

## Charlemont Zoning Reform Spring 2008:

The Planning Board urges you to vote in favor of the proposed updates to our town's zoning bylaw which has essentially not changed in 30 years.

### A) What does a zoning bylaw do?

- A zoning bylaw is an invisible framework for all growth and development in town.
- It spells out what kind of 'land uses' (e.g. homes, businesses, gravel pits) require what kind of conditions (e.g. lot size, setbacks, lighting, traffic safety, pollution prevention, consideration of neighborhoods) to make sure they all fit together into a town we all like to live in.
- Most of the regulations in zoning bylaws are set by State Law which the Planning Board is required to uphold.

### B) Key changes in relation to the *present* bylaw

(and not to last Fall's version, see below).

#### 1) Proposed changes to the Special Permit *Process*, the bread-and-butter zoning tool of the Planning Board:

a more detailed, clearer description of the process the applicant needs to follow covering items such as # of copies, fees, who signs off when, realistic time expectations, Rules of the Planning Board.

#### 2) Proposed changes to the Special Permit *Criteria*

These criteria guide the Planning Board in the review and decision whether to approve or deny a Special Permit application. The new zoning bylaw provides more specific criteria that are less open to interpretation though there will always be a good amount of discretion left to the members of the Board to consider each situation on its own merit.

#### 3) Proposed addition of Site Plan Review

This is a new tool for project review. It will be required for educational and religious development projects. These projects are otherwise completely exempt from local zoning by State Law. The bylaw also calls for Site Plan Review (SPR) for *larger scale* commercial and industrial uses along the Trail. This provides for a better and community review of a project where either there would be no local input at all or where additional scenic protection is desirable.

#### 4) Proposed creation of three Zoning Districts (see zoning map):

Our present one-size-fits-all single Rural-Residential District ignores that there are three areas of distinctly different character in town:

- the Village Center as a densely mixed Residential-Commercial District,
- a Rural Residential District including most of the Mohawk Trail with more scattered development across forests, farmland and with scenic views of our hilly landscape, and
- an East Charlemont Residential/Commercial District for a section of the Mohawk Trail where already existing commercial uses abut Shelburne Fls.

Buckland, Colrain, Heath and most Franklin County towns have more than one and often more than three Districts.

#### **5) Proposed new Use Table**

This table puts into a table format what the differences are between the Districts in terms of what land use is allowed, allowed by Special Permit or prohibited. The only prohibited uses are: drive-through restaurants, gas stations, junkyards and landfills, new permanent mobile homes and new mobile home parks. Of course, such existing uses are grandfathered.

**6) Proposed upgrade in minimum lot size from 1 to 1 ½ acres** for the Rural Residential District and the East Charlemont District (no sewer) with a corresponding increase in minimum frontage from 150 to 200 feet. One acre lots in our landscape are often too small to accommodate wells, septic systems, driveways, setbacks and are not compatible with our rural character.

**7) Proposed improvements** in landscaping, drainage and screening requirements for **large scale parking lots**.

The Cell Tower bylaw which makes up the last two pages of our present bylaw was added in 1999 and remains unchanged.

### **C) In case you are curious about how this proposed bylaw differs from *last Fall's* version: We have....**

- Dropped the Impact Statement requirement for Special Permits
- Dropped the Cluster Subdivision section\*
- Reduced Site Plan Review Applicability
- Shortened the Use Table by combining it with a narrative section
- Removed the Village Residential District
- Removed the Backlot Development option
- Removed the Home-Based Business section\*
- Removed limitation on motels in Rural District
- This bylaw has been reviewed by Town Counsel

\* plan to bring to town meeting in the next two years