

2025

APPLICATION FOR CONDITIONAL USE PERMIT/VARIANCE
FOR CONSTRUCTION OF A BOATHOUSE IN THE SHORELAND PROTECTION DISTRICT
TOWN OF GREENSBORO
PO Box 119, Greensboro, VT 05841
(802) 533-2911 Fax (802) 533-2191
zoning@greensborovt.org

FOR ADMINISTRATIVE USE ONLY

Application Number: 2025-035 Tax Map Number _____
Zoning District Shoreland Protection District
Date Application Received 12/11/2025 Fee Paid \$ _____
Reason for Seeking Conditional Use Permit or Variance:
2.7 Shoreland Protection District
§.7 New Uses + Encroachments within the SBLZ (B)3

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* according to the attached fee schedule.

Applicant(s):

Name(s): Andrew Nicely
Mailing Address: 3523 Albemarle St. NW, Washington, DC, 20008
Telephone(s) Home: _____ Work: _____ Cell: 571-335-5769
E-Mail: anicely1@yahoo.com

Landowner(s) (if different from applicant(s)):

Name(s): Linda B. Nicely
Mailing Address: 5606 E. Caballo Dr., Paradise Valley, AZ, 85253
Telephone(s) Home: 480-948-3238 Work: _____ Cell: _____
E-Mail: lindanicely1971@gmail.com

Physical Location of Property (911 address):

Cottage 133/135, High Pines Rd, Greensboro, VT, 05841

Type of Permit:

Conditional Use Variance

Property Description:

Acreage in lot .87 acres

(Please Note: If your property is enrolled in the Current Use Program, your 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 N/A

Setbacks: Front _____ (to center of road) Left Side _____
Right side _____ Rear _____
Lakeshore _____ Other _____

Dimensions of Proposed and/or Existing Boathouse:

Existing:

Length 27' No. of Stories 1
Width 20'
Height 12'

Proposed:

Length 27' No. of Stories 1
Width 20'
Height 15'

Boat Houses:

- A.) A new Boat House shall be constructed behind the Natural Berm, if it exists. Where there is no Natural Berm, the following applies:
- i. The Boat House shall be built behind the high water mark. Verified _____
 - ii. Stumps of any trees cut during the construction of the Boat House shall be left in the ground. Verified _____
 - iii. Provisions for adequate control of stormwater runoff shall be made. Verified _____
- B.) A Boat House shall not have plumbing. Verified _____
- C.) The maximum size of a Boat House's footprint shall be 400 sq. feet. Square Footage _____
- D.) The maximum height of a Boat House shall be 15 feet. Height _____
- E.) There is a limit of one (1) Boat House per tax lot. Verified _____
- F.) No decks, porches, or other similar appendages will be allowed on Boat Houses. Verified _____
- G.) A new or reconstructed Boat House shall require a Conditional Use Permit. Verified _____
- H.) A new or reconstructed Boat House shall be used only for storage of boats. Verified _____

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/waster water system.
5. Location of existing or proposed Boat House.

Please refer to the attached project description.

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



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.*

This project proposes to restore any disturbed landscape to preconstruction conditions.

Conditional Use Criteria:

At your DRB hearing, you will be asked to present your proposal. Please be prepared to address the impact of your project based on the following criteria.

"The DRB shall make its findings on general and specific standards. Such general standards shall require that the proposed conditional use shall not result in an undue adverse effect on the following:

1. The capacity of existing or planned community facilities; (e.g. schools, police and fire service, etc.);
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 (e.g. why your project is consistent with other uses in the area or how your project fits in with existing development);
3. Traffic on roads and highways in the vicinity;
4. Bylaws and ordinances then in effect;
5. Utilization of renewable energy resources.

Specific standards shall include:

1. Minimum lot size shall be that which is required for the district in which the use occurs unless other standards are given for conditional use lot size in the district in question;
2. Setbacks for conditional uses will be the same as for permitted uses unless other standards are given for conditional use setbacks in the district in question.
3. Landscaping and/or fencing may be required for commercial and industrial uses to provide screening when in the judgment of the DRB such screening is necessary to protect the character of the area affected.
4. Exterior signs shall conform to the following in all districts:
 - (a) No free standing internally lit signs shall be permitted
 - (b) All signs shall be compatible in size, materials, and workmanship to the area in which they are located.
5. Location on the lot, of structures and service areas shall be compatible with other structures in the area affected.
6. In each district, uses are given specific criteria. In all cases these criteria will be adhered to.
7. Noise, air pollution and effects on the character of the neighborhood shall be considered."

(Page 36 in the Greensboro Zoning By-Laws).

Variance Criteria:

"The DRB may grant a variance and render a decision in favor of the appellant only if all of the following facts are found, and findings are specified in its written decision.

1. There are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that unnecessary hardship is due to these conditions and not to the circumstances or conditions generally created by the provisions of these regulations in the neighborhood or district in which the property is located;
2. Because of these physical circumstances or condition, there is no possibility that the property can be developed in strict conformity with the provisions of these regulations and that the authorization of a variance is necessary to enable the reasonable use of the property;
3. The unnecessary hardship has not been created by the appellant;
4. The variance, if authorized, will not:
 - a) Alter the essential character of the neighborhood or district in which the property is located;
 - b) Substantially or permanently impair the appropriate use or development of adjacent property;
 - c) Reduce access to renewable energy resources;
 - d) Be detrimental to the public welfare.
5. The variance, if authorized, will represent the minimum that will afford relief and will represent the least deviation possible from these regulations and from the plan." (Pages 37 & 38 of the Greensboro Zoning By-Laws).

At your DRB hearing, you will be asked to present your proposal. Please be prepared to explain why your project should be granted a variance.

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) Andrew A. Pinsky Date 11/23/2025

Signature of Landowner(s) Linda B. Nicely Date 11/23/25

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)751-0130.

FOR ADMINISTRATIVE USE ONLY		
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied	<input checked="" type="checkbox"/> Referred to the Development Review Board
Date <u>12.11.2025</u>	Signature <u>[Signature]</u>	
Remarks and/or Conditions: _____		
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)		

Jeremy Mercier
P.O. Box 146
Greensboro, VT 05841
(802) 533-9270

Re: Nicely Boathouse

To whom it may concern,

I am providing this letter in relation to the Nicelys' request to modify their permit from the Greensboro Development Review Board to rebuild their boathouse down by the lake.

Andrew Nicely reached out to me in late 2023 to discuss the boathouse project. He said that he had obtained permits to rebuild the boathouse. However, the contractor would not be able to start the project until the fall of 2024 or 2025. Mr. Nicely said that, because the lake would not be frozen at that time, debris from the boathouse demolition would end up in the lake, where it would be hard to remove. To avoid that problem, the Nicelys hired me to take down the boathouse in the winter, while the lake was frozen. That way, any debris would land on the ice, where it could be cleaned up. Mr. Nicely asked me to try to save any timbers from the boathouse in case they could be re-used for the new boathouse.

I took down the boathouse in March 2024. As I was demolishing it, I noticed that the roof had failed. The southeast side (the side closest to the public beach) was in very bad shape. Most of the wood below the roof had rotted, and there were only three timbers that looked like they could be re-used.

The shingles on the boathouse roof also were in very bad shape. During the demolition process, pieces of shingles fell everywhere, along with roofing nails and chunks of rotting wood. Fortunately, because the lake was frozen, I was able to sweep up all of this debris and dispose of it properly.

Sincerely,

Jeremy "Boomer" Mercier

A handwritten signature in cursive script, appearing to read "Jeremy Mercier".

Michael Lapierre
The Bend Woodworking LLC
290 The Bend Road
Greensboro Bend, Vermont 05842
(802) 673-2770

November 22, 2025

Greensboro Development Review Board
Town Hall
Greensboro, Vermont 05841

Re: Nicely Conditional Use Permit Modification for Boathouse

Members of the Board:

I was asked by Andrew Nicely to provide a letter explaining my recommendations for the roof design on the boathouse that the family is planning to re-build.

Andrew and I sat down earlier this year to discuss the boathouse design. He did not have a set of blueprints prepared by an architect. We agreed that an architect was not necessary because the boathouse is a pretty simple building. Andrew told me that the family wanted to rebuild the boathouse like the original one, which was 20 feet wide, 27 feet long, and about 12 feet tall.

I saw a problem right away. According to my calculations, the 12-foot height results in a roof pitch (or slope) that is only 2:12. What this means is that the height increases only 2 inches for each foot of width. Builders refer to a 2:12 pitch as a "flat" or "low-slope" roof. They are acceptable in southern climates that do not get a lot of snow. They are not a good idea in Vermont, where we get a lot of snow in a typical winter.

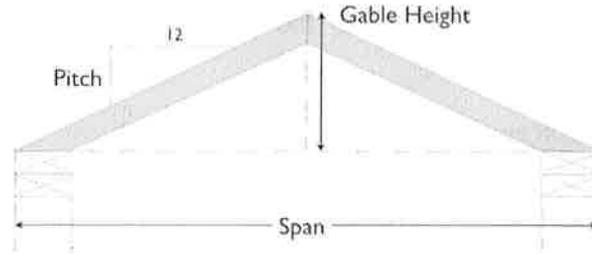
The issue with a low-slope roof is that the snow will build up on top of it instead of sliding off. This causes two problems. First, the snow is very heavy. If it does not slide off, it puts a lot of stress on the building. The trusses, rafters, and joints have to be reinforced to support the extra weight of the snow. Second, because the snow is sitting on the roof for long periods of time, it causes the roof to wear out faster. In addition to the snow, leaves, pine needles, pinecones, and branches pile up on top of the roof. They rot up there and damage the roof. This means that the roof will have to be repaired or replaced more often.

I've built many houses, barns, sheds, and other buildings in the Greensboro area but I have never built anything with a flat or low-slope roof. When you drive around Vermont, you almost never see buildings with low slopes. When I am hired to build something, I always recommend a minimum pitch of 6:12, and I tell people that an 8:12 pitch is even better.

I understand that the Board will not allow boathouses that are taller than 15'. In the case of the Nicely boathouse, because it will be 20 feet wide, a 6:12 pitch would result in a building height of 15 feet:

Gable Height

Calculate gable height.



ROOF

Span	20' 0" ft/in
Pitch	6 / 12

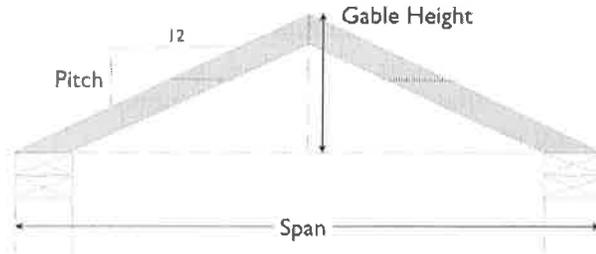
GABLE HEIGHT

Gable Height	5' 0" ft/in
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A 5:12 pitch would result in a building height of 14 feet, two inches (14' 2"):

Gable Height

Calculate gable height.



ROOF

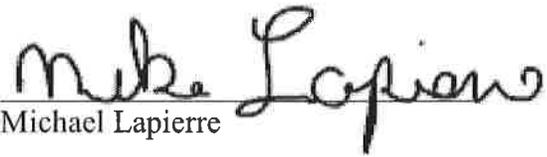
Span	20' 0" ft/in
Pitch	5 / 12

GABLE HEIGHT

Gable Height	4' 2" ft/in
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For the reasons explained above, I would recommend that the boathouse roof have a 6:12 pitch. But if that is not acceptable, a 5:12 pitch is better than the original plan of using a 2:12 pitch.

I hope that this information is helpful. If the Board needs additional information or clarification, please feel free to contact me.


Michael Lapierre

