

**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](mailto:swanza@swantonvermont.org)**

**07/24/14 PUBLIC HEARING  
SWANTON DEVELOPMENT REVIEW BOARD**

**The Swanton Development Review Board held a Public Hearing on Thursday, July 24, 2014 at the Swanton Town Offices, 1 Academy Street, at 7:00 P.M.**

Present:

Joel Clark  
Lucie Hill  
Janette Hoague  
Gabriel Liegey  
Ronald Kilburn, Zoning Administrator  
Yaasha Wheeler, Clerk

Also Present:

Wynn Paradee (#509-2014)  
Matthew Gagne (CU#503)  
Corey Bertrand (CU#504)  
Martha Shapiro (#62-2014)  
Normand Lussier

Mr. Clark opened the hearing at 7:06 p.m. He introduced the board members, and asked if there were any conflicts of interest or ex parte communications; there were none. He explained the process of the hearing and swore in the participants.

**1. #509-2014 Preliminary and Possible Final Plat Approval Request of Wynn & Pauline Paradee** to create a revised Major subdivision (4 lots) of an original Minor subdivision (3 lots) approved on January 28, 2014 (Permit #499-2013). This new application is for Lot 1 to be decreased in size to 14 acres; Lot 3 to be increased in size to 27.5 acres and for the creation of Lot 4,

a land locked 47 acre deferral lot (no development proposed) No changes are proposed for Lot 2 at **2286 Sheldon Rd.** R1 Agricultural/Residential District.

Mr. Clark recalled that the approval included 4 conditions. Mr. Paradee presented a revised map, noting that the right-of-way of Lot 4 was shown, as requested by the board. Mr. Clark determined that the four conditions of the past approval had been met. The board reviewed the plan.

**2. CU#503 Conditional Use Request of Andre Gagne & Matthew Gagne** to construct and utilize a seasonal roadside stand (moveable) for the sale of locally produced agricultural products at **#134 Viens RD.** R1 Agricultural/Residential District.

Matthew Gagne, representative of Andre Gagne, came forward. Mr. Kilburn presented some photos of the property. Mr. Gagne stated that the stand would be 30 feet back from the road, and would sell mostly local products. The minimum of 3 off-street parking spaces were also available. He stated that the hours would be 10 a.m. to 5 p.m.

**3. CU#504 Conditional Use/Conversion/Change in Use Request of Corey Bertrand/Bertrand Property Management** to convert the current retail sales conditional use to a dance/exercise use at applicant's place of business, Bertrand Electric at **580 St. Albans Rd.** R3 Moderate Density Residential District.

Mr. Bertrand came forward. He stated that he had offices in the building under consideration, with an apartment in back and store frontage in the front. A dance studio had been selling products in the sales area, and would now like to have a dance studio in the space seasonally. In the off-season for dance, the space could be used for an exercise gym. Mr. Clark noted that indoor recreation was not allowed in the R3 district.

Mr. Clark asked how many people were expected, and Mr. Bertrand stated that the current program Colchester included 8-10 kids from Swanton, who would appreciate a closer location for the dance studio. About 1440 square feet would be used for the dance studio. Mr. Bertrand pointed out the parking areas. Mr. Kilburn stated that the new bylaw revisions now included indoor recreation in the R3 district. Mr. Clark said that because it is not now a listed use in the area, the DRB is not supposed to approve it. However, it appeared the change would be made, but assuming its approval, it would not become part of the new bylaws until September.

The board reviewed the potential new language for indoor recreation. Mr. Clark noted that Note (E) limited indoor recreation. Mr. Clark was most comfortable with continuing the request until the new bylaw revisions could be better reviewed. If the JLB approved the changes as suggested, the application could become a Conditional Use Request.

**4. #62-2014 Appeal/Variance Request of Martha Shapiro** to construct a 14ft x 18ft. storage shed which does not meet the front setback of 75 ft. (39ft proposed) at **318 Maquam Shore Rd.** SR Shoreland Recreation District.

Mrs. Shapiro came forward. She stated that she will be building on the middle property (replacing the existing dwelling) and would be selling the neighboring properties. She needed a shed to house her tractor and, because of the setback requirements due to her mound system and other necessary setbacks, there were only two ideal spots to place the shed. One option would put the shed within the front setback and the other option would potentially interfere with the new construction.

She presented some photographs that depicted the area, and explained the requested location of the shed. She pointed out the shared driveway and the easement owned by the neighboring property. She and the board discussed how the location of the driveway and the trees impacted where the shed could be placed. She hoped to put it in an area that would be inconspicuous, shielded by a line of trees. She stated that she had measured 39 feet from the edge of the pavement to the requested building; the board explained that the 50 foot road right-of-way diminished that 39 feet. Mr. Kilburn believed that the road right-of-way was 66 feet; the plan only showed a 50-foot right-of-way. Mr. Clark estimated that the real setback was about 16 feet from the eastern property line, with 50 feet from the southern boundary.

Mrs. Hoague asked if the shed could be placed in the triangle between the two mound systems; it was determined that the state would have to be contacted to remove the maple tree in that area.

5. Public Comment – None.

6. Any Other Necessary Business

Mr. Lussier stated that the Mylar for his new subdivision appeared to be missing three lots from a previous subdivision. His surveyor had made him a regular map, depicting those lots. The board reviewed the plan. Mr. Lussier informed the board that another line adjustment would be requested with Mrs. Hall. Mr. Clark asked Mr. Lussier to bring in the revision at the same time as the lot line adjustment, to be warned for the next meeting. Mr. Lussier added that he planned a subdivision in that area as well. Mr. Kilburn reminded Mr. Lussier of the deadline for submitting his application.

The O'Grady/Allard Mylar was ready, but neither Mr. O'Grady nor Mr. Allard were present.

Mr. Kilburn presented the Harrington Mylar for review and approval.

The board agreed to meet on August 21, 2014.

Mrs. Hoague made a motion, seconded by Mrs. Hill to go into deliberative session at 8:19 p.m. Motion carried.

Mrs. Hoague made a motion, seconded by Mrs. Hill, to come out of deliberative session at 8:29 p.m. Motion carried.

MOTION: Mrs. Hill made a motion, seconded by Mr. Liegey, to APPROVE as presented **#509-2014 Preliminary and Final Plat Approval Request of Wynn & Pauline Paradee** to create a revised Major subdivision (4 lots) of an original Minor subdivision (3 lots) approved on January 28, 2014 (Permit #499-2013). This new application is for Lot 1 to be decreased in size to 14 acres; Lot 3 to be increased in size to 27.5 acres and for the creation of Lot 4, a land locked 47 acre deferral lot (no development proposed) No changes are proposed for Lot 2 at **2286 Sheldon Rd.** R1 Agricultural/Residential District. Motion carried.

MOTION: Mr. Liegey made a motion, seconded by Mrs. Hoague, to APPROVE **CU#503 Conditional Use Request of Andre Gagne & Matthew Gagne** to construct and utilize a seasonal roadside stand (moveable) for the sale of locally produced agricultural products at **#134 Viens RD.** R1 Agricultural/Residential District. Motion carried.

MOTION: Mrs. Hoague made a motion, seconded by Mrs. Hill, to CONTINUE **CU#504 Conditional Use/Conversion/Change in Use Request of Corey Bertrand/Bertrand Property Management** to convert the current retail sales conditional use to a dance/exercise use at applicant's place of business, Bertrand Electric at **580 St. Albans Rd.** R3 Moderate Density Residential District. Motion carried.

MOTION: Mrs. Hill made a motion, seconded by Mr. Liegey, to APPROVE **#62-2014 Appeal/Variance Request of Martha Shapiro** to construct a 14ft x 18ft. storage shed which does not meet the front setback of 75 ft. (39ft proposed) at **318 Maquam Shore Rd.** SR Shoreland Recreation District. Approval was subject to the following CONDITION: The structure must be 50 feet from the southern boundary and a minimum of 16 feet from the eastern boundary (49 feet from the center of the road). Motion carried.

Mrs. Hill made a motion, seconded by Mr. Liegey, to approve the minutes of 06/26/14 as written. Motion carried.

Mr. Liegey made a motion, seconded by Mrs. Hoague and Mrs. Hill, to adjourn at 8:35 p.m. Motion carried.

Respectfully Submitted,

Yaasha Wheeler  
Development Review Board Clerk

---

Joel Clark

---

Lucie Hill

---

Gabriel M. Liegey

---

Janette Hoague