

**TOWN OF SWANTON
DRAFT MINUTES
SELECTBOARD MEETING
Swanton Town Office Building
1 Academy Street, Swanton, VT 05488
Tuesday, May 1, 2018 @ 7:00 p.m.**

Present: James Guilmette, Chair; Daniel Billado, Vice Chair; John Lavoie, Gary Centabar; Members; David Jescavage, Town Administrator; Cathy Fournier, Town Clerk; Elisabeth Nance, Administrative Assistant; Amy Giroux, Zoning Administrator; Jim Hubbard, Chair, Planning Commission; Ed Daniel, Sara Luneau-Swan, Ross Lavoie, Members, Planning Commission; Corey Parent; Kevin LaPan; Jason Hodgdon; Taylor Newton, Northwest Regional Planning Commission; Neal Speer, Village President; Tom Benton, St. Albans Messenger; Heather Buczkowski, Videographer

- A. Call to Order – Chair Guilmette called the meeting to order at 7:00 p.m.
- B. Pledge of Allegiance – Chair Guilmette led those present in the Pledge of Allegiance
- C. Agenda Review
 - 1. Old Business
Mr. Billado added a request from Jason Hodgdon for a letter of support for the summer concert
 - 2. Executive Session
Mr. Billado added personnel
Chair Guilmette added contracts
Ms. Nance added real estate

Chair Guilmette introduced Gary Centabar as the new Selectboard member and thanked him for volunteering to serve.

- D. Meeting Topics:
 - 1. Minutes – April 17, 2018 Selectboard Regular Meeting

Mr. Lavoie made a motion, seconded by Mr. Billado, to approve the April 17, 2018 meeting minutes as written. Motion carried.
 - 2. Public Comments – Mr. Parent introduced himself, noting he is running for the State Senate seat currently occupied by Carolyn Branagan.
 - 3. Law Enforcement – Swanton Police Chief Monthly Report – With the absence of Chief Stell this was tabled until the next meeting.
 - 4. Old Business
 - a) Public Hearing for Proposed Zoning Bylaw Amendments

Mr. Billado made motion at 7:03, seconded by Mr. Lavoie, to exit the Selectboard meeting and enter the public hearing for the proposed zoning bylaw

amendments.

Mr. Hubbard came before the Selectboard on behalf of the Planning Commission and gave a brief overview of the proposed changes. Mr. Hubbard confirmed Northwest Regional Planning Commission (NRPC) had provided input on the proposed changes to the Industrial District.

Mr. Lavoie made a motion at 7:11 p.m., seconded by Mr. Billado, to exit the public hearing on the proposed zoning bylaw amendments and enter the Selectboard meeting. Motion carried.

Mr. Billado made a motion, seconded by Mr. Lavoie, to adopt the zoning bylaws as amended. Mr. Billado thanked the Planning Commission for its work. Motion carried.

b) Public Hearing for Proposed Municipal Plan Amendments

Mr. Lavoie made a motion at 7:13 p.m., seconded by Mr. Centabar, to exit Selectboard meeting and enter the public hearing for the proposed Municipal Plan amendments. Motion carried.

Mr. Hubbard came before the Selectboard and provided an overview of the proposed amendments, specifically the proposed enhanced energy plan. Mr. Hubbard noted NRPC has done a lot of work and the result reflects requirements from the state.

Mr. Newton came before the Selectboard on behalf of NRPC, informing the Selectboard there is one portion of a paragraph on page 40 of the proposed Municipal Plan NRPC is recommending be deleted:

The solar panel and wind turbine structures shall be located at a sufficient distance from residences to avoid any conflict between the operation of these structures and the peaceful and healthful enjoyment of their properties by the occupants of the residences. Impacts such as noise, shadow flicker, and solar glare shall not extend onto neighboring properties.

In answer to a question from Mr. Lavoie, Mr. Newton explained the process through which Municipal Plans are approved by the NRPC Plan Review Committee. Mr. Newton is not sure the proposed enhanced energy plan as it exists now meets the requirements.

Mr. Billado wondered why the town must bend to meet the state standards instead of the state bending to meet the town's. Mr. Billado asked what part of the proposed enhanced energy plan protects the town if the language in question is removed. Mr. Newton read from pages 149-150 of the proposed Municipal

Plan:

Swanton supports NRPC's position regarding "commercial" and "industrial" wind facilities. The NRPC Regional Plan finds that the construction of new "industrial" or "commercial" wind facilities within the region does not conform to the Regional Plan (NRPC considers any wind facility with a tower height (excluding blades) in excess of 100 feet tall to be considered an "industrial" or "commercial" wind facility [sic].

Mr. Newton further stated site-specific concerns would be dealt with at the Public Utilities Commission (PUC) and that once Swanton gets NRPC approval of its plan the town gets "substantial deference" from the PUC, which is defined by statute.

Mr. Hubbard stated he does not have an issue with deleting the portion of the paragraph as requested by NRPC.

Mr. Speer, who is on the NRPC Plan Review Committee, would tend to follow NRPC's lead since it acts as a liaison between the community and the state. Mr. R. Lavoie, who sits on the Planning Commission and on NRPC's Plan Review Committee, spoke in support of removing the language.

Ms. Luneau-Swan, a member of the Planning Commission, recognized the support and work done by NRPC, believes compliance with the NRPC's energy plan protects Swanton's community, and so would defer to them on this language.

Mr. Daniel, also of the Planning Commission, thinks the plan is good but there is work needing to be done.

Mr. Billado, looking at the resources available to the Selectboard and considering all the opinions expressed by those who worked on the enhanced energy plan, specifically the Planning Commission and NRPC, is comfortable taking this language out.

Mr. Newton will make the deletion and provide Mr. Jescavage the updated plan.

Mr. Billado made a motion at 7:46 p.m., seconded by Mr. Centabar, to exit the public hearing for the proposed Municipal Plan amendments and enter the Selectboard meeting. Motion carried.

- c) Zoning Enforcement Issue (Executive Session – Legal) – Moved to the end of the meeting as part of Executive Session.

d) Flooding Update

Mr. Jescavage informed the Selectboard he had received a telephone call from someone still living in a hotel; she was referred to Dianne Day for further assistance.

Mr. Jescavage informed the Selectboard of a meeting the previous Sunday with Representative Peter Welch where he suggested FEMA pay 100% of the buy-out instead of the current 75% in order to encourage property owners to use the program.

- e) Set Public Hearing for Naming New Street – Mr. Jescavage said the developer of a recently-approved subdivision has provided a proposed name, Quarry Lane, to be determined at a public hearing at the next meeting.
- f) Jason Hodgdon Summer Concert Update and Request for Letter of Support

Mr. Hodgdon came before the Selectboard to provide an update and ask for a letter of support from the town. Mr. Hodgdon brought letters from the Swanton Fire Department and Swanton Police Department, and a letter from Tuttle's who will handle rubbish removal. Mr. Hodgdon has ordered ten port-a-lets (eight regular and two handicapped-accessible) to start; may order more depending upon ticket sales. Mr. Hodgdon has traffic control and security in place, and the event will take place rain or shine.

Mr. Billado made a motion, seconded by Mr. Lavoie, to authorize Mr. Jescavage to draft a letter of support from the town for Hodgdon's Trucker Fest. Motion carried.

5. Liquor Control Commission

Mr. Billado made a motion at 7:59 p.m., seconded by Mr. Lavoie, to exit the Selectboard meeting and to enter Liquor Control Commission. Motion carried.

Ms. Fournier informed the Liquor Control Commission the application before them was the 2018 license renewal for North Side Liquor and Beverage.

Mr. Centabar made a motion, seconded by Mr. Lavoie, to approve the North Side Liquor and Beverage renewal application. Motion carried.

Mr. Lavoie made a motion at 8:00 p.m., seconded by Mr. Billado, to exit Liquor Control Commission and enter the Selectboard meeting. Motion carried.

6. Community & Economic Development

a) ED Coordinator Updates

Ms. Nance presented a proposal to the Selectboard to purchase a 5" x 2.45" advertising spot in the 2018-2019 cross-border map. Due to concerns related to the cost of the advertisement and a lack of a return on investment the Selectboard declined to purchase the ad space.

7. Highway Department – Updates (if needed) - None
8. Correspondence - None
9. Any Other Necessary Business
 - a) Discuss Swanton Today Attendance – There was general discussion following up on an email Mr. Jescavage had sent to the Selectboard regarding who would be able to attend Swanton Today, specifically for May but more generally in case Chair Guilmette was unable to.
10. Public Comments (Reprise) - None
11. Upcoming Events
 - a) Friday, May 4, 2018 @ 7:00 a.m., Special Selectboard Meeting, Town Highway Garage, 221 First Street
 - b) Tuesday, May 15, 2018, @ 7 p.m., Next Selectboard Meeting, Town Offices, 1 Academy Street
 - c) Saturday, May 19, 2018 from 8:00 a.m. – 2:00 p.m., NWSWD Hazardous Household Waste Pick-up, Town Garage, 221 First St.
 - d) Saturday, May 19, 2018 from 10:00 a.m. to 4:00p.m. and Sunday, May 20, 2018 from noon to 4:00 p.m. – Community-wide Yard Sale
 - e) Monday, May 28, 2018, Memorial Day Holiday, Town Offices & Operations Closed
 - f) Monday, May 28, 2018, Memorial Day Parade, Downtown Swanton, starting @ 2:30 p.m., and ending With Vietnam Veterans Memorial Bridge Dedication and Cookout Afterwards
12. Executive Session

Mr. Billado made a motion at 8:15 p.m., seconded by Mr. Lavoie, to enter Executive Session to discuss real estate, personnel, and contract issues that premature general public knowledge of would clearly place the public body or a person involved at a substantial disadvantage. Motion carried.

Mr. Billado made a motion at 9:18 p.m., seconded by Mr. Centabar, to exit Executive Session. Motion carried.

Action taken: None

E. Adjournment

Mr. Lavoie made a motion at 9:18 p.m., seconded by Mr. Billado, to adjourn. Motion carried.