

APPLICATION FOR CONDITIONAL USE PERMIT/VARIANCE  
FOR RECONSTRUCTION OR RELOCATION OF  
NONCONFORMING STRUCTURES  
IN THE SHORELAND PROTECTION DISTRICT

Lyn Norris-Baker & Frank Baker  
Property Owners  
Corbin Norris-Baker Revocable Trust

## Application

- Includes 2 different construction projects
  - Constructing a one-story garage near the location of a former garage on the property. This structure will be within the boundaries of all property setbacks.
  - Renovation and expansion of the outdated kitchen that is inadequately sized for a 4 bedroom camp, con current with re-roofing the camp and replacing the kitchen roof windows.

## Some Mitigation Resources Used

- *Vermont Lake Protection Series #3* March 2012
- *Native Vegetation for Lakeshores, Streamsides, and Wetland Buffers*. Vermont Department of Environmental Conservation, 1994
- *The Vermont Tree Selection Guide* published by Vermont Urban and Community Forestry Program in partnership with the University of Vermont Extension
- Lady Bird Johnson Wildflower Center  
<https://www.wildflower.org/>

## A Brief Step Back in Time

- Our current camp was constructed by the Smiths, a Chiropractor and his wife from Barre, in 1926.
- It was sited on the property prior to zoning requirements in Greensboro, and had 3 accessory structures.



## A Brief Step Back in Time

- The Norris family purchased the camp in 1956. Between 1956 and 1975, my parents removed all three accessory structures.
  - In 1957, they deconstructed a lean-to woodshed
  - A larger, sturdier woodshed had been built simultaneously with the camp in 1926.
  - It was used to store firewood, garden tools and equipment, etc. was a favorite hotel for local bats.



## A Brief Step Back in Time

- The largest accessory structure was a 2-story barn-style garage approximately 22x22 feet (almost 2,000 square feet).
- The site of this garage overlaps the 150 foot lake setback requirement.
- This garage succumbed to snow load /caretaker neglect in 1972.
- Prior to its destruction, this structure was used as
  - A two car garage and storage area
  - A recreational space on the second floor.
- The foundation of the building still exists under the current parking area.



## A Brief Step Back in Time

- In 1975-6, the Norrises remodeled and expanded the camp, extending the footprint on all four sides.
- The renovation enabled them to enjoy the camp during the spring and fall "shoulder" months.

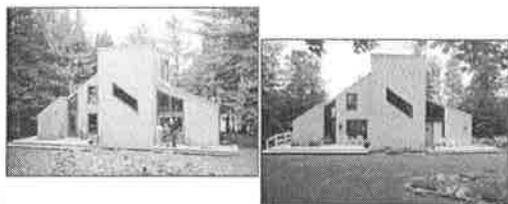


## A Brief Step Back in Time

- The 2-story seasonal structure currently has
  - 1 bedroom and 3/4 bath on the 1st floor
  - 3 bedrooms and 1 full bath on the 2nd floor
  - 1 kitchen with double sink, dishwasher, range and refrigerator freezer.
- The current design reflects this 1970's remodeling featuring
  - Vertical and diagonal wood siding
  - Expansive windows and sliding glass doors.
- Baseboard electric heat in the downstairs bedroom, bath, and living room allow use between May 15-October 15 when the town water is available.

## A Brief Step Back in Time

- We inherited the camp in 1999 after the death of Lyn's mother in 1998.
- No structural changes (other than repairs from falling trees, etc.), were made to the camp from 1998 to the present.



## Proposed One-Story Garage

- The area of the property within the lake, road, and adjacent property setbacks offers very limited building sites due to topography.
- The most buildable site with least impact partially overlaps the location of the former garage.
- The maximum building width possible there is approximately 15-16 feet due to the lake and road setbacks.



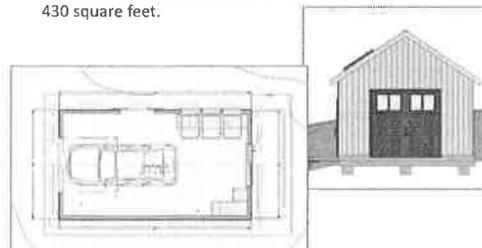
## Proposed One-Story Garage

- Several years ago Hardwick Electric removed all the mature trees under the power line that parallels Black's Point Road and the power line that leads to the Day accessory building.
- These trees had helped screen the area of the property between the parking area and road and along the Day property line.



## Proposed One-Story Garage

- The one-story structure with gable roof will be approximately 15' 4" by 28', with a height of 15' or an area of approximately 430 square feet.



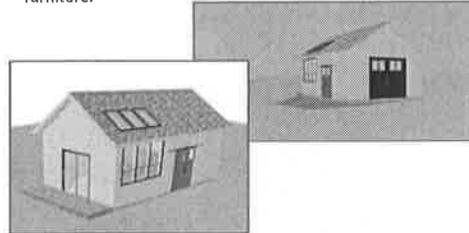
### Proposed One-Story Garage

- It will be built on slab and its design will incorporate siding, roof, and windows similar to those of the camp.
- It will have electrical service, but no plumbing or heating.



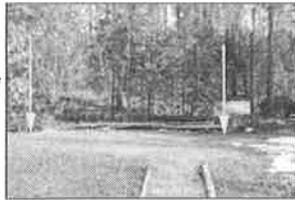
### Proposed One-Story Garage

- In addition to providing for vehicle and outdoor equipment storage, it will allow safe winter storage for boats and outdoor furniture.



### Proposed One-Story Garage

- The building's height is mostly below grade of Black's Point Road.
- Constructing the new garage will require the removal of
  - 1 mature maple
  - 1 mature cedar
  - 1 damaged birch
  - Some birch and maple saplings.



### Proposed One-Story Garage

- Approximately 175 square feet of the site for the new garage (nearest the lake) currently are paved with Staymat



- Mitigation for the remaining 255 feet will include the following:

### Proposed One-Story Garage

- Planting 1 Paper birch (*Betula papyrifera*) in area near the garage and parking area.
  - Mature height 50-75' Ariel Spread: 30' 2800 square feet
- Planting 6 dwarf panicle hydrangeas along the edge of the Staymat nearest the lake.
  - Although not a native species, they are recommended by the Vermont Forest Service as very adaptable, hardy plants with many varieties
  - Light requirements: Sun/Part Sun Height: 3-5' Spread: 3-5'
  - 6 Mature plants will cover approximately 90 square feet
- Planting approximately 8 smaller cultivars of Northern White Cedars (*Thuja occidentalis*) along the Day-Norris-Baker property line where Hardwick Electric removed all the trees.
  - 'Smaragd,' or 'Emerald' White Cedars have Mature Height: 15' Crown Spread: 4-5' (12.5 square feet per cedar)
  - A row of about 8 cedars will cover approximately 100 square feet.

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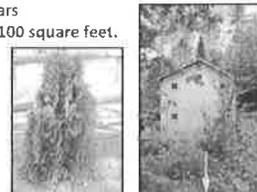
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## Conditional Use Criteria for Garage

- Minimum Lot Size**
  - Conditional Use for the garage is required because the 0.81 acre property does not meet the current minimum lot size.
- Setbacks**
  - The garage's location adheres to all setback distances and employs the property's topography to minimize visibility.

## Conditional Use Criteria for Garage

- Landscaping**
  - The garage location partially overlaps the current Staymat parking area (Staymat), requiring minimal changes to the driveway and parking area. It requires removal of very few mature trees.
  - Some mature birch and cedar on our property will remain to screen the garage from the road. As a result, the garage will be well concealed visually from the road when vegetation is leafed out, but less so when deciduous trees are bare.

## Conditional Use Criteria for Garage

- Landscaping**
  - The garage will be concealed from adjacent properties by the existing row of cedars planted along the property line with New England Estates, and by the mature hardwoods and softwoods along the border with the Day property.
  - The greatest visibility will be from the recently constructed 2-story structure on the Day property, to the tree removal under the power line to that structure.



## Conditional Use Criteria for Garage

- Exterior signs N/A**
- Structure's Location on Lot Compatible with Other Structures in Area**
  - The garage structure will be compatible with the character of Black's Point, with its primarily seasonal homes with accessory buildings of different styles.
- Noise, Air Pollution & Effects on Character of Neighborhood**
  - There will be no impact on existing traffic on the road or significant environmental impacts.

### Variance Criteria for Garage

- There is no possibility property can be developed in strict conformity with the regulations; a variance is necessary to enable the reasonable use of the property.
  - The garage will improve the property by reducing visibility and providing safer storage for a vehicle and outdoor equipment.
- The unnecessary hardship has not been created by the appellant
  - The property was obtained via inheritance in 1999.
  - The hardship was created several decades earlier by the loss of the previous garage on the property that was not rebuilt.
  - Had a replacement been constructed, in the 1970s, it would be far more visible than the proposed garage.

### Variance Criteria for Garage

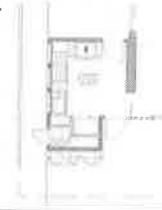
- The variance will not alter the essential character of the neighborhood / Impair appropriate use or development of adjacent property / reduce access to renewable energy resources / be detrimental to the public welfare.
  - The requested variance requires the least deviation possible from the current requirements.
  - The proposed structure will not
    - Alter the essential character of the area
    - Impair the appropriate use or development of adjacent properties
    - Reduce access to renewable energy resources
    - Be detrimental to the public welfare.

### Proposed Kitchen Remodeling

- The present 120 square foot kitchen is inadequately sized for a 4 bedroom camp designed to accommodate a multi-generational family.
- The need to replace the camp roof and kitchen roof windows lead to the decision to remodel the existing kitchen if possible at the same time.

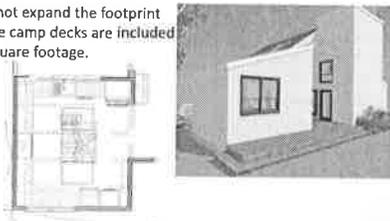
### Proposed Kitchen Remodeling

- Currently, the 120 square foot kitchen together a 16 square foot storage area
  - Have dysfunctional circulation patterns
  - The appliances are outdated and not energy efficient.
- It is not possible to address these inadequacies within the existing space configuration.



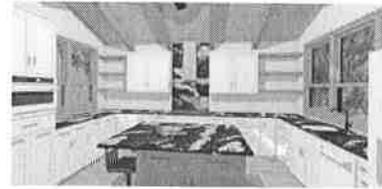
### Proposed Kitchen Remodeling

- The remodeled kitchen incorporates
  - Small existing storage closet within the building footprint
  - 2 small portions of the surrounding deck farthest away from the lake.
  - It does not expand the footprint when the camp decks are included in the square footage.



### Proposed Kitchen Remodeling

- The 14' by 15'-7" (233 square foot) space is designed to improve efficiency, functionality and storage.
- Minor modifications may be made to the interior kitchen design if warranted during construction without changing the proposed square footage or location of kitchen walls.



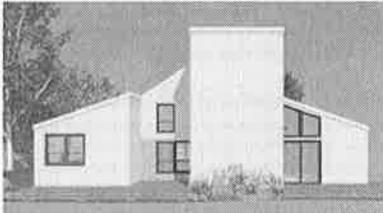
### Proposed Kitchen Remodeling

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### Proposed Kitchen Remodeling

- The modifications to the kitchen roof will increase the proximity of its runoff to native trees and shrubs rather than lawn.



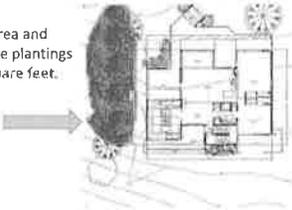
### Mitigation

- The kitchen renovation will not require the removal of any native vegetation or expansion of lawn area.
- The 3 U of M Norther Lights Azaleas (*Rhododendron*) currently planted between the rear kitchen wall and the deck will be transplanted to a more natural location nearer the lake.
  - 18 square feet



### Mitigation

- A path through the cluster of native trees, shrubs, and blackberry bushes will be planted with Mapleleaf Viburnum (*Viburnum acerifolium*) or a similar native shrub.
  - Mapleleaf Viburnum is a 3-6 foot native shrub that grows as an understory in woods with purplish fall foliage and fruits eaten by birds.
  - Reduces lawn area and expanding native plantings by about 64 square feet.



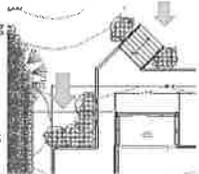
### Mitigation

- The cluster of native ferns bordering the lawn adjacent to the New England Estates property line will be expanded to incorporate a portion of the adjacent existing lawn (*Interrupted fern, Osmunda claytoniana*)
  - Reduces lawn and expands native plantings about 800 square feet.



### Mitigation

- A portion of lawn in front of the dining deck will be planted with
  - 4 native Invincebelle II Smooth Pink Hydrangeas (*Hydrangea arborescens*) Mature hydrangea plants are 3-4' high with a 3-4' spread.
  - Groundcover of Patridgeberry (*Mitchella repens L.*), an acid-loving woodland creeping perennial 2 inches or less in height.
  - Reduces lawn by 62 square feet
  - Two additional hydrangeas will be planted at the bottom of the steps down from the deck
    - Reduces lawn by 30 square feet



## Mitigation

- Lowbush Blueberry (*Vaccinium angustifolium*) groundcover will be planted along the edge of the lawn adjacent to the lake extending from the camp toward the New England Estates property line
- These ½ - 2 foot native plants have spring flowers, summer berries and scarlet fall foliage.
- Lowbush Blueberry Bushes will reduce the lawn by 146 square feet.



## Mitigation



## Conditional Use Criteria for Kitchen Remodeling

- **Minimum Lot Size**
  - The property does not meet the current minimum lot size (0.81 acres rather than 1 acre).
  - The location of the camp was determined in 1926.
  - The footprint was expanded in 1976 with additions to all four sides of the camp.
  - The remodeled kitchen will be located on a pier foundation within the existing bounds of the camp structure and attached decks.
- **Setbacks**
  - The camp falls within the 150 foot lake protection buffer zone.

## Conditional Use Criteria for Kitchen Remodeling

- **Landscaping**
  - The kitchen remodeling does not impact any trees and requires no changes to the landscaping surrounding the camp, the existing driveway, or gravel path.
  - The additional plantings added around the garage will improve views from the camp.
  - There will be no impact on the visibility of the camp from either adjacent properties.

## Conditional Use Criteria for Kitchen Remodeling

- **Exterior signs N/A**
- **Structure on Lot Compatible with Other Structures in Area**
  - The exterior elevations will use the same materials as the existing camp
    - Vertical and diagonal lap and gap cedar siding stained gray
    - Roof windows from the same manufacturer (Velux) with the enhanced options of solar operation and darkening shades to control solar gain appropriately.
    - Brown aluminum-clad wood windows from the same manufacturer (Pella)
    - Cedar trim stained brown around both the operable windows and fixed glazing.
  - This design will result in no noticeable change to the style of the 1976 era camp
  - The renovation will create more aesthetically balanced forms on the two sides of the southeast and northwest elevations facing the road and the lakeshore.

## Conditional Use Criteria for Kitchen Remodeling

- **Noise, Air Pollution & Effects on Character of Neighborhood**
  - There will be no impact on existing traffic on the road or significant environmental impacts.
  - The remodeling does not require a wastewater permit (see attached communication from Pete Kopsco, Permit Specialist, Environmental Assistance Office, Department of Environmental Conservation).
  - The 30 - 45 year old appliances will be replaced with current energy and water efficient ones.
  - Although not part of the kitchen remodeling, we also are updating the two bathrooms with new high efficiency 1.2 GPF toilets to reduce wastewater.

## Variance Criteria for Kitchen Remodeling

- **Unique physical circumstances or conditions peculiar to particular property create unnecessary hardship is due to these conditions.**
  - Although the property lacks 0.19 acres to meet the minimum property size, all other criteria, community and environmental impacts are in keeping with the ordinances for the area.
- **There is no possibility property can be developed in strict conformity with the regulations; a variance is necessary to enable the reasonable use of the property.**
  - The remodeled kitchen will improve the property by providing a more appropriately designed kitchen for use by a multigenerational family in the 21st century
  - By increasing the energy and water efficiency with new appliances.

## Variance Criteria for Kitchen Remodeling

- **The unnecessary hardship has not been created by the appellant**
  - The property was obtained via inheritance in 1999. The hardship exists because neither the camp location nor the area of the property can be changed to be less non-conforming.
- **The variance will not alter the essential character of the neighborhood / Impair appropriate use or development of adjacent property / reduce access to renewable energy resources / be detrimental to the public welfare.**
  - The requested variance requires the least deviation possible from the current requirements.
  - The proposed remodeling will not alter the essential character of the area, impair the appropriate use or development of adjacent properties, reduce access to renewable energy resources, or be detrimental to the public welfare

## Garage Mitigation Summary

- New Garage 430 square feet Total mitigation = 450 square feet
  - Approximately 175 square feet of the site for the new garage (nearest the lake) currently are paved with Staymat.
  - Mitigation for the remaining 255 feet will include the following:
    - Planting 6 dwarf panicle hydrangeas along the edge of the Staymat nearest the lake. 6 Mature plants will cover approximately 90 square feet
    - Planting approximately 8 smaller cultivars of Northern White Cedars (*Thuja occidentalis*) along the Day-Norris-Baker property line where Hardwick Electric removed all the trees. A row of about 8 cedars will cover approximately 100 square feet.
    - Planting 1 Paper birch (*Betula papyrifera*) in area near the garage and parking area. Crown Spread: 280 square feet

## Kitchen Mitigation Summary

- The present 136 square foot kitchen and storage area will be enlarged to 233 square feet increasing square footage by 93 square feet. Mitigation includes:
  - The modifications to the kitchen roof will increase the proximity of its runoff to native trees and shrubs rather than lawn. Square footage of mitigation undetermined.
  - The 3 U of M Norther Lights Azaleas (*Rhododendron*) currently planted between the rear kitchen wall and the deck will be transplanted to a more natural location nearer the lake. Mitigation = 18 square feet
  - A path through the cluster of native trees, shrubs, and blackberry bushes will be planted with Mapleleaf Viburnum (*Viburnum acerifolium*) or a similar native shrub. Reduces lawn area and expanding native plantings by about 64 square feet.

## Kitchen Mitigation Summary

- The cluster of native ferns bordering the lawn adjacent to the New England Estates property line will be expanded to incorporate a portion of the adjacent existing lawn (Interrupted fern, *Osmunda claytoniana*). Reduces lawn and expands native plantings about 800 square feet.
- A portion of lawn in front of the dining deck and by the deck stairs will be planted with 6 native Invincebelle II Smooth Pink Hydrangeas (*Hydrangea arborescens*) and groundcover of Patridgeberry (*Mitchella repens* L.) Reduces lawn by 92 square feet.
- Lowbush Blueberry (*Vaccinium angustifolium*) groundcover will be planted along the edge of the lawn adjacent to the lake extending from the camp toward the New England Estates property line. Bushes will reduce the lawn by 146 square feet.

## Kitchen Mitigation Summary

- The natural area between these Lowbush Blueberries and the lakeshore will be improved by planting wildflowers/groundcovers including New England Asters (*Symphotrichum novae-angliae* (L.) Blue Flag Iris (*Iris versicolor*), and Brown-Eyed Susans (*Rudbeckia hirta*). The combination of these groundcovers will provide blooms from late spring through early fall. Additional mitigation not estimated.
- **TOTAL MITIGATION for Kitchen Renovation/Expansion is at least 1,120 square feet of lawn reduced/native plantings added**