

Conditional Use Hearing  
Randall Massey  
June 12, 2019

*To consider a Conditional Use request for a change of use and a sign by Randall Massey on his property at 2637 The Bend Road.*

The application requires a review under the following sections of the Greensboro Zoning By-Law: 2.3 Greensboro Village District, 4.4 Site Plan Review for Commercial Use, and 5.4 Conditional Uses.

**Warnings** were posted on May 22, 2019 at the Greensboro Town Hall, the Greensboro Post Office, the Greensboro Bend Post Office, and Willey's and Smith's Stores. The warning was sent to the applicant and the following abutters and neighboring property owners: Scott Harbour, William Smith & Carolyn Kehler, John & Lydia Makau, Robert Hurst, David Rowell, and the Telephone Operating Co. of VT LLC on May 22, 2019. It was published in the Hardwick Gazette on Wednesday, May 29, 2019.

**Development Review Board members present:** Linda Romans, Jane Woodruff, Lee Wright, Wayne Young, Janet Travers (alternate) and Mike Metcalf (alternate).

**Development Review Board members absent:** BJ Gray, MacNeil, and Nat Smith

**Others present:** Randall Massey, applicant; Matt Eddy, business owner; and Audrey DeProspero, Zoning Administrator; for others see the sign-in sheet.

**Correspondence from interested persons:**

Note from Scott Harbour, abutter, supporting the proposal.

**During the course of the hearing the following exhibits were submitted:**

#1 Site plan for 2637 The Bend Road

#2 Blow up of the tax map for the pertinent area

### **Summary of Discussion**

Ms. Woodruff, chair, began the hearing at 7:00 PM. She noted the hearing was quasi-judicial, explained the procedure for the hearing, and asked the clerk to swear in all those who wished to speak at the hearing. Ms. Woodruff then asked Mr. Massey to explain what he wants to do on his property at 2637 The Bend Road. He said he would like to change the use of the three story accessory building from storage to a wood working shop on the first floor. There would be no changes to the site. The driveway is already there. Mr. Eddy explained that his timber frame/historical renovation business is based on orders obtained mainly by word-of-mouth and not on customers who stop in, so there would be few people coming to the shop.

The sign would be free standing on two poles about 6 feet wide and 7 feet high, placed next to the accessory building. Mr. Eddy didn't want to put holes in the vinyl siding and as a renter he didn't want to put a semi-permanent structure on a building he didn't own. The sign would look like a timber structure similar to a house frame with the sign hanging inside. The sign portion would be less than 6 square feet.

The hearing ended at 7:30. The Board went into deliberative session at 8:16 after another hearing, and came back into public session to announce their decision at 9:00.

### **Findings of Fact:**

Based on the application and testimony, the Development Review Board makes the following findings:

#### **2.3 Greensboro Village District**

The pre-existing, nonconforming, accessory structure is approximately 10 feet from the left side

line (lot line setbacks are 15 feet) and 30 feet from Greensboro Brook, not the required 50 feet.  
Commercial use in the Greensboro Village District is allowed with a conditional use permit.  
Any sign must be 6 square feet or less.

#### 4.4 Site Plan Review for Commercial Use

##### (B) Submission of SDP Map and Supporting Data

The site plan presented fulfilled all requirements.

##### (C) Site Development Plan Review Procedure

1. The SDP was reviewed at this warned hearing.

2. (a) There is adequate off-road parking between the hair salon and the wood working shop. The shop will not interfere with the traffic on The Bend Road. Visibility is good and the parking area is easy to pull into. Mr. Eddy's pickup and flatbed trailer would be the main traffic on the drive. He has outsourced a tractor-trailer loading site because a vehicle that large would be too big for the area.

(b) Landscaping and screening will not be required. There is already a large lilac tree which partially shields the accessory building.

(c) Renewable energy resources will not be affected.

(d) There is an exterior motion sensor light and no more exterior lighting is planned.

(e) The sign will be artistically designed and look like similar to a timber frame structure with the sign hanging inside. The sign portion will have an area less than 6 square feet. It will be free-standing alongside the building, more than 50 feet from the center of the road.

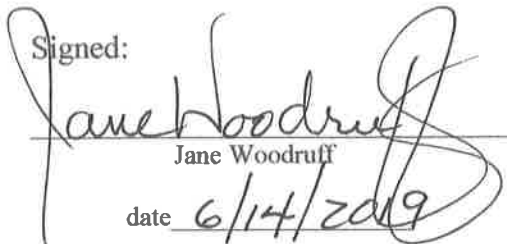
(D) The Development Review Board voted unanimously (6-0) to approve the site plan. (Both alternates voted in the absence of three Board members.)

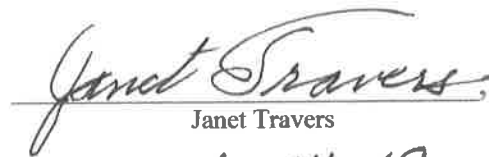
#### Decision and Conditions

Based upon these findings, the Development Review Board voted unanimously (6-0) to approve the change of use request. (Both alternates voted in the absence of three Board members.)

Based upon these findings, the Development Review Board voted unanimously (6-0) to approve the sign requested. (Both alternates voted in the absence of three Board members.)

Signed:

  
Jane Woodruff, chair  
date 6/14/2019

  
Janet Travers, clerk  
date 6-14-19

#### NOTICE:

This decision may be appealed to the Vermont Environmental Court by an interested person who participated in the proceeding (in person or in writing) before the Development Review Board. Such appeal must be made within 30 days of the date of this decision, pursuant to 24 V.S.A. #4471 and Rule 5(b) of the Vermont Rules for Environmental Court Proceedings.