

CASTLETON DEVELOPMENT REVIEW BOARD
February 21, 2023 – 7:00 PM
Castleton Fire Station Community Room
273 VT Route 30, Castleton, VT

Zoom Meeting Link:

<https://us02web.zoom.us/rec/share/VS-KIM5zf3TxNpojsn6GXmjkeeXZ2Qk-dxAfLk7HcdO4FHsK4TMAEzawtzDZXTIH.IxFTUriE1eOPvHfT?startTime=1677023626000>

Passcode: n#gc^C9@

Board Members Present: Don Wood, Mike Holden, Pat Keller

Others in attendance included: Mike Jones, Interim Zoning Administrator, Jeff Biasuzzi, Ramsey Gourd, Bridget McIntyre

In attendance via Zoom: Allison Harvey, Recording Secretary

Call Meeting to Order

Meeting was called to order by P. Keller at 7:00 pm.

Approve Agenda

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

Approval of Minutes of January 17, 2023

D. Wood made a motion to approve the minutes of January 17, 2023 as presented. M. Holden seconded.

Page 1 – Ramsey Gourd should be added to the list of Others Present

Page 1 – Last line on the page, *Gordon* should be changed to *Gourd*

Page 2 – fifth line of the second paragraph, *decided* should be changed to *considered*.

Page 2 – Last line of the third paragraph, *Gordon* should be changed to *Gourd*.

All voted in favor. So voted.

Continuation of hearing for Permit Application #8244 – Expansion of Non-conforming Structure with Conforming Use. Property Owner: Sheila McIntyre. Property located at 170 Prices Lane, Castleton, VT

P. Keller swore in anyone who may be giving testimony throughout the meeting this evening at this time.

J. Biasuzzi outlined the facts that have been presented to date, including the finished living area for the replacement building and how it pertains to the accessory dwelling and the height of the existing and proposed structure. The primary building has a footprint of 1206 square feet and finished square feet of 1,651 of living area. The proposed replacement structure of the

project is an accessory dwelling unit which is allowed a maximum height of 29 feet but is proposed at 31 feet. There is a question on the finished vs unfinished walk out basement and discussion on how it is determined. Also discussion on accessory dwelling unit and the square footage of the finished living space allowed and the height of the proposed accessory building.

R. Gourd stated they have discussed redoing the main house so that portions and percentages were correct, and then do the accessory building to allow the larger square footage being proposed. Discussion on zoning regulations and the primary vs accessory structures and how they are addressed within the regulations. An explanation from B. McIntyre of how they arrived at the plan they are at, and why they are proposing to do what they are doing because of the history of the property and S. McIntyre being able to continue to enjoy her property. It was questioned what the percentage of new space compared to the existing is and it was stated about 30% which is twice what the regulations allow. The height of the new proposed structure is the largest issue, and the part of the regulations that allow a property to get a permit, but would not be able to get another permit for expansion of the footprint on the property later on. Also further discussion on the definition of the vertical height of a building and how it is calculated from the access and the grade of the property.

Other Miscellaneous and New Business

J. Biasuzzi stated Permit #8121 is a permit that was approved in 2020 for the main structure. P. Keller stated they need to decide if the expired permit should be continued. J. Biasuzzi Castleton Zoning Regulations does not provide for an extension but that it has to be resubmitted with a full application and fee and get a permit for another two years. Discussion on what has been done in the recent past regarding expired permits. It was felt if they are not asking for anything in addition to the original permit, they would review it and reissue if necessary. It was noted the original had a porch that is not on the permit that was actually issued. It was clearly on the application, but the decision did not address it. Discussion on what was approved previously and whether it should come before the DRB again. It was felt if they are going to stay within what was originally approved and continues to stay within the setbacks required, it would not have to come before the board. J. Biasuzzi will contact the applicant and explain the next step.

Public Comments, Concerns, Questions

None at this time.

Deliberative Session: Permit Application #8244

8:42 pm – ENTER DELIBERATIVE SESSION

M. Holden made a motion to enter Deliberative Session to include the Board and J. Biasuzzi, Zoning Consultant to discuss Permit Application #8244. D. Wood seconded. All voted in favor. So voted.

9:30 pm – EXIT DELIBERATIVE SESSION

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

P. Keller stated the Board has requested to communicate with the McIntyre's to see what direction they would like to go and that the hearing is continued until the March 7 m2023 meeting at 7:00 pm.

9:32 p.m. – Adjourn

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

Respectfully Submitted
Allison Harvey
Recording Secretary

FINAL