

Zoning Board of Adjustment
Town of Ferrisburgh, Vt.

Minutes for meeting of May 4, 2016

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

Town official present: Ken Wheeling, zoning administrator.

Visitors: Debbie Allen, Terry Allen, Dan Berry, Barbara Chamberlain, Alan Giguere.

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

Approval of minutes: Norm Smith made a motion to approve the minutes of April 6, 2016, as submitted. John Paul seconded. All voted in favor. **Motion approved.**

HEARING No. 1

Application No. 16-019. Request by Steven Konczal for Conditional Use Approval to construct a 315-square-foot deck over an existing boat storage space and retaining wall. The property, a total of 7,200 square feet, is located at 34 Pleasant Bay Road, identified in the Ferrisburgh tax maps as parcel 99/99/99.004.

The hearing opened at 7:05 p.m. Dan Berry, contractor, was present to speak for the application. He said the project involved an open deck, 15 by 21 feet, to be built on top of an existing concrete retaining wall between the shore of Lake Champlain and the existing home. The level of the deck would match the floor level in the adjoining section of the home. Berry provided the board with documentation confirming state approval of the waterfront project, which has also received approval from the Long Point Corporation. There was a brief discussion among board members and Berry about construction materials, which will include cedar decking over a support structure using pressure-treated wood.

Bob Beach made a motion to close the hearing. Dave Mentzer seconded. All voted in favor. **Motion approved.**

Bob Beach made a motion to approve the application as presented. Dave Mentzer seconded. All voted in favor. **Application approved.**

HEARING No. 2

Application 16-021. Request by Alan Giguere for Conditional Use Approval to construct a 4,100-square-foot garage and offices. The property, a total of 5.02 acres, is located on U.S. Route 7 across from Vermont Flannel Co., identified on Ferrisburgh tax maps as parcel 05/01/75.13.

Charlene Stavenow said a hearing on this application would not be held, and that she had been informed the application had been withdrawn. Alan Giguere was present at the meeting, as were Debbie and Terry Allen, from whom Giguere expects to purchase the property. They said they were aware of questions that had arisen about the application, but did not think it had been withdrawn. Board members said there had apparently been a misunderstanding on this point, but told Giguere and the Allens that the proposal for a garage and offices was neither a permitted nor conditional use for this parcel, located in the town's rural agricultural (RA-5) zone. Board members said that because the application as submitted did not include a residence, they did not believe it would fit in either of the home occupation categories described in the town's zoning bylaws. They asked Giguere to discuss the project further with Ken Wheeling, zoning administrator.

HEARING No. 3

Application 16-020.

Request by David and April Mentzer for a Waiver Approval to add an 870-square-foot, two-story addition and attached deck to a single-family home on a 1-acre property. The property is located at 230 Shellhouse Mountain Road, identified in Ferrisburgh tax maps as parcel 10/01/44.

The hearing opened at 7:30 p.m. David Mentzer, the applicant and a member of the zoning board, recused himself during consideration of the application. He said the current project was a revised version of the original design, reflecting discussions with neighboring property owner Barbara Chamberlain, who was also present at the meeting. The original plan had extended further into the setback between the two properties. The new version maintains the current distance from the property line. Board members asked about septic issues, and Mentzer said the project did not involve adding bedrooms so no additional septic capacity would be required. He said building materials would match those on the existing house. Asked about additional lighting, he said that if they were to add lighting it would be downcast. Bob Beach asked Barbara Chamberlain if she had any concerns about the project as submitted, and she said she did not. Mentzer said he believed the project met all criteria for granting of a waiver.

John Paul made a motion to close the hearing at 7:45 p.m. Rayne Herzog seconded. All voted in favor. **Motion approved.**

Norm Smith made a motion to approve the application based on the revised plans submitted at the hearing, providing that any additional lighting is downcast and not extend past the deck area, and that no part of the project is any closer to the lot line than the existing home. Rayne Herzog seconded. Bob Beach, Rayne Herzog, John Paul, Norm Smith and Charlene Stavenow voted in favor. **Application approved.**

John Paul made a motion to adjourn the meeting at 7:50 p.m. Norm Smith seconded. All voted in favor. **Motion passed.**

Respectfully submitted,

Tim Etchells