

Planning Commission / ZBA

Minutes for Wednesday, August 19, 2020

Present: Sheila Kearns (Chair), Joe Nolan, Caroline Kimball, Bill Henry (Zoning Administrator), Clark and Lynn Kastner, Irene Martin, Fred Broberg, Sherry Steeves, Thea Steeves-Boey, and Andre Boey

Members not present: Brad Kessler and Stuart Stephens.

The meeting of the Zoning Board of Adjustment was called to order at 7:05 pm.

1. Zoning Board of Adjustment Hearing: Kastner appeal of Zoning Administrator

Administrator's ruling to merge lots on Weldon Dr. in accordance with Bylaws Section 3.5

- a. Bill Henry reviewed his decision that the lot of Mr. Kastner's Property at 342 Weldon Dr. and the lot of his recently purchased adjacent property should be merged, Mr. Henry made his decision on the basis stated in the warning for this meeting:

Both properties are non-conforming in that neither meets the minimum lot size for the District. The Zoning Administrator decided that the lots should be merged in accordance with Section 3.5 of the Sandgate Zoning Bylaw and specifically that all the conditions that provide for non-merger of lots in such bylaws have not been met.

Mr. Henry noted that he believed that the judgement as to whether the conditions that provide for a non-merger should be made by the ZBA. Specifically, whether or not these conditions of the non-merger were met:

- b. On the effective date of this bylaw, each lot was developed with a water supply and wastewater disposal system.
 - c. At the time of transfer, each water supply and wastewater system is functioning in an acceptable manner.
- b. Clark Kastner presented his argument that the requirements b. and c. were indeed met because the privy and cistern on the property met the definition a water supply and wastewater disposal system as stated in 10 VSA, Chapter 64, Section 1972.
 - c. Members of the public present were asked if they had any questions or comments on this matter:

Fred Broberg presented a letter from himself and his Elizabeth wife in support of Mr. Kastner and stated that he believed that the property should not be treated any differently than other non-conforming properties in the neighborhood.

Irene Martin stated that she was concerned about recent activity on Mr

Kastner's property and that she wanted to be certain that the activity was in conformance with existing Sandgate zoning regulations. Mr. Kastner responded that the activity was related to work on the common right of way across his property and that it was not related to any work on the recently purchased property. Ms. Martin noted that she felt that some sort of site inspection should take place and Chair Kearns stated that it would be taken under consideration by the ZBA.

Sherry Steeves stated that she was present to learn what it is that Mr. Kastner intended to do with the newly purchased property. Mr. Kastner responded generally by noting his previously expressed desire to bring and electrical supply to the property and also talked about the possibility of converting the camp to the full-time residence. Chair Kearns noted the Zoning Administrator had received a permit application from Mr. Kastner for a change of use to the property from a camp to a residence.

- d. Both Caroline Kimball and Joe Nolan noted the need for a site visit and Chair Kearns proposed that the ZBA would render its decision in this matter once a site visit was arranged.
 - e. It was agreed that the site visit would take place on Friday August 21st at 7:00 pm.
2. The ZBA Hearing concluded at 8:00 pm.
 3. Further business before the Planning Commission was postponed until the next meeting.

Notice concerning the next meeting of the Sandgate Planning Commission will be posted on the town website and at the Town message boards during the week before the proposed meeting.