

**TOWN OF SWANTON
ZONING OFFICE
One Academy St., P.O. Box 711
Swanton, VT 05488-0711
Tel. (802) 868-3325
Fax. (802) 868-4957**

Email: swanza@swantonvermont.org

**8/29/13 PUBLIC HEARING
SWANTON DEVELOPMENT REVIEW BOARD**

The Swanton Development Review Board held a Public Hearing on **Thursday, August 29, 2013** at the Swanton Town Offices, 1 Academy Street, at **7:00 P.M.**

Present:

**Joel Clark
Janette Hoague
Gabriel Liegey
Lucie Hill
Spencer LaBarge
Ron Kilburn
Yaasha Wheeler**

Present:

Kevin Brzys
Andy Hoak
Michel Gingras
Jean Jacques

Mr. Clark called the hearing to order at 7:00 p.m., introduced the board members, and explained the definition of interested persons. After determining that there had been no ex parte communications, Mr. Clark swore in the participants.

1. **#486-2013 Final Plan Approval Request of Jeremy Allard & Aaron O'Grady** to create a new 9-lot PUD consisting of (7) new single-family homes, (1) new two-family home and (1) existing single-family home on an existing 22 +/- acre parcel at **42 Penell Rd.** R1 Agricultural/Residential District.

Mr. Kilburn stated that item 1 had been moved to the September meeting at the applicant's request.

2. **#493-2013 Sketch Plan Approval Request of Michel Gingras** to create a Major, Four (4) lot subdivision by subdividing a 10.0 acre parcel in order to create two (2)

lots for single family homes, Lot # 3 (2.34 acres), Lot #4 (1.02 acres); together with Lot #1 (2.83 acres) for an existing wastewater disposal system, and Lot #2 (3.76 acres) with existing building which would remain with **Hog Island Wholesale Bait**, all on the East side of Lakewood Drive, located at **172, 173 and 176 Lakewood Drive**. SR Shoreland Recreation District and RC Recreation /Conservation District.

Andy Hoak, Kevin Brzys, and Michel Gingras came forward. Mr. Hoak stated that the applicant proposed a 4-lot subdivision. Lot 1 (2.18 acres) included an existing wastewater disposal system that served both Hog Island Bait and the residence on the western side of the Lakewood Drive. Lot 1 would remain as a deferred lot. Lot 2 (3.76 acres) included 2 proposed additions to the existing building, 22' x 14' on the southwest corner and 20' x 125' to the east side, with another 40' x 30' off another wing as well. Lot 3 (2.33 acres) would contain a single family residence, as would Lot 4 (1.2 acres). Both lots would be served by on-site drilled bedrock wells. Mr. Hoak had already met with the regional wastewater office and identified suitable locations for the wastewater disposal system on lot 3. All properties were accessed off of a modified drive off of Lakewood Drive. The next step would be to approve the existing curb cut and remove the garage that was right at the entrance to the driveway. The project would be subject to Act 250, and other state permits still needed included wastewater disposal systems for the new single-family residences and an amendment to the existing wastewater system for Hog Island Bait, because the property lines of the existing 10-acre lot were being modified.

Mr. Clark considered that the business building might require Conditional Use review, although Mr. Kilburn pointed out that the business had existed for a while. Mr. Hoak noted that the existing wastewater disposal system served both the eastern and the western sides of the road. Mr. Clark said that on the final review, he would like to see the septic area identified and the easement or right-of-way for Lot 4, as well as building envelopes to give a little more flexibility for the location of the homes. Mr. Gingras explained that the proposed additions were to serve as warehousing for fish and tackle. There would be no changes in the number of employees.

Mr. Clark asked about the access and Mr. Gingras replied that people could park all around the building and Mr. Hoak added that the relocated driveway would tie into the existing parking space, requiring an easement on Lot 3. Mr. LaBarge asked about 18-wheeler traffic and Mr. Gingras stated that he felt there was plenty of room to turn around and that truck traffic was not very active except for in the spring. Mr. Clark asked whether there was a way to pull the driveway off of Lot 3. Mr. Hoak explained that if the driveway were extended straight up, it would pass too close to the front of the building and might also impact the turning radius for the larger vehicles. If necessary, they could shave off a portion of the gravel drive. Both operational and construction stormwater permits would be needed. Mr. Clark suggested moving the boundary on lot 3, and Mr. Hoak explained that Lot 3 could be trimmed back to the Shoreland Recreation district line, but the current configuration provided more space and allowed for better positioning of the septic system for lot 2, therefore keeping all the residential components together.

Mr. Hoak asked if the application would be considered a major or minor subdivision, and Mr. Kilburn replied that it was a major subdivision, because it included 4 lots. A major subdivision

would require both preliminary and final approval. Mr. Hoak asked if having a undevelopable deferred lot changed the subdivision status and Mr. Kilburn answered that it did not. Mr. Clark asked Mr. Hoak to have the septic system and easement information on the plans for the September meeting.

3. **CU#492-2013 Conditional Use Approval Request of Jean Jacques** to engage in the business of retail sales of new and used furniture at **83 First Street** on the corner of First and Liberty Streets. NCL Neighborhood Commercial Light District.

Mr. Jacques explained that he wanted to open up a new and used furniture store at the location of the former LaPlant taekwon-do space. The parking would be off of Liberty Street, and would be limited but adequate for the store's purposes. The employee parking would be in the back. The hours would be 9 a.m. to 5 p.m., for 7 days a week. There were still poles from the old sign, on which he hoped to put his own sign once he had spoken with Mr. Kilburn about the requirements. Mr. Clark asked if Mr. Jacques would be doing any refinishing, and Mr. Jacques replied that he would not.

4. Public Comment – No public comment.

5. Other Necessary Business

Mr. Clark stated that, some months ago, the board had determined its need to have a site plan review for the additions proposed by McDonalds. However, McDonalds had now decided not to do any additions, but to do some exterior work within the same footprint. The Development Review Board determined that site plan review was no longer necessary and that Mr. Kilburn could handle the matter administratively.

Mr. Kilburn informed the board that Mr. Pomerleau's approval to expand the Hannaford shopping center to allow for an Aubuchon Hardware store had been appealed by another hardware store in Environmental Court, which had later filed a notice of dismissal.

The next meeting date was set for September 26th.

Mr. Liegey noted that the garage by Woods Hill Road was not supposed to be selling cars or motorcycles, but was clearly doing so now. Mr. Kilburn said that he would be investigating. A neighbor had a concern that the business could not count as a cottage industry because the owner did not live at the business location, and was still in Florida.

Mr. LaBarge made a motion, seconded by Mrs. Hill, to go into deliberative session at 7:40 p.m. Motion carried.

Mr. LaBarge made a motion, seconded by Mr. Liegey, to come out of deliberative session at 8:17 p.m.

Mrs. Hoague made a motion to APPROVE #493-2013 Sketch Plan Approval Request of Michel Gingras to create a Major, Four (4) lot subdivision by subdividing a 10.0 acre parcel in

order to create two (2) lots for single family homes, Lot # 3 (2.34 acres), Lot #4 (1.02 acres); together with Lot #1 (2.83 acres) for an existing wastewater disposal system, and Lot #2 (3.76 acres) with existing building which would remain with Hog Island Wholesale Bait, all on the East side of Lakewood Drive, located at 172, 173 and 176 Lakewood Drive. SR Shoreland Recreation District and RC Recreation /Conservation District.

Mr. Liegey seconded the motion. There were no ayes; the nays had it. The application was DENIED because the 200 foot lot depth requirement for the Shoreland Recreation district were not met on Lots 3 and 4. Motion denied.

Mr. LaBarge made a motion to APPROVE CU#492-2013 Conditional Use Approval Request of Jean Jacques to engage in the business of retail sales of new and used furniture at 83 First Street on the corner of First and Liberty Streets. NCL Neighborhood Commercial Light District, as proposed in the application. The operating hours would be 9 a.m. to 5 p.m., 7 days a week. Mr. Liegey seconded the motion. Motion carried.

Mrs. Hill made a motion, seconded by Mr. Liegey, to approve the minutes of 7/25/13 as written. Motion carried.

Mr. LaBarge made a motion, seconded by Mr. Liegey, to adjourn the meeting at 8:20 p.m. Motion carried.

Respectfully submitted,

Yaasha Wheeler

Joel Clark

Spencer LaBarge

Lucie Hill

Gabriel M. Liegey, Jr.

Janette Hoague