

TOWN OF SWANTON
DRAFT MINUTES
PLANNING COMMISSION MEETING
Swanton Town Office Building
1 Academy Street, Swanton, VT 05488

Wednesday, June 15, 2016 @ 7:00 p.m.

Present: Jim Hubbard, PC Chair; Ed Daniel, Andy Larocque, Sara Luneau-Swan, Planning Commission members; David Jescavage, Town Administrator; Darlene Marrier, Zoning Administrator; Yaasha Wheeler, Secretary; Luc & Michelle Deslandes; Greg Pierce; Dustin & Christine Lang; Dan Dunne; Paula Pearsall; Mark & Mary Bushey; Ken Fox; Travis & Ashley Belisle; Alison Stone; Rep. Marianna Gamache; Gil & Marie Tremblay; Dave Butterfield; Patricia Rainville.

1. Call to Order

Mr. Hubbard called the meeting to order at 7:02 p.m.

2. Agenda Review

Mr. Daniel added 4(c) Sidewalk to the agenda.

3. Consider new proposed amendments to the Town & Village Municipal Plan. The proposed amendments cover site location provisions for green energy projects.

Mr. Hubbard said that amendments to the Town Plan had been ready to be approved, but there had been a technicality. The adjoining towns had been notified, but some of the postmarks were not dated the required 30 days prior to the meeting, so the meeting had been cancelled and postponed. In the meantime, new information had been received and the Planning Commission would consider new language.

Representative Marianna Gamache said that she had been approached with additional language for the energy component of the town plan. This was because the Public Service Board used guidelines that require town plans to be as specific as possible in terms of renewable energy. She presented a “refining” of the suggested language proposed by the Planning Commission two months ago. She drew the Planning Commission members’ attention to the changes.

Mr. Daniel said he would like to know “who wrote this.” Rep. Gamache said that she, Justin London, and Annette Smith had helped to craft the language she was presenting. Mr. Hubbard said that the Planning Commission would have to consider the new language, and whether to consider amendments to the so-far approved amendments.

Rep. Gamache updated the Planning Commission on H.230, which addressed renewable energy project guidelines. The governor had said he would veto the bill if it was presented as written, and, after an extensive revising and “watering down” of the bill, he still vetoed the bill. “Basically, he took out citizens’ rights.”

Mr. Hubbard called for a vote: Was the Planning Commission in favor of reviewing the amendments? The Planning Commission members agreed to do so unanimously.

Mr. Hubbard explained that the Planning Commission had not received a grant to help in addressing renewable energy in the town plan, but were being “aggressive” to get something in the plan and “do it right.”

Rep. Gamache said that the point was to get the advice of people who had a lot of experience, who could be considered experts, and to consider the appropriateness of the language for Swanton. Mr. Hubbard said that the Planning Commission would consider the proposed changes and review it next meeting, then, once the Planning Commission approved of it, they would hold the proper legal hearings.

Christine Lang said that S.260 bill might require the town plan to get certified by the state, but she did not feel that it would interfere immediately with the Planning Commission’s process.

4. Review the Town & Village of Swanton, Land Use & Development Regulations, Zoning Bylaws & Subdivision Regulations for future amendments.

Mrs. Marrier had attended the 2016 legislative Planning Zoning workshop and she had presented a copy to the Planning Commission of all the laws that had changed. That might clarify some things for next month’s meetings. Other information involved enforcement and Environmental Court cases. Mr. Daniel said he had seen some improvements due to Mrs. Marrier’s notices of zoning violations.

5. Any Other Necessary Business **a. Contractors’ Yards**

Mr. Hubbard said that, during the last bylaw revision, the Planning Commission had agreed to add contractor’s yards to certain areas of permitted districts. During the changes, however, Conditional Use for contractor’s yard had accidentally been eliminated entirely from some of the districts. A contractor had recently been before the DRB to get Conditional Use approval, but, although the Planning Commission had included contractor’s yard in the bylaws, the final revision did not reflect that. Mr. Hubbard was therefore signing a letter to the DRB to certify that contractor’s yard was,

indeed, intended to be in the district involved in the recent Conditional Use request. The DRB had approved the request on the condition that the PC should send a letter in support of the request.

b. First Street Walk Update

Mr. Hubbard said that the Planning Commission had walked First Street on April 21, 2016. There was a “huge issue with consistency” with how requests were treated by the DRB, likely because the bylaws were outdated and needed to be updated. Mr. Daniel said that a potential big issue on First Street was setbacks, especially since there were three different districts along that street. Mr. Hubbard said that the Planning Commission was trying to evaluate the town’s direction for the future. Truck traffic could not be rerouted elsewhere, so the Planning Commission had to consider how to “reinvent the village” and bring business into town.

Mr. Daniel was in favor of sending a letter to the Selectboard in support of putting in sidewalks along South River Street and First Street. Mr. Larocque said that he had attended those sidewalk meetings and summarized what Peter Cross of Cross Consulting Engineers had presented. On South River Road, as he understood it, the general consensus was to put a sidewalk on the river side.

Mr. Hubbard said that the Planning Commission should be requested to attend those meetings, but Mr. Larocque explained that the Selectboard would make the ultimate decision. Mr. Jescavage added that, although the trustees would be included in the decision, the Selectboard would be the sole administrator of the sidewalk feasibility study grant. He recommended that the Planning Commission send their individual concerns to Cross Consulting Engineers, so that that information could be included in his final evaluation. He explained the need for the sidewalks for safety.

c. Wind Energy (Continued Discussion)

Mrs. Luneau-Swan said that the PSB was doing emergency rule-making. That process reviewed the needs of “anyone who might be afflicted by wind generation projects”; the Planning Commission might want to make public comments or be involved in that process. Mr. Hubbard recommended sending the information to the Selectboard, since the Selectboard was the town representation before the PSB.

Mr. Daniel asked if the 45-day notice for the Swanton Wind Project had been sent out. Ms. Stone, attorney for Mr. Belisle and Swanton Wind Project, said that the preliminary notice (a letter of intention) had been sent out already, but the official application had not yet been filed. Mr. Daniel asked: Who would keep track of the stages of the process? Mr. Hubbard said that the notifications would go to the zoning administrator, whom he considered to be the point person. Mrs. Marrier asked to be sent a copy of the letter of intention; Ms. Stone said she would. The notice of intention did not expire.

d. Planning for Renewable Energy Workshop

Mr. Hubbard said the Planning Commission would review the information presented by Ed Daniel, from Northwest Regional Planning Commission's presentation entitled "Planning for Renewable Energy," which he had attended.

e. Next Planning Commission Meeting

The next Planning Commission meeting would be held on July 20th at 7 p.m.

6. Adjournment

Mr. Luneau-Swan made a motion, seconded by Mr. Larocque to adjourn at 7:50 p.m. Motion carried.

Respectfully Submitted,

Yaasha Wheeler
Swanton Planning Commission Secretary

Jim Hubbard

Ed Daniel

Andy Larocque

Sara Luneau-Swan