

TOWN OF WHATELY
HIGHLIGHTS OF PROPOSED ZONING CHANGES
JANUARY 2010

Objectives of the Zoning Task Force

- ❖ Protect the farmland and rural character of Whately
- ❖ Promote better designed development that will help protect water quality and natural resources including farmland
- ❖ Encourage the provision of affordable housing
- ❖ Support working forests and farms
- ❖ Avoid impacting traditional roadside building lots known as “Approval Not Required” (ANR) lots

Proposed Zoning Revisions Changes

- ❖ Two Agricultural/Residential Districts are proposed, Agricultural/ Residential 1 (A/R-1) and Agricultural/ Residential 2 (A/R-2). The A/R-1 district would have the same lot size and frontage requirements for lots along the roads as existing zoning. The A/R-2 District would have larger lot sizes and frontage requirements as shown below.

	Minimum Lot Area (square feet)	Minimum Frontage (feet)	Front yard (feet)	Rear/Side Yard * (feet)	Maximum Lot Coverage (percent)
Agricultural/Residential District 1:					
Lots with Public Water	40,000	175	50	20	30
Lots without Public Water	60,000	200	50	20	30
Agriculture/Residential District 2:					
<i>Lots with Public Water</i>	<i>80,000</i>	<i>200</i>	<i>50</i>	<i>20</i>	<i>30</i>
<i>Lots without Public Water</i>	<i>120,000</i>	<i>300</i>	<i>50</i>	<i>20</i>	<i>30</i>

- ❖ A Draft Official Zoning Map has been created that shows the proposed Agricultural/ Residential 1 (A/R-1) and Agricultural/ Residential 2 (A/R-2) Districts. The proposed A/R-1 District would include 400 feet from the edge of the Right of Way of roads. The Right of Way is the publicly owned land that includes the travel lanes, shoulders and a strip of land along each side of the road typically needed for drainage. The proposed A/R-2 District would be the remainder of the existing Agricultural/ Residential District (*see Proposed Official Zoning Map*).

- ❖ The Open Space/ Cluster Development section has been updated to switch from a Special Permit process to a Site Plan Review process. Key differences are:
 - a. A Special Permit requires a supermajority vote (4 of the 5 members) and can be granted or denied.
 - b. Site Plan Review requires a simple majority vote (3 of 5 members) to approve the Site Plan.

- ❖ The Site Plan Review section has been updated to provide the Planning Board with better information upon which to base their decisions and to make the application procedures and decision process of the Planning Board clearer.

- ❖ A fourth ownership option has been added to the Open Space/ Cluster Development. This option allows a private individual to retain ownership of the “Protected Open Space” rather than conveying it to a homeowners association, land trust, or the Town which are the current options. This will allow a private landowner to retain ownership of the undeveloped land for active forestry or farming purposes rather than leasing it from a homeowners association or land trust.

- ❖ A density bonus is possible for Open Space/ Cluster Developments if the new buildings are clustered and open space such as farmland is permanently protected, if a portion of the new housing is affordable, and/or if the structures incorporate green building techniques and appliances.

- ❖ Two-family dwellings are allowed in the Open Space/ Cluster Developments to increase the variety and affordability of housing in Whately.

- ❖ Accessory apartments up to certain size will be allowed in single family homes or outbuildings provided off street parking can be provided.

- ❖ A new Flexible Development section has been added for traditional residential subdivisions of up to 10 lots to encourage efficient use of Whately’s topography and to help preserve unique natural and cultural features. The frontage and lot size of individual lots may be reduced as long as the “average” frontage and minimum lot size for all lots is maintained.

- ❖ Restaurants are proposed to be allowed in the A/R-1 District by Special Permit.