

**SWANTON PLANNING COMMISSION**  
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**8/7/13 PUBLIC MEETING**  
**SWANTON PLANNING COMMISSION**

**The Swanton Planning Commission held a public meeting at 7:00 PM on Wednesday, August 7, 2013 at the Swanton Town Offices, 1 Academy Street.**

Present:

Jim Hubbard  
Ron Case  
Ed Daniel  
Andy Larocque  
Ross Lavoie  
Ron Kilburn, Zoning Administrator  
Yaasha Wheeler, Secretary

Present:

Marianna Gamache

**1. Continuation of Discussion by the Planning Commission regarding possible proposed changes to Swanton's Zoning Bylaws & Subdivision Regulations.**

Hubbard called the meeting to order at 7:12 p.m. He explained that this meeting was just a working meeting to prepare for the August 21<sup>st</sup> meeting with representatives of the Regional Planning Commission, at which they would discuss Articles 3 and 4 of the bylaws.

Daniel questioned the 16 foot wide minimum for A76 standard roads as applied to driveway widths. Case stated that he believed the newer minimum of 22 feet should be upheld in cases of driveways serving more than one house, since there could be opposing traffic or more development down the road.

Lavoie stated that, in his discussions with residents of Swanton, there had been a general consensus that having a road designed and certified by a licensed engineer, as required in the bylaws, was overkill. The Planning Commission agreed that having the stamp of a licensed surveyor was adequate. They suggested using the wording "licensed engineer or licensed surveyor."

The Planning Commission discussed the use of turnarounds for emergency vehicles in driveways or roads longer than 500 feet. Rather than proposing cul-de-sacs for all purposes, Daniel suggested the language to include “a cul-de-sac with a 50 foot radius or, at the discretion of the Development Review Board, a hammerhead.”

It was noted that all references to the Planning Commission in the bylaws shall be changed to Development Review Board.

Ron Kilburn suggested addressing the abandonment of structures (Section 3.1). The current bylaws addressed only the abandonment of structures still under construction. He suggested that the Planning Commission should review the issue as it regarded fully-constructed buildings that were allowed to deteriorate and become eye-sores and public health concerns.

The Planning Commission agreed to ask Greta Brunswick about the requirement that commercial curb-cuts shall have unobstructed visibility for 300 feet in either direction, Section 3.2 (I).

Daniel noted that there should be a way to record any changes of use with the lot information, such as the lister’s cards, so that all uses applied to a lot could be easily reviewed.

Daniel referenced 3.3(C)2, regarding the requirement for 2 parking spaces for each dwelling unit, and suggested increasing parking spaces for dwelling units to 2 parking spots per master bedroom and one for each other bedroom. Hubbard felt that was a question for Mrs. Brunswick, who might have a way to simplify parking for multi-family dwellings. The main concern was commercial/industrial parking, or parking for larger multi-unit developments. The Planning Commission agreed that parking in the street in the Village was a continuing problem, which should also be address with Mrs. Brunswick.

Hubbard questioned whether the height requirements (Section 3.6) should be increased in certain districts to allow for, say, a 6-story office building to come into Swanton.

Daniel felt that non-conforming uses (Section 3.8) should be reviewed upon sale of the property. Case pointed out that Section 3.8(B)3 stated that a non-conforming use “shall not be reestablished if such use has been discontinued for any reason for a period of one year.” Daniel pointed out that some people have abused grandfathered non-conforming uses and felt that the town should have a way of reconsidering those uses. Lavoie was concerned that that would dampen industry, but Hubbard replied that that would also increase the value of the rest of the district by making it more conforming.

Daniel pointed out that the information under Section 3.9 regarding the open storage of junk and vehicles needed reworking. Kilburn added that “junk” was not yet defined in the bylaws. Daniel had created a definition at one time; Miss Wheeler would look up the files with the definition.

Kilburn suggested including a provision that inhibited parking on green space within public right-of-ways. Daniel added that off-street parking requirements might need to be reviewed to ensure adequacy. He added that handicapped parking, although required in the bylaws, should be enforced with any new businesses.

Larocque referenced Section 3.10(B)5, which stated that “parking of one commercial vehicle over 16,000 G.V.W.R. on a residential lot shall be a conditional use.” The Planning Commission discussed the need for more review concerning this provision, especially within the Village. Hubbard suggested language such as “no commercial vehicle over X size shall be allowed on any lot under 1 acre size.” Kilburn added that parking of such vehicles influenced aesthetics.

The Planning Commission discussed sign illumination and height. The bylaws currently allow no illumination, and signs can only be displayed during the hours of operation. Case said that he had no problem with signs higher than the required 15 feet, Section 3.12(G)1, if they were within the TSA district. Hubbard added that higher signs might be desirable in the Southern Growth District as well.

The Planning Commission agreed to speak with Mrs. Brunswick about whether the town’s wastewater requirements should be deleted in favor of directing applicants to adhere to state regulations.

In relation to Section 4.7 regarding campgrounds, the Planning Commission discussed campgrounds that were currently in violation of the regulations, but determined that the bylaws were adequate.

Daniel noted that some daycares, Section 4.9, ran longer than the required 12 hours per day and 5 days per week, as approved by the DRB. Kilburn replied that, for less than 6 children, permits are not required, and added that the DRB could permit hours and days of operation beyond the stipulations at its discretion, if necessary.

Daniel pointed out that exterior storage of materials now involved stuff piled up near a sidewalk and labeled “Free.” The Planning Commission agreed that a definition of junk was needed in order to regulate such frequent open display of junk.

Daniel noted that Section 4.15(A)4 stated that “no exterior storage or display of goods shall be permitted” in relation to neighborhood stores. The Planning Commission discussed the difference between neighborhood store and retail store.

The Planning Commission noted that they had previously discussed modifying Section 4.18 regarding roadside stands to include products raised not simply “locally” but in “Franklin and Grand Isle Counties.”

The Planning Commission agreed to meet August 21<sup>st</sup> with the Regional Planning Commission, and to meet in September on Wednesday the 11<sup>th</sup> and the 18<sup>th</sup>.

## **2. Any other necessary business**

Ms. Gamache asked whether the Planning Commission had come to a decision about her request to consider her lots as PUDs on Canada Street; she was under the impression that something would be transpiring. The Planning Commission members told her that they had assumed that she had been present at the last meeting to give input to be included as part of their larger review

of the bylaws and they did not know that she wished to act immediately. If she wanted to speed up the process, she could formally request a bylaw change through Ron Kilburn, which might involve a fee of \$750, plus three hearings (one with the Planning Commission and two with the Selectboard). The process would take several months. If the Planning Commission decided to include her request in their larger package of changes, the bylaws would not be updated until spring of 2014.

Ms. Gamache stated that she was unfamiliar with the bylaw change process and had not understood that she needed to make a formal request, which she now planned to do. She explained that she had been trying to sell her commercial property as a block for over 5 years, but it was not selling. Her three commercial tenants were each interested in buying the spaces that they were occupying. The lot had originally been 3 separate lots, which had been combined into one deed. She wished to separate the lots again, but because there were zero setbacks, the category would have to be considered as a PUD, which was not allowed in the district, hence her request.

The Planning Commission advised her to work with Kilburn to make a formal request.

Lavoie made a motion, seconded by Larocque, to accept the 7/17/13 Planning Commission meeting minutes as written. Motion carried.

Lavoie made a motion, seconded by Case, to adjourn the hearing at 9:10 p.m. Motion carried.

Respectfully Submitted,

Yaasha Wheeler  
Planning Commission Secretary

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Jim Hubbard

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Ron Case

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Ed Daniel

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Ross Lavoie

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Andy Larocque