

Conditional Use Hearing  
Alex Lerner and Clara Sieg  
August 30, 2022

*To consider a conditional use request by Alex Lerner and Clara Sieg to rebuild a garage at 1860 Lake Shore Drive.*

The application requires a review under the following sections of the Greensboro Zoning Bylaws: 2.7 Shoreland Protection District and 5.4 Conditional Uses.

**Warnings** were posted on August 10, 2022, 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 on August 10, 2022 to the applicants and the following abutters and neighboring property owners: John and Melanie Clarke; Olivia Skillen-Croft and Douglas Croft; Eric and Johnathan Croft; Leonard Sawyer and Allison Hall; South and Julie Sigler; Mary Olmsted-Stedman; Edward and James Olmsted; Thomas Berd; Brownwell Trust; Hewes Living Trust; David and Mary Clarke; Maureen and Charles Hill; Peter and Elizabeth Hunt; and Gray Family Trust. It was published in the Hardwick Gazette on Wednesday, August 10, 2022.

**Development Review Board members present:** Nat Smith, MacNeil, Wayne Young, Mike Metcalf, Tim Brennan, and Lise Armstrong (alternate).

**Development Review Board members absent:** Jane Woodruff, BJ Gray, and Joann LaCasse (alternate).

**Zoning Administrator present:** Brett Stanciu

**Others present:** Clara Sieg.

**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**

Mr. Smith, vice chair, began the hearing at 7:01 p.m. He explained the procedure for the hearing and asked the clerk to swear in participants. Ms. Sieg said the previous garage was collapsing and so was demolished last week. The proposed plan is to rebuild a similar garage in the same location. Mr. Smith confirmed that this rebuild would be within the footprint of the pre-existing building which does not meet the road setback requirements. Further questioning from the Board determined that the proposed roof would be standing seam to match the applicants' house. A brief discussion revolved around drip line. The Board expressed admiration for the current perennial flower gardens. Ms. Sieg noted the applicants prefer not to move the garage to conform with the road setback because they do not want to cut trees, the cost would be increased as the ground would require leveling, and a relocation would put the building nearer the neighbors' garage. The Board confirmed the rebuild would be no higher or wider than the pre-existing structure. Ms. Stanciu confirmed that she had measured the structure prior to its demolition. Ms. Sieg noted the doors will be larger, but the footprint will remain the same.

Mr. Smith thanked Ms. Sieg for attending the hearing. The hearing ended at 7:08 p.m. The Board entered into deliberative session at 7:09 p.m. and came back into public session to announce their decision at 7:15 p.m.

## **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.* The proposed garage rebuild will have no impact on community facilities.
- 2. the character of the area affected, as defined by the purpose or purposes of the zoning district within which the project is located, and specifically stated policies and standards of the Town Plan.* The proposed accessory structure is compatible with the character of the area. The Board determined the garage may be rebuilt to the same dimensions of 24' by 22' and the same height of 20'.
- 3. traffic on roads and highways in the vicinity.* This proposed reconstruction will have no impact on traffic.
- 4. bylaws and ordinances presently in effect.* The proposed project will not adversely affect current bylaws.
- 5. the utilization of renewable energy resources.* This accessory structure will not impact renewable energy resources.

#### *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.* This is a conforming lot of 67 acres.
- 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 structure meets all setbacks except for the road setback. The Board determined a conditional use permit could be granted for a rebuild in the pre-existing footprint.
- 3. Exterior signs shall not be internally lit and must be compatible in size, materials and workmanship to the area in which they are located.* No signs are included in the application.
- 4. The proposed structure is compatible with other structures in the area.* The proposed garage reconstruction will complement existing accessory structures in the area.
- 5. The proposed structure adheres to the uses allowed in the relevant district.* An accessory structure is an allowed use in the Shoreland Protection District.
- 6. Noise, air pollution, exterior light, viewshed, and effects on the character of the neighborhood shall be considered.* This proposed reconstruction will not adversely affect noise, air pollution, exterior light, viewshed, or the character of the neighborhood.

## **Decision and Conditions:**

Based upon these findings, the Development Review Board voted unanimously (6 – 0) to approve the application to rebuild a garage at 1860 Lake Shore Road. Lise Armstrong (alternate) voted. The Board determined that the standards for a conditional use permit were met.


### **Conditions:**

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

Signed:

 vice chair  
Nathaniel Smith

date 9-2-22

, as clerk  
Tim Brennan

date 9/2/22

**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.