

TOWN OF CASTLETON
DEVELOPMENT REVIEW BOARD
Tuesday, July 2, 2019 at 7:00 PM
Castleton Town Hall
263 VT Route 30 N.
Castleton, VT 05735

PRESENT: Robert Day, Development Review Board Member; Pat Keller, Development Review Board Member; Don Wood, Development Review Board Member; Bruce Longtin, Development Review Board Member; Joseph Mark, Development Review Board Member; Jonas Rosenthal, Zoning Administrator; Eliza LeBrun, Recording Secretary; Keith Knapp;

ABSENT: None.

CALL MEETING TO ORDER

The meeting was called to order by Mr. Day at 7:05 PM.

PLEDGE OF ALLEGIANCE

Mr. Day led the Pledge of Allegiance.

APPROVAL OF AGENDA

Mr. Longtin made a motion to approve the Agenda. Mr. Mark seconded the motion. All were in favor, the motion passed.

APPROVE MEETING MINUTES & DECISIONS OF MAY 21, 2019

The following corrections were noted in the meeting minutes:

1. Listed under those present, change the 4th from the last name to Eric Splatt.
2. Change the footer to read Development Review, not Design Review.

It was requested that a corrected version be emailed to Mr. Rosenthal to be distributed as well as to Mrs. Stewart for posting on the website.

Mr. Keller made a motion to approve the meeting minutes of May 21, 2019 as modified. Mr. Wood seconded the motion.

The Findings of Fact, Conclusions of Law, and Order incorrect for application # 8043 DRB # 519. The incorrect application number was referenced, and the Votes listed under ORDER on the second page were incorrectly recorded. Mr. Robert Day voted yes, Mr. Mark was absent, Mr. Wood voted yes, Mr. Longtin was absent, Mr. Keller voted yes, and Mr. Hale (alternate) voted yes to deny this application.

The Findings of Fact, Conclusions of Law, and Order incorrect for application # 8044 DRB # 520. On the second page, the first sentence listed under ORDER was changed to: Based on the facts above, a motion was made to (remove the word deny and add) "suspend deliberations" on this application. The Vote was also incorrectly recorded. Mr. Robert Day voted yes, Mr. Mark was absent, Mr. Wood voted yes, Mr. Longtin was absent, Mr. Keller voted yes, and Mr. Hale (alternate) voted yes to deny this application.

There was no issue with the Findings of Fact, Conclusions of Law, and Order for application # 8046 DRB # 521 were correct.

APPLICATION # 8055 DRB # 522: *Requesting to tear down and replace a non-conforming structure to rebuild the main structure (42' x 32') adding a second story floor, covered porch and a single bay garage. Applicant Keith Knapp, II and Christine Knapp. Property location 20 Neshobe Canal Dr. Tax Map #39-51-32 in the Town of Castleton. Effective section of the Zoning Ordinance: Section 709: Expansion of a non-conforming use A. (tear down and replace).* Mr. Knapp was reapplying to the DRB with a new application. Mr. Knapp proposes to combine lots # 32 and # 33. Mr. Knapp proposes to remove the current house and replace it with a new house and garage. Mr. Knapp has changed the pitch on the roof 90 degrees, this means that the slope of the roof will be the same as it is today.

Discussion followed with respect to lots 32 and 33 and the proposal to combine them so that he can meet the rear yard and side yard setbacks. Currently both lots are in separate deeds. The question referred to was whether the permit could be issued before or after the lots were merged.

Mr. Wood made a motion to close the hearing for application #8055 DRB #522. Mr. Longtin seconded the motion. All were in favor and the motion passed.

CITIZEN'S COMMENTS: None.

NEW BUSINESS

Mr. Rosenthal presented an email to the Development Review Board from Mrs. Traficanti regarding an issue she had with permit # 7714 issued back in 2014. The permit was issued to Mrs. Traficanti's neighbor. The permit holder purchased the property and built a garage along what he thought was his property line. Several years later, a survey showed that the garage encroached on the Traficanti's property. The Town does not get involved in property line disputes however a notice of violation was sent to the permit holder because the permit was issued based on the representations of the applicant which was in error. A new application was presented after a discussion of the problem was addressed. A new permit was issued by the Zoning Administrator to correct the violation of Permit # 7714.

Discussion was held on how the issue could be resolved. The recommendation was that Mr. Rosenthal return the email to Mrs. Traficanti and advise that unless she files an appeal, the DRB cannot get involved.

The neighbor, Mr. Kretzer has since requested a copy of the permit for an airport on the Traficanti property for review.

Discussion was held over concerns (missing information) with the Towns Zoning application. It was noted that the entire application should be reviewed and proposed changes be made. The DRB does not want to add this to Mr. Rosenthal's plate at this time. Mr. Mark noted that per Article 7, the DRB can make changes to the application at any time.

ADJOURN

Mr. Mark made a motion to enter the Deliberative Session at 8:15 PM. Mr. Wood seconded the motion. All were in favor and the motion passed.

Mr. Longtin made a motion to exit Deliberative Session at 8:20 PM. Mr. Mark seconded the motion. All were in favor and the motion passed.

DECISIONS

Regarding APPLICATION # 8055 DRB #522. Effective Section of the Zoning Ordinance: Section 709: Expansion of a non-conforming use A. (tear down and replace). Applicant Keith Knapp, II and Christine Knapp. Property location 20 Neshobe Canal Dr. Tax Map #39-51-32 in the Town of Castleton. Mr. Mark made a motion to grant a permit to Mr. Keith Knapp for the development proposed under application # 8055 contingent on merging lots 32 and 33. Mr. Keller seconded the motion. All were in favor and the motion passed.

ADJOURN

Mr. Mark made a motion to adjourn the Development Review Board Meeting. Mr. Keller seconded the motion. All were in favor and the motion passed.

Respectfully submitted; Eliza LeBrun, Recording Secretary