

**TOWN OF CASTLETON
DEVELOPMENT REVIEW BOARD
MEETING OF MARCH 5TH, 2013
AT THE CASTLETON TOWN OFFICE**

MEMBERS PRESENT: George Pritchard, Gordon Chader, John Hale, Joe Mark (Alternate), Ted Molnar,
Bob Day

MEMBERS NOT PRESENT: None

OTHERS PRESENT: David Skidmore, Zoning Administrator; see attached listing

Meeting called to order at 7:01 P.M by Chairman G. Prichard

Old Business: Continuation of February 19, 2013

Kenneth Lenz & Amy Martell, Neshobe Canal Dr., Castleton- Request a variance for setback requirements to construct a 30' by 40' accessory building.

D. Skidmore stated that the application is for a 30 x 40 foot storage shed on an otherwise undeveloped parcel of land. He outlined several issues for consideration: 1) What is the proposed use of the property according to the ordinance? He pointed out that in the R-40 district, warehouse/self-storage facilities are not permitted. 2) Setbacks- What is the front of the lot? D. Skidmore stated that the lot appears to have a right-of-way used by others, and should therefore measure the front setback from the center of the roadway with an additional 25 feet according to the ordinance. 3) Proposed left side setback is proposed at 15 feet, 30 feet is required. D. Skidmore stated an additional consideration is that it appears the parcel has a flood hazard zone across a substantial portion, although he is unable to determine whether the proposed building is in the flood hazard zone.

K. Anderson stated that K. Lenz obtained an elevation of the site vs. the lake level, and there is an 18 foot differential, which should alleviate the flood concerns. He also stated that the proposed use is recreational storage to store boats, aquatic equipment, and other things of that nature.

G. Chader asked if there are other intended uses. K. Lenz stated it would only be used for storage.

G. Chader asked about the placement of the structure. K. Lenz stated that he wants it out of the way so he can eventually also build a house on the parcel.

K. Anderson stated that he feels the applicant qualifies for a variance, and that it would be in conformity with surrounding uses.

D. Skidmore pointed out Article III under the table of uses- Recreational Areas, which is a conditional use within the district. He then cited Section 409c, which stated that in a recreational area, every building must have a minimum distance of 100 feet from the property line.

K. Anderson stated that the use isn't recreational private by definition because this seems to apply to areas open to the public.

G. Pritchard stated that setbacks are an issue, as well as the fact that by definition, a parcel cannot have an accessory structure without a principal structure.

K. Anderson cited permit number 7270 from 2007, stating that a shed was built before a residence in that case.

MOTION

Motion to continue the hearing until March 19th, 2013 by J. Hale. Seconded by T. Molnar. All in favor. So voted.

Continued Discussion-

Applicant: Frederick and Susan Field (dba The Lakehouse), 3569 Route 30 North, Castleton- Request for a post construction variance permit for a 19 ½ x 42' roof over deck. Variance to setback and lot coverage provisions.

B. Burns showed a dock permit from 1996 that allowed 8 40 foot docks, which he stated equals 16 20 foot docks, which provides an additional 60 seats. He stated that two boats on each side of the slip=32 boats, which brings the total allowable patrons from 132 to 192. He also stated that the 8 tenant spots are not part of the 50 allowable spots. D. Skidmore stated that by definition, the owner of a business must control the parking. He also stated that a parking space should provide year round use.

G. Chader verified that there are 38 parking spots aside from the waterfront, which equals 114 seats based on 3 patrons per car.

H. Steele expressed concern that the original permit has not been addressed.

MOTION

Motion to continue the hearing until March 19th, 2013 by G. Chader. Seconded by B. Day. All in favor. So voted.

Other Business

None

Minutes for Approval- February 19th, 2013

G. Chader made a motion to approve the minutes of February 19th, 2013. B. Day seconded. All in favor. So voted.

Deliberative Session

J. Hale made a motion to enter deliberative session at 8:45 P.M. Seconded by B. Day. All in favor. So voted.

MOTION

J. Hale made a motion to exist deliberative session and adjourn the meeting at 9:15 P.M. Seconded by G. Chader. All in favor. So voted.

The meeting was adjourned at 9:15 P.M.

Submitted by Brittany Gilman

John Hale, Clerk

Date of Approval