

## Conditional Use Hearing

Justin Keyes

April 20, 2021

*To consider a conditional use request by Justin Keyes to build a new boathouse at 1183 Craftsbury Road.*

The application requires a review under the following sections of the Greensboro Zoning Bylaws: 2.7 Shoreland Protection District; 5.4 Conditional Uses; and 8.8 New Uses and Encroachments Within the Shoreland Buffer Zone.

**Warnings** were posted on March 31, 2021, 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: Clive Gray; Harold, Betty, Andrew, and Kyle Gray. It was published in the Hardwick Gazette on Wednesday, March 31, 2021.

**Development Review Board members present:** Jane Woodruff, Nat Smith, Lee Wright, MacNeil, Wayne Young.

**Development Review Board members absent:** Linda Romans, Mike Metcalf, Jan Travers.

**Others present:** Justin Keyes; BJ Gray appeared but recused herself as an abutter and family member.

**Correspondence from interested persons:** None.

**During the course of the hearing the following exhibits were submitted:** None.

The hearing was conducted by electronic communication (ZOOM).

### Summary of Discussion

Ms. Woodruff, chair, began the hearing at 7:07 PM. She noted the hearing was quasi-judicial, explained the procedure for the hearing, and asked the clerk to swear in Mr. Keyes. Ms. Woodruff then asked Mr. Keyes to describe what he proposed to build at 1183 Craftsbury Road. Mr. Keyes said his proposed boathouse would be no larger than 20 feet by 20 feet in footprint, and not higher than 15 feet in height. The boathouse would sit on what is known as the Diamond Pier foundation system. These piers require no excavation; the piers are pounded into the ground with a hammer. Construction plans include using recycled windows and doors; wood siding might be stained brown. Questions by Board members confirmed that the gabled metal roof would be brown, black, or green. No trees will be cut. The boathouse will not include either plumbing or electricity. Plastic or paint will not be used. Mr. Keyes said his intention is to have the boathouse concealed in the landscape, with the least amount of visibility.

Ms. Woodruff thanked Mr. Keyes for the thoughtful discussion. The hearing ended at 7:24 PM. The Board entered into deliberative session at 7:25 PM and came back into public session to announce their decision at 7:42 PM.

### Findings of Fact:

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

#### 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.* Boathouses are a common use in the Shoreland Protection District and do not use community facilities.
- 2. the character of the area.* The proposed boathouse will blend into the surrounding area.
- 3. traffic in the vicinity.* Traffic will not be incurred by this structure.
- 4. bylaws and ordinances presently in effect.* The proposed boathouse will not affect the town's bylaws and ordinances.
- 5. the utilization of renewable energy resources.* Renewable energy resources will not be affected by this structure.

*C) Specific Standards:*

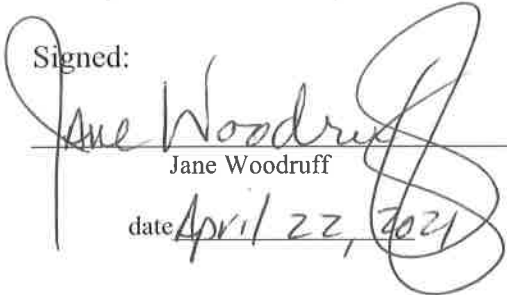
1. *The lot must meet the minimum size required for the district unless other standards are given for conditional use lot size in the district. The 2.3 acre lot is conforming. No other boathouses are on this lot.*
2. *Setbacks will be the same as for other permitted uses unless other standards are given for conditional use setbacks in the district. The proposed boathouse is located behind the natural berm and meets all setbacks, except for the 150' lakeshore setback.*
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. Fencing and landscaping are 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. Signs are not included in this application.*
5. *The proposed structure is compatible with other structures in the area. The proposed boathouse is consistent with existing structures in the Shoreland Protection District.*
6. *The proposed structure adheres to the uses allowed in the relevant district. Boathouses are a conditional use in this district.*
7. *The proposed structure will not affect noise or air pollution in the area. Noise or air pollution will not be increased by the proposed boathouse.*


**Decision and Conditions**

Based upon these findings, the Development Review Board determined that the standards for a conditional use permit were met. The Board voted unanimously (5-0) to approve the application to construct a new boathouse at 1183 Craftsbury Road.

**Conditions:**

1. Any and all necessary state and federal permits must be in place before construction begins.

Signed:  \_\_\_\_\_, chair  
Jane Woodruff  
date April 22, 2021

 \_\_\_\_\_, clerk  
Brett Ann Stanciu  
date April 22, 2021

**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.