

**TOWN OF SWANTON  
ZONING OFFICE**

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**PUBLIC HEARING  
SWANTON DEVELOPMENT REVIEW BOARD**

*Thursday, February 25, 2016*

**The Swanton Development Review Board held a Public Hearing on Thursday, February 25, 2016, at the Swanton Town Offices, 1 Academy Street, at 7:00 P.M.**

***Development Review Board members present:***

Joel Clark

Lucie Hill

Spencer LaBarge

Amy Giroux

Yaasha Wheeler, Clerk

***#DRB-02-2016 – Robert & Albert Champaine***

Robert Champaine, applicant

Albert Champaine, applicant

Rene & Patricia Fortin, interested persons (neighbors)

***#DRB-03-2016 – Shawn Cheney***

Shawn Cheney

***#DRB-04-2016 – John & Dianne Day***

John & Dianne Day, applicants

Jay Whitcomb

Mr. Clark called the meeting to order at 7:02 p.m. Mr. Clark introduced the board members and noted that Zoning Administrator, Darlene Marrier, would not be present. He asked the board members to make known any possible conflicts of interest or ex parte communications; there were none. He explained the process of the hearing and drew the attendees' attention to the definition of interested persons. He swore in all participants.

**1. #DRB-02-2016 Robert & Albert Champaine request for Conditional Use Approval for a proposed multi-family dwelling located at 12/14 Second Street in the R5/Residential District, parcel ID#SE0012-0028.**

Albert Champaine came forward. He explained that the current structure had an apartment on the top floor, and, previously, a nursing home on the lower floor. He wished to convert some of the first-floor space to a one-bedroom apartment. He explained the layout of the proposed apartment space. No square footage of living space was being added. The parking lot would allow for three to five cars, and included a turn-around. He had his own driveway, which was right on the property line. The bathroom for the proposed unit would be shared. Mr. Clark noted that the lister card showed a different floor plan than Mr. Champaine's sketched floor plan. Mr. Champaine agreed that it appeared different but could not explain the contradiction.

Mr. Clark referred to section 4.2.2 and said that the DRB may need more information before making a decision.

Mr. Rene Fortin stated that he had been living in the neighboring home for 30 years. He explained that a previous owner of the Champaine property had requested a triplex, which was denied, and had instead created a home for the elderly and, later, a bed and breakfast. After some time, the driveway was put in right on the property line, causing constant dust issues. These changes were previous to Champaine's ownership. He noted that a number of multi-family dwellings in the neighborhood had become "drug-infested." The Fortins had no problem with the Champaines at all, but they were concerned about the future; when the Champaines sold eventually, would questionable people rent apartments there? They were also concerned that adding an apartment would increase traffic and noise. Mr. Fortin was also not certain if the lot size allowed for the use.

Mr. Champaine stated that he was a caregiver for NCSS, currently caring for an elderly man and a 21-year-old man; he wished to rent the apartment to the younger man. Mrs. Fortin suggested that the space could still be used as elder care without adding an apartment.

Mr. Clark offered that the Conditional Use could be extended only to the current owners, and not to the property. He assured the Fortins that the DRB would take their concerns into consideration, and that the Champaines would receive a timely decision.

**2. #DRB-03-2016 Shawn Cheney request for Conditional Use Approval for a proposed mixed use structure located at 22 First Street in the NCL/Neighborhood Commercial Light District, parcel ID#FI0022-0028.**

Mr. Shawn Cheney came forward. Mr. Clark noted that the listers card said that there was 0% business use. Mr. Cheney disagreed with this evaluation, explaining that the structure had been used for a pet grooming business until September 2015, and he had bought it in October 2015. It had an existing kitchen, office space,  $\frac{3}{4}$  bathroom, and other

rooms. He proposed renting one side of the building as a one-bedroom apartment, and explained what rooms and spaces would accompany the apartment. The other half of the building would be an office. He proposed a double-lock system to divide the apartment from the office space.

Parking-wise, he had been told that the nearby Methodist Church could rent additional spaces for the residential parking, as they did for a neighboring property. He had received verbal approval for two parking spaces. The business parking would be along the street.

Access for the apartment would be from the door on the side, with an existing walkway which he planned to upgrade. He planned to do landscaping as well. Mrs. Hill asked to know the current setbacks for the existing building, and Mr. Cheney estimated perhaps 10 – 15 feet on all sides.

**3. #DRB-04-2016 John & Dianne Day request for a Variance from the rear yard setback requirement to construct an addition to an existing carriage shed located at 39 Torrie Drive in the R3/Moderate Density Residential District, parcel ID #T00039-0009.**

Mr. and Mrs. Day and Jay Whitcomb came forward. Mrs. Day explained that they had a 2-acre parcel, and noted the location of the structures on the property. The barn was in the back of the property. She explained that they had a rental business and lots of equipment. There was a concrete slab behind the barn, but trees and branches were “constantly falling” in the area and damaging the equipment there. They wanted to protect their equipment by building an addition using the existing slab. They had a letter from the rear neighbor stating his approval of the proposal. From the proposed addition to the edge of the brook is 17 feet and the property line went through the middle of the brook. It was noted that the angle of the property made the setbacks uneven. Mr. Day estimated that the existing barn was 27' x 36' or so.

**4. Any Other Necessary Business**

Mr. LaBarge made a motion, seconded by Mrs. Hill, to go into deliberative session at 7:53 p.m. Motion carried.

Mr. LaBarge made a motion, seconded by Mrs. Hill, to come out of deliberative session at 8:26 p.m.

Mr. LaBarge made a motion, seconded by Mrs. Hill, to approve #DRB-02-2016 Robert & Albert Champaine request for Conditional Use Approval for a proposed multi-family dwelling located at 12/14 Second Street in the R5/Residential District, parcel ID#SE0012-0028. All members unanimously opposed the motion. Motion denied. Mr. LaBarge said that the decision letter would reference the reason for the decision.

Mrs. Hill made a motion, seconded by Mr. Labarge, to approve #DRB-03-2016 Shawn Cheney request for Conditional Use Approval for a proposed mixed use structure located at 22 First Street in the NCL/Neighborhood Commercial Light District, parcel ID#FI0022-0028. All members unanimously opposed the motion. Motion denied.

Mrs. Giroux made a motion, seconded by Mr. LaBarge, to approve #DRB-04-2016 John & Dianne Day request for a Variance from the rear yard setback requirement to construct an addition to an existing carriage shed located at 39 Torrie Drive in the R3/Moderate Density Residential District, parcel ID #TO0039-0009. Motion carried unanimously.

Mrs. Hill made a motion, seconded by Mrs. Giroux, to approve the minutes of January 28, 2016 as written. Motion carried.

Mr. Labarge made a motion, seconded by Mrs. Hill, adjourn at 8:30 p.m. Motion carried.

Respectfully Submitted,

Yaasha Wheeler, Clerk

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Joel Clark

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Lucie Hill

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Spencer LaBarge

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Amy Giroux

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Gabriel M. Liegey, Jr.