



# Village of Manchester, Vermont

## Minutes of a Regular Meeting of the Development Review Board Held on the third day of October, 2018

**Members Present:** Chairman Craig Powers, Vice Chair Orland Campbell, Donald Brodie, Dana McCloskey  
**Member(s) Absent:** Bob Johnston, Renee Waller, Gordon McClellan  
**Others Present:** Eric Scott, Administrative Officer

Chairman Powers called the meeting to order at 10:00 A.M.

### Minutes:

Approve the draft minutes of the September 05 meeting.

Member Campbell moved to approve the minutes with the addition of Rob Morgan as an attendee, Member Brodie seconded the motion and the Board unanimously approved.

### Applications:

None

### Other Business:

Review possible changes to Village Bylaws, Sections 5, 5.1 and 5.2.

Changes to Bylaws Section 5, 5.1 and 5.2 were approved and are attached. Deleted passages have a ~~strike through~~ effect and insertions are underlined. Passages in **black** require further review.

Scott briefed the members regarding Village of Manchester v. Leggett Custom Homes.

There being no further business to come before the Board, the meeting was adjourned at 11:05 A.M.

**SECTION 5 - RESIDENTIAL ZONING DISTRICTS**

**5 PURPOSE**

The purpose of the regulations applicable to rural-residential districts is to insure development of a variety of residential use types, and densities and cost levels appropriate to the present and projected population of the Village. ~~The regulations recognize the fact that development requires the provision of appropriate water supply and sanitary sewer systems, as well as higher standards of street improvements.~~

**5.1 RURAL RESIDENTIAL (RR) DISTRICTS**

**5.1.1 PURPOSE**

Rural Residential (RR) Districts are intended to maintain the historic settlement pattern of the Village, and to insure the preservation of the natural, rural and scenic qualities of areas that are planned to be predominantly residential and ~~agricultural~~rural in character.

**5.1.2 DIMENSIONAL REQUIREMENTS IN RURAL RESIDENTIAL (RR) DISTRICTS<sup>(a)</sup>**

	RR-5	RR-3	RR-2	RR-1
Lot size in acres, and per dwelling unit	5 <u>ac</u>	3 <u>ac</u>	<del>3 ac/2 ac</del> <sup>(b)</sup>	3 <u>ac</u> <sup>(eb)</sup>
Lot width	200'	200'	200'	200'
Yard, front	50'	50'	50'	50'
Yard, side	40'	30'	30'	30'
Yard, rear	50'	50'	40'	40'
Maximum building coverage	10%	10%	10%	10%
Maximum building height	35'	35'	35'	35'

~~a — Notwithstanding the residential density requirements set forth in these bylaws, Any residence which is listed on the National Register of Historic Places as a contributing structure may be developed with not more than two dwelling units (owners quarters shall be one dwelling unit), provided all alterations and additions to the building are approved by the Development Review Board in accordance with this bylaw, and all other requirements of the zoning bylaw are met. In addition, if there is an accessory structure on the property which is listed as a contributing structure on the National Register of Historic places, notwithstanding the residential density requirements of this bylaw, the accessory unit may be developed as one dwelling unit provided all alterations and additions are approved by the Board in accordance with this bylaw and all other requirements of the bylaw are met. This provision applies to all such dwellings in the Village, notwithstanding the Zoning District (RR, VR, MR, or B) in which they may be located.~~

(a) — A building which is listed as a Contributing Structure on the National Register of Historic Places may be developed with not more than two dwelling units (owners quarters shall be one dwelling unit) and an accessory unit listed as a contributing structure may be developed as one dwelling unit. All alterations and additions shall be approved by the Development Review Board in accordance with this Bylaw. This provision applies to all Contributing Structures in the Village, notwithstanding the Zoning District in which they may be located.

~~b — 2 acre minimum lot area permitted where public water and public sewer is available.~~

(b) In the RR-1 District, the density may be increased to not over, but may not exceed one family per 60,000 sq. ft. (1.4 ac) of ~~gross tract area~~ lot size, provided that the golf course is maintained as an operating golf course, and no part of the golf course is developed with buildings.

### 5.1.3 PERMITTED USES IN RURAL RESIDENTIAL (RR) DISTRICTS

The following uses, subject to the limitations and requirements of Sections 3.6 and 3.7 of this Bylaw.

- a. Single family ~~and~~ two-family dwellings.
- b. Customary home occupations. See Section 3.4.
- c. Farming, including dairying, orchards, ~~wood lots,~~ forestry operations and non-commercial ~~green-house~~greenhouses.
- d. A residential care home caring for two or less persons who are developmentally disabled or physically handicapped.
- e. A state licensed, or registered residential care home or group home, serving not more than six persons who are developmentally disabled or physically handicapped. Such use may not be located within 1000 feet of another such home.
- f. A family child-care facility serving six or less children.

### 5.1.4 CONDITIONAL USES ~~PERMITTED~~ IN RURAL RESIDENTIAL (RR) DISTRICTS

The following may be permitted as conditional uses in Rural Residential (RR) Districts ~~in conformance with the provisions of 3.3.~~

- a. A public park or playground, a community recreation building or center, a library, museum, art center, medical clinic or similar philanthropic use, operated by a governmental unit, or a community association.
- b. A sewer or water pumping station, standpipe, water tank, reservoir, unattended telephone exchange, provided that the design and landscaping are in keeping with the character of the vicinity.
- c. A bona-fide club, including a golf club.
- d. A state licensed, or registered residential care home or group home, serving seven or more persons who are developmentally disabled or physically handicapped. Such use may not be located within 1000 feet of another such home, nor have less than 6000 sq. ft. of lot area per patient accommodation.
- e. A cemetery owned by a non-profit cemetery association ~~located in the Village.~~
- f. Community owned and operated institutions and facilities.
- g. An accessory dwelling unit, including a new accessory structure, which results in an increase in the height or floor area of the existing dwelling, or which requires an increase in the dimensions of the parking area.
- h. Public and private schools, and other institutions Certified by the Vermont Department of Education.
- i. Bed and Breakfast facilities ~~in Rural Residential (RR) Districts only.~~

### 5.1.5 ACCESSORY USES PERMITTED IN RURAL RESIDENTIAL (RR) DISTRICTS

- a. An accessory use as defined in Section 1.
- b. An accessory apartment in the same building as the owner-occupied single family dwelling.

### 5.1.6 SIGNS PERMITTED IN RURAL RESIDENTIAL (RR) DISTRICTS

- a. All signs must meet the requirements of the Village of Manchester Sign Regulations.

## 5.2 VILLAGE RESIDENTIAL (VR) DISTRICTS

### 5.2.1 PURPOSE

The purpose of the Village Residential (VR) Districts is to provide for compact residential development, in one ~~and~~ two family dwellings, in suitable areas, served by public water supply and public sewer systems.

There are three sub-districts within the Village Residential (VR) District. They are:

- a. VR-1: The property is connected to both public water and public sewer.
- b. VR-2: The property is connected to public water, or public sewer, but not both.
- c. VR-3: When connected to neither public water, nor public sewer.

#### 5.2.2 DIMENSIONAL REQUIREMENTS IN VILLAGE RESIDENTIAL (VR) DISTRICTS

	VR-1	VR-2	VR-3
Lot size in square feet	15,000 <u>ft<sup>2</sup></u>	30,000 <u>ft<sup>2</sup></u>	40,000 <u>ft<sup>2</sup></u>
Lot size per dwelling unit in square feet	10,000 <u>ft<sup>2</sup></u>	30,000 <u>ft<sup>2</sup></u>	40,000 <u>ft<sup>2</sup></u>
Lot width	100'	120'	150'
Yard, front	25'	25'	30'
Yard, side	10'	15'	15'
Yard, rear	25'	25'	30'
Maximum building coverage	25%	15%	10%
Maximum building height	35'	35'	35'

#### 5.2.3 PERMITTED USES IN VILLAGE RESIDENTIAL (VR) DISTRICTS

~~The following uses, subject to the limitations and requirements of Sections 3.6 and 3.7 of this Bylaw.~~

- a. Single family ~~and~~ two-family dwellings.
- b. Customary Home Occupations. See Section 3.4.
- c. A residential-care home serving not more than two persons who are developmentally disabled or physically handicapped.
- d. A state licensed or registered residential care home or group home, serving not more than six persons who are developmentally disabled or physically handicapped. Such use may not locate within 1000 feet of another such home.
- e. A family child-care facility serving six or less children.

#### 5.2.4 CONDITIONAL USES ~~PERMITTED~~ IN VILLAGE RESIDENTIAL (VR) DISTRICTS

The following may be permitted as conditional uses in Village Residential (VR) Districts:

- a. A public park or playground, a community recreation center or building, a library, museum or hospital, clinic or similar philanthropic use, operated by a governmental unit or non-profit corporation, or a community association.
- b. A municipal fire or police station, sewer or water pumping station, standpipe, water tank, reservoir, electric transformer station or unattended telephone exchange, provided that the design and landscaping are in keeping with the character of the vicinity.
- c. A bona-fide club, including a golf club, the principal activity of which is not carried on as a business, provided a building for human occupancy shall be not less than 50 feet from a lot line or a street line, and provided that no parking or outdoor activities shall be permitted in any required yard.
- d. Public and private schools, (including on or off-premise dormitories) and other institutions certified by the Vermont Department of Education.

- e. A state licensed or registered residential care home or group home, serving seven or more persons who are developmentally disabled or physically handicapped. Such use may not locate within 1000 feet of another such home, and shall have a minimum of 4000 sq. ft. of lot area per patient accommodation.
- f. A family childcare facility serving in excess of six full time, and four part time children.
- g. Solid waste disposal facilities.

#### 5.2.5 ACCESSORY USES PERMITTED IN VILLAGE RESIDENTIAL (VR) DISTRICTS

- a. An accessory use as defined in Section 1.

#### 5.2.6 SIGNS PERMITTED IN VILLAGE RESIDENTIAL (VR) DISTRICTS

- b. All signs shall meet the requirements of the Village of Manchester Sign Regulations.