

Article V. Development Review

Section 5.01 Applicability of Development Review Procedures

- (A) **Site Plan Review**, pursuant to Section 5.03, shall apply to all uses designated in Article II, Table 2.05 as requiring Site Plan Review.
- (B) **Conditional Use Review**, pursuant to Section 5.04, shall apply to all conditional uses as designated in Article II Table 2.05.
- (C) **Flood Hazard Review**, pursuant to Section 5.05, shall apply to all development including but not limited to new or expanded single unit dwellings as designated in Article II. Specific uses subject to site plan or conditional use review shall be reviewed concurrently with Section 5.04.
- (D) **Planned Unit Development (PUD) Review**, pursuant to Section 5.06, may be applied at the request of the applicant, or as required under Article II, to any size parcel in designated zoning districts. PUDs may be reviewed concurrently with the Norwich Subdivision Regulations.
- (E) **Development Envelope Review**, pursuant to Section 5.07, shall apply to any undeveloped lot prior to obtaining a permit for construction of a one-unit or two-unit dwelling unless a Development Envelope has ~~already-previously~~ been designated for the lot by an approved subdivision decision.

Section 5.02 Application Requirements

- (A) An applicant for PUD approval shall submit the information described in Section 5.06(C).
- (B) Applicants for conditional use and/or site plan approval shall submit applicable fees and the materials described in Table 5.1. The Development Review Board may waive any of the application requirements set out in Table 5.1 that are not applicable to the proposed development. The applicant shall identify the specific requirements for which the waiver is requested and why they are not applicable.

Table 5.1	
Site Plan & Conditional Use Review Application Requirements	
(A) Required Application Information:	
Name and address of owner(s) of record of the property; name, address and interest of the applicant, if different from the owner(s) of record; name and address of the person or firm preparing the application and plans; date of the application and related plans.	
A plan drawn to scale prepared by a licensed engineer, surveyor, land planner, or as otherwise approved by the Development Review Board showing the following: <ol style="list-style-type: none"> 1. north arrow and scale; 2. legal property boundaries for the property; 3. existing and proposed features, to include topography, land use, existing vegetation, natural areas and critical habitat, streams, floodplains and wetlands, and other fragile features (See Section 3.13); zoning district boundaries; structures (building footprints), signs, walls and fences; historic sites; roads, driveways, easements and rights-of-way, utilities and existing and proposed fire hydrants; and 4. traffic and pedestrian circulation within the site; location and dimension of parking, loading and snow retention areas; access to neighboring properties and public roads; and, sidewalks, pathways and trails in the vicinity. 	
Site location map showing the location of the project in relation to nearby town highways, adjoining parcels and uses and zoning district boundaries.	
Proposed landscaping and screening plan, including plant details (size, location, species).	
Grading and drainage plan (showing areas of cut and fill and proposed drainage patterns and provision for stormwater management).	
Proposed lighting plan, including the design and location, fixture type, mounting height, illumination levels and distribution, and color of all exterior lighting.	
Preliminary building elevations for new or altered structures, including an indication of the exterior facade design, window treatment and roof and siding materials.	
Phasing schedule for completion of all proposed development and site improvements.	
Estimate of traffic to be generated by the project on a peak and daily basis, and the impact of such traffic on area roads.	
Statement of compliance with all applicable zoning district standards, including overlay district standards and supplemental standards that may apply within a particular district or subject to a specific use.	
(B) The Board may require additional information depending upon the scope and location of the proposed project, including but not limited to the following:	
Forest management, tree removal and vegetation management plans.	
Stormwater management and erosion control plans.	
Visual impact analysis.	
Traffic impact analysis (current and proposed traffic volumes, capacities, levels of service, proposed improvements).	
Community service impact assessments (analysis of fiscal costs and benefits to the town).	
Fiscal impact study.	
Open space management plan.	
Site reclamation plan (for proposed projects involving extraction).	
Habitat impact assessment (identification of critical wildlife habitat, including wildlife travel corridors, analysis of potential impact and proposed mitigation measures).	
Other information or studies reasonably necessary for the Board to conduct a comprehensive review. To assist the Board in its review of applications, the Board may employ or contract with consultants whose services shall be paid for by the Applicant. Any or all final reports or documents prepared by the consultant shall be made available to the applicant and other parties to the proceeding.	

Section 5.03 Site Plan Review

(A) **Purpose.** Site plan review is intended to ensure that projects be of high quality, attractive and functional site design, and that the general building site design be consistent as to the size, scale and mass of the other buildings in the zoning district and with the purpose and character of the zoning district in which the project is located. Standards emphasize those related to the internal layout of the site, its physical design and appearance as viewed from off-site, and the functional integration of the site with surrounding properties and uses. [Should actually relate to content of the section]

(B) **Determination by Zoning Administrator.** The Zoning Administrator may determine whether Site Plan Review approval is needed for a proposed use in which all applicable provisions of these regulations have been satisfied (e.g., if there will be no increase in the number of clients, customers or parking spaces, or no new construction except minor changes). In the event that there is no change in site conditions or circumstances involving one or more applicable provision of these regulations, the Zoning Administrator may issue a zoning permit in accordance with Section 6.01 without Development Review Board review under this Section.

(C) **Review Process.** Upon determination that review is required, and the application as submitted is complete for review by the Development Review Board, subject to requests for waivers of application requirements, the Zoning Administrator shall schedule a public hearing of the Development Review Board, warned in accordance with Section 6.06(D). Once the public hearing is opened, the Board shall determine if the application is complete and decide whether any waivers of application requirements shall be granted. If not, or if the Board requires additional information for the application, the public hearing may be recessed to another date certain for continuation of that hearing. Once all information required by the Board has been submitted, the Board shall close the hearing and act to approve, approve with conditions, or disapprove an application for conditional use review within 45 days after the date the hearing was closed; and shall issue a written decision to include findings of fact, any conditions, and procedures for appeal. The application shall be deemed approved by the Board on the 46th day in the event that the Board fails to act within 45 days of the adjournment of the hearing.

(D) **General Standards.** The Development Review Board shall consider and may impose appropriate safeguards, modifications and conditions relative to the following standards:

(1) Maximum safety of vehicular circulation between the site and the street network. Vehicular access and intersections with roads shall meet all applicable town and state design standards, including the Norwich Private Highway Specifications and the Norwich Driveway Access Specifications. Sight lines shall meet specified guidelines. The public highway accessed from the parking lot must have sufficient excess capacity both at access and egress points and at affected intersections to accommodate the added traffic without undue delay. The Board may limit the number and size of curb cuts to a single access. In instances involving pre-existing curb cuts not in compliance with these standards, the Board may require the reduction, consolidation or elimination of non-complying curb cuts. In appropriate instances, including the presence of

compatible adjacent uses, areas characterized by congestion and frequent and/or unsafe turning movements, or parcels having direct access to more than one road, the Board may require shared access between adjoining properties or may limit access to a side street or secondary road. Requirements for shared access shall be made either at the time of site plan approval if similar provision has been made on a contiguous parcel, or contingent upon future development of neighboring properties.

(2) Adequacy of circulation, parking and loading facilities with particular attention to safety. Parking and loading facilities shall be provided per the requirements of Section 3.09 of these regulations, and in accordance with the following:

- a. Parking shall be designed to minimize the visibility of parking areas from off-site through the location, landscaping and screening of such areas. Parking shall be located to the rear or interior side (side not fronting on a public road) of buildings, unless otherwise permitted by the Board due to site conditions which would prevent the reasonable use of the property if this standard were strictly enforced. Large, uninterrupted expanses of parking shall be avoided.
- b. Driveway connections to parking areas on adjacent properties or provision for future connection shall be required where feasible. In the event that such connections allow for shared parking between properties, the overall parking requirements may be reduced pursuant to Section 3.09(B).
- c. Adequate parking facilities for people with disabilities shall be provided that comply with ADA standards. Accessible parking spaces shall be located on an accessible route of travel from the parking to an accessible entrance to the building served by the parking. Provisions shall be made for wheelchair van parking with an area for safe loading and unloading.
- d. Clearances and turning radii shall be sufficient to accommodate all service and delivery vehicles required for the normal activities on the site, and fire trucks and other emergency vehicles.
- e. Loading and delivery areas within the site shall be provided in accordance with Section 3.09(D), and shall be adequate to meet the anticipated needs of the use in a manner that does not interfere with parking, internal circulation and landscaping.

(3) Landscaping. Landscaping shall enhance the features and conditions unique to each site, and should include a combination of shade trees (deciduous and/or coniferous), deciduous and evergreen shrubs, well kept grasses and ground covers. Landscaping is required in front and side yards, adjacent to parking areas, and where rear yards abut residential properties or public roads.

- a. Landscaping plans shall emphasize the following:
 - i) The preservation of existing ground cover and trees, especially those that are mature or determined to be of special horticultural or landscape value.
 - ii) The use of both deciduous and coniferous shade trees in available yard area, especially front and side yards, parking areas and along street lines. Shade trees should be placed to interrupt the facades of buildings, break-up expanses of parking, visually reduce the scale and bulk of large buildings, integrate the site

- with surrounding properties, establish a linear pattern of street trees along road frontage, and enhance environmental quality (e.g., wildlife habitat, soil stabilization, storm water retention, air quality, energy conservation).
- iii) The use of flowering ornamental trees to complement shade trees in instances where large yard areas exist, and where space limitations prevent the planting of shade trees.
 - iv) Landscaping beds which enhance the general appearance of the site, define planting strips and buffer areas and minimize the amount of grass lawn area. Such beds are not to be considered a substitute for tree plantings or other open space requirements.
 - v) A mix of evergreen and flowering shrubs and bushes should be used adjacent to buildings, within planting beds and to complement shade trees and other landscaping features.
- b. In addition, landscaping plans are subject to the following:
- i) Shade trees shall be a minimum of 2.5" caliper (trunk diameter), measured at a height of 5 feet, or, in the case of coniferous trees, be a minimum of 8 feet in height, unless otherwise specified by the Board upon consideration of site conditions; be a species with a substantial life expectancy and a tolerance for soil compaction, drought and, if located along street lines, salt; and be of native origin, provided that they meet the above criteria. The planting of single gender deciduous trees shall be avoided.
 - ii) The Board may require the submission of a three year plan for all proposed landscaping. Bonding or other surety may be required to ensure installation and maintenance.

(4) Screening. Sufficient screening shall be provided when the Development Review Board determines that adequate screening is not provided by topographical or other barriers. Screening shall be required where a more intensive land use is proposed ~~to abut~~ adjacent to a less intensive use; adjacent to garbage collection and utility areas, satellite antennas, outdoor storage, and loading and unloading areas and other outdoor utilities and facilities; and when the project adversely impacts adjacent properties (e.g., lighting, outdoor storage, etc.). In addition:

- a. Screening shall provide a year-round visual screen, particularly from roads. A diversity of materials to create a naturalized screen is encouraged rather than a large expanse of uninterrupted, uniform material so long as sufficient screening is obtained. Materials may include fencing, shade trees, evergreen and flowering shrubs, rocks, mounds or combinations thereof to achieve the same objectives.
- b. Arrangement of screening shall provide protection to adjacent properties and avoid damage to existing plantings. If re-contouring of the site is proposed, the side slope shall be used for plantings. A maximum of 4:1 slope is recommended.

(5) Bicycle & Pedestrian Access. On-site pedestrian circulation linked to pedestrian facilities located on adjacent properties and/or along public roads, and to on-site parking areas, shall be provided. Such access shall take the form of sidewalks for walking and bicycling, or other facilities depending upon the property's location, site conditions and proximity to other bicycle/pedestrian facilities. Access points at property edges shall be coordinated with existing

and planned development to provide pedestrian connections between uses. Bicycle racks shall be required for commercial and public uses intended for general public access. In addition, adequate access from the parking area and sidewalks to the building(s) that are open to the general public shall be provided for people with disabilities.

(6) Outdoor Storage & Display. The outdoor storage or display of goods, supplies, vehicles, equipment, machinery or other materials is prohibited unless specifically approved by the Board and/or specifically permitted within particular districts. Secured, covered and screened areas shall be provided for the collection and on-site storage of trash and recyclables generated by the proposed development. In approving such outdoor display or storage, the Board may place conditions on the area and location of such storage or display, and shall require appropriate screening.

(7) Building Design. Buildings shall not be designed to function as advertisements through the use of garish color schemes; internal illumination of roofs, facades or awnings; oversized display windows; the integration of oversized logos and advertising features into the building's design; or formulaic or homogeneous architectural design based on a national standard for a particular business or franchise that is not consistent with historic building types and designs typical of Norwich.

(8) Lighting. To ensure appropriate lighting while minimizing its undesirable effects, the following general standards apply to all outdoor lighting with the exception of temporary holiday lighting which is exempt:

- a. In addition to information regarding exterior lighting fixtures, including fixture type, mounting location and height, illumination levels and distribution, and color, submitted as part of the application, a lighting plan, prepared by a qualified engineer or lighting expert may be required for projects determined by the Development Review Board to pose a potential for significant off-site impact due to the number, location and intensity of proposed lighting fixtures.
- b. Outdoor lighting fixtures shall be limited to recessed, shielded or cutoff fixtures so that no light from fixtures is emitted directly or indirectly at an angle less than 15 degrees below the horizontal and the light source shall not be visible from adjacent lots, roads, or waters. The Color Rendering Index (CRI) shall be appropriate for the location of the site and compatible with adjacent properties. In most situations a CRI of over 80 is acceptable. Building or pole mounted, non-reflective lights using an incandescent bulb of one hundred watts or less not used to illuminate a sign are allowed.
- c. All outdoor lighting shall be kept to the minimum required for safety, security and intended use, consistent with the character of the neighborhood and zoning district in which it is located. To determine appropriate lighting levels for a particular use or site, the Board may consider technical resources, such as [the Joint IDA-IES Model Lighting Ordinance \(MLO\), June 15, 2011 \(or later revisions\)](#)~~The Outdoor Lighting Manual for Vermont Municipalities and publications of the Illuminating Engineering Society of North America (IESNA).~~

- d. Parking lot lighting shall comply with the standards for maximum mounting height, minimum illumination (at darkest spot) and uniformity ratio as set forth in ~~The Outdoor Lighting Manual for Vermont Municipalities~~ the MLO. The Board may waive these standards for good cause if application thereof is inappropriate or unduly burdensome so long as excessive lighting does not result and the proposed lighting scheme otherwise meets the requirements of this section. Applicants may also be required to use lower mounting heights and illumination levels. Lighting of parking lots in the Rural Residential District is generally discouraged except for minimum security needs.
- e. Outdoor lighting fixtures should include timers, dimmers, and/or sensors to reduce energy consumption and eliminate unneeded lighting.
- f. The use of street or security lighting is only permitted if unusual or hazardous conditions require it. Security lighting, where deemed necessary by the Board, shall be shielded and aimed so that illumination is directed only on to the designated area and not cast on other areas.
- g. Exterior building facades shall not be illuminated. The Board may approve the exterior illumination of buildings with symbolic or historic significance, provided the maximum illumination on any vertical or angular roof surface does not exceed 5.0 foot candles; fixtures are carefully aimed and shielded so that light is only directed onto the building surface; and lighting fixtures are mounted on or near the building, preferably directed downward, and are designed to “wash” the facade with light.
- h. Except for approved security lighting, outdoor fixtures shall only be illuminated during the hours of operation for non-residential uses unless specifically approved by the Board. Hours of operation shall include any time up to one hour before or after all employees and patrons or customers have vacated the premises. Inns and Bed and Breakfasts are considered open on a twenty-four hour basis.

(9) Stormwater Management. To prevent water quality degradation and to minimize impacts on surrounding properties and town infrastructure, development shall be sited and designed to minimize storm water runoff and prevent erosion during all phases of development. Land development shall incorporate Low Impact Development (LID) stormwater management and erosion control practices where feasible. The Board may require the preparation and implementation of a stormwater management plan as appropriate for the setting, scale and intensity of the proposed development. Plans, if required, shall include provisions for the inspection and long-term maintenance of stormwater management and erosion control practices and be prepared by a qualified licensed engineer that incorporates the LID approach for site design and stormwater management where feasible and the accepted management practices recommended by the state in the Vermont Stormwater Management Manual and the Vermont Handbook for Soil Erosion and Sediment Control on Construction Sites, as amended. The Board may, at the expense of the developer applicant, conduct an independent review of the plans. Site plan approval may be granted by the Board upon finding that the proposed development will:

- a. Conserve and protect the natural hydrologic assets and functions of a site. Direct development away from sensitive environmental areas, and preserve native vegetation, soils, and existing drainage courses.

- b. Create opportunities to retain all runoff on site. Storm water shall be filtered and infiltrated into the ground by directing runoff away from impervious areas and engineered drainage systems and into areas of natural vegetation. All storms up to 1-inch must be captured and infiltrated on-site. The infiltration rate calculations of the system must be based on data collected in the field. Use green space, flatten slopes, disperse drainage, increase distance from streams, maximize sheet flow and incorporate other Integrated Management Practices (IMPs).
- c. Minimize impacts of development at all stages. Minimize clearing, grading and limit lot disturbance. Save A and B (top) soils. Reduce impervious surfaces, pipes, curb and gutters. Discontinue engineered drainage systems where feasible.
- d. Use a decentralized stormwater management system of small-scale controls that are located near the sources of runoff generation. These controls shall be designed to store, infiltrate, filter and release runoff the way natural areas do and shall limit the post-development peak discharge rate to less than or equal to the pre-development peak discharge rate based on a 2-year and 10-year, 24-hour storm event. IMPs provide a variety of on-site opportunities to control the volume and peak runoff rates of storm water and to filter pollutants.

Compliance with the Vermont Stormwater Regulations as evidenced by an approved State Permit will indicate compliance with this Section.

(10) Protection of Natural Resources. Proposed development shall not have an undue adverse impact on important natural resources or features located on the parcel, including wetlands, steep slopes, rivers and streams, critical wildlife habitat and habitat diversity, groundwater source protection areas, floodplains and/or the other features in Section 3.13, identified in the town plan, zoning overlay maps, or through field investigation. The Board may require the following protection measures to ensure the protection of natural resources and features:

- a. establishment of buffer areas;
- b. permanent protection as designated open space;
- c. designation of development envelopes to ensure that activities incidental to the operation of the development use, including clearing and yard area, do not adversely impact identified resources;
- d. preparation and implementation of management plans for protected resources and associated buffer areas; and/or
- e. such other measures as noted in Section 3.3 of the Norwich Subdivision Regulations.

(11) Historic Structures. Consideration shall be given to the impact of the proposed development on historic structures on the site or on adjacent properties. To the extent feasible, continued use of existing historic structures is encouraged; the exterior appearance of historic structures should be protected, and the visual context of historic structures should be maintained. Define "Historic Structures"

(12) Fire and Public Safety. Consideration shall be given to measures necessary for fire and public safety including the location of fire hydrants or other fire protection measures, access to buildings by emergency vehicles and personnel, and proper storage of hazardous or toxic

substances. The DRB may request the fire and police departments to review the development plans and make recommendations.

(13) Underground Utilities. For new construction, all new utility systems, which may include but not be limited to electric, gas, telephone, fiber optics, and television cable, shall be located underground, unless underground installation is deemed unreasonable and prohibitively expensive by the DRB due to site conditions.

(E) **District Standards.** To ensure that development is designed in a manner that is consistent with the existing and desired character of the district within which it is located, the following standards shall apply within the specified district.

(1) Village Business (VB) District. Within the Village Business District development shall meet the following standards:

- a. Buildings and associated site design shall reinforce a well-defined streetscape by being located as close to the front setback as practical. Where the placement of a building along the front setback is not practical due to preexisting site conditions, landscaping features, such as low walls and planting materials, should be incorporated along the setback line to create a transition between the public right-of-way and the site.
- b. Buildings should be oriented toward and relate to, both functionally and visually, streets and/or common greens, parks or plazas, and not be oriented toward parking lots. The front facade should include a main entry-way and pedestrian access to the street.
- c. Buildings, and modifications to existing buildings, shall be designed in a manner that is compatible with, and does not stand in contrast to, nearby historic structures with regard to building scale, massing, materials, orientation and rhythm of openings (fenestration).
- d. Large expanses of undivided glass and/or monolithic walls shall be avoided.
- e. Buildings shall be a minimum of 1½ stories in height, with the exception of accessory structures with a building footprint of less than 500 square feet.
- f. At the boundary between the VB District and the Village Residential (VR) District, the following requirements shall be met unless waived by the Board:
 - i) Stored materials or refuse containers between a building in the VB District and the VR District boundary line shall be screened by a fence or by shrubs or trees which would provide comparable concealment.
 - ii) Parking areas in the VB District shall be screened by a fence or by shrubs or trees which would provide comparable concealment.
 - iii) Open land in the front, side or rear yard of a property in the VB District, contiguous with a property in the VR District shall meet the general landscaping requirements of Section 5.03(C)(3).

(2) Village Residential (VR) District. Within the VR District development shall meet the following standards:

- a. The use of front yards shall be limited to landscaping, pedestrian paths and associated pedestrian amenities (e.g., street furniture, pedestrian scale lighting and signs) and driveways. Outdoor storage, parking and loading areas shall not be located within front yards unless the Board finds that the property is a pre-existing building and that no other practical alternative exists.
- b. Buildings should functionally and visually be oriented toward and relate to public streets and/or common greens, parks or plazas, and not be oriented toward parking lots. The front facade should include an entry-way and pedestrian access to the street. The Board may impose a maximum setback, relative to adjacent buildings, to achieve a consistent streetscape.
- c. The size, scale, and massing of new buildings, including height, width, street frontage and roof type, shall be compatible and harmonious with surrounding residential structures. Consideration may be given to buildings serving special civic, social or cultural functions, including places of worship, that may be designed to serve as prominent focal points within the district.

~~(3) Commercial/Industrial (CI) District. Where any land use in the Commercial/ Industrial District abuts land in any residential district, a strip of land at least twenty five feet in width shall be maintained as a landscaped buffer unless waived by the Development Review Board.~~

(4) Rural Residential (RR) District(s). Development within the RR District(s) shall meet the following standards:

- a. Site design shall be configured to reinforce the district's rural character and historic working landscape, characterized by wooded hillsides and knolls, open fields, and a visual and functional relationship of structures to the surrounding landscape.
- b. Buildings shall be designed in a manner that is compatible with architectural styles within the district with regard to building scale, size, massing and materials.
- c. Buildings shall be sited in a manner that avoids placement on primary agricultural soils or other open farmland, and shall be blended into the site by appropriate landscaping and/or the use of topographic features, or may be required to be screened from view.
- d. Parking for non-residential uses shall be screened from public view and shall not be located within ~~75~~20 feet of a property boundary.

(5) Mixed Use Districts Development within the MU District(s) shall meet the following standards:

- a. Buildings and associated site design shall establish a well-defined, pedestrian-friendly streetscape by locating buildings as close to the front lot line as practical and providing a sidewalk or multi-use path along the frontage. Where the placement of a building close to the front setback is not practical due to preexisting site conditions, landscaping features, such as low walls and planting materials, and/or gathering places, such as outdoor seating areas, plazas and patios, should be incorporated along the setback line to create a transition between the public right-of-way and the site.

- b. Buildings shall be oriented toward and relate to, both functionally and visually, streets and/or common greenspace, and shall not be oriented towards parking lots. The front facade shall include a main entryway and pedestrian access to the building.
- c. Buildings shall be a minimum of 2 stories in height with the exception of accessory structures with a building footprint of less than 500 square feet unless otherwise approved by the DRB as part of a PUD under Section 5.06.
- d. The size, scale and massing of new buildings, including height, width, street frontage and roof type, shall be designed to avoid large box-like forms with continuous unrelieved surfaces by:
 - i. Avoiding large expanses of undivided glass and monolithic walls;
 - ii. Incorporating articulation such as changes in wall plane, changes in roof form and height, or major full-height recesses along the length of the building that successfully break the building up into smaller discrete masses;
 - iii. Featuring a regular pattern of windows and entryways that offer views into the building; and
 - iv. Incorporating window recesses, window trim, doorways, columns, overhangs and other architectural elements with depth adequate to create shadow and architectural relief.
- e. The use of front yards shall be limited to landscaping, sidewalks or multi-use paths, gathering places and associated pedestrian amenities. Outdoor storage and parking or loading areas shall not be located between the frontline of the building and the street except on previously developed lots if the DRB finds that no other practical alternative exists.
- f. Parking areas shall be screened as viewed from adjoining properties and primary roads by landscaping and/or fencing. To encourage shared parking, the DRB may waive or modify screening and setback requirements to allow parking areas to extend over property lines.

~~(5)(6)~~

(F) **Procedure for Bonds.** In the event use or occupancy is to occur prior to completion of the proposed development, the DRB may require a performance bond, escrow account or other surety acceptable to the Town Manager and approved by the Selectboard to ensure completion of the development on the terms and conditions approved by the DRB. This requirement is in addition to any bonding for landscaping. [Title 24, §4464(b)(6).]

Section 5.04 Conditional Use Review

(A) **Purpose.** In addition to addressing site design considerations through the application of site plan review standards, conditional use review is intended to ensure compliance with standards addressing the impact of certain proposed land uses on adjacent properties, the neighborhood and/or zoning district in which the project is located, and the community at large. Typically, land uses are subject to conditional use review because the scale, intensity or potential off-site impacts warrant careful scrutiny by the Development Review Board. Standards and conditions emphasize those considerations in which off-site impacts of a proposed project can be identified, avoided and/or mitigated.

(B) **Determination by Zoning Administrator.** The Zoning Administrator may determine whether a conditional use approval is needed for a proposed use in which all applicable provisions of these regulations have been satisfied (e.g., if there will be no increase in the number of clients and customers or the number of parking spaces). In the event that there is no change in site conditions or circumstances involving one or more applicable provision of these regulations, the Zoning Administrator may issue a zoning permit in accordance with Section 6.01 without Development Review Board review under this Section. ~~Conditional uses approved under this provision shall be subject to Site Plan Review.~~

(C) **Review Process.** Upon determination that review is required, and the application as submitted is complete for review by the Development Review Board, subject to requests for waivers of application requirements, the Zoning Administrator shall schedule a public hearing of the Development Review Board, warned in accordance with Section 6.06(D). Once the public hearing is opened, the Board shall determine if the application is complete and decide whether any waivers of application requirements shall be granted. If not, or if the Board requires additional information for the application, the public hearing may be recessed to another date certain for continuation of that hearing. Once all information required by the Board has been submitted, the Board shall close the hearing and act to approve, approve with conditions, or disapprove an application for conditional use review within 45 days after the date the hearing was closed; and shall issue a written decision to include findings of fact, any conditions, and procedures for appeal. The application shall be deemed approved by the Board on the 46th day in the event that the Board fails to act within 45 days of the adjournment of the hearing.

(D) **General Standards.** Conditional use approval shall be granted by the Development Review Board upon finding that the proposed development will not result in an undue adverse effect on the following:

(1) The capacity of existing or planned community services or facilities. The Board shall consider the demand for community services and facilities resulting from the proposed development in relation to the available capacity of such services and facilities. Available capacity may be determined in part through consultation with other municipal and/or state officials having jurisdiction over affected services and facilities, and consideration of any capital budget and program in effect. Conditions may be imposed as appropriate to ensure that the demand for community facilities or services does not exceed existing or anticipated available capacity.

(2) The character of the area affected. The Board shall consider the location, scale, size, mass, materials, type, density and intensity of use associated with the proposed development in relation to the character of the area likely to be affected, as defined by the Board based on the Norwich Town Plan, applicable zoning district purposes and standards, submitted materials, and testimony presented at public hearing. Conditions may be imposed as appropriate to ensure project compatibility with the character of the area affected.

(3) Traffic on roads and highways in the vicinity. The Board shall consider the projected impact of traffic resulting from the proposed development on the capacity, safety, efficiency and

use of affected public roads, bridges, and intersections. The Board will rely on accepted transportation standards in evaluating traffic impacts, and shall not approve a project that would result in the creation of unsafe conditions for pedestrians, bicyclists, or motorists, or unacceptable levels of service for roads, highways and intersections, unless such conditions or levels of service can be mitigated by the applicant through physical improvements to the road network and/or traffic management strategies, or improvements in public transportation.

(4) Ordinances, Bylaws and Regulations in effect. The Board shall consider whether the proposed development complies with all ordinances, bylaws, and regulations in effect at the time of application, including other applicable provisions of this bylaw, other municipal permit and/or approval conditions (e.g., subdivision, highway access). Conditions may be imposed or incorporated as appropriate to ensure compliance with other municipal regulations, bylaws and ordinances in effect.

(5) The utilization of renewable energy resources. The Board shall consider whether the proposed development will interfere with the sustainable use of renewable energy resources, including access to, direct use or future availability of such resources. Conditions may be imposed as appropriate to ensure long-term access, use and availability of such resources.

~~(E) — **Site Plan Standards.** In addition to the general standards set forth in subsection (D), the Development Review Board shall also apply all applicable site plan review standards set forth in Section 5.03(C) and (D). Compliance with such standards shall be a requirement of conditional use approval.~~

~~(F)~~(E) **Additional Standards.** In permitting a conditional use, the Development Review Board may impose, in addition to the standards expressly specified by these regulations, other conditions it finds necessary to implement the purposes of these regulations. These conditions include, but may not be limited to, the following:

- a. Increasing the required lot size or yard dimensions in order to protect adjacent properties.
- b. Controlling the location and number of vehicular access points to the property.
- c. Limiting the number, location, and size of signs.
- d. Requiring suitable landscaping where necessary to maintain the property in a character in keeping with the surrounding area.
- e. Specifying a time limit for beginning the construction, alteration, or enlargement of a structure to house a conditional use.
- f. Requiring that any future enlargement or alteration of the use be reviewed by the Development Review Board to permit the specifying of new conditions.
- g. Requiring plans for the sale, storage or disposal of hazardous or toxic substances.
- h. Requiring compliance with performance standards in Section 3.10.

Section 5.05 Flood Hazard Review

This Section will be combined with “River Corridor Review”

Section 5.06 Planned Unit Developments

(A) **Purpose.** Planned Unit Developments (PUDs), authorized under the Act [§4417], are allowed in designated zoning districts to allow landowners to present to the Development Review Board development plans that differ from the basic requirements of the zoning regulations in cases where an alternative configuration may promote more desirable development design that achieves the goals and objectives of the Town Plan. PUDs are encouraged in designated districts to:

1. enable and encourage flexibility of design and development of land in such a manner as to promote the most appropriate use of land;
2. increase density, reduce lot size and/or facilitate the adequate and economical provision of streets and utilities in a cost effective manner;
3. cluster development to encourage the preservation of productive farmland, forest and wildlife habitat, and enhance Norwich's rural character as described in the Town Plan;
4. accommodate new development in a manner that maintains the Town's historic settlement patterns, and protect significant natural, cultural and scenic features as described in the town plan;
5. provide opportunities for a diversity of housing types, and promote affordable housing and moderate income housing in appropriate locations; and/or
6. be consistent and harmonious with the historic settlement patterns, scale, size, and mass in its respective zoning district.

(B) **Applicability.** Planned Unit Development (PUD) provisions may be applied, at the request of an applicant, to any sized parcel within the Rural Residential District, or the Village Residential I and II Districts, and any other subsequently created district which expressly so provides. Any change to an approved PUD shall require an amendment to the prior approval in accordance with this section. Adjoining landowners may combine all or a portion of contiguous parcels for the purpose of submitting a joint PUD application provided such property owners intend that each of their properties will:

1. be subject to all requirements and conditions of PUD approval issued in accordance with this Section, and
2. upon approval of the application, be subject to the terms and conditions established by the Development Review Board in approving the official development plan.

(C) **Application Procedures and Coordination with Other Review Processes.** Applications for PUDs shall be reviewed in accordance with the following procedures:

(1) Any Person contemplating submitting an application for a PUD in accordance with these regulations is required to meet with town planning and zoning staff prior to submitting an application for PUD approval to receive guidance regarding the application and review process and the PUD standards in effect.

(2) Upon determination that review is required, and the application as submitted is complete for review by the Development Review Board, subject to requests for waivers of application requirements, the Zoning Administrator shall schedule a public hearing of the Development Review Board, warned in accordance with Section 6.06(D). Once the public hearing is opened, the Board shall determine if the application is complete and decide whether any waivers of application requirements shall be granted. If not, or if the Board requires additional information for the application, the public hearing may be recessed to another date certain for continuation of that hearing. Once all information required by the Board has been submitted, the Board shall close the hearing and act to approve, approve with conditions, or disapprove an application for conditional use review within 45 days after the date the hearing was closed; and shall issue a written decision to include findings of fact, any conditions, and procedures for appeal.

(3) Application for a PUD shall be filed with the Zoning Administrator simultaneously with any additional applications for subdivision review, variances, and Conditional Use, if needed. All PUD applications will be reviewed under the criteria for subdivisions in the Norwich Subdivision Regulations, Site Plan Review in NZR Section 5.03, and PUDs in this Section. In addition to the application materials set forth in Table 2.2 of the subdivision regulations, the application for a PUD must include the following:

- a. A narrative master plan which, together with all required submission materials, shall comprise the official development plan for the PUD. Such master plan shall include a brief summary of the project and how it meets the standards set forth in this Section. In addition, the master plan shall describe the nature of all proposed modifications or changes of existing land use and development regulations, including those in Section 3.3 of the Subdivision Regulations, and all proposed standards and criteria for the design, bulk and spacing of buildings and sizes of lots and open spaces.
- b. Application materials required for Site Plan Review set forth in Table 5.1.
- c. Any additional materials required by the Board under subsection (C) or (D).
- d. Applications of PUDs may be reviewed simultaneously with applications for subdivision review in accordance with the requirements and procedures set forth in the Norwich Subdivision Regulations. If a subdivision is not proposed, the PUD application shall be subject to subdivision review standards set forth in Section 3 of the Norwich Subdivision Regulations. PUD applications shall also be subject to site plan review standards set forth under NZR Subsections 5.03(C) and (D). Approval granted by the Development Review Board under this Section for a PUD involving a use which requires site plan in accordance with Section 5.03 may be exempted from such review should the Board find in the course of granting PUD approval that the proposed PUD meets applicable site plan review standards.
- e. Approval granted by the Development Review Board under this Section for a PUD involving one or more conditional use under Section 5.04 shall not exempt the proposed development from such review. The Board may, however, conduct the conditional use review concurrently with PUD review.
- f. Within 45 days after the close of the final public hearing, the Development Review Board shall approve or deny the PUD application. This Decision shall include a clear indication of all approved modifications of developmental

standards. The Development Review Board may, as a condition of granting approval, impose such restrictions and conditions related to the location, scale, density, intensity or overall design of future development within the PUD as the Board deems necessary. Subdivision, site plan, or conditional use approval may be granted simultaneously with approval of the PUD application. The applicant shall be notified by certified mail of the Development Review Board's decision.

- g. Nothing herein permitting a PUD shall be construed to limit the right of the Development Review Board to grant special exceptions or variances which are permitted by these regulations or by statute. Approval of a PUD application does not nullify or change any existing zoning regulation affecting the project land not specifically modified in connection with the Development Review Board's approval of that application.

(D) **Standards.** All Planned Unit Developments (PUDs) shall meet the following standards:

(1) Any residential use permitted in the district in which the PUD is located is permissible under the PUD, including home occupations as provided in Section 4.08. A PUD may include, at the discretion of the Board, dwelling units of varied types, including single- and two-unit dwellings and multi-unit dwellings in districts where permitted.

(2) Certain non-residential uses, designed primarily to service the residents of a PUD, also are permitted. Examples of such uses include: recreational facilities; day care facilities; and accessory uses.

(3) The PUD shall be an effective and unified treatment of the development possibilities on the site, and the development plan shall make appropriate provision, where applicable, for the protection of: wetlands; steep slopes, prominent knolls and ridgelines; wildlife habitat and natural areas; historic and cultural resources; farm land; forest resources; scenic areas and other unique features as described in Section 3.13.

(4) The overall density of the project shall not exceed:

- a. in the case of property within the Rural Residential District: the number of units permitted based upon maximum allowable density calculated pursuant to Section 3.2 of the Subdivision Regulations; or
- b. in any other district, the number of units permitted if the land were subdivided into lots in accordance with the standards for the district(s) in which the land is situated.
- c. Density bonuses available for affordable and moderate income (workforce) housing are listed in the table below:

PUD DENSITY BONUS BY ZONING DISTRICT (See Section 5.06 (D)(4))						
ZONING DISTRICTS	RR	VR II	VR I	VB	C/I	MU
Max Density for subdivision without PUD	Per Section 3.2 NSR		1 unit/ 10,000 sf	1 unit/ 10,000 sf	1 unit/ 20,000 sf	??
25% of units affordable	25% Bonus		25% Bonus	25% Bonus	25% Bonus	4 Units per acre
50% of units affordable	50% Bonus		50% Bonus	50% Bonus	50% Bonus	4 Units per acre
70% of units affordable or moderate income housing		195% Bonus				

Note: Fractional density bonuses are not rounded up.

(5) A greater concentration or intensity of residential development may be located within some portion(s) of the site offset by open space areas designed to enhance the scenic qualities of the site and the neighborhood with reference to historic settlement patterns, the working landscape, and natural resource features.

(6) The PUD shall be consistent with the goals and objectives of the Town Plan.

(7) The PUD shall result in no greater burden on present and planned municipal services and facilities than would result from traditional development of the parcel with the same number of units as proposed in the PUD. The available public or private facilities and services, including schools, streets, emergency services, and utilities, will be adequate to provide service to the proposed PUD. The Development Review Board shall require written certification from town departments that the town has adequate resources to support any proposed PUD with five or more units, and may require this certification for any proposed PUD with less than five units.

(8) The Development Review Board may restrict points of access to state or town highways and, subject to Norwich Selectboard approval, where necessary, require improvements to roads to meet town road or private highway specifications.

(9) The layout, number, configuration of lots and placement of buildings shall be consistent with the historic pattern, size, mass, and scale of development found within the applicable district and support the goals of the Town Plan.

(10) In addition to the standards set forth in subsections (1) through (9) above, a PUD within the Rural Residential District shall be designed to blend new development into the rural landscape and maintain important natural, scenic and cultural resources as described in the Town Plan. Accordingly, PUDs in that district are encouraged to be designed in accordance with the standards for either crossroads hamlets or farmstead clusters, as described below:

- a. Crossroads Hamlet - A proposed PUD may be designed in a manner which replicates a traditional crossroads hamlet, characterized by a concentration of

residential buildings and one or more prominent cultural, community or civic structures, located at a road intersection.

- b. Farmstead Cluster - A proposed PUD may be designed in a manner which replicates a traditional Vermont farmstead, characterized by a variety of building scales, which visual character is typified by the appearance of a principal dwelling and a mix of agricultural buildings (e.g., barns and outbuildings) located within a compact area surrounded by open farmland. Such a farmstead cluster shall be designed to include:
 - i. a contiguous grouping of dwellings within a compact area, in which the inclusion of multi-unit, affordable housing and moderate income housing is encouraged;
 - ii. no fewer than three dwelling units within a single farmstead cluster. Multiple farmstead clusters may be placed on a single parcel provided they are separated by adequate open space;
 - iii. no fewer than 25% of the units being affordable housing or moderate income housing as defined in Section 7.02; and
 - iv. notwithstanding Section 5.06(D)(1), farmstead clusters may include multi-unit dwellings.

(11) In addition to the standards set forth under (1) through (7) above, a PUD within any Village Residential District shall be, at a minimum, designed in the following manner:

- a. Development envelopes should be established so that buildings front upon and are oriented toward roads or common areas.
- b. Roads and driveways shall be laid out in a manner that reflects historic village street design characterized by a well defined streetscape comprised of street trees, sidewalks and/or a consistent building setback.
- c. Adequate provision for open space and common areas shall be included in the design.

(12) All PUDs shall be three units or more.

(13) **Mixed Use PUDs.** In addition to the standards set forth in subsections (1) through (9) above, PUDs within the Mixed Use District must conform to the following:

- a. **Purpose.** The intent of this section is to allow for PUDs within the Mixed Use District that emphasize pedestrian circulation, clearly defined streetscapes, intensively use open spaces, architectural character and sense of community.
- b. **Density.** The density of residential development within the PUD shall not be less than two dwelling units per acre. Projects designed at a density of more than two dwelling units per acre are strongly encouraged in accordance with *(reference to bonus/affordable housing language).
- c. **Nonresidential Uses.** Nonresidential land uses shall occupy not more than 30% of the total floor area within the PUD.
- d. **Housing Types.** PUDs are encouraged to include:

- i. A diversity of housing types such as accessory apartments, duplexes, townhouses and apartment buildings
 - ii. A mix of affordable (for low to moderate income households) and market rate housing.
 - iii. Housing designed for one- and two-person households and for families.
- e. **Site Design.** The PUD shall meet the site plan review standards of Section 5.03.
- f. **Open Space.** At least 20% of the total area within the PUD or 10,000 square feet, whichever is greater, shall be set aside as open space under common ownership by the residents within the PUD and generally designed as follows:
 - i. There must be at least one internal open space not less than 10,000 square feet in area within the PUD.
 - ii. Internal open spaces should be designed as village commons, squares or parks that serve as gathering places for residents suitable for walking, sitting, social interaction and informal recreation.
 - iii. Internal open spaces should be landscaped with trees, shrubs, lawn and groundcover and should incorporate site elements such as walkways, benches, gazebos, and pedestrian-scale lighting.
 - iv. Internal open spaces should be provided in locations easily accessible to residential units and where they do not adversely impact the privacy of individual dwellings.
- g. **Building Design.** Buildings within the PUD shall be developed in a coordinated manner so that their placement, architecture, size and mass are complementary to one another and generally designed as follows:
 - i. Buildings should reflect an individual design that has considered site location, conditions, intended use, and the character and building mass of surrounding development.
 - ii. All sides of a building should have an equivalent level of quality of materials, detailing and window placement.
 - iii. Buildings with a footprint of 6,000 square feet or more should be designed to appear as several distinct, but attached, structures, each with a floor area no greater than 4,500 square feet to reduce the visual impact of a single large building mass in keeping with the scale of existing development in Norwich.

5.06A Affordability Requirements in Mixed Use District

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1. All PUDs within the Mixed Use District must include affordable housing, as defined in this section. The maximum permitted density will depend on the share of units that are affordable. Applicants may select one of the following options:
 - a. A PUD will qualify for a maximum density of 4 units per acre if at least 25 percent of all units are designed to be perpetually affordable to households whose gross annual household income does not exceed 70% of the Windsor County median family income as adjusted for household size.
 - b. A PUD will qualify for a maximum density of 8 units per acre if it meets the criteria for Option 1 AND if an additional 50% of all units are designed to be perpetually affordable to households whose gross annual household income does not exceed 100% of the Windsor County median family income as adjusted for household size.
2. The median family income for Windsor County shall be determined by consulting the income limits published by the U.S. Department of Housing and Urban Development (HUD). For federal fiscal year (FY) 2016, HUD determined the median family income for Windsor County to be \$72,300.
3. The following adjustments for household size shall be applied to the median county income for purposes of this section. These are the same adjustments that HUD used in computing income limits as of FY 2016:

4. Household size	5. 1	6. 2	7. 3	4	5	6	7	8
8. Percentage of median county income	9. 70%	10. 80%	90%	No adust	108%	116%	124%	132%

11. Where a proposed planned unit development does not consist entirely of residential housing units a development may meet these affordability standards by reserving at least 25 percent or at least 75 percent (depending on the option chosen) of the total available floor area in the development for housing that meets the affordability standards specified above.
12. As a condition of approval, planned unit developments must agree that they will not deny admission to any applicant for a rental unit based on the source of an applicant’s income, such as the Housing Choice Voucher program.

13. While not required, the Town encourages owners and managers of planned unit developments within the mixed use district to make some or all of the units in these developments affordable to households at income levels that are lower than those specified in paragraph 1.
14. A unit is “designed to be perpetually affordable” to households whose income does not exceed a specified income level if the following requirements are met for a minimum of 99 years from the date of first sale or lease:
- a. For rental housing:
 - i. The rent and estimated costs of utilities (heat, water, and electricity) do not exceed 30 percent of the specified income level and each new resident, at the time of that resident’s initial occupancy, has income at or below that income level,
 - ii. As of the time of initial occupancy, the property has a financial structure in place designed to make it reasonably likely the property can satisfy the required affordability restrictions for at least fifty years without needing to seek government subsidy midway through to maintain affordability. Provided this requirement is met, the property may seek approval from the town for hardship relief from the restrictions during the required affordability period in the event unforeseen circumstances place the property at risk of deterioration or default.
 - iii. Legally binding restrictions are in place to ensure that any subsequent purchasers of the property are bound by the same requirements.
 - b. For owner-occupied housing:
 - i. The initial home purchaser, at the time of initial occupancy, has income at or below the specified income level; the annual costs of principal, interest, taxes, and insurance for that purchaser do not exceed 30 percent of the specified income.
 - ii. Legally binding requirements are in place to preserve (a) the affordability of that home at the time of resale and (b) subsequent purchase of that home by qualifying households.
 - 1. [The maximum resale price of the home shall be determined by a formula that starts with the purchase price and increases it by the same](#)

~~percentage by which the Windsor County based on one of the following: changes in median income changed over the period of residencys, changes in the consumer price index, or up to 25 percent of the increase in market value of the property.~~ Developments may seek the Town's permission to utilize a different resale formula that appropriately balances the goals of long-time affordability and individual asset-building. However, developments may not utilize a formula that would require a homeowner to sell the home (before consideration of real estate commission) at a price lower than that owner's purchase price when home values in Norwich have increased over the time period of the owner's residency in that home.

2. Subsequent purchasers must have incomes that do not exceed the higher of: (a) the specified income level or (b) the income level at which the annual costs of principal, interest, taxes, insurance for that home do not exceed 30 percent of income.
 3. The organization responsible for managing the resale process may charge a reasonable fee designed to cover costs associated with managing this process and ensuring homes are maintained appropriately.
15. Affordable housing units shall meet the following requirements regarding location and unit quality:
16. (a) Affordable housing units shall be integrated with the rest of the development and shall be sited in locations that are no less desirable than the other units located on the same site.
17. (b) Affordable housing units shall be compatible in design and appearance with other units. The materials used and the quality of construction for affordable housing units, including heating, ventilation, and air conditioning systems, shall be equal to those of the other units in the development, but amenities such as designer or high end appliances and fixtures need not be provided for affordable housing.

Section 5.07 Development Envelope Review

(A) **Purpose.** Designating Development Envelopes on undeveloped lots prior to granting permits for construction of a one-unit or two-unit dwelling structure in the Rural Residential District will limit adverse effects on significant natural, scenic, and cultural resources.

(B) **Applicability.** This section shall apply to any undeveloped lot prior to obtaining a permit for construction of a one-unit or two-unit dwelling unless a Development Envelope has already been designated for the lot by an approved subdivision decision.

(C) **Administrative Review.** If after reviewing the complete application, the zoning administrator determines that the proposed development will have no impact on farm lands, forest lands or scenic areas as defined in Section 3.13(B), the zoning administrator shall issue a permit waiving the requirement for Development Envelope Review under this Section.

(D) **Review Process.** Upon determination that review is required, and the application as submitted is complete for review by the Development Review Board, subject to requests for waivers of application requirements, the Zoning Administrator shall schedule a public hearing of the Development Review Board, warned in accordance with Section 6.06(D). Once the public hearing is opened, the Board shall determine if the application is complete and decide whether any waivers of application requirements shall be granted. If not, or if the Board requires additional information for the application, the public hearing may be recessed to another date certain for continuation of that hearing. Once all information required by the Board has been submitted, the Board shall close the hearing and act to approve, approve with conditions, or disapprove an application for conditional use review within 45 days after the date the hearing was closed; and shall issue a written decision to include findings of fact, any conditions, and procedures for appeal. The application shall be deemed approved by the Board on the 46th day in the event that the Board fails to act within 45 days of the adjournment of the hearing.

(E) **General Standards.** The Development Envelope will identify and limit the location of principal and accessory structures, parking areas, and associated site development including road and utility rights-of-way or easements on one or more portions of a lot to limit adverse impact of proposed development on any of the features in Section 3.13. The Development Review Board shall consider and may impose appropriate safeguards, modifications and conditions relative to the standards in Section 3.13. A sketch depicting the location and size of the Development Envelope shall be attached to the written decision of the Development Review Board. This sketch shall also include measurements from known points on a recorded survey, tax maps, or on the ground to reasonably allow determination of the location of the Development Envelope.

(F) **Application Requirements.** Applicants for Development Envelope Review shall submit:

(1) A plan drawn to scale based on a survey or the latest Norwich Tax Map showing a north arrow, scale, legal property boundaries for the property and the approximate location of the proposed development envelope(s).

(2) Plans depicting the location of any of the following features or overlay districts listed in Section 3.13 that the proposed development envelope may impact. Delineation of these features may be based in Norwich GIS data or field data.

- a. Wetlands: as defined in the Vermont Wetlands Regulations
 - b. Aquifer Protection Zone(s)
 - c. Floodplains
 - d. Shoreline Protection
 - e. Ridgeline Areas
 - f. Steep Slopes
 - g. Endangered Species
 - h. Open farm land and areas with “prime” and “statewide” agricultural soils
 - i. Scenic Resources
- (3) Narrative addressing impact of any of the features or overlay districts listed in (2) above.
- (G) Development Envelopes approved under this Section shall remain effective until such time as amended by the DRB after a new hearing.

Section 5.08 ~~Ridgeline Protection Review Combined with Table 2.9~~

~~(A) — **Purpose.** Review the potential visual impact, as seen from public roads, of new development within the Ridgeline Protection Overlay District prior to granting permits for construction. For the purposes of this section, public roads shall include Class I, II, and III town highways, state highways and interstate highways within the town.~~

~~(C) — **Applicability.** This section shall apply to development within the Ridgeline Protection Overlay (RPO) District other than exempt uses in **Table 2.9 (E).**~~

~~(E) — **Review Process.** Upon determination that review is required, and the application as submitted is complete for review by the Development Review Board, subject to requests for waivers of application requirements, the Zoning Administrator shall schedule a public hearing of the Development Review Board, warned in accordance with Section 6.06(D). Once the public hearing is opened, the Board shall determine if the application is complete and decide whether any waivers of application requirements shall be granted. If not, or if the Board requires additional information for the application, the public hearing may be recessed to another date certain for continuation of that hearing. Once all information required by the Board has been submitted, the Board shall close the hearing and act to approve, approve with conditions, or disapprove an application for Ridgeline Protection Review within 45 days after the date the hearing was closed; and shall issue a written decision to include findings of fact, any conditions, and procedures for appeal. The application shall be deemed approved by the Board on the 46th day in the event that the Board fails to act within 45 days of the adjournment of the hearing.~~

~~(G) — **General Standards.** Proposed development shall comply with the standards in Table 2.9 (F) & (G).~~

~~(I) — **Application Requirements.** Applicants for Ridgeline Protection Review shall submit:~~

~~(0) — A plan drawn to scale based on a survey prepared by a licensed surveyor or the latest Norwich Tax Map showing a north arrow, scale, legal property boundaries for the property and the location of the proposed development.~~

~~(0) — Plans depicting the location of the following based on Norwich GIS data or field data:~~

- ~~. — Ridgeline Protection Overlay District boundaries;~~
- ~~. — Contours with intervals of 20' or less;~~
- ~~. — Scenic Resources Area boundaries;~~
- ~~. — Public and private roads; and~~
- ~~. — Existing development.~~

~~Note: These plans are available from the Norwich Planning Office.~~

~~(0) — The applicant shall select one or more specific vantage points along public roads from where the proposed development may be seen. These vantage points shall be shown on a plan. The plan shall also depict areas where existing trees will be maintained or new trees will be planted to provide screening.~~

~~(0) — The applicant may either submit a specific plan for a new or enlarged structure at a specific location or may designate a development envelope for all future structures.~~

~~(0) — Any additional information describing the visual impact of the development as seen from public roads and measures to minimize this impact shall be submitted.~~

~~(AA)(A) — Ridgeline Protection Review approval under this Section shall remain effective until such time as amended by the DRB after a new hearing.~~