

Draft 1/25/11

Approved by the Selectboard on 11/28/11

Adaptive Reuse of Motel Properties

4.1.1.4.6 Adaptive reuse of existing transient lodging properties along Historic Route 7A to single or multifamily dwellings. The maximum number of dwelling units permitted in said building(s) shall be determined by the number of units allowed pursuant to approved and currently valid as of January 1, 2011 Vermont state permits for existing water supply and existing wastewater disposal issued by the Department of Environmental Conservation and shall not be controlled by the minimum area per dwelling unit shown in Section 4.1.2. Such adaptive reuse shall be subject to approval by the DRB under Section 3.5 of the Bylaw, Conditional Use Regulations. Existing buildings or portions thereof shall be exempt from *external* setback regulations. All new construction shall comply with external setbacks. Setback regulations for buildings on the same lot shall not apply. Other regulations of the underlying zoning may be relaxed at the discretion of the Development Review Board.

10% of the total number of units rounded up to the nearest whole unit, or a minimum of one unit, whichever is greater, of an adaptive reuse project shall be legally defined and protected as “affordable” consistent with the current Vermont Housing Finance Agency (VHFA) income limits and purchase price limits for Bennington County. All unit(s) designated as “affordable”, whether offered as an ownership or rental housing option shall include all relevant costs as defined in VHFA guidelines.

Prior to issuance of any permits under this bylaw, the applicant must demonstrate to the Development Review Board the legal and binding mechanism which will be put in place to affirm compliance with this clause. Prior to issuance of any Certificate of Occupancy associated with the project the applicant must demonstrate and affirm the affordable housing protections are in place.