



# TOWN OF WEATHERSFIELD

LAND USE ADMINISTRATOR'S OFFICE

(802) 674-2626

P.O. BOX 550 ASCUTNEY, VT 05030

landuse@weathersfield.org

## Planning Commission Agenda

Martin Memorial Hall – 5259 Route 5, Ascutney, Vermont 05030

Tuesday, 26 May 2020 - 7 PM

1. Call to order
2. Agenda Review – 26 May 2020
3. Comments from the Chair and Land Use Administrator
4. Comments from Citizens regarding items not on this agenda
5. Discussion of the Energy Coordinator's role with the Planning Commission.
6. Discussion and vote for approval of Green Lantern Preferred Site Letter
7. Approval of Meeting Minutes – 11 May 2020
8. Zoning Bylaw Updates
9. (a) Conservation of Natural Resources bylaw - Riparian buffers
10. (b) Changes to zoning map
11. (c) Evaluation of and possible changes to definitions in zoning bylaws
12. (d) Status spreadsheet review
13. Adjourn

The next regularly scheduled meeting of the Planning Commission will be **Monday, Jun 8, 2020 - 7 PM**, Martin Memorial Hall.

Due to COVID-19, the public will attend the meeting electronically via GoToMeeting. Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/381368877>

You can also dial in using your phone.

United States: +1 (646) 749-3122

- One-touch: <tel:+16467493122,,381368877#>

Access Code: 381-368-877



The first part of the paper discusses the importance of the research and the objectives of the study. It then presents a literature review of the existing research on the topic. The methodology section describes the research design and the data collection process. The results section presents the findings of the study, and the conclusion section summarizes the main findings and provides recommendations for future research.

The study was conducted in a laboratory setting, and the data was collected using a series of experiments. The results of the experiments were analyzed using statistical methods, and the findings were compared with the results of previous studies. The study found that the research objectives were achieved, and the results were consistent with the findings of previous research.

The study has several limitations, and there are some areas that need to be explored in future research. The study was conducted in a laboratory setting, and the results may not be generalizable to real-world situations. The study also had a limited sample size, and the results may be affected by the characteristics of the sample.

In conclusion, the study provides valuable insights into the research topic, and the findings are consistent with the findings of previous research. The study also identifies some limitations and areas for future research, which will help to improve the understanding of the research topic.







# **TOWN OF WEATHERSFIELD PLANNING COMMISSION**

5259 US Route 5, Ascutney, VT 05030  
(802) 674-2626

May 20, 2020

Public Utility Commission  
112 State Street  
Montpelier, VT 05620-2701

## **Re: Designation of proposed solar site as “Preferred Site” under Rule 5.100**

Dear PUC Members:

The Green Lantern Group (“the Developer”) has proposed to locate a net-metered solar array, designated as “Weathersfield GLC Solar, LLC,” (“the Project”) at 1465 VT-106 Perkinsville, VT 05151 (SPAN# 70522410631; parcel #11-02-01.000), currently owned by Brian Walters. Toward that end, the Developer asked the Weathersfield Planning Commission on November 25, 2019 for a letter of support for the proposed site in accordance with Net Metering Rule 5.103, “Preferred Site,” (7), clause 2.

The proposed site of the Project lies within our jurisdiction, and we have discussed the site with the Developer, reviewed visual renderings, and walked the site. It is our understanding that primary agricultural soils at the site will not be removed, damaged, or taken out of production as a result of the Project. Based on our review, we voted at our May 11, 2020 meeting to support the Project location as a designated “Preferred Site” under Net Metering Rule 5.103, “Preferred Site,” (7), clause 2.

Please note that the Weathersfield Planning Commission takes no position certifying or approving the Project’s compliance with any other applicable provisions of Vermont law. Our sole aim in this letter is to state our support for designating the Project location as a “Preferred Site” under Net Metering Rule 5.103, “Preferred Site,” (7), clause 2. Thank you for your attention to this matter.

Sincerely,

Paul Tillman, Planning Commission Chair

David Fuller, Selectboard Chair

cc: Ralph Meima, Green Lantern Group



The first part of the paper discusses the importance of maintaining accurate records of all transactions. This is essential for ensuring the integrity of the financial system and for providing a clear audit trail. The second part of the paper focuses on the role of the auditor in verifying the accuracy of the records. The auditor must ensure that all transactions are properly recorded and that the records are consistent with the underlying business transactions. The third part of the paper discusses the importance of maintaining accurate records of all transactions. This is essential for ensuring the integrity of the financial system and for providing a clear audit trail. The fourth part of the paper focuses on the role of the auditor in verifying the accuracy of the records. The auditor must ensure that all transactions are properly recorded and that the records are consistent with the underlying business transactions.



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# TOWN OF WEATHERSFIELD

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## MEMORANDUM

To: Weathersfield Planning Commission  
From: Chris Whidden, Land Use Administrator  
Date: 5/7/2020  
Re: Energy Coordinator

The question presented is what does “may be” mean under 24 V.S.A. § 4322?

24 V.S.A. § 4321(a) states: “A planning commission may be created at any time by the act of the legislative body of a municipality.” 24 V.S.A. § 4322 states “The selectboard of a rural town, or not more than two elected or appointed officials of an urban municipality who are chosen by the legislative body of the urban municipality, shall be nonvoting ex officio members of a planning commission. If a municipality has an energy coordinator under chapter 33, subchapter 12 of this title, the energy coordinator may be a nonvoting ex officio member of the planning commission.” The Town Bylaws are silent as to this issue.

Here, the legislative body of the municipality is the Selectboard. The Selectboard made the Land Use Administrator Weathersfield’s first ex officio member (non-voting) of the Planning Commission. The Land Use Administrator’s status as an ex-officio member is not subject to the items on the agenda, nor to the election/appointment of new officers in the Planning Commission. The Administrator is appointed by the Selectboard, as is the Energy Coordinator. The only limitation on the Land Use Administrator’s ex-officio membership in the Planning Commission are in situations where there is a conflict of interest, which would be a very rare circumstance because the Land Use Administrator is a non-voting member, and is not present here.

Therefore, it is likely that the choice to make the Energy Coordinator an ex officio member does not lie within the Planning Commission, but rather the Selectboard (the legislative body of the town). Ex-officio membership would thus endure the duration of the Energy Coordinator’s appointment, and would then continue to the next appointee. The termination of the ex-officio membership would also require Selectboard action. If the Selectboard were to make the Energy Coordinator an ex officio member, they could not make another person an ex-officio member because they would have reached their statutory limit of two under 24 V.S.A. § 4322. Thus, “may be” means that the Selectboard may give the Energy Coordinator ex-officio status on the Planning Commission, but they are not required to by law, and are in fact limited in the number of ex-officio members they can appoint to the Planning Commission.



The first part of the paper discusses the importance of maintaining accurate records of all transactions, including sales, purchases, and expenses. This is essential for ensuring the integrity of the financial statements and for providing a clear audit trail. The second part of the paper focuses on the importance of maintaining accurate records of all assets and liabilities, including property, equipment, and accounts payable. This is essential for ensuring the accuracy of the balance sheet and for providing a clear audit trail. The third part of the paper discusses the importance of maintaining accurate records of all income and expenses, including salaries, wages, and interest. This is essential for ensuring the accuracy of the income statement and for providing a clear audit trail. The fourth part of the paper focuses on the importance of maintaining accurate records of all cash flows, including receipts and payments. This is essential for ensuring the accuracy of the cash flow statement and for providing a clear audit trail. The fifth part of the paper discusses the importance of maintaining accurate records of all taxes, including income tax, sales tax, and property tax. This is essential for ensuring the accuracy of the tax returns and for providing a clear audit trail. The sixth part of the paper focuses on the importance of maintaining accurate records of all other financial information, including bank statements, credit card statements, and insurance policies. This is essential for ensuring the accuracy of the financial statements and for providing a clear audit trail.







(State Standards?)  
(VT Agency of Agriculture)  
Criteria for mapped waterways?

## Riparian Buffers bylaw

### 6.10.1 Riparian Buffers

(NRCs)

Any use or structure requiring a zoning permit must be setback a minimum of twenty five (25) feet from the boundaries of the below specified buffer zones. (EXAMPLE: An accessory garage to a residential use must be 50 feet total from the regular high water mark of a river or stream per Section 6.10.1(1)(a): 25 foot riparian buffer + 25 foot setback from the edge of the riparian buffer)

(1) **Rivers and Streams.** Any river or stream with a ~~channel width~~ <sup>mapped</sup> greater than four (4) feet at the regular high water mark is subject to the following buffer requirements:

→ any stream identified in data set

(a) **Residential uses.** A buffer of twenty five (25) feet from the regular high water mark of the river or stream must be maintained.

(b) **All other uses.** A buffer of fifty (50) feet from the regular high water mark of the river or stream must be maintained.

(2) **Wetlands.** Minimum buffers to wetland boundaries are as set forth under Vermont State law.

29 VSA etc.

(3) **Vernal pools.** A buffer of one hundred fifty (150) feet from the boundary of any vernal pool mapped on the Agency of Natural Resources Atlas must be maintained, whether confirmed or unconfirmed. If unconfirmed, adequate proof must be obtained that no vernal pool exists to obtain exemption from the buffer requirement.

(4) **Steep slopes exception.** Wherever the average grade within the normally required buffer area exceeds fifteen percent (15%), the required buffer width is doubled on that side of the waterway, stream or wetland.

(5) **Maintenance standards.** Riparian buffer zones are to be left in an undisturbed and unmowed vegetated condition, except for the following:

(a) Removal of vegetation not to exceed 5% of the buffer area.

(b) Replacement of underbrush with native vegetation more appropriate to a riparian zone.

(c) Trimming of trees, provided that the overall canopy is maintained.

(d) Removal or control of noxious weeds as identified by the Vermont Agency of Natural Resources.

(e) Stream crossings must be approved by the State of Vermont River Management Program where required by the State of Vermont.

(f) Removal of hazard trees, if the Town tree warden determines that a tree is a danger to public safety and welfare because of defect, decay or lack of support; or a tree constitutes a threat to other trees because it harbors or breeds noxious insects, disease or pests. Stumps must be left in place unless doing so would pose a continuing risk to public safety or other trees.



## 3.2 Conservation of Natural Resources

### 3.2.1 Agricultural Zoning

Contiguous prime agricultural soils of state-wide significance on any property that is greater than the three acre exemption shall not be further subdivided to achieve the exemption status. There is a process within the zoning bylaws to evaluate the status of protection of prime agricultural soils.

Prime land identified by the Natural Resources Conservation Service (NRCS) as "P – prime" or "S - statewide significant" and as described in the Farmland Classification System for Vermont Soils, published by the United States Department of Agriculture (USDA) - NRCS and available at <http://www.nrb.state.vt.us/lup/publications/importantfarmlands.pdf>, is land to be preserved.

These lands are shown on the map, "Important Farmland Soils, Weathersfield, Vermont" printed by Southern Windsor County Regional Planning Commission (SWCRPC) based on data provided by the USDA. Additional information can be obtained from the USDA Web Soil Survey at <http://websoilsurvey.nrcs.usda.gov/app/>.

Applicants or interested parties may challenge applicability of this section to a project site. Challenges may be based upon the "Farmland Classification System for Vermont Soils" and/or the "Weathersfield, VT, Farmland Conversion Impact Rating" (Appendix #3). A score of less than 160 points on the Weathersfield, VT, Farmland Conversion Impact Rating shall exempt a project site from this section.

Land uses on P- or S- designated soils other than agricultural or forestry shall require a conditional use permit from the Zoning Board of Adjustment. The Zoning Board shall condition the proposed land use so as to maximize preservation of the protected soils. In no event shall the total area of impermeable surfaces on the P- or S-designated soils - existing and proposed combined - exceed 10% of the total area of the mapped protected soils on the parcel.

A conditional use permit shall not be required when an attached addition to an existing building is proposed that will not result in greater than 10% impermeable surface on the protected soil or on lots which contain three (3) or less acres of contiguous P- or S-designated soils or for an accessory structure that is to be located within 50 feet of the primary structure and that will not result in greater than 10% impermeable surface on the protected soil.

Impermeable surface is defined for the purpose of this bylaw as any manmade surface including, but not limited to, paved and unpaved roads, parking areas, roofs, driveways, walkways, decks and pools that disturb the soil such that it is no longer useable for agricultural purposes.

### 3.2.2 Places having unique ecological interest or value

As authorized in 24 V.S.A. § 4411, places having unique ecological interest or value may be regulated in all districts. Any development or use subject to Site Plan review or Conditional Use approval must mitigate impacts to any scenic, cultural, historic, ecological, or any other important resource identified in the Town Plan or the 1992 Biological Natural Areas of Weathersfield, VT study by Elizabeth H. Thompson. Applications may be denied by the Zoning Board of Adjustment if the Board deems measures taken to mitigate impacts to be insufficient.

Applications for Site Plan Review and Conditional Use must include a statement that the "1992 Biological Natural Areas of Weathersfield, Vermont", prepared by Elizabeth H. Thompson, has been reviewed for potential disturbances or threats. This publication is available at the Town Office.



### *3.2.3 Connecticut River*

Setbacks along the Connecticut River shall be a minimum of 100 horizontal feet from the top of bank or top of slope. Flood Hazard and/or River Corridor provisions may also apply (see Section 5.7).

Construction of docks and landings are conditional upon approval of the U.S. Army Corps of Engineers and the Vermont Fish and Wildlife Department.

Any development along the Connecticut River shall be evaluated for the impact it will have on the scenic, recreational, ecological, and agricultural value of the River.

The Connecticut River Joint Commissions: Corridor Management Plan shall serve as a reference to guide the protection of resources of the Connecticut River Valley. the River.

### *3.2.5 Pond Construction*

- a) To protect the lives and property of citizens, the infrastructure of the community, and the health of the natural environment, the construction of ponds shall require a zoning permit.
- b) The purpose of regulating construction is to reduce the possibility of failure from improper design or construction, to minimize potential flood damages incurred to upstream properties by the storage of flood waters, and to minimize the damages caused by the sudden release of stored waters from a failure of the dam or intentional rapid draining of the impoundment.
- c) The creation of ponds and other impoundments less than 5,000 cubic feet is allowed as an accessory use upon application and receipt of a zoning permit.
- d) A pond measuring 5,000 cubic feet or more shall require a conditional use permit.
- e) The construction of any pond upon any permanent or seasonal stream, or using stream water as a source, is prohibited, unless approved by the Vermont Department of Environmental Conservation, in accordance with 10 V.S.A. Chapter 41.
- f) Pond discharges into a stream may be possible provided they do not violate the Vermont Water Quality Standards for temperature, dissolved oxygen, and turbidity of the permanent stream or pond receiving the discharge.
- g) Any pond involving the impoundment of water through the creation of an embankment, berm or other structure that exceeds the natural grade must provide documentation from a licensed engineer of the likely results of catastrophic failure of the impoundment. This exercise is not to evaluate the likelihood of failure but to examine worst case scenarios (terrorism, major accident, extreme negligence, etc.).
- h) All impoundments must have an emergency spillway, designed by a Vermont licensed engineer, capable of passing flows that exceed what the control structure is capable of handling. All drainage shall flow into established watercourses.

#### **Conditional Use Review**

All ponds and other impoundments 5,000 cubic feet or more are subject to conditional use review. In granting approval, the Zoning Board of Adjustment must find that the proposed pond is located where failure of the embankment, berm, or other structure would not cause:

- 1. Loss of life;
- 2. Injury to persons or livestock;



3. Damage to residences, commercial or industrial buildings;
4. Damage to roads, bridges, culverts, or other infrastructures; or
5. Interruptions of the use of public utilities.

### **Conditions of Approval**

Upon issuance of conditional use approval, the Zoning Board of Adjustment shall note that the owner of the property is responsible for the safe functioning of the pond and is liable for its failure if the owner does not maintain, repair, or operate the pond in a safe and proper manner.

### **Construction Standards**

1. Excavated soil must be disposed of in an upland site so as not to wash back into water bodies and wetlands. All areas above the pond's waterline stripped of vegetation during construction must be seeded and mulched as soon as possible after construction is completed.
2. The banks of ponds should be no steeper than a 3:1 slope (i.e., three feet horizontally to one foot vertically) out to a depth of three feet.
3. Ponds and their supporting structures shall not encroach on highway rights-of-way.

### **3.2.7 Steep Slopes and High Elevation**

These lands are most often located in forested areas that serve as vital groundwater recharge and critical habitat and travel corridors for wildlife and as a consequence are better left undisturbed.

Development shall be sited in a manner that will cause a minimum of disturbances to the natural landscape and is prohibited on land 1,500 feet or above elevation and on slopes greater than 25%.

These conditions make the land highly susceptible to erosion and should be protected from any development.

### **3.2.8 Streambank Conservation**

#### **Purpose**

The purpose of this bylaw is to prevent:

- erosion of soils adjacent to streams;
- sedimentation of streams;
- destruction of stream bank habitat.

#### **Application**

This bylaw shall be applied to any stream wherever the stream channel width is greater than four (4) feet at the regular high water mark. These streams shall be referred to as "protected streams". (See definition of stream.)

#### **Method**

- A naturally vegetated buffer strip of no less than 25 feet shall be maintained on the banks of protected streams.
- The width of the buffer strip shall be measured from the top of bank or top of slope.
- New development or improvements to existing development located within the 25 foot



buffer areas shall be subject to the Flood Hazard and/or River Corridor provisions in accordance with **Section 5.7**.

- No manipulation of the buffer vegetation, other than approved management practices or approved stream crossings, shall occur within the buffer strip.

#### Approved Management Practices

The following activities are allowed to occur within a protected stream bank buffer:

- Removal of invasive species
- Cutting hazard trees and/or limbs (stump shall remain)
- Removal of debris

#### *3.2.9 Wetlands*

A naturally vegetated buffer strip shall be maintained, of at least 50 feet in uniform width, for Class Two wetlands, and 100 feet in uniform width, for Class One wetlands.

No development, dredging, ditching or manipulation of vegetation will be permitted within the buffer strip or within the wetland unless in conformance with the Vermont Wetlands Rules.

(For conformance requirements, the applicant should contact the Vermont Department of Environmental Conservation.)

#### *3.3 Damaged Structures*

Within forty-eight (48) hours, the property owner shall post warnings and take precautionary measures upon and around the premises to insure the safety and welfare of the public.

Within six (6) months after any building or structure has burned, collapsed, or otherwise been destroyed or demolished, all structural materials shall be removed from the site and the excavation thus remaining shall be covered or filled to existing grades. An extension of time for such site work may be granted by the Zoning Administrator under extenuating circumstances (e.g. insurance delays, financing, weather, etc.).

Nothing in these zoning bylaws shall prevent the commencement of reconstruction or restoration within eighteen (18) months of a building damaged by fire, accident, or act of God, to its condition prior to such damage. Such reconstruction shall be a permitted use and no Special Procedures shall apply, excepting the reconstruction of buildings located in flood hazard areas for which a permit is required under **Section 6.20 - Floodplain and Floodways**. An extension of time for such reconstruction may be granted by the Zoning Administrator under extenuating circumstances (e.g. insurance delays, financing, weather, etc.).



## Proposed new bylaws:

### Agricultural Soils bylaw

#### 3.2.1 Agricultural Soils

(1) Conditional use approval is required for any development or use on “prime” or “statewide significant” soils as defined by the US Department of Agriculture, unless one of the following exemptions applies:

- (a) The development or use is within the Village, Hamlet, Highway Commercial or Industrial district; or
- (b) The development will not result in impermeable surfaces covering greater than 10% of the portion of “prime” or “statewide significant” soils existing on the parcel; or
- (c) The parcel contains 4 or less contiguous acres of “prime” or “statewide significant” soils; or
- (d) The Farmland Conversion Impact Rating score is less than 160 points (see Appendix to calculate).

Subdivision regs: Current language:

X “Contiguous prime agricultural soils of state-wide significance on any property that is greater than the four acre exemption shall not be further subdivided to achieve the exemption status.”

10 acres or less cannot be subdivided?  
8 acres

### Ponds bylaw

#### 6.10.4 Ponds

(1) **Setbacks.** Unless otherwise prohibited by State law, ponds are subject to a minimum 10 foot side, rear and front setback.

(2) **Exempt ponds.\* (see notes at bottom)** The construction or creation of a pond meeting the following criteria does not require a zoning permit:

- (a) Total surface area does not exceed 5,000 square feet; and
- (b) The maximum depth at any point is 20 feet or less; and
- (c) The pond does not require the construction of an embankment, such as an earthen dike, concrete dam or spillway.

(3) **Hydric soils.** Notwithstanding the above, construction of ponds within 50 feet of hydric soils as mapped by the Vermont Agency of Natural Resources requires a conditional use permit for wetland determination.



→ stronger legal agreement eg. maintenance maybe

(4) **Ponds on multiple parcels.** Ponds may be constructed across property lines with the written agreement of the parcel owners.

(5) **Ponds subject to conditional use permit.** The construction of any pond not specifically exempted under section 6.10.4(1) requires a conditional use permit. The following requirements apply:

- (a) The pond must be designed by a professional engineer, licensed by the State of Vermont, with expertise in pond design and construction.
- (b) The design of all water control structures must be based on the size of the watershed area that drains into the pond and, at minimum, a 25-year storm event.
- (c) An emergency spillway capable of passing flows which exceed the capacity of the control structures must be constructed.
- (d) The property owner acknowledges, as a condition of the conditional use permit, responsibility for the pond's safety and liability for the pond's failure if the pond is not maintained, repaired and operated in a safe and proper manner.
- (e) It is demonstrated to the satisfaction of the Zoning Board of Adjustment that the pond and associated spillway areas will not adversely affect municipal facilities, other properties, or downstream drainage. The Zoning Board of Adjustment may require that an applicant obtain easements from other property owners covering impoundment or spillway areas, if those impoundment or spillway areas will extend onto or have the potential to flood those other properties.

**NOTES TO PONDS:** State and Federal permits often apply to pond construction. In particular, ponds capable of impounding 500,000 cubic feet, and work in or near streams, wetlands or rivers. You are responsible for following all State and Federal requirements.

## Steep Slopes bylaw

### 6.10.10 Steep Slopes and High Elevation

Development is prohibited on land 1,500 feet or above elevation and on slopes greater than 25%, with the exception of the following:

- (1) No permit required: Fixed ladders, stairways, fixed cables, or other structures as may be deemed similar in nature by the Zoning Board of Adjustment.
- (2) Conditional use approval required:
  - (a) Ski lifts.
  - (b) Primitive camps as defined by the Vermont Agency of Natural Resources, not exceeding 400 square feet in size.











## Article 7: Definitions

For the purposes of these Bylaws, meanings for the following words and phrases shall be as defined below. All other words shall retain their dictionary meaning (Webster's Ninth New Collegiate Dictionary) unless such meanings run counter to the purposes and objectives of Weathersfield's Bylaws or Town Plan. The definitions of terms defined in 24 V.S.A. § 4303, and not otherwise defined herein are made a part of these Bylaws.

**A Zone:** That portion of the SFHA subject to a one percent chance of being equaled or exceeded in any given year. In the A Zone the base floodplain is mapped by approximate methods, i.e. Base Flood Elevations are not determined. This is often called unnumbered A Zone or approximate A Zone.

**Accessory Structure:** A structure which is: 1) detached from and clearly incidental and subordinate to the principal use of or structure on a lot, 2) located on the same lot as the principal structure or use, and 3) clearly and customarily related to the principal structure or use. For residential uses these include, but may not be limited to garages, garden and tool sheds, and playhouses.

**Accessory Use:** A use customarily incidental and subordinate to the principal use of the land or building. If there is a question whether the use is customary, determination shall be made by the Zoning Board of Adjustment.

**Affordable Housing:** Affordable housing means either of the following:

1. Housing that is owned by its inhabitants whose gross annual household income does not exceed 80 percent of the county median income, or 80 percent of the standard metropolitan statistical area income if the municipality is located in such an area, as defined by the United States Department of Housing and Urban Development, and the total annual cost of the housing, including principal, interest, taxes, insurance, and condominium association fees is not more than 30 percent of the household's gross annual income.
2. Housing that is rented by its inhabitants whose gross annual household income does not exceed 80 percent of the county median income, or 80 percent of the standard metropolitan statistical area income if the municipality is located in such as area, as defined by the United States Department of Housing and Urban Development, and the total annual cost of the housing, including rent, utilities, and condominium association fees, is not more than 30 percent of the household's gross annual income.

**Affordable Housing Development:** A housing development of which at least 20 percent of the units or a minimum of five units, whichever is greater, are affordable housing units. Affordable units shall be subject to covenants or restrictions that preserve their affordability for a minimum of 15 years or longer as provided in municipal bylaws.

**Agriculture Use:** Land which is used for raising livestock, agricultural or forest products (includes farm structures and the storage of agricultural equipment); and, as an accessory use, the sale of agricultural products raised on the property. *[what is the state definition]? \*\*\**

**Airport Uses:** Fixed- and rotary-wing operations together with retail sales and service operations related to public, private, and general aviation, including aircraft sales, repair, and storage, commercial shipping and storage, restaurants, rental vehicles, and other uses designed to serve aviation passengers and industry.

**Appropriate Municipal Panel:** A planning commission, a board of adjustment or a legislative body performing development review

**Area of Special Flood Hazard:** This term is synonymous in meaning with the phrase "Special Flood Hazard Area" for the purposes of these bylaws.

**Athletic courts:** Private, residential tennis court, basketball court or similar activities.



**Average Grade:** The average of the distance from the top of foundation to the ground measured at all foundation corners of a building or structure.

**Background Noise:** Noise which exists at a point as a result of the combination of many distant sources, individually indistinguishable. In statistical terms, it is the level which is exceeded 90% of the time (L90) in which the measurement is taken.

**Bankfull Width** (or Channel Width): The width of a stream channel when flowing at a bankfull discharge. The bankfull discharge is the flow of water that first overtops the natural banks. This flow occurs, on average, about once every 1 to 2 years.

**Base Flood:** The flood having a one percent chance of being equaled or exceeded in any given year (commonly referred to as the "100-year flood").

**Base Flood Elevation:** The elevation of the water surface elevation resulting from a flood that has a 1 percent chance of equaling or exceeding that level in any given year. On the Flood Insurance Rate Map the elevation is usually in feet, in relation to the National Geodetic Vertical Datum of 1929, the North American Vertical Datum of 1988, or other datum referenced in the Flood Insurance Study report, or the average depth of the base flood, usually in feet, above the ground surface.

**Basement:** Any area of the building having its floor elevation subgrade (below ground level) on all sides.

**Bed-and-Breakfast:** A single family dwelling that provides sleeping accommodations for paying guests and tourists. May or may not provide meals in a central dining room. A bed-and-breakfast is limited to three bedrooms for paying guests.

**Boarding House (tourist home):** See Inn/small hotel.

**Buffer:** An undisturbed area consisting of trees, shrubs, ground cover plants, duff layer, and generally uneven ground surface that extends a specified distance horizontally across the surface of the land from the mean water level of an adjacent lake or from the top of the bank of an adjacent river or stream.

**Building:** A structure having a roof supported by columns and/or walls intended for the shelter or enclosure of persons, animals or chattel, excluding fences, and including a gas or liquid storage tank that is principally above ground.

**Building or Structure Height:** The distance from the average grade to the highest point on a building or structure.

**Cemetery:** Property used for the interment of the dead.

**Channel:** An area that contains continuously or periodic flowing water that is confined by banks and a streambed.

**Common Plan of Development:** Where a structure will be refurbished over a period of time. Such work might be planned unit by unit.

**Community Non-profit:** Primarily nonprofit uses generally available to the public. Includes museums, assembly halls, concert halls, private clubs, YMCA, YWCA, and in these Bylaws, mortuaries; and other uses deemed similar by the Zoning Board of Adjustment.

**Contractor's Storage Yard:** A lot or portion of a lot or parcel used to store and maintain construction equipment and other materials and facilities customarily required in the building trade by a construction contractor.

**Coverage:** That percentage of the lot area that is covered by buildings.

**Critical Facilities:** Include police stations, fire and rescue facilities, hospitals, shelters, schools, nursing homes, water supply and waste treatment facilities, and other structures the community identifies as essential to the health and welfare of the population and that are especially important following a disaster. For example, the type and location of a business may raise its status to a

"top of foundation w/ no more than 8 feet of foundation shaving."  
excluding cupolas, steeples, chimneys, elevator shafts, satellites, utilities

"state + federal"



Critical Facility, such as a grocery or gas station

**Daytime Hours:** Hours between 7:30 a.m. and 7:30 p.m., Monday through Saturday, and the hours between 10:00 a.m. and 7:30 p.m. on Sundays and holidays.

**Decibel:** (dB) A unit of measurement of the sound level.

**Development:** The division of a parcel into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any building or other structure or of any mining, excavation or landfill; and any change in the use of any building or other structure, land or extension of use of land.

**Development in the areas of special flood hazard:** Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

**District, Zoning District:** A part of the territory of the Town of Weathersfield within which certain uniform regulations and requirements or various combinations thereof apply under the provisions of these Bylaws.

**Dwelling, Dwelling Unit:** A building or part thereof, including a kitchen and bathroom, used as living quarters for a single individual or family (see definition of family).

**Emitter:** Source of noise.

**Excessive Noise:** Any sound, the intensity of which exceeds the standard set forth in **Section 6.13. of Zoning Bylaws**

**Existing Small Lot:** Any lot that is legally subdivided, is in individual and separate and nonaffiliated ownership from surrounding properties, is in existence on the date of enactment of any bylaw, and is too small to conform to the minimum lot size requirements for the zoning district in which it is located.

**Existing manufactured home park or subdivision:** A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

**Family:** For the purposes of these Bylaws, a family shall consist of any group of two or more persons, either related or unrelated, residing in and sharing the rooms of an individual dwelling unit in the same structure (i.e., persons related by blood, marriage, or adoption; housemates; unrelated friends sharing expenses).

**Family Child Care Home:** A family child care home or facility is a day care facility which provides for care on a regular basis in the caregiver's own residence for not more than ten children at any one time. Of this number, up to six children may be provided care on a full-time basis and the remainder on a part-time basis. For the purpose of this subdivision, care of a child on a part-time basis shall mean care of a school-age child for not more than four hours a day. These limits shall not include children who reside in the residence of the caregiver; except:

1. these part-time school-age children may be cared for on a full-day basis during school closing days, snow days and vacation days which occur during the school year; and
2. during the school summer vacation, up to 12 children may be cared for provided that at least six of these children are school age and a second staff person is present and on duty when the number of children in attendance exceeds six. These limits shall not include children who are required by law to attend school (age 7 and older) and who reside in the residence of the caregiver.

**Family Child Care Facility:** A state registered or licensed family child care facility serving ten or more children (at least six full-time and four part-time).

**Farming:** The cultivation or other use of land for growing food, fiber, Christmas trees, maple sap,



or horticultural and orchard crops; or the raising, feeding or management of livestock, poultry, equines, fish, or bees; or the operation of greenhouses; or the production of maple syrup; or the on-site storage, preparation and sale of agricultural products principally produced on the farm; or the on-site production of fuel or power from agricultural products or wastes produced on the farm.

**Farming structure:** A structure or structures that are used by a person for agricultural production that meets one or more of the following:

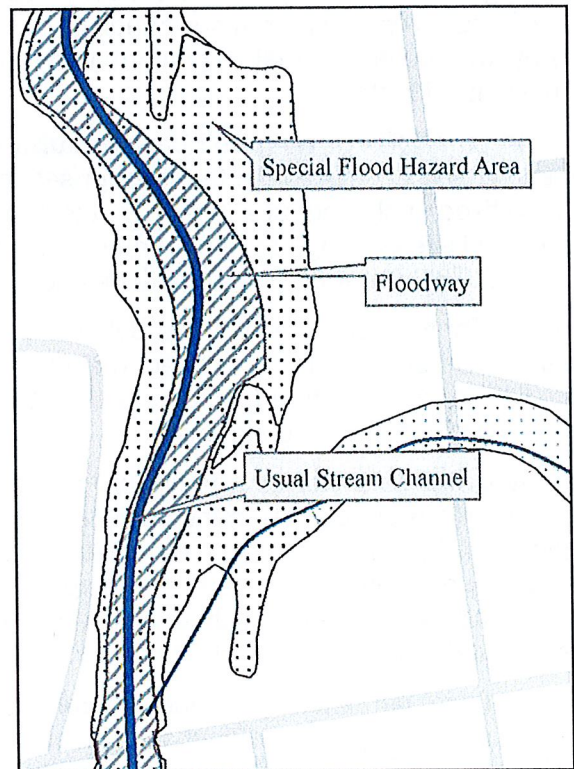
1. is used in connection with the sale of \$1,000 or more of agricultural products in a normal year; or
2. is used in connection with raising, feeding, and management of at least the following number of adult animals: four equines; five cattle or American bison; fifteen swine; fifteen goats; fifteen sheep; fifteen fallow deer; fifteen red deer; fifty turkeys; fifty geese; one-hundred laying hens; two-hundred and fifty broilers, pheasant, Chukar partridge, or Coturnix quail; three camelids; four raptures (ostriches, rheas, and emus); thirty rabbits; one hundred ducks; or one-thousand pounds of cultured trout; or
3. is used by a farmer filing with the Internal Revenue Service a 1040(F) income tax statement in at least one of the past two years; or
4. is on a farm with a business and farm management plan approved by the Secretary.

**Fill:** Any placed material that changes the natural grade, increases the elevation, or diminishes the flood storage capacity at the site.

**FIRM:** see Flood Insurance Rate Map.

**Flood:**

1. A general and temporary condition of partial or complete inundation of normally dry land areas from: the overflow of inland or tidal waters; the unusual and rapid accumulation or runoff of surface waters from any source; and mudslides which are proximately caused by flooding and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.
2. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding.



**Flood Insurance Rate Map (FIRM):** An official map of a community, on which the Federal Insurance Administrator has delineated both the special flood hazard areas and the risk premium zones applicable to the community. In some communities the hazard boundaries are available in paper, pdf, or Geographic Information System formats as a Digital Flood Insurance Rate Map (DFIRM).

**Flood Insurance Study:** An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations or an examination, evaluation and



determination of mudslide (i.e., mudflow) and /or flood related erosion hazards.

**Floodplain or flood-prone area:** Any land area susceptible to being inundated by water from any source (see definition of "flood").

**Flood proofing:** Any combination of structural and non-structural additions, changes, or adjustments to structures, which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

**Floodway:** The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot at any point. Please note that Special Flood Hazard Areas and floodways may be shown on a separate map panels.

**Fluvial Erosion:** Erosion caused by streams and rivers. Fluvial erosion can be catastrophic when a flood event causes a rapid adjustment of the stream channel size and/or location.

**Fluvial Geomorphic Equilibrium:** The width, depth, meander pattern, and longitudinal slope of a stream channel that occurs when water flow, sediment, and woody debris are transported by the stream in such a manner that it generally maintains dimensions, pattern, and slope without unnaturally aggrading or degrading (down-cutting) the channel bed elevation. When a stream or river is in an equilibrium condition the stream power and erosive process is minimized reducing damage to public and private infrastructure, reducing nutrient loading, and allowing for bank stability and habitat diversity.

**Formula Business:** A business which does or is required by contractual or other arrangement or as a franchise to maintain two (2) or more of the following items: standardized (Formula) array of services and/or merchandise including menu, trademark, logo, service mark, symbol, décor, architecture, façade, layout, uniforms, color scheme, and which are utilized by ten (10) or more other businesses worldwide regardless of ownership or location.

**Frontage:** The length of that portion of a lot which abuts a public road right-of-way or mean watermark of a public waterway. In the case of corner lots, it shall be that portion that has or is proposed to have access.

**Functionally dependent use:** A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities, that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

**Gasoline/Service Station:** A retail establishment at which motor vehicles are serviced, especially with fuel, air, and water; also called a filling station. Includes the retail sale of motor vehicle fuel carried on as part of other commercial or industrial activities.

**Group Home:** Any residential facility operating under a license or registration granted or recognized by a state agency, that serves not more than eight unrelated persons, who have a handicap or disability as defined in 9 V.S.A. § 4501, and who live together as a single housekeeping unit. In addition to room, board and supervision, residents of a group home may receive other services at the group home meeting their health, developmental or educational needs.

**Guest House:** An accessory residential structure with no kitchen (may or may not have bath facilities) used for the sole purpose of temporary housing for nonpaying guests.

**Hazardous Materials:** Those substances, materials, or agents in such quantity, state, and form as may constitute potential risk to the health and safety of the people and environment of the Town, and which may constitute a threat to property, including, without limitation, the following: explosives; radiative materials, etiologic agents, flammable materials, combustible materials, poisons, oxidizing or corrosive materials, and compressed gases. This shall also include any other materials listed as 'hazardous' by the Materials Transportation Bureau of the United States Department of Transportation, in Title 49 of the Code of Federal regulations, as amended, or

and/



and

those materials regulated pursuant to Title 10, Chapter 47, of the Vermont Statutes Annotated, or any other applicable Federal or State regulations.

**Highway-Commercial:** The use of a structure and/or lot for the following purposes:

1. motel or large hotel;
2. shopping plaza;
3. wholesale or retail sales;
4. drive-in theater;
5. restaurant;
6. drive-in food service;
7. drive-in bank;
8. lumber yard;
9. sales and service of automobiles, mobile homes, large boats or recreational vehicles;
10. dry cleaner;
11. bar; nightclub; or
12. any other purpose deemed by the Zoning Board of Adjustment to be similar in nature to those listed.

**Historic Structure:** Any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
3. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
4. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: (i) By an approved state program as determined by the Secretary of the Interior or (ii) Directly by the Secretary of the Interior in states without approved programs.

**Home-Based Business:** A professional, commercial, or light industrial activity that takes place on a residential property, is for gain by the resident(s), and where these activities are subordinate to (Level 1) or augment (Level 2) the residential use.

**Home-Based Occupation:** Employment activity that is carried on for gain by the resident and is clearly subordinate to the residential structure.

**Impulse Noise:** Noise of short duration, usually less than one second, with an abrupt onset and rapid decay.

**Indoor Recreational Facility:** A commercial or public facility for the following indoor activities: bowling, table tennis, tennis, pool, roller and ice skating, swimming, customary gym activities, rifle/pistol/archery, others deemed similar in nature by the Zoning Board of Adjustment.

**Industry:** The use of a building or land for the manufacture, production, processing, assembly or storage of goods or commodities. Includes research, testing, and large offices (more than ten employees); and others deemed similar in nature by the Zoning Board of Adjustment.

**Inn/Small hotel:** A commercial establishment offering sleeping accommodations for paying guests. Meals may be offered in a central restaurant or dining room on the premises, but no



cooking facilities are available to guests. The maximum number of guest rooms is eight. Tourist homes and boarding houses with four to eight rooms for guests are considered to be small hotels.  
~~(See also: Bed and Breakfast)~~

**Insignificant Activities and/or Repairs:**

1. Insignificant activities that involve the placement or erection of decorative or directional elements which do not result in new obstructions to flood flows or alter drainage or have the potential to be a substantial improvement. Insignificant activities may include mowing, planting a garden, adding soil amendments, installing a mail box for the delivery of US postal mail or newspaper, or erecting a flag pole. Insignificant activities will not result in new obstructions to flood flows or impair drainage or have the potential to be a substantial improvement; and/or,
2. Insignificant repairs that involve projects to fix or mend to a sound condition after decay or damage and the cost of which does not exceed \$500 or does not result in the replacement, alteration, addition or extension of an existing structure. Insignificant repairs will not result in new obstructions to flood flows or impair drainage or have the potential to be a substantial improvement.

**Junkyard:** A yard for the deposit, storage, or resale of any junk or discarded materials, machinery, or vehicles; whether or not in connection with any other commercial activity.

**Land Development:** The division of a parcel into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any building or other structure, or of any mining, excavation, or landfill, and any change in the use of any building or other structure, or land, or extension of use of land.

**Letter of Map Amendment (LOMA):** A letter issued by the Federal Emergency Management Agency officially removing a structure or lot from the flood hazard zone based on information provided by a licensed engineer or surveyor. This is used where structures or lots are located above the base flood elevation and have been inadvertently included in the mapped special flood hazard area.

**Light Industry:** Same as Industry, but limited to:

1. no more than 10 employees
2. buildings do not cover more than 10,000 square feet of land area;
3. production of noise, vibration, smoke, dust, heat, odor, glare or other disturbance shall not exceed what is characteristic of the District.
4. production of electrical interferences and line voltage variations must not create a nuisance.

**Lot:** A portion or parcel of land occupied or intended for occupancy by a use or a building.

**Lot Size:** The total area of land, excluding the road right-of-way, included within the property lines.

**Lowest Floor:** The lowest floor of the lowest enclosed area, including basement. An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of 44 CFR 60.3

**Lumber Yard:** An establishment for the retail or combined wholesale/retail sale of new lumber and/or other new building materials. For the purposes of these Bylaws, establishments engaged in the sale of other new building materials without the sale of new lumber are included.

**Manufactured Home (or Mobile Home):** A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a



“recreational vehicle”.

**Manufactured Home Park or Subdivision:** A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

**Mean Sea Level:** For the purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 and other data, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

**Medical Facility:** For the purposes of these Bylaws, a medical facility shall include hospitals, including nurses' residential quarters; nursing homes; and homes for the elderly or incapacitated.

**Mobile Home:** A structure or type of manufactured home that is built on a permanent chassis and is designed to be used as a dwelling with or without a permanent foundation, includes plumbing, heating, cooling, and electrical systems, and is:

1. transportable in one or more sections; and
2. at least eight feet wide or 40 feet long or when erected has at least 320 square feet or if the structure was constructed prior to June 15, 1976, at least eight feet wide or 32 feet long; or
3. any structure that meets all the requirements of this subdivision except for size and for which the manufacturer voluntarily files a certification required by the U.S. Department of Housing and Urban Development and complies with the standards established under Title 42 of the U.S. Code. as set forth in 10 V.S.A. § 6201(1).

**Mobile Home Park:** Any parcel of land under single or common ownership or control which contains, or is designed, laid out or adapted to accommodate, more than two mobile homes. Nothing herein shall be construed to apply to premises used solely for storage or display of mobile homes. Mobile Home Park does not mean any parcel of land under the ownership of an agricultural employer who may provide up to four mobile homes used by full-time workers or employees of the agricultural employer as a benefit or condition of employment or any parcel of land used solely on a seasonal basis for vacation or recreational mobile homes. 10 V.S.A. § 6201(2).

**Modular (or Prefabricated) Housing:** A dwelling unit constructed on-site and composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation.

**Motel:** A commercial lodging facility for transients, having a private outside entrance and one suitable automobile parking space for each room or suite of rooms.

**Multi-family Dwelling:** A building containing three or more individual dwellings with separate cooking and toilet facilities for each dwelling.

**Municipal Land Use Permit:** Means any of the following whenever issued:

1. A zoning, subdivision, site plan, or building permit or approval, any of which relate to “land development” as defined in this section, that has received final approval from the applicable board, commission, or officer of the municipality.
2. A wastewater system permit issued under any municipal ordinance adopted pursuant to 24 V.S.A. Chapter 102.
3. Final official minutes of a meeting that relate to a permit or approval described in (a) or (b) above that serve as the sole evidence of that permit or approval.
4. A Certificate of Occupancy, certificate of compliance, or similar certificate that relates to the permits or approvals described in (a) or (b) above, if the bylaws so require.
5. An amendment of any of the documents listed in (a) through (d) above.

**New construction:**



1. For the purposes of determining insurance rates, structures for which the “start of construction” commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures.
2. For floodplain management purposes, new construction means structures for which the *start of construction* commenced on or after the effective date of the floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

**New Manufactured Home Park or Subdivision:** A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the floodplain management regulations adopted by a community.

**Nightclub or Bar:** An establishment whose major activity is the service of alcoholic beverages for consumption on the premises and which may or may not provide entertainment.

**Nighttime Hours:** The hours between 7:30 p.m. and 7:30 a.m., Sunday evening through Saturday morning, except that Nighttime Hours shall mean the hours between 7:30 p.m. Saturday and 10:00 on Sunday and 7:30 p.m. of the day preceding a recognized, national holiday and 10:00 a.m. on said holiday.

**Noise Zone:** The geographic area between emitter and receptor of noise.

**Nonconforming Lots or Parcels:** Lots or parcels that do not conform to the present bylaws covering dimensional requirements but were in conformance with all applicable laws, ordinances, and regulations prior to the enactment of the present bylaws, including a lot or parcel improperly authorized as a result of error by the administrative officer.

**Nonconforming Structure:** A structure or part of a structure that does not conform to the present bylaws but was in conformance with all applicable laws, ordinances, and regulations prior to the enactment of the present bylaws, including a structure improperly authorized as a result of error by the administrative officer. Structures that were in violation of the flood hazard regulations at the time of their creation, and remain so, remain violations and are not nonconforming structures.

**Nonconforming Use:** Use of land that does not conform to the present bylaws but did conform to all applicable laws, ordinances, and regulations prior to the enactment of the present bylaws, including a use improperly authorized as a result of error by the administrative officer. **24 V.S.A. § 4303(15)**

**Nonconformity:** A nonconforming use, structure, lot or parcel.

**Non-highway Commercial:** The use of a structure and/or lot for the following purposes:

1. wholesaler,
2. fuel oil depot,
3. bottled gas depot,
4. coal depot,
5. lumber yard, and
6. other similar purposes as determined by the Zoning Board of Adjustment.

**Non-Residential:** Includes, but is not limited to: small business concerns, churches, schools, nursing homes, farm buildings (including grain bins and silos), pool houses, clubhouses, recreational buildings, government buildings, mercantile structures, agricultural and industrial structures, and warehouses.

**Outdoor Recreation Facility:** A commercial or public facility for the following out-of-doors activities: customary playing fields and municipal park activities (baseball, soccer field, etc.);



tennis, swimming, roller and ice skating, skiing, boating, fishing, horseback riding, golf, miniature golf, bicycling, or other similar activities as determined by the Zoning Board of Adjustment. Excludes tracks or trails for competitive and/or commercial use of motorized vehicles.

**Planned Residential Development (PRD):** An area for strictly residential use, in which the design and development promotes the most appropriate use of the land, to facilitate the adequate and economic provision of streets and utilities, and to preserve open space. PRD's designated as single family contains only single family residential structures; those designated as multi-family contain one or more multi-family residential structures.

**Planned Unit Development (PUD):** One or more lots, tracts, or parcels of land to be developed as a single entity, the plan for which may propose any authorized combination of density or intensity transfers or increases, as well as the mixing of land uses. This plan, as authorized, may deviate from bylaw requirements that are otherwise applicable to the area in which it is located with respect to lot size, bulk, or type of dwelling or building, use, density, intensity, lot coverage, parking, required common open space, or other standards.

**Pre-existing:** In existence prior to the adoption date of the original Bylaws, March 5, 1974.

**Prime Agricultural Land:** Prime land identified by the Natural Resources Conservation Service (NRCS) as "P – prime" or "S - statewide significant" and as described in the Farmland Classification System for Vermont Soils, published by the United States Department of Agriculture (USDA) - NRCS and available at <http://www.nrb.state.vt.us/lup/publications/importantfarmlands.pdf>.

**Public Water:** Any community drinking water distribution system, whether publicly or privately owned.

**Receptor:** With the intent of confining decibel levels higher than allowed to the emitter's property, the receptor is any abutting property receiving noise.

**Recreational Vehicle:** A vehicle which is: (a) Built on a single chassis; (b) 400 square feet or less when measured at the largest horizontal projection; (c) Designed to be self-propelled or permanently towable by a light duty truck; and (d) Designed primarily not for use as a permanent dwelling but as a temporary living quarters for recreational, camping, travel, or seasonal use.

**Regular High Water Mark:** The lower limit of vegetation on the streambank.

**Renewable Energy Resources:** Energy available for collection or conversion from direct sunlight, wind, running water, organically derived fuels, including wood and agricultural sources, waste heat, and geothermal sources.

**Residential Care Home:** A place, however named, excluding a licensed foster home, which provides, for profit or otherwise, room, board and personal care to nine or more residents unrelated to the home operator.

**Residential, Single-Family:** The use of a structure and/or lot to house a single individual or family (see definition for family).

**Residential Structure:** Any structure designed and constructed for human residence.

**Residential, Multi-family:** The use of a structure or lot to house three or more families (see definition for family) or individuals.

**Residential, Two-Family:** The use of a structure or lot to house two families (see definition for family). A legitimate home occupation is optional.

**River Corridor:** The land area adjacent to a river that is required to accommodate the



dimensions, slope, planform, and buffer of the naturally stable channel and that is necessary for the natural maintenance or natural restoration of a dynamic equilibrium condition, as that term is defined in 10 V.S.A. § 1422, and for minimization of fluvial erosion hazards, as delineated by the Agency in accordance with the ANR River Corridor Protection Guide.

**School:** Includes public, parochial and private kindergarten through college or university and accessory uses such as dormitories, fraternities and sororities. Shall not include commercially operated schools of business, driving, dance, music, cosmetology, beauty, culture, or similar establishments.

**Self-Storage Facility:** A building or group of buildings and associated external areas containing separate, individual, and private storage spaces available for lease or rent for the purpose of inactive storage only and which are not accessory structures to residential uses.

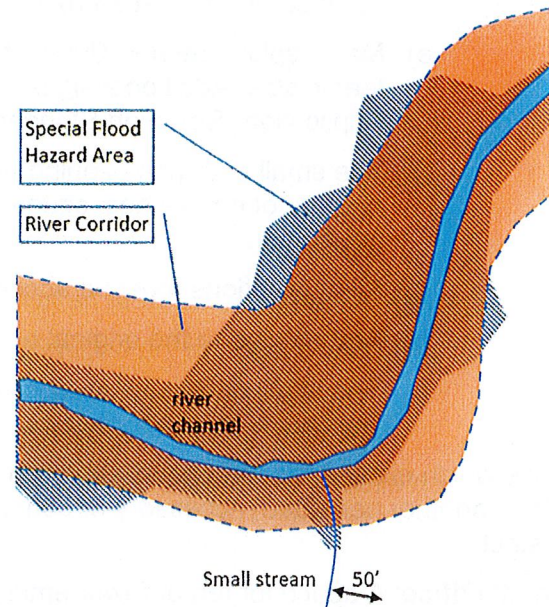
#### Setback:

1. The shortest distance between the exterior of a building and the nearest adjacent boundary of the building lot, measured at right angles to said boundary.
2. Porches are included as part of the building, however, steps are not.
3. Setbacks shall be measured from the nearest boundary of the road right-of-way.
4. When the road or right-of-way measures less than fifty feet in width or is of unknown width, a right-of-way width of 50 feet shall be assumed.
5. The edge of the right-of-way shall be determined by measuring half of the right-of-way width from the center of the traveled portion of the road.
6. Structures added to existing buildings in order to provide access to the disabled or handicapped (i.e., ramps, special stairways, elevators, etc.) are not required to meet setback requirements.
7. New building construction that includes such devices shall meet said requirements.

**Sign:** Any device, logo, structure, illustration, emblem, building, or part thereof for visual communication that is placed in view of the general public for the purpose of directing public attention to any business, industry, profession, product, service, or entertainment.

**Small Enterprise:** In Districts where permitted, the establishment of small enterprises is encouraged in order to promote sound economic development, to maintain the unique character of the community, to promote diversity of economic activity, and to provide a business environment benefitting from foot traffic and proximity. The small enterprise use aims to facilitate entrepreneurial activity by providing a narrow exception to obtaining a conditional use permit, while protecting and maintaining the character and diversity of businesses in the District. ~~All applicants are encouraged to consult with the Land Use Administrator prior to submitting an application.~~ The small enterprise shall meet all the criteria below:

- a) The small enterprise shall not be a **formula business** as defined in these Bylaws.
- b) Employs a maximum of five (5) employees on premises at a single point in time.
- c) Occupies a maximum building area of ~~800~~ **2000** square feet.
- d) Replacing and superseding Article 6.2.2(l)(3) for the purposes of this bylaw, only one (1) structure not in excess of 150 square feet is exempt from the zoning permit





requirement. All other provisions of Article 6.2.2(l) apply.

- e) May display one non-illuminated, non-reflective sign, a maximum of nine square feet in size. Additional signs may be permitted upon submission of a Zoning Permit Application (See Sign Standards in Section 3.8.)
- f) The small enterprise zoning application shall clearly define the type of business, number of employees, square footage allocated to the business, and traffic generation.
- g) All applications must be accompanied by a site plan.
- h) Any change to the original application shall require permit review.
- i) The small enterprise must comply with all performance standards set forth in Section 3.7 of these Bylaws.

Uses which exceed the thresholds established under this bylaw may still be permitted if falling within another permitted, accessory or conditional use category permitted in the same particular District.

**Small Office:** A space for ten or fewer employees with no deliveries and only employee parking allowed on-site.

**Sound Level Meter:** An instrument, including a microphone, an amplifier, an output meter, and frequency weighting networks for the measurement of sound levels. The Sound Level Meter shall conform to the ANSI Specifications for Sound Level Meters S1.4-1971.

**Special Flood Hazard Area (SFHA):** The floodplain within a community subject to a 1 percent or greater chance of flooding in any given year. For purposes of these regulations, the term "area of special flood hazard" is synonymous in meaning with the phrase "special flood hazard area". This area is usually labeled Zone A, AE, AO, AH, or A1-30 in the most current flood insurance studies and on the maps published by the Federal Emergency Management Agency. Maps of this area are available for viewing in the municipal office or online from the FEMA Map Service Center: [msc.fema.gov](http://msc.fema.gov). Base flood elevations have not been determined in Zone A where the flood risk has been mapped by approximate methods. Base flood elevations are shown at selected intervals on maps of Special Flood Hazard Areas that are determined by detailed methods. Please note, where floodways have been determined they may be shown on separate map panels from the Flood Insurance Rate Maps.

**Start of Construction:** For purposes of floodplain management, determines the effective map or bylaw that regulated development in the Special Flood Hazard Area. The "start of construction" includes substantial improvement, and means the date the building permit was issued provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footing, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, regardless whether that alteration affects the external dimensions of the building.

**Stream:** A perennial watercourse, or portion, segment or reach of a watercourse that, in the absence of abnormal, extended or severe drought, continuously conveys surface water flow. Human caused interruptions of flow; i.e. flow fluctuations associated with hydroelectric facility operations, or water withdrawals, shall not influence the determination. A perennial stream does not include the standing waters of wetlands, lakes, and ponds. Streams are indicated on the



Vermont Hydrography Dataset viewable on the Vermont Natural Resources Atlas.

**Structure:** An assembly of materials for occupancy or use for more than six (6) months. Fences, gates, stone walls, landscape timbers, sculptures, memorial monuments, TV antennae, and satellite dishes are not structures.

For floodplain management purposes, "structure" shall mean a walled and roofed building, including a gas or liquid storage tank that is principally above ground, as well as a manufactured home.

For flood insurance purposes, "structure" shall mean:

1. A building with two or more outside rigid walls and a fully secured roof that is affixed to a permanent site;
2. A manufactured home, also known as a mobile home, which is built on a permanent chassis, transported to its site in one or more sections, and affixed to a permanent foundation; or
3. A travel trailer without wheels built on a chassis and affixed to a permanent foundation, that is regulated under the community's floodplain management and building ordinances or laws, but does not include a recreational vehicle or a park trailer or other similar vehicle, or a gas or liquid storage tank.

**Structural Development:** The addition of a new structure to a parcel of land.

**Subdivision:** Either:

1. division of a parcel of land into two or more lots, plots, or sites; or
2. construction of a single structure containing two or more functional units, such as but not limited to: apartment buildings, condominiums, or shopping plazas, when such actions are taken for the purpose of sale, transfer of ownership, building development or property improvement.

The term subdivision includes re-subdivision.

Construction of a second principal structure on a lot shall be deemed a subdivision of the parcel.

**Substantial damage:** Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged conditions would equal or exceed 50 percent of the market value of the structure before the damage occurred.

**Substantial improvement:** Any reconstruction, rehabilitation, addition, or other improvement of a structure after the date of adoption of this bylaw, the cost of which, <sup>keep</sup> over three years, or over the period of a common plan of development, cumulatively equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either: (a) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specification which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions or (b) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

**Telecommunications Facility:** A tower or other support structure, including antennae that will extend 20 or more feet vertically, and related equipment, and base structures to be used primarily for communication or broadcast purposes to transmit or receive communication or broadcast signals.

**Top of Bank:** That vertical point along a stream bank where an abrupt change in slope is evident. For streams in wider valleys it is the point where the stream is generally able to overflow the banks and enter the floodplain. For steep and narrow valleys, it will generally be the same as the top of slope. See Figures 3 and 4 for representative illustrations for these terms.

q  
ok



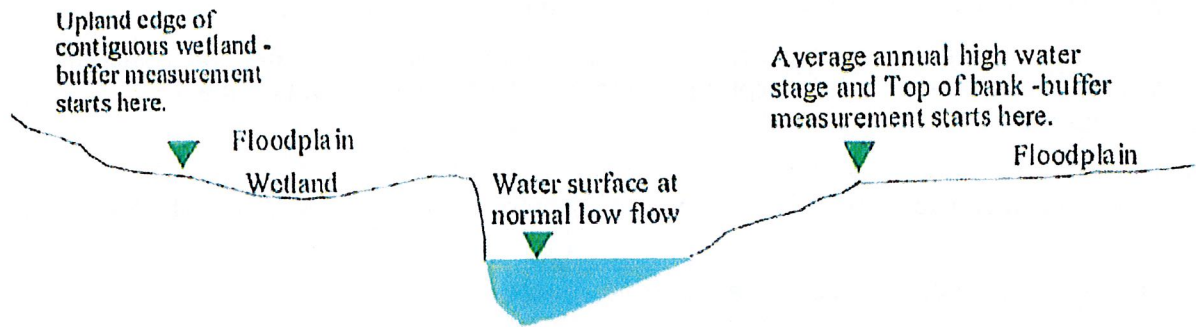


Figure 3: Illustration of "top of bank" (Source: Appendix C of the VT Riparian Buffer Guidelines)

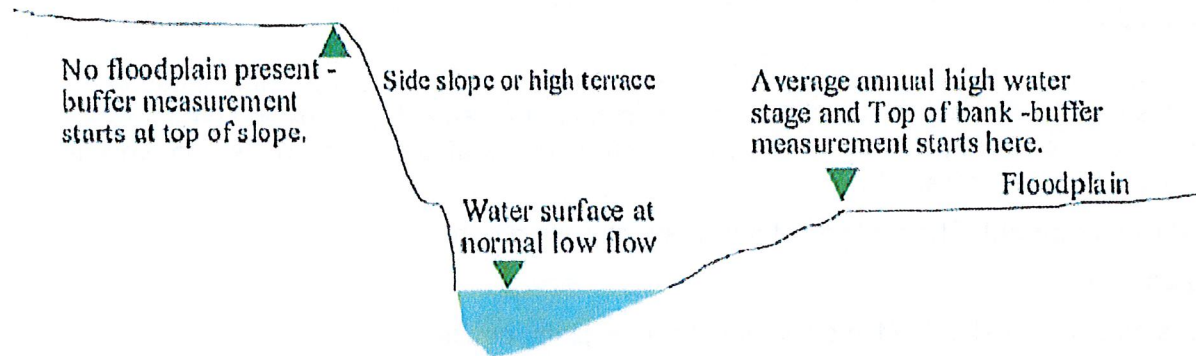


Figure 4: Illustration of "top of slope" (Source: Appendix C of the VT Riparian Buffer Guidelines)

**Travel Trailer:** Any vehicle used, or so constructed as to permit such use, as a conveyance on the public roads and duly licensed as such, which is constructed to permit occupancy as a dwelling or sleeping place for one or more persons. Includes motor homes, tent trailers, truck campers and any vehicle converted to provide temporary sleeping facilities other than a mobile home. This definition does not apply to commercial vehicles, such as 18 wheel trucks equipped with sleeping quarters, that are used to transport goods.

**Use, Associated:** A use customarily incidental to the principal use and on the same lot as the principal use.

**Use, Conditional:** A use permitted only by approval of the Board of Adjustment following a public hearing.

**Use, Permitted:** Any use allowed in a zoning district and subject to the restrictions applicable to that zoning district.

**Variance:** A deviation from the strict application of the requirements of these Bylaws in the case of exceptional physical conditions. See 24 V.S.A. §§ 4464 and 4469. *dk*

**Violation:** The failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in 44 CFR 60.3 is presumed to be in violation until such time as that documentation is provided.

**Wetlands:** Those areas of the state that are inundated by surface or groundwater with a frequency sufficient to support vegetation or aquatic life that depend on saturated or seasonally saturated soil conditions for growth and reproduction. Such areas include marshes, swamps, sloughs, potholes, fens, river and lake overflows, mud flats, bogs, and ponds, but excluding such areas as grow food or crops in connection with farming activities.

**Wireless Communications Facility:** A tower, pole, antenna, guy wire, or related features or equipment intended for use in connection with transmission or receipt of radio or television signals



or any other electromagnetic spectrum-based transmission/reception and the construction or improvement of a road, trail, building or structure incidental to a communications facility. Wireless Communication Facilities include Wireless Telecommunication Facilities. A speculative wireless telecommunications facility, that is, one built on speculation that the builder and operator will be able to lease to a service provider, is considered a wireless communications facility and does not come under the Telecommunications Act of 1996. Applications for such facilities, until a service provider is named and joins in the application, are subject to the review and regulations as a wireless communications facility and not as a wireless telecommunications facility.

**Wireless Telecommunication Facility:** A facility consisting of the structures, including the towers and antennas mounted on towers and buildings, equipment and site improvements involved in sending and receiving telecommunications or radio signals from a mobile communications source and transmitting those signals to a central switching computer which connects the mobile unit with land-based or other telephone lines.



The first part of the paper discusses the importance of the study of the history of the English language. It is a branch of linguistics which deals with the changes in the language over time. The second part of the paper discusses the importance of the study of the history of the English language. It is a branch of linguistics which deals with the changes in the language over time. The third part of the paper discusses the importance of the study of the history of the English language. It is a branch of linguistics which deals with the changes in the language over time. The fourth part of the paper discusses the importance of the study of the history of the English language. It is a branch of linguistics which deals with the changes in the language over time. The fifth part of the paper discusses the importance of the study of the history of the English language. It is a branch of linguistics which deals with the changes in the language over time. The sixth part of the paper discusses the importance of the study of the history of the English language. It is a branch of linguistics which deals with the changes in the language over time. The seventh part of the paper discusses the importance of the study of the history of the English language. It is a branch of linguistics which deals with the changes in the language over time. The eighth part of the paper discusses the importance of the study of the history of the English language. It is a branch of linguistics which deals with the changes in the language over time. The ninth part of the paper discusses the importance of the study of the history of the English language. It is a branch of linguistics which deals with the changes in the language over time. The tenth part of the paper discusses the importance of the study of the history of the English language. It is a branch of linguistics which deals with the changes in the language over time.



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...the study of the nature, sources, uses, and management of information, and the study of the communication of information. (p. 1)

The 'communication' field is defined as:

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## Bylaw update status as at XX/XX/20XX

### Bylaw Section

	Not done	Maybe done	Done	Related Subdiv Reg	
<a href="#">1.1 Authority</a>					
<a href="#">1.2 Purpose</a>					120
<a href="#">1.3 Application of Regulations</a>					
<a href="#">1.4 Interpretation</a>					
<a href="#">1.5 Adoption and Amendments; Effective Date</a>					
<a href="#">1.6 Severability</a>					
<a href="#">2.1 Introduction and Table of Districts and Uses</a>					
<a href="#">2.2 Zoning Map and Interpretation</a>					
<a href="#">2.3 Lot in Two Districts</a>					
<a href="#">2.4 Expansion of Minimum Lot Size</a>					
<a href="#">2.5 Table of Districts and Uses</a>					
<a href="#">2.5.1 Village (v) – Ascutney</a>				320.8, 330.1(a)	Merge both into one village zone?
<a href="#">2.5.2 Village (V) – Perkinsville</a>				320.8, 330.1(a)	
<a href="#">2.5.3 Hamlet (H)</a>				320.8, 330.1(b)	
<a href="#">2.5.4 Rural Residential (RR-1)</a>				330.1(c)	
<a href="#">2.5.5 Rural Residential Reserve (RRR 3-5)</a>				330.1(d)	
<a href="#">2.5.6 Conservation (C-10)</a>				330.1(d)	
<a href="#">2.5.7 Highway Commercial (HC)</a>				330.1(e)	
<a href="#">2.5.8 Industrial (I)</a>				330.1(e)	
<a href="#">3.1 Required Frontage On, or Access To, Public Roads</a>					
<a href="#">3.1.1 Location of Driveways</a>					Double check if 50 feet / 100 feet make sense
<a href="#">3.2 Conservation of Natural Resources</a>				320	
<a href="#">3.2.1 Agricultural Zoning</a>				Appx A Farmland, Prim. Soils	May be OK
<a href="#">3.2.2 Biological Natural Areas Survey, 1992</a>				320.5	
<a href="#">3.2.3 Connecticut River</a>					
<a href="#">3.2.4 Deer Wintering Areas</a>				320.5, Appx A Wild Habitat	
<a href="#">3.2.5 Pond Construction</a>					
<a href="#">3.2.6 Rare and Endangered Species</a>				Appx A Wild Habitat	
<a href="#">3.2.7 Steep Slopes and High Elevation</a>				320.4, Appx A	
<a href="#">3.2.8 Streambank Conservation</a>				320.3	
<a href="#">3.2.9 Wetlands</a>				320.3	
<a href="#">3.3 Damaged Structures</a>					
<a href="#">3.4 Nonconformities</a>					
<a href="#">3.4.1 Nonconforming Lots and Parcels</a>					
<a href="#">3.4.2 Nonconforming Structures</a>					
<a href="#">3.4.3 Nonconforming Uses</a>					
<a href="#">3.5 Off-Street Parking</a>					
<a href="#">3.5.1 General Standards</a>					
<a href="#">3.5.2 Specific Standards</a>					
<a href="#">3.5.3 Waivers</a>					
<a href="#">3.6 Outdoor Lighting</a>					
<a href="#">3.6.1 General Standards</a>					
<a href="#">3.6.2 Home Business, Commercial and Industrial Uses</a>					
<a href="#">3.6.3 Private Roadways</a>					
<a href="#">3.7 Performance Standards</a>					
<a href="#">3.7.2(a) Noise Pollution</a>					
<a href="#">3.7.2(b) Vibration</a>					
<a href="#">3.7.2(c) Smoke, dust, odors, noxious gases</a>					
<a href="#">3.7.2(d) Heat, cold, moisture, mist, fog, precip.</a>					
<a href="#">3.7.2(e) Electromagnetic disturbances/signals</a>					



<a href="#">3.7.2(f) Glare, light or reflection</a>		Yellow			
<a href="#">3.7.2(g) Liquid or solid wastes or refuse</a>		Yellow			
<a href="#">3.7.2(h) Fire, safety, explosive or other hazard</a>		Yellow			
<a href="#">TABLE: Permitted Noise Levels</a>	Red				
<a href="#">3.8 Signs</a>		Yellow			
<a href="#">3.8.1 General Standards: Applicable in all Zoning Districts</a>			Green		
<a href="#">3.8.2 Home Occupation Signage</a>			Green		
<a href="#">3.8.3 Home Business Level 1 Signage</a>			Green		
<a href="#">3.8.4 Home Business Level 2 Signage</a>			Green		
<a href="#">3.8.5 Commercial / Industrial Signage</a>		Yellow			
<a href="#">4.1 Accessory Dwelling Unit</a>			Green		
<a href="#">4.1.1 Definitions</a>			Green		
<a href="#">4.1.2 General Standards</a>			Green		
<a href="#">4. Airport Uses</a>	Red				
<a href="#">4.2 Day Care Facilities</a>		Yellow			
<a href="#">4.2.1 Child Day Care</a>		Yellow			
<a href="#">4.2.2 Adult Day Care</a>		Yellow			
<a href="#">4.3 Extraction of Earth Resources</a>			Green		
<a href="#">4.4 Gasoline Station / Convenience Stores</a>		Yellow			
<a href="#">4.4.1 General Standards</a>		Yellow			
<a href="#">4.5 Home-Based Occupation and Home-Based Business</a>			Green		
<a href="#">4.5.1 Definitions and General Standards</a>			Green		
<a href="#">4.5.2 Home-Based Occupation</a>			Green		
<a href="#">4.5.3 Home-Based Business-Level 1</a>			Green		
<a href="#">4.5.4 Home-Based Business-Level 2</a>			Green		
<a href="#">4.6 Junkyards, Scrap Materials, Recycling Facilities, and Landfills (privately owned)</a>			Green		
<a href="#">4.7 Low and Moderate Income Housing</a>			Green		
<a href="#">4.8 Mobile Homes and Modular (or Prefabricated) Housing</a>			Green		
<a href="#">4.9 Mobile Home Parks</a>			Green		Looks OK but may want to review
<a href="#">4.10 Public Utility Substations</a>		Yellow			
<a href="#">4.11 Renewable Energy Production</a>		Yellow			
<a href="#">4.12 Seasonal Road Stands</a>	Red				No definition
<a href="#">4.13 Self-Storage Facility</a>	Red				
<a href="#">4.14 Storage of Flammable Liquids and Gases</a>		Yellow			
<a href="#">4.15 Subdivision of Lots</a>			Green		
<a href="#">4.16 Temporary Uses and Structures</a>			Green		
<a href="#">4.17 Travel Trailer Camping Areas</a>	Red				
<a href="#">4.18 Travel Trailers/Camping Vehicles</a>	Red				
<a href="#">4.19 Wireless Communication Facilities</a>			Green		
<a href="#">4.19.1 Wireless Communications Facilities</a>			Green		
<a href="#">4.19.2 Wireless Telecommunications Facilities</a>			Green		
<a href="#">4.20 Renewable Energy Systems</a>	Red				
<a href="#">4.20.1 Definitions</a>	Red				
<a href="#">4.2.2 Small-Scale Renewable Energy Systems</a>	Red				
<a href="#">4.2.3 Large-Scale Renewable Energy Systems</a>	Red				
<a href="#">4.2.4 General Standards</a>	Red				
<a href="#">5.1 Application Submission Requirements</a>			Green		
<a href="#">5.1.1 Permitted Uses</a>		Yellow			Dimensions of sketch plan 8.5 x 11?
<a href="#">5.1.2 Site Plan Review</a>		Yellow			
<a href="#">5.1.3 Conditional Use Review</a>		Yellow			
<a href="#">5.1.4 PUD Review</a>		Yellow			320.8
<a href="#">5.1.5 Flood Permit Review</a>			Green		
<a href="#">5.2 Permitted Use Review</a>		Yellow			
<a href="#">5.3 Site Plan Review</a>		Yellow			230, 240, 250, 310



<a href="#">5.3.1 Compatibility with surrounding development</a>				
<a href="#">5.3.2 Traffic access and circulation</a>				370.7
<a href="#">5.3.3 Protection of natural resources</a>				320
<a href="#">5.3.4 Storm water management and drainage</a>				370.8, 360
<a href="#">5.3.5 Landscaping and screening</a>				310.5
<a href="#">5.4 Conditional Use Review</a>				
<a href="#">5.5 Combined Review</a>				
<a href="#">5.6 Planned Unit Development</a>				310.2, 210.4, 320.8
<a href="#">5.6.1 Purpose</a>				
<a href="#">5.6.2 Applicability</a>				
<a href="#">5.6.3 PUD Review Procedures</a>				
<a href="#">5.6.4 General Standards</a>				
<a href="#">5.6.5 Standards for Residential PUDs</a>				
<a href="#">5.6.6 Modification of Zoning Regulations</a>				
<a href="#">5.6.7 Decisions</a>				
<a href="#">5.6.8 Legal Requirements</a>				
<a href="#">5.7 Flood Plains and Floodways</a>				320.3, Appx A Floodplains
<a href="#">5.7.1 Statutory Authorization and Effect</a>				320.3
<a href="#">5.7.2 Statement of Purpose</a>				320.3
<a href="#">5.7.3 Other Provisions</a>				320.3
<a href="#">5.7.4 Lands to Which these Regulations Apply</a>				320.3
<a href="#">5.7.5 Development Review in Hazard Areas</a>				320.3
<a href="#">5.7.6 Development Standards</a>				320.3
<a href="#">5.7.7 Administration</a>				320.3
<a href="#">5.7.8 Certificate of Occupancy</a>				320.3
<a href="#">5.7.9 Enforcement and Penalties</a>				320.3
<a href="#">6.1 Municipal Appointments</a>				
<a href="#">6.1.1 Administrative Officer</a>				410.1
<a href="#">6.1.2 Planning Commission</a>				410.2
<a href="#">6.1.3 Board of Adjustment</a>				410.3
<a href="#">6.1.4 Advisory Commissions</a>				
<a href="#">6.2 Permit Requirements</a>				
<a href="#">6.2.1 Applicability</a>				
<a href="#">6.2.2 Exemptions</a>				
<a href="#">6.2.3 Limitations</a>				
<a href="#">6.2.3 Issuance</a>				
<a href="#">6.2.4 Effective Date</a>				
<a href="#">6.2.5 Permit Notice Posting Requirement</a>				
<a href="#">6.2.6 Permit Expiration</a>				
<a href="#">6.3 Public Hearings</a>				430.2
<a href="#">6.3.1 Public Notice</a>				430.1
<a href="#">6.3.2 Hearings</a>				430.2
<a href="#">6.3.3 Decisions</a>				430.3
<a href="#">6.3.4 Recording Requirements</a>				
<a href="#">6.4 Deed Restrictions</a>				
<a href="#">6.5 Other Town Regulations</a>				
<a href="#">6.6 Certificate of Conformance</a>				
<a href="#">6.7 Certificate of Occupancy</a>				
<a href="#">6.8 Appeals</a>				450
<a href="#">6.8.1 Administrative Officer Actions</a>				
<a href="#">6.8.2 Interested Persons</a>				450.3
<a href="#">6.8.3 Notice of Appeal</a>				
<a href="#">6.8.4 Appeals to Environmental Court</a>				
<a href="#">6.9 Waivers</a>				

1992 Biological Natural Areas

May want to add "Cert. of conformance" language her

Setback waivers



<a href="#">6.9.1 Purpose</a>					
<a href="#">6.9.2 Allowable Waivers</a>					
<a href="#">6.9.3 Review Procedures</a>					
<a href="#">6.9.4 Standard of Review</a>					
<a href="#">6.9.5 Decisions and Conditions of Approval</a>					
<a href="#">6.10 Variances</a>					unchanged from past language
<a href="#">6.10.1 Variance Criteria</a>					
<a href="#">6.10.2 Variances for Renewable Energy Structures</a>					
<a href="#">6.10.3 Variances within the Flood Hazard Area</a>					
<a href="#">6.11 Violations and Enforcement</a>				440	
<a href="#">6.11.1 Violations</a>					
<a href="#">6.11.2 Notice of Violation</a>					
<a href="#">6.11.3 Limitations on Enforcement</a>					
<a href="#">Article 7: Definitions</a>					
<a href="#">A Zone</a>					flood related
<a href="#">Abandoned Structure</a>					
<a href="#">Accessory Structure</a>					
<a href="#">Accessory Use</a>					
<a href="#">Affordable Housing</a>					
<a href="#">Affordable Housing Development</a>					
<a href="#">Agriculture Use</a>					
<a href="#">Airport Uses</a>					
<a href="#">Appropriate Municipal Panel</a>					
<a href="#">Area of Special Flood Hazard</a>					flood related
<a href="#">Athletic Courts</a>					
<a href="#">Average Grade</a>					
<a href="#">Background Noise</a>					
<a href="#">Bankfull Width</a>					
<a href="#">Base Flood</a>					flood related
<a href="#">Base Flood Elevation</a>					flood related
<a href="#">Basement</a>					
<a href="#">Bed and Breakfast</a>					
<a href="#">Buffer</a>				defined	
<a href="#">Building</a>					
<a href="#">Building or Structure Height</a>					
<a href="#">Cemetery</a>					
<a href="#">Channel</a>					
<a href="#">Common Plan of Development</a>					
<a href="#">Community Non-profit</a>					Replaces "Semi-public"
<a href="#">Contractor's Storage Yard</a>					
<a href="#">Coverage</a>					
<a href="#">Critical Facilities</a>					
<a href="#">Daytime Hours</a>					
<a href="#">Decibel</a>					
<a href="#">Development</a>				defined	
<a href="#">Development in the areas of special flood hazard</a>					flood related
<a href="#">District, Zoning District</a>					
<a href="#">Dwelling, Dwelling Unit</a>					
<a href="#">Emitter</a>					
<a href="#">Excessive Noise</a>					
<a href="#">Existing Small Lot</a>					
<a href="#">Existing manufactured home park or subdivision</a>					
<a href="#">Family</a>					Probably should be deleted
<a href="#">Family Child Care Home</a>					
<a href="#">Family Child Care Facility</a>					
<a href="#">Farming</a>					Probably should be deleted
<a href="#">Farming structure</a>					Probably should be deleted
<a href="#">Fill</a>					
<a href="#">FIRM</a>					flood related
<a href="#">Flood</a>					flood related
<a href="#">Flood Insurance Study</a>					flood related
<a href="#">Floodway</a>					flood related
<a href="#">Fluvial erosion</a>					
<a href="#">Fluvial Geomorphic Equilibrium</a>					
<a href="#">Formula Business</a>					
<a href="#">Frontage</a>					
<a href="#">Functionally dependent use</a>					
<a href="#">Gasoline/Service Station</a>					
<a href="#">Group Home</a>					



<a href="#">Guest House</a>					
<a href="#">Hazardous Materials</a>					
<a href="#">Highway-Commercial</a>					
<a href="#">Historic Structure</a>					
<a href="#">Home-Based Business</a>					
<a href="#">Home-Based Occupation</a>					
<a href="#">Impulse Noise</a>					
<a href="#">Indoor Recreational Facility</a>					
<a href="#">Industry</a>					
<a href="#">Inn/Small hotel</a>					
<a href="#">Insignificant Activities and/or Repairs</a>					Anything else to add to this?
<a href="#">Junkyard</a>					
<a href="#">Land Development</a>					
<a href="#">Letter of Map Amendment</a>					flood related
<a href="#">Light Industry</a>					
<a href="#">Lot</a>					
<a href="#">Lot Size</a>					
<a href="#">Lowest Floor</a>					flood related
<a href="#">Lumber Yard</a>					
<a href="#">Manufactured Home (or Mobile Home)</a>					"Designed for use with or without permanent chassis"
<a href="#">Manufactured Home Park or Subdivision</a>					
<a href="#">Mean Sea Level</a>					flood related
<a href="#">Medical Facility</a>					
<a href="#">Minor Structure</a>					
<a href="#">Mobile Home</a>					
<a href="#">Mobile Home Park</a>					
<a href="#">Modular (or Prefabricated) Housing</a>					
<a href="#">Motel</a>					
<a href="#">Multi-family Dwelling</a>					
<a href="#">Municipal Land Use Permit</a>					
<a href="#">New construction</a>					flood related
<a href="#">New Manufactured Home Park or Subdivision</a>					
<a href="#">Nightclub or Bar</a>					
<a href="#">Noise Zone</a>					
<a href="#">Nonconforming Lots or Parcels</a>					
<a href="#">Nonconforming Structure</a>					
<a href="#">Nonconforming Use</a>					
<a href="#">Nonconformity</a>					
<a href="#">Non-highway Commercial</a>					
<a href="#">Non-Residential</a>					
<a href="#">Outdoor Recreation Facility</a>					
<a href="#">Planned Residential Development</a>				210.4	
<a href="#">Planned Unit Development</a>				210.4	
<a href="#">Pre-existing</a>					
<a href="#">Prime Agricultural Land</a>				defined	
<a href="#">Public Water</a>				defined	
<a href="#">Receptor</a>					
<a href="#">Recreational Vehicle</a>					
<a href="#">Regular High Water Mark</a>					
<a href="#">Renewable Energy Resources</a>					
<a href="#">Residential Care Home</a>					
<a href="#">Residential, Single-Family</a>					
<a href="#">Residential Structure</a>					
<a href="#">Residential, Multi-Family</a>					
<a href="#">Residential, Two-Family</a>					"A legitimate home occupation is optional"
<a href="#">River Corridor</a>					
<a href="#">School</a>					
<a href="#">Self-Storage Facility</a>					
<a href="#">Setback</a>					
<a href="#">Sign</a>					
<a href="#">Small Office</a>					
<a href="#">Sound Level Meter</a>					
<a href="#">Special Flood Hazard Area</a>					
<a href="#">Start of Construction</a>					flood related
<a href="#">Stream</a>					
<a href="#">Structure</a>					
<a href="#">Structural Development</a>					
<a href="#">Subdivision</a>				defined	
<a href="#">Substantial damage</a>					
<a href="#">Substantial improvement</a>					
<a href="#">Telecommunications Facility</a>					
<a href="#">Top of Bank</a>					
<a href="#">Travel Trailer</a>					



[Use, Associated](#)  
[Use, Conditional](#)  
[Use, Permitted](#)  
[Variance](#)  
[Violation](#)  
[Wetlands](#)  
[Wireless Communications Facility](#)  
[Wireless Telecommunication Facility](#)

				flood related
				statutory?
				statutory?