

**TOWN OF SWANTON
DRAFT MINUTES
DEVELOPMENT REVIEW BOARD (DRB)
TOWN OFFICE BUILDING
One Academy Street
Swanton, VT 05488
In Person & By ZOOM
Thursday, May 22, 2025@ 6:00 p.m.**

Present: Spencer LaBarge, Jim Pratt, Reg Beliveau Jr, Jennifer Yandow, Christina Candels- Assistant Town Administrator, Amy Giroux-Zoning Administrator, Ray Melesky, Paula Mayo, Cydney Runions, Jon Newhard, Lisa Newhard, Jason Bushey, H.D. Campbell, Cristian Jablonski, Danielle Machia, Dustin Machia, Stephen Tetreault, Bradley Collette, William Dean, Rachel Martel, Mark Bushey
Zoom: Lindsey Taylor

- A. Call to Order
Mr. LaBarge called the meeting to order at 6:00 pm.
- B. Agenda Review
Mr. LaBarge reviewed the agenda, read the definition of a interested person, swore in applicants, board members & members of the public (in person & zoom).
Mr. LaBarge said they will add to the agenda, electing a new Vice-Chair.
Mr. Pratt said he had a prior conversation with Jason Bushey on his application and they both agreed it was not a conflict of interest for either party.
- C. Meeting Topics
 - 1) **DRB-05-2025 Ron Machia**
 - 2) **DRB-09-2025 Richard Cummings**
 - 3) **DRB-10-2025 William Dean & Rachel Martel**
 - 4) **DRB-13-2025 Jason Bushey**
 1. **DRB-05-2025: Ron Machia:** request for final plat approval for a 5-lot subdivision, located at 127 Lakewood Dr. in the SR/Shoreland district.
Mr. Jablonski came before the board for final plat approval. Mr. Jablonski reviewed the lot sizes and septic plans. The septic design is still with the State of Vermont under final review.
Mr. LaBarge reviewed the building envelope and right-of-way listed on the map.
Mr. Jablonski said the right-of-way for the lake will be decided by the lawyer and landowners when the lots are sold.
Mr. Beliveau asked if the flood level is 104'? Yes.
Ms. Yandow asked for clarification on the septic/shared mound for lot 2 & 3 to lot 4 how piping is protected for that distance? Mr. Jablonski said it is a pump station to pump it. Mr. Campbell (contractor) said it will be sleeved underground so the pipe is protected. That is part of the State permit.
 2. **DRB-09-2025: Richard Cummings** request for final plat approval for a 7-lot major subdivision located at 61 Lydias Ridge located in the SG/Southern Growth District.
Mr. Cummings was not present for the meeting; this application will be continued until next month.
 3. **DRB-10-2025: William Dean & Rachel Martel:** request for preliminary plat approval for a 7-lot major subdivision located at 63 Bachand Rd. in the R3/Moderate Density Residential District.
Mr. Dean and Mr. Tetreault came before the board for preliminary plat approval. Mr. Tetreault said they took last month's review comments and drafted an updated plan.
Last month the DRB requested:
 - Access for lots 11, 12 & 13 has been changed because 3-lots access is considered a road by the State E-911 standards.

Mr. Tetreault said they changed that to accessing 2-lots 11 & 12. Lot 13 will now access from shared drive off Ellsworth Dr. with lot 14.

- Driveways are now highlighted on the map.
- The State stormwater permit is still under State review.
- The State approved wastewater permit has been approved and recorded with the Town. Mr. Tetreault said the original permit and the new permit are listed on the map. Mr. Tetreault reviewed the wastewater on the map for all lots.
- The request for a cul-de-sac for lots 11, 12 & 13 will not be needed because they removed lot 13 from that access.

The rest of the map is the same as last month.

Mr. Pratt said he has an issue with lot 14 containing multiple lots septic design. Mr. Pratt feels that land should be put into an HOA for septic's for the existing homes on Bachand Rd and lots 11, 12, 13 & 14. The current plan is for the existing homes septic to go through multiple lots and driveways. These lots are being sold, benefiting from the sale of other homes' septic's on the land. Ms. Yandow said people are paying taxes for the land and it has other homes septic on it. Mr. Tetreault said in the past they have requested an HOA for wastewater. The State already requires this for stormwater. Mr. Tetreault said the three existing homes it is hard to get those homeowners to join an HOA, that's a legal question.

Ms. Yandow said it is also the buyer's option to buy the lot with the septic's on them. Mr. Pratt said yes but each lot has other septic on it and are they made aware of that? Mr. Tetreault said in the State wastewater permit there is a clause there that stipulates any homeowner buying property under that permit, the permit is required to be shown to those prospective buyers.

Mr. Tetreault said any conditions of the previous wastewater permit are still in effect unless amended in the new permit. Mr. LaBarge said that means the State is reviewing the previous permit before approving the new one, that is good.

Mr. Tetreault said some permits have the requirements of a HOA for wastewater.

Mr. LaBarge spoke to the public sharing that the new permit is in place and approved by the State of Vermont, and to understand the DRB does not regulate wastewater permits, their only requirement is to ensure it is in place and current with the application.

Ms. Giroux printed the new recorded wastewater permit for the development.

Mr. Tetreault said they reviewed all the points from last month's meeting. The only other question is should the current cul-de-sac on Ellsworth Dr be removed when this project is complete to clean it up and make it cleaner and allow direct emergency vehicles for access.

Mr. Beliveau said he does have some phone calls out to DEC for clarification on the permits and how the wastewater permits were approved. Allowing for houses to be built over a preexisting wastewater disposal site.

Mr. Beliveau said they do not have jurisdiction over wastewater he wants to educate himself how this is plausible.

Mr. Pratt agrees if there is a failure the yards of the neighbors will get dug up. Mr. Beliveau said the deeds state everyone has access to all of the areas for maintenance and upkeep of their septic systems.

Mr. Tetreault said it is common in developments for this to happen.

Public Comment:

Mr. Melesky said the proposed shared driveway for lots 11 & 12 will go within feet of a barn at the end of his driveway, you will be able to reach out and touch it. Why is that not shown on the map? Mr. Melesky came before the board to show them on the map, if they build a road how will they not damage my barn? The barn needs to be added to the map. Ms. Yandow asked if he built the barn or if it was preexisting? What are the setbacks? It would not be allowed to be built that close today. It was preexisting. Mr. Melesky said the land is a swamp and they have a natural spring

running around their property currently has 4" of water. Mr. LaBarge said as the plan moves forward the stormwater plan will be shown on the map. Mr. Beliveau said they will also need a stormwater permit for the development.

Mr. Melesky said their wastewater system goes right under these proposed lots, having 1-ton trucks drive over them is not right. The board said that is what they have been discussing. The septic is forced main.

Mr. Melesky said, "do I come to the next meeting" Mr. LaBarge said they are always welcome to come to meetings.

Ms. Mayo said in the spring she had to call working Dog septic because Mr. Dean was digging a drainage for his land, this caused her septic alarm to go off. Working Dog came and said the system was fine. It does not make sense to put heavy equipment over their septic line.

Ms. Newhard asked if the proposed lots are single-family homes? Yes, the wastewater permits are for 3- & 4-bedroom single-family homes.

Ms. Newhard asked if the 50' buffer for the stream be upheld along lot 11? Mr. Dean said the previous owner dug ditches around the entire perimeter of the property to keep people from trespassing. Ms. Newhard said water flows through their 12- month a year and there are wetlands upland of that. Ms. Mayo said that the ditch had been there longer than that. Mr. LaBarge said they will take drainage into consideration.

Ms. Newhard said, according to Vermont Agency of Natural Resources wetland inventory, the data map lists lots 11, 12, 13 and possibly 14 are wetlands.

Mr. Labarge said they will work with Zoning Admin on that.

Mr. Beliveau said the State issues those permits, not the Town.

Mr. Melesky asked how he can get a copy of the wastewater permit from the State.

Ms. Giroux will give him the permit number and contact information. Mr. Melesky said he wants to know whom to talk to, who signed off of it.

Ms. Mayo said when she purchased her home in 2003 the land behind them was farmland, and that ditch was around the property then. Ms. Mayo came before the board to show her property on the map.

4. DRB-13-2025: Jason Bushey request for a boundary line adjustment located at 110 Sugar Maple Drive in the R3/Moderate Density Residential District.

Mr. Bushey came before the board to share his request to adjust his boundary line.

Mr. Bushey said he is requesting to adjust his property line by taking one acre from his family lot beside him. This will allow part of his septic to be on his lot and a section in the back of the neighbor he already owns will create one lot instead of two lots.

Ms. Yandow asked how far the barn would be from the property line? 16'.

Mr. Bushey asked for the future if he wanted to adjust the boundary line again to add some trees and the rest of his septic to his property, he was told by Mark Day that the BRD doesn't generally approve angles? Is that true? The board reviewed the idea and suggested he adjust and straighten the line if he planned to do this in the future.

Mr. Pratt said the new bylaws would not allow for the angle discussed.

D. Electing a New Vice Chair

Mr. Pratt made a motion to elect Mr. Reg Beliveau Jr. as the vice-chair, seconded by Ms. Yandow. Motion carried. Mr. Beliveau accepted.

E. Minutes DRB April 24, 2025

Ms. Yandow made a motion to approve the DRB Meeting minutes from April 24, 2025, as written, seconded by Mr. Pratt. Motion carried.

F. Any Other Necessary Business

Ms. Candels has mylars for Mr. LaBarge to sign.

Ms. Candels requested emails from all board members so they can receive the State required Ethics training and complete and send her confirmation.

Ms. Candels updated the board that the Selectboard has approved an increase per meeting for board members and the chair. Effective June 1st board members will receive \$55 per meeting and the chair will receive \$65 per meeting.

Mr. LaBarge asked how many applicants there were for the open DRB seat? Mr. LaBarge said he knows of one, Keirsten Bourgeois she reached out to him.
Ms. Candels said the posting is open until June 13th then the Selectboard will review them.
Ms. Candels said that is the only applicant currently, others have expressed interest but not formally submitted, and there are also two planning commission seats open.
Ms. Giroux said, "doesn't it come before the DRB first? Mr. LaBarge said the process he is accustomed to and when he got on board is the applicants come before the DRB, and they interview and make a recommendation to the Selectboard who can reinterview the applicant or take their suggestion.
Ms. Candels suggested Mr. LaBarge talk to Mr. Clark, Selectboard Chair.

G. Public Comment
None

H. Set Next DRB Meeting Date
June 26, 2025, at 6:00 pm.

I. Executive Session
Mr. Pratt made a motion to enter executive session at 7:10 pm, seconded by Ms. Yandow. Motion carried.

Mr. Pratt made a motion to exit executive session at 7:55 pm, seconded by Mr. Beliveau. Motion carried.

Actions Taken:

- 1) **Mr. Pratt made a motion for DRB-05-2025: Ron Machia: request for final plat approval for a 5-lot subdivision, located at 127 Lakewood Dr. in the SR/Shoreland district be APPROVED AS WARNED pending the State approved septic design is recorded with the Town, seconded by Ms. Yandow. Motion carried.**
- 2) **Mr. Beliveau made a motion for DRB-09-2025: Richard Cummings request for final plat approval for a 7-lot major subdivision located at 61 Lydias Ridge located in the SG/Southern Growth District be CONTINUED as Mr. Cummings did not attend the meeting, seconded by Mr. Pratt. Motion carried.**
- 3) **Mr. LaBarge made a motion for DRB-10-2025: William Dean & Rachel Martel: request for preliminary plat approval for a 7-lot major subdivision located at 63 Bachand Rd. in the R3/Moderate Density Residential District be CONTINUED to resolve the septic systems issue they should be in a Homeowners Association, Article 6, section 6.4 (E) the board feels the septic systems need to be in a Homeowners Association, seconded by Ms. Yandow. Motion carried.**
- 4) **Ms. Yandow made a motion for DRB-13-2025: Jason Bushey request for a boundary line adjustment located at 110 Sugar Maple Drive in the R3/Moderate Density Residential District be APPROVED AS WARNED, seconded by Mr. Pratt. Motion carried.**

J. Adjournment
Mr. Pratt made a motion to adjourn the meeting at 7:58 pm, seconded by Mr. Beliveau. Motion carried.

Respectfully Submitted by,
Christina Candels-Assistant Town Administrator

