

Conditional Use
William Lyman
October 6, 2025

To consider a conditional use request for a new boathouse at 168 Aspenhurst.

The application requires a review under the following sections of the Greensboro Zoning Bylaw: §2.7 Shoreland Protection District; §5.4 Conditional Use; §8.7 New Uses and Encroachments Within the Shoreland Buffer Resource Zone(B)3.

Warnings were posted on September 17, 2025, 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: John Irwin, Jr., and Brad Irwin; The Lyman Family Trust; Aspenhurst Point Common Land. It was published in the Hardwick Gazette on Wednesday, September 17, 2025.

Development Review Board members present: Jane Woodruff, Wayne Young, Lise Armstrong, Tim Brennan, BJ Gray, Galen Fisher (alternate).

Development Review Board members absent: Nat Smith, Mike Metcalf, Rob Brigham (alternate).

Others present in-person: None.

Others present via Zoom: Will Lyman, Holly Greenleaf, Brad Irwin, Cathy Irwin, Christine Armstrong.

Correspondence from interested persons: September 26, 2025: John Hasen, Elizabeth Hasen, Louisa Hasen, 126 Aspenhurst, letter.

During the course of the hearing the following exhibits were submitted: Exhibit #1: Hasen September 26, 2025, letter.

The hearing was in person at the Greensboro Town Office and conducted by electronic communication (ZOOM).

Summary of Discussion:

Ms. Woodruff, chair, began the hearing at 7 p.m. and explained that the Board has two applications for consideration. First, Mr. Lyman has requested a conditional use permit for a proposed boathouse. Second, Mr. and Ms. Irwin, with landscape architect Ms. Greenleaf, has requested a conditional use permit for a shoreline restoration project. Ms. Woodruff explained the process for the quasi-judicial hearing.

Mr. Lyman said he proposes to build a boathouse at 168 Aspenhurst, with dimensions 8 feet by 20 feet. He owns a 17 foot kayak, a Grumman canoe, and hopes to obtain a Sunfish. The roof pitch is identified as 6/12 in his submitted drawings. He might alter this proposed peaked roof to 7/12 or 8/12. He intends to use shingles over strattons, with possibly a few sections of four foot corrugated plexiglass to allow in light.

The Board asked what plantings Mr. Lyman intends to use around the proposed boathouse. Mr. Lyman replied that the area has plenty of existing growth, including cedar. He does not intend to disturb what is currently planted. However, if the Board requires plantings, he will comply. He noted that the trees marked with an X were identified by arborist Tracy St. Louis as 3" diameter hemlocks that could be removed. This would provide air space to encourage other natural plantings by allowing more sunlight to filter down.

The Board questioned if the boathouse would block the lake path. Mr. Lyman intends to reroute the path around the proposed boathouse. The path has become so sunken and U-shaped over the 130 years that, even without the proposed boathouse, it would be a good idea to move the path slightly inland. The Board commended Mr. Lyman for preserving the path. Further questioning from the Board confirmed that the proposed boathouse would have a foundation of cinder block, stones, and pressure-treated lumber.

Ms. Christine Armstrong inquired about the percentages of impermeable surface on the lot. This has not been calculated. Mr. Lyman said that rainfall on the proposed boathouse roof would end up where it currently runs, in the gully where the proposed boathouse would be constructed. If the rain was sufficiently heavy, water would run how it currently flows, to the beach. He added he would be amenable to adding a stone drip edge if needed, and expressed that he is observant where water runs. He added that his primary goal is to take care of a kayak that Phil Pike built for him. He would like to store it safely, so it survives for future generations.

At 7:25 p.m., Ms. Woodruff closed the evidence for the Lyman application. The Board then considered a conditional use request from Mr. and Ms. Irwin. The Board entered executive session at 7:50 p.m. and came out of executive session at 8:17 p.m. and announced their decision.

Findings of Fact:

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

The Board considered §8.7 New Uses and Encroachments Within the Shoreland Buffer Resource Zone(B)3 and §2.7 Shoreland Protection District.

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 boathouse 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 proposed boathouse conforms to the purposes of the Shoreline Protection District.
- 3. traffic on roads and highways in the vicinity.* This is not applicable.
- 4. bylaws and ordinances presently in effect.* The proposed project 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 .64 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 project meets all applicable setbacks except for the lake setback. The proposed boathouse is located behind the berm.

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.* This is not applicable.

5. *In each district, uses are given specific criteria. In all cases these criteria will be adhered to.* Boathouses are a permitted use in the Shoreland Protection District.

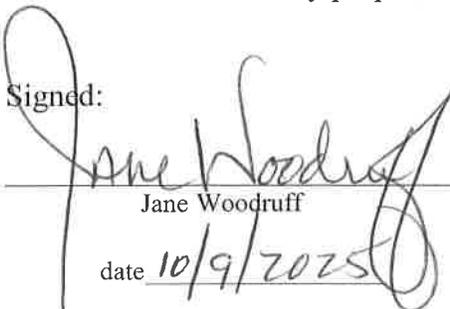
6. *Noise, air pollution, exterior light, viewshed, and effects on the character of the neighborhood shall be considered.* These criteria will not be adversely affected by the proposed shoreline project. This is a fairly wooded area of the lake.

7. *In the Shoreland Protection District, the DRB must find that the district's purposes will be protected through erosion controls, supplemental planting of native species, protection of existing vegetation, and/or other measures.* The Board was concerned that the location of the proposed boathouse would adversely affect the berm and lake water. The Board was concerned that the pitched roof and the increase in impermeable surface would create excessive run-off, erosion, and runoff into the lake.

8. *In the Shoreland Protection District, the visual impact of man-made development shall be softened by existing vegetation or additional planting of natural vegetation to provide visual breaks to and filtered views of building facades when viewed from the lake or the shoreline during summer leaf-on conditions.* The Board determined this lot is sufficiently wooded.

Decision:

Based on these findings, the Development Review Board voted unanimously (6-0) to deny a new boathouse as is currently proposed at 168 Aspenhurst.

Signed:  _____, chair
Jane Woodruff
date 10/9/2025

 _____, clerk
Brett Ann Stanciu
date 10/9/2024

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.