

Summary Report of Proposed 2016 Changes to “Land Use & Development Regulations for the Town of Calais”

Section 1.4:

added: All application for permits begin with the Zoning Administrator [ZA] who will guide the applicant through the process and direct the applicant to other required agencies when warranted.

B7) Curb Cut (Access and Right of Way Permit) issued by the Calais Selectboard for all roads EXCEPT Vt. Route 14 for which the applicant must obtain approval from the Vermont Agency of Transportation, issued under Article 3.2(C)

Table 1.2: added

Curb Cut	Any access onto public highway	ZA to guide Selectboard to approve	Section 3.2C
CHANGE in location of an existing curb cut	Change access onto public highway	ZA to guide Selectboard to approve	Section 3.2C
Driveway not associated with new dwelling or subdivision	Access to private land	ZA*	Section 3.3
Change in location of existing driveway	Changing any placement of a driveway	ZA*	Section 3.3

Table 1.2

Permit application for driveways not associated with new buildings or a change in driveway location shall require a NON CHARGEABLE application to review placement of the new driveway as to setbacks, buffers, and abutting property boundaries.

Section 2.2: (H) All uses shall meet applicable steep slope and surface water protection standards under Sections 3.13 and 3.14. Proposals within the **Shoreland District** must conform to state permit regarding development on slopes as found in the **Vermont Shoreland Protection Act** .

~~**Section 2.3** Except that the district boundary that separates the Curtis Pond shoreland and Maple Corner village districts shall not be extended closer to the shoreland district under this section.~~

Table 2.2 District, and paved State Aid Highway #1 (AKA County Road) southerly of the Maple Corner Village District, the minimum setback shall be 65 feet from the centerline of said roads. ~~District, and State Aid Highway #1 southerly of the~~

~~Maple Corner Village District, and Town Highway #5 northerly of the Maple Corner Village District to the intersection of Town Highway #5 with Town Highway #9, the minimum setback shall be 65 feet from the centerline of said roads~~

Section 2.2 **Table 2.4 Shoreland District (SHR)**

Lakes, ponds, and associated shoreland areas are valuable ecological, recreational and aesthetic resources to the Town and its residents.

Purpose: The purpose of the Shoreland District is to allow reasonable development along the shorelands of our lakes and ponds while protecting aquatic habitat, water quality, the natural stability of shorelines, and recreational uses.

This district generally consists of all land within 250 feet of the shoreline (mean water mark) of all lakes and ponds with a surface area of 10 acres or more (Bliss Pond, Curtis Pond, Nelson Pond, North Montpelier Pond, Mirror Lake or #10 Pond, Woodbury Lake, and **Adamant Pond**). District boundaries may vary, however, by the physical interruption of the 250 foot boundary by town roads or ridges or where there is no surface or subsurface drainage into a pond or lake due to geological formations (see the official Calais Zoning District Map).

Applications for development in the Shoreland District shall be required to demonstrate conformance with **Vermont Shoreland Protection Act** (Vermont law, Chapter 49A of Title 10, §1441 et seq.) The specific requirements of the **Vermont Shoreland Protection Act** can be found at the **Watershed Management Division** of the **Vermont Department of Environmental Conservation** (DEC), online at the DEC website, or paper copies are available at the Calais Town Office.

Any increase of impervious surfaces or decrease in vegetative buffer may require state review under the Shoreland Protection Act.

Uses: moving forestry and agriculture to conditional

Deleting "historic barn re-use"

Many other changes reflect implementation of state Shoreland Protection Act standards and enforcement - See Table 2.4

Table 2.6 added description in meets and bounds of the district

Section 2.3 **Access for Non-frontage lots, ~~Curb Cuts, & Driveway Standards~~**

(Note: 7.1 , PUDs, Purpose of PUD standards is to separate PUDs from Shorelands....)

Section 3.2 Residential development on a non-frontage parcel accessed by a right-of-way or easement under this provision shall be limited to one seasonal or single family dwelling, in accordance with other applicable provisions of these regulations, except where additional dwellings are allowed by Subdivision, PUD, or other projects subject to conditional use review.

Curb Cut and Driveway Approvals¹

The Zoning Administrator [ZA] is to be the first point of contact for all planning and sighting of driveways. Consult with the ZA for guidance through the process of curb cut and driveway placement and approvals.

Curbcut is defined as a means of access for either entering or exiting any State or Town Highways system [Class 1 through 4 roads]. A curbcut is NOT a driveway.

Driveway is a portion of a lot that is a type of private road used as a means of travel through any part of a parcel of land which connects with any public highway access [curb cut]. It may connect to multiple buildings or parcels.

1) Approval for a curb cut onto public roads is subject to the approval of the Calais Selectboard under the Calais Curb Cut Ordinance², and for state highways, the Vermont Agency of Transportation³. ~~As a condition of curb cut approval, compliance with all local regulations and ordinances pertaining to roads and land use is required~~

(D) Driveway Standards. ~~All new or changed driveways entering onto public roads must meet Selectboard specifications for culverts, grading, ditching, and design. In addition, driveways shall be logically sited in relation to existing topography.~~ All new or changed driveways must be at least 10.5 feet wide to support an emergency vehicle. In addition, all driveways must meet all setbacks in the zoning district in which it is built. The driveways must meet all of the Town of Calais specifications or standards for culverts, grading, ditching, and must be able to handle storm water drainage in such a way that water will not pool or run on the public highways. Driveways must conform to impervious surface standards if in Shoreland district.

Section 3.12 Natural Resources within the Shoreland District are protected by the Shoreland Protection Act

3.12A5 delete

3.14 Many changes reflect implementation of state Shoreland Protection Act standards and enforcement

Section 4.7 Historic Barn Re-use delete all

²http://www.calaisvermont.gov/index.asp?SEC=A2D6B320-61B2-419B-B6DB-9C08559333CB&Type=B_BASIC

³http://vtransengineering.vermont.gov/sites/aot_program_development/files/documents/publications/WhereWillMyDrivewayGo.pdf

5.2 A4c deleteshoreland

Section 5.3 Conditional Use Review

Any Zoning application which requires a simple conditional use hearing, but would have de minimus impact, may be approved by the ZA in consultation with the Chair of the DRB and the chair of the PC. If either chair considers the ZA's request inappropriate then the application would need to go through a conditional use hearing. (De minimus means "lacking significance or importance; so minor as to merit disregard.")

E4 Required Buffers & Open Space. The DRB may impose or increase required setback distances and buffer areas as may be reasonably necessary to protect adjoining properties, surface waters, wetlands,, and other natural and cultural features from incompatible development. Buffer management in Shoreland Districts will be determined by state permit review with regard to Shoreland Protection Act. ~~shoreland areas, and other natural and cultural features from incompatible development.~~

section 5.5CKents Corner Old West Church Historic District

C.1) Design Review Process: For Proposals that would not otherwise require a permit in the underlying district, the Zoning Administrator may forward the Application for Design Control Review—Kents Corner Historic District, Calais, VT to the Chair of the Calais Planning Commission (PC) and the Chair of the Design Advisory Board (DAB). If the zoning Administrator receives a written opinion within two weeks from both the PC and the DAB noting the proposals acceptance by those bodies, the Zoning Administrator may approve the Application. If unanimous agreement is not forthcoming, the application will proceed per Design Review Process as described in C, C.2.

C.2)

Table 6.1 added: Buffer management in the shoreland district is enforced under the Shoreland Protection Act.

Shoreland or buffer area management plan shall demonstrate conformance with the Shoreland Protection Act

http://www.watershedmanagement.vt.gov/permits/htm/pm_shoreland.htm

Definitions

Curb Cut: A means of access for either entering or exiting any State or Town Highways system [Class 1 through 4 roads]. A curb cut is NOT a driveway.

Driveway: A portion of a lot that is a type of private road used as a means of travel through any part of a parcel of land which connects with any public highway access [cub cut]. It may connect to multiple buildings or parcels. ~~A minor, private travel way, serving up to three adjoining parcels, which provides vehicular access from an adjoining road to a parking space, garage or other structure. See also Road~~