**DEVELOPMENT REVIEW BOARD MEETING & PUBLIC HEARINGS**

**MINUTES OF JULY 17, 2018**

**CASTLETON TOWN OFFICE**

**MEMBERS PRESENT:** R. Day, G. Chader, D. Wood

**ABSENT MEMBER:** J. Mark

**OTHERS IN ATTENDANCE:** See attached listing

**MEETING CALLED TO ORDER** by R. Day at 7:01pm.

**REVIEW AND AMEND OR APPROVE AGENDA**

**MOTION:** G. Chader made a motion to approve the agenda as written. D Wood seconded. All in favor. Motion Carried.

**NEW BUSINESS: PUBLIC HEARINGS**

R. Day swore in all interested parties.

**APPLICATION #7998/DRB #513: ERIC DUTIL**

E. Dutil requests a permit for a change of use from a residential/personal storage to commercial Retail Sales & Services (auto & marine/boats) and/or Light Mechanical Repair services in the existing structure at 87 US Rt 4A W (Parcel #08-01-3.3). The ZA stated that the property is behind the Post Office and fitness center. There is metal building already on the property. He stated that the owner had let the permits lapse and was using the property for personal storage, however he now wants to change it back to commercial. E. Dutil stated he acquires boats and rare cars, fixes them up, and resells them. He has set up an LLC and applied for a Dealer License to make it a business and now needs the property changed back to commercial for use of the business. G. Chader asked if he would be storing things on the property. E. Dutil stated he uses it for personal storage and storage of his commercial truck for his work but does not plan on selling any storage space. G. Chader said the agenda states it should be changed from storage to retail, however it should say storage and retail since he will be using it for personal storage. G. Chader asked the ZA if there were any setbacks they should be aware of. The ZA said they are all existing, nonconforming structures and no new structures are being added. He stated E. Dutil has submitted a parking plan and there is plenty of parking. There is an existing right of way from Route 4A.

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

**APPLICATION #7997/DRB #512: RALPH & LORI FRETTA (OWNERS), CHRIS FRETTA (APPLICANT)**

Request for changes of uses of the existing structure at 443 VT Route 30S (Parcel 08-01-12) as follows: the permitted self-storage portion of the existing building to Retail Sales and Services; a change of use of the permitted construction related manufacturing portion of the existing building to commercial Warehouse and Storage; approval to use the detached existing accessory structures as rental storage.

C. Fretta stated he attached a narrative and highlighted map to clarify the changes he’s requesting. He stated he would like the front of the building changed back to Retail. The Warehouse is currently zoned for manufacturing and he would like it changed to storage for the online and retail portion of the business. He would like to use the other buildings and open lands for storage of boats, RVs, etc. He stated that someone is renting a small piece of the building for office space but they are leaving within six months so the property will be used only by C. Fretta. The ZA stated that the only foreseeable issue is that the property is in the flood plain. If a property is being used for storage in a flood plain, there must be an emergency plan to be able to move whatever is being stored out of the flood plain in the case of a flood. For example, if RVs were being stored there, they can’t be skirted and need to be ready to move in case of a flood. C. Fretta stated this would not be a problem. He also stated that the building itself has never flooded, just the front lawn.

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

**APPLICATION #7999/DRB #514: MARK BROWN (OWNER), dba BROWN’S AUTO SALVAGE**

Request to construct a 40’x120’ addition to the existing commercial building at 170 Depot Terrace (Parcel #24-21-15).

Matt Brown, General Manager, stated that the addition they are seeking the permit for would be on the eastern side, southern end of the existing building. He stated there are currently four dismantling bays in the existing building and this addition would provide the room for one more dismantling bay and a service bay. He stated they have just received their Act 250 permit and are now seeking the zoning permit. D. Wood clarified that the Act 250 permit did not include drainage and asked if there would be any issue with that. M. Brown stated that all liquids are taken out of the vehicles inside and are contained and either reused to heat the building or resold. He stated that they are subject to regular water testing by the State to test for runoff.

**MOTION:** G. Chader made a motion to close the hearing. D. Wood seconded. All in favor. Motion carried.

**APPLICATION #8000/DRB #515: RAYMOND & MICHELE LAMORIA**

Request approval to demolish the existing residential structure and replace with a non-conforming Single Family Residence and detached garage on a non-conforming parcel at 88 East Crystal Haven (Parcel #33-50-59).

R. Lamoria introduced his General Contractor, Joe Howard. The ZA stated that Crystal Haven has very early zoning laws. The property currently has a single-family residence on it. The Lamorias would like to demolish the existing structure and build a new single-family residence with a detached garage. The property has municipal sewer, an existing well and existing driveway. The well is cited tight to the location of the new residence but is within zoning. The Lamorias hired a surveyor to confirm the residence will not be in the flood plain. D. Wood confirmed the garage will be in the back of the house. G. Chader confirmed that the proposed 10’x10’ deck is an open deck. D. Wood confirmed it will be a single-story residence. G. Chader asked about the percentage of coverage of the lot. The ZA confirmed the new residence will not exceed the percentage allowed. D. Wood asked if coverage included the garage. The ZA confirmed the garage was included and would not be extra.

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

**DELIBERATIVE SESSION**

**MOTION:** D. Wood made a motion to enter deliberative session with the Recording Secretary. G. Chader seconded. All in favor. Motion Carried. The ZA left the room.

**MOTION:** G. Chader made a motion to exit deliberative session and enter open Meeting format. D. Wood seconded. All in favor. Motion Carried.

**MOTION:** D. Wood made a motion to approve and issue permits for all of the hearings heard at this meeting. G. Chader seconded. All in favor. Motion Carried.

**OLD & OTHER BUSINESS**

**APPROVE MINUTES OF 6/5/18**

**MOTION:** G. Chader made a motion to approve the minutes as written for the June 5, 2018 DRB meeting. D. Wood seconded. All in favor. Motion Carried.

**APPROVE ANY DRB DECISIONS FROM HEARINGS OF 6/5/18**

Regarding Application #7983/DRB #509 for Lisa Beroud to change the use of the former church to a single-family residence at 2445 VT Rt 30N, D. Wood recused himself as he was not present at the hearing. G. Chader stated he had corrections as did J. Mark who was not present. The ZA stated the corrections had been made. Regarding Application #7991 (Fyles), D. Wood recused himself as he was not present at the hearing. The ZA said he would follow up with J. Mark.

D. Wood asked the ZA what should happen in the event of a tie vote on the DRB; is the permit granted if there is a tie? The ZA stated that the DRB should rehear the case from the beginning or an alternate could step up to break the tie vote. He said he would follow up to find out if there were any other clauses discussing this issue.

The ZA discussed the memo that was presented to the Select Board by the Planning Commission regarding the disbandment of the DRB and the termination of the ZA. He stated that he submitted a two-page letter to the Town Manager announcing his resignation and his opinions on the matter. He stated he is open and willing to being nominated to be a member of the DRB so he can continue to help Castleton Town. He said it has taken him a long time to come to this decision, but he believes the animosity will continue between the Planning Commission and ZA until someone leaves. He stated he witnessed some correspondence last week from the Planning Commission that was unacceptable and that the position is not worth the aggravation. He stated he will be working for another town, but that he will work his two weeks’ notice and then help when he can until an interim ZA can be found. The DRB expressed their disappointment with the ZA’s announcement and expressed their own personal feelings on the animosity with the Planning Commission. R. Day said he believes the only way to resolve the issue is for the DRB and Planning Commission to meet to talk out what the issues are and come to a resolution.

**SET DATE FOR NEXT DRB MEETING, PROVIDING THERE IS BUSINESS TO ADDRESS**

The next DRB meeting was tentatively set for August 14, 2018 provided there is business to address.

**ADJOURN**

**MOTION:** D. Wood made a motion to adjourn the meeting. G. Chader seconded. All in favor. Motion Carried.

Respectfully,

Darcy Van Noordt Date of Approval: