

**CASTLETON DEVELOPMENT REVIEW BOARD  
September 20, 2022 – 7:00 PM  
Castleton Fire Station Community Room  
273 VT Route 30, Castleton**

**Zoom Meeting Link:**

**[https://us02web.zoom.us/rec/share/siceQjYnJOBo5UCIgY02MP1JaNt8-Wjs-nGWQUSHLKjC15fHDM-rhuBV\\_xHoVjc.\\_6Jh\\_86mZacNJ2WW](https://us02web.zoom.us/rec/share/siceQjYnJOBo5UCIgY02MP1JaNt8-Wjs-nGWQUSHLKjC15fHDM-rhuBV_xHoVjc._6Jh_86mZacNJ2WW)  
Passcode: 747L%u+=**

**Board Members Present:** Don Wood, Pat Keller, Laura Sargent, Michael Holden  
**Others in attendance included:** Jonas Rosenthal, Zoning Administrator, See Attached List.  
**In attendance via Zoom:** Katy Culp, Zak Hale, Dan Forcier (via phone) Allison Harvey,  
Recording Secretary

**Call Meeting to Order**

Meeting was called to order by P. Keller at 7:02 pm.

**Approve Agenda**

**M. Holden made a motion to approve the agenda as presented. L. Sargent seconded. All voted in favor of the motion. So voted.**

**Approval of Minutes of September 6, 2022**

**M. Holden made a motion to approve the minutes of September 6, 2022 as presented. D. Wood seconded.**

Page 2 – 8:30 should be inserted on the first blank line for Exit Deliberative Session.  
L. Sargent should be inserted on the first blank line of the motion made to Exit Deliberative Session and D. Wood should be inserted on the second blank line of the motion made to Exit Deliberative Session.

8:35 should be inserted on the last blank line on the page, time of adjournment.

**All voted in favor of the amended minutes. So voted.**

**Reconsideration Request of Findings of Fact, Conclusions of Law and Decision Dated August 4, 2022 for Senior Living Facility on Sand Hill Road, Permit #8177**

P. Keller stated the Request for Reconsideration was attached to the minutes of the last meeting. J. Rosenthal stated it has been distributed to interested parties and posted as required as well. P. Keller stated they will be entering deliberative session to discuss whether this request will be granted and when they come out it will be simple as to whether they will reconsider or not. They will not be taking any testimony this evening. If they decide to reconsider, it will be scheduled from that point for another meeting and that is when additional testimony can be given. P. Keller further stated that if they are allowed to reconsider, there is a

Vermont law that lets them do that. P. Keller stated any of the items in the findings can be reconsidered, not just what is being requested. Any particular item can be discussed, not just what they are asking about. J. Rosenthal questioned if they would reconsider the decision or the process. P. Keller stated if they decide to reconsider, it will be everything, not just the things being requested. L. DesJardins stated Dan Forcier is trying to call in to the meeting, and is not able to get access and asked if someone could call him.

Katy Culp asked if they are reconsidering the three things being challenged and reviewed the case law that entitles a municipal body to reconsider its own decision and reconsideration does not circumvent the normal appeal process because it simply returns the application to the point before the DRB would have voted on the merits. She felt that means if it is opened, it opens up the whole thing. P. Keller stated they are aware, and that the DRB has their own lawyer and that is different than the Town's lawyer.

**7:14 pm – Enter Deliberative Session**

**D. Wood made a motion to enter Deliberative Session. M. Holden seconded.**

Further discussion on the process and what the steps will be once a decision is made on the request. J. Gillan questioned if it was the process or the decision that would be reopened, P. Keller stated it would be the decision, and referred to Title 24 of the State Statutes.

**All voted in favor. So voted.**

**7:59 pm – Exit Deliberative Session**

**M. Holden made a motion to exit Deliberative Session. L. Sargent seconded. All voted in favor. So voted.**

**M. Holden made a motion to reconsider Permit #8177 under Title 24, Section 4470(a) L. Sargent seconded. M. Holden, L. Sargent and D. Keller voted in favor. D. Forcier and D. Wood voted against. So voted.**

Brief discussion held on what the next steps would be, when the reconsideration hearing would be scheduled and how it needed to be warned. J. Rosenthal will have to check with Attorney Bent as to timing and how long the board has to hold a hearing and take action on the request.

**8:10 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