

**TOWN OF CASTLETON
DEVELOPMENT REVIEW BOARD MEETING
Minutes of September 19, 2017
Castleton Town Offices**

MEMBERS PRESENT D. Wood, W. Potter, G. Chader, J. Mark, B. Day

OTHERS PRESENT: Jeff Biasuzzi, Zoning Administrator, see attached list.

The meeting was called to order at 7:00pm by B. Day.

APPROVAL OF AGENDA

MOTION: G. Chader made a motion to approve the agenda. Seconded by W. Potter
All in favor. Motion Carried.

NEW BUSINESS

**APPLICANT – MONROE, JAMES-E. CRYSTAL HAVEN, CASTLETON- REQUEST FOR WAIVER OF
FRONT & BACK SETBACKS FOR CONSTRUCTION OF RESIDENCE ON NON-CONFORMING LOT.**

D. Wood had a question regarding the temporary structure.

J Biasuzzi stated that it is permitted during construction.

J. Monroe states they have a temporary pop up camper to be used during construction. There will be no waste products left on the property.

J. Mark asked if the shed is detached.

J. Monroe stated that it was.

J. Mark asked how far the shed was from the edge of property.

J. Monroe responded that it is 6 feet.

The Board reviewed the setbacks and asked if the lots have been merged.

J. Monroe is not sure if the lots have been merged. The deed says they are merged, but he did not merge them.

They also stated that the front and back setbacks are 30 feet and not the needed 50 ft.

MOTION: G. Chader moved to close the hearing. Seconded by J. Mark. All in favor. Motion Carried.

APPLICANT- FACELLA, PAUL-NESHOBE CANA RD, CASTLETON -REQUEST TO CONSTRUCT A 12'x20' STRUCTURE WITH A 5'X 20' PORCH ON A NON-CONFORMING LOT.

P. Facella and D. Messier were sworn in by B. Day.

D. Wood asked about the existing small shed.

J. Biasuzzi stated that the definition of 8' x10' shed is both exempt and not considered a structure.

D. Wood asked if he had any neighbors. J. Biasuzzi stated that there are 6 abutting properties.

D. Wood asked if the shed was movable.

P. Facella stated that there is electricity on the property and he will not put electricity in it.

D. Messina asked if the site would be used for overnight or daily.

P. Farcella stated that the property will not be used for overnight stays and will have a compostable toilet.

MOTION: J. Mark made a motion to close the hearing. Seconded by G. Chader. All in favor. Motion Carried.

APPLICANT- KREIZER, CRAIG & MARIE -1144 DRAKE RD, CASTLETON- REQUEST TO CONSTRUCT A 14'X 20' STORAGE SHED ON A NON-CONFORMING LOT.

J. Biasuzzi stated setbacks are conforming but lot is 1.3 acres in a 2 acre zone.

D. Wood stated that there is no height of the structure on the permit.

J. Wilson asked what the height of the structure is.

P. Kreizer stated that it is between 15 to 17 feet.

MOTION: G. Chader made a motion to close the hearing. Seconded by D. Wood. All in favor. Motion Carried.

APPLICANT- BVAK, INC. (AGENT: ANDREW HAYES) – 805 RTE 4A, WEST CASTLETON. REQUEST FOR CHANGE OF USE TO RETAIL SALES 7 SERVICE IN A NON CONFORMING STRUCTURE ON A CONFORMING LOT.

The Board did have a site visit for this application.

B. Day swore in applicant.

W. Potter asked for clarification on application to sell other items other than boats. (Per application).

A. Hayes stated that part of his business is to sell items on consignment and he wanted to encompass it all in the application.

J. Mark asked about the screening from the residential properties on the east and west sides of the property.

A. Hayes stated that new fencing was being planned for east (6 ft stockade) with shrubs in front of it and west boundaries-4ft and then 6ft fence.

J. Mark asked about the chemical cleaners used to detail the boats.

A. Hayes claims to use over the counter/consumer grade soaps. He also does not use harsh chemicals on the interior of the boat.

MOTION: J. Mark made a motion to close the hearing. Seconded by J. Mark. All in favor. Motion Carried.

OTHER BUSINESS

J. Biasuzzi stated that he had sent emails to the members about the issue of a request to put a roof over an existing ADA staircase. They have had health changes recently and wanted to have it done sooner than late, but have had contractor issues.

B. Day asked if this had come before the Board in the past.

J. Biasuzzi said not to his recollection. It had come to him in July and he had drafted a permit for the applicant but they have not come back to him.

W. Potter stated that the Board has to follow the zoning ordinance of the Town of Castleton. This item you are talking about now has not been advertised for 15 days therefore we should not hear any comment on it.

J. Biasuzzi continued that it was other business.

W. Potter again stated that it has not been advertised and the Board could not talk about it.

J. Mark stated the other business category should not be used to introduce an item that would result in Board action, related to zoning.

PAGE 4 - DRB – 9/19/17

J. Mark stated that J. Biasuzzi was saying that it was something that needed to be done sooner than later.

B. Day stated that the subject will be tabled until it is warned properly.

MINUTES FOR APPROVAL- AUGUST 15, 2017

MOTION: D. Wood made a motion to approve the minutes of Aug. 15, 2017. Seconded by G. Chader. All in favor. Motion Carried.

DELIBERATIVE SESSION

MOTION: D. Wood made a motion to enter into Deliberative Session. Seconded by G. Chader. All in favor. Motion Carried.

MOTION: W. Potter made a motion to exit Deliberate Session. Seconded by G Chader. All in favor. Motion Carried.

Decisions: The board voted unanimously not to approve the Monroe permit because it does not meet the setback requirements.

They did approve the Facella, Kreizer and BVAK permits by unanimous vote.

J. Biasuzzi stated that the Monroe lot was designed to be a buildable lot and you are denying the applicant with a non-conforming lot his ability to use the lot.

J. Mark stated that approval would invalidate the zoning rules.

ADJOURN

D. Wood made a motion to Adjourn. W. Potter seconded. All in favor. Motion carried

Next meeting is scheduled for Oct. 17, 2017 @ 7:00pm.

Respectfully

V. Waldron

Date of Approval