

SECTION 208: Special Features Overlay Zones

208.1 Description

The Special Features Overlay Zones are superimposed over all underlying zoning districts, and include Wetlands, Deer Wintering Areas, Wellhead Protection Areas, Meadowlands, Steep Slopes, Ridgelines, and Wildlife Corridors.

208.2 Purpose

The purpose of the Special Features Overlay Zones is to ensure the protection of the Town's ecological and aesthetic resources. The Town Plan has identified fragile areas, natural areas, critical wildlife habitat areas, and resource areas which deserve special attention. Due to the diversity of land use districts that include these resources, and land forms and land capabilities within these districts.

208.3 Application of Overlays

The provisions of the overlay zone take precedence over the requirements of the underlying districts. Unless otherwise noted, all proposed uses in the Special Features Overlay Zone shall be subject to conditional use review. In considering an application, the Development Review Board shall evaluate the immediate and long range impact of the proposed use on the resource. Specific standards for review involving each resource are listed below.

A. Surface Waters and Wetlands: Surface waters and wetlands identified in the overlay zone shall not be drained, filled, or altered to accommodate land development or agricultural use. Proposals for the development or agricultural use of a lot involving or adjacent to an identified surface waters and wetlands shall provide for adequate setbacks of roads, buildings, structures, cropland additives and sewage systems from the surface waters and wetland. Setbacks shall be no less than 100 feet, but may be increased by the Board to protect the following surface waters and wetland values:

1. water quality control
2. groundwater supply
3. flood and erosion control
4. flora and fauna
5. education and recreation

Surface Waters (including but not limited to lakes, ponds, streams) and Wetlands are identified on the Natural Resources maps.

B. Deer Wintering Areas (Deeryards): Land development immediately adjacent to a deeryard identified on the overlay zone shall be designed, sited, and undertaken in a manner compatible with the continued viability of the deeryard. Land development within a deeryard boundary shall be permitted only where the Board makes the following findings:

1. The parcel on which the development is proposed includes no land that is practical for development except that which is deeryard.
2. The proposed development can be designed, sited, and undertaken in a manner that minimizes the impact of the development on the continued viability of the deeryard.

Proposals for development of a parcel involving or adjacent to an identified deeryard shall be based upon consultation with and recommendations of representatives of the Vermont Department of Fish and Wildlife, and shall provide evidence of such consultation.

Where development is approved to take place within a deeryard or includes part or all of a deeryard in the land base for the development or the determination of its density, the remainder of the deeryard owned by the applicant shall be managed in a manner compatible with the continued viability of the deeryard. Evidence of such management may be provided by the preparation and implementation of a forest management plan approved by the Vermont Department of Fish and Wildlife and compliance with that plan.

Deer Wintering Areas are identified on the Natural Resources maps.

C. Wellhead Protection Areas: The Board shall consider such factors as the amount and type of wastes to be generated by the proposed use and the adequacy of the proposed disposal system, and the capability of the land and water to sustain such use without degradation. The Board may consult with the Vermont Agency of Natural Resources Department of Environmental Conservation for assistance or require certification by a registered professional engineer that the project will not result in degradation of the water supply. Any development within a State designated wellhead protection area shall demonstrate compliance with applicable state regulations.

Wellhead Protection Areas are identified on the Natural Resources maps.

D. Meadowland: Meadowland is hereby construed to mean open fields or cropland. Land development other than agricultural uses, or outdoor recreation uses compatible with agricultural uses, may be permitted on meadowlands identified on the overlay only where the Board makes the following findings:

1. The parcel on which the development is proposed contains no land that is practical for development except that which is meadowland.
2. The placement of the use on the parcel: minimizes the disruption of the scenic quality of the site; retains the maximum possible area for present

and/or future agricultural use through such means as clustering under Open Space Development provisions, reduction in allowable density, sale or donation of development rights; and maximizes the use of the least productive land and the protection of primary agricultural soils.

3. The development will minimize conflict with existing or potential agricultural uses in the area.
4. Unnecessary hardship has not been created by the applicant.
5. Structures, roadways, utilities and driveways shall be located on the periphery of the meadowlands in a manner that avoids or minimizes encroachment into the meadowland.
6. No overhead utility lines shall be constructed through meadowlands.

Meadowlands are identified on the Meadowlands (aerial) map.

- E. Steep Slopes:** Development on slopes in excess of 20% grade is prohibited. However, access roads across a slope in excess of 20% may be permitted provided the access road itself does not have a slope in excess of 15% and that adequate erosion control measures are followed.

Steep Slopes are identified on the Natural Resources maps.

- F. Ridgelines:** Buildings shall be sited to avoid ridgelines, mountain peaks, hilltops and steep slopes or in a manner that would not disrupt their scenic quality. Development in these areas shall take advantage of the natural terrain of intermediate slopes and terraces.

Ridgelines are identified on the Contours map.

- G. Wildlife Corridor:** Wildlife corridors are those areas of land that permit wildlife such as deer, bear, moose, bobcat, and other animals to move from one area of their range to another. Habitat fragmented by development, such as roads and houses, prevent wildlife from accessing their full home range. It is important that animals be able to move for food and to preserve genetic diversity of the species. These corridors also help provide contiguous habitat for plants, invertebrates that are essential pollinators, and other wildlife. Wildlife corridors are crucial for bears as they must be able to move seasonally to areas of mast production, beech and oak nuts, in order to prepare for hibernation.

Natural Resources Shrewsbury, Map 1 of 2, delineates important north-south corridors on both the Eastern and Western boundaries of Shrewsbury. Any development in these areas shall be reviewed by the DRB to insure minimum disruption/fragmentation of the wildlife corridors.

Land development immediately adjacent to a Wildlife Corridor identified on the overlay zone shall be designed, sited, and undertaken in a manner

compatible with the continued viability of the Wildlife Corridor. Land development within a Wildlife Corridor boundary shall be permitted only where the Board makes the following findings:

1. The parcel on which the development is proposed includes no land that is practical for development except that which is Wildlife Corridor.
2. The proposed development can be designed, sited, and undertaken in a manner that minimizes the impact of the development on the continued viability of the Wildlife Corridor.
3. The proposed development shall be clustered in a group arrangement rather than in a linear arrangement along the wildlife corridor travel ways.
4. Development on the parcel shall be located as far from the wildlife travel ways as possible.

Proposals for development of a lot involving or adjacent to an identified Wildlife Corridor shall be based upon consultation with representatives of and recommendations by the Vermont Department of Fish and Wildlife, and shall provided evidence of such consultation.

Where development takes place within a Wildlife Corridor or includes part or all of a Wildlife Corridor in the land base for the development or the determination of its density, the remainder of the Wildlife Corridor owned by the applicant shall be managed in a manner compatible with the continued viability of the Wildlife Corridor. This may include the preparation and implementation of a management plan approved by the Vermont Department of Fish and Wildlife.

Wildlife Corridors are identified on the Natural Resources maps.