

**TOWN OF CASTLETON
CASTLETON DEVELOPMENT REVIEW BOARD
MEETING MINUTES
TUESDAY, OCTOBER 20th, 2020 - 7:00 PM
CASTLETON TOWN OFFICE - 263 VT ROUTE 30**

PRESENT: Bruce Longtin, Chairman (VIA Zoom), Don Wood (VIA Zoom), Pat Keller (VIA Zoom), Danial Forcier (VIA Zoom) Joe Mark (Via Zoom), Jonas Rosenthal Zoning Administrator, and Laura Sargent recording Secretary

OTHERS: George Ingleston, Bridget Stockwell, Gary Bowen, Ann Bradly

Others present Via Zoom: Donna Ryan, Luke Steinke, Lisa Ladd, Melissa Knox, John Hale, Karen Moore, Patty Ryan, Rob Moore, Beverly Addams, Kevin Rafiel, Justin Franklin.

CALL MEETING TO ORDER:

The meeting was called to order by Bruce Longtin at 7:07pm

APPROVE THE AGENDA:

Mr. Mark made a motion to approve the agenda for October 20th, 2020'

Mr. Wood seconded the motion with the following addition to the agenda.

1. Add the approval of the minutes for September 15th

All were in favor and the motion passed.

APPROVAL OF MINUTES: SEPTEMBER 15, 2020 and October 6, 2020

Mr. Keller made a motion to approve the minutes for October 6th, 2020 with the following changes.

1. Mr. Forcier was not present at the October 6th, 2020 meeting

Mr. Wood seconded the motion. Mr. Mark and Mr. Forcier abstained. All others were in favor and the motion passed.

Mr. Wood made a motion to approve the minutes for September 15th, 2020 with the following changes.

1. Under PRESENT- remove the word elect from Bruce Longtin's name. He has been elected.
2. Page 2, 2nd paragraph, end of second line- should read "The proposed building" not property
3. Page 2 under OLD BUSINESS, 1st line- Capitalize Sand and Hill.

Mr. Keller seconded the motion. All were in favor and the motion passed.

APPLICATIONS:

Mr. Longton swore in all parties listed that would be giving testimony for all applications heard on October 20th, 2020.

Application # 8121: George Ingleston, Lisa Ladd

Appeal Decision of the Zoning Administrator: Donna Ryan Rose, Rob Moore, Karen Moore

Application # 8127: Gary Bowen, Beverly Addams, John Hale, Luke Steinke, Larinna Steinke, Justin Franklin

Jonas Rosenthal Zoning Administrator for all applications.

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. Ingleston spoke regarding the reduction of size of the building to comply with zoning laws, the set back was also adjusted to comply with zoning laws. Mr. Rosenthal had a question on the size of the porch on the plan and how it would be interpreted to section 1021. Mr. Ingleston stated the porch was not an issue and he would comply with whatever the board felt would be appropriate. Mr. Longtin addressed the issue of the existing house. Mr. Ingleston stated the existing house would be torn down upon completion of the new house. Miss Ladd spoke on how she felt the change of location of the house would be too close to her backyard and would reduce her privacy, she felt it would affect the resale of her property value.

Mr. Mark made a motion to close the hearing. Mr. Wood seconded the motion. All were in favor and the motion passed.

OLD BUSINESS:

Appeal Decision of the Zoning Administrator to deny the application to replace a residential / seasonal dwelling to a year / round dwelling due to increase in lot coverage of the .18 acre lot.

Mr. Rosenthal stated that Mrs. Ryan submitted the same application with no changes in the lot coverage. Mr. Longtin addressed the lot coverage. Mr. Forcier asked about calculations and how they were being determined. Mrs. Ryan addressed why the square footage was needed, changing a seasonal home into a year round home, and the reasons the proposed building would be placed due to the fact Mrs. Ryan does not want to own the pump station. The board discussed the square footage allowed to build on the property and the current calculations that are on the application and the current application had more square footage than allowed. Mrs. Moore sent a letter regarding the application and questioned the setbacks of the additional proposed new building. Mr. Moore questioned the setbacks and lot coverage. Mr. Mark addressed page 38 section 709 A, 2&3.

Mr. Mark made a motion to close the hearing. Mr. Wood seconded the motion. All were in favor and the motion passed.

Application # 8127: Conditional Use Permit application: Permit application for an outdoor recreation / drive in movie theater located at 1797 RT 4 A East, Castleton, VT. Effective section of the Zoning Ordinance: Article 1V: Conditional Uses Section 409: Recreation Areas, Private.

Mr. Bowen addressed the board and resubmitted the application with a site plan for a drive -in. Mr. Steinky does not feel like anyone in the area wants a drive-in and the area is residential. Mrs. Steinky stated the animals would be disturbed and there would be lights and noise to contend with. Mrs. Addams felt the traffic and lights would be an issue and does not want people approaching her animals. Mr. Hale felt that the site map was incomplete, parking, exiting and entering of vehicles and where the movie screen would be located. Justin Franklin felt the acreage that was stated was incorrect and his animals would be spooked, that lights would be an issue. Mr. Bowen stated he has 9 acres there will be 12x 20 parking spots, there is a tree line that would help with lights as well as elevation from home. Mr. Bowen also stated the property is zoned for commercial, this was a seasonal business only open 4 nights a week at the most and any property maintenance, clean up would be his responsibility, the volume of noise would be inside a vehicle there is no outside speakers, the movies start at dusk and he believes this is not a high traffic time and would not cause any major traffic issues and is willing to address any issues the neighbors have the best he can. Mr. Wood addressed the fact that some of the property was in a flood hazard area. Mr. Bowen stated only part of the property is in the flood area and if the property floods they would not be able to have movies at that time. Mr. Rosenthal stated he would have to find out more information about the impervious surface for that area. Mr. Mark asked about a snack bar. Mr. Bowen stated at this time there is no plan for that, there is a possibility for a vendor to come in and as far as parking it would be on the grass there was no plan for pavement or gravel. Mr. Bowen invited the board to come and see the property so they would have a better idea of the layout of the land. Mrs. Bradley (Mr. Bowen's daughter) said that all concerns of the adjoining property owners are under consideration.

Mr. Mark made a motion to move to recess pending submission of a more detailed site plan following submission of a site plan, an on site visit by the board. Mr Keller seconded the motion. All were in favor and the motion passed.

NEW BUSINESS:

Mr. Rosenthal stated there was a new application possibly for the 3rd tuesday in

November.

Deliberative session:

Mr. Mark made a motion to go into deliberative session. Mr. Wood seconded the motion. All were in favor and the motion passed.

Mr. Wood made a motion to exit deliberative session at 9:46. Mr. Mark seconded the motion. All were in favor and the motion passed.

Mr. Keller made a motion to approve application #8121 with the following conditions.

1. Remove the current building upon completion of the new Building
2. Addhear to page 66, Section 1021: Exemptions from zoning permits, Part B. for a covered porch.
3. uncovered porch should be no larger than 32 square feet.

Mr. Wood seconded the motion. All were in favor and the motion passed.

Mr. Mark moved to deny Ryan Rose Appeal on the basis of Article VII, Section 709 A2 and A3. As an alternative proposal for a structure that does not exceed 1242 square feet based on the existing coverage, that includes the removal of the existing garage. Where all new footprint construction shall not encroach on the side setbacks of not more than 15 feet would be acceptable. Mr. Forcier seconded the motion. All were in favor and the motion passed.

ADJOURN:

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

Recording secretary
Laura Sargent