

**MINUTES  
TOWN OF SWANTON  
SWANTON DEVELOPMENT REVIEW BOARD  
Town Office Building  
1 Academy Street, Swanton, VT 05488  
Thursday, December 1, 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; Bourbeau Aggregate; Alan Bourbeau; Eric Bourbeau; David Handy; Rick Leduc; Sam Ruggiano; Melanie Ryan; Aron Ryan; Denise Johnston; Ron Johnston; Connie Hill; John Bean; Jan Lucas; Mike Lucas

DRB-43-2022  
Bourbeau Aggregate

DRB-45-2022  
David Handy

DRB-44-2022  
Andre Leduc  
Nancy Leduc

DRB-46-2022  
B & D Holdings

\*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. Mr. LaBarge requested that everyone within the room was sworn in be added to the record.
- C. Meeting Topics:
  - 1. **#DRB-43-2022: Bourbeau Aggregate** request for conditional use approval to build a scale house located at 69 Pond Road in the R1/Agricultural Residential district.  
  
Mr. Bourbeau summarized the project by presenting a site plan proposing the installation of a scale and scale house. Mr. LaBarge requested additional information on the movement of traffic. Mr. Bourbeau explained that trucks would come in, be loaded, given a receipt and sent out the existing driveway without interrupting the flow of traffic for incoming trucks.
  - 2. **#DRB-45-2022: David Handy** request for conditional use approval to place a storage container located at 9 Country Club Estates in the R3/Moderate Density Residential district.

Mr. Handy explained that there is a temporary storage structure on his property and would like to make it permanent. Mr. Handy expanded by saying that the storage

structure would be camouflaged. Mr. LaBarge asked about conformity with setback requirements? Ms. Giroux responded that the storage unit meets setback requirements.

3. **#DRB-44-2022: Andre & Nancy Leduc** request for site plan & conditional use approval to construct three duplex buildings (6 units) located at 100 Lavoie Avenue in the R5/Residential district.

Mr. Ruggiano explained the project proposes the construction of three duplex buildings (six unit's total) connecting to existing Village utilities. Though the parcel is 10.88 acres, only half an acre would be disturbed by the proposed development. Mr. LaBarge evaluated the setback requirements and buffer requirements related to the project. Mr. Ruggiano added that wetland delineation has been completed and approved through the State of Vermont. As part of the design of this development, Mr. Ruggiano explained measures that were taken to minimize noise and light pollution to surrounding neighbors. Mr. LaBarge turned the conversation to Mr. Beliveau when a hammerhead was brought up. Mr. Beliveau explained that the hammerhead would need to be changed to a cul-de-sac to come into conformity with Swanton's land use and development regulations. Mr. Ruggiano explained that this change would be incorporated in addition to drainage to shift ground water away from the surrounding properties.

Mr. Beliveau asked about the length of the driveway? Past the right of way for Lavoie Ave., Mr. Ruggiano said the driveway length would be about 335 ft. Mr. Beliveau stated that the fire department would like to see an additional fire hydrant installed near the cul-de-sac for fire safety. Continuing, Mr. Beliveau asked about the implementation of a sidewalk quoting from the Swanton development regulations. Mr. Ruggiano asked whether this was a sidewalk to nowhere and weather sidewalks were needed unless this is part of a sidewalk master plan? Mr. Beliveau reiterated that sidewalks are part of the development regulations of Swanton and should be considered for safety in addition to curbing and drainage. Mr. Leduc asked why curbing, sidewalks, and drainage are required when the surrounding single-family residences don't have this? Mr. LaBarge explained that these rules are written by another community board, and the DRB enforces them. Continuing, Mr. LaBarge explained that the curb is negotiable, but the development regulations state that the sidewalk must be along one side of the road. Hearing no additional questions, Mr. LaBarge opened the hearing to public comment.

Mr. Ryan asked who owns the existing road. Mr. Beliveau said he would check. Mr. Ryan stated that he has maintained the road the past 15 years. Mr. LaBarge asked if this development would be an association. Mr. Ruggiano responded yes. Mr. LaBarge explained that road maintenance would fall under the association's jurisdiction. Mr. Garrett explained that the road would need to be 20 ft. wide at the minimum to be brought up to A76 road standards. Mr. Ryan explained that there is seasonal flooding that occurs at the end of this road. Ms. Yandow asked whether the drainage would be resolved by the proposed improvements. Mr. Ruggiano explained that water would be

drained into the existing wetlands. Mr. Ryan asked about the repairs needed for the road to handle the increased traffic? Mr. LaBarge explained this would be responsibility of the association and that the DRB does not review the construction of the road because this requires the capacity of an engineer. The board's only responsibility is to review the plan in front of them. Mr. Pratt added that the road being brought up to A76 standards would be the first priority before construction on the duplexes could begin.

Mr. Lucas asked about the placement of the fire hydrant(s)? Mr. Beliveau explained that hydrants are placed every 500 ft. Mr. LaBarge explained that the 335 ft. driveway would only warrant one fire hydrant. Mr. Lucas explained that there are no hydrants in this area and this has led to structure losses by fire. Continuing, Mr. Lucas added that the water table in this area leads to yards flooding. Mr. Beliveau said he would take a ride out to the site soon to evaluate neighboring concerns. Mr. Bean expressed similar concerns of water when the yards flood can reach depths of three feet, and asked whether this development would cause worse conditions? Mr. Ruggiano explained that the catch basins would form a swale to reroute the water away from the surrounding area and into the abutting wetland. Ms. Johnston Expressed continual concern on the development of this area in regards to water problems with the existing residences. Mr. LaBarge stated the DRB can only review what the State of Vermont has approved for engineer designed plans. Mr. Johnston explained that the existing storm drain is ill equipped to handle the extensive development load.

Ms. Johnston asked about whether walking paths would be installed through the woods connecting properties? Mr. LaBarge said this isn't proposed or considered as part of this plan. Ms. Lucas expressed concern of the right-of-way cutting into neighboring properties. Mr. Ruggiano explained that the property has been surveyed and the proposed development would not infringe upon the existing neighboring properties. Mr. Ryan inquired about the curve extending into the right-of-way and asked whether the existing large poplar trees were being removed? Mr. Ruggiano responded that these trees would be removed. Mr. Bean asked whether basements are proposed. Mr. Ruggiano responded no, the proposed structures would be on slabs. Continuing, Mr. Ruggiano explained that there was a concern of vernal pools present in the area. This was later proven false. Mr. Ryan requested reassurance that more mistakes won't occur as the result of this development. Mr. Garrett expressed concerns in relationship to the Abenaki tribe. Mr. Ruggiano stated that ACT 250 wasn't triggered by this process and wouldn't warrant historical/tribal review.

Hearing no additional questions or comments, Mr. LaBarge moved that they close the public hearing and enter deliberative session.

4. **#DRB-46-2022: B & D Holdings** request for site plan approval to build a warehouse located at 20 Waugh Farm Road in the Industrial district.

Application Withdrawn

D. Deliberative Session

Mr. Garratt made a motion to enter deliberative session at 7:24 p.m., seconded by Mr. Pratt. Motion carried.

Mr. Beliveau made a motion to exit executive session at 8:00 p.m., seconded by Ms. Yandow. Motion carried.

Mr. Pratt made a motion, seconded by Ms. Yandow to approve DRB-43-2022: Bourbeau Aggregate request for conditional use approval to build a scale house located at 69 Pond Road in the R1/Agricultural Residential district as warned. Motion carried unanimously.

Mr. LaBarge made a motion, seconded by Mr. Beliveau to continue DRB-44-2022: Andre & Nancy Leduc request for site plan & conditional use approval to construct three duplex buildings (6 units) located at 100 Lavoie Avenue in the R5/Residential district as warned with the following conditions be implemented into the site plan:

Replacement of proposed hammerhead with cul-de-sac  
Sidewalk adjacent with the proposed duplexes  
Raise proposed development to enhance the swale for drainage  
Fire hydrant and street light locations  
Curbing at the entrance of the development to address hydrology in the area of road construction  
Infrastructure of roads brought up to A76 road standards before the construction of the proposed dwellings

Motion carried unanimously.

Mr. Garrett made a motion, seconded by Mr. Pratt to approve DRB-45-2022: David Handy request for conditional use approval to place a storage container located at 9 Country Club Estates in the R3/Moderate Density Residential district as warned. Motion carried unanimously.

E. Minutes DRB October 27, 2022

Mr. Garrett made a motion to approve the minutes from the 10/27/22 DRB meeting, seconded by Mr. Pratt. Motion carried.

F. Any Other Necessary Business - None

G. Public Comment - None

H. Set Next DRB Meeting Date

Thursday, January 26, 2023 at 6:00 p.m.

- I. Adjournment – Ms. Yandow made a motion to adjourn the meeting at 8:07 p.m., seconded by Mr. Pratt. Motion carried.

Respectfully Submitted,

Joseph Cava  
Administrative Assistant

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Spencer LaBarge, Chair

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Reg Beliveau

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Harold Garrett

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Jim Pratt

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Jennifer Yandow