

TOWN OF GEORGIA ZONING BOARD OF ADJUSTMENT

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Monday, December 16, 2019

Board Members Present: James Powell, Krissy Jenkins, Tony Gabel, Gilles J. Rainville, and Kyle Anderson.

Board Members Absent: Rich Hamlin

Staff Present: Cindy Deyak, Zoning Administrator

Others Present: John and Marguerite McCracken, Jay Renshaw from Krebs and Lansing, Lorie Bachand, and Jeannette Warn.

Approved: January 6, 2020

Meeting called to order at 7:00 pm by James Powell, Chair.

James Powell swore in those providing testimony.

**ZBA #003-19 John E, McCracken, Applicant; Marguerite McCracken Revocable Trust, Owner.
Request for Conditional Use Amendment.**

Cindy Deyak read the Zoning Administrator's report.

“On November 25, 2019, applicant submitted an application requesting an amendment to Conditional Use Permit ZBA-006-18 dated July 9, 2018, in order to construct a pavilion style building on a previously approved private outdoor event facility located on a parcel of land owned by the Marguerite McCracken Revocable Trust in the B-Business zoning district. The 9.73 acre parcel is located on the northerly side of Mill River Road approximately 250 feet west of the intersection of Ethan Allen Highway and is benefitted by 390 feet of frontage on Mill River Road...”

Jay Renshaw from Krebs and Lansing discussed the new septic rules which came out in April, 2019, and stated that these new rules were the impetus for the applicant's desire to construct a more permanent building at the events venue site, to increase the number of event days per year, and to allow events from January through December. The previous rules exempted the event site from wastewater permitting and allowed the use of port-lets if events were limited to no more than two consecutive days once per month between April and October of each year. The new rules now allow up to 28 days of events during any calendar year.

Jay further stated that the previously approved cement pad is 50' x 80'. The new pavilion building will be 40' x 80'. Jay presented elevation drawings depicting the proposed pavilion. There will be no kitchen and no running water. Food will be catered in to the site. Jay stated that the state allows self-contained food trucks licensed by the Vermont Department of Health.

Gilles Rainville asked whether the intent was to replace the previously approved tent with the new pavilion. John McCracken stated that they would like to use the tent in addition to the pavilion building on

occasions when additional space is necessary. Gilles also asked about heating the space during the colder months. John stated that they will use portable heaters.

Neighbor Jeannette Warn stated that during an event several years ago the music was so loud that she couldn't hear her television. James Powell asked Jeannette how far away her property was from the site. Jeannette stated that she was approximately ½ mile away. John McCracken stated that this was a private family party that ran late into the night and that it did become loud. He further stated that the pavilion building would help to muffle the sound and that he was only asking to hold events until 10:00 p.m.

Neighbor Lori Bachand asked whether there would be music at the events. John stated that there would be. Lori stated that as long as the event was over by 10:00 p.m. she did not have a problem with that. Lori further asked if there would be outdoor lighting. John stated that all outdoor lighting would be shielded downward so as to not impose lighting on neighboring properties.

Jeannette Warn asked whether they would post event signs along the roadway to warn people to slow down during an event. Peggy McCracken stated that they would do that.

James Powell asked whether anyone had any further questions. No further questions from the board or the neighbors.

Motion to close the hearing at 7:30 p.m., made by Krissy Jenkins, seconded by Tony Gabel. No further discussion. The ayes were unanimous; the motion carried.

The board reviewed and discussed the minutes from the November 4, 2019, meeting. Motion to accept the minutes of the November 4, 2019, Zoning Board of Adjustment meeting, as presented, made by Gilles Rainville, seconded by Kyle Anderson. No further discussion. The ayes were unanimous; the motion carried.

Motion to enter deliberative session made at 7:40 p.m. by Krissy Jenkins, seconded by Gilles Rainville. No further discussion. The ayes were unanimous; the motion carried.

Motion to come out of deliberative session made at 8:00 p.m. by Gilles Rainville, seconded by Kyle Anderson. No further discussion. The ayes were unanimous; the motion carried.

Motion out of deliberative session to approve applicant's request for a conditional use amendment in order to construct a pavilion style building on the property made by Gilles Rainville, seconded by Tony Gabel. No further discussion. The ayes were unanimous; the motion carried.

Motion made to close the meeting at 8:10 p.m., made by Kyle Anderson, seconded by Gilles Rainville. The ayes were unanimous, the motion carried.

Respectfully submitted,
Cindy Deyak
Acting Secretary