

**TOWN OF SWANTON
MINUTES
DEVELOPMENT REVIEW BOARD (DRB)
TOWN OFFICE BUILDING
One Academy Street
Swanton, VT 05488
In Person & By ZOOM
Thursday, August 29, 2024 @ 6:00 p.m.**

Present: Spencer LaBarge-Chair, Jennifer Yandow, Jim Pratt, Harold Garrett, Reg Beliveau Jr-Members, Amy Giroux-Zoning Administrator, Al Kinzinger, Stev Selby, Julie Hancy, William Hancy, Christian Jablonski, Vickie Gratton, Michelle Sheldon, Ellen Brennan, Gunner Brennan, Katie Underwood

Zoom: No Attendance

Absent:

- A. Call to Order
Mr. LaBarge called the meeting to order at 6:00 pm.
- B. Agenda Review
Mr. LaBarge reviewed the agenda, swore in all applicants, interested persons, and board members. Mr. LaBarge read the definition of "interested persons".
- C. Meeting Topics:
DRB-27-2024: Sparks Academy
DRB-28-2024: Ronald Underwood
DRB-29-2024: Chris Hatin

- 1. **#DRB-27-2024: Sparks Academy** request for a conditional use approval to operate a childcare facility located at 38 Grand Avenue in the CB/Central Business district.

Ms. Sheldon & Ms. Gratton came before the board and said they want to operate a childcare facility for infants and toddlers in the basement of the Holy Trinity Church. They will lease a section from them.

Mr. LaBarge asked if they are all set with the health code? Yes, they have also had Child Development come from the state and they are all set.

Mr. LaBarge asked about parking, they intend to use the public parking lot behind the Town Office for drop-offs and have people enter through the back.

They will accommodate 24 children and 5 employees. The 5 employees can park in front of the building.

This is their second location in Swanton, known as "Baby Spark".

- 2. **#DRB-28-2024: Ronald Underwood** request for conditional use approval to operate a corn maze located at 225 & 171 Bushey Road in the R1/Agricultural Residential district.

Mr. Underwood & Ms. Underwood came before the board and said they want to operate a corn maze on their property. The corn maze will be 9 acres, plus 2 acres for parking. This will be seasonal August through October. Mr. LaBarge asked for clarification of what the objective is? Agritourism. They reviewed parking on the map. They will sell t-shirts and maple syrup. They will also have food trucks occasionally. Mr. LaBarge looked through the bylaws to ensure T-shirt sales, maple syrup and food trucks are allowed. Ms. Yandow said food trucks there would be no different than food trucks parking at any other location. Not a permanent structure. The maple syrup is from a farm in Fairfax, T-shirts will be made by JC Image.

Mr. Beliveau asked if they have access points for safety on Bushey Rd. They will do separate entrance and exit if needed but there is an embankment also that should eliminate multiple vehicles.

Mr. Garrett asked if they are sure they only want Wednesday through Sunday? If they changed it to 7 days now, they wouldn't need to come back. They also discussed the hours and changed them to 10am-10pm.

Mr. Jablonski asked if the parking lot would be grass? Yes.

Mr. Kinzinger said he has been by, and the parking is well marked, the corn maze is top notch.

3. **#DRB-29-2024: Chris Hatin** request for sketch plan approval for a 3-lot subdivision located at 93 Donaldson Road in the R1/Agricultural Residential district.

Mr. Jablonski came before the board to represent Chris Hatin with new maps. Mr. Hatin would like to create a 3-lot subdivision creating Lots 4 & 5 of the remaining land. Lot 4 being 1.35 acres with a proposed duplex. lot 2 & 3 are permitted and done. Lot 5, being 1.59 acres proposed to be a single-family residence for his brother-in-law. Mr. Hatin does not intend to build the duplex immediately. Lot 5 will be served by the existing access on Donaldson Rd. Lot 4 & 5 will be a shared wastewater system. The existing driveway has 50' right-of-way they will use. The future access for the duplex (lot 5) would be accessed off Rustic Walk.

Mr. LaBarge clarified the shared septic's on the map. Mr. Jablonski said the septic designs are permitted and recorded for lots 2 & 3 and is working on lots 4 & 5.

Mr. Pratt would like to have the map show the mound for lot 3. Mr. Pratt would like to see the replacement mound area on the maps. Mr. LaBarge said they need a cleaner map to review.

Mr. Garrett asked if the driveway on Rustic Walk is past the ledge? Mr. Jablonski said there is currently access there at the top of the field. People coming up the hill will see.

Mr. Garrett asked if they had the right distance from the crown of the hill for the speed of the road? Mr. Jablonski said they can check sight distances. Mr. Garrett said you must have so many feet. Mr. Beliveau said you need 330 ft per 30 mph zone. The speed limit is 35 on Rustic Walk.

Mr. Hancy said he came to the meeting when Mr. Hatin came for the previous two duplexes, and he has the same concerns. Mr. Hancy referenced the Town Plan 2023 Chapter 3 section 3.2. Mr. Hancy believed putting houses on the property would destroy the agricultural product. Mr. LaBarge said they have the right to do this in this district, on their property. Mr. Hancy said in the Bylaws, Section 5.4 (D) hinders the neighborhood. Mr. Hancy owns a business and one of the selling points is the quiet natural surroundings and now there's 5 houses there on 11 acres, 3 of them being duplexes. This is not within the characteristics of the neighborhood.

Mr. LaBarge said this is a warranted project in this area, they have the right to do this.

Mr. Garrett asked if they need to mitigate the land because it is agricultural land? Mr. Jablonski said not as far as they are aware. Ms. Giroux asked what is there to mitigate? This does not qualify for that, that is more with Act 250 review.

Mr. LaBarge proposed the board goes for a site visit to the property. Mr. Pratt shared the deeds determined they could not do any subdivisions for 50 years of 10 acres or less, but that has expired.

Mr. Kinzinger asked about lot 1, has a proposed driveway on Rustic Walk. Mr. Jablonski said that is a typo and he will delete it.

Ms. Brennan asked if there proposed driveway is a typo then why are there flags in the area? Mr. Jablonski said it was from soil potential. What Mr. Hatin has decided is what they presented to the board.

Mr. Kinzinger said for the test holes they went in with an excavator and crossed onto Rustic Walk, is a private right-of-way. Where the pins are is a green area and private property and they cannot cross that with their excavator. Mr. Kinzinger came before the board to show on the map.

Mr. LaBarge suggested the landowners to go to the Planning Commission with there concerns for development in their district.

D. Deliberative Session

Ms. Yandow made a motion to go into deliberative session at 6:50 pm, seconded by Mr. Beliveau. Motion carried.

Mr. Pratt made a motion to exit deliberative session at 7:02pm, seconded by Ms. Yandow. Motion carried.

- 1) Mr. Beliveau made a motion for DRB-27-2024: Sparks Academy request for a conditional use approval to operate a childcare facility located at 38 Grand Avenue in the CB/Central Business district be APPROVED as warned, seconded by Ms. Yandow. Motion carried.
- 2) Mr. Garrett made a motion for DRB-28-2024: Ronald Underwood request for conditional use approval to operate a corn maze located at 225 & 171 Bushey Road in the R1/Agricultural Residential district be APPROVED as warned with following amendments.
 - Hours 10am-10apm
 - Seven days a weekseconded by Mr. Pratt. Motion carried.
- 3) Mr. LaBarge made a motion for DRB-29-2024: Chris Hatin request for sketch plan approval for a 3-lot subdivision located at 93 Donaldson Road in the R1/Agricultural Residential district be CONTINUED, as well as a site visit at the next meeting, seconded by Mr. Pratt. Motion carried.

E. Minutes DRB July 25, 2024

Ms. Yandow made a motion to approve July 25, 2024, draft minutes as written, seconded by Mr. Garrett. Motion carried. Mr. Beliveau abstained he was absent.

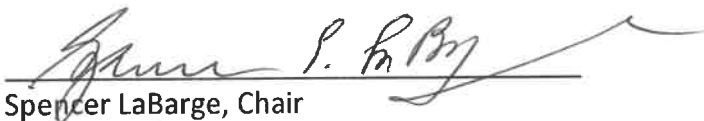
F. Any Other Necessary Business
None

G. Public Comment
None

H. Set Next DRB Meeting Date
September 26, 2024, but with a site visit at 5pm at 93 Donaldson Rd (Rustic Walk)

I. Adjournment
Mr. Beliveau made a motion to adjourn the meeting at 7:05 pm, seconded by Mr. Pratt. Motion carried.

Respectfully submitted by
Christina Candels-Administrative Assistant

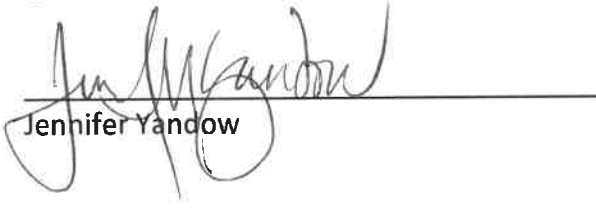

Spencer LaBarge, Chair


Reg Beliveau Jr.


Harold Garrett



Jim Pratt



Jennifer Yandow