

SWANTON PLANNING COMMISSION
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02/25/14 PUBLIC MEETING
SWANTON PLANNING COMMISSION

**The Swanton Planning Commission held a public meeting at 5:00 PM
on Tuesday, February 25, 2014 at the Swanton Town Offices, 1 Academy Street.**

Present:

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

- 1. To continue the discussion by the Planning Commission regarding possible proposed changes to Swanton's Zoning Bylaws & Subdivision Regulations based on discussions from previous public meetings.**

Mr. Hubbard called the meeting to order at 5:09 p.m. Mr. Hubbard explained that the Planning Commission had to implement the new ERAF standards, but he preferred to "proceed lightly" rather than go to the most advanced option. Swanton wanted to qualify for insurance purposes, so it was worth addressing setbacks in the floodplains, such as 50 feet from every stream and brook. Mr. Hubbard felt that going directly to the most advanced option could potentially cause Swanton to "tie landowners' hands" and discourage development. Swanton needed to stay in compliance and help with erosion concerns, but find a balance so that it would not hurt the town in the long run. In looking at the list from Mr. Jeb Spaulding, Mr. Hubbard noted that the Planning Commission needed to act on Items 1 and 4, which were (1) Have proactive flood hazard regulations and (4) develop and adopt a local hazard mitigation plan. Mr. Kilburn stated that Mr. Jescavage had found information: "Support your local hazard mitigation plan, available through Regional Planning Commission, under consultant planners."

Mr. Daniel suggested starting off with developing setbacks for Hungerford Brook and Stephens Brook, then in two years, attacking the river, and in five years, tackling the lakeshore. Mr. Hubbard said that he was thinking the opposite, although he understood the reasoning behind Mr. Daniel's suggestion. Mr. Case stated that the standards would render some land unbuildable,

which would decrease the tax base. However, all Planning Commission members agreed that compliance was necessary; they were most in favor of the intermediate option, since they believed they already complied with the beginning option.

The Planning Commission discussed the erosion and pollution problems presented by some modern farming practices. Mr. Hubbard noted that Soil Conservation visited areas and evaluated where practices could be modified. He added that it was difficult to ask a homeowner to build 50 feet from a stream, knowing that the stream could move 50 feet to the right or left in the future. Mr. Lavoie asked whether the setbacks were measured horizontally, or “over the lay of the land.” Mr. Case replied that it was measured horizontally, and Mr. Lavoie mentioned a case of a house that sat atop a steep embankment above the river, that would not be 50 feet from the river horizontally, but would probably be over 50 feet from the river when it came to the lay of the land. If the 50 foot setback was held to, many pieces of property along the river would be “useless.” Mr. Kilburn reminded that the Town’s jurisdiction could only be exercised after receipt of an application for development, a subdivision, or a building permit; there had to be some triggering opportunity to respond.

Mr. Hubbard said that he hated to take away from anyone’s ability to develop, but some of these riverside lots were “undevelopable” and in danger of events. Mr. Daniel added that it was important to keep the lake and rivers clean.

The Planning Commission discussed that anything that emptied one body of water to another body of water (such as a culvert) could be considered a stream—would a 50 foot setback have to apply in that case as well? Mr. Hubbard suggested there may be cases where a minor stream only runs seasonally; could the case be reviewed to allow more leeway? Mr. Daniel suggested that there could be designated areas where there are no exceptions, and other areas with more flexibility. Mr. Case noted that a lot of this was protecting people from their own selves. Mr. Hubbard suggested that adopting the standards might result in less run-off from rooftops, parking, etc., that would get dumped immediately into streams. The Planning Commission agreed to go with the intermediate option, and to ask Greta Brunswick to look into what that would mean for the Town. Language could be drafted for review at the next meeting.

2. Any Other Necessary Business

The Planning Commission set March 12th and March 26th as the next meeting dates.

Mr. Hubbard mentioned that minimal setbacks might allow for maximum greenspace and shared spaces. The Planning Commission discussed potential shared parking and related concerns.

The Planning Commission reviewed the DRB's recommendation to allow for boat sales and motorcycle sales in his district; they were comfortable with this request, and adding it to the district.

The Planning Commission liked the method of junk regulation mentioned in the Burlington Free Press article "Burlington Hoarding Case Goes to Court." They felt that that would be the best way to deal with junk, rather than defining it completely.

Mr. Daniel made a motion, seconded by Mr. Case, to approve the 1/12/14 minutes as written. Motion carried.

Mr. Lavoie made a motion, seconded by Mr. Case, to adjourn at 6:13 p.m. Motion carried.

Respectfully Submitted,

Yaasha Wheeler
Planning Commission Secretary