

Zoning Board of Adjustment *Town of Ferrisburgh, Vt.*

FINAL – Minutes for meeting of June 6, 2018, approved July 11, 2018.

Members present: Norm Smith (chair), Bob Beach, Mike Delaney, Rayne Herzog, Clark Hinsdale, Dave Mentzer, John Paul.

Visitors: Mary Collom, Roger Collom, Tom Denecker, Joann Doyle, Mark Franceschetti, Bruce Kaeck, Sarah Kaeck, Tom LeBoeuf, Shirley Reid.

Norm Smith, chair, called the meeting to order at 7 p.m.

Approval of minutes from May 2, 2018: Clark Hinsdale made a motion to approve the minutes of May 2, 2018, as submitted. Dave Mentzer seconded. Bob Beach, Rayne Herzog, Clark Hinsdale, Dave Mentzer, John Paul and Norm Smith voted in favor. Mike Delaney abstained. **Motion approved.**

Bob Beach reported that Brandy Saxton of PlaceSense had submitted an estimate for her work as a consultant, helping the town in rewriting its zoning bylaws. The estimate of \$4,550 was brought to the selectboard at its meeting on June 5, and the board asked to have the estimate converted to an invoice and included in its expenses to approve at its next meeting on June 19.

Application 18-027. Application by Jeffrey L. Sherwin for a Conditional Use Permit to make changes to an existing cottage at 417 Bay Road on Long Point. The property is in the Shoreland District (SD-2) and identified in Town of Ferrisburgh tax maps as parcel 99/99/99.064.

Norm Smith opened the hearing at 7:05 p.m. Jeffrey Sherwin was present to speak for the application. He said the project involved adding a small section, about 56 square feet, to an existing enclosed porch. The project would also involve raising the existing cottage about 14 inches and reworking the contours of the property to better match those of neighboring lots, and of Bay Road, which has been raised slightly over the years. The Long Point Corporation has signed off on the project.

In response to board member questions, Sherwin said materials used for the new section of porch would match the existing siding and roofing, and that any new lighting would be downcast. Neighbor Karen Pettersen said she had talked with Sherwin about the project and had no further concerns.

Dave Mentzer made a motion to close the public hearing at 7:12 p.m. Mike Delaney seconded. All voted in favor. **Motion approved.**

Rayne Herzog made a motion to approve the application, with the condition that any additional lighting be downcast, and that requirements included in a June 6 letter from Long Point be observed. John Paul seconded. All voted in favor. **Motion approved.**

Application 18-046. Application by Roger Collom for a Conditional Use Permit for an addition to and alteration of an existing cottage at 244 North Road on Long Point. The property is in the Shoreland District (SD-2) and identified in Town of Ferrisburgh tax maps as parcel 99/99/99.111.

Norm Smith opened the hearing at 7:35 p.m. Mary and Roger Collom were present to speak for the application. They said the project involved removing a one-story porch that is in disrepair, replacing the foundation, and building a new two-story porch, on the same footprint. The second story would allow the enlargement of an existing bedroom. They said the siding and roofing materials would match those of the rest of the cottage. The porch would have a gable roof that would match the existing roofline. They said they were in the process of getting permission for the work from the Long Point Corporation.

Neighbor Joann Doyle said she had concerns about the project, which would block part of her view of the lake. But she proposed a swap of sorts, whereby she would not object to the new porch if the Colloms agreed to improve her view by removing two damaged trees and re-routing power and phone lines on the Collom property. She would also request that any approval of the project include a prohibition against planting other trees or shrubs that would block her view.

Shirley Reid, another neighbor, said she objected to the project because it would block her view of the lake, something she said is specifically prohibited in the Long Point Corporation's rules.

Board members said they had no control over Long Point requirements or decisions, but could apply their own conditions in approving permits. There was a brief discussion about whether to close the hearing or to continue it at the next meeting. The consensus was to find out what the Long Point Corporation decided regarding the application, and such issues as Joann Doyle's proposed swap, so the board would know what was approved and what wasn't, and what stipulations were attached. Board members also felt that a site visit by the board was called for, to which the applicants, neighbors and the general public would be invited.

Dave Mentzer made a motion at 7:54 p.m. to continue the hearing until the next meeting of the board on July 11, 2018, at 7 p.m., with a site visit, open to the public, to take place on Long Point at 6 p.m. Bob Beach seconded. All voted in favor. **Motion approved.**

Application 18-043. Application by Barbi and Barry McDonald for a Conditional Use Permit to replace and expand an existing garage at 825 Kimball Dock Road. The property is in the Shoreland District (SD-2) and identified in Town of Ferrisburgh tax maps as parcel 19/20/43.

Norm Smith opened the hearing at 7:55 p.m. Contractor Peter Welch was present to speak for the application, and provided the board with a letter from the McDonalds allowing him to speak on their behalf. He said the project would involve removing an existing 20-foot by

32-foot detached garage and replacing it with a new 24-foot by 32-foot garage. The new building would be on essentially the same footprint as the old, with the additional four feet provided by extending the garage further into an existing parking area.

Welch said the building would be one and a half stories, about 6 feet taller than the existing garage, with the second floor used for storage. The materials used in construction would match those of the existing cottage, which has red clapboards and white trim. He said the owners had contacted neighbors, who all seemed to be happy with the project.

Bob Beach asked if a state shoreland permit would be required, and Welch said he did not believe so, since there would be no increase in the amount of impermeable surface. But he said he would contact the state to make sure.

Bob Beach made a motion to close the hearing at 8:03 p.m. Mike Delaney seconded. All voted in favor. **Motion approved.**

John Paul made a motion to approve the application as submitted with the condition that a letter be received from the state confirming that shoreland rules were being followed. Bob Beach seconded. All voted in favor. **Motion approved.**

Application 18-047. Application by D.J. Slothower for a variance/waiver for a fence on an existing small lot at 593 Middlebrook Road. The property is in the Rural Agricultural District (RA-5) and identified in Town of Ferrisburgh tax maps as parcel 23/20/18.

This hearing was cancelled before the meeting because it was determined the fence is exempt from the setback requirement.

Application 18-025. Application by Mark Franceschetti for an amendment/waiver to existing permit, No. 17-123, for alterations to buildings and fences on his property at the corner of Old Hollow Road and Route 7. The property is in the Highway Commercial District (HC-2) and identified in Town of Ferrisburgh tax maps as parcel 05/01/11.3.

Norm Smith opened the hearing at 8:05 p.m. Mark Franceschetti was present to speak for the application. The application seeks several changes to the original permit for a self-storage business, consisting of two buildings, located on the parcel:

- Changing to a slightly flatter roof pitch for the buildings.
- Changing the color scheme from brown to dark and light gray.
- Adding doors at the gable ends of the two buildings.
- Decreasing the number of lights to 16, including lights on the gable ends.
- Changing the dimensions of the gravel pad from 150 feet by 230 feet to 143 feet by 250 feet, to allow for more room to turn when driving around the gable ends.

It was determined no waiver was necessary for a proposed fence near one section of the property line, since fences are exempt from setback requirements according to the town's zoning bylaws.

There was a brief discussion that touched on the need for Franceschetti to submit a plan of the project area reflecting that his four lots at this location have now been combined into one parcel. This was a condition of approval of the original project.

Rayne Herzog made a motion to close the hearing at 8:18 p.m. Dave Mentzer seconded. All voted in favor. **Motion approved.**

Dave Mentzer made a motion to approve the application as submitted, with the condition that Franceschetti submit a plan of the project that shows the parcel as one lot, without the dividing lines for the previous four lots. Mike Delaney seconded. All voted in favor. **Motion approved.**

Other business

Sarah and Brian Kaeck attended the meeting to talk with the board about their interest in the former Denecker Chevrolet site at the northeast corner of the intersection of Route 7 and Monkton Road. Sarah is the founder of Bee's Wrap, a company now based in Bristol, Vt., that makes a washable, reusable, compostable food wrap out of cotton fabric infused with beeswax, organic jojoba oil and tree resin.

The parcel now includes a 3,600-square-foot office building, and Bee's Wrap is considering adding a 10,000-square-foot shop and warehouse. Their plans would also involve a small retail shop. She said the company now employs about 20 people.

Sarah said four to six large trucks would be making pickups and deliveries at the business each week, with operating hours from about 7 a.m. to 5 p.m. Tom Denecker, who owns the property, also attended the meeting. He said he had previously received a permit to put up a larger building on the site than the one being considered by Bee's Wrap. And he thought the existing septic system could support a business with up to 30 employees. He said there is obviously plenty of parking on the property.

While the board said it could not give a thumb's up or down to the idea, Norm Smith said the Kaecks could take away from the meeting "a relatively favorable weather report." Board members suggested coming up with an application for a future meeting including all buildings on the parcel, signage, lighting, color schemes, etc. And they advised talking directly with neighboring property owners to get their thoughts before going much further.

Tom LeBoeuf, a builder from Burlington, attended the meeting to get the board's thoughts on his idea to relocate his business to a site off Mt. Philo Road in Ferrisburgh. He is hoping to find a place to put up a house for his family and a woodworking shop. He said he had checked with Bonnie Barnes, zoning administrator, and with the realtor who is offering the property, and got the impression his plan might be possible.

Board members said the site he is considering is in an existing development and suggested he check on any rules or covenants that may be in place before going much further. They thought the realtor might well have this information, and also suggested he could hire an attorney and/or check town land records himself to see what kinds of restrictions are in the deeds of other parcels in the development. They also said his description led them to suspect he would require a Conditional Use Permit for operating a home occupation.

Clark Hinsdale made a motion to adjourn at 8:51 p.m. Mike Delaney seconded. All voted in favor. **Motion approved.**

— Respectfully submitted,

Tim Etchells