

SWANTON PLANNING COMMISSION
One Academy St., P.O. Box 711
Swanton, Vermont 05488-0711
Tel. (802) 868-3325, Fax. (802) 868-4957
Email: swanza@swantonvermont.org

June 23, 2015

PUBLIC MEETING
SWANTON PLANNING COMMISSION

The Swanton Planning Commission held a public meeting at 7:00 PM on Tuesday, June 23, 2015 at the Swanton Town Offices, 1 Academy Street.

Present:

Jim Hubbard
Ed Daniel
Andy Larocque
Taylor Newton, NRPC
Yaasha Wheeler, Secretary
Adam Paxman

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 discussion will include consolidation of the text of each chapter and the goals and policies of each chapter. The subject of “flood resiliency” especially the river corridor, which is involved in several different portions of the plan, will also be considered. 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. Hubbard called the meeting to order at 7:10 p.m. Mr. Newton explained that the way that NRPC “sold” the grant for Swanton was under the understanding that Swanton would

concentrate on flood resiliency. This was that promised presentation. This was newer information, beyond the information that was included in last year's bylaw revision. Post-Irene, the state was worried about municipalities not being ready for flooding, or developing in areas at risk for flooding. The State Planning Goals (24 VSA §4302) was to encourage flood resilient communities. Mr. Hubbard noted that Swanton was accustomed to flooding within the floodplain, so the town was already somewhat careful about building standards.

Mr. Newton noted that a flood resilience plan had to identify flood hazard and fluvial erosion hazard areas. He would address floodplain, fluvial erosion hazards, and river corridors. He explained the National Flood Insurance Program, and stated that Swanton (both village and town) adopted the NFIP in 1983. That adoption made the NFIP standards part of the development regulations, set minimum standards for development, and enabling citizens to have flood insurance. This type of flooding was not so much about erosion as about water rising. He noted that Swanton had a geomorphic assessment on the Hungerford Brook and Missisquoi River in the early 2000s; those assessments were used as the basis of the buffers put into the bylaw in the 2014 revision. Since that time, the state had created a new definition of "river corridor." Those river corridors were created post-Irene, and applied in regulation of berms, in Act 250, and to state regulations of development that are exempt from municipal regulation (such as forestry and agriculture). Municipalities could also adopt river corridors as part of their zoning bylaws. Essentially, the river corridor was the "meander belt" (the natural area of its flow plus a 50 foot buffer. This is "where the soil may move and where the river may move with it." River corridors applied to Missisquoi River, Hungerford Brook, and Jewett Brook. The state had specifically mapped the river corridor area of these rivers/brooks, because they were large.

Mr. Newton showed the 75 foot buffer for Hungerford Brook (adopted as a standard for bylaw revision) versus the river corridor, which was wider. Mr. Hubbard said that the brook had very steep banks, so he didn't feel that it would move much. He noted that farmers could not plant corn within those buffers, and were sacrificing a lot of land, but were attempting to protect the area. Mr. Newton noted that the state river corridor incorporated the meander belt, and was therefore much wider at times than the buffer zones. He pointed out the brook floodplain as well. Mr. Hubbard noted that there was no development in that area anyway.

The Planning Commission viewed the information on the Missisquoi. Mr. Newton pointed out the wide river corridor, with a great deal of floodplain. The river corridor more closely aligned with the floodplain than with the 100-foot buffer. No development would occur within the floodplain anyway.

Mr. Newton said that the state would appreciate local input on this corridor. The state was working on a process to accept local aid in amending the corridor. Mr. Hubbard pointed out a large area in the river corridor that he was certain would never flood (south of Beebe Road), and which encroached significantly on good agricultural or developable land. Mr. Hubbard said he supported the river corridor plan and considered it to be generally fair and important to protecting the waterways.

Mr. Newton noted that the state had special rules about “designated village areas.” Both state rule and NRPC procedures allowed for new development in the corridor, so long as it was no closer to the waterway than any existing development. Mr. Hubbard felt that the Planning Commission could gather information from the public and then agree to the NFIP standards.

Mr. Newton noted that the NRPC was a little miffed about the river corridor concept, since they had been urging municipalities to adopt the buffer concept, because they thought they were following the state’s desires. However, the Emergency Relief and Assistance Fund gave aid for a federally declared natural disaster, with a certain percentage coming from the state. For the state to pay its 12.5% of the aid, the town had to adopt town road and bridge standards, have a local emergency operations plan, adopt NFIP standards, and a local hazard mitigation plan. To maintain the level of funding available to Swanton, Swanton had to have those four plans in place. There might have been such plans in Swanton in the past and they may have lapsed.

The state said that it would cover 17.5% and the municipality had to cover only 7% if the municipality either adopted local river corridors as part of its bylaw or do the “community rating system” which was like the NFIP with much higher standards. NRPC was more in favor of the river corridor plan, since it was a much lower bar. Mr. Hubbard said that, from the river corridor shown tonight, aside from the Beebe farm, was not developed and would probably never be developed anyway. Priority #1 would be to adopt the local plan, and then Swanton needed to look hard at the river corridor piece.

Mr. Newton said that the state had a model bylaw for the river corridor, which would require amending the bylaws legally, but it should be fairly “quick and painless.” Recommended action: Mr. Newton had added an additional Goals and Policies in “Swanton Today” and “Swanton’s Vision” chapters, and added some actions to the Implementation Chapter: review River Corridor Maps with ANR, adopt a local emergency operations plan each year, adopt a hazard mitigation plan, and adopt road and bridge standards each year.

The Planning Commission agreed that the information was very useful and that the river corridor plan should be pursued and discussed further.

Mr. Newton passed out the latest revision of “Swanton Today” (Chapter 6). He drew the Planning Commission’s attention to the Natural Resources section, which had been amended and which they should read for “homework.”

The Planning Commission picked up review of the implementation plan:

PUBLIC FACILITIES AND SERVICES

- *Adopt the Capital Budget and Program. Responsible parties: Selectboard, Village Trustees, and/or Joint Legislative Body.*

- *Explore additional funding mechanism for public facilities and services such as impact fees and tax increment financing. Responsible parties: Joint Legislative Body, Planning Commission, and Municipal Staff.*

Mr. Daniel was not in favor of impact fees. Mr. Newton replied the wording was “explore,” not “mandate.” Most municipalities did residential, not commercial. Mr. Newton removed the wording “such as impact fees and tax increment financing.”

- *Continue mutual aid and cooperation among all emergency service groups including the Coast Guard, Vermont State Police, Missisquoi Rescue, and the Swanton Fire and Police Departments. Responsible parties: Joint Legislative Body and Municipal Staff.*
- *Maintain representation on the Norwest Vermont Solid Waste District Board of Supervisors. Responsible party: Joint Legislative Body.*
- *Explore the opportunity of a user fee system to offset the costs of maintain park facilities. Responsible parties: Village Trustees and recreation Commission.*

Mr. Daniel was not in favor of user fees, feeling that it would remove opportunities from low-income people. Mr. Hubbard noted that some public opportunities required a user fee to cover liability, but was not generally in favor of it. Mr. Newton said he would take that out.

- *Identify areas for future recreational facilities. Responsible parties: Joint Legislative Body and Recreation Commission.*

Mr. Hubbard recommended replacing “recreation” with “public,” since there were many important facilities that were not necessarily “recreational.”

- *Prepare a resource inventory map of existing public and private trails and proposed public trails in Swanton. Responsible parties: Planning Commission and Recreation Commission.*

Mr. Hubbard agreed that this was a way to support events that seniors were looking for.

- *Install public restrooms downtown. Responsible parties: Joint Legislative Body and Recreation Commission.*

Mr. Daniel noted that many public businesses and areas in Swanton had signs that said “no public restrooms.” He agreed on the need for a public restroom, and felt this should be given a priority position in the plan.

- *Coordinate new partnership with various groups and organizations including, but not limited to: Friends of the Library, Swanton Historical Society, the Chamber of Commerce, Friends of Missisquoi National Wildlife Refuge, Friends of Northern Lake*

Champlain, and the Abenaki Self Help Association to provide community activities and educational opportunities for young and old. Responsible party: Joint Legislative Body.

ENERGY

- *Form a local Energy Committee. Responsible party: Joint Legislative Body.*
- *Participate in regional energy planning and programming. Responsible party: Joint Legislative Body (Energy Committee)*
- *Identify and implement programs that promote energy efficiency in homes, businesses and municipal buildings. Responsible party: Joint Legislative Body (Energy Committee)*

Mr. Hubbard said that promoting Efficiency Vermont in the community would help with this sort of goal. Mr. Newton pointed out ways in which it would be useful to have an Energy Committee to work with Efficiency Vermont and similar programs. The Planning Commission noted that Vermont Gas offered free audits, but Efficiency Vermont audits cost in the hundreds. Mr. Daniel said he felt he recalled hearing of a grant like a revolving loan fund, available through the municipality, to help landowners weatherize their buildings. Mr. Newton said that perhaps Champlain Valley Office of Economic Opportunity might have something like that.

- *Identify locations in the community where new renewable energy resources should be site. Amend the municipal plan to include such preferences. Responsible party: Joint Legislative Body (Energy Committee)*

Mr. Newton mentioned a bill that set setbacks for solar facilities and allowed municipalities to set screening requirements for solar facilities as a separate ordinances. However, the screening could not be any stricter than for commercial screening. Mr. Hubbard mentioned interest in wind turbines on "Swanton Hill." If the town did not recommend areas for solar fields or wind turbines, those facilities could happen anywhere. Mr. Newton mentioned that if the town affirmatively pointed out in the plan where siting was most positively viewed by the town, there might be some public concern, but at least the intentions would be clear. Mr. Hubbard said that most of the renewable energy companies directed their business toward the landowner, not the municipality. The Planning Commission agreed to discuss this after the plan adoption. Mr. Hubbard suggested the language "attempt to identify locations."

HOUSING

- *Explore new partnership and funding options with groups and organization 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. Responsible party: JLB.*
- *Review zoning and subdivision bylaws to allow for higher density housing in appropriate locations in and near the village. Responsible party: Planning Commission and JLB.*

Mr. Hubbard asked about the ability to subdivide some of the larger lots; should it be just near the Village? Mr. Newton said that the intent seemed to be higher density near public infrastructure.

- *Develop incentives for the creation of accessory dwelling units as a strategy to create additional affordable housing in the community. Responsible party: Planning Commission and JLB.*

Mr. Newton mentioned that an easy way to create an incentive was to get rid of impact fees, but since Swanton didn't have any impact fees, that incentive was not an option. Perhaps setbacks could be looked at? Mr. Hubbard mentioned that keeping within setbacks was important; he felt that too many variances were granted.

NATURAL RESOURCES

- *Amend the Development Regulations to require and/or incentivize the use of Low Impact Development (LID) strategies. Responsible party: Planning Commission.*
- *Identify the important vistas and scenic views of Swanton which are worthy of protection. Responsible party: Planning Commission (Conservation Commission)*
- *Establish a Conservation Commission (24 VSA 4407) to assist the Planning Commission in identifying important natural resources of Swanton and in reviewing applications that affect those resources. Responsible party: Joint Legislative Body.*
- *Inventory the existing earth resource areas for remaining community value. Responsible party: Planning Commission (Conservation Commission)*

The Planning Commission did not feel that this would be looked at within the next 5 years. This could be omitted.

- *Investigate the use of 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. Responsible party: Planning Commission (Conservation Commission)*

This had been scrapped already at an earlier meeting, because there was doubt that this was possible to do anyway. Mr. Hubbard said that Act 250 would mitigate anyway, but Mr. Newton pointed out the ways in which a transfer of development right was different than mitigation.

TRANSPORTATION

- *Improve and expand the sidewalk network in Swanton Village to ease pedestrian travel and safety in Swanton. Responsible party: JLB, Municipal Staff, and DRB*

- *Develop and implement a plan for a town-wide network of pedestrian/bicycle paths connecting major destination points and linkages to similar facilities in adjacent towns. Responsible parties: JLB and PC.*
- *Collaborate with GMTA to study public transit routes and to expand routes. Responsible parties: JLB and Municipal Staff.*

Mr. Hubbard mentioned that the routes appeared to be growing, and mentioned people in need who could benefit from the bus stopping along its route for them. Perhaps those accommodations could be made as more people used the routes. He hoped the routes would continue to improve, because there was a need. He felt there should be an annual review of the routes, because Swanton was making use of that service. Mr. Newton suggested adding CCTA to the list with GMTA as well.

- *Complete a traffic and parking study for the town core and village area. This study shall focus on parking, circulation, and traffic safety (including bicycles and pedestrians). The study shall contain an inventory of existing parking and identification of possible future parking areas in the Village.*

Mr. Newton noted that this came from the Community Visit. Mr. Hubbard suggested that the old Prouty building, if destroyed, would create an ideal parking location to relieve congestion in the Village.

- *Improve enforcement of traffic laws and speeding in the village, install “No Engine Brake” signs, and increase truck inspections. Responsible party: JLB and Police Department.*

Mr. Daniel said that he believed the “No Engine Brake” signs were already in the Village. Mr. Larocque said he had not seen them. Mr. Paxman asked, “Aren’t those engine brakes safety features?” and Mr. Hubbard replied that they did not have to be used in the Village and the prohibition against engine brakes in the village would simply require slower driving.

- *Use a “speed trailer” and increase signage to improve pedestrian safety in the Village. Responsible party: JLB and Police Department.*

OTHER

- *Continue the existing coordinated, comprehensive planning process and policy framework to guide decisions by Swanton and Swanton Village and continue to encourage citizen participation at all levels of the planning process. Responsible parties: JLB and Planning Commission.*

Mr. Hubbard noted the importance of reviewing this implementation plan annually.

Mr. Newton added:

- Have a yearly meeting between the JLB and Planning Commission

- Adopt hazard mitigation plan annually
- Adopt emergency management plan annually
- Adopt town road and bridge standards annually

The Planning Commission agreed that an annual meeting amongst all governing bodies was essential. Mr. Newton suggested an annual meeting with the DRB to discuss developing issues specifically, and an annual meeting with the JLB to discuss planning issues specifically. The Planning Commission agreed.

CHAPTER 4 – SWANTON’S VISION

Mr. Newton summarized the changes. He had included information about what happened at the Community Visit, the task forces that had emerged from it, and the vision that was developed as a result. He referenced the Community Visit Report (included as an appendix) and broke it down into difference subject areas. The area of land use had not been changed significantly. Mr. Daniel read the following from this section: “Residents of Swanton are concerned with recent settlement patterns in the Town.” He recommended removing this, because he was not aware of any concern. It was agreed that the next sentence was sufficient: “Swanton community planners are cautious of strip development and recommend that future growth be clustered near the existing village center.”

Mr. Newton mentioned that he had replaced “should” with “shall” in many places in order to give more strength to Swanton’s plan. This language should be transferred to the bylaws eventually.

Mr. Newton had added language to the Central Business District in order to meet requirements in terms of the designated Village area. Mr. Hubbard asked if a larger central business district should be designated; what should be incorporated in it? For instance, First Street was being developed commercially with Dollar General and restaurants and quick stops. He envisioned more businesses on First Street instead of Canada Street or Grand Avenue, because of the major truck traffic along the street. Mr. Daniel noted that something like Applebee’s would not want to renovate a historic building, but would prefer to raze the building and build a new building according to its own specifications.

Mr. Newton said that the matter was well worth consideration. To assess whether the Central Business District should be enlarged, he could put language in the implementation plan encouraging Planning Commission review of the First Street corridor to consider the district’s developing purpose. Mr. Paxman suggested looking at Vergennes as an example when considering First Street’s future. Mr. Newton suggested doing an inventory of the current buildings on First Street and of the changes over the years, gathering public input, and consider expanding the involved districts.

The Planning Commission agreed to review the rest of Chapter 4 as “homework.” At the next meeting, set for June 30th, the Planning Commission would continue discussion of Chapter 4 (“Swanton’s Vision”) and begin discussion of Chapter 6 (“Compatibility”).

Mr. Larocque made a motion, seconded by Mr. Daniel, to approve the Swanton Planning Commission meeting minutes of June 9, 2015. Motion carried.

Mr. Daniel made a motion, seconded by Mr. Larocque, to adjourn the meeting at 9:00 p.m. Motion carried.

Respectfully Submitted,

Yaasha Wheeler
PC Secretary

Jim Hubbard

Ed Daniel

Andy Larocque