

SWANTON PLANNING COMMISSION
One Academy St., P.O. Box 711
Swanton, Vermont 05488-0711
Tel. (802) 868-3325, Fax. (802) 868-4957
Email: swanza@swantonvermont.org

10/23/13 PUBLIC MEETING
SWANTON PLANNING COMMISSION

The Swanton Planning Commission held a public meeting at 7:00 PM on Wednesday, October 23, 2013 at the Swanton Town Offices, 1 Academy Street.

Planning Commission present: Jim Hubbard, Chair; Ed Daniel; Ron Case; Ross Lavoie; and Andy Larocque.

Selectboard present: John Lavoie, Chair; Dan Billado, Vice Chair; Joel Clark; Kathy Lavoie; and Dick Thompson.

Village Trustees present: Chris Leach and Adam Paxman.

Also Present: David Jescavage, Town Administrator; Ron Kilburn, Zoning Administrator and Village President; Yaasha Wheeler, Secretary; Allison Stori, Regional Planning Commission.

1. Meet with representatives of the Swanton Joint Legislative Body and the Northwest Regional Planning Commission and others to discuss proposed revisions to Swanton's Zoning Bylaws & Subdivision Regulations.

Mr. Hubbard called the hearing to order at 7:00 p.m. He stated that the Planning Commission had invited the Joint Legislative Body to give input on the changes to be made to the Southern Growth District. He explained that one of the major issues was the request to allow for development in the district without requiring municipal water and sewer. Initially, the Planning Commission had intended for the restriction to apply to buildings that were 10,000 square feet or larger, since the municipal services were evidently not needed for smaller projects.

Ms. Stori explained that the regional plan called for municipal water and sewer for all new development that the district commission would define as having "substantial regional impact." If the Swanton bylaws eliminated all requirements for municipal water and sewer, it would therefore be in conflict with the regional plan. Mr. Jescavage presented information regarding the definition of "substantial regional impact" and related matters.

Mr. Hubbard also explained that the core overlay in the Southern Growth district eventually ended up expanding to almost the whole district, therefore making two separate regulations

unnecessary. The main difference in regulations was that the regular district was limited to buildings of 30,000 square feet, but the core overlay allowed for buildings of unlimited size. The Planning Commission proposed to eliminate the core overlay. Ms. Stori explained that a building of less than 30,000 square feet would still trigger the Act 250 process, but would likely not be defined as substantial impact.

It was noted that municipal water and sewer was not available through St. Albans, which currently was involved in a lawsuit and had a moratorium which made its water unavailable to Swanton. The only other option for Swanton would be to provide its own infrastructure. Mr. Thompson felt that Swanton was being penalized for planning a growth center, which now fell under tighter restrictions under the regional plan because of the greater requirements for a growth center. Mr. Leach felt that that was not the intent of the regional plan. Kathy Lavoie added that all involved probably assumed that Swanton would have access to St. Albans water and sewer, but that the lawsuit between St. Albans city and St. Albans town changed that outlook. Mr. Clark proposed petitioning the Regional Planning Commission to change its plan to be more growth-friendly. Mr. Leach proposed that both the town and the regional plan should state that new developments should hook onto municipal water and sewer only when such service was available, and in the meantime, to provide properly engineered and approved systems. The participants discussed the possibility that Swanton might provide its own infrastructure, but the Joint Legislative Body felt that it would be unadvisable, given the distance and cost required. It was mentioned that past conversations had proposed a waste treatment system along Route 207 and Mr. Hubbard added that neighboring towns might potentially ask to tie into Swanton's system if large development occurred.

The Planning Commission agreed to have Mr. Jescavage draft a letter to send to the Regional Planning Commission (through Catherine Dimitruk) regarding the conflict between Swanton's plan and the regional plan. The letter would indicate that the Joint Legislative Body had been consulted and was in agreement with the Planning Commission's opinion regarding the Southern Growth Center changes. The letter would include Mr. Leach's suggestion of allowing for private water and wastewater until municipal services were available. In the meantime, the changes to the Swanton bylaws would be fast-tracked. Ms. Stori noted that this was the ideal time to bring this matter to the attention of the Regional Planning Commission, since they were also revising their plan.

Mr. Clark mentioned that Aubuchon's Hardware would soon be moving from its current location, creating a vacant building in the R5 district. The business had been grandfathered, but was in a section of town where commercial business made sense and was still within the character of the immediate neighborhood. He suggested moving the district boundaries to allow commercial operations to continue at that location. Mr. Hubbard agreed that the footage along York Street could be changed slightly to allow the old Aubuchon building to become part of the Central Business District.

Mr. Thompson mentioned that the Selectboard hoped to discuss its 5-year plan with the Planning Commission and Development Review Board before the end of the year. He thanked

the Planning Commission for their work and Allison Stori for her aid. It was agreed that the Joint Legislative Body would continue to be copied on the Planning Commission minutes, to keep them abreast of the bylaw revisions and planning process.

Kathy Lavoie made a motion, seconded by Mr. Thompson, to adjourn the joint meeting at 8:00 p.m. Motion carried. The Joint Legislative Body members exited and the Planning Commission continued with their regular meeting.

The Planning Commission set November 6th as a working meeting to discuss articles 6 and 7, and November 20th as a meeting between herself and the Planning Commission to plan revisions. Ms. Stori left at 8:10 p.m.

2. Any Other Necessary Business

The Planning Commission and Mr. Jescavage discussed the possibility of a developer creating a community sewer system. The board informed Mr. Lavoie of the status of Ms. Gamache's request regarding her properties in the Central Business district, explaining that she had been advised to have her attorney prove that the buildings were originally separate and to re-subdivide. There was no consensus as yet on Mr. Spear's issue.

Mr. Case made a motion, seconded by Mr. Daniel, to approve the Planning Commission minutes of October 9, 2013. Motion carried.

Mr. Lavoie made a motion, seconded by Mr. Daniel, to adjourn at 8:28 p.m. Motion carried.

Respectfully Submitted,

Yaasha Wheeler
Planning Commission Secretary

Planning Commission

Jim Hubbard

Ron Case

Ed Daniel

Andy Larocque

Ross Lavoie

Joint Legislative Body

John Lavoie, Selectboard Chair
air

Chris Leach, Village Trustee Ch