

**TOWN OF CASTLETON  
DEVELOPMENT REVIEW BOARD  
MEETING OF APRIL 2<sup>ND</sup>, 2013  
AT THE CASTLETON TOWN OFFICE**

**MEMBERS PRESENT:** George Pritchard, John Hale, Joe Mark (Alternate), Ted Molnar, Bob Day

**MEMBERS NOT PRESENT:** Gordon Chader

**OTHERS PRESENT:** David Skidmore, Zoning Administrator; see attached listing

Meeting called to order at 7:00 P.M by Chairman G. Prichard

**New Business:**

**Applicant: Mark & Cathy Cota, 4493 Rte 30 North, Castleton- Request for alterations to a non-conforming structure with conforming use & enlargement of deck.**

D. Skidmore stated that the property contains a small camp with a small shed on .27 acres with direct access to Route 30. The proposed change is to a gable roof, and the deck would wrap around the lake and the deck side. The shed would be reconstructed smaller, but in the same location. He also stated that the proposal would not affect setbacks because where the deck encroaches, the shed is already closer to property lines. Ground coverage calculations are not relevant since decks don't count in the calculation. D. Skidmore asked M. Cota how many bedrooms, where the water comes from, and about the wastewater system.

M. Cota stated there are 2 bedrooms, the water is from the lake, and it is unknown when the existing wastewater system was last rebuilt.

D. Skidmore stated that the health officer J. Leamy has signed off on the wastewater system since the bedroom count remains unchanged, and the camp will continue to be used seasonally. The existing curb cut will be used.

**MOTION**

Motion to close by J. Hale. Seconded by T. Molnar. All in favor. So voted.

**Applicant: Jay & Tearsa Brannock, 59 Farr Drive, Castleton- Request for Site Plan Review for Home Occupation- Daycare**

D. Skidmore stated that the application is for childcare for up to 12 children. Greater than 7 children requires a site plan review per the ordinance. The lot is in Village Commercial, and the state license is in process.

T. Brannock stated that the hours of operation would be from 7am to 5pm, and she will have one employee if she exceeds 6 children.

D. Skidmore stated that the parcel has town sewer and fire district water.

T. Brannock stated that the yard is currently fenced in, but will be replaced.

D. Skidmore stated that the driveway has sufficient parking for 6 vehicles. T. Brannock stated that there would only be one car parked long term.

**MOTION**

Motion to close by J. Hale. Seconded by T. Molnar. All in favor. So voted.

**Timothy & Corey Smith, 1326 Frisbie Hill Rd, Castleton- Requests for waiver of required frontage setback for construction of an accessory garage**

T. Smith stated that he is looking to build a 24 x 32 garage with added trusses and a 16 ft garage door. The purpose is parking and general space for lawnmowers, etc. The garage would be finished and trimmed to match the house.

D. Skidmore stated that the issue is the requirement for 65 feet back from the center line of the road. He stated there is a topographical issue with the ground sloping dramatically, and the property owner does not feel comfortable placing the garage there. The proposal is for 60 feet from the center line of the road way.

T. Smith stated that 160 feet of the structure is in the proposed setback area.

**MOTION**

Motion to close by J. Hale. Seconded by T. Molnar. All in favor. So voted.

**Applicant: Vermont State College, dba Castleton State College, 225 College Drive, Castleton- Request for a Conditional Use permit to construct an addition to east side of Huden Dining Hall**

D. Hutchinson, the architect of record for the project, stated that they are proposing a vestibule entrance on the east side of the building and re-working the loading dock area, which is not in good shape. The entrance on the east side would help the flow of the space. He stated that it allows better space utilization. There is also a proposed small patio with a permeable surface and drainage system. The existing loading area would be slightly enlarged, and would be screened with shrubbery and fencing to shield the view from the road. He stated that the main entrance would be used for emergency egress only, and that there would be no change in occupancy or use.

T. Molnar asked if there is a walkway in front of the dining area. D. Hutchinson stated that there are two sidewalks that crisscross and a third up on the hill.

R. Gray stated that he owns land between the football field and South Street parking lot. He expressed concern that the college would be against him developing the land in the future. S. Dikeman stated it is always the intent of the college to be good neighbors.

**MOTION**

Motion to close by J. Hale. Seconded by B. Day. All in favor. So voted.

**OLD BUSINESS**

**Applicant: Fred and Susan Field (dba The Lakehouse), 3569 Route 30 North, Castleton- Request for a post construction variance permit for a 19 ½ x 42' roof over deck. Variance to setback and lot coverage provisions.**

Only 3 members of the board have attended all hearings for this applicant, and only 2 were presented. Therefore, there was not a quorum to hear this case.

**Applicant: Kenneth Lenz, et al, Neshobe Canal Dr., Castleton- Request a variance for setback requirements to construct a 30' by 40' accessory building.**

T. Parisi stated that he was not notified of the first meeting, but he then realized the hearing was on a separate issue than the hearings before. He stated he does feel there is a procedural obligation to keep him informed.

K. Anderson stated that the only instance he was able to find of an accessory building being constructed with no primary use was from August of 2010 for a shed at Crystal Beach. The application was granted for a conditional use for storage shed incidental to a larger structure. He also stated that the definition of accessory structure on page 45 stated that an accessory structure can be to a principal building or use. He stated that this could be interpreted that it could be incidental to a primary use, and the use of the lot is recreation.

D. Skidmore cited the end of the definition, which refers to Article III, the table of uses. The first line is accessory use, and accessory building appears as a subset of residential, which he stated makes it appear that an accessory building is accessory to residential use. He also stated that the building at Crystal Beach was constructed without permission, and a post construction permit was issued. However, the structure is more than 100 feet from neighboring property lines, which is required for Recreation Area, Public or Private.

K. Lenz stated that he feels the front of the lot is the lake. D. Skidmore stated that according to the definition of the front lot line, it would be the road or right-of-way, but that if it is the lake, the rear setback and side setback on the North would be in violation.

K. Lenz stated that he could meet setbacks if required by relocating the building.

K. Anderson requested that if the permit is not granted, that the board would give some guidance as to what is permissible on the lot.

#### MOTION

Motion to close by J. Hale. Seconded by T. Molnar. All in favor. So voted.

#### Other Business

None

#### Minutes for Approval- March 5<sup>th</sup>, 2013

J. Hale made a motion to approve the minutes of March 5<sup>th</sup>, 2013. B. Day seconded. All in favor. So voted.

**Deliberative Session**

**MOTION**

T. Molnar made a motion to enter deliberative session at 8:35 P.M. Seconded by B. Day. All in favor. So voted.

**MOTION**

J. Hale made a motion to exit deliberative session and adjourn the meeting at 9:30 P.M. Seconded by T. Molnar. All in favor. So voted.

The meeting was adjourned at 9:30 P.M.

Submitted by Brittany Gilman

John Hale, Clerk: \_\_\_\_\_

Date of Approval: \_\_\_\_\_