

**MINUTES
TOWN OF SWANTON
DEVELOPMENT REVIEW BOARD (DRB)
Swanton Village Complex
120 First Street, Swanton, VT 05488
Thursday, March 31, 2022 @ 6:00 p.m.**

Present: Spencer LaBarge, Chairman; Reg Beliveau, Harold Garrett, Jim Pratt, Jennifer Yandow, Members; Amy Giroux, Zoning Administrator; Joseph Cava, Administrative Assistant; Howard LaRose; Beverly Montiel; Lori Kraft; C. Montiel-Kraft; Wayne St. John; Ginny St. John; Mark Ledoux; Todd Ledoux; Peter Mazurak

*All motions carried unanimously unless specified otherwise.

- A. Call to Order – Mr. LaBarge called the meeting to order at 6:01 p.m.
- B. Agenda Review – Mr. LaBarge read the definition of interested persons and swore in applicants, interested persons, and the board members. One person abstained from being sworn in.

C. Meeting Topics

- 1. **#DRB-07-2022: Howard LaRose / Badermann Management LLC** request for site plan approval to take down a commercial building and rebuild in the same footprint located at 77 First Street in the NCL/Neighborhood Commercial Light district.

Mr. Mazurak, Mr. LaRose’s project engineer, introduced himself and led in an introduction of the project. He said that Phase 1 of the development is to demolish the existing restaurant building on the far left, southwesterly side, of the complex of buildings and rebuild in the same footprint. Mr. LaBarge asked what the purpose of creating an alley between the buildings was for? Mr. Mazurak responded that the alley would operate as a fire barrier between the new building and the existing buildings in the complex. Mr. LaRose added that the ten to fifteen feet wide alley could also accommodate product deliveries. Mr. Mazurak continued adding about improvements to the existing parking lot creating 21 parking spaces opposed to the unstripped lot as it exists. Ms. Yandow asked about lighting for the parking lot? Mr. Mazurak responded that there are plans to install lighting on the new building.

Mr. LaBarge asked about the existing location of the liquor store and what was planned for this commercial space? Mr. LaRose responded that three to four new commercial spaces could be created during Phase 2 of the project. Mr. Pratt asked about the number of residential rental units upstairs and if they were expanding? Mr. LaRose responded that he had no intention of creating more rental units but would encompass this portion of the complex during Phase 2 development. Mr. Garrett asked if the expanded liquor store would be operating a redemption center? Mr.

LaRose responded no. Ms. Yandow asked about whether an electric vehicle charging station could be implemented on site? Mr. LaRose responded that this was not a part of his plan. Ms. Giroux added that electric vehicle charging stations are regulated by the State of Vermont under Act 250 review and would not require this for local permit review.

Mr. Ledoux expressed concern over the project as an abutting property owner. His concern was whether a loading dock would be on the backside of the building and how this would impact residential property owners surrounding the complex? Mr. LaBarge responded to the questions stating that the existing plan does not call for a loading bay on that side of the building. Mr. LaRose added that deliveries would still be taken in from the main parking lot on the front side of the building. Mr. Ledoux also asked about the upstairs apartments and their condition? Mr. LaBarge explained that this is a Phase 2 development in the project and if Mr. Ledoux had concerns, he could contact the State of Vermont.

2. **#DRB-08-2022: Wayne St. John** request for variance for the north and south side setback to build a 2-story garage located at 12 Maquam Shore Road in the SR/Shoreland Recreation district.

Mr. St. John introduced his project stating that he would like to build an oversized two-car garage with storage upstairs. His design for the garage would complement the existing house on the property. Ms. Giroux asked Mr. St. John to clarify about the front setbacks of the planned garage as it relates to the center of the road? Mr. St. John responded that the front of the garage to the center of the road would measure 70-feet.

Mr. LaBarge raised concerns about the applicant's ability to meet conformity requirements to be granted a variance. This is due to the narrow lot arrangement of properties along Maquam Shore Road. Mr. St. John responded that it would be difficult to build a narrow garage because this would eliminate the goal of having a second floor in the building's plan. Mr. LaBarge explained that in the past the DRB has granted projects for structures being located within 10-feet of abutting property lines, but it is difficult to grant a variance. Mr. LaBarge asked whether a hardship has been placed upon the applicant due to the narrow lot size? Mr. St. John explained that this is a severely narrow lot compared to abutting properties in this area along Maquam Shore Road.

Mr. Beliveau asked Ms. Giroux if the applicant could qualify for a conditional use less 30%? Ms. Giroux responded no, and this is why the project is coming before the board as a variance and not a conditional use. Mr. LaBarge explained that if there were enough non-permeable surfaces they could go in this direction. Mr. Beliveau mentioned the ash trees on the property and whether or not shoreline permit regulations would require them to stay in place? Mr. St. John said that three ash trees were slated to be taken down, but the State requires that these trees be replaced.

Mr. LaBarge recommended the DRB conduct a site visit before the next meeting to better understand the limitations created by the narrow lot because the existing project cannot be approved as is. In the interim, Mr. LaBarge recommended that the applicant consider a downsized project alternative to meet setback requirements. Ms. Kraft asked about the leech field on the property and how new construction would impact its effect on Lake Champlain? Mr. LaBarge responded that the State took over this portion of project development and deems it as an existing feature that wouldn't be impacted by development because residential occupancy of the property will not be changing.

D. Minutes DRB February 24, 2022

Mr. Garrett made a motion to approve the Draft Minutes from the February 24, 2022 DRB Meeting, seconded by Mr. Beliveau. Motion carried.

E. Public Comment (None)

F. Deliberative Session

Mr. Pratt made a motion at 6:55 p.m. to enter deliberative session, seconded by Ms. Yandow. Motion carried.

Mr. Pratt made a motion at 7:36 p.m. to exit deliberative session, seconded by Ms. Yandow. Motion carried.

Mr. Beliveau made a motion, seconded by Mr. Pratt, to approve DRB-07-2022: Howard LaRose / Badermann Management LLC request for site plan approval to take down a commercial building and rebuild in the same footprint located at 77 First Street in the NCL/Neighborhood Commercial Light district as warned, with the condition that the applicant provides the State permits before a local permit is released. Motion carried.

Mr. Garrett made a motion, seconded by Ms. Yandow, to continue DRB-08-2022: Wayne St. John request for variance for the north and south side setback to build a 2-story garage located at 12 Maquam Shore Road in the SR/Shoreland Recreation district to complete a site visit at 6:00 p.m. on April 28, 2022. Motion carried.

G. Any Other Necessary Business (None)

H. Set Next DRB Meeting Date

Joint Planning Commission/DRB Working Meeting - Wednesday, April 27, 2022 @ 6:00 p.m. at the Swanton Town Hall

DRB Meeting – Thursday, April 28, 2022 @ 6:30 p.m. at the Swanton Town Hall with a site visit at 12 Maquam Shore at 6:00 p.m. prior to the meeting.

- I. Adjournment – Mr. Beliveau made a motion to adjourn the meeting at 7:40 p.m., seconded by Ms. Yandow. Motion carried.

Respectfully Submitted,

Joseph Cava
Administrative Assistant

Spencer LaBarge, Chair

Reg Beliveau

Harold Garrett

Jim Pratt

Jennifer Yandow