

SWANTON PLANNING COMMISSION
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12/04/13 PUBLIC MEETING
SWANTON PLANNING COMMISSION

The Swanton Planning Commission held a public meeting at 5:00 PM on Wednesday, December 4, 2013 at the Swanton Town Offices, 1 Academy Street.

Present:

Jim Hubbard
Ross Lavoie
Ed Daniel
Andy Larocque
Yaasha Wheeler, secretary
Ron Kilburn, Zoning Administrator
David Jescavage, Town Administrator

1. Continuation of Discussion by the Planning Commission regarding possible proposed changes to the Swanton Zoning Bylaws & Subdivision Regulations. The focus of discussion for this meeting will be on Article 8: “Planned Unit Developments” and Article 10: “Definitions”. Members of the Development Review Board have been invited to attend and to participate in the discussion.

Mr. Hubbard opened at 5:15 p.m. In regard to Greta Brunswick’s suggestion to make language in the bylaws more mandatory, and less suggestive, Mr. Hubbard expressed some concern that such language could hinder potential growth. Mr. Daniel agreed that perhaps too much mandatory language might cause someone to feel that Swanton was not agreeable to working with the applicant. Mr. Kilburn noted that input from the Development Review Board would be valuable in determining what the board considered trouble areas in the interpretation of the bylaws. For example, he felt that Section 3.2 (access requirements) was too interpretive and could be clarified. How many houses are allowed along the right-of-way? Does frontage apply to the town highway, the state road, or a right-of-way leading into the property? The Planning Commission agreed to continue seeking to meet with the Development Review Board

for guidance, although after the holidays. Guidance would be especially helpful for Article 8 and Section 3.2.

The Planning Commission considered the standards of PUDs as well. Mr. Hubbard asked if it was worth having a requirement that there shall not be less than 850 square feet of living space. Mr. Daniel also asked if a PUD should be left at 5 acres, or should the minimum be reduced?

The members considered broadening the possibilities of the term “day care” to include a care facility for any age. Should they broaden the current definition to include both adult and child care, or should they create separate definitions for child care facilities and facilities for any age? Would adult care fall under “group home”? Mr. Jescavage noted that the definition of group home reflected state law.

Mr. Jescavage requested adding a requirement that all subdividers shall submit a CAD disk, to aid in the creation of the town tax maps.

The Planning Commission also considered whether lot coverage versus building coverage was preferable. Mr. Hubbard was in favor of using the term “lot coverage” in all cases, updating the definition, and reviewing the required percentages of lot coverage in each district to ensure that they were reasonable. Mr. Jescavage recommended having the NRPC help with that. His concern was that a building had to comply with setbacks, but a parking lot or other factor considered part of “lot coverage” would not have to be within setbacks. Mr. Kilburn added that lot coverage versus building coverage could create an entirely different set of requirements for a small lot. Mr. Jescavage noted that a 30 foot setback all around the property would eat up half of a one-acre property in setbacks.

Mr. Jescavage noted an error: Section 6.6 refers to Section 9.6(E) for recording requirements, which in turn refers back to Section 6.6.

The Planning Commission agreed to review the fee schedule to see if anything should be updated. Mr. Kilburn recommended charging a per square foot fee for structures like garages. Mr. Jescavage added that the town could charge a flat fee plus a per square foot fee for some items. The Planning Commission members were in favor of requiring applicants to notify all abutters by mail, rather than having the town do so. Mr. Jescavage affirmed that the state statues [Ch. 117, 44.64(C)] allowed for that process to be completed by the applicant, and recommended that owners show proof of mailing. This would remove liability from the town and place the responsibility on the landowner or the landowner’s engineer. Mr. Hubbard suggested that the applicant should be fully aware of the definition of an adjoining landowner or interested person, so the applicant would know whom to contact. The posting of the public hearing notice in three public places would remain the town’s responsibility.

It was noted that the state required a development to have a minimum of 20% or 5 affordable housing units (whichever is greater), while the town bylaws required a minimum of 50%. The town’s language should be the same as the state’s.

2. Any Other Necessary Business

Mr. Lavoie made a motion, seconded by Mr. Larocque, to accept the minutes of November 20, 2013 as printed. Motion carried.

The Planning Commission felt it was best to cancel the scheduled meeting of December 18th (the NRPC schedule had originally called for no meetings in the month of December). They

would present their Southern Growth district changes to the Joint Legislative Body on December 18th instead.

Mr. Daniel made a motion, seconded by Mr. Larocque, to adjourn the meeting at 6:53 p.m. Motion carried.

Respectfully Submitted,

Yaasha Wheeler, Secretary

Jim Hubbard

Andy Larocque

Ross Lavoie

Ed Daniel