

Proposed Revisions to Buckland Zoning Bylaw

Version for Public Hearing on April 4, 2018

Please refer to Zoning Bylaws, Town of Buckland, available on Town website under Planning Board. The following changes to the Zoning Bylaws are proposed by the Planning Board.

I. **Allowing Ground-Mounted Solar at Municipal Properties**

Background:

The Buckland Zoning Bylaws as presently written prohibit ground-mounted solar installations occupying more than 1,000 square feet at the wastewater treatment plant or the highway garage, because these municipal properties lie in the Village Residential District. The Planning Board proposes to allow these uses (should they be desired) as a low-impact economically beneficial energy source, subject to a special permit and site plan review process.

Proposed language:

Under the Table of Use Regulations, 4-3, add a new category under Industrial Uses, as follows: "Ground-Mounted Solar Electric Generating Installations for municipal use and located on municipal property, occupying more than 1,000 square feet up to 5 acres (see Section XIV)." This use would be allowed, subject to a special permit through the planning board (SPP) as well as a site plan review through the planning board (SPR) in all zoning districts.

II. **Housekeeping**

Under the Table of Use Regulations 4-3, under Industrial Uses, change the category that says, "Wind or Hydro Electric Generating Facilities" to simply "Hydro Electric Generating Facilities" because the bylaws have extensive requirements for various types of wind facilities, and this category is at odds with that requirement. It appears to be a hold-over from days prior to the wind bylaw.

III. **Fences**

The following clarifications are recommended for fences, with no material changes to the bylaw as it reads now.

A. Under definitions, amend the definition of "structure" as follows:

STRUCTURE: anything constructed or erected, the use of which requires fixed location on the ground, or attachment to something located on the ground, including swimming pools having a capacity of 4,000 gallons or more, ~~but not including~~ and including walls or fences less equal to or greater than 6 feet high.

- B. Section 5-2, Dimension Schedule – the table needs to be amended to say “setback” centered above the columns for front yard, side yard, and rear yard.
- C. Section 5-3 Exception to Dimensional Requirements for Yards. The following clarification is recommended for fences taller than 6 feet (which require a building permit under our current bylaws).

Section a) should be revised as follows: “The Zoning Board of Appeals may reduce, by Special Permit, the dimensional requirements for front, rear, and side yards related to building setbacks and related to setbacks for structures including walls and fences six feet and taller, provided that the Zoning Board of Appeals makes a determination that the proposed structure is consistent in scale or setback with the structures in abutting parcels and the immediate neighborhood.”

IV. Trailers

Background. Our zoning bylaws currently allow trailers to be used for living purposes not longer than 60 consecutive days at any location or locations within the town. A demonstrated loophole around this restriction makes it possible to depart for one day and then return to the site for another 60-day stay.

Proposed change: Section 8-4 should be changed to read as follows:

(c) No trailer or mobile home, for the purpose of living quarters, may be set up except as follows:

A trailer designated for camping, recreational, or business purposes provided the trailer is not used for living purposes for a period longer than 60 ~~consecutive days~~ total days in a calendar year at any location or locations within the geographic limits of the Town of Buckland. Extended use (for example, for seasonal farm workers) may be granted by the Zoning Board of Appeals through the special permit process.

A trailer or mobile home may be placed by the owner or occupier of a residence destroyed by fire or other natural holocaust for a period not to exceed twelve (12) months while the residence is being rebuilt.

V. Home based business definition

Under Section II, definitions, add:

“Home based business. A business or profession operated as an accessory use to a home. See Section 4-4 of these bylaws for additional requirements.”