

**APPLICATION FOR CONDITIONAL USE PERMIT/VARIANCE  
FOR RECONSTRUCTION OR RELOCATION OF NONCONFORMING STRUCTURES  
IN THE SHORELAND PROTECTION DISTRICT  
TOWN OF GREENSBORO  
PO Box 119, Greensboro, VT 05841  
(802) 533-2640 Fax (802) 533-2191  
zoning@greensborovt.org**

**FOR ADMINISTRATIVE USE ONLY**

Application Number: 2017-038 Tax Map Number 22-21-35  
 Zoning District Shoreland Protection  
 Date Application Received 12/20/2017 Fee Paid \$ 260 CK# 16347  
 Reason for Seeking Conditional Use Permit or Variance: (200 + 50 + 10)  
Bunkhouse Reconstruction 2.7 Shoreland Protection District  
D. Conditional Use Bunkhouse 5.5 Variance 8.8B, 8.9, 8.10

Please provide all of the information requested in this application. Failure to provide all required information will delay the processing of this application. Submit the completed application and a check payable to the *Town of Greensboro*.

**Applicant(s):**

Name(s): MILKROD CUSHMAN FOR CUSHMAN DESIGN GROUP, INC  
 Mailing Address: P.O. Box 655 STONE VT. 05672  
 Telephone(s) Home: 802.888.3702 Work: 802.252.2661 Cell: 802.498.8444  
 E-Mail: MBC@CUSHMANDESIGN.COM

**Landowner(s) (if different from applicant(s)):**

Name(s): MARION WRIGHT AND GREG BREWER  
 Mailing Address: 4 HOLLY LAKE RTE, NEW YORK 10580  
 Telephone(s) Home: 914.967.1416 Work: — Cell: 917.860.2397  
 E-Mail: ONWRIGHT@MR.COM

**Physical Location of Property (911 address):**

151 BIRCH LAKE

**Type of Permit:**

Conditional Use  Variance

**Permits Which May Be Necessary:**

State Septic & Potable Water Permits - required prior to approval SEE ATTACHED LETTER FROM JOHN GREYER

**Pre-development Submission Requirements:**

- An existing condition site assessment providing slope profiles, existing gradients, sensitive natural communities, and site features that aid in stormwater management such as natural drainage ways and vegetated lands. SEE ATTACHED PLAN A.1.0
- A map drawn to scale showing the location, extent and type of proposed Development and land disturbance and its proximity to the Shoreland Buffer Resource Zone and Lake. The plan shall include consideration of low impact development concepts as recommended in the Vermont Low Impact Development Guide for Residential and Small Sites. SEE ATTACHED PLAN EPSL PLAN & DETAILS
- An erosion and sediment control plan that incorporates accepted management practices as recommended by the state of Vermont is The Low Risk Site Handbook for Erosion Prevention and Sediment Control. SEE ATTACHED PLAN EPSL PLAN & DETAILS

**Property Description:**

Acreage in lot .47

(Please Note: If your property is enrolled in the Current Use Program, your conditional use or variance application may impact your Current Use status. Please verify your status with Vermont Property Valuation and Review, Current Use Program at 802-828-6633).

Feet of Road Frontage 59-0"

Setbacks: Front 102'± (to center of road)

Left Side 101'± TO LAKE SHORE

~~EXISTING BUNK HOUSE~~ Right side 1-6"

Rear —

Lakeshore 1-6"

Shoreline Frontage 16-4"

Lot Width 170'±

Lot Depth 140'±

Other —

**Dimensions of Proposed and Existing Buildings:**

Existing:

Length 18'-5 1/2" No. of Stories 2  
Width 16'-4"  
Height 19'-8"

Proposed:

Length 18'-5 1/2" No. of Stories 3  
Width 16'-4"  
Height 29'-5"

**Lakeshore District Properties, please indicate the total habitable floor area of the dwelling:** 602 SF  
Total Habitable Floor Area is defined in the Greensboro Zoning Ordinances as "The floor area of rooms in a dwelling unit used for bedrooms, living room, dining room, kitchen, and bathroom. Excludes porches and decks."

Existing use and occupancy. (If there are no buildings currently on the property, please write "bare land.") SEASONAL BUNK HOUSE w/ STORAGE BELOW

Proposed use and occupancy. (Write whether it will be seasonal or full year. If you decide to change the use of your property later you may need another permit.) SEASONAL BUNK HOUSE / STUDIO w/ STORAGE BELOW

**Sketch or attach a general plot plan showing the following:**

1. Location of property.
2. Location of buildings on property.
3. Location of driveway.
4. Location of water source and septic/waste water system.

SEE ATTACHED PLANS INCLUDING RD 4.1

**\* LISTED CARD HISTORY OF THIS BUILDING**

- 1967 - "1 ROOM WITH 1/2 BATH"
- 1981 - "PORT HOUSE WITH TUB & SINK"
- 1998 - "BUNK HOUSE, 1 BEDROOM & 3/4 BATH"
- 2013 - "PORT HOUSE / STORAGE, 1 ROOM WITH 1/2 BATH"
- 2014 - "PORT HOUSE WITH 1 ROOM WITH 1/2 BATH"

**Sketch a floor plan or diagram showing the dimensions of the proposed building, addition or alteration.** (This should show the rooms in the inside of the building, including both upstairs and downstairs if there is more than one floor.)

SEE ATTACHED ARCHITECTURAL PLANS  
A 2.0 + A 3.0

If the property is sited within the buffer area of a major water body (within 75' of Caspian or Eligo Lakes, 50' of Horse & Mud Ponds, 100' of Long Pond, or 25' of any river or stream), **please attach a landscape design plan for your project. Include types of plantings, landscape materials to be utilized and size and location of access paths.** *New lawns shall not extend into the buffer.*

SEE ATTACHED ERSC PLAN & LETTER FROM JOHN GRENER

## Mitigation Measures:

Mitigation is an action required of a shoreland property owner designed to compensate for shoreland buffer lost to impervious surfaces within the Shoreland Protection District.

In circumstances where nonconforming structures are permitted to be expanded or reconstructed within the Shoreland Buffer Resource Zone, the Development Review Board (DRB) shall require the shoreland property owner to create and adhere to an approved mitigation plan.

Measures which may be included in such a plan are as follows:

- **Buffer Restoration.** Returning mowed or cleared areas to a naturally vegetated state with supplemental planting of appropriate native vegetation in order to restore the lakeshore buffer. Must be part of the approved mitigation plan. 150 SF OF EXISTING LAWN AREA IS CONVERTED TO A SHORELAND GARDEN
- **Rain Gardens.**
- **Implementation of erosion and stormwater runoff controls.** Creating runoff capture and building infiltration structures to prevent stormwater runoff from reaching the lake.
- **Removal of nonconforming or obtrusive accessory structures** within the shoreland setback area.
- **Additional site specific requirements** can be determined by the Development Review Board before final plan approval, based on a review of site conditions and the need for any special buffer area protection or restoration measures.

Please provide the DRB with your proposed mitigation plan. Suggestions and descriptions of various mitigation measures are available from the Zoning Administrator or on-line at [www.greensborovt.org/zoning](http://www.greensborovt.org/zoning).

SEE ATTACHED EPIC PLAN FROM JOHN GREENE

**Conditional Use Criteria:**

At your DRB hearing, you will be asked to present your proposal. Please be prepared to address the impact of your project based on the following criteria.

"The DRB shall make its findings on general and specific standards. Such general standards shall require that the proposed conditional use shall not result in an undue adverse effect on the following:

1. The capacity of existing or planned community facilities; (e.g. schools, police and fire service, etc.);
2. The character of the area affected, as defined by the purpose or purposes of the zoning district within which the project is located, and specifically stated policies and standards of the Town Plan (e.g. why your project is consistent with other uses in the area or how your project fits in with existing development);
3. Traffic on roads and highways in the vicinity;
4. Bylaws and ordinances then in effect;
5. Utilization of renewable energy resources.

**Specific standards shall include:**

1. Minimum lot size shall be that which is required for the district in which the use occurs unless other standards are given for conditional use lot size in the district in question;
2. Setbacks for conditional uses will be the same as for permitted uses unless other standards are given for conditional use setbacks in the district in question.
3. Landscaping and/or fencing may be required for commercial and industrial uses to provide screening when in the judgment of the DRB such screening is necessary to protect the character of the area affected.
4. Exterior signs shall conform to the following in all districts:
  - (a) No free standing internally lit signs shall be permitted
  - (b) All signs shall be compatible in size, materials, and workmanship to the area in which they are located.
5. Location on the lot, of structures and service areas shall be compatible with other structures in the area affected.
6. In each district, uses are given specific criteria. In all cases these criteria will be adhered to.
7. Noise, air pollution and effects on the character of the neighborhood shall be considered."

(Page 36 in the Greensboro Zoning By-Laws).

**Variance Criteria:**

**"The DRB may grant a variance and render a decision in favor of the appellant only if all of the following facts are found, and findings are specified in its written decision.**

1. There are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that unnecessary hardship is due to these conditions and not to the circumstances or conditions generally created by the provisions of these regulations in the neighborhood or district in which the property is located;
2. Because of these physical circumstances or condition, there is no possibility that the property can be developed in strict conformity with the provisions of these regulations and that the authorization of a variance is necessary to enable the reasonable use of the property;
3. The unnecessary hardship has not been created by the appellant;
4. The variance, if authorized, will not:
  - a) Alter the essential character of the neighborhood or district in which the property is located;
  - b) Substantially or permanently impair the appropriate use or development of adjacent property;
  - c) Reduce access to renewable energy resources;
  - d) Be detrimental to the public welfare.
5. The variance, if authorized, will represent the minimum that will afford relief and will represent the least deviation possible from these regulations and from the plan." (Pages 37 & 38 of the Greensboro Zoning By-Laws).

**At your DRB hearing, you will be asked to present your proposal. Please be prepared to explain why your project should be granted a variance.**

**Permission to Enter Property & Applicant Certification Signatures**

Signing of this application authorizes the Zoning Administrator to enter onto the premises for the purpose of verifying information presented.

The undersigned hereby certifies that the information submitted in this application regarding the above property is true, accurate and complete and that I (we) have full authority to request approval for the proposed use of the property and any proposed structures. I (we) understand that any permit will be issued in reliance of the above representations and will be automatically void if any are untrue or incorrect.

This permit is void if the development under this permit is not begun within one year of the date of approval or if construction is not completed within two years.

Construction may not be started until ~~15 days~~ <sup>12.20.17</sup> from the date of approval on this permit.

Signature of Applicant(s) [Signature] Date 12/12/2017  
Marian Wright

Signature of Landowner(s) [Signature] Date 12/12/2017

**Note: Failure to develop your property in accordance with your application and any conditions of this permit may result in an enforcement action and may affect your ability to sell or transfer clear title to your property.**

Appeal from a decision or act of the Zoning Administrator must be made in writing to the Development Review Board, c/o the Town Clerk's Office at the address shown above, with the appropriate fee, within 15 days of the decision or act. Failure to appeal this decision will mean that all interested persons are bound by this decision and will foreclose these persons from contesting this decision either directly or indirectly in the future. **This permit shall not take effect until the time for such appeal has passed.**

**Please note that this is only a local permit and state permits may be needed for your project. Please contact the Permit Specialist at the VT Agency of Natural Resources at (802)751-0127.**

**FOR ADMINISTRATIVE USE ONLY**

{ } Approved { } Denied {} Referred to the Development Review Board

Date 12-20-17 Signature [Signature]  
Remarks and/or Conditions: \_\_\_\_\_

Date of Approval or Denial by Development Review Board: \_\_\_\_\_

Applicant/Landowner Received a Copy of the Applicable Building Energy Standards: \_\_\_\_\_ (Date)

Applicant/Landowner Did NOT Need to Receive a Copy of the Applicable Building Energy Standards (Due to the fact that the structure will not be heated or cooled): \_\_\_\_\_ (Date)



Milford Cushman  
100 Mountain Road  
P.O. Box 655  
Stowe, Vermont 05672

December 20<sup>th</sup>, 2017

RE: Wright-Boester Bunkhouse Renovation, Greensboro

Dear Milford,

In reference to the bunkhouse renovation planned at 151 Birch Lane in Greensboro we have the following information to provide.

**Septic Inspection:**

The camp and the existing bunkhouse have their own septic systems but share a drilled well. The septic systems are modern concrete septic tanks that feed drywells. Our office performed an inspection in which all tanks were uncovered and visually inspected. We found no signs of failure in either system. The tanks were structurally sound and the water level in the drywell was low, indicating they are draining properly. There is no additional flow anticipated with the renovation as the structure will continue to have one bedroom and one bath. We have confirmed with the Agency of Natural Resources that no permit is required for the bunkhouse renovation, please see the attached email. Should either system fail a permit from the State of Vermont will be required for the repair. A system will need to be design to meet the environmental protection rules, or "best fit" criteria. I would anticipate the construction of bottomless sand filter or as a worse case the installation of a holding tank that would be pumped seasonally. At this time the are no signs of failure in either system.

**Shoreline Protection/Erosion Control:**

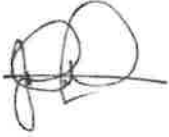
As with any project along a lake we take extreme caution to protect said waters. Any work that will alter the impervious surfaces within 250' of the shoreline needs a permit or review by the Agency of Natural Resources. It is our belief that this project will qualify for a write-off or waiver as there is no increase in impervious cover, and no trees will be removed from the property. Our office is in contact with ANR and will provide either a permit or waiver to the development review board prior to the hearing in January.

In reference to the Greensboro zoning regulations, precautions have been taken to prevent sediment from entering the lake. Silt fence, seed and mulch, and sediment traps are planned for construction activities. We have provided an erosion control plan and details for review. Greensboro zoning regulations require additional measures for reconstruction of exiting impervious surfaces. We have provided amendments to the existing shoreline vegetated buffer. A shoreline garden will be planed adjacent to the structure to provide additional filtration of rooftop and lawn runoff prior to entering the lake.



If you have any additional question please don't hesitate to contact our office.

Sincerely,

A handwritten signature in black ink, consisting of several overlapping loops and a horizontal line extending to the right.

John Grenier, P.E.  
President

CC:/file

## David Koschak

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**To:** John Grenier  
**Subject:** RE: Wright/Boester Site Plan- 151 Birch Lane, Blacks Point, Caspian Lake, Greensboro, VT

**From:** Wilson, Richard A. [<mailto:Richard.A.Wilson@vermont.gov>]  
**Sent:** Tuesday, December 19, 2017 9:41 AM  
**To:** John Grenier <[john@grenierengineering.com](mailto:john@grenierengineering.com)>  
**Subject:** RE: Wright/Boester Site Plan- 151 Birch Lane, Blacks Point, Caspian Lake, Greensboro, VT

John,  
With no change in the number of bedrooms for this project as reported, 1-bedroom bunkhouse to remain 1-bedroom, the renovation/living space increase does not trigger a WW permit from the Agency. This property remains except per "Clean Slate" until such time as a water and/or septic failure or an operational change is proposed.

On a side note the bathroom size (going from ½ bath to full bath if desired) or a small foot print increase would not trigger a permit.

*Rich*



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**Richard A. Wilson, Regional Engineer**  
[phone] 802-505-3931  
[email] [richard.a.wilson@vermont.gov](mailto:richard.a.wilson@vermont.gov)

**From:** John Grenier [<mailto:john@grenierengineering.com>]  
**Sent:** Monday, December 18, 2017 11:45 AM  
**To:** Wilson, Richard A. <[Richard.A.Wilson@vermont.gov](mailto:Richard.A.Wilson@vermont.gov)>  
**Subject:** FW: Wright/Boester Site Plan- 151 Birch Lane, Blacks Point, Caspian Lake, Greensboro, VT

Richard. I have a project on Caspian Lake at an existing camp. They have an existing camp that was renovated a few years ago, and they have a bunkhouse/boathouse that is in need of renovation. The bunkhouse has 1 bedroom and ½ bath and has been in place since the 1960's. From the listers card it appears the bedroom and bathroom and septic were upgraded in 1998, when the boathouse was converted to a "bunkhouse". I have a septic inspection from 2011 that shows both all septic to be in good condition. The camp and bunkhouse each have their own system, and a shared drilled well. With the renovation the footprint of the building will not change, but there will now be a second floor. The structure will remain a 1 bedroom, and ½ bath structure. There are no existing WW permits on the property. It is my opinion that no wastewater permit is needed to fully renovate the building with no changes to the flow, and no changes to the water or septic system. Would you please confirm my assumption so we can provide the board with information at the development review board hearing?

Thank you,

John D. Grenier, PE

President  
Grenier Engineering, PC