

**TOWN OF CASTLETON
DEVELOPMENT REVIEW BOARD MEETING
MINUTES OF MARCH 20, 2018
TOWN OFFICES**

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

ABSENT MEMBERS: B. Potter

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

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

APPROVAL OF AGENDA

MOTION: G. Chader made a motion to approve the agenda as presented. Seconded by J. Mark
All in favor. Motion Carried.

NEW BUSINESS

**APPLICANT: STRAGNELL, R. SANFORD & PAMELA, 97 SOUTH ST., CASTLETON- REQUEST FOR
CHANGE OF USE OF ACCESSORY BUILDING (NON-CONFORMING STRUCTURE) TO RETAIL SALES
AND SITE PLAN REVIEW.**

J. Biasuzzi stated that the applicants have existing structures behind the primary residence.
They want to have an art studio and gallery in the art barn. The parking is not a problem.

J. Biasuzzi has spoken to the applicant regarding the noise ordinance and his neighbors. It is a
cottage industry in accordance with zoning and not a home occupation.

B. Day swore in J. Biasuzzi and the applicants.

R. Stragnell informed the members that his art is made from pieces of metal and items he has
collected over the years.

G. Chader clarified that the business would be centralized around the barn.

R. Stragnell noted that the back of the barn is the studio and the front will be finished and used
as gallery and retail sale area. The residence will be kept separate.

J. Biasuzzi noted that the residence is 1940 sq ft. The art barn is 360 sq ft. It is not 50% of the
primary residence.

J. Mark asked about the noise ordinance.

PAGE 2 - DEVELOPMENT REVIEW BOARD MEETING MINUTES OF MARCH 20, 2018

J. Biasuzzi stated Castleton has an independent noise ordinance, not a zoning one. It can be enacted by the Select Board, it basically says that any obnoxious or objectionable noise can be grounds for the ordinance to be enacted.

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

OTHER BUSINESS

J. Biasuzzi informed the members that B. Longtin has come to him regarding a possible permit at his residence. The members were emailed the information. The house is on a non-conforming lot in Hydeville. He converted it to a 2 family and put an expansion to the living area and a back deck. The new application is to convert the enclosure the front porch and put a roof structure over the back deck. There was a decision in 2015 which notes Sec. 709A. (the one bite of the Apple rule)

B. Longtin noted that he did not know that he should have included the possibility of covering the back deck in the original permit in 2015 and asked what the intention of that rule is.

J. Mark said that none of the members were on the Board when that rule was written.

J. Biasuzzi stated that there is not an issue or a permit is not needed to enclose the front porch.

B. Longtin asked if this meant that he is not able to get any more permits for his property. Continuing, he stated he was coming to the meeting with the assumption that the front porch was going to be okay no matter what, and basically trying to determine whether or not there was a solution to the back, so that I would not waste your time going thru the DRB process. If the back was a no, then I would rearrange the permit so it would just be the front porch.

J. Mark noted that this was not a hearing.

J. Biasuzzi noted that he asked B. Longtin to come in and see if there was an interpretation of sec. 709A5, not asking for a decision. He can roll the dice and pay the application fee and go thru the paces.

J. Biasuzzi asked if the Board wanted to have a site review for the Rehlen permit before the next meeting.

J. Biasuzzi stated that there was a previous brief conversation about the parking issue. J. Rehlen states he has permits that pre-date this board that give him active permit for 75 seats, so that implies that I have approval for whatever parking I have.

J. Biasuzzi the Board can decide whether or not any conditional use application opens up old

PAGE 3 - DEVELOPMENT REVIEW BOARD MEETING OF MARCH 20, 2018

permits, which is a legal question, and you might ask the ZA to get an opinion from VLCT. Some panels will agree that if you open up a conditional use permit, you open all previous conditional use permits for review. I am not advocating that here.

The members agree to a Site Review before the meeting at 6:00pm on April 17, 2018.

MINUTES FOR APPROVAL- FEBRUARY 20, 2018

MOTION: D. Wood made a motion to approve the minutes from February 20, 2018. Seconded by G. Chader. All in favor. Motion Carried. J. Mark- abstain.

DELIBERATIVE SESSION

MOTION: J. Mark made a motion to go into Deliberative Session. Seconded by G. Chader. All in favor. Motion Carried.

MOTION: J. Mark made a motion to exit Deliberative Session. Seconded by G. Chader. All in favor. Motion Carried.

MOTION: J. Mark made a motion to approve permit # 7979, for R. & P. Strangely. Seconded by G. Chader. All in favor. Motion Carried.

MOTION: D. Wood made a motion to authorize the Z.A. to draft each of these approvals for Board consideration and ultimate approval. Seconded by _____. All in favor. Motion Carried.

ADJOURN

MOTION: J. Mark made a motion to adjourn.

D. Wood noted that he did not think that there needed to be a "second" on the motion to adjourn.

B. Day authorized J. Biasuzzi (Z.A.) to draft the the approval of permit #7979 for Board consideration and ultimate approval.