity. It is no longer a fire station or fire house that housed fire apparatus owned by the Town of Greensboro which was used for

**Essential Service:** A service required for public health or safety. These may include but are not necessarily limited to: Electricity, fire protection, sewage treatment, public water supply, solid waste disposal

83 Breezy Avenue was sold to a private citizen. The building is no longer part of the other town owned buildings.

83 Breezy Avenue needs to have a Zoning Permit completed (Application for Conditional Use/Variance)

83 Breezy Avenue has a suggested donation request of \$10 which may or may not fall under the following but I strongly suggest that you complete an Application for Conditional Use/Variance so the permit process can begin.

**Permitted use:** A use for which a permit may be obtained from the Administrative Officer provided that all setbacks and regulations for the district are met. A list of permitted uses for each district is given in the section dealing with that district.

**Club, Private or Camp:** A corporation, organization, or association or group of individuals existing for fraternal, social, recreational, or educational purposes, for cultural enrichment or to further the purposes of agriculture, which owns, occupies, or uses certain specified premises, which is not organized or operated for profit, and the benefits of which are available primarily to members only.

**Commercial Use:** Any activity involving the sale of goods or services carried out for profit.

**Conditional Use:** A use which is permitted in a given zoning district only after a hearing and decision before the Development Review Board in which particular conditions are set for the planned use. This Bylaw contains a list of conditional uses for each zoning district. See §5.4 of this Bylaw.

---

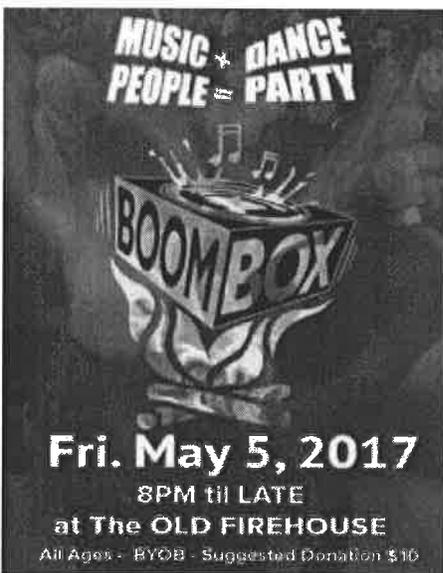
**Re: 83 Breezy Avenue**

---

Audrey DeProspero <zoning@greensborovt.org>  
To: Naomi Ranz-Schleifer <nranzschleifer@gmail.com>

Fri, May 5, 2017 at 4:39 PM

Naomi, it has been brought to my attention that another event will be taking place at the building located on 83 Breezy Avenue that you own. The use of this property for events where admission is charged requires a permit and the use of the property as a museum requires a permit. It has been determined that this property no longer fits within the definition of a "public building" under the zoning regulations since this property is no longer owned by a public entity nor is it serving a public need such as the provision of services. Your use of the property is in violation of the town zoning regulations and you must apply for a zoning permit so as to bring the property into compliance within 3 business days (Wednesday, May 10, 2017) or enforcement action will need to be initiated. Your current use may fit within the definition of a "private club" (Club, Private or Camp: A corporation, organization, or association or group of individuals existing for fraternal, social, recreational, or educational purposes, for cultural enrichment or to further the purposes of agriculture, which owns, occupies, or uses certain specified premises, which is not organized or operated for profit, and the benefits of which are available primarily to members only) if it is in fact a non-profit venture, otherwise, "commercial uses." These are both possible uses that might be permitted. I look forward to hearing from you and working with you throughout your permit process.

**Next Party: CINCO DE MAYO!!!****Friday, May 5, 2017****The OLD FIREHOUSE – 83 Breezy Ave. Greensboro**

Featuring:  
DJVU  
Electrónica  
Muchos Banditos  
and other special guests!

Music Starts at 8 PM

Suggested Donation: \$10, BYOB

[Quoted text hidden]

# TOWN OF GREENSBORO

PO Box 119  
81 Laundon Ave  
Greensboro VT 05841

March 15, 2017

Naomi Ranz Schleifer  
491 Country Club Road  
Greensboro, VT 05841

Dear Ms. Ranz Schleifer:

I am writing to let you know that it has been brought to the Greensboro Zoning Office attention that a public event took place at the Old Fire House located on 83 Breezy Avenue on Saturday, February 8, 2017. This location is not permitted for public activities such as a musical event and/or dance party. Please cease any future plans for such until you have been permitted to do so. In order for such to become a permitted use, a Zoning Application will need to be completed. I have enclosed an application for your convenience for Conditional Use.

Sincerely,



Audrey DeProspero  
Greensboro Zoning Administrator

cc: file

Enclosure: Conditional Use Permit

Zoning Evaluation of the Former Fire Station  
From the Greensboro Zoning Administrator  
June 19, 2014

*The following is not an endorsement of any particular available option for the Former Fire Station property, nor is it a legal opinion. This is a zoning evaluation for a non-conforming parcel of land with a non-conforming structure on site. These answers are to the best of my knowledge as the Greensboro Zoning Administrator, Kristen Leahy.*

*All page and section references are derived from the Greensboro Zoning Bylaw.*

The Former Fire Station parcel is a non-conforming parcel in the Greensboro Village District. If this parcel were bare land, development would be prohibited. (See page 19, Section 3.5, C1 – in order to be developed, lots must have more than one – eighth of an acre in area).

However, there is a Non-conforming structure on this particular lot. The Former Fire Station is a Public Building, which is allowed in the Greensboro Village District by Conditional Use in our Zoning Bylaw. A Public Building is defined as “buildings of an institutional nature and serving a public need, such as houses of worship; hospitals; schools, libraries; museums; post offices; police; rescue and fire stations; and public utilities and services.” (Page 80). The structure is Non-conforming (“any legal structure which is not in compliance with the provisions of this Bylaw concerning setback ....” Page 20, Section 3.8). The Non-Conformity is due to the inadequate setbacks from the parcel lines and because of the size of the lot.

The use of the structure, as a Public Building and as it is currently configured, could continue indefinitely without permission of the Greensboro Development Review Board (DRB). The structure could also be restored or renovated, as a Public Building, with a conditional use permit from the DRB (Section 3.8, page 20).

The most pressing issue or problem in converting this building to another permitted use would be the lack of a wastewater system. There is currently only one 2” water line with a garden hose attachment to the property and a drain inside the structure which accesses the exterior. No pre-existing system is in place. A wastewater system permit must be issued by the State of Vermont prior to the issuance of a building permit. (Page 34, Section 5.1). Furthermore, according to John Mackin from Greensboro Fire District #1, the Fire District intends to shut the water off at the road when the fire department has completely moved out of the Former Fire Station building. Mr. Mackin acknowledges that there is a water line to the building but, he also states that the GFD #1 has a policy that they do not provide water to a property unless there is a wastewater system in place at that property.

Most permitted and conditional uses of the structure would need a wastewater system. An Accessory Use or Structure does not require a wastewater system to be in place. However, our zoning definition of an Accessory Use or Structure is as follows “a building or use customarily incidental and subordinate to a principal building or use **on the same lot, or on an adjoining lot**

**under the same ownership.”** (Page 72, emphasis added). Conversion of the Former Fire Station to an Accessory Structure would be permitted to an adjoining neighbor – Anastasio, Vermont Land Trust, and the Housing Foundation, Inc. A variance would need to be sought from the DRB to allow the use of the building as an Accessory Structure for any other owner who does not adjoin the parcel.

The conversion of this Public Building to a new Public Building would not require a conditional use permit if the conversion occurred within two years of the Fire Department departure. Furthermore, if the proposed project from the Town of Greensboro did need to seek approval from the Greensboro DRB, then Section 3.6 – Limitations on Municipal Bylaws – would be invoked. In particular, this section states that aspects of the project may only be reviewed “...to the extent that these regulations do not have the effect of interfering with the intended functional use.” (Page 19).

What can be done with this lot? Potential projects. (Not a full list)

- The building could be torn down and the parcel could be utilized for seasonal camping; RV placement for up to six weeks; temporary structures (up to six months); a parking lot; agricultural endeavors; or a sign placement. (In general, zoning permits would not be required in these instances).
- The building could continue to be a Public Building.
- The building could become a permitted Accessory Structure for an adjoining owner.
- The building could become an Accessory Structure for a non-adjoining owner with a variance permit from the DRB.
- The building could become a Non-conforming single –family or two-family dwelling if a wastewater system permit was obtained from the State of Vermont. The footprint could also be utilized if a conditional use permit was also granted by the DRB.
- Most conditional uses would be possible if approval was received from the DRB and a wastewater system permit was obtained from the State of Vermont. The exception would be Commercial Use or Home Businesses which are required to provide off-street parking. The approval of such projects would be questionable at best.