

# SWANTON PLANNING COMMISSION

## Minutes

Wednesday, October 19<sup>th</sup>, 2016

1 Academy Street, Swanton, VT.

7:00 P.M.

### Planning Commission members:

Ed Daniel  
Ross Lavoie  
Andy LaRocque  
Sara Luneau-Swan  
Jim Hubbard (not present)

### Administration:

David Jescavage, Town Administrator  
Darlene Marrier, Zoning Administrator  
Yaasha Wheeler, Clerk

### 1. Call to order

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

### 2. Agenda Review

Mr. Daniel recommended adding an executive session to discuss zoning violations.

### 3. David Jescavage-Town Administrator will discuss the Municipal Planning Grant and alternatives for the position of Economic Community Development Coordinator. The Town did not receive a grant to fund a portion of this position.

Mr. Jescavage stated that the deadline for this year's Municipal Planning Grant is October 31<sup>st</sup>, and recommended for the Planning Commission to apply for an \$8000 grant to implement whatever amendments were approved by the Selectboard for the Town Plan and Zoning Bylaws.

Mrs. Luneau-Swan made a motion, seconded by Mr. LaRocque, to authorize Mr. Jescavage to apply for the \$8000 2017 Municipal Planning Grant, for the purpose of implementing the amendments in the Swanton Town Plan and Zoning Bylaws, and to work with the Regional Planning Commission to that end. Motion carried 4-0.

### 4. First Street Walk discussion.

The Planning Commission discussed the potential addition of a bicycle lane along First Street (allegedly part of the current repavement project) and how that would impact the ability to have any parking along First Street. Mr. Daniel wished for the Town to find grants to put curbing, sidewalk, and green belt back along First Street. He also discussed refiguring the districts along First Street, and Mrs. Marrier suggested having the zone follow the lot lines to allow for more convenient development. Mr. Lavoie asked how much control did the municipality have over First Street development, since it was a state road, and Mrs. Marrier believed that everything but the road right-of-way was within the Village's jurisdiction.

Mrs. Luneau-Swan remarked that the sidewalks were not consistent and it would be nicer to have more pedestrian accessibility to the businesses along First Street.

Mr. Daniel added that two solar-operated flashing lights would be installed at the intersections with Liberty Street and York Street.

The Planning Commission agreed that there was very little on-street parking on First Street and considered the possibility of turning the TD Bank lot into a community parking lot. They also talked about the need for restaurants in Swanton.

Mr. LaRocque suggested tabling the discussion until they got more information on what it would look like after paving.

**5. Darlene Marrier-Zoning Administrator will discuss proposed changes to the existing fee schedule, update on violations, setbacks in PUD's and review the list of proposed changes to the current Land Use & Development Regulations, Zoning Bylaws and Sub-division Regulations.**

Mrs. Marrier passed out copies of the existing fee schedule. When she had presented her idea before the Selectboard, they had requested that she and the Town Clerk review three years of zoning revenue and how that offset zoning expenses/payroll. She pointed out that additions can sometimes be more expensive than the structure to which they are being added (an addition to a garage could potentially incur a greater fee than the garage itself). Mr. Lavoie agreed that the categories probably needed be rearranged.

Mrs. Marrier added the idea of an after-the-fact permit fee and informed the board that the \$10 recording fee was not clarified as being over and above the other fees, not incorporated into them. Some towns included an additional fee for Certificate of Occupancy and a higher fee for Certificates of Compliance. The main question was: Do you want the people using zoning to pay for zoning or do you want everyone paying for zoning?

Mrs. Marrier recommended that all types of the hearings (Conditional Use, Appeal, and Variance) should have the same fee, recommending \$150. She would go back to Selectboard to get approval; this presentation was for the Planning Commission's information. The Planning Commission agreed with Mrs. Marrier that some of the fees should be changed. Mr. Lavoie said that he was not one for taxing people a lot, but "you have to cover your costs, and you're looking at lowering some and raising some, and it's going to come out in the wash."

## **6. Review minutes of September 21<sup>st</sup>, 2016**

Mr. Lavoie made a motion, seconded by Mr. Larocque, to approve the September 21, 2016 meeting minutes as written. Motion carried. Mr. Lavoie made a motion, seconded by Mrs. Luneau-Swan, to approve the October 4, 2016 meeting minutes as written. Motion carried.

## **7. Any other necessary business**

Mrs. Marrier mentioned that PUD setbacks needed some work. The 22-lot Gamache Lane PUD had been approved with waivers for the lot size, frontage, and front yard setback, but failed to ask for waivers for rear and side yard setbacks. This had created a difficulty in permitting a shed that the owner wished to put 15 feet from the rear line. Various authorities (VLCT and NRPC) had said that the setbacks had to be upheld or a variance should be given. The St. Albans Zoning Administrator suggested that the homeowners' association could ask for a waiver for the whole PUD.

In future, PUD developers and the Development Review Board should be encouraged to consider setback waivers during the approval process. The board discussed the setbacks of various zoning districts. Mrs. Marrier explained that "there was a big misconception" that you can have a half-dozen less-than-100-square-foot detached structures (therefore exempt from a building permit); you get only one.

Mr. Daniel reminded that next Thursday, October 27<sup>th</sup> at 8 a.m. in St. Albans, there would be hearings on the energy maps in development. He asked about the Town's Economic and Community Development Coordinator; would that overlap with the FCIDC scope of work? Mrs. Luneau-Swan saw the coordinator as being a Swanton-specific development coordinator, as opposed to a Franklin County-wide planner. She saw room for both entities. Mr. Lavoie agreed, and outlined some possibilities for cross-coordination between the Economic and Community Development Coordinator and the FCIDC.

## **8. Executive Session**

Mr. Lavoie made a motion, seconded by Mr. LaRocque, to enter executive session at 7:59 p.m. to discuss zoning violations, stating that disclosure of the details would put the individuals at a substantial disadvantage if those matters were discussed in open session. Motion carried 4-0.

Mr. LaRocque made a motion, seconded by Mr. Lavoie, to exit executive session at 8:27 p.m. Motion carried 4-0.

The Planning Commission picked November 30<sup>th</sup> as the next potential meeting date, if a meeting is needed.

## **9. Adjournment**

Mrs. Luneau-Swan made a motion, seconded by Mr. LaRocque, to adjourn at 8:30 p.m. Motion carried 4-0.

Respectfully Submitted,

Yaasha Wheeler  
Swanton Planning Commission Clerk

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Jim Hubbard

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Ed Daniel

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Ross Lavoie

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Andy LaRocque

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Sara Luneau-Swan