

# **Zoning Board of Adjustment**

## *Town of Ferrisburgh, Vt.*

Approved – Minutes for meeting of March 1, 2017

**Members present:** Charlene Stavenow (chair), Bob Beach, Mike Delaney, Rayne Herzog, Dave Mentzer, Norm Smith, Mike Delaney. **Absent:** John Paul.

**Town official present:** Ken Wheeling, zoning administrator.

**Visitors:** Dick Becker, Rick Benson, Clark Hinsdale III, Suzanne Hinsdale, Loretta Lawrence, Liam Murphy.

Charlene Stavenow, chair, opened the meeting at 7 p.m.

**Approval of minutes from February 1, 2016:** Rayne Herzog made a motion to approve the minutes from February 1, 2016, with one correction: In the write-up on the appeal of Application 16-155, Norm Smith’s motion to uphold the appeal, which was approved by the board, should have mentioned only the issue of the 50-foot right-of-way. A clause that followed, “as well as the wetlands issue,” should be deleted. Norm Smith seconded. All voted in favor. **Motion approved.**

### **HEARING No. 1**

**Application 16-148.** Application by Richard Benson for a Conditional Use Permit to open a retail grocery, deli and gift shop. The 2.2-acre parcel is located at 3153 Route 7 (former site of the Ferrisburgh Bake Shop & Deli) in the Highway Commercial 2-Acre (HC-2) District, identified in the Town of Ferrisburgh tax maps as parcel 23/20/04.

At 7:05 p.m., Charlene Stavenow re-opened the hearing, which was recessed on February 1, 2017. Rick Benson was present to speak for the application. His plan is to open a grocery and deli operation in the building, similar to one he operates in Charlotte. He will be constructing a commercial kitchen, and will have to replace the plumbing in the building. He is in the process of applying for the necessary license from the state Department of Health.

Charlene Stavenow pointed out that his application to the zoning board did not include any information about signage, meaning he will need to seek an additional permit for any signs on the property.

She asked if there was any public comment on the application. Loretta Lawrence said she felt the sign for the previous tenant at this location, the Ferrisburgh Bake Shop & Deli, did not meet setback requirements, and would be concerned if a sign was put up in the same place. It was noted that the previous sign restricted visibility for those pulling out of the parking lot at the store, and from the adjacent post office lot.

In response to questions from the board, Benson said the store would be open from 9 a.m. to 9 p.m., and perhaps a little later during the summer. He said he did not have a lighting plan, but expected any exterior lighting would be downcast and probably on motion sensors, so that it would not be on at all times. He said there would not be a public restroom, but that he might provide a portable toilet outside the building during the summer.

Dave Mentzer asked whether the store would need to have a safety permit from the state, in addition to the required Health Department license. Benson said he was unsure, but would check into it.

Bob Beach made a motion to close the hearing at 7:20 p.m. Norm Smith seconded. All voted in favor. **Motion approved.**

Dave Mentzer made a motion to approve the Conditional Use Permit, subject to the following conditions: that the applicant provide a lighting plan, and verification that all required state permits and licenses had been received. Mike Delaney seconded. All voted in favor. **Motion approved.** Charlene Stavenow reminded Benson that he would need to file a separate application for signage at the site

## **HEARING No. 2**

### **Application 17-010.**

Application by Sally Knowlton for reconstruction of an existing beach house, dock house, deck and porch at 375 Bay View Road. The 25.42-acre parcel is located in the SD-2 District and is identified in the Town of Ferrisburgh tax maps as parcel 04/01/01.

Charlene Stavenow opened the hearing at 7:25 p.m. Rick Santa Maria and Dan Morris of Roundtree Construction were present to speak for the application. They presented the board with drawings showing the current location of structures on the property and what the reconstructed buildings would look like. They said that most of the existing structures would be removed, with the new construction—house, dock house, decks—taking place on the same footprint, with some volume and a couple of hundred square feet of living space added by raising the roof in the main house. The project would use the existing septic and water systems.

Charlene Stavenow asked if there was any public comment on the application. Neighboring property owner David Becker said he hoped that any additional lighting would be minimal and downcast. He said it appeared the drawings included a metal roof, which he thought would be appropriate. He hoped that the siding and the color scheme would be similar to the present house. As long as the footprint was maintained, he said, he had no trouble with raising the roof.

Neighbors Clark and Suzanne Hinsdale said they had some concerns, but that they had been working to resolve them with the property owner, and had no objection to the project's approval.

Mike Delaney made a motion to close the public hearing at 7:35 p.m. Rayne Herzog seconded. All voted in favor. **Motion approved.**

Norm Smith made a motion to approve the application, subject to the following conditions: that any exterior lighting on the property should be downcast, in such a way to not extend beyond the perimeter of the property; that siding materials be similar to the existing siding materials; and that the color of the siding be white or some shade of white, similar to what it is now. Dave Mentzer seconded. All voted in favor. **Motion approved.**

Ken Wheeling, zoning administrator, shared with the board signage plans submitted by the Ferrisburgh Bake Shop & Deli, now located at 2707 Route 7. The store's Conditional Use Permit had been approved at the board meeting on August 3, 2016, subject to conditions, including submission of a plan for signage. Norm Smith made a motion to approve the signage plan. Bob Beach seconded. All voted in favor. **Motion approved.**

Bob Beach made a motion to adjourn the meeting at 7:50 p.m. Mike Delaney seconded. All voted in favor. **Motion approved.**

— Respectfully submitted,

Tim Etchells