

MINUTES
TOWN OF SWANTON
SWANTON DEVELOPMENT REVIEW BOARD
Town Office Building
1 Academy Street, Swanton, VT 05488
Thursday, September 22, 2022 @ 6:00 p.m.

Present: Spencer LaBarge, Chair; Reg Beliveau, Harold Garrett, Jim Pratt, Jennifer Yandow, Members; Amy Giroux, Zoning Administrator; Joseph Cava, Administrative Assistant; James Foster; Nasrin Foster; Bob Kneebone; Daniel Pipes; Ronald Kaye; Cathy Montagne; Peter Mazurak; Nicholas Brosseau; Louise Brosseau; Dean Ryan; Corey Bertrand, Bertrand Property Management

DRB-23-2022

James Foster
Nasrin Foster

DRB-35-2022

David Montagne
Cathy Montagne

DRB-33-2022

James Foster
Nasrin Foster

DRB-36-2022

Dean Ryan

DRB-34-2022

Daniel Pipes
Ronald Kaye

DRB-37-2022

Corey Bertrand,
Bertrand Property Management

DRB-29-2022

Corey Bertrand,
Bertrand Property Management

*All motions carried unanimously unless stated otherwise.

- A. Call to Order – Mr. LaBarge called the meeting to order at 6:01 p.m.
- B. Agenda Review – Mr. LaBarge read the definition of interested persons and swore in applicants, interested persons, and the board members.
- C. Meeting Topics:

- 1. **#DRB-23-2022: James & Nasrin Foster** request for final plat approval for a 2-lot subdivision located at 19 Maple Grove Estates in the R3/Moderate Density Residential district.

Mr. Tetreault, engineer, walked through the sketch plan approval for Lot #24 incorporating the driveway and wastewater permit which has been submitted for review. Lot #25's wetlands have been delineated with the new driveway being

constructed to meet road standards. Other features include a proposed drilled well and mound system.

Mr. Kneebone, a neighbor, asked about the isolation zone crossing onto their property. Mr. LaBarge explained that the isolation zone is regulated by the State of Vermont for wastewater purposes. Mr. Tetreault explained that the overshadowing across abutting property lines isn't uncommon, but he has taken measures to reduce the previously proposed isolation zone. Mr. Kneebone asked about the area of overshadow. Mr. Tetreault clarified that before the proposed changes, the isolation zone was over half an acre on the abutting property, but now is just under half an acre. Mr. Kneebone followed up by asking what would stop further isolation zones from reducing the amount of buildable land on his property. Mr. LaBarge answered saying based upon the plan in front of the board, there is only enough space on Mr. Foster's land for one more dwelling.

2. **#DRB-33-2022: James & Nasrin Foster** request for sketch plan approval for a 2-lot subdivision located at 19 Maple Grove Estates in the R3/Moderate Density Residential district.
3. **#DRB-34-2022: Daniel Pipes & Ronald Kaye** request for site plan approval for a boundary line adjustment located at 110 French Hill Road in the RC/Recreation/Conservation district.

Ms. Giroux clarified that this application is for a 2-lot subdivision, not a boundary line adjustment. Mr. Pipes asked why they needed to come back before the board. Mr. LaBarge clarified that this is a sketch versus a preliminary plat.

4. **#DRB-35-2022: David & Cathy Montagne** request for sketch plan approval for a 3-lot subdivision located at 2615 Highgate Road in the R1/Agricultural Residential district.

Mr. Mazurak explained that the existing lot is 200 acres, and the plan is to subdivide it into three lot, with a fourth lot from a previous subdivision. The proposed subdivision includes Lot #1 of 0.99 acres with one of the existing duplex residences, Lot #2 of 0.65 acres with the other existing duplex residences, Lot #3 of 18 acres, and Lot #4 along Sholan Rd. with the remaining acreage.

Mr. Brosseau, a neighbor asked how this would impact their property across the road. Mr. LaBarge stated there would be no impact.

5. **#DRB-36-2022: Dean Ryan** request for conditional use less 30% to build a garage located at 56 North River Street in the NCL/Neighborhood Commercial Light district. Mr. Ryan expressed concern over the transmissions lines on the property which was part of his reasoning for the placement of the garage on the property. Ms. Yandow drew the DRB's attention to a parcel map of where the previously existing driveway was to further support Mr. Ryan's point.

6. **#DRB-37-2022: Corey Bertrand – Bertrand Property Management** request for boundary line adjustment approval located at 580 St. Albans Road in the R3/Moderate Density Residential district.

Mr. Bertrand expressed concern with the need for eliminating the line between the two lots, when there is a pre-existing easement for both lots. Mr. LaBarge explained that the merger of both properties was conducive with the plan to develop the existing building lot. Mr. Pratt explained that each lot individually is non-conforming which would make it difficult for further development on a non-conforming lot. Mr. LaBarge said according to the State, it is one lot, and the Town considers it two lots. Mr. LaBarge continued saying it's a conundrum because it places a hardship on the applicant. Mr. Garrett recommended having it go before the board as a two-lot subdivision to clarify the division between the two lots.

7. **#DRB-29-2022: Corey Bertrand – Bertrand Property Management** continuance of request for conditional use approval to build an 80' x 36' garage located at 580 St. Albans Road in the R3/Moderate Density Residential district.

D. Deliberative Session

Mr. Beliveau made a motion to enter deliberative session at 7:02 p.m., seconded by Ms. Yandow. Motion carried.

Mr. Beliveau made a motion to exit executive session at 7:17 p.m., seconded by Mr. Pratt. Motion carried.

Mr. LaBarge suggested to Mr. Bertrand that the conditional use and continuance are recognized by the Town as two lots according to the document of record.

Mr. Garrett made a motion to enter deliberative session at 7:25 p.m., seconded by Mr. Beliveau. Motion carried.

Mr. Beliveau made a motion to exit deliberative session at 7:35 p.m., seconded by Ms. Yandow. Motion carried.

Mr. Garrett made a motion, seconded by Mr. Beliveau to approve DRB-23-2022: James & Nasrin Foster request for final plat approval for a 2-lot subdivision located at 19 Maple Grove Estates in the R3/Moderate Density Residential district as warned. Motion carried.

Mr. Garrett made a motion, seconded by Mr. Beliveau to approve DRB-33-2022: James & Nasrin Foster request for sketch plan approval for a 2-lot subdivision located at 19 Maple Grove Estates in the R3/Moderate Density Residential district as warned. Motion carried.

Mr. Pratt made a motion, seconded by Mr. Yandow to approve DRB-34-2022: Daniel Pipes & Ronald Kaye request for a sketch plan approval located at 110 French Hill Road in the RC/Recreation/Conservation district as warned. Motion carried.

Ms. Yandow made a motion, seconded by Mr. Garrett to approve DRB-35-2022: David & Cathy Montagne request for sketch plan approval for a 3-lot subdivision located at 2615 Highgate Road in the R1/Agricultural Residential district as warned. Motion carried.

Mr. Beliveau made a motion, seconded by Mr. Pratt to approve DRB-36-2022: Dean Ryan request for conditional use less 30% to build a garage located at 56 North River Street in the NCL/Neighborhood Commercial Light district as warned. Motion carried.

Mr. LaBarge made a motion, seconded by Mr. Beliveau to retract DRB-37-2022: Corey Bertrand – Bertrand Property Management requirement for a boundary line adjustment approval located at 580 St. Albans Road in the R3/Moderate Density Residential district to recognize the recorded land document as two-lots with the condition that the structure being constructed on the vacant lot is a garage or shop. Motion carried.

Mr. LaBarge made a motion, seconded by Mr. Beliveau to approve DRB-29-2022: Corey Bertrand – Bertrand Property Management continuance of request for conditional use approval to build an 80' x 36' garage located at 580 St. Albans Road in the R3/Moderate Density Residential district as warned with the condition of business operations conducted Monday through Sunday from 7:00 a.m. to 7:00 p.m. Motion carried.

E. Minutes DRB August 25, 2022

Mr. Garrett made a motion to approve the minutes from the 8/25/22 DRB meeting, seconded by Mr. Beliveau. Motion carried.

F. Any Other Necessary Business

Mr. Garrett asked about the proposed new business going in Merchants Row? Ms. Giroux clarified that the permits are all set.

G. Public Comment - None

H. Set Next DRB Meeting Date

Thursday, October 27, 2022 at 6:00 p.m.
Thursday, December 1, 2022 at 6:00 p.m.

- I. Adjournment – Ms. Yandow made a motion to adjourn the meeting at 7:43 p.m., seconded by Mr. Beliveau. Motion carried.

Respectfully Submitted,

Joseph Cava
Administrative Assistant

Spencer LaBarge, Chair

Reg Beliveau

Harold Garrett

Jim Pratt

Jennifer Yandow