

**APPLICATION FOR REVIEW FOR THE  
SHORELAND SEASONAL HOME MANAGEMENT DISTRICT**

<b>TOWN OF CHARLOTTE PLANNING &amp; ZONING</b> P.O. BOX 119 CHARLOTTE, VERMONT 05445-0119 Phone 802-425-3533	FOR OFFICE USE ONLY Application No. _____ Date Received: _____ DRC Report: _____ ZBA Hearing: _____
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Property owner: <u>John Stetson</u> Address: <u>800 N. Shore Rd</u> <u>Charlotte, VT 05445</u> Telephone: <u>802-425-2842</u>	*Applicant's name: <u>Jeffrey Bradley</u> Address: <u>2038 Lake Rd</u> <u>Charlotte, VT 05445</u> Telephone: <u>802-425-3024</u> *If applicant and owner are not the same, applicant must attach a letter of authorization from the owner.
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Location of property: <u>800 N. Shore Rd.</u> Tax Map No: Map <u>40</u> Block <u>50</u> Lot <u>11</u> Deed Reference: Volume _____ Page _____ Date _____ Lot size: <u>.72</u> Size determined from? Survey <u>Deed</u> tax map _____ Is this property on the Historic Register? Yes _____ No <u>X</u> Will this request require the cutting of any trees? Yes <u>X</u> No _____ If yes, describe the type and size of tree(s) and locate them on the plot plan.	In square feet, what is the building footprint which is covered by a roof (including covered porches and covered decks)? <u>1,466</u> Is this request for the demolition or removal of an existing structure? Yes _____ No <u>X</u> Will this alteration or expansion increase the footprint which is covered by a roof? Yes <u>X</u> No _____ If yes, what is the number of square feet in the expansion? <u>492</u> What will be the total square feet of the building footprint covered by a roof after the expansion?(or demolition) <u>1,958</u> total square feet What is the total amount of square feet not covered by a roof? <u>29,405</u>
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List the total number of the existing rooms and their use. <u>1-Dining/Kit. 1-Living</u> <u>3-Bedrooms 1-Bath</u> <u>1-Screen Porch</u>	Give the building footprint as a percent of lot size: (Maximum allowed is 7%) Existing <u>4.7%</u> Proposed <u>6.2%</u> Building height: existing <u>14</u> feet proposed <u>16</u> feet
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List the total number of proposed rooms and their use. <u>1-Dining/Kit. 1-Living</u> <u>3-Bedrooms 2-Baths</u> <u>2-Offices. 1-Screen Porch</u>	Will the alteration or expansion be for the purpose of increasing occupancy of the structure? Yes _____ No <u>X</u> Explain: Will there be any change in the plumbing? Yes <u>X</u> No _____ Explain:
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Before Conditional Use approval by the Zoning Board of Adjustment for alteration or expansion of existing principal structures in the Shoreland Seasonal Home Management District, the applicant must be able to demonstrate that all provisions and conditions of the Town of Charlotte Sewage Ordinance and all applicable regulations for sewage disposal including, where applicable, the Thompson's Point Wastewater system Sewer Use Ordinance and the State of Vermont Indirect Discharge Permit for the Thompson's Point Wastewater System, are met for each structure altered or expanded.

Applicants are to submit separate site plans drawn to scale. The drawings submitted with this application will be the same drawings submitted with your application to the Zoning Board of Adjustment.

- \_\_\_\_\_ site plan of property and structures as they exist
- \_\_\_\_\_ site plan of property and structures as proposed
- \_\_\_\_\_ drawings of existing floor plan showing use of each room
- \_\_\_\_\_ drawings of proposed alterations/expansion and floor plan showing use of each room
- \_\_\_\_\_ legal property boundaries
- \_\_\_\_\_ setbacks to all property lines, shoreline (98 feet mean high water mark)
- \_\_\_\_\_ all buildings and structures on neighboring lots that are within 50 feet of the property line
- \_\_\_\_\_ existing features (include topography, natural resources, existing structures, roads, easements, rights of way, deed restrictions)
- \_\_\_\_\_ proposed structures, roads, driveways
- \_\_\_\_\_ proposed landscaping, screening, site grading, drainage
- \_\_\_\_\_ water supply and sewage disposal locations
- \_\_\_\_\_ elevations for new alterations or expansion
- \_\_\_\_\_ specifications of the materials to be used
- \_\_\_\_\_ photographs of the property showing existing structures
- \_\_\_\_\_ any other supporting information that will help the Design Review Committee understand the project

The application shall not be deemed complete until all of the applicable materials above have been submitted.

**CERTIFICATION**  
 I certify that the information on this application, and all accompanying material, is accurate and complete to the best of my knowledge and belief.

John W. Stetson / Robert Stetson 9-23-15  
 Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_

**RECEIVED**  
 OCT 01 2015  
 CHARLOTTE  
 PLANNING & ZONING

(G) **District Design Review Standards.** Before granting conditional use approval for any alteration, expansion, demolition, or removal of any portion of any principal structure in this district, the Board of Adjustment shall seek the recommendations of the Design Review Committee, based on information found in the Historic Sites and Structures Survey for the Town of Charlotte, prepared by the Vermont Division for Historic Preservation, and the report titled "A Natural and Cultural Resource Inventory and Planning Recommendations for Thompson's Point, Charlotte, Vermont" (September 1990, as may be amended). Copies of both reports are available for review at the Planning and Zoning Office. In addition, the Committee's recommendation to the Board shall include its findings with regard to the following design review criteria:

- (1) The size, scale, style, design and materials of any structural alteration, expansion or replacement are consistent and harmonious with existing structures, and with the overall historic and aesthetic character of the area.

Will match existing styles + materials

- (2) Natural features should be identified.

One tree to be removed

- (3) Alterations or additions to an historic structure shall preserve the historic appearance of the structure and not alter the structure's historic integrity.

NA

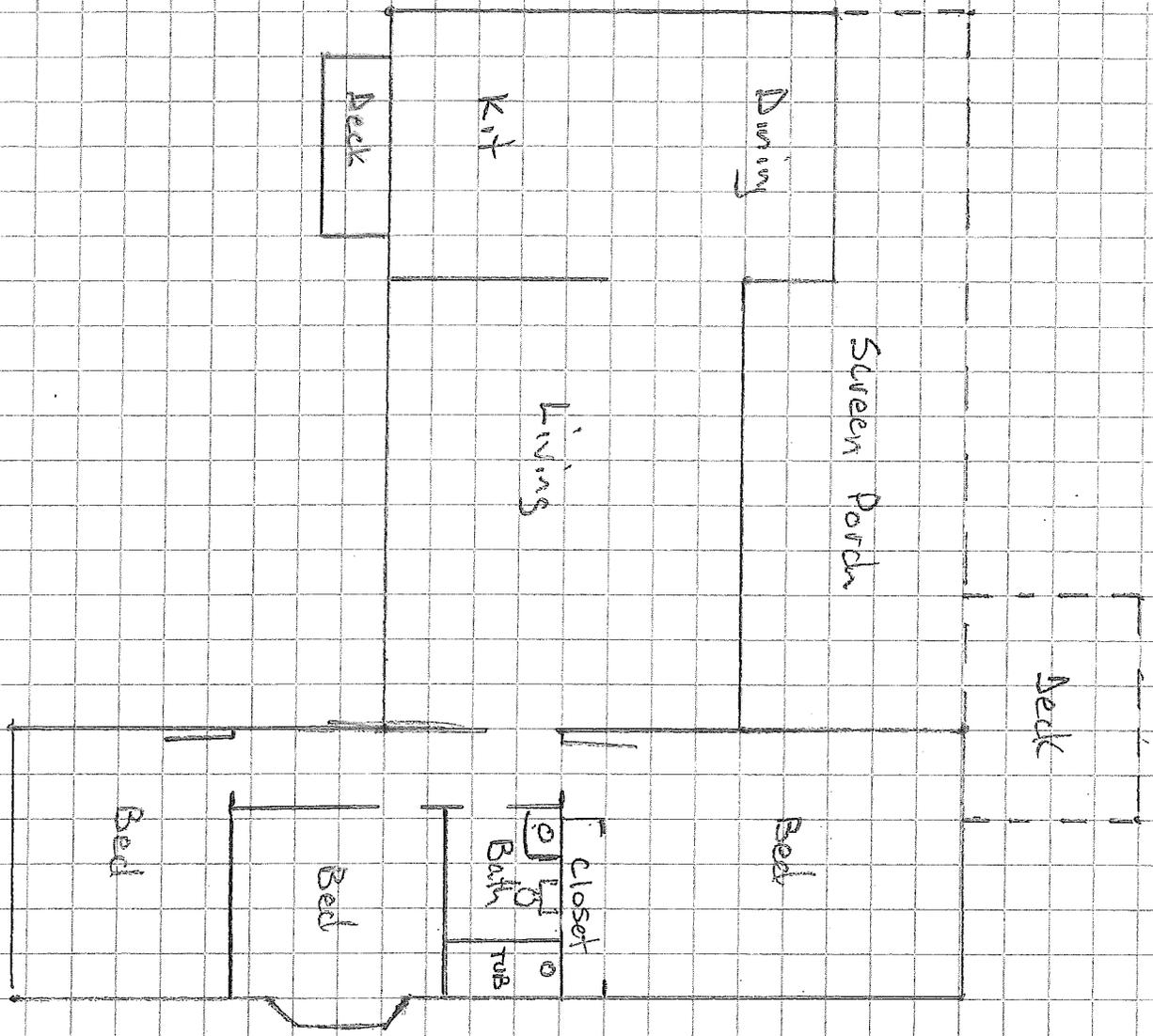
- (4) Alterations to existing structures and new structures within the district shall be compatible with the visual elements of surrounding historic structures and the overall historic and aesthetic character of the area.

Will match existing

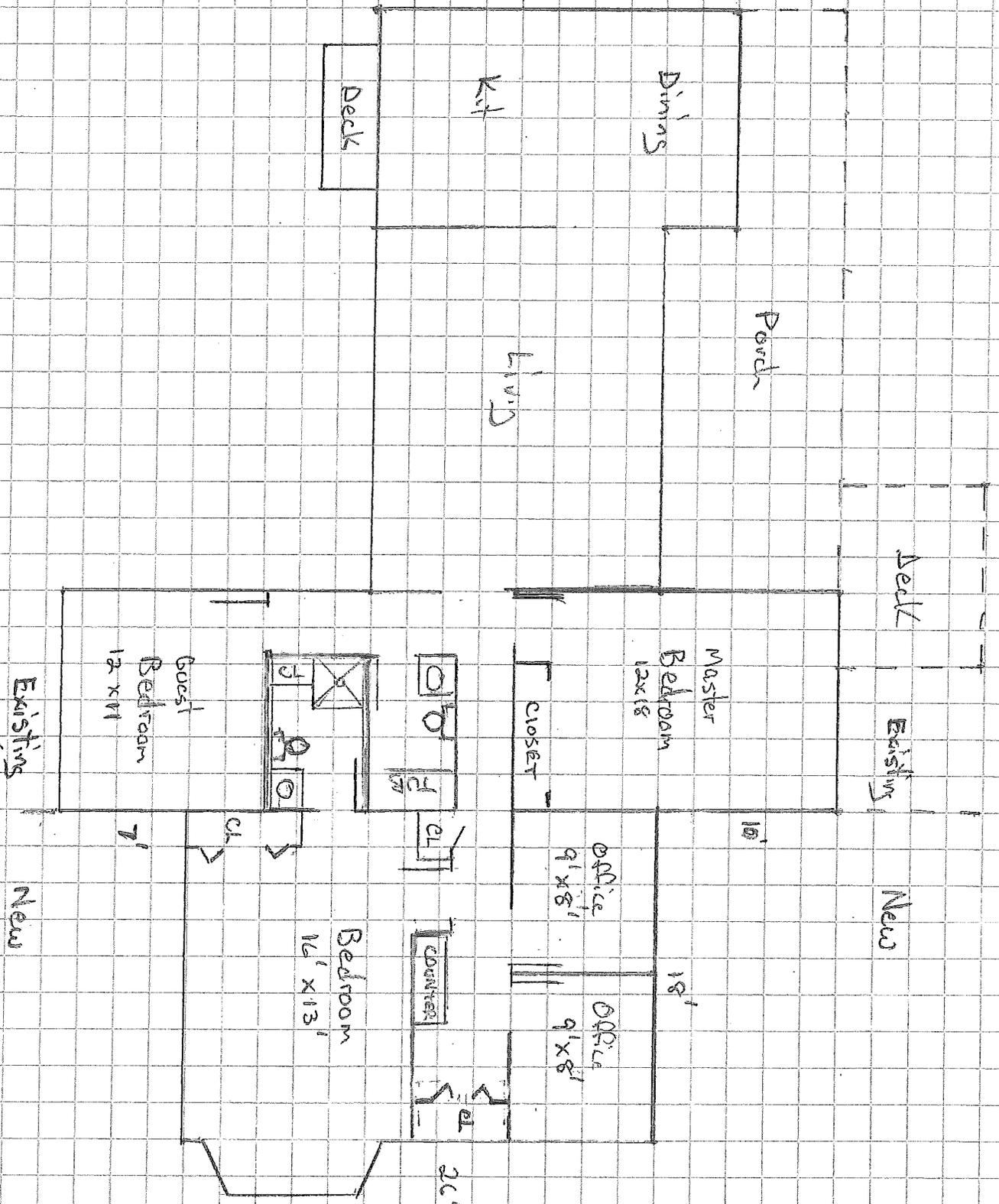
- (5) The demolition of structures of historic significance shall be discouraged.

No Demolition

STEPSON EXISTING CAMP 1/8" = 1'



STETSON PROPOSED ADDITION 1/8" = 1'



ipstels36e90l.com

800 N. SHORE RD.

Existing

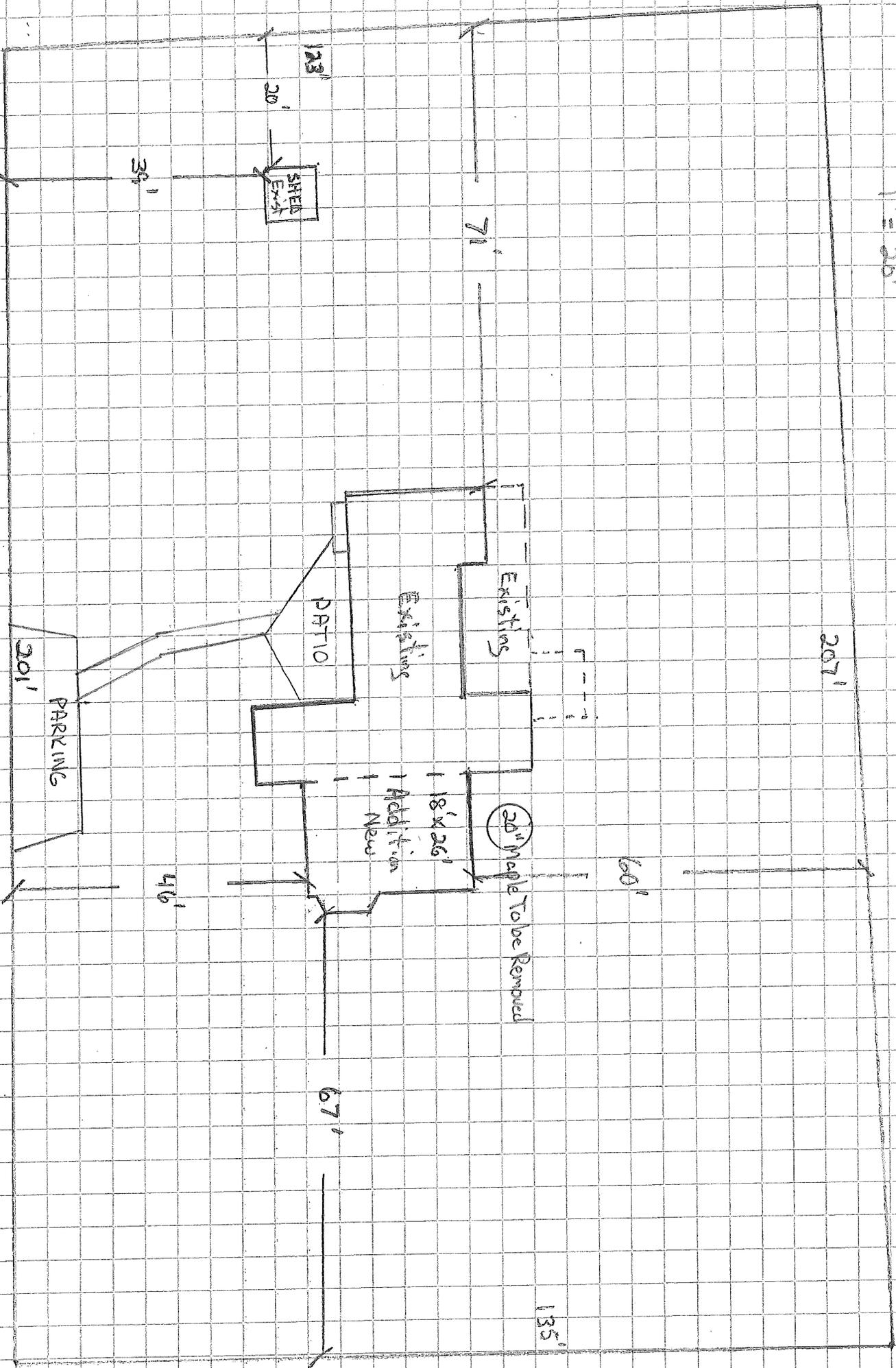
New

STETSON SITE PLAN

1" = 20'

LAKE CHARLENE

N





North



West

Jeffrey Bradley

From: Jeffrey Bradley <jeffreybradley@madriver.com>  
Date: October 1, 2015 6:52:00 AM EDT  
To: Jessie Reid Bradley <jrbradley@madriver.com>



4 Attachments, 8.9 MB



EAST



SOUTH

## Britney Tenney

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**From:** Mark Dillenbeck <mark@ocmqa.com>  
**Sent:** Saturday, November 07, 2015 3:30 PM  
**To:** 'Jeffrey Bradley'; Britney Tenney  
**Cc:** Larry Hamilton  
**Subject:** RE: 800 North Shore Road

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Jeff and Britney,

I took a look at the site this morning. In my opinion it is OK to remove all the marked trees. All but two small trees are showing signs of senescence (aging) and/or significant structural damage to the trunks. Only two – a 5”D hophornbeam and a 3”D cedar are reasonably healthy and sound.

The evaluation, however, raises a question for me. When, from the Town’s perspective, is it acceptable to remove healthy trees in order to accommodate building? Do we have any guidelines on this?

Best Regards,  
Mark

Mark R. Dillenbeck  
President  
OCM Quality Assurance, Inc.  
145 Pine Haven Shores Road, Suite 1136  
Shelburne, VT 05482  
(802) 383-0476 x1  
[mark@ocmqa.com](mailto:mark@ocmqa.com)  
[www.ocmqa.com](http://www.ocmqa.com)

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**From:** Jeffrey Bradley [mailto:[jeffreybradley@madriver.com](mailto:jeffreybradley@madriver.com)]  
**Sent:** Wednesday, November 04, 2015 1:52 PM  
**To:** Mark Dillenbeck; Britney Tenney  
**Subject:** Re: 800 North Shore Road

You could look at the trees on your own this weekend and call me if you have problems with the plan. They are marked with orange tape and cause a danger to the new and existing structure. Let me know if you want to do that.

Jeff

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**From:** "Mark Dillenbeck" <[mark@ocmqa.com](mailto:mark@ocmqa.com)>  
**To:** "Jeffrey Bradley" <[jeffreybradley@madriver.com](mailto:jeffreybradley@madriver.com)>  
**Sent:** Wednesday, November 4, 2015 12:21:42 PM  
**Subject:** RE: 800 North Shore Road

Hi Jeffry, We'll look for a time to meet next week then – maybe next weekend.

The Design Review Committee met at the Stetson Cottage at 800 North Shore Road on November 2 at 3:00 PM. Present were Robin Coleburn and Robin Pierce, from the Committee, Britney Tenney from the Charlotte Zoning Office, and Jeffrey Bradley representing the Stetsons in the capacity of builder.

The camp is a one-story U-shaped clapboard structure, which sits at the road level, but back from the road about 40 feet. It is diminutive in size, but nicely fits in with the local neighborhood architecture. It is painted a dark brown with orange-red trim. The roof is also brown asphalt shingles. The trees are mostly deciduous and mostly maples. To the north and to the west of the house, the land slopes toward the lake.

The Stetsons are requesting a permit to enlarge their camp from 1466' to 1958'. They seek to add one bathroom and two offices but are retaining the same number of bedrooms. The expansion is only to the north. Minimal demolition will take place. The roof on the addition will be two feet higher than the existing 14' height and will allow some storage space. The building materials are to match the existing structure in style and color.

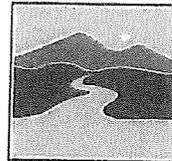
Three large trees and a few small trees will need to be removed, though that is beyond the purview of the Design Review Committee. Jeff Bradley has marked the trees in question with red tape and has scheduled a meeting with the town tree warden to obtain permission for their removal.

The Design Review Committee approves the design in the application. We are pleased that the roof height of the addition is different from the existing roof, making a more interesting non-linear profile and diminishing the long railroad effect of a single story house.

KB

# Shoreland Permit Application

for a **Shoreland Protection Permit** under Chapter 49A of Title 10, § 1441 *et seq.*



VERMONT DEPARTMENT OF ENVIRONMENTAL CONSERVATION

**WATERSHED MANAGEMENT DIVISION**

LAKE & PONDS PROGRAM

*For Shoreland Permitting Use Only*

Application Number: **207**

**Public Notice:** At the same time this application is filed with Shoreland Permitting, a copy of this application must be provided to the municipal clerk for posting in the municipality in which the project is located.

Submission of this application constitutes notice that the person in Section A intends to create impervious surface and/or cleared area within the Protected Shoreland Area, and certifies that the project will comply with Chapter 49A of Title 10, § 1441 *et seq.* All information required on this form must be provided, and the requisite fees (Section G) must be submitted made payable to the State of Vermont, to be deemed complete. Refer to *The Vermont Shoreland Protection Act - A Handbook for Shoreland Development* and related instructions for guidance in completing this application.

### A. Parcel Information

1. Landowner's Name: **John Stetson**

2a. Physical Address (911 Address): **800 N. Shore Rd**

2b. Municipality: **Charlotte**

2c. Zip: **05445**

3. SPAN\*: **138-043-11389**

4. Phone: **802-425-2842**

5. Email: **rbstets36@aol.com**

6. Name of lake/pond: **Lake Champlain**

7. Total shore frontage: **207** (feet)

8. Was the parcel of land created before July 1, 2014?  Yes  No

9. Are there wetlands associated with this parcel?  Yes  No

Contact the Wetlands Program: (802) 828-1535 or [www.anr.state.vt.us/dec/waterq/wetlands.htm](http://www.anr.state.vt.us/dec/waterq/wetlands.htm).

OCT - 1 2015

10. Is there a lake encroachment permit associated with this parcel?  Yes  No Permit #:

Contact Lake Encroachment Permitting: [www.anr.state.vt.us/dec/waterq/permits/htm/pm\\_encroachment.htm](http://www.anr.state.vt.us/dec/waterq/permits/htm/pm_encroachment.htm)

11. What is the surface area of your parcel within the Protected Shoreland Area (PSA): **31,363** (square feet)

See The Vermont Shoreland Protection Act - A Handbook for Shoreland Development, Appendix C, Determining Lakeside Zone & PSA

12. What is the surface area of existing impervious surface on your parcel within the PSA: **1,800** (square feet)

See The Vermont Shoreland Protection Act - A Handbook for Shoreland Development, Appendix F, Calculating Percent Impervious Surface

13. What is the surface area of existing cleared area on your parcel within the PSA: **2,800** (square feet)

See The Vermont Shoreland Protection Act - A Handbook for Shoreland Development, Appendix E, Calculating Percent Clearing

### B. Applicant Contact Information

1. Name: **Jeffrey Bradley**

2a. Mailing Address: **2038 Lake Rd**

2b. Municipality: **Charlotte**

2c. State: **Vermont**

2d. Zip: **05445**

3. Phone: **802-425-3024**

4. Email: **jeffreybradley@madriver.com**

### C. Application Preparer Information (If the individual preparing the application is not the landowner.)

1. Name: **Same as above**

2a. Mailing Address:

2b. Municipality:

2c. State:

2d. Zip:

3. Phone:

4. Email:

\*SPAN: The "School Parcel Account Number" is required for your application to be deemed complete. It can be obtained from your property tax bill. If you cannot locate your property tax bill, please obtain this information from your Town Clerk. SPAN is a unique identification number for each parcel of property in the State of Vermont consisting of eleven digits. The first three digits identify the town; the next three digits identify the school district; and the last five digits represent the unique parcel or property.

**D. Project Description**

1. Describe the proposed project. For this application to be considered administratively complete you must attach site plans that denote existing and proposed cleared areas and impervious surface and their distances from mean water level, no fewer than three photos of the project area, and dimensions and associated surface areas of cleared areas and impervious surfaces.

One story addition to north side of existing camp.

2. For developed parcels, how far is the existing habitable structure from Mean Water Level 50 (feet), and how far will new cleared area or impervious surface be from MWL 60 (feet)?  
OR

For undeveloped parcels, how far will new cleared area or impervious surface be from MWL \_\_\_\_\_ (feet)?  
See The Vermont Shoreland Protection Act – A Handbook for Shoreland Development, Appendix A – Estimating Mean Water Level

3. Can all new cleared area or impervious surface be set back at least 100 feet from MWL?  Yes  No  
If no, explain why below (attach support information as needed):

Existing structure is less than 100' from MWL.  
Attaching the addition parallel to the lake means the addition will be less than 100' from MWL

4a. What is the slope of the project site area: 5 %  
See The Vermont Shoreland Protection Act – A Handbook for Shoreland Development, Appendix B, Determining Slope

4b. Is the slope of the project area less than 20%?  
 Yes  No If yes, skip 4c.

4c. If no above (4b), describe the measures taken to ensure the slope is stable, resulting in minimal erosion and impacts to water quality (attach support information as needed):

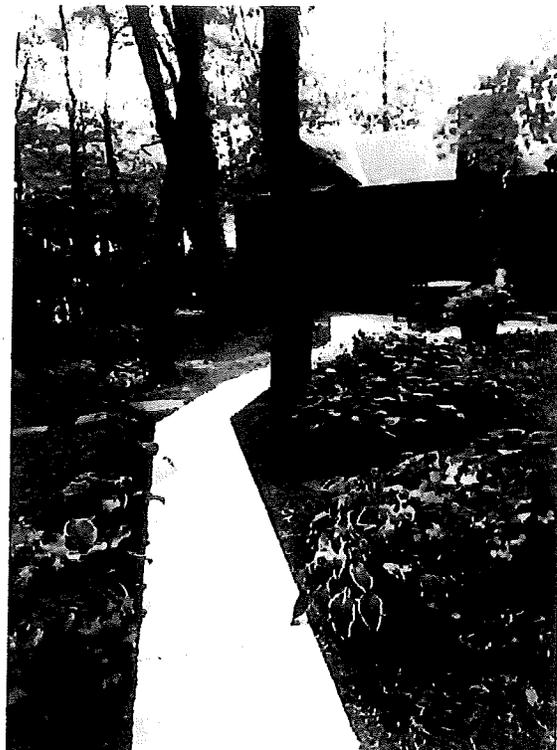
5a. What is the surface area of new impervious surface associated with this project: 492 (square feet)  
See The Vermont Shoreland Protection Act – A Handbook for Shoreland Development, Appendix F Calculating Percent Impervious Surface

5b. What is the total resulting impervious surface after completion of the project and prior to implementation of best management practices: 2,292 (square feet) and is that 20% or less of the parcel area within the PSA?  Yes  No  
If yes, skip 5c.

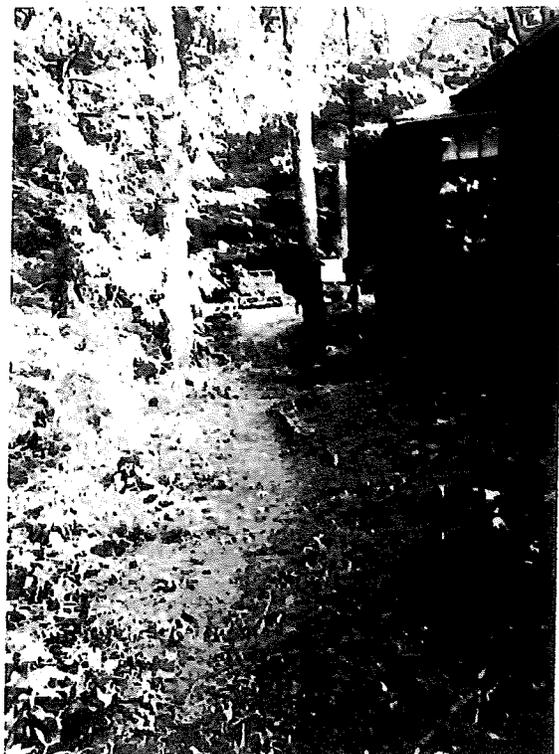
5c. If no above (5b), describe the best management practices used to manage, treat and control erosion from stormwater from the portion of impervious that exceeds 20% (attach support information as needed).



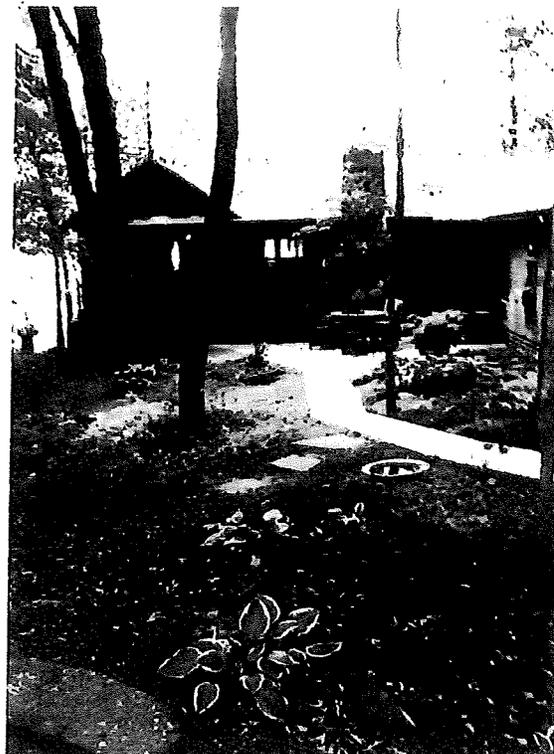
North Side  
Stetson camp  
Addition Side



East Side from road  
Stetson camp



North Side  
Stetson camp  
Addition Site



East or Road Side  
Stetson camp

ZONING BOARD OF ADJUSTMENT - APPLICATION

TOWN OF CHARLOTTE

Office Use Only #ZBA-15-11

Planning & Zoning

Date Received **RECEIVED**

P.O. Box 119

159 Ferry Road

Charlotte, VT 05445

Phone: 802-425-3533

Fax: 802-425-4241

E-Mail: <sup>Gloria</sup> Gloria@townofcharlotte.com

Note: Decisions of the Zoning Board of Adjustment may be appealed to the Vermont Environmental Court within 30 days of the date of the Board's written decision. Zoning Permits will not be issued so as to become effective prior to the end of that appeal period.

OCT 07 2015

CHARLOTTE PLANNING & ZONING

Hearing Date: \_\_\_\_\_

Receipt # \_\_\_\_\_ Application Fee \$500  Appeal Fee \$500 \_\_\_\_\_ Telecommunications Facilities Fee \$2,000 \_\_\_\_\_

\*APPLICANT/REPRESENTATIVE (if different from owner) -

Owner Name <u>John Stetson</u>	Applicant Name <u>Jeffrey Bradley</u>
Address <u>800 North Shore Rd.</u>	Address <u>2038 Lake Rd.</u>
<u>Charlotte VT 05445</u>	<u>Charlotte, VT 05445</u>
Phone <u>802-425-2842</u>	Phone <u>802-425-3024</u>

\*Representative must submit a letter from the owner of the property authorizing him/her to represent them for permits, hearings, etc.

Map 40 Block 50 Lot 11 Parcel ID # 00024-0800 Thompsons Point Lot # 178+179

Property address 800 North Shore Rd.

Zoning District SHMD Lot size .72 A Lot frontage 201' % of Lot coverage (building) 19.58 (overall) 22.92 Building height 15'

Existing front yard setback 39' Existing side yard setbacks 1. 71' 2. 88' Existing rear yard setback 50'

This application references Zoning Bylaw section(s) 5.4

Plot Plan (a plot plan must be submitted showing the lot, existing structures and setbacks, easements, right-of-ways on or abutting the lot, septic primary and replacement areas, well, streams and any other information significant to this application) Submittals no larger than 11" x 17". - All measurements must be accurate.

Use attached sheet to list all abutting property owners. Include those across any street, private road or right-of-way .

Applicant will be required to notify adjoining property owners, by certified mail or certificate of service, after a hearing date has been set.

Submit (1) original and (5) copies of complete application.

Application is for: (please check all that apply)

Conditional Use: \_\_\_ Variance: \_\_\_ Thompson's Point Seasonal Dist: \_\_\_ Appeal: \_\_\_ Other: describe) \_\_\_\_\_

Describe your request: (When appropriate, make reference to attached documents, letters, photographs, etc.)

Construction of an 18' x 26' one story addition to the north side of an existing one story camp.

APPLICATION MUST BE RECEIVED AT LEAST 23 DAYS PRIOR TO THE HEARING DATE. BE SURE TO COMPLETE ALL SECTIONS OF THE NECESSARY FORMS AND ATTACHMENTS. ONLY COMPLETE APPLICATIONS WILL BE ACCEPTED.

Signature of applicant(s) John W. Stetson by Robert B. Stetson Date 10-5-2015

**Section 5.4 Conditional Use Review**

(A) **Applicability.** Any use or structure requiring conditional use approval shall not be issued a zoning permit by the Zoning Administrator until the Board of Adjustment grants such approval in accordance with the Act [§4414(3)], and the following standards and procedures.

(B) **Review Process.** Upon determination that an application is complete, a public hearing will be warned in accordance with Section 9.9(C). In accordance with the Act [§4464(b)] and Section 9.9(E), the Board shall act to approve, approve with conditions, or disapprove on each matter of an application for conditional use review; and shall issue a written decision within 45 days of the date of the final public hearing to include findings, conditions of approval, and provisions for appeal to Environmental Court. Failure to act within the 45 day period shall be deemed approval, effective on the 46<sup>th</sup> day.

(C) **General Standards.** In accordance with the Act [§4414(3)], the Board shall determine that the proposed conditional use shall not result in an undue adverse effect on any of the following:

(1) **The capacity of existing or planned community facilities and services.** The Board shall consider the demand for community facilities and services that will result from the proposed development in relation to the existing and planned capacity of such services and facilities, and the adopted municipal capital budget and program currently in effect. The Board may request information or testimony from appropriate local officials to help evaluate potential project impacts on existing and proposed community facilities and services. Conditions may be imposed regarding the provision of services and facilities, and/or the timing and phasing of development in relation to anticipated municipal capital expenditures or improvements, to minimize any adverse impacts to community facilities and services.

*No change*

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(2) **Character of the area affected.** The Board shall consider the design, location, scale, and intensity of the proposed development in relation to the character of adjoining and other properties likely to be affected by the proposed use. Conditions may be imposed as appropriate to ensure that the proposed development is compatible with the character of the area, as defined by zoning district purpose statements, and specifically stated policies and standards of the municipal plan. Conditions may be imposed as necessary to eliminate or mitigate adverse impacts, including but not limited to conditions on the design, scale, intensity or operation of the proposed use.

*Match existing materials*

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(3) **Traffic on roads and highways in the vicinity.** The Board shall consider the potential impact of traffic generated by the proposed development on the capacity, safety, efficiency, and maintenance of roads, highways, intersections, and bridges in the vicinity. A traffic impact assessment may be required. Conditions may be imposed as necessary to ensure that a proposed development will not result in unsafe conditions for pedestrians or motorists, including but not limited to physical improvements on or off site, or the use of accepted traffic management strategies.

*No change in traffic*

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- (4) **Bylaws in effect.** The Board shall determine whether the proposed development conforms to other municipal bylaws and ordinances currently in effect, including but not limited to road, water or wastewater ordinances. The Board shall not approve a proposed development that does not meet the requirements of other bylaws and ordinances in effect at the time of application.

Sections 2.6 + 5.4

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- (5) **The use of renewable energy resources.** The Board will consider whether the proposed development will interfere with the sustainable use of renewable energy resources by either diminishing their future availability on the subject parcel, or by interfering with neighboring property owners' access to such resources (e.g., for solar or wind power). Conditions may be imposed as appropriate to ensure access to and the long-term availability of renewable energy resources.

N.A.

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(D) **Specific Review Standards.** In addition to general standards under subsection 5.4(C), the Board may also consider the following and impose conditions as appropriate to reduce or mitigate the adverse impacts of a proposed development:

- (1) **Conformance with the Town Plan.** Whether applications conform to policies and objectives of the *Charlotte Town Plan*, and do not adversely affect significant natural, cultural or scenic features identified in the town plan, including natural areas, wildlife habitat, productive forests and farmland, surface waters, wetlands, water supplies and aquifers, historic sites, and scenic views or vistas in the vicinity of the proposed development.

Not changing historic value

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- (2) **Additional Restrictions.** All conditional uses shall comply with the dimensional, density, siting and associated standards for the district(s) in which the use or development is located, including overlay districts, however the Board may require increased setbacks and buffers, or reduced lot coverage or densities of development to avoid or mitigate adverse impacts to adjoining properties or significant natural, cultural or scenic features in the vicinity of the site.

Project Meets standards

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- (3) **Performance Standards.** The Board shall consider whether the proposed development will meet applicable performance standards under Section 3.13, and may impose conditions on the installation, operation, storage or maintenance of devices or materials necessary to meet these standards. In determining appropriate performance standards, the Board may consult with state officials, and consider accepted industry standards. In addition, the Board may limit hours of operation so that the use shall be consistent with the character of the area. Evening or night operations shall be permitted only if noise levels, lighting and traffic will not unreasonably interfere with surrounding uses.

**Section 3.12 Performance Standards**

(A) The following performance standards must be met and maintained for uses in all districts, except for agriculture and forestry, as measured at the property line. In determining compliance, the burden of proof shall fall on the applicant. The Town or a complainant shall be required to provide reasonable proof if challenging compliance after a permit has been issued. The Planning Commission or Board of Adjustment may require periodic reporting as a permit condition to confirm ongoing compliance. No use, under normal conditions, shall cause or result in:

- (1) noise in excess of 70 decibels, or which otherwise represents a significant increase in noise levels in the vicinity of the use so as to be incompatible with the surrounding area; or within the Commercial/ Light Industrial District, noise in excess of 75 decibels;

NA

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- (2) clearly apparent vibration which, when transmitted through the ground, is discernable at property lines without the aid of instruments;

NA

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- (3) smoke, dust, noxious gases, or other forms of air pollution which constitute a nuisance or threat to neighboring landowners, businesses or residents; which endanger or adversely affect public health, safety or welfare; which cause damage to property or vegetation; or which are offensive and uncharacteristic of the affected area;

NA

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- (4) releases of heat, cold, moisture, mist, fog or condensation which are detrimental to neighboring properties and uses, or the public health, safety, and welfare;

NA

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- (5) **electromagnetic disturbances or electronic transmissions or signals which will repeatedly and substantially interfere with the reception of radio, television, or other electronic signals, or which are otherwise detrimental to public health, safety and welfare, except from facilities which are specifically licensed and regulated through the Federal Communications Commission (FCC).**

NA

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- (6) **glare, lumen, light or reflection which constitutes a nuisance to other property owners or tenants, which impairs the vision of motor vehicle operators, or which is otherwise detrimental to public health safety and welfare;**

Indoor lighting only

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- (7) **liquid or solid waste or refuse which cannot be disposed of by available methods without undue burden to municipal or public disposal facilities, which pollutes surface or ground waters, or which is otherwise detrimental to public health, safety and welfare; or**

NA

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- (8) **undue fire, safety, explosive, radioactive emission or other hazard which endangers the public, public facilities, or neighboring properties, or which results in a significantly increased burden on municipal facilities and services.**

NA

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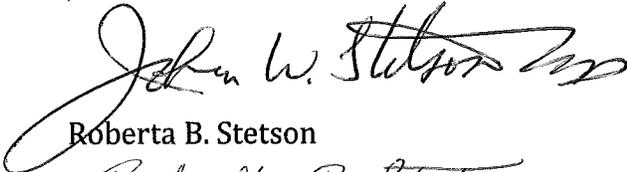
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October 6, 2015

466 North East 2<sup>nd</sup> Street  
Boca Raton, FL 33432  
(561) 395-4393

We authorize Jeff Bradley of JB Construction to represent us in applying for  
permits to build our addition at 800 North Shore Road, Charlotte, VT.

John W. Stetson MD

A handwritten signature in cursive script that reads "John W. Stetson MD". The signature is written in black ink and is positioned above the printed name.

Roberta B. Stetson

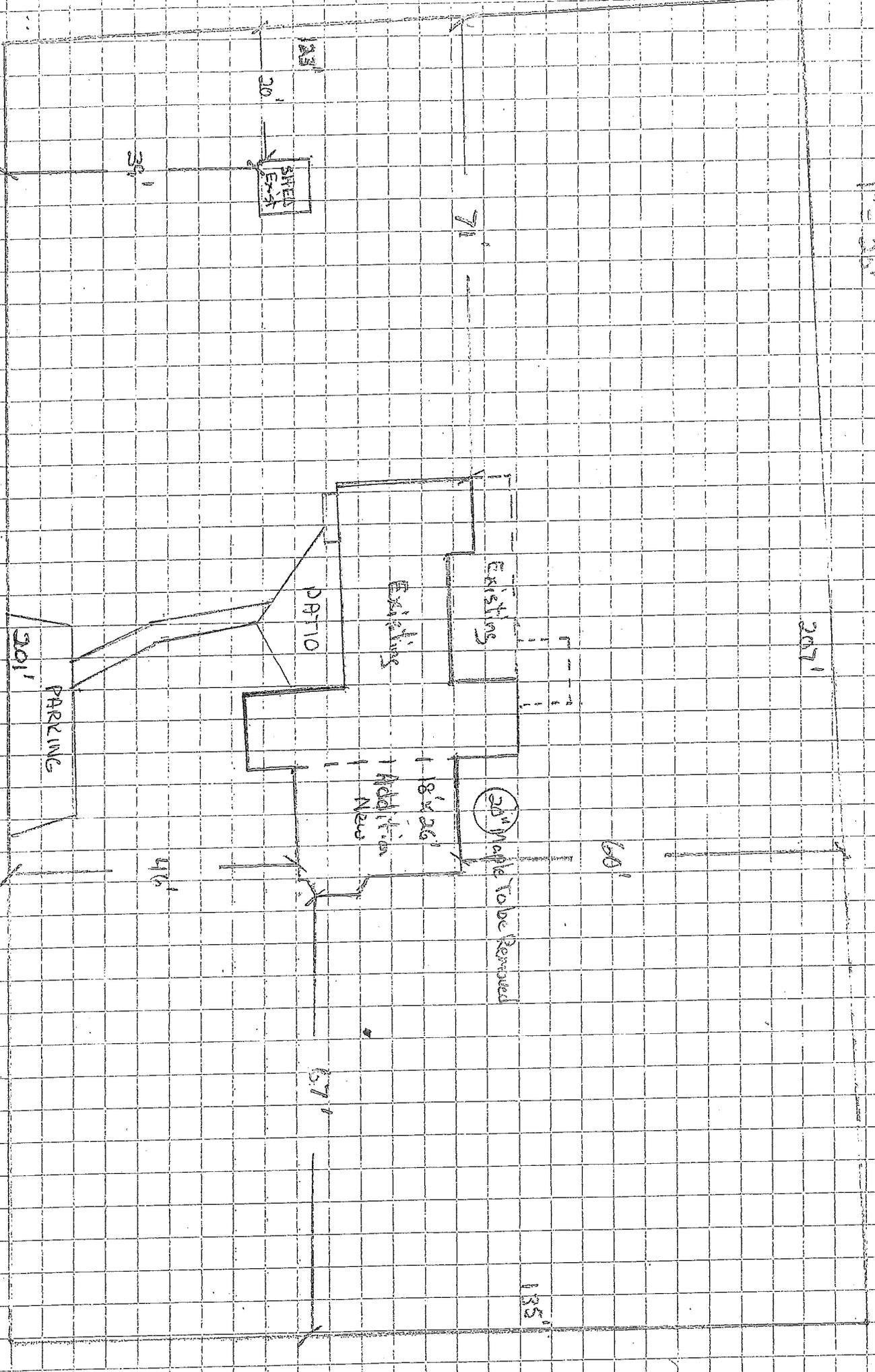
A handwritten signature in cursive script that reads "Roberta B. Stetson". The signature is written in black ink and is positioned below the printed name.

Jeff Bradley

STEEBSON SITE PLAN

1" = 20'

LAKE CHARLEMAN



N SHORE RD

PARKING

SHED  
East

Existing

Existing

New Addition

30" Wall To be Removed

DR-10

135'

57'

60'

207'

71'

23'

20'

29'

201'

46'

ZONING BOARD OF ADJUSTMENT **scheduled for November 24, 2015**

**Site Visit on November 22, 2015 @ 9:00 am**

<b>General Information</b>	
Applicant:	Jeffery Bradley on behalf of John Stetson
Application No.: ZBA-15-04	Parcel ID: 00024-0800
Status of Applicant: representative	Authorized representative
Requested Action:	Conditional Use- Thompson's Point Camp
Purpose:	The Applicants would like to add an 18' x 25' one story addition to the north side of the existing camp. Several trees will have to be removed that are in the addition footprint. The topography of the land varies, but not blasting is proposed. The new addition is proposed to anchored in to the existing ledge.
Existing Zoning:	Seasonal Home Management District
Location:	800 North Shore Road
Size:	Lot # 178 & 179. The camp has historically been considered a double lot. The original camp is built across the two lots. The TP Wastewater Ordinance allows for only one connection to the system for lots 178 & 179. The combined lot is 0.72 acres.
Existing Land Use:	Seasonal Camp
Surrounding Land Use and Zoning:	Seasonal Camps
Recent Permitting History:	2007- permission granted from Selectboard to install a washer 2006- Partial approval to complete a camp addition on the south side of the camp. 2002- bedroom expansion permitted by ZBA
Applicable Regulations:	Land Use Regulations, 2010 TP Wastewater Ordinance Town Plan, 2009
<b>Standards – Table 2.7</b> SHM District	<ul style="list-style-type: none"> <li>a. The applicant proposes 6.2% building lot coverage and 7.3% total lot coverage. These percentages are within the 7% building lot coverage maximum allowed and 10% total lot coverage allowed in the Seasonal Home Management District. The combined lot total of 0.72 acres was used for this calculation.</li> <li>b. The proposed height of the addition is 15' (The District's maximum height is 30ft)</li> <li>c. The proposed addition will not encroach any further on the nonconforming lake setback or front setback.</li> <li>d. The Design Review Committee reviewed the project and issued a decision supporting the project.</li> </ul>

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**Section 3.15 (G) Lake Shore  
buffers**

- a. No vegetation within 100ft buffer zone may be removed without consent from the Charlotte Tree Warden. The Tree Warden has visited the site and marked the trees that are permitted to be removed. These can viewed at the time of the site visit.

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**Section 5.4**  
Conditional Use Review

- a. This project does not impact any of the six Conditional Use Standards.

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**Section 3.12**  
Performance Standards

- a. This project does not impact any of the eight Performance Standards.
- 

**Prepared By:** Britney Tenney, Planning and Zoning Assistant

Staff Report Attachments:

1. Email from Mark Dillenbeck, dated November 17, 2015
2. Deed from Town of Charlotte to John and Roberta Stetson
3. Previous ZBA Decision, dated July 13, 2006
4. Design Review Committee Report, submitted November 4, 2015.

## Britney Tenney

---

**From:** Mark Dillenbeck <mark@ocmqa.com>  
**Sent:** Tuesday, November 17, 2015 3:01 PM  
**To:** 'Jeffrey Bradley'  
**Cc:** Britney Tenney; 'Larry Hamilton'  
**Subject:** RE: 800 North Shore Road

Hi Jeff, All the trees requested for removal are marked with an orange dot at the base. There is no other requirement than that the trees be marked by Larry or me. You can use this communication as confirmation if you have the need.

Not all marked trees need to be removed. There are at least two that could be nursed along for a few years with pruning and/or stem thinning. All marked trees, however, can be removed. You and Junior can use discretion with the marginal specimens.

Best Regards,

Mark

Mark R. Dillenbeck  
President  
OCM Quality Assurance, Inc.  
145 Pine Haven Shores Road, Suite 1136  
Shelburne, VT 05482  
(802) 383-0476 x1  
[mark@ocmqa.com](mailto:mark@ocmqa.com)  
[www.ocmqa.com](http://www.ocmqa.com)

---

**From:** Jeffrey Bradley [mailto:[jeffreybradley@madriver.com](mailto:jeffreybradley@madriver.com)]  
**Sent:** Tuesday, November 17, 2015 1:53 PM  
**To:** Mark Dillenbeck  
**Cc:** Britney Tenney; Larry Hamilton  
**Subject:** Re: 800 North Shore Road

Are we all set on the trees to be removed at 800 North Shore Rd.?  
Do I need something in writing from Mark or Larry?  
Please let me know as we have a site visit on Sunday.

Thanks,  
Jeff

---

**From:** "Jeffrey Bradley" <[jeffreybradley@madriver.com](mailto:jeffreybradley@madriver.com)>  
**To:** "Mark Dillenbeck" <[mark@ocmqa.com](mailto:mark@ocmqa.com)>  
**Cc:** "Britney Tenney" <[btenney@townofcharlotte.com](mailto:btenney@townofcharlotte.com)>, "Larry Hamilton" <[silverfox@gmavt.net](mailto:silverfox@gmavt.net)>  
**Sent:** Monday, November 9, 2015 5:21:58 PM  
**Subject:** Re: 800 North Shore Road

Hi Mark,

RICHARD K. & DOROTHY S. CLARK  
TO

LEASE TERMINATION

TOWN OF CHARLOTTE

Whereas, The Town of Charlotte, Vermont, hereinafter called LESSOR, entered into a lease with Richard K. & Dorothy S. Clark, hereinafter called LESSEE, of a lot of land at Thompson's point, so-called, and lot being No. 178 and 179 therein, and WHEREAS, said lease is dated December 17, 1968 for a term of years ending December 31, 1984, which lease is recorded in book 30, page 178, of said Charlotte land records, NOW THEREFORE, in consideration of one dollar or other valuable consideration, it is hereby mutually agreed between the Town of Charlotte (Lessor) and Richard K. & Dorothy Clark (Lessee) that said lease is hereby terminated, null and void and of no effect as of June 25, 1970. Dated at Burlington this 25th day of June 1970.

IN PRESENCE OF:

Patricia J. Santenello  
Samuel A. McLoughlin

Richard K. Clark  
Dorothy S. Clark

STATE OF VERMONT )

CHITTENDEN COUNTY ) SS. Personally appeared Richard K. & Dorothy S. Clark at and acknowledged the above to be their free act and deed this 25th day of June A. D. 1970.  
Samuel A. McLoughlin Notary Public

IN PRESENCE OF:

Susan W. Horsford

TOWN OF CHARLOTTE

By: Priscilla L. Spear  
(Duly Authorized Agent)

STATE OF VERMONT )

CHITTENDEN COUNTY ) SS. Personally appeared Priscilla L. Spear, duly authorized agent for the Town of Charlotte at Charlotte this 2nd day of July A. D. 1970 and acknowledged the above to be her free act and deed and the free act and deed of the Town of Charlotte. Susan W. Horsford Notary Public  
Received for record July 2, 1970 at 8:00 A. M., and recorded.

Attest,

*Priscilla L. Spear* Town Clerk

TOWN OF CHARLOTTE

TO

LEASE OF REAL ESTATE

JOHN W. & ROBERTA B. STETSON

THIS AGREEMENT, made this 25th day of June,

1970 between the TOWN OF CHARLOTTE, County of Chittenden and State of Vermont, by and through its agent, Priscilla L. Spear, and Landlord, and John W. Stetson and/or Roberta B. Stetson, husband and wife, 115 Terraceview Road, of Dewitt County of and State of New York, 13214 as Tenant. WITNESSETH: 1. The said Landlord on its part doth let and lease unto the said Tenant certain land and premises situated in the Town of Charlotte in the County of Chittenden and State of Vermont, and described as follows: Lots 178 and 179 at Thompson's Point on the Shore of Lake Champlain. 2. This Lease is for a term of Fifteen (15) years from the first day of January, 1970, and will terminate on the 31st day of December, 1984. 3. It is an express condition of this agreement that the property herein leased shall be used for residential purposes exclusively and that no business or commercial enterprise will be conducted thereon. 4. It is expressly understood and agreed that the lessee may acquire or cause to be constructed buildings for residential purposes, together with ancillary structures, but in all cases, the lessee will comply with State and local sanitary, safety, building and zoning codes and restrictions as they apply. 5. Said Landlord hereby covenants and agrees with said Tenant that said Tenant shall and may quietly occupy the premises for said time, subject to the covenants and agreements of the said Tenant hereinafter set forth. 6. The said Tenant hereby covenants to and with said Landlord that he will occupy the premises in a good and husbandlike manner for the aforesaid time, for said purpose only, and that he will pay Landlord a yearly rental of Three Hundred Dollars -----\$300.00-----. It is a condition of this Lease that at the end of each five year period the Landlord may adjust the rent, if necessary to be compatible with prevailing rates on similar lakeshore properties. The rental shall be billed on or before August 1st of each year and shall be payable on or before October 1st of each year. 7. Tenant shall at all times maintain a satisfactory sewage disposal system so as to insure that no sewage will create any nuisance or drain into Lake Champlain. 8. Tenant shall not assign this Lease or sublet any portion thereof without first obtaining the written consent of the Landlord. Normally the new Tenant will be expected to enter into a new lease. 9. In the event the buildings on the premises herein leased should be destroyed by fire the Tenant shall have the right at the termination of the year in which the fire occurred to terminate the lease if Tenant so desires. 10. It is further agreed that if the said Tenant shall at any time for the space of ninety days refuse or neglect to fulfill any of the covenants and agreements of this Lease, then the said Landlord shall have the right to enter into and upon the premises, take possession thereof and put out the said Tenant and all persons holding under him. Said Tenant reserves the right to remove all buildings, at his own expense, at the expiration of said lease. In the event tenant does not remove all buildings on or before the expiration of this lease, said buildings shall be come the property of the Landlord. 11. This Lease may be renewed for an additional period at a price of rental to be determined by the Landlord. In the event Tenant desires to renew this Lease, Tenant shall give six (6) months notice in writing to Landlord prior to the expiration of the present lease. 12. The property herein leased shall be used primarily for summer seasonal purposes only. The Landlord shall maintain the highway during the period of April 1st to November 1st of each year. 13. This Lease is executed in duplicate, each copy to be considered an original. IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals, the day and year first above written.

IN PRESENCE OF:

Susan W. Horsford

John T. Ewing  
Debra A. Pepper

TOWN OF CHARLOTTE

BY: Priscilla L. Spear (Seal)  
Duly Authorized Agent  
John W. Stetson (Seal)  
Roberta B. Stetson (SEal)

**TOWN OF CHARLOTTE  
Zoning Board of Adjustment**

In re: Roberta and John Stetson  
800 North Shore Road

)  
)  
) ZBA-06-07  
)  
)  
)  
)  
)

CHARLOTTE TOWN CLERK'S OFFICE  
RECEIVED FOR RECORD

This 14 day of July A.D. 2006  
at 10 o'clock 00 minutes 4 m and  
recorded in vol. 163 on page 369-75  
Attest Maureen Mansfield Town Clerk  
ASST

**OPINION**

**I. Introduction and Issues Presented**

This matter came before the Board of Adjustment on the Conditional Use application of Roberta and John Stetson for 800 North Shore Road on Thompson's Point. Specifically, the proposed project would require removal of the present camp and would be replaced with a new and larger two story camp as described in the submittals with the application.

Based on the application, exhibits and testimony at the hearings on May 17, May 24, June 1, and a site visit on May 24, 2006, the Board makes the following findings and decision in this matter.

**II. Findings of Fact**

1. John and Roberta Stetson lease lot #178 and lot #179 on Thompson's Point. The address of the camp is 800 North Shore Road and is developed with a seasonal camp.
2. Thompson's Point is in the Shoreland Seasonal Home Management District established by the Charlotte Land Use Regulations adopted March 2006.
3. On September 27, 1993 the Charlotte Board of Selectmen adopted the Thompson's Point Wastewater Disposal System Ordinance.

4. Lot #178 is developed with an existing camp. The camp, when built, predated zoning and was built extending partially over the lot line onto Lot #179.
5. The application for Design Review was submitted on February 6, 2006.
6. The application for Design Review listed the existing camp as having: 1 living room, 1 kitchen, 1 dining room, 3 bedrooms, 1 bathroom, 1 screened porch, 1 storage/workshop.
7. The proposed camp would have: 1 living room, 1 kitchen, 1 dining room, 1 study, 3 bedrooms, 3 ½ bathrooms, 1 screened porch, 2 offices, 1 storage/workshop.
8. Changes in plumbing would be an increase from 1 to 3 ½ bathrooms, add dishwasher, washer and workshop sink.
9. The existing camp would be demolished and removed.
10. The existing building footprint covered by a roof is 1466 sq. ft. The proposed would be 2265.5 sq. ft.
11. Building height of existing camp is 15.75 ft.; the proposed height is 30 ft.
12. The Tree Warden visited the site to review the trees the applicant is requesting to remove.
13. This property is not listed on the Historic Register.
14. Applicants have used the combined acreage of both lot #178 and lot #179 in calculating the lot size of .72 acres.
15. The drawing submitted for Design Review had a proposed structure covered by roof of 2226.5 sq. ft. and had a detached garage.
16. The Design Review Committee responded in a report dated February 27, 2006 with the conclusions that:

- (1) The proposed camp is too large, will have enormous visual impact in the neighborhood and will dwarf adjacent structures.
  - (2) The proposed garage does not conform to the proposed standards for accessory structures and should not be approved.
  - (3) Tree removal should be evaluated by the Tree Warden.
17. The DRC responded with another letter dated May 29, 2006 in which it found that if the structure had the proposed "boat house" removed that the resulting proposed structure would be "acceptable to the DRC."
18. The Tree Warden visited the site and made the following comments:
- If the Board approves the expansion and changes to the camp, I, with reluctance have marked the three large and reasonably sound trees that would have to come out since they are within the new footprint, as follows:
- A 24" basswood at south corner
- A 22" maple at east corner, but not the adjacent 14' maple, these are marked with orange paint on the stump and on the bole.
- A 20" maple at the north corner. The 14" birch at the west corner is outside the drawn footprint and is to be saved.
- To accommodate the enlarged and relocated "shed", I have marked two 4" hop hornbeam, a dying birch 14" and a dying white ash 14" at the corners of the existing shed.
- I am not giving permission to cut five new trees for a new parking lot, in view of the fact that there is an existing parking area approximately 32' x 20'
19. In a letter dated February 25, 2006 and addressed to Town of Charlotte Zoning Administration, Woolf Stavrand Architects responded to the Design Review Committee
20. Application to the Zoning Board was submitted with revised plans and elevations dated April 11, 2006.

21. In a letter dated April 11, 2006 from Laurie Stavrand to Tom Mansfield the application was changed to reduce the building coverage from 2,226 s.f. to 2,195 s.f. and indicated that the applicants had revised the layout to incorporate the “boat house/workshop” with the camp.
22. The drawings (dated January 28, 2006) submitted by the applicants to the Design Review Committee show a 26 ft. x 14 ft. x 16 ft. high “detached garage.” In the drawings submitted to the Zoning Board on April 11, 2006 the “detached garage” had morphed into a 22.25 ft. x 12 ft. x 15 ft. high “boat house/workshop” attached to the south side of the house by a 16 foot breezeway without walls. Further revised drawings submitted to the Zoning Board on June 1, 2006 show a 13.5 ft. x 20 ft. x 15 ft. high “boat house/workshop” on the north side with an 11 foot long enclosed structure connecting it to the house.
23. The following exhibits were submitted:
  - #1 Photographs submitted by Laurie Stavrand
  - #2 Thompson’s Point camp sizes by Laurie Stavrand
  - #3 Letter of concerns of V. McLoughlin, S. Riley, G. McLoughlin
  - #4 Photographs submitted by V. McLoughlin
  - #5 Letter from Woolf dated May 24, 2006
  - #6 Letter Woolf Stavrand to ZBA dated May 24, 2006
  - #7 Copy of Thompson’s Point survey map showing Lot #178 and Lot #179
  - #8 Letter D. B. Stetson to ZBA dated May 21, 2006
  - #9 Letter J. W. Stetson, MD to ZBA dated May 21, 2006
  - #10 Letter R&J Stetson to Jinny, Sharon, Geoffrey dated May 22, 2006

#11 Legal opinion letter MSK Liam Murphy dated May 30, 2006

#12 Revised drawing relocating boat house

#13 Letter DRC to ZBA dated May 29, 2006

#14 Letter McLoughlin, Riley, McLoughlin to ZBA dated May 30, 2006

24. Applicants authorized Laurie Stavrand of Woolf Stavrand Architects to represent them in the town's permitting process.

### **III. Discussion.**

**Conclusions for Conditional Use.** The Zoning Board must review this application for Conditional Use Approval for the demolition and replacement of an existing structure on town owned property on Thompson's Point under Table 2.7 of the Town of Charlotte Land Use Regulations. The purposes of the Thompson's Point Shoreland District, as explained in Table 2.7, are –

(1) to protect and preserve, for seasonal residential use only, those areas of Thompson's Point that have been historically developed for seasonal residential use and have remained essentially unchanged over the years; (2) to protect the unique historic and physical character of these areas; (3) to protect the scenic beauty of the shoreland and lake, as viewed from the lakeshore and the water; (4) to protect the environmental quality of the area and the lake, and (5) to allow for development which does not adversely affect the town's natural and scenic resources or properties and uses in the vicinity, and is compatible with the rural character of the town as expressed in the *Charlotte Town Plan*.

As a conditional use, as defined under Table 2.7 (D), this application must comply with Tables 2.7 (D), (E), (F) (G) and Sections 3.1 and 5.4. The provision of these tables and sections not specifically addressed below are inapplicable to this application.

**Table 2.7 (F)(2).** Accessory structures on Thompson's Point –

are limited to one structure per leasehold (e.g., a utility shed) that does not exceed eight (8) feet in width, 12 feet in length, or 12 feet in height. Accessory dwellings of any type are specifically prohibited in this district.

Table 2.7 (F)(2). The Applicants originally proposed to put in a garage. When the Applicants were advised that a garage was impermissible under the town regulations, the Applicants submitted new drawings renaming the garage a “boat house/workshop” and attaching the structure to the house with an unenclosed breezeway. The latest drawing submitted to the Board moved the “boat house/workshop” to the north side with a more substantial and enclosed connecting structure. This latest drawing even included access to a lower level of the “boat house/workshop.” Breezeways and connecting structures notwithstanding, the Board finds that the applicants proposed “boat house/workshop” violates Table 2.7 (F)(2), which prohibits accessory structures in this district of this size and purpose. The Board also finds that the designs (dated January 28, 2006, April 11, 2006 and June 1, 2006) with the attached “boat house/workshop” would not be in keeping with Table 2.7 (G)(1).

**Table 2.7 (F)(4).** This section governs plants, trees and soil conservation. It states in part that “all trees on leased lots are owned by the Town, and permission from the Tree Warden shall be required for cutting or pruning within this district.” The Tree Warden, Lawrence Hamilton, in a April 23, 2006 memo gave permission for two maples and one basswood that are within the new footprint to be cut down. Mr. Hamilton also gave permission for four trees to be cut down to make way for the new “boat house/work shop.” These four trees shall not be cut down without renewed permission from the Tree Warden since the new “boat house/work shop” has been denied.

**Table 2.7 (F)(7).** This section governs lot coverage of the building footprint, occupancy, and sewage disposal. On Thompson’s Point the building footprint covered by a roof (including covered porches and decks) may “not exceed seven percent (7%) of the area of the leasehold it occupies.” Table 2.7(F)(7)(a). In this case the existing and proposed new building sit astride

two lots and, because of this, the Applicants have utilized the area of the two lots to calculate the leasehold coverage. The issue of whether the two lots that make up this leasehold constitute one lot for purpose of the lot coverage calculation was the subject of a letter by the Applicants' attorney. This Board finds, however, that that issue need not be addressed by this opinion. This Board finds that in unique situations where existing buildings sit astride two lots, which are part of the same leasehold, an applicant may use both lots to calculate the permissible building footprint. In these situations, however, the Board finds only that this section does not prohibit the use of both lots to make the calculation of what is permissible and there is no right to utilize both lots to build a structure up to the maximum allowed footprint. The building design as submitted on June 1<sup>st</sup> (minus the "boathouse/workshop") would cover less than 7% percent of the leasehold and is permissible under this section.

**Under Table 2.7 (F)(7)(b)**, the alteration or expansion may not be "for the purpose of increasing occupancy." Applicants stated that there would be no increase in occupancy. Under Table 2.7(F)(7)(c), the applicant must "demonstrate that all municipal and state regulations for sewage disposal are met for each structure altered or expanded including, where applicable, the Thompson's Point Wastewater System Sewer Ordinance." In this case, the Applicants received approval from the State based on the representation that there would be no increase in occupancy. The Board, however, observed in its site visit that there was no clothes washer in the existing building and that the Applicants proposed to add a washer to the new structure. Before this may be done, Applicants will have to receive explicit permission from the appropriate governmental authorities to add a clothes washer to their leasehold. This may require the approval of both the State and Town of Charlotte.

**Table 2.7 (F)(9)** governs demolitions and alterations, expansion or repairs that change the appearance, height, footprint or historic character of an existing structure. Such changes trigger design review under Table 2.7 (G), the requirements of Section 3.1, and conditional use requirements under Section 5.4.

**Table 2.7 (G) District Design Review Standards.** “Before granting conditional use approval for any alteration, expansion, demolition, or removal of any portion of any principal structure in [the Shoreland Seasonal Home Management District], the Board of Adjustment shall seek the recommendations of the Design Review Committee.” The recommendations of the DRC are guided by the five elements listed within this Table, which includes, among other things, the requirement that the size, scale, style, design and materials of any replacement be consistent and harmonious with existing structures, and with the overall historic and aesthetic character of the area. The DRC in its letter and in testimony before the Board found that the proposed building (minus the proposed detached garage) met the five elements of this section in all respects except for the size of the proposed building. The DRC opined that the building “should be reduced to 1,800 sq. ft.” DRC February 27, 2006 letter. This Board notes that the Town, in its recently enacted Land Use Regulations, declined to set a specific square footage limit on house size for Thompson’s Point.

In a May 29, 2006 letter, the DRC stated that “if the “boat house” (267 sq. ft.) is removed, the principal new camp would be 1928 sq. ft” and that it would be “acceptable to the DRC.”<sup>1</sup> The Board has carefully considered the opinions of the DRC and is appreciative of the hard work, input and the important role of this volunteer board. The Board agrees with the DRC that the detached garage and the proposed “boat house/workshop” are unacceptable and that the

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<sup>1</sup> Actual dimensions from drawing submitted to the Board on June 1, 2006 appear to be 1868 sq. ft.

new structure (absent the “boat house/workshop”) satisfies this Table. The Board further finds that the proposed building size of the new structure (up to 1900 sq. ft.) is acceptable.

**Section 3.1(B) Demolition.** The applicable part of Section 3.1(B) provides that “Immediately following demolition, all materials shall be disposed of according to solid waste district standards . . .” The Board finds that the applicable parts of this section require that if the house is not moved that it must be disposed of properly. If the building is simply demolished or portions of it are not moved to another location then the applicants must ensure that the materials are disposed of according to solid waste district standards.

**Section 5.4 Conditional Use Review.** Under Section 5.4 (C), General Standards, the Board must determine that the proposed conditional use shall not result in an undue adverse effect on any of the listed issues in that section. The Board finds that the plans as proposed will have no adverse effect on any of the issues listed in Section 5.4 (C) except as follows:

- The character of the neighborhood precludes the construction of the proposed detached garage or the attached “boat house/workshop” submitted to the board in the April 11, 2006 and the June 1, 2006 drawings. Otherwise, the designs as submitted on April 11, 2006 and June 1, 2006 are compatible with character of the area.

Under Section 5.4 (D) Specific Review Standards, the Board must also consider “Conformance with the Town Plan,” “Additional Restrictions,” and “Performance Standards” “and impose conditions as appropriate to reduce or mitigate the adverse impacts of a proposed development.” The Board finds that with the restrictions imposed (see conditions *infra* as set out in the Board’s decision) on the applicants’ plans that Specific Review Standards of Section 5.4 (D) are met.

## **Decision for Conditional Use**

**The Board concludes that this request (subject to the Conditions of Approval, *infra*) conforms to the General and Specific Review Standards in the Land Use Regulations for Conditional Use. This request is partially APPROVED with the following conditions and limitations.**

### **Conditions of Approval**

**The Board attaches the following conditions and safeguards that it deems necessary to implement the purposes of the bylaws.**

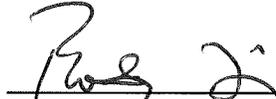
- 1. Building may proceed according to the plans dated June 1, 2006 and submitted to the Zoning Board on June 1, 2006, except that no breezeway, connecting structure or boat house/workshop/garage is permitted to be built as part of this application. To be clear, the 267 square foot northern addition (a/k/a “boat house/workshop”) to the June 1, 2006 drawings is prohibited. The permissible structure will be less than 1900 square feet.**
- 2. Two maples and one basswood that are within the new footprint may be cut down pursuant to the Tree Warden’s permission. The four trees for the new shed, however, shall not be cut down without renewed permission from the Tree Warden since the new shed has been denied. Also, per the Tree Warden’s directions, the cutting down of five trees for a new parking lot is prohibited**
- 3. Pursuant to Section 3.1(B), any part of this building that is not moved to another location and is demolished “shall be disposed of according to solid waste district standards” immediately following demolition.**
- 4. Pursuant to Section 3.1(B), immediately following any demolition, all materials shall be disposed of according to solid waste district standards, the site shall be restored to a normal grade, and ground cover shall be established sufficient to prevent erosion.**
- 5. Pursuant to Section 3.12, all exterior lighting must be of a design so that it shines downward and does not constitute a nuisance to other properties owners or tenants, impairs the vision of motor vehicle operators, or which is otherwise detrimental to public health and welfare.**
- 6. No clothes washer may be installed without explicit authority for installation of this equipment by the Town of Charlotte and the State of Vermont to ensure compliance with the Thompson’s Wastewater System Sewer Ordinance.**

7. No construction activity may take place between July 1 and Labor Day pursuant to Table 2.7(F)(6).

Vote: 4 – in favor, 0 – opposed (one absent)

DATED AT CHARLOTTE, VERMONT THIS 13<sup>th</sup> DAY OF JULY 2006.

CHARLOTTE ZONING BOARD OF ADJUSTMENT



BRADY TOENSING, CHAIRMAN

THIS DECISION MAY BE APPEALED TO THE VERMONT ENVIRONMENTAL COURT BY THE APPLICANT OR AN INTERESTED PERSON WHO PARTICIPATED IN THE PROCEEDING. SUCH APPEAL MUST BE TAKEN WITHIN 30 DAYS OF THE DATE OF THIS DECISION, PURSUANT TO 24 VSA §4471 AND THE VERMONT RULES FOR ENVIRONMENTAL COURT PROCEEDINGS.

The Design Review Committee met at the Stetson Cottage at 800 North Shore Road on November 2 at 3:00 PM. Present were Robin Coleburn and Robin Pierce, from the Committee, Britney Tenney from the Charlotte Zoning Office, and Jeffrey Bradley representing the Stetsons in the capacity of builder.

The camp is a one-story U-shaped clapboard structure, which sits at the road level, but back from the road about 40 feet. It is diminutive in size, but nicely fits in with the local neighborhood architecture. It is painted a dark brown with orange-red trim. The roof is also brown asphalt shingles. The trees are mostly deciduous and mostly maples. To the north and to the west of the house, the land slopes toward the lake.

The Stetsons are requesting a permit to enlarge their camp from 1466' to 1958'. They seek to add one bathroom and two offices but are retaining the same number of bedrooms. The expansion is only to the north. Minimal demolition will take place. The roof on the addition will be two feet higher than the existing 14' height and will allow some storage space. The building materials are to match the existing structure in style and color.

Three large trees and a few small trees will need to be removed, though that is beyond the purview of the Design Review Committee. Jeff Bradley has marked the trees in question with red tape and has scheduled a meeting with the town tree warden to obtain permission for their removal.

The Design Review Committee approves the design in the application. We are pleased that the roof height of the addition is different from the existing roof, making a more interesting non-linear profile and diminishing the long railroad effect of a single story house.

## Britney Tenney

---

**From:** Mark Dillenbeck <mark@ocmqa.com>  
**Sent:** Tuesday, November 17, 2015 3:01 PM  
**To:** 'Jeffrey Bradley'  
**Cc:** Britney Tenney; 'Larry Hamilton'  
**Subject:** RE: 800 North Shore Road

Hi Jeff, All the trees requested for removal are marked with an orange dot at the base. There is no other requirement than that the trees be marked by Larry or me. You can use this communication as confirmation if you have the need.

Not all marked trees need to be removed. There are at least two that could be nursed along for a few years with pruning and/or stem thinning. All marked trees, however, can be removed. You and Junior can use discretion with the marginal specimens.

Best Regards,

Mark

Mark R. Dillenbeck  
President  
OCM Quality Assurance, Inc.  
145 Pine Haven Shores Road, Suite 1136  
Shelburne, VT 05482  
(802) 383-0476 x1  
[mark@ocmqa.com](mailto:mark@ocmqa.com)  
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**From:** Jeffrey Bradley [mailto:[jeffreybradley@madriver.com](mailto:jeffreybradley@madriver.com)]  
**Sent:** Tuesday, November 17, 2015 1:53 PM  
**To:** Mark Dillenbeck  
**Cc:** Britney Tenney; Larry Hamilton  
**Subject:** Re: 800 North Shore Road

Are we all set on the trees to be removed at 800 North Shore Rd.?  
Do I need something in writing from Mark or Larry?  
Please let me know as we have a site visit on Sunday.

Thanks,  
Jeff

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**From:** "Jeffrey Bradley" <[jeffreybradley@madriver.com](mailto:jeffreybradley@madriver.com)>  
**To:** "Mark Dillenbeck" <[mark@ocmqa.com](mailto:mark@ocmqa.com)>  
**Cc:** "Britney Tenney" <[btenney@townofcharlotte.com](mailto:btenney@townofcharlotte.com)>, "Larry Hamilton" <[silverfox@gmavt.net](mailto:silverfox@gmavt.net)>  
**Sent:** Monday, November 9, 2015 5:21:58 PM  
**Subject:** Re: 800 North Shore Road

Hi Mark,