

Overview

2022 Zoning Bylaw Amendments and Zoning Map

Fairlee is in the last phase of the approval of a set of bylaw amendments and a new zoning map. This is the end result of work beginning back in 2014. A little history and an explanation of the process might be helpful.

Fairlee is in the last phase of an approval of a set of bylaw amendments and a new zoning map. Our goal is to share updates about that process, and explain it so that, by the end of tonight's meeting, everyone will be able to understand what that means! We'll follow up this meeting over the next couple of months with meetings that go into depth into each of the sections after we do the overview tonight.

This is the result of several years of work with members of the Fairlee community as well as with the help of town planning and zoning experts.. First, we'd like to share a little history and an explanation of the process! .

Before we get started—one of the first things that might be helpful to know is that “bylaws” and “zoning maps,” are part of every town, and have been part of Fairlee. They are always evolving relative to changes in populations, land use, state laws, and community goals. The town, in conjunction with the voices of many community members, has worked to update them based on current laws, stated community goals, the input of experts, and planning for a thriving future for Fairlee.

Accomplishments

- 2014 - Town Plan approved by the voters
- 2015 - Designated Village Center
- 2017 - Town Hall bond vote passes, renovation begins
- 2018 - Water system bond vote passes, updates begin
- 2019 - Updated Town Plan approved by the voters
- 2020 - Better Connections Grant
 - Provided funds for The Main St. to Morey Fairlee Town Center Action Plan
- 2022 - Amended Fairlee Unified Development Bylaw
 - Amendments adopted on an interim basis January 2022 awaiting final approval by the voters.

In 2014, working with the regional planning group, Two Rivers Ottawaquechee Regional Planning Commission, Fairlee was able to culminate a several year's process to create a town plan that met state guidelines and was able to be affirmed. For the first time in a decade, Fairlee became eligible for grant funding and status designations to help move the town forward!

In 2015 Fairlee was able to receive what's called, Designated Village Center status for a portion of the village running roughly between Lake Morey Road and Bridge Street. By having a "designated Village Center," in the town plan, this opened up further granting and funding opportunities that had been previously closed to us. We began a series of deep studies into the capacities of the Town, including opportunities to improve the built environment, unmet commercial and housing needs, and quality of life.

Based on piles of collected data, community surveys, workshops, brainstorming sessions, and listening sessions Fairlee adopted its most comprehensive Town Plan to date in 2019. This was followed by a major Better Connections Grant that paid for the Main St. to Morey Fairlee Town Center Action Plan in 2020 and now the amended Fairlee Unified Development Bylaw, with amendments adopted on an interim basis

this January awaiting final approval by the voters.

Fairlee Unified Development Bylaw

- all the land use ordinances and regulations in the Town of Fairlee combined into one document.
- contains four major and one interim sets of bylaws.

- **Water Source Protection**
- **Flood Hazard Regulations**
- **Zoning Bylaw**
- **Subdivision Bylaw**
- **Interim Bylaw to Effect a Lake Morey Building Moratorium**

What is the The Fairlee Unified Development Bylaw? It is the code of all the land use ordinances and regulations in the Town of Fairlee.. It is this Unified Development Bylaw that we will be focusing on for the rest of the presentation.

it contains four major and one interim sets of bylaws –

Source Protection; this concerns the protection of the wellhead for Fairlee’s public water supply, the quality of the public water supply is vital to supporting the density required for the village to exist in the first place, Fairlee’s Village Center is in fact one of the largest water system villages in the Upper Valley.

-Flood Hazard Regulations; adherence to the FEMA model bylaw has been Town policy for over a decade, we have adopted the model language verbatim so that we have no deviation from the requirements of the National Flood Insurance Program, and this has kept insurance costs lower than they might be on one hand and makes us eligible for assistance when flood events do occur on the other.

-Zoning Bylaw; the purpose is to establish land use zones based on historical settlement patterns, desired densities, and compatible uses. The core of the approach is the land use district or zone that establishes minimum lot sizes, structure

setbacks, and allowed uses. This is where a lot of the amendment work happened, and a new land use zone was created (Rural Resource Area) while one was removed (Industrial Area).

-Subdivision Bylaw; this set of provisions establishes the requirement to meet minimum lot sizes, road access requirements, provisions to reduce impacts of major subdivisions, and lays out the standards for submitted plats. This was another area where major changes were made to allow cluster development and the transfer of development rights.






-Interim Bylaw to Effect a Lake Morey Building Moratorium; this is temporary provision passed in the fall of 2021 and will sunset in fall 2022 unless extended for not more than one more year. This provision was adopted to allow time for the collection of data and, if needed, the drafting of new development regulations for the Lake Area of Lake Morey to address the problems associated with water quality in general and Cyanobacteria blooms specifically.

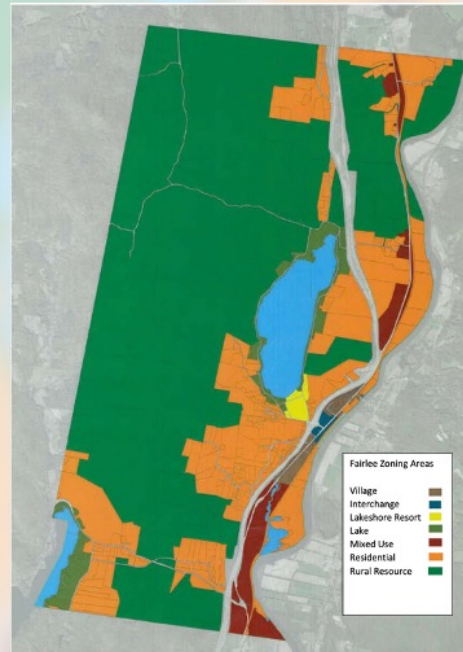
The unified format was adopted to allow complex projects that would otherwise require multiple applications to be dealt with in joint application that would allow one set of hearings to deal with an integrated project and to deconflict possibly contradictory provisions. The approach works particularly well with Development Review Boards that hear all applications as opposed to the older Planning Commission (site plan reviews and subdivisions) Zoning Board of Adjustment (conditional uses, waivers, and variances) where two or even three sets of hearings might be required, and possible conflicting decisions could be rendered by the two boards.



Why Zoning?

The Zoning Map

- Village Area 
- Interchange Area 
- Lakeshore Resort Area 
- Lake Area 
- Mixed Use Area 
- Residential Area 
- Rural Resource Area 

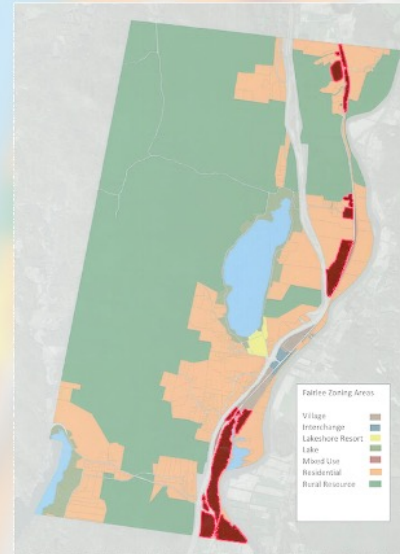


The zoning districts are laid out on the Zoning Map. The zoning map is a legal part of the Unified Development Bylaw, and it is changed, amended, or modified in the same manner as the written bylaw provisions. The land use zones in Fairlee:

Mixed Use Area

- designated for light industrial and land hungry commercial uses not suitable for the village core

No changes made to the provisions

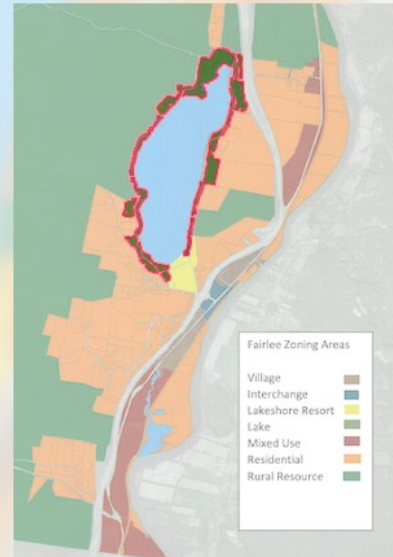


-Mixed Use Area; these are area's designated for light industrial and land hungry commercial uses not suitable for the village core, Britton Lumber, Gray's Field, and the Fairlee Drive In are outstanding examples. No changes have been made to the provisions but a review indicated that the previous Industrial Area was redundant in that all the allowed and conditional uses were also permitted in the Mixed Use Area and so the Industrial Area was dropped and the parcels rezoned.

Lake Area

- defines the residential, both year-round and seasonal, zones around both the Lake Morey and Lake Fairlee shorelines.
- Lake Morey shoreline is subject of the Conditional Use Moratorium

No changes made to the provisions or the district boundaries.

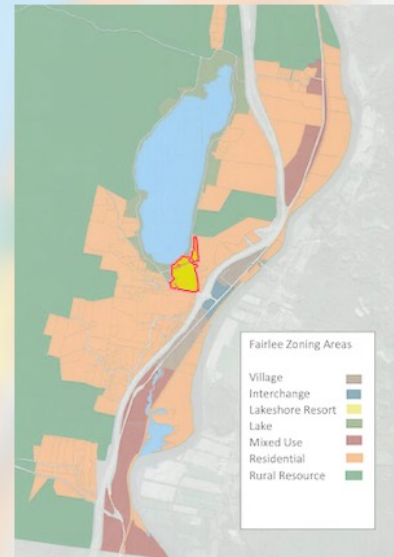


-Lake Area; defines the residential, both year-round and seasonal, zones around both the Lake Morey and Lake Fairlee shorelines. It is the subject of the Conditional Use Moratorium and there may be changes to policies or bylaw provisions depending on the data but for now no changes were made to the provisions or the district boundaries.

Lakeshore Resort Area

- segregates the commercial uses on the southern end of Lake Morey from residential uses
- allows the lodging, outdoor recreation, and food service uses without the limitations of the residential zone.

No changes were made to the provisions or the district boundaries.

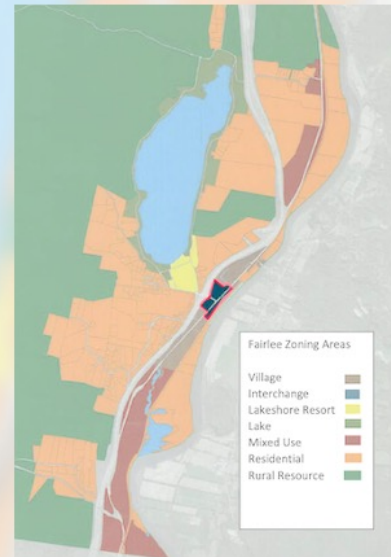


--Lakeshore Resort Area; created to segregate the commercial uses on the southern end of Lake Morey from residential uses that dominate the rest of the lakeshore. This allows the lodging, outdoor recreation, and food service uses without dealing with the limitations of the residential zone. No changes were made to the provisions or the district boundaries.

Interchange Area ■

- also serviced by the water system
- desired location for larger scale primary retail and designed to take advantage of the rare location of Interstate exits directly into the village center.

No changes were made to the provisions or the district boundaries.

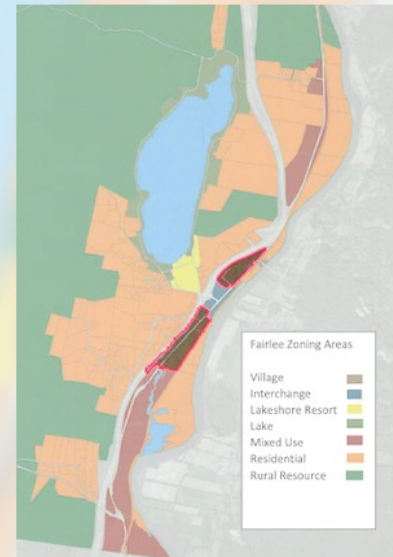


-Interchange Area; also serviced by the water system, this is the desired location for larger scale primary retail and designed to take advantage of the rare location of Interstate exits directly into the village center. No changes were made to the provisions or the district boundaries.

Village Area

- completely within the water service area
- split into two sections north and south of the Interchange Area
- center of the most dense housing and smaller scale primary retail and service locations.

To increase the economic viability of apartment projects the height of buildings in the zone has been increased to three full stories and new commercial buildings are required to be at least two floors to provide increased residential and commercial space.

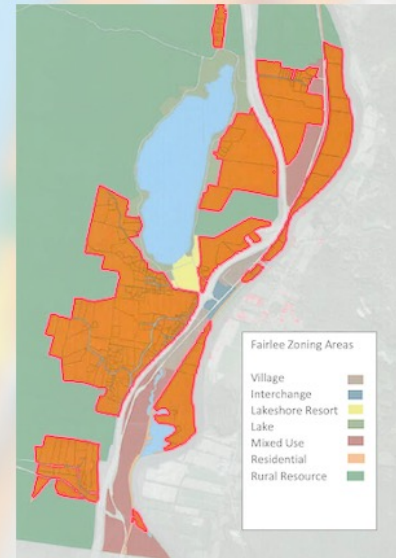


-Village Area; completely within the water service area this zone is split into two sections north and south of the Interchange Area that is centered on the Lake Morey Road, US Route 5 Main Street intersection. It is meant to be the center of the most dense housing and smaller scale primary retail and service locations. To increase the economic viability of apartment projects the height of buildings in the zone has been increased to three full stories not to exceed forty feet and new commercial buildings are required to be at least two floors to provide increased residential and commercial space.

Residential Area

- on the village water system - minimum lot size of 20,000 square feet
- off the village water system - minimum lot size of two acres.

Residential used to make up the vast majority of the area of Fairlee but much of it is now zoned Rural Resource Area. The other change is that lots not on village water have gone from one acre to two acres

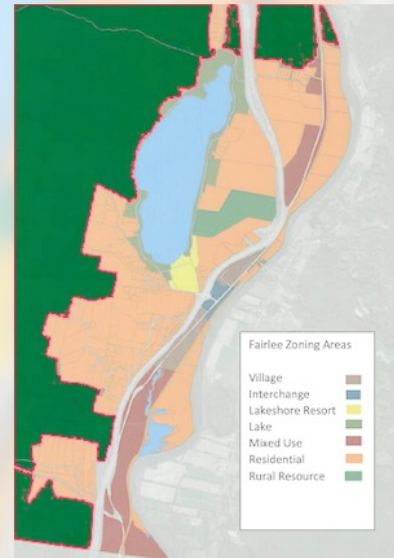


-Residential Area; areas zoned residential are either on the village water system with a minimum lot size of 20,000 square feet or they are off the system with a minimum lot size of two acres. Two major changes with this zone, Residential used to make up the vast majority of the area of Fairlee but much of it is now zoned Rural Resource Area. The other change is that lots not on village water have gone from 40,000 square feet to two acres. More on that when we discuss changes to the subdivision provisions.

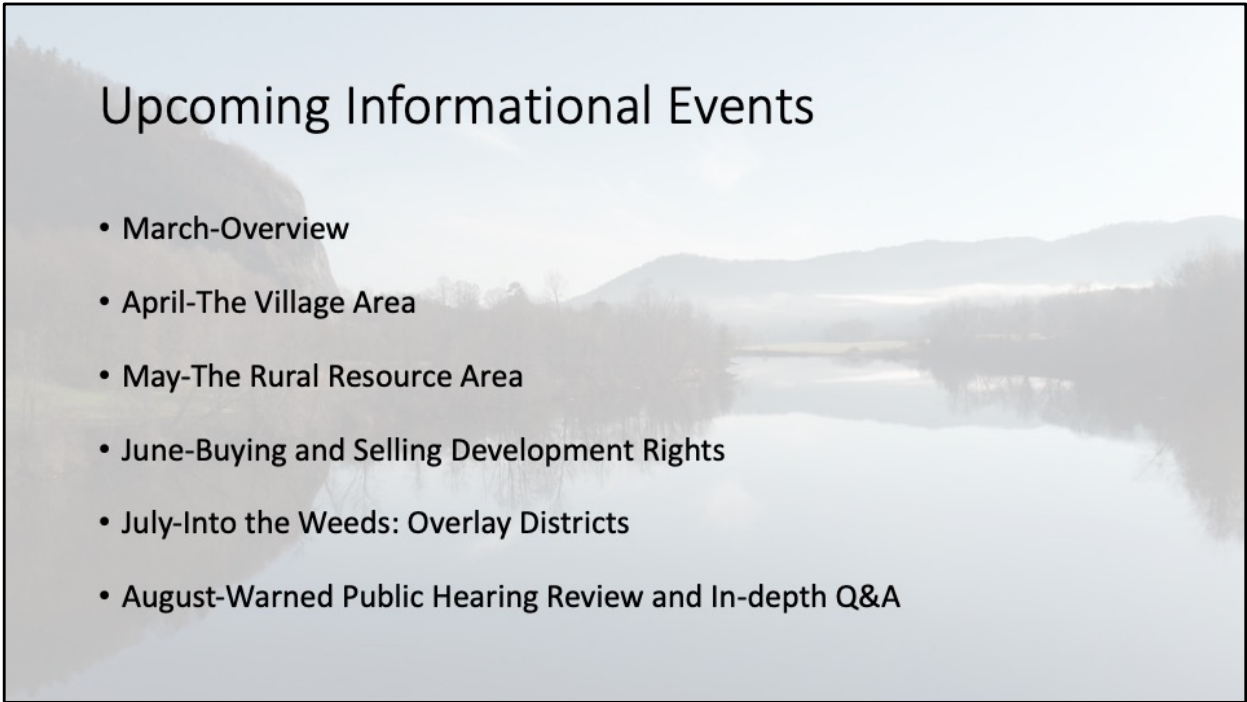
Rural Resource Area ■

- minimum lot area ten acres, intended to slow forest and habitat fragmentation
- provisions to transfer development rights and cluster housing designed to allow property owners to extract value from their lands.

Major change to the land use districts in Fairlee and makes up majority of land in town. Comprised of the major forest blocks on the West side.



-Rural Resource Area; this is the major change to the land use districts in Fairlee and makes up majority of land in town and is comprised of the major forest blocks on the West side. The minimum lot area is ten acres, this is intended to slow forest and habitat fragmentation but there are provisions to transfer development rights and cluster housing designed to allow property owners to extract value from their lands.



Upcoming Informational Events

- March-Overview
- April-The Village Area
- May-The Rural Resource Area
- June-Buying and Selling Development Rights
- July-Into the Weeds: Overlay Districts
- August-Warned Public Hearing Review and In-depth Q&A

The Fairlee Planning Commission intends to go into far greater detail on the changes that we are proposing that you make permanent at a referendum. There will be informational events, forums, public hearings and Q&A sessions held once a month until a vote probably this Fall. This is the schedule.

March

This primer on the Town Plan and how the bylaw implements its elements. Discussion of Fairlee's adoption process and the upcoming events.

April

Village Center, Village and Interchange Areas, regulations and how the bylaw implements the Town Plan and improves economic development, housing, and quality of life. There will be a discussion of amortization of fixed infrastructure costs and how development can lower property owner's costs while increasing tax payer value. Direct mail notification.

May

Forest Block Invitational. Direct mail personal invitations to forest block parcel owners to walk them through the new provisions, how we have addressed their interests, and hopefully allay their concerns. While we intend to make some direct invitations, this session is of course open to all interested citizens.

June

General and open forum on the transfer of development rights, how the conservation subdivision process would work in practice, and new administrative process that takes some plat processes out of the hearing process. There is town wide impact, and a direct mailing will be made.

July

Discussion of the reconfiguration of land use districts, functions of overlay districts, the establishment of the Lake Morey Watershed District and its possible future roles. There is town wide impact, and a direct mailing will be made

August

Recap discussion pulling together the major points of the 5 events, aggregated question and answer session, there will be a direct mail notification of this event. In the following months until the vote is held the Planning Commission will make the first hour of every meeting available to answer your questions and take your comments.

Links

[All Town Documents](#)

- [Updated, comprehensive Town Plan](#) (adopted 2020)
- [Main St. to Morey Fairlee Town Center Action Plan](#)
- [Amended Fairlee Unified Development Bylaw](#)
 - Amendments adopted on an interim basis January 2022 awaiting final approval by the voters.
- [Zoning map](#)

In the following months until the vote is held the Planning Commission will make the first hour of every meeting available to answer your questions and take your comments.