

**TOWN OF CASTLETON
DEVELOPMENT REVIEW BOARD MEETING
MINUTES OF December 15, 2015
TOWN OFFICES**

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

MEMBER ABSENT: G. Pritchard

OTHERS PRESENT: J. Biasuzzi, Zoning Administrator; see attached list

The meeting was called to order at 7:00 p.m. by interim Chairman, R. Day.

NEW BUSINESS

APPLICANT: Jim Lewis, dba JHL Properties of VT LLC; 85 US Rt.4A west – Request for a change of use from a barracks/office to a Physical Rehabilitation Facility – Application #7861/DRB #462.

R. Day swore in the applicant and interested parties.

J. Biasuzzi described the project; which is on a nonconforming pre-zoning parcel, the change of use subject to a site review. He relayed a message from neighbor John Spafford, who voiced support for the application. Eric Dutil, another abutter, commented on parking by the Applicant's tenants. The Applicant further described the new use proposed for the former police station, and parking details.

R. Day asked for any further questions.

MOTION: J. Hale moved to close hearing, J. Mark seconded; all were in favor; motion carried.

APPLICANT: Eric Dutil; 216 Little Rutland Road- demolition and reconstruction of a deck, porch, and single family residence on a pre-zoning, non-conforming lake front parcel. Application #7863/DRB #463.

R. Day swore in the applicant and interested parties. J. Biasuzzi briefly described the application. E. Dutil added information on the shore land protection and shore land encroachment work that would be incorporated into the project. Justus Cameron, the Applicant's builder, submitted construction information. J. Hale questioned the new construction proposed outside the pre-existing structure footprint; and within the 50 foot prescribed (lake) front setback. Gary Kupferer, attorney /agent for neighbor Melinda Quinn/Losneck, stated the information discussed on the Shoreland Protection Permit was presently undocumented hearsay. He relayed three main concerns of his Client: keeping (at least) the existing 20 foot setback from the subject parcels north boundary; maintenance of & adding vegetative screening between residences (Section 709D); and requesting that the new structure be moved south, so to be central on the parcel (under Section 709 A2). E. Dutil stated agreement on the issue of screening on the north side of his property. He was unwilling to concede to relocating the structure south; as this would contest the VT Shoreland Protection Division decision on a (pending) permit. G. Kupferer noted that the proposed deck relocation would be more conforming than the existing deck location.

R. Day asked for any additional testimony.

MOTION: J. Hale made a motion to close the hearing. G. Chader seconded. All voted in favor, motion carried.

OTHER BUSINESS: J. Biasuzzi asked the Board to preview two potential application scenarios:

A Home Occupation permit for a gun sales & black powder/reloading supply business in a R2A Zoning District. The DRB felt this conformed to Section 1003 of Town Ordinance.

A request to construct an accessory structure on a non-conforming lot; where existing improvements would have the garage encroach the prescribed 40 foot minimum front set back.

The DRB reviewed Variance & Waiver criteria; but felt these were not applicable; and the request would not conform to Article V (setbacks).

Approval of Minutes meetings of November 3 & 17, 2015

J. Hale moved to approve the Minutes of November 3 & 17 as written. J. Mark seconded. All in Favor, motion carried.

DELIBERATIVE SESSION

MOTION: J. Hale made a motion to enter Deliberative Session. Seconded by J. Mark. All approved. Motion carried.

MOTION: J. Mark made a motion to exit Deliberative Session. J. Hale seconded. All were in favor. Motion carried.

The Zoning Administrator was instructed to prepare Findings of Fact, Conclusions of Law and Orders; and; upon DRB approval; issue a final permit for Application #7861 to JHL Properties of VT, LLC.

The Zoning Administrator was instructed to relay to E. Dutil that certain specifics of the site plan submitted did not conform with Article VII, and could not be approved unless repaired or replaced Structures were confined within the preexisting foot print; or relocated behind the 50 foot (lake) front set back.

ADJOURNMENT: The next meeting of the DRB was scheduled for 7:00 p.m., Tuesday, January 5, 2016.

MOTION: J. Mark moved to adjourn; J. Hale seconded; all approved and the Meeting adjourned at 8:20 p.m.

Respectfully submitted

Jeffrey M. Biasuzzi

Date of Approval