

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

Minutes for meeting of August 5, 2020

**Note: This meeting was conducted remotely. All participants joined the meeting through a Zoom online meeting.**

**Members present:** Norm Smith (chair), Bob Beach, Mike Delaney, Dave Mentzer, Diane Nadon, Katie Quinn. **Absent:** John Paul.

**Town official present:** Bonnie Barnes, zoning administrator.

**Participants present:** Adam Nilson, Kristopher Nelson, Pete Edling, Gill Hall, Clark Hinsdale, Shelly Eriksen, Peter Welch, Jill Boardman, Alan Calfee, David Torres, Harry Curth, Robyn King.

**Approval of minutes from July 1, 2020.** Bob Beach moved to approve the minutes of the July 1 meeting; Mike Delaney seconded. All voted in favor. **Motion approved.**

**Application No. 20-069 by Adam Nilson to construct a new 5000 square foot steel building. The property, at 7058 Route 7, is in the Highway Commercial District, parcel ID# 05/01/11.12. Conditional use.**

Norm Smith opened the hearing at 7:05 p.m. Adam Nilson was present to speak for the application. He noted that the Board previously approved a 40 x70 ft. addition to his current building. He wants to construct a new building at the same time as the addition, to minimize construction costs. The new building would be 60x80 feet. The state has approved a stormwater design for the property, and the current stormwater permit would need an amendment. The roof pitch would be nearly flat and all rainwater would be guttered to the existing system. The height, color and materials would match the existing building. Norm Smith asked about the size of the lot. Adam Nilson stated that the lot was less than 2.5 acres. Dave Mentzer noted that the lot is in the Highway Commercial District. Mike Delaney asked about the building materials. Adam Nilson stated that the building would be metal, built by Butler, with a concrete floor. Diane Nadon asked the purpose of the new building. Adam Nilson stated that the new building would house the CNC machines, with 1200 amp service. The current building would house the offices. Staff numbers between 15 and 20 employees. Dave Mentzer asked how many parking spaces are on site. Adam Nilson stated 40-50 spaces. The new building would be sited on existing parking lot. Dave Mentzer stated that the zoning regs would require more than 50 spaces. Norm Smith asked what the setback would be. Adam Nilson stated that the setback would be 25 feet. Dave Mentzer stated that the sketch map scaled to a setback of 15 ft. Adam Nilson stated that they would adjust that. Norm Smith identified a difficulty with the minimum acreage required of 2 acres per building. Diane Nadon asked whether the neighbors had been notified. Adam Nilson replied that the closest neighbor was D.H. Cameron, who knew of the project. Bonnie Barnes stated that all adjoining property owners were notified of the hearing by letter. Mike Delaney asked whether the buildings could be joined. Adam Nilson remarked that that probably could be done. **Diane Nadon moved to continue the hearing; Mike Delaney seconded.** Dave Mentzer stated that an amended proposal should not only address the minimum acreage issue but also the parking requirements.

Adam Nilson stated that it made more sense to have a requirement based on lot coverage rather than number of buildings. Norm Smith remarked that his point was well taken. **Motion carried.**

**Application No. 20-071 by Kristopher Nelson, to erect a solar canopy without the minimum required setback. The property, at 354 Quaker Street, is in the Rural Residential and Conservation Districts, parcel ID# 05/02/05. Waiver.**

Norm Smith opened the hearing at 7:15 p.m. Kris Nelson and Pete Edling were present to speak for the application. The canopy would be sited where the homeowners currently park their cars. The setback from the road is 80 feet. His house, built in 1890, is considerably less than 80 feet from the road. The driveway and parking area is already there. Norm Smith asked whether the snow plow would have a problem. Pete Edling stated that the posts for the canopy would be more than 25 feet, and that anything further than 15 feet usually posed no problem for the plows. **Mike Delaney moved to close the hearing; Diane Nadon seconded. Motion carried.** The application meets the waiver requirements: the waiver is for a use allowed within the district; the waiver is in conformance with the town plan; the waiver requested is designed to conform with the character of the land use and does not affect the neighbors; and the waiver is reasonable and not likely to encounter neighbor disapproval. **Dave Mentzer moved to approve the application as submitted; Bob Beach seconded. All voted in favor. Motion carried.**

**Application No. 20-073 by Gill Hall to build a detached garage without the minimum required setback. The property, at 116 Burroughs Farm Road, is in the Rural Agricultural District, parcel ID# 15/02/02.114. Waiver.**

Norm Smith opened the hearing at 7:25 p.m. Gill Hall was present to speak for the application. He would like to place the garage 65 feet from the road instead of the required 80 feet. At 80 feet the building would require the removal of some trees. The garage would include a guest suite on the second floor, a bedroom, office and bathroom but no kitchen. He is applying to the state for a wastewater permit. The ground floor would include a garage and shop and covered storage. The entire footprint of the building would be 38' x 38'; the equipment storage area or carport would be 12x38 and the garage and shop portion would be 26x38. The structure would be 20 feet high, with a pitched roof and dormers, and is intended to be similar to the existing residence.

Several board members stated that they would like to see plans. Dave Mentzer stated that Mr. Hall would need to address the standards for granting a waiver of dimensional standards. Bob Beach requested a picture of the site showing the trees that would need to be removed were the waiver not granted. **Bob Beach moved to continue the hearing; Katie Quinn seconded. Motion carried.**

**Application No. 20-074 by Clark Hinsdale to replace stairs at the McGarry camp and to add to the footprint and create a dormer at the Danyow Drive cottage. The property at 225 Bay View Road, is in the Shoreland District, parcel ID#04/01/03. Conditional use.**

Norm Smith opened the hearing at 7:35 p.m. Clark Hinsdale was present to speak for the application. He wants to replace the stairway to the lake to conform more closely to the rock ledge. The existing 8x12' foot platform will remain. The stairs will primarily be cut into the rock.

In addition Clark Hinsdale intends to square off the back of the Danyow Drive cottage and to add a second floor dormer. The same materials will be used for the additions, and no new lighting will be added. **Dave Mentzer moved to close the hearing; Mike Delaney seconded. Motion carried. Dave Mentzer moved to approve the application as submitted; Bob Beach seconded. All voted in favor. Motion carried.**

**Application No. 20-082 by Tom and Shelly Eriksen to convert an open porch to a covered porch. The property, at 188 Ferry Road, is in the Conservation District, parcel ID# 08/01/30. Conditional use.**

Norm Smith opened the hearing at 8:10 p.m. Shelly Eriksen was present to speak for the application. The Eriksens had a preexisting back porch and they roofed it over and connected it to the garage, increasing the footprint of coverage to 217 square feet. The previous zoning administrator had concluded that the project did not need a building permit. **Dave Mentzer moved to close the hearing; Katie Quinn seconded. Motion carried. Katie Quinn moved to approve the application as submitted; Diane Nadon seconded. All voted in favor. Motion carried.**

**Application No. 20-083 by Jill Boardman and Ed Izzo to demolish an existing garage and construct a new two-story garage on the same footprint. The property, at 276 Summer Point Lane, is in the Shoreland District, parcel ID#19/20/01. Conditional use.**

Norm Smith opened the hearing at 8:20 p.m. Jill Boardman was present to speak for the application. Jill Boardman and Ed Izzo had previously applied for and obtained a permit (19-089) to rebuild their garage, but at the hearing on that application the Board was told that the appearance of the new building would be similar to that of the old. Jill Boardman explained that this discrepancy resulted from a lack of communication between the applicants, and that the intention had always been to add storage above the garage. Jill Boardman confirmed that the DEC will not require a Shoreland Permit for the construction. The building will not be plumbed. Any lighting will be full-cutoff.

Alan Calfee, whose stepfather is an adjoining neighbor to the west, stated that the building was large and did not fit the character of the neighborhood, very modern-looking, much larger in scale and very imposing from their house. They are worried about the possibility of additional septic load and were concerned about the amount of vegetation that was removed. Jill Boardman responded that the cedar trees that were removed were overhanging the structure. Dave Mentzer asked whether the original garage was nonconforming; Bonnie Barnes stated that she believed so. Mike Delaney reviewed the minutes from the earlier permit hearing which stated that the plan was to replace the existing garage with a new structure on the same footprint using similar materials and colors for roofing and siding. The new building would be the same height. He asked how the project had gotten where it did without the Board having been informed. Jill Boardman responded that her husband Ed Izzo did not know the details of the final design. She did not realize that her husband had said it would be a one-story building until she reviewed the minutes in April. When she realized the discrepancy she contacted the Zoning Administrator. Dave Mentzer stated that it was unfortunate that a neighbor had not been able to express his concerns about the building at the outset. Dave Mentzer suggested a site visit, and other Board members agreed. Diane Nadon asked what would satisfy Alan Calfee, who stated that screening

would help. The Board members agreed to schedule a site visit at 5:30 p.m. before the next hearing on September 2.

**Dave Mentzer moved to continue the hearing; Mike Delaney seconded. Motion carried.**

**Application No. 20-084 by David Torres to modify their camp to improve accessibility. The property, at 27 Shore Point Road, is in the Shoreland District, parcel ID#99/99/99.030. Conditional use.**

Norm Smith opened the hearing at 8:40 p.m. David Torres was present to speak for the application. He wants to increase the footprint of the staircase, which would eliminate a bedroom, to add a half bath on the ground floor and to add a bedroom on the second floor above the kitchen. He also intends to replace an old boathouse/shed. He will add an overhang to the doorway. There will be no expansion to the footprint; just the addition above the kitchen.

**Mike Delaney moved to close the hearing; Dave Mentzer seconded. Motion carried. Dave Mentzer moved to approve the application as submitted; Katie Quinn seconded. All voted in favor. Motion carried.**

**Other Business.**

Harry Curth addressed the Board with concerns about a proposal to apply for a home occupation permit near his property on Middlebrook Road.

Norm Smith stated that he had circulated a very rough draft of a decision in Franceschetti. Board members had not had a chance to review it.

Robyn King introduced herself and expressed interest in taking minutes for the ZBA and the Planning Commission, The Board notes her substantial background and is delighted to welcome her.

**Adjournment: Mike Delaney moved to adjourn; Diane Nadon seconded. All voted in favor. Motion carried.**

Respectfully submitted,  
Bob Beach and Bonnie Barnes