

**CASTLETON DEVELOPMENT REVIEW BOARD
October 17, 2023 – 7:00 PM
Castleton Fire Station Community Room
273 VT Route 30, Castleton, VT**

**Zoom Meeting Link:
No Link Available – Due to Technical Difficulties**

Board Members Present: Laura Sargent, Mike Holden, Yvonne DeLance, Heath Goyette, Pat Keller
Others in attendance included: Karen Oakman, Wayne Renfrow, Clarena Renfrow, Julie Christian, JT Baldwin, Kenny Lenz, Alan and Barbara Gustafson, Richard Snow, Philip Wagenbach, Wendy Paterson, Bob Bigelow, Brian Luginbuhl, Camille Jackson
In attendance via Zoom: Allison Harvey, Recording Secretary

Call Meeting to Order

Meeting was called to order at 7:25 pm.

Approve Agenda

M. Holden made a motion to approve the agenda as presented. H. Goyette seconded. All voted in favor of the motion. So voted.

Approval of Minutes of March 21, 2023 and September 5, 2023

H. Goyette made a motion to approve the minutes of March 21, 2023 as presented. P. Keller seconded. All voted in favor. So voted.

M. Holden made a motion to postpone the approval of the minutes of September 5, 2023 until the November 7, 2023 meeting. H. Goyette seconded. All voted in favor. So voted.

Hearing for Application #8297 – Wayne & Clarena Renfrow, 176 David Ave. Relocate Home Occupation from Basement to Garage

Those giving testimony were sworn in at this time.

K. Oakman reviewed the application as it was proposed, and reviewed concerns of neighbors located on David Ave. Mr. Renfrow has been operating his home occupation from his basement for 2-3 years now and is applying to move the operation to his garage. He has one to two customers on site per month, this is not so much a new business, but is more of a hobby shop. There is no signage proposed and no store front. It was stated there are deliveries every day, C. Renfrow stated most deliveries are of a personal nature. W. Renfrow stated that he is unable to go up and down the stairs, he is able to walk to the garage without stairs.

Richard Snow was sworn in at this time and expressed concern with increased traffic and more guns being sold. It was questioned if the road would have chloride put down on it, as there are concerns. Town Manager M. Jones stated that David Avenue is on the list to be paved. It was stated that there

have not been any complaints about the road until this application came up, it seems the issue is the road conditions, not the gun shop.

M. Holden made a motion to enter Deliberative Session for Permit #8297. P. Keller seconded. All voted in favor. So voted.

Hearing for Application #8300 – Henry & Carrie Slater, 556 South Street, 16x12 Shed, Denied based on Setbacks for Accessory Buildings

K. Oakman stated this proposal is for a shed that is 37 feet from the center of the road, and 25 feet from the edge. It was questioned if there were wetlands. Brief discussion on the application as presented. Appeal is denied as it does not meet setbacks. **L. Sargent made a motion to deny the application as presented, shed should be removed because it does not meet required setbacks. Holden seconded. All voted in favor.**

Hearing for Application #8301 – Brian Luginbuhl, 256 Brown Farm Road, Establishment of Church in RR2A, Required Site Plan Review

Wendy Paterson, Bob Bigelow, Alan and Barbara Gustafson, Philip Wagenbach were all sworn in at this time.

The application being presented was reviewed. It was stated the church members would be meeting once a week, they have an average of 30 people in attendance, and they would need to add 15 parking spaces. The property owners would be living in the apartment above the garage adjacent to the house. The downstairs of the residence would be used for church gathering and activities as they presently have in a leased space in Clarendon.

It was questioned if there would be weddings, it was stated probably not. Handicap accessibility and fire safety were questioned. W. Paterson expressed her concern of dust and increased traffic. They had a service on October 1 and there were 17 vehicles. A. Gustafson stated he had not noticed an increase in traffic, and he felt Brian and his wife were doing the right thing. He also indicated the road does well at maintaining the road, but if they chose to pave it, that would be helpful. B. Gustafson stated she agreed, as long as excessive speed was not a factor.

W. Paterson stated they should also consider the traffic to the cemetery, if this property is changed to a church, does any of them pay taxes, she was not informed of the plan.

K. Lenz questioned if they needed to get a change of use from the State, to go from residential to commercial.

After further discussion of the change of use from residential to renting to a church, it was stated that they would need address as a change of use, they would need to see fire safety addressed and a site plan done. It was felt this should be continued at another meeting. It was also further stated that the residents will be living upstairs, and the downstairs would be rented to the church. It was stated that if the rental is causing an issue, then maybe it shouldn't be rented.

Due the fire safety, review of the site plans.

M. Holden made a motion to enter Deliberative Session for application #8301. H. Goyette seconded. All voted in favor. So voted.

Review of DRB Decision Regarding Bruno Subdivision

This subdivision is complicated because the road to the subdivision is a town road presently maintained by the Town. The subdivision extension to the road is now a private road. The Town does not maintain private roads.

There were questions raised by the seller's attorney of the intention of the DRB in relation to the easements and whether or not the road is to remain private. The case is closed, and the appeal day has passed. This open discussion is for DRB education on different road options available to the DRB and for clarification to make sure that the finding of facts in the future reflect the DRB's desire and input from the Select Board was obtained. The Facts of Findings appear to be vague in relation to the road needed to be brought to VT Standards so the Town could consider taking it over in the future. The specifications were indicated, but no indication whether the developer needed to meet this.

JT Boloman and Julia Christian were sworn in at this time.

K. Oakman stated the findings of fact indicate that the Town needs a right of way of 50 feet with a 70 foot turnaround. The DRB needs to clarify what needs to be done. It was questioned if the road should meet VT Transportation specifications. A portion of the road is Town maintained, and would then go to private, but they need to have a turnaround for the trucks. It was felt the developer would need to maintain the road to Vermont standards and have a turn around.

R. Combs pointed out the options are the developer to build the road to a point, they do nothing or the road goes further up. It was stated that the Bruno's, the Perry's and the Williams' are responsible for the road. The road needs to be built to VT Transportation standards. A "T" turnaround will be coordinated between the owners and Town of Castleton Highway Department. The maintenance of the new road extension is the responsibility of the developers of this subdivision. Town is not responsible to maintain this extension and this can only be changed by the Select Board.

H. Goyette made a motion to enter Deliberative Session to include K. Oakman. M. Holden seconded. All voted in favor. So voted.

M. Holden made a motion to exit Deliberative Session. H. Goyette seconded. All voted in favor. So voted.

Old Business

None at this time.

New Business

Next meeting will be November 7, Rosemary Rogers will be on the agenda for a permit for a front porch, construction is not complete but the project is not following the permit.

7:41 pm - Enter Deliberative Session

H. Goyette made a motion to enter Deliberative Session. Y. DeLance seconded. All voted in favor. So voted.

9:44 pm - Exit Deliberative Session

M. Holden made a motion to exit Deliberative Session. Y. DeLance seconded. All voted in favor. So voted.

M. Holden made a motion to approve Permit Application #8297 176 David Avenue, Castleton, VT as presented. H. Goyette seconded. All voted in favor. So voted.

P. Keller made a motion to approve Permit Application #8301 with the conditions of a site plan review and fire safety being addressed. Renting to the church will make the Owner responsible to comply with state and federal guidelines for the use of this resident structure. The Owner is required to perform a complete review of code requirements for fire safety conditions in the space, including smoke detectors, adequate conforming egress, fire extinguishers, fire/heat detectors by furnace, Carbon monoxide detectors. Submit a revised site plan with more detail, parking, handicap, appropriate landscaping to hide parking lot.

M. Holden seconded. All voted in favor. So voted.

9:45 p.m. – Adjourn

M. Holden made a motion to adjourn the meeting. H. Goyette seconded. All voted in favor of the motion. So voted.

Respectfully Submitted
Allison Harvey
Recording Secretary