

**CASTLETON DEVELOPMENT REVIEW BOARD**  
**February 6, 2024 – 7:00 PM**  
**Castleton Fire Station Community Room**  
**273 VT Route 30, Castleton, VT**

**Zoom Meeting Link:**

[https://us02web.zoom.us/rec/share/VXKc9-5d1m7BN30-4cVb9aYRpskOW4caY8WD-Vg-Sxt2EQ4ORV\\_pYhQ2IjD-tg\\_y.h42wHhPedTYuzOpb](https://us02web.zoom.us/rec/share/VXKc9-5d1m7BN30-4cVb9aYRpskOW4caY8WD-Vg-Sxt2EQ4ORV_pYhQ2IjD-tg_y.h42wHhPedTYuzOpb)

**Board Members Present:** Laura Sargent, John Alexander, Pat Keller, Yvonne DeLance  
**Others in attendance included:** Karen Oakman, Kathleen Jones, David Perry  
**In attendance via Zoom:** Elizabeth Bird, Lisa Beroud, Kenneth Miller, Davine Brown, Jennifer Clark, Mary Battaglia, Jim Wickes, Mike Defeo

**Call Meeting to Order**

Meeting was called to order at 7:24 pm by L. Sargent.

**Approve Agenda**

**P. Keller made a motion to approve the agenda as presented. J. Alexander seconded. All voted in favor of the motion. So voted.**

**Approval of Minutes**

**P. Keller made a motion to approve the minutes of October 17, 2023 as presented. Y. DeLance seconded. All voted in favor. So voted.**

**Y. DeLance made a motion to approve the minutes of December 19, 2023 as presented. P. Keller seconded. All voted in favor. So voted.**

**P. Keller made a motion to approve the minutes of January 16, 2024 as presented. Y. DeLance seconded. All voted in favor. So voted.**

**Hearing for Application #8317, Appeal #2313 – Kenneth Miller, 111 Prospect Point Road, Major 6 Lot Subdivision**

L. Sargent swore in anyone giving testimony at this time.

K. Oakman stated to the board this proposal is for a 6 lot subdivision, 5 lots ranging in size from .52 - .66 acres, the remaining 6<sup>th</sup> lot will be 57 acres. All lots would be connected to town sewer, the applicants has provided the map with topography of the lots and dimensions. Is recreation/commercial zoned. In 2014 there was an application for subdivision and was approved under the conditions that the dry hydrant be provided which was approved for the shoreline, however the time lapsed and was not constructed so the approval process came to an ended. The road was questioned, whether it was town or private. The road being developed among the lots would be privately owned. Prospect Point is also a private road. This is being considered a new application, the

previous proposal was filed under Permit #7731 appeal #410 dated March 18, 2014. Was also discussed in meetings in 2015 based on history in minutes. K. Oakman also stated she has spoken to Mike Jones, the Town Manager, and he expressed the Town is supportive of this project, and there are grants available for the dry hydrant that is being required and are willing to help with the grant process. Mr. Miller stated there is a State permit process for the dry hydrant, and that process took some time to get through with the State and held up the process, which they have completed and now have that permit in hand. Brief discussion on the location of the dry hydrant. L. Sargent stated this having to be started from the beginning they will need to gather a great deal of more information to review and will be recessed to consider all of the information needed. They would also most likely do a site review.

Elizabeth Bird stated she owns property on Prospect Point and is familiar with the project and is concerned with the impact of five additional homes on the town sewer, as well as the impact the new structures will have on the aesthetics of the lake and adjoining properties and environmental impact on the neighborhood. Also stated concerns with the golf course and water. L. Sargent stated this would have to be reviewed in much more detail, there may be concerns with school impact, water in the area and the water table. Discussion on the existing well that serves the club house at the golf course, and whether there may be an issue with water. L. Beroud questioned if there would be additional docks on the lake shore, and also stated that she owns the old church and water was an issue there for her.

Jim Wickes questioned what set of regulations this will be considered under, and what the required setbacks will be for the lots to be developed. He would like a hydrology test to be done, as there is a history of issues with water supply in that area. He also questioned the sewer lines, if they were the appropriate size for this many additional connections. Jennifer Clark stated she owns property in the area, and had no knowledge of this project, and questioned how property owners in the area are notified and how it works from this point forward. J. Clark also questioned the proposal and how the town is supporting it when there doesn't seem to be a lot of potential for revenues or activity within the town. K. Oakman stated that the town is willing to help with the grant process on behalf of the application to the grant. J. Alexander stated as to the dry hydrant, it would benefit all properties in the neighborhood, not just these potential ones that are being proposed.

After brief discussion, it was decided that a site visit should be done, and that a deliberative session should be held to discuss what more is needed for the board. **P. Keller made a motion to suspend this hearing on Permit #8317 until 2:00 pm March 7, 2024 at the fire house with the site visit to follow. Y. DeLance seconded. All voted in favor. So voted.**

### **Old Business**

#### **Permit #8324, Appeal #2312 - Michael DeFeo, 1118 Cedar Mountain Road**

L. Sargent swore in anyone giving testimony at this time. Pursuant to the board's request for more information, K. Oakman distributed the updated plans that show the height of the addition to be 33.4 feet as well as additional improved parking on the roadside. K. Oakman went to the site with Jeff Davidson, the highway foreman and looked at the site plan compared to the site. The road foreman was comfortable with the proposal and that it would be satisfactory. K. Oakman also stated she had concerns with the shoreline and the State and any changes that may need to be made because of trees

needing to be cut. M. DeFeo has been in contact with the State shoreline people and explained what they will need to do for permitting with the State. The septic tank also needs to be replaced and discussion held on the septic process, the tank to be replaced and whether it should be considered as part of this permit, which it would not, it is a separate permit. **Y. DeLance made a motion on Permit #8324, Appeal #2312 that it be approved it with the condition that the shoreline tree issue be addressed with the State via letter submitted to the Zoning Administrator. J. Alexnader seconded. All voted in favor. So voted.**

**Permit #8329, Appeal #2313 - Mary Battaglia, 61 Crystal Meadows Road**

K. Oakman stated she had done some research the board requested for developing this lot and reviewed Section #1001 of the ordinance that would apply. It appears they should be allowed to get a building permit being a pre-existing lot according to the Town attorney that she spoke with. L. Sargent swore in David Perry at this time. D. Perry stated he has a concern with another well being drilled in the area, as he does occasionally have issues with supply at his property, which he is to the east of this proposal. Brief discussion on the procedures for the water, and whether it was a matter for this board to consider. **Y. DeLance made a motion to approve Permit #8329, Appeal #2313 as presented, to build a small house with the setbacks that have drawn on the map. J. Alexander seconded. All voted in favor. So voted.**

**Permit #8323, Appeal #2311 - Kathleen Jones, 326 Indian Bay**

K. Oakman stated Kathy Jones is present with additional information the board requested. K. Oakman explained the roof of the car port and new height being proposed of 14 feet. There was also information on the site plan that was missing, which has also been provided. L. Sargent swore in Kathleen Jones at this time. Board discussed with the applicant the application details, setbacks and snow and water run off and whether it will affect the neighboring properties. **Y. DeLance made a motion to approve Permit #8323, Appeal #2311 as presented to build a carport. J. Alexander seconded. L. Sargent, J. Alexander and Y. DeLance voted in favor, P. Keller opposed. So voted.**

**Permit #8304, Appeal to Notice of Violation – Martelle**

K. Oakman stated that they are able to return the funds to Mr. Martelle as discussed at the last meeting, she has put in a purchase order for that to happen. Brief discussion on the camper trailer still being on site. K. Oakman stated that it is her understanding that Mr. Martelle has been trying to get it removed without success.

K. Oakman also stated that J. Alexander had brought up to her a retaining wall that is being built on Cedar Mountain Road, and whether it was permitted. K. Oakman stated she researched the matter and she approved the permit for the house, but there was no information on a retaining wall. She has reached out to the architect and engineer and explained the application did not include the wall, so they are in violation. It has already been built, and they provided distances to the property line, and explained that they plan to put landscaping in front of it so the neighbors will not see just the wall. Discussion on the wall, lots and property lines and the new construction. Next meeting will be held on February 20, 2024 to discuss this issue to allow time for K. Oakman to gather more information.

**9:16 p.m. – Adjourn**

**Y. DeLance made a motion to adjourn the meeting. J. Alexander seconded. All voted in favor of the motion. So voted.**

Respectfully Submitted  
Allison Harvey  
Recording Secretary

DRAFT