

CASTLETON DEVELOPMENT REVIEW BOARD
March 19, 2024 – 7:00 PM
Castleton Fire Station Community Room
273 VT Route 30, Castleton, VT

Zoom Meeting Link:

https://us02web.zoom.us/rec/share/Pjb_8UmZ5m5WAaW2FBO1ilfeVi-uDrJKDwSieHbNLRqX6yJCSdLyijZGyw_USbKA.ARp0VdUX53AL8Tyg

Board Members Present: Laura Sargent, Mike Holden, Pat Keller, Yvonne DeLance, John Alexander
Others in attendance included: Karen Oakman, See Attached List
In attendance via Zoom:

Call Meeting to Order

Meeting was called to order at 7:00 pm by L. Sargent.

Approval of Agenda

M. Holden made a motion to approve the agenda as presented. Y. Delance seconded. All voted in favor. So voted.

Approval of Minutes – March 7, 2024

Y. DeLance made a motion to approve the minutes of March 7, 2024 as presented. H. Goyette seconded.

Page 1 – last line of the large paragraph on the page, *of* should be changed to *for*.

Page 2 – second line of the third paragraph, *to* should be inserted between *than* and *see*.

Page 2 – second line of the seventh paragraph, , *and was* should be inserted between *was* and *only*.

Hearing for Application #8331, Appeal #2314 – 646 Rice Willis Road (710 Rice Willis Road) Jacob Putorti, Renewal of 2-Year Permit for Entertainment Facility, per DRB June 15th, 2021 and July 20, 2021, Permit Application considered under Article IV: Uses Subject to Conditions – Section 409: Recreation Areas, Private.

L. Sargent swore in Jacob Putorti was sworn in at this time.

September 3, 2022 was the last time they had done anything on this proposal, didn't do one last year as permit had expired. Jonas Rosenthal had granted a two year, and now they are looking to have it renewed. They have not had any complaints or issues with the last permit, they will need to clean up the grounds some, but otherwise it will be the same as it has been in the past. J. Putorti explained they plan ultimately in the two and a half month season on holding about 21 events, but this summer it will be one in August.

L. Sargent stated if approved, this will have to be revisited every two years and they do it that was so that if there are issues for neighbors it can be addressed. J. Putorti also explained they would really

appreciate in the future if they could be extended to 11:00 pm rather than 10:00 pm, but that request is not on this proposal.

J. Brown was sworn in at this time to testify. She does not have any complaint but a question about the date of the permit and questioned the dates of the expired permit of 2023, and this one being brought forward in 2024. L. Sargent explained that since they did not have any events since the last permit expired, it would not be an issue.

P. Keller asked about traffic patterns in past events, if they put up signs for direction, etc. J. Putorti stated they met with Chief Mantello. The permit is for 500 people in attendance, the most they had in attendance in previous years was 400, and there was an area of the approved parking that was not used with that many people.

H. Goyette stated the applicant may want to know that the Police Chief is in the process of updating the noise ordinance, so they may want to check on the changes that have been made to be sure they won't be affected.

Permit #8332, Appeal #2315, John & Debra Daley, 996 Avalon Beach Road to rebuild their 3-season residence destroyed by a road grader. Permit denied based on Zoning Ordinance Section 709: Expansion of a non-conforming structure with conforming use.

Mr. Daley stated to the Board that their 3 season residence was struck by a grader, hitting the bedroom area near the road. It was on piers and the insurance company totaled the structure. They want to rebuild on a concrete foundation rather than piers and expand it slightly. The bedrooms will remain where they except one, it will be moved upstairs, and they are expanding the walls out sideways to make the building more rectangular. They have the 30 feet required on one side, but they don't on the other side, which is where they'll need a variance. They have also gotten approval from the State shorelands. Board members and the applicant reviewed the plans, what has been changed and added, such as a cantilever piece and the type of foundation and whether it is a full basement and the height of the building from a possible walk out basement to the roof peak, which is under 28 feet.

Permit #8333, Appeal #2316, Mary's Rest LLC, Agent Robert Mealy, 2288 Creek Road, Renovations to Camp. Permit denied based on Zoning Ordinance Section 709: Expansion of a non-conforming structure with conforming use

Agent Robert Mealy was sworn in at this time.

Mr. Mealy stated that they started the process of putting a foundation under their home. He was mistaken in thinking this could be done without a permit. They are reducing the footprint of the building and changing the parking area. K. Oakman stated the property is a non-compliant parcel, and they are close to the shoreline, which he has taken care of that portion with the State shoreline department. There have been some changes in the parking area and footprint and they have put a full foundation underneath the home. The structure was originally on stilts. They took down the front porch and rear stairs and added 91 square feet to square off the structure. The elevation from the lake side lowest point is 28 feet.

Mr. Mealy explained he had tried to make the home four season, and after a number of years of attempting, it never worked, so he decided to put a foundation under the building and drill a well, as well as a redesigned septic system, which the State has handled and taken care of.

Permit #8334, Appeal #2317, Honos Real Estate, LLC, 205 & 177 Route 4A West. Permit Denied based on request and need of variance, based on Article XII, Development Review Board

Attorney Bill Meub and property owner Kevin Dommenege were sworn in at this time.

Attorney Meub stated he represents the property owner as well as the tenant in the residential property. The tenant has been in the home for some time and wants to purchase the property to remain living there. This is in the Village Commercial area, and the property around it has been further developed for the storage units.

L. Sargent stated to the applicant and Attorney Meub that a few members of the board are familiar with this property, as they were on the board when it came before them to build new storage units, and a condition to that the approval was for this residential lot to remain with the property to allow for the footprint coverage maximum to be met. The property owner stated that what they are proposing is the units that are in the process of being constructed, and the removal of another of the older buildings, they will still be under the maximum lot coverage. Attorney Meub also stated that they have torn down an existing building, where the office and small residence was, which took some footprint coverage out of the equation. The building removed was 2097 square feet. The house is 1334 square feet and the garage is 371 square feet, so they are still under the maximum coverage amount.

Discussion on whether there will be screening between the new storage units and the snack bar next door. Mr. Dommenege stated there are trees already there and would be willing to add if necessary. M. Holden asked what the setbacks are of the house to the property line of the snack bar. It was stated the house was preexisting and is not being moved or altered in any way. K. Oakman stated the back lot line should be 40 feet, it would appear from the drawing that there is about 25 feet for the back setback. K. Oakman stated that the new parcel cannot be created if it does not meet the village commercial setbacks, which it does not meet the rear setback as well as the size of the lot to be created needs to be met, the regulations require it to be half acre or more. Discussion on whether the lot size meets the minimum, which it does not, nor does the rear setback. Mr. Dommenege asked if it would be acceptable to move the line so the rear setback would be 40 feet, and then an easement be provided for the storage unit side. In closing, Mr. Dommenege further stated that he has calculated Lot #1, with the residence on it, would have 1,706.2 square feet of coverage, which is 14.4% of the allowed 20% coverage and would be .27 acres in size. Lot #2 would have 17,308.3 square feet of coverage, which is 18.9% of the maximum allowed 20% and would be 2.1 acres in size.

8:10 p.m. – ENTER DELIBERATIVE SESSION

L. Sargent made a motion to enter Deliberative Session to discuss the four permit applications presented this evening, to include the Zoning Administrator. M. Holden seconded. All voted in favor. So voted.

8:48 p.m. – EXIT DELIBERATIVE SESSION

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

P. Keller made a motion to approve Permit #8331, Appeal #2314 as presented with the same restrictions as the May 20, 2021 permit approval except they will be required to follow the requirements of the new noise ordinance of December, 2023. M. Holden seconded. All voted in favor. So voted.

H. Goyette made a motion to approve Permit #8332, Appeal #2315 as presented. M. Holden seconded. All voted in favor. So voted.

P. Keller made a motion to approve Permit #8333, Appeal #2317 as presented, with the requirement that they will have to get a new driveway entrance permit. Y. Delance seconded. All voted in favor. So voted.

M. Holden made a motion to deny Permit #8334, Appeal #2317 as presented, as it does not meet the requirements of Section 1207A, 1-5. Y. Delance seconded. All voted in favor. So voted.

OLD Business

None at this time.

New Business

K. Oakman has a permit coming in that does not meet the frontage line requirements, it should be 100 feet and there is 87 ½ feet, even though the house being constructed meets the setbacks. It is a pre existing lot so they will need to come before the Board for a variance. The next meeting will be April 16, 2024.

There is also one that is not clear how it should be handled, Brian Luginbuhl wants to put signage up on the corner of North Road and Brown Farm Road for the church that was recently approved at his property on Brown Farm Road. He would like to put it on the same signpost as the Hillside Cemetery that is already existing.

J. Alexander asked about the wall and house construction on Cedar Mountain Road, if it has been looked into. K. Oakman will be issuing a notice of violation and fine and they will need to be coming before the Board for review.

8:58 p.m. – Adjourn

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

Respectfully Submitted

Allison Harvey

Recording Secretary

Transcribed from Zoom Recording