

Town of Woodford 2009

ZONING BYLAW AND FLOOD HAZARD AREA REGULATIONS

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And as amended by the Town of Woodford -- March 7, 1989

And as Amended and Ratified by the Voters -- March 1, 1994

And as Amended by the Town of Woodford Selectboard – April 21, 2010

And as Amended by the Town of Woodford Selectboard – October 20, 2010

Flood Hazard Bylaws:

Interim Adoption 10/14/75

Amended as per 24 V.S.A. 4412 (g) -- 10/21/86

Amended as per 24 V.S.A. 4412 (g) --8/19/87

Ratified by the Voters -- 3/8/89

The Woodford Planning Commission, guided by the Bennington County Regional Planning Commission (BCRC), has developed this revised edition of the Zoning Bylaws to update and reflect changes made to Title 24 V.S.A. Chapter 117 of the Vermont Municipal and Regional Planning and Development Act. This section of Vermont law enables communities to regulate land uses and development, and grants the authority to establish a planning commission, zoning board, development review board, a zoning administrator, and advisory committees. The revisions in this edition represent those that must comply with Vermont law.

**TOWN OF WOODFORD, VERMONT
ZONING BYLAWS
TABLE OF CONTENTS**

Statutory Authority, Title & Purpose..... 4

SECTION 1 – DISTRICTS..... 4

1.1 Division into Districts 4

1.2 Zoning Map..... 4

1.3 Zoning of Streets..... 4

1.4 Land under Water 5

1.5 Interpretation of Map 5

SECTION 2 - GENERAL REGULATIONS 5

2.1 Compliance with Bylaws 5

2.2 Dimensional Requirements 5

2.3 Use Regulations 7

2.4 Limitations 7

2.5 Site Development Plan..... 10

SECTION 3 - RURAL RESIDENTIAL (RR) DISTRICTS 9

3.0 Purpose..... 10

3.1 Rural Residential (RR) Districts 10

3.11 Permitted Uses 10

3.2 Conditional Uses permitted in (RR)..... 11

3.3 Public Hearing 12

3.4 Accessory Uses in (RR) Districts..... 12

3.5 Signs Permitted in (RR) Districts..... 13

3.6 Dimensional Requirements – (RR) Districts..... 13

SECTION 4 - ROADSIDE COMMERCIAL (RC) DISTRICTS..... 14

4.0 Purpose..... 14

4.1 Roadside Commercial (RC) Districts 14

4.11 Approval of Plans 14

4.12 Public Hearing 14

4.13 Permitted Uses in (RC) Districts (hazardous wastes)..... 14

4.14 Accessory Use permitted in (RC) Districts 15

4.15 Signs Permitted in (RC) Districts..... 15

4.16 Required Lot Area..... 15

4.17 Treatment of Front Yards..... 15

4.18 Driveways 15

4.19 Hazardous Waste and Materials..... 15

SECTION 5 - FOREST DISTRICTS (F) 16

5.0 Purpose..... 16

5.10	Permitted Uses in (F) Districts.....	16
5.11	Accessory Uses Permitted in Forest Districts.....	17
SECTION 6 - RECREATION DISTRICT		17
6.0	Purpose.....	17
6.10	Recreation District.....	17
6.11	Approval of Plans	18
6.12	Public Hearing	19
6.13	Permitted Uses in the Recreation District.....	19
6.14	Dimensional Requirements.....	19
SECTION 7 - SPECIAL REGULATIONS.....		20
7.1	Nonconforming Uses and Buildings.....	20
7.2	Protection of Streams and Drainage Ways.....	21
7.3	Flood Hazard Areas	21
7.4	Earth Products Removal.....	24
7.5	Off-Street Parking.....	25
7.6	Mobile Homes and Travel Trailers	26
7.7	Swimming Pools and Ponds.....	27
7.8	Commercial Telecommunication Towers and Antennas	27
SECTION 8 - ADMINISTRATION AND ENFORCEMENT		28
8.10	Permits	28
8.11	Issuance of Permit.....	29
8.12	Effective Date	30
8.13	Property Improvements not Requiring Permits.....	30
8.14	Discretionary Permit Actions.....	31
8.15	Time Limits on Zoning Permits	31
8.16	Permits Applied for During Bylaw Amendments	31
8.17	Interpretation of Bylaws.....	32
8.18	Penalties and Enforcement.....	32
8.19	Validity	32
8.20	Public Notice.....	32
8.21	Planning Commission	32
8.22	Zoning Board of Adjustment; Variances	33
8.23	Appeals to Board of Adjustment.....	35
8.24	Appeals to Environmental Court.....	35
8.25	Amendments	35
8.26	Review	35
APPENDIX A		
DEFINITIONS36
APPENDIX B		
GUIDANCE AND PROTOCOL FOR SMALL LOT MERGERS.....		41
WATER SUPPLY AND WASTEWATER DISPOSAL – SEE 8.10 PERMITS		

STATUTORY AUTHORITY:

The Vermont Municipal and Regional Planning and Development Act, Title 24 V.S.A., Chapter 117, as amended, Subchapter 6, section 4401, provides that, “Any Municipality which has adopted and has in effect a plan, and has created a Planning Commission under this chapter may implement the plan by adopting, amending, and enforcing any or all of the Bylaws provided in this chapter. All such regulatory and non-regulatory tools shall have the purpose of implementing the plan and shall be in accord with the policies set forth therein.” Mandatory requirements enacted by the State of Vermont will automatically become a part of these Zoning Bylaws.

TITLE

This Bylaw shall be known and cited as the Town of Woodford Zoning Bylaw.

PURPOSE:

The purpose of this Bylaw is to encourage the appropriate development of all lands in the Town of Woodford in a manner which will promote the public health, safety, morals, prosperity, comfort, convenience, efficiency, economy and general welfare; and to provide the methods for the prevention, minimization, and future elimination of such land development problems as may presently exist, or which may be foreseen. These Bylaws are intended to implement the goals and policies of the Town Plan by providing for appropriate future land uses, densities, and intensities of development.

SECTION 1 - DISTRICTS

1.1 Division into Districts

For the purpose of this bylaw, the Town of Woodford is divided into the following classes of districts, to be designated by the abbreviations set forth below:

- Rural Residential RR Districts
- Roadside Commercial RC Districts
- Forest F Districts
- Recreation.....R District
- Flood Hazard OverlayFH Districts

1.2 Zoning Map

The boundaries of these districts are hereby established, as shown on the Plan and Zoning Map of the Town, dated October 21, 1986, and amendments thereto, which map and amendments are hereby declared to be a part of this Bylaw. The boundaries of the Flood Hazard Areas are hereby established as shown on the Flood Insurance Rate Map, effective September 15, 1985 and any amendments thereto, which map and amendments are hereby declared to be a part of this Bylaw. The above maps are on file with the office of the Town Clerk.

1.3 Zoning of Streets

Zoning districts shall include the beds of streets lying within them. Where opposite sides of a street lie in different districts, the boundary shall be deemed to be the center of the right-of-way.

1.4 Land under Water

Zoning districts shall include any land under rivers, streams, lakes, or ponds lying within them. Where opposite sides of a river or stream lie in different districts, the boundary shall be the center of the river or water course. Where opposite sides of a lake, swamp, or body of water lie in different districts, the boundary shall be deemed to be the center thereof.

1.5 Interpretation of Map (24 V.S.A., Sections 4448 and 4465)

An uncertainty as to the location of a district or Flood Hazard Area boundary line on the Plan and Zoning Map shall be resolved by the Zoning Administrator with appeals of any such decisions made to the Board of Adjustment. A report from the Planning Commission may be requested before making a decision.

SECTION 2 - GENERAL REGULATIONS

2.1 Compliance with Bylaws

1. The application of these regulations is subject to the provisions of 24 V.S.A., sections 4412-13 and such other enactments as may be material.
2. No land, building, or premises, or part thereof, shall hereafter be used, and no building or part thereof, or other structure, shall be constructed, reconstructed, extended, enlarged, moved, or altered, except in conformity with this Bylaw. No lot shall have an area, width, or front, side, or rear yard, less than that set forth in the applicable paragraph hereof, except as otherwise specifically provided for in the Bylaw.
3. Nothing contained in this Bylaw shall require any change in the plans, construction, or designated use of a building complying with local laws in force prior to this Bylaw, if a prior permit shall have been duly issued, and the entire building shall have been completed in accordance with such plans within one year from the effective date of this Bylaw.
4. Where these Bylaws impose a greater restriction upon use of a structure or land than were required by any other or previous zoning ordinance adopted by the Town of Woodford or is required by any other statute, ordinance, rule, regulation, permit, easement or agreement, private or public, then the provisions of these Bylaws shall control. (24 V.S.A. Section 4480)
5. Except as otherwise specifically provided for in this Bylaw, any permitted building or permitted use may be located in that portion of the lot not within any required front, side, or rear yard.
6. No lot shall be diminished, or any other open space be reduced, except in conformity with this bylaw.
7. In the case of lots lying in more than one district, the provisions of any district may be applied for a distance of not over thirty feet into any adjacent district. (24 V.S.A. Section 4411(a)(3))

2.2 Dimensional Requirements

1. Required Frontage on or Access to Public Roads (24 V.S.A. 4412(3))
 - (a) Except as here and after provided, no land development may be permitted on lots which do not have frontage on a public road. However, with the approval of the Planning

Commission, access to such a road can be a permanent easement or right-of-way at least 20 feet in width. (Note: the 20' is that used in the state statute.)

- (b) The Planning Commission in consultation with the Selectmen shall consider: 1) Drainage and culvert placement, 2) erosion control, 3) emergency vehicle access, and 4) site distance where the access road intersects with a public road.
- (c) Where two or more lots are to be serviced by the access road, the Planning Commission may require a higher standard of construction. Approval of an access road shall not obligate the town to acceptance and/or maintenance.
- (d) In a situation where a lot is to be developed that does not have frontage on a public road, the front setbacks shall be measured from the centerline of the right-of-way or lot line whichever is the closest to the structure or use.

2. Nothing in this Bylaw shall prohibit the projection of up to one foot into the required open space of pilasters, columns, belt courses, sills, cornices, or other similar architectural features, nor the planting or landscaping of such open spaces, except as provided in section 2.2.5 hereof.

3. No building in any district shall exceed a height applicable to the district, but this limit shall not apply to spires, cupolas, chimneys, penthouses, ventilators, tanks, or similar parts of a building, occupying in the aggregate not more than 10 percent of the area of such building, and not used for any human occupancy, nor to farm silos or other farm equipment defined in 24 V.S.A., Ss 4413 (d), flag poles, radio or television aerials, ski lift towers, or similar features. No TV or radio antenna shall be erected on the roof of any building nor affixed to a building at a height in excess of twenty (20) feet above the building roof top. The height of any antenna erected on a tower or on a building shall not exceed fifty (50) feet above the ground at said tower or building. A permit shall be obtained from the zoning administrator prior to the construction of a tower built to accommodate an antenna. Wind turbines with blades less than twenty (20) feet in diameter which exceed the district height limit may be permitted if the board of adjustment approves a variance for a renewable energy resource structure pursuant to Section 8.22 of this Bylaw. See Section 7.8 for commercial telecommunication towers and antennas. (24 V.S.A. Section 4412(6))

4. Regardless of other requirements for front yards, on lots abutting a street with a right-of-way less than fifty (50) feet wide, the required front yard facing such a street shall be increased by one half of the difference between the actual street right-of-way and fifty (50) feet. (24 V.S.A. Section 4411(3))

5. Where a lot is hereafter formed from part of a lot already occupied by a building, such separation shall be effected in such a manner as not to impair conformity with any of the requirements of this Bylaw with respect to the existing building, and all yards and open spaces in connection therewith, and no permit shall be issued for a building on a lot thus created unless it complies with all provisions of this Bylaw. Upon such construction or placement the applicant shall provide a Site Plan (Section 2.6) demonstrating compliance upon application for a permit or other approval required herein. (24 V.S.A. Section 4411(3))

A building may be sold into separate ownership only if the parcels resulting from such subdivision are in compliance with this provision, except that this provision shall not apply to subdivision of a lot which on March 5, 1973 contained two or more structures which were used on or before that date as primary single or two-family residences.

6. Any lot in individual and separate and non-affiliated ownership from surrounding properties in existence on the effective date of this Bylaw 2/5/74, and continuously thereafter,

may be developed for the purposes permitted in the district in which it is located, even though not conforming to minimum lot size requirements, if such lot is not less than one-eighth (1/8) acre in area with a minimum width or depth dimension of forty (40) feet. (24 V.S.A. Section 4412(2))

If an existing small lot comes under common ownership with one or more contiguous lots, the nonconforming lot shall be deemed to be merged with the contiguous lot. However, a nonconforming lot shall not be deemed merged and may be separately conveyed if all the following apply:

- (a) The lots are conveyed in their pre-existing nonconforming configuration, and
- (b) On the effective date of this Bylaw, each lot was developed with a water supply and wastewater disposal system, and
- (c) At the time of transfer, each water supply and waste water system is functioning in an acceptable manner, and
- (d) The deeds of conveyance create appropriate easements on both lots for replacement of one or more wastewater systems in case a wastewater system fails, as defined in 10 V.S.A, Chapter 64, as amended.

Protocol and process for small lot mergers: Included in the Appendix is guidance and protocol to track and determine small lot merger status (lots that are less than the minimum lot size requirement for the district.)

7. No fence, wall, hedge, shrubbery, or other obstruction to vision in excess of 3 feet in height, as measured above the nearest portion of the traveled way, shall be placed or allowed to grow at street intersections within 25 feet of the center lines of the intersecting streets.

2.3 USE REGULATIONS

1. No building, structure, or portion thereof, shall be erected, altered, or moved, and no land or buildings or part thereof, shall be used for any use other than the one listed as a permitted use in the district in which it is located. Unless otherwise provided herein, any use not specifically permitted shall be deemed to be prohibited.

2. No more than three unregistered or inoperable motor vehicles may be stored on any lot for a period in excess of thirty (30) days, except within a building. Scrap or waste material not originating on the premises may not be stored or disposed of on any lot. Scrap or waste material originating on the premises may be stored within a building or screened from view from off the premises. A one year period shall be allowed for removal of scrap or waste resulting from a construction operation, or from fire, flood, or similar emergency. Reusable construction materials, originating on or off premises, may be stored kept from public view and maintained in useable condition.

3. A conditional use may be approved by the Board of Adjustment only after a duly warned meeting and provided that the majority of the Board shall have found that such use shall not result in an undue adverse effect on the capacity of existing or planned community facilities, the character of the area affected as defined by the purpose of the zoning district within which the project is located, and specifically stated policies and standards of the Town Plan, traffic on roads and highways in the vicinity, and is in accord with other provisions of ordinances, regulations, and Bylaws of the Town applicable thereto, or adversely affect the utilization of renewable energy resources. Any use so approved shall meet any standards applicable to the specific use as to lot

and building dimensional requirements, landscaping, design, and locations of signs and service areas, and the following additional standards.

- a) That it will not emit undue noise, odor, smoke, dust, or in other ways annoy nearby residents or be detrimental to the value of neighboring property.
- b) That it will not create dangerous traffic conditions or unduly increase vehicular traffic in the neighborhood.
- c) That it is appropriately located with respect to water supply, fire protection, waste disposal, and similar facilities, and that such facilities and installations comply with State regulations with respect to the individual building or use. (24 V.S.A. Section 4464(b)(1))

Approval of the Board shall be based on a Site Development Plan, prepared in conformance to the requirements of Section 2.5, and failure of the development to conform to such Site Plan shall constitute a violation of this Bylaw. The Board shall act to approve or disapprove any such requested conditional use within forty five (45) calendar days after the date of the final ZBA hearing and failure to so act within such period shall be deemed approval on the 46th day.

- d) If applicable, any use or development shall comply with the Vermont water supply and wastewater disposal rules (10 V.S.A., Chapter 64).

Public Buildings as defined in this zoning Bylaw and Title 18 V.S.A., Chapter 25, shall adhere to the Environmental Protection rules and Related Statutes, both current and as amended, for wastewater treatment and on-site sewage disposal.

2.4 LIMITATIONS

In accordance with 24 V.S.A. S 4413, the following uses may be regulated only with respect to location, size, height, bulk, yards, courts, setbacks, density of buildings, off-street parking, loading facilities, traffic, noise, lighting, landscaping and screening requirements. No permit for any such use shall be granted until a Site Plan, prepared in accordance with applicable requirements of Section 2.5 shall have been approved by the Planning Commission.

1. State or community (municipality) owned and operated institutions and facilities;
2. Public and private schools and other institutions certified by the Vermont Department of Education;
3. Churches, convents, and parish houses;
4. Public and private hospitals;
5. Solid waste management facilities pursuant to 24 V.S.A. Section 4413;
6. A state licensed or registered residential care home or group home serving not more than eight persons who have a handicap or disability as defined in 9 V.S.A. s.4501, shall be considered by right to constitute a permitted single-family residential use of property, except that no such home shall be so considered if it locates within 1,000 feet of another such home.

7. Pursuant to 24 V.S.A. Section 4412 (5), a state registered or licensed family childcare home serving six or fewer children, not including the children of the proprietor, shall be considered by right to constitute a permitted single-family residential use of property. A family childcare home serving no more than six full-time and four part-time children, as defined in 33 V.S.A. section 4902 (3)(A), shall be considered to constitute a permitted single-family residential use of property, but shall be subject to site plan approval pursuant to section 2.5 of this Bylaw. A family childcare home serving in excess of six full-time and four part-time children may be permitted as a conditional use.

2.5 SITE DEVELOPMENT PLAN

Where required by provisions of this Bylaw, a Site Development Plan shall be submitted with an application for a permit or other approval. Such Site Development Plan shall be at a scale prescribed by the Planning Commission and shall show, where applicable, the boundaries and area of the lot, existing and proposed buildings on the lot and on the adjacent lots within a distance of two hundred (200) feet from the subject lot, existing and proposed streets and driveways within a distance of two hundred (200) feet from the subject lot, proposed vehicular circulation and parking, proposed pedestrian circulation, open space, park and playground facilities, landscape details, proposed grading, water supply and fire protection, sanitary sewage, storm drainage and natural drainage ways and water courses, existing contours, land conditions, and such other information as the Planning Commission may require. Site Development Plans shall not be required for individual single and two-family residential uses in any district.

SECTION 3 – RURAL RESIDENTIAL DISTRICTS

3.0 Purpose

The purpose of Rural Residential Districts is to insure the preservation of the natural and scenic qualities of areas which are planned to be residential in character and at densities to avoid the need for public water supply and public sewer systems. It is the intent of these regulations to maintain scenic and environmental qualities and to provide for residential development as related to the needs of anticipated future population and consistent with land capability.

3.1 Rural Residential (RR) Districts

3.11 Permitted Uses in (RR) Districts

1. Public and semi-public uses, as enumerated in subsection 2.4.
2. Single family and two-family dwellings, subject to the requirements of subsection 3.16, regarding dwellings for more than one family.
3. Home Occupations

Nothing in these Bylaws shall infringe upon the right of a resident to use a minor part of their dwelling for a home occupation. It must be customary in a residential area and does not have an undue adverse effect upon the character of the residence or the residential area in which the dwelling is located. The home occupation must be conducted entirely within their dwelling or accessory building. The home occupation must not:

- a. Employ any person other than the applicant resident(s) and /or members of his/her household.
- b. Generate any additional traffic to or from the premises.
- c. Create noise which is audible on neighboring properties.

- d. Create any visual impact i.e., require a sign, additional parking, outside storage, or any other physical modification on the premises.

A Conditional Use Permit is required in all other instances as provided in Section 3.12.1.

4. Residential Care or Group Home (see 2.4.6)
5. Family Childcare Home (see 2.4.7)
6. Farming including but not limited to dairying, orchards, woodlots and forestry, truck gardening, keeping of poultry, and other agricultural and silvicultural uses as defined in 24 V.S.A., Ss 4413(d). No municipal permit for a structure shall be required for an accepted agricultural or silvicultural practice as defined by the Secretary of Agriculture or the Commissioner of Forests, Parks, and Recreation.
7. A farm stand not exceeding 200 square feet in area for the sale of natural products produced primarily on the premises unless subject to the preceding paragraph.

3.12 CONDITIONAL USES PERMITTED IN (RR) DISTRICTS

The following may be permitted as conditional uses in (RR) Districts in conformance with the provisions of subsections 2.3, 2.5, 7.5, and any other provisions of this Bylaw that may apply.

1. Home occupations that are clearly incidental and secondary to the use of a dwelling, and customary in residential areas, permit a resident to use a portion of a dwelling or accessory building for an occupation, provided such use does not alter the essential character of the building, lot, or neighborhood, and complies with the following:
 - a) The use is conducted entirely within the dwelling or accessory building, and such use does not exceed 30% of the floor area of the principal dwelling unit up to a maximum of 600 square feet.
 - b) The use is carried on by member(s) of the family residing in the dwelling and not more than one (1) non-resident employee.
 - c) There is no more than one unlighted sign not larger than four feet square in face area (counting all sides).
 - d) All products sold must be solely a result of the resident's/employee's own labor and produced on the premises.
 - e) Equipment and materials may be stored on the premises if they are screened from adjoining properties and traveling public by natural or artificial materials or kept in a building.
 - f.) Finished merchandise outside the building is limited to 200 contiguous square feet of the property.
 - g) No noise, vibrations, dust, smoke, odor, heat, light, or glare is produced which is not consistent with the character of the neighborhood.
 - h) Does not create a health, environmental, or safety hazard or create interference with radio and television reception in the vicinity.

- i) Traffic safety and parking must satisfy the applicable zoning Bylaw requirements (Section 7.5).
- 2. A rooming house or lodging establishment.
- 3. A tourist lodge designed and intended primarily for the accommodation of transients or tourists, located on a lot having an area of not less than 5 acres, and complying with the provisions of this section. A tourist lodge may have restaurant facilities with a capacity equivalent to not more than one and one half times the number of guest sleeping accommodations. Bedrooms, dining rooms, and lounges may be located in one or more buildings. Water supply and wastewater disposal shall comply with 10 V.S.A., Chapter 64. A tourist lodge may maintain a store selling periodicals, souvenirs, and similar articles to guests.

Area Requirements

The number of guests sleeping accommodations shall not exceed five per acre of lot area. No building used for a tourist lodge shall be located within fifty (50) feet from any street line, or fifty (50) feet from any other lot line.

- 4. A cemetery, owned by a church or a cemetery association located in the Town.
- 5. A State registered or licensed family child care home serving in excess of six full-time and four part time children (not including children of the proprietor). (24 V.S.A., Section 4412(5))
- 6. A State licensed or registered residential care home or group home serving nine or more persons who have a handicap or disability. (24 V.S.A., Section 4412 (1)(G))
- 7. Multi-family dwelling in RR-40 and RR-200 as defined in the Appendix. Minimum: Lot Size - 3 acres; Frontage - 175 feet; front yard - 50 feet; Side and rear yard - 35 feet. (24 V.S.A., Section 4412(1)(D))

3.13 Public Hearing

The Planning Commission shall hold a public hearing on the proposed plan for conditional uses submitted with any application for a permit in a Rural Residential District, with the exception of single family and two-family residential dwellings.

3.14 Accessory Uses In (RR) Districts

- 1. Accessory uses customarily incidental to a permitted use on the same lot.
- 2. Uses accessory to a Conditional Use, 3.12, are permitted only when applied for, and as granted as part of the Conditional Use.
- 3. Accessory uses – Tourist Lodge. A tourist lodge may include uses such as tennis, golf, swimming, skiing, tenting, fishing, boating, hiking, picnicking, snowshoeing, and/or similar recreation facilities.
- 4. Pursuant to 24 VSA. Section (1) (E) and (F), an accessory dwelling unit, as defined in this Bylaw, shall be a permitted use subordinate to a one-family dwelling, provided such

accessory dwelling unit meets all applicable setback, coverage, and parking requirements. The accessory dwelling unit may be located in the one family dwelling structure or in an existing or new accessory structure. There shall be a minimum of four (4) on site parking spaces (total) for the primary and accessory dwelling with adequate on site allowance for turning, ingress, egress and snow piling. The ZBA shall review all accessory dwelling unit applications.

5. Accessory buildings or sheds larger than 36 square feet require permits and must meet setback requirements. Light-framed fabric covered structures are included in this provision,
6. Docks extending into public waters or into a private pond not wholly within the property boundaries are a conditional use that require a permit. Docks on public waters must also meet State standards that may be applicable under such circumstances.
7. Fences over six (6) feet high require permits. No fence shall change the essential character of the neighborhood or create an undue adverse effect.

3.15 Signs Permitted in (RR) Districts

One permanent sign not over 4 square feet in area for each dwelling unit bearing the name and occupation of the occupant. One temporary sign not exceeding 12 square feet in area advertising the sale, rental, or improvement of the premises on which it is located. For uses other than dwellings, one sign not more than 6 square feet in area pertaining to such use. No sign shall be flashing or illuminated. Directional signs not over 2 square feet in area may be placed near street intersections, provided they comply with all provisions of the law.

3.16 Dimensional Requirements – (RR) Districts

Dist.	Min Lot Area Sq. Ft.	Min. Lot Area Per Fam. Unit Sq. Ft.*	Min. Lot Width Feet	Min. Front Yard Feet	Min. Side Yards Ea. Ft.	Min. Rear Yard Feet	Max. Bldg. Hght. Feet	Max. Bldg. Covg. %
RR-40	40,000	40,000	150	40	30	40	30	10
RR-200	200,000	120,000	300	50	50	50	30	10
RR-400	400,000	240,000	300	50	50	50	30	10

* Applicable to dwellings for two or more families

Note: The setback is reduced to no less than ten (10) feet from the rear or side yard lot line, which borders U.S. Forest Service Lands.

SECTION 4 – ROADSIDE COMMERCIAL (RC) DISTRICTS

4.0 Purpose

The purpose of Roadside Commercial (RC) Districts is to provide appropriate locations for limited types of business primarily serving the motoring public where there are suitable conditions, under controls which preserve good appearance and traffic safety.

It is also the purpose of Roadside Commercial to permit such uses to areas presently committed to commercial use since other land uses have adjusted to their presence. Consequently,

several Roadside Commercial Districts are established to limit the impact on surrounding residential properties and to control so-called “Strip Development.”

Roadside Commercial Districts include all lands designated as such on the town Plan Map and Zoning Map and limited to within five hundred (500) feet from the right-of-way of Vermont Route #9.

4.1 Roadside Commercial (RC) Districts

4.11 Approval of Plans

With the exception of single family or two-family residential dwellings, no permit shall be issued for the erection, alteration, enlargement, or the relocation of a building or use in an (RC) District, until a Site Development Plan, as per Section 2.5, shall have been approved by the Planning Commission.

4.12 Public Hearing

The Planning Commission shall hold a public hearing on the proposed plan submitted with any application for a permit in a Roadside Commercial District, with the exception of single family and two-family residential dwellings.

4.13 Permitted Uses in (RC) Districts

1. Public and semi-public uses, as enumerated in subsection 2.4.
2. Any use permitted or conditionally permitted in Rural Residential Districts, subject to the requirements of Section 3.12 except as any such requirement as may be modified by provisions of this section.
3. A motel or tourist cabin, provided that the lot area shall not be less than three thousand (3,000) square feet for each guest accommodated.
4. A restaurant, provided that all food and beverages are served to customers seated at tables or counters, inside or outside the building, but this shall not prevent a catering operation where food is sold and taken out for home consumption.
5. Business or professional offices and financial institutions.
6. A retail business or retail service occupation, including the manufacture or processing of materials only as incidental to a permitted retail occupation, and provided that no objectionable noise, smell, or unsightly condition is created which is noticeable off premises.
7. A washing machine rental establishment.
8. An automobile service station; public garage; automobile; boat; trailer, or farm equipment salesroom or outdoor sales area.

4.14 Accessory Uses Permitted in (RC) Districts

Accessory uses customarily incidental to a permitted or conditionally permitted use, only when applied for and granted as part of the use.

4.15 Signs Permitted in (RC) Districts

Signs pertaining only to a business on the same premises. Signs shall not project into or be located within 10 feet from a front or side lot line, and shall not exceed 12 square feet in total area. No sign shall use moving parts.

4.16 Required Lot Area, Width, Yards, Building, Coverage, Height

District	Min. Lot Area Coverage Sq. Feet	Min. Lot Width Feet	Min. Front Yard Feet	Min. Side Yards Each Foot	Min. Rear Yard Feet	Min. Bldg. Height Feet	Min. Bldg. Percent
(RC)-80	80,000	200	50	50	50	30	10

Note: The setback is reduced to no less than ten (10) feet from a rear or side Yard line, which borders U.S. Forest Service Lands.

4.17 Treatment of Front Yards (24 V.S.A., Section 4411(a)(3))

A continuous strip not less than twenty (20) feet wide shall be maintained between the street line and the balance of the lot in all Roadside Commercial Districts, which strip shall be suitably landscaped and maintained in good appearance. The required strip may be traversed only by driveways, and pedestrian walks. Not more than 50% of the area of the required front yard shall be used for storage or for any purpose, except as above provided.

4.18 Driveways

Where the lot fronts upon a state highway, the owner shall first obtain the approval of the Vermont Highway Department for all driveway access, and shall submit evidence of such approval to the Planning Commission.

4.19 Hazardous Materials & Waste (24 V.S.A., Section 4411)

1. Hazardous materials or waste from any commercial source may not be stored or dumped within the Town on any site other than the point of origin. Hazardous materials held in a truck or trailer, with or without valid license, will be considered “in storage” if held within Town boundaries for more than 72 hours even if moved from locale to locale within the Town.
2. Hazardous materials used in approved commercial operations within the Town must be properly stored and used according to Federal and State guidelines. Hazardous waste and by-products of approved commercial operations must be properly stored and shipped to an approved disposal site at regular intervals. These intervals must be frequent enough to minimize the amounts of hazardous waste being stored on site. The approved commercial operation must keep detailed records of the movement of hazardous materials on and off site.
3. The Zoning Administrator may make regular site inspections during business hours to oversee compliance with the Bylaw. The Administrator must send a written report of each visit to the Woodford Board of Health and file a copy of the report with the Town Clerk. The Administrator must notify the Agency of Natural Resources of any apparent irregularities and/or the need for a state permit.

SECTION 5 – FOREST DISTRICT (F)

The Forest District (F) includes those lands owned by the National Forest Service (N.F.S.), lands which are currently under option for purchase by the N.F.S., State Forest Land, and any other land designated as Forest District on the Town Map.

5.0 Purpose

To guide growth of the region in an orderly manner by concentrating residential and other development where it will most efficiently be served by public facilities, utilities, and roads; to preserve tracts suitable for perpetuating the forest resources and forest-related industries which have been an important part of the State's economy; to protect the vital sources of pure water for public supplies and to maintain a high quality environment.

5.10 Permitted Uses in (F) Districts

1. Commercial Forestry and related uses.
2. Forestry carried on for research, demonstration, education, and related uses.
3. Recreation areas operated by a governmental unit, hiking or touring trails, or trail shelters operated by a nonprofit organization.
4. A private recreational hunting camp or fishing camp consisting of a building or tent not suitable for use as a dwelling but used occasionally or seasonally for temporary shelter in connection with a recreational activity, but not operated as a business, provided that such camp is located on a separate lot not less than 15 acres. All camp facilities shall be located not less than 200 feet from any lot and street line. Water supply and wastewater disposal shall comply with 10 V.S.A., Chapter 64.
5. Accepted agricultural or silvicultural practices as defined by the State Department of Agriculture or Department of Forest, Parks, and Recreation, respectively.
6. A single-family residence is permitted provided the lot is not less than 15 acres in area and that:
 - a) Roads for providing access to lots in the Forest District shall be reviewed pursuant to 2.2.1.
 - b) A Lot may be approved for development only if it is not identified by the Planning Commission as being within the headwater of a watershed of a public water supply designated by the Vermont Department of Health or Water Resources or within an area supplying significant amounts of recharge water to aquifers.
 - c) If applicable, a lot shall not be approved for development until a permit has been granted pursuant to the Vermont Water Supply and Wastewater Protection Rules.
 - d) There are no severe limitations for development or infringement on scenic-fragile areas as identified in the Master Plan.
 - e) Minimum yard setbacks are maintained as required in Section 3.16 - - (RR) – 400. Note: the setback is reduced to no less than ten (10) feet from a rear or side yard lot line, which borders U.S. Forest Service lands.

5.11 Accessory Use permitted in (F) Districts

1. Accessory uses, including buildings for an extension in use of land for storing and repairing products and equipment, and for sawing, processing, manufacturing wood and wood products.
2. Other uses accessory to a Permitted Use, when applied for, and granted as part of the use.

SECTION 6 – RECREATION DISTRICT

6.0 Purpose

To guide growth of the area in a manner which will concentrate expansion of related recreational activities and/or other related recreational land use development so that it will efficiently utilize existing public facilities, utilities, and roads; to provide both open space and developed recreational space; to provide appropriate business to support the facility and to maintain both the aesthetic qualities and natural features and resources of the area.

6.10 Recreation District

6.11 Approval of Plans

1. Site Development Plan

With the exception of construction of a residence for occupancy by a caretaker and family, no permit shall be issued for the erection, alteration, enlargement, or relocation of a building or use in the Recreation District, until a Site Development Plan, as per Section 2.5 shall have been approved by the Planning Commission.

2. Building Layout and Master Plan of Tract

A Recreation District may contain one or more buildings containing the uses permitted or conditionally permitted herein. The location of such buildings shall be consistent with good land development practices including the capability of the land to support such development. Building(s) or proposed uses shall be designated on the master plan for the entire tract as required by the Planning Commission. Approval may be given to a portion of a project for development provided that the master plan for the entire tract is approved and such development is consistent with that plan. Construction of any project or portion thereof for development which has been approved hereunder shall be initiated within one year. Failure to comply with the master plan of the tract shall constitute a violation of this Bylaw. Amendments to the master plan shall require a separate zoning permit, and approval by the Planning Commission.

No project(s) shall be approved unless the design is consistent with the objectives of the Town Plan of Development. Prior to approving such project, the Planning Commission shall have found that the project will not adversely affect the capacity of the planned or existing community facilities, the character of the area affected, traffic on roads or highways in the vicinity, nor will it conflict with any provisions or other Bylaws, ordinances, or regulations then in effect, nor adversely affect utilization of renewable energy resources. In addition to the above, the following standards shall be considered:

- a) The extent to which land development is designed to take advantage of the natural terrain of the tract, and to protect the natural vegetation, soil, and water.
- b) Has sufficient water available for foreseeable needs of the development.

- c) Measures are taken to prevent soil erosion or reduction in the capacity of the soil to hold water.
- d) Will not place an unreasonable burden on the community to provide municipal or governmental services or facilities.
- e) Provides economy and efficiency of street and public facilities, installation, construction and maintenance, and has adequate access.
- f) Assurance of economic capability to complete the proposed development, as it pertains to impacts on municipal facilities or services only, or the health and safety of residents.
- g) A timetable showing the sequence of construction activity.
- h) Parking requirements are met as required in Section 7.5.2.
- i) Shall not have an undue adverse impact on adjacent residential areas.
- j) The water supply system and water source and the sewage disposal system shall comply with the Vermont water supply and wastewater protection rules.

6.12 Public Hearing

The Planning Commission shall hold a public hearing on the proposed site development plan submitted with any application for a permit in the Recreation District.

6.13 Permitted Uses in the Recreation District

1. A single-family residence for occupancy by only a caretaker and his family, provided that the lot is not less than fifteen (15) acres in area, and that all setbacks as in 3.16 (RR)-400 can be met.
2. Commercial alpine and/or cross country ski area with ski slopes and trails, lifts, tows, and supporting equipment, including structures for the storage, repair and maintenance of ski area equipment.
3. A ski or other recreational use base Lodge and accessory buildings, designed and intended primarily for the accommodation of recreational users. A ski and/or other recreational use base lodge may contain a lounge, restaurant, ski shop, and related retail sales.
4. Accessory services such as a nursery or day care for children of facility guests and/or employees.
5. Recreational uses that are environmentally friendly and do not change the character of the area such as archery, swimming, boating, fishing, ice-skating, canoeing, hiking, picnicking, and other similar activities. Commercial campgrounds including overnight facilities for recreational vehicles is not a permitted use.
6. Individual recreational camps or cabins limited to twelve (12) in number for transient short term rental use only. Permitted use is subject to site plan approval.
7. A meeting place for group activities.

6.14 Dimensional Requirements

A commercial recreation area including accessory uses and supporting services shall have a minimum lot area of one hundred (100) acres. To meet the minimum requirement, acreage may include permitted National Forest or other permitted property adjacent to the Recreation (A) District. The applicant must own a minimum of fifty (50) acres of the proposed commercial recreation area.

Buildings and uses shall comply with the following standards: Maximum building height: thirty (30) feet; Setback from all property lines: fifty (50) feet; Maximum building coverage: five (5) %. The setback is reduced to no less than ten (10) feet from the rear or side yard lot line, which borders U.S. Forest Service Lands. Any principal building or use permitted herein but not clearly accessory to the recreation complex shall include a separate lot area designation which complies with the dimensional requirements for the most similar use in the (RR), (RC), and (F) Districts, excepting permitted use #6 above.

SECTION 7 – SPECIAL REGULATIONS

7.1 Nonconforming Uses and Buildings

7.11 General Requirements

1. Any building or use lawfully existing on the effective date of this Bylaw (2/4/74), or as amended, although not conforming with other provisions of the Bylaws for the District in which it is situated, may be continued subject to compliance with the conditions set forth below. No change of title or possession or right to possession of such building on the lot on which such use is located shall be construed to prevent the continuation of such nonconforming use or building. Whenever a district shall be changed hereafter by amendment of the Bylaw, the provisions of this Bylaw with regard to any building or use lawfully existing at the time of passage of this Bylaw will apply, subject to the conditions set forth below, to any building or use lawfully existing in such changed District at the time of passage of such an amendment.

2. Extension within a Building:

A nonconforming use which is not otherwise unlawful may be extended throughout any part of a building which was obviously arranged or designed for such use on the date that it became nonconforming through the adoption or amendment of this Bylaw.

3. Enlargement of a Building:

No building or other structure containing a non conforming use shall be hereafter extended or enlarged except in conformance with the provisions of this Bylaw.

4. Abandonment

Whenever a nonconforming use has been abandoned for a period exceeding one year, such use shall not thereafter be re-established, and any future use shall be in conformity with the provisions of this Bylaw.

5. Changes

Once changed to a conforming use, no building or land shall be permitted to revert to a nonconforming use. A nonconforming use may be changed to a more restrictive nonconforming use, and when so changed, shall not again be changed to a less restricted use.

6. Reconstruction

Any non-conforming building or structure, or portion thereof, which is lawfully existing at the time of the adoption of this bylaw or any pertinent amendment thereto, may be continued and may be rebuilt if destroyed by a catastrophic event or otherwise demolished provided that:

- a) The rebuilding is done approximately on the original footprint and the height of the building is either approximately that of the original or to the height allowed in the district.
- b) A completed application is filed within one year of the destructive event or completion of demolition.

7. Extension and Enlargement

A non-complying building or structure may be enlarged or extended provided that:

- a) An application is filed for a variance or waiver.
- b) The extension or enlargement is the reasonable minimum required to offer relief.
- c) The proposed extension may follow previously existing building lines without further reducing setbacks.

7.2 Protection of Streams and Drain ways

No structure shall be placed, and no on-site sewage disposal system shall be placed, and no land shall be excavated, filled, or graded in any zoning district within a distance of fifty (50) feet from the normal bank of any stream or watercourse shown on the Town Plan of Development as a drain way, or within a distance of fifty (50) feet from the shoreline of natural or artificial pond, lake or body of water, except with the approval of the Board of Adjustment. Application for such approval shall be submitted to the Board of Adjustment with such surveys, maps, and other data, as the Board of Adjustment may require in order to reach its decision.

The Board of adjustment shall refer all applications and accompanying surveys, maps and data, to the Planning Commission for its report and recommendations. Prior to granting such approval, the Board shall have found that the proposed construction, earth excavation, filling, or grading, shall not contribute to any impeded drainage, flood hazard, erosion, silting, or other adverse effect on natural conditions, or on fish or wildlife habitat.

7.3 Flood Hazard Areas – a regulation to supplement Zoning Bylaws.

Purpose

In addition to the purposes of the zoning district(s) underlying the Flood Hazard Areas, the purpose of this regulation is to protect the public health and safety, persons and property against the hazards of flood water inundation, and for the protection of the community against the costs which may be increased when unsuitable development occurs in swamps, marshes, along water courses, or in areas subject to flooding.

1. Flood Hazard Map

The Federal Flood Insurance Rate Map dated September 18, 1985, or as amended, is hereby declared to be a part of this regulation.

2. Review Procedure and Development Standards

Land development including 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 land fill, and any change in the use of any building or other structure, or land, or extension of use of land in the Flood Hazard Area may be permitted only by the Zoning Board of Adjustment as a conditional use in accordance with the procedures of Title 24, Chapter 117, subsection 4424.

If water courses are to be altered or relocated, notification shall be given to each adjacent municipality and the Vermont Department of Water Resources. A State permit may be required.

Upon receipt of an application and plans, the Zoning Board of Adjustment shall transmit one copy to the Vermont Department of Environmental Conservation – ANR. No permit for new construction or substantial improvement shall be granted for a flood or other hazard area until after both the following: (i) A copy of the application is mailed or delivered by the Administrative Officer or by the ZBA to the Department of Environmental Conservation – ANR and (ii) Either 30 days have elapsed following the mailing or the agency delivers comments on the application.

The Board of Adjustment shall consider all comments received from the Department of Environmental Conservation. The proposed development shall also be reviewed to assure that all necessary permits under Federal and State law have been obtained by the applicant, including Section 404 of the Federal Water Pollution Control Act. A report from the Planning Commission shall be part of the record of the hearing.

Minimum Standards: In addition to the District requirements, the Board of Adjustment shall determine that the land development is:

- a) Designed and anchored to prevent flotation, collapse, or lateral movement of the structure.
- b) Constructed of materials and methods (including utility equipment) that are resistant to flood damage,
- c) Constructed using methods and practices that will minimize flood damage,
- d) Consistent with the need to minimize flood damage,
- e) Designed so that all public utilities and facilities, such as sewer, gas, electrical, and water systems are located, elevated, and constructed to minimize or eliminate damage.
- f) Designed so that adequate drainage is provided so as to reduce exposure to flood hazards.
- g) New or replacement water supply systems and/or sanitary sewage systems are designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and that on-site disposal

systems are located so as to avoid impairment of them or contamination from them during a flood.

- h) Certification by a registered professional engineer or architect shall be required to assure that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this section.

The above is required to assure that the flood carrying capacity within the altered or relocated portion of any water course is maintained.

Additional Standards: In addition to the district requirements and minimum standards, the following standards are required by the Board of Adjustment based on the best information available indicating the elevation of the 100 year flood:

- a) The lowest floor (including basement) of residential buildings (including prefabricated units and manufactured homes) shall be elevated or flood proofed to at least one foot above the 100 year flood level.
- b) The lowest floor (including basement) of non-residential buildings and other structures shall be elevated or flood proofed to at least one foot above the 100 year flood level.
- c) Storage of materials or equipment may be permitted if not subject to damage by flood water and firmly anchored or secured to prevent flotation.
- d) Fill may be permitted in the flood hazard area only when it can be demonstrated that flood flows will not be obstructed or diverted. No fill shall be permitted in the floodway when identified. In riverine situations, prior to the alteration or relocation of a watercourse the applicant for such authorization shall notify adjacent communities. The Board of Adjustment shall obtain, review, and reasonably utilize any floodway data from a Federal, State or other sources to identify the regulatory floodway.

Flood Proofing Measures: Flood proofing measures include, but are not limited to the following:

- a) Anchorage to prevent flotation, collapse and/or lateral movement.
- b) Reinforcement of walls to resist water pressure.
- c) Use of water tight doors on bulk heads.
- d) Use of water-resistant building materials.
- e) Installation of pumps to control seepage.
- f) Installation of check valves in building drains.
- g) Provision of flood shields or other temporary measures to close off entrances and other openings during flooding.

3. Burden of Proof

In reviewing the proposed land development, the burden of proof shall be on the applicant.

4. Prohibited Uses

Junk yards as defined in 24 V.S.A., 2068, and solid waste disposal sites shall not be permitted within the flood hazard area.

5. Application Requirements

Applications shall include in addition to any other requirements of this Bylaw, plans in triplicate drawn to scale showing the nature, location, dimensions, and elevations of the lot, plat, or parcel, existing and proposed structures, fill and storage of materials, flood proofing measures, and the relationship of the above to the location of the channel, flood hazard area, and based on the best information available, the elevation of the 100 year flood. A cross section showing the stream channel, elevation of land adjoining each side of the channel, and areas occupied by the proposed development may be required.

6. Precedent of Law

Where this regulation imposes a greater restriction upon the land development, the provisions of this regulation shall control.

7. Administration and Enforcement

The provisions of this regulation shall be administered and enforced as provided for in Section 8 of the permanent Zoning Bylaws of the Town of Woodford.

The Board of Adjustment shall obtain and maintain for public inspection all documentation required for new or substantially improved structures under this section.

8. Disclaimer

It shall be understood that these regulations do not suggest or imply that areas outside of the Flood Hazard Areas, or uses permitted hereunder, within such Flood Hazard Areas, will be free from flooding or flood damage. No permit issued hereunder, shall create any liability on the part of the Town of Woodford, or any official, agent, or employee.

7.4 EARTH PRODUCTS REMOVAL

7.4.1 Removal Restriction

Except as otherwise provided in this subsection, there shall be no removal from the premises in any District of earth, sand, gravel, clay, or stone, except as surplus material resulting from a bona-fide construction, landscape, or operation being executed on the premises, and provided that no permanent damage is done to the landscape.

7.4.2 Permit for Removal of Earth Products

The Board of Adjustment, after a public hearing, may grant a permit for the removal of earth, sand, gravel, clay, or stone, under the following conditions:

1. The applicant shall submit a plan showing existing grades in the area from which the above material is to be removed, together with finished grades at the conclusion of the operation.
2. The operator shall provide for proper drainage of the area of the operation during and after completion, and no bank shall exceed a slope of one foot of vertical rise in two (2) feet of horizontal distance, except in ledge rock. No removal shall take place within fifty (50) feet of a property line, except that where the grade from a property line rises toward the lot where removal is to take place, material lying above the grade at the property line may be removed.
3. At the conclusion of the operation, or of any substantial portion thereof, the whole area where removal takes place shall be covered with top soil, and seeded with a suitable cover crop, except where ledge rock is exposed.
4. If the extraction is wholly or partly from a stream bed, it shall be carried on in such a manner that there shall be no obstruction or substantial change in normal flow, and at the conclusion of work in any section there shall be no increase in erosion or flood hazard. State permits are required for extraction in water flow areas.
5. In addition to the standards for conditional use, the Zoning Board shall consider whether the removal will: (1) endanger the general health or safety, (2) constitute a nuisance (3) result in detriment to the normal use of adjacent property by reason of noise, dust, or vibration, or (4) result in traffic hazards in residential areas or excessive congestion or physical damage on public ways. The Zoning Board may also consider the location and use of structures, equipment, routes to transport material, and hours of operation.
6. A permit for the removal of earth products may be issued for a period of up to but not exceeding five (5) years. Permits may be renewed upon reapplication under the same procedure.

7.4.3 Existing Sand and Gravel Operations

Existing sand and gravel or other extractive operations must conform to this Bylaw from its effective date with respect to any enlargement of the area which such operations are conducted.

7.4.4 Surety Bond

In accordance with the provisions of subsection 4407 (8) of the Vermont Planning and Development Act, before a permit is granted under this section, the applicant shall post a surety bond with the Treasurer of the Town of Woodford in an amount and in a form approved by the Board of Adjustment as sufficient to guarantee conformity with the provisions of the permit issued here under.

7.5 Off-Street Parking

7.5.1 Parking Facilities Required

Parking facilities off the street or highway right-of-way shall be provided to serve any building erected, moved, altered, or enlarged, and all premises otherwise developed after the adoption of this Bylaw. Such on-site facilities shall be sufficient to accommodate the motor vehicles of all occupants, employees, customers, and other persons normally visiting such building or premises at any one time.

Required parking facilities shall be located on the same lot as the principal building or use which it serves. -Upon the approval of the Planning Commission required parking facilities may be located elsewhere.

7.5.2 Required Area of Parking Facilities

Unless otherwise specifically approved by the Planning Commission, required parking facilities shall contain not less than the minimum areas set forth below, exclusive of driveways.

1. For dwellings, two spaces for each principal dwelling plus two spaces for an accessory dwelling.
2. For offices and for home occupations, an area equal to twice the floor area used for such purpose.
3. For retail stores, personal service shops, and similar business buildings, an area equal to two and one half the floor area used for business.
4. For restaurants, an area equal to two hundred fifty (250) square feet for every three seats.
5. For motels, lodging, or rooming houses, two hundred fifty (250) square feet for each unit.
6. Recreation District parking shall be adequate for on site business as well as needed parking during special events.

7.6 Mobile Homes and Travel Trailers

1. General Regulations:

1. Nothing herein shall prevent the use of a mobile home or travel trailer at a campground operated by the State of Vermont on State land.
2. Any recreational vehicle or a mobile trailer designed for office use and any storage trailer accessory to a permitted construction operation being executed on the premises, may be used temporarily without a permit for up to six (6) months as a field office and for secure storage of related materials. Continued use after six (6) months requires a permit.

2. Mobile Home as a Dwelling

1. A mobile home may be used as a one-family dwelling, provided that it is located on a lot meeting all of the requirements of this Bylaw applicable to a one-family dwelling in the District in which it is located, is suitably anchored to a permanent concrete foundation of not less than six (6) inches thick and containing 1/2" diameter steel reinforcing rod 18" on center or wire mesh of normal/accepted gauge.
2. A recreational vehicle may be occupied on any lot by a non-paying guest of the occupant of such lot for a period not exceeding thirty (30) days in any twelve (12) month period, provided provisions are made for lawful disposal of all grey and black water from the RV holding tanks

3. Mobile Home Parks:

1. Mobile home parks are permitted in accordance with 10 V.S.A., Chapter 153 Ss 6204 (a) and 24 VSA, Ss 4412 (B) and (C) and including essential services such as laundry and convenience goods for the occupants.

2. Standards for Location: Residential and Roadside Commercial Districts: Minimum Park Area: 5 acres; Density: Maximum of four (4) homes per gross acre of Park Area; Each mobile home (MH) lot shall be a minimum of six thousand, 6,000 square feet, with a minimum width of fifty (50) feet; MH lot line setback shall be fifteen (15) feet; water supply and waste water disposal shall meet state standards; Open space: ten 10 % of the gross Park Area. The enterprise of mobile home sales, sale of merchandise or business services on a mobile home lot is not permitted. A landscaped perimeter buffer shall be at least 20 feet wide in addition to appropriate internal landscaping and lighting. Each mobile home shall be located on a defined lot, adequately anchored and skirted to industry standards. A minimum of two parking spaces (paved or gravel) shall be provided for each mobile home lot. There shall be provision for MH operation and maintenance. Review procedure includes site plan and conditional use approval.

7.7 Swimming Pools and Ponds

1. Swimming pools

A swimming pool may be considered accessory to the use of a dwelling unit provided such pool is used only by the residents of the premises and their guests, that no portion of the water area shall be closer than fifty (50) feet to any lot line, and that the pool shall be securely fenced with a latching gate to a height of not less than four feet.

2. Ponds

A pond may be approved by the Board of Adjustment after a public hearing, provided that there shall be no adverse effect upon the public health and safety, and surrounding use. No water areas shall be closer than two hundred (200) feet to any side or rear lot line except as approved by the Board of Adjustment.

In reviewing such application, the Board of Adjustment shall require plans and specifications, and other information deemed necessary. Such information shall include:

- a) Map of entire property showing location of the pond with respect to present structures, roads, and boundaries
- b) The nearest building(s) on adjoining land
- c) Specifications for a dam, if one is to be constructed
- d) An estimate of the surface area of the pond and volume of water.
- e) Natural or proposed drainage and contours
- f) Evaluation and recommendation by the soil conservation District.

7.8 Commercial Telecommunication Towers and Antennas

Commercial telecommunication towers and antennas shall be a conditional use in all districts subject to review by the Planning Commission (PC) and must meet the following criteria in addition to the general standards specified in Section 2.3.3

- a. Climbing access to the tower shall be restricted.
- b. Commercial towers shall meet the height requirement for the district in which it is located; or with a variance that may be granted by the PC . PC shall not

grant variances that exceed twenty (20) feet above the surrounding structures or trees;

- c. Commercial towers shall be evaluated based on their neighborhood context and visual impact;
- d. Antennas may be placed on existing structures such as silos or church steeples where appropriate;
- e. Commercial towers shall be of a non-reflective unobtrusive color and may be required to be painted or otherwise camouflaged to minimize the potential adverse visual impact;
- f. The distance from the base of the tower to the property line shall be a minimum of fifty (50) feet. The PC may waive the setback requirement for that portion of a parcel abutting the Green Mountain National Forest.
- g. Any commercial telecommunication tower which has reached the end of its useful life or has been abandoned shall be removed. Abandonment is defined as the failure to operate the facility on a continuous and ongoing basis for a period of one (1) year. At the time of removal, the tower site shall be reclaimed. -Adequate surety must be provided to cover cost of removal.
- h. The developer must provide evidence of all risks insurance to industry standards with the Town of Woodford named as an additional insured.

8.0 ADMINISTRATION AND ENFORCEMENT

The provisions of this Bylaw shall be administered and enforced by the Administrative Officer, nominated by the Planning Commission and approved by the Board of Selectmen, as provided by law. The Zoning Administrator shall literally enforce the provisions of these regulations, inspect land developments, maintain records of actions, and perform all other necessary and required tasks to carry out the provisions of these regulations, and the duties of his the office. A complete and accurate record of all applications, decisions, and violations acted upon shall be filed with the Town Clerk and Board of Listers as provided in 24 V.S.A. Section 4449.

8.10 Permits

Before any land or building is devoted to a new or changed use, or before the erection of any building or land development, a zoning permit shall be obtained from the Administrative Officer.

Application for such a permit shall be made on prescribed form, accompanied by a fee in an amount established by the Board of Selectmen. Before issuing any such permit the Administrative Officer shall certify that the proposed building and use comply with all of the provisions of this Bylaw. The application for the zoning and building permit shall be accompanied by plans and specifications in duplicate, showing the actual shape and dimensions of the lot to be built upon, the exact sizes and locations on the lot of the buildings and accessory buildings then existing and the lines within which the proposed building or structure shall be erected or altered, the existing and intended use of each building or part of a building, the number of housekeeping units the building is designed to accommodate, and such other information with regard to the lot and neighboring lots as may be necessary to determine and provide for enforcement of this Bylaw.

In case the proposed building would result in the construction of more than one principal building on a single lot, the plans shall indicate for each such principal building the boundaries on the land area set aside as the site for each building and providing thereon all such yards and open spaces as are required in this Bylaw for such a building within the District in which it is located.

Any construction, development, use, or change in use requiring or affecting a water supply or wastewater disposal system shall not proceed if a permit is required and until it is approved pursuant to 10 V.S.A., Chapter 64, and Vermont's Wastewater System and Potable Water Supply Rules. The State has universal jurisdiction for water supply and wastewater disposal permits and enforcement. A copy of the State application for a permit shall be filed with the Town. Permits, denials, and supporting documentation shall be filed with the Town for recording with the land records pursuant to 24 V.S.A. sections 1154 and 1161. Nothing in this section shall be construed to restrict the authority of the town, acting through the Woodford Board of health, to abate public nuisances or to abate or remove public health risks or hazards.

8.11 Issuance of a Permit

The Administrative Officer shall not issue a zoning permit unless an application, fee, plot plan, and any other approvals required by these regulations have been properly submitted. The Administrative Officer shall act within 30 days of submission of a complete application, data, and approvals, by issuing a decision or by making a referral to the appropriate municipal panel.

If the Administrative Officer fails to act with regard to a complete application for a permit, within thirty (30) days, a permit shall be deemed issued on the 31st day. If a permit is denied, the Administrative Officer shall so notify the applicant in writing stating that reasons thereof.

If the zoning permit is approved, all activities authorized by its issuance shall be completed within two (2) years of its date of issue, or the zoning permit shall become null and void and reapplication to complete any activities shall be required. Each zoning permit issued under this section shall contain a statement of the period of time within which an appeal may be taken. Within three (3) days following the issuance of a Zoning Permit, the Administrative Officer shall:

1. Deliver a copy of the permit to Listers;
2. Post a copy of the permit in at least one (1) public place in the municipality until the expiration of fifteen (15) days from the date of issuance of the permit;
3. File a copy with the Town Clerk.

For any property for which a permit has been issued, a notice of permit shall be posted within view from the public right-of-way most nearly adjacent to the subject property until the time for appeal (24 V.S.A., Section 4465) has passed.

8.12 Effective Date

The effective date of a permit shall be fifteen (15) days after the date of approval. No zoning permit shall take effect until the time for appeal (24 V.S.A. Section 4465) has passed, or in the event that a notice of appeal is filed properly, such permit shall not take effect until final adjudication of said appeal by the Board of Adjustment is complete and the time for taking an appeal to the Environmental Court has passed without an appeal being taken. If an appeal is taken to the Environmental Court, the permit shall not take effect until the Environmental Court rules in

accordance with 10 V.S.A. Section 8504 on whether to issue a stay, or until the expiration of fifteen (15) days, whichever comes first.

The time for appeals from a decision of the Administrative Officer is fifteen (15) days. (subsection 4465 (a) of the Act).

The time for appeals from a decision of the Zoning Board of Adjustment is thirty (30) days. (See subsection 4471 of the Act and Title 3 V.S.A. subsection 801 through 816).

8.13 Property Improvements and Uses Not Requiring Permits

1. Landscape features, such as bank retaining walls; complimentary steps in lawns/gardens; raised planter beds. Under these Bylaws a roofed gazebo structure is treated as an accessory building.
2. Portable seasonal (warm weather) structure. Must be taken down 11/1 through 3/31 each year.
3. Accessory building/shed thirty six (36) square feet or smaller (no more than two (2) per property), that conform to setback requirements, or a portable building designed and used mainly for ice fishing.
4. Roadways/driveways within property boundaries, new construction or improvements, provided said roadway is ten (10) feet or more from any boundary line.
5. Private dock on a pond wholly within property boundaries.
6. Fencing, six (6) feet or under. A fence line along a public road must be set back from an established road right-of-way. No fence or gate may impede or block a private right-of-way of another property owner. Fencing shall not create and undue adverse effect.
7. Outdoor lighting for security/aesthetic purposes. Lighting must meet any state guidelines in effect at time of installation, such as limits on illumination levels or glare pollution. Lighting, including motion detection activation, should avoid increased illumination on an adjoining property.
8. Exterior structural improvements and repairs that do not increase the volume and dimensions of the building/structure, the addition of a chimney, and interior improvements.
9. New or replacement access stairs and/or ramps with open deck not to exceed 36 sq. ft. All components may be railed.
10. Alternative energy collection systems for individual residential use, such as solar panels, wind turbines and hydroelectric turbines. Standard setbacks and height limits (30 feet) must be met. Hydroelectric turbines may require a State permit. Such energy systems are also exempt from the Town permit process if shared by not more than three (3) abutting residential properties.
11. An occasional garage/yard/tag sale in connection with a residence. Such an event is restricted to no more than one (1) weekend per month for a period of two (2) days or three (3) days if the weekend includes a Federal holiday. Such sales may be held April 15- November 30 only. Estate or household moving sales may run for a total of sixteen (16) days.

8.14 Discretionary Permit Actions – Authority of the Zoning Administration

In the specific instances listed below, the Zoning Administrator, at his/her discretion may issue permits requiring variance judgments. The ZA, without giving cause, may send these applications to the ZBA for determination. (24 V.S.A., Section 4414 (8))

1. Nonconforming (small) lot discretionary permits. Required setbacks must be met.
 - a) Replacement or new decks without roofing.
 - b) Enclosing an entryway or porch 7 feet by 7 feet or smaller.
 - c) Access steps and ramps, new or replacement, for any existing building.
 - d) Accessory building or shed 100 square feet or smaller.
 - e) Private dock not requiring a State permit.
2. Access deck or porch, including stairs and/or handicapped ramping, to pre-existing entry door. There must be at least twenty-five (25) feet of clearance from the property line of the building unless a waiver is applied for and granted. The deck/porch platform may not extend more than eight (8) feet from the side of the house. A deck/porch so approved will not be given “pre-existing” status for future expansion of living space unless applied for in a separate zoning permit amendment.
3. **Waivers:** Where renovation or expansion is proposed for a residential structure, a waiver of setback or other dimensional requirements may be approved by the Zoning Board of Adjustment if the following standards are satisfied:
 - a) The new or renovated part of the building does not extend beyond the existing nonconforming structure, unless needed to accomplish the intended goal (an expanded, improved entry deck, for example).
 - b) The result will improve the property and the neighborhood.
 - c) The result will not alter the character of the neighborhood, impair reasonable or appropriate use of adjoining properties, nor cause harm to the public welfare.
 - d) Is helpful or necessary to allow for continued reasonable use of the property.
 - e) The proposed work or construction does not reduce the setback more than necessary.

8.15 Time Limits on Zoning Permits

1. Project must be substantially started within one (1) year of the permit date.
2. Project must be substantially completed within two (2) years of permit date.
3. A Zoning Administrator may grant one additional year (three year total) to meet “substantially completed” status, provided the property owner documents in writing verification of reasonable hardship(s), such as finances, contractor delays, weather, etc.

8.16 Permits Applied for During Bylaw Amendment Period

If a public notice is issued by the Selectmen with respect to the amendment of these Bylaws, the Administrative Officer shall act on the permit application pursuant to 24 V.S.A., Section 4449 (d).

8.17 Interpretation of Bylaws

In their interpretation and application, the provisions of this Bylaw shall be held to be the minimum requirements adopted for the promotion of the public health, safety, comfort, convenience, and general welfare.

It is not intended by this Bylaw to repeal, abrogate, annul, or in any way to impair or interfere with existing provisions of the Law or ordinances, or any rules, regulations, or permits previously adopted or issued, or which shall be adopted or issued pursuant to law, relating to the use of buildings or premises; nor is it intended by this Bylaw to interfere with or abrogate or annul any easements, covenants, or other agreement between parties, provided, however, that where this Bylaw imposes a greater restriction upon the use of buildings or premises, or upon the height of buildings, or requires larger yards, courts, or other open spaces than are imposed or required by existing provisions of law or ordinance, or by such rules, regulations, or permits, or by such easements, covenants, or agreement, the provision of this Bylaw shall control.

8.18 Penalties and Enforcement

Any person who violates the provision of this Bylaw shall be subject to the penalties prescribed in the Municipal and Regional Planning and Development Act, as amended, title 24 V.S.A., Chapter 117, Sections 4451, 4452, and 4454.

8.19 Validity

If any section or provision of this Bylaw is adjudged to be unconstitutional or otherwise invalid, such decision shall not affect the validity of this Bylaw as a whole, or of any part thereof other than the part as adjudicated.

8.20 Public Notice

Any public notice required for public hearing under this Bylaw shall be given as required by law.

8.21 Planning Commission

There shall be a Planning Commission and the number of members shall be determined by the Selectmen. Each member shall serve for a term of four years, and as provided by subsection 4323 of the Act. The Planning Commission shall elect a chairman and a clerk and shall adopt other rules as required. A record of its resolutions and transactions shall be maintained as a public record of the municipality.

The Planning Commission shall have the following functions:

1. To prepare amendments to this Bylaw and other Bylaws as permitted by 24 V.S.A., Chapter 117.
2. To prepare and update the Town Plan every five years, and to prepare amendments to the Town Plan as necessary.

3. To review Site Development Plans.
4. To approve land development not having frontage on a public road.
5. To interpret the intent and purpose of the Bylaw if any provision is unclear.
6. Such other functions as provided by 24 V.S.A., subsection 4325.

8.22 Zoning Board of Adjustment

There shall be a Zoning Board of Adjustment whose members, as well as their number and term of office, shall be determined by the Board of Selectmen.

The Board of Adjustment shall elect its own officers and shall adopt rules of procedure. Meeting of the Board shall be held at the call of the Chairman, and at such time as the Board may determine. The officers on the Zoning Board may administer oaths and compel the attendance of witnesses and the production of material germane to any issue under appeal. The Board shall keep minutes of its proceedings showing the vote of each member upon each question, and shall file such minutes with the Town Clerk.

The Zoning Board of Adjustment is created as provided by subsection 4460 and subsection 4461, inclusive of the Vermont Planning and Development Act as amended, with the power and duties as provided therein:

1. Perform the administrative review of all questions arising out of or with respect to the administration and enforcement of this Bylaw (as opposed to the interpretation and intent of this Bylaw which is the responsibility of the Planning Commission).
2. Hear and decide appeals taken under subsection 4465 of the Act including where it is alleged that an error has been committed in any order, requirement, decision, or determination made by the Administrative Officer in connection with the enforcement of this Bylaw.
3. Hear and grant or deny appeals for variances from the provisions of this Bylaw based on findings as described in subsections 4469 of the Vermont Planning and Development Act.

As per subsection 4469 of the Act, when a variance from the strict requirements of this Bylaw is requested, the Board of Adjustment may render a decision in favor of the appellant only if it makes a positive finding for all of the following reasons:

- 1) That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that the unnecessary hardship is due to such conditions, and not the circumstances or conditions generally created by the provisions of the zoning regulation in the neighborhood or District in which the property is located.
- 2) That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the zoning regulation and that the authorization of a variance is therefore necessary to enable the reasonable use of the property;
- 3) That such unnecessary hardship has not been created by the appellant;

- 4) That the variance, if authorized, will not alter the essential character of the neighborhood or District in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare; and development of adjacent property, and
- 5) That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of these Bylaws and of the Town Plan.

The ZBA may grant a variance for reasonable use of a pre-existing small lot which may not allow for the required setback requirements. In doing so, it shall be the least deviation from the required setback standards. In such circumstances, the hardship shall be deemed not to have been created by the applicant.

On appeal from the decision of the Zoning Administrator in which a variance from the provisions of this Bylaw is requested for a structure that is primarily a renewable energy resource structure, the Board of Adjustment may grant a variance if all the following facts are found:

- 1) It is unusually difficult or unduly expensive for the appellant to build a suitable renewable energy resource structure in conformance with the Bylaws;
- 2) The hardship was not created by the appellant;
- 3) The variance, if authorized, will not alter the essential character of the neighborhood or District in which the property is located, substantially or permanently impair the appropriate use or development of adjacent property, reduce access to renewable energy resources, or be detrimental to the public welfare; and
- 4) The variance, if authorized, will represent the minimum variance that will afford relief and will represent the least deviation possible from the Bylaw and the Town Plan.

In rendering a decision in favor of a variance, the Board of Adjustment may attach such conditions as it may deem necessary and appropriate under the circumstances, to implement the purpose of this Bylaw and the Town Plan, as duly adopted or amended, to safeguard the public welfare.

4. Hear and grant or deny appeals for conditional uses, and for specific uses and acts described in this Bylaw.
5. Make available to the courts of the State of Vermont, in any action concerning this Bylaw brought before them, a record of the facts found, after public hearing, and the grounds for any decision initially rendered by the Board of Adjustment.
6. Upon appeal, resolve any uncertainties on the Zoning Map as determined by the Zoning Administrator.
7. Consider and grant or deny applications for expansion of nonconforming uses and non-complying structures.

8.23 Appeals to the Board of Adjustment

Appeals to the Board of Adjustment may be entered in accordance with subsections 4465 and 4466 of the Vermont Planning and Development Act.

1. An appeal by an interested person from any decision or act taken by the Administrative Officer within fifteen (15) days from the date of the Administrative Officer's decision or Act.
2. An appeal for a variance from the provisions of the Zoning Bylaw, after denial of an Application for Permit by the Administrative Officer.

8.24 Appeals to the Environmental Court

An interested person may appeal a decision of the Board of Adjustment to the Environmental Court under Section 801 through 816 of Title 3.

8.25 Amendments

This Bylaw or the boundaries of established zone Districts may be amended from time to time after a public hearing, as provided by subsection 4442 of the Vermont Planning and Development Act, as amended.

8.26 Review

Every fifth year from the date of adoption of this Bylaw, the Town's legislative body may appoint a committee of five (5) legal voters of the Town of Woodford to review this Bylaw, and to recommend such changes and amendments as may be necessary. This committee shall hold not less than one (1) public hearing at the time of review.

APPENDIX A

DEFINITIONS:

For the purpose of this Bylaw, certain terms or words shall be defined as below. Words in the present tense include the future, and singular number includes the plural, and vice-versa. The word "person" includes a partnership, corporation, or other entity.

Abandonment: Any building or other structure which is unoccupied, without tenant, or deserted, and unfilled, thereby indicating a surrender of its intended original use.

Accessory Use: A use customarily incidental and subordinate to a principal use on the same lot.

Accepted Agricultural or Forestry Practices: Practices defined as such by the Commissioner of Agriculture, Food and Markets or the Commissioner of Forests, Parks and Recreation, respectively, under 10 V.S.A. 1021(f) and 1259(f) and 6 V.S.A., 4810 and 24 V.S.A., Ss 4413(d).

Building: Any structure having a roof and intended for the shelter, housing, or enclosure of persons, animals, or materials.

Building, Accessory: Any building which is subordinate to and whose use is incidental and accessory to the use of the principal building on the same lot, or on an adjoining lot under the same ownership. A light-framed fabric covered building is considered an accessory building.

Building Area: The ground area enclosed by walls of a building, including the area of the walls themselves, together with the area of all porches, decks, and structures.

Building Coverage: The percentage by which the total area of all buildings on the lot relate to the area of the lot.

Building Height: The vertical distance from the average finished grade within ten (10) feet of the walls of the building to the highest point of the roof.

Building Line: A line parallel to the property line at a distance equal to the required setback.

Camper: A mobile unit, intended for recreational camping but not for permanent residential occupancy. Examples include a travel or tent trailer, van, pick-up truck camper or motor home.

Change of Use: Any change of use from one category of use to another, (such as residential to commercial, etc.) or within a category of use (such as one retail use to another, or from single-family use to two-family or multi-family use).
A change of use shall also include any change of character of the business activity (such as retail to wholesale).

Deck: A floored structure usually attached to a dwelling with access via an outside door. A deck can be roofed and railed, but does not have definable sidewalls except where abutting dwelling walls. (See "Porch")

District: A District established by the provisions of Section 2 of this Bylaw.

Dwelling, Multi Family: A building containing separate dwelling units for three (3) or more families, each unit having separate or joint entrances and each with its own its own sanitary facilities and kitchen.

Dwelling, One Family (Single family): A detached building designated for or occupied solely as a dwelling by one (1) family, and equipped with sanitary facilities and not more than one kitchen.

Dwelling, Two Family: A detached building designated for or occupied solely as a dwelling by two (2) families living independently of each other, each unit having separate or joint entrances, and each with its own sanitary facilities and kitchen.

Dwelling Unit: A dwelling or part of a dwelling occupied or intended to be occupied by one family for residential purposes, containing full housekeeping facilities for the exclusive use of the occupants.

Dwelling Unit, Accessory: An efficiency or one bedroom dwelling unit located within or adjacent to an owner-occupied one-family dwelling that is clearly subordinate to the one-family dwelling. The accessory unit shall have facilities and provisions for independent living, including sleeping, food preparation, and sanitation. The property shall have sufficient wastewater capacity. The unit shall not exceed 30 percent of the total habitable floor area of the one-family dwelling, but is at least 400 square feet in floor area.

Family: Any number of individuals related by blood, marriage, or adoption, living together as a single housekeeping unit. A group of not more than five persons keeping house together, but not necessarily related by blood or marriage, may be considered a family.

Family Child Care Home or Facility: A home or facility where the owner or operator is licensed or registered by the State for childcare. See section 2.4.7.

Footprint: The area underlying a structure.

Garage/Yard/Tag Sale: A temporary set-up, outside or in a tent or building, for the retail sale of new or used merchandise.

Hazardous Materials & Waste: Hazardous materials, hazardous waste: Products identified by Federal or State environmental agencies as presenting a threat to the environment including humans and domestic animals.

Home Occupation: A profession or occupation in a dwelling or accessory building and is clearly secondary to the use as a dwelling. A home occupation may only be conducted by a resident(s) of the dwelling and not more than one full-time employee. Home occupations shall preserve the residential character of the premises and neighborhood, and are subject to the provisions in Sections 3.11.3 and 3.12.1.

Junk Yard: A plot of land with or without a building for the storage and/or sale of scrap material including vehicles.

Land Development: Land Development shall consist of one or more to the following:

- a. Division of a parcel into two or more parcels.
- b. Construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any building or other structure.
- c. Any change in the use of any building or other structure, or land, or extension of land use.

Lot: A plot or a parcel of land with boundaries defined by deed, occupied or capable of being occupied by one principal building and the accessory buildings or uses customarily incidental to it,

including such open spaces as are required by this Bylaw. In case of multiple dwellings and public, institutional, commercial, or agricultural buildings, a group of buildings on the same or contiguous premises, all under the same ownership, may be considered as occupying the same lot. A lot must have its principal frontage on a street or highway, or such other means of access as determined by law, and provisions of this Bylaw.

Lot, Corner: A lot at the intersection of and abutting on two or more roads or streets.

Lot, Interior: A lot other than a corner lot or through lot.

Lot Line: The established division line between lots or between a lot and a street.

Lot Line, Front: All dividing lines between a street and the lot shall be considered front lines.

Lot Line, Rear: The line or lines bounding a lot at the rear and approximately parallel to and at the maximum distance from the front lot line.

Lot Line, Side: The line or lines bounding a lot which extends from the street toward the rear in a direction approximately perpendicular to the street. In the case of corner lots, or through lots, all lines extending from streets shall be considered side lot lines.

Lot, Minimum Width: The distance between the side lot lines measured in a straight line at approximately right angles to the mean direction of such side lot lines. The line of measurement shall touch, but not be in front of the building line. In the case of a corner lot, the minimum width shall be similarly measured and, for the purpose of this measurement only, the front lot line which has the least dimension shall be considered the front lot line, and the lot lines adjacent thereto shall be considered as side lot lines.

Lot, Through: A lot other than a corner lot which abuts two (2) or more streets which do not intersect at the lot.

Mobil Home: A prefabricated dwelling unit which:

- 1) is designed for long-term and continuous residential occupancy; and
- 2) is designed to be moved as a whole or in sections; and
- 3) on arrival at the site is complete and ready for occupancy except for incidental unpacking, and assembly; and
- 4) is anchored onto a foundation; and
- 5) contains comparably efficient water supply and waste disposal facilities in relation to immovable housing.

Mobile Homes are not prohibited by this Bylaw except to the same extent as conventional housing is restricted or regulated, and as provided in the sections on flood hazard areas and mobile homes and travel trailers.

Mobile Home Park: Any premises used or permitted to be used for parking of more than two (2) mobile homes.

Motel: A building or group of buildings providing lodging for persons, intended primarily for accommodation of transients, having a private outside entrance for each room or suite of rooms. Adequate parking space must be provided for each rental unit on the premises.

Nonconforming Building: A building, the location, size, height, or construction of which does not conform to all the applicable provisions of this Bylaw, but which was legally existing at the effective date hereof, or of any pertinent amendment hereto.

Nonconforming Use: A use of land, building, or premises, which is not a use permitted by the provisions of this Bylaw for the District in which such land, building, or premises are situated, but which was legally existing at the effective date hereof, or of any pertinent amendment hereto.

Open Space: A space, not occupied by a building or other roofed structure on the same lot as the principal building.

Porch: A roofed structure attached to the main dwelling with access through an outside door.

Porch, Mudroom or Entryway: A small structural enclosure intended to provide weatherized access to a dwelling.

Patio or Terrace: A ground level graded area covered with materials such as stone, tile, wood or synthetics. The surface plane rises less than one (1) foot above the mean plane of the surrounding ground.

Premises: A lot, as defined in this section.

Principal Building: The building on the lot containing the major permitted or conditionally permitted use or uses for which a permit may be issued.

Public Building: Those buildings defined in V.S.A., Title 18, Section 1301, and including but not limited to dwellings of two (2) or more units, places of employment, motels, restaurants, places of public assembly, stores, shops, offices, manufacturing and industrial facilities, and lodging establishments such as boarding houses, rooming houses, tourist lodges, cabins, etc.

Riverine: Relating to a river, water channel, drainage course, or surface waters, which indicate a conveyance of surface water, including fluvial erosion hazard areas which contribute to a stable channel.

Rooming House: (Shall also include the terms Boarding House or Lodging House). Any residential dwelling which is operated to provide rooms for rent on at least a monthly basis. A rooming house shall have no more than one kitchen facility, whether shared or not.

Street: A town or state highway, or a way for motor vehicles that is shown on a site plan approved by the Planning Commission. The word "street" shall include the entire right-of way thereof. If a boundary of the right-of-way has not been surveyed and so recorded, and is not marked by fence line or other physical feature, the boundary shall be deemed to be twenty five (25) feet from the center line of the traveled way.

Structure: A manmade unit designed to serve a general or specialized purpose, such as a building or specific part of a building; a deck; a tower; a fence. Components of a structure can be of any material or combination thereof. For the purposes of this Bylaw, a structure is any such unit rising one (1) foot or more above mean ground level.

Tourist Cabin: A residential structure with or without kitchen facilities, containing not more than two (2) bedrooms, and primarily intended for the accommodations of transients.

Travel Trailer: (Shall also include the terms trailer and trailer coach.) A vehicle, not attached to permanent water and sewer services, designed and used primarily for recreational travel purpose. To be considered a travel trailer, such vehicle must be designed to rest on its wheels. The provisions hereof applicable to travel trailers shall also be applied to any motor vehicle, the body of which has been equipped for occupancy for recreational purposes

Yards, Front: An open space between the building and the front lot line, extending the full length of the lot, or in the case of a corner lot, extending along all the streets.

Yard, Side: An open space between the building and side lot line, extending the full length of the lot.

Yards, Depth or Width of: The depth of front and rear yards, and the width of side yards, shall be measured perpendicularly to the respective lot lines.

Appendix B – Not adopted as part of the Zoning Bylaw

Guidance and Protocol for Small Lot Mergers

1. Zoning Administrator will check regularly (at least once a month) with the Listers to review property transfers.
2. ZA will determine if a mandatory deemed merger has occurred.
3. Merger is determined by contiguous lot location and identical ownership, notwithstanding the fact of separate lot deeds.
4. Merger will be determined to have occurred on the actual date of property transfer, as notarized on the deed, even if there is a delay in filing with the Woodford Town Clerk.
5. The ZA, on making a determination of merger status, will promptly notify the property owner(s) by registered mail, return receipt requested.
6. The Notification will include a statement of the findings; implications for further lot development or sale; reference to the Bylaw statute; and the appeal protocol.
7. Owner will have fifteen (15) days from receipt of the notice of deemed merger to deliver to the Town Office a written grievance of the ZA decision. This appeal will then follow the usual statutory appeal process with appeal process with a warned hearing before the Zoning Board of Adjustment.
8. While not required to do so, an owner of merged lots will be encouraged to combine these lots by deed to clarify status in the land records.