

SWANTON PLANNING COMMISSION
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06/25/14 PUBLIC HEARING
SWANTON PLANNING COMMISSION

The Swanton Planning Commission held a public hearing on Wednesday, June 25, 2014 at the Swanton Town Offices, 1 Academy Street, at 7:00 P.M.

Present:

Jim Hubbard
Ed Daniel
Andy Larocque
Ross Lavoie
David Jescavage, Town Administrator
Ronald Kilburn, Zoning Administrator
Betsy Fournier, Swanton Recreation Department

The hearing was held to receive public comment and to consider for approval, proposed changes to the Swanton Zoning Bylaws and Subdivision Regulations pursuant to Chapter 117 of Title 24, Section 4441 and 4442, Vermont Statutes Annotated:

The regulations affect the entire Town and Village of Swanton. The purposes of the zoning and subdivision regulations are to provide for orderly community growth, to further the purposes established in Section 4302 of the Act, and to implement the “Swanton Town and Village Municipal Plan” adopted by the Joint Legislative Body on August 31, 2010.

The Swanton Planning Commission has proposed the update and revision of the “Land Use & Development Regulations for the Town & Village of Swanton, Zoning Bylaw Subdivision Regulations” which were first adopted on July 18, 2001 and last

amended on December 18, 2013. With the aid of the Northwest Regional Planning Commission, the Swanton Planning Commission proposes changes to the following: access requirements, development buffers from waterways, stormwater and erosion control, parking space calculations, flood hazard overlay, and open storage limitations. In addition, the amended provisions address some of the matters omitted from the original, new standards required in order to comply with the National Flood Insurance Program, and other issues which address concerns raised by members of the Swanton community. This assisted zoning revision project was funded by a municipal Planning Grant awarded by the Department of Economic Housing and Community Development.

Following this scheduled hearing, the proposed amendments and any proposed changes that are approved by the Planning Commission will be forwarded to the Joint Legislative Body for their consideration and adoption at a duly noticed public hearing in the near future.

Mr. Hubbard called the meeting to order at 7:02 p.m. Mr. Hubbard stated that he received a document in the mail on May 23, 2014, from the Vermont Public Service Board, related to information on the approved site plan of the Energtek lot.

Mr. Jescavage explained that the Southern Growth District had not remained the way it had been approved by the Joint Legislative Body in December. The language on the final draft still included language that had been added after the approval; the Planning Commission preferred the district to remain as it was. Mr. Jescavage stated that PUD had been taken out of permitted use, then treated separately. Mr. Hubbard observed that it seemed the language had reverted to the way it had been prior to the change before the JLB in December. The Planning Commission agreed to use only the approved language and warn another public hearing with the final draft.

Mr. Hubbard made a motion, seconded by Mr. Daniel, to re-warn the public hearing to be held in 30 days, due to an omission of the Southern Growth District language approved by the Joint Legislative Body in December.

Mrs. Fournier stated that she serves with Caring Communities, which involves community, health, lifestyle, and more. She was interested in the bylaws from that aspect. Mr. Hubbard recapped the revision process and the major proposed changes of the bylaw for Mrs. Fournier. Mr. Hubbard summarized the Southern Growth District changes as well. Mr. Jescavage directed Mrs. Fournier to the online draft of the bylaw revision.

Mr. Jescavage mentioned that the Table of Contents for Article 1 and Article 2 included mislabeled tables. A table labelled 2.1 might be mistakenly identified as being part of Section 2.1. Most of the changes involved Article 2.4.

Ron Kilburn stated that, with regard to open storage (Section 3.9), he had a complaint about stuff being stored in the back yard, close to the line of the abutting landowner's back yard. The abutting landowner had limited ability to do things in the back yard, while the other landowner's stuff was in the area. Mr. Kilburn pointed out that the storage language, as proposed, would not address the issue, since it required junk to not be in the front yard. Mr. Lavoie was curious about how the junk impacted the abutting landowner; Mr. Kilburn guessed that "critters" were the issue. Mr. Jescavage reminded that the junk could not be within the setback, and that the junk could only have a footprint of 50 square feet. He suggested that perhaps setbacks for this type of storage could be increased. Mr. Kilburn felt that the new bylaws were sufficient to add more control to the situation. Mr. Lavoie asked if preexisting junk would fall under the ordinance.

Mr. Hubbard summed up that Table 2.4 and the Southern Growth District needed to be addressed prior to the final hearing. Mr. Daniel explained that the Planning Commission had considered the bylaws word for word, looking for consistency and clarity, and addressing problems. He added that the conservation districts had especially been considered—stormwater run-off, buffer zones, setbacks from waterways, and more. Mrs. Fournier stated that she worked in trying to make a more vibrant community—recreation, walking/biking safe routes, community health, and more.

Mr. Hubbard recommended that Mrs. Fournier notify the Planning Commission of any needs that she saw. Mr. Kilburn added that Mrs. Fournier was part of the Swanton Enhancement Project, which involved sidewalks and walkways. She noted the recent efforts to revitalize Marble Mill. Mr. Hubbard mentioned the Teen Center and possible ways to revitalize it. Mr. Daniel recommended strong lighting in areas known to attract vandalism; visibility would deter unwanted activity. Mr. Jescavage added that the Town and Village were applying for a bike/pedestrian feasibility grant through the state. He explained that the Town had been awarded the grant in 2013, with the understanding that the match would be 10%, but, once awarded, the match had been raised to 50%. Swanton was reapplying this year. Mrs. Fournier agreed that a safe route to MVU was very needed. Mr. Hubbard suggested adding street lights along Route 78 to increase safety of pedestrians along the road.

Mr. Hubbard closed the public hearing and entered into bylaw revisions for the new rewrite of Land Use and Development Regulations. Mr. Hubbard made a motion that the Southern

Growth District language approved by the JLB in December 2013 shall replace the language in the bylaw draft, and that Section 2.4 “District Uses and Dimensional Standards,” the tables listed underneath that needed to be listed as Tables 2.4.1 through 2.4.17. Mr. Lavoie seconded the motion. Motion carried.

Because only 15 days were necessary to warn the next meeting, the Planning Commission agreed to hold the final hearing on July 16th at 7 p.m. Mr. Kilburn noted that any errors caught after the approval of the final draft, if they were simply clerical and not significant, could be handled administratively.

Mr. Lavoie made a motion, seconded by Mr. Larocque, to accept the April 16, 2014 meeting minutes as written. Motion carried.

Mr. Lavoie made a motion, seconded by Mr. Hubbard, to adjourn the meeting at 7:54 p.m. Motion carried.

Respectfully Submitted,

Yaasha Wheeler

Jim Hubbard

Ed Daniel

Ross Lavoie

Andy Larocque