Span #: 264-083-10340

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

TOWN OF GREENSBORO
PO Box 119, Greensboro, VT 05841
(802) 533-2640 Fax (802) 533-2191
zoning@greensborovt.org

FOR ADMINISTRATIVE USE ONLY

Application Number: 2020-059 Tax Map Number 20-00-31
Zoning District Shoreland Protection
Date Application Received 12 / 23 / 2020 Fee Paid $ 265.00 CC 12-29-2020
Reason for Seeking Conditional Use Permit or Variance:
Remove one ADU and sleeping cabin; build an ADU - same footprint size - different location. 2.7 Shoreland Protection District; 5.4 Conditional Uses; 5.5 Variances; 8.9 Nonconforming Uses + Structures.

Please provide all of the information requested in this application. Failure to provide all required information will delay the processing of this application. Submit the completed application and a check payable to the *Town of Greensboro*.

Applicant(s):
Name(s): Nicholas and Susana Gunther
Mailing Address: 2631 Regatta Lane, Davis California 95618
Telephone(s) Home: 503-848-8808 Work: NA Cell: 530-564-4190
E-Mail: nickandsusanna@gmail.com nlgunther@gmail.com susannaelizabeth2020@gmail.com

Landowner(s) (if different from applicant(s)):
Name(s): Same as Applicant
Mailing Address: _____
Telephone(s) Home: _____ Work: _____ Cell: _____
E-Mail: _____

Physical Location of Property (911 address): 151 Gunther Lane, Greensboro VT 05841

Type of Permit:
✓ Conditional Use ✓ Variance

Permits Which May Be Necessary:
✓ State Septic & Potable Water Permits - required prior to approval Approved WW-7-5187

Pre-development Submission Requirements:
✓ An existing condition site assessment providing slope profiles, existing gradients, sensitive natural communities, and site features that aid in stormwater management such as natural drainage ways and vegetated lands.

✓ A map drawn to scale showing the location, extent and type of proposed Development and land disturbance and its proximity to the Shoreland Buffer Resource Zone and Lake. The plan shall include consideration of low impact development concepts as recommended in the Vermont Low Impact Development Guide for Residential and Small Sites.

✓ An erosion and sediment control plan that incorporates accepted management practices as recommended by the state of Vermont is The Low Risk Site Handbook for Erosion Prevention and Sediment Control.

Property Description:

Acreage in lot 1.8 acres

(Please Note: If your property is enrolled in the Current Use Program, your conditional use or variance application may impact your Current Use status. Please verify your status with Vermont Property Valuation and Review, Current Use Program at 802-828-6633).

Feet of Road Frontage 0 (Internal Lot - no road frontage

Setbacks:

Front 149 ft. (to property line)
Right side 200 ft.
Lakeshore 60 ft.
Lot Width 341 ft.
Other _____

Left Side 118 ft.
Rear 60 ft.
Shoreline Frontage 350 ft.
Lot Depth ~230 ft.

Dimensions of Proposed and Existing Buildings:

Existing #1 to be removed	Existing #2 to be removed	Proposed:
Length 18'	Length 18'	Length 22'
Width 12'	Width 10'	Width 18'
Height 12'	Height 11'	Height 25'
Stories 1	Stories 1	Stories 2

Lakeshore District Properties, please indicate the total habitable floor area of the dwelling: 714 s.f.
Total Habitable Floor Area is defined in the Greensboro Zoning Ordinances as "The floor area of rooms in a dwelling unit used for bedrooms, living room, dining room, kitchen, and bathroom. Excludes porches and decks."

Existing use and occupancy. (If there are no buildings currently on the property, please write "bare land.") Existing 3-bedroom lake house with detached 4th bedroom "sleeping cabin", Existing 1 bedroom ADU, Existing garage, and Existing single bedroom ADU with detached second sleeping cabin

Proposed use and occupancy. (Write whether it will be seasonal or full year. If you decide to change the use of your property later you may need another permit.) No change of use or occupancy - Proposal is to replace the Existing single bedroom ADU with detached second sleeping cabin. The new ADU structure footprint size will match that of the removed ADU structures footprints combined size

Sketch or attach a general plot plan showing the following:

1. Location of property.
2. Location of buildings on property.
3. Location of driveway.
4. Location of water source and septic/waste water system. .

Site Plans Attached

Sketch a floor plan or diagram showing the dimensions of the proposed building, addition or alteration. (This should show the rooms in the inside of the building, including both upstairs and downstairs if there is more than one floor.)

Architectural Plans Attached

If the property is sited within the buffer area of a major water body (within 75' of Caspian or Eligo Lakes, 50' of Horse & Mud Ponds, 100' of Long Pond, or 25' of any river or stream), **please attach a landscape design plan for your project. Include types of plantings, landscape materials to be utilized and size and location of access paths**. *New lawns shall not extend into the buffer.*

Site Plans with landscape indicated

Mitigation Measures:

Mitigation is an action required of a shoreland property owner designed to compensate for shoreland buffer lost to impervious surfaces within the Shoreland Protection District.

In circumstances where nonconforming structures are permitted to be expanded or reconstructed within the Shoreland Buffer Resource Zone, the Development Review Board (DRB) shall require the shoreland property owner to create and adhere to an approved mitigation plan.

Measures which may be included in such a plan are as follows:

- **Buffer Restoration**. Returning mowed or cleared areas to a naturally vegetated state with supplemental planting of appropriate native vegetation in order to restore the lakeshore buffer. **Must be part of the approved mitigation plan.**

- **Rain Gardens**.

- **Implementation of erosion and stormwater runoff controls**. Creating runoff capture and building infiltration structures to prevent stormwater runoff from reaching the lake.

- **Removal of nonconforming or obtrusive accessory structures** within the shoreland setback area.

- **Additional site specific requirements** can be determined by the Development Review Board before final plan approval, based on a review of site conditions and the need for any special buffer area protection or restoration measures.

Please provide the DRB with your proposed mitigation plan. Suggestions and descriptions of various mitigation measures are available from the Zoning Administrator or on-line at www.greensborovt.org/zoning. \

Mitigation Measures include the following:

- Previously completed: Installation of a comprehensive state permitted septic system for the existing lake-house and ADU accessory structures and sleeping cabins.
- The existing (legal, non-conforming) lake house is a historic and architectural gem on the lake. This proposal for a 4-season, accessory dwelling unit with modern amenities allows the owners to utilize their property to the fullest - WITHOUT having to upgrade and modify the existing lake house. Preserving and maintaining the historic character of the existing lake house is mitigation.
- The new ADU structure will be further away from the lake reducing the non-conformity.
- The new ADU structure will replace the same amount of existing impervious roof area - no additional hards-scape or grade level impervious surfaces are proposed.
- Rain Barrels are proposed to retain roof generated storm-water
- Rain Gardens are proposed between the ADU and lake for infiltration and absorption
- The footprints of the removed structures will be returned to natural woodland.
- State handbook erosion control measures will be implemented

Permission to Enter Property & Applicant Certification Signatures
Signing of this application authorizes the Zoning Administrator to enter onto the premises for the purpose of verifying information presented.

The undersigned hereby certifies that the information submitted in this application regarding the above property is true, accurate and complete and that I (we) have full authority to request approval for the proposed use of the property and any proposed structures. I (we) understand that any permit will be issued in reliance of the above representations and will be automatically void if any are untrue or incorrect.

This permit is void if the development under this permit is not begun within one year of the date of approval or if construction is not completed within two years.

Construction may not be started until 15 days from the date of approval on this permit.

Signature of Applicant(s) N. L. Gunther | Susanna Gunther Date Dec. 22, 2020

Signature of Landowner(s) N. L. Gunther | Date Dec 22, 2020
(All landowners must sign)

Note: Failure to develop your property in accordance with your application and any conditions of this permit may result in an enforcement action and may affect your ability to sell or transfer clear title to your property.

Appeal from a decision or act of the Zoning Administrator must be made in writing to the Development Review Board, c/o the Town Clerk's Office at the address shown above, with the appropriate fee, within 15 days of the decision or act. Failure to appeal this decision will mean that all interested persons are bound by this decision and will foreclose these persons from contesting this decision either directly or indirectly in the future. **This permit shall not take effect until the time for such appeal has passed.**

Please note that this is only a local permit and state permits may be needed for your project. Please contact the Permit Specialist at the VT Agency of Natural Resources at (802)751-0127.

FOR ADMINISTRATIVE USE ONLY
{ } Approved { } Denied {✓} Referred to the Development Review Board

Date 12-23-2020 Signature _____
Remarks and/or Conditions: _____
Intent to Cut attached.

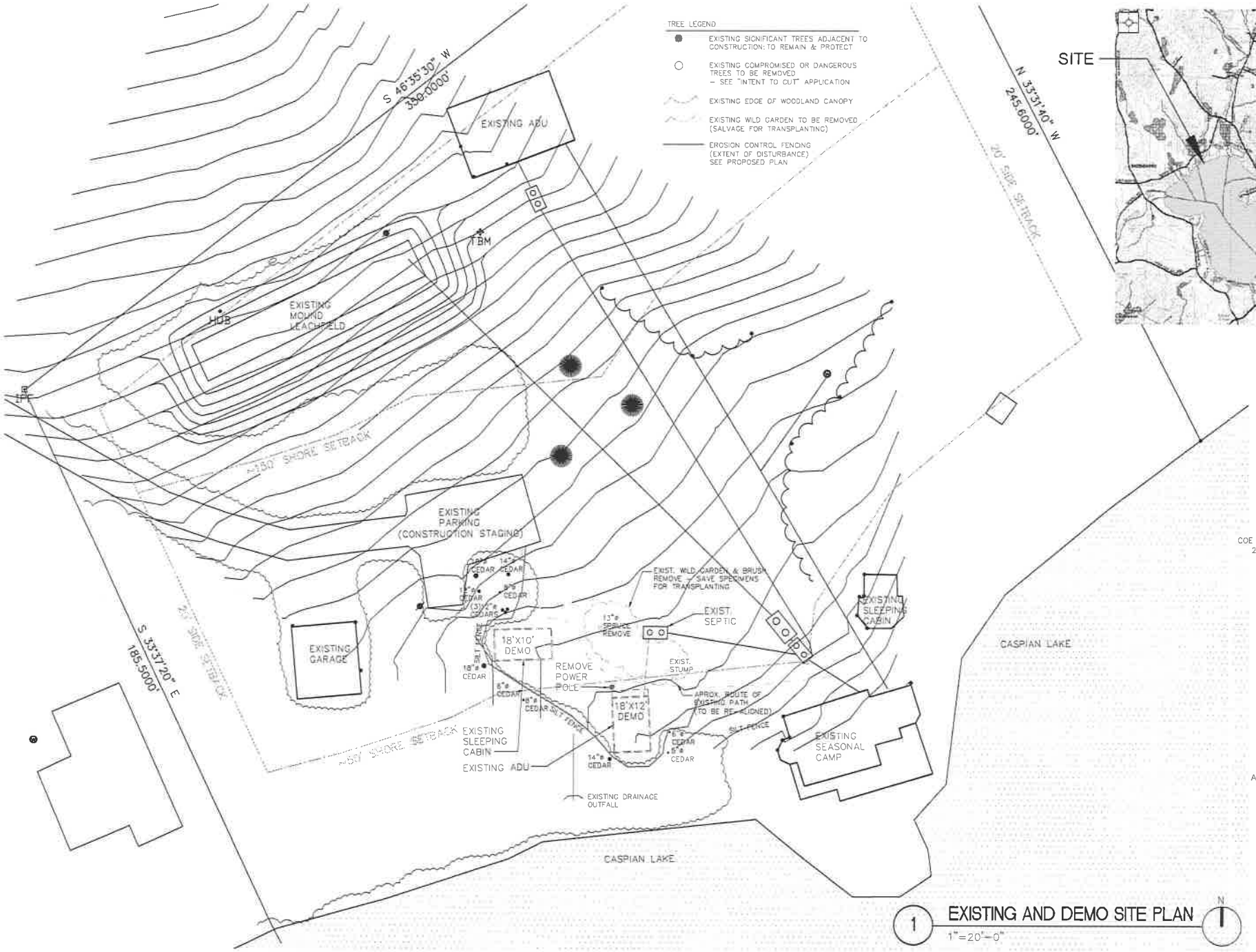
Date of Approval or Denial by Development Review Board: _____

Applicant/Landowner Received a Copy of the Applicable Building Energy Standards:
_____ (Date) _____

Applicant/Landowner Did NOT Need to Receive a Copy of the Applicable Building Energy Standards (Due to the fact that the structure will not be heated or cooled): _____
_____ (Date) _____

GUNTHER PROPERTY

151 GUNTHER LANE, GREENSBORO VT 05843



1 EXISTING AND DEMO SITE PLAN
1"=20'-0"

N

ARCHITECT
COE + COE ARCHITECTURE LLC.
2342 ANDERSONVILLE ROAD
WEST GLOVER, VT 05875
802.673.4184
JAMES.N.COE@GMAIL.COM

PROJECT NUMBER:
2020-16

REV.	STATUS	DATE
	SCHEMATIC	12/22/20

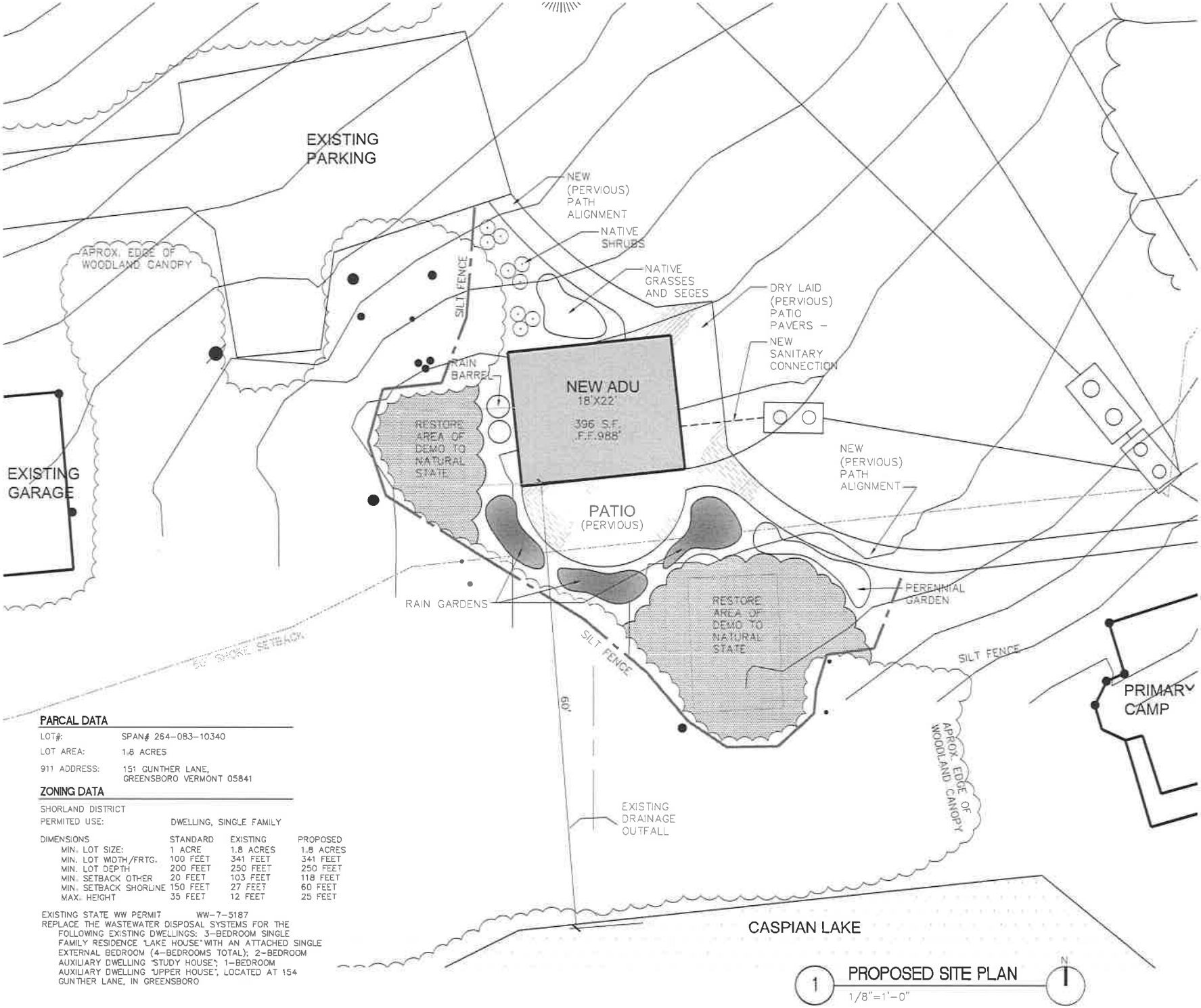
OWNER:
GUNTHER
2631 REGATTA LANE
DAVIS CALIFORNIA 95618

PROJECT:
ACCESSORY DWELLING UNIT
151 GUNTHER LANE
GREENSBORO
VERMONT 05841

DRAWN BY:
JC / NC
CHECKED BY:
JC

SITE

A0.1



1 PROPOSED SITE PLAN
1/8"=1'-0"

PARCAL DATA

LOT#: SPAN# 264-083-10340

LOT AREA: 1.8 ACRES

911 ADDRESS: 151 GUNTHER LANE, GREENSBORO VERMONT 05841

ZONING DATA

SHORLAND DISTRICT

PERMITED USE: DWELLING, SINGLE FAMILY

DIMENSIONS	STANDARD	EXISTING	PROPOSED
MIN. LOT SIZE:	1 ACRE	1.8 ACRES	1.8 ACRES
MIN. LOT WIDTH/FRTG.	100 FEET	341 FEET	341 FEET
MIN. LOT DEPTH	200 FEET	250 FEET	250 FEET
MIN. SETBACK OTHER	20 FEET	103 FEET	118 FEET
MIN. SETBACK SHORLINE	150 FEET	27 FEET	60 FEET
MAX. HEIGHT	35 FEET	12 FEET	25 FEET

EXISTING STATE WW PERMIT WW-7-5187
REPLACE THE WASTEWATER DISPOSAL SYSTEMS FOR THE FOLLOWING EXISTING DWELLINGS: 3-BEDROOM SINGLE FAMILY RESIDENCE "LAKE HOUSE" WITH AN ATTACHED SINGLE EXTERNAL BEDROOM (4-BEDROOMS TOTAL); 2-BEDROOM AUXILIARY DWELLING "STUDY HOUSE"; 1-BEDROOM AUXILIARY DWELLING "UPPER HOUSE", LOCATED AT 154 GUNTHER LANE, IN GREENSBORO

ARCHITECT
COE + COE ARCHITECTURE LLC.
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OWNER:
GUNTHER
2631 REGATTA LANE
DAVIS CALIFORNIA 95618

PROJECT:
ACCESSORY DWELLING UNIT
151 GUNTHER LANE
GREENSBORO VERMONT 05841

DRAWN BY:
JC / NC
CHECKED BY:
JC

SITE

A0.2

Notification of Intent to Cut
In the Shoreland Buffer Resource Zone

TOWN OF GREENSBORO
PO Box 119, Greensboro, VT 05841
Office: (802) 533-2640 Fax: (802) 533-2191
zoning@greensborovt.org

"In any enforcement action for removal of trees or limbs in violation of Section 8.5, the burden of proving that the trees and limbs removed were unsafe shall be on the property owner". – Greensboro Zoning By-law, page 63.
"In any enforcement action for removal of trees or saplings in violation of Section 8.6, the burden of proving that the removal of trees or saplings met the requirements of this section shall be on the property owner". – Greensboro Zoning By-law, page 64.

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Zoning District Shoreland Protection District
Date Application Received 12 / 23 / 2020

Please provide all of the information requested in this application.

Applicant(s):
Name(s): Nicholas and Susana Gunther Mailing
Mailing Address: 2631 Regatta Lane, Davis California 95618
Telephone(s) Home: 503-848-8808 Work: NA Cell:530-564-4190
E-Mail: nickandsusanna@gmail.com nlgunther@gmail.com susannaelizabeth2020@gmail.com

Landowner(s) (if different from applicant(s)):
Name(s): SAME
Mailing Address: _____
Telephone(s) Home: _____ Work: _____ Cell: _____
E-Mail: _____

Physical Location of Property (911 address):
151 Gunther Lane

Reason(s) for cutting vegetative matter (Unsafe, Dead or Dying, Maintenance of Existing Healthy Trees, Etc):
Remove 13" spruce tree that is in the footprint of the proposed (relocated) building. Removal is the minimal action required and the balance of the shoreline trees will be preserved and protected. Spruce is in fair condition with dead lower limbs . It is in the yard and separate from the forest canopy.

Please sketch the area of the property where the proposed cutting will occur. Please label the trees which will be removed and other aspects which will assist in locating the area in question.

Photographs of the property which clearly show the trees or saplings are required to establish proof that the removal complied with clearing limitations.

Written certification signed by an individual with knowledge and experience in assessing tree health – such as a professional forester, certified arborist, or professional landscape architect is also encouraged and may be required if proof of necessity of removal is requested.

Signature of Applicant(s) N. L. Gunther Susanna Gunther **Date** Dec. 23, 2020

Signature of Landowner(s) N. L. Gunther **Date** Dec. 23, 2020

Notes from the Zoning Administrator:_____

Please note that this form is not required prior to removal or clearing of unsafe trees or removal of trees or saplings so long as the clearing limitations are met. This optional form may assist you in establishing proof that the removal and clearing was done correctly and in keeping with the Greensboro Zoning By-law. This form is only applicable in the Shoreland Protection District.