

**TOWN OF SWANTON
ZONING OFFICE**

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**PUBLIC HEARING
SWANTON DEVELOPMENT REVIEW BOARD**

Thursday, April 21, 2016

The Swanton Development Review Board held a Public Hearing on Thursday, April 21, 2016, at the Swanton Town Offices, 1 Academy Street, at 7:00 P.M.

Board Members Present:

Joel Clark
Amy Giroux
Gabriel Liegey
Yaasha Wheeler, Clerk
Darlene Marrier, Zoning Administrator

DRB-06-2016 & DRB-07-2016 - Alexei Hudak

Alexei Hudak
Gerald Wells
Ed Daniel
Devin Quinlan
Amanda Torry
Michael Benjamin
Thomas & Jackie Tatro
Julie Concannon
Marc Choiniere
Lorraine Corbiere

DRB-08-2016 - HD Campbell

Not present.

DRB-10-2016 - Bruce & Madeline Young/Alan & Linda Young

Bruce & Madeline Young

DRB-11-2016 – Pierre & Denise Choquette/Luc Choquette/Nicole Juiffre

Pierre & Denise Choquette
Peter Mazurak, Cross Consulting Engineers

DRB-12-2016 – Jeffrey Cota Jr.

Not present.

DRB-13-2016 – Kevin Nichols

Kevin & Marybeth Nichols

Any Other Necessary Business

Scott Rheaume
Rebecca Ashline

Mr. Clark opened the meeting at 7:05 p.m. He introduced the board members, explained the process of the meeting, and directed the attention of the attendees to the definition of interested persons. There were no conflicts of interest or ex parte communications amongst the board members. He swore in the participants.

- 1. DRB-06-2016 Continuance of Alexei Hudak request for Condition use Approval to construct a multi-family dwelling, 3 units located at 37 ½ Greenwich Street in the R5/Residential District, parcel ID#GR0037-5028.**
- 2. DRB-07-2016 Continuance of Alexei Hudak request for a Variance from the setback requirements to construct a multi-family dwelling, 3 units located at 37 ½ Greenwich Street in the R5/Residential District, parcel ID#GR0037-5028.**

The site visit had been held at 6:30 p.m. Present at site visit: Joel Clark, Amy Giroux, Alexei Hudak, and various neighbors.

Mr. Clark said his main concerns involved the vagueness of the boundary and the variance for the stream-bank. Mr. Hudak asked how the ditch was classified as a stream, and Mr. Clark said he considered that, because there was flow, he would consider it a stream and believed that the state would classify it as a stream. The bylaws required certain setbacks from streambanks. They had measured about 33 feet from the bank at the site visit; the bylaw setback was 50 feet (Section 3.14).

Mr. Hudak stated that parking would be in the front. The building would be 50 feet across the front, 30 feet deep, with a porch. He estimated 58% of open space remaining on the lot, after the parking lot was included. (Maximum building coverage was 30 percent.) He planned on cedar hedges. He estimated no more than 30 loads of fill, and planned for a gravel driveway.

Mr. Devon Quinlan, neighbor on the west side of the road, said there was flow through the creek that at times caused flooding in his yard. He was concerned about any additional runoff. He noted that the culvert in the area was “probably not adequately sized.” Mr. Hudak was curious about the municipal stormwater drain in Greenwich Street: Did it drain into the culvert in question? Mr. Clark explained where he believed the water went, and Mr. Hudak said that, on his side, there was very little flow even in a substantial rainstorm. He had never seen the water back up in his area.

Mr. Thomas Tatro said he was concerned about the ownership of the trees and where the boundary line was. He wanted to keep the trees, if they were his. He wished for some surveying to be done. He was also concerned about the lack of water pressure; how would three more units affect that? Mr. Clark acknowledged the concerns.

Mr. Ed Daniel mentioned what he believes were wetlands.

Ms. Concannon believed that the brook would count as a waterway.

3. DRB-08-2016 HD Campbell continuance of request for Conditional Use Approval to operate a contractor’s yard, located at 325 North River Road in the NC/Neighborhood Commercial District, parcel ID#NR0325-0008.

Mrs. Marrier had contacted Mr. Campbell but he was not able to be present. He was glad that the board was working on the matter.

4. DRB-10-2016 Bruce & Madeline Young/Alan & Linda Young request for Site Plan approval for a two-lot subdivision located at 239 North River Street in the NC/Neighborhood Commercial District, parcel ID#NR0239-0008.

Mr. Bruce and Mrs. Madeline Young came forward. Mr. Young said that they wished to set up a trust for the house lot, and would be subdividing to create a new lot with a 60-foot right-of-way. The lot had been surveyed. He presented a letter from his neighbor (his brother and sister-in-law) stating that they had no problems with the project as proposed.

5. DRB-11-2016 Pierre & Denise Choquette/Luc Choquette/Nicole Juiffre request for Site Plan Approval for a two lot subdivision located at 8 Cook Road in the R1/Agricultural Residential District, parcel ID#CK0008-0014.

Mr. Peter Mazurak, Cross Consulting Engineers, came forward with Mr. Pierre & Mrs. Denise Choquette. Mr. Mazurak said they proposed to take a 6.4 acre lot and split it into 2 lots. There was an existing dwelling on the southern side of the lot, and they had located another septic system on the back of the property. The unneeded replacement mound area was being turned into the septic system into Lot 2A. There was a proposed drilled well. The proposed subdivision line was 277 feet. Mr. Mazurak explained the reasons for the configurations of the lots, which he had tried to divide as evenly as possible.

6. DRB-12-2016 Jeffrey Cota Jr. request for a Variance from the setback requirements to construct a garage located at 63 Liberty Street in the R5/Residential District, parcel ID#LB0063-0028.

Mr. Cota was not present.

7. DRB-13-2016 Kevin Nichols request for Conditional Use Approval to operate a storage facility, located at 96 St. Albans Road in the R3/Moderate Density Residential District, parcel ID#SR0096-0013.

Mrs. Denise Corriea, abutting landowner, had called the Zoning Administrator to state that she was fine with the plan as proposed.

Mr. Clark swore in Mr. Nichols, since he had not been there for the first swearing. Mr. Nichols said he had cleared roughly 4 acres in the area and he owned a road that went across the property. He had been in touch with the people who had a right-of-way to the road, and they were fine with the plan. He proposed having a tree-line as a buffer, and downcast lights on the storage unit. He would upgrade and gate the road in the area. There would be open storage for boats and campers and similar items, as well as 5 or so closed storage units at some point. Mr. Clark said he would likely ask for a more detailed site plan, with clearer dimensions.

Mr. Daniel asked about security. Mr. Nichols said that there was a wall around the area, and the tree-line was forty feet thick and too dense to drive a vehicle. He would also have a security camera and a gate with key-card access. The access required going through "someone's back yard" as well.

8. Any Other Necessary Business

Mr. Scott Rheume came forward. Mrs. Marrier said that she had spoken with the Village Manager, who was fine with the proposal, with some suggestions. Mr. Rheume proposed to extend the existing art walls (in front of the Village Complex and in front of the Chamber of Commerce), which were currently 8' wide by 8' tall. He would like to extend the length to 12 feet. The additions would not extend closer to the road. Mr. Clark recalled that the art walls were considered accessory structures.

Mr. Rheume said that Jessica Pelkey would like to have an 8' x 8' art wall on her property at 33 Canada Street. He shared a potential site plan with two options. He estimated that the wall would be five feet from the sidewalk, closer to the house. He had made it clear to Ms. Pelkey that this was for art only—no advertising. Mr. Clark said he was a little more hesitant about this proposal, since it edged into the residential district (R5). He recommended speaking with the neighbors to ensure they had no concerns.

Mr. Rheume reminded the board that an art wall in front of the elementary school on Grand Avenue had been considered as well.

Mrs. Marrier submitted the Mylar for the Fournier project on Church Road (approved 03/24/16).

The board agreed to meet on May 26, 2016 at 7 p.m.

9. Deliberative Session & Action

Mrs. Giroux made a motion, seconded by Mr. Liegey, at 8:17 p.m. Motion carried.

Mr. Liegey made a motion, seconded by Mrs. Giroux, to exit deliberative session at 8:29 p.m. Motion carried.

Mr. Liegey made a motion, seconded by Mrs. Giroux, to APPROVE DRB-06-2016 Continuance of Alexei Hudak request for Conditional Use Approval to construct a multi-family dwelling, 3 units located at 37 ½ Greenwich Street in the R5/Residential District, parcel ID#GR0037-5028; and DRB-07-2016 Continuance of Alexei Hudak request for a Variance from the setback requirements to construct a multi-family dwelling, 3 units located at 37 ½ Greenwich Street in the R5/Residential District, parcel ID#GR0037-5028. There were no ayes; all nays. Motion DENIED unanimously.

Mrs. Giroux made a motion, seconded by Mr. Liegey, to continue DRB-08-2016 HD Campbell continuance of request for Conditional Use Approval to operate a contractor's yard, located at 325 North River Road in the NC/Neighborhood Commercial District, parcel ID#NR0325-0008. Motion carried.

Mr. Liegey made a motion, seconded by Mrs. Giroux, to approve DRB-10-2016 Bruce & Madeline Young/Alan & Linda Young request for Site Plan approval for a two-lot subdivision located at 239 North River Street in the NC/Neighborhood Commercial District, parcel ID#NR0239-0008. Motion carried.

Mrs. Giroux made a motion, seconded by Mr. Liegey, to approve DRB-11-2016 Pierre & Denise Choquette/Luc Choquette/Nicole Juiffre request for Site Plan Approval for a two lot subdivision located at 8 Cook Road in the R1/Agricultural Residential District, parcel ID#CK0008-0014. Motion carried.

Mr. Clark made a motion, seconded by Mr. Liegey, to continue DRB-12-2016 Jeffrey Cota Jr. request for a Variance from the setback requirements to construct a garage located at 63 Liberty Street in the R5/Residential District, parcel ID#LB0063-0028. Motion carried.

Mr. Clark made a motion, seconded by Mr. Liegey, to approve DRB-13-2016 Kevin Nichols request for Conditional Use Approval to operate a storage facility, located at 96 St. Albans Road in the R3/Moderate Density Residential District, parcel ID#SR0096-0013. Approval was subject to a more detailed, approved site plan. Motion carried.

Mr. Liegey made a motion, seconded by Mrs. Giroux, to approve the DRB minutes of March 24, 2016. Motion carried. The DRB signed the minutes.

Mr. Liegey made a motion, seconded by Mrs. Giroux, to adjourn at 8:37 p.m. Motion carried.

Respectfully Submitted,

Yaasha Wheeler
Development Review Board Clerk

Joel Clark

Lucie Hill

Spencer LaBarge

Gabriel M. Liegey, Jr.

Amy Giroux