

**MINUTES
TOWN OF SWANTON
SWANTON DEVELOPMENT REVIEW BOARD (DRB) MEETING
Town Office Building
1 Academy Street, Swanton, VT 05488
Thursday, April 28, 2022 @ 6:30 p.m.**

Present: Spencer LaBarge, Chair; Reg Beliveau, Harold Garrett, Jim Pratt, Jennifer Yandow, Members; Amy Giroux, Zoning Administrator Called In); Joseph Cava, Administrative Assistant; Wayne St. John; Michael Cota; Jess Cota; Richard Cummings; Cathy Cummings; Beverly Montiel; C. Montiel-Kraft; Robert Hartman; Denise Simard

*All motions carried unanimously unless stated otherwise.

- A. Call to Order – Mr. LaBarge called the meeting to order at 6:30 p.m.
- B. Agenda Review – Mr. LaBarge read the definition of interested persons and swore in applicants, interested persons, and the board members. All members of the audience who were present were sworn in. More members of the audience arrived after the initial swear in. Mr. LaBarge swore in all but one member of the audience.
- C. Meeting Topics:

Prior to the 6:30 p.m. meeting at 1 Academy Street the Development Review Board will conduct a site visit on Thursday, April 28, 2022 at 6:00 p.m. at the property owned by Wayne St. John located at 12 Maquam Shore Road.

During the site visit, Mr. St. John walked members of the DRB around his property located at 12 Maquam Shore Rd. Mr. St. John had outlined the area for the proposed garage with eight wooden stakes. Four of the thicker stakes outlined the previously submitted garage plan and the four smaller stakes marked the area for a revised garage plan.

- 1. **#DRB-08-2022: Wayne St. John** continuance of request for variance for the north and south side setback to build a 2-story garage located at 12 Maquam Shore Road in the SR/Shoreland Recreation district.

Mr. LaBarge asked if Mr. St. John would be amending his previous DRB application from the larger garage to the smaller revised garage plan outlined during the site visit? Mr. St. John responded yes that he would be amending his previous application in lieu for a smaller garage. Mr. Pratt asked what the dimensions of the revised garage would be? Mr. St. John responded that the new garage would be 20 feet wide by 28 feet depth. Ms. Giroux asked a clarifying question about the second floor of the garage and whether it would be storage or residential occupancy? Mr. St. John

responded that it would be for storage only and the plan did not call for plumbing associated with residential occupancy.

Mr. Pratt asked about an extension on the rear side of the garage submitted with Mr. St. John's previous plan? Mr. St. John responded that it was an exterior stairwell to the second floor, but he will be placing the staircase to the second floor on the interior of the garage instead of the exterior. Mr. St. John asked a clarifying question about a shed that is being demolished to build the garage and whether he could rebuild the shed? Ms. Giroux responded that the shed could be rebuilt.

Ms. Montiel-Kraft asked how much space is between the existing residence and the proposed garage? Mr. St. John responded that it is over 20 feet between the proposed garage and existing residence. Ms. Simard asked if the garage be used for storage only, or if it would have plumbing and electric for extended living space? Mr. LaBarge answered no. Ms. Simard also asked if the staircase would still be on the outside of the structure? Mr. LaBarge again answered no.

2. **#DRB-09-2022: Michael Cota** request for conditional use approval to operate a motor vehicle repair shop located at 51 County Road in the R1/Agricultural Residential district.

Mr. Cota wants to work on cars down on his property. His automotive and towing business in the Village does not have sufficient space for all the work that he takes on. Mr. Cota continued adding that his proposed repair shop would be placed far enough back from the main road and the residence itself for privacy and minimal disruption to neighboring properties. Mr. LaBarge asked what the delineation was for the exact structure location? Mr. Cota gave an estimate, but nothing definitive. Ms. LaBarge followed up by asking about the use of the repair shop? Mr. Cota responded that the primary use would be for storing vehicles until a title is received from the State to sell the vehicles.

Mr. LaBarge asked Ms. Giroux whether this application would be a conditional use? Ms. Giroux responded yes. Mr. LaBarge asked about the extent of the business? Mr. Cota said the repair shop would provide general auto repair, but no major body repair. Mr. LaBarge asked whether a car lift would be placed in the existing garage? Mr. Cota responded yes. Mr. LaBarge asked what the hours of operation would be? Mr. Cota responded that it will be a 24/7 business to encompass when vehicles are brought to the property. Ms. Yandow asked about the unlimited parking proposed for the property, asking if there would be limitations on the number of vehicles? Ms. Giroux said there were no regulations in place to govern this.

Mr. Pratt asked about fencing to shield the delineated area for storage of the vehicles? Mr. Cota responded there is another auto place in the vicinity and said they don't have a fence shielding their vehicles but responded that he would agree to a limit on vehicles on the premises. Mr. Cota proposed that there would be no more than 30 vehicles on the property at any given time as a proposed buffer. Mr. LaBarge asked

about employee parking? Mr. Cota said there is sufficient parking for 20 delineated parking spots, adding that there was enough parking for four spaces along the South side of the garage for employee parking. Mr. Cota asked a clarifying question about getting approval for welding torches down the road? Mr. LaBarge recommended adding this as part of his application now along with grinding. Mr. Garrett asked for clarification about the thirty cars on the property? Mr. LaBarge answered that the DRB could negotiate 30 vehicles for the business excluding additional personal, employee and visiting vehicles.

3. **#DRB-10-2022: Richard Cummings** request for sketch plan approval for a 4-lot subdivision located at 41 Jerrymill Lane in the R1/Agricultural Residential district.

Mr. Cummings has been developing a subdivision on his property since 2009. His plan is to subdivide six acres into additional building lots numbered 14, 15, and 16. Mr. LaBarge asked about curb cuts for the project? Mr. Cummings responded that some of these subdivided lots already shares a curb cut with the Mormon Church. Mr. Beliveau asked about the circumference of the cul-de-sac? Mr. Cummings responded that the cul-de-sac was built to A76 road standards.

Mr. Pratt asked about road frontage for the lots. Mr. Cummings responded that the road frontage is 76 ft., consistent with the previously developed lots. Ms. Yandow asked a clarification question about road frontage? Mr. Garrett answered that road frontage is based upon frontage and depth of the property. Ms. Giroux responded that frontage is 200 feet according to the existing standards. Mr. Pratt asked if the cul-de-sac was all in? Mr. Cummings responded yes. Ms. Giroux said the initial subdivision was approved by the Planning Commission with road frontage below 200 feet, which wasn't the requirement at the time for a Planned Unit Development (PUD).

Mr. Pratt brought up that the Planning Commission is in the process of revising the setback requirements in the bylaws. Mr. LaBarge added that at the time of the initial development, the Planning Commission was operating off the setback requirements of Bushey Rd. Mr. Cummings asked what the impact would be to not have the 200 ft. frontage and continuing the development as it was approved previously before the regulations changed? Mr. LaBarge asked how much of a hardship it would cause to adjust the lots for the 200 ft. frontage requirement? Mr. Garrett recommended conforming the new lots based upon the first three lots in the subdivision. Mr. LaBarge recommended Mr. Cummings submit a new plan incorporating 150 ft. road frontage for the new proposed lots in the development.

D. Minutes DRB March 31, 2022

Mr. Beliveau made a motion to approve of the Draft Minutes from the March 31, 2022, DRB meeting with corrections, seconded by Mr. Pratt. Motion carried.

E. Any Other Necessary Business

Mr. LaBarge wanted to thank members of the board for their involvement in the Planning Commission meeting on 4/28/2022.

F. Public Comment (None)

G. Set Next DRB Meeting Date

Thursday, May 26, 2022 @ 6:00 p.m.

H. Deliberative Session

Mr. Pratt made a motion at 7:43 p.m. to enter deliberative session, seconded by Ms. Yandow. Motion carried.

Mr. Pratt made a motion at 8:18 p.m. to exit deliberative session, seconded by Mr. Beliveau. Motion carried.

Mr. Beliveau made a motion to review and consider a letter from a concerned community member about the proposed development located at 12 Maquam Shore Rd., seconded by Mr. Garrett. Motion carried.

Mr. Beliveau made a motion, seconded by Mr. Pratt, to approve DRB-08-2022: Wayne St. John continuance of request for variance for the north and south side setback to build a 2-story garage located at 12 Maquam Shore Road in the SR/Shoreland Recreation district as warned with the following conditions:

- The revised garage dimensions of 20 feet wide by 28 feet depth to include side setbacks of 14 feet and 11 feet respectively
- The staircase be moved to the interior of the building
- The second floor only be used for storage with no residential occupancy
- The existing shed to be removed and reconstructed

Motion carried.

Mr. LaBarge made a motion, seconded by Mr. Pratt, to approve DRB-09-2022: Michael Cota request for conditional use approval to operate a motor vehicle repair shop located at 51 County Road in the R1/Agricultural Residential district as warned with the following conditions:

- The operation of the business be general auto repair only
- Exceptions for general auto repair be for torch cutting, welding, and grinding only, but no body painting
- Business operating on a 24/7 basis with a 30-car limit on cars awaiting sale or repair

Motion carried.

Ms. Yandow made a motion, seconded by Mr. Pratt, to continue DRB-10-2022: Richard Cummings request for sketch plan approval for a 4-lot subdivision located at 41 Jerry mill Lane in the R1/Agricultural Residential district with the condition that the road frontage is no less than 150 feet for the new planned parcels including Lots 14, 15, and 16. Motion carried.

- I. Adjournment – Ms. Yandow made a motion to adjourn the meeting at 8:30 p.m., seconded by Mr. Pratt. Motion carried.

Respectfully Submitted,

Joseph Cava
Administrative Assistant

Spencer LaBarge, Chair

Reg Beliveau

Harold Garrett

Jim Pratt

Jennifer Yandow