

**TOWN OF CHARLOTTE
ZONING BOARD OF ADJUSTMENT**

In Re: Conditional Use Review of 800 North Shore Road

ZBA-15-11

OPINION

I. Introduction and Issues Presented

On October 7, 2015, Jeffery Bradley, on behalf of Roberta and John Stetson, submitted an application for conditional use review for a proposed expansion of an existing camp. The camp is located at 800 North Shore Road. Public notice of the application was achieved by distributing the notice of hearing via The Citizen on November 5, 2015; posting the notice of hearing at the Town Hall, The Brick Store and Spear Street Store; and mailing notice to adjoining property owners. Notices were mailed to 1) Virginia McLoughlin (M40B50L12) and Gary & Jane Alsoform (M40B50L10).

The application was considered by the Zoning Board of Adjustment at a public hearing on November 24, 2015. The Zoning Board reviewed the application under the Charlotte Town Plan, 2013; Charlotte Land Use Regulations, 2010; and the Thompson's Point Wastewater System Ordinance, 2001. Present at the hearings were the following members of the Zoning Board: Frank Tenney, Chair; Jonathan Fisher, Andrew Swayze, and Matthew Zucker.

Site Visit

A site visit was held at the property on Sunday, November 22, 2015. The following members of Zoning Board were present: Frank Tenney, Jonathan, Fisher, and Matthew Zucker. Others in attendance included Virginia Mcloughlin (830 North Shore Road) and Jeffery Bradley (designed co-applicant).

Meeting Attendance

The following participated in the hearing: Jeffery Bradley, the builder and designated co-applicant.

II. Evidence

During the course of the hearing, sworn testimony was taken from Jeffery Bradley, and the following attachments were entered into the record:

- A completed conditional use application form, dated October 5, 2015.
- A set of site plans, dated October 01, 2015, submitted by Jeffery Bradley.
- A State Shoreland Permit application, dated September 24, 2015.
- A Design Review application, dated October 1, 2015.
- A Design Review Committee Report, dated November 4, 2015.

III. Findings of Fact

1. The property is located at 800 North Shore Road (M40B50L11 on the Charlotte Tax Map) and is leased by Roberta & John Stetson.
2. The Applicant is requesting to add an 18ft x 20ft, one story addition, to the north side of the existing camp.
3. The camp has three existing bedrooms. There is no proposed increase in the number of bedrooms.
4. The addition will include two 9ft x 8ft offices, a three-quarters bathroom, and the relocation of an existing bedroom.
5. According to the Town of Charlotte Thompson's Point Lease, the camp leasehold is comprised of lots 178 and 179. This leasehold allows for one structure to be connected to the Thompson's Point Wastewater System.
6. The parcel has historically been conveyed as single leasehold.
7. The parcel size, building lot coverage, total lot coverage, and setbacks were calculated using the combined size of the leasehold, of 0.72 acres.
8. The only setback impacted by the proposed addition is the north setback, which will be reduced from 88ft to 67ft.
9. The proposed building lot coverage will increase to 6.2%.
10. The total lot coverage will increase to 8.1% (this includes the stairs to the lake).
11. The existing camp is 15ft in height. The camp addition will be approximately 18ft in height.
12. Several trees will have to be removed that are located in the addition footprint. The trees were reviewed by the Deputy Tree Warden and were marked for removal.
13. The camp is not listed on the State Historical Registry.

14. The Applicant was granted State Permit approval on November 23, 2015.
15. The Design Review Committee wrote in support of the camp design in their report dated November 4, 2015.

IV. Conclusions of Law

Table 2.7 Shoreland Seasonal Home Management District:

The Zoning Board has determined that the proposed increase in building lot coverage, lot coverage, and height, meet the dimensional standards provided in Table 2.7.

In addition to the dimensional requirements, Table 2.7 (G) requires that the Zoning Board of Adjustment seek the recommendation of the Design Review Committee for aesthetic components of the proposed project. It is the Design Review Committee's duty to generate a report based on information found in the "Historic Sites and Structures Survey for the Town of Charlotte" and the report entitled "A Natural and Cultural Resource Inventory and Planning Recommendations for Thompson's Point". The Design Review Committee issued a report speaking in favor of the proposed design.

Section 3.12 Performance Standards:

The Zoning Board of Adjustment has reviewed the application under Performance Standards described in Section 3.12 and has determined that the project would not violate any of these standards.

Section 5.4 Conditional Use Review:

The Zoning Board of Adjustment has reviewed the application under the five criteria provided in Section 5.4 and finds that the applicant's proposal conforms to these standards.

V. Decision

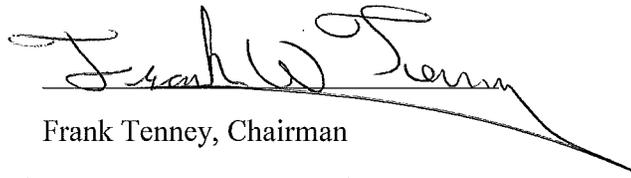
Subject to the conditions set forth below, the Zoning Board of Adjustment **approves** this application as presented to the Board, and documented in the building plans dated October 1, 2015, submitted by Jeffery Bradley, on Behalf of John and Roberta Stetson.

1. No construction may take place between July 1st and Labor Day.

2. The camp expansion is intended to allow for the expansion of an existing bedroom, the addition of office space, and the addition of a three-quarters bath. The Zoning Board is not permitting any additional occupancy beyond the current three bedrooms. The office spaces shall not be used as bedrooms.
3. The addition shall be no greater than 18ft in height as measured from the average natural grade.
4. Any disturbed ground cover should be replaced within one year of the completion of the project.
5. 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.
6. Use of heavy equipment shall be limited to driveway areas so as not to damage natural vegetation.
7. The materials and colors used in the camp addition should match the existing dark brown color with deep red trim, and matching roof color.
8. It is the applicant's responsibility to adhere to all local and State regulations, including, but not limited to, the Vermont Shoreland Protection Act, and the Thompson's Point Wastewater Ordinance.

Vote: 4 Ayes; 0 Dissent.

Dated at Charlotte, Vermont, this 4th day of December, 2015.



Frank Tenney, Chairman

NOTICE: This decision may be appealed to the Vermont Environmental Court by an interested person who participated in the proceeding(s) before the Zoning Board of Adjustment. Such appeal must be taken 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.