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**12/18/14 PUBLIC HEARING
SWANTON DEVELOPMENT REVIEW BOARD**

The Swanton Development Review Board held a Public Hearing on Thursday, December 18, 2014 at the Swanton Town Offices, 1 Academy Street, at 7:00 P.M.

Present:

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

Also present:

*Matthew Luneau (CU#505)
Michael Gervais, surveyor(CU#505, 516-2014)
John Chase(515-2014)
Richard Deso (515-2014)
Brad Ruderman, engineer(515-2014)
Ballard Austin(515-2014)
Terence Smith(515-2014)
Allen Pigeon(516-2014)
Sharon Menard(516-2014)
Chase & Fellicia Cota (CU#509)*

In the absence of Joel Clark, DRB Chair, whose opinions on the agenda items are included as an appendix to these minutes, Mrs. Hill opened the hearing at 7:00 p.m. She read the rights of interested persons and asked the board members to make known any conflicts of interest or ex parte communications; there were none. She swore in the participants.

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

A site visit had been conducted on the Luneau land on Saturday, November 22, 2014. Present: Lucie Hill, Joel Clark, Ronald Kilburn, Matthew Luneau, and Ilze Luneau.

Mr. Michael Gervais, representing the Luneaus, stated that he had revised the location of the parking area to put it closer to the cedar hedge. Mr. Luneau arrived at 7:08 p.m. and was sworn in. Mrs. Hill said that the site visit had raised her concern with the steep bank; she wanted to ensure the safety of the children. Mr. Labarge asked about parking and lighting, and Mr. Luneau replied that the parking area would accommodate up to 20 cars and that the area would be lit by two lights on posts.

Mr. Gervais informed the board that he had spoken with the state about the water issue, and they were unsure at the moment of how to handle a rustic youth camp of this nature. The permit would specify how wastewater should be handled. Mrs. Hoague asked whether the area was too wet for emergency access, and Mr. Gervais replied that the area was dry and easily accessible. Mr. Kilburn reminded that permission from Mr. Harold Garrett, Road Foreman, would be needed prior to making any road cut, and that the buildings would require building permits.

2. #515-2014 Sketch Plan Approval Request of John T. Chase to create a nine (9) lot, seven-residential unit, Planned Unit Development (PUD) of an existing, vacant, 21 acre parcel on the West side of Route #105 (Sheldon Rd.) across from the intersection with Pond Road. R1 Agricultural/Residential District. Lots 1-7 are to be developed with single-family residences; Lot 8 is to be kept as "open space" owned in common by a Homeowner's Association; Lot 10 (revised) is to be kept undeveloped as a vacant lot.

Mr. John Chase, Mr. Richard Deso, and Mr. Brad Ruderman came forward. Mr. Ruderman stated that the property as labeled as Lot 10 in a previous subdivision by Mr. Ronald Hojaboom. The new subdivision proposed a 7-lot PUD, with 7 single-family residences. The lots would be accessed by an extension of the existing road, which would be terminated with a hammerhead. There were two proposed mound systems, serving three lots and four lots, respectively. They were waiting to get through the sketch plan before pursuing state permitting. Lot 10 was retained land, Lot 8 was common land, and the seven other lots were residential; there was no lot 9, because of the way the first subdivision had been done. The applicant requested similar setback waivers as those approved in the neighboring PUD, with 20 foot side setbacks (reduced from 50 feet) and 40 foot front setbacks (reduced from 75 feet). The lots varied from 0.6 acres to 1.0 acres. The septic systems dictated where houses could be built. The majority of Lot 2 was a mound system, therefore it was a bigger lot, with an easement overlapping to Lot 1 and running along the right-of-way. The right-of-way was retained on lot 10 from the previous PUD. The Agency

of Transportation preferred the access to come from Ruth Drive, versus having another road cut in the area. The road would be gravel, not paved, and the hammerhead was 80 feet by 30 feet. Mr. Labarge asked if the plan had been run by the fire chief, and Mr. Ruderman said it had not.

Mrs. Hill asked if there was a particular reason that some of the lots were small (less than an acre). Mr. Ruderman replied that there was no reason, other than the limitations imposed by the nearby wetland area, which had not been delineated. Mr. Ruderman and the board discussed the possibility of expanding some of the lots to better mean district setbacks. The building coverage per lot was well within requirements.

Mr. Ballard Austin and Mr. Terence Smith, neighbors of Mr. Chase, came forward. Mr. Austin stated that his concern was for his privacy, and requested the construction of a 10 foot fence around the border of the subdivision. Also, he was concerned about the draining of the water from the aquifer. Mr. Smith added that he was concerned with the amount of development in the area, since more traffic meant more safety hazards and accidents. However, he was glad to see that the subdivision would be accessed by Ruth Drive, which he felt was a better and safer scenario than creating a new road.

Both Mr. Austin and Mr. Smith expressed concern with water depletion; how would so many wells affect water availability for the neighborhood? Mr. Labarge replied that, if the state approved the water permits, then it was out of the DRB's hands. Mr. Austin asked if the long-term plan involved more units, and it was determined that more development in that area would be difficult, because of the wetlands. Mr. Smith asked about outside lighting, and Mr. Ruderman replied that there might be poles with downfaced, shielded lighting.

The board thanked all parties for the information.

- 3. #516-2014 Sketch Plan and Possible Final Plat Approval Request of Allen Pigeon & Doreen Pigeon to create a two (2) lot subdivision by subdividing a 36.69 acre parcel with existing house and out-buildings into two (2) lots designated as Lot 2 & Lot 3 at 91 Campbell Bay Rd. SR Shoreland Recreation District. Lot 2 will consist of 5.06 acres, existing house and out-buildings and an easement on Lot 3 for backup septic system. Lot 3 will consist of 31.63 acres of vacant land accessed through a fifty (50 ft. previously approved right of way.**

Mr. Michael Gervais and Mr. Allen Pigeon came forward. Mr. Gervais stated that the property included an existing house, with a septic system, well, farm, and garage. The rest of the land was currently one parcel, which Mr. Pigeon hoped to break into lots 2 and 3. The replacement septic (previously approved) for the house would have an easement, as well as a 50-foot right of way, to provide access to Lot 3.

Mrs. Hill asked if there were plans to develop the 31 acres, and Mr. Pigeon replied that there were none at this time. Mrs. Sharon Menard, neighbor, viewed the plan and asked if any lots had sold. Mr. Pigeon replied that nothing had sold; all plans were “up in the air” currently.

4. CU#509 Conditional Use/Conversion Request of Chase & Fellicia Cota to convert a single-family dwelling into a two-family dwelling located at 34 South River St. R3 Moderate Density Residential District.

Chase and Fellicia Cota came forward. The Cotas stated that the property included an existing 2-car garage. They planned to break up the house into two units. Unit A would include a living room, kitchen, closet, and the second story, while Unit B would include the remainder of the first story. Unit A would be rented out, and would total 2594 square feet, including the porch, which would be converted into living space.

Mr. Chase Cota stated there was plenty of space to park cars on the side of the garage, and up to 6 cars could be parked in the paved driveway. Apartment A would have 2 entrances, a front door, and a garage door. Apartment B would not access the garage directly.

5. Public Comment – None.

6. Any Other Necessary Business

The board decided to await signing three Mylars (Colette Case, Ralph Hubbard, and Eric Leduc) until Mr. Clark was present also. The next DRB meeting was set for January 22, 2015.

Mr. Labarge made a motion, seconded by Mrs. Hoague, to enter deliberative session at 8:29 p.m. Motion carried.

Mr. Labarge made a motion, seconded by Mrs. Hoague, to exit deliberative session at 9:15 p.m. Motion carried.

Mrs. Hoague made a motion, seconded by Mr. Labarge, to APPROVE CU#505 Continuation of Conditional Use Request of Matthew & Ilze Luneau to create a seasonal campground (Youth Camp) at their property located at 175 Sweet Hollow Rd. R1 Agricultural/Residential District. Approval was given with the CONDITION that the provision shall be made for the adequate protection of campers, to keep them from falling down the bank behind the cabins. Also, the applicant shall meet all state permits for wastewater disposal, and shall provide the lighting as discussed in the meeting. The board waived the 5-acre rule, since the proposed project involved 4.9 acres. Motion carried.

Mr. Labarge made a motion, seconded by Mrs. Hoague, to CONTINUE #515-2014 Sketch Plan Approval Request of John T. Chase to create a nine (9) lot, seven-residential unit, Planned Unit Development (PUD) of an existing, vacant, 21 acre parcel on the West side of Route #105 (Sheldon Rd.) across from the intersection with Pond Road. The item was continued in order to request a better PUD design that meets district setbacks. The applicant should submit a revised sketch plan for preliminary approval to the fire chief for ingress and egress for fire vehicles. Motion carried.

Mrs. Hoague made a motion, seconded by Mr. Labarge, to APPROVE #515-2014 Sketch Plan and Final Plat Approval Request of Allen Pigeon & Doreen Pigeon to create a two (2) lot subdivision by subdividing a 36.69 acre parcel with existing house and out-buildings into two (2) lots designated as Lot 2 & Lot 3 at 91 Campbell Bay Rd. Motion carried.

Mr. Labarge made a motion, seconded by Mrs. Hoague, to APPROVE CU#509 Conditional Use/Conversion Request of Chase & Fellicia Cota to convert a single-family dwelling into a two-family dwelling located at 34 South River St. Approval was given with the CONDITION that the applicant meet the requirement of 2 parking spaces per unit (Table 3.1) and meet fire safety code for the residential units in this dwelling. Motion carried.

Mr. Labarge made a motion, seconded by Mrs. Hoague, to approve the Development Review Board minutes of 10/30/14 as printed. Motion carried.

Mrs. Hoague made a motion, seconded by Mr. Labarge, to adjourn at 9:28 p.m. Motion carried.

Respectfully Submitted,

Yaasha Wheeler, DRB Clerk

Lucie Hill

Spencer LaBarge

Janette Hoague

APPENDIX

*Thoughts on items for 18 Dec DRB Mtg
sent in an e-mail from Joel Clark, DRB Chair
dated 12/18/14 (prior to the meeting)*

The DRB took Mr. Clark's opinion under consideration during deliberation.

1. Luneau – After seeing the site, I support approval of this project. My only concern is the steep bank on the South end of the property. I'd like to see a condition to "provide adequate protection to keep campers from falling down the bank." I am not inclined to specify what type of fence or other method.
2. Chase – I have some concerns about this one. They are:
 - a. Overall I do not support such small lots in this location. Why can't they be sized to meet the one acre minimum? Many are .6 with a road right of way on them
 - b. I don't like another road access from Route 105
 - c. Lot two is almost all mound and road right of way
 - d. The applicant is requesting the setback of 100 feet to be reduced as well as side and rear setbacks.
 - e. Road should be paved.I know I cannot be there to vote, but I can not support this project.
3. Pigeon – Check section 3.2. How does the back lot meet the access requirement? Is the 50 foot right of way good for all? Limits development to 4 dwellings.
4. Cota - Need to see how they meet section 4.22 standards. Will there be adequate parking? On site or village septic?

END APPENDIX