

Dummerston Zoning Bylaw Committee
DRAFT of Minutes from meeting on November 12, 2009

PRESENT: Greg Brown, Selectman, Housing Advisory Commission; **Corin Nelsen**, Planning Commission; **Paul Normandeau**, Former Selectman and pretty much everything else; **Lew Sorenson**, Development Review Board, Windham Regional Commission Rep, Historical Society; **Cindy Wilcox**, Development Review Board, Historical Society, Planning Commission
ABSENT: Charlotte Annis, Zoning Administrator; **Regina Rockefeller**, Development Review Board, Housing Advisory Commission, Planning Commission

Meeting convened at 8:30 at the Historical Society.

The focus of all discussion was on setbacks. It was agreed that the problem with the current setbacks is the wide range of variation, conflicting definitions, and separate numbers for front, side, and rear lines... and most properties are not shaped in a perfect rectangle that would meet those definitions... and the current numbers create a lot of pre-existing, non-conforming situations. The goal would be to both simplify these numbers while maintaining development oversight and protecting property owners/ values.

The proposed solution is to create just 2 setbacks- Road Setback and All Others. And have these numbers apply to all zones except villages/hamlets, and commercial/ business situations. This would allow the numbers to be listed in General Standards with specific exceptions listed in.. Specifics... (this is how Newfane's new bylaw is laid out).

The discussion of what the general setbacks should be was framed from the probable directive of the proposed Town Plan to encourage 'clustering' of development ...as well as preserving the current town character. After a lot of various scenarios (previous, existing, and future) were tossed around and close scrutiny of existing numbers, it was agreed that would propose 40 feet as the setback for the All Other setback number (what is currently called "side and rear" setbacks).

The Road Setback had a lot of discussion and widely varying opinions, but it was eventually agreed that by proposing a low number (50'), until good arguments for larger numbers were made, common sense and rational placement by anyone building would very rarely come "too" close to the road. The Road Setback would also now be considered from the center of the road, not the property line (too ambiguous in current bylaw). 50' seemed reasonable from the perspective of safety (in cases where parking would be between the road and the structure), but it was noted that Lee, the Town Road Foreman, be consulted to be sure. On smaller roads, it was rationalized that 50' from the centerline was roughly the same as the 40' setback from all other property lines... This 50' would apply to all uses (primary and accessory).

Exceptions: Villages and Hamlets: While exactly which areas would actually be designated as such is still to be determined, the discussion focused on West Dummerston village and Slab Hollow. It was proposed that the All Other setback be set at 10 feet. The Road Setback proposal is to actually establish a Line on a Map for the specific Village districts. While this may take a little more work upfront, the practical result seemed far preferable than trying to establish a centerline footage number. There may be scenarios we did not consider, but Lew made a convincing argument for it and if we use the budget wisely, we can utilize more for these maps.

Commercial exceptions: In villages, the numbers would stay the same, but in Rural Residential (and all others) there should be Site Plan Review (with some guidelines/ standards) to allow for the wide range of possible scenarios.

The week of Thanksgiving our meeting will be held on Tuesday, November 24, 2009.

The next sections we would like to work on will be Home Business and Home Occupation.

The meeting was adjourned at 10:35 am.

Respectfully submitted,
Corin Nelsen