

UNAPPROVED

PUBLIC HEARING ON ZONING BYLAW AMENDMENT SELECTBOARD MINUTES

November 22, 2011

This hearing was called to order by Chair Tom Bodett at 6:30pm in the downstairs of the Congregational Church in Dummerston, Vermont.

Members Present: Tom Bodett, Greg Brown, Zeke Goodband, Lewis White

Not Present: Bill Holiday

Also Present: Paul Normandeau, Lew Sorenson and Laurie Frechette

Zeke moved to accept the proposed setback changes to the zoning bylaw as presented (see attached). Greg seconded the motion. Paul Normandeau urged the Board not to reduce the side yard setback requirements to 40' in the Rural/Commercial District. Lew Sorenson spoke in favor of the amendments as presented. The Board voted 4-0 to accept the amendments.

The hearing was closed at 6:42pm. Paul and Lew left the building.

The Special Selectboard Meeting/Budget Work Session was immediately convened.

The Board set a tentative date of Tuesday, December 13th to hold a "neighborhood meeting" concerning the Renaud Gravel Pit. The site and time will be announced soon.

The Board then began their Budget Work Session. Laurie was excused from the meeting and left the building.

With no decisions being made, a motion to adjourn was accepted at 8:50pm.

Approved

Tom Bodett, Chair

Zeke Goodband, Clerk

Submitted by: Zeke Goodband, Clerk and Laurie Frechette, Selectboard Assistant

BUILDING SETBACK & MINIMUM YARD BYLAW PROVISIONS
9/30/2011 DRAFT

Intended Effect of Proposal:

- Make building setback and yard requirements consistent for all zoning districts except the Village District.
- Postpone reducing setback and yard requirements for the Village District until district boundaries are revised, and consider using the prevailing setback of existing structures in West Dummerston and the Slab Hollow and Dummerston Center historic settlements.
- Reduce building setback from roads from 50' & 100' from the right-of-way line to 50' from the center of the roadway, or 25' from the right-of-way line, whichever is greater. (all Districts except Village)
- Reduce side and rear yard requirements from 40 – 100' to a consistent 40' from all non-roadway property lines. (all Districts except Village)

Proposed Bylaw Language:

Key:

- ***Bold & italic:*** new proposed wording
- ~~Strikethrough:~~ wording proposed for deletion

ESTABLISHMENT OF ZONING DISTRICTS AND ZONING MAP – ARTICLE II

Amend Sections 205, 210, 215, 220, 225 & 230 to delete all provisions for Building Setback minimum and side and rear yard minimum requirements in all Zoning Districts other than the Village District:

GENERAL REGULATIONS – ARTICLE VI: amend Sections 615 & 615 to read:

Section 615 ~~SETBACK REQUIREMENTS FRONT YARD SETBACK ON HIGHWAYS WITH LESS THAN 50 FOOT RIGHTS-OF-WAY~~

The following minimum setback requirements shall apply to all Zoning Districts except the Village District which has its own setback requirements as provided in Section 235, and except along watercourses as provided in Sections 245 and 324.

1. **Setbacks from Public Roads and Private Vehicular Rights-of-way serving three or more properties:** ~~Notwithstanding provisions for front yards elsewhere in these regulations, on highways with less than 50 foot rights-of-way, the front yard requirements shall be measured from the center line of the existing right-of-way and 25 feet shall be added to the front yard minimum requirement. Structures shall be set back a minimum of 50 feet from the centerline of all roads, except where the road right-of-way is greater than 50 feet in width in which case the minimum setback shall be 25 feet from the edge~~

of the right-of-way. This requirement shall apply to all public and private roads, except private vehicular rights-of-way serving less than three properties. If the Town Road Records or the State Highway Department files do not clearly state the exact location and/or width of the highway or right-of-way in question, the front yard setback requirement shall be measured from the center line of the roadway as presently traveled and 25 feet shall be added to the front yard minimum requirement.

- 2. Setbacks from Property Lines other than Roadways: Structures shall be set back a minimum of 40 feet from all property lines other than those along roadways as provided in Subsection 1 above.**

Section 616 EXEMPTIONS TO SET-BACK REQUIREMENTS

Small accessory structures, less than 200 square feet of floor area and 12 feet or less in height are allowed within side ~~and rear~~ yard setback *areas other than those along roadway as provided in Section 615* as long as they are not closer than six (6) feet to the property line. These may not be converted into accessory dwellings, and are prohibited within any 50' streambank buffer.

Handicap Ramps are exempt from setback requirements provided that they do not obstruct public rights-of-way, or interfere with corner visibilities or sight distances for vehicular traffic. (If there is a question the final determination shall be made in consultation with the Road Foreman.)