

**TOWN OF CASTLETON  
DEVELOPMENT REVIEW BOARD MEETING  
MINUTES OF JANUARY 19, 2016  
TOWN OFFICES**

**MEMBERS PRESENT:** R. Day, J. Hale, G. Chader, G. Pritchard, J. Mark

**OTHERS PRESENT:** J. Biasuzzi, Zoning Administrator

The meeting was called to order at 7:00 pm by G. Pritchard.

All parties for applicant were sworn in by G. Pritchard.

**NEW BUSINESS:**

**APPLICANT: THEODORE & CINDY FOWLER, 57 HART TOWERS RD, CASTLETON, VT- REQUEST TO REPLACE EXISTING MOBILE HOME ON A PRE-EXISTING NON-CONFORMING LOT.**

J. Biasuzzi state that the applicant is removing existing mobile home, addition and deck and adding a new mobile home and deck.

J. Hale asked the applicant as to the North setback. J. Biasuzzi stated that the new north setback makes the lot less non-conforming on that side.

**MOTION:** G. Pritchard made a motion to close the hearing. Seconded by G. Chader. All in favor. Motion Carried.

**OLD BUSINESS**

**DECISION ON PERMIT #7863, APPEAL #463 FROM DECEMBER 15, 2015.**

**APPLICANT: DUTIL, ERIC, 21 LITTLE RUTLAND RD, CASTLETON-REQUEST TO REMOVE EXISTING STRUCTURE AND REBUILD SFR WITH PORCH & DECK ON A PRE-EXISTING SMALL LOT.**

J. Biasuzzi reviewed the statute 2 VSA §4468 to reopen the hearing to testimony.

**MOTION:** J. Mark made a motion to reopen the hearing to testimony to a future time. Seconded by J. Hale. All in favor. Motion Carried.

D. Cooper described the latest version of house site plan and the draft agreement between owner and interested party (M. Quinn).

G. Kupferer requested incorporating the landscape plan as a condition of future permit. He also discussed the disagreement on the interpretation of Sec. 709.

E. Dutil stated the latest plan adds landscaping and orients the new structure to be back from lake and North of property line.

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G. Kupferer stated the client would like to ideally like to attach the deck to the new structure. The board continued to discuss the deck and E. Dutil is receptive to reducing the deck size.

E. Dutil discussed that the repair work to lake retaining wall will set the shoreline back and increase lake setback.

J. Hale asked the applicant if permission was granted to remove and relocate existing deck, in exchange for permission to rebuild a new deck that fits the exemption of setback.

J. Biasuzzi requested a final revised schedule and site plan.

**OTHER BUSINESS - Review of restoring a 340 sq. ft. addition to residence - Lawrence & Nancy Hall, 932 Rte. 30 N, Castleton**

J. Biasuzzi reviewed the issue of the Hall's requesting to rebuild a structure on a non-conforming parcel in a 2 acre zone that was removed. They have received several permits over time from the Zoning Administrator. In 2001 Mr. Hall asked to build an addition to his primary residence and then 18 months ago he removed part of it. He continued saying that he review the ordinance and the only thing he found was that in Section 709 the ZA cannot approve a permit.

The board asked that the \$300 fee be waived or reduced due to the fact that they have paid taxes on the portion they removed.

In other business, J. Biasuzzi stated that he had spoken to a Mr. Mealy about a year ago and stopped in the office this week to drop off plans. He has a lot of 2+ acres near Creek Rd & Point of Pines and the lot is divided by the town highway. He has a house & garage on the lake side, and he is asking for additions to the structures. The board reviewed Sections 204G and 709. And decided that the sections do apply.

J. Hale stated that the corner of Rte. 30 and Float Bridge Rd is being used as a firewood business. They are being in log, cutting & splitting putting them on a conveyor and loading into a truck and J. Biasuzzi has been part of the discussion and the decision made by the Zoning Administrator that this is not a use in the RR2-A zoning.

J. Biasuzzi continued by saying that this zone allows forestry, agriculture use, and prohibits wood manufacturing. It comes down to a discussion that this logger feels that he is practicing forestry as a form of agriculture therefore exempt from zoning. He continued stating that he has case law on this subject. It sites on that generally speaking 2 things, the property owner is not cutting the wood from the property and is using it for his own use, he is bringing in the raw material, cutting it up and creating a finished product, and prepping it to sell.

J. Hale stated that the neighbors are concerned about the constant goings on as a business and

might have come to us to ask for our opinion.

**APPROVAL OF MINUTES: MINUTES OF DECEMBER 15, 2015**

**MOTION:** J. Hale made a motion to approve the minutes of December 15, 2015. Seconded by G. Chader. All in favor. Motion carried.

**DELIBERATIVE SESSION**

**MOTION:** J. Hale made a motion to into Deliberative Session. Seconded by G. Chader. All in favor. Motion carried.

**MOTION:** G. Chader made a motion to exit Deliberative Session. J. Hale seconded. All in favor. Motion carried.

**MEETING DAY CHANGE**

The board approved a meeting day change to Thursdays due to a scheduling conflict until the end of May.

**ADJOURN**

**MOTION:** G. Chader made a motion to Adjourn at 8:30 pm. J. Hale seconded. All in favor. Motion carried.

Respectfully,

Date of Approval \_\_\_\_\_

V. Waldron