

SWANTON PLANNING COMMISSION
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04/02/14 PUBLIC MEETING
SWANTON PLANNING COMMISSION

The Swanton Planning Commission held a public meeting at 5:00 PM on Wednesday, April 2, 2014 at the Swanton Town Offices, 1 Academy Street.

Present:

Jim Hubbard
Andy Larocque
Ed Daniel
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 and input from the Northwest Regional Planning Commission.

Mr. Hubbard opened the meeting at 5:10 p.m.

Mr. Kilburn presented the bylaw updates of North Hero, with the notice of a public hearing for the bylaws.

Maple Business

Mr. Kilburn informed the board of an individual who was interested in opening up a business in the Neighborhood Commercial Light district for retail sales of maple products, as well as some demonstrations of products and equipment inside, with an outside display once a year. The business would be mostly seasonal, with highest traffic in the spring and autumn. The bylaws were not specific about the range of activities the individual wished to conduct at the site; what would the Planning Commission consider it? Would any wording need to be changed for the district to allow for such a use? After discussion, the Planning Commission felt that the operation could safely fall under retail sales and service, and should be reviewed as usual by the Development Review Board.

Bus Parking

Mr. Kilburn stated that he had been in communication with the Development Review Board about the bus parking taking place on Ferris Street. The building being in R5, there was not much that could legally be done with the large building and parking space on the lot, so it had become a place to service and park buses. The bylaws did not address bus parking. The owner was now considering parking his buses elsewhere in order to utilize the building, perhaps as a Dollar General. Retail sales is an allowed use in the district. If a Dollar General opened there, the equipment being stored in the building would need to be moved across the street to the “old Don Bell building.” The front side of the building, on Grand Avenue, was Neighborhood Commercial Light, but the backside of the building was in R5, which restricted the uses of the lot as a whole. Should the NCL district be extended back along Ferris Street to accommodate the business and those like it in the same area?

Mr. Daniel said that he would hate to see the start of a third commercial district, since Swanton already had the downtown area and Route 78. Creating a Dollar General would essentially start another downtown area. After further discussion, Mr. Hubbard found a provision in the bylaws (Section 2.2(10)c which stated: “Where a district boundary line divides a lot in single ownership on or after the effective date of these regulations or of amendments thereto, the Board of Adjustment [now the Development Review Board] may permit, as a conditional use subject to conditional use review under Section 5.4, the extension of the regulations for either portion of the lot not to exceed 50 feet beyond the district line into the remaining portion of the lot.”

Development

Mr. Hubbard continued to express concern that the mandatory language (“shall”) would potentially hinder development or cause unintended issues to arise (as in the excessive parking required of Tractor Supply in the past). Mr. Daniel and Mr. Larocque agreed that a number of successful stores use front parking to good advantage. Mr. Hubbard felt that it was better to mandate the inclusion of sidewalks than to mandate where the parking should be placed. He reminded that most big projects would have to be reviewed by Act 250 anyway. He suggested keeping the language as “should” rather than “shall,” and then reviewing the Southern Growth District requirements with Peter Cross or another engineer in the future to fine-tune them.

Mr. Kilburn said that Ms. Brunswick hoped to add teeth to the bylaw by using mandatory language. Mr. Hubbard asked, Why should we mandate where development seems to work already? Mr. Daniel agreed, stating that he felt the issue was less about saying “yes” or “no,” and more about working with the applicant to create a good solution. The Planning Commission asked Mr. Kilburn if the bylaw rewrite covered his largest concerns and issues with zoning enforcement. Mr. Kilburn said that it did.

Mr. Hubbard recommended returning to review the Southern Growth District more closely after the new bylaw revision had been put into effect. An engineer like Peter Cross or Sam Ruggiano might be able to help with planning initial road networks and sidewalks in the area. He felt the Planning Commission had time to do this, as he did not project development to occur rapidly.

The Planning Commission felt that the bylaw draft as presented by Ms. Brunswick was ready to go, with the exception of the mandatory language for development in the Southern Growth District. They would review possible coastal standards and fill requirements once language was available for review.

2. Any other necessary business

Mr. Kilburn reminded that the Town Plan was due for a review by August 2015.

Mr. Daniel made a motion, seconded by Mr. Larocque, to approve the Planning Commission meeting minutes of 3/19/14 as written. Motion carried.

Mr. Daniel made a motion, seconded by Mr. Larocque, to adjourn at 6:37 p.m. Motion carried.

Respectfully Submitted,

Yaasha Wheeler
Planning Commission Secretary

Jim Hubbard

Ed Daniel

Andy Larocque