

March 26, 2013

Special Meeting

9:30 a.m. Upper Level Meeting Room

MEMBERS PRESENT: Mr. Reich, Mr. Solley

ALTERNATE PRESENT: Dr. Craparo

STAFF PRESENT: Mr. Ajello, Mrs. Hill

Mr. Solley called the revision of the Zoning Regulations subcommittee meeting to order at 9:35 a.m.

The following sections were discussed and it was determined that either a) further consideration was warranted, b) legal advice was needed, or c) the section should remain as is.

11.2: Mrs. Hill circulated copies of the Residential Density Determination form and said she thought it could be used to help explain how soil based zoning works if this form were included either in this section or in an appendix. This will be discussed again in the future.

11.3.3: It was the consensus to keep this requirement as it is now written, although it was noted this size requirement for interior lots might be changed in the future if soil based zoning is ever adjusted.

A discussion regarding the rationale and history of soil based zoning in Washington followed.

11.4: Mr. Solley suggested that the problem that pre existing lots fall under the category of interior lots when they front on a road but don't have the required frontage could be solved by revising the definition of Frontage Lot in Section 21.1.41. He asked staff to work on improving this definition.

11.4, 12.1.40, 21.1.41, and 21.1.47: Staff was asked to work on resolving the discrepancies between the definitions for Lot Frontage, Frontage Lot, and Lot Width.

Mr. Ajello left the meeting at this point.

11.5.1.b: This issue had been resolved at the 2/13/13 meeting. It was agreed that ".03 acres" would be change to "12.5% of the total land area."

11.5.2: Maximum coverage permitted in the business districts will be considered in the future. Mrs. Hill noted that the coverage limitations were implemented in part to protect water quality, but said given the small lot sizes throughout the business districts, that perhaps if limited impact development standards were adopted, the maximum coverage permitted could be increased.

11.6.1.a: It was noted that currently there are provisions to give some of the business districts flexibility in dealing with maximum lot coverage and minimum setback requirements by Special Permit. Mr. Solley recommended that the Regs be revised in the future to give all business districts the same flexibility.

11.6.1.b: In the future the Commission will look into whether the larger setback requirements for interior lots are too restrictive.

11.6.4: While no substantive changes to the regulations governing fences were proposed, staff was asked to consider whether there are any improvements that could be made for clarity.

11.7.2: This section re: maximum height will be reviewed in the future.

11.7.3.2: It had previously been decided to delete this section.

11.7.4: As agreed at a previous meeting, Mr. Ajello will get the state definition of agriculture and it will be discussed in the future. Mrs. Hill will check into the booklet, "Planning for Agriculture," will make copies for the subcommittee, and will distribute any helpful information.

12.1.1: The provision that no structure may be located within 50 feet of a flood plain boundary will be considered in the future as this impacts potential development in the New Preston, Depot, and Marbledale business districts.

12.5.1: Again, the term, "agriculture," will be reviewed and this section as well as others previously cited will be discussed in the future.

12.5.2: Mr. Ajello's concerns about this section will be discussed when he is present.

12.5.3: This section will remain as written.

12.5.4: There was a brief discussion regarding windmills and wind turbines. It was the consensus that either this section would be updated or a new section on wind turbines added and that when this work is begun it would be helpful to consult with the Conservation Commission.

12.6.1.A.6 and 12.6.1.B.6: These two sections stating that no finished goods shall be acquired for resale in connection with a home office or traditional home enterprise shall remain as written.

The proposed language for all revisions agreed upon at this meeting is attached.

The next subcommittee meeting was scheduled for Tuesday, April 2, 2013 at 9:30 a.m. in the Upper Level Meeting Room.

Mr. Solley adjourned the meeting at 11:48 a.m.

FILED SUBJECT TO APPROVAL

Respectfully submitted,
Janet M. Hill
Land Use Administrator

To be deleted: [underlined in brackets]

To be added: **BOLD CAPS**

[11.6.3 In the case of lots fronting on roads with a right of way width less than 50 feet wide, the minimum front yard distance shall be increased by one half the difference between 50 feet and the actual right of way width.] (and renumber following section)

11.6.4. A. Open fences that are no more than 8 feet tall are exempt from the requirements of Sections 11.6.1 **AND** 11.6.2. [and 11.6.3.]

B. Semi-open fences and closed fences, including picket fences and stone walls, are exempt from the requirements of 11.6.1 **AND** 11.6.2. [and 11.6.3] if

1. they are no more than 4 feet tall, or
2. they do not face a front lot line or a street.

C. EXCEPT IN THE LAKE WARAMAUG RESIDENTIAL DISTRICT, HEDGES ARE EXEMPT FROM THE REQUIREMENTS OF 11.6.1 AND 11.6.2.

12.1.1 No structure **EXCEPT A FENCE** shall be located within 50 feet of any water body, watercourse, or wetland or within 50 feet of a flood plain boundary line....

12.6.1.A.5 Business is conducted only by telephone, mail, courier, fax, modem, **EMAIL**, and the like.

12.6.1.B.5 Business is conducted only by telephone, mail, courier, fax, modem, **EMAIL**, and the like.

12.7.2 No wrecked or junked vehicle nor more than one unlicensed vehicle, except for farm equipment on a farm, shall be stored or parked **OUTSIDE** on any lot **OR PARCEL** in a residential zone.

12.7.5 Garage, yard, **TAG**, and cellar sales not to exceed two consecutive days shall be permitted twice in any one calendar year on any one piece of property. A permit must be procured for each sale from the [Zoning Enforcement Officer] **LAND USE OFFICE STAFF** for a fee established by the Commission.