

Conditional Use Hearing
Helen Gates
1355 Eligo Lake Road
August 21, 2024

To consider a conditional use request by Helen Gates to rebuild a pre-existing nonconforming garage.

The application requires a review under the following sections of the Greensboro Zoning Bylaw: 2.7 Shoreland Protection District; 5.4 Conditional Uses; and 3.8 Nonconformities.

Warnings were posted on July 30, 2024, 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: Robert and Donna Blight; Adam Wilson; Brian Lafont; Daryl Hazel; Donald, Paul, and Peter Collins; Renaud and Maureen Demers, on July 30, 2024.

Development Review Board members present: Jane Woodruff; Wayne Young; Nat Smith; Mike Metcalf; Lise Armstrong; Tim Brennan; BJ Gray; Rob Brigham (alternate); Galen Fisher (alternate); Brett Stanciu (ex officio).

Development Review Board members absent: none.

Others present: Christine Armstrong.

Correspondence from interested persons: None.

Summary of Discussion:

Ms. Woodruff, chair, began the hearing at 7:02 p.m. She noted the purpose of this hearing is to consider a request from Helen Gates to reconstruct a garage that was razed recently from a 24' by 24' slab. The proposed garage will be built in the same location. A site visit was attended by most Board members on the previous Saturday for a visual reference. The proposed structure meets all setbacks except the southern setback, viewed to the left when standing with your back to Lake Eligo. This is a pre-existing nonconforming accessory structure built before zoning came into being.

Ms. Gates stated that, in the eighties, a single bay garage was built on the property she now owns at 1355 Eligo Lake Road. The garage was never used for a car, but to store lawn mowers and other items. She requested a permit to rebuild the same garage, with a single bay, on the same 24' by 24' slab, with a 12' peak.

Questioning from the Board confirmed that the garage will be similar to the photograph of the original garage. Ms. Gates noted there was a little side door in the old structure that will not be included in the rebuild. Two windows will be included. The Board confirmed the height will match the original garage's 12' height, and the color is planned to match the house.

Some discussion revolved around the stream on the south side, in close proximity to the garage. Ms. Gates noted the stream is basically overflow from the hill in the springtime. She confirmed that trees marked with pink tape will be removed. The stumps will not be removed to prevent erosion.

At 7:15 p.m., Ms. Gates thanked the Board for their time and left. At 7:16 p.m., the Board entered executive session. The Board and came back into public session to announce their decision at 7:30 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.* This proposed rebuild will not affect 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 rebuild as proposed will fit into the area's lakeside community.
- 3. traffic on roads and highways in the vicinity.* Traffic will not be incurred by this project.
- 4. bylaws and ordinances presently in effect.* The proposed rebuild will not impact the Town's bylaws and ordinances.
- 5. the utilization of renewable energy resources.* This is not applicable.

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 pre-existing nonconforming lot of .08 acres in the Shoreland Protection District.
- 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 garage meets lake, road, and two side setbacks. A pre-existing nonconforming structure, the garage is nonconforming regarding the south side setback.
- 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.* This is not applicable.
- 4. Location, on the lot, of structures and service areas shall be compatible with other structures in the area affected.* The proposed garage rebuild complements existing structures in the area.
- 5. In each district, uses are given specific criteria. In all cases these criteria will be adhered to.* Accessory structures are a permitted use in the Shoreland Protection District.
- 6. Noise, air pollution, exterior light, viewshed, and effects on the character of the neighborhood shall be considered.* These criteria will not be affected by the proposed garage.

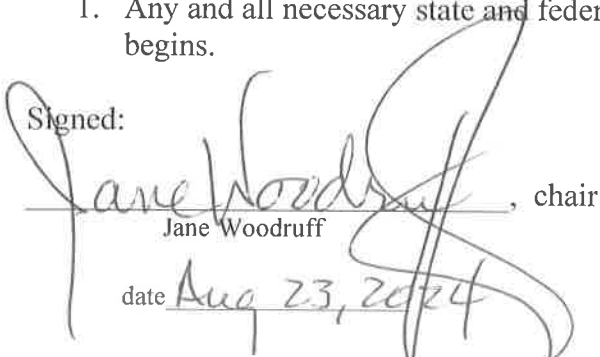
Decision and Conditions:

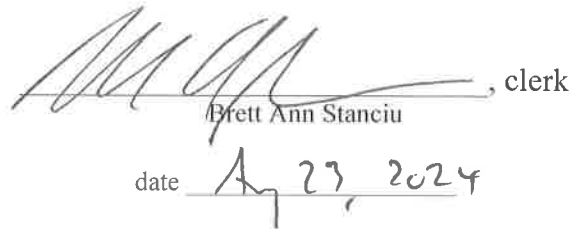
The Board determined that the standards for a conditional use permit were met. Based upon these findings, the Development Review Board voted unanimously (7 – 0) to approve the application to rebuild a pre-existing nonconforming garage regarding the southern side setback at 1355 Eligo Lake Road.

Conditions:

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

Signed:

 , chair
Jane Woodruff
date Aug 23, 2024

 , clerk
Brett Ann Stanciu
date Aug 23, 2024

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.

