

Variance
Mary Parker
42 Blacks Point Road
July 1, 2026

To consider a variance request for an accessory structure replacement and expansion at 42 Blacks Point.

The application requires a review under the following sections of the Greensboro Zoning Bylaw: §2.7 Shoreland Protection District; §5.5 Variances; §8.8 Nonconforming Uses and Structures Within the Shoreland Resource Zone.

Warnings were posted on June 10, 2026, 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: Alice and Robert Perron; Stevens Trust; Jennifer and Luciano Nicasio; Megan Patterson-Brown. It was published in the Hardwick Gazette on Wednesday, June 10, 2026.

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

Development Review Board members absent: Nat Smith, Wayne Young, Rob Brigham (alternate) recused himself and did not attend.

Others present in-person: Mary Parker, Dede Stabler.

Others present via Zoom: Christine Armstrong.

Correspondence from interested persons: None.

During the course of the hearing the following exhibits were submitted: None.

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

Summary of Discussion:

Ms. Woodruff, chair, began this portion of the hearing at 7:23 p.m. and said this is a continuation of the Development Review Board in the matter of Ms. Parker who requests to replace her shed at 50' from the shoreline, just outside the buffer zone. Her proposal is to enclose her existing shed which has open walls. The current accessory structure is 9'x6', with a height of 9'10"; the proposed replacement is 10'x12', with a height of 12'.

Ms. Parker said she would like to replace the existing shed with a slightly larger shed with an increase of 66SF in footprint. She proposes to move the shed back about a foot further from the lake. The existing location is fairly flat. It has woodchips on the ground, and water doesn't particularly run off from that location. She noted her builder is Justin Foster who has could not attend tonight as he has family obligations. Questioning from the chair confirmed that the proposed shed would utilize piers and a Stay-Mat pad. On the lakeside, a trench would be dug 20" wide and 20" deep that would allow water to run off more slowly, to soften the water flow from the roof. Further questioning confirmed the trench would utilize landscaping fabric and crushed stone. The ditch would be under the roofline. Questioning from the chair confirmed that Ms. Parker's mitigation plan would include native plants, a garden, or cedars. She is agreeable to any mitigation conditions.

Ms. Parker noted that her entire property is near the lake. She owns slightly over one acre and her use on the property is limited. The proposed location is the most practical space. Questioning from the chair confirmed the location on the property of the underground propane tank, the septic system, and the well. Ms. Parker noted the open area along Craftsbury Road is a swampy area as the stream from Barr Hill feeds into the lake at this area. When it rains, this area is particularly wet.

Questioning from the Board confirmed that Ms. Parker would like to store her deck furniture, grill, and bicycles in the shed. A 10'x12' shed would be most practical size. Some discussion revolved around the roof and drainage. Ms. Christine Armstrong inquired regarding the percentage of impermeable surface. Ms. Stanciu apologized for not including this information and noted that the proposed mitigation would decrease impermeable surface on Ms. Parker's lot. At 7:49 p.m., Ms. Woodruff closed the evidence. Ms. Parker and Ms. Stabler thanked the Board for their time.

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: for the proposed shed replacement, the Board considered §2.7 Shoreland Protection District, §5.5 Variances, and §8.8 Nonconforming Uses and Structures Within the Shoreland Resource Zone.

§ 5.5 Variances

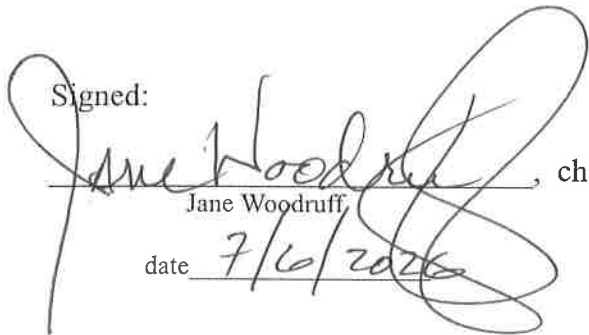
(A) **Variance Criteria.** The Development Review Board (DRB) shall hear and decide requests for variances as required by 24 V.S.A. §4469(a). In granting a variance, the DRB may impose conditions it deems necessary and appropriate under the circumstances to implement the purposes of these regulations and the municipal plan currently in effect. 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 the 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; *The Board considered at length and determined that the parcel does not have physical constraints which would prevent the relocation of the accessory structure under consideration to a more conforming site on the property.*
2. Because of these physical circumstances or conditions, 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; *The Board determined that the accessory structure could be relocated further away from the shoreline.*
3. The unnecessary hardship has not been created by the appellant; *The Board determined the current accessory structure footprint did not create a hardship.*
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. *The Board determined these factors would not be adversely affected.*

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. *The Board considered and determined that the accessory structure could be relocated further away from the shoreline.*

Decision:

Based on these findings, the Development Review Board voted (6-0) to deny a Variance for an expanded accessory structure footprint at 42 Blacks Point.

Signed:  , chair
Jane Woodruff
date 7/6/2026

 , clerk
Brett Ann Stanciu
date 7-6-2026

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.