



Village of Manchester, Vermont

Minutes of a Regular Meeting of the Development Review Board Held on the 6th day of December, 2017

Members Present: Chairman Donald Brodie, Vice Chair Craig Powers, Orland Campbell, Bob Johnston, Gordon McClellan, Renee Waller, Dana McCloskey, Alternate

Member(s) Absent:

Others Present: Andrea Ross, Brian Knight, Marian Haines, Anthony MacLaurin, Eric Scott, Administrative Officer

Chair Brodie called the meeting to order at 10:00 A.M.

Chair Brodie opened the meeting with the following announcements.

- Administrative Officer Scott has been re-appointed by the BOT for a three year term.
- Chair Brodie advised the Board that he had received a letter of resignation from longtime public servant, Al Michaels. Mr. Michaels resigned from Planning Commission as well. The Board regrettably accepted his resignation.
- DRB Alternate, Dana McCloskey would serve until an appointment was made.
- Chair Brodie and Bob Johnston, DAC Chair recommended Dana McCloskey and Aileen Aberth for appointments to the DRB and DAC respectfully. The Board concurred.

Minutes:

Approve the draft minutes of the November 01 meeting.

Member Johnston moved that the draft minutes of the November 01, 2017, meeting be approved. Member Waller seconded the motion and it passed unanimously.

Applications:

None

Other Business:

Review possible changes to Village Bylaws, Sections;

2-DISTRICTS,

3-GENERAL REGULATIONS and

4-DESIGN CONTROL DISTRICTS.

Attached are the changes approved. Deleted passages have a ~~strikethrough~~ effect and insertions are underlined. Passages in **black** require further review.

There being no further business to come before the Board, the meeting was adjourned at 11:12 A.M.

SECTION 2 – DISTRICTS

All development within the Village of Manchester is required to comply with the requirements of both the Zoning District and the Design Control District within which a property is located. The requirements of the Zoning District will control the type of development allowed, as well as the dimensional requirements, including the amount of land needed for specific developments, setbacks, percentage of property coverage, building heights, and other specific requirements. The Design Control Districts generally set out requirements for building locations, designs, materials used, lighting, landscaping, and similar considerations. The Village Development Review Board has the authority to rule on all applications, and potentially waive dimensional requirements as provided in Section 9.4, if, in its opinion, the granting of a waiver would allow a specific development to better comply with the intent of the Village Plan of Development, and blend in with the surrounding properties.

2.1 ZONING DISTRICTS

For the purpose of this bylaw, the Village is divided into the following classes of districts, to be designated by the abbreviations set forth below.

Residential Districts:

Rural Residential	RR5
Rural Residential	RR3
Rural Residential	RR2
Rural Residential	RR1
Village Residential	VR
Multiple Dwelling Multifamily Residential	MR
Planned Residential Development Overlay	PRD

Open Use Districts:

Forest and Recreation	F
Floodplain	FP

Commercial Districts:

Business 1	B-1
Business 2	B-2

Mixed Use Districts:

Equinox Historic District	EHD
Planned Unit Development	PUD

2.2 DESIGN CONTROL DISTRICTS

Historic Core District	HCD
Preservation District	PD
General Review District	GRD

2.3 ZONING MAP

The boundaries of these districts are hereby established, as shown on the Zoning Map of the Village of Manchester, (Appendix 1), and the Flood Insurance Rate Map (FIRM), ~~dated effective June 20,~~ dated effective December 02, 2015, which maps and amendments are hereby declared to be part of this bylaw.

2.4 LAND UNDER WATER

Zoning Districts shall include land under rivers, streams, lakes or ponds lying within them. Where opposite sides of a river or stream lie in different districts, the boundary shall be the center of the river or stream. Where opposite sides of a lake, pond, swamp or other water body lie in different districts,

the boundary shall be deemed to be in the center thereof. However, the area of lands under water within a parcel or lot may not be included when calculating residential density for subdivision purposes, or as part of the required area for any proposed lot, or when calculating allowable lot coverage for commercial or industrial uses.

2.5 INTERPRETATION OF MAP

Any uncertainty as to the location of a district boundary line on the Zoning Map shall be resolved by the Administrative Officer with appeals of any such decisions made to the Development Review Board.

SECTION 3 - GENERAL REGULATIONS

3.1 COMPLIANCE WITH BYLAWS

1. No land, building or premises, or part thereof, shall hereafter be used, and no building or part thereof, or other structure shall be constructed, reconstructed (except for an identical reconstruction), extended, enlarged, razed, moved, or altered, except in conformity with this bylaw.

3.2 DIMENSIONAL REQUIREMENTS FOR ALL ZONING DISTRICTS

1. Land development may be permitted only on lots which have frontage of at least 50 ft. on a public street, or, with the approval of the Development Review Board, have access to a public street by a permanent easement or right-of-way, not less than 20 feet wide for one dwelling unit, or not less than 50 feet wide for more than one, but less than five dwelling units.
2. Access for five or more dwelling units shall meet the requirements of the Residential Planned Unit Overlay District. Access for four or less dwelling units shall enter the street at the site of an existing access point, if possible. If it is not possible to combine access points, any new access point shall be located at least 50 feet from any other access point, and at least 150 feet from any street intersection.
3. Driveways shall enter streets in such a manner as to provide the maximum site distance possible, and shall be flared when they meet the street pavement by curves having radii of not less than 20 feet. The location of the entire driveway shall follow the natural contours of the land, and shall not exceed 8% grade. The Village adheres to; VTrans' 2011 Standard Specifications for Construction Book and Standard B-71.
4. Any cut or fill necessary to achieve the required grade shall not differ from the natural grade of the original site by more than 4 feet.
5. Nothing in this bylaw shall prohibit the projection of minor architectural features, for more than one foot into the required open space, nor the planting or landscaping of such open spaces.
6. No building in any district shall exceed a height applicable to the District, but this limit shall not apply to spires and cupolas occupying in the aggregate not more than 10% of the area of such building and not used for any human occupancy, nor to chimneys, farm silos or flagpoles.
7. Notwithstanding other requirements for front yards, on lots abutting a street with a right-of-way less than 50 ft. wide, the required front yard facing such street shall be increased by one-half the difference between the actual street right-of-way and 50 feet.
8. No fence, wall, hedge, shrubbery or other obstruction to vision shall be placed or allowed to grow at street or driveway intersections.

3.3 USE REGULATIONS FOR ALL DISTRICTS

1. No building, structure or portion thereof shall be erected, altered, razed or moved, and no land, buildings, or part thereof, shall be used for any use other than the one listed as a permitted or approved conditional use in the district in which it is located.
2. A continuous strip not less than 10 feet in width shall be suitably landscaped and maintained in good appearance between the traveled way and the balance of the lot in all districts. The required strip may be traversed only by driveways, utility lines serving the lot, and pedestrian walks.

3. Not more than 30% of the area of the required front yard shall be used for driveways and parking, and the balance shall be suitably landscaped and maintained in good appearance.
4. No portion of the required front yard shall be used for storage or for any purpose except as above provided.
5. No inoperable or unregistered motor vehicle, or trailers, or boats, may be stored on any lot for a period in excess of thirty days, except within a building. No scrap or waste material not originating on the premises may be stored or disposed of on any lot. No scrap or waste material originating on the premises may be stored on any lot unless within a building or screened from off-premise view, except that a period of three months shall be allowed for removal of scrap or waste material resulting from a construction operation, and a reasonable time shall be allowed for removal of material from fire, flood, or similar emergency.

3.4 CUSTOMARY HOME OCCUPATIONS

~~Nothing in this bylaw shall infringe upon the right of any resident of the Village of Manchester to use a minor portion of a dwelling for an occupation which is customary in the home, and that does not have an undue adverse effect upon the character of the residential area in which the dwelling is located.~~

Applicants seeking a permit for a Customary Home Occupation must demonstrate:

- a. ~~The Home Occupation work~~ shall be ~~carried on~~performed only by a resident(s) of the dwelling and no more than two full time employees who are not residents, working at the ~~location~~dwelling.
- b. ~~The Home Occupation work area~~, uses less than 50% of the floor area of the dwelling, and is clearly ~~secondary to the residential use of the dwelling~~an accessory use.
- c. The use does not create a nuisance, objectionable noise, smoke, vibration, odor or noxious gas detectable on any adjoining property or dwelling unit.
- d. Hours of operation, signage, outdoor lighting, parking, traffic, etc., shall be compatible with the character of the residential neighborhood.

A site development plan may be required by the Development Review Board.

3.5 ADMINISTRATIVE REQUIREMENTS

1. ~~The provisions of this bylaw relating to Minimum Lot Area and Minimum Lot Width only, shall be waived to permit the construction of an otherwise permitted building or the establishment of an otherwise permitted use on a lot not less than one-eighth acre in area with a minimum width or depth dimension of 40 feet, which at the date of the adoption of this bylaw, and continuously thereafter, was in individual and separate and non-affiliated ownership from surrounding properties.~~
2. ~~Except in the case of two-family dwelling units, multi-family housing, and the Equinox Historic District, where more than one dwelling is to be placed on any one lot, such dwellings shall be located so that each such dwelling, and any building accessory to it, could be set off as a separate lot conforming to all of the applicable provisions of this bylaw, and no building shall be sold into separate ownership except in compliance with the above.~~