

Minutes of the Select Board
Monday, May 6, 2024
28 North Main Street and via zoom

Attendance: Kane Sweeney, Roger Clapp, Alyssa Johnson, Ian Shea, Mike Bard, Tom Leitz, Karen Petrovic

Public Attendance: Eric Chittenden, Jeff Poitrus, Chris Viens, Billy Vigdor, Lisa Walton, Katarina Lisaius, Kati Gallagher, Martha Staskus, Lisa Conlon, Matthew Gordon, ORCA Media, Ashley Metevier, Angela Celley, Dave Rogers, Neal Leitner, Alec Tuscany, Francis Trask, Amy Anderson, Kathi & Robert Grace, Keith Morgan, Jackie Mills, Diane Bilodeau, Dana Allen, Mary Koen, Lisa Scagliotti Waterbury Roundabout, Liam Mahabir, Georgiana Birmingham, Doug Gleason and Pegeen Mulhern, Evan Hoffman, Peter Sarabia

ZOOM: ORCA Media, Evan Hoffman, M219157, Dani Kehlmann, Amy Marshall-Carney, Tom Leitz, Sandy Sabin, Cheryl Gloor, Lauren

R. Clapp called the meeting to order at 7:02pm

Approve Agenda: A. Johnson moved to approve the agenda with changes. **Consent Agenda Item B: Add OCP for deck; Consent Agenda Item H Correct typo Beer; Remove Item J from the Consent Agenda and place it on the agenda after the Bylaw Update. Add Resolution of Sympathy to the Agenda; Remove Entertainment Permit – GoodFire and in the place add FEMA Buyout - Gates. M. Bard seconded the motion, a vote was held and passed unanimously.**

Consent Agenda Items: A. Johnson moved to approve the amended consent agenda. K. Sweeney seconded the motion, a vote was held and passed unanimously.

Public: C. Viens asked about item c.) on the consent agenda. K. Petrovic was able to explain the items related specially to their ability to serve alcohol and did not relate to entertainment, noise, or parking. J. Poitrus commented on his inability to reach Municipal Manager T. Leitz and demanded action for invoices he claims are overdue to the lawyer that represented the DMFD#1. No action was taken.

Bylaw Update Public Hearing: T. Leitz introduced the Bylaw Update to the public. If the Select Board chooses to make amends to the Bylaws it could constitute a kick back to the Planning Commission. Work on the Bylaws has been ongoing for years. The Town previously held two public hearings. The Planning Commission drafted the Bylaw with a strong belief in density in the downtown district.

K. Grace commented on the mixed-use district. She has attended Planning meetings and Bylaw public hearings. She stated it is her understanding if you own a single-family home now you will not be able to sell your house as a single-family home based on changes in the Bylaw. She presented the board with petition which she read aloud (see attached) from property owners who have concerns about the changes to the Bylaws. T. Leitz highlighted on page 10 of the Bylaw that a single-family home can remain a single-family home, however, she is correct that a duplex cannot be converted to a single-family home. D. Bilodeau from 66 North Main Street has questions about her property. The property has two lots with a ½ acre in the back. She would like to be able to sell some of that property to her daughter for the purpose of building a single-family home for herself. She seeks clarification from the Town about how these rules would affect her. D. Allen was able to confirm she would be subject to a single-family home with an ADU to conform. The downtown district was targeted for density because of the ability to hook up to water and sewer. The hope of the Planning Commission is to change the pattern of building for a certain part of Town to increase housing for the greater good of the entire community.

G. Birmingham stated she was talking with folks about the single-family restrictions which feel unjust to many folks. She applauded the PC for doing so much work to create affordable housing.

D. Rogers stated he also felt it does not seem right that some street can and some cannot have single family homes. He believes there should be consideration for folks to seek DRB approval to have a single-family home. He also has concerns about zero setbacks. Suggestion of 10 feet separation for fire safety.

B. Vigdor stated the Board is attempting to make more affordable housing. The zero setbacks now are currently just in the downtown district. There are provisions in the ordinance that speak to zero setbacks. When an applicant comes to the DRB they will have to justify services when in a zero setback. The downtown district is already subject to design review overlay criteria.

A. Anderson has lived in her home on Main Street for 25 years. Sometimes people create multi-family homes to offset cost of living expenses. She feels it is unfair to impose rules on the few for the good of the many.

M. Koen spoke to not promoting single-family dwellings in the mixed-use district. This is not a positive change in her opinion. According to her the Director of VHFA stated single family homes are selling for less than condos right now. She believes we do need a mixture of uses in the downtown and does not feel any sort of housing should be restricted. M. Koen feels the language on page 10 previously referred to can lead to conflicts in interpretation in the future.

Resolution of Sympathy for Steve Lotspeich: A. Johnson honored Steve Lotspeich who recently passed away after serving 30 years to the Community of Waterbury. R. Clapp read the Resolution aloud to be considered by the Board. **A. Johnson moved to approve the Resolution of Sympathy as written. K. Sweeney seconded the motion, a vote was held and passed unanimously.**

Craft Fair Entertainment Permit June 29th and 30th 2024: New information was provided to the Board for consideration. They have 10 volunteers so far to circulate during the event. They are working on getting vests for those volunteers. K. Sweeney thanked the applicants for their patience as they have had to return three times to seek approval. K. Lisaius also stated the applicants have dedicated a lot of personal time to this application. **K. Sweeney made a motion to approve the Craft Fair permit for the days of June 29 and 30, 2024. A. Johnson seconded the motion; a vote was held and passed unanimously.**

Waterbury Center Village Designation Renewal Authorization: T. Leitz referenced the map on the second to the last page of the packet stating some of the benefits of this designation are increased access to grant money for improvements. **K. Sweeney made a motion to renew the Village Center Designation for Waterbury Center Village Center. M. Bard seconded the motion, a vote was held and passed unanimously.**

Board Appointment:

A. Marshall-Carney spoke on behalf of J. Lincoln who was not in attendance. She stated he has been attending meetings and seems very engaged. He is highly recommended. **M. Bard made a motion to appoint Joshua Lincoln to a term on the Conservation Commission. K. Sweeney made a friendly amendment to have the appointment end on April 30, 2028. The motion was seconded by I. Shea. A vote was held and passed unanimously.**

K. Sweeney stated J. Wurtzbacher is a current member of the Natural Disaster Preparedness Committee. **M. Bard moved to appoint J. Wurtzbacher to the Development Review Board as an Alternate until April 30, 2027. I. Shea seconded the motion; a vote was held and passed unanimously.**

Friends of the Waterbury Reservoir – Wakesports: E. Chittenden spoke on behalf of the Friends of the Waterbury Reservoir asking the Select Board if they have any questions for him regarding support of a petition prohibiting wakesports on the Waterbury Reservoir. E. Chittenden read from a petition that was not provided to the Clerk for record. A. Johnson asked for the definition of wakesports and wakeboats. After many iterations of the question, it was determined wakesports does not define such things as water skiing. Wakesports is defined by activities that specifically take place behind a wakeboat with water ballast. Clarifying question; the Select Board supports a petition from the Friends of the Waterbury Reservoir to request a hearing with ANR to consider banning wakesports on the Waterbury Reservoir. **K. Sweeney moved the Select Board support a petition to ban wakesports from the Waterbury Reservoir from the FoWR to ANR. I. Shea seconded the motion, a vote was held and passed 4-1 with R. Clapp abstaining.** Letter of support is needed as soon as possible to submit the petition.

FEMA Buyout Request: T. Leitz introduced the buyout option to the Board. T. Leitz explained there is no obligation to move forward with the buyout until the homeowner receives an offer from FEMA. The State is still covering the 25% match so there is no cost to the Town but a sale would impact the Grand List. Additionally, one more property on Union Street is considering elevation. **A. Johnson moved to approve the FEMA buyout as drafted for 38 Union Street (Gates). K. Sweeney seconded the motion; a vote was held and passed unanimously.**

Next Meeting Agenda:

6:00pm BOAbatement Hearing
Remove Hazard Mitigation Plan
Add Bylaw Update Public Hearing (2nd hearing for testimony)
Discussion of Bylaw Public Hearings
Rental Registry Ordinance (3rd hearing for adoption)
Proposal for Rental Housing Trust (Preliminary Discussion)
State Police Contract
Animal Control Ordinance

Executive Session

A Johnson moved to find that premature public knowledge of a pending real estate matter would clearly place the Town of Waterbury at a disadvantage. K. Sweeney seconded the motion. A vote was held and passed unanimously.

A Johnson moved to enter Executive Session and invited the Municipal Manager Tom Leitz to discuss a real estate transaction. K. Sweeney seconded the motion. A vote was held and passed unanimously.

The board exited Executive Session at 9:23pm having taken no action. A motion to adjourn was made and duly seconded.



Application DLL - Application - 43662	Approve	Reject	Applicant Action Required	Town Payment Received	Download
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APPLICATION DETAILS

RELATED INFORMATION

Application Information

Primary Phone No	Primary Contact Person
DLL - Application Id DLL - Application - 43662	Internal Status Application sent to municipality
Business Entity Name Jimmz Pizza, LLC	External Status Application sent to municipality
Business Entity Phone	Historical Id OUTC
Foundational License LP-014996 (/DLLLicenseManagment/s/detail/a5At0000000CoLZEA0)	Application Type ¹ Permit
Renewal Application	Application Category OCP
Student Name	Application For Outside Consumption Permit
Town User Approval/Rejection Comments	Mode of Training
Contact Engagement	Applicant Email jrov2180@gmail.com (mailto:jrov2180@gmail.com)
Designated Caterers Details	Applicant Name:
Training Completion Record	Training Completion Date
Indoor Or Outdoor	Applicant Action Comments
Days Since Last Modified -1	License/Permit Location Description
Estimated time period for alcohol	Quantity of Alcohol required
Name and address from whom you purchase	what purpose this alcohol is used to be
Renewal Change Indicated	Where is this alcohol to be used
Renewal Change Description	
URL for Policies & Procedures ¹	
URL for Duties ¹	
Event Details	
Start date of event	End date of event
Physical Location Street 1 70 McNeil Road	Physical Location Name ¹ Jimmz Pizza
Physical Location Street 2/Unit/Suite	Physical Location State Vermont

Town Clerk/ Municipal Jurisdiction
Waterbury
Physical Location City/Town
Waterbury Center
Do you Lease the Premises

Lease Expiration Date

Outside Side Consumption Start time

Physical Location Zip
05677

Location
[LN-017463 \(/DLLLicenseManagment/s/detail/a0At0000002ZMtXEAW\)](#)

Outside Side Consumption Days Requested

Describe the type of event/ OCP Area
outside deck

Days or specific bingo date(s)

Created By
 [james roy \(/DLLLicenseManagment/s/profile/0058z000001OjyeAAC\)](#),
5/4/2024 7:58 AM

Post Question Poll

Outside Side Consumption End time

Outside Side Consumption Hours Requested

Landlord Name

Landlord Email

Business Location


Approximate Number of Persons Expected:

Last Modified By
 [james roy \(/DLLLicenseManagment/s/profile/0058z000001OjyeAAC\)](#),
5/6/2024 10:28 AM


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 [james roy \(Customer\)](#) created this dll application.
[May 4, 2024 at 7:58 AM](#)

[DLL - Application - 43662](#)

[View more details](#)

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 Comment

 Write a comment...

Contact Violations

Violation Id	First Name	Last Name	Contact Role	Offense	Date of Off
CV-3036 (https://dllportal.mvy...	James Roy	Roy	Others	Prior Conviction Reported	

Application Documents

Name	Document Type	Assosicated With
There are no Application Documents found		

TOWN OF WATERBURY ENTERTAINMENT PERMIT

THE UNDERSIGNED HEREBY REQUESTS PERMISSION TO OFFER PUBLIC ENTERTAINMENT, WITHIN THE TOWN OF WATERBURY, IN A PUBLIC HOUSE OR A NON-PUBLIC HOUSE AS DEFINED BY THE TOWN OF WATERBURY IN ITS PUBLIC ENTERTAINMENT ORDINANCE.

Name of Establishment: Good Fire LLP

Location entertainment will be offered: 3627 Waterbury Stone Rd. Waterbury Center

Name of Applicant: Robert Owen

Type of Entertainment (check all that apply):

☒ Live music

☐ Dancing

☐ Mechanically or electronically produced music

☐ Live productions (plays, concerts, etc.)

☐ Other (please describe) _____

Please describe the days/time of day and give a brief description for the type of entertainment you have checked above:

Live Music - Acoustic between 3-6 PM

Friday nights from 5/24 - 9/6

THE APPLICANT IS RESPONSIBLE TO INSURE THAT ALL SECTIONS OF THE ORDINANCE ARE FOLLOWED. SPECIFICALLY, ALL PUBLIC ENTERTAINMENT SHALL CEASE NO LATER THAN ONE HALF HOUR PRIOR TO THE TIME AT WHICH, BY LAW OR REGULATION, THE SERVING OF ALCOHOLIC BEVERAGES MUST CEASE.

Signature of Applicant: Robert Owen Date: 4/22/24

At a Select Board meeting held on _____, this permit was:

() APPROVED Conditions: _____

() DISAPPROVED Reasons: _____

Municipal Manager or Designee: _____

THIS PERMIT SHALL EXPIRE AT 12 MIDNIGHT ON APRIL 30, _____.

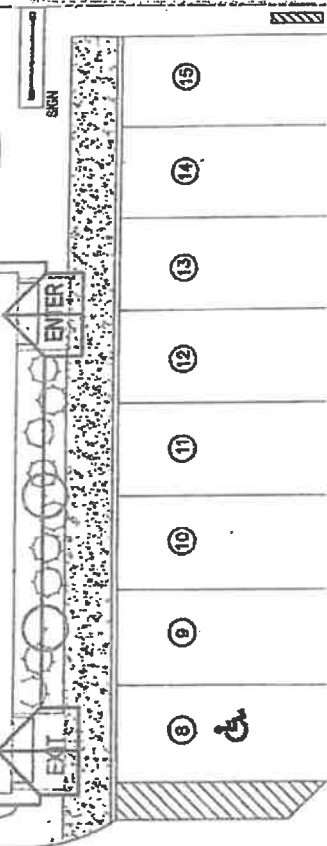
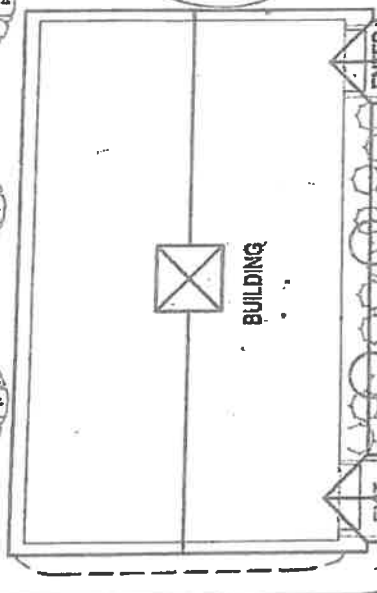
FEE: \$25.00 PAID: _____

05/2018

Vermont Good Fire Cannabir

LIVE MUSIC
Acoustic
Friday's
3-6pm
MAY 24th
Sept 6th

TEMP
9X12
BAND
STAND



EXISTING
HEDGE



EXISTING
HEDGE

LIVE MUSIC
Acoustic
Friday's
3-6pm
MAY 24th
Sept 6th



MEMO

DATE: 05/06/2024

TO: Selectboard

From: Mike Bishop, Zoning Administrator

RE: Entertainment Permit for Goodfire, LLP

Selectboard Members,

I've been informed of an entertainment permit request submitted by Goodfire, LLP, for live music on Friday nights from 05/24/24-09/06/24. This request may require a "Change of Use" zoning permit and/or fall under Section 305a of our current by-laws pertaining to Temporary Uses, which limits temporary uses to 7 in a 3-month period. The request would conflict with their current Development Review Board approval as a "Retail Store" and could affect the surrounding neighbors, parking, and traffic safety. Unfortunately, as of 4:30 today, I've been unable to speak with the applicant to gather more information to make an official zoning determination.

Regards,

Mike Bishop

A petition to reject the proposed changes to the phase 1 zoning laws in the mixed use districts on South Main Street and Batchelder Street as they relate to no longer allowing single family dwellings in the mixed use zones once sold or changed to multi-family housing

We, the residents of South Main Street and Batchelder Street in Waterbury, Vermont, have lived in our neighborhoods for generations. Our streets are lined with historical single unit homes that have housed our families and seen them grow. These homes are not just buildings; they are a testament to our shared history and community spirit.

However, a proposed zoning law threatens to disrupt this harmony. The law seeks to prohibit the continued use of single-family homes in a mixed use neighborhood once they are sold. It also seeks to prevent owners or future buyers from reverting their homes to a single housing unit if they so choose. This proposed regulation is detrimental to future families who may not fit into smaller quarters and takes home equity decision making out of the hands of property owners.

Additionally, the areas of South Main Street and Batchelder Street are located in a flood plain which has been ravaged over the past decade through water displacement. The creation of more and larger buildings in this area threatens our safety and create more water shifting and movement onto our homes even with the best of flood mitigation practices.



The Planning Commission cites Act 47 (a housing bill that eases rules for some new construction amid the home shortage) as the need for these changes. ***However, this law does not remove single family housing as an option but rather declares that multi-family housing should be allowed in areas where they were once prohibited.***

According to data from U.S Census Bureau (2019), 61% of housing units in Vermont were single-unit structures. Current high interest rates and housing costs have put downward pressure on new single-family construction. This has made single family rentals a more cost efficient option for families when they are available. About one-third of renters currently live in single-family units.



However, the current percentage of available single family rental housing units in Vermont is now just 24.6%. (<https://www.census.gov/programs-surveys/acs> and <https://constructioncoverage.com/>). Most of the current existing apartments and those being constructed in the Village are typically just one or two bedrooms. This is not suitable for a family of four or more.

According to The State of Vermont's Children, published in 2022 by Governor Scott, 19.8% of Vermont children under 12 are experiencing the divorce of a parent or guardian. When this occurs, two housing units are needed to accommodate these families versus just one. This is a rarely talked about impact on the housing crisis in Vermont and another reason why single family homes should continue to be an option throughout our entire town where there is generally enough green space for children to safely play

outdoors.<https://legislature.vermont.gov/Documents/2024/WorkGroups/House%20Commerce/Economic%20Development/Workforce%20Development/Childcare/W~Morgan%20Crossman~State%20of%20Vermont's%20Children%20Report~1-19-2023.pdf>

We believe the proposed zoning changes do not consider the needs or preferences of all local residents since single family housing is permitted in other areas of the town and village of Waterbury but not in the mixed use districts once they are sold. What makes our area of town so different from the others when the number of residential homes on our streets are essentially the same? The proposed regulation also ignores the fact that many families prefer living in single-family homes for various reasons such as privacy, space, working from home and freedom to customize their living spaces in accordance with their family's needs. If they choose to add an auxiliary dwelling or create a duplex that they need to manage themselves, it should be the homeowner's choice and not that of the Planning Commission or the Select Board.

Additionally, families who have lived on South Main Street and Batchelder Street for generations have made plans to pass down or sell their historical, single family homes to their heirs who have growing families of their own. This zoning regulation makes this process much more difficult without going through the expense and lengthy process of applying for a conditional use permit.

We urge the Select Board to not adopt the proposed zoning regulation change as it relates to single family dwellings in the mixed use zone. (page 10, section 3 of the Unified Development Bylaws-Phase 1 dated March 12, 2024) This change could displace many generational families from their cherished homes, reduce the number of affordable single family rental or purchase options in our Town and remove decision making from home owners.

We the undersigned believe that every family should have the right to choose where they live based on their needs rather than on restrictive zoning laws. We urge you to reject any bylaw language that does the following:

- Disallows single family dwellings in the mixed use, flood zone areas of South Main Street and Batchelder Street as permitted uses.
- Disallows the creation of a single family home in an existing multi-use dwelling.

	Printed Name	Address	Phone Number	Signature
1.	FRANCIS TRASK	148 South Main St	802 244 7756	Francis Trask
2.	Mary Ellen Trask	148 So Main St	802 244-7750	M Trask
3.	ALBIS ANDREWS Luis Andrews	168 SO. MAIN	244-7480	Luis Andrews
4.	Louren Simmers	165 S. Main St.	(814) 360-2109	Louren Simmers
5.	Laron Simmers	165 S. Main St	801-884-9919	Laron Simmers
6.	Carl Benes	157 S. Main St	603 494-0617	Carl Benes
7.	BRUCE SAWYER	3 HEALY CT	860- 338-1846	Bruce Sawyer
8.	MARIE SAWYER	3 HEALY CT	860	Marie Sawyer
9.	Julia Farr	4 Healy CT		Julia Farr
10.	RICH WILBUR	151 + 153 SO. main	802-288 6022	Rich Wilbur
11.	Kim Crosby	151 + 153 S Main	802 585 5442	Kim Crosby
12.	Liam Mahabir	133 S. Main St	802-282- 5065	Liam Mahabir
13.	Bridget Mahabir	133 S. Main St	414 2668 433	B. Mahabir
14.	SUSAN RAE	126 SO MAIN ST	802 244-8586	Susan Rae
15.	EDWARD L. RAE	126 SO MAIN ST	802 244-8683	Edward Rae
16.	Martha Fraser	129 So. Main	244-7794	Martha Fraser
17.	Roger Fraser	129 So Main St	244-7794	Roger Fraser
18.	W. B. McAllister	125 So. Main	244-8483	W. B. McAllister
19.	Madelene McAllister	125 So Main St	244-8483	Madelene P. McAllister
20.	STEPHEN McAllister	125 SO. MAIN ST	244-8483	Stephen McAllister
21.	Phillip Whalley	5 Batchelder St	241 7523	Phillip Whalley
22.	Elaine P Whalley	5 Batchelder St	241-1591	Elaine P Whalley
23.	Keith Norman	8 Batchelder St.	825-1113	Keith Norman

[illegible]



TOWN OF WATERBURY UNIFIED DEVELOPMENT BYLAWS PHASE #1

Article XVI UNIFIED DEVELOPMENT BYLAWS – PHASE #1

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Section 1600 Enactment and Authority

The Town of Waterbury has adopted these Unified Development Bylaws – Phase #1 (“Bylaws”) in accordance with and as authorized by the Vermont Municipal and Regional Planning and Development Act, 24 V.S.A. Chapter 117, §4442, Adoption of bylaws and related regulatory tools; amendment or repeal.

Section 1601 Purpose

The purpose of these Bylaws is to implement the *Waterbury Municipal Plan* and the *Vermont Municipal and Regional Planning and Development Act* by regulating the use and development of land within the Town of Waterbury. These Bylaws are intended to:

1. Provide for orderly and coordinated development;
2. Ensure that land use and development will not adversely impact public health, safety and welfare;
3. Guide land use and development in a manner that is consistent with smart growth principles as defined in 24 V.S.A. § 4302;
4. Promote land use and development that maintains or enhances quality of life and community character;
5. Protect natural, cultural and historic resources;
6. Allow for residential land uses and development as necessary to meet the housing needs of residents; and
7. Allow for a diverse mix of uses, including combined uses on the same parcel and in the same building, and a diversity of higher density housing in the downtown.

Section 1602 Applicability

These Bylaws supersede the Town and Village of Waterbury Zoning Regulations as Amended Through May 16, 2016 (the “2016 Zoning Regulations”) only in the Downtown, Mixed Use, Neighborhood, Campus, Commercial-Industrial, Residential 1, and Conservation Floodplain Zoning Districts depicted on the Zoning District Map, attached at Section 1612, revised March 12th, 2024. The Zoning Districts in Phase 1 (“UDB-P1”) are bound to the south of I-89, north of the Winooski River and the east/west by the town boundaries of Bolton and Middlesex.

All other requirements of the 2016 Zoning Regulations with respect to application processing, review procedures, including but not limited to zoning permit issuance and design, conditional use, site plan and subdivision review, continue to apply in the UDB-P1 Zoning Districts. Any development, including that requiring Site Plan Review and Approval under Section 301 of the 2016 Waterbury Zoning Regulations, shall meet in addition to Section 301, the Standards and Requirements of these Bylaws. These Bylaws supersede the Interim Bylaws for the Downtown Zoning District adopted April 26, 2021.

In the event of a conflict between the 2016 Zoning Regulations and the UDB-P1 Bylaws, the provisions of these Bylaws shall apply. The provisions of Section 1608 Design Review Overlay

District replace and supersede Article XI of the 2016 Waterbury Zoning Regulations, except Sections 1105, 1106, and 1107 of the Zoning Regulations.

Section 1603 Effective Date

These Bylaws will be in effect 21 days from the date of adoption by the Select Board that is _____, pursuant to 24 V.S.A. § 4442.

Section 1604 Zoning Districts: General Provisions

A. Zoning Districts

These Bylaws establish the following Zoning Districts as shown on the Zoning District Map for UDB-P1 located in Section 1612 and in the Waterbury Zoning and Planning Department and the Town of Waterbury website:

1. Downtown (DWN);
2. Mixed Use (MU);
3. Neighborhood (NH);
4. Residential 1 (R-1);
5. Campus (CAM);
6. Commercial-Industrial (CI); and
7. Conservation Floodplain (CFP).

B. Establishment of Zoning Districts

1. The Zoning Map delineating the boundaries of the various Zoning Districts established in this chapter are incorporated by reference and adopted as part of these Bylaws, and they constitute Waterbury's Official Zoning District Map for UDB-P1.
2. The Zoning District Map is on file in the Waterbury Zoning and Planning Department office. The Zoning District Map shall be used for all measurements and interpretations of the Zoning District and Overlay District boundaries.

C. Interpretation of Zoning District Boundaries

If a specific distance or measurement is not shown on the Zoning District Map, the Zoning Administrator shall interpret the map boundaries in accordance with the following:

1. Boundaries indicated as approximately following roads, railroad lines, power lines or rights-of-way shall be assumed to follow the centerlines of such roads, railroad lines, power lines or rights-of-way;
2. Boundaries indicated as approximately following lot lines or municipal boundaries shall be assumed to follow those lines or boundaries;
3. Boundaries indicated as approximately following rivers, streams, or water bodies shall be assumed to follow the centerlines of such rivers, streams, or water bodies;
4. Zoning Districts shall include any land under rivers, streams, or water bodies lying within them; and
5. The Zoning Administrator shall interpret any of the features depicted to be located where they exist on the ground or as shown on a survey at the time of the interpretation if they vary from their depiction on the Zoning District Map except that a lot merger, boundary line adjustment, or subdivision that changes the location of a lot line shall not change the location of any Zoning District boundary indicated as following that lot line.

D. Types of Uses

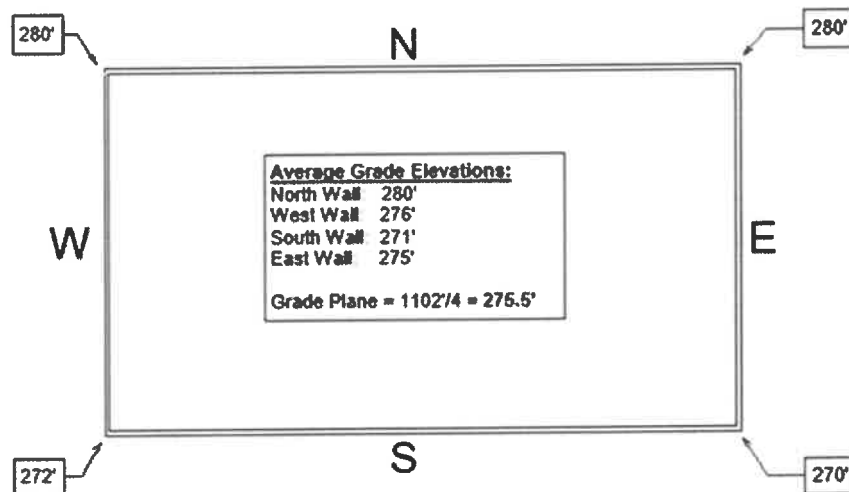
1. **Allowed Uses.** A list of permitted and conditional uses allowed within each Zoning District.
2. **Prohibited Uses.** A use not specifically listed as permitted or conditional in a Zoning District is prohibited in that Zoning District.
3. **Nonconforming Lots and Uses.** A use of land that does not conform to these Bylaws or the 2016 Zoning Regulations, but did conform to all applicable laws, ordinances, and bylaws prior to the enactment of the present bylaws, including a use improperly authorized as a result of error by the administrative officer.
4. **Multiple and Mixed Uses.** A structure used for one or any combination of uses allowed in the applicable Zoning District upon obtaining all necessary permits or approvals under these Bylaws for each use.
5. **Accessory Use.** An Accessory Use shall be a permitted or conditional use in the applicable Zoning District, and shall require all applicable permits.

E. Dimensional Requirements

See Dimensional Standards (Section 1605), Dimensional Table (Section 1611), and Dimensional Definitions (1609.c).

1. **Applicability.** Development shall conform to the dimensional standards for the applicable Zoning District provided that any permanent right-of-way or easement shall not be included when determining the area of a given lot.
2. **Buildings and Accessory Structures.** Landowners may locate more than one building on a lot in accordance with the standards below and upon obtaining all necessary permits or approvals under these Bylaws:
 - a. Each building shall meet the applicable dimensional standards of the Zoning District in accordance with these Bylaws;
 - b. Approval of multiple buildings on a lot will not constitute a right to separately convey those structures unless the subject lot is lawfully subdivided in accordance with the provisions of the 2016 Zoning Regulations; and
 - c. An accessory structure may be located on a lot in accordance with the provisions of these Bylaws and meets the dimensional standards in the applicable Zoning along with the requirements set forth in Sec. 1. 24 V.S.A. § 4412.
3. **Lot Frontage.** All lots shall have the minimum frontage on a public or private road required for the applicable Zoning District in accordance with the following:
 - a. **Pre-Existing Lots.** An existing lot without the minimum required frontage on a maintained public or private road shall have access to such a road over a permanent easement or right-of-way not less than 30 feet wide for single-family and two-family residential lots and 50 feet wide for all other lots;
 - b. **Corner Lots.** Lots that front on the intersection of at least two roads forming a corner lot, will only be required to meet minimum frontage requirements on the road from which the lot will be accessed;
 - c. **New Lots.** All new lots created under these Bylaws shall have the minimum frontage on a maintained public or private road unless the Development Review Board:
 - i) Approves a lot with less frontage as part of a planned unit development;

- ii) Approves a waiver to reduce the frontage requirement to not less than 30 feet for irregularly shaped lots or lots accessed by a shared driveway; or
 - iii) Approves a waiver to reduce or eliminate the frontage requirement for lots restricted to agriculture, forestry, or open spaces uses through a legally enforceable and permanent means such as a conservation easement.
4. **Setbacks.** Development shall meet applicable setback requirements as follows:
- a. All buildings and structures subject to these Bylaws shall be setback from roads and property lines as required for the applicable Zoning District;
 - b. Lots with frontage on more than one road shall meet front setback requirements on each road and shall meet side setback requirements on the remaining sides;
 - c. Setback requirements shall apply to lots in common ownership to the same extent as if the lots were not in common ownership; and
 - d. Front setbacks shall be measured from the edge of the right-of-way except if the right-of-way is less than 50 feet or if the location of the right-of-way is uncertain, the front setback shall be measured from a line 25 feet from and parallel with the centerline of the road.
5. **Height.**
- a. No building or structure shall exceed the height limit applicable to the Zoning District where it is located. This limit shall not apply to farm buildings, flagpoles, radio or television antenna, or similar features such as spires, cupolas, chimneys, ventilators, mechanical equipment, tanks, or similar parts of a building provided that they occupy not more than ten (10) percent of the floor area of such a building and are not used for any human occupancy.
 - b. Building or structure height shall be measured from the average pre-construction elevations at each corner measured to the highest point of the building or structure. See example below.



6. **Lot Coverage.**
- a. Total amount of impervious surface as a percentage of total lot area; and
 - b. "Impervious surface" means those man-made surfaces, including paved and unpaved roads, parking areas, roofs, driveways, and walkways, from which precipitation runs off rather than infiltrates. Section 10 V.S.A § 1264

Section 1605 Zoning Districts

A. Downtown Zoning District (DWN)

1. Zoning District Purpose

The Downtown Zoning District provides concentrated retail, service, office, housing, and other compatible mixed uses in Waterbury's downtown. It is the intent of this district to maintain or enhance the traditional pattern, scale, massing, pedestrian orientation and quality of the built environment in downtown Waterbury.

2. Permitted Uses

The following are permitted uses in the Downtown Zoning District

RESIDENTIAL

- Accessory Dwelling Unit
- Assisted or Supported Living
- Family Childcare Home
- Home Business
- Home Office
- Multi-Family Dwelling (5+ Units)
- Residential Care and Group Home
- Three- or Four-Family Dwelling
- Two-Family Dwelling

LODGING

- Bed and Breakfast
- Inn
- Short-Term Rental

COMMERCIAL

- Auto or Equipment Repair Service, up to 4,000 sf
- Catering or Commercial Kitchen
- Office, Professional, Business or Administrative Service, up to 4,000 sf
- Open Market or Auction House, up to 4,000 sf
- Personal Services, up to 4,000 sf
- Restaurant or Bar, up to 4,000 sf
- Retail Sales, up to 4,000 sf

ARTS, ENTERTAINMENT, AND RECREATION

- Artist Gallery or Studio, up to 4,000 sf
- Museum, up to 10,000 sf
- Performance or Movie Theater, up to 4,000 sf
- Recreation, Indoor, up to 4,000 sf

CIVIC AND COMMUNITY

- Child Daycare
- Clinic or Outpatient Care Services, up to 4,000 sf
- Educational institution
- Farmers' Market
- Funeral and Cremation Services, up to 10,000 sf
- Government Facility
- Recreation or Park, Public Outdoor
- Religious Institution
- Social Assistance and Charitable Services

INDUSTRIAL

- Food or Beverage Manufacturing, up to 10,000 sf.
- Light Industry, up to 10,000 sf.

3. Conditional Uses

The following are conditional uses in the Downtown Zoning District:

RESIDENTIAL

- Skilled Nursing Facility

LODGING

- Hotel or Motel

COMMERCIAL

- Auto or Equipment Repair Service, 4,000 sf or more.
- Event facility
- Office, Professional, Business or Administrative Service, 4,000 sf or more.
- Open Market or Auction House, 4,000 sf or more.
- Personal Services, 4,000 sf or more.
- Restaurant or Bar, 4,000 sf or more.
- Retail Sales, 4,000 sf or more

INDUSTRIAL

- Information Services
- Passenger Transportation Facility

ARTS, ENTERTAINMENT, AND RECREATION

- Artist Gallery or Studio, 4,000 sf or more.
- Museum, 10,000 sf or more.
- Performance or Movie Theater, 4,000 sf or more.
- Recreation, Indoor, 4,000 sf or more.

CIVIC AND COMMUNITY

- Clinic or Outpatient Care Services, 4,000 sf or more.
- Funeral and Cremation Services, 10,000 sf or more.

4. Dimensional Standards

The following standards apply in the Downtown Zoning District:

DIMENSIONAL STANDARDS	DWN
LOTS	
Minimum Lot Size	4,000 sf
Minimum Lot Frontage	30 ft
Maximum Lot Coverage	100%
SETBACKS	
Minimum Front Setback	0 ft
Maximum Front Setback	10 ft
Minimum Side Setback	0 ft
Minimum Rear Setback	0 ft
BUILDINGS	
Minimum Lot Frontage Coverage	60%
Maximum Building Footprint	10,000 sf
Minimum Building or Structure Height	24 ft
Maximum Building or Structure Height	60 ft

B. Mixed Use Zoning District (MU)

1. Zoning District Purpose.

The Mixed-Use Zoning District is a focal point for development in the community that accommodates a variety of housing opportunities with a mix of small-scale commercial, service and other compatible uses. It is the intent of this district to maintain or enhance a traditional village character, pattern, scale, massing and pedestrian-friendly setting.

2. Permitted Uses.

The following are permitted uses in the Mixed-Use Zoning District:

3. Single Family Dwellings.

Nothing in these Bylaws shall prohibit the continued use of a Single-Family Dwelling in the Mixed-Use Zoning District provided that the structure was used as a Single-Family Dwelling at the time these Bylaws were established. A Single-Family Dwelling use may not replace multiple uses within a structure on the adoption date of these Bylaws. A Single-Family Dwelling use may be extended on the existing lot, subject to the provisions of Section 304(a)2 of the 2016 Zoning Regulations.

RESIDENTIAL

- Accessory Dwelling Unit
- Family Childcare Home
- Home Business
- Home Office
- Multi-Family Dwelling (5+ Units)
- Residential Care and Group home
- Three- or Four-Family Dwelling
- Two-Family Dwelling

LODGING

- Bed and Breakfast
- Inn
- Short-Term Rental

COMMERCIAL

- Personal Services, up to 1,500 sf
- Restaurant or Bar, up to 1,500 sf
- Retail Sales, up to 1,500 sf

ARTS, ENTERTAINMENT, AND RECREATION

- Recreation, indoor, up to 1,500 sf
- Artist gallery or studio, up to 1,500 sf
- Museum, up to 1,500 sf.

CIVIC AND COMMUNITY

- Child Daycare
- Clinic or Outpatient Care Services, up to 1,500 sf
- Educational institution
- Farmers' Market
- Government Facility
- Recreation or Park, Public Outdoor
- Religious Institution
- Social Assistance and Charitable Services
- Funeral and cremation services, up to 1,500 sf.

4. Conditional Uses.

The following are conditional uses in the Mixed-Use Zoning District:

RESIDENTIAL

- Assisted or Supported Living
- Skilled Nursing Facility

LODGING

- Hotel or Motel

COMMERCIAL

- Catering or Commercial Kitchen, up to 2,500 sf
- Office, Professional, Business or Administrative Service
- Restaurant or Bar, 1,501-4,000 sf
- Auto or Equipment Repair Service, up to 4,000 sf.
- Personal Services, 1,501-4,000 sf.
- Retail sales, 1,501-4,000 sf.

INDUSTRIAL

- Food or Beverage Manufacturing, up to 1,400 sf
- Information Services
- Light Industry, up to 2,500 sf
- Passenger Transportation Facility

ARTS, ENTERTAINMENT, AND RECREATION

- Artist Gallery or Studio, greater than 1,501-4,000 sf
- Museum, greater than 1,501-4,000 sf
- Performance or Movie Theater, up to 4,000 sf
- Recreation, Indoor, 1,501-4,000 sf

CIVIC AND COMMUNITY

- Clinic or Outpatient Care Services, greater than 1,501-4,000 sf
- Funeral and Cremation Services, up to 1,501-4,000 sf

5. Dimensional Standards.

The following standards apply in the Mixed-Use Zoning District:

DIMENSIONAL STANDARDS	MU
LOTS	
Minimum Lot Size	4,000 sf
Minimum Lot Frontage	30 ft
Maximum Lot Coverage	80%
SETBACKS	
Minimum Front Setback	0 ft
Maximum Front Setback	n/a
Minimum Side Setback	4 ft
Minimum Rear Setback	8 ft
BUILDINGS	
Minimum Lot Frontage Coverage	60%
Maximum Building Footprint	8,000 sf
Minimum Building or Structure Height	24 ft
Maximum Building or Structure Height	48 ft

C. Neighborhood (NH)

1. Zoning District Purpose.

The Neighborhood Zoning District provides for residential uses in areas near public services and infrastructure. It is the intent of this Zoning District to promote higher density housing and the option for future neighborhood - compatible commercial uses in proximity to the locally designated growth centers and the state Designated Downtown

2. Permitted Uses.

The following are permitted uses in the Neighborhood Zoning District:

RESIDENTIAL

- Accessory Dwelling Unit
- Family Childcare Home
- Home Office
- Multi-Family Dwelling (5+ Units)
- Residential Care and Group home
- Single-Family Dwelling
- Three- or Four-Family Dwelling
- Two-Family Dwelling

LODGING

- Bed and Breakfast
- Short-Term Rental

CIVIC AND COMMUNITY

- Farmers' Market
- Recreation or Park, Public Outdoor
- Clinic or outpatient services, up to 1,500 sf

COMMERCIAL

- Personal Services, up to 1,500 sf
- Retail Sales, up to 1,500 sf

ARTS, ENTERTAINMENT, AND RECREATION

- Museum, up to 1,500 sf
- Artist Gallery, up to 1,500 sf

3. Conditional Uses.

The following are conditional uses in the Neighborhood Zoning District:

RESIDENTIAL

- Assisted or Supported Living
- Home Business
- Skilled Nursing Facility

COMMERCIAL

- Personal Services, 1,501-4,000 sf
- Restaurant or Bar, up to 1,500 sf
- Artist Gallery
- Retail sales, up to 1,501-4,000 sf

LODGING

- Inn

CIVIC AND COMMUNITY

- Child Daycare
- Clinic or Outpatient Services, 1,501-4,000 sf
- Educational institution
- Government Facility
- Religious Institution
- Social Assistance and Charitable Services

ART, ENTERTAINMENT, AND RECREATION

- Artist gallery or studio, 1,501-4,000 sf
- Museum, 1,501 sf-4,000 sf

4. Dimensional Standards.

The following standards apply in the Neighborhood Zoning District:

DIMENSIONAL STANDARDS	NH
LOTS	
Minimum Lot Size	4,000 sf
Minimum Lot Frontage	45 ft
Maximum Lot Coverage	80%
SETBACKS	
Minimum Front Setback	12 ft
Maximum Front Setback	n/a
Minimum Side Setback	8 ft
Minimum Rear Setback	12 ft
BUILDINGS	
Minimum Lot Frontage Coverage	n/a
Maximum Building Footprint	6,000 sf
Minimum Building or Structure Height	n/a
Maximum Building or Structure Height	48 ft

D. Campus (CAM)

1. Zoning District Purpose.

The Campus Zoning District is established to protect and enhance architectural and historic resources, the character of the area as described in the Municipal Plan; encourage a consistently high standard of design in new construction and renovations; to support a pedestrian-oriented area; and strengthen the community's economic vitality and the Zoning District's historic function as a center for commerce, government, and housing.

2. Permitted Uses.

The following are permitted uses in the Campus Zoning District:

RESIDENTIAL

- Home Office
- Skilled Nursing Facility

COMMERCIAL

- Event facility
- Office, Professional, Business or Administrative Services

ARTS, ENTERTAINMENT, AND RECREATION

- Museum

CIVIC AND COMMUNITY

- Child Daycare
- Clinic or Outpatient Care Services
- Educational institution
- Farmers' Market
- Government Facility
- Recreation or Park, Public Outdoor
- Religious Institution
- Social Assistance and Charitable Services

3. Conditional Uses.

The following are conditional uses in the Campus Zoning District:

RESIDENTIAL

- Assisted or Supported Living
- Multi-Family Dwelling (5+ Units)

COMMERCIAL

- Personal Services
- Retail Sales

CIVIC AND COMMUNITY

- Hospital or Inpatient Care Services

4. Dimensional Standards.

The following standards apply in the Campus Zoning District:

DIMENSIONAL STANDARDS	CAM
LOTS	
Minimum Lot Size	n/a
Minimum Lot Frontage	n/a
Maximum Lot Coverage	60% for CAM as a whole
SETBACKS	
Minimum Front Setback	0 ft interior lot lines min, 20 ft exterior lot lines min,
Maximum Front Setback	n/a
Minimum Side Setback	0 ft interior lot lines min, 20 ft exterior lot lines min,
Minimum Rear Setback	0 ft interior lot lines min, 20 ft exterior lot lines min,
BUILDINGS	
Minimum Lot Frontage Coverage	n/a
Maximum Building Footprint	n/a
Minimum Building or Structure Height	24 ft
Maximum Building or Structure Height	60 ft

E. Commercial-Industrial (CI)

1. Zoning District Purpose.

The Commercial-Industrial Zoning District promotes the growth and diversification of Waterbury's economy by offering suitable locations for new or expanded businesses in areas served by existing or planned infrastructure, including manufacturing and multi-family housing.

2. Permitted Uses.

The following are permitted uses in the Commercial-Industrial Zoning District:

RESIDENTIAL

- Home Office

COMMERCIAL

- Catering or Commercial Kitchen
- Lawn, Garden, Farm and Building Supply Store
- Office, Professional, Business or Administrative Service
- Open Market or Auction House
- Outdoor Sales, Rental or Leasing
- Veterinary, Pet or Animal Service

INDUSTRIAL

- Food or Beverage Manufacturing, up to 10,000 sf
- Information Services
- Light Industry, up to 10,000 sf
- Metal Fabrication Shop
- Passenger Transportation Facility
- Self-Storage Services
- Wholesale Trade / Storage and Distribution Services (enclosed)

ARTS, ENTERTAINMENT, AND RECREATION

- Artist Gallery or Studio
- Recreation, Indoor

CIVIC AND COMMUNITY

- Clinic or Outpatient Care Services
- Farmers' Market
- Government Facility
- Recreation or Park, Public Outdoor

3. Conditional Uses.

The following are conditional uses in the Commercial-Industrial Zoning District:

RESIDENTIAL

- Home Business
- Multi-Family Dwelling (5+ Units)

ARTS, ENTERTAINMENT, AND RECREATION

- Performance or Movie Theater
- Recreation, Outdoor

COMMERCIAL

- Auto or Equipment Repair Service
- Fueling Station and Carwash
- Personal Services
- Restaurant or Bar
- Retail Sales

CIVIC AND COMMUNITY

- Educational institution
- Funeral and Cremation Services
- Hospital or Inpatient Care Services
- Religious Institution
- Social Assistance and Charitable Services

INDUSTRIAL

- Composting Services
- Food or Beverage Manufacturing, 10,000 sf or more.
- Freight Transportation Services
- Light Industry, 10,000 sf or more.
- Lumber, Landscaping or Construction Yard
- Recycling Services

4. Dimensional Standards.

The following standards apply in the Commercial-Industrial Zoning District:

DIMENSIONAL STANDARDS	CI
LOTS	
Minimum Lot Size	10,000 sf
Minimum Lot Frontage	60 ft
Maximum Lot Coverage	80%
SETBACKS	
Minimum Front Setback	16 ft
Maximum Front Setback	n/a
Minimum Side Setback	12 ft or 20 ft if abutting a residential lot or district
Minimum Rear Setback	12 ft or 20 ft if abutting a residential lot or district
BUILDINGS	
Minimum Lot Frontage Coverage	n/a
Maximum Building Footprint	n/a
Minimum Building or Structure Height	24 ft
Maximum Building Height	48 ft

F. Residential 1 (R-1)

1. Zoning District Purpose.

The Residential 1 Zoning District provides for residential uses in a rural setting. It is the intent of this Zoning District to accommodate housing that will meet the needs of current and future residents while minimizing adverse impacts on environmental quality.

2. Permitted Uses.

The following are permitted uses in the Residential 1 Zoning District:

RESIDENTIAL

- Accessory Dwelling Unit
- Assisted or Supported Living
- Family Childcare Home
- Home Business
- Home Office
- Residential Care and Group home
- Single-Family Dwelling
- Three- or Four-Family Dwelling
- Two-Family Dwelling

LODGING

- Bed and Breakfast
- Short-Term Rental

CIVIC AND COMMUNITY

- Farmers' Market
- Recreation or Park, Public Outdoor

3. Conditional Uses.

The following are conditional uses in the Residential 1 Zoning District:

RESIDENTIAL

- Home Industry
- Multi-Family Dwelling (5+ Units)
- Skilled Nursing Facility

CIVIC AND COMMUNITY

- Child Daycare
- Religious Institution

LODGING

- Inn

ARTS, ENTERTAINMENT, AND RECREATION

- Campground

COMMERCIAL

- Catering or commercial kitchen
- Open market or auction house

4. Dimensional Standards.

The following standards apply in the Residential 1 Zoning District:

DIMENSIONAL STANDARDS	R-1
LOTS	
Minimum Lot Size	1 acre
Minimum Lot Frontage	120 ft
Maximum Lot Coverage	80 %
SETBACKS	
Minimum Front Setback	20 ft
Maximum Front Setback	n/a
Minimum Side Setback	8 ft
Minimum Rear Setback	12 ft
BUILDINGS	
Minimum Lot Frontage Coverage	n/a
Maximum Building Footprint	8,000 sf
Minimum Building or Structure Height	n/a
Maximum Building or Structure Height	48 ft

G. Conservation Floodplain (CFP)**1. Zoning District Purpose.**

The Conservation Floodplain Zoning District protects Waterbury's environmental quality and rural character. This district provides for and conserves land that is maintained in a primarily unimproved natural state.

2. Permitted Uses.

The following are permitted uses in the Conservation Floodplain Zoning District:

- None

3. Conditional Uses.

The following are conditional uses in the Conservation Floodplain Zoning District:

ARTS, ENTERTAINMENT, AND RECREATION

- Recreation or Park, Public Outdoor

4. Dimensional Standards.

No structures are allowed in the Conservation Floodplain Zoning District.

Section 1606 Specific Use Standards

A. Accessory Dwelling Unit (ADU)

1. An ADU shall:
 - a. Be located within or appurtenant to a Single-Family Dwelling or Two-Family dwelling, on an owner-occupied lot;
 - b. Be subordinate and incidental to the primary structure;
 - c. It may be located in a structure that is separate from the primary structure;
 - d. Have provisions for independent living, including sleeping, food preparation and sanitation; and
 - e. Have sufficient wastewater capacity in compliance with state bylaws.
2. An ADU shall not exceed 1,400 square feet or 30% of the habitable floor area of the primary dwelling (prior to the creation of the ADU) up to a maximum of 1,400 square feet, whichever is greater; and meet the applicable dimensional standards of the Zoning District.
3. No more than one ADU can be associated with and appurtenant to either a Single-Family Dwelling or Two-Family Dwelling.
4. An ADU will be considered an Accessory Use of a residential property.
5. The landowner shall reside on the property, but may occupy the main dwelling or the ADU.

B. Auto or Equipment Repair Service

1. An Auto or Equipment Repair Service shall:
 - a. Carry out all repair or service activities within an enclosed building;
 - c. Carry out any body work, painting or other activities that will produce dust, fumes or odors within an enclosed building with a properly functioning ventilation system that meets state and federal requirements; and
 - d. Locate any washing, lubrication, hydraulic or similar equipment within a building with a properly functioning system for collecting and preventing release of oils or other hazardous materials that meets state and federal requirements;
2. Vehicles or other goods, including those awaiting repair or pick-up, shall not be parked or stored within minimum required setbacks for the applicable Zoning District; and
3. All outdoor storage associated with the Auto or Equipment Repair Service shall meet all Development Standards in these Bylaws.

C. Bed and Breakfast

1. A Bed and Breakfast shall:
 - a. Be located within a Single-Family Dwelling or an accessory structure to a Single-Family Dwelling;
 - b. Be operated by a resident of the dwelling;
 - c. Be licensed by the State;
 - d. Not have more than 5 bedrooms that are used to house guests;
 - e. Not house any guest for a continuous period of more than 30 days; and
 - f. Not offer meals to the general public.

2. A Bed and Breakfast shall provide guest parking in accordance with Section 414 of the 2016 Zoning Regulations, including meeting the minimum parking requirements for lodging uses. Guest parking shall not be located within the driveway or between the front lot line and the dwelling; and
3. A Bed and Breakfast may have a sign that shall have no more than two (2) faces and shall not exceed four (4) square feet.

D. Event Facility

1. An Event Facility shall require Site Plan Review and Approval.
2. An Event Facility shall:
 - a. Be licensed by the State;
 - b. Not have outdoor seating or other outdoor areas for patron or guest use except as specifically shown on an approved Site Plan;
 - c. Not have an amplified sound system playing from outside an enclosed building or from within an open-air structure unless otherwise approved by the Development Review Board.
 - d. Provide sound-proofing for any wall, ceiling or floor that is shared with a residential use if within a mixed-use building.

E. Fueling Station and Carwash

1. The provisions of this section apply to new fueling stations and existing fueling stations being modified or expanded.
2. Fueling stations shall:
 - a. Be located at least 500 feet from any other fueling station as measured between the property lines at their closest point;
 - b. Locate all fuel pumps and islands at least 35 feet from side and rear lot lines;
 - c. Not locate accessory equipment such as self-service vacuums or air pumps within minimum required setbacks for the applicable Zoning District and within 20 feet of the property line with a residential lot; and
 - d. Meet all Development Standards of these Bylaws.
3. New or replacement fuel station canopies shall:
 - a. Not extend over minimum required setbacks for the applicable Zoning District or public rights-of-way;
 - b. Not exceed 18 feet in height if the roof will be flat or 24 feet in height if the roof will be pitched;
 - c. Not incorporate franchise designs or corporate identification elements; and
 - d. Be architecturally integrated with the principal building through the use of the same or compatible materials, colors, roof pitch and design features.
4. An electric vehicle charging station located within a parking lot or structure will not be considered a fueling station and shall not be subject to the provisions of this section.
5. A Carwash shall:
 - a. Carry out all washing and mechanized drying activities within an enclosed building except that self-service bays may be open on two sides;
 - b. Not operate between the hours of 9 p.m. and 7 a.m.;

- c. Not locate accessory equipment such as self-service vacuums or air pumps within minimum required setbacks for the applicable Zoning District or within 20 feet of the property line with a residential use;
 - d. Meet all Development Standards in these Bylaws; and
 - e. Have a properly functioning wastewater capture and recycling system.
6. The provisions of this section apply to any Carwash established as a permanent use. They do not apply to any temporary car-washing events or the washing of vehicles on the vehicle owner's property.

F. Home Occupations

These standards apply to the following three uses: Home Office, Home Business and Home Industry. These Bylaws do not infringe on the right of any resident to use a minor portion of a residential property for an occupation which is customary in a residential area and which does not have an undue adverse effect on the character of the area in which it is located. These standards also provide guidance for Home Business and Home Industry uses to allow modest uses of one's dwelling provided the neighborhood is protected from undue adverse effect.

1. **Home Office.** No zoning permit shall be required for a Home Office provided:
 - a. All activities occur inside of the dwelling unit;
 - b. The activity does not involve signs, public access, or any outdoor storage or display; and
 - c. The Home Office only employs residents of the dwelling.
2. **Home Business.**
 - a. A Home Business shall be considered an Accessory Use of residential property;
 - b. A Home Business must be subordinate to the residential use of the property;
 - c. No traffic shall be generated in volumes that would exceed what would be expected from a residential use in the neighborhood;
 - d. The Home Business shall not generate noise, smoke, vibrations, dust, glare, odor, electrical interference, or heat which is detectable at the property line, or which otherwise presents a hazard to public health and safety, or to neighboring properties;
 - e. A Home Business shall not be primarily retail in nature, except that the sales of goods online shall be allowed;
 - f. The size of the Home Business shall meet both of the following: occupy not more than a total of 1,400 square feet and be less than 50% of the habitable floor area of the dwelling;
 - g. Additional Conditions for a Home Business require the following:
 - iv) Be conducted by the residents of the residential property and up to two non-resident employees on-site at any time;
 - v) Not have commercial vehicles other than passenger vehicles (e.g. cars, vans, pick-up trucks) associated with the business parked on the premises; and
 - vi) Not allow outdoor storage or display.
 - h. A Home Business may have a sign that shall have no more than two (2) faces and shall not exceed two (2) square feet.
3. **Home Industry.**
 - a. A Home Industry shall require Site Plan Review and Approval with notices to abutting properties and all dwelling units on the lot;
 - b. The Home Industry shall not generate noise, smoke, vibrations, dust, glare, odor, electrical interference or heat which is detectable at the property line, or which otherwise presents a hazard to public health and safety, or to neighboring properties;

- c. A Home Industry shall meet the Development Standards;
- d. Hours of operation will be established by the Development Review Board as condition of approval, however shall not operate earlier than 7 a.m. or later than 7 p.m.;
- e. Not be primarily retail in nature, except for online sales of goods; and
- f. Additional Conditions for a Home Industry require the following:
 - i) It may not occupy more than 50% of the habitable floor area of the dwelling, but may occupy any amount of space in one or more accessory buildings;
 - ii) It shall be conducted on-site by residents of the dwelling, and no more than four non-resident employees on-site at any one time;
 - iii) A Home Industry may have one sign that shall have no more than two (2) faces and shall not exceed four (4) square feet;
 - iv) Any exterior storage of materials and equipment associated with the Home Industry shall be limited to a clearly designated area approved by the Development Review Board. The area shall meet all applicable setbacks and avoid adverse impacts to neighboring properties or the public right-of-way;
 - v) The Development Review Board may require greater setbacks or require screening as a condition of approval; and
 - vi) The applicant shall demonstrate that the volume of traffic generated by the commercial activity does not alter the essential character of the neighborhood or impair the use of other properties.
 - vii) A Home Industry shall not include any use prohibited in the Zoning District where it is located. A Home Industry may include businesses such as landscaping, property maintenance, and firewood processing.

G. Hotel or Motel

1. A Hotel or Motel shall require Site Plan Review and Approval and shall:
 - a. Be licensed by the State;
 - b. Be limited to a maximum number of guestrooms that does not exceed 1 per 400 square feet of gross floor area;
 - c. Not house any guest or tenant for a continuous period of more than 30 days except in an extended stay room that meets the standards below; and
 - d. Provide common open space that is:
 - i) Located in one or more areas conveniently accessible to guests or tenants with no area being less than 30 feet in any dimension;
 - ii) Be designed with seating areas and other passive recreation facilities to be available to all guests or tenants; and
 - iii) Be landscaped with trees, shrubs, groundcover or ornamental plants.
2. Extended stay rooms shall:
 - i) Provide guests or tenants with a private, secured space for their exclusive use; and
 - ii) Meet the minimum requirements for independent living, including sleeping, food preparation and sanitation.
3. A hotel may offer meals or other services (e.g., spa, fitness center, meeting rooms) to the guests. A hotel or motel may include uses such as restaurants, event facilities, or indoor recreation that are open to the general public; however, those uses shall be reviewed as separate uses.

H. Inn

1. An Inn shall require Site Plan Review and Approval and shall:
 - a. Be licensed by the State;
 - b. Not have more than 14 bedrooms that are used to house guests; and
 - c. Not house any guest for a continuous period of more than 30 days.
2. An Inn may offer meals or other services (e.g., spa, fitness center, meeting rooms) to the guests. If these services are offered to the general public they shall be reviewed as separate uses under the applicable review;
3. An Inn shall provide guest parking in accordance with Section 414 of the 2016 Zoning Regulations, including meeting the minimum parking requirements for lodging uses. Guest parking shall not be located within the driveway or between the front lot line and the dwelling; and
4. An Inn may have a sign that shall have no more than two (2) faces and shall not exceed twenty-five (25) square feet.

I. Lawn, Garden, Farm, and Building Supply Store

A Lawn, Garden, Farm, and Building Supply Store shall:

1. Only display or store merchandise outside an enclosed structure in designated display or storage areas as shown on the approved site plan;
2. Not locate outdoor display or storage areas within minimum setbacks for the applicable Zoning District;
3. Not display or store merchandise within travel ways (driveways, parking aisles, sidewalks, etc.), fire lanes, loading areas, service areas, or required customer or employee parking spaces;
4. Meet all Development Standards in these Bylaws; and
5. Any area used for the display or storage of merchandise will be considered an impervious surface and included in the calculation of lot coverage. The Development Review Board may waive this requirement upon the applicant demonstrating that a display or storage area has been specifically designed and will be maintained to function as a pervious surface in accordance with green stormwater practices as outlined in the current Vermont Stormwater Management Manual Rule and Design Guidance.

J. Lumber, Landscaping, or Construction Yard

1. A Lumber, Landscaping or Construction Yard shall locate storage areas within minimum setbacks for the applicable Zoning District;
2. Install screening along the front lot line if the outdoor storage would otherwise be visible from the road;
3. Install screening along the side and/or rear property lines if outdoor storage would otherwise be visible from abutting properties with a fence in accordance with Landscaping Standards in these Bylaws;
4. Control erosion and sediment transport from any materials stored outdoors in accordance with the current Vermont Stormwater Management Manual Rule and Design Guidance;

5. Not store hazardous materials, hazardous waste, industrial solid waste, medical waste, municipal solid waste, septage or waste oil; and
6. Not allow equipment or vehicle maintenance or repair activities to occur outside an enclosed building and will be limited to the business owner's vehicles and equipment.

K. Mixed-Use Buildings

Multi-unit, mixed-use buildings shall be designed so that the:

1. Walls and or floors that separate residential and non-residential portions of the building shall be sound-proofed;
2. Entrance(s) to the dwelling units shall be separated from the public and service entrance(s) to the non-residential portions of the building; and
3. Common open space shall be separated and screened from areas of the property accessible to the general public and from service areas.

L. Multi-Family Dwelling (5+ Units)

1. **Applicability.** The provision of this section apply to:
 - a. New buildings that will contain five (5) or more dwelling units;
 - b. Multi-building developments that will contain five (5) or more dwelling units; and
 - c. Existing buildings undergoing a renovation that will increase the number of dwelling units and result in five (5) or more units in the building.
2. Multi-unit residential buildings shall provide residents with usable outdoor space unless the applicant can demonstrate that the building is located within ½ mile walk of a public recreation area that will be accessible to residents via sidewalks or multi-use paths. If not, common open space shall:
 - a. Be located in one or more areas accessible to building residents;
 - d. Be configured so that the space is not less than 30 feet in any dimension;
 - e. Be landscaped with trees, shrubs, groundcover and/or ornamental plants; and
 - f. At least 30% of the units shall include a private or semi-private outdoor living space (ex. patio, courtyard, porch, balcony) to be accessed from the dwelling unit for the exclusive use of unit residents that is at least 50 square feet in area.
3. **Storage.** Each dwelling unit shall include a secured, enclosed bulk storage area at least 20 square feet in area for the exclusive use of unit residents as follows:
 - a. The storage area may be attached to or separate from the dwelling unit;
 - b. The storage area may be located within the building or within an accessory building(s); and
 - c. If the storage area will be located within a private garage, it shall be in addition to the area necessary to accommodate any required parking.
4. **Pedestrian Access.** Multi-unit residential buildings shall be designed with pedestrian access from:
 - a. The public sidewalk or street to any street-facing ground-level residential entrances;
 - b. Parking areas to residential entrances; and
 - c. Residential entrances to service areas (ex. trash or recycling areas) and common open space areas.

M. Open Market or Auction House

1. An Open Market or Auction House shall require Site Plan Review and Approval.
2. The provisions of this section do not apply to temporary sales or auctions of goods on any property that occur for not more than four contiguous days and a total of 28 days in any calendar year, in accordance with all other applicable provisions of these Bylaws.
3. An Open Market or Auction House shall:
 - a. Indicate all structures (permanent and temporary) and open areas intended to be used for the display or storage of goods being offered for sale on the approved site plan;
 - b. Not store goods being offered for sale outside an enclosed structure when the business is closed to patrons;
 - c. Not use an amplified sound system that will be audible beyond the property line; and
 - d. Be limited to operating between the hours of 8 a.m. and 9 p.m.
4. An Open Market or Auction House operating on a seasonal basis shall remove all goods stored outside an enclosed building, temporary structures, and signs (message component only, support structure may remain in place) during the off-season.

N. Outdoor Sales, Rental, or Leasing

1. Outdoor Sales, Rental or Leasing uses shall require Site Plan Review and Approval.
2. The provisions of this section apply to:
 - a. New Outdoor Sales, Rental or Leasing site;
 - b. Existing Outdoor Sales, Rental or Leasing sites that will be expanded, resulting in 4,000 square feet or more of additional impervious surface; and
 - c. Existing Outdoor Sales, Rental or Leasing sites that will be modified, resulting in the redesign or relocation of the display area.
3. An Outdoor Sales, Rental or Leasing site shall:
 - a. Only display or store merchandise in designated display or storage areas as shown on the approved site plan;
 - b. Not locate display or storage areas within minimum setbacks for the applicable Zoning District;
 - c. Not display or store merchandise within travel ways (driveways, parking aisles, sidewalks, etc.), fire lanes, loading areas, service areas, or required customer or employee parking spaces;
 - d. Meet all Development Standards within these Bylaws;
 - e. Display all merchandise in a static position at ground level (no raised, moving, revolving platforms, pedestals, ramps, mounds);
 - f. Any area used for the display or storage of merchandise will be considered an impervious surface and included in the calculation of lot coverage; and
 - g. Any area used for the display or storage of vehicles being offered for sale will not be considered a parking lot.

O. Restaurant or Bar

1. A restaurant or bar shall require Site Plan Review and Approval.
2. A Restaurant or Bar shall:

- a. Be licensed by the State;
- b. Not have outdoor seating or other outdoor areas for patron use except as specifically shown on an approved Site Plan;
- c. Not have amplified music playing from outside an enclosed structure or from within an open-air structure unless otherwise approved by the Development Review Board. Any live music occurring on the site of the restaurant or bar, inside or outside of the building, requires the issuance of a separate permit under the Town Entertainment Ordinance; and
- d. Provide sound-proofing for any wall, ceiling or floor that is shared with a residential use if located within a mixed-use building.

P. Self-Storage Services

Self-Storage Services shall:

1. Not have outdoor or unenclosed storage unless specifically approved by the Development Review Board in accordance with the Development Standards in these Bylaws;
2. Not store hazardous materials, hazardous waste, industrial solid waste, medical waste, municipal solid waste, septage or waste oil;
3. Not have any stored goods displayed for sale;
4. Not allow a storage unit renter to engage in retail sales, vehicle maintenance or repair, use of tools or equipment, or any activity other than storage of property on the premises;
5. Temporary sales or auctions of goods stored on the premises will be allowed as an accessory use for not more than 4 contiguous days and a total of 28 days in any calendar year;
6. Install screening along the front lot line if the outdoor storage would otherwise be visible from the road; and
7. Install screening along the side and rear property lines if outdoor storage would otherwise be visible from abutting properties with a fence in accordance with Landscaping Standards in these Bylaws.

Section 1607 Development Standards

A. Purpose

The provisions of this section are intended to protect the character of the area and quality of life by preventing proposed development from creating or contributing to adverse off-site impacts.

B. Noise

1. Noise emanating off-site shall be muffled, shall not be distinct from the background sound level beyond the property line, and shall not interfere with the reasonable use and enjoyment of nearby property. The Development Review Board may place specific limits on noise levels and hours of operation as deemed necessary to protect the character of the area.
2. No person or persons shall make, cause to be made, assist in making or continue any excessive, unnecessary, unreasonably loud noise or disturbance, which disturbs, destroys, or endangers the comfort, health, peace, or safety of others within the immediate vicinity of the noise or disturbance, or other noise source is plainly audible from the receiving property boundary line.
3. The following noise levels shall be applicable:

Time Period	Receiving Property	One Hour Average dBA	Instantaneous Maximum dBA
7:00 am to 9:00 pm	CI	75	90
7:00 am to 9:00 pm	DWN, MU, NH, R-1, CAM, CFP	55 to 65	80
9:00 pm to 7:00 am	CI	60	70
9:00 pm to 7:00 am	DWN, MU, NH, R-1, CAM, CFP	45	60

C. Outdoor Lighting and Glare

1. The provisions of this section are intended to:
 - a. Ensure that outdoor lighting is designed to maintain safety and security;
 - b. Minimize the obtrusive and disruptive aspects of outdoor lighting using the minimum light level needed for the task;
 - c. Reduce energy use by directing appropriate amounts of light where and when it is needed, and using energy-efficient light sources; and
 - d. Consider the color of the light and limit the use of lighting that provides unnatural color.
2. All outdoor lighting shall be installed in accordance with the provisions of this section except for public street lights located within rights-of-way.
3. Outdoor lighting shall conform to the following:
 - a. *Lighting Plan.* Applicants for Site Plan Review and Approval shall submit a lighting plan if outdoor lighting will be altered or installed. Whenever building elevations are submitted, show exterior fixtures and the provisions of the walls and adjacent areas to be illuminated.
 - b. *Shielding.* All outdoor light fixtures shall be downcast and shielded. All fixtures are required to be fully shielded and maintained as installed.
 - c. *Sensors.* Lighting installations shall include timers, dimmers, and/or sensors to reduce the overall energy consumption and eliminate unneeded lighting.

- d. *Spot Light Aiming.* Light fixtures containing spot or flood lamps shall be downcast and shielded. High-intensity lighting is prohibited.
 - e. *Freestanding and Mounted Lights.* Freestanding and mounted light fixtures may be located within setbacks and shall not be more than 15 feet in height.
 - f. *Light Trespass.* Outdoor light fixtures shall be oriented and shielded as necessary to prevent light trespass over adjacent property or rights-of-way. Lighting shall not shine onto adjacent properties or above the horizontal plane, at the elevation of the light fixture. Lighting design shall prevent light trespass and glare by requiring light fixtures to be shielded and properly aimed.
 - g. *Height.* The mounting height of a lighting fixture shall be defined as the vertical distance from the grade elevation directly below the fixture to the bottom of the lighting fixture.
 - h. *Underground.* Electrical service to exterior lighting fixtures shall be underground unless the fixtures are mounted directly on existing utility poles.
 - i. *Arc welding.* Arc welding, acetylene torch cutting or similar processes shall be performed so as not to be visible from any point beyond the property line.
 - j. *Time Limits.* The Development Review Board may limit when outdoor lighting may be used as deemed necessary to achieve the general standards of this section and the general standards of the Zoning District.
 - k. *Glare.* Lighting shall not be used in such a manner that it produces excessive brightness on streets or nearby property.
 - l. Building facades and roofs shall not be illuminated.
4. **Parking Lot and Security Lighting.**
- a. *Parking Lots.* Parking lot lighting shall be downcast and shielded, designed to provide the minimum lighting necessary to ensure adequate vision and comfort in parking areas, and to not cause glare or direct illumination on adjacent properties or roads or highways.
 - b. *Security Lighting.* The purpose of and need for security lighting, i.e., lighting for safety of persons and property, is allowed when part of an overall lighting plan. Security lighting shall be downcast and shielded.
5. Illuminated signs shall meet the requirements set forth in the signs section of the 2016 Zoning Regulations.
6. **Lighting of Gasoline Station Aprons and Canopies.** Lighting levels on gasoline station aprons and under canopies shall be adequate to facilitate the activities taking place in such locations. Lighting of such areas shall not be used to attract attention to the businesses. Lights shall not be mounted on the top or sides of the canopy, and the sides (fasciae) of the canopy shall not be illuminated.
7. Lighting shall comply with the provisions in following Table:

Lighting	NH, R-1	DWN, MU	CI, CAM
Maximum Height	20'	20'	25'
Minimum Illumination Level	No less than 0.2 foot candles (fc)	No less than 0.2 foot candles (fc)	No less than 0.2 foot candles (fc)
Uniformity Ratio*	4 to 1	4 to 1	4 to 1
Avg. Illumination Level of Vertical Surface	No more than 0.3 fc	No more than 0.5 fc	No more than 0.3 fc
Minimum CRI**	70	70	60
*Uniformity Ratio is the average illumination to minimum illumination			
**CRI = Color Rendering Index			

D. Landscaping

1. **Purpose.** The provisions of this section are intended to:
 - a. Provide shade, and reduce heat and glare on adjacent properties;
 - b. Ensure landscaping materials meet seasonal, soil, and topographical conditions, control soil erosion and manage stormwater runoff;
 - c. Screen potentially incompatible land uses, utilitarian site features and service areas;
 - d. Calm traffic and improve pedestrian safety and comfort; and
 - e. Preserve native and functional existing vegetation and prevent non-native invasive species.
2. **Applicability.** Proposed development subject to Site Plan Review and Approval shall provide landscaping in accordance with the provisions of this section.
3. **General Standards.**
 - a. *Preservation of Landscape.* Finished site contours shall depart only minimally from the natural site and the surrounding properties. Areas disturbed through construction shall be revegetated by the applicant. Where vegetation does not exist or has been removed, new plantings may be required.
 - b. *Screening and Buffering Requirements.* Screen potentially incompatible land uses, utilitarian site features and service areas. All parking areas for five (5) or more cars, and all non-residential and non-lodging uses shall be screened from any adjacent residential or lodging use. Screening shall include a mixture of vegetation that creates a visual buffer. The introduction of fencing, integrated with the vegetation, can be used to define the buffer.
 - c. *Streetscape and Shade Vegetation.* Proposed development requiring Site Plan Review and Approval shall provide landscaping within the minimum front yard setback. Waterbury strongly encourages front yard landscaping to function as shade vegetation and as well as follow green stormwater best management practices (BMPs). The Development Review Board may modify the standards of this section to accommodate green stormwater BMPs. The applicant may refer to the Vermont Green Streets Guide, published by the Vermont Urban and Community Forestry Program.
 - d. *Parking Lot Landscaping.* All off-street parking lots containing twenty (20) or more spaces shall be landscaped internally with trees, shrubs, and other plants. At least one deciduous tree per ten (10) spaces shall be planted in a bed of not less than forty (40) square feet. The Development Review Board may approve uncurbed planting areas in order to provide for stormwater run-off into vegetated areas for treatment.
 - e. *Protection of Natural Resources.* In addition to other landscaping requirements above, the applicant shall demonstrate that the project does not adversely affect wildlife habitat, wetlands, stream banks or river corridors.
 - f. *Planting Specifications.* Plants shall be hardy for the climatic and other conditions in which they will be used (salt, air pollution, etc.). The applicant should refer to “Recommended Trees for Vermont Communities: A Guide to Selecting and Purchasing Street, Park, and Landscape Trees,” published by the Vermont Urban and Community Forestry program.

E. Odors

Emission of odors that are readily detectable without special instruments at any point beyond the property line and that interfere with the health, safety, and or the reasonable use and enjoyment of nearby property is prohibited. Odors and other air pollutants, especially those associated with manufacturing and industrial uses, shall meet state emission standards for air and water quality.

F. Vibration

Vibration that is easily discernible without special instruments at any point beyond the property line is prohibited. This shall not apply to vibration caused by motor vehicle, train or aircraft traffic. The Development Review Board may require the applicant to provide evidence in the form of a report that shall provide level of vibration at all property lines.

G. Electrical or Radio Interference

No use or process shall create interference with electrical or radio apparatus beyond the property line. The Development Review Board may require the applicant to provide evidence in the form of a report that shall provide level of interference at all property lines.

H. Waste and Discarded Material

Accumulation of waste to the degree that it attracts insects or rodents, or otherwise creates a health hazard is prohibited. Food scraps, yard debris and other organic matter will be stored in enclosed containers. Applicants shall show the location of waste receptacles (including, but not limited to dumpsters) on a site plan.

I. Particulate Matter and Airborne Solids

Generation of dust, dirt, fly ash or other airborne solids that accumulate at any point beyond the property line is prohibited except when related to approved temporary construction or extraction activities. Generation of smoke or particulate matter beyond the property line that interferes with the reasonable use and enjoyment of nearby property is prohibited.

J. Flammable, Toxic, or Hazardous Substances and Wastes

Flammable, combustible or explosive materials shall be stored and handled in conformance with state and federal laws. Such materials shall be securely stored within an enclosed building or tank. Toxic or hazardous substances or wastes shall not be released into the environment so as to cause contamination of any potable water supply, sanitary sewer or septic system, watercourse or water body, soil or air except as specifically permitted by the Vermont Agency of Natural Resources.

Section 1608 Design Review Overlay District

A. Purpose

The Design Review Overlay District (DROD) establishes specific building form, design standards, and a higher level of review for proposed development for those areas of Waterbury recognized as having particular historical, architectural or cultural value in order to:

1. Protect and enhance architectural and historic resources;
2. Encourage a consistently high standard of design in new construction and renovations;
3. Support and sustain a pedestrian-oriented downtown;
4. Strengthen the community's vitality and the Downtown, Mixed-Use and Campus Districts' historic function as a center for commerce, industry, government, and housing; and
5. Encourage new construction that will reinforce the qualities of the existing physical character while allowing freedom of expression compatible with the architectural vernacular of the community.

B. Applicability

The boundaries of the DROD are depicted on the UDB-P1 Zoning District Map in Section 1612. The following will be subject to design review under this section unless exempted below:

1. Construction of a new structure;
2. Additions to or demolition (in whole or part) of existing structures;
3. Relocation of existing structures; and
4. Any other external modification to an existing site or structure.

C. Exemptions

The following will not be subject to design review under this section:

1. A change in use or occupancy that does not involve any permanent alteration to the exterior of a site or structure;
2. Emergency repair and stabilization of a structure damaged by any cause to the extent necessary to protect public health and safety, and to protect the structure from the elements;
3. Demolition or relocation of an accessory structure provided that it is not a historic structure;
4. Construction of an accessory structure such as a ramp or fire escape required to meet state or federal code provided that the building is not a historic structure;
5. Routine maintenance of existing structures including repairs and changes to paint color, siding or roofing, provided that there is no change in design, dimension or location.
6. Replacement or reconstruction of a porch, entryway, ramp or landing, provided that there is no change in design, dimension or location.
7. Replacement or reconstruction of sidewalks and walkways within the same footprint as the original.

8. Replacement or reconstruction of an existing fence or wall provided there is no change in materials, height or location.

D. Review Procedure

Applications for development within the Design Review Overlay District shall be reviewed concurrently with applications for site plan review in accordance with Section 301 of the 2016 Zoning Regulations. In the event the proposed development does not require site plan approval, the Development Review Board shall approve or disapprove an application of a project within forty-five (45) days from the close of the hearing.

E. Application Requirements

In addition to the information required under Section 301(b) of the 2016 Zoning Regulations, applications for design review approval shall include the following:

1. Proposed architectural elevations (for each exterior wall) showing door and window types and placement, and other exterior details;
2. A description of all materials to be used on the exterior of any building and, upon Development Review Board request, samples of materials;
3. Photographs of the existing building(s) on the site and of buildings on adjacent and facing parcels;
4. A brief narrative describing the project;
5. Other information as required by the Development Review Board.
6. For minor changes to the exterior of the structure, the Development Review Board may waive one or more of the application requirements set forth above.

F. Allowed Uses and Dimensional Standards

The DROD contains special regulations to be added to those of the underlying district and does not affect the zoning regulations governing the use of the properties within such district. If the regulations of the DROD and of the underlying district conflict, the more restrictive provision(s) shall apply.

G. Site Design Standards

The standards below apply to site design in the DROD:

1. **Neighborhood Compatibility.** Site designs shall be integrated and compatible with the surrounding neighborhood including connecting to and extending vehicular and pedestrian networks and greenways.
2. **Accessory Structures.** Accessory structures shall be sited and designed to be compatible in terms of architectural character, materials, colors with the associated street-facing structure.
3. **Off-Street Parking.** Off-street parking shall be located to the side, rear or under the street-facing structure on the lot. Lots devoted entirely to surface parking, and to the maximum extent

feasible any pre-existing parking between the building and the street, must be screened with landscaping and/or decorative fencing.

4. **Utilities and Mechanical Equipment.** Utilities shall be buried unless the applicant demonstrates that it is not feasible to do so because of limitations on the site. Mechanical equipment, electrical meter and service components, and similar devices, shall be located to the side or rear of the street-facing structure. Access to utilities and mechanical equipment shall not require access from abutting properties. See Development Standards for guidelines regarding screening. Energy efficient devices or renewable energy generation are exempt.
5. **Rain, Snow, Ice.** Applicants shall demonstrate how rain, snow, and ice that may affect neighboring properties or public improvements will be addressed.

H. General Building Design Standards

The standards below apply to the design and construction of principal buildings, including additions to and renovations of existing buildings, and accessory structures with a footprint greater than 500 square feet in the DROD:

1. **Building Placement.** Buildings shall be placed and designed to reinforce traditional, pedestrian-oriented streetscape patterns and in a manner that is integrated and compatible with neighboring buildings and properties. Buildings must be oriented to and relate both functionally and visually to the street and/or common greens, parks, or plazas.
2. **Building Design.** New buildings or renovations shall incorporate building forms, lines, roof shapes, features, and materials compatible with those of buildings in the vicinity, but are not required to conform to a particular architectural style.
3. **Building Additions.** New additions shall be designed to complement and be compatible with, rather than detract from or obscure, the original structure.
4. **Roof Types.** Buildings, or portions thereof, having eaves heights of twenty (20) feet or less above ground level shall incorporate moderately to steeply pitched roofs, unless the Development Review Board determines that another roof type is appropriate.
5. **Materials.** Materials shall be selected to enhance streetscape and pedestrian view. Materials that are durable and attractive over time should be encouraged.
6. **Architectural Features.** Architectural features including but not limited to cornices, railings, windows, shutters, fanlights, and entablature prevailing in the immediate area should be considered- in the construction or alteration of a building. It is not intended that the details of old buildings be duplicated precisely, but they should be regarded as suggestive of the extent, nature and scale of details that would be appropriate on new buildings or alterations. The preservation of distinctive materials, features, and construction techniques or examples of craftsmanship that characterize a property is encouraged.

I. Demolition of Historic Buildings

1. Development Review Board (DRB) approval is required for the demolition of any historic structure (including residential) in the Historic Overlay District that is listed on the State or National Register of Historic Places or is a contributing structure within the expanded Waterbury Village Historic District. For applications involving the demolition of a structure listed on the National Register of Historic Places, a report that includes a structural assessment of the building, including estimated costs for stabilization and renovation, and

which documents that the applicant and/or landowner has explored available alternatives to the proposed demolition and found such alternatives to be infeasible.

2. “Demolition” shall mean the act of deliberately destroying all or a portion of a structure. The DRB shall conduct a public hearing to review the application. The DRB shall approve the demolition if it finds that the demolition will satisfy the following:
 - a. The condition of the structure has deteriorated to such a degree that rehabilitation and use of the building is not feasible due to structural or building code issues. The structural or building code issues shall be significant enough to make rehabilitation not possible. It is the responsibility of the property owner to demonstrate to the DRB's satisfaction that rehabilitation is not feasible,
 - b. The retention of the structure would create or pose a risk to the health, safety, or welfare of the structure's occupant(s) or the general public. It shall be demonstrated that the condition of the structure has deteriorated to such a degree that it poses a threat to public safety as determined by the town or state officials and cannot be restored or repaired without causing undue financial hardship to the owner. The burden of proving this hardship is on the owner,
 - c. The structure is determined to be a deterrent to a major improvement that will be a clear and substantial benefit to the municipality. This determination of substantial benefit will be made by the DRB, and,
 - d. The retention of the structure would cause undue financial burden to the owner (the owner bearing the burden of proof). A determination of undue financial hardship may be granted only if the project complies with one of the following requirements:
 - e. For income-producing properties, the building or site cannot be used or rented at a reasonable rate of return in its present condition or if rehabilitated, and denial of the application would deprive the owner of all reasonable use of the property. The applicant shall present evidence to demonstrate economic hardship. This may include such items as:
 - iii) a report comparing the economic return with the current configuration, return with rehabilitation, and return with demolition of the structure, or
 - iv) a report prepared by an appraiser on the fair market value of the property with and without approval of the demolition.
 - v) For non-income -producing properties, the building or site has no beneficial use as a residential dwelling or as a non-commercial use in its present condition or if rehabilitated, and denial of the application would deprive the owner of all reasonable use of the property. The applicant shall present evidence to demonstrate economic hardship. This may include such items as:
 - vi) a report comparing the economic return with the current configuration, return with rehabilitation, and return with demolition of the structure, or
 - vii) a report prepared by an appraiser on the fair market value of the property with and without approval of the demolition.
 - f. In approving a proposed demolition, the Development Review Board may require that the applicant provide, prior to demolition, detailed documentation of the structure's historic and architectural features, such documentation to be part of the permanent zoning records. Such documentation should meet the requirements of the Vermont Division for Historic Preservation for documenting historic buildings.
 - i) Demolition Timing and Delay: Within six months after a permanent or temporary building or structure has been destroyed or demolished, all evidence of that structure shall be removed from the site, and excavation thus remaining shall be covered over or filled to the normal grade with suitable fill. An abandoned structure must be safely enclosed.

- ii) If the DRB finds that the proposed demolition does not meet any of the above criteria, it may deny the application or impose up to a six (6) month delay period. The DRB shall direct the applicant to participate in an investigation of alternatives to demolition during the six (6) month delay period. The Demolition Delay decision shall be publicly posted.
- iii) After the six (6) month delay period, one additional public hearing shall be held to review the proposed demolition. If the DRB is satisfied that the applicant for the demolition permit has made a bona fide, reasonable and unsuccessful effort to find or accept alternatives to preserve, rehabilitate, relocate or restore the building or structure, the DRB may approve the demolition of the structure. If the applicant has not demonstrated that a reasonable effort has been made, the DRB shall deny the demolition.

Section 1609 Definitions

J. Applicability

These definitions apply to the following Zoning Districts as described and mapped in this UDB-P1: Downtown, Mixed Use, Neighborhood, R-1, Campus, Commercial-Industrial and Conservation Floodplain. These definitions supersede any matching definition in the 2016 Zoning Regulations. If a term is not defined herein, then the definition in the 2016 Zoning Regulations applies or the common language definition applies.

K. Use Definitions

Accessory Dwelling Unit (ADU)

Accessory Use of single-family or two-family residential property for an additional dwelling unit that provides complete independent living facilities including permanent provisions for living, sleeping, eating, cooking and sanitation. See Specific Use Standard - Accessory Dwelling Unit.

Accessory On-Farm Business (AOFB)

An establishment that is an Accessory Use to a farm engaging in agri-tourism, agri-education, direct marketing of locally-produced farm or forest products, or that adds value to locally-produced farm or forest products.

Accessory Use

See Zoning Districts General Provisions: Types of Uses.

Artist Gallery or Studio

An establishment used to produce, display or sell works of art. This use includes craft production such as pottery, textiles, crafted wood products and jewelry making.

Assisted or Supported Living

Use of one or more structures to provide housing, board and care to residents who need assistance with daily activities such as dressing, grooming, bathing, and that operates under a State license.

Auto or Equipment Repair Service

See Specific Use Standard - Auto or Equipment Repair Service.

Bed and Breakfast

See Specific Use Standard - Bed and Breakfast.

Camp

A dwelling unit of 800 square feet or less, occupied or used on a temporary basis for no more than five months per year. Such structures, consistent with their short-term occupancy, shall not be connected to public utility services.

Campground

An area of land upon which two or more campsites are located, established, or maintained for occupancy by Camping Units of the general public as temporary living quarters for recreation, education, or vacation purposes.

Camping Unit

Any tent, trailer, recreational vehicle, cabin, lean-to or similar structure established or maintained and operated as temporary living quarters for recreation, education, or vacation purposes. Such units are not permitted as year-round dwellings.

Catering or Commercial Kitchen

A State-licensed establishment that prepares meals, snacks or beverages to be served at off-premise events. Also included is an establishment that prepares food or beverage products for wholesale or retail sale provided that the operator does not require a State Food Processing establishment license (such uses will be considered Food or Beverage Manufacturing under these Bylaws).

Cemetery

A site designed to inter or otherwise store the remains of deceased people.

Child Daycare

A State-licensed establishment that cares for infants and preschool-age children, as well as older children when school is not in session.

Clinic or Outpatient Care Services

An establishment from which one or more licensed practitioners provide healthcare services to people as outpatients.

Communications Antenna

A device used to transmit or receive radio, television or other wireless communications and related structures and equipment. This definition specifically excludes a Communication Tower.

Communications Tower

A guyed, monopole, or self-supporting tower, constructed as a freestanding structure or in association with a building, other permanent structure, or equipment, containing one or more antennas intended for transmitting or receiving television, AM/FM radio, digital, microwave, cellular, telephone, or similar forms of electronic communication.

Composting Services

A State-licensed establishment used to transform organic waste into a stable, soil-like product in a controlled environment under aerobic conditions. This definition specifically excludes composting activities that are limited to organic waste produced on the premises.

Educational Institution

A State-certified public or private establishment that provides educational services.

Event Facility

An establishment used to host conventions, trade shows, corporate meetings, weddings, receptions, reunions and similar special events that typically includes large open spaces such as auditoriums, banquet halls, exhibition halls and meeting rooms. This use also includes an establishment that operates as a place of entertainment with music, dancing, or similar live or recorded performances, and where food and drink are served for immediate consumption on the premises. See Specific Use Standard - Event Facility.

Family Childcare Home

A Family Childcare Home shall be an Accessory Use of a Single-Family Dwelling for a daycare business that operates under State license or registration.

Farmers' Market

A multi-vendor operation for the retail sale of agricultural and horticultural products, prepared food and beverages, or arts and crafts. Any tents or structures that are used for the sale of these items and in place for three or less consecutive days shall be exempt from requiring a zoning permit.

Food or Beverage Manufacturing

A State-licensed food processing establishment that produces food or beverage products that are sold to wholesalers or retailers. It may include a retail shop, restaurant or bar as an Accessory Use that sells products produced on the premises. This definition includes a microbrewery, distillery, or bakery or any operation that must procure a local water and sewer allocation permit.

Freight Transportation Services

An establishment that provides transportation of cargo using trucks, tractor trailers or rail; or that provides services such as storage, maintenance, repair or fuel primarily for its vehicles.

Fueling Station and Carwash

An establishment for selling gasoline or other vehicle fuels. Commonly combined with other retail uses such as a carwash or convenience store, or with an auto repair and service garage. See Specific Use Standard – Auto Repair or Equipment Repair Services.

Funeral and Cremation Services

An establishment that prepares deceased people for burial, cremation or natural organic reduction, or undertakes cremation or natural organic reduction of the remains of deceased people, or holds funeral services.

Government Facility

A Federal, State or municipal-owned and directly operated establishment that serves a public function and provides governmental services.

Home Occupations

Accessory Use of a residential property for a Home Office, Home Business, or Home Industry. See Specific Use Standard - Home Occupations.

Hospital or Inpatient Care Services

An establishment from which one or more licensed practitioners provide healthcare services to people as inpatients.

Hotel or Motel

See Specific Use Standard - Hotel or Motel.

Information Services

An establishment operating within an enclosed structure used to house computer systems and associated components such as telecommunications and storage systems that typically includes redundant or back-up power supplies and communications connections, environmental controls and security devices; or provide electronic data processing services or that supply information including, but not limited to, internet access or service providers; and electronic library or archive services.

Inn

See Specific Use Standard - Inn.

Lawn, Garden, Farm, and Building Supply Store

An establishment that sells lawn, garden, farm or building supplies. It may sell lawn, garden or farm equipment or machinery as an Accessory Use. It may also provide installation, repair or maintenance services as an Accessory Use. See Specific Use Standard - Lawn, Garden, Farm and Building Supply Store.

Light Industry

An establishment that produces products, materials or parts in a facility that does not rely on specialized power, water or waste disposal systems for operation. All light industrial operations shall occur within an enclosed building, which is similar to an office building in its size, appearance and impacts. It may include a retail shop as an Accessory Use that primarily sells products produced on the premises. This definition excludes any use specifically defined in this section.

Lumber, Landscaping, or Construction Yard

An establishment that provides storage for vehicles, machinery, equipment and materials used by a contractor in the construction-related trades, which may include a shop for maintaining or repairing the contractor's vehicles, machinery or equipment or the contractor's business office; landscape or tree/arborist service; or leases outdoor storage space for vehicles, boats or similar large goods to commercial customers or the general public. This definition specifically excludes junkyards. See also Specific Use Standard - Lumber, Landscaping or Construction Yard.

Metal Fabrication Shop

An establishment that produces, assembles or repairs metal products or parts from an enclosed structure. These establishments may include blacksmith, welding, plating, stripping, coating, sheet metal, machine or boiler shops.

Multi-Family Dwelling (5+ units)

Use of a structure for habitation by five or more households each in a unit that provides complete independent living facilities including permanent provisions for living, sleeping, eating, cooking and sanitation. See Specific Use Standard - Multi-Family Dwelling.

Museum

An establishment that preserves and exhibits objects, sites and natural wonders of historical, cultural or educational value.

Office, Professional, Business, or Administrative Service

An establishment that is used to conduct the affairs of a business, organization or profession; provides services that are reliant on the specialized training, expertise, skills or knowledge of practitioners; provides support services primarily to other businesses such as billing, collection, advertising, telemarketing, copying, mailing; or provides financial services such as a bank or credit union. This definition specifically excludes services provided by licensed medical or veterinary practitioners.

Open Market or Auction House

An establishment where goods are brought to be immediately sold to the general public for personal or household consumption often from outdoor areas or open-air structures. See Specific Use Standard - Open Market or Auction House.

Outdoor Sales, Rental, and Leasing

An establishment that sells, rents, or leases large items such as vehicles, boats, equipment, machinery, manufactured homes, or prefabricated buildings primarily from an open lot. It may also provide installation or, Auto Repair or Equipment Repair Services as an Accessory Use.

Passenger Transportation Facility

An establishment that provides transportation of people including, but not limited to, transit services, bus or rail stations, transportation centers, and taxi or limousine services.

Performance or Movie Theater

An establishment that presents live entertainment or an establishment that shows movies or other recorded entertainment. Performance or Movie Theater establishments may engage in Retail Sales if they are only conducted during performances or movies and consumed on-site.

Personal Services

An establishment that provides services on or closely related to the physical person including, but not limited to, laundry, tailoring, shoe repair, hair salon, nail salon, tanning salon, spa, massage, or tattoo parlor. It may include sales of related personal products as an Accessory Use. This definition specifically excludes services provided by licensed medical or veterinary practitioners.

Recreation, Indoor

An establishment that offers physical fitness, sports, games and other leisure-time activities primarily from within an enclosed structure. This use can include Retail Sales as an Accessory Use. This definition specifically excludes Equestrian Facilities.

Recreation, Outdoor

A commercial establishment that offers physical fitness, sports, games and other leisure-time activities primarily outside an enclosed structure. This use also includes establishments that may serve food or beverages or have retail sales of merchandise, have restrooms and shelter as Accessory Uses.

Recreation or Park, Public Outdoor

A non-commercial establishment that offers physical fitness, sports, games, and other leisure-time activities to the general public primarily outside an enclosed structure, or land that is maintained in a primarily unimproved natural state for passive recreation or conservation purposes. This use includes facilities such as restrooms and shelter for daily activities.

Recycling Services

An establishment used to collect, separate or recover recyclable materials. It may include the preparation of materials for shipment by means such as baling, compacting, flattening, grinding, crushing, mechanical sorting or cleaning. It may include Retail Sales of recovered materials as an Accessory Use.

Religious Institution

An establishment that serves as a place of worship or congregation for a religious purpose. It may offer educational services, charitable services, or other uses associated with religious exercise as an Accessory Use.

Residential Care and Group Home

A State-licensed establishment operating from a residential property that provides housing to people with a handicap or disability.

Restaurant or Bar

An establishment that prepares and serves meals, snacks, and beverages (including alcoholic) for immediate consumption with seating on premises. This definition includes retail food and beverage sales for off-site consumption. This use specifically excludes mobile food and Catering or Commercial Kitchen. This use shall also exclude any service directly to customers in automobiles, such as drive-up or drive-through service. The following will be considered Accessory Uses: live

entertainment or a brewing and distilling operation that requires a local water and sewer allocation permit. See Specific Use Standard - Restaurant or Bar.

Retail Sales

An establishment that sells goods to the general public for personal or household consumption primarily from within an enclosed structure, excluding any use specifically defined in this section. It may also provide installation, repair or maintenance services as Accessory Use. It can be an establishment that sells food or beverage items primarily not for immediate consumption to the general public. It may offer prepared foods or drinks for immediate consumption either on-site or for take-out as an Accessory Use.

Self-Storage Services

An establishment that provides individual storage spaces for lease to either commercial or wholesale customers for storage of business goods, or to the general public for storage of household goods. See also Specific Use Standards - Self-Storage Services.

Short-Term Rental

Accessory Use of residential property to provide short term guest accommodations per V.S.A. § 4301(a)(14) definition.

Single-Family Dwelling

Use of a structure for habitation by one household that provides complete independent living facilities including permanent provisions for living, sleeping, eating, cooking and sanitation.

Skilled Nursing Facility

A State-licensed establishment that provides housing and 24-hour skilled nursing care to residents and that operates under a State license. This includes nursing or convalescent homes, and hospice or respite care facilities.

Social Assistance and Charitable Services

An establishment that provides social assistance services directly to individuals, and that does not offer residential services. May include services to groups of individuals and gatherings of individuals.

Three- or Four-Family Dwelling

Use of a structure for habitation by three or four households each in a unit that provides complete independent living facilities including permanent provisions for living, sleeping, eating, cooking and sanitation, and with each unit having a separate entrance from the outside or through a common vestibule.

Two-Family Dwelling

Use of a structure for habitation by two households each in a unit that provides complete independent living facilities including permanent provisions for living, sleeping, eating, cooking and sanitation, and with each unit having a separate entrance from the outside or through a common vestibule.

Veterinary, Pet, or Animal Service

An establishment where licensed practitioners of veterinary medicine, dentistry or surgery treat animals; that may provide animal and pet care services such as boarding, grooming, sitting and training; or that breeds, sells or manages adoption of pets. It may include sales of pet food, medicines or supplies as an Accessory Use.

Wholesale Trade or Storage and Distribution Services

An establishment that sells or arranges the purchase of goods primarily to other businesses from an enclosed structure that is set up as a warehouse or office with little to no display of merchandise and where customers do not have direct access to the primary merchandise being sold. This use includes an establishment that stores, but does not sell goods, and may provide a range of services related to the distribution of goods.

L. Dimensional Definitions

LOTS

Minimum Lot Size

Inclusive of all land within the property boundaries, but excluding any land within a road right-of-way.

Minimum Lot Frontage

Measured on a maintained public or private street, excluding any frontage on limited access highways or unimproved rights-of-way.

Maximum Lot Coverage

Total amount of Impervious Surface as a percentage of total lot area.

SETBACKS

Minimum Front Setback

Measured from the edge of the road right-of-way, or if no right-of-way from the front lot line.

Maximum Front Setback

Measured from the edge of the road right-of-way, or if no right-of-way from the front lot line.

Minimum Side Setback

Measured from the side lot lines.

Minimum Rear Setback

Measured from the rear lot line.

BUILDINGS

Minimum Lot Frontage Coverage

Percentage of the lot frontage that shall be covered by the front of a building.

Maximum Building Footprint

Area of ground covered by all buildings as measured around the exterior building walls and eaves.

Minimum Building or Structure Height

Building or structure height shall be measured from the average pre-construction elevations at each corner measured to the highest point of the building or structure.

Maximum Building or Structure Height

Building or structure height shall be measured from the average pre-construction elevations at each corner measured to the highest point of the building or structure.

Appendix: Section 1610 Use Table

P= Permitted Use C = Conditional Use X = Prohibited Use

DISTRICT	DWN	MU	NH	R-1	CAM	CI	CFP
RESIDENTIAL							
Accessory Dwelling Unit	P	P	P	P	X	X	X
Assisted or Supported Living	P	C	C	P	C	X	X
Family Childcare Home	P	P	P	P	X	X	X
Home Business	P	P	C	P	X	C	X
Home Industry	X	X	X	C	X	X	X
Home Office	P	P	P	P	P	P	X
Multi-Family Dwelling (5+ Units)	P	P	P	C	C	C	X
Residential Care and Group home	P	P	P	P	X	X	X
Single-Family Dwelling	X	X	P	P	X	X	X
Skilled Nursing Facility	C	C	C	C	P	X	X
Three- or Four-Family Dwelling	P	P	P	P	X	X	X
Two-Family Dwelling	P	P	P	P	X	X	X
LODGING							
Bed and Breakfast	P	P	P	P	X	X	X
Hotel or Motel	C	C	X	X	X	X	X
Inn	P	P	C	C	X	X	X
Short-Term Rental	P	P	P	P	X	X	X
COMMERCIAL							
Accessory On-farm Business	X	X	X	X	X	X	X
Auto or Equipment Repair Service	< 4,000 sf >=4,000 sf P C	< 4,000 sf >=4,000 sf C X	X	X	X	C	X
Catering or Commercial Kitchen	P	< 2,500 sf C	X	C	X	P	X
Event facility	C	X	X	X	P	X	X
Fueling Station and Carwash	X	X	X	X	X	C	X
Lawn, Garden, Farm and Building Supply Store	X	X	X	X	X	P	X
Office, Professional, Business or Administrative Service	< 4,000 sf >=4,000 sf P C	C	X	X	P	P	X

DISTRICT	DWN	MU	NH	R-1	CAM	CI	CFP
Open Market or Auction House	< 4,000 sf >=4,000 sf P C	X	X	C	X	P	X
Outdoor Sales, Rental or Leasing	X	X	X	X	X	P	X
Personal Services	< 4,000 sf >=4,000 sf P C	< 1,500 sf 1,501 sf – 4,000 sf P C	< 1,500 sf 1,501 sf – 4,000 sf P C	X	C	C	X
Restaurant or Bar	< 4,000 sf >=4,000 sf P C	< 1,500 sf 1,501 sf – 4,000 sf P C	< 1,500 sf C	X	X	C	X
Retail Sales	< 4,000 sf >=4,000 sf P C	< 1,500 sf 1,501 sf – 4,000 sf P C	< 1,500 sf 1,501 sf – 4,000 sf P C	X	C	C	X
Veterinary, Pet or Animal Service	X	X	X	X	X	P	X
INDUSTRIAL							
Communications Tower	X	X	X	X	X	X	X
Composting Services	X	X	X	X	X	C	X
Food or Beverage Manufacturing	< 10,000 sf >=10,000 sf C X	< 1,400 sf >=1,400 sf C X	X	X	X	< 10,000 sf >=10,000 sf P C	X
Freight Transportation Services	X	X	X	X	X	C	X
Information Services	C	C	X	X	X	P	X
Light Industry	< 10,000 sf C X	< 2,500 sf >=2,501 sf C X	X	X	X	< 10,000 sf >=10,000 sf P C	X
Lumber, Landscaping or Construction Yard	X	X	X	X	X	C	X
Metal Fabrication Shop	X	X	X	X	X	P	X
Passenger Transportation Facility	C	C	X	X	X	P	X
Recycling Services	X	X	X	X	X	C	X
Self-Storage Services	X	X	X	X	X	P	X
Wholesale Trade / Storage and Distribution Services (enclosed)	X	X	X	X	X	P	X

DISTRICT	DWN	MU	NH	R-1	CAM	CI	CFP
ART, ENTERTAINMENT, AND RECREATION							
Artist Gallery or Studio	< 4,000 sf ≥4,000 sf P C	< 1,500 sf 1,501 sf – 4,000 sf P C	< 1,500 sf 1,501 sf – 4,000 sf P C	X	X	P	X
Campground	X	X	X	C	X	X	X
Museum	< 10,000 sf ≥10,000 sf P C	< 1,500 sf 1,501 sf – 4,000 sf P C	< 1,500 sf 1,501 sf – 4,000 sf P C	X	P	X	X
Performance or Movie Theater	< 4,000 sf ≥4,000 sf P C	< 4,000 sf ≥4,000 sf C X	X	X	X	C	X
Recreation, Indoor	< 4,000 sf ≥4,000 sf P C	< 1,500 sf 1,501 sf – 4,000 sf P C	X	X	X	P	X
Recreation, Outdoor	X	X	X	X	X	C	X
CIVIC AND COMMUNITY							
Cemetery	X	X	X	X	X	X	X
Child Daycare	P	P	C	C	P	X	X
Clinic or Outpatient Care Services	< 4,000 sf ≥4,000 sf P C	< 1,500 sf 1,501 sf – 4,000 sf P C	< 1,500 sf 1,501 sf – 4,000 sf P C	X	P	P	X
Educational Institution	P	P	C	X	P	C	X
Farmers' Market	P	P	P	P	P	P	X
Funeral and Cremation Services	< 10,000 sf ≥10,000 sf P C	< 1,500 sf 1,501 sf – 4,000 sf P C	X	X	X	C	X
Government Facility	P	P	C	X	P	P	X
Hospital or Inpatient Care Services	X	X	X	X	C	C	X
Recreation or Park, Public Outdoor	P	P	P	P	P	P	C
Religious Institution	P	P	C	C	P	C	X
Social Assistance and Charitable Services	P	P	C	X	P	C	X

Appendix: Section 1611

Dimensional Table

DISTRICT	DWN	MU	NH	R-1	CAM	CI	CFP
LOTS							
Minimum Lot Size Inclusive of all land within the property boundaries but excluding any land within a road right-of-way.	4,000 sf	4,000 sf	4,000 sf	1 acre	n/a	10,000 sf	n/a
Minimum Lot Frontage Measured on a maintained public or private street, excluding any frontage on limited access highways or unimproved rights-of-way.	30 ft	30 ft	45 ft	120 ft	n/a	60 ft	n/a
Maximum Lot Coverage Total amount of Impervious Surface as a percentage of the total lot area.	100%	80%	80%	80 %	60% for CAM as a whole	80%	n/a
SETBACKS							
Minimum Front Setback Measured from the edge of the road right-of-way, or if no right-of-way from the front lot line.	0 ft	0 ft	12 ft	20 ft	0 ft interior lot lines min 20 ft exterior lot lines min	16 ft	n/a
Maximum Front Setback Measured from the edge of the road right-of-way, or if no right-of-way from the front lot line.	10 ft	n/a	n/a	n/a	n/a	n/a	n/a
Minimum Side Setback Measured from the side lot lines.	0 ft	4 ft	8 ft	8 ft	0 ft interior lot lines min; 20 ft exterior lot lines min	12 or 20 ft if abutting a residential lot or district	n/a
Minimum Rear Setback Measured from the rear lot line.	0 ft	8 ft	12 ft	12 ft	0 ft interior lot lines min; 20 ft exterior	12 or 20 ft if abutting a residential lot or district	n/a

DISTRICT	DWN	MU	NH	R-1	CAM	CI	CFP
					lot lines min		
BUILDINGS							
Minimum Lot Frontage Coverage Percentage of the lot frontage that shall be covered by the front of a building.	60%	60%	n/a	n/a	n/a	n/a	n/a
Maximum Building Footprint Area of ground covered by all buildings and structures as measured around the exterior building walls and eaves	10,000 sf	8,000 sf	6,000 sf	8,000 sf	n/a	n/a	n/a
Minimum Building or Structure Height Building or structure height shall be measured from the average pre-construction elevations at each corner measured to the highest point of the building or structure.	24 ft	24 ft	n/a	n/a	24 ft	24 ft	n/a
Maximum Building or Structure Height Building or structure height shall be measured from the average pre-construction elevations at each corner measured to the highest point of the building or structure.	60 ft	48 ft	48 ft	48 ft	60 ft	48 ft	n/a

Appendix: Section 1612

Zoning District Map

Updated March 12, 2024

[TO BE ADDED BY WATERBURY]

1. Bee's Skin
2. Birch bark Creations
3. Vermont Sweetness
4. Nias Naturals
5. Diane Moulton
6. Amazing Grace Boutique
7. Be Kind Creations VT
8. Janet's Junkies
9. Melissa's wood burned creations
10. KD's Kreations
11. Bliss & Butter Creations
12. Crafting Sisters
13. Magnabilities! Sunday Only for me. Approved by Ashley
14. Abby's Jewelry
15. Vermont Mountain Cottage
16. Crochet by Robin
17. 3SX 3D Printing
18. Decor by Donna
19. Craig's buckets
20. Great Green North
21. Heart Sewn Designs
22. Fairy Hair Vermont / Fairy Kat Sparkles
23. Grandma's Cupboard
24. Scents with Sheyenne (Independent Scentsy Consultant
25. Melissa Scott
26. Seen & Seeded LLC
27. Scalabrini Designs
28. Cedar Brook Homestead
29. Candles and things
30. Diamond Eye Dye
31. Colorful Calligraphy
32. Marie's River Valley Crafts
33. Ayn's Crafts
34. Tammy's Tupperware
35. Cole Farmhouse Art - Karen Cole
36. NEK Subzero Treats

37. O'Crepe
38. Lightner Glass
39. PaperPie
40. Dragon's eye wood working
41. Diggerrs Treasures
42. Mountain Treasures
43. Scentsy
44. Vermont Epoxy Art
45. Carol's Sunshine Cards & Big Bob Clark's Bobisms
46. Charm Bloomie
47. Andie's Designs
48. Miracle Mary's
49. Happy Hooked Creations
50. Charm Bloomey
51. Sara's Craftables
52. Native Art
53. Mystic Mobiles
54. 802 Candleworks
55. Nature Pledge Apparel
56. From the Barn LLC
57. Three Pines Candle Company
58. Flexibuild 3D printing
59. Between Here & Home | Designs by BubbaCo
60. No business name for now. I will send you an email when we decide. I will also send photos in the next month.
61. Laura Fedders
62. The Golden Tail
63. Self Healing Wellness
64. Made by Shanna & Sea Bound Boutique
65. Touchstone Crystal
66. Only Cannoli
67. Bridge Street Woodworks
68. Sprinkles and Gems
69. Wimbles Designs
70. Brandi Ashe
71. Stacie

72. Freeze Dried Flavors

73. Maple Harvest Specialties

PARKING PLAN- vendors parking on the grass spots beyond the gravel parking lot?
in the pull off on winooski street, anderson feld and the municipal office, thatcher brook
and if we still need more parking some vendors have offered to move their cars to the park and
ride and carpool back to the field.

Asked vendors to be dropped off

Vendors with handicapped plates/signs will park in the paved designated parking spaces.

We are going to enlist the help of some friends to deligate traffic control during the event to
eliminate overflowing cars parked in the designated area. once those spaces are taken, vehicles
will be asked to park elsewhere and walk into the event

one castle bounce house placed near the swing set
music set up in the pavilion.

Saturday - Barry Hayes/ solos guitarist

Emily Parker/ solos guitarist

Sunday- Double Shot. a local band

6 food trucks, we will have them park in the graveled parking spaces and place cones on either
side to eliminate any traffic going through there due to higher volume of foot traffic. These re not
100% confirmed until they get their permits from the town

We are not going to set vendors up on the baseball/softball diaomands to eliminate holes from
tents on the played portion of the fields.

5 Portalets (more if needed) will be set up in various locations. the handicapped one will be set
close to the current restrooms for easier acess.

We have 10 confirmed volunteers to alternate shifts for parking and to walk around the event as well as Angela and I to make sure things are running smoothly. We are asking people to walk in if possible and if they can't then they will be directed where to park in the designated spaces. We also have purchased some safety vests for our volunteers that are on parking duty.

We have collected some liability forms and sent out an email reminding everyone that if we don't have them back before the event, they will not be able to set up at this event. We are providing a copy of the ones we have and a list of vendors so they can be checked off as they come in.

We are going to set up a small misting tent so people can cool off as needed

We have sent an email out to food truck vendors to remind them that they need to call and get a permit to be able to attend.



Memo

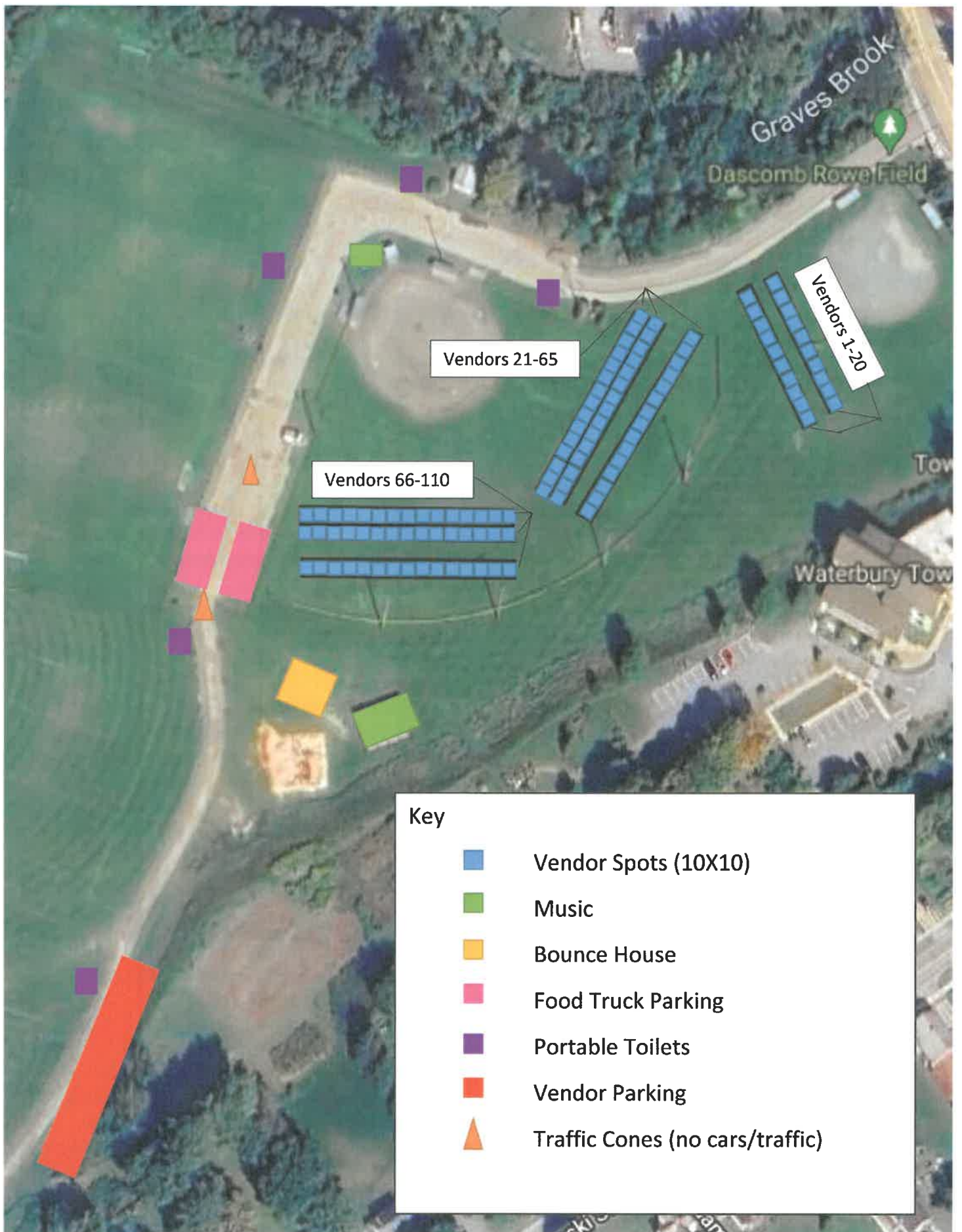
Date: May 3, 2024
From: Katarina Lisaius, Recreation Director
To: Selectboard
Subject: June 29 & 30 Reservation and Permits – Site Plan, Parking, and Documents

The document is to provide a summary of the information provided by the event organizers to the Town of Waterbury for the June 29 & 30 Craft Fair and Events.

- Ashley Metevier has reserved Dac Rowe fields in its entirety for the weekend through the Waterbury Recreation Department reservation process.
- Ashley Metevier has applied for an entertainment ordinance because the craft fair will have music, a bounce house, and possibly food trucks.
- Ashley Metevier has applied for a vending permit on behalf of the vendors for the craft fair. Vendors are required to complete insurance or a waiver before the event date. With the vending permit, a Certificate of Insurance was provided, listing the Town of Waterbury as insured.
- Any food truck or vendor is required to file a separate vending permit to be able to participate. As the time of writing this memo, no food vending permits have been requested for this event.

In preparation for the event, I met with Ms. Metevier to walk the fields and discuss a site plan. A draft site plan is provided with this document. The vendors will be setting up in the outfields of softball field #1, and softball field #2. There will not be anything set up on the infield of the fields. This will allow for more than 100 vendors with space to move between tents and 10 feet of walking space between rows. The event organizers have reserved additional portable toilets for this event. There will be a designated parking area for any food vendors at the end of gravel parking lot which will keep the gravel road accessible in the event emergency vehicles are needed. There will be very few cars in Dac Rowe during the event. Spaces will be reserved for accessible parking and for some of the vendors toward the Winooski Street entrance. Most vendors will use street parking and/or carpool from Brookside Primary, Crossett Brook, or other public parking lots. To help with any cars or traffic, the Town will provide saw horses at the entrances to Dac Rowe and traffic cones at the middle of the park. The organizers will staff the entrances of the park.

In an effort to support the coordination of town events, I spoke with President of the Rotary, Ariel Mondlak and NQID Organizer, Dan McKibben. Both shared that they are not using Dac Rowe for the parade. There was one singular concern about the number of food trucks possibly detracting from the NQID events or downtown restaurants. I have shared this concern with the event organizers and again the town has not yet received any vending permit applications.





State of Vermont
Department of Housing and Community Development
Deane C. Davis Building – 6th Floor
One National Life Drive
Montpelier, VT 05620-0501

*Agency of Commerce and
Community Development*

[phone] 802-828-3211

TO: Tom Leitz, Municipal Manager
FROM: Alice Dodge, Community Planning and Revitalization
DATE: Dec. 1, 2023
RE: **Renewal of Village Center Designation for Waterbury Center Village Center is due on June 3, 2024**

By state statute, the Downtown Board is required to review village center designations every 8 years. Waterbury Center's village center designation must be renewed by **June 3, 2024**. To renew your designation, we will need the following materials:

1. **Cover letter:** Please see the enclosed Application Guidelines and renewal checklist for details. Also, please provide updated contact information in the cover letter.
2. **Selectboard meeting minutes or signed resolution** showing application for village center designation(s) has been authorized by the Town or Incorporated Village.
3. **Evidence of a confirmed planning process:** A letter from your regional planning commission stating that your planning process is "confirmed". (See Guidelines for details.)
4. **Municipal Plan and Village Center Designation Integration:** Any community applying for renewal shall explain how the village center designation has furthered the goals of the municipal plan and shall submit an approved municipal plan map that depicts the boundary of the designated area. Your municipal plan will need to include this element prior to you renewing your village center designation. Your Regional Planning Commission is happy to help you update your plan to meet this requirement.

Amendments to Designated Village Center Boundary

If you feel that boundary changes are called for, please contact Richard Amore at (802) 585.0061 or at richard.amore@vermont.gov to discuss your village center boundary amendment. An amendment to the boundary must follow the requirements and procedures of a new application.

Submission Requirements: The municipality must submit one electronic copy of the full renewal application to richard.amore@vermont.gov. The renewal application is due at our office **no later than 4:30 p.m. on June 3, 2024** and the Downtown Board will consider the application on June 24, 2024. Municipalities are not required to attend the Downtown Board meeting for renewal applications.

If you cannot meet this deadline, please call us. If the renewal date is missed, designation continues for 6 months to allow time to get the renewal application submitted. However, during the 6-month suspension period, no benefits will be considered. If no renewal application is received after the 6-month suspension, the Downtown Board will withdraw the designation. A community may submit a new application for designation at any time after de-designation.

We appreciate your interest in this program and look forward to renewing your village center designation. If you have any questions, please give us a call: Richard Amore at 802.585.0061 richard.amore@vermont.gov or Alice Dodge at 802.505.3158 alice.dodge@vermont.gov.

Enc: **Village Center Designation Renewal Guidelines**





WATERBURY MUNICIPAL OFFICE
802.244.7033 or 802.244.5858
FAX: 802.244.1014
28 NORTH MAIN STREET, SUITE #1
WATERBURY, VT 05676
WATERBURYVT.COM

April 15, 2024

Mr. Richard Amore
Vermont Village Center Designation Program
Division for Community Planning and Revitalization
Vt. Dept. of Housing and Community Development
One National Life Dr., 6th Floor
Montpelier, VT 05620

Dear Mr. Amore,

The Town of Waterbury is submitting this application to the State of Vermont, Department of Housing and Community Development (DHCD), seeking renewal of the Village Center Designation for Waterbury Center village. Two maps of the area are attached. The first map shows the Village Center boundary, existing uses, key buildings and parks, and photo locations, and the second map shows the current Zoning Districts within the area proposed for designation.

The Town of Waterbury is seeking renewal of the Village Center Designation for this area to further revitalization efforts in Waterbury Center village and to facilitate access to benefits for the private owners of income producing properties, such as state tax credits. The area is within one of our two locally designated growth centers and the goals, objectives, and actions of our Municipal Plan encourage planning for revitalization of our growth centers and specifically, for seeking Village Center Designation for Waterbury Center village. Waterbury Center is currently served by a public water system called the Edward Farrar Utility District (EFUD). Expansion of this water system is in the planning process. The goal is to serve some of the developed areas located immediately outside of the Designated Center.

The application for renewal was presented to the Town Select Board on May 6, 2016 and they approved a motion authorizing submittal of the application.

Past revitalization projects within the Village Center include the re-construction of Hope Davey Park, the re-construction of the Green Mountain Seminary Building in 2002 that includes 16 affordable apartments and the Seminary Arts Center, the replacement of the Maple St. Fire Station in 2011, and the renovation and re-construction of many of the single-family and rental properties over the past 15 years.

Future projects within the Village Center include the following:

- Grange Hall Cultural Center, which was able to initiate renovations of the historic Waterbury Center Grange Hall thanks to the Village Center designation, continues to serve as a community hub for Waterbury Center, providing event space, yoga classes, theater and arts programming.

- Hope Davey Park provides sport fields, nature trails, and a disc golf course for kids and adults throughout the town and beyond. The town recently conducted a parks study to minimize impacts to wetlands and neighbors, and increase accessibility and usage.
- The Waterbury Center green, or "Triangle" is home to many summer activities, including ice cream scooped from the Udder Guys' tricycle and concerts by the Waterbury Community Band. Residents are interested in continuing to strengthen the Village Center; ideas include updating zoning to allow for missing middle housing infill, conducting a transportation study to improve multi-modal accessibility and safety, and identifying opportunities for a "third place" for local residents such as public gathering spots, coffee shops, etc.

The following documents are attached as part of this application:

1. Minutes of the Select Board meeting held on May 6, 2024, authorizing Tom Leitz, Municipal Manager to sign and submit the application (see page 3).
2. A letter dated April 1, 2024, notifying the Central Vermont Regional Planning Commission and the Central Vermont Economic Development Corporation of the Town's intent to apply for Village Center Designation.
3. Letter from Niki Sabado, Land Use and Community Planner for the Central Vermont Regional Planning Commission (CVRPC), dated April 5, 2024, stating that Waterbury's Municipal Plan was approved and our planning process was "confirmed" by the CVRPC on December 2, 2018, in accordance with state statute.
4. Two maps, the first delineating the boundary of the proposed Designated Village Center, showing the buildings and properties within the district, the names of the streets, significant buildings and all businesses indicated by number with a separate key identifying the name of each building/business, photograph locations, land/building use identified by color including all income producing properties, north arrow, scale and current date, and property lines. The second map shows the two current Zoning Districts within the boundary of the Designated Village Center.
5. Photographs showing key areas of the Village Center district that demonstrate that the entire proposed area is consistent with the statutory definition of a Village Center.
6. Copy of the Goals, Objectives and Actions in the Municipal Plan, Chapter 11, Land Use, that demonstrate that the Plan supports this application for Village Center designation. The relevant Goals, Objectives and Actions are highlighted and show how the designation will further the Plan and statewide goals. Action 8 under Growth Centers on page 128 states specifically: "Enroll Waterbury Center in the State of Vermont's Designated Village Center Program in order to access planning and financial incentives."
7. The Zoning District Map is included in the maps described above. The National and State Register Historic District Boundary Map is included in the pages from the Historic Sites and Structures Survey for the Waterbury Center Village Park Historic District.
8. Map of the proposed route of the Waterbury Center Route 100 Water Main Extension. The water main extension will serve new areas of Waterbury Center. It has been determined as a priority project.

Thanks for considering this application. If you have any questions, concerns, or need any additional information, please contact Neal Leitner, Waterbury Planning Director, at 802-244-1018.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tom Leitz", with a stylized flourish extending to the right.

Tom Leitz, Municipal Manager
Town of Waterbury



April 5, 2024

Neal Leitner
Director of Planning
28 North Main Street Suite #1
Waterbury, VT 05676

Dear Neal,

CVRPC has been informed of the City of Waterbury's intention to apply for renewal of its Waterbury Center - Village Center Designation. The enclosed letter documents that the City's 2018 Municipal Plan received regional approval and confirmation on December 3rd, 2018.

CVRPC has been informed of the City's application for Village Center Designation Renewal. Please allow this letter to serve as confirmation that the Town of Waterbury's 2018 Town Plan has received regional approval. The Central Vermont Regional Planning Commission reviewed the Town of Waterbury's Town Plan and concluded that the plan is consistent with 24 V.S.A. §4350, specifically noting that the Town of Waterbury's 2018 Town Plan:

1. is consistent with the goals established in Section §4302 of the Act;
2. is compatible with the Central Vermont Regional Plan;
3. is compatible with the approved plans of other municipalities in the region; and
4. contains all the elements as required in Section §4382 of the Act;

Additionally, the Central Vermont Regional Planning Commission confirmed the planning process for the Town of Waterbury and a resolution was signed indicating regional approval of the plan and confirmation of the planning process. The regional approval and confirmation of the planning process is still valid as no changes have been made that would invalidate this approval.

If you have any questions or need additional information in support of your application, please do not hesitate to contact me by telephone at 802.229.0380 or via email at sabado@cvregion.com.

Sincerely,

Niki Sabado
Land Use and Community Planner, CVRPC

Cc: C. Meyer, Executive Director

29 Main Street Suite 4 Montpelier Vermont 05602
802-229-0389 E Mail: CVRPC@CVRegion.com

» Commercial and Industrial. Allowable uses are more flexible, including limited residential, and new proposals are reviewed based upon performance/impact standards rather than strict definitions. Large scale development contributes to the implementation of pedestrian facilities or other community facilities.

» Commercial and Residential. The true mixed-use zone allows for a variety of uses to accommodate for the changing ways entrepreneurs and craftspeople are managing small business.

The recommended strategies for the Growth Centers are included in the Goals, Objectives, and Actions at the end of this chapter.

Village Residential. These areas are located within Waterbury village and Waterbury Center. They are characterized as almost exclusively residential areas with a combination of one-, two, and multi-family dwellings in Waterbury village, and primarily one-family dwellings in Waterbury Center. In Waterbury village lot sizes are typically small, generally ranging from one-quarter to one acre in size, while in Waterbury Center lots range from one-quarter to five acre and larger. These areas are supported by public sewer in Waterbury village and on-site systems in Waterbury Center.

These Village Residential Areas are in the Growth Centers Overlays and higher density and in-fill residential development is desirable. Recommended strategy:

» Consider amending the Zoning Regulations to allow multi-family housing units in this entire area and greater density for single and duplex units.

Route 100 Corridor. The land uses in the Route 100 Corridor are currently a mix of scattered commercial and residential uses punctuated by Waterbury Center village. Future land uses and the associated development should be clustered to preserve and enhance views and vistas, protect open space, and encourage land-based and agricultural businesses. Recommended strategies:

» Review and amend the current zoning regulations to encourage the appropriate clustering of development and the preservation of open space in conjunction with the development.

» Work with landowners and citizen groups to voluntarily conserve scenic and sensitive natural areas along Route 100.

» Work closely with the Vermont Agency of Transportation to limit and combine access points on Route 100 for proposed and existing development.

» Create a “master plan” of the Route 100 area with landowner involvement that would include an inventory of the existing natural and scenic lands, designation of expanded and proposed development nodes, and preferred development scenarios for growth nodes.

Maintaining the function of the Shutesville Hill wildlife corridor can be achieved in part through zoning, compatible land management activities, public outreach and education, and conservation easements set in place by willing private landowners.

Rural Residential/Agriculture. The current land uses within the area are predominantly scattered low density residential development, with some viable agricultural uses. Future land uses should protect natural resources, preserve and promote land based agricultural and horticultural businesses, and encourage cluster and conservation planning principles for new residential development. Recommended strategies:

- » Provide incentives and education to promote site-sensitive lot configurations including clustering through planned unit developments.
- » Identify important agricultural/forestry/natural resource lands through the LESA/FLESA program or creation of a town open space plan, to help set priorities for non-regulatory action such as promoting land use taxation where appropriate, active management of the working landscape for forestry and agriculture, and land conservation through the voluntary purchase or donation of development rights and conservation easements.
- » Consider instituting a town policy limiting curb cuts on town roads and encouraging curb cuts that serve multiple lots.

Forest. The current character of this area is upland forests and ridgelines, conservation and recreation land. There is a very limited amount of agricultural lands at the moderate to lower elevations. While some residential development is located within this area, the majority of the land is in large private parcels with significant areas of forest land in state ownership. Future land uses of private land should promote land conservation, sound forestry and wildlife management, and appropriate recreation activities with limited residential development that respects all of the above. Recommended strategies:

- » Class 4 roads serving these areas should either be continued as Class 4 or downgraded to legal trails where feasible, and should generally not be upgraded to Class 3 standards.

sites with the least amount of natural resource and topographic constraints including those that have a minimal amount of clearing within forest and connectivity blocks and minimize the impact to the values of the area listed above.

- » Appropriate uses such as forestry, hunting, other passive recreation activities, and wildlife habitat conservation should be encouraged through incentive programs, land conservation as part of planned unit developments, purchase of development rights and conservation easements, and education.
- » Utilize zoning and subdivision regulations to continue limiting development on slopes exceeding 25%, all highest priority forest and connectivity blocks above 1,200 feet in elevation, all other lands above 1,200 feet in elevation, and all prominent ridgelines and hilltops.
- » Reduce the impact of development in upland areas and steep slopes by developing siting standards and permissible uses for ridgeline areas and hillsides.

» Encourage the valuable function of the Shutesville and other wildlife corridors through zoning and subdivision regulations, compatible land management activities, public outreach and education, and conservation easements set in place by willing private landowners.

» Explore conservation and regulatory techniques, such as the transfer of development rights (TDR), and work with conservation entities, such as land trusts, in order to keep important lands open while providing the land owner with fair and equitable compensation.

11-9. Goals, Objectives and Actions

Also see recommended strategies listed in text under Future Land Use Plan.

Goals

General

1. Guide future growth and development by reinforcing Waterbury's traditional pattern of concentrated settlements surrounded by rural countryside.

Growth Centers

2. Continue to examine and consider further revisions to the boundaries of the currently mapped Growth Centers to determine areas for new higher-density residential, commercial, and industrial development, including infill.

3. Ensure that new development and re-development is compatible with existing uses, adheres to smart growth planning principles, respects the integrity of historic structures, and enhances existing development.

Route 100 Corridor

4. In the Route 100 corridor, future land uses should accommodate clusters of development while preserving and enhancing views and vistas, protecting open space, and encouraging land-based and agricultural and horticultural businesses.

Agricultural and Rural Residential Areas

5. In the Agricultural and Rural Residential area, uses and any associated development should protect natural resources, preserve and promote land based and agricultural/horticultural/forestry businesses and uses, and encourage cluster and conservation planning principles for new residential development.

Forest Areas

6. The forest area should primarily be devoted to forestry and passive recreation, and other land conserving uses. Most of this area should remain undeveloped, or developed for compatible residential use.

Objectives

General

1. Ensure that new development is compatible with and does not have an undue adverse impact on Waterbury's public services and infrastructure, transportation safety and mobility, and natural and scenic resources.
2. Ensure that planning and permitting processes are applied fairly, consistently and in a timely manner.
3. Ensure that the Zoning and Subdivision Regulations promote the goals and all other aspects of this plan.

Growth Centers

4. Promote a variety of mixed uses and higher density development.
5. Retain and develop civic buildings and uses within the Growth Centers.
6. Encourage new development in specified Growth Centers in a manner that retains Waterbury's unique culture and image.
7. Maintain and develop a public water and sewer system consistent with the goals, objectives, and actions identified in Chapter 9.
8. Ensure that financial incentives are available for development within the Growth Centers.
9. Encourage and facilitate multi-modal transportation in the Growth Centers, including the provision and maintenance of adequate pedestrian and bike facilities.
10. Explore and encourage the use of shared and innovative on-site septic systems in the area of Waterbury Center as a way to facilitate higher density is encouraged.
11. Maintain and enhance all existing Historic Districts.

Route 100 Corridor

12. Pursue access management strategies for reducing turning movements along Route 100, improving overall circulation patterns, and reducing traffic congestion.
13. Pursue funding for improvements to Route 100 in Waterbury Center, in order to improve vehicular and pedestrian safety and mobility and to enhance commerce and tourism.
14. Evaluate whether development regulations in the Route 100 District are addressing the goals of the Plan and amend as necessary.

STATE OF VERMONT
Division for Historic Preservation
Montpelier, VT 05602

HISTORIC SITES & STRUCTURES SURVEY
District ☒ Complex ☐ Survey Form

COUNTY: Washington

TOWN: Waterbury

LOCATION:

NAME OF DISTRICT:

Waterbury Center - Village Park

TYPE OF DISTRICT:

Village Center

PHYSICAL CONDITION OF STRUCTURES:

Excellent 20 % Good 40 %

Fair 30 % Poor 10 %

LEVEL OF SIGNIFICANCE:

Local ☒ State ☒ National ☐

THEMES:

SURVEY NUMBER: 1218-22

NEGATIVE FILE NUMBER(S):

76-A-130, 76-A-128, 76-A-131, 76-A-132

UTM REFERENCES:

Zone/Easting/Northing

A 18/ 681620 / 4916240

B 18/ 682015 / 4916285

C 18/ 692015 / 4916969

D 18/ 681620 / 4915969

U.S.G.S. QUAD. MAP:

Stowe Quad., 7.5' Series

COMPLEX INFORMATION ONLY

COMMON NAME:

PRESENT FORMAL NAME:

ORIGINAL FORMAL NAME:

TYPE OF COMPLEX:

TYPES OF STRUCTURES:

PRESENT USE:

ORIGINAL USE:

ARCHITECT/ENGINEER:

BUILDER/CONTRACTOR:

ACCESSIBILITY TO PUBLIC:

Yes ☐ No ☐ Restricted ☐

STATEMENT OF SIGNIFICANCE:

The Waterbury Center Village Park Historic District is the focus of the part of the Village of Waterbury Center that lies to the south and east of Bryant Brook. It consists of three main areas: The triangular village park and the settlement and intersections around it, the Green Mountain Seminary building and its environs, and the intersection of Maple Street and Loomis Hill Road.

The triangular village park is a wooded green outlined by three streets, all lined with mostly original 19th century buildings. The primary landmarks are the Grange #237 building and the building housing the general store and Waterbury Center Post Office.

Grange #237 occupies the former "Waterbury Center Freewill Baptist Church, " a building on the north side of the park either built or heavily remodeled between 1871 and 1879 by the Freewill Baptist Society (organized January 24, 1871) at a cost of \$3000. This visually prominent landmark was bought in January 1929 by Grange #237 for \$200. Probably at this time the tall spire was removed and the main space divided into two stories.

The general store and post office building to the west of the park is a local commercial focal point. This building, with few major changes, has had a long history as both a 19th and 20th century general store and has also shared space with a succession of small businesses including the town clerk, a coffin-maker, and including the post office. The park at one time boasted numerous other merchants - incorporated at its southern end a shoe shop and a blacksmith shop. Next to Cope-lands market, a somewhat newer store, stands a house and horse barn that was once the main livery stable for the center. Child's Gazetteer of 1889 also lists no less than 15 horse breeders and dealers in the Waterbury Center vicinity. In 1897 the Mt. Mansfield Electric Railroad, an interurban trolley connecting Waterbury with Stowe, began to run along the western edge of the park. A small depot was

THREAT TO STRUCTURES:

No Threat ☐ Zoning ☒ Roads ☒

Development ☒ Deterioration ☒

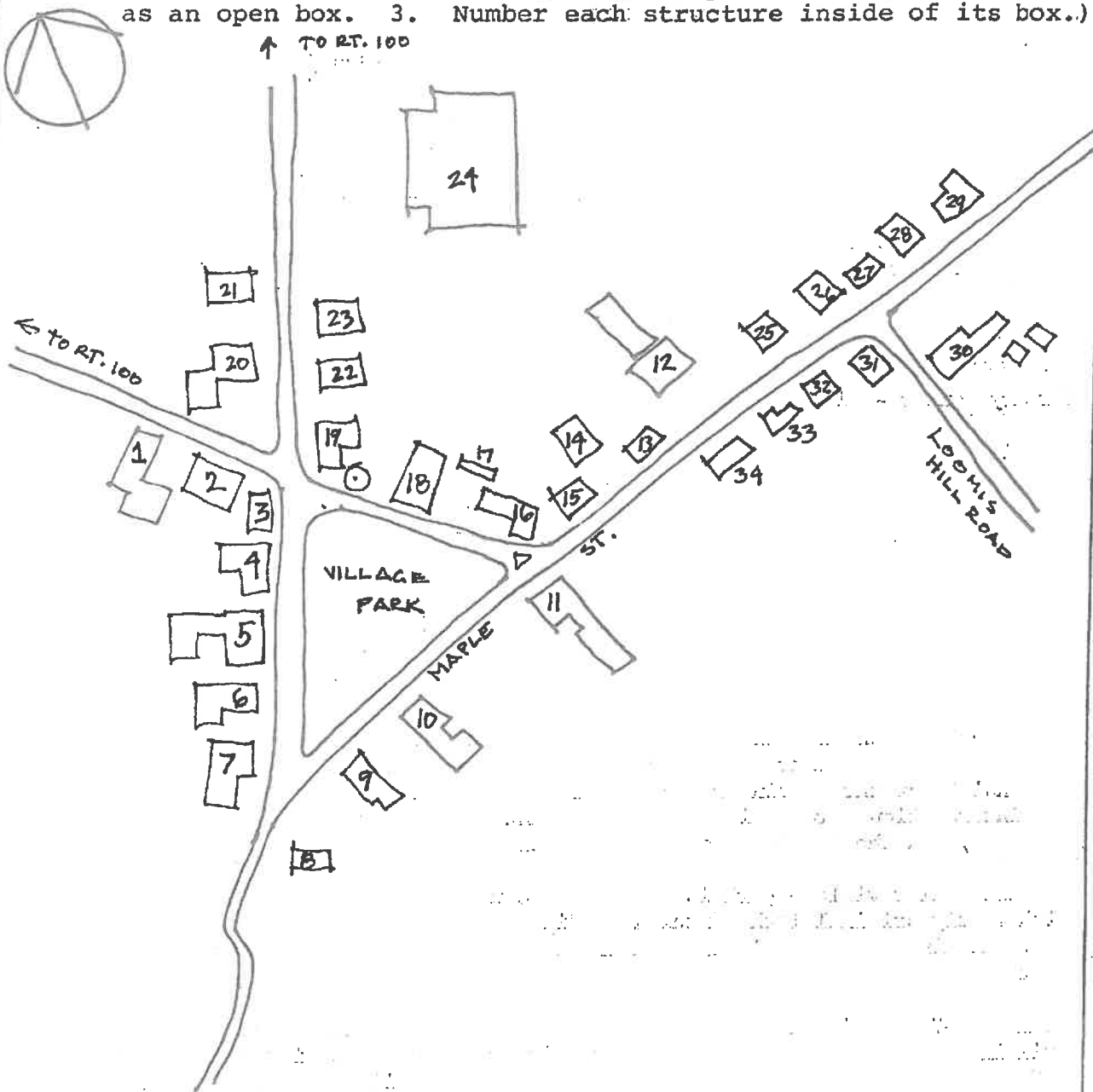
Alteration ☒ Other:

LOCAL ATTITUDES:

Positive ☐ Negative ☐

Mixed ☐ Other:

MAP: (1. Indicate NORTH in circle. 2. Represent each structure as an open box. 3. Number each structure inside of its box.)



BOUNDARY DESCRIPTION:

The district boundary commences at point A, the NW corner of the Green Mountain Seminary property and runs SW along the rear of the Stanley and Chilton properties to point B, the SW corner of the James Knapp property. It then runs SE to point C, the SW corner of the Green property, including the properties along the west side of the Village Park. The boundary line then runs east to a point D, the SE corner of the property of Gordon Lavery. It then runs NE along the rear of the properties on the east side of Maple Street to point E, the NE corner of the Woodmansce property. It then runs NW to point F, the NW corner of the Conno property and excludes the properties to the east side of Maple Street to the north of the intersection of Loomis Hill Road. The line progresses west back to point A.

REFERENCES:

2, 3, 13, 14, 16.

RECORDED BY:
Harvey M. Kaplan

ORGANIZATION:
Vt. Div for Historic Preservation

DATE RECORDED:
6/76

STATEMENT OF SIGNIFICANCE: (continued) SURVEY NUMBER: 1218-22

sited on the edge of the park across from the general store until the line's demise in 1932. It was the last trolley line to run in Vermont.

A wooden trestle 60 feet high and 800 feet long carried the line north over a deep gulley in front of the Green Mountain Seminary, the largest local landmark (survey #1218-23).

The intersection of Maple Street and Loomis Hill Road is the other focal point of the district. At this intersection are a series of early vernacular houses and the property of the former Huntley Wagon shop. The Huntley-Woodmansce house is an early vernacular gable front house of nearly square proportions. The original wagon shop is still on the property. In addition to the wagon shop, the Huntley's were associated with the Huntley (later the Davis and Huntley) Nursery at this same cross roads. In 1889, the nursery contained 80,000 trees, according to Child's Gazetteer.

The Cooley Creamery, another local industry situated near the intersection, was active during the mid-nineteenth century. The Ski Hostel Lodge is a prominent Shingle Style landmark of this area.

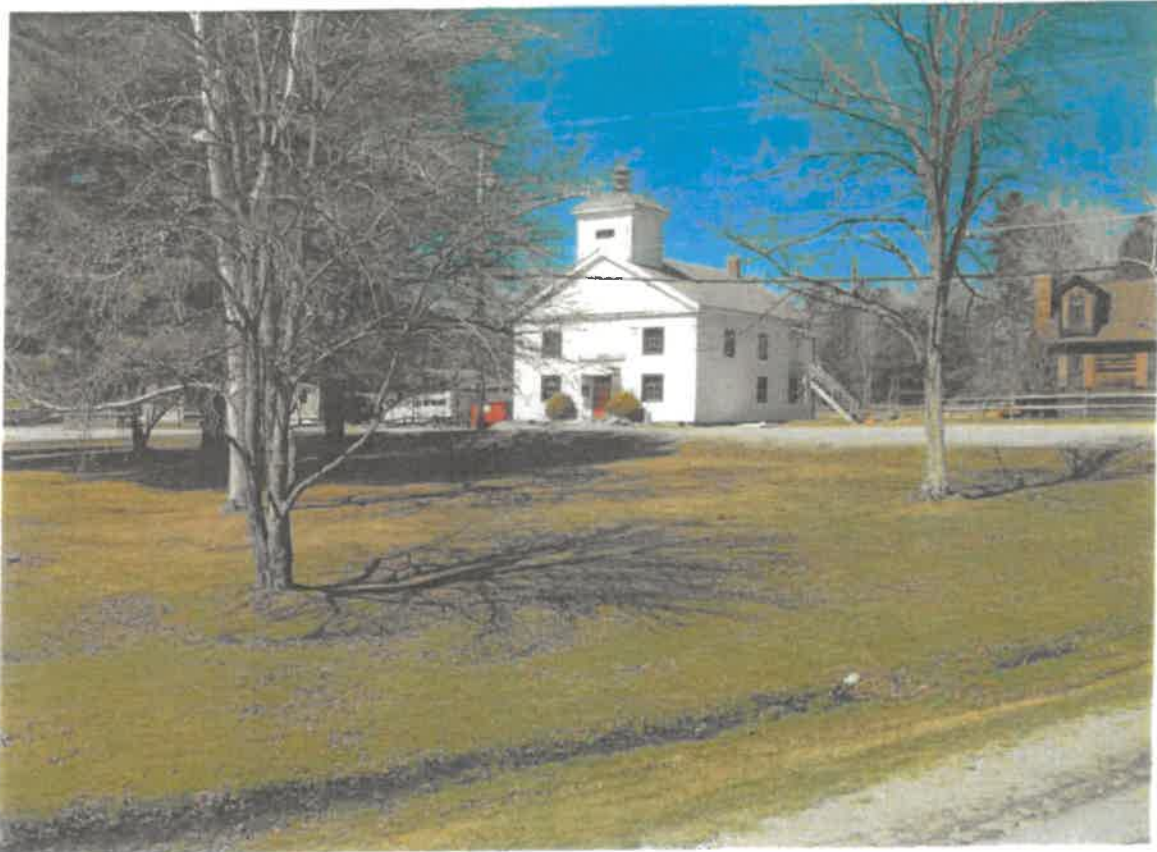


Photo A—View north across Village Park to the Waterbury Center Grange Hall

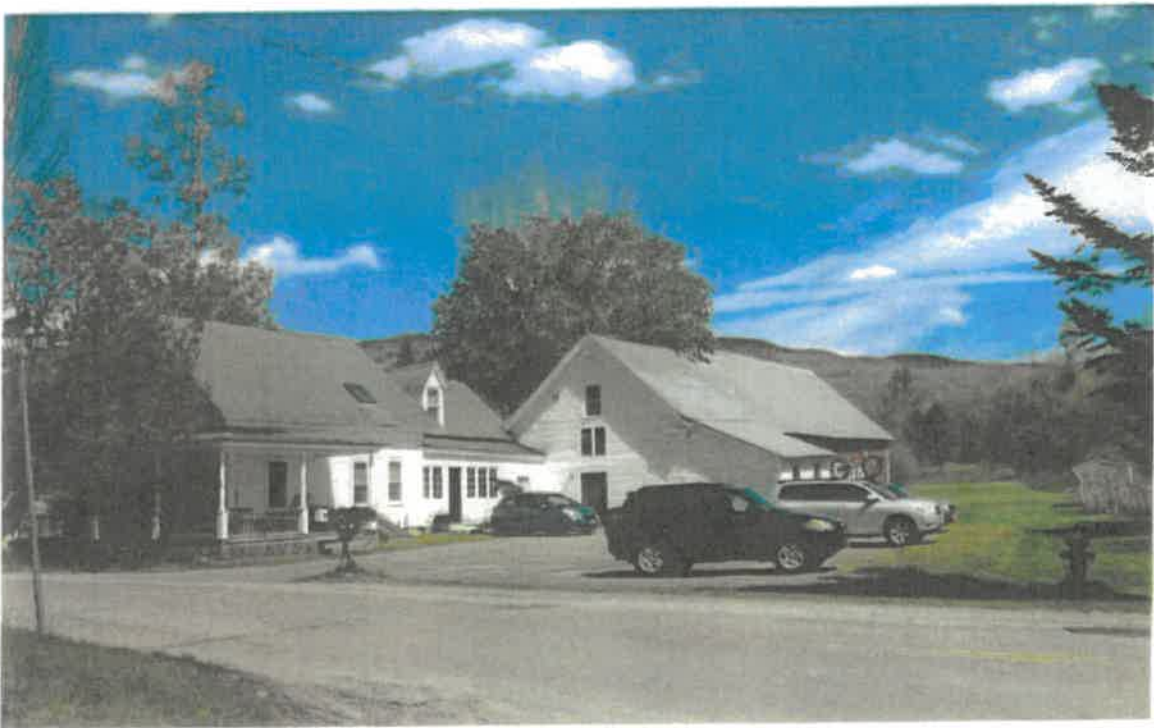


Photo B—View to east across Maple St. to multi-family dwelling with Murphy's barn



Photo C—View north at Hope Davey Park with picnic shelter & Maple St. Fire Station in background



Photo D—Maple St. Fire Station



Photo E—View east across the Village Park to Maple St.



Photo F—View south to 2007 Guptil Rd. that includes three apartments and a bakery—a possible future tax credit project



Photo G—View east along Howard Ave. to the Waterbury Center Grange Hall



Photo H—View of Green Mountain Seminary Building from Hollow Rd.

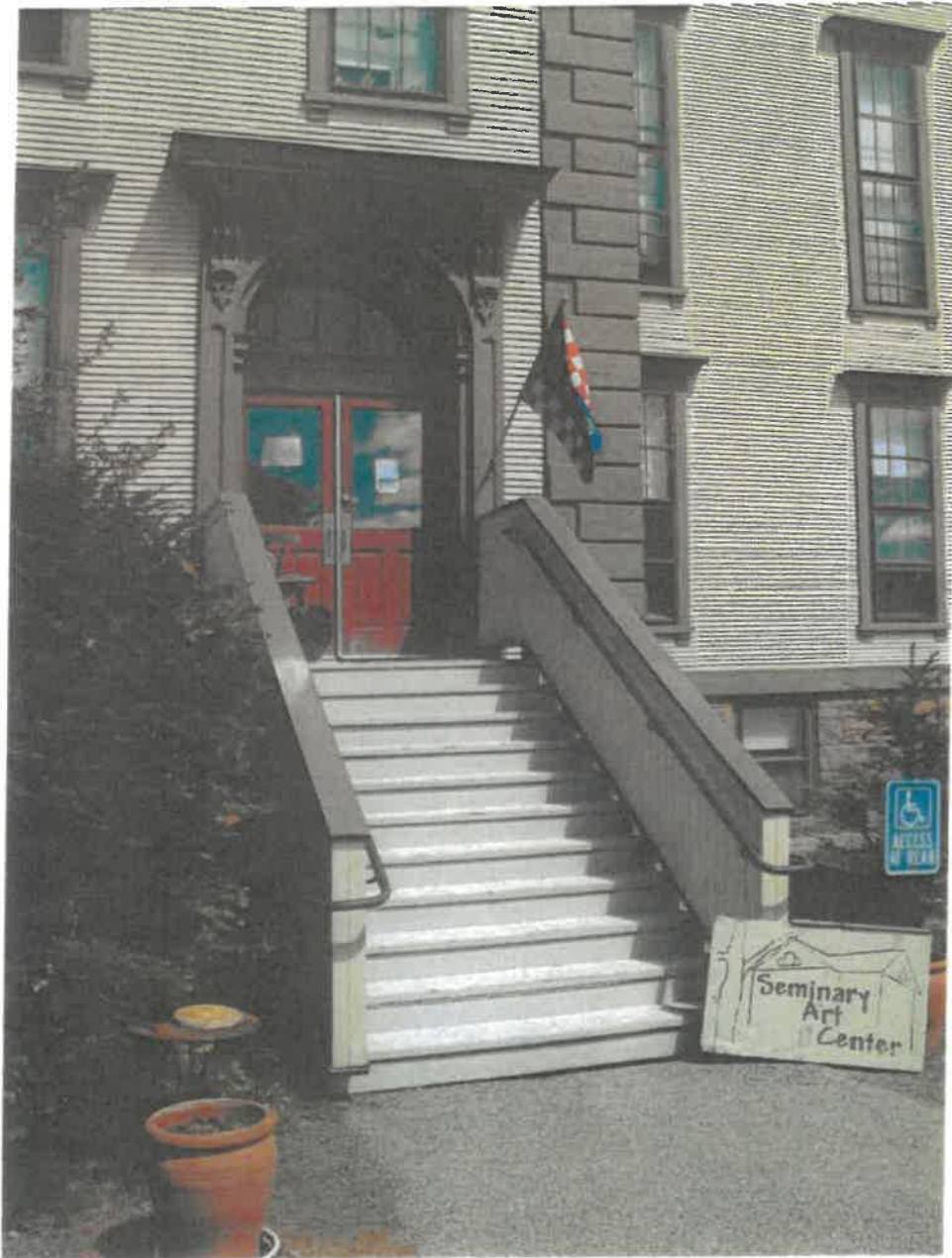


Photo I—Entrance to Seminary Arts Center at the Green Mountain Seminary Building

Waterbury Center Village Village Center Designation



Legend

- - - Village Center Boundary
- Waterbury Parcels 2015
- Surface Waters**
- Rivers, Lakes, and Ponds
- Streams
- 1 Building Number

- 1) Green Mountain Seminary Building
- 2) Maple Street Fire Station
- 3) Hope Davey Park
- 4) Waterbury Center Grange Hall

Map 5-5

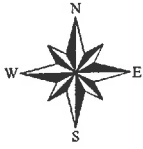
Map Created 5/31/16 by CVRPC GIS
N:\Towns\Waterbury\Projects 2016
Waterbury_Village_Designation.mxd

Sources:
Parcels: Waterbury, 2015
Aerial Photos: VT Orthophotos, 2013

Data is only as accurate as the
original source materials.
This map is for planning purposes.
This map may contain errors and omissions.

0 0.025 0.05 0.1 Miles





Zoning Map

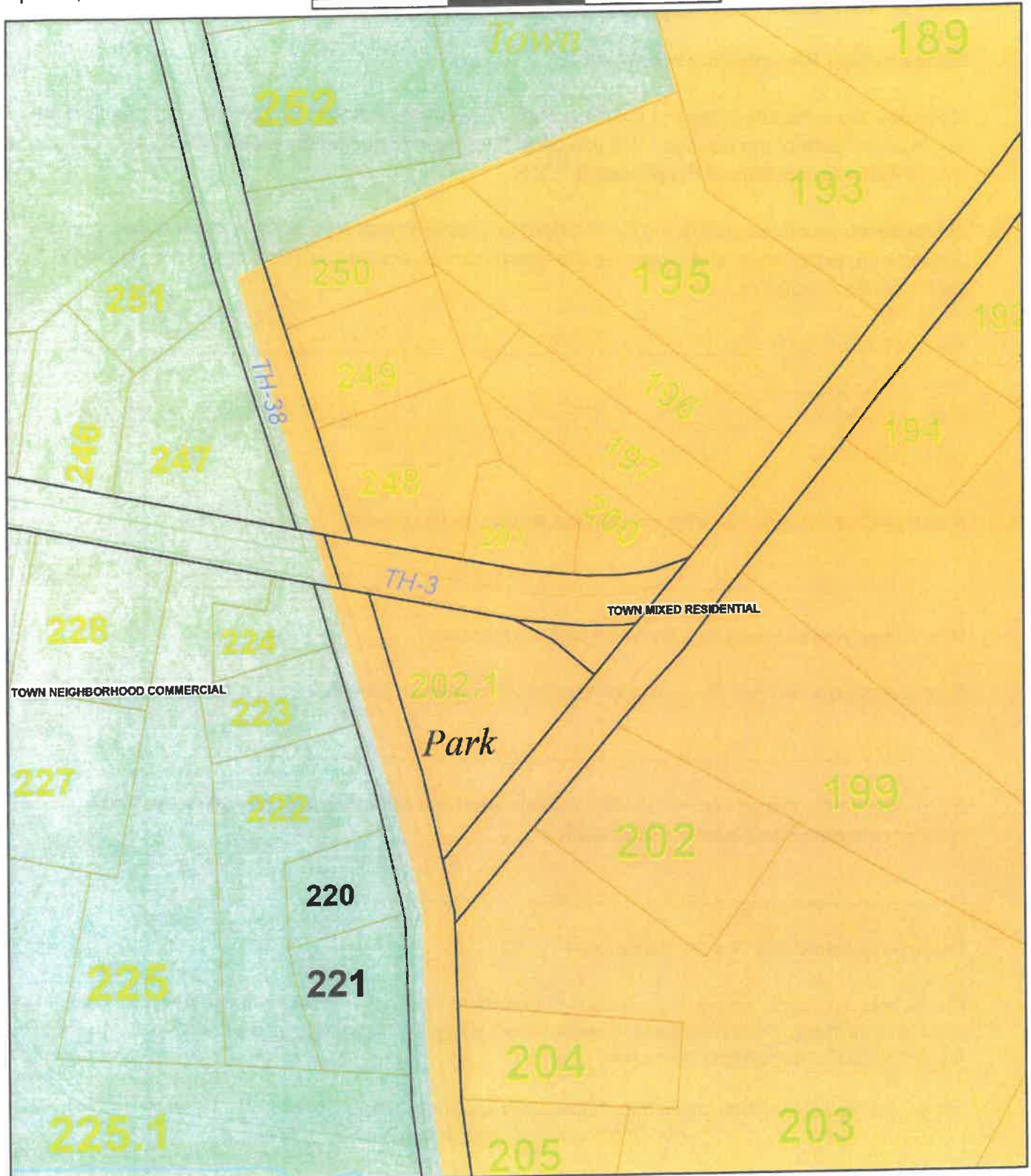
Waterbury Center, VT

1 inch = 135 Feet



www.cai-tech.com

April 22, 2024



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

TOWN OF WATERBURY VERMONT
Application Form for Town Commissions, Boards, and Committees

Please submit your application to one of the below:

In person or by mail: Board Search, Town of Waterbury, 28 N. Main St. Waterbury, VT 05676 or by
email to: karen@waterburyvt.com

Please supply the following information:

1) Review the scheduled meeting day/time of the Commission, Board, or Committee along with the length of the term of the position. Will you be able to regularly make the meetings? ☒ Y ☐ N Will you be able to serve for the term of the position? ☒ Y ☐ N

2) Please introduce yourself to the Selectboard by providing a one page cover letter detailing your background, experience, and interest in the board/commission/committee you are applying for. A 1-2 page resume is optional.

Name of Applicant:

Ashua Lincoln

Date:

04/18/2024

Phone Number:

802 881-1339 cell 802 244-1973 land line

Email Address:

ASHLINCOLN@GMAIL.COM

Name of Commission/ Board/ Committee and term (if known):

Conservation Commission

How many years have you served on this Committee? _____ **Years**

If you serve on another Commission/Board/ Committee, please indicate which one(s):

If you were referred or recommended for this position by someone, please share that reference's name and contact information.

Waterbury Resident: ☒ Y ☐ N (circle one)

Please note, applicants are asked to attend the selectboard meeting at which volunteers will be nominated to their respective positions. If you cannot attend, please email karen@waterburyvt.com in advance of the meeting to provide additional background information.

All policies that apply to the town's Select Board also apply to all boards, commissions, and committees. Policies may be found at www.waterburyvt.com/ordinances.

For hard copies or accessibility accommodations please contact: Karen Petrovic; karen@waterburyvt.com

Karen Petrovic

From: Joseph Wurtzbacher <jwco@mac.com>
Sent: Friday, April 26, 2024 10:21 AM
To: Karen Petrovic
Subject: Re: DRB- Wurtzbacher

Thank you!
Joe W.

> On Apr 26, 2024, at 8:16 AM, Karen Petrovic <karen@waterburyvt.com> wrote:

>

> Hi Joe,

>

> Karen is out of the office, but I'll make sure she is aware of your interest.

>

> Have a good day!

> Beth

>

> -----Original Message-----

> From: JOSEPH WURTZBACHER <jwco@mac.com>

> Sent: Friday, April 26, 2024 7:53 AM

> To: Karen Petrovic <karen@waterburyvt.com>

> Subject: DRB- Wurtzbacher

>

> Good morning Karen,

> After speaking with Mike the other day, I would like to be reconsidered for reappointment to the DRB. Mike said there was an opening. I understand that if there is not an opening or if someone else may be applying for the opening, I won't reapply.

> Thank you,

>

> Joe Wurtzbacher



28 North Main St., Suite 1, Waterbury, VT 05676 • 802-249-6529
www.waterburyvt.com/boards/conservation • waterburycvt@gmail.com

April 26, 2024

Eric Chittenden, President
Friends of the Waterbury Reservoir
PO Box 341
Waterbury Center, VT 05677

To the *Friends of the Waterbury Reservoir* (FoWR),

After careful consideration, the Town of Waterbury's Conservation Commission supports the FoWR's petition to prohibit wakesports on the Waterbury Reservoir.

We believe wakesports adversely impact the ecological and standing recreational use and status of the Waterbury Reservoir.

Steeped in scientific research we have found three consistent devastating outcomes caused by wakesports:

- Immediate ecosystem devastation caused by one pass of a wake boat - multiple passes causing permanent damage to shorelines, water quality and reservoir bottoms. "Boat generated waves are discrete events and if they exceed the local erosion thresholds, they will result in erosion. If this occurs repeatedly, the shoreline will become dynamically unstable and continue to erode." *Macfarlane 2019* Ultimately having an adverse impact on watersheds, wildlife and their respective habitats. *Bauer et al., 2002 Alexander & Wigart, 2013; Baud-Bovy & Lawson, 1977; Goudey & Associates, 2015; Houser et al., 2021; Marr et al., 2022; Ray, 2020; Roberts et al., 2019; Ruprecht et al., 2015, Marr, 2022*
- Increased potential for invasive species introduction - water ballast construction allows for up to 8 gallons of residual water to remain after each use with no ability to visually inspect. *Doll, 2018; Campbell et al., 2016*
- Safety concerns due to the size, height and turbulence of waves generated by wake boats can destabilize swimmers and other recreational vessels - kayaks, canoes, SUPs

Respectfully

Amy Marshall-Carney, Chair

cc: Town of Waterbury Selectboard Chair, Roger Clapp
enclosed - Bibliography

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