

Proposed 2016 Zoning Bylaw Changes Summary Report

The Calais Planning Commission is submitting this report in accordance with 24 V.S.A. 4441 which states: "... the report shall provide a brief explanation of the proposed bylaw, amendment, or repeal and shall include a statement of purpose as required for notice under section 4444 of this title

These changes are broadly in four categories

1. Clarification of the Zoning Administrator as the starting point for any development application.
2. Clarification of "curb cut" and "driveway" applications
3. Design Review (Historic) District: adding a description which clears up confusion about the boundary caused by an incorrect map which intermittently finds its way into use, and adding a path for the least-impact applications to be permitted without adding to the DRB workload.
4. Implementation of the Shoreland Protection Act for shoreland standards and enforcement.

Each of these changes is intended to resolve confusion for applicants and to make action by the town on behalf of applicants easier (particularly the Zoning Administrator and the Development Review Board) and less expensive for the town to administer and enforce.

The Shoreland Protection Act (Chapter 49A of Title 10, §1441 *et seq.*), is a well integrated and fully documented program for shoreland protection, administered by the Watershed Management division of the Dept of Environmental Conservation:

The Watershed Management Division's primary mission is to protect, maintain, enhance and restore the quality of Vermont's surface water resources. Inherent in this effort is the support of both healthy ecosystems and public uses in and on 800 lakes and ponds; 23,000 miles of rivers and streams; and, 300,000 acres of wetlands that exist within the State of Vermont.

To accomplish its mission, the Division comprises three media-specific programs that provide for the comprehensive management of Wetlands, Rivers, and Lakes. The Division also supports the integrity of surface waters by administering programs to regulate wastewater discharges and stormwater runoff. The Division has recently completed a major initiative to improve its overall management of Vermont's surface waters. As a result, our new Monitoring, Assessment and Planning program serves to integrate the Division's efforts across these programs through the use of our Statewide Surface Water Management Strategy, and to develop basin plans consistent with this strategy.

Its supporting information, guides, and best-practices publications are well written, thorough, easy to acquire, and easy to understand. It is already one of the permitting and enforcement authorities for applications in the shoreland districts.

Using the Shoreland Protection Act and accompanying materials for our shoreland standards will:

- Make the permitting process easier to understand and eliminate redundancy;
- Create understandable and enforceable standards;
- Turn water quality management and enforcement over to the state while retaining oversight of development and use control; and
- Correct existing shortcomings in the juxtaposition of the shoreland districts and village districts. Our village districts are not on the shorelands, and they are below the watersheds of the bodies of water that the shoreland districts protect. The State standards in the Shoreland Protection Act more accurately reflects this relationship and would more correctly reflect best practices in both districts.