

**SWANTON PLANNING COMMISSION**  
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*June 9, 2015*

***PUBLIC MEETING***  
***SWANTON PLANNING COMMISSION***

The Swanton Planning Commission held a public meeting at 7:00 PM on Tuesday, June 9, 2015 at the Swanton Town Offices, 1 Academy Street.

Present:

Jim Hubbard  
Ed Daniel  
Andy Larocque  
Ross Lavoie  
Taylor Newton, NRPC  
Ronald Kilburn, Zoning Administrator  
Yaasha Wheeler, Secretary

Also present:

Molly Lambert  
Judy Paxman  
Adam Paxman

Mr. Hubbard opened the meeting at 7:08 p.m.

**1. To meet with representatives of the Northwest Regional Planning Commission to discuss revisions and updates to the “Swanton Town and Village Municipal Plan” which was previously adopted on August 31, 2010. Discussion will be focused upon the consolidation of existing Chapter 2 – “The Vision” and existing Chapter 4 – “Swanton in the Future”, as well as Chapter 5- “Implementation”. This will include consolidation of the text of each chapter and the goals and policies of each chapter. The Planning Commission will also continue to review recent findings and recommendations of the Swanton Community Visit and incorporate certain**

**recommendations into the plan. Northwest Regional Planning Commission will also complete an enhanced consultation with the Planning Commission.**

Mr. Newton summarized that the last meeting had covered about half of the chapter (combining former Chapters 2 and 4), up to the section on Energy.

## **ENERGY**

- A. *Make more efficient use of energy from all sources, encourage the availability of a diversity of energy types, and reduce reliance on energy from nonrenewable energy resources.*
  - 1. *Promote energy efficiency in homes, businesses, and municipal buildings.*
  - 2. *Expand the energy chapter within this Plan for use in assessing current and future energy needs.*
  - 3. *Promote the development of renewable energy resources in the community.*
  - 4. *Encourage clustered development and development in existing dense areas to ensure greater conservation of energy.*
  - 5. *Support efforts of Efficiency Vermont and the Champlain Valley Office of Economic Opportunity (CVOEO) to increase awareness about energy conservation and weatherization programs.*

## **HOUSING**

- A. *To provide for a diversity of housing types and ownership options in a variety of settings an ensure that housing continues to be affordable to present and future residents of Swanton.*
  - 1. *Explore new partnership and funding options with groups and organizations including the Champlain Housing Trust, Vermont Housing and Conservation Board, and the Vermont Housing Finance Agency to preserve and enhance the supply and diversity of housing opportunities and ownership options at all affordability levels.*
  - 2. *Explore the needs of special population groups, including the mentally disabled, physically handicapped, single parent households, and elderly and homeless persons, and work to ensure the continued provision of appropriate housing for these groups.*
  - 3. *Review zoning and subdivision bylaws to allow for higher density housing in appropriate locations in and near the Village.*
  - 4. *Promote and incentivize the creation of accessory dwelling units as a strategy to create additional affordable housing in the community.*

Mr. Hubbard asked how you could go about allowing for more accessory dwellings (mother-in-law apartments) in the Village without upsetting neighbors. Mr. Newton replied that certain restrictions in size could be implemented, according to language in the state statute. Mr. Hubbard said that he wished to be very stringent about enforcing setbacks, while allowing for denser development in the Village, noting that the DRB approved many variances within the Village. Mr. Newton said that this might be an “enforcement issue,” where the DRB should deny more variances. Mr. Newton said you could create specific setbacks for accessory dwellings: “Can’t meet setbacks, can’t have accessory

dwelling.” Mr. Kilburn noted that the DRB could hear both variances and conditional use requests, and felt that they were decided legitimately. He suggested that form-based zoning could be a solution.

Adam Paxman asked whether higher density and cluster development in the Town should likewise be encouraged. Mr. Hubbard mentioned that PUDs were included in the bylaws for the Town. Mr. Newton noted that the Town development was not as dense as Village (1 acre in the Town versus less than an acre in the Village), because of the access to water. Mr. Hubbard said he wanted to ensure that neighbors did not have to deal with structures encroaching on the setbacks.

## **NATURAL RESOURCES**

- A. *To protect and maintain the important natural features of Swanton including: Lake Champlain, the Missisquoi River and its tributaries, the Missisquoi National Wildlife Refuge, archaeological sites, and scenic areas.*
  - 1. *Cooperate with and participate in the efforts of state and local groups to ensure that the water quality of Lake Champlain is protected.*
  - 2. *Promote the use of low impact development (LID) through educational programs to minimize the negative impacts of stormwater.*
  - 3. *Protect important vistas and scenic views of Swanton which are worthy of protection.*
  - 4. *Establish a Conservation Commission (24 VSA 4407) to assist the Planning Commission in identifying important natural resources of Swanton in reviewing applications that affect those resources.*
  
- B. *To protect public access to important natural features of Swanton.*
- C. *To identify, maintain, and protect significant wetlands.*
  - 1. *Prohibit all development in Class I and II wetlands and associate buffer areas to protect the value, functions, and biological diversity of wetlands.*
  - 2. *Inform and educate the public about the importance of wetlands to wildlife and plant habitat, and the value wetlands have a local resources.*
  - 3. *Ensure that the Missisquoi National Wildlife Refuge’s resource management plan and the Swanton Town and Village Municipal Plan are consistent and compatible with the goals and objectives of each plan.*
  
- D. *To identify and protect ground and surface water resources.*
  - 1. *Maintain and protect high quality ground water (particularly wellhead protection areas) and ensure sufficient yields to adequately serve current and future residents.*
  - 2. *Provide safe, healthy, conditions for boating and other water-based recreation.*
  
- E. *To maintain and improve native biological diversity.*
  - 1. *Identify the important habitats of Swanton and work cooperatively with other groups and organizations to ensure their continued protection.*
  - 2. *Regulate new development so as to maintain and functional, interconnected system of habitats within the Town and region.*

3. *Protect and enhance the quality of rivers and streams for fish and wildlife habitats, feeding areas, and travel corridors.*
- F. *To provide for the wise and efficient use of Vermont's natural resources including the extraction of earth resources and to ensure the proper restoration and preservation of the aesthetic qualities of the surrounding area.*
1. *Ensure existing reclamation requirements are adequate and that the aesthetic qualities of the surrounding area are taken into account.*
- G. *To protect the long-term productivity of prime agricultural soils for the production of agricultural products.*
1. *Allow for higher density of development in appropriate areas near the Village Center and in the Southern Growth District.*
  2. *Explore various tools including transfer of development rights (TDR) or purchase of development rights (PDR) programs to provide farmers with alternatives from the pressure to develop primary agricultural soils.*

Mr. Newton asked if this objective was something the Planning Commission actively wanted to look at. Mr. Daniel replied that he wanted to say something to encourage agricultural growth, noting that many farmers had made the decision to stop farming. He felt there was a conflict, since the plan encouraged retaining agricultural soils, but the farmer himself was choosing not to farm and to make a living doing something different. Mr. Newton agreed that the promotion of agriculture and the conservation of agricultural land was a state planning goal. Mr. Hubbard felt that subdivision and development of agricultural land has been going on for hundreds of years.

Mr. Newton asked how much that happened, since he knew that Swanton “has a ton of land in trust.” Mr. Hubbard agreed, but added that many acres were developed per year, though the state was attempting to encourage agriculture. Mr. Newton pointed out that development had its costs as well.

Mr. Newton explained that TDR was a program that statute enables. It essentially said that the farmer could transfer the development rights on his farm to a developer in the Village. Did Swanton look at it? Mr. Hubbard said that the option could remain as a possibility, but it was nothing Swanton wanted to actively promote.

## **TRANSPORTATION**

- A. *To provide a transportation system that offers convenient access to all parts of the Town and accommodates various types of travel (i.e. motor vehicles, bicycles, boats, and pedestrians).*
1. *Create a transportation system that promotes efficient land use patterns, economic development, and the other goals and objectives of this plan.*
  2. *Encourage use and development of intermodal transportation (i.e. Franklin County Airport, railroad and ferry service to Canada) as a means of promoting tourism.*

3. *Support improvements and expansion of the sidewalk network in Swanton Village to ease pedestrian travel and safety in Swanton.*
- B. *To ensure that Swanton's transportation system promotes efficient land use patterns, supports local economic development, and is coordinated and compatible with the regional transportation network.*
1. *Cooperate with the Northwest Regional Planning Commission on the development of a regional Transportation Improvement Plan, and promote the improvements identified in this Plan.*

Mr. Daniel said that he wished for more communication between NRPC and the Swanton Planning Commission, and would like to get an agenda for upcoming meetings and minutes from the meetings. Mr. Lavoie noted that the NRPC minutes were available online. Mr. Newton said that he could add Mr. Daniel to the e-mail list. He explained the jobs of the various committees, agreeing that agendas and minutes were certainly available online and that he could add Mr. Daniel to any lists that interested him.

2. *Cooperate with adjoining communities and the State of Vermont Agency of Transportation on the planning, design, and implementation of multi or shared use bike paths and other non-motorized transportation facilities.*
3. *Encourage improvements to bicycle and pedestrian safety within the Village and along VT Route 78.*
4. *Support planning for a town-wide network of pedestrian/bicycle paths connecting major destination points and linkages to similar facilities in adjacent towns.*
5. *Work with GMTA to study public transit routes and to expand routes when needed.*
6. *Monitor the availability and adequacy of parking in the Central Business District.*
7. *Improve traffic patterns and traffic safety in the Village.*

Mr. Newton suggested looking at the implementation schedule, which was really the meat of Chapter 5, then come back to chapter 4 on the next meeting. The Planning Commission would meet next on June 23<sup>rd</sup>, then June 30<sup>th</sup>, then July 8<sup>th</sup>. The Planning Commission hearing was set for August 12<sup>th</sup>. Mr. Paxman stated that he had mentioned to the Trustee chairman that two JLB meetings would be needed for the Planning Commission, on September 16<sup>th</sup> and 23<sup>rd</sup>; he would send out an e-mail remainder this week.

Mrs. Lambert stated that she was available to listen particularly to the "Vision" chapter. Mr. Newton said that she had not missed the information; they just hadn't discussed it yet. Mr. Newton passed out a copy of the chapter as proposed to the attendees. He summarized that many of the goals and objectives were already in the plan, just slightly revised because of the Community Visit. He suggested making the full Community Visit report as an appendix to the plan. Mr. Hubbard remarked that this was the 5<sup>th</sup> revision of the Town Plan that he had been involved in, but ranked #1 for the most community input. Mrs. Lambert said that Paul Costello of the Vermont Council of Rural Development made it clear that "this report is ours" (copyright owned by Swanton) and felt that the report would certainly enhance or enrich the Town Plan. Mr. Newton agreed to include it.

Mr. Paxman asked if the lower dam should be mentioned in the section on natural resources. Mr. Daniel did not feel that it was a *natural* resource, though it was, certainly, a valuable resource. Mr. Hubbard recalled that Swanton made it clear a few years ago that it wanted to keep its dam, and Swanton should have that prerogative. Mr. Paxman felt the dam *was* a natural resource, to improve the water quality. Mr. Newton said he had taken out language about the dam, and, after reading it aloud, asked if it should be added back in. The Planning Commission agreed that it should be added in.

Mr. Hubbard thanked Mr. Newton for his attention to detail in this revision. Mr. Kilburn added that the dam had so many itemized lists of important features, beyond just resulting in clear water: it provided fire protection, quiet water, kayaking, fishing, bird-watching, and more. Without the dam, Swanton was left with a “mud flat.” Mr. Newton identified the dam as a “divisive issue,” but Mr. Kilburn replied that it was only divisive for the people outside of the community; those in Swanton wanted to keep the dam. Mr. Newton said he would try to “cook something up” more substantial about the dam under Historical and Cultural Resources, and possibly elsewhere.

### **IMPLEMENTATION SCHEDULE**

Mr. Newton felt the schedule was important because it assigned a responsible party to work on the tasks during the 5 years between Town Plan revisions. He wished to create something more “action driven,” so that the community would be impacted within that 5-year time period. Mr. Daniel summed up that the plan was a way of judging whether the goals had been met.

### **LAND USE**

- Maintain Swanton Development Regulations that implement the goals and policies in the Swanton Municipal Plan. *Responsible Party: Planning Commission.*
- Amend the Swanton Development Regulations to require the development of multi-use paths/sidewalks during the subdivision and/or site plan approval process to provide increased pedestrian and bicycle connectivity to existing municipal infrastructure and to proposed development. *Responsible parties: PC, JLB, and DRB.*
- Maintain enrollment in the National Flood Insurance Program. This would be done by having flood laws that complied with NFIP.

Mr. Hubbard agreed that the NFIP compliance was important, and agreed to keep this item in the plan. Mr. Daniel asked if there was some way to encouraged communication between the public bodies, since the PC sometimes was not aware of new revisions adopted by other bodies. Mr. Newton agreed that communication could be talked about later in the revision.

### **HISTORIC & CULTURAL RESOURCES**

- Establish a Village Historic District in the Development Regulations. The Development Regulations shall address issues related to exterior architectural and aesthetic guidelines. Responsible party: PC and JLB.

Mr. Kilburn asked if a Design Review Board should be established. Mr. Newton said that a historic district should include a Design Review Board, which could also be combined with a Development Review Board. Mr. Hubbard recalled an instance in which the Planning Commission worked with a developer in a way similar to a Design Review Board. He felt that there was not enough time and meetings and manpower to have a Design Review Board, but the existing Development Review Board should look at the design aspects. Mr. Lavoie noted that the upcoming DRB agenda included an application from an incoming Dollar General, and wanted to be sure that the DRB was on board with not only looking at the guidelines, but with thinking outside the box.

Mr. Newton agreed that the topic of Dollar General had generated a lot of planning discussion, noting that Swanton had fairly strict design standards. Mr. Hubbard felt that Dollar General served a useful purpose for many people, but “it didn’t need to look like a Dollar General.” Mr. Lavoie agreed. The Planning Commission and Mr. Newton discussed the ways in which Dollar General worked with local municipalities. Mr. Hubbard hoped that Swanton’s DRB would request certain aesthetics from Dollar General.

Mr. Kilburn said the bigger issue was: What was Swanton doing to the downtown when it put those types of businesses right out along main routes? He wished to establish regulations encouraging developers to go to the core, downtown area. People wanted to be able to walk to stores. The big picture is that Dollar General, in its placement on First Street, would take business away from downtown. Mr. Hubbard asked: How do you prepare downtown areas for growth? Mr. Newton suggested that a lot of this would go into the land use chapter, with the purpose statement for each zoning district.

Mr. Hubbard summed up that Vermont’s goal was to grow in the downtown, while still maintaining its historical integrity. Mr. Newton felt that the bylaw was the main place where these standards should be set; he was not sure it was most applicable to the plan. Mr. Lavoie asked: How much control or leverage does the DRB have concerning the location? Mr. Kilburn replied, “Very little.”

Mr. Newton reminded that the NRPC could provide technical assistance to the DRB in those matters. Mr. Lavoie said he hoped the Dollar General would fit the image of the community. Mr. Newton said that “character of the area” would point back to town plan. Mr. Lavoie asked what could be done now to allow the DRB and Swanton to have more bite. Mr. Newton said that the land use chapter would include a vision for each zoning district, and reminded that the bylaws had to be consistent with the plan.

- Identify and protect significant archaeological sites my maintain and encouraging communication between the municipalities, the Swanton Historical Society, the

Abenaki Community, and the Vermont Archaeological Society. Such communication may expedite various local projects because the issues and needs are of common interest.

Mr. Newton recalled a strict overlay district on Monument Road. Mr. Hubbard asked how that could be transferred throughout the entire town, since there might be other Native American sites. Mr. Newton said that he felt this broad language was a good first step. Mr. Hubbard suggested that the Planning Commission could meet with the Abenaki Community and ask them if any needs had arisen in the last five years. Mr. Newton suggested adding that as an action, to meet with the Abenaki within the next five years. Everyone agreed.

- Become a certified local government.

This had been added as per Mr. Kilburn's request, and would allow Swanton access to federal money. Mrs. Paxman asked if wording about the Swanton Arts Council would be included in the implementation plan, something about the Planning Commission listening to and communicating with the Council. Mr. Newton noted that the goal and policy "encouraged recognition and appreciation of the local art community with the objective to support the Swanton Arts Council."

Mrs. Paxman wished to ensure that everyone was on board with supporting the development of the arts community, in the same way that the recreational and Abenaki community was being developed. She suggested language like: "Identify and encourage local artists." She explained some of the projects underway through the Arts Council, and said that the Council wanted to establish a platform where all artists could have a supportive network, involving liaisons amongst many established Swanton organizations. She discussed various ideas with the Planning Commission. Mr. Newton suggested this language: "Identify and encourage local artists. Continue to communicate with the Swanton Arts Council to ensure that their efforts are effectively supported."

## **ECONOMIC DEVELOPMENT**

- Investigate the creation of a local Economic Development Committee. Responsible party: JLB.
- Conduct an Area-Wide Plan, with the assistance of Northwest Regional Planning Commission, to identify and plan for the redevelopment of Brownfields and underutilized properties located in Swanton. Responsible party: Village Trustees.

Mr. Lavoie felt that there were probably a dozen properties in Swanton that needed Brownfield efforts. Mr. Newton said that this was the first step to getting Brownfield remediation money. Mr. Lavoie said that redevelopment of the downtown would open up this issue.

- Investigate the creation of a part or full time position to promote and encourage the community and economic development. Responsible party: JLB.



Mr. Lavoie supported the idea of this position, but also saw some potential confusion: Just because Swanton didn't have someone on the payroll for this job didn't mean that various individuals were not currently aiding in this capacity in some way. Mr. Paxman felt that this position could be an important part of allowing Swanton to grow. Mr. Hubbard recalled that the administrative duties had once been done by one person, and some years ago, the job had split into two jobs: the Town Administrator and Zoning Administrator. Perhaps it was time for more specialization in the same way. Mr. Paxman felt that the position would create a "point person," and be very valuable to the community. Mr. Kilburn drew Mr. Newton's attention to Swanton's 14-year-old Downtown Development Plan, and recommended reviewing it. Mr. Newton suggested a task to "review, revise, and enact" the Downtown Development Plan.

- Evaluate appropriate areas for the expansion of municipal services such as sewer and water. Responsible party: JLB and Municipal Plan.
- Investigate establishing a local tax assistance program to aid agricultural operators in the community. Responsible party: JLB.

Mr. Daniel suggested aiding the seniors as well. Mr. Hubbard, as a farmer, felt that the state programs aided the farmers already and recommended deleting this item.

- Install one or more sign plazas (kiosks) in the center of the Village and other locations in the Town to promote local businesses, community activities, and places of special interest. Responsible party: Village Trustees and Municipal Staff.

Mr. Hubbard was supportive of this item. Those present discussed the value of such kiosks, and the opposition they have received in the past. Mr. Kilburn shared some creative ways in which other communities have implemented such informational kiosks.

- Review, revise, and enact the Downtown Development plan and action steps in the Swanton Community Visit Report to guide future community development, enhancements, or improvements. Responsible parties: JLB and PC.
- Evaluate the idea of attracting, supporting, or developing a community restaurant downtown. Responsible party: Swanton Enhancement Committee.

Mrs. Lambert noted that she had heard much emphasis in the present meeting on encouraging development in the central core. She recommended having the Town Plan highlight the downtown, since its vitality was visible for the community. She suggested rehabbing the space in the downtown for that purpose. Mr. Hubbard feared that getting too stringent would chase businesses away. Mr. Newton said that the main idea was to encourage a community-supported restaurant. Mrs. Lambert explained how the tax structure had changed tremendously so that the towns could be more thoughtful about how they developed their communities.

- Create a local business guide or a list of resources that can be shared with local business. Responsible party: Chamber of Commerce.

Mr. Hubbard asked how often the Chamber of Commerce reported to the JLB, and Mr. Paxman replied that that the Chamber never had reported to the JLB. Mr. Hubbard emphasized the importance of the various community groups meeting with each other and communicating better. Everyone agreed. Mrs. Lambert added that the Swanton Enhancement Committee had asked to be placed regularly on the agenda of the Town and Village meetings.

- Maintain Village Center designation and encourage private landowners to utilize benefits of the program. Responsible party: JLB and Municipal Staff.

Mr. Newton noted that the village has had a Village Center designation for several years, but no one had yet tapped into the program. An economic development point person could help landowners take advantage of the available money.

Mr. Newton said that the next meeting would continue the discussion on the Chapter 4 (Swanton's Vision) and Chapter 5 (Swanton's Implementation Plan), as well flood resiliency, especially the river corridor, which would be involved in several different portions of the plan.

Mr. Daniel made a motion, seconded by Mr. Larocque, to approve the PC minutes of Tuesday, May 26, 2015. Motion carried.

Mr. Daniel made a motion, seconded by Mr. Larocque to adjourn at 9:18 p.m. Motion carried.

Respectfully Submitted,

Yaasha Wheeler, PC Secretary

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Jim Hubbard

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Ed Daniel

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Andy Larocque

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Ross Lavoie