

**TOWN OF SWANTON
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**09/25/14 PUBLIC HEARING
SWANTON DEVELOPMENT REVIEW BOARD**

The Swanton Development Review Board held a Public Hearing on Thursday, September 25, 2014 at the Swanton Town Offices, 1 Academy Street, at 7:00 P.M.

Present:

Joel Clark
Janette Hoague
Lucie Hill
Spencer LaBarge
Ronald Kilburn, Zoning Administrator
Yaasha Wheeler, Clerk

Present:

Matthew & Ilze Luneau (CU#505)
Mr. Richard Michaud (CU#505)
Barbara Thibault (CU#505)
Kari Staples (#511-2014)
John & JoAnne Champagne (#511-2014)
Peter Mazurak (#511-2014)
Ronald & Colette Case (#512-2014)
Michael Gervais (#512-2014)
Eric Leduc (#513-2014)
William Roberts

Mr. Clark opened at 7:00 p.m. He explained the process of the hearing, and asked the board to mention any ex parte communications or conflicts of interest. Mr. LaBarge stated that he had communicated with Mrs. Kari Staples when she asked to know the next step; he directed her to contact Mr. Kilburn. Mr. Clark swore in the applicants.

1. CU#505 Conditional Use Request of Matthew & Ilze Luneau to create a seasonal campground at their property located at 175 Sweet Hollow Rd. R1 Agricultural/Residential District.

Matthew and Ilze Luneau came forward. Mr. Kilburn presented a plat plan that showed the exterior boundaries and neighbors. Mr. Luneau presented a more detailed plan. There were 3 12' x 16' cabins, and a bigger 24' x 36' for a rec hall (dining room, etc.). The 60' x 100' building could also be used for indoor activities as well. Mrs. Luneau explained that the whole idea was to have a camp for kids, perhaps 8 to a cabin, like a day camp/sports camp. Mr. Luneau pointed out the parking area, which was currently a field, to be accessed from the road. The lot was vacant; there were no residents on it currently.

Mr. Clark noted that the bylaws require a 5-acre campground, and the proposed project has 4.7 acres. A buffer of 100 feet is also required. There was not a road; just access to the parking area. Mr. Clark asked whether the campground would include the required lavatories, showers, etc. Mr. Luneau replied that they were planning to use portable showers. Mr. Clark noted that the bylaws allowed for the DRB to waive certain requirements, and asked to know the maximum number of people. Mr. Luneau replied that 40 people would be the maximum. Mr. Clark wished to have a more detailed plan presented, including the maximum number of people, a delineation of the parking area, and other such information.

Mr. LaBarge asked if there would be any campers, such as a parent staying overnight, and the Luneaus did not expect to have any parents staying in the camp. Mrs. Hoague asked where the water would be taken from, and Mr. Luneau replied that they had a spring-fed pond. She asked if there would be any accommodations for handicapped children; the Luneaus replied that they had not thought of that. Mr. Clark mentioned the importance of having safe drinking water. Mr. Clark recommended that the applicants should review the bylaws, and that, as he understood it, they were applying for a youth camp, not a campground that would rent cabins to campers.

Mrs. Hoague asked to know the time of year that this would be operating, and the Luneaus replied that it would be May through September, primarily July through August, Monday through Friday. Mr. Labarge asked about lighting, and the Luneaus replied that they did not have any special lighting as yet.

The Board discussed an email with the Luneaus, by a neighbor who alleged that the Luneaus were burning trash, playing loud music, and partying.

The Luneaus said that they had never burned trash, and felt that perhaps they might be confused with Mr. Luneau's brother. Mr. Clark said that, if the board continued the application, they would probably ask for a formal response to the email that would help to clear up any misunderstandings. The board would list what items they might want more information on.

Mrs. Barbara Thibault stated that the Luneaus were not burning trash; it was the neighbors who were doing so.

Mr. Richard Michaud wished to know the level of detail that the plan should have; Mr. Clark preferred a site plan as opposed to a sketch plan. Mr. Richard Michaud added that they area behind the property would not be developed.

2. #511-2014 Final Plat approval request of Sunset Ridge Estates, LLC. (Timothy Staples) to subdivide a 5.84 acre parcel into a one-acre lot with five existing units along Route #7 at 405 St. Albans Rd. and a 4.84 acre lot for proposed units in the rear portion of the property with access from Bachand Road. R3 Moderate Density Residential District.

Mr. Mazurak stated that they were back with the boundary survey, which included the subdivision of the property into two lots, and addressed the water rights. Mr. Mazurak stated that, to perform the subdivision, they surveyed the properties involved, and had a little less than 4.84 acres, with 1 acre for Lot 2 and 4.824 for Lot 1. The entire property was 4.824 acres. Mr. Clark noted that the previous subdivision had been approved as 5 acres.

Mr. Mazurak said that there were easements for all the wastewater systems, waterlines, and parking area. There would be no issue with the well impacting future development, and Mr. Mazurak explained the reason for the placement of the well. The corners of the property were not currently set, but upon approval, they would be included on the Mylar.

Mr. John Champagne stated that he was fine with the proposed project.

3.#512-2014 Property Line Adjustment Requests of Colette Case to adjust property lines to change Lot #2 from 10.1 acres to 2.6 acres and add the remaining land to Lot #4 which would become 26.45 acres, with Land Trust Easement on all of Lot #4 and no easement on Lot #2. Lot #2 would require a waiver (Section 6.2) from the regulations for the usual required 200 ft. road frontage on Champlain St. where 186.9 ft. is proposed at #1 Champlain St. SR/RC Shoreland Recreation and Recreation/Conservation Districts.

Mr. Ronald Case, Mrs. Colette Case, and Mr. Michael Gervais (Northern Land Surveying) came forward. Mr. Gervais offered some more updated plans, including the replacement septic and other details. He stated that Lot 2 was an exempt lot from wastewater because the previous subdivision was over 10 acres. However, in the current adjustment, it now needed a back-up mound, which required an easement. The state approval was pending, although the state reported that the test pits were fine.

Mr. Case explained that they did not want some of the land in land trust anymore, so that they could sell it. Mr. Gervais informed the board that Land Trust had already set their easement,

defined as 500 feet from the intersection, which was why they did not have the 16 feet required. All the land would be sold to the same person.

Mr. Gervais explained that the system was not designed, so a back-up system was required, now that it the current project no longer allowed the lot to fall into the 10-acre exemption of the previous subdivision. The board referred to Section 6.2 (Waiver Authority).

4. #513-2014 Property Line Adjustment Request of Eric Leduc to adjust property by removing the lot line between Lot #4 and Lot #5 at #1 Evelyn Lane to accommodate a new single family dwelling under construction at that location. R5 Residential District.

Mr. Leduc came forward. Mr. Kilburn stated that this application was brought up because there was an “institutional oversight” and it was discovered that, in assigning a 911 address, the lots should be joined together into one. Mr. Clark asked Mr. Kilburn if the setbacks were all met, and Mr. Kilburn agreed that all setbacks were met. The board agreed that it was all straight forward.

5. Public Comment

Mr. Bill Roberts said that he was trying to visit every Development Review Board, Planning Commission, and Selectboard in the area as he ran for the Senate. He felt the meeting was run well, and liked the way that the board handled things. He asked to know any watershed issues that might be grating on the board, since he would be meeting with the co-op soon. Mr. LaBarge thanked Mr. Roberts for showing interest in the community and attending the board’s hearing. He stated that he wished to invest in the community by taking part in the discussion on watershed issues, health care, and legalization of marijuana. He asked the board to keep him informed of any information that would come forward on watershed.

6. Any Other Necessary Business

The Board chose to meet on October 23rd.

Mr. Kilburn presented the Mylar for Ronald and Cheryl Machia, whose application was approved on June 3rd. Mr. Clark reviewed the Mylar and signed it.

Mr. Kilburn stated that the DRB approved the subdivision/lot line adjustment for Constance Hall and Normand Lussier. The Mylar appeared to satisfy the approval, except for one thing: there was only one Mylar, not two. The confusion lay in the question, Why did the Board require two Mylars? Mr. Clark said that the idea was to show the changes to Mr. Lussier and the changes to Mrs. Hall separately. Mr. Clark signed both Mylars.

Mr. Labarge made a motion, seconded by Mrs. Hill, to enter deliberative session at 8:02 p.m. Motion carried.

Mr. LaBarge made a motion, seconded by Mrs. Hill, to exit deliberative session at 8:26 p.m. Motion carried.

MOTION: Mr. LaBarge made a motion, seconded by Mrs. Hill, to CONTINUE CU#505 Conditional Use Request of Matthew & Ilze Luneau to create a seasonal campground at their property located at 175 Sweet Hollow Rd. R1 Agricultural/Residential District. Continuance was based on the following criteria:

1. The board agreed to allow the 4.9 acres, even though the requirement for a campground was 5.0 acres, since the application was for a youth camp.
2. The applicant must provide the board with a response to the e-mail 9/25/14 by Keith Taruski.
3. The applicant must show a more detailed plan on how they plan to address the criteria of Section 4.7 regarding campgrounds.
4. The applicant must provide additional information to the board regarding the operation of the youth camp.

Motion carried.

MOTION: Mrs. Hill made a motion, seconded by Mr. LaBarge, to APPROVE #511-2014 Final Plat approval request of Sunset Ridge Estates, LLC. (Timothy Staples) to subdivide a 5.84 acre parcel into a one-acre lot with five existing units along Route #7 at 405 St. Albans Rd. and a 4.84 acre lot for proposed units in the rear portion of the property with access from Bachand Road. R3 Moderate Density Residential District. Motion carried.

MOTION: Mr. Clark made a motion, seconded by Mr. LaBarge, to APPROVE #512-2014 Property Line Adjustment Requests of Colette Case to adjust property lines to change Lot #2 from 10.1 acres to 2.6 acres and add the remaining land to Lot #4 which would become 26.45 acres, with Land Trust Easement on all of Lot #4 and no easement on Lot #2. Lot #2 would require a waiver (Section 6.2) from the regulations for the usual required 200 ft. road frontage on Champlain St. where 186.9 ft. is proposed at #1 Champlain St. SR/RC Shoreland Recreation and Recreation/Conservation Districts. The board approves the waiver (Section 6.2) for the road frontage, at 186.9 feet instead of 200 feet, because of the land trust boundary that could not be moved. Motion carried.

MOTION: Mrs. Hoague made a motion, seconded by Mrs. Hill, to APPROVE #513-2014 Property Line Adjustment Request of Eric Leduc to adjust property by removing the lot line between Lot #4 and Lot #5 at #1 Evelyn Lane to accommodate a new single family dwelling under construction at that location. R5 Residential District. Motion carried.

MOTION: Mrs. Hill made a motion, seconded by Mrs. Hoague, to approve the minutes of the August 21, 2014 Development Review Board hearing as written. Motion carried.

Mrs. Hoague made a motion, seconded by Mr. LaBarge, to adjourn at 8:32 p.m. Motion carried.

Respectfully Submitted,

Yaasha Wheeler
Swanton DRB Clerk

Joel Clark

Spencer LaBarge

Lucie Hill

Jan Hoague