

Zoning Board of Adjustment
Town of Ferrisburgh, Vt.

APPROVED – Minutes for meeting of July 6, 2016

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

Town official present: Ken Wheeling, zoning administrator.

Visitors: Lynn Jackson Donnelly, Peter Mazurak, Bob McNary, Carl Ruprecht, Chris Stackhouse, Scott Thompson.

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

Approval of minutes from June 1, 2016: Norm Smith made a motion to approve the minutes from June 1, 2016, as submitted. Dave Mentzer seconded. All voted in favor.
Motion approved.

Ken Wheeling, zoning administrator, said that the owners of the deli now housed at the bakery on Route 7, next to the Ferrisburgh post office, had been told by the building's owner that they would no longer be able to use the space. Wheeling said the deli owners are talking with Dock Doctors about the use of the former Vermont Energy Co. building on Route 7, recently purchased by Dock Doctors. Wheeling told the deli owners that the first time the zoning board would be able to look at a proposal would be at its next scheduled meeting on August 3, 2016.

Application No. 16-3A-1. Request by David and Charlene Hunt for Conditional Use Approval to establish a Home Occupation II in an accessory building in the RA-5 District. The property is located at 70 Locust Lane, identified in the Town of Ferrisburgh tax maps as parcel 15/01/18.

Charlene Stavenow said this application had been withdrawn. The Hunts received a building permit for the project this spring from the then-acting zoning administrator. Zoning board members believe the application should have been reviewed by the board, since Home Occupation II is a conditional use, rather than a permitted use, in the RA-5 district. But the town has decided to allow the project to proceed under the previously issued building permit.

HEARING No. 1

Application 16-061. Request by Jolley Associates for Conditional Use Approval to add a 30-foot by 42-foot addition to an existing convenience store in North Ferrisburgh. The property is located on Route

7 in the HC-2 District, identified in the Town of Ferrisburgh tax maps as parcel 18/20/02.

The hearing opened at 7:12 p.m. Peter Mazurak and Carl Ruprecht were present to speak for the application. They described the project as an addition to the west side of the existing building. Most of the addition will be devoted to retail space and new beverage coolers. Board members asked questions about the project's structural elements; the exterior appearance, especially from the adjoining property on Stage Road; any new lighting; the number of exits needed; and the number of parking spaces required for the larger building. Board members said they would like to see elevation drawings of the project. They also expressed concern about the possibility of increased traffic at the already busy intersection of Stage Road, Old Hollow Road and Route 7. Board member Rayne Herzog said he would be writing a letter to the selectboard suggesting that the town request the state install a traffic signal at the intersection.

Lynn Jackson Donnelly, representing neighboring Stage Road property owner Brian Donnelly, said they consider the store to be a good neighbor, but that they had two concerns: increased noise from additional condensers that will be required for larger beer storage areas, and the possible impact from the store's septic system on the Donnellys' well. Carl Ruprecht said he expected the noise would be no worse and might actually be reduced because the condensers will be under the new addition. At the request of board members, he said he would seek an opinion from an acoustic expert about the potential noise level. He also said he would consider the Donnellys' request to have the store pay for an annual test of their well, with the results to be reported to the homeowners.

Resident Bob McNary asked if the additional space was for more of the existing product lines, or to offer new product lines. Carl Ruprecht said the new space and expanded coolers would provide space for more new products, including craft beers.

The hearing was recessed at 7:45 p.m. The board decided to inspect the site and scheduled a visit for 5:30 p.m. on August 3, 2016, the date of the next board meeting. The permit application will then be placed at the top of the agenda for that meeting. The board asked to have elevation drawings and information on the number of exits, the number of parking spaces, and predicted noise levels available in time for the August 3 visit.

HEARING No. 2

Application 16-044.

Request by Greg and Robyn Hill for Conditional Use Approval to raise the height of a garage by two feet. The property is located at 1472 Fort Cassin Road in the SD-2 District, identified in the Town of Ferrisburgh tax maps as parcel 03/01/04.

The hearing opened at 7:50 p.m. Chris Stackhouse was present to speak for the application. He said the Hills would like to increase the height of the garage to accommodate a

recreational vehicle. The existing building will be raised two feet on the current foundation, and another panel will be added to the existing overhead door.

The state has told the town that the project is exempt from the need for approval under the Shoreland Protection Act, since it will not result in additional impervious surface on the lakeshore lot.

The hearing was closed at 7:57 p.m. Rayne Herzog made a motion to approve the application as submitted, making sure that the existing foundation could handle the additional weight, and that the taller garage would look as much as possible like the existing structure. Mike Delaney seconded. All voted in favor. **Motion approved.**

HEARING No. 3

Application 16-061. Request by Scott Thompson and Susan Grimes for a Conditional Use Approval to expand front and rear decks at their existing home on Long Point. The property is located at 204 Annex Road in the SD-2 District, identified in the Town of Ferrisburgh tax maps as parcel 99/99/99.105.

The hearing was opened at 8:01 p.m. Scott Thompson was present to speak for the application. He said they would like to replace existing open decks, which are deteriorating, and expand both decks in the process. The deck on the back of the house, away from the lake, would be expanded from 4 feet wide to 6 feet wide. The deck on the lakeshore side of the house would be expanded from 13-feet by 8-feet to 26-feet by 12-feet, running the full length of that side of the house.

Charlene Stavenow said that the Long Point Association has approved the project, and that the state indicated no Shoreland Protection Act permit would be required because the project was not adding impervious surface on the lakeshore lot.

The hearing was closed at 8:06 p.m. Norm Smith made a motion to approve the application as submitted. Mike Delaney seconded. All voted in favor. **Motion approved.**

The board had included on its agenda an item about Palmer's Garage in North Ferrisburgh, but no one from Palmer's appeared.

Norm Smith made a motion to adjourn the meeting at 8:15 p.m. Rayne Herzog seconded. All voted in favor. **Motion approved.**

Respectfully submitted,

Tim Etchells