

Material reviewed at this meeting: Part 2

Material to be reviewed at the next meeting: Continuing review of Part 2

GENERAL DISCUSSION

River Corridor. There was discussion of whether Berlin should expand its flood hazard regulations to include river corridors. The state has mapped these areas along rivers and streams as being at risk of erosion during storm events. They represent a band within which the areas within which rivers or streams should be expected to move and meander over time. Brandy will bring the Planning Commission a map showing the river corridor areas in Berlin.

Shoreland District. There was discussion of whether the draft should include a shoreland overlay district consistent with recent state regulations. Brandy recommended that the Planning Commission work through the zoning districts and subdivision/PUD provisions before considering whether further protection of the shoreland areas would be desirable at this time.

Underground Tanks. There was discussion of underground tanks and clarifying that they are “structures” and subject to the regulations.

List of Uses. There was a request to alphabetize the list of uses in each district.

Measuring Front Setback. There was discussion of how front setbacks will be measured. Currently, front setbacks are measured from the edge of the road and the setback is 50 feet in all districts except Town Center, where it is 15 feet. The draft proposes measuring front setbacks from the edge of the road right-of-way/front property line and the setbacks range between 20 to 50 feet by district. The only districts where front setbacks would likely be increased are the Town Center, Light Industrial and Industrial districts. Language will be added to Part 5 where there will be guidance on how to measure the dimensional requirements along the lines of “Front setback will be measured from the front property line or the edge of the road right-of-way if land under road is owned by the adjoining property owners. If the location of the front lot line or edge of road right-of-way is unknown, it will be assumed to be 25 feet from the road centerline or one-half of the road right-of-way width if the right-of-way is not 50 feet.” Alternatively, the front setback could be measured from road centerline and 25 feet could be added to all the district setbacks. That number may need to be higher for the Highway Commercial district where the highway right-of-way is greater than 50 feet. Measuring from the edge of the road is not recommended because that location has a greater likelihood of changing over time than the edge of the right-of-way or the centerline of the road.

Definition of Road. There was discussion of whether the term “road” as used in Part 2 includes private roads. The term will be defined in Part 5 and it does include private roads.

NOTES BY SECTION

CHAPTER 200. GENERAL PROVISIONS

Section 2001. Establishment of Base Zoning Districts & Neighborhoods. No changes made. The Planning Commission also reviewed the draft zoning map. The boundaries of each district will be discussed in greater detail in association with its associated standards.

Section 2002. Establishment of Overlay Zoning Districts. No changes made. Brandy noted that VTrans is reviewing the first draft of the Airport Overlay district. There was also discussion of the Source

Water Overlay district and whether this should be included in the draft or which source water areas should be included. No decision was made, but the Planning Commission will review the online map of the town's source water protection areas.

Section 2003. Official Zoning Map. No changes made.

Section 2004. Zoning District Boundaries. No changes made.

Section 2005. Use Standards. There was discussion of materially similar uses in Subsection D and whether this should be a determination made by the ZA or the DRB. Will be revised to clarify that the ZA may refer the matter to the DRB. There was discussion of principal buildings in Subsection E. Will be revised to allow 2 single-family homes on a lot and to clarify the setback distance between buildings applies to new construction. There was also discussion of whether the DRB could grant a waiver to the setback distance between buildings.

Section 2006. Dimensional Standards. No changes made.