

**TOWN OF MONTGOMERY  
BYLAW AMENDMENT REPORT**

**EXPLANATION:** The Montgomery Planning Commission has incorporated updates to the Montgomery Zoning Regulation (March, 2016) in order to address growth and development, and to bring the regulations in conformance with the changes made to 24 V.S.A.. *This report has been prepared in conformance with 24 V.S.A. Section 4441.*

**PURPOSE:** It is the purpose of the Zoning Regulations to provide for orderly community growth, to further the purposes established in Section 4302 of the Act, and to implement the Town Plan.

The Zoning Regulations classify and guide the uses of land, buildings, and structures in the Town of Montgomery in accordance with the Town Plan and Title 24 V.S.A. Chapter 117, hereinafter referred as the “Act”. The bylaws are designed to implement the purposes and policies set forth in the Town Plan and the Act.

The proposed changes are classified as either “Clerical” or “Substantial,” depending on whether the change merely clarifies existing regulations or may impact approval of a proposed project. They will be voted on as Article I and II.

The Town of Montgomery revised the following provisions of the Montgomery Zoning Regulations:

**CLERICAL CHANGES:**

- Reorganized and reformatted into unified development regulations for a more consistent reading experience.
- Adding a table of acronyms and using those throughout, after the initial use of a term.
- Adding and correcting definitions.
- Technical changes to conform to Title 24 Chapter 117 V.S.A.
- Changed “Flood Hazard Overlay” to “Special Hazard Overlay” on Official Zoning Map.

**SUBSTANTIAL CHANGES:**

- Reduces road frontage requirements for corner lots. Sect. 4.3(A)(2)
- Prohibits ponds in Conservation II District. Sect. 4.2 Conservation II
- Clarifies that lots accessed by a right of way may be created. Sect. 6.10(D)
- Regulates the installation and use of outdoor wood-fired hydronic heaters (a/k/a wood fired boilers) Sect. 6.13
- Clarifies standards and appeal procedures for Waiver of Setbacks, Sect. 4.3B

**The Montgomery Planning Commission makes the following Findings:**

1. The Montgomery Zoning Regulations conform with and further all the goals and policies contained in the Montgomery Town Plan. The minor changes proposed do not affect the goals and policies of the Montgomery Town Plan, including the effect of the proposal on safe and affordable housing.
2. The proposed minor changes do not affect compatibility with the proposed future land uses and densities of the municipal plan:

3. There are currently no specific proposals for any Town facilities. The Town recognizes the need to replace the existing Town Office Building. The proposals will not affect this need.

Montgomery's Zoning Regulations are based on the information compiled and the goals expressed within the Town Plan. Montgomery Planning Commission members have spent many hours discussing and compiling this document and they would sincerely like to receive your feedback on this draft.