

**TOWN OF CASTLETON
DEVELOPMENT REVIEW BOARD
Tuesday, March 16, 2021 at 7:00pm
Zoom Web Meeting**

PRESENT: Bruce Longtin, Development Review Board Chair; Dan Forcier, Development Review Board Member; Pat Keller, Development Review Board Member; Sean Steves, Development Review Board Member; Don Wood, Development Review Board Member; Jonas Rosenthal, Zoning Administrator; Eliza LeBrun, Recording Secretary; and other member of the Public.

CALL MEETING TO ORDER

The meeting was called to order by Mr. Longtin at 7:02pm.

APPROVAL OF AGENDA

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

APPROVE MEETING MINUTES & DECISIONS OF March 2, 2021

Mr. Keller made a motion to approve the Minutes. Mr. Wood seconded the motion.

The following corrections were noted:

- On page 1, the second paragraph from the bottom should read, "Mr. Rosenthal explained that the application is on a pre-existing non-conforming lot. The current house/mobile home is partially overlapping the applicant's neighbor's property. The applicant is proposing to slide the house off of his neighbor's property, and to expand the building less than 50%."
- On page 2, paragraph 4, at the end of the sentence, remove the word "filled" and replace with "filed."
- On page 3, in the first sentence, remove the word "Plan."
- On page 3, under Deliberative Session, Mr. Steves seconded the first motion. All were in favor and the motion passed.
- On page 3, under Decisions, Mr. Forcier seconded the motion. All were in favor and the motion passed.

The motion to approve the minutes was withdrawn.

Mr. Keller made a motion to table the minutes of March 2, 2021 until a revised copy was received. Mr. Wood seconded the motion. All were in favor and the motion passed.

Application # 8144: Permit to Build and open a Child Care Facility. *Effective section of the Zoning Ordinance: Article VIII - Site Plan Approval.* Owner and applicants: Tearsa & Jay Brannock. Property Located at 115 Sand Hill Rd.

Development Review Board Chair, Bruce and swore in, Zoning Administrator Jonas Rosenthal, applicant Tearsa Brannock and those parties giving testimony on Application #8144.

Mr. Rosenthal shared that new information had been received from Tearsa Brannock for application #8144 on March 2, 2021. Mr. Rosenthal delivered the revised application to the right and left side abutters

(Mr. David and Mrs. Howard) on March 11, 2021. Mr. Rosenthal indicated he sent Mrs. Jill Potter and her husband a copy of the revised application on March 9, 2021 although they are not abutters.

Mr. Rosenthal stated that the use proposed in the application is permitted with a site plan review.

Mrs. Brannok addressed a flier that was circulated throughout the community. Mrs. Brannok felt the information contained was not accurate and was misleading. There is a public facebook page which has all of the information about the project listed. The project is not an in-home daycare, it is a child care center.

The home which was located on the proposed site was in disrepair, Mrs. Brannock feels that the property value in the neighborhood would not be negatively impacted with the new building. Mr. Rosenthal clarified that the site is zoned for child care use.

The proposed center is able to host 59 children with a possibility of enlarging in the future. There will be a parking area for staff and parents with separate entrances and exits for traffic flow. A playground will be located at the rear of the property. Mrs. Brannock stated that they do plan to level the property and drainage will be installed to the rear and side of the property. Mrs. Brannock does not feel this will impact the Castleton Elementary School's Pre-K program as that is a federally funded program and is free. Tuition for the proposed child care center will be based on research done by the state of Vermont. Mrs. Brannock will be the responsible party for the center.

Mr. Keller shared that he is concerned about the parking area and traffic flow. He requested an engineer's drawing to see accurately see the parking places.

Mr. Forcier clarified that there would be only 1 parking lot for employees and parents. The number of staff will fluctuate throughout the day, but there are 17 staff members proposed.

Mr. Wood asked how Mrs. Brannock would address traffic flow. Mrs. Brannock anticipates more traffic from the Route 4 end of Sand Hill but does not foresee this as a problem at this time. Mr. Wood noted that he is concerned about the traffic at arrival and drop-off times. Mrs. Brannock stated that the center would be open 7:30am to 5pm.

Mr. Richard Reardon, Director of Education at Castleton University explained that there are 14 students enrolled in the early childhood education at this time, but not all of these students will be working with the child care program at the same time, and some will work with other sites as well. Mr. Reardon will be the Professor Liaison.

Ms. Heather Martin introduced herself to the Development Review Board as the Early Education Consultant working with Mrs. Brannock on this child care program. Ms. Martin shared that there are 2 similar sites located in Proctor, Vermont that partner with the local schools in that district. She also explained that 75-65% of infants and toddlers in Rutland County do not have access to 4 or 5 star child care programs.

Neighbors Mr. and Mrs. Howard voiced their concerns over the number of students that will be attending the center and the liability of them wandering onto their property and a loss of privacy. Mrs. Brannock assured them that there were to be fencing and natural screening/buffering with bushes and plants.

Mr. Howard indicated he was concerned about parking along the property line as well as the dust from the parking lot. Mrs. Brannock stated that they had planned to pave the parking lot. Mr. Howard was also concerned about the drainage onto their property as they are at a lower elevation.

Mrs. Sarah Nicholson also spoke regarding the proposed childcare center. Mrs. Nicholson wanted to make sure that the area was zoned for a childcare facility as she thought it was residential. Mr. Longtin explained that with a site plan it is allowed.

Mrs. Nicholson is also concerned over water and wastewater. Mr. Rosenthal stated that the state permits have been applied for. Mrs. Nicholson also wanted to make sure that all ADA and Architectural Barriers Act rules were being considered.

Mr. Emilio Rosario stated that he is not in favor of the project.

Mr. Keller would like to see a lighting plan for the exterior of the project including the parking lot.

Mr. Wood would like to see a detailed parking plan in an engineering layout.

Mr. Longtin noted that on pages 40 to 43 of the Zoning Ordinances, there is information used to evaluate site plans and it would be helpful if the Development Review Board could review them. It was also noted that in the updated version of the Zoning Ordinances these begin on page 43.

Mr. Rosenthal submitted a letter to the Deliberative Review Board which he received from Ms. Jill Potter addressing this project.

Mr. Longtin made a motion to recess the hearing for permit application #8144. Mr. Wood seconded the motion. All were in favor and the motion passed.

OLD BUSINESS

Mr. O'Neill came to clarify for the Development Review Board that the current mobile home on the property intrudes on the neighbor's property and he would like to move the mobile home off his neighbor's property and fully on to his own.

It was noted that a corrected version of the Minutes from the meeting on March 2, 2021 will be provided to the Development Review Board before the next meeting.

NEW BUSINESS

Mr. Rosenthal indicated that there was no new business to discuss at this time.

EXECUTIVE SESSION

Mr. Forcier made a motion to enter Executive Session at 8:42 p.m. Mr. Keller seconded the motion. All were in favor and the motion passed.

The public did exit the meeting and the Development Review Board entered Deliberative Session.

Mr. Longtin made a motion to exit Deliberative Session at 9:42pm. Mr. Keller seconded the motion. All were in favor and the motion passed.

ADJOURN

Mr. Wood made a motion to adjourn the Development Review Board meeting at 9:42pm. Mr. Steves seconded the motion. All were in favor and the motion passed.

Respectfully submitted; Eliza LeBrun, Recording Secretary