

Planning Commission Reporting Form for Municipal Bylaw Amendments

This report is in accordance with 24 V.S.A. §4441 (c) which states:

“When considering an amendment to a bylaw, the planning commission shall prepare and approve a written report on the proposal. A single report may be prepared so as to satisfy the requirements of this subsection concerning bylaw amendments and subsection 4384(c) of this title concerning plan amendments..... The report shall provide(:

(A) brief explanation of the proposed bylaw, amendment, or repeal and ...include a statement of purpose as required for notice under section §4444 of this title,

The Planning Commission proposes technical corrections to the Bylaws, which include:

- Fixes to grammatical and spelling errors;
- Making names, references, and terms consistent; and
- Changes to the format to clarify intent (such as the sign provisions).

The Planning Commission proposes many substantive revisions, which include:

- Add design standards to Irasville Zoning District and to Section 5.03(D)(2)(b) for conditional use review
- Amend Agricultural-Residential Zoning to add “primitive camp” as a new permitted use and add “Adaptive Reuse of Farmsteads” as a new conditional use for certain properties
- Add Section 4.02 for “Adaptive Reuse of Farmsteads” criteria
- Add “trail” to permitted uses in the Flood and Fluvial Erosion Hazard Areas
- Clarify state exemption for water protection standards on logging jobs
- New language in Sections 5.01 and 5.03 and subsection 6.07(F) to allow administrative amendments for certain conditional use decisions
- New test in Section 5.05 to allow amendments to prior Development Review Board decisions; codifies *Hildebrand* decision
- Section 6.01(F) clarifies that a single two-year extension is allowable for zoning permits prior to expiration
- Add exemption from zoning permit in Section 6.02 for small patios and decks
- Add Section 6.03(C) on Certificates of Occupancy to include Energy Code Certificate recording requirement from state statute
- Allow setback waiver for new accessory structures in Section 6.05(E); currently only allowed for additions to existing structures
- Re-zone three properties from the Village Residential District to the Village Business District; historically, they have not included residences and are only commercial uses
- New and revised definitions:

- “Accessory Agricultural Use” new
- “Building height” amended
- “Farm café” new
- Removed “Dwelling Unit- attached”
- “Farmstead” new
- “Finished grade” new
- “Primitive camp” new
- “Trail” new
- “Value-Added Production” new

(A)nd shall include findings regarding how the proposal:

1. Conforms with or furthers the goals and policies contained in the municipal plan, including the effect of the proposal on the availability of safe and affordable housing:

While the proposed revisions do not effectively increase the availability of safe and affordable housing in Waitsfield, many other goals and policies contained in the Town Plan are furthered by the amendment. The following additions are particularly notable.

The Irasville design standards build on the revisions that were proposed in 2007 to the Irasville Zoning District. The standards are intended to promote the goals in the Town Plan, which served as the basis for the amended “Purpose” section and additional language added to the conditional use criteria for design and location of structures in Irasville. Development is meant to enhance traditional Vermont village patterns and Vermont vernacular design, and to avoid large, monolithic, box-like structures. The Town Plan refers to such development patterns and favors a denser, more pedestrian-oriented pattern. The amendments clarify this intent from the Town Plan in the Bylaws.

Farmsteads are an iconic piece of history here in the Valley, and this new Adaptive Reuse is intended to further the goal of preserving our working landscape and existing agricultural land. This new conditional use will encourage the viability and restoration of farmsteads while maintaining the historic character of the parcel. To avoid sprawl outside of our downtown area, another important Town Plan policy, the new use focuses on certain parcels which have Route 100 access and currently experience high volumes of traffic.

2. Is compatible with the proposed future land uses and densities of the municipal plan:

The Town Plan’s vision for proposed future land uses and densities are honored by the amendment. The Irasville design standards were one way to approach new development which could potentially take Waitsfield away from a quaint downtown growth center with small, unique structures towards a center

that lacks village character and charm. The land use has not changed for this area.

The new Farmstead conditional use emphasizes that the extended list of uses must be within the current dimensions of any existing farm structures. This new list of allowable uses in addition to those in the underlying district is intended to maintain the vision of the Agricultural-Residential District as it is explained in the Town Plan.

3. Carries out, as applicable, any specific proposals for any planned community facilities.”

The proposed Bylaw amendment does not implement any specific proposals for planned community facilities.