

Conditional Use Hearing  
Vermont Chapter of the Nature Conservancy  
May 21, 2020

*To consider a conditional use request by the Vermont Chapter of the Nature Conservancy to erect a Kiosk and sign on their property at 1521 Barr Hill Road.*

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

**Warnings** were posted on May 4, 2020 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: Mark & Mary McGrath, Michael & Anne Cassidy, Nancy Keyes, Richard Olds, Scott Mann, Ellen Gray, William and Patricia Alley, Highland Lodge, Jeffrey & Frances Bennett, Andrea Perham, Mary White, and Karl & Julie Nocka on May 4, 2020. It was published in the Hardwick Gazette on Wednesday, May 6, 2020.

**Development Review Board members present:** MacNeil, Nat Smith, Jane Woodruff, Lee Wright, Wayne Young, Janet Travers (alternate) and Mike Metcalf (alternate)

**Development Review Board members absent:** BJ Gray

**Others present:** Lynn McNamara, representative for the Nature Conservancy; Glenn Olds, abutter, Mary White, abutter, and Linda Romans, interim zoning administrator

**Correspondence from interested persons:**

Email from Patricia Alley, abutter

**The hearing was conducted by electronic communication (ZOOM).**

### **Summary of Discussion**

Ms. Woodruff, chair, began the hearing at 7:03 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 then asked Ms. McNamara, to explain what the Nature Conservancy wants to do on their property at 1521 Barr Hill Road. Ms. McNamara stated that the Nature Conservancy would like to install an informational kiosk on the Southwest corner of the parking lot, perpendicular to the road, and not readily visible from the road. There was some confusion about the permit applications, but the kiosk is the sign. It is one structure with three panels. It will have a trail map, information about Barr Hill, and information about the Conservancy. They want to erect the kiosk because the present system of brochures kept in a box is not working. They have trouble keeping the brochures stocked and they tend to get wet and be eaten by mice. This would be a more permanent way to present information about the area and the Nature Conservancy. The kiosk will have two 6 in. x 6 in. cedar posts, the total height will be 84 in. (7 ft.), and the total width will be 108 in. (9 ft.). Each of the three panels will be 30 in. by 40 in. and made of a kind of PVC material.

Ms. Woodruff then asked if there were any questions from the parties present or the Board. Mr. Olds, whose adjoining property is directly impacted by the Barr Hill nature preserve, said they had no objections to the project, but would like the Nature Conservancy to inform people on their sign that there is private property down the road. People often park on their access road, blocking the way to their house and at times have taken firewood from their porch. Ms. McNamara offered to email them what will be on the sign and offered to put signs on the road informing people of the private drive and property. Ms. White asked that the sign inform people of a clear etiquette and respect for the private lands that surround the Nature Preserve as well as the Preserve itself.

It was asked if the Nature Conservancy had taken into consideration and discussed the fact that the sign was excessively large, especially in a natural area. Ms. McNamara said the Conservancy did take that into consideration and settled upon the smaller version of their kiosk. They feel they can't make it any smaller and still portray the information they are trying to convey since the font must be a certain size to adhere to ADA regulations.

The hearing ended at 7:45. The Board went into deliberative session at 7:46 and came back into public session to announce their decision at 8:35.

## Findings of Fact:

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

### 2.5 Rural Lands District

Signs up to 6 square feet are a permitted use. Signs larger than 6 square feet must have a conditional use permit. The kiosk conforms to all the dimensional standards listed in the by-laws.

### 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. **No effect**
2. the character of the area. **The size of the kiosk is not sensitive to the area. It would be out of character with the natural area.**
3. traffic in the vicinity. **No effect**
4. by-laws and ordinances presently in effect. **No effect**
5. the utilization of renewable energy resources. **No effect**

#### C) Specific Standards:

1. The lot must meet the minimum size required for the district unless other standards are given for conditional use lot size in the district. **The lot meets the size requirements.**
2. Setbacks will be the same as for other permitted uses unless other standards are given for conditional use setbacks in the district. **All setbacks are met.**
3. Fencing/ landscaping may be required for commercial and industrial uses to provide screening if the Board deems it necessary to protect the character of the area. **Not applicable**
4. Exterior signs shall not be internally lit and must be compatible in size, materials and workmanship to the area in which they are located. **It is not compatible in size to the area in which it is proposed.**
5. The proposed structure is compatible with other structures in the area. **The proposed Kiosk would not be compatible with the open, natural area.**
6. The proposed structure adheres to the uses allowed in the relevant district. **Signs up to 6 sq. ft. are permitted in the Rural Lands District.**
7. The proposed structure will not affect the noise or air pollution in the area. **No effect**

## Decision and Conditions

Based upon these findings, the Development Review Board voted unanimously (7 – 0) to deny the application. (Alternates vote in the absence of Board members.)

A six square foot sign may be erected with a permit from the zoning administrator.

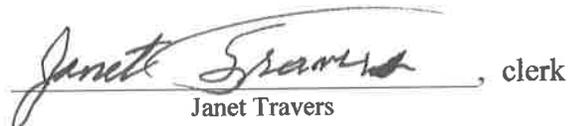
Signed:

 chair

Jane Woodruff

date

5/24/2020

 clerk

Janet Travers

date

5-23-20

## 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.