

Conditional Use Hearing
Marian Wright & Greg Boester
January 29, 2018

To consider a conditional use request by Marian Wright and Greg Boester to renovate an accessory structure within the setback on their property at 151 Birch Lane.

The application requires a review under the following sections of the Greensboro Zoning By-Law: 2.7 Shoreland Protection District; and 5.4 Conditional Uses, 8.8 New Uses and Encroachments within the Shoreland Buffer Resource Zone, 8.9 Nonconforming Uses and Structures within the Shoreland Resource Zone and 8.10 New Uses and Encroachments within the Shoreland Protection District.

Warnings were posted on January 8, 2018 at the Greensboro Town Hall, the Greensboro Post Office, the Greensboro Bend Post Office, and Willey's and Smith's Stores. The warning was sent to the applicant and the following abutters and neighboring property owners: Phil Patterson; Day Patterson; and Gwenn Mann on January 8, 2018. It was published in the Hardwick Gazette on Wednesday, January 10, 2018.

Development Review Board members present: MacNeil, Linda Romans, Nat Smith, Jane Woodruff, Lee Wright, Wayne Young, BJ Gray (alternate), and Janet Travers (alternate).

Development Review Board members absent: none

Others present: Marian Wright, applicant; Milford Cushman, architect; and Audrey DeProspero, Zoning Administrator.

Correspondence from interested persons:

Email from Philip Patterson and Janet Showers

Email from Gwen and Tod Mann

Email from Philip Patterson

During the course of the hearing the following exhibits were submitted:

#1 email letter from Day and Janet Patterson

#2 email letter from Gwen and Tod Mann

#3 email letter from Philip Patterson

#4 progress photographs of the present and proposed structure in the landscape

Summary of Discussion

Ms. Woodruff, chair, began the hearing at 7:06 PM. She noted the hearing was quasi-judicial, explained the procedure for the hearing, and asked the clerk to swear in all those who wished to speak at the hearing. Ms. Woodruff told Mr. Cushman and Ms. Wright that Day and Janet Patterson called her personally at home. She said she didn't believe she was influenced by that call and that all information they shared with her was in the email they sent (exhibit #1). However, she offered to recuse herself if Ms. Wright or Mr. Cushman thought she had been influenced by that call. Neither Ms. Wright nor Mr. Cushman had a problem with her continuing as a member of the Board for this hearing.

Ms. Woodruff then asked Mr. Cushman to explain the project that was proposed on the property at 151 Birch Lane. Mr. Cushman said they tried to approach the project with sensitivity in accord with Greensboro's Bylaws. They see the structure as an accessory building, not a boathouse because the bylaws define a boathouse only as a place for the storage of boats. The reconstruction will be done on exactly the same footprint as the present structure as dictated by the bylaws. Mr. Cushman showed the

site plan of the buildings on the lot which included the 2336 square feet main camp, a single story shed on the northwest side and this structure on the lakeshore in the east. Then he showed record drawings of the present structure which is within about a foot of the lakeshore and the elevation drawings of the proposed building which has 602 square feet of habitable space. (not including the basement area) The proposal is to completely tear down the present structure, including the foundation which is deteriorating. The new cement foundation would have a cement floor set on a gravel pad to allow water to drain under it and insulation beneath the slab so it less likely to heave. The first floor would be an open room with stairs to the second floor which would be an open room with a bathroom containing a toilet, sink and a tub/shower. There will be no kitchen in the building. The lower level would be a playroom for their children and the upper level would be Ms. Wright's studio. The present structure is served by a septic tank which would be retained. The tank is 38 feet from the lake and is connected to a seepage tank that allows the effluent to seep out. The State says that if the septic system fails, the "best case fix" would be to replace the seepage tank with a solid tank which would be pumped out periodically. The well is on the other side of the lot and uphill from the septic tank.

The plan is to begin construction in midwinter 2018 – 1029. Mr. Cushman feels that winter is a good time for construction in sensitive areas because the ground is frozen and the environment would not be disturbed as much. Also, the construction noise would not disturb the neighbors since the area is only populated in the summer. There will be a silt fence around the whole construction site and a diaper in the lake to catch any materials eroded during construction. They have worked out details so the project will not intrude on the Day Patterson's land. The building would have a shed roof which Mr. Cushman feels would be less noticeable than a gable roof. The color and exterior materials would be the same as the existing camp. On the northeast side the roof would be 6½ feet taller than the existing ridge line and 8 feet taller on the lakeshore side. After paddling around the lake this summer, Mr. Cushman stated he saw other tall buildings and buildings with shed roofs around Caspian Lake.

Mr. Cushman then showed us landscape photographs (exhibit #4) of the shoreline with the present buildings. In a second photo he photo-shopped the proposed building into the photograph of the shoreline to show how the building would blend into the lakeshore landscape. They will put a rain garden in the lawn as a mitigation measure. Mr. Cushman then displayed a parking plan he had prepared which would have off-road parking for four or maybe five cars.

Ms. Woodruff suggested the Board might consider postponing their decision until summer so the summer community could have an opportunity to air their concerns. However, it is the applicant's right to have the decision made at the present time. She left the decision up to them. Ms. Wright and Mr. Cushman asked to have the decision at the present time so they would have time to obtain the construction company and equipment and work out the details required for the project.

The hearing ended at 8:27. The Board went into deliberative session at 8:32. At 9:00 they came back into public session to announce that the deliberative session would be continued until 6:00 PM on Thursday, February 8, 2018 so they would have time to do some research.

Signed:


_____, vice chair
Nat Smith

date 2-21-18


_____, clerk
Janet Travers

date 2-21-18