

Proposed Amendments to the Town of Wilmot’s Zoning Ordinance

Prepared by the Wilmot Planning Board for a public hearing held on Monday December 6th, 2010; Revisions made based on public hearing input have been made and are presented for a second public hearing on Monday January 3rd, 2011.

Amendment 1 proposes to amend Article III, Section XI to remove waterbodies, watercourses, wetlands and steep slopes from lot density calculations in the Residential District.

Purpose: Protect waterbodies, watercourses, wetlands and steep slopes by removing these areas from lot density calculations in the Residential District. This would codify the Master Plan goals to “maximize protection of natural resources” and to “balance landowner rights and the public interest.”

Article III, Section XI (page ZO-8)

Remove references to the Residential District from Item 2, and add Item 3 with the following text:

“3. Calculation of Minimum Lot Size for Residential District:

“It is the intent of these regulations to limit development density on parcels in the Residential District on which sensitive features and critical natural resources are located. To achieve this intent, minimum lot size shall be calculated based upon the total amount of developable land area found on the pre-subdivision parcel. The developable area shall be determined by subtracting the area of waterbodies, watercourses, wetlands and steep slopes from the land area that can be counted toward the density calculations. The total developable area shall be based upon the formula described in Table 1.

Table 1: Determination of Developable Area

Physical Features on the Parcel	Developable Area Adjustment*	Example for 100-Acre Parcel
Water Courses and Waterbodies	Deduct 100%	1 acre pond (1 acre removed from developable area)
Wetlands	Deduct 100%	6 acres wetlands (6 acres removed from developable area)
Steep Slopes	Deduct 100%	5 acres steep slopes (5 acres removed from developable area)
All Other Land	no deduction	88 acres of other land (0 acres removed from developable area)
TOTAL FOR EXAMPLE PARCEL		88 acres of developable area

** In instances where two or more features overlap, the deduction is only made once for a given portion of the lot.*

“Determination of developable area only applies to the proposed creation of new lots or to the determination of density if more than one dwelling unit, other than an accessory unit, is desired on

the lot. It does not apply to the use of pre-existing parcels for single or two family dwellings or other nonresidential uses that otherwise meet the minimum requirements of the zoning ordinance.

“Buildings lots for a single family dwelling unit or other allowed use in the Residential District shall contain a minimum of two (2) acres of developable area. For two-family and multifamily dwellings (not to include accessory dwelling units), an additional one (1) acre of developable area will be required per additional dwelling unit. All dwelling units will require a building permit from the Board of Selectmen. Multi-family dwelling units will require site plan review by the Planning Board in addition to a building permit.”

Amendment 2 proposes to amend Article XIII to add definitions for steep slopes, waterbody, watercourse and wetlands.

Article XIII – Definitions (pages ZO -23, 24)

Add the following definitions of steep slopes, waterbody, watercourse and wetlands.

- 1) Steep Slopes: Areas with greater than 25% slope (i.e. a 5-foot rise over a 20-foot run) over elevation changes greater than 20 feet
- 2) Waterbody: Any permanent collection of water, either natural or artificial in origin, including lakes, ponds and impoundments.
- 3) Watercourse: Any natural or artificial stream, river, creek, ditch, channel, or waterway in which water flows continuously in a definite direction or course and has a definite channel, bed and banks.
- 4) Wetlands: An area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal conditions does support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

Amendment 3 proposes to amend Article VII, Section IV to clarify language regarding buffer strip requirements for a Cluster Subdivision.

Article VII, Section IV (page ZO-13)

Replace the phrases “new landscaping” and “landscaping buffer” with the phrase “vegetative screening.”