

**TOWN OF CASTLETON
CASTLETON DEVELOPMENT REVIEW BOARD
MEETING MINUTES
Tuesday, September 15th, 2020**

PRESENT: Bruce Longtin Chairman elect, Don Wood, Joe Mark, Pat Keller, Danial Forcier, Jonas Rosenthal Zoning Administrator, and Laura Sargent recording Secretary

Others Present: Lisa Ladd, George Ingleston, Bridget Stockwell

CALL MEETING TO ORDER:

The meeting was called to order by Bruce Longtin at 7:07 P.M.

APPROVAL OF AGENDA:

Mr. Keller made a motion to approve the agenda. Mr. Mark seconded seconded the motion. All were in favor. The motion was passed

MINUTES FOR APPROVAL: July 23, 2020

Mr. Keller made a motion to approve the minutes of July 23, 2020 with the following corrections. Mr. Wood seconded the motion. All were in favor. The motion passed.

1. In order to allow adequate time for duplication, timely distribution, and prior review, all documents and materials in support of, in opposition to, or in lieu of oral hearing testimony (e.g., prepared statements, maps, photographs, etc.) must be submitted to the Zoning Administrator no less than one week prior to the hearing.

2. There was a misspelling of a name it should have been Cornell Dawson.

APPLICATION:

8121: Expansion of a non-conforming Structure with Conforming Use: Permit application to replace and construct a new single-family dwelling located at 159 Creek Rd, Castleton, VT. Effective section of the Zoning Ordinance: Article V11: Section 709.

Mr. Longtin swore in the following Lisa Ladd, George Ingleston, Jonas Rosenthal. All acknowledged. Jonas stated he had two errors on the project zoning sheet, at the bottom of the sheet it stated village/ commercial and should have stated recreation/ commercial. The second error was the left side of the property is not 40ft it is 17 ft. The last line should be Narrow lot Rec/com. Setbacks are 30ft in the front yard. Mr. Rosenthal referenced page 38 # 2 of the Zoning ordinance where he felt this application could be considered.

Miss Ladd asked if a home was existing prior to the Zoning laws, does it not have to

follow current Zoning laws. Mr. Mark stated it's not a question of the sum but a question of the area and wanted to know the sum of the existing footprint. Mr. Wood stated by his calculation the existing footprint is 600sq ft. Miss Ladd asked how many square feet the replacement structure would be, it was her understanding that you could not build a new home larger than the prior home on the property. Mr Longtin explained that it could not without approval of the review board that's why they are here. Miss Ladd feels that Mr. Ingleston moving his house to a new location on his property is essentially in her back yard and blocks her view. Mr. Wood explained there is a height restriction of 38ft. Mr. Ingleston said he was only going 32ft high and does not even know if he could do a basement because there has been no digging as of yet and he is unsure of what they will find on the property and if he was not able to have the basement he would go back to a pad.

Mr. Ingleston stated they adjusted to the 15ft on both sides, where the pre existing house is only 7ft by moving it up the hill, where we want to build. The proposed property is 28ft wide by 40ft long which is 1120 sq ft. Mr. Mark asked if the new building could be placed further back on the property. Mr. Mark stated under section 703 if the new structure would be built in the proposed location Mr. Ingleston would have to reduce the size to 900 sq ft. Mr. Ingleston asked Mr. Mark if that meant the 15ft on each side was not enough. Mr. Mark stated that was correct because of the recreation/commercial classification.

Mr. Longtin explained the process to Mr. Ingleston that the board has 45 days to issue a decision, the board notifies Mr. Rosenthal and Mr. Rosenthal will notify Mr. Ingleston.

Mr. Mark moved to close the hearing. Mr. wood seconded the motion. All were in favor and the hearing was closed.

OLD BUSINESS :

Mr. Wood asked what the status of the solar project on sand hill and the conversion of a private residence turning into a daycare. Mr. Rosenthal has heard nothing more about the private residence and no application has been submitted at this time. Mr. Rosenthal stated the Rutland Regional Planning Commission were meeting and he believed it to be on their agenda.

New Business :

Mr. Rosenthal Has 3 potential applications that he would like to schedule for an October 6th meeting of the board.

- 1.) located at 1797 Route 4A east for a drive in Movie Theater.
- 2.) Donna Ryan Rose
- 3.) Garage on Winnick Road.

Mr. Mark would like Mr. Rosenthal to look at a property located just west of precision auto and family dollar store and give Mr. Rosenthal's opinion on outdoor storage.

Deliberative Session following application :

Mr. Mark moved to go into deliberative session. Mr. Keller seconded the motion. All were in favor and the motion passed.

Mr. Wood Moved to come out of deliberative session with no action taken at 9:02. Mr. Mark seconded the motion. All were in favor and the motion passed.

Mr. Mark moved to deny permit application #8121 on the grounds that the additional area of the proposed structure encroaches on the proscribed set back area established by the 30 foot side set back requirement by more than 50% of the existing footprint. Mr. Keller seconded the motion. All were in favor and the motion was passed.

Mr. Mark moved that the executive session for personnel be cancelled with the zoning administrator that was added to the agenda. Mr. Wood seconded. All were in favor and the motion passed.

Adjourn meeting :

Mr. Mark moved to adjourn. Mr. Wood seconded the motion. All were in favor and the motion passed. The meeting was adjourned.