

**Rupert Planning Commission**  
**3 January 2022**

Commissioners: Present: Jed Rubin, Chair ; Bob Bain ; Jean Ceglowski ; Kim Davis ; Phil Mazzucco ; Peter Pelton ; Charlie Rockwell ; Val Almosnino, Clerk

Zoning Administrator: John La Vecchia

Public: Don Lewis

Meeting called to order at 7:07 .PM

Jed read December, 2021 Minutes. Consensus of board to approve minutes as read

John gave Zoning Administrator's Report (which is available in its entirety at: <https://rupert.vt.gov/documents/meeting-minutes/zoning-administrator-reports/>)

Jed passed out a write up of some proposed changes to the Zoning Bylaws, an attachment to these minutes. Some items were ones we had previously agreed to and some new ones were added .These were discussed for the rest of the meeting with no motions made or votes taken.

Adjourned at 8:40 pm.

Next Meeting: **7 February 2022**

Respectfully Submitted,  
Jed Rubin, Clerk pro tempore

# PROPOSED ZONING BYLAW CHANGES

## ARTICLE 1: General Provisions

### Section 1.06 Exemptions

(4) In all districts, no permit is required for up to 2 woodsheds, toolsheds, storage sheds, play sheds, or other such accessory building of 120 square feet or less in area and less than 10 feet in height on any lot containing a dwelling. Such an accessory building shall comply with the setback requirements of the district in which it is located.

Change to: In all districts, no permit is required for up to 2 FREESTANDING woodsheds... remove: "on any lot containing a dwelling."

(17) Temporary wood processing as specified in section 4.14

Change To: Temporary wood processing as specified in the definition of "Forestry"  
Section 4.14 does not exist!

## ARTICLE 2: Zoning Districts

### Section 2.01 Establishment

#### (A) Zoning Districts

(6) Resource Management (RM) : Read the purpose on page 2-16 and then look at the zoning map and the areas that are in RM, and the Permitted and Conditional Uses allowed, it really doesn't make any sense. Some areas should be in the Forest Zone, to be determined, and others should be Rural Residential.

(B) (1) Forest Conservation Overlay: This makes no sense as an overlay. Make a Forest Conservation Zone

(C) (4): Where a district boundary line divides a lot, the DRB may allow the extension of the district standards for either portion of the lot up to 100 feet beyond the district line into the remaining portion of the lot as a conditional use.

#### (D) Overlay District Maps

(a) Modification of the FCO Map: The DRB may allow an applicant to adjust the boundary of the FCO District within their parcel to the extent that the total amount of the subject property within the FCO District is not reduced.

Sentence (C) (4) says the boundary between zoning districts can be adjusted by up to 100 feet to accommodate development while sentence (D) (a) says you can adjust the boundary without limit as long as the acreage removed from the Forest Zone is replaced with the same acreage as the adjoining zone. Which rule will we keep?

Section 2.02 Use Summary Table: In the Residential section Single family attached dwelling is Conditional in VN, RR, and RM. A two family dwelling is permitted in VC, VR, VN, RR, AG, and conditional in RM. According to Danny Webster and the definitions at the end of these Bylaws there is really no difference between single family attached and two family dwelling. Why not make them Permitted in all zones except Forest? An accessory

apartment is allowed in all zones and could in the future be an attached dwelling or a 2 family dwelling.

Continuing in the Residential Section on line 1330 Residential Energy Generating System are conditional use in all districts. We have no say about the installation of these as long as they meet setbacks.

On page 2-3 The break down of what is permitted, what is conditional use, and what is not permitted doesn't make sense. If a use is not permitted or conditional you cannot do it period!

On page 2-7 Village Residential zone recognizes the settlements of East and North Rupert with 1 acre zoning. All of the housing in North Rupert is on lots of 1 acre or more. Most of the lots in East Rupert are less than 1 acre. Should East Rupert be put into VC, 10,000 square feet which would cover most of the houses on the West Road and Village Residential on Rogers Road, 1 acre, or Rural Residential, 5 acres?

Page 2-9 Village Neighborhood: We currently have no areas which fit the descriptions given in paragraph (B) Character. Do we want to keep the possibility for this type of development or get rid of it?

On page 2-4 We should look at all of these categories that are scattered around different zones and are conditional. Why can you have an Animal services and ag support business in the VC and VN zones but not in VR?

We have previously agreed to the following changes:

Section 2.01(C) (5) Where the Town Line divides a lot, the standards of these regulations shall apply to that portion of the lot that is in the Town of Rupert in the same manner as if it was a separate lot entirely situated in the Town. This has been changed to: A parcel divided by a Town Line or State Line shall be considered one parcel and the actual boundaries of the parcel will be used to determine required setbacks. ?? in whatever town or state the actual boundary is??

Section 2.03, 2.04, 2.05, 2.06, 2.07, Make the setback for accessory structures the same as required for principal structures. The now have to be 20 feet behind the principal structure.

Section 2.03(D)(4), 2.04(D)(4), 2.05(E)(4): Make the lot coverage in these sections 50% and remove the size limit on accessory structures. The 50% coverage should be the total of all buildings whether they needed a permit or not. Currently the limit on the size of

accessory buildings has created problems. On smaller lots the setback requirements often prohibit the maximum lot coverage.

Section 2.06(D)(10) Make setback for accessory structures the same as principal.

Section 2.06 (D)(4) Lot coverage is a maximum of 30% and in the dimensions for accessory structures the maximum footprint is 1,000 feet. Which rule is going to hold? The lots can be as small as 1 acre with 30% of coverage equaling 13,068 square feet. The maximum for the principal building is 3,000 square feet leaving 10,000 for other buildings. Do we want to set a limit, say 13,000 square feet as opposed to a percent where a 5 acre lot at 30% would be 65,340 square feet. The same inconsistencies are in the Ag and Resource Management districts.