

SWANTON PLANNING COMMISSION

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9/11/13 PUBLIC MEETING

SWANTON PLANNING COMMISSION

The Swanton Planning Commission held a public meeting at 7:00 PM on Wednesday, September 11, 2013 at the Swanton Town Offices, 1 Academy Street to cover the following matters:

Present:

Jim Hubbard

Ross Lavoie

Ron Case

Andy LaRocque

Ed Daniel

Ronald Kilburn, Zoning Administrator

Yaasha Wheeler, secretary

Mr. Hubbard opened the hearing at 7:24 p.m.

1. Continuation of Discussion by the Planning Commission regarding possible proposed changes to the Swanton Zoning Bylaws & Subdivision Regulations, including Article 5 (Development Review) and Article 9 (Administration & Enforcement).

Mr. Hubbard noted that Mr. George Spear had sent a letter dated August 19, 2013, regarding his request to consider adding PUDs to the Central Business District. Mr. Hubbard made a motion authorizing Mr. Kilburn to draft a letter to the Regional Planning Commission requesting guidance and support on the issue. Mr. Daniel seconded the motion. Motion carried.

At Mr. Case's request, the Planning Commission held a moment of silence in memory of those affected by the September 11, 2001 tragedy.

The Planning Commission had received a request from Selectboard member Dick Thompson and a letter from Town Administrator David Jescavage regarding the Southern Growth district, indicating strong Selectboard support in eliminating the Southern Growth overlay and in dealing with the municipal water and sewer requirement.

The Planning Commission members discussed that the core overlay covered all but 10% of the Southern Growth district, which resulted in unnecessary redundancy. There was therefore no point in having a separate overlay area.

Mr. Case asked if there had been any more talk between St. Albans and Swanton regarding the wastewater allotment from the city of St. Albans. Mr. Hubbard replied that, although both sides were favorable to the idea, the issue was being held up because of a lawsuit in St. Albans. The judge would hand out a ruling sometime between now and next spring. Mr. Case surmised that with Walmart preparing to open ahead of schedule, other businesses may want to open in the area, therefore creating the need to address whether or not to allow onsite water and wastewater. The current regulations allowed only for municipal water and sewer, which was not currently available in that area. Retail stores would not need much water and sewer, but restaurants would need large wastewater facilities.

Mr. Hubbard added that warehouse storage also needed to be addressed. Allison Stori had also recommended looking at the Southern Growth district in regard to banks and service organizations (things like Habitat for Humanity and the Red Cross), also private club recreation (indoors), convenience store, fueling station, conference center, assisted living center, laundromat, and mixed uses. Under Conditional Use, office and personal professional services had to be equal to or less than 30,000 square feet of floor area (Table 2.15). Mr. Hubbard felt that this square footage limitation would hinder growth too much.

Mr. Daniel added that he felt that limiting group home residents to 8 or less, and childcare facilities to 6 children or less may be too restricting.

The Planning Commission discussed ways to relieve restrictions regarding water and sewer in the Southern Growth district. Rather than resorting to interim construction, they felt that they could add this language: "All new developments in the Southern Growth district are required to go for Conditional Use for onsite water and wastewater." They agreed to invite Mr. David Jescavage and any of the Selectboard members who were willing to attend to the next Planning Commission meeting, scheduled for 9/25/13.

Mr. Kilburn asked if the Planning Commission were to be persuaded by the Selectboard's case and fast-track the item, would they also want to consider the PUD question raised by Mr. Spear and Ms. Gamache? Mr. Hubbard agreed that because the Planning Commission had a formal letter from Mr. Spear, they would deal with that issue, with guidance from Ms. Stori.

Mr. Hubbard noted that Article 5 had received the most attention at the last revision of the bylaws. Mr. Daniel asked if the Development Review Requirements of Table 5.1 had worked well for the zoning administrator. Mr. Kilburn replied that they had worked so far.

The Planning Commission discussed the recommendation in the bylaws to create rear parking instead of front parking, which Mr. Hubbard felt could be an inconvenience and safety issue, even though he understood the reasoning. Mr. Case noted that the language involved suggestion, rather than requirement.

Mr. Lavoie pointed out references to the Planning Commission and the Zoning Board of Adjustment that should be changed to reference the Development Review Board.

The Planning Commission discussed lighting requirements and agreed that they liked the current requirements.

Mr. Daniel reminded that, regarding Article 9 (Administration Enforcement), perhaps the method of enforcement could involve civil court enforcement. He asked Mr. Kilburn to create a list of ideas that would make enforcement easier and more efficient, to be presented at the next meeting. Mr. Kilburn agreed that a civil ticket with a fine would be a much more effective method of enforcement than going to Environmental Court.

2. Any other necessary business

Mr. Kilburn encouraged the Planning Commission to attend the September 18th hearing about the potential Route 78 widening project. His personal concern was the harming of the scenic route along the river by removing the trees.

Mr. Daniel made a motion, seconded by Mr. Lavoie, to approve the Planning Commission meeting minutes of August 21, 2013.

Mr. Case made a motion, seconded by Mr. Lavoie, to adjourn the meeting at 8:36 p.m. Motion carried.

Respectfully Submitted,

Yaasha Wheeler
Planning Commission Secretary

Jim Hubbard

Ed Daniel

Ross Lavoie

Ron Case

Andy LaRocque