

TOWN OF SWANTON
Draft Minutes
DEVELOPMENT REVIEW BOARD (DRB)
TOWN OFFICE BUILDING
One Academy Street
Swanton, VT 05488
Thursday, September 28, 2023 @ 6:00 p.m.

Present: Spencer LaBarge-Chair, Jim Pratt, Harold Garrett. Jennifer Yandow-Members, Amy Giroux-Zoning Administrator, Christina Candels-Administrative Assistant, Thomas Underwood, Karen Underwood, Cliff Sterling, Adam Shedrick, George Leddick, Sam Gervais, Bill Sheets, Derick Reed, Heidi B. Valenta, Vickie Hemond, Janet Wells, Paul Wells, Danny Barrett, Denise Tuttle, Matt Swann, Karson Coolum, Steven Roy, David Howrigan, Peggy Howrigan

A. Call to Order

Mr. LaBarge called the meeting to order at 6:01 pm.

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-27-2023 Edward Hemond**
- 2) **#DRB-36-2023 Swanton Village**
- 3) **#DRB-37-2023 Swanton Village**
- 4) **#DRB-44-2023 Swanton Village**
- 5) **#DRB-45-2023 VFW Post 778**
- 6) **#DRB-46-2023 Thomas & Karen Underwood**
- 7) **#DRB-47-2023 Adam Shedrick**
- 8) **#DRB-48-2023 Tuttle's Trucking & Recycling Inc.**
- 9) **#DRB-49-2023 David & Peggy Underwood**
- 10) **#DRB-50-2023 Paul Wells**

- 1) **#DRB-27-2023: Edward Hemond** request for final plat approval for a 4-lot subdivision located at 31 Maple Grove Estates in the R3/Moderate Density Residential district.

Ms. Hemond came before the board with final plat approval for 4-lot subdivision. No changes to plans since the last meeting.

- 2) **#DRB-36-2023: Swanton Village** request for site plan approval to build a new Police and Fire Station located at 124 First Street in the TSA/Travel Service Area district.

All 3 requests were presented together. Mr. Garrett recused himself as a board member for this presentation and asked questions as a community member due to family member being employed by Swanton Village. During the presentation and deliberative session.

Mr. Reed, Mr. Sheets, Ms. Britch-Valenta & Mr. Roy came before the board to present plans.

Mr. Reed reviewed the site design plans for a new Police & Fire station. Stormwater treatment, lot design, building placement, sidewalk, street layout were all part of the plans presented.

Mr. LaBarge asked about turn around space for fire trucks and parking for events.

Mr. Sheets spoke about where parking would be available and that Missisquoi Valley Rescue will stay in their current location.

Mr. LaBarge asked about the safety of firemen running across Elm Street in the event of fire. Mr. Sheets spoke of the importance of emergency response time and that is why they do not want to remove Elm Street.

Mr. LaBarge asked how many parking spaces will be at the facility. In the event of Community event at the same time as a fire call where would people park?

Mr. LaBarge asked about screening? Mr. Roy stated that the Police Department would have screening in their gated secure fenced enclosure.

Ms. Yandow asked for clarification where this area was on the map. Mr. Sheets stated anyone whom works in Police area would have access to that parking area.

Ms. Yandow asked how many Fire Dept calls do they have daily? Mr. Sheets will get that information.

Mr. LaBarge asked for clarification as to traffic direction on Elm Street.

Mr. Pratt about the water shed being in the right-of-way. Mr. Reed stated they are requesting the water treatment bin in the Municipal right-of-way. Mr.

Reed. The reviewed the type of treatment system design.

Sidewalk will be replaced in the existing location; this will help in water direction.

Ms. Yandow asked about the closure of Elm Street, Mr. Sheets stated the downfall of that would be firefighter response time. By closing Elm Street, they would have to go through the intersection and around Robin Hood Drive. This would cause a serious response time delay. Can Elm Street be turned into a private drive? Mr. Sheets stated they would still like to have public access to the current location from Elm Street.

Mr. Garrett asked why the two properties cannot be put together, then the building could be moved over 10' away from the right-of-way of Robin Hood drive?

Robin Hood drive has a 99' right-of-way. They could still have Elm Street as a private drive to the access office. Firemen can still have access through Elm

Street and around the existing building. Swanton Village owns both properties in question 120 & 124 First Street.

Mr. Reed stated the importance of leaving the building as currently designed is access, when you look at the idea of moving the building over you would have to move the grass area, ADA accessibility and parking goes away. Ms.

Yandow asked if ADA can be moved? Mr. Sheets stated yes you just lose 10' valuable space. Mr. Reed stated this will also affect current drainage, the lot is very flat. There would be less green space, power and gas currently runs through that area. Mr. Pratt stated they have right-of-way now.

Mr. Garrett stated that all railroads when they were given to towns, still belong to the State of Vermont and they have the option to take them back. The State still owns them. Moving the building over will get it away from the right-of-way and will not be a problem for future generations.

Mr. Sheets asked where the 10' comes from? The green space can accommodate the 10' needed.

Mr. Reed stated by moving the building there would be no grade to move water, the culverts are currently undersized and the green space is needed for this. This will also cause loss of parking spaces. Mr. Garrett spoke of a previous solution for water drainage in the area, they would need manholes. Mr. Reed then presented a 3D photo of what it would look like with the building.

Mr. Pratt stated there is right-of-way issues on current state roads that they don't want this to happen with this project.

Mr. Sheets asked what a solution can be? How many feet, but keep parking, save the green space, one way traffic on Elm Street.

Mr. Reed stated the Carroll Concrete plan was well within the right-of-way? That was before Robin Hood Drive existed and pre zoning.

Mr. Reed reviewed what it would look like in the future if the Robin Hood Drive roadway was taken back. The building would still have access.

Mr. Reed asked how they dissolve the existing property line? Ms. Giroux stated they would need a boundary line adjustment. 120 & 124 First Street.

Mr. Sheets asked how they proceed? Mr. LaBarge stated they would discuss in deliberative session and give them checklist of requirements.

- 3) **#DRB-37-2023: Swanton Village** request for conditional use less 30% approval for the front setback to build a new Police and Fire Station located at 124 First Street in the TSA/Travel Service Area district.
- 4) **#DRB-44-2023: Swanton Village** request for variance approval for the front setback to build a new Police and Fire Station located at 124 First Street in the TSA/Travel Service Area district.
- 5) **#DRB-45-2023: VFW Post 778** request for conditional use less 30% approval to place a sign located at 12 Merchants Row in the CB/Central Business district.

Mr. Sterling came before the board with plans for a new digital sign for the VFW Post 778. The sign will be just off the property line of the building approximately 17.5' from the white line on Route 78, 25' from the center of

the road. The sign is not planned to be bight and flashing to not be a distraction from drivers.

The goal is to advertise for the VFW to inform people what is going on and for recruitment of membership. The VFW gives a lot back to the community. The sign is approximately 7'6" in height, with 4'x 6' digital sign. Leaving a 3' buffer underneath. Mr. Sterling stated it will be in line with current flag poles on the property. Mr. Pratt asked if the sign could be adjusted to one pole? Mr. Sterling stated this sign is a factory design not built here. The resolution and clarity of the sign is what they want to ensure it is not a traffic distraction by being hard to read. Ms. Yandow asked if other VFW's have used their signs for recruitment and if it is effective? Mr. Sterling stated yes, but the plans for the sign is also more community information also. They can change the sign to inform people of accidents, events anything to help the community.

Mr. Garrett stated if they moved the sign a little, they would have their setbacks needed. Mr. Sterling asked where and how many feet? The board reviewed this with him.

- 6) **#DRB-46-2023: Thomas & Karen Underwood** request for conditional use approval to place a storage container located at 592 Bushey Road in the R1/Agricultural Residential district.

Mr. & Ms. Underwood came before the board to request the use of a metal storage container on their property. The storage container is already on their property as they did not know they needed a permit because its movable.

- 7) **#DRB-47-2023: Adam Shedrick** request for conditional use approval to operate a Tae Kwon Do studio located at 12 Blake Street in the R5/Residential district.

Mr. Shedrick, Mr. Leddick & Mr. Gervais came before the board with their plans to have a Tae Kwon Do studio school on Blake St. The programs are 95% kids and he hopes to work with Swanton Rec and right near the fields. The board reviewed the days and hours of operation. The board clarified what days classes are offered. After discussion the days and hours will be adjusted to Sunday to Saturday 24/7.

- 8) **#DRB-48-2023: Tuttle's Trucking and Recycling Inc.** request for conditional use approval to move Tuttle's Trucking to operate from 2167 Highgate Road (First Response Labor) located in the R1/Agricultural Residential district.

Ms. Tuttle & Mr. Barrett came before the board to request to move Tuttle's Trucking. Mr. Barrett stated currently they have two locations and would like to combine both of them to one location. There hours requested are 5am-9pm. The property is already under Conditional Use.

Mr. Garrett asked if they wanted to have earlier operation hours? No 5 am is early enough.

- 9) **#DRB-49-2023: David & Peggy Howrigan** request for sketch plan approval for an 8-lot subdivision located at 2087 Sheldon Road in the R1/Agricultural Residential district.

Mr. & Mrs. Howrigan came before the board with sketch plans for an 8-lot subdivision.

Mr. Howrigan explained the size of the property and the building lots for houses.

Mr. LaBarge asked if the property was in the land trust? Mr. Howrigan stated no and also not in Current Use.

All houses would have their own septic & water.

Mr. LaBarge asked if they were in the process of getting those permits? No, they are waiting to ensure sketch plan is okay first, then proceed with design.

Ms. Giroux asked if the wetlands have been delineated? Mr. Howrigan stated there is no wetlands where they propose the houses go. Ms. Giroux stated she assumes Peter Mazurek has taken care of that as the engineer.

Ms. Yandow asked if the center circle of the cul-de-sac is grass or open? Mr. Howrigan presumes grass. Will this accommodate a fire truck? Yes.

Mr. Garrett expressed his concern with the properties being owned to the center of the road, down the line the town would not be able to take the road over for maintenance with the property owners owning the road. The road would always need to be part of an association. Mr. Howrigan will discuss this with engineer. Mr. Howrigan asked how many feet needed? The road will need to be 24' with a 50' right-of-way.

Mr. Garrett also asked if the road could be adjusted so Lot#1 didn't own both sides of the road. Mr. Howrigan stated this had been brought up with another sketch and will discuss with engineer.

Mr. Pratt asked what kind of septic systems? That hasn't been designed yet.

- 10) **#DRB-50-2023: Paul Wells** request for conditional use approval to operate a bike sales and repair business located at 307 St. Albans Road in the R3/Moderate Density Residential district.

Mr. & Mrs. Wells came before the board to operate a bike sales and repair shop at their home.

Ms. Giroux asked if they would want a sign? Yes, they will apply for that permit as well.

Mr. Garrett asked about hour of operation, they will adjust Monday to Saturday 6am-8pm.

Ms. Yandow asked if they will have new or used bikes, or electric bikes?

Mr. Wells stated mostly used and yes, he has done a little work on electric bikes.

D. Minutes DRB August 24, 2023

Ms. Yandow made a motion to approve August 24, 2023, Draft Minutes as written, seconded by Mr. Pratt. Motion carried.

E. Any Other Necessary Business

Ms. Giroux informed the board that Northwest Regional Planning has offering the DRB any training they feel they need.

F. Public Comment

G. Set Next DRB Meeting Date

Thursday, October 26, 2023, at 6:00 p.m.

Thursday, November 16, 2023, at 6:00 p.m.

Thursday, December 14, 2023, at 6:00 p.m.

H. Deliberative Session

Mr. Pratt made a motion to enter deliberative session at 7: 39 pm, seconded by Mr. Garrett. Motion carried.

Mr. Pratt made a motion to exit deliberative session at 8:18 pm, seconded by Ms. Yandow. Motion carried.

- 1) **Mr. Pratt made a motion to Approved #DRB-27-2023: Edward Hemond request for final plat approval for a 4-lot subdivision located at 31 Maple Grove Estates in the R3/Moderate Density Residential district as warned, seconded by Mr. Garrett. Motion carried unanimously.**
- 2) **Mr. LaBarge made a motion to Approve #DRB-36-2023: Swanton Village request for site plan approval to build a new Police and Fire Station located at 124 First Street in the TSA/Travel Service Area district as warned, seconded by Mr. Pratt. No one voted Aye. Nay votes Mr. LaBarge, Mr. Pratt & Ms. Yandow. Motion denied unanimously. Denied due to set back and variance requirements of site plan. Mr. Garrett recused himself from the vote.**
- 3) **Mr. LaBarge made a motion to Approve #DRB-37-2023: Swanton Village request for conditional use less 30% approval for the front setback to build a new Police and Fire Station located at 124 First Street in the TSA/Travel Service Area district as warned, seconded by Ms. Yandow. No one voted Aye. Nay votes Mr. LaBarge, Mr. Pratt & Ms. Yandow. Motion denied unanimously. Denied due to set back and variance requirements of site plan. Mr. Garrett recused himself from the vote.**
- 4) **Mr. LaBarge made a motion to Approve #DRB-44-2023: Swanton Village request for variance approval for the front setback to build a new Police and Fire Station located at 124 First Street in the TSA/Travel Service Area district as warned, seconded by Mr. Pratt. No one voted Aye. Nay votes Mr. LaBarge, Mr. Pratt & Ms. Yandow. Motion denieunanimously. Denied due to setback and variance requirements of site plan. Mr. Garrett recused himself from the vote.**
- 5) **Mr. Garrett made a motion to Approve #DRB-45-2023: VFW Post 778 request for conditional use less 30% approval to place a sign located at 12**

Merchants Row in the CB/Central Business district as presented, seconded by Mr. LaBarge. Motion carried unanimously.

- 6) Mr. Pratt made a motion to Approve #DRB-46-2023: Thomas & Karen Underwood request for conditional use approval to place a storage container located at 592 Bushey Road in the R1/Agricultural Residential district as presented, seconded by Ms. Yandow. Motion carried unanimously.**
- 7) Ms. Yandow made a motion to Approve #DRB-47-2023: Adam Shedrick request for conditional use approval to operate a Tae Kwon Do studio located at 12 Blake Street in the R5/Residential district as warned with modification of business hours of 7am-11pm Sunday thru Saturday, seconded by Mr. Garrett. Motion carried unanimously.**
- 8) Mr. LaBarge made a motion to Approve #DRB-48-2023: Tuttle's Trucking and Recycling Inc. request for conditional use approval to move Tuttle's Trucking to operate from 2167 Highgate Road (First Response Labor) located in the R1/Agricultural Residential district as warned, seconded by Mr. Pratt. Motion carried unanimously.**
- 9) Mr. Garrett made a motion to Approve #DRB-49-2023: David & Peggy Howrigan request for sketch plan approval for an 8-lot subdivision located at 2087 Sheldon Road in the R1/Agricultural Residential district as warned, seconded by Ms. Yandow. Motion carried unanimously.**
- 10) Ms. Yandow made a motion to Approve #DRB-50-2023: Paul Wells request for conditional use approval to operate a bike sales and repair business located at 307 St. Albans Road in the R3/Moderate Density Residential district as warned, seconded by Mr. Pratt. Motion carried unanimously.**

I. Adjournment

Mr. Pratt made a motion to adjourn at 8:28 pm, seconded by Mr. LaBarge. Motion carried.

Respectfully Submitted by
Christina Candels- Administrative Assistant