

**MINUTES
TOWN OF SWANTON
SWANTON DEVELOPMENT REVIEW BOARD
Town Office Building
1 Academy Street, Swanton, VT 05488
Thursday, July 28, 2022 @ 6:00 p.m.**

Present: Spencer LaBarge, Chair; Reg Beliveau, Harold Garrett, Jim Pratt, Jennifer Yandow, Members; Amy Giroux, Zoning Administrator; Joseph Cava, Administrative Assistant; Richard Cummings; Melinda Ives; Christopher Ives; Renee Cioffi; Sandra Bracey; Stephen Bracey; Rosaire Laroche; Kristen Messier; Nate Messier; Reinhold Engelman; Susanne Washburn; Ryan Jordan; Stephen Tetreault; Elizabeth Nance

DRB-10-2022
Richard Cummings

DRB-20-2022
Rosaire Laroche

DRB-18-2022
Melinda Raymo

DRB-21-2022
Kristen Messier

DRB-19-2022
Sandra Bracey

DRB-22-2022
Reinhold Engelman

DRB-23-2022
Ryan Jordan

*All motions carried unanimously unless stated 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.
- C. Meeting Topics:

- 1. #DRB-10-2022: Richard Cummings** request for final plat approval for a 4-lot subdivision located at 89 Jerrymill Lane in the R1/Agricultural Residential district.

Mr. LaBarge asked whether the DRB members had any questions? Hearing none, Mr. LaBarge opened up this topic to the public for questions.

- 2. #DRB-18-2022: Melinda Raymo** request for conditional use approval to operate a Herbalife Nutrition Club and indoor gym space located at 44 Merchants row in the CB/Central Business district.

Mr. LaBarge asked if the gym would be located where New Beginning Fitness used to be on Merchants Row? Ms. Ives responded no. Ms. Yandow reminded Mr. LaBarge that the proposed business would be where Rexall Drugs used to be. Ms. Ives gave a brief summary of the project including light workout equipment/classes, Herbalife shakes, herbal supplements, and community outreach drives.

Mr. Beliveau asked if the applicants had contracted a plumber? Mr. Ives said yes. Mr. Garrett asked about the days and hours of operation? Ms. Ives responded that the business would be operating Sunday through Saturday, from 6:00 AM to 10:00 PM. Ms. Yandow raised concerns of noise Ms. Giroux responded that the application contained no noise proposals beyond general business operation. Ms. Washburn asked about membership? Mr. Ives responded that it would be open to everyone, no membership required.

- 3. #DRB-19-2022: Sandra Bracey** request for conditional use to convert a single-family dwelling to a two-family located at 2527 Highgate Road in the SG/Southern Growth district.

Ms. Bracy opened by saying the plan was to add an additional bedroom and sunroom to the existing house. A kitchen would be built in the existing laundry room upstairs. The owners will occupy the lower level of the house, and the children of the applicants will live upstairs.

Mr. LaBarge asked if the applicant had a sketch of the proposed addition? Ms. Giroux passed a sketch around to members of the DRB for review. Mr. Pratt gave a breakdown to members of the DRB about habitable space versus non-habitable space like a proposed exterior deck. Mr. LaBarge asked about setbacks? Ms. Giroux responded that the applicants are all set in regard to setback requirements.

- 4. #DRB-20-2022: Rosaire Laroche** request for conditional use less 30% (after-the-fact) for a sugar house located at 415 French Hill Road in the RC/Recreation Conservation district.

Ms. Giroux made Mr. Laroche aware that the existing structure was not permitted before it was constructed. Ms. Giroux also reminded members of the board that the existing structure doesn't meet front setback requirements but qualifies for the conditional use less 30%. Mr. Garrett asked if it was correct that the right-of-way is 100 ft.? Ms. Giroux responded that the right-of-way is 50 ft. and the front setback is currently 75 ft. and it needs to be setback at least 100 ft.

Mr. Pratt gave a brief summary on the difference between farms that are permitted agricultural enterprises and hobby agricultural enterprises like a sugarhouse and pump house. Mr. Beliveau asked for clarification on the difference between farms and how it impacts the permitting process? Ms. Giroux responded that there is more leniency for farmers, but structures still need to be permitted and the difference is in the permitting fees.

5. **#DRB-21-2022: Kristen Messier** request for variance for the front setback for an addition to a single-family dwelling located at 26 Lake Street in the R3/Moderate Density Residential district.

Mr. and Ms. Messier responded that they moved from their residence at 26 Lake St. but retained an emotional attachment to their previous residence and decided to move back and add an addition to make it more livable.

Ms. Giroux added that the applicants are half a foot or six inches away from qualifying for condition use less 30%. The applicants asked what this meant? Ms. Giroux expanded on what a conditional use means and how it would be easier for the DRB to approve a conditional use over a variance.

Mr. Messier asked about the afterthought of adding a porch at the rear of their proposed plans? Ms. Giroux responded that this would be making an already non-conforming structure more non-conforming.

6. **#DRB-22-2022: Reinhold Engelmann** request for conditional use to convert a single-family dwelling with 1 apartment to a multi-family dwelling (3 units) located at 57 Canada Street in the R5/Residential district.

Mr. Engelmann spoke about the various repairs that needed to be made to the structure. The lower half of the residence is used as the primary residence with an apartment upstairs. There are no plans to expand the existing footprint of the house, only build interior walls to divide the space into the proposed three dwelling units, Mr. Engelmann also proposed installing a kitchen and bathroom in the sunroom to accommodate the third unit. He expanded adding that part of the driveway is being removed and converted to green space to achieve greater lot coverage conformity.

Mr. Pratt and a neighbor in the audience gave positive feedback on how much better the residence looks since the renovations began.

7. **#DRB-23-2022: Ryan Jordan** request for conditional use to build two family dwellings located at Queens Court in the SR/Shoreland Recreation and RC/Recreational Conservation district.

Mr. Jordan purchased the Lafar subdivision for three single-family homes to be constructed on Lots 1, 2, and 4. Mr. Jordan is seeking a conditional use to build three duplexes in place of the allowable single-family dwellings. Mr. Jordan expressed that beyond conditional use, it would require an engineer approval to show that wastewater and water systems can be supported.

Mr. Beliveau asked road frontage? Mr. Garrett added that the proposed cul-de-sac should encompass all three-lots including the Lafar house on Lot 3 to meet road frontage requirements. Mr. Pratt asked about the ownership of Lot 3? Mr. Jordan

responded that Lot 3 will have a boundary line adjustment to encompass more land with the planned development.

D. Deliberative Session

Ms. Yandow made a motion to enter deliberative session at 6:57 p.m., seconded by Mr. Garrett. Motion carried.

Mr. Pratt made a motion to exit executive session at 7:29 p.m., seconded by Mr. Beliveau. Motion carried.

Mr. Beliveau made a motion, seconded by Mr. Pratt, to approve DRB-10-2022: Richard Cummings request for final plat approval for a 4-lot subdivision located at 89 Jerrymill Lane in the R1/Agricultural Residential district as warned. Motion carried unanimously.

Mr. Garrett made a motion, seconded by Ms. Yandow, to approve DRB-18-2022: Melinda Raymo request for conditional use approval to operate a Herbalife Nutrition Club and indoor gym space located at 44 Merchants row in the CB/Central Business district as warned with the following amendments:

- Business operations are Sunday through Saturday from 6:00 AM to 10:00 PM
- And minimal noise levels are observed.

Motion carried unanimously.

Mr. Pratt made a motion, seconded by Mr. Garrett, to approve DRB-19-2022: Sandra Bracey request for conditional use to convert a single-family dwelling to a two-family located at 2527 Highgate Road in the SG/Southern Growth district as warned. Motion carried unanimously.

Mr. Pratt made a motion, seconded by Mr. Beliveau, to approve DRB-20-2022: Rosaire Laroche request for conditional use less 30% (after-the-fact) for a sugar house located at 415 French Hill Road in the RC/Recreation Conservation district as warned. Motion carried unanimously.

Ms. Yandow made a motion, seconded by Mr. Pratt, to approve DRB-21-2022: Kristen Messier request for variance for the front setback for an addition to a single-family dwelling located at 26 Lake Street in the R3/Moderate Density Residential district as amended to be a conditional use less 30% and the front setback is started at 53.5 ft. Motion carried unanimously.

Mr. LaBarge made a motion, seconded by Mr. Beliveau, to approve DRB-22-2022: Reinhold Engelmann request for conditional use to convert a single-family dwelling with 1 apartment to a multi-family dwelling (3 units) located at 57 Canada Street in the R5/Residential district as warned. Motion carried unanimously.

Mr. LaBarge made a motion, seconded by Mr. Pratt, to continue DRB-23-2022: Ryan Jordan request for conditional use to build two-family dwellings located at Queens Court in the SR/Shoreland Recreation and RC/Recreational Conservation district for pending preliminary plat design review. Motion carried unanimously.

E. Minutes DRB June 23, 2022

Mr. Garrett made a motion to approve the minutes from the 6/23/22 DRB meeting, seconded by Mr. Pratt. Motion carried.

F. Any Other Necessary Business

Ms. Giroux gave a mylar to Mr. LaBarge to sign for recording in land records.

G. Public Comment - None

H. Set Next DRB Meeting Date

Thursday, August 25, 2022 at 6:00 p.m.
Thursday, September 22, 2022 at 6:00 p.m.
Thursday, October 27, 2022 at 6:00 p.m.

I. Adjournment – Mr. Beliveau made a motion to adjourn the meeting at 7:38 p.m., seconded by Mr. Garrett. Motion carried.

Respectfully Submitted,

Joseph Cava
Administrative Assistant

Spencer LaBarge, Chair

Reg Beliveau

Harold Garrett

Jim Pratt

Jennifer Yandow