

CASTLETON DEVELOPMENT REVIEW BOARD
January 17, 2023 – 7:00 PM
Castleton Fire Station Community Room
273 VT Route 30, Castleton, VT

Zoom Meeting Link:
Passcode:

Board Members Present: Laura Sargent, Don Wood, Pat Keller

Others in attendance included: Mike Jones, Interim Zoning Administrator

In attendance via Zoom: Jeff Biasuzzi, Nedra Boutwell, Allison Harvey, Recording Secretary

Call Meeting to Order

Meeting was called to order by P. Keller at 7:06 pm.

Approve Agenda

D. Wood made a motion to approve the agenda as presented. L. Sargent seconded. All voted in favor of the motion. So voted.

Approval of Minutes of December 20, 2022

L. Sargent made a motion to approve the minutes of December 20, 2022 as presented. D. Wood seconded. All voted in favor. So voted.

P. Keller stated the Board has been questioned on the DRB role in the Environmental Board appeal for the Sand Hill Project that had been discussed at the last meeting. They do not have a roll, it is possible they could get called in, but unlikely. If it does happen, they would coordinate with their attorney to see what they would have to do. P. Keller further stated their attorney would not be able to represent anyone else due to a possible conflict of interest. J. Gillen questioned the board's attorney possibly testifying, and whether she could represent anyone else. P Keller stated she was pretty clear that she would not be able to represent anyone else. This board would have to wait to see if the board is called in for testimony. J. Gillen stated they would pursue further as necessary on their end.

Continuation of hearing for Permit Application #8244 – Expansion of Non-conforming Structure with Conforming Use. Property Owner: Sheila McIntyre. Property located at 170 Prices Lane, Castleton, VT

P. Keller swore in anyone who may be giving testimony throughout the meeting this evening at this time.

Ramsey Gourd is the architect for the McIntyre's and is present. L. Sargent stated they need to know if the new structure is going to be a primary residence, and they also need to know the square feet of the existing structure. Mr. Gordon explained they could do away with the

basement access, but they would prefer not to. J. Biasuzzi gave the definition of the measurement and where it is taken from with finished grade to the ridge line, as well as the basement access to the ridge line definition. Discussion on the proposal and the proposed ridge line and whether the pitch will be changed. J. Biasuzzi asked about the outbuildings, and how many there were. There is a limit to how many can be on a parcel. J. Biasuzzi reviewed his two-page memo to the DRB dated January 12, 2023 (see attached) regarding this permit application, which addresses lot coverage, outbuildings, accessory use structure and accessory dwelling unit and what the actual square footage of the proposed new structure is, as well as whether both structures would be considered primary residences.

In further discussion, it was stated that there would be 9,801 sq ft allowed coverage based on the lot size, 1,260 sq ft is the principal structure, detached garage and two outbuildings totaling 656 sq ft, and the footprint of the proposed structure of 538 sq ft for total of 2176 which is 22% of lot coverage, which is over the 15% allowed. The numbers were recalculated, and it was decided that the principal building versus accessory building, and two residences may be allowed based on the Zoning Regulations.

Discussion on the hearing and whether it should be closed or continued based on having a deliberative session and if the board would have any further questions for J. Biasuzzi or the architect. J. Biasuzzi stated they will need the footprint of the new proposal and the actual finished living space. J. Biasuzzi asked if there was a shoreline protection permit in place, R. Gordon stated there is a shoreline permit in place.

Zoning Discussion – Mark Courcelle – Clarification on waiver of setbacks with regards to pre-existing, pre-zoning, nonconforming parcels – Rosewood Lane

M. Courcelle stated he is looking for guidance. These are non-conforming lots, and he needs direction for setbacks. He is hoping they could give some direction of what they can do for setbacks, as they would not be able to put a building on the lots within the required setbacks. He is trying to keep the structures near the road to be able to get to the sewer connections that are near the road. Discussion on the lots, what the rights of way are for the road and what the possible setbacks could be. M. Courcelle suggested a site visit so the board members can see the slope of the land, and the steep incline that causes a problem with the development and placement of buildings on the lots. Further discussion on the placement of structures and setbacks and how it could be developed. There was a question of the wastewater permitting with the State, and whether it was required before applying for the town permit. J. Biasuzzi stated that he would suggest a formal application be submitted which the Zoning Administrator can then submit to the DRB, as it cannot be approved by the Zoning Administrator so it would have to go before the Board for a potential waiver. J. Biasuzzi asked when the subdivision was done, pre-zoning? M. Courcelle felt it was pre zoning and it has been recorded. J. Biasuzzi would suggest applying for a permit for the lots and the permits would be good for two years, but they would have to have the wastewater permits, but the DRB would be able to put a condition on the permit that wastewater permits needed to be obtained for the permit to be issued and valid. Lengthy discussion on the suggestion of submitting a permit application and

wastewater permitting and how the timing of the project being started before the permit expires.

Other Miscellaneous and New Business

M. Jones stated to J. Biasuzzi he brought the Kin of Mills packet and asked if there was anything that needed to be done with it by the Board. J. Biasuzzi stated he believed it was ready for M. Jones signature to be approved. P. Keller thought the board was supposed to sign the permit. J. Biasuzzi stood corrected and stated that it had been to the board, however he had not seen the final decision of the board, was not sure where J. Rosenthal had left it and that was why he had suggested it be brought before the board.

Public Comments, Concerns, Questions

None at this time.

Deliberative Session: Permit Application #8244

9:08 pm – ENTER DELIBERATIVE SESSION

L. Sargent made a motion to enter Deliberative Session to include the Board and J. Biasuzzi, Zoning Consultant to discuss Permit Application #8244. D. Wood seconded. All voted in favor. So voted.

9:20 pm – EXIT DELIBERATIVE SESSION

D. Wood made a motion to exit Deliberative Session. L. Sargent seconded. All voted in favor. So voted.

D. Wood made a motion to ask for a more detailed site plan and a list of each building to include square footage of each foundation and living space of existing and proposed and they ask for permission to do a site review and that this Permit #8244 be recessed until the next meeting. L. Sargent seconded. All voted in favor. So voted.

9:25 p.m. – Adjourn

D. Wood made a motion to adjourn the meeting. L. Sargent seconded. All voted in favor of the motion. So voted.

Respectfully Submitted
Allison Harvey
Recording Secretary