

**TOWN OF SWANTON
DRAFT MINUTES
SWANTON DEVELOPMENT REVIEW BOARD**

Wednesday, April 27, 2017 @ 7:00 p.m.

Board Members Present: Joel Clark, Chair; Lucie Hill, Vice Chair; Gabe Liegey, Spencer LaBarge, and Harold Garrett, Members

Also Present:

Amy Giroux, Zoning Administrator
Elisabeth Nance, Town Administrative Assistant
Karen Drennen

DRB-07-2017

Evan Barquist
Michael Heller
Rona Davis
Shelly Robtoy
Shawn Robtoy
Gary Langlois

DRB-08-2017

Kene Hackett
France Hackett

DRB-09-2017

Michael Heller
Evan Barquist
Gary Langlois

DRB-10-2017

Joseph Gregoire
Laura Gregoire
Ronnie Bruyette
Nakiah Dykeman

DRB-11-2017

Brian Burns
Nancy Burns
CJ Murray
Deborah Lowe-Murray
Gregg Gervais
Nicole Gervais
Wesley Decker
Dolores Decker

DRB-12-2017

Kevin Lothian

A. Call to Order – Chair Clark called meeting to order at 7:02 p.m.

B. Agenda Review – no changes

C. Meeting Topics:

1. **#DRB-07-2017: 166385 Canada, Inc. & Michael Heller** request for approval of a Lot Line Adjustment between two non-conforming lots to convey 132 square feet located at 40 & 42 Maquam Shore Road in the SR Shoreland Recreation Zoning District, parcel ID# MQ0040-0008 & MQ0042-0008.

Evan Barquist presented on behalf of Mr. Heller. This is part of a settlement of a boundary dispute lawsuit and transfers land from 40 Maquam Shore Rd to 42 Maquam Shore Rd. Mr. Barquist stated that this makes the boundary line “closer to the facts on the ground” putting the boundary between the patios located on each property instead of cutting through Mr. Heller’s stairs.

2. **#DRB-08-2017: Susan Spodoro** request for variance for a proposed single family dwelling 50’ x 30’ with a 14’ x 40’ deck on the east side of Maquam Shore Road. Variance for both side setbacks of 18.5’ and no site plan located at 200 Maquam Shore Road in the SR/Shoreland Recreation Zoning District and the R3/ Moderate Density Residential Zoning District, parcel ID# MQ0200-0011.

Ms. Sparodo did not appear.

3. **#DRB-09-2017: Cedars, LLC / Gary Langlois** request for a Conditional Use Permit to take down a nonconforming structure and replace with a structure adding length and height to back dormer, and adding a front dormer and front porch 40’ x 4’ located at 39 Maquam Shore Road in the R3 Moderate Density Residential Zoning District, parcel ID# MQ0039-0008.

Mr. Langlois stated that the dormers are meant to make the headroom in the living space bigger. Mr. Garrett asked whether the upstairs balcony will be removed to which Mr. Langlois replied that it would.

Mr. Langlois is not changing the foundation but is extending the area that is now a pad on the front of the house to become a porch. Mr. Langlois informed the Board that the correct dimensions of the porch are 40’ x 6’, not 40’ x 4’ as indicated on the application.

Mr. Heller asked if there is going to be a front door from the residential space to the outside as indicated on the renderings. Mr. Langlois stated that there will be a door from the residence to the porch.

Mr. Heller stated that he has no issues with structure.

4. **#DRB-10-2017 Joseph & Laura Gregoire** request for Conditional Use Permit for the conversion of an existing building into a firearm, ammunition & sporting retail shop and proposing a 12’ x 24’ attached addition located at 27 North River Street in the NCL/Neighborhood Commercial Light Zoning District, parcel ID# NR0027-0024.

Chair Clark asked what other structures are on the lot. Mr. Gregoire stated that there is a storage shed approximately 8’ x 8’.

Mr. Gregoire stated that there is no driveway on the property but that he met with Mike Menard who agreed Gallup Ct access may be a better option as VTrans is not anxious to add any cutouts along VT Route 78.

Mr. Gregoire planned to add a bathroom but noted that there is currently no water, sewer, or gas on the property; Swanton Electric has put a power drop on a pole for him.

When asked what updates he planned to make, Mr. Gregoire stated that he intended to wash the exterior of the building and would eventually like to add to the existing structure. Mr. Gregoire also intends to add outdoor lighting and as an electrician believes motion lights are appropriate on those sides of the building facing residences; security lights would probably be on a photocell.

Mr. Gregoire clarified that the driveway would not be as large as shown on drawing because there is a clearance issue with people backing out and causing congestion on Gallup Ct. Mr. Gregoire thought he would like to be able to have space for 6-8 cars parked at the location. Mr. Garrett asked if the driveway could be 30' instead of 40'. Mr. Garrett expressed concerns about whether headlights would affect neighbors. Mr. Gregoire believes most cars would back out of the driveway.

Mr. Bruyette stated that he did not receive notification of the public hearing and requested that this matter be tabled until he can review the information since he owns four houses in the area; when asked, Mr. Bruyette replied that he not know about the hearing until Sunday.

Mr. Bruyette did state that he does not want driveway on Gallup Ct because there is a school bus drop there and believes entrance should be on River St.

Mr. Dykeman lives directly across the street and, while he understands Mr. Bruyette's concerns, prefers the driveway on Gallup Ct. He is also worried about security lighting shining into his residence, and is concerned about the safety of the minor children who live in the area and wants to make sure there are adequate security measures given the type of merchandise that would be stored and sold on the property. Chair Clark said that the internal security would be up to the owner and that the Swanton Police Department may need to address external concerns.

5. **#DRB-11-2017: Brian & Nancy Burns** request for approval of a Conditional Use Permit to operate a Dog Kennel in an existing 80' x 40' building with no more than 10 dogs located at 2306 Highgate Road in the R1/Agricultural Residential Zoning District, parcel ID# HI2306-0024.

Mr. Burns stated that Ms. Burns is a dog trainer who would like to train therapy dogs. The kennel is meant to house 5-6 dogs in addition to the Burns' own dogs; the boarding would offset the cost of the training.

The Burns stated that they are not changing the property but updating an existing building and may be adding heat. When asked if the dogs will be housed completely indoors the Burns stated there will be a fenced run added.

Ms. Burns stated that they planned to add either trees or fencing to screen the property from the view of the neighbors. Mr. Garrett asked about the potential issue of barking. Mr. Burns replied that the dogs would be inside the building after 8:00 pm but they will do their best while the dogs are outside.

Mr. LaBarge asked about parking. There is some parking as well as room for pick-up/drop-off. Mr. Burns is looking at doing a turn-around on the shared driveway and is open to driveway options.

Ms. Gervais is a neighbor concerned that this venture would change the make-up of the neighborhood from residential to commercial. Ms. Gervais does not have any issue with Ms. Burns training therapy dogs but is concerned that there may be up to 10 dogs on the premises.

Ms. Gervais stated that her property is less than 200 feet from the large back door, which means there is no buffer against noise; she requests to approve any buffer, like trees (maybe cedar) or a fence that the Burns would be required to maintain.

Mr. Gervais would like the large garage door kept shut while the dogs are inside.

Ms. Decker asked whether there is running hot/cold water and a sink inside the building, and asked about waste disposal. Chair Clark stated that waste removal is an issue for the state and that Swanton has an animal control officer who will handle any barking or registration issues.

Ms. Decker reiterated that this is an established neighborhood and voiced concern that multiple dogs on the property will drive away wildlife; she provided information she had found on the Internet to the Board.

Ms. Lowe-Murray spoke to concerns about the environmental impact of the dogs, including the pond in the back. She is concerned about the noise the dogs will make outside and echoed Ms. Gervais. She does have a cedar hedge that does not negate the sounds already in the neighborhood.

Ms. Lowe-Murray also mentioned her concern about onsite signage.

Ms. Lowe-Murray's main concern, though, is the noise. When queried, Ms. Lowe-Murray stated that four boarders plus the Burns' two dogs, for a total of six, would be acceptable. Ms. Gervais stated that no more than five dogs housed on site would be acceptable to her.

6. **#DRB-12-2017: 183 North River, LLC / Kevin Lothian** request for a conditional use permit to build a 38' x 30' open accessory use/structure; with roof at 183 North River Street located in the NC/Neighborhood Commercial Zoning District, parcel ID# NR0183-0022.

Mr. Lothian stated that he has hired to extra workers and wants to get them out of the weather by constructing this structure, which will abut the existing building. The structure will be open with four (4) pillar supports.

7. Minutes DRB – Mr. Liegey made a motion seconded by Ms. Hill, to approve the minutes of the March 23, 2017 DRB meeting. Motion carried, with Mr. Garrett abstaining.
8. Any Other Necessary Business – None
9. Public Comment – None
10. Deliberative Session – Mr. LaBarge made a motion at 8:23 p.m., seconded by Ms. Hill, to enter deliberative session. Motion carried.

Mr. Liegey made a motion, seconded by Mr. LaBarge, to exit Deliberative Session at 9:02 p.m. Motion carried.

11. Action Taken:

Mr. LaBarge made a motion, seconded by Mr. Liegey, to approve 166385 Canada, Inc. & Michael Heller request for approval of a Lot Line Adjustment between two non-conforming lots to convey 132 square feet located at 40 & 42 Maquam Shore Road in the SR Shoreland Recreation Zoning District, parcel ID# MQ0040-0008 & MQ0042-0008 as presented. Motion carried.

Ms. Hill made a motion, seconded by Mr. LaBarge, to approve Cedars, LLC / Gary Langlois request for a Conditional Use Permit to take down a nonconforming structure and replace with a structure adding length and height to back dormer and adding a front dormer and front porch 40' x 4' located at 39 Maquam Shore Road in the R3 Moderate Density Residential Zoning District, parcel ID# MQ0039-0008 as presented, noting the corrected size of the porch as 40'x 6'. Motion carried.

Ms. Hill made a motion, seconded by Mr. Liegey, to table Joseph & Laura Gregoire request for Conditional Use Permit for the conversion of an existing building into a firearm, ammunition & sporting retail shop and proposing a 12' x 24' attached addition located at 27 North River Street in the NCL/Neighborhood Commercial Light Zoning District, parcel ID# NR0027-0024 for thirty (30) days so that interested parties who did not receive adequate notification can review the information. In the meantime, the DRB will request a detailed site plan from Mr. Gregoire. Motion carried.

Mr. LaBarge made a motion, seconded by Ms. Hill, to continue Brian & Nancy Burns request for approval of a Conditional Use Permit to operate a Dog Kennel in an existing 80' x 40' building with no more than 10 dogs located at 2306 Highgate Road in the R1/Agricultural Residential Zoning District, parcel ID# HI2306-0024 so that the DRB can do a site visit on May 25, 2017 at 6:00 p.m. The DRB also requests Ms. Giroux research whether the State of Vermont licenses kennels. Motion carried.

Mr. Liegey made a motion, seconded by Ms. Hill to approve 183 North River, LLC / Kevin Lothian request for a conditional use permit to build a 38' x 30' open accessory use/structure; with roof at 183 North River Street located in the NC/Neighborhood Commercial Zoning District, parcel ID# NR0183-0022 as presented Motion carried.

12. Set Next DRB Meeting Date – Wednesday, May 25, 2017 to include a visit at 6:00 p.m. to the Burns (DRB-11-2017) site. The regular meeting will begin at 7:00 p.m. in the Town Offices, 1 Academy St., Swanton.
13. Adjournment – Mr. Liegey made a motion at 9:07 p.m., seconded by Mr. LaBarge, to adjourn. Motion carried.