

**TOWN OF SWANTON
AGENDA
DEVELOPMENT REVIEW BOARD (DRB)
TOWN OFFICE BUILDING
One Academy Street
Swanton, VT 05488
In Person & By ZOOM
Thursday, July 24, 2025 @ 6:00 p.m.**

Present: Spencer LaBarge-Chair, Reg Beliveau, Jim Pratt, Jennifer Yandow, Kiersten Bourgeois-Members, Amy Giroux-Zoning Administrator, Christina Candels-Assistant Town Administrator, Mike Barrett, Paula Mayo, Bill Sheets, Stephen Tetreault, Lisa Newhard, Andrew Gallagher, Richard Wimble, Cindy Godin, Scott Godin, Heidi Britch-Valenta, Bradley Collette, Shawn Cheney, Steven Roy, Derick Read
Zoom: Brittany Shumway, K 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 interested persons, swore in applicants, board members & members of the public (in person & zoom).
Mr. LaBarge welcomed Ms. Bourgeois to the board as a newly appointed board member.
- C. Meeting Topics:
 - 1) **DRB-10-2025: William Dean & Rachel Martel**
 - 2) **DRB-16-2025: Andrew Gallagher**
 - 3) **DRB-19-2025: Michael Barrett**
 - 4) **DRB-20-2025: Scott & Cindy Godin**
 - 5) **DRB-21-2025: Shawn Cheney & Steven Domey**
 - 6) **DRB-22-2024: Brian Benoit**
 - 7) **DRB-23-2025: Swanton Village**

- 1. **#DRB-10-2025: William Dean & Rachel Martel:** Request for final plat approval for a 6-lot major subdivision located at 63 Bachand Road in the R1/Rural district.

Mr. Tetreault came before the board to review of changes from the last meeting. Mr. LaBarge asked what has been changed on the map since the last meeting. Mr. Tetreault said they shortened lots 11 & 12 to encompass the easement area for the septic systems. The board reviewed the easement areas on the map for the lots.
Mr. Pratt asked if there would be a Homeowners Association for the septic area lots?
Mr. Tetreault said it will all be part of the covenants in the deeds.
Mr. Pratt verified the septic area for the three homes on Bachand Rd is going to be part of Lot 5 and not developed.
Ms. Mayo came to the table to see the map presented. Ms. Yandow explained the area discussed on the map and included her septic area access on the map. Ms. Mayo asked for the survey from the recording when she purchased her home. Mr. LaBarge said that it is accessible anytime the office is open but does not pertain to what is before them.

- 2. **#DRB-16-2025: Andrew Gallagher:** Continued request for a variance to build a storage shed located at 4 Laroe St. in the R5/Residential District.

Ms. Candels passed out an updated Residential Accessory Structures chart that the Selectboard has approved with the new Land Use & Development Regulations. With these changes Mr. Gallagher no longer needs a variance for setbacks to place a shed on his property, which was needed when he applied for a building permit.

- 3. **#DRB-19-2025: Michael Barrett:** Appeal of administrative decision in regard to "Determination of Exemption for Proposed Soft Serve Ice Cream Sales at Your

Strawberry Farm” in relation to Shumway Property located at 200 Middle Rd. in the R1/Rural district.

Mr. LaBarge asked Mr. Barrett what decision he was here to appeal? Ms. Giroux’s letter regarding the ice cream.

Mr. LaBarge said they have granted the permit, and the Vermont Environmental Court has ruled on this and said they can sell ice cream.

Mr. Barrett said he is contesting the exemption on the ice cream and feels they are separate.

Mr. LaBarge said they see it as they have been given the exemption and was contested the Vermont Environmental Court ruled in favor. Mr. LaBarge said they can take his info and add it to the file.

Mr. Barrett asked if they are nullifying the exemption provided? Mr. LaBarge said in the board eyes, the Vermont Environmental Court has already ruled on it. Mr. Barrett said they are different.

Mr. Barrett asked Mr. LaBarge if it all falls under the prevue of the Conditional Use permit? Mr. LaBarge said yes as far at this board is considered they are done with this.

Ms. Giroux said the letter Mr. Barrett is appealing was given to the Vermont Environmental Court. Mr. Barrett said it was not part of the court record for Conditional Use.

Mr. LaBarge said the Vermont Environmental Court said they can sell their ice cream as long as it is secured in Franklin & Grand lse Vermont.

Mr. Barrett thanked Mr. LaBarge for clarifying.

Mr. Barrett said he had an updated exhibit. Ms. Giroux will add it to the file.

4. **#DRB-20-2025: Scott & Cindy Godin:** Request for conditional use approval to convert a seasonal dwelling to year-round use located at 444 Maquam Shore Road in the SL/Shoreland district.

Mr. & Ms. Godin came before the board requesting to convert their home to year-around. Ms. Godin said they have the state required permit for their wastewater and have connected to the Village water line and want to live there year-round, they thought when they purchased the home it was year-round.

Ms. Giroux asked if the wastewater permit was recorded? Yes.

5. **#DRB-21-2025: Shawn Cheney & Steven Domey:** Request for sketch plan approval for a 2-lot subdivision located at 98 Canada Street in the R5/Residential district.

Mr. LaBarge swore in Mr. Cheney because he arrived after everyone was sworn in.

Mr. Cheney came before the board requesting to subdivide 98 Canada St. into 2-lots.

One acre will be .20-acre, and the second will be .23-acre lot.

Mr. LaBarge asked why the line is not straight? That is because they needed a 10’ setback from the existing homes garage.

6. **#DRB-22-2025: Brian Benoit:** Request for conditional use approval to convert a seasonal dwelling to year-round use located at 408 Maquam Shore Road in the SL/Shoreland district.

Mr. Benoit did not attend the meeting.

7. **#DRB-23-2025: Swanton Village:** Request for site plan review to build an Electric Department Facility located at 124 First Street in the TCD/Transitional Commercial district.

Mr. LaBarge swore in Mr. Roy & Mr. Reed because they arrived after everyone was sworn in.

Mr. Roy, Mr. Read & Mr. Sheets came before the board to share their request a site plan amendment of the previously approved site plan.

Mr. Read said the project has been changed to a smaller building with the same setbacks as the previously approved building. The building before them is shorter and narrower.

Mr. Read said the entrances have changed and the only access will be from Elm St. Cars will still be able to enter from First St. They will exit the same way they do now via Short St.

Mr. Read said there will be sliding gates at the end to secure the Electric Departments transformers and utility poles.

The vegetative rows shown will look like lawns, but the Electric Department will be able to drive on if they need access.

The stormwater retention pond is on the property entirely; bushes and plants will also aid in stormwater retention.

Ms. Yandow asked what the dimensions of the original building vs this smaller design. Mr. Reed did not have those readily available. But he believes this is 35' shorter and 16' narrower.

Ms. Bourgeois asked if Elm St was a public road? Yes, they are two separate properties separated by Elm St.

Ms. Yandow asked if they were receiving the VHCD grants for the electric chargers? Mr. LaBarge said that is not part of this. Ms. Yandow said no but there could be a deadline to have them installed and live. Mr. Sheets shared where they currently have chargers.

Mr. Roy said regardless of the grant the EV spaces are part of the 2024 Energy Code as required as well as space for future chargers.

D. Minutes from June 26, 2025, DRB Meeting

Ms. Yandow made a motion to approve the meeting minutes from June 26, 2025, as written, seconded by Mr. Pratt. Motion carried.

Ms. Bourgeois abstained she was not on board at that time.

E. Public Comment

None

F. Set Next DRB Meeting

August 28, 2025, at 6:00 pm.

G. Any Other Necessary Business

None

H. Executive Session

Mr. Pratt made a motion to enter executive session at 6:44 pm, seconded by Mr. Beliveau. Motion carried.

Mr. Pratt made a motion to exit executive session at 7:09 pm, seconded by Ms. Bourgeois. Motion carried.

Actions Taken:

- 1) **Mr. Beliveau made a motion for DRB-10-2025: William Dean & Rachel Martel: Request for final plat approval for a 6-lot major subdivision located at 63 Bachand Road in the R1/Rural district be APPROVED AS WARNED on the condition.**

- The permit WW-6-2763 shows the associated lots contingent with that permit on the map.
 - Supply the Town Zoning Administrator with the HOA for Lot-5
- Second, by Ms. Yandow. Motion carried.**

- 2) **Mr. LaBarge made a motion for DRB-16-2025: Andrew Gallagher: Continued request for a variance to build a storage shed located at 4 Laroe St. in the R5/Residential District be APPROVED because the Zoning Regulations & setbacks have changed since application was submitted and he does NOT require a variance, seconded by Mr. Beliveau. Motion carried.**

- 3) **Mr. LaBarge made a motion for DRB-19-2025: Michael Barrett: Appeal of administrative decision in regard to “Determination of Exemption for Proposed Soft Serve Ice Cream Sales at Your Strawberry Farm” in relation to Shumway Property located at 200 Middle Rd. in the R1/Rural district be APPROVED AS WARNED, seconded by Mr. Beliveau. No lyes by the board. All board members opposed. Petition DENYED due to the Vermont Environmental Court having approved the Shumway property allowing the sale of soft serve ice cream & farm products based on the exemption and Vermont Environmental Court. Motion failed.**
- 4) **Mr. Pratt made a motion for DRB-20-2025: Scott & Cindy Godin: Request for conditional use approval to convert a seasonal dwelling to year-round use located at 444 Maquam Shore Road in the SL/Shoreland district be APPROVED AS WARNED, seconded by Ms. Yandow. Motion carried.**
- 5) **Mr. Pratt made a motion for DRB-21-2025: Shawn Cheney & Steven Domey: Request for sketch plan approval for a 2-lot subdivision located at 98 Canada Street in the R5/Residential district be APPROVED AS WARNED, seconded by Mr. Beliveau. Motion carried.**
- 6) **Ms. Yandow made a motion for DRB-22-2025: Brian Benoit: Request for conditional use approval to convert a seasonal dwelling to year-round use located at 408 Maquam Shore Road in the SL/Shoreland district be APPROVED, seconded by Mr. Beliveau. No lyes by the board. All board members voted Nay. Petition DENYED due to the applicant not being present. Motion failed.**
- 7) **Ms. Bourgeois made a motion for DRB-23-2025: Swanton Village: Request for site plan review to build an Electric Department Facility located at 124 First Street in the TCD/Transitional Commercial district to be APPROVED AS A SITE PLAN AMENDMENT, seconded by Mr. Pratt. Motion carried.**

I. Adjournment

Ms. Yandow made a motion to adjourn at 7:15 pm, seconded by Mr. Pratt. Motion carried.

Respectfully Submitted by
Christina Candels-Assistant Town Administrator