

CASTLETON DEVELOPMENT REVIEW BOARD
January 16, 2024 – 7:00 PM
Castleton Fire Station Community Room
273 VT Route 30, Castleton, VT

Zoom Meeting Link:

https://us02web.zoom.us/rec/share/UgkywXNS7E5f7MQwwFzHA0-uFhDYn4exr31zxf6CBKCi0FhWdo9W_MpvR17QEcfE_MQRC1sQhyWO_ck7

Board Members Present: John Alexander

Others in attendance included: Karen Oakman, Michael DeFeo

In attendance via Zoom: Laura Sargent, Pat Keller, Yvonne DeLance, Mary Battaglia

Call Meeting to Order

Meeting was called to order at 7:15 pm by L. Sargent.

Approve Agenda

P. Keller made a motion to approve the agenda as presented with the change of order of the permits to be heard. Y. DeLance seconded. All voted in favor of the motion. So voted.

Approval of Minutes

P. Keller made a motion to approve the minutes of November 7, 2023 as presented. J. Alexander seconded. All voted in favor. So voted.

Hearing for Application #8328, Appeal #2312 – Michael DeFeo, 1118 Cedar Mountain Road, Setbacks for Primary Building

K. Oakman explained the application as a second story addition, and explained the paperwork that has been filed with her office for the permit. K. Oakman stated the application was denied based on a non conforming use for setbacks. L. Sargent swore in Michael DeFeo, who was present to represent the property owners. It was questioned if the addition was going to change the living space for the existing structure. All decks and porches will remain as they are, they will not be altered or converted into any other living space. Review of the grade of the property, and whether the basement level was calculated in the height requirements on the drawing. Mr. DeFeo stated he has taken the plans to all three year-round neighbors, they had no opposition to the proposal.

J. Alexander stated he spoke with the other board member H. Goyette prior to this meeting, he was not able to be present as he is out plowing. J. Alexander stated he is aware of a problem with this property on the parking, the vehicles are often partially in the road. J. Alexander also questioned the septic system, if the Health Officer has addressed it. Mr. DeFeo stated they are permitted for 3 bedrooms, they are not increasing the number of bedrooms, just moving them all upstairs, they have plans to expand the parking to get the vehicles off the street, and he has spoken with the health officer with regard to the septic. P. Keller requested a new drawing showing accurate height measurements.

7:20 pm – Enter Deliberative Session

P. Keller made a motion to enter Deliberative Session to include K. Oakman to discuss Permit #8328, Appeal #2312. Y. DeLance seconded. All voted in favor. So voted.

7:31 pm – Exit Deliberative Session

J. Alexander made a motion to approve Permit #8328, Appeal #2312 as presented, pending receipt of an updated to scale drawing with total elevations shown to the peak of the addition from the lake side, which is not to exceed 38 feet in height from the lake facing the walkout basement and the Board wants to see an updated schematic with the additional improved parking on the roadside ensuring the vehicles are not parked in the roadway. The Zoning Administrator will meet with the road supervisor and measure the site for compliance. P. Keller seconded. All voted in favor. So voted.

Hearing for Application #8329, Appeal #2313 – Mary Battaglia, 61 Crystal Meadows Road, Setbacks for Accessory Building

K. Oakman explained the applicant does not yet own the property, but requested to come before the board to be sure she can build on the lot. The application is for a non conforming lot, the lot is .24 acres and any size structure would not meet setbacks. The lot on the road is 61 feet, setbacks are 18'. P. Keller questioned how to approach this, as normally these types of permits already have an existing structure, and he is not certain how long or when the lot was created, and what the Zoning Administrator would recommend proceeding based on the lack of attainable setbacks. L. Sargent felt this should be postponed until more research can be done as to how the lot was created in a subdivision. C. Brown was sworn in and stated that he believes this lot was part of the town farm, which the town subdivided into numerous small lots in the early 60's, prior to subdivision and state regulations were created. They are served by town sewer, and it is the job of this board to determine what setbacks are acceptable for these lots.

J. Alexander made a motion to enter Deliberative Session for discussion on Permit #8301 at 7:42 pm. Y. DeLance seconded. All voted in favor. So voted.

J. Alexander made a motion to postpone this permit application #8329, Appeal #2313 until the 2/6/24 DRB meeting. Y. DeLance seconded. All voted in favor. So voted.

Hearing for Application #8323, Appeal #2311 – Kathleen Jones, 326 Indian Bay, Setbacks for Accessory Building

K. Oakman stated the application is for the addition of a carport and handicap ramp. The carport side is very close to the boundary line. P. Keller felt they needed the measurements of the front and back of the carport in reference to the setbacks. No one was present at this time to address or present the application to the board. P. Keller and L. Sargent felt there needs to be a more accurate drawing, to include the measurements of length, width and height of the carport. Discussion on concerns with coverage, where snow/water will go if so close to the boundary line. **J. Alexander made a motion to suspend this hearing for permit application #8323, Appeal #2311 until the 2/6/24 meeting for more information to be presented on the design and setback to the property line along the driveway. Y. DeLance seconded. All voted in favor. So voted.**

Hearing for Application #8304, Appeal #2307 – Martelle, 105 Park Street, Update on Construction of Home and Garage to replace burned structures

No one was present to discuss, the board briefly reviewed what has transpired to date on this property, whether the temporary camper trailer has been removed and whether the house is completed enough for them to reside in. Also discussion on the time line, the fines and/or application fees that have been paid to date, as well as the board has not set a fine amount as of yet and whether the fees paid to date should be refunded. **L. Sargent made a motion to return the \$300 based on a town finding if can be done. If it can't be returned, then they forgo any fines period. Y. DeLance seconded. All voted in favor. So voted.**

Old Business

K. Oakman was to meet with Mr. Slater to measure the distance of the shed from the boundaries. She sent a certified letter to him but has not gotten a response. She will also try to call him if the board so chooses. **L. Sargent made a motion that K. Oakman contact Mr. Slater by phone. J. Alexander seconded. All voted in favor. So voted.**

New Business

K. Oakman stated Charlie Brown is present to address the board about his property. He has taken to K. Oakman a plan to subdivide a few of his parcels. The property line is the issue. The back two lots do not meet the road frontage that is required by the regulations. There is a 25' right of way to those back two lots. C. Brown explained what has been done in previous years already for the lots, it is basically a simple parceling for two different lots. The way it is at this point, K. Oakman will have to deny the application and he would have to pay another fee, but it was felt that maybe the board could give K. Oakman permission to approve so that he would not have to refile and pay the \$700 fee again. It is basically the road frontage that is the only hold up on the proposal. **L. Sargent made a motion to give the Zoning Administrator the right to grant permit #8324 for 665 Rice Willis Road and Permit #8325 for 637 Rice Willis Road as she sees fit. Y. DeLance seconded. All voted in favor. So voted.** C. Brown thanked the board for their action, and wanted to state to the Board that housing regulations and subdividing lands for taxpayers is costly, it has cost them \$3,100 per lot and will cost another \$800 to have deeds drawn up. This action will save them from having to spend even more to make this happen for his family. He feels they should make changes to allow things to be done at a cheaper rate.

K. Oakman stated she has a proposal for 111 Prospect Point Road coming for the next meeting, they are submitting an application for a major 6 lot subdivision. The paperwork and mailings are being completed to prepare for the meeting in February 6. This was approved in 2014 for five lots, but they needed a dry hydrant sprinkler system from the lake, and that was time passed and they lost the DRB approval and are trying to reinstate it.

8:38 p.m. – Adjourn

Y. DeLance made a motion to adjourn the meeting. P. Keller seconded. All voted in favor of the motion. So voted.

Respectfully Submitted
Allison Harvey
Recording Secretary