

ON CASPIAN LAKE

Dear Greensboro and our Development Renew Board

I support the Old Firehouse at 83 Breezy Avenue remaining a public building. Not only is it historically a minicipal building for our residents, hence its location and name, but it is a valuable space in the avea for economically-friendly events velcoming to larger groups of people. We at Highland hodge and many other businesses appreciate their events and as residents we consider the bibling a welcome part of the cultural community. Sincerely Heider Lawren Toke Resident 8. Broiners Owner HI LO

June 16, 2017

Dear Members of the DRB,

I am writing in support of the cultural and social benefit the Old Greensboro Fire House has been providing as a public space. I urge the DRB to allow public events to continue and want to remind the Board that the use of the space is consistent with many of the goals articulated in the Town Plan. Ultimately, we want life in our village and the events that have been happening at the Old Firehouse are a huge net benefit to the community as a whole. I have watched an amazing cross section of our community enjoying themselves and I hope you understand that zoning is ultimately a tool to build livable communities, not a tool to kill them.

Exhibit # z

Sincerely,

nall

Mateo Kehler

Gmail - Appeal by Naomi Ranz



Audrey DeProspero <audreydeprospero@gmail.com>

## Appeal by Naomi Ranz

Gmail

2 messages

DAVID LAMBERT <lambertda@msn.com> To: "zoning@greensborovt.org" <zoning@greensborovt.org> Mon, Jun 26, 2017 at 9:13 AM

To the Greensboro Development Review Board:

I support maintaining the Old Fire House, located at 83 Breezy Avenue as a public building. Maintaining this property at its current status will be a great asset to the Greensboro community.

Mollie Lambert

Breezy Avenue

Spahr Road

DAVID LAMBERT <lambertda@msn.com> To: "zoning@greensborovt.org" <zoning@greensborovt.org> Tue, Jun 27, 2017 at 7:24 AM

From: DAVID LAMBERT <lambertda@msn.com> Sent: Monday, June 26, 2017 9:13 AM To: zoning@greensborovt.org Subject: Appeal by Naomi Ranz

[Quoted text hidden]

Exhibit # 4 Admitted

Andrew Meyer 3707 Bridgman Hill Rd Hardwick, VT 05843

June 28, 2017

Greensboro Development Review Board P.O. Box 119 Greensboro, VT 05841

Dear Members of the Development Review Board,

I am writing to support the Old Firehouse located at 83 Breezy Ave remain a Public Building. This building has served and should continue to serve as a space for community gatherings. Whether it's an art show, dance or pot luck dinner, the Old Firehouse is an asset to not only Greensboro, but the surrounding communities.

As a taxpayer in the town of Greensboro, I hope you consider allowing the Old Firehouse to be used for public events.

Sincerely,

andra Bhy

Andrew Meyer



From: Kristen Leahy 894 The Bend Road Greensboro, VT 05841

To: Greensboro Development Review Board c/o Greensboro Town Offices

Date: June 29, 2017

#### Submitted Electronically

Dear Members of the Greensboro Development Review Board;

Please accept this letter of support for Naomi Ranz-Schleifer's appeal of the Greensboro Zoning Administrator's decision.

The property in question, 83 Breezy Avenue, is located within the Greensboro Village District (Section 2.3, page 13) and has historically served as the Fire Station for the Town of Greensboro. Fire Stations are included in the Greensboro Village District under the conditional use category of "12. **Public Building**." The following definition of a Public Building is found on page 80:

"Public Building: buildings of an institutional nature and serving a public need, such as houses of worship; hospitals; schools; libraries; museums; post offices; police, rescue, and fire stations; and public utilities and services."

The definition of **a Public Building** does not contain a test of "town" ownership. While certain uses within the category are typically owned by Towns (such as police stations, etc), other uses are generally owned by private or non-profit organizations (hospitals, houses of worship).

The former Fire Station also could be viewed as a "**public facility**" – a term which relates to the State of Vermont's statute of limitations on municipal bylaws. Public facilities are defined as follows in Section 3.6 on page 19.

"Public Facilities:

- 1. State or community owned and operated institutions and facilities.
- 2. Public and private schools and other educational institutions certified by the state department of education.
- 3. Churches and other places of worship, convents, and parish houses.
- 4. Public and private hospitals
- 5. Regional solid waste management facilities certified under 10 V.S.A. Chapter 159,
- 6. Hazardous waste management facilities for which a notice of intent to construct has been received under 10 V.S.A. Section 6606(a)."

The definition of a **Public Facility** does contain references to the ownership of the property. However, the Greensboro Zoning Bylaw does not utilize "public facility" as a category of the conditional uses in the

Greensboro Village District. The Bylaw only recognizes the "public building" as a possible conditional use.

Ms. Ranz-Schleifer's stated use of 83 Breezy Avenue is that of a museum. Museums are included in the public building category. In addition, the Bylaw does not include a definition of a "museum" or requirements of standard for the museum structure.

Also at question is the use of the "public building" for gatherings which include the transfer of donation funds. This usage is in keeping with the manner in which other public buildings are utilized in Greensboro. The Greensboro Free Library, the Historical Society, and the United Church of Christ all host events which allow patrons to make a donation for attendance. Any change to that policy would be an issue for the Greensboro Select Board to remedy by ordinance. The Greensboro Zoning Bylaw is definitely silent on this issue.

Of course, the "public building" conditional use category is extremely large and diverse (as is "commercial use") and should perhaps be refined. The Planning Commission may wish to update or change the categories. However, as they are written, the property at 83 Breezy Avenue has not changed in use and should be allowed to continue as a privately-owned museum.

Many thanks for consideration of my thoughts on this matter.

Best Wishes, Kist hear Kristen Leahy Greensboro, VT

Exhibit#6 Admitted

Development Review Board Town of Greensboro P.O. Box 119 Greensboro. Vermont 05841

Dear Sir or Madam,

I am writing this letter to show my support for the Old Firehouse at (83 Breezy Ave) to remain a public building.

Thank You Joann LaCasse Greensboro Garage 103 Breezy Ave. Greensboro, VT. 05841

Exhibit # 7 Admitted

Development Review Board Town of Greensboro P.O. Box 119 Greensboro. Vermont 05841

Noeleen McIntyre 48 Breezy Ave Greensboro, VT 05841

Dear Greensboro zoning board,

It has come to my attention that the property (83 Breezy Ave) that Naomi Ranz recently purchased is being threatened to lose its public status. I disagree with this decision based on the understanding that this property was sold under the pretense that it is and has no reason to change its status as a public property. In addition Naomi's vision for the space benefits our community.

Please take a second look at this decision. As a neighbor and someone who will be impacted by the property under Naomi's ownership, I fully support 83 Breezy Avenue as a public zone.

Sincerely, Noeleen McIntyre

Exhibit # 8 Admitted

To the Greensboro Development Review Board:

I support maintaining the Old Fire House, located at 83 Breezy Avenue as a public building. Maintaining this property at its current status will be a great asset to the Greensboro community.

Mollie Lambert

**Breezy Avenue** 

Spahr Road

Exhibit # 9 Admitted

Dear Members of the DRB,

Vibrant communities thrive on a diversity of people--different ethnicities, races, ages, and income levels create tolerant and lively cultural mixes. Our community obviously lacks such diversity. As I understand it, the Old Firehouse was providing a place where younger members of our community could meet and socialize and not feel out of place among a majority of people two generations older, as in most of Greensboro's public forums. We need to encourage efforts to make our community more welcoming to all of its residents; we need more, and more diverse public spaces, where younger people can enjoy and contribute to our community. Please allow the Old Firehouse to remain a public building so it can add to the cultural life of our community.

Dan and Pat Cohen Greensboro Resident, 275 Shatney Rd

Exhibit # 10 Admitted

Dear DRB members,

I would like to express my support for maintaining the 'Public Building' status of the Old Firehouse located at 83 Breezy Avenue in Greensboro.

This building has been there as long as most of us can remember and is as much part of the special line-up on Breezy Avenue that sweeps down to Willey's Store as all the other buildings are. It has a new owner and that is good news; now let's allow it to have a new life.

It would be yet another asset for Greensboro to be able to boast of a small but iconic public space to be used periodically for special events. It would be a way of honoring Greensboro's past and opening up opportunities for the future. It's a way of saying publicly that Greensboro welcomes innovative and inspired ventures by people who want this community to live whilst preserving its history and heritage.

Eliza BURNHAM 1271 Craftsbury Road

Exhibit# 11 Admitted

Karen & George Gowen

261 Country Club Road Greensboro, VT 05841

June 28, 2017

Town of Greensboro P.O. Box 119 Greensboro, VT 05841

To Whom it May Concern,

We would like to state our support in favor of the Old Firehouse (83 Breezy Ave.) remaining a Public Building. It is a wonderful asset to the community and can serve as a space to share art and gather multi-generations to foster community spirit.

Sincerely yours,

Karen & George Gowen

Exhibit # 12 Admitted

Bliss Perry Cottage 393 Breezy Ave. Greensboro, Vermont 05841

DRB Greensboro Town Hall Greensboro, Vermont 05841

Dear DRB,

This letter, from the owners of the Bliss Perry Cottage next to Circus Smirkus Camp, is in support of the Old Firehouse at 83 Breezy Ave., remaining a public building.

It's wonderful to have this building used for art and culture. Why not? More richness to all of us in Greensboro.

We urge you to reconsider this ruling and keep the Old Firehouse as a public building which will enrich all of us in Greensboro.

Sincerely yours,

Lynn Holbein and Alan Peterson, co-owners, Bliss Perry Cottage

Exhibit#13 Admatted

June 19, 2017

Town of Greensboro Development Review Board PO Box 119 Greensboro, VT 05841

Re: 83 Breezy Ave., Greensboro, VT

Dear Development Review Board,

I am writing in <u>support</u> of Naomi Ranz-Schleifer's appeal that the Firehouse Museum be classified as a Public Building. I believe that the building serves a public need in its capacity as a museum, and, as Kristen Leahy states in her 2014 Zoning Evaluation "The use of the structure, as a Public Building...., could continue indefinitely without permission of the Greensboro Development Review Board."

Thank you.

Respectfully, Donald W. Jenkins

166 Blockhouse Hill Rd. Greensboro, VT 05841

June 28, 2017

Exhibit# 14 Admethed

Dear Members of the Greensboro DRB,

We are writing to express our support of continuing to have the Old Greensboro Fire House used as a public space. Public gathering spaces are critical for enhancing quality of life in rural places. We have attended several events at the Fire House over the past year. The events were attended by young and old and we left with an increased appreciation for all the good that is happening in our community.

Sincerely, 0 John & Johanna Laggis

John & Johanna Laggis E. Hardwick, VT

Exhibit #15 Admitted

## DAVID F. KELLEY Attorney at Law 1501 Shadow Lake Road Craftsbury Common, VT 05827

June 28, 2017

Development Review Board Town Office Building Greensboro, VT

Re: Appeal - DRB Warrant - Ranz - 062917

To the Board:

I have been asked to render an opinion with regard to the above referenced matter.

My understanding of the facts, in a nutshell, is that dances have been or are being held in the Old Firehouse in the Greensboro Village District and that the Greensboro Zoning Administrator has written to the appellant, Naomi Ranz-Schliefer informing the appellant that she must obtain a Conditional Use Permit from the DRB because the Zoning Administrator has determined the use at issue falls within the definition of a "Club, Private or Camp" as set forth at Page 74 of the Greensboro Zoning By Laws which is a Conditional Use within the Village District. Said definition is as follows:

"Club, Private or Camp: A corporation, organization, or association or group of individuals existing for fraternal, social, recreational, or educational purposes, for cultural enrichment or to further the purposes of agriculture, which owns, occupies, or uses certain specified premises, which is not organized or operated for profit, and the benefits of which are available primarily to members only." [emphasis added].

My understanding of the facts is that the activity in question does NOT fall within the definition of "Club, Private or Camp." The dancing is not "available primarily to members only" but is instead open and available to the general public. As such the Zoning Administrator's determination dated May 10, 2017, is incorrect and the basis upon which she claims a Conditional Use permit is needed is likewise incorrect.

I hope this will help with your deliberations.

Sincerely, David F. Kelley

Ephibet# 19

DAVID F. KELLEY Attorney at Law 1501 Shadow Lake Road Craftsbury Common, VT 05827

Rendered openion As the request of Carolyn Kehler

June 28, 2017

Development Review Board Town Office Building Greensboro, VT

Re: Appeal - DRB Warrant - Ranz - 062917

To the Board:

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I hope this will help with your deliberations.

Sincerely, David F. Kelley

Exhibitt I, the undersigned, support 83 Breezy Ave. remaining a public Building. contact info Admitted Address Name Lynette Court new 279 The Bend Rd 533-9836 PER COURTNEY Z79 THEBEND RD. 533-9836 Envily Stone 633 - 7351 3666 CraftoburyRol Karkaven Klotz 177 Hotton Hill, Hardwick 472-9034 JERRY SCHWEIDER Lise Hamel 3231 Bryley Noran Rd. E. Nordwiele 472-6350 Jawrence w Hamel Adula 2358 Tom Hill Rd. (802)498-4049 Margue Preug 3534 Buylestare Rd. Ame Methersa AIZ Richard Xing 533-7175 182 Pupkula Etholard 472-3621 269 HUMBR LANG HORMAL SISE942 673-81 overade Drive Neupost Chr 3556942 673-0100 Children Drive Neupost Chr 3556942 673-STEVE FRAMMUL Allysontouch 25 Cloughst Newport 917.945.6280 Junny Naughtin " neupilt My Bulger Tyler Bitswell 1516 Gonyaw Rd G. Bend 802-829-9436 412 RICHMED XING EAST HARDWER 533 7175 LOUI PULVER WATER GATE - A-LOBO, V+, 05836 1013 King Form RD. 563-203 MR.T Marie Turnd 1013 King Farm RD. 586-2350 1013 King Farm 586-2350 109 spahr Rd 533-7750 Ben Kroeger Andrew Meger Eve Passeltiner 1033 herouted simbeliek 274-5921 CHARLES SAVOIE 1033 LEROUX RD 802-535-7689 Neal Smith North Rd, Pletcher VT 802 393 9633 Mary Johnon Fritch Hill, Hude Park VT 002-760-8209 Susan Ruh Brz 444 higher to Charlote 802-425-2033

I, the undersigned, support 83 Breezy Ave. remaining a public Building.

Name Address contact info Sally Kanny #1 2 Randolph Rd ssranzacomast.net. Chis Caven Christina can n'Ogmail 175 Randolph Rd 10 Raudol 4 Rd Vic Riggs Vicsi 927 @ gual-con 22 almay @ gmail.com 491 Country Club Rd Ezra Ranz-Schleifer Beth R. Riggs 10 Randolph Rd vbriggs@midrivers.com 175 Randolph Rd. hucile a. Brink lucile ab 123 @gmail. com aun Berly 10 Randolph Fd HC Bailey 3 Comen 1. com Brooks Cavin () 2 Randolph Rel. bmikec@yahoo.com Bry a. Ohn 2 Randolph Red rranze concast.net 292 Renardson fo kelly papke gmaril. com protteman Egenail. on annakebler@guail.com hentelle 292 Richardson Rd Anna Keliler PO Box Jo Greenglow VI Caro his Roules CAROLYDKOWEr PO BOX 56 Erecustor 412 RICHMEDXIVE East Herdurch Surfing seggie Equind. LOUIS & Pulver Victoria Un Hessert Ru Box 42, Geersbor Victorovonhessedequeilen Martha Die mi Alugiene Demogra POBIN 126 Greeksbro MARTI NIEMI 44@ Iwhama@AU.com GMAIL.com 3231 BAYLEY HAZEN RP E HARRIDICK P.D. Box 155 Counters ecelvitio earthlink. Net Bruna Holbein 393 Breezy Augbholbeine RCD. for 393 prezy Une Wan holber @ grad. Com 295 Breaty AL (Scott))onrelly //sdonnel/scottogworkcom f D. Box 24, breashow Ana Harbish

Exhibitt

Exhibit # 18 Almitted

Zoning Evaluation of the Former Fire Station KL AS GLoro ZA From the Greensboro Zoning Administrator June 19, 2014

The following is not an endorsement of any particular available option for the Former Fire Station property, nor is it a legal opinion. This is a zoning evaluation for a non-conforming parcel of land with a non-conforming structure on site. These answers are to the best of my knowledge as the Greensboro Zoning Administrator, Kristen Leahy.

All page and section references are derived from the Greensboro Zoning Bylaw.

The Former Fire Station parcel is a non-conforming parcel in the Greensboro Village District. If this parcel were bare land, development would be prohibited. (See page 19, Section 3.5, C1 – in order to be developed, lots must have more than one - eighth of an acre in area).

However, there is a Non-conforming structure on this particular lot. The Former Fire Station is a Public Building, which is allowed in the Greensboro Village District by Conditional Use in our Zoning Bylaw. A Public Building is defined as "buildings of an institutional nature and serving a public need, such as houses of worship; hospitals; schools, libraries; museums; post offices; police; rescue and fire stations; and public utilities and services." (Page 80). The structure is Non-conforming ("any legal structure which is not in compliance with the provisions of this Bylaw concerning setback ...." Page 20, Section 3.8). The Non-Conformity is due to the inadequate setbacks from the parcel lines and because of the size of the lot.

The use of the structure, as a Public Building and as it is currently configured, could continue indefinitely without permission of the Greensboro Development Review Board (DRB). The structure could also be restored or renovated, as a Public Building, with a conditional use permit from the DRB (Section 3.8, page 20).

The most pressing issue or problem in converting this building to another permitted use would be the lack of a wastewater system. There is currently only one 2" water line with a garden hose attachment to the property and a drain inside the structure which accesses the exterior. No pre-existing system is in place. A wastewater system permit must be issued by the State of Vermont prior to the issuance of a building permit. (Page 34, Section 5.1). Furthermore, according to John Mackin from Greensboro Fire District #1, the Fire District intends to shut the water off at the road when the fire department has completely moved out of the Former Fire Station building. Mr. Mackin acknowledges that there is a water line to the building but, he also states that the GFD #1 has a policy that they do not provide water to a property unless there is a wastewater system in place at that property.

Most permitted and conditional uses of the structure would need a wastewater system. An Accessory Use or Structure does not require a wastewater system to be in place. However, our zoning definition of an Accessory Use or Structure is as follows "a building or use customarily incidental and subordinate to a principal building or use on the same lot, or on an adjoining lot under the same ownership." (Page 72, emphasis added). Conversion of the Former Fire Station to an Accessory Structure would be permitted to an adjoining neighbor – Anastasio, Vermont Land Trust, and the Housing Foundation, Inc. A variance would need to be sought from the DRB to allow the use of the building as an Accessory Structure for any other owner who does not adjoin the parcel.

The conversion of this Public Building to a new Public Building would not require a conditional use permit if the conversion occurred within two years of the Fire Department departure. Furthermore, if the proposed project from the Town of Greensboro did need to seek approval from the Greensboro DRB, then Section 3.6 – Limitations on Municipal Bylaws – would be invoked. In particular, this section states that aspects of the project may only be reviewed "...to the extent that these regulations do not have the effect of interfering with the intended functional use." (Page 19).

What can be done with this lot? Potential projects. (Not a full list)

- The building could be torn down and the parcel could be utilized for seasonal camping; RV placement for up to six weeks; temporary structures (up to six months); a parking lot; agricultural endeavors; or a sign placement. (In general, zoning permits would not be required in these instances).
- The building could continue to be a Public Building.
- The building could become a permitted Accessory Structure for an adjoining owner.
- The building could become an Accessory Structure for a non-adjoining owner with a variance permit from the DRB.
- The building could become a Non-conforming single –family or two-family dwelling if a wastewater system permit was obtained from the State of Vermont. The footprint could also be utilized if a conditional use permit was also granted by the DRB.
- Most conditional uses would be possible if approval was received from the DRB and a wastewater system permit was obtained from the State of Vermont. The exception would be Commercial Use or Home Businesses which are required to provide off-street parking. The approval of such projects would be questionable at best.

Exhalt # 20 Admitted

333 Commonwealth Avenue, Apt. 8 Boston MA, 02115 June 23, 2017

Greensboro Development Review Board Town of Greensboro PO Box 119 Greensboro, VT 05841

Re: 83 Breezy Avenue, Greensboro, VT

Dear Members of the Development Review Board:

I own the property at 82 Breezy Avenue. Greensboro, VT.

#### **Public Building**

In order to meet the requirements of the definition of a public building under the zoning by-laws, a building must

- 1. be of an institutional nature and
- 2. serve a public need.

When the building located at 83 Breezy Avenue was transferred to a private individual or entity, it was no longer owned or operated by an organization established for a public, educational or religious purpose, and when its use as a fire house was discontinued, it no longer served a public need. It no longer satisfied either of the requirements of being a public building, and the zoning by-law requires that <u>both</u> requirements be met. At that point it was no longer a public building.

For this reason, I feel that the zoning administrator's decision that the building located at 83 Breezy Avenue is not a public building should be upheld, and this appeal should be denied.

### Change in Use

Additionally, a public building is not permitted in the Greensboro Village District as a matter of right, but only as a conditional use, if approved by the Development Review Board and subject to any conditions that it may impose.

Even if the building at 83 Breezy Avenue could meet the requirements of a public building, which as indicated above I do not believe it does, a new conditional use permit would be required for the change in the use from a fire house to another use, since the use upon which its former status as a public building depended has been discontinued.

Any change in the use of any building is defined to be a land development, and Section 1.3(A) of the zoning by-law provides that "no land development ... shall commence ... except in conformance with the requirements of this By-law."

A nonconforming use is a <u>use</u> that did not conform to the existing zoning by-law, but one that legally existed before the by-law was enacted. Because the <u>use</u> as a fire house complied with the existing zoning by-law, it was not a nonconforming use.

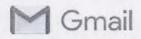
Even if it had been, however, and if there had been a right to <u>re-establish</u> the building as a fire house within 2 years of discontinuing such use pursuant to Sec. 3.8(B)(2), there was no right to change the use or to create a new one during that period without obtaining a conditional use permit, and there certainly is no such right now.

The statement that the building at 83 Breezy Avenue has been operated as a museum surprises me. I have owned the building across the street and spent summers there for many years and I have never received any notice or seen any indication that it was a museum. If the actual use of the building has in fact been changed to that of a museum, a conditional use permit would have been required for such a change in use, and I am not aware that any such permit has been issued. Furthermore, such a use, if permitted, would not encompass events such as those described in the correspondence of the zoning administrator dated March 17, 2017 and May 5, 2017.

Since a conditional use approval for a change in use has not been obtained for the property at 83 Breezy Avenue, the decision of the zoning administrator should be upheld and the appeal should be denied.

Very truly yours

Patricia Ann Sullivan



Audrey DeProspero <audreydeprospero@gmail.com>

# Letter of support for the old firehouse at 83 Breezy Ave. remaining a Public Building

1 message

Alain McMurtrie <amcmurtrie@myfairpoint.net> To: zoning@greensborovt.org, greensborovtzoning@yahoo.com Cc: Fiona McMurtrie <fiona@mcmurtrie.net> Thu, Jun 29, 2017 at 7:44 AM

Dear Members of the Greensboro Development Review Board,

Writing a note to express support for Naomi Ranz-Schleifer's vision for turning the unique property that was the firehouse into a space that can be enjoyed by others within the community.

As neighbors living fewer than 800 feet from this building, we were concerned about potential high decibel levels of combined voices and music when people gathered inside the building. Happily, no such sounds have been detectable, even while standing outside of our house. Traffic has not been perceptibly heavier than on any other given night. If anything, activity at the firehouse may cause passing cars to slow down, rather than travel up and down Breezy Avenue at excessive speeds which otherwise occurs with increasing frequency.

We admire and applaud Ms. Ranz-Schleifer's courage and determination to turn this white-elephant of a property, without septic and with little usable land, into a vibrant space in the Village, open to all. Hoping for a determination by the DRB that will allow her to continue without additional constraints.

Sincerely,

Alain & Fiona McMurtrie 20 Pleasants St. Greensboro