

Proposed Brookfield Planning Board Zoning Amendments For Town Meeting 2023

Amendment 1. Amend Zoning Ordinance RA-1, 3c

All lots must have 250 feet of contiguous frontage on Class I-IV roads, Class V roads, or **approved** private roads in order to be a building lot; and that lots fronting on Kingswood Lake must have 250 feet of contiguous frontage on the lake in order to be a building lot. **Lot access must be provided from the 250 feet of contiguous road frontage.**

Ballot Question: Are you in favor of adoption of Amendment No. 1 as proposed by the planning board for the Brookfield zoning ordinance as follows: amend the building lot requirements in the Residential-Agricultural Zone to require that frontage on a private road be on an approved private road; and to require that lot access be provided from the required road frontage?

Amendment 2. Amend Zoning Ordinance RA-1, 3i

For all lots that are less than two acres in area included in the Cedar Park subdivision as defined by the plan of record recorded on July 9, 1962, at Carroll County Registry of Deeds, Book 6 page 68 the setback for structures shall be 15 feet or greater from the side and rear lot lines. If side **or** rear lot lines abut a right-of-way, pond, lake, stream, brook, watercourse, marsh, or seasonally wet area **the setback must conform to the standards defined in 3d, for those** lot lines.

Ballot Question: Are you in favor of adoption of Amendment No. 2 as proposed by the planning board for the Brookfield zoning ordinance as follows: amend the building lot requirements in the Residential-Agricultural Zone to require that lots of less than 2 acres in the Cedar Park subdivision comply with the generally applicable side or rear setbacks if the side or rear property line abuts a right of way, pond, lake, stream, brook, watercourse, marsh, or seasonally wet area?

Amendment 3. Repeal Article II, 2 and Appendix E

Remove references to "non-permitted uses".

Ballot Question: Are you in favor of adoption of Amendment No. 3 as proposed by the planning board for the Brookfield zoning ordinance as follows: to delete from the ordinance sections identifying "non-permitted uses," which will clarify that the ordinance is a permissive zoning ordinance and that only those uses which are listed in the ordinance are permitted.

Amendment 4. Amend Zoning Ordinance RA-1, 3d

Setback: No structure or part thereof shall be placed within 40 feet of the side and rear lot lines or within 50 feet of the edge of any right-of-way or within 75 feet of any pond, lake, stream, brook, watercourse, marsh, or seasonally wet area. **Ancillary structures greater than 50 square feet in area must be at least 20 feet from lot line.**

Ballot Question: Are you in favor of adoption of Amendment No. 4 as proposed by the planning board for the Brookfield zoning ordinance as follows: amend the building lot requirements in the Residential-Agricultural Zone to require that ancillary structures of greater than 50 square feet in area must be set back at least 20 feet from any lot line.

Amendment 5. Rewrite Zoning Ordinance RA-1, 1b

b. A home occupation, as defined below, is a permitted use in all residential zones. A home business may be allowed as a **Zoning Permit** by Selectmen in order to provide economic opportunity and diversity in the employment available to Town residents; to support the variety of uses characteristic of small towns, and allow for reasonable growth. At the same time, the ordinance intends to ensure that the quiet, uncrowded, and scenic features of the Town are preserved, and that neighborhood character is maintained.

i. Home Occupation: Any use conducted entirely within a dwelling or an accessory building only by a member or members of the family domiciled therein, which is clearly incidental and secondary to the use of the dwelling as a residence and does not change the character thereof or reduce the value of any surrounding property. No home occupation shall be permitted that:

1. Changes the outside appearance of any buildings.
2. Results in outside storage or display.
3. Generates traffic, parking, noise, odors, smoke dust, lights, sewerage or water use in excess of what is normal in the neighborhood.
4. Creates a hazard to person or property, results in electrical interference, or creates a nuisance.
5. Any activity that exceeds these standards **must obtain a Zoning Permit for a Home Businesses.**

ii. Home Business: A commercial or business activity conducted on a lot being used for residential purposes that exceeds the standards for Home Occupation **must obtain a Zoning Permit** and must meet the following requirements:

1. A Home Business shall be carried on by residents of the premises. **The number of persons engaged in the on-site operation of a home business shall not be more than four, excluding the residents.**

2. It shall be clearly secondary to the use of the premises for dwelling purposes and will not alter the character of the neighborhood or reduce the value of any surrounding property.

3. It shall result in no external evidence of the activity and shall not have an adverse effect on the environment or the surrounding properties as a result of noise, odors, smoke, dust, lights, soil, water or air pollution, excessive increases in traffic or in parking requirements, or as a result of other nuisances.

4. It shall have no outdoor display of goods, and no outdoor storage of materials or equipment unless screened from roads and surrounding properties by natural or structural means to such an extent and in such a manner as may be specifically required and approved by the Selectmen.

5. The residence or accessory buildings shall not provide window displays or other characteristics or features normally associated with commercial or business use.

6. There shall be no change in the exterior appearance of the residence or other structures on the property as a result of the use, unless specifically approved or required by the Selectmen.

Ballot Question: Are you in favor of adoption of Amendment No. 5 as proposed by the planning board for the Brookfield zoning ordinance as follows: to replace Article II, A (1)(b) regarding home businesses and home occupations with new language defining and separating the two uses and allowing both in the Residential Agricultural Zone by zoning permit issued by the Selectmen upon a finding that certain criteria are met. Home occupations are uses conducted entirely within a dwelling or accessory building only by a members of the family which are domiciled at the property; home businesses would allow up to four non-resident individuals. Home occupations may not change the outside appearance of any buildings, have any outside storage or display areas, generate unusual amounts of traffic or create a hazard or nuisance to any person or property. Home businesses must be secondary to the residential use of the property and not alter the character of the neighborhood or reduce surrounding property values; may not result in any external evidence of the business activities; have no outdoor display of goods or materials or equipment unless screened; have no window displays; or change the exterior appearance of the structures on the property, unless approved by the Selectmen.

Amendment 6. Redefine Article X.B from Accessory Building to Ancillary Structure:

Ancillary Structure: Anything constructed, the use of which requires location on or in the ground, or attachment to something having location on or in the ground, including stationary and portable carports and swimming pools which is incidental to the primary dwelling.

Ballot Question: Are you in favor of adoption of Amendment No. 6 as proposed by the planning board for the Brookfield zoning ordinance as follows: delete the definition of "accessory building" and adopt instead a definition of "ancillary structure" as anything constructed, the use of which requires location on or in the ground, or attachment to something having a location on or in the ground, which is incidental to the primary dwelling.

Amendment 7. Add viii & ix to RA-1 1.d ADUs

viii. The area of an ADU may not exceed 30% of the total floor area of the single family dwelling, including the ADU, or 750 sqft, whichever is larger.

ix. a camper, recreational vehicle, or manufactured home may not be used as an accessory dwelling unit.

Ballot Question: Are you in favor of adoption of Amendment No. 7 as proposed by the planning board for the Brookfield zoning ordinance as follows: add to the conditions under which Accessory Dwelling Units are permitted a restriction that the area of the ADU may not exceed 30% of the total floor area of the single family dwelling, including the ADU, or 750 square feet, whichever is larger; and to prohibit the use of campers, RVs, or manufactured homes as ADUs.

Amendment 8. Add K to Article III - General Provisions (HB 1021 add)

K. The use of land or structures primarily for religious purposes are permitted in all zoning districts, provided they comply with the Ordinance's provisions regarding height of structures, yard sizes, lot area, setbacks, open space, and building coverage requirements.

Ballot Question: Are you in favor of adoption of Amendment No. 8 as proposed by the planning board for the Brookfield zoning ordinance as follows: add the following general provision to ensure compliance with HB 1021 (2022): "The use of land or structures primarily for religious purposes are permitted in all zoning districts, provided they comply with the Ordinance's provisions regarding height of structures, yard sizes, lot area, setbacks, open space and building coverage requirements."