

**DEVELOPMENT REVIEW BOARD MEETING & PUBLIC HEARINGS**

**MINUTES OF AUGUST 30, 2018**

**CASTLETON TOWN OFFICE**

**MEMBERS PRESENT:** R. Day, J. Mark, D. Wood

**OTHERS IN ATTENDANCE:** J. Rosenthal, interim ZA; See attached listing

**MEETING CALLED TO ORDER** by R. Day at 7:06pm.

**REVIEW AND AMEND OR APPROVE AGENDA**

No Agenda was presented.

**NEW BUSINESS: PUBLIC HEARINGS**

R. Day swore in all interested parties.

**APPLICATION #7991, APPEAL #511**

T. Fyles requests an amendment to a previously approved permit Application #7991 Appeal #511 for a second home seasonal dwelling; Section 709: Expansion of a Non-Conforming Structure with Conforming Use.

J. Rosenthal stated because there were additions to the permit, he believed a new permit application should be submitted. He stated the meeting was advertised in the Rutland Herald and notices were sent by certified mail to adjoining property owners, but the Permit sign was not physically placed on the property. The two options the DRB had were to listen to testimony and not decide until the 15-day appeal window had lapsed, or to issue a decision and any appeals could still be filed within the 15 days. J. Mark stated they would decide after the testimony since there would be 15 days for anyone to appeal afterward.

T. Fyles' contractor, Ted Kellogg was also present and presented information regarding the drawings of the proposed plan. He stated no work had been started yet regarding the first permit issued. Required setbacks were discussed for the new plan's proposed expansion. J. Mark stated Section 709A2 stated there must be a 15' set back on the side and the drawing did not appear to have 15'. T. Kellogg stated he would guarantee a 15' set back if the permit was issued. It was decided T. Kellogg and T. Fyles would measure the site to ensure a 15' setback would be feasible and present the information to J. Rosenthal who would then verify.

J. Rosenthal asked if anything in the original permit would be continuing. T. Kellogg stated the rooflines would still be raised and the 10's extension off the back would still be happening. He stated none of the work would start until the second permit was issued so all of the work would be completed at once.

**MOTION:** J. Mark made a motion to close the public hearing regarding Application #7991. D. Wood seconded. All in favor. Motion Carried.

## **OTHER BUSSINESS**

### **APPROVAL OF MINUTES – JULY 17, 2018**

**MOTION:** D. Wood made a motion to approve the minutes from July 17, 2018 as written. R. Day seconded. All in favor. Motion Carried.

J. Mark presented an invitation from the Planning Commission to have a joint meeting regarding reviewing and revising the zoning regulations. R. Day and D. Wood stated they would be in favor of having a joint meeting, but both felt the DRB members needed some time to meet to gather their input to present to the Planning Commission in a unified manner. Discussion followed regarding some examples of input they might like to include. J. Mark offered to share his written list with R. Day and D. Wood for their review so they might add their concerns to it as a starting point. A date of September 11<sup>th</sup> was set for a meeting for the members to discuss their lists of concerns.

## **DELIBERATIVE SESSION**

**MOTION:** D. Wood made a motion to enter Deliberative Session to include the Recording Secretary. J. Mark seconded. All in favor. Motion Carried. The Interim ZA left the room.

**MOTION:** J. Mark made a motion to exit Deliberative Session and enter open meeting format. D. Wood seconded. All in favor. Motion Carried.

R. Day stated Section 809 gives the DRB authority to amend a previously approved permit. He instructed J. Rosenthal to issue an amended permit #7991 with no fees. J. Rosenthal stated he had already received a check from T. Fyles for a new permit. R. Day instructed him to return the check to T. Fyles. He stated the amended permit should be issued with no fees and with the stipulation that per Section 709A2, the northeast corner needs to be at least 15' from the Eastern property line and that the builder must satisfy J. Rosenthal of that. J. Mark clarified that the deadline for appeals and project completion restarts upon issuance of the amended permit.

## **ADJOURN**

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

DRAFT