

NOTE: PROPOSED CHANGES ARE IN ITALLICS.

TOWN OF STAMFORD, VERMONT

ZONING BYLAWS

Effective:

TOWN OF STAMFORD, VERMONT
ZONING BYLAWS

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Purpose and Applicability.

This Bylaw is intended to implement the goals and policies of the Town Plan by providing for appropriate future land uses, densities, and intensities of development in a manner that will promote economic prosperity, protect important resources, and contribute to a high quality of life for residents.

This Bylaw is adopted under the authority of 24 V.S.A. Chapter 117, the Vermont Municipal and Regional Planning and Development Act, replaces and supersedes the previous Stamford Zoning Bylaw.

Section 1: Definitions.

For the purpose of this Bylaw, certain terms or words shall have meaning as defined below. Words in the present tense include the future, the singular number includes the plural, and vice-versa. The word “person” includes a partnership, corporation, or any joint venture or other entity. The word “building” includes the word “structure”.

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

Building: Any structure having a roof, side walls and with or without a permanent foundation, and intended for the shelter, housing or enclosure of persons, animals, or materials. Any other structure more than eight feet high shall be considered as a building, including a solid fence or wall, but excluding an electric transmission line or an electric light, telephone or telegraph pole, highway or railroad bridge or flagpole.

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 detached accessory building shall be one which is not attached to the principal by any covered porch, breezeway or other roofed structure.

Building Area: The ground area enclosed by the walls of a building, together with the area of all covered porches and other roofed portions.

Building Coverage: The percentage which the aggregate area of all buildings on the lot bears to the area of the lot.

Building Height: The vertical distance from the average finished grade within ten feet of the walls of the building to the highest point of flat or mansard roofs, including the top of a parapet, or to the mean level between the eaves and ridge for gable, hip, or gambrel roofs.

Building Line: A line parallel to a street at a distance equal to the required front yard, or at a greater distance when otherwise legally established by the municipality or by private covenant.

Conditional Use: Certain uses which may be permitted in any district only by approval of the Zoning Board of Adjustment upon a determination that the general and specific standards enumerated in this Bylaw are satisfied.

District: A district established by the provisions of Section 3 of this Bylaw.

Dwelling, One Family: A detached building designated as or occupied solely as a dwelling by one family.

Dwelling, Two Family: A detached building designated as or occupied solely as a dwelling by two families living independently of each other.

Dwelling, Multiple: A building containing separate dwelling units for up to three families, having separate or joint entrances, services or facilities.

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 appurtenant to an owner-occupied one-family dwelling that is clearly subordinate to the one-family dwelling, which has facilities and provisions for independent living, including sleeping, food preparation, and sanitation, provided that the property has sufficient wastewater capacity and that the unit does 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.

“E”

Family: Any number of individuals related by blood, marriage or adoption, living together as a single housekeeping unit.

Family Child Care Home or Facility: A home or facility where the owner or operator is licensed or registered by the State for child care. *See Section 4.1.1.d.*

Farm: Any parcel of land which is used in the raising of agricultural products, livestock, poultry or dairy products, including necessary farm structures, vehicles and equipment.

Foundation: A permanent, in ground, support.

“G” “H” “I” “J” “K”

Lot: A plot or parcel of land 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 the case of multiple dwellings and public, institutional, commercial, industrial, 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.

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 the front line.

Lot Line, Side: The line or lines bounding a lot which extends from the street towards 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 Lines, 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, Minimum Width of: The distance between the side lot lines measured in a straight line at right angles to the mean direction of such side lot lines, which 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 as side lot lines.

“M”

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.

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.

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

Permitted Use: A use which shall be permitted allowing the property owner to use their property in a way which the Zoning Regulations expressly permit under the conditions specified in the regulations after obtaining approval by the Zoning Administrator or Planning Commission, as required.

Personal Service Business: A business which provides services of a personal nature, including but not limited to: professional offices, beauty and barber shops, technology and telecommunication services, and similar uses.

Pollution: Presence in air, land, or water, of one or more contaminants injurious to human health or welfare, animal or plant life, or property, or which would unreasonably interfere with the enjoyment of life or property.

Premises: A lot as defined in this section.

“Q”

Restaurant: An establishment that serves food and beverages to persons seated primarily within the principal building. This includes taverns, bars, cafes, tea rooms, and outdoor cafes. It also may include take-out service.

Seasonal, Vacation Structure or Camp: A second place for living, used by the occupants periodically *and for no more than 21 consecutive days or 60 total days per year*, primarily recreational use, and not used as their principal residence.

Street: A Town or State highway or a road or street shown on a subdivision plot 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 or is not marked by a fence line or other physical features, the boundary shall be deemed to be 25 feet from the centerline of the traveled way.

Street Line: The line dividing the street and the lot. The street line for state highways shall be confirmed by the District Highway Engineer.

Subdivision: The division of a parcel of land into two or more lots, or other divisions for present or future transfer of ownership, either by sale or lease. The word subdivision shall refer to the land to be subdivided or to the process of subdivision, as appropriate to the context, and shall include re-subdivision.

Trailer Coach: Any vehicle or object on wheels and having no motive power of its own, but which is drawn by, or used in connection with a motor vehicle, and which is designed and constructed, or added to, so as to permit the use and occupancy thereof for human habitation, whether resting on wheels, jacks, or other foundation, including the type of vehicle known as a mobile home. The provisions hereof shall also be applicable to any motor vehicle which is designed or added to so as to permit its use and occupancy for human habitation.

Travel Trailer: A vehicle similar to a trailer coach, but not exceeding thirty feet in length, and designed and used primarily for recreational travel purposes. To be considered a travel trailer, such vehicle must rest on its own wheels. The provisions hereof applicable to travel trailers shall also be applied to any motor vehicle not exceeding thirty feet in length, whose body has been equipped for occupancy for recreational travel purposes.

“U” “V” “W” “X”

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

Yard, Side: An open space between the building and a side lot line, extending from the front yard to the rear yard.

Yard, Rear: An open space between the building and rear 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.

“Z”

Section 2: Limitations.

2.1. In accordance with 24 VSA, Section 4413, of the Vermont Planning and Development Act, the following uses may be regulated only with respect to location, size, height, bulk, yards, courts, setbacks, density of building, off-street parking, loading facilities, traffic, noise, lighting, and landscaping or screening requirements. *These uses are allowed, subject to review as conditional uses, in any district, and conditions related to any of the standards noted in this section may be imposed by the Zoning Board of Adjustment.*

2.1.1. State or community (municipality) owned and operated institutions and Facilities.

2.1.2. Public and private schools and other *educational* institutions certified by *the Agency of Education*.

2.1.3. Churches *and other places of worship*, convents, and parish houses.

2.1.4. Public and private hospitals.

2.1.5. *Regional* solid waste management facilities *certified under 10 V.S.A. Chapter 159*.

2.1.6. *Hazardous waste management facilities for which a notice of intent to construct has been received under 10 V.S.A. § 6606a.*

2.2. *Uses Not Requiring a Permit. The following uses do not require a permit provided that any new or expanded use or structure is within the standards so provided:*

2.2.1. *The erection, repair or replacement of one small accessory building not exceeding 300 square feet in area and 10 feet in height which meets the required setbacks.*

2.2.2. *Outdoor fireplaces meeting required setbacks.*

2.2.3. *Antennas and towers under 50' in height used for private, HAM radio, residential radio and/or television which meet the required setbacks and are not used for commercial purposes.*

2.2.4. *Telecommunication facilities subject to jurisdiction of the Public Utility Commission pursuant to 30 VSA Section 248(a).*

2.2.5. *Public utility power generating plants and transmission facilities regulated under 30 VSA Section 248.*

- 2.2.6. *Pools that are not in ground, are taken down each year for winter storage, and meet required setbacks.*
- 2.2.7. *Repair and maintenance of an owner's property or driveways.*
- 2.2.8. *Lampposts or other minor yard decorations.*
- 2.2.9. *Walkways or handrails to assist the handicapped.*
- 2.2.10. *Swing sets, jungle gyms, treehouses, and other similar children's play equipment not connected with commercial property.*
- 2.2.11. *Garbage dumpsters that meet the required setbacks.*
- 2.2.12. *Required Agricultural Practices, including the construction of farm structures, as defined by the Secretary of Agriculture, Food, and Markets. Refer to Appendix I – Flood Hazard Area Regulations for additional requirements that may apply to construction of a structure in a flood hazard area.*
- 2.2.13. *Forestry operations and Accepted Silvicultural Practices, as defined by the Commissioner of Forests, Parks, and Recreation.*
- 2.2.14. *Solar energy devices on a roof having a slope of less than or equal to five degrees.*

Section 3: Districts. For the purpose of this Bylaw, the Town is divided into the following districts:

- 3.1. Residential District
- 3.2. Rural District
- 3.3. Forest District
- 3.4. The boundaries of these districts are hereby established as shown on the Zoning Map of the Town of Stamford dated February 21, 2006.
- 3.5. The Flood Hazard Area is defined in the Flood Hazard Area Regulations dated October 15, 2015 and attached hereto as Appendix I.
- 3.6. Any uncertainty as to the location of a district boundary line on the Zoning Map shall be resolved by the Zoning Board of Adjustment.

Section 4: Residential District. *The purpose of the Residential District is to provide an opportunity for a mix of residential, commercial, and public uses at a moderate density while preserving the character and scenic qualities of the area.*

4.1 Permitted Uses – *No Site Plan Review Required:*

4.1.1. One-family and two-family dwelling, *one per lot.*

4.1.2. A family child care home or facility serving no more than six full-time children and four part-time children, *as defined in 33 V.S.A. Section 3511(7)* is permitted, but requires site plan approval.

4.1.3. A residential care home or group home operated under state licensing or registration, serving not more than eight persons who have a handicap or disability as defined in 9 V.S.A. Section 4501 *except that no such home shall be permitted if located within 1,000 feet of another existing or permitted such home.*

4.1.4. *Home occupations that are clearly an incidental, non-residential use of a dwelling provided such use does not alter the essential residential character of the building, lot, or neighborhood, and provided that the following conditions are met:*

4.1.4. A. No signs are used to advertise the home occupation other than those permitted for a dwelling unit in the Residential District;

4.1.4. B. A Home Occupation may include the sale of merchandise by a resident in their own dwelling, provided that such sales do not change the residential character thereof.

4.1.5. Accessory uses customarily incidental to the permitted use: such uses shall include *permanent framed* decks *or decks on a structure, in-ground* swimming pools, tennis courts and similar recreational facilities, and *permanent* buildings for housing automobiles, equipment, supplies, pets and animals, *and any structure (including tents) affixed to a foundation.* These structures shall meet the applicable setback requirements under *this section.*

4.1.6. *An accessory dwelling unit, as defined in this Bylaw, is permitted as a use subordinate to a one or two family dwelling, provided such accessory dwelling unit meets all applicable setback, coverage, and parking requirements. The accessory dwelling unit may be located in the primary dwelling structure or in an existing or new accessory structure.*

4.1.7. Signs: *For residential uses,* one sign not over 4 square feet in area *for each dwelling unit* bearing the name and occupation of the occupant, *is allowed, as well as* 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 12 square feet in area pertaining to such use *is allowed. Signs may be illuminated externally and shall not include internal*

or flashing lights, or lighting that would interfere with the safe operation of a motor vehicle. Directional signs not over 2 square feet in area may be placed near street intersections, provided that they comply with all provisions of applicable laws.

4.2. Permitted Uses - Site Plan Review Required: *The following may be permitted following a public hearing and review by the Planning Commission. The site plan must conform to all requirements of Section 7.14 and the Planning Commission may approve, approve with conditions, or deny the application to ensure that the standards of this Bylaw are satisfied.*

4.2.1. *A public park or playground operated by a governmental unit or non-profit corporation.*

4.2.2. *A community center or community recreation building, library, museum, hospital, clinic or similar philanthropic use, operated by a governmental unit or non-profit corporation, provided that the aggregate area of buildings on the lot shall not exceed ten percent of the area of such lot.*

4.2.3. *A municipal fire or police station, water tank, electric transformer station, unattended telephone exchange or similar utility building.*

4.2.4. *A bona fide club, the principal activity of which is not carried on as a business.*

4.2.5. *A convalescent home or home for the aged, provided that the lot includes no less than 6,000 square feet in area per patient accommodated.*

4.2.6. *An inn or bed and breakfast establishment with no more than six rooms rented to guests.*

4.2.7. *A professional or business office building, not exceeding 3,000 square feet of building area with no more than two stories of usable floor space.*

4.2.8. *Multi-family dwelling as defined in Section 1, provided that at least one of the dwelling units shall be owner-occupied.*

4.2.9. *Accessory uses customarily incidental to a permitted or conditional use that will accommodate an expansion of a permitted or conditional commercial use require site plan review.*

4.2.10. *Commercial building for manufacturing, retail sales, or a personal service business, provided that the use does not create environmental pollution or noise noticeable off the premises and that all material is stored out of view.*

4.2.11. *A restaurant.*

~~4.1.4 Pursuant to 24 V.S.A. Section (I)(E) and (F), an accessory dwelling unit, as defined in this bylaw, is permitted as a 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. If creation of the accessory dwelling unit involves the construction of a new accessory structure, an increase in the height or floor area of any existing structure, or an increase in the dimension of a parking area, conditional use review shall be required pursuant to Section 7.3 of this bylaw.~~

~~4.1.5 The sale of merchandise by a resident in his own dwelling, carried on entirely within such dwelling or building or building accessory thereto and using an area equivalent to not more than 30 percent of the floor area of such dwelling, provided that such use does not change the residential character thereof, that no merchandise is displayed outside a building and that no sign is displayed other than as permitted for the dwelling unit under the provisions of Section 4.1.3.~~

4.3. Conditional Uses Permitted in the Residential District: *The following may be permitted as conditional uses in the Residential District. In addition to the conditional use standards enumerated in Section 7.3, the development must include an architectural design and landscaping that are in keeping with the character of the vicinity, and include an estimate of direct and indirect municipal costs.*

4.3.1. All *conditional use applications* must account to the town for probable direct and indirect municipal costs. Applicants shall be required to submit an economic and environmental study and statement *as part of the required application materials.*

4.3.2. *A public or semi-public use identified in Section 2.1, provided that the aggregate area of buildings on the lot shall not exceed ten percent of the area of such lot.*

4.3.3. *An inn or bed and breakfast establishment with more than six rooms rented to guests.*

4.3.4. *A commercial golf course or golf driving range. The course or range shall not include night lighting.*

4.4 Dimensional Standards for the Residential District:

<u>Dimensional Standards for the Residential District</u>		
	<u>Permitted Uses</u>	<u>Conditional Uses</u>
<i>Minimum Lot Area per Principal Building or Use *</i>	<i>2 acres or as specified for the use in Section 4.2</i>	<i>2 acres or as specified for the use in Section 4.3</i>
<i>Minimum Front Yard</i>	<i>50 feet from road streetline centerline</i>	<i>50 feet from road streetline centerline</i>

Minimum Side Yard	25 feet	25 feet
Minimum Rear Yard	25 feet	25 feet
Maximum Building Height	35 feet	35 feet
Maximum Building Coverage	30 percent	30 percent
Minimum Frontage on Public or Private Street	150 feet or access by a right-of-way of at least 25 feet	150 feet or access by a right-of-way of at least 25 feet
* A two-family, multifamily building, or mixed use building must satisfy the minimum lot area requirement for the principal building; additional lot area is not required when two or more units/uses are created in a permitted principal building, provided all state water supply and wastewater disposal requirements are satisfied.		

Section 5: Rural District. *The purpose of the Rural District is to maintain and preserve the agricultural character and scenic qualities of outlying areas while providing the opportunity for moderate density residential and limited non-residential development. The type and density of development also is intended to limit the need for costly expansion of public infrastructure into this rural area.*

5.1. Permitted Uses – No Site Plan Review Required:

5.1.1 Farm

5.1.1. One-family and two-family dwelling *one per lot, as in 4.1.1 and 4.1.1 b.*

5.1.2. *A family child care home or facility serving no more than six full-time children and four part-time children, as defined in 33 V.S.A. Section 3511(7) is permitted, but requires site plan approval.*

5.1.3. *A residential care home or group home operated under state licensing or registration, serving not more than eight persons who have a handicap or disability as defined in 9 V.S.A. Section 4501.*

5.1.4. *Home occupations that are clearly an incidental, non-residential use of a dwelling provided such use does not alter the essential residential character of the building, lot, or neighborhood, and provided that all of the following conditions are met:*

5.1.4. A. *No signs are used to advertise the home occupation other than those permitted for a dwelling unit in the Residential District;*

5.1.4. B. *A Home Occupation may include the sale of merchandise by a resident in their own dwelling, provided that such sales do not change the residential character thereof.*

5.1.5. *Accessory uses customarily incidental to the permitted use: such uses shall include permanent framed decks or decks on a structure, in-ground swimming pools, tennis courts and similar recreational facilities, and permanent buildings for housing automobiles, equipment, supplies, pets and animals, and any structure (including tents) affixed to a foundation. These structures shall meet the applicable setback requirements under this section.*

5.1.6. *An accessory dwelling unit, as defined in this Bylaw, is permitted as a use subordinate to a one or two family dwelling, provided such accessory dwelling unit meets all applicable setback, coverage, and parking requirements. The accessory dwelling unit may be located in the primary dwelling structure or in an existing or new accessory structure.*

5.1.7. *Signs: For residential uses, one sign not, over 4 square feet in area bearing the name and occupation of the occupant, is allowed, as well as 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 12 square feet in area pertaining to such use is allowed. No sign shall be flashing or illuminated in color. Directional signs not over 2 square feet in area may be placed near street intersections, provided that they comply with all provisions of applicable laws.*

5.1.8. *Seasonal camps, one per lot, not used as a dwelling or as the principal place of residence of the occupants, unless it meets all of the requirements, dimensional and other, for a one family dwelling. For the purpose of the Bylaws, permanent shall mean in excess of 21 days of continuous use or 60 total days in one calendar year.*

5.2 Permitted Uses - Site Plan Review Required: *The following may be permitted following a public hearing and review by the Planning Commission. The site plan must conform to all requirements of Section 7.14 and the Planning Commission may approve, approve with conditions, or deny the application to ensure that the standards of this Bylaw are satisfied.*

5.2.1. *A public park or playground operated by a governmental unit or non-profit corporation.*

5.2.2. *A municipal fire or police station, water tank, electric transformer station, unattended telephone exchange or similar utility building.*

5.2.3. *A bona fide club, the principal activity of which is not carried on as a business.*

5.2.4. *A convalescent home or home for the aged, provided that the lot includes no less than 6,000 square feet in area per patient accommodated.*

5.2.5. An inn or bed and breakfast establishment with no more than six rooms rented to guests.

5.2.6. Multi-family dwelling as defined in Section 1, provided that at least one of the dwelling units shall be owner-occupied.

5.2.7. Accessory uses customarily incidental to a permitted or conditional use that will accommodate an expansion of a permitted or conditional commercial use require site plan review.

5.3. Conditional Uses Permitted in the Rural District: The following may be permitted as conditional uses in the Rural District. In addition to the conditional use standards numerated in Section 7.3, the development must include an architectural design and landscaping that are in keeping with the character of the vicinity, and include an estimate of direct and indirect municipal costs.

5.3.1. A public or semi-public use identified in Section 2.1, provided that the aggregate area of buildings on the lot shall not exceed ten percent of the area of such lot.

5.3.2. An inn or bed and breakfast establishment with more than six rooms rented to guests.

5.3.3. A commercial golf course or golf driving range provided that the lot area is not less than 20 acres, and not lighted at night.

5.3.4. A mobile home park or trailer park (See Section 8.5 for specific requirements).

5.3.5. Commercial building for manufacturing, retail sales, or a personal service business, provided that the use does not create environmental pollution or noise noticeable off the premises and that all material is stored out of view.

5.3.6. A restaurant.

5.3. ~~All other uses and conditional uses ad permitted and limited in the Residential District.~~

5.4. Dimensional Standards for the Rural District:

Dimensional Standards for the Rural District		
	Permitted Uses	Conditional Uses
Minimum Lot Area per Principal Building or Use *	2 acres or as specified for the use in Section 5.2	2 acres or as specified for the use in Section 5.3
Minimum Front Yard	50 feet from road streetline centerline	50 feet from road streetline centerline

Minimum Side Yard	25 feet	25 feet
Minimum Rear Yard	25 feet	25 feet
Maximum Building Height	35 feet	35 feet
Maximum Building Coverage	20 percent	20 percent
Minimum Frontage on Public or Private Street	150 feet or access by a right-of-way of at least 25 feet	150 feet or access by a right-of-way of at least 25 feet
* A two-family, multifamily building, or mixed use building must satisfy the minimum lot area requirement for the principal building; additional lot area is not required when two or more units/uses are created in a permitted principal building, provided all state water supply and wastewater disposal requirements are satisfied.		

Section 6: Forest District. *The purpose of the Forest District is to preserve tracts of land suitable for perpetuating forest resources for forestry, recreation, and similar uses, to maintain environmental quality and protect vital sources of pure water for public and private supplies, and to provide opportunities for low-density development.*

6.1. Permitted Uses – No Site Plan Review Required:

6.1.1. *One-family and two-family dwelling.*

6.1.2. *A family child care home or facility serving no more than six full-time children and four part-time children, as defined in 33 V.S.A. Section 3511(7) is permitted, but requires site plan approval.*

6.1.3. *A residential care home or group home operated under state licensing or registration, serving not more than eight persons who have a handicap or disability as defined in 9 V.S.A. Section 4501.*

6.1.4. *Home occupations that are clearly an incidental, non-residential use of a dwelling provided such use does not alter the essential residential character of the building, lot, or neighborhood, and provided that all of the following conditions are met:*

6.1.4.a. *No signs are used to advertise the home occupation other than those permitted for a dwelling unit in the Residential District;*

6.1.4.b. *A home occupation may include the sale of merchandise by a resident in their own dwelling, provided that such sales do not change the residential character thereof.*

6.1.5. *Accessory uses customarily incidental to the permitted use: such uses shall include permanent framed decks or decks on a structure, in-ground swimming pools, tennis courts and similar recreational facilities, and permanent buildings for housing automobiles, equipment, supplies, pets and animals, and any structure*

(including tents) affixed to a foundation. These structures shall meet the applicable setback requirements under this section.

6.1.6. An accessory dwelling unit, as defined in this Bylaw, is permitted as a use subordinate to a one or two family dwelling, provided such accessory dwelling unit meets all applicable setback, coverage, and parking requirements. The accessory dwelling unit may be located in the primary dwelling structure or in an existing or new accessory structure.

6.1.7. Signs: For residential uses, one sign not over 4 square feet in area bearing the name and occupation of the occupant, is allowed, as well as 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 12 square feet in area pertaining to such use is allowed. No sign shall be flashing or illuminated in color. Directional signs not over 2 square feet in area may be placed near street intersections, provided that they comply with all provisions of applicable laws.

6.1.8. Seasonal camps, one per lot, not used as a dwelling or as the principal place of residence of the occupants, unless it meets all of the requirements, dimensional and other, for a one family dwelling. For the purpose of the Bylaws, permanent shall mean 21 days of continuous use or 60 total days in one calendar year.

~~6.1.1 Commercial forestry as defined in Section 8.3.~~

6.1.9. Temporary accommodations for personnel employed on the premises.

~~6.1.3 Municipal recreation area.~~

~~6.1.4 Accessory Uses, including building for storing and repairing products and equipment.~~

6.2. Conditional Uses Permitted in the Forest District: The following may be permitted as conditional uses in the Forest District. In addition to the conditional use standards enumerated in Section 7.3, the development must include an architectural design and landscaping that are in keeping with the character of the vicinity, and include an estimate of direct and indirect municipal costs.

6.2.1. A public or semi-public use identified in Section 2.1, provided that the aggregate area of buildings on the lot shall not exceed ten percent of the area of such lot.

6.2.2. A public park or playground operated by a governmental unit or non-profit corporation.

6.2.3. An inn or bed and breakfast establishment with no more than six rooms rented to guests.

~~6.2.1 All structures and uses as defined in Section 4.1 and cabins, camps, chalets, and similar seasonal and vacation structures for recreational use provided that such structure is located on a separate lot not less than five (5) acres in an area not above 2,500 foot elevation nor on a slope greater than 25%, and that no structure or camp site is situated within 125 feet from the centerline of the adjacent road, and 150 feet from any other lot line of its own lot. A seasonal or vacation structure need not meet the minimum floor area requirements as provided for dwellings in Section 4.1.1. No seasonal or vacation structure shall be used as a dwelling, nor be used as the principal place of residence of the occupants.~~

~~A lot shall be in individual and non-affiliated ownership from surrounding properties. Roads providing access to lots in the Forest District shall be constructed to town standards.~~

~~No lot shall be approved for development requiring water supply and wastewater disposal until a permit is issued by the state (10 V.S.A. Chapter 64).~~

~~No lot shall be approved for development if it is identified by the Planning Commission as within the headwaters of the watershed of a public water supply designated by the Vermont Department of Health or within an area supplying significant amounts of recharge water to aquifers.~~

6.2.2 A municipally operated solid waste disposal area or sanitary landfill.

6.2.3 Uses accessory to a Conditional Use shall be permitted only when applied for and granted as a part of the Conditional Use.

6.3. Dimensional Standards for the Forest District:

Dimensional Standards for the Forest District		
	Permitted Uses	Conditional Uses
Special Limitation: Elevation and Slope	All buildings and structures must be located below 2,500 feet in elevation and on slopes less than 25 percent.	
Minimum Lot Area per Principal Building or Use *	5 acres	5 acres
Minimum Front Yard	125 feet 50 feet from road centerline	125 feet 50 feet from road centerline
Minimum Side Yard	150 feet 25 feet	150 feet 25 feet
Minimum Rear Yard	150 feet 25 feet	150 feet 25 feet
Maximum Building Height	35 feet	35 feet

Maximum Building Coverage	5 percent	5 percent
Minimum Frontage on Public or Private Street	150 feet or access by a right-of-way of at least 25 feet	150 feet or access by a right-of-way of at least 25 feet
* A two-family or mixed use building must satisfy the minimum lot area requirement for the principal building; additional lot area is not required when two or more units/uses are created in a permitted principal building, provided all state water supply and wastewater disposal requirements are satisfied.		

Section 7: General Regulations.

7.1. Compliance with Bylaws: 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 a front, side or rear yard, less than that set forth in the applicable paragraphs hereof, except as otherwise specifically provided in this Bylaw. No building or buildings shall occupy in the aggregate a greater percentage of lot area, nor be greater in height, than set forth in the applicable paragraphs hereof, except as otherwise specifically provided in this Bylaw.

7.1.1. 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.

7.1.2. Except as otherwise provided herein, any use not permitted shall be deemed to be prohibited.

~~7.2. No land development may be permitted on lots which do not either have frontage on a public road or public waters or, with the approval of the Planning Commission, access to such road or waters by a permanent easement or right of way at least twenty feet in width.~~

7.2. Land development is permitted on lots which have either: (1) frontage on a public road or public waters or (2) access to such road or waters by a permanent easement or right-of-way, from a public road, which shall be:

7.2.1. At least 20 feet wide and approved by the Zoning Administrator for access to one or two lots, provided the application does not otherwise require review by the Planning Commission or Zoning Board of Adjustment; or

7.2.2. At least 20 feet wide and approved as part of a site plan review by the Planning Commission, or by the Zoning Board of Adjustment for a conditional or nonconforming use, for access to three or more lots. In approving the easement

or right-of-way, the Planning Commission or Zoning Board of Adjustment should consider adequacy of access for emergency vehicles and other factors that may affect public health and safety.

7.3. Conditional Use: A conditional use may be approved by the Zoning Board of Adjustment only after a public hearing, provided that the Board shall have found that such use will not adversely affect 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 in accord with other provisions of ordinances, regulations and Bylaws of the Town applicable thereto, and each use so approved shall meet any standards applicable to the specific use as to lot and building dimensional requirements, landscaping, design, off street parking facilities, and locations of signs and service areas. Approval by the Board shall be based on a Site Development Plan and failure of the development to conform to such Site Plan shall constitute a violation of this Bylaw.

7.3.1. The appellant for a conditional use permit shall notify the Zoning Board of Adjustment, in writing, of the names of the abutters at the time of application for the permit.

7.3.2. The Zoning Board of Adjustment shall notify the abutters, in writing, of the public hearing for a conditional use permit and such other notifications as may be required under 24 VSA, Chapter 117.

7.3.3. *Thirty days before the public hearing, (unless a shorter period is mutually agreed upon) the Board shall refer the application for a conditional use together with a copy of the proposed Site Development Plan to the Planning Commission, and the report of the Planning Commission on such application and Site Plan shall be made a part of the record of the hearing.*

7.3.3. *The Board shall act to approve, approve with conditions, or disapprove any such requested conditional use within forty-five (45) calendar days after the date of the close of the final ZBA hearing and failure to so act within such period shall be deemed approval on the 46th day.*

7.4. Obstructions at Street Intersections: No fence, wall, hedge, shrubbery, or other obstruction to vision in excess of 3 feet in height shall be placed or allowed to grow at street intersections within the area formed by a line joining points on each front line 20 feet from the intersection of the tangents of such streets.

7.5. Application of Area Requirement: Whenever any provision of this Bylaw requires that a particular use or a conditional use, or a use permitted under a special exception, shall be located on a lot larger in area than the minimum lot area set forth in the section of this Bylaw applicable to the district in which such use is located, the required area of such a

lot shall be contained within a space whose average greater dimension does not exceed three times the average lesser dimension. The area of any pond, lake or stream which lies within a lot, shall not be included as any part of the required area of such lot.

- 7.6. Height Limitation: 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, not to farm silos or other farm equipment as defined in 24 VSA, Ss 4413(d), flagpoles, radio or television aerials, ski lift towers or similar features. On a lot with a frontage on more than one street, the height limitations shall be measured from the ground level at the building which is highest above sea level. ~~Wind turbines with blades less than 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 24 VSA, S.4469(b).~~

7.6.1. The height of wind turbines with blades less than 20 feet in diameter, or rooftop solar collectors less than 10 feet high on sloped roofs, any of which are mounted on complying structures, are not subject to these regulations. For the purposes of this section, a sloped roof means a roof having a slope of more than five degrees.

7.6.2. The height of antennae that are part of a telecommunications facility, as defined in 30 V.S.A. Section 248(a), is exempt from review under this Bylaw.

- 7.7. Use of Land for Access or Parking: The use of land for access or for parking in connection with a use shall be considered to be accessory to and part of such use. Except as otherwise provided in this Bylaw, access to or parking in connection with a permitted use may take place in any portion of the lot, including the required front, side or rear yard.
- 7.8. Building on Existing Lots: The provisions of this Bylaw relating to lot size shall be waived to permit the construction of any otherwise permitted building or establishment of an otherwise permitted use on a lot, which at the date of the adoption of this Bylaw and continuously thereafter was in individual, separate and non-affiliated ownership from surrounding property, 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, and further provided that the use of said lot complies with Section 7.13 of this section.
- 7.9. More than One Dwelling on a Lot: If more than one principal dwelling shall be placed on any one lot, such dwelling shall be located so that each dwelling and any building accessory to it could be set off as a separate lot conforming to all of the applicable provisions of this Bylaw, and no building shall be sold into separate ownership except in compliance with the above.

- 7.10. Junk and Waste Material: No inoperable motor vehicle may be stored on any lot for a period in excess of thirty days, except within a building. No scrap or waste material not originating on the premises may be stored or disposed of on any lot except at a municipal dump. No scrap or waste material originating on the premises may be stored on any lot unless within a building or screened from view from off the premises, except that a reasonable time shall be allowed for removal of scrap or waste material resulting from a construction operation, or from fire, flood, or similar emergency.
- 7.11. Trailer Coach and Travel Trailer Occupancy: A trailer coach may be used for a residence for a period not exceeding one year by the owner of the lot on which such trailer coach is located, provided that such owner is actively constructing a residence thereon for which a valid building permit shall have been obtained. A travel trailer may be occupied on any lot by a non-paying guest of the owner of such lot for a period not exceeding thirty days in any twelve month period. The provisions of this paragraph shall not apply to a trailer or travel trailer at a campground operated by the State of Vermont on state land. A trailer, trailer coach, or travel trailer may be used as a temporary field office accessory to a construction operation being executed on the same premises. One unoccupied travel trailer may be stored on any lot by the owner of such lot, provided it is not stored in the front yard.
- 7.12. Mobile Home or Prefabricated Building: A prefabricated building conforming in architectural design to a permanent dwelling, designed and constructed so as to be moved as a unit or in one or more parts, may be used as a one-family dwelling, provided that it is located on a permanent masonry foundation and conforms to all of the requirements of this Bylaw applicable to a one-family dwelling in the district in which it is located.
- 7.13. Wastewater Disposal and Water Supply: The VT Agency of Natural Resources, Wastewater Management Division, has jurisdiction for permitting, inspection, and enforcement of wastewater disposal and water supply systems (Wastewater System and Potable Water Supply Rules – pursuant to 10 V.S.A., Chapter 64). State approved plans and reasonable notice prior to installation shall be filed in the office of the Town Clerk.
- 7.14. Site Development Plan: *A site plan shall be required for any use listed in Sections 4.2, 4.3, 5.2, 5.3, or 6.2 of this Bylaw. Site plans for permitted uses are reviewed by the Planning Commission and site plans are considered as part of the conditional use review by the Zoning Board of Adjustment.*
- 7.14.1. The site plan shall be at a scale prescribed by the Planning Commission or Zoning Board of Adjustment and shall show all of the following *unless any requirements are waived by the PC or ZBA*:
- 7.14.1.a. The boundaries and area of the affected lot;
- 7.14.1.b. Existing and proposed structures on the lot and adjacent lots within 200 feet from the boundary of the lot;

- 7.14.1.c. *A plan for safe and effective* vehicle circulation and parking;
- 7.14.1.d. *A plan for safe and effective* pedestrian circulation;
- 7.14.1.e. Any open space, *park, or playground facilities*;
- 7.14.1.f. *Existing and proposed landscaping and screening that will promote an attractive streetscape and mitigate any impacts on adjacent residential properties*;
- 7.14.1.g. Water supply and fire protection;
- 7.14.1.h. *Wastewater disposal*;
- 7.14.1.i. *Surface water features and drainage ways*;
- 7.14.1.j. Proposed grading,
- 7.14.1.k. *Provisions for erosion control or a stormwater management plan, if required*;
- 7.14.1.l. *A plan for* existing and proposed exterior lighting *that will minimize off-site illumination and glare*.
- 7.14.1.m. *Extent of any Flood Hazard Area*.

7.15. Planned Unit Development: *The Purpose of Planned Unit Development regulation is to:*

7.15.a. *To implement the policies of the Stamford Town Plan.*

7.15.b. *To encourage compact, pedestrian-oriented development and redevelopment either in residential subdivisions, or, in districts where commercial uses are allowed, in planned commercial or mixed use developments.*

7.15.c. *To ensure that development in rural parts of the Town is compatible with the use and character of surrounding open spaces.*

7.15.d. *To provide for flexibility in site and lot layout, building design, placement of buildings, use of open areas, vehicle and pedestrian facilities and parking, and related site and design considerations to best achieve the goals for the area as articulated in the Town Plan and this Bylaw within the particular character of the site and its surroundings.*

7.15.e. To provide for the conservation of important open space features, including the preservation of agricultural land, forest land, trails and other recreational resources, critical and sensitive natural areas, and scenic resources, and to provide protection from natural hazards.

7.15.f. To provide for efficient use of public facilities and infrastructure.

7.15.g. To encourage and preserve opportunities for energy-efficient development and redevelopment.

7.15.1. Definition: A Planned Unit Development (PUD) is a form of development in which the overall density allowed by a property's zoning remains unchanged, but modifications can be made to lot sizes, setbacks, and other dimensional requirements to achieve the Purpose of the applicable land use district and the objectives of the Stamford Town Plan.

7.15.2. Allowance for Planned Unit Development: Planned Unit Developments are allowed in the Residential, Rural, and Forest Districts, subject to the use and overall density restrictions applicable to each district.

7.15.3. Planned Unit Development Review: The Zoning Board of Adjustment shall review a proposal for a PUD pursuant to the site plan and conditional use requirements of this Bylaw. In addition to the information required for site plan and conditional use review, applications for PUDs must include the following:

7.15.3.a. A statement setting forth the nature of all proposed modifications or changes of existing land use and development regulations and the standards and criteria which the applicant proposes for the development, including standards for the design, bulk and spacing of buildings, and sizes of lots and open spaces.

7.15.3.b. A brief summary of the project and how it meets the standards in this section.

7.15.3.c. Additional information required by the Zoning Board of Adjustment to determine whether the proposed mix of uses, density and scale and intensity of uses will meet the standards set forth below.

7.15.4. Planned Unit Development Standards: PUDs shall satisfy the following:

7.15.4.a. The overall density shall not exceed the number of units, bedrooms or uses permitted in the Zoning Board of Adjustment's judgment if the land were subdivided in accordance with the standards for the district(s) in which such land is situated.

- 7.15.4.b. *The PUD is an effective and unified treatment of the development possibilities of the project site.*
- 7.15.4.c. *Uses shall be limited to those which are allowed in the zoning district in which the proposed PUD is located.*
- 7.15.4.d. *A greater concentration or intensity of development may be located within some portion(s) of the site provided there is an offset by a lesser concentration in another portion(s) or an appropriate reservation of open space on the remaining land.*
- 7.15.4.e. *A PUD may involve the creation of separate building lots, or may include a development in which multiple buildings and uses are constructed on a single parcel in common ownership.*
- 7.15.4.f. *The PUD shall be consistent with the goals and policies of the Stamford Town Plan and any specific requirements for the district within which the PUD is located.*
- 7.15.4.g. *The PUD shall be designed to maximize vehicular and pedestrian integration with adjacent uses and parcels. Pedestrian facilities shall be laid out to serve as an interconnected network of sidewalks, pathways and trails, as appropriate to site conditions. Provision for safe and efficient transit access may also be required.*
- 7.15.4.h. *Site design and landscaping shall be compatible with neighboring properties. In instance in which a PUD abuts a residential property, greater setback requirements for structures and parking areas and appropriate screening may be required.*
- 7.15.4.i. *Consideration should be given to provision of access to renewable energy resources through such means as developing south-facing slopes in lot layout and enabling solar access to all future buildings.*
- 7.15.4.j. *In instances in which an applicant proposes development of a portion of a larger parcel, or development of a parcel contiguous to another parcel(s) in common or affiliated ownership, a general indication of the intended use of the remaining (undeveloped) portion of the land shall be submitted for Zoning Board of Adjustment review.*
- 7.15.4.k. *With the application, the landowner/PUD proponent shall submit to the Zoning Board of Adjustment for review and approval a form of declaration of easements and restrictions governing the relationship among lot/building owners and the maintenance of the PUD, including the creation, if applicable, of a home/lot owners' association to manage*

the PUD and to establish and collect home/lot owners' dues in an amount necessary to meet the common expenses of the PUD (such as snow removal, maintenance of streets and drainage facilities, and real estate taxes on common elements). Upon approval of the PUD/subdivision plat, the declaration shall be recorded with the Stamford Land Records so as to be enforceable against each lot.

Section 8: Special Regulations.

- 8.1. **Nonconforming Buildings and Uses:** Any nonconforming use of a building or premises, which was lawfully existing at the time of the adoption of this Bylaw, or any pertinent amendment thereto, may be continued, and any building so existing which was designed, arranged, intended for, or devoted to a nonconforming use, may be reconstructed and structurally altered, and the nonconforming use therein changed subject to the following regulations:
- 8.1.a. No nonconforming use may be changed except to a conforming use, or, with the approval of the Zoning Board of Adjustment, to another nonconforming use not more objectionable in character.
 - 8.1.b. No nonconforming use shall, if once changed into a conforming use, be changed back again into a nonconforming use.
 - 8.1.c. No nonconforming use shall be extended or expanded, except with the approval of the Zoning Board of Adjustment, provided that said Board shall have found that such extension or expansion will have no adverse effect upon the public health, safety, convenience, and upon property values in the vicinity, and except in cases where in the opinion of the Zoning Board of Adjustment such enforcement would work a hardship on the owner of an established nonconforming use.
 - 8.1.d. No nonconforming use which has been discontinued for a period of six months shall be resumed thereafter.
- 8.1.1. **Enlargement of Noncomplying Buildings:** *No building which does not conform to the requirements of this By Law regarding building height limit, area, and width of lot, percentage of lot coverage, and required yards and parking facilities, shall be enlarged or substantially altered except with the approval of the Board of Adjustment, after a public hearing. The Zoning Administrator may issue permits, without approval by the Planning Commission or Zoning Board of Adjustment, for structural alterations, moving, reconstruction, or enlargement of a noncomplying structure provided that such action would not otherwise be subject to site plan or conditional use review, and that it does not increase the degree of or create any new non-compliance with regard to the regulations pertaining to such buildings. Any increase in noncompliance will require approval by*

the Zoning Board of Adjustment after public hearing pursuant to the requirements for a variance or waiver, as appropriate.

8.1.2. Reconstruction after Damage: Except in the areas regulated by the Flood Hazard Area Regulations, nothing in this Bylaw shall prevent the restoration or reconstruction within ~~one~~ *two* years of a building damaged or destroyed by fire, explosion, accident, or by the public enemy, subsequent to the adoption of this Bylaw, to its condition prior to such damage or destruction, nor prevent the restoration of an unsafe wall or structural member. *A permit shall be obtained for such restoration or reconstruction, but the fee for said application shall be waived provided the application is filed within two years of the loss.*

8.1.3. Any use not otherwise covered by the above shall be referred to the Zoning Board of Adjustment for approval.

8.1.4. Discontinuance of Nonconforming Uses: Nothing herein shall require the discontinuance of a building that does not comply with the requirements of this Bylaw. ~~but the following uses of land where nonconforming shall be discontinued within three (3) years from the effective date of this By Law:~~

~~a. Junk yard, auto graveyard, or open storage.~~

8.2. Permit for Removal of Earth Products: Except as otherwise provided in this Bylaw there shall be no removal from any premises in the Town of sand, gravel, clay or stone, except as surplus material resulting from a bona fide construction, landscape, or agricultural operation being executed on the premises, and provided that no permanent damage is done to the landscape. The Zoning 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:

8.2.a. 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.

8.2.b. 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 feet of horizontal distance, except in a ledge rock. No removal shall take place within twenty feet of a property line, except that where the grade from a property line rises towards the lot where removal is to take place, material lying above the grade at the property line may be removed.

8.2.c. At the conclusion of the operation, or of any substantial portion thereof, the whole area where removal takes place shall be covered with not less

than 4 inches of top soil, and seeded with a suitable cover crop, except where ledge rock is exposed or the removal was from a stream bed.

- 8.2.d. 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 hazards. *A stream alteration general permit, obtained from the Vermont Department of Environmental Conservation, may be required for any such excavation.*

8.2.1. Commercial sand and gravel operations must conform to Act 250.

~~8.2.1 Existing Sand and Gravel Operations: Existing sand and gravel, or other extractive operations, must conform to this By Law from its effective date with respect to any extension over a large area.~~

~~8.2.2 Surety Bond: In accordance with the provisions of 4407 (8) of the Vermont Planning and Development Act, and before a permit is granted under this Section, the applicant shall post a surety bond with the Treasurer of the Town in an amount and in form approved by the Board of Adjustment as sufficient to guarantee conformity with the provisions of the permit issued hereunder.~~

~~8.3 Permit for Commercial Cutting and Removal of Timber: There shall be no commercial cutting and removal of timber from any premises in the Town, except in accordance with the State Statutes~~

- 8.3. Off Street Parking Facilities: 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. Required parking facilities shall contain not less than the following areas, exclusive of driveways necessary for access:

- 8.3.a. For dwellings, 250 square feet for each dwelling unit.

- 8.3.b. For stores, offices, and for permitted home occupations, an area equal to ~~twice~~ the floor area used for such purpose.

- 8.3.c. For lodging places, 250 square feet for every ~~two guests~~ *guest room* ~~accommodated.~~

- 8.3.d. *For restaurants, 250 square feet for every three seats used for dining.*

- 8.3.e. *The Planning Commission or Zoning Board of Adjustment may modify these requirements based on a determination of actual parking demand for a proposed use.* For uses not otherwise listed, the Planning Commission

or Zoning Board of Adjustment may establish a parking requirement based on the expected number of vehicles for occupants, employees, and visitors.

- 8.4. Solid Waste Facilities: *Any solid waste facility must be certified by the Vermont Department of Environmental Conservation and approved as a conditional use by the Zoning Board of Adjustment, and also must* meet the following minimum standards: Minimum lot size: 10 acres; *minimum distance from any building or waste storage/processing area to all* property lines and surface waters: 100 feet; *minimum distance from any building or waste storage/processing area* to existing dwellings: 1,000 feet; and the volume processed shall primarily be generated from the Town of Stamford.
- 8.5. Mobile Home Parks: Mobile Home Parks are permitted in accordance with 10 VSA, Ch. 153 s.6204(a) and 24 VSA, s.4412(B) and (C), *and may include* essential services such as laundry and convenience goods for the occupants, *subject to the following standards*:
- 8.5.a. Location: Rural District;
 - 8.5.b. Minimum Park Area: 5 acres;
 - 8.5.c. Density: maximum of four (4) homes per gross acre of park area;
 - 8.5.d. Minimum MH lot: 6,000 square feet;
 - 8.5.e. Minimum lot width: 50 feet; MH lot line setback 15 feet;
 - 8.5.f. Water supply and wastewater disposal to meet state standards;
 - 8.5.g. *Minimum* open space 10% of the gross park area;
 - 8.5.h. A landscaped buffer *around the perimeter of the park* shall be at least 20 feet wide;
 - 8.5.i. *Adequate* internal landscaping/lighting *shall be provided*;
 - 8.5.j. Each mobile home shall be located on the defined lot with permanent markers and adequately anchored and skirted to industry standards;
 - 8.5.k. Minimum of two parking spaces (paved or gravel) per mobile home lot.
 - 8.5.l. Grading and drainage *must be developed and maintained to minimize erosion and manage stormwater consistent with State standards*;
 - 8.5.m. Provision *must be made* for *safe and effective* operation and maintenance *of the park over time*.

8.5.1. The enterprise of mobile home sales, sale of merchandise, or business services on a mobile home lot is not permitted.

~~8.7. *Notice for Agricultural and Silvicultural Uses:* 8.3 *Permit for Commercial Cutting and Removal of Timber:* There shall be no commercial cutting and removal of timber from any premises in the Town, except in accordance with the State Statutes.~~

8.6. Agriculture and Forestry: Accepted agricultural and silvicultural practices are allowed uses in all Districts pursuant to T.24 V.S.A. s. 4413(d). *These uses include:*

8.6.1. *Required agricultural practices, including the construction of farm structures, as those practices are defined by the Secretary of Agriculture, Food and Markets;*

8.6.2. *Accepted silvicultural practices, as defined by the Commissioner of Forests, Parks and Recreation, including practices which are in compliance with the Acceptable Management Practices for Maintaining Water Quality on Logging Jobs in Vermont, as adopted by the Commissioner of Forests, Parks and Recreation; and*

8.6.3. *Forestry operations. As used in this section:*

8.6.3.a. *"Farm structure" means a building, enclosure, or fence for housing livestock, raising horticultural or agronomic plants, or carrying out other practices associated with accepted agricultural or farming practices, including a silo, as "farming" is defined in 10 V.S.A. § 6001(22), but excludes a dwelling for human habitation.*

8.6.3.b. *"Forestry operations" has the same meaning as in 10 V.S.A. § 2602.*

8.6.4. *A person shall notify the Zoning Administrator of the intent to build a farm structure and shall abide by setbacks approved by the Secretary of Agriculture, Food and Markets. No municipal permit for a farm structure shall be required.*

8.6.5. *Accessory on-farm businesses, are allowed in all districts pursuant to 24 VSA Section 4412(11).*

8.7. Telecommunication Infrastructure: ~~Refer to the Wireless Telecommunication Facility Zoning Bylaw adopted March 2, 2006.~~ *The regulation of a telecommunications facility, as defined in 30 V.S.A. § 248a, is exempt from municipal approval under this Bylaw when and to the extent jurisdiction is assumed by the Public Utility Commission according to the provisions of that section. This exemption from obtaining approval under this Bylaw shall not affect the substantial deference to be given to a plan or recommendation based on a local land use Bylaw under 30 V.S.A. §248a(c)(2). Furthermore, except to the extent Bylaws protect historic landmarks and structures listed on the State or National*

Register of Historic Places, no permit shall be required for placement of an antenna used to transmit, receive, or transmit and receive communications signals on a property owner's premises if the area of the largest face of the antenna is not more than 15 square feet, and if the antenna and any mast support do not extend more than 12 feet above the roof of that portion of the building to which the mast is attached.

8.8. *Waivers:* *Requests for waivers of dimensional requirements are reviewed by the Zoning Administrator. The purpose of waivers is to allow for minor additions to a principal or accessory structure that would not be counter to the purpose of this Bylaw or the Town Plan, but which might not meet the standards for the granting of a variance. A waiver may be granted only to reduce dimensional requirements as provided below, and compliance with all other requirements of this Bylaw is required. The Zoning Administrator may grant a waiver provided all of the following conditions are satisfied:*

8.8.a. *The proposal is for an addition to an existing principal or accessory structure, provided that said addition does not increase the footprint of the structure by more than ten (10) percent, and that the addition does not increase the building footprint by more than 300 square feet.*

8.8.b. *The addition is the minimum size that is necessary for it to serve its intended function.*

8.8.c. *The addition is specifically intended to improve access or safety, or for a minor addition to an existing building.*

8.8.1. *The Zoning Administrator may refer an application for a waiver to the ZBA if the Zoning Administrator makes a finding that it may be necessary to impose conditions regarding the design and screening of the addition to mitigate any impacts on neighboring properties. Development in a Flood Hazard Area must meet all requirements of Section 6.1 of this Bylaw.*

Section 9: Administration and Enforcement.

9.1. Zoning Administrator: The provisions of this Bylaw shall be administered and enforced by the Zoning Administrator or acting Zoning Administrator, nominated by the Planning Commission and approved by the Selectboard as provided by Section 4448 of the Vermont Planning and Development Act. The Zoning Administrator shall literally enforce the provisions of this Bylaw and the duties of the office.

9.1.1. The Zoning Administrator shall maintain a full and accurate record of all applications, permits, decisions and violations acted upon by him, which records shall be filed with the Stamford Town Clerk.

- 9.2. Permits: Permits shall be required for land development as provided herein. An Application for Permit, accompanied by payment of permit fee established by the Selectboard, shall be submitted to, and approved by the Zoning Administrator before:
- 9.2.a. The subdivision of any land.
 - 9.2.b. Any land or structure is devoted to a new or changed use.
 - 9.2.c. The construction or moving of a building, accessory building, or any other structure intended for accessory use.
 - 9.2.d. The enlargement or realignment of any building or structure.
 - 9.2.e. The change, extension, or expansion of a nonconforming use.
 - 9.2.f. The reconstruction of a building or structure damaged or destroyed by fire, explosions, accident, or by the public enemy.
 - 9.2.g. The removal of earth products *as provided for in Section 8.2 of these Bylaws.*
 - 9.2.h. The establishment of a home *industry or* occupation.
- 9.2.1. The Zoning Administrator shall maintain a full and accurate record of all applications, permits, and violations acted upon by the Zoning Administrator, copies of which shall be filed with the Board of Listers of the Town of Stamford and the Town Clerk as provided for in 24 V.S.A. Section 4449. A copy of all permits also must be posted in at least one public place in the municipality until the expiration of 15 days from issuance of the permit.
- 9.2.2. 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.
- 9.2.3. No permit shall take effect until the time for appeal (24 V.S.A. Section 4465) has passed, or in the event that an appeal is properly filed, no such permit shall take effect until adjudication of the appeal by the Zoning 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 15 days, whichever comes first.
- 9.2.4. No permit for any building *or change of use* requiring a sewage disposal system shall be granted until a permit has been granted in compliance with Section 7.13

and Vermont Health Regulations, Chapter 5, Sanitary Engineering Sub-chapter 10, Part 2. Wastewater treatment and disposal—individual on-site systems. and Vermont Environmental Protection Rules, Chapter 1, Wastewater System and Potable Water Supply Rules, latest version.

9.2.5. A building permit is valid for two (2) years from the date of issue. If no work has begun within that time period, the permit expires. A valid building permit may be extended for a period not to exceed one (1) year provided written request is made to the Zoning Administrator prior to the expiration the 2-year period.

9.3. **Zoning Board of Adjustment:** A **Zoning** Board of Adjustment, appointed by the Selectboard, shall perform the following duties:

9.3.a. Perform the administrative review of all questions arising out of or with respect to the administration and enforcement of this Bylaw.

9.3.b. Hear and decide appeals taken under Section 4465 of the Vermont Planning and Development Act including where it is alleged that an error has been committed in any order, requirement, decision or determination made by the Zoning Administrator in connection with the enforcement of this Bylaw.

9.3.c. Hear and grant or deny appeals for variances from the provisions of this Bylaw based on findings as described in Section 4469 of the Vermont Planning and Development Act.

9.3.d. Hear and grant or deny ~~appeals-requests~~ for conditional uses, **planned unit developments**, and for specific uses and acts described in Section 8 of this Bylaw.

9.3.e. **Hear and grant or deny requests for waivers, when an application is referred by the Zoning Administrator pursuant to Section 8.8 of this Bylaw.**

9.3.f. 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 **Zoning** Board of Adjustment.

9.4. **Appeals to the Zoning Board of Adjustment:** Appeals to the **Zoning** Board of Adjustment may be entered in accordance with Section 4465 through 4470 of the Vermont Planning and Development Act, accompanied by payment of an Appeal Fee established by the Board of Selectmen, for the following:

- 9.4.a. An appeal by an interested person from any decision or act taken by the Zoning Administrator within fifteen days from the date of the Zoning Administrator's decision or act.
- 9.4.b. An appeal for approval of an Application for Permit by the Zoning Board of Adjustment, after denial by the Zoning Administrator, where the Zoning Bylaw, requires Zoning Board of Adjustment approval.
- 9.4.c. An appeal for a variance from the provisions of the Zoning Bylaw, after denial of an Application for Permit by the Zoning Administrator.

9.5. *Planning Commission: The Planning Commission, appointed by the Board of Selectmen, shall perform the following duties:*

9.5.a. *Prepare amendments to this Bylaw and other Bylaws as authorized by 24 VSA Chapter 117.*

9.5.b. *Prepare and update the Town Plan every eight years and prepare amendments to the Plan as necessary.*

9.5.c. *Review site plans for permitted uses as required by provisions of this Bylaw.*

9.5.d. *Such other functions as provided in 24 VSA Section 4325.*

9.6. Appeals to Environmental Court: An interested person may appeal a decision of the Zoning Board of Adjustment or the Planning Commission to the Environmental Court under Section 801 through 816 of Title 3.

9.7. Interpretation of Bylaw: 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 ordinance, 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 agreements 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 agreements, the provisions of this Bylaw shall control.

- 9.8. Enforcement: Any person who violates the provisions of this Bylaw shall be subject to the penalties and remedies prescribed in Sections 4451 through 4454 of the Vermont Planning and Development Act.
- 9.9. Severability: If any provision of this Bylaw or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this Bylaw which can be given effect without the invalid provision or application, and for this purpose the provisions of this Bylaw are severable.

Adopted 23 July 1970

Amended September 1973: Sections: 4.1.3; 5.2; 5.3; 6.2.1; 7.12; 8.1.1; 9

Amended 4 March 1980: Section: 1.2; 1.6.2; 1.6.3; 1.16.1; 1.19.2; 1.19.3; 1.19.4; 3.4; 4.1.2; 4.1.5; 4.2; 4.2.1; 4.2.6; 4.2.9; 4.2.14; 5.1.1; 6.1.1; 6.2; 6.2.1; 7.2; 7.2.1; 7.3.1; 7.3.2; 7.13; 8.3; 9.2.2

Amended 9 June 1998: Sections: 4.2.12; 4.2.13

Amended 2 March 1999: Added the second paragraph under “Purpose” for the civil designation. Added Section 9.2.3

Amended 25 June 2009: Purpose, Sections: 1.4; 1.6.2; 2; 3.4; 3.5; 4.1.1 a; 4.1.1 b; 4.1.1 c; 4.1.1 d; 4.1.4; 4.2; 4.2.15; 5.2.1; 6.2.1; 7.3; 7.3.2; 7.3.3; 7.6; 7.8; 7.13; 7.14; 8.5; 8.6; 8.7; 8.8; 9.1; 9.2.1; 9.3 b; 9.3 c; 9.4; 9.5; 9.7; Removed Sections 2.1; 3.1; 3.2; 3.3

Amended 15 October, 2015: Added Table of Contents and Appendix I, amended Sections: 3; 7.14.14; 8.1.2; 8.7; 9.2; 9.2.1.

Amended 27 July 2020: Purpose, Definitions, Section 2: Limitations; Section 4: Residential District, 4.1, 4.2, 4.3; Section 5: Rural District, 5.1, 5.2, 5.3; Section 6: Forest District, 6.1, 6.2; Section 7: General Regulations, 7.1, 7.2, 7.6, 7.12, 7.14; Section 8: Special Regulations, 8.1, 8.2, 8.3, 8.4, 8.5, 8.6, 8.7; Section 9: Administration and Enforcement, 9.2, 9.3. Added: Sections 2.2, 4.4, 5.4, 6.3, 7.15, 8.8, 9.3.e, 9.5.

Adopted _____, 2020

Nancy L. Bushika, Chair

Michael G. Denault

Christopher Warren

Carol A. Fachini

Daniel J. Potvin