

Village
of
Woodstock, Vermont

Zoning Regulations

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ARTICLE 1 GENERAL PROVISIONS**SECTION 101 ENACTMENT**

Whereas the Village of Woodstock, Vermont has created a Planning Commission and has adopted and has in effect a plan under the Vermont Municipal and Regional Planning and Development Act, 24 V.S.A., Chapter 117 herein referred to as the Act, these Zoning Regulations for the Village of Woodstock are hereby established.

SECTION 102 TITLE

This bylaw shall be known and cited as the Zoning Regulations for the Village of Woodstock.

SECTION 103 PURPOSE

It is the purpose of these Regulations to implement the Woodstock Plan by providing for the appropriate use of all lands in the Village of Woodstock in a manner which will promote and protect the public health, safety, prosperity, comfort, convenience, efficiency, and general welfare; to protect steep slopes, soils, forests, water and other natural resources; to encourage the healthful and convenient distribution of settlement; to protect the rural residential environment, agricultural and other land from undue concentrations of population, traffic congestion, inadequate parking and from the loss of peace, quiet, and privacy; and to further the purposes established in Section 4302 of the Act.

SECTION 104 REPEALER

The Village of Woodstock Zoning Regulations adopted December 28, 1998 are hereby repealed and replaced by this document. This repealer provision will be implemented upon the day that these Regulations become effective.

SECTION 105 EFFECTIVE DATE

These Regulations shall take effect in accordance with the procedures contained in Section 4404 of the Act.

SECTION 106 INTERPRETATION

In their interpretation and application, the provisions of these Regulations shall be held to be minimum requirements.

Except for Section 4409 (b) of the Act, and where these Regulations specifically provide to the contrary, it is not intended to repeal, annul, or in any way impair any regulations or permits previously adopted or issued.

SECTION 107 AMENDMENTS

The Regulations may be amended according to the requirements and procedures established in Section 4403 and 4404 of the Act.

SECTION 108 SEPARABILITY

The invalidity of any provisions of these Regulations shall not invalidate any other part.

SECTION 109 DEFINITIONS

For the purpose of these Regulations, meanings of the following words and terms shall be interpreted as defined below and all other words shall be presumed to have their normal meaning, unless such meaning runs counter to the purpose and objectives of these Regulations or the Woodstock Plan. The Definition of Terms defined in Section 4303 of the Act is hereby incorporated and made part thereof.

Doubt as to the precise meaning of any word used in these Regulations shall be clarified by the Village Development Review Board (VDRB).

ACCESSORY STRUCTURE: A structure customarily incidental and subordinate to the principle building, except as otherwise provided, located on the same lot with such principle buildings. Examples are garages and garden sheds.

ACCESSORY USE: A use customarily incidental and subordinate to the principle use and located on the same lot. If there is a question whether the use is customary, determination shall be made by the VDRB.

ACRE: 43,560 square feet.

ADMINISTRATIVE PERMIT: A permit issued by the Administrative Officer that complies with the regulations and that does not require additional review by a municipal panel.

AFFORDABLE HOUSING: Housing on land owned or controlled by an organization organized for the purpose of providing housing in the Village of Woodstock to individuals and families with incomes which do not exceed the HUD Median Income Guidelines for Windsor County, Vermont. See Section 503.

AGRICULTURE: The activity of raising crops and animal husbandry.

ALTERATION: Structural change, rearrangement, change of location or addition to a building, other than repairs and modification within the building.

AREA OF SHALLOW FLOODING: A designated AO or AH zone on a community's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding of sheet flow.

AREA OF SPECIAL FLOOD HAZARD: The land in the flood plain within a community subject to a one percent or greater chance of flooding in any given year.

AS-BUILT PLANS: A plan detailing construction in its finished form, certified by a licensed architect, registered engineer, and licensed surveyor.

BASE FLOOD: The flood having a one percent chance of being equaled or exceeded in any given year.

BASEMENT: Any area of the building having its floor subgraded (below ground level) on all sides.

BED AND BREAKFAST: A residential dwelling, occupied by an owner of the business and involving not more than one full time employee, in which a portion of the home is adapted to use as lodging for travelers or transients as an accessory use to the residence. Breakfast only may be served. See Section 504.

BUFFER ZONE: A land area used to visibly separate one use from another or to block noise, lights or other nuisances.

BUILDING: A structure having a roof supported by columns or walls and intended for the shelter or enclosure of persons, animals or chattel, excluding fences.

BUILDING HEIGHT: The vertical distance measured from the average elevation of the proposed finish grade at the front wall of the building to the highest point of the coping of a flat roof or to the deckline of mansard roofs, and to the average height between eaves and ridges for other types of roofs.

CERTIFICATE OF OCCUPANCY: A statement signed by the administrative officer, setting forth that a building, structure, or use complies with the zoning regulations. See Section 713.

COMMERCIAL: Use of a building or land for the purchase, sale, exchange, storage or warehousing of goods and commodities, services or amenities.

COVERAGE: That percentage of the lot area covered by the building area.

CUL-DE-SAC: A dead-end road, street or right-of-way with a vehicular turn-around at the end.

DAY CARE, IN-HOME: A residential dwelling used to house and provide supervision and care for no more than six full-time and four part-time children. See Section 508

DAY CARE / PRESCHOOL FACILITY: A facility or a residential dwelling, receiving seven or more children for group care and/or educational development. See Section 508

DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS: A governance document listing and describing the conditions of ownership placed upon the purchasers, owners, and long-term leaseholds in a Planned Development. See Section 312

DENSITY: The number of dwelling units allowed in a particular zoning district.

DENSITY, BUILDING: The total footprint of a group of buildings in relation to the open space around the buildings.

DESIGN REVIEW DISTRICT: A Design Control District as created under 24 VSA 4407; an area comprising a portion of the Village of Woodstock wherein Design Plan Approval may be necessary. See Section 405.

DETACHED APARTMENT: An apartment in an accessory structure and not attached to the main structure. See Section 510.

DRIVE-IN-STAND: Any establishment or building where the customer is serviced within a motor vehicle, excepting gasoline stations.

DWELLING, MULTI-FAMILY: A building with more than two dwelling units.

DWELLING UNIT: Any building or portion thereof, designed or used exclusively as living quarters for one family, other than motels, hotels, tourist homes, clubs, schools, hospitals, or similar use.

FAMILY: One or more persons living, sleeping, cooking and eating on the same premises as a single housekeeping unit.

FIA: Federal Insurance Administration. See Section 404.

FILLING STATION: A retail establishment at which motor vehicles are serviced, and/or supplied with gasoline, diesel fuel, oil, air and water. Also called gas station, service station. See Section 516.

FLOOD HAZARD BOUNDARY MAP (FHBM): An official map of a community, issued by the Administrator, where boundaries of flood and/or mudslide (i.e., mudflow) related erosion areas having special hazards have been designated as Zones A, M, and/or E. See Sections 401 and 404.

FLOOD INSURANCE RATE MAP (FIRM): An official map of a community, on which the Administrator has delineated both the special hazard areas and the risk premium zones applicable to the community. See Section 404.

FLOOD INSURANCE STUDY: An examination, evaluation, and determination of flood hazards and, if appropriate, corresponding water surface elevations. See Section 404.

FLOODPLAIN: The land adjacent to a river or other water course that can be expected to flood at least once in 100 years. See Section 404.

FLOOD PROOFING: Any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents. See Section 404.

FLOODWAY: The channel of a river or other water course and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than the designated height. See Section 404.

FOOTPRINT: An overhead view or depiction of a structure inclusive of all structural projections (decks, bay windows, etc.).

FORESTRY: The science and art of forming, caring for, or cultivating forest land, and the sale of forest products produced on site.

FRONTAGE: That portion of a lot which is adjacent and parallel to a public road or street.

GRADING PLAN: A plan drawn to the same scale as the site plan, showing the proposed grading by contours at intervals not exceeding five (5) feet with spot elevations of proposed structures, the location and direction of surface water drainage and the location and elevation of all drainage structures such as drop inlets, catch basins and culverts.

HOME OCCUPATION: Any non-retail occupation customarily carried on in a residential area by a resident in his/her own dwelling place. Home occupations (i) involve not more than the equivalent of one (1) full-time employee other than the full-time residents of the dwelling, (ii) occupy a minor portion (less than 50%) of the dwelling, (iii) are secondary to the use of the house as a dwelling, and (iv) do not change the character of the area. Only items produced in the home may be sold from the home. See Section 514.

HOTEL/INN: An establishment designed or used for public lodging, meeting rooms, meals, service of legal beverages, and related amenities with all rooms accessible from a central point within the building. See Section 311.

INDUSTRY: Use of a building or land for the manufacture, production, assembly or storage of goods and commodities.

INTERESTED PERSON: For purposes of these Regulations, an interested person shall mean any of the following:

- A. A person owning title to property, or a municipality or solid waste management district empowered to condemn it or an interest in it, affected by a bylaw, who alleges that the bylaw imposes on the property unreasonable or inappropriate restrictions of present or potential use under the particular circumstances of the case.
- B. The municipality that has a plan or a bylaw at issue in an appeal brought under this chapter or any municipality that adjoins that municipality.
- C. A person owning or occupying property in the immediate neighborhood of a property that is the subject of any decision or act taken under this chapter, who can demonstrate a physical or environmental impact on the person's interest under the criteria are viewed, and who alleges that the decision or act, if confirmed, will not be in accord with the policies, purposes, or terms of the plan or bylaw of that municipality.
- D. Any ten persons who may be any combination of voters or real property owners within a municipality listed in "B" above whom, by signed petition to the appropriate municipal panel of a municipality, the plan or a bylaw of which is at issue in any appeal brought under this title, allege that any relief requested by a person under this title, if granted, will not be in accord with the policies, purposes, or terms of the plan or bylaw of that municipality. This petition to the appropriate municipal panel must designate one person to serve as the representative of the petitioners regarding all matters related to the appeal.
- E. Any department and administrative subdivision of this state owning property or any interest in property within a municipality listed in "B" above, and the Agency of Commerce and Community Development of this state.

JUNKYARD: Any place of outdoor storage or deposit, whether in connection with a business or not, which is maintained, operated as a scrap metal processing facility, or used for storing, keeping, processing, buying or selling junk (cars, equipment, appliances, waste, etc.)

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

LANDSCAPING PLAN: A plan drawn to the same scale as the site plan, showing the location of existing and proposed types of vegetative plantings and any other landscape elements used to enhance the site.

LIGHT MANUFACTURING: Industrial uses whose activities do not usually constitute a fire hazard, emit smoke, glare, noise, odor or dust, or in other ways constitute a nuisance and/or are not detrimental to neighboring properties.

LOT: A single parcel of land which is not divided by a public street and which is occupied, or intended to be occupied, by one primary use or building and its accessories.

LOT AREA: The total area within the property lines of a lot, excluding public streets and roads, which lies within the municipal boundaries and meets the District requirements of these Regulations.

LOT LINE ADJUSTMENT: A method of increasing/decreasing one's lot size from an abutting lot without creating an additional lot. See Section 605.

LOT, SUBSIZED: A parcel of land containing less square footage than the minimum requirements of the district in which it lies.

LOWEST FLOOR: The lowest floor of the lowest enclosed area (including a basement) provided the enclosure's construction does not violate applicable non-elevation design requirements of Section 60.3 of the National Flood Insurance Program. An unfinished or flood resistant enclosure which is located in an area other than a basement and is usable solely for vehicle parking, building access, or storage, is not considered to be a building's lowest floor. See Section 404.

MANUFACTURED HOME: A structure, transportable in one or more sections, which is delivered on a chassis and designed to be used with or without a permanent foundation when connected to required utilities. A manufactured home does not include recreational vehicles or travel trailers.

MANUFACTURED HOME PARK or MANUFACTURED HOME SUBDIVISION: A parcel of land divided into three or more lots specifically for manufactured homes. See Section 404.

MEAN SEA LEVEL: For purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) to which Woodstock's Flood Insurance Rate Map is referenced. See Section 404.

MOBILE HOME: A prefabricated dwelling unit which:

- A. Is designed for long-term residential occupancy,
- B. Is designed to be moved on wheels, as a whole or in sections,
- C. For the purposes of administering these Regulations, an individual mobile home is considered to be a one or two family dwelling.

MOBILE HOME PARK: Any parcel of land under single or common ownership or control which contains, or is designed, laid out or adapted to accommodate three or more mobile homes. Nothing herein shall be construed to apply to premises used solely for display or storage of mobile homes.

MOTEL: A lodging facility for transients, usually having a private outside entrance for each room or suite of rooms, and for each room or suite a parking place provided on the premises.

NONCONFORMING STRUCTURE: A structure or part of a structure that does not conform to the present bylaws but was in conformance with all applicable laws, ordinances, and regulations prior to the enactment of the present bylaws, including a structure improperly authorized as a result of error by the administrative officer. See Section 607.

NONCONFORMING USE: A use of land that does not conform to the present bylaws, but did conform to all applicable laws, ordinances, and regulations prior to the enactment of the present bylaws, including a use improperly authorized as a result of error by the administrative officer. See Section 607.

OFFICE: A room, set of rooms, or buildings where the business of a commercial, industrial, professional or governmental person or organization is transacted.

OFF-STREET SHOPPING PLAZA: Four or more units located at least 100 feet from a village street.

OPEN SPACE: A portion of a development site that is permanently set aside for public or private use and will not be developed. Open space may be used as community open space or preserved as green space.

OUTDOOR FURNACE: A device located out-of-doors that burns wood or coal for the purpose of heating the interior space of a building. See Section 610.

PATIO: An enclosed courtyard with a paved (brick, stone, asphalt, etc.) area of no less than 100 square feet. See Section 518.

PERCOLATION RATE: The time required for water level to drop one inch, as determined by the procedures outlined in the Vermont Health Regulations.

PLAN, THE: Refers to the "Town and Village of Woodstock Plan - 2001" and/or subsequent amendments.

PLANNING COMMISSION: Town of Woodstock Planning Commission.

PLANNED RESIDENTIAL DEVELOPMENT (PRD): An area for which the design and development are done in such a manner as to promote the most appropriate use of the land, to facilitate the adequate and economical provision of streets and utilities, and to preserve the natural and scenic qualities of the land. See Section 312.

PLANNED UNIT DEVELOPMENT (PUD): An area of land, controlled by a landowner, to be developed as a single entity for a number of dwelling units, and commercial and industrial uses, if any; the plan for which does not correspond to the regulatory requirements for lot size, bulk or type of dwelling, commercial or industrial use, density, lot coverage and open space as established for any one or more zoning districts. See Section 312.

PLANTING PLAN: A plan drawn to the same scale as the site plan, showing the location of existing and proposed types of tree and shrub plantings and any other landscape elements used to enhance the site.

PORCH: An independently roofed platform that is attached to a building and provides a sheltered entrance to it, excluding doorways and areas below awnings.

PUBLIC/ QUASI-PUBLIC BUILDING: A building owned by a municipality, county, state or federal government or a quasi-public building that is occupied by a non-profit entity such as a church, private school, medical clinic, hospital, library or museum.

PUBLIC OPEN SPACE: Public or community-owned land available for limited public or park-like uses.

QUASI-PUBLIC USE: A non-profit use such as that of a church, private school, medical clinic, hospital, library or museum.

RECREATIONAL FACILITIES: Includes, but is not limited to, parks, playgrounds, ski slopes, golf courses, tennis courts, swimming pools, etc.

REPAIR SERVICE and BODY SHOP: A shop where work is done commercially to repair and recondition objects and machinery.

SCENIC RIDGELINE DISTRICT: All lands within 500 horizontal feet of primary ridges in the Town and Village of Woodstock, as depicted on the Scenic Ridgeline Map located in the Planning and Zoning Office. See Section 406.

SCHOOL: Includes public, private, and nursery school, college, university and accessory uses, but shall not include commercial business establishments such as schools of business, dancing, driving, beauty culture, or similar commercial establishments.

SETBACK: The minimum horizontal distance of a structure, or any portion thereof, required for its location from the respective lot line or road centerline where a lot abuts a road, street, or right of way. The side and rear setback for a residential accessory structure may be half that of the district's required setback. See Section 502.

SHORT TERM RENTAL: Rental of a home or apartment for a period of time less than thirty (30) days. See Section 522.

SIGN, AREA: Area of a sign shall be calculated by the rectangular form it fits within, even when sign has an irregular shape. A double-faced (back-to-back) projecting sign with no more than a 45 degree angle of separation shall be calculated as one sign.

SIGN, BANNER: Any fabric or cloth-like material meant to convey a message, excluding state or national flags.

SIGN, BUSINESS: A structure (fixed or flexible) which calls attention to and/or acts as an advertisement for an establishment, property, or the services and products provided therein.

SIGN, COMMUNITY: A structure erected in a central location in Village areas by a community group for the purpose of posting notices and items of local information.

SIGN, INSTRUCTIONAL: A structure whose sole purpose is the instruction of the general public as to traffic directions, traffic hazards, safety hazards, etc.

SITE PLAN: A plan, drawn at an appropriate scale, illustrating the overall proposed site development including the location of proposed buildings, in and adjacent to the site including the location of streets, driveways, parking and loading areas, traffic circulation patterns, loading docks, septic and sewer systems, pedestrian paths and walks, and landscaping.

SKYLINE: The natural ground outline of a range of hills or mountains as viewed from or immediately adjacent to a point on a public highway. See Section 406.

SOIL, HYDRIC: A soil which has excessive wetness as a result of a seasonal high water table within four (4) feet of the ground surface. See Section 403.

SOIL, SHALLOW: A soil which has a depth of forty (40) inches or less to bedrock or other impervious material.

SPECIAL CARE FACILITY: A place licensed by the State of Vermont providing lodging, board, and continuous nursing care under professional supervision to the elderly, sick, invalid, infirm, mentally or physically disabled or convalescent person. See Section 520.

STEEP SLOPE: A slope which is 25% or more in gradient, (25 vertical feet in 100 horizontal feet).

STORAGE: Safekeeping of goods in a warehouse or other enclosed area.

STORE FRONT: The main portion of a commercial establishment which faces a street, excluding porches, sheds, and other exterior spaces.

STRUCTURE: An assembly of materials for occupancy or use, including, (but not limited to) a building, mobile home or trailer.

SUBDIVISION or SUBDIVIDE: The partitioning or dividing of a parcel or tract of land, where the act of division creates two or more separate lots. See Section 612.

SUBSTANTIAL IMPROVEMENT: Any repair, reconstruction, or improvement of a structure within a two-year period, the cost of which equals or exceeds 50 percent of the market value of the structure either: (a) before the improvement or repair is started, or (b) if the structure has been damaged, and is being restored, before the damage occurred. The term does not, however, include either: (1) any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code conditions, or (2) any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Sites.

SUBSURFACE SEWAGE DISPOSAL SYSTEM: Any sewage disposal system which treats and disposes of domestic sewage underground and whose proper installation and safe functioning is, therefore, dependent on suitable conditions of soils, slopes, bedrock, and water table. See Section 521.

SURFACE WATER: Any body of water, such as brooks, streams, rivers, ponds or lakes, including natural channels of intermittent brooks, streams and rivers.

SURVEY: A plan drawn to the same scale as the site plan showing bearings, distances, and angles of the property boundaries, connecting lot lines, identifying owners of all adjoining properties and including the important existing features such as structures, roads, easements and rights-of-way.

TOPOGRAPHIC MAP: A map drawn to the same scale as the site plan showing contours at intervals not exceeding five (5) feet, the location of rock out-crops, water bodies, wetlands, other important site features including the location and data from any test pits or borings made to determine soil conditions as required by Vermont Health Regulations.

UNDUE ADVERSE VISUAL IMPACT: A two-step test used by the VDRB to determine an unacceptable impact on the Town's and Village's Scenic Ridgeline. See Section 406.

USE, CONDITIONAL: A use permitted only after a public hearing and VDRB approval.

USE, PERMITTED: A use allowed as set forth by these Regulations.

VDRB: Village Development Review Board.

VANTAGE POINT: A point designated by the Woodstock Conservation Commission that is located on a Village Street, Class I, II or III highway from which a proposed land development will be visible. See Section 406.

VARIANCE: A deviation from the strict application of these Regulations which is granted by the VDRB in cases where unique physical conditions exist. See Section 715.

WETLANDS: Lands where the water table is at, near, or above the surface long enough during the growing season to promote the formation of special (hydric) soils or to support the growth of hydrophytes (special water loving plants). The wetland map is on file in the Planning and Zoning office. See Section 403.

WINDMILL: A device driven by the wind for the purpose of generating electricity. See Section 609.

YARD, FRONT: The open space extending across the full width of the lot between the highway or road right-of-way and the nearest line or point of the principal building.

ZONING DISTRICT: A part of the territory of the Village of Woodstock within which certain uniform regulations and requirements or various combinations thereof apply under the provision of these Regulations.

ARTICLE II ZONING DISTRICTS

SECTION 201 ESTABLISHMENT OF BASE ZONING DISTRICTS AND MAP

A. For the purpose of these Regulations, the following Base Zoning Districts are hereby established within the Village of Woodstock:

- | | |
|--------------------------------|-----|
| 1. Community | COM |
| 2. Residential Three Acre | R3 |
| 3. Residential One Acre | R1 |
| 4. Residential Low Density | RLD |
| 5. Residential Medium Density | RMD |
| 6. Residential High Density | RHD |
| 7. Residential/Office | RO |
| 8. Central Commercial | CC |
| 9. Commercial/Light Industrial | CLI |
| 10. Light Commercial | LC |
| 11. Inn | INN |

B. The areas and boundaries of the Base Zoning Districts are established as shown on the attached map which is hereby designated as the Base Zoning Map for the Village of Woodstock and made a part of these Regulations and all future Amendments. The official zoning map shall remain on file in the office of the Administrative Officer.

SECTION 202 ESTABLISHMENT OF OVERLAY ZONING DISTRICTS AND MAP

A. For the purposes of these Regulations, in addition to the Base Zoning District the following Overlay Zoning Districts are hereby established within the Village of Woodstock:

1. Conservation District: Steep slopes, shallow and wet soils.
2. Flood Hazard District: An area of special flood hazard on the Federal Insurance Administration (FIA) Flood Insurance Rate Maps (FIRM) effective May 2, 2002.
3. Design Review District: An area of the Village of Woodstock important for its visual and historic character.
4. Scenic Ridgeline District: Land within 500 horizontal feet of primary ridgelines.

B. The areas and boundaries of the Overlay Zoning Districts are established as shown on the maps which are on file in the office of the Zoning Administrative Officer and are hereby designated as the Overlay Zoning Map for the Village of Woodstock and made a part of these Regulations, together with all future amendments.

SECTION 203 INTERPRETATION OF ZONING DISTRICT BOUNDARIES

If uncertainty exists with respect to the boundary of any Zoning District on the Zoning Map, the location of such boundary shall be determined by the Administrative Officer. If the Administrator cannot make such a determination, or if the applicant or other interested party is not satisfied with the decision, the matter shall be determined by the VDRB. In making such determination, the applicant may be required to submit information specified in Section 708 of these Regulations.

As guidance for use in their determination, zoning district boundaries shall normally be coterminous with property lines, centerlines of roads, or centerlines of water courses.

SECTION 204 APPLICATION OF REGULATIONS

Except for maintenance, repair or replacement of existing uses of land or structures which are permitted and conform to the requirements of their respective zoning districts, no building or structure shall be erected, moved, altered or extended; and no land, building or structure or part thereof, shall be occupied or used unless in conformity with the regulations herein specified.

SECTION 205 CONSTRUCTION APPROVED PRIOR TO AMENDMENT OF REGULATIONS

Nothing contained in these Regulations shall require any change in plans or construction of a noncomplying structure for which a zoning permit has been issued and which has been completed within one year from the effective date of an amendment to these Regulations.

ARTICLE III ZONING DISTRICTS REGULATIONS**SECTION 301 COMMUNITY (COM) 5,445 sq. ft.**

A. Purpose: To provide for the continued use and services of community institutions and community open spaces.

B. Uses Requiring an Administrative Permit:

1. Structural alterations or additions

C. Uses Requiring a Conditional Use Permit:

1. Public buildings
2. Quasi-public buildings
3. Accessory uses and structures
4. Parking
5. Subdivision (See Section 612)

D. Land, Area and Structural Requirements:

1. Minimum Lot Area: 5,445 square feet
2. Minimum Lot Frontage: None
3. Front Setback Minimum: 50 feet from street centerline
4. Rear Setback Minimum: 20 feet
5. Side Setback Minimum: 10 feet
6. Building Height Maximum: 35 feet.
7. Parking Requirements: (See Section 517)

SECTION 302 RESIDENTIAL THREE ACRE (R3) 3 Acres

A. Purpose: To designate areas of lower density residential development in the more open regions of the community.

B. Uses Not Requiring a Permit:

1. Agriculture
2. Forestry
3. Exempt home occupation (See Section 514)

C. Uses Requiring an Administrative Permit:

1. Buildings and structures for forestry
2. Single-family dwelling

3. Structures accessory to a single-family dwelling
4. Two-family dwelling

D. Uses Requiring a Conditional Use Permit:

1. Detached apartment (See Section 510)
2. Multi-family dwelling
3. Public and quasi-public building
4. Public utility
5. Home occupation (See Section 514)
6. Special care facility (See Section 520)
7. Day care facility (See Section 508)
8. Private and public parking (See Section 517)
9. Bed and breakfast (See Section 504)
10. Commercial recreation facility
11. Subdivision (See Section 612)

E. Land, Area, and Structural Requirements:

1. Minimum Lot Area: 3 acres per dwelling unit or two-family dwelling
2. Minimum Lot Frontage: 100 feet along Routes 4, 12, or 106; 75 feet along a street; 50 feet at the end of a cul-de-sac
3. Front Setback Minimum: 80 feet from centerline of Routes 4, 12, or 106, 60 feet from street centerline
4. Rear Setback Minimum: 25 feet
5. Side Setback Minimum: 25 feet
6. Building Height Maximum: 35 feet
7. Parking Requirements: (See Section 517)

SECTION 303 RESIDENTIAL ONE ACRE (R1) One Acre

A. Purpose: To designate areas of the community which are compatible with one-acre residential development.

B. Uses Not Requiring a Permit:

1. Agriculture
2. Forestry
3. Exempt home occupation (See Section 514)

C. Uses Requiring an Administrative Permit:

1. Buildings and structures for forestry
2. Single-family dwelling
3. Structures accessory to a single-family dwelling
4. Two-family dwelling

D. Uses Requiring a Conditional Use Permit:

1. Detached apartment (See Section 510)
2. Multi-family dwelling
3. Public and quasi-public building.
4. Public utility
5. Home occupation (See Section 514)
6. Special care facility (See Section 520)
7. Day care facility (See Section 508)
8. Private and public parking (See Section 517)
9. Bed and breakfast (See Section 504)
10. Subdivision (See Section 612)

E. Land, Area, and Structural Requirements:

1. Minimum Lot Area: One acre per dwelling unit or two-family dwelling
2. Minimum Lot Frontage: 75 feet or 50 feet along the perimeter of a cul-de-sac
3. Minimum Front Setback: 60 feet from street centerline
4. Minimum Rear Setback: 25 feet
5. Minimum Side Setback: 25 feet
6. Maximum Building Height: 35 feet
7. Parking Requirements: (See Section 517)

SECTION 304 RESIDENTIAL LOW DENSITY (RLD) 20,000 sq. ft.

A. Purpose: To designate areas of the community which are compatible with low density residential development.

B. Uses Not Requiring a Permit:

1. Agriculture
2. Exempt home occupation (See Section 514)

C. Uses Requiring an Administrative Permit:

1. Single-family dwelling
2. Structures accessory to a single-family dwelling
3. Two-family dwelling

D. Uses Requiring a Conditional Use Permit:

1. Detached apartment (See Section 510)
2. Multi-family dwelling
3. Public and quasi-public building
4. Public utility
5. Home occupation (See Section 514)
6. Special care facility (See Section 520)
7. Day care facility (See Section 508)
8. Private and public parking (See Section 517)
9. Bed and breakfast (See Section 504)
10. Subdivision (See Section 612)

E. Land, Area, and Structural Requirements:

1. Minimum Lot Area: 20,000 square feet per dwelling unit or two-family dwelling, 40,000 square feet per three dwelling units
2. Minimum Lot Frontage: 75 feet
3. Minimum Front Setback: 50 feet from centerline of Routes 4, 12, or 106 or 35 feet from street centerline
4. Minimum Rear Setback: 25 feet
5. Minimum Side Setback: 15 feet
6. Maximum Building Height: 35 feet
7. Parking Requirements: (See Section 517)

SECTION 305 RESIDENTIAL MEDIUM DENSITY (RMD) 8,000 sq. ft.

A. Purpose: To designate areas of the community which are compatible with medium density residential development.

B. Uses Not Requiring a Permit:

1. Agriculture
2. Exempt home occupation (See Section 514)

C. Uses Requiring an Administrative Permit:

1. Single-family dwelling
2. Structures accessory to a single-family dwelling
3. Two-family dwelling

D. Uses Requiring a Conditional Use Permit:

1. Detached apartment (See Section 510)
2. Multi-family dwelling
3. Public and quasi-public building
4. Public utility
5. Home occupation (See Section 514)
6. Special care facility (See Section 520)
7. Day care facility (See Section 508)
8. Private and public parking (See Section 517)
9. Bed and breakfast (See Section 504)
10. Subdivision (See Section 612)

E. Land, Area, and Structural Requirements:

1. Minimum Lot Area: 8,000 square feet per dwelling unit or two-family dwelling, 16,000 square feet per three unit dwelling
2. Minimum Lot Frontage: 50 feet
3. Minimum Front Setback: 35 feet from centerline of Route 4, 12, or 106, or 25 feet from street centerline
4. Minimum Rear Setback: 20 feet
5. Minimum Side Setback: 10 feet
6. Maximum Building Height: 35 feet
7. Parking Requirements: (See Section 517)

SECTION 306 RESIDENTIAL HIGH DENSITY (RHD) 5,445 sq. ft.

A. Purpose: To permit designated areas of the community which are compatible with higher density residential development.

B. Uses Not Requiring a Permit:

1. Agriculture
2. Exempt home occupation (See Section 514)

C. Uses requiring an Administrative Permit:

1. Single-family dwelling
2. Structures accessory to a single-family dwelling
3. Two-family dwelling

D. Uses Requiring a Conditional Use Permit:

1. Detached apartment (See Section 510)
2. Multi-family dwelling
3. Public and quasi-public building
4. Public utility
5. Home occupation. (See Section 514)
6. Special care facility (See Section 520)
7. Day care facility (See Section 508)
8. Private and public parking (See Section 517)
9. Bed and breakfast (See Section 504)
10. Subdivision (See Section 612)

E. Land, Area, and Structural Requirements:

1. Minimum Lot Area: 5,445 square feet per dwelling unit or two-family dwelling, 10,890 square feet per three unit dwelling
2. Minimum Lot Frontage: 50 feet
3. Minimum Front Setback: 25 feet from street centerline
4. Minimum Rear Setback: 15 feet
5. Minimum Side Setback: 10 feet
6. Maximum Building Height: 35 feet
7. Parking Requirements: (See Section 517)

SECTION 307 RESIDENTIAL/OFFICE (RO) 5,445 sq. ft.

A. Purpose: To provide for a mixed-use district which is limited to residential and office uses within the Village.

B. Uses Not Requiring a Permit:

1. Agriculture
2. Exempt home occupation (See Section 514)

C. Uses Requiring an Administrative Permit:

1. Single-family dwelling
2. Structures accessory to a residential dwelling
3. Two-family dwelling

D. Uses Requiring a Conditional Use Permit:

1. Detached apartment (See Section 510)
2. Multi-family dwelling
3. Public and quasi-public use
4. Public utility
5. Home occupation (See Section 514)
6. Special care facility (See Section 520)
7. Day care facility (See Section 508)
8. Bed and breakfast (See Section 504)
9. Office
10. Subdivision (See Section 612)

E. Land, Area and Structural Requirements:

1. Minimum Lot Area: 5,445 square feet per residential unit or two-family dwelling
2. Minimum Lot Frontage: 75 feet
3. Minimum Front Setback: 30 feet from road centerline
4. Minimum Side Setback: 15 feet
5. Minimum Rear Setback: None
6. Maximum Building Height: 35 feet
7. Parking Requirements: (See Section 517)
8. For purposes of calculating allowable office density, an office may be any configuration or size as long as all applicable criteria above (including Section 517) are satisfied

SECTION 308 CENTRAL COMMERCIAL (CC) 5,445 sq. ft.

A. Purpose: To allow a compatible mix of residential and commercial uses within the Village core.

B. Uses Not Requiring a Permit:

1. Agriculture
2. Exempt home occupation (See Section 514)

C. Uses Requiring an Administrative Permit:

1. Single-family dwelling
2. Structures accessory to a single-family dwelling
3. Two-family dwelling
4. Existing retail-to-office conversion or existing office-to-retail conversion

D. Uses Requiring a Conditional Use Permit:

1. Detached apartment (See Section 510)
2. Multi-family dwelling
3. Public and quasi-public building
4. Public utility
5. Home occupation. (See Section 514)
6. Special care facility (See Section 520)
7. Day care facility (See Section 508)
8. Private and public parking (See Section 517)
9. Bed and breakfast (See Section 504)
10. Commercial uses:
 - a. Restaurant
 - b. Bakery
 - c. Bank
 - d. Office
 - e. Medical clinic
 - f. Pottery and/or ceramics
 - g. Furniture making
 - h. Storage/warehouse
 - i. Physical fitness facility
 - j. Theater
 - k. Retail sales and services, excluding filling station, automobile sales and service, dry cleaning, laundry and other similar establishments
11. Subdivision (See Section 612)

E. Land, Area and Structural Requirements:

1. Lot Area Minimum: 5,445 square feet
2. Lot Frontage Minimum: 50 feet - residential; 20 feet - all other uses
3. Front Setback Minimum: 30 feet from street centerline or equal to abutting buildings on Elm and Central Streets
4. Side Setback Minimum: None, other than firewall barrier constructed according to State Fire Marshall standards
5. Rear Setback Minimum: None
6. Building Height Maximum: 35 feet
7. Buffer Strip Requirements: (See Section 506)
8. Parking Requirements: (See Section 517)

F. Inactive Conditional Use Permit

If a conditional use permit has been inactive for a period of more than one year, a new conditional use permit including site plan review is required.

SECTION 309 COMMERCIAL/LIGHT INDUSTRIAL (CLI) 10,000 sq. ft.

A. Purpose: To provide for concentrated commercial development.

B. Uses Not Requiring a Permit:

1. Agriculture
2. Exempt home occupation (See Section 514)

C. Uses Requiring an Administrative Permit:

1. Single-family dwelling
2. Structures accessory to a single-family dwelling
3. Two-family dwelling

D. Uses Requiring a Conditional Use Permit:

1. Detached apartment (See Section 510)
2. Multi-family dwelling
3. Public and quasi-public building
4. Public utility
5. Home occupation (See Section 514)
6. Special care facility (See Section 520)
7. Day care facility (See Section 508)
8. Private and public parking (See Section 517)
9. Bed and breakfast (See Section 504)
10. Commercial Uses:
 - a. Office
 - b. Medical clinic
 - c. Physical fitness facility
 - d. Hotel, motel
 - e. Restaurant
 - f. Retail store
 - g. Research establishment
 - h. Design and drafting establishment
 - i. Insurance company
 - j. Filling station (See Section 516)
 - k. Auto dealership, repair service and body shop
 - l. Other similar commercial uses, upon determination by VDRB that such use is of the same general character as those listed above and will not be detrimental to adjoining land uses or to other permitted uses within the District.
11. Industrial Uses:
 - a. Bakery
 - b. Storage/warehouse
 - c. Light manufacturing and assembly
 - d. Printing, publishing
 - e. Pottery and/or ceramics

- f. Furniture making
- g. Garden supplies and equipment
- h. Agricultural supplies
- i. Building or road construction establishment
- j. Stone work (tombstones, flagstones, slate), excepting quarries
- k. Greenhouse
- l. Other industrial uses which, upon determination by VDRB that such use is of the same general character as those listed above and will not be detrimental to adjoining land uses or to other permitted uses within the District.

___ 12. Subdivision (See Section 612)

E. Land, Area and Structural Requirements:

- 1. Minimum Lot Area: 10,000 square feet.
- 2. Residential Density: 5,445 square feet per unit or two-family dwelling
- 3. Commercial Density: To be determined by other criteria within the regulations.
- 4. Minimum Lot Frontage: 50 feet
- 5. Minimum Front Setback: 30 feet from street centerline
- 6. Minimum Side Setback: 15 feet
- 7. Minimum Rear Setback: None
- 8. Maximum Building Height: 35 feet
- 9. Buffer Strip Requirements: (See Section 506)
- 10. Parking Requirements: (See Section 517)

F. Specific Land, Area and Structural Requirements pertaining to Light Industrial Development:

- 1. Maximum Building, Parking and Access Coverage: 60% of lot

G. Inactive Conditional Use Permit

If a conditional use permit has been inactive for a period of more than one year, a new conditional use permit including site plan review is required.

SECTION 310 LIGHT COMMERCIAL (LC) 10,000 sq. ft.

A. Purpose: To provide for light commercial development outside of the Village center.

B. Uses Not Requiring a Permit:

- 1. Agriculture
- 2. Exempt home occupation (See Section 514)

C. Uses Requiring an Administrative Permit:

- 1. Single-family dwelling
- 2. Structures accessory to a single-family dwelling
- 3. Two-family dwelling

D. Uses Requiring a Conditional Use Permit:

- 1. Detached apartment (See Section 510)
- 2. Multi-family dwelling
- 3. Public and quasi-public use
- 4. Public utility
- 5. Home occupation (See Section 514)
- 6. Special care facility (See Section 520)
- 7. Day care facility (See Section 508)
- 8. Bed and breakfast (See Section 504)
- 9. Light Commercial Uses:
 - a. Office
 - b. Retail store (limited to 2,000 square feet, to include storage and office space)
 - c. Restaurant (limited to 2,000 square feet)
 - d. Research/engineering establishment
 - e. Design and drafting establishment
 - f. Insurance company
 - g. Other Commercial uses, upon the determination by the VDRB that such use is of the same general

character as those permitted and will not be detrimental to adjoining land uses or other permitted uses within the District.

___ 10. Subdivision (See Section 612)

E. Land, Area and Structural Requirements:

1. Minimum Lot Area: 10,000 square feet
2. Residential Density: 5,445 square feet per unit or two-family dwelling
3. Commercial Density: To be determined by other criteria within the regulations
4. Minimum Lot Frontage: 50 feet
5. Minimum Front Setback: 50 feet from road centerline
6. Minimum Side Setback: 15 feet
7. Minimum Rear Setback: When abutting a residential zone, 20 feet; otherwise none
8. Maximum Building Height: 35 feet
9. Buffer Strip Requirements: (See Section 506)
10. Parking Requirements: (See Section 517)

F. Inactive Conditional Use Permit

If a conditional use permit has been inactive for a period of more than one year, a new conditional use permit including site plan review is required.

SECTION 311 INN (INN) Two Acres

A. Purpose: To provide a designation for hotels/inns.

B. Uses Not Requiring a Permit:

1. Agriculture
2. Exempt home occupation (See Section 514)

C. Uses Requiring an Administrative Permit:

1. Single-family dwelling
2. Structures accessory to a single-family dwelling
3. Two-family dwelling

D. Uses Requiring a Conditional Use Permit.

1. Detached apartment (See Section 510)
2. Multi-family dwelling
3. Public and quasi-public building
4. Public utility
5. Home occupation (See Section 514)
6. Special care facility (See Section 520)
7. Day care facility (See Section 508)
8. Private and public parking (See Section 517)
9. Bed and breakfast (See Section 504)
10. Inn
11. Accessory uses to an inn
- ___ 12. Subdivision (See Section 612)

E. General Requirements:

1. Shall have a minimum of 10 guest rooms.
2. Retail shop permitted conditioned on the following:
 - a. Shall not exceed 800 square feet.
 - b. Shall be located only within the main structure.
3. Restaurant permitted conditioned on the following:
 - a. Kitchen shall be licensed by the State of Vermont.
 - b. Dining room shall be separate from kitchen and living areas.
 - c. Shall be located only within the main structure.
 - d. May be open to the public, but shall abide by all applicable provisions of these Regulations.
 - e. Maximum capacity of three (3) seats per guest room.
4. Expansion requires Conditional Use Approval following Site Plan Approval by Planning Commission.

F. Land, Area, and Structural Requirements:

1. Minimum Lot Area: 2 acres
2. Minimum Lot Frontage: 150 feet
3. Minimum Front Setback: 50 feet from street centerline
4. Minimum Side Setback: 25 feet
5. Minimum Rear Setback: 25 feet
6. Maximum Building Height: 35 feet
7. Buffer Strip Requirements: (See Section 506)
8. Parking Requirements: (See Section 517)

SECTION 312 PLANNED DEVELOPMENT**Planned Residential (PRD) & Planned Unit (PUD)**

To enable innovation in design, layout and efficient use of land, encourage energy efficient construction, assure adequate provision of public services, streets, and utilities, and preserve Woodstock's open, natural and scenic qualities, the VDRB may modify these Regulations, simultaneously with the approval of a subdivision plat, to allow for Planned Development. Such modification(s) shall be in accord with the following standards for evaluating and approving a Planned Development proposal.

In addition to evaluation and approval by the VDRB under this Section's requirements, a Planned Development proposal shall also be subject to Design Review and Conditional Use Approval.

A. General Standards

1. The proposed development must be designed to create a stable and desirable environment that is in harmony with the density and type of adjacent land uses.
2. In addition to information required in Section 708, the application shall include a statement setting forth all proposed modifications, changes or supplementation to applicable zoning regulations.
3. The density of the underlying District(s) may be increased by twenty-five (25) percent or up to fifty (50) percent for an affordable housing development if, in the judgement of the VDRB, community facilities and site conditions can support that level of development. Site conditions that reduce the amount of developable land shall be used when determining the appropriate density increase. Such conditions include wetlands, severe slopes, and the 100-year floodplain
4. The VDRB may require that areas be designated as future sites for educational facilities if 100 dwelling units or more are proposed.
5. The installation or construction of any necessary community facilities or utilities such as storm and sanitary sewage lines, sewage treatment plants, water lines, lighting, and so forth, shall be the responsibility of the developer.
6. To assure that the community is not unduly affected, the project may be subject to requirements regarding traffic.
7. If land is to be subdivided into lots which will not conform with the zoning regulations for the districts in which the development is situated, it must be demonstrated that adequate conditions and methods exist or will be made for the treatment of sewage and the provision of a safe supply of drinking water prior to approval.
8. The project land may be owned, leased or controlled either by a single person or corporation or by a group of individuals or corporations. The approved project plan shall be binding on the project land and on present and successive owners. To assure adequate property management and compliance with conditions of project approval:
 - a. If owned by a group of individuals or corporations, an association shall be formed to assure that all properties and common areas are properly maintained.
 - b. The filing of a Declaration of Covenants, Conditions, and Restrictions (or its equivalent) may be required.
9. The proposal shall provide for the preservation of open space, agricultural land, forested areas, significant views, streams and stream banks, steep slopes, wet areas, soils unsuitable for development, and other unique natural features.
10. The percentage of land dedicated to open space shall be 33% of total acreage if the total acreage of the parcel is less than 50 acres and at least 50% of total acreage if the parcel is greater than 50 acres.
 - a. Land set aside as open space shall be of a size, type and location to meet its intended use.
 - b. Open space should be contiguous to other existing or potential open space areas.
 - c. Ownership of open space should be consistent with the best means of maintaining the resources on site.

11. If the proposed project results in lands available for municipal purposes, the VDRB, as a condition of its approval, may establish conditions on the ownership, use, and maintenance of such lands as it deems necessary to assure the preservation of such lands for their intended purposes;
12. Land reserved as private open space shall be protected from future development and environmental damage through an appropriate legal mechanism approved by the VDRB. Such mechanism shall:
 - a. restrict future building and removal of soil, trees, and other natural features, except as is consistent with conservation, recreation, or agricultural uses or uses accessory to permitted uses;
 - b. provide that residents have access to the open space at all times;
 - c. dictate whether open space is for the benefit of residents only, or may be open to residents of Woodstock.
13. Any modification of these Regulations approved under this Section shall be noted on or appended to the subdivision plat, specifically setting forth standards and criteria for the required (a) design, bulk, and spacing of buildings and (b) location and size of designated lots and open spaces.
14. In evaluating PRD and PUD proposals, the VDRB, in addition to finding that the foregoing requirements are met, shall consider:
 - a. The objectives and policies set forth in the Town/Village Plan.
 - b. The relationship and compatibility of residential and non-residential uses, taking into consideration the location, arrangement, and size of lots, recreation areas, school sites, and open space.
 - c. The relationship of the proposed built development to the site's natural features
 - d. The densities proposed for the entire area.
 - e. Such other considerations that will contribute to the orderly and harmonious development of the land.
15. Amendment to an approved plan shall follow the procedures and conditions stated herein.

B. General Design Standards

1. **Roadways & Parking**
 - a. Roadways should be designed to minimize site disturbance by following existing contours and site features and shall not exceed an average of 10 % grade.
 - b. Areas for off-street parking adequate for the proposed occupancy, at least equivalent to the requirements of Section 517 of these Regulations, must be provided.
2. **Open Space & Development**
 - a. Open space should preserve agricultural, recreational or natural resources, and where feasible, serve as buffers to adjoining land and uses.
 - b. Buildings should be located in wooded areas or on field edges and should not include sensitive areas such as wetlands, floodplains or steep slopes.
3. **Energy Conservation**
 - a. To conserve energy, the development plan must use the least amount of area for roads and the least length of sewer, water and utility lines within environmentally and economically sound limits;
 - b. Clustered development should be considered wherever feasible;
 - c. The siting of buildings should maximize solar access where feasible, and
 - d. Landscaping should be effectively used to provide wind barriers and reduce heat loss.
4. **Landscaping and Screening**

The preservation, planting and maintenance of trees, ground cover or other vegetation, of a size and type deemed appropriate by the VDRB, may be required in the following instances:

 - a. To provide an undisturbed vegetated buffer between developed and undeveloped portions of the site to protect water quality and/or other natural features. At a minimum, a fifty (50) foot buffer shall be established from the mean water level of any stream or lake and /or the delineated boundary of an identified wetland
 - b. To provide privacy screening, reduce noise and glare, or to otherwise soften and/or lessen the visual impacts of development.
 - c. To preserve existing specimen trees, tree lines, critical wildlife habitat, or wooded areas of particular natural or aesthetic value to the site,
 - d. To establish a barrier between incompatible land uses.

C. Application Materials and Procedure

1. Prior Approval

When a Planned Development is proposed, before any contract is made for the sale of any part of the parcel(s) involved, before any zoning permit shall be granted and before any subdivision plat may be

filed in the Office of the Town Clerk, the prospective developer shall apply for and secure approval of the development in accordance with the following procedures.

2. Preliminary Application

- a. The applicant shall apply in writing to the VDRB to discuss the proposed project at a regularly scheduled public hearing. The application shall minimally include a narrative description of the project, setting forth its purpose, desirability and impact on the neighborhood in which the project is proposed.
- b. The VDRB shall have thirty (30) days to respond in writing to the applicant's proposal with a favorable or unfavorable decision. A favorable decision shall authorize the applicant to proceed to the formal application and approval stages.
- c. In considering the preliminary application, the VDRB shall consider, conceptually, the project scale, proposed use configuration, compatibility with the goals and objectives of the Town/Village Plan, compatibility and relationship to the adjacent land uses and impact on public facilities and services.

3. Formal Application

- a. Upon a favorable decision and authorization to proceed by the VDRB, the applicant shall submit:
- b. Sketch plan, drawn to scale, clearly showing the following:
 - i. Location, size and uses of the various proposed buildings.
 - ii. General outlines of existing and proposed interior roadways, parking areas, all existing rights-of-way and easements, whether public or private, location of existing utilities and infrastructure.
 - iii. Principal relationships to and impact on public services such as highways, Village roads, water supply and sewage disposal.
 - iv. Interior and peripheral open space.
 - v. Location of significant vegetation, water bodies, wetlands, desirable and objectionable views, sources of noise, odors and other potential nuisances, existing buildings and structures.
 - vi. Existing topography and proposed final grading at contour intervals no more than 5 feet of elevation, noting areas of potential erosion, flooding, and ponding.
 - vii. The location of facilities for the control and disposal of storm water.
 - viii. Traffic and circulation analysis, including trip generation, internal circulation, ingress and egress points and sight distances.

4. Phasing Plan

Projects that will take more than 24 months to complete must present a description and clear plan for the project's phasing, including the area, uses, and timing of each phase. In any case, the sketch plan shall show the complete project.

5. Competence

Evidence demonstrating the competence of the applicant to carry out the plan, both physically and financially.

D. Public Hearings

1. Within sixty (60) days of receipt of the Sketch Plan and accompanying documentation, the proposal for Planned Development shall be reviewed by the VDRB in a public hearing, preceded by public notice.
2. Hearings may be adjourned from time to time provided that the date and place of the adjourned hearing are announced at the hearing. Decisions on an application shall be made no later than sixty (60) days from the date of the last public hearing.

E. Final Approval

1. Final Approval of the Planned Development proposal shall be conditioned on preliminary and final Site Plan and Conditional Use Approval by the VDRB.
2. The VDRB can condition final approval as deemed appropriate. Such conditions may pertain, but are not limited, to the following areas of concern:
 - a. Visual and acoustical screening
 - b. Land use mix
 - c. Schedule of construction
 - i. If project phasing is desired or required as a condition of approval, the plan for each phase shall be subject to public hearing by the VDRB.

- ii. The time allotted to complete the entire project or phases
 - d. Pedestrian and vehicular circulation system
 - e. Parking and snow removal,
 - f. Protection of natural and/or historical resources,
 - g. Performance guarantees assuring completion, compliance with the approved plan or conditions of approval
 - h. Submission of a Declaration of Covenants, Conditions and Restrictions or equivalent document
 - i. If required, the document shall be (1) filed with the Town Clerk prior to final approval and (2) provided at closing to purchasers of each unit of ownership or leasehold.
 - ii. Such document shall:
 - (a) specify that deeds, leases or any other instrument conveying buildings, units, or parcels are subject to the terms of the Declaration.
 - (b) identify the parties responsible for the cost to maintain common and open areas
 - (c) be reviewed by an attorney representing the Village to assure that the Village's interests are protected.
3. Upon final approval of the siting and uses involved in the Planned Development, the architectural portion of the project becomes subject to Design Review Approval.

F. PUD Specific Standards

1. **Purpose:** A PUD is intended to achieve a mix of residential and commercial uses at a scale, spacing and design which complements the essentially residential character of Woodstock.
2. **Setbacks:** To minimize adverse effects on surrounding areas, a buffer zone of at least 20' around the PUD's periphery shall be established and kept free of all structures. The area must provide natural screening or must be landscaped. The VDRB may increase the required buffer zone if deemed appropriate.
3. **Uses:** Permitted uses include and shall be limited to:
 - a. Dwelling units in detached, semi-detached, or multi-storied structures or any combination thereof.
 - b. Any commercial or non-residential use permitted in the zoning district within which the development is proposed.
 - c. Public and private educational facilities.
 - d. Industrial uses and buildings that are permitted in the zoning district within which the development is proposed.

ARTICLE IV OVERLAY ZONING DISTRICTS

SECTION 401 PURPOSE

- A. Conservation District:** To protect natural areas and their inherent values from adverse development. Such areas are: steep slopes, shallow and hydric soils.
- B. Flood Hazard District:** To lessen or avoid the hazards or damage to property resulting from flood waters and to provide for the maintenance and improvement of agriculture and other non-structural uses adjacent to the Ottawaquechee River and its related tributaries.
- C. Design Review District:** To protect the natural beauty and the architectural, cultural and historic character of the Village for both residents and visitors. In order to protect these characteristics, it is necessary to insure that structures are properly related to their sites, to surrounding sites and structures and that proper attention is given to the exterior appearances of buildings as permitted under Section 4407 (6) of the Act.
- D. Scenic Ridgeline District:** To protect the rural and pastoral character of Woodstock by preserving and conserving Woodstock's ridges and hillsides from unregulated land development.

SECTION 402 APPLICATION

The Overlay Zones are provisions in addition to, and, when contradictory requirements occur, take precedence over the requirements of the underlying Districts. All subdivision, commercial uses, and multi-family dwellings in the Overlay Zone shall be subject to Conditional Use Review to ensure adequate protection of the resource. Residential structures in flood zones shall also be subject to Conditional Use Review. In considering an application, the VDRB shall evaluate the immediate and long range impact of the proposed use of the resource. Specific standards for review involving each resource are listed below.

SECTION 403 CONSERVATION DISTRICT

- A. Wetlands:** Lands identified as wetlands on the Town's Critical Areas Analysis Map, hydric soils determined to be functionally significant under Vermont's Wetland Rules, and vernal pools identified by the Conservation Commission shall not be drained, filled, or altered without prior evaluation from the Agency of Natural Resources, review by the Conservation Commission, and conditional use approval by the VDRB.
1. Any land development adjacent to an identified or functionally significant wetland, including vernal pools, shall provide a fifty (50) foot minimum setback from the wetland. See Vermont Wetland Rules, Buffer Zones.
 2. Any proposal to excavate or locate within the required setback will require conditional use approval and may require approval from the State.
- B. Steep Slope:** Lots with steep slope characteristics as identified in the overlay zone shall be reviewed for suitable sewage disposal, access for emergency vehicles, drainage, and erosion control.
- C. Shallow Soils:** Lots with shallow soil characteristics as identified in the overlay zone shall be reviewed for suitable sewage disposal systems and erosion control.

SECTION 404 FLOOD HAZARD DISTRICT

- A.** To effect the purposes of 10 V.S.A., Chapter 32, and in accord with the Vermont Planning and Development Act, 24 V.S.A. Chapter 117, Section 4412, there are hereby established Zoning Regulations for areas of Special Flood Hazard in Village of Woodstock, Vermont.
- B. Official Flood Hazard Area Map**
The map entitled Flood Insurance Rate Map (FIRM), Village of Woodstock, Vermont effective May 2, 2002, and any revisions thereto is hereby adopted as the Official Flood Hazard Area Map, and is declared to be part of these Regulations.
- C. Records**
The Administrative Officer shall maintain a record of:
1. The elevation, in relation to the mean sea level of the lowest habitable floor, including basement, of all new construction or substantial improvement of structures, within the designated special flood hazard areas; and
 2. The elevation, in relation to mean sea level, to which such structures have been floodproofed.
 3. All floodproofing certifications required by N.F.I.P. Section 9.1 criteria.
 4. All variance actions, including justification for their issuance.
- D. Development Review Board**
1. Upon receiving an Application for a permit under these Regulations, the VDRB shall, prior to holding a hearing and rendering a decision thereon, obtain from the applicant the following:
 - a. Base flood elevation data for all subdivisions and other proposed new developments;
 - b. The elevation, in relation to mean sea level, of the lowest habitable floor, including basement, of all new construction or substantial improvement of structures;
 - c. Where floodproofing is used in lieu of elevation: the elevation, in relation to mean sea level, to which any structure or substantial improvement has been floodproofed;
 - d. Certification from a registered professional engineer or architect that the floodproofed structure meets the floodproofing criteria of Subsection 9.1 of the National Flood Insurance Program, and
 - e. A description of the extent to which any watercourse will be altered or relocated as a result of the proposed development.
 2. Where available; i.e., Zones A1-A30, AE and AH, the base flood elevations and floodway limits provided by the National Flood Insurance Program in the Flood Insurance Study and accompanying maps shall be used to administer the provisions of these Regulations.
 3. In areas where base flood elevations and floodway limits have not been provided by the N.F.I.P. study, the VDRB shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal, state or other source, as criteria for approval of all development.
 4. The VDRB shall notify adjacent communities and the Vermont Department of Environmental Conservation prior to approval of any alteration or relocation of a water course and shall submit copies of such notifications to the FIA Administrator.

E. Development Standards

As a condition of approval, the VDRB shall specifically require the following:

1. **Floodway Areas**
 - a. Development within the floodway is prohibited unless a registered professional engineer certifies the proposed development will not result in any increase in flood levels during the occurrence of the base flood.
 - b. No new construction, substantial improvement, or development (including fill) shall be permitted within zones A1-30 and AE on the Village's FIRM, unless it is demonstrated the cumulative effect of the proposed development will not increase the water surface elevation of the base flood zone more than one foot at any point within the town. This provision applies until a regulatory floodway is designated.
 - c. Junkyards, landfill, and storage areas or facilities for floatable materials, chemicals, explosives, flammable liquids or other hazardous or toxic materials are prohibited within the floodway.
2. **Fringe Areas (100 Year Floodplain)**
 - a. All structures shall be designed (i) to minimize damage to the proposed development and to public facilities and utilities, and (ii) to provide adequate drainage to reduce exposure to flood hazards.
 - b. Structures shall be: (i) designed (or modified) and anchored to resist flotation, collapse, or lateral movement; (ii) constructed with materials resistant to flood damage; (iii) constructed by methods and practices that minimize flood damage, (iv) constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
 - c. The flood-carrying capacity within any altered or relocated portion of a watercourse shall be maintained.
 - d. New and replacement water supply and sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems as well as to minimize or eliminate discharges from the systems into flood waters.
 - e. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.
 - f. New and replacement manufactured homes shall be elevated on properly compacted fill such that the top of the fill (the pad) under the entire manufactured home is above the base flood elevation.
 - g. All subdivision proposals shall be reasonably safe from flooding and: (i) all public utilities and facilities serving subdivisions, such as sewer, gas, electrical, and water systems, shall be located and constructed to minimize or eliminate flood damage, and (ii) adequate drainage shall be provided within subdivisions to reduce exposure to flood hazards.
 - h. The lowest floor, including basement, of all new buildings shall be at or above base flood level.
 - i. Existing buildings to be substantially improved for residential purposes shall be modified or elevated to meet the requirements of Subsection (j).
 - j. Existing buildings to be substantially improved for non-residential purposes shall either (i) meet the requirements of Subsection 9, or (ii) be designed to be watertight below the base flood elevation with walls substantially impermeable and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. A permit for a building proposed to be floodproofed shall not be issued until a registered professional engineer or architect has reviewed the structural design, specifications and plans, and has certified that the design and proposed methods of construction are in accordance with accepted standards of practice for meeting the provisions of this Subsection.
 - k. All new construction and substantial improvements with fully enclosed areas below the lowest floor that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either:
 - (i.) be certified by a registered professional engineer or architect or
 - (ii.) meet or exceed the following minimum criteria:
 - (a.) A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
 - (b.) The bottom of all openings shall be no higher than one foot above grade.
 - (c.) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

The VDRB shall attach such additional conditions to the granting of a permit as are necessary to meet the purposes and flood hazard area management requirements of these Regulations.

F. Warning of Disclaimer of Liability

These Regulations do not imply that land outside the areas of special flood hazard or land use permitted within such districts will be free from flooding or flood damages. These Regulations shall not create liability on the part of the Village of Woodstock or any Village official or employee thereof for any flood damages that result from reliance on this Regulation or any administrative decision lawfully made thereunder.

G. Annual Report to Federal Insurance Administration

1. The Administrative Officer shall submit an annual report with respect to the administration and enforcement of the Flood Hazard Area Regulations.
2. A copy of the Annual Report shall be submitted to the Vermont Department of Environmental Conservation.

SECTION 405 DESIGN REVIEW DISTRICT**A. Statement Of Character**

Every community has a unique character found in buildings, streetscape and landscape. Character is what gives a community its identity. Character is found in whatever identifies the community, whatever references the way life has been, its history and its resources; it is expressed in many small and large things and is vulnerable to change.

Woodstock is a community that is treasured and admired for its unique character. The purpose in the Design Review Regulations is to allow for growth while preserving the integrity and character of the community. These Regulations are implemented to insure design compatible with Woodstock's historic, architectural and tourist resources through architectural and site review. The Design Review District includes two related zones: the Village and the East End. Regulation goals for the Village seek to preserve and enhance its established character.

Village

The Village of Woodstock has an international reputation as one of the finest examples of a traditional New England village. Change is and should be a part of the community. Sympathetic new design can be a positive contribution to the character of a district. Historical, architectural and visual integrity can be maintained while present and future needs are met. To acknowledge both growth and character, existing buildings and their sites should be recognized as products of their own time. New construction shall be complementary to the configuration of existing buildings and streetscape, which respects the traditional scale, proportions, shapes and rhythms of the surrounding neighborhood.

East End

The East End of the Village of Woodstock along Route 4 is a primary entrance into the Village. Review of this area's buildings and sites will protect and enhance the Village's attraction to tourists and visitors, and will support and stimulate complimentary development appropriate to the prominence afforded properties contiguous to Route 4.

The Village's East End is substantially a mixed use area. Therefore, the Design Review Board should allow a more balanced blend of design in this area. It is important, however, that the architectural design of proposed buildings be compatible with the Woodstock architectural and streetscape character.

Main Entrances

Route 4 from the east and the west, Route 106 from the south, and Route 12 from the north are the four primary entrances to the Village. Review of these areas' buildings and sites will protect and enhance the Village's character and attraction to residents and visitors, and will support and stimulate complimentary development appropriate to the prominence afforded property with street frontage along the main entrances to the Village.

Route 4 on the Village's east end, Route 106 on the Village's southerly boundary, and Route 12 on the Village's northerly boundary are substantially mixed use areas. Therefore, the Design Review Board should allow a more balanced blend of design, which reflects the particular character of the neighborhood.

B. Design Plan Approval

1. Except as hereinafter provided, no person shall do or cause to be done any of the following acts with respect to any building located within the Design Review District without first obtaining Design Plan Approval from the VDRB:

- a. Construction of a building.
 - b. Relocation of a building or structure.
 - c. Addition to or alteration of the exterior of a building which increases or decreases the square footage of the building, whether enclosed or not.
 - d. Alteration of the exterior wall of a building by tearing down or removing any portion thereof, or, by filling in, sealing, boarding up, closing or enclosing any portion of an existing window, door space, porch or breezeway thereon.
 - e. Alteration of the roof line or chimney, or the addition of roof accessories such as satellite dishes, solar panels and skylights.
 - f. Addition or removal of materials to or from the exterior of a building where materials so added or exposed are of a kind or type different from those existing, but specifically excluding differences in color only.
 - g. Addition, alteration or removal of exterior site features such as permanent fences, stone walls, awnings, arbors, canopies, gazebos, garden sheds, mechanical equipment, and lighting.
 - h. Illuminated signs.
2. Except as otherwise provided in these Regulations, a change in use or type of occupancy shall not require Design Plan Approval.

C. Design Review District Overlay Map

The official overlay map of the Design Review District delineating the boundaries is on file in the office of the Zoning Administrator and a copy is attached to these Regulations.

D. Plan Application Procedures

1. Application

- a. In addition to the standard application procedures, the applicant shall include all information that is relevant and necessary for proper consideration of the application. This shall include a written and graphic description of the proposed construction, alteration or removal - sufficient to fully describe the context of existing conditions, as well as the overall intent and design character of the proposed work. This may require information on specific details, including sizes and shapes of exterior trim and construction components, material specifications, overall and detailed dimensions, etc. Photographs, sketches or line drawings are acceptable. The scope of the information required will depend on the scope of the proposed work.
- b. See Design Review Worksheet for further instructions
- c. The Design Review Board may request additional material if it feels that the information provided is insufficient for full consideration of the application. In such case, the review of the application will be extended until the next scheduled meeting of the Board.

2. Design Review

The Board shall meet within twenty-one (21) days after a completed application is filed. The applicant shall meet with the Design Review Board to present and review a design that meets the criteria in Subsection (F). Said meeting may be continued upon mutual consent by the Board and applicant. The clerk of the Design Review Board shall notify the applicant of the Board's recommendation and transmit a copy to the clerk of the VDRB. The applicant and abutters shall be notified by first class mail at least three (3) working days before the date of VDRB's review of the proposal, which meeting shall take place within twenty-one (21) days of the Design Review Board's Recommendation.

3. VDRB Review

The VDRB, after reviewing the report of the Design Review Board and all supporting materials and after receiving comments from the applicant and board, upon close of testimony shall issue to the applicant a written decision granting or denying the application for Design Plan Approval.

Notwithstanding the Recommendation from the Design Review Board, the applicant shall have the primary responsibility of presenting the proposal to the VDRB and shall have the burden of proof to establish that the design meets the criteria in Subsection (F). The decision issued by the VDRB may, but need not, adopt by reference the recommendations of the Design Review Board. The VDRB shall render its decision within 30 days from the close of testimony.

4. **Limitations**

Failure of the VDRB to issue its decision within the time and in the manner so specified shall constitute automatic approval of the Application as submitted and the Administrative Officer shall so certify in writing to the Applicant. The provisions of this Section refer only to Design Review and not to any other zoning requirements

Nothing in this Section shall be construed to prohibit the modification, extension, or waiver of any time or notice requirement where written mutual agreement has been made between the VDRB or Design Review Board and the applicant.

E. Design Review Limitations

In administering these provisions, the Design Review Board and the VDRB shall focus their attention upon the compatibility of a proposed change, the location, anticipated use of the structure and other relevant factors, in light of the criteria noted below. It is not intended to insist that new construction or alterations should copy either existing architectural styles or existing decorative details.

The Design Review Board and VDRB shall be less restrictive in their judgment of proposals involving structures of little historic or design value or of structures not highly visible from a public street or area, except where such construction or alteration would seriously impair the historic or architectural value of the surrounding buildings or area.

The Design Review Board and the VDRB shall be less restrictive in their consideration of proposals involving energy conservation.

F. Criteria For Approval

Before granting Design Plan Approval, the VDRB shall find that the proposal conforms substantially to the following design criteria:

1. **Height:**
The height of buildings or alterations shall be considered in relation to the height of existing adjacent buildings, and the building being constructed or altered.
2. **Setback:**
The front, side and rear setbacks shall be considered in relation to the prevailing setback existing in the immediate area.
3. **Proportion:**
The relationship between the width and height of the facades of adjacent buildings shall be considered in the construction or alterations of a building. The relationship of width to height of windows and doors of adjacent buildings shall be considered in the construction or alteration of a building.
4. **Pattern:**
The visual pattern established by the alternation of solids (walls) and openings (windows and doors) in the facade of buildings create a rhythm. These patterns of solids and openings shall be considered in the construction or alteration of a building. Variation of spacing between the buildings in the immediate area shall be considered in the construction or alteration of a building
5. **Materials:**
The similarity or compatibility of existing materials on the exterior walls or roofs of buildings in the immediate area shall be considered in the construction or alteration of a building. A building or alteration shall be considered to be compatible if the building materials used possess a kind or type which are appropriate to that building.
6. **Architectural Features:**
Architectural features, including but not limited to: cornices, windows, shutters, fanlights, and entablature, prevailing in the immediate area, shall be considered in the construction or alteration of a building. It is not intended that the details of old buildings be duplicated precisely, but they should be regarded as suggestive of the extent, nature and scale of details that would be appropriate on new buildings or alterations.
7. **Site Features :**
Non building features such as walls, fences, gates, gazebos, trellises, walkways, parking treatments, hedges, screen planting and major trees, shall be considered whether impacted by the construction or alteration of a building, or whether as part of landscaping improvements alone.

8. **Continuity:**
Physical elements such as yards, fences, evergreen masses or building facades may combine to form lines of continuity along a street. These elements shall be considered in the construction or alteration of a building.
9. **Site Treatment:**
For commercial properties where parking and service is required, the layout of shade trees and other landscaping to break-up large areas of paving, shall be considered together with the placement of lighting. The view from Route 4 is of particular significance in the provision of a streetscape compatible with the image of Woodstock Village.
10. **Direction of Front Facade:**
Structural shape, placement of openings and architectural features gives a predominantly vertical, horizontal or angular character to the building's front facade and shall be considered in the construction or alteration of a building.
11. **Roof Shape:**
The similarity or compatibility of roof shapes in the immediate area shall be considered in the construction or alteration of a building.

G. Demolition of Buildings and Site Features

1. Demolition or removal of a building, or structure or site feature shall require Design Plan approval from the VDRB.
2. Before a building, structure or site feature is demolished or moved, the Applicant shall in good faith prepare a detailed plan for the re-use of the vacated site for use by the Design Review Board to determine whether the proposal will meet the criteria established in "B" above. Said meeting shall be warned and the abutters notified.
3. In the event the VDRB determines upon testimony offered that there may be a valid reason for preservation, the Commission may impose a waiting period of no more than forty-five (45) days to afford a person or organization the opportunity to acquire or to arrange for the preservation of such a building.
4. Notwithstanding the above, any building with substantial structural instability resulting from fire or natural disaster and this condition was neither caused by nor perpetrated upon the owner, shall be exempt from the provisions of this Section.
5. Structures on or eligible for the National Register of Historic Places may be demolished only if the VDRB finds all of the following standards are met:
 - a. The structure cannot be rehabilitated or reused on site as part of any economically beneficial use of the property;
 - b. The structure proposed for demolition is structurally unsound despite efforts by the owner to properly maintain the structure;
 - c. The structure cannot be reasonably moved to another site within the historic district;
 - d. The demolition proposal mitigates to the greatest extent practical any impact to the character of the "neighborhood" of the property on which the demolition is proposed to occur;
 - e. The historical integrity and architectural character of the area where the proposed demolition of a structure is to take place will not be substantially diminished or compromised. For the purposes of this Section, the term "architectural character" shall include, but not be limited to, height, coverage, setbacks, massing, siting, fenestration, streetscape, alleyscape, materials, and scale of materials.

SECTION 406 SCENIC RIDGELINE DISTRICT

There is a two step test to determine whether proposed land development constitutes an "undue adverse visual impact" to the Scenic Ridgeline District: (1) does the proposed development visually affect the existing scenic and natural beauty of the land proposed to be developed as viewed from the public highways in the Town and Village of Woodstock, and (2) does the proposed development offend the sensibilities of the average person and significantly diminish the existing scenic qualities of Woodstock as viewed from the public highways in the Town and Village.

A. Statement of Character

1. The undeveloped ridges and hillsides are one of Woodstock's principal scenic qualities and contribute significantly to the maintenance and enjoyment of the rural and pastoral character of the village. It is in the public good and welfare to protect the rural and pastoral character of Woodstock by preserving and conserving Woodstock's ridges and hillsides from unregulated land development.

2. The development and uses of ridge and hillsides must be regulated in a fair and consistent manner that permits reasonable development in those areas when such development will have an adverse visual impact on the principle scenic qualities of Woodstock.
3. Change is and should be part of the village and can be a positive contribution to the community. It is not the intention of this regulation to prohibit construction on all ridges and hillsides. Rather, it is the intention to regulate and curtail land development in those areas within Scenic Ridgeline Districts which are highly visible to the public and which are found to have an adverse visual impact on the natural environment and character of Woodstock.

B. Statement of Objectives

1. The purpose of the Scenic Ridgeline District regulation is to encourage and allow land development within the district primarily in existing wooded areas outside of existing or created open areas. Such development shall be adequately screened and landscaped in order to avoid undue adverse visual impact on the existing views of the Scenic Ridgeline Districts from public highways, regardless of the season.
2. These regulations shall not affect:
 - a. routine forestry management,
 - b. pasture restoration, and agricultural uses (including construction of woods or fields access roads),
 - c. an existing structure when modification and expansion of the structure is clearly subordinate in size (less than 25 %) and impact to the original structure,
 - d. a structure for agricultural, forestry and occasional non-residential use.

C. Description of Scenic Ridgeline Districts

1. General Description: Scenic Ridgeline Districts shall consist generally of all land within five hundred (500) feet (horizontal distance) of the primary ridgelines within the Village of Woodstock.
2. Scenic Ridgeline District Overlay Map: The official overlay map of the Scenic Ridgeline District which delineates boundaries is on file in the office of the Administrative Officer. A reduced photocopy is attached to these Regulations and referenced in Section 202.
3. Final Determinations of Districts: In the event an applicant questions the determination that a proposed development is within such district, upon request and following notice and public hearing, the VDRB shall determine whether or not such planned development is located within the Scenic Ridgeline District. The landowner requesting such determination shall have the burden of proof.
4. Overlapping: A Scenic Ridgeline District may overlap the zoning districts outlined in Article III.

D. Plan Approval

1. Prohibition Without Approval: Notwithstanding any other provisions in these Regulations, except as hereinafter provided, no land development shall take place in any Scenic Ridgeline District without the applicant first obtaining conditional use approval of a plan for such development from the VDRB.
2. Other conditional use requirements may be reviewed concurrently with Scenic Ridgeline requirements at the applicant's request.
3. Land Development Defined: For purposes of this section, land development shall be defined as any of the following:
 - a. Construction or placement of any building, except those exempted in Subsection B;
 - b. An addition to or any alteration of a building which increases the square footage of the building by more than 25% in a five year period, including unenclosed areas such as porches, decks or other similar structures;
 - c. Alteration to a roof of a building which increases the height of the building by more than four (4) feet within a five year period;
 - d. Addition of skylights, solar panels or other large reflective surfaces excluding roofing materials;
 - e. Construction or modification of an access road or driveway, excluding normal driveway maintenance;
 - f. Construction of a tower, satellite dish or any other type of antenna;
 - g. Excavation or extraction of any kind of solid matter exceeding 200 cubic yards;
 - h. Installation of above-ground power or telephone utility lines, including creation or widening of cleared portions of a right-of-way related to proposed or existing power or telephone lines.

E. Procedures For Plan Application and Review**1. Application**

In addition to Section 710, Conditional Use Permit, Section 708 Application Information and any other application procedures required by these Regulations, an application for Scenic Ridgeline Plan approval shall be submitted on the form provided and shall include at least the following information:

- a. Name and address of the record landowner and any duly appointed agents of the parties.
- b. Location of the proposed land development depicted on a Scenic Ridgeline District Overlay Map to be provided with the application form.
- c. A map or sketch of the property proposed to be developed, drawn to scale, with the area to be developed clearly indicated.
- d. A detailed description, including type and extent of the proposed land development.
- e. The location of the proposed structure on a USGS Topographic Map or Survey.
- f. A utility plan.
- g. A tree plan, showing where trees will remain, be thinned and be removed.

2. Pre-hearing Preparation and Review

Within 21 days following receipt by the Zoning Administrator of a complete application for land development within a Scenic Ridgeline District, the Conservation Commission shall take the following actions:

- a. Determine whether the proposed land development will be visible to the naked eye from at least one vantage point on Class I and II town or village highways, or from at least two vantage points on Class III town or village highways, with those two vantage points being separated by at least 500 feet. Land development that will not be visible from any town or village highway is exempt from this Section 406 and the Conservation Commission shall so report to the VDRB, which shall direct that the application proceed under other sections of these Regulations.
 - b. Prepare a report to the VDRB if the proposed land development is visible as set forth in (a), above. This report shall state whether or not the proposed land development will break the skyline when viewed from any vantage point or points under (a), above. The report shall also indicate the extent to which development would be visible to the passing motorist and as well as distances from the vantage point[s].
 - c. Include in the report all appropriate comments and recommendations relative to the criteria for approval listed under Subsection F.
 - d. Meet with the applicant at his or her option and review the report. This meeting may be continued upon mutual consent by the Conservation Commission and the applicant. All changes agreed to by the applicant shall be appended to the final report which shall contain the recommendations of the Conservation Commission.
3. The Clerk of the Woodstock Conservation Commission shall mail to the applicant a copy of the Commission's recommendation and transmit a copy to the VDRB.
 4. VDRB Review: The VDRB, after reviewing the Conservation Commission's report and all supporting materials, and after receiving comments from the applicant and Conservation Commission, and after an optional on-site inspection, upon close of testimony, shall issue to the applicant a written decision granting or denying the application for Plan Approval within the Scenic Ridgeline District with or without conditions under Subsection F.
 5. Notwithstanding the recommendation from the Conservation Commission, the applicant shall have the primary responsibility of presenting the proposal to the VDRB and shall have the burden of proof to establish that the design meets the criteria of Subsection F. The decision issued by the VDRB may, but need not, adopt by reference the recommendations of the Conservation Commission. The VDRB shall render its decision within 60 days from the close of testimony.
 6. Limitations: The failure of the Conservation Commission to prepare its report, or the VDRB to issue its decision within the time and in the manner so specified shall constitute an automatic granting of the application for Plan Approval and the Administrative Officer shall so certify in writing to the applicant. This section refers only to Ridgeline Plan approval required hereunder and not to additional zoning requirements.
 7. Nothing herein shall be construed to prohibit the modification, extension, or waiver of any time or notice provision herein above where written mutual agreement has been made between the VDRB and the applicant.

F. Criteria For Approval

Before granting approval for land development in the Scenic Ridgeline District which has been determined to be visible under Subsection E 2.(a), the VDRB shall find that the proposal conforms substantially to the following criteria.

1. General Standards

The VDRB shall find that the proposed land development does not have an undue adverse visual impact on the scenic and natural beauty of the land when viewed from Woodstock's public highways, taking into account the elements set forth in § 406(G).

2. Specific Standards

- a. **Skyline:** If a structure would break a skyline when viewed from vantage points, alternative locations for the structure may be considered, if available and practical, to minimize any undue adverse visual impact.
- b. **Screening and Landscaping:** Vegetative screening and landscaping may be required for structures, and alternate locations for access roads and utility lines, when no other concealment options are available to minimize any undue adverse visual impact.
- c. **Minimization of Glare:** Materials utilized for the exterior of any structures shall be of a kind and positioned on structures so as to minimize glare if necessary to avoid undue adverse visual impact. Particular attention may be given to the number, position, and type of window and door glass, skylights, etc. so as to minimize glare, without undue cost or burden.

G. Elements to be Considered

In determining whether a proposed development would have an adverse visual impact on the natural environment and character of Woodstock, the VDRB shall consider:

1. The period of time during which the proposed development would be viewed by the traveling public;
2. The frequency of the view of the proposed development as experienced by the traveling public;
3. The degree to which the view of the proposed development is screened by existing vegetation, the topography of the land, and existing structures;
4. Contributing or detracting background features in the view of the proposed development;
5. The distance to the view from the vantage point; and
6. The number of cars traveling on the public highway at or near the critical vantage point.
7. The difference in elevation between the proposed development and the vantage point.

H. Authority to Condition

The VDRB shall have authority to impose conditions consistent with the intent and objectives of this Section 406 in approving a proposed plan for land development in the Scenic Ridgeline District. A notice of the approval with its conditions, along with notice that such conditions run with the land, shall be recorded in the Woodstock Land Records. Continued compliance with all conditions shall be the obligation of the current and subsequent owners of the land and improvements.

ARTICLE V ADDITIONAL SPECIFIC STANDARDS**SECTION 501 ACCESS AND SAFETY**

To minimize traffic difficulties, and to safeguard adjacent properties from strip development, Title 19 V.S.A. authorizes the municipality to control access of public highways.

SECTION 502 ACCESSORY STRUCTURES WITHIN THE SETBACK

The side and rear setbacks for a residential accessory structure may be half that required. The structure shall only be used as an accessory to a residential structure. The nonconforming structure shall not be larger than 600 square feet. A VDRB hearing is required for nonconforming structures over 100 square feet in size. The Board shall review the structure based on character of area. A nonconforming structure less than 100 square feet requires an administrative permit.

SECTION 503 AFFORDABLE HOUSING

Purpose: The existing development pattern of the Village has resulted in conditions which make it difficult for persons of low and moderate income to find suitable housing within the Village. The following special regulations have been enacted for the purpose of encouraging affordable housing units, while ensuring compliance with local planning standards and policies concerned with land use, building design, and requirements of the health, safety,

convenience and general welfare of the inhabitants of the Village. Permanent affordable housing (remaining affordable for 99 years or more) may receive up to a 25 % density bonus, in addition to applicable density bonuses permitted elsewhere in these Regulations. The VDRB may accept modification of setbacks and frontage as appropriate in view of design, location and character of the neighborhood.

SECTION 504 BED AND BREAKFAST ESTABLISHMENT

Bed and Breakfast establishments are limited to three guest rooms, unless located in the Central Commercial, Light Commercial, Commercial/Light Industrial, and Inn zones. Breakfast **only** may be served. The establishment shall not be used to cater parties or other events.

SECTION 505 BODIES OF WATER

Man-made bodies of water require an Administrative Permit and shall conform to the setback requirements of the District. Above-ground swimming pools less than three (3) feet deep shall be exempt from these Regulations. Bodies of water larger than 100,000 cubic feet require a certified site plan prepared by a licensed engineer or architect.

SECTION 506 BUFFER STRIP

If any Commercial or Industrial use abuts a Residential District or body of water, with the exception of access points, a buffer strip of land not less than ten (10) feet in depth shall be maintained along the common boundary. The buffer strip shall be used and maintained only as a fence or for the planting of trees, shrubs and flowers, and shall not obstruct visibility.

When a Commercial or Industrial lot fronts a Class I Highway, a similar buffer strip shall be planted twenty (20) feet in depth for the width of the lot except for the points of access. This buffer shall not obstruct the view of exiting or entering vehicles.

SECTION 507 CELLULAR/COMMUNICATION TOWERS

Regulations available upon request from the Planning and Zoning Office.

SECTION 508 DAY CARE HOME / FACILITY

A state registered or licensed family child care home serving six or fewer children shall require an administrative permit.

A State-registered or licensed family child care home serving no more than six full-time and four part-time children , shall require Site Plan Approval.

A state registered or licensed facility serving the full time equivalent of more than six children shall require a Conditional Use permit and Site Plan Approval .

SECTION 509 DENSITY

No more than two dwelling units are allowed per lot, either attached or detached, unless granted conditional use approval for multi-family housing.

SECTION 510 DETACHED APARTMENT

Detached apartments are limited to either 900 square feet or 33% of the living area of the primary structure, whichever is larger. To determine zoning density, detached apartments shall be considered an additional family dwelling.

SECTION 511 DISH ANTENNAE

Dish antennae shall not be located in the front yard, and shall comply with all setback provisions, unless the owner can prove their only "window of reception" requires another location. Dish antennae located in a Design Review District require a Design Review Permit. Dish antennae measuring more than forty (40) inches in diameter require an Administrative Permit.

SECTION 512 EXTERIOR LIGHTING

A. General

1. All lights shall be shielded so light is not allowed to escape into the night sky.
2. Lighting shall be directed towards an owner's property and not towards his/her neighbor.
3. Facade illumination is prohibited.

B. Commercial/Industrial Uses

1. Lighting shall be placed to avoid glare or not create a traffic hazard.
2. Lighting shall be minimized to reflect the character of the neighborhood.
3. Any substantial change in exterior lighting (to be determined by the Administrative Officer) requires Site Plan Review.
4. All uses or changes in use shall comply with the recommendations of the "Outdoor Lighting Manual for Vermont Municipalities" published May 1996, available in the Planning and Zoning Office.

SECTION 513 FENCES

A permit (except in the Design Review District) is not required for a fence, or for a wall used as fence, if it complies with the following:

- A. Shall not be higher than four feet in the front yard (as measured from original ground level).
- B. Shall not be higher than six feet in all yards (as measured from original ground level) .
- C. The good side of the fence shall face the neighbor.
- D. An exception may be granted in special circumstances with conditional use approval.

SECTION 514 HOME OCCUPATION**A. General**

1. No regulation herein may infringe upon the right of any resident to use a minor portion of a dwelling for an occupation which is customary in residential areas and which does not change the character thereof nor create additional noise or nuisance.
2. Two Home Occupations per dwelling may be allowed provided that, combined, they occupy a minor portion of the building (as defined above) and do not change the character of the neighborhood. The total number of employees for both Home Occupations shall be limited to one (1), not including full time residents of the household.
3. Outdoor storage and display is prohibited.
4. All Home Occupations except Subsection B. below require a Conditional Use Permit.

B. Exempt Home Occupation

1. A Home Occupation is exempt from these Regulations if it meets the following conditions:
 - a. Not more than one employee in addition to the owner of the business.
 - b. No clients on site.
 - c. No signs.
 - d. No deliveries.
 - e. Office use only.

SECTION 515 LANDSCAPING/GRADING

Any addition, removal or redistribution of the soil in excess of 1,000 sq. ft. or nine (9) cubic yards, or substantial change in the grade of the land requires an Administrative Permit. Such activity shall not cause erosion, debris, and other material to flow into or fill any drainage course, body of water, street, or neighboring property.

A "before and after" plan shall be submitted with the Application. Excluded from permit requirements shall be grading and excavation necessary to implement an existing permit, including construction of a septic system and sewer lines, agricultural and forestry uses, driveway maintenance, and any grading necessary to repair damage caused by natural events or an Act of God.

SECTION 516 MOTOR VEHICLE REPAIR AND FILLING STATIONS

In Districts where motor vehicle repair and filling stations are permitted as conditional uses, they shall comply with the following:

- A. Shall not be located within 300 feet of any lot occupied by a school, library, or religious institution.
- B. Shall have adequate on-site space for six (6) vehicles waiting for service.
- C. Shall have no more than two (2) access drives from the highway, with a minimum distance of 75 feet from the nearest (highway or road) intersection.
- D. Open storage of material, equipment, and retired inoperable vehicles shall be screened from view by fencing or evergreen trees and shrubs. Artificial plants are prohibited for these screenings.
- E. Shall maintain a buffer strip, at least 10 feet in depth, along all highways or road rights-of-way. The buffer strip

shall be used only for a fence or the planting of trees, shrubs and flowers, and shall not obstruct visibility.

F. The total number of gas pumps shall be limited to four, serving no more than eight (8) vehicles at one time.

SECTION 517 OFF-STREET PARKING

For every building hereafter erected, altered, extended or changed in use, except in the Central Commercial or Residential/Office districts (see Subsection G.3&4 below), off-street parking spaces shall be provided as set forth below. A parking space shall be a minimum of nine (9) feet by eighteen (18) feet per car. A parking lot shall provide a minimum of 250 square feet of area per car to include access space.

In the case of mixed uses occupying the same building or structure, the total requirements for off-street parking areas shall be the sum of the requirements of the various uses computed separately.

A. Residential Uses

Shall have two parking spaces per residential dwelling unit.

B. Bed & Breakfast/Inns

Shall have one space per rental unit and per employee, and two spaces for the resident household.

C. Home Occupations

Shall be determined by the VDRB.

D. Places of Public Assembly/Restaurants/etc.

One parking space for every three seats, or capacity thereof, plus one space per employee vehicle.

E. Commercial and Business Uses

One parking space for every business and employee vehicle, plus one parking space for every two hundred square feet of floor area.

F. Industrial Uses

One parking space for every business and employee vehicle.

G. Special Requirements

1. Parking spaces for any number of nonconcurrent uses may be combined in one parking area, but the spaces required of one use may not be assigned to another, except upon approval by the VDRB. In exceptional circumstances, upon petition to the VDRB, the Board may waive or reduce any of the above-stated parking requirements. The petition shall prove to the Board either the Parking Requirements are not applicable or that parking needs can be met through other means.
2. Where any non-residential district or use abuts a residential district or use, the parking area shall not be closer than ten (10) feet to the property line of the residential district or use, and shall be adequately planted and screened from view; plant species shall be evergreen trees and shrubs.
3. The Parking Requirements noted above do not apply to the Central Commercial zone, however any new construction in the Central Commercial district may relocate but not eliminate existing parking spaces.
4. Office use in the Residential/Office district shall not require parking spaces. There shall be no parking for office use on the rear of the lot.
5. Any parking area built within fifty (50) feet of the Ottawaquechee River or the Kedron Brook shall require Site Plan Review.

SECTION 518 OUTDOOR DISPLAYS

A. General

Except as hereinafter provided, outdoor displays of goods for sale, other than farm produce, automobiles and farm equipment, shall be prohibited, except for the display of one item located immediately in front of the establishment. All items must be brought in at closing and no later than night fall. No items may be illuminated nor create a glare. No items shall obstruct public rights of way, sidewalks or parking areas.

B. Commercial/Light Industrial District

Hardware, feed stores and similar establishments (as determined by the VDRB) may display items as follows:

1. Only items that are normally used out-of-doors, excluding clothing apparel.
2. Display area is limited to 10% of the interior retail space, excluding storage areas
3. Display area is restricted to one side of the building and (a) is not to exceed five (5) feet in width measured

from the building's foundation edge, (b) is not to exceed 250 square feet and (c) shall comply with setback requirements.

C. Central Commercial District

Retail establishments with a patio or porch may display up to five (5) items representative of items for sale on said patio or porch. For purposes of these Regulations, a commercial patio or porch is at least 100 square feet in size per establishment. The display area shall not exceed a contiguous ten (10) square feet per establishment. Driveways, sidewalks, lawns, doorways and right of way areas may not be used for display purposes. Exceptions (one per year) may be granted by the Board of Trustees.

SECTION 519 SIGNS

A. General Rules and Limitations:

No outdoor sign shall be permitted which does not pertain to the use of the premises on which it is located, with the exception of temporary signs which give notice of a specific current event. An outdoor sign which pertains directly to the use of the premises on which it is to be located shall be considered incidental to such primary use and subject to the following requirements.

1. All signs shall be maintained in good condition and repair at all times.
2. All defunct signs shall be removed within ninety (90) days of cessation or abandonment of business.
3. Nonconforming signs shall be brought into conformance if removed for a period of more than one year.
4. All signs not specifically allowed, are prohibited.
5. Signs shall be placed on the property side of sidewalks.
6. Types and placement of signs shall not obstruct or impede traffic visibility or otherwise cause a dangerous distraction
7. Illuminated signs shall be shielded, with light precisely focused on the sign to avoid both illumination of the night sky and creation of a dangerous distraction.
8. **Sign Requirements:**
 - a. Free standing signs shall be located between three (3) and ten (10) feet above ground level.
 - b. Wall signs shall not exceed the highest point of a building roof.
 - c. Projecting signs shall not extend more than half the width of an adjoining public walkway and shall not be larger than ten (10) square feet in area. The lowest point shall not be less than nine (9) feet above nor the highest point located above the sill of the second story window.
 - d. Signage placed on an awning may only be placed on the valance.
9. **Prohibitions:**
 - a. Flashing or moving signs.
 - b. Internally-illuminated or neon-type signs.
 - c. Signs which illuminate any part of a building such as a gable, roof, sidewalk, or corner.
 - d. Illumination of signs after 11:00 P.M., with the exception of hotels, motels, Bed and Breakfasts, restaurants, and emergency facilities.
 - e. Excessive illumination which constitutes a nuisance.
 - f. Exception to (a) and (b): These provisions do NOT apply to traditional barber poles when displayed by licensed barbers which is expressly allowed.
10. **Signs and Changes in Signs Requiring an Administrative Permit:**
 - a. All signs and any change in size or location of a sign, except those listed in Sections 519(A)(10), 519(B)(1)(e) and 519(C)(3). See 519(E) for Design Review signage restrictions.
 - b. Interior signs affixed to or less than twelve inches away from a window, which are intended for view from the outside. Temporary (seven (7) days per calendar quarter) signs are exempt.
 - c. Instructional Signs: are those whose sole purpose is instructional and which contain no commercial message. An Administrative Permit may be issued for up to two (2) instructional signs, provided neither exceeds two (2) square feet in size.
11. **Signs Not Requiring a Permit:**
 - a. Temporary Signs:
 - are those announcing current events, such as retail store sales, garage sales, auctions, church fairs, rummage sales, produce sales, blood bank collections, and polling places. Only one (1) sign, not to exceed twelve (12) square feet in size, may be displayed on the premises for a period not to exceed seven (7) days per calendar quarter. Retail signs shall be placed within the window. Subject to these conditions, temporary signs do not require a permit.
 - b. Real Estate Signs:
 - are those announcing property "for sale." One (1) sign per lot, not to exceed four (4) square feet, may be erected without a permit.
 - c. Contractor Signs:

are those announcing a firm/individual actively engaged in construction on the property. One (1) sign per lot, not to exceed twelve (12) square feet in size, is allowed without a permit while construction is being diligently pursued.

- d. "Open" Banners:
are flag-like signs for use by business establishments and display only the word "open." One (1) banner per lot or establishment, not to exceed 12 square feet, is allowed without a permit. Open Banners are NOT allowed for Home Occupations or home enterprises.
- e. Open / Closed Signs:
are those which display only the words "Open" and/or "Closed." One such sign, not to exceed one (1) square foot in size, may be displayed per establishment, with the exception of Bed and Breakfasts. Open Signs are NOT allowed for Home Occupations, or home enterprises.
- f. Interior signs located more than 12" from window do not require a permit.

B. Commercial, Community and Inn Districts/Uses

1. Size by Business Location and Type:

- a. An individual ground floor business may have on premises:
 - i. Up to two affixed signs OR
 - ii. One affixed plus either one projecting or one free-standing sign (see below).
 - iii. **Maximum size per sign** is limited to fifty (50) square feet.
 - iv. **Total sign area** shall not exceed that determined by the following formula:
Linear feet of establishment's frontage multiplied by 0.8 feet.
For example, a store with 40 foot front ($40' \times 0.8' = 32$ square feet) would be allowed a total of 32 square feet of sign area.
- b. Businesses occupying other than ground floor may have on premises:
 - i. One (1) affixed or projecting sign not to exceed ten (10) square feet in size, and
 - ii. An affixed ground floor entry sign, not to exceed two (2) square feet in size.
 - iii. Total signage for multiple businesses (3 or more) shall be no more than twenty (20) square feet.
There shall be no more than two separate signs. Each sign shall not exceed ten (10) square feet.
- c. An off-street shopping plaza or mall may have one (1) free-standing Directory Sign, not to exceed fifty (50) square feet. No other free standing sign is allowed.
 - i. Each business within the plaza or mall may have a sign within the Directory, all of which shall be equal in shape and size, which is not to exceed three (3) square feet.
- d. Restaurants will be allowed one menu board sign not to exceed two (2) square feet including the frame.
- e. All commercial establishments are restricted to a single one (1) square foot Open/Closed Sign per establishment, with the exception of Bed & Breakfasts which are restricted to one Open Sign with a maximum size of 36 square inches. Does not require permit.

2. Size and Placement by Sign Type:

- a. Free-standing signs:
 - i. Shall be located between three (3) feet and ten (10) feet above ground level.
 - ii. Size is limited to ten (10) square feet in the Central Commercial and twenty (20) square feet in all other Commercial and Community districts.
 - iii. Free-standing and directory signs, shall require Site Plan Review approval, and Design Review approval if illuminated.
 - iv. There shall be only one free-standing sign per property.
- b. Projecting signs:
 - i. Shall not be larger than ten (10) square feet in area.
 - ii. The lowest point shall not be less than nine (9) feet above ground level nor the highest point, including the bracket, located above the second story window sill.
 - iii. Shall not project more than three (3) feet over a sidewalk or parking area.

C. Residential Districts

1. Only affixed, freestanding or projecting permanent signs are permitted and shall not exceed two (2) square feet in size. Projecting signs shall not extend more than three (3) feet from the building. All signs must be less than ten (10) feet above ground level.
2. Home Occupations shall have only one (1) sign not to exceed two (2) square feet. Two Home Occupations in one structure may have a total signage of no more than three (3) square feet.
3. Items such as house dates and names do not require a permit if affixed and do not exceed one (1) square foot in size.
4. Uses located in the Residential Office zone shall have only one (1) sign not to exceed two (2) square feet. If

more than one business, only one sign is allowed.

D. Agricultural Uses

Permanent signs shall not exceed eight (8) square feet in size and shall not be located more than ten (10) feet above ground level from its highest point as measured from the base of the post.

E. Design Review District

All illuminated signs in these districts shall be reviewed by the Design Review Board. Refer to Sections 405.

SECTION 520 SPECIAL CARE FACILITY

A state licensed or registered residential care home or group home, serving not more than eight persons who are developmentally disabled or physically handicapped, 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 - Section 4409 (d) of the Act. Special care facilities not exempted by the above shall require a Conditional Use permit.

SECTION 521 SUBSURFACE DISPOSAL OF SEWAGE

Municipal sewer hook up is required unless structure is more than one thousand (1000) feet from the sewer line in which case a State-approved septic system may be required. Sewer connection permits, where applicable, must be granted by the municipality before any permit is issued to construct a new structure or for any change of use.

SECTION 522 SHORT-TERM RENTALS

Short-term rentals in all districts require a permit. The following provisions shall apply to ensure that the commercial use of residential property does not adversely affect the neighborhood in which short-term rentals are located.

- A.** Conditional Use Approval is required for rental periods of fewer than thirty days.
- B.** Short-term rentals are allowed no more than six times a calendar year, excluding foliage season.
- C.** All associated parking shall be on site.
- D.** Garbage service shall be provided and garbage containers shall be maintained out-of sight.
- E.** Notice to renters of regulations pertaining to parking, garbage, noise, parties etc. shall be visibly displayed in the dwelling.
- F.** Name, address and telephone number of a manager shall be filed with the application and kept up to date.
- G.** Prohibitions:
 - 1. Parties and/or catered events etc.
 - 2. Signs and other outside indications that dwelling is used as a short-term rental.
 - 3. Outdoor activities between 9 PM and 7 AM.
- H.** A change in ownership shall require a new permit.
- I.** Exception: No permit is required during foliage season (September 15 - October 21) if the owner or primary tenant is in residence throughout the rental period and provisions C., D., E. & G. above are met.

SECTION 523 TEMPORARY RAMP

A temporary ramp, based on emergency need, may be placed for a sixty day period without permit. An extension may be granted for an additional 30 days if warranted. Ramps placed longer than this shall require permit. The ramp shall be placed in a manner that allows for easy removal without damage to the main structure.

ARTICLE VI. GENERAL REGULATIONS

SECTION 601 CORNER LOTS

Structures on corner lots have two (2) front yards; the front setback requirements of the District applies to both street frontages. Other than these two areas, other yards surrounding the building shall be deemed to be a rear and side yard.

SECTION 602 DIVISION OF LOTS

No lot shall hereafter be subdivided into two or more lots unless all lots resulting from such division conform with all the applicable regulations of the zoning district in which the property is located.

SECTION 603 EXISTING SMALL LOTS

Any lot in individual, separate and non-affiliated ownership from surrounding properties in existence at the time zoning was adopted (2/14/77) may be developed for the purposes permitted in the District in which it is located. This provision also applies to lots not conforming to minimum lot size requirements if such lot is not less than one-eighth

acre in area and has a minimum width or depth dimension of forty (40) feet. Nothing in this Section shall be construed so as to prevent the sale and transfer of such a lot. All lots shall comply with Section 4406(1) of the Act. See Section 607 below.

SECTION 604 HEIGHT EXCEPTIONS

The height limitations of these Regulations shall be waived for barns and silos in the Residential Three Acre zone, spires, belfries, steeples, cupolas, chimneys in all zones.

SECTION 605 LOT LINE ADJUSTMENT

A lot line adjustment requires an Administrative Permit. A certified survey is required of both the land to be transferred and the remaining land, UNLESS the remainder is more than three times the minimum lot size of the district. The transferred land shall be made a part of the receiver's deed and shall not be considered a separate lot.

SECTION 606 NONCONFORMING USES and NONCONFORMING STRUCTURES

Any nonconforming use or nonconforming structure existing prior to February 14, 1977, and all uses that in the future do not conform by reason of any subsequent amendment to these Regulations may be continued subject to the following provisions:

A. Nonconforming Use:

1. A nonconforming use may be changed and/or expanded to another nonconforming use with the approval of the VDRB, but only to a use which is of the same or a more conforming nature. A more conforming use is one that more closely approximates the approved uses in that zoning district. The use shall not expand by more than twenty-five (25) percent within a five year period. Any change or expansion of use requires a Conditional Use permit.
2. If a nonconforming use has been terminated, it may be reestablished within six (6) months. After this six (6) month period, a nonconforming use may be reestablished within twelve (12) months following its discontinuance only with VDRB approval. In their review, the VDRB shall consider the criteria listed below in "B.1".

B. Nonconforming Structure

1. A nonconforming structure shall not be moved, enlarged, altered, extended or reconstructed without prior review from the VDRB, except that nonsubstantial changes which will clearly not increase or extend the noncompliance of the structure may be permitted by the Administrative Officer. In their review process, the VDRB shall consider the following:
 - a. That the proposed changes do not impinge upon a public right-of-way that adjoins or crosses the lot on which the structure exists,
 - b. That the proposed change create no danger to the public safety through traffic access, flow, and/or circulation,
 - c. That the proposed change be in character with the traditional settlement and construction patterns of the area in which it exists, and
 - d. That the proposed change not create an unreasonable infringement upon land uses in the immediate neighborhood.
2. If a nonconforming structure is destroyed, it may be rebuilt and the nonconforming use may be reestablished if started within one (1) year. Extension of this time period requires approval of the VDRB. If a nonconforming structure is located in a Flood Hazard Area and is destroyed by flood, it shall not be rebuilt, except in conformance with these Regulations as a new development within a Flood Hazard Area. If not located within a Flood Hazard Area and if destruction is caused by a natural event, the time period to start construction or to reestablish the use is extended to two years.

SECTION 607 OPEN STORAGE

The open storage of materials and equipment shall be screened from view by fences or evergreen trees or shrubs of a minimum height of five (5) feet. This screening provision is a continuing condition and responsibility of the owner.

SECTION 608 PERFORMANCE STANDARDS

In all Districts, uses shall meet State air and water pollution standards and shall not exceed the following standards, which are to be measured at individual property lines. The VDRB, under its powers of Site Plan Review, and VDRB Conditional Use Review, shall decide whether these standards are met:

- A. Emit noise in excess of 70 decibels, dba scale, of a standard sound meter.
- B. Emit odor which is considered offensive. Agricultural uses are exempt.
- C. Emit dust or dirt which is considered offensive.
- D. Emit smoke in excess of Ringlemann Chart No. 2.
- E. Emit noxious gases which endanger health, comfort, safety, or welfare of any person, or have a tendency to cause injury or damage to property, business or vegetation.
- F. Cause, as a result of normal operations, a vibration which creates a displacement of 0.003 of one inch at the property line.
- G. Create glare by lighting or reflection of materials.
- H. Cause a fire, explosion or safety hazard.
- I. Cause harmful waste to be discharged into sewer, streams, or bodies of water, or to be stored on said property.

SECTION 609 PROHIBITED USES

The following uses shall be prohibited in all zoning districts:

- | | |
|---|---|
| A. Slaughterhouse | H. Race track |
| B. Rendering plant | I. Outdoor movie |
| C. Fertilizer plant | J. Outdoor Furnace |
| D. Public sidewalk displays | K. Junk yard |
| E. Excavation of sand, gravel, & minerals | L. Commercial dump |
| F. Drive-through food service establishment | M. Windmills |
| G. Free-standing retail stand | N. Trailer and mobile or home sales and service |

SECTION 610 PUBLIC USE LIMITATIONS

- A. The following uses may be regulated only with respect to location, size, height, building bulk, yards, courts, setbacks, density of buildings, off-street parking, loading facilities, traffic, noise, lighting, landscaping, and screening requirements, and only to the extent that regulations do not have the effect of interfering with the intended functional use:
 1. State or community-owned and operated institutions and facilities
 2. Public and private schools and other educational institutions certified by the State Department of Education.
 3. Churches and other places of worship, convents, and parish houses.
 4. Public and private hospitals
 5. Regional solid waste management facilities certified under 10 V.S.A. chapter 159.
 6. Hazardous waste management facilities for which a notice of intent to construct has been received under 10 V.S.A. § 6606a.
- B. A bylaw under this chapter shall not regulate public utility power generating plants and transmission facilities regulated under 30 V.S.A. § 248.
- C. Except as otherwise provided by this section and by 10 V.S.A. § 1976, if any bylaw is enacted with respect to any land development that is subject to regulation under state statutes, the more stringent or restrictive regulation applicable shall apply.
- D. Zoning permits to develop land of the types or locations designated in Section 4409 (c) of the Act may not be granted until thirty (30) days after a report has been filed with the appropriate State Agency describing the proposed use and location, and an evaluation of how the proposed use affects both the Plan and the regional plan.

SECTION 611 REQUIRED FRONTAGE ON OR ACCESS TO PUBLIC ROADS

Except as here and after provided, no land development may be permitted on lots which do not have frontage on a public road. With the approval of the VDRB, access to such a road can be a permanent easement or right of way at least 20 feet in width. The finished grade shall not exceed a 10% slope.

In the VDRB’s review of the access road the following shall be taken into consideration: 1) drainage and culvert placement, 2) erosion control, 3) emergency vehicle access, and 4) site distance where the access road intersects a public road.

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.

SECTION 612 SUBDIVISION

- A. All lots created by or resulting from subdivision shall conform to all regulations governing the zoning district in which the property is located.

- B.** All subdivisions require a conditional use permit.
- C. Driveways:** During subdivision review, where the driveway is more than 500 feet in length, the Development Review Board shall condition approval on: a driveway grade of 10% or less, and
 1. placement of a ten foot wide turnout every 500 feet along said driveway, or
 2. exceptions that are recommended by the Fire Chief.

ARTICLE VII. ADMINISTRATION AND ENFORCEMENT

SECTION 701 ADMINISTRATIVE OFFICER

An Administrative Officer shall be appointed by the Planning Commission, with the approval of the Trustees, for a term of three years, to administer these Regulations as provided for in Section 4442 of the Act.

The Administrative Officer shall administer these Regulations literally, and shall not have the power to permit any land development which is not in conformance with these Regulations. The Administrative Officer may be removed for cause at any time by the Planning Commission, with approval of the Trustees.

SECTION 702 ACTING ADMINISTRATIVE OFFICER

The Planning Commission may appoint, with the approval of the Trustees, an acting Administrative Officer who shall have the same duties and responsibilities as the Administrative Officer in his/her absence.

SECTION 703 PLANNING COMMISSION

The Planning Commission shall be appointed jointly by the Selectmen and Trustees. It shall consist of 5 to 9 members. One member each of the Selectmen and Trustees shall be non-voting ex-officio members, and they shall not be so counted in the membership total. Rules concerning membership, terms, vacancies, etc. are further elucidated in Section 4321 thru 4328 of the Act.

SECTION 704 DEVELOPMENT REVIEW BOARD

A Development Review Board shall be appointed by the Trustees in accordance with the provisions of Section 4461 of the Act. It shall consist of 5 to 7 members. Rules of procedure, powers, nature of appeals, conditions for variance relief, conditional use, and all other matters pertaining to the VDRB shall be in accordance with Subchapter 8 of the Act.

Hearings on appeals and Conditional Use Permits shall be held within 60 days of the date of filing of a complete application as determined by the Administrative Officer. The VDRB shall give public notice of hearings and shall mail to the applicant a copy of such notice at least 15 days prior to the hearing date. Notices of the hearing shall also be sent to the owners of land immediately adjacent to and across the road from the property in question.

The VDRB may require as a condition of approval the filing of as-built plans.

SECTION 705 CONSERVATION COMMISSION

The Conservation Commission shall be appointed jointly by the Selectmen and Trustees in accordance with Section 4501 and 4502 of the Act. It shall consist of 5 to 9 members. Said commission shall provide the Planning Commission and the VDRB environmental evaluations, where pertinent, of applications for zoning permits made to those bodies and assist in formulating Town and Village Plans.

SECTION 706 DESIGN REVIEW BOARD

The Design Review Board shall be appointed by the Trustees in accordance with Section 4407 of the Act. Said Board shall assist the VDRB in administering the provisions contained in Section 405. The Board shall consist of 3 to 5 members appointed to three year staggered terms, not to include alternate members. Two alternate members may be appointed to substitute for vacationing or ill members when the need arises. Although applications for membership will be accepted from both Town and Village residents, Village residents will be given preference during the first 45 days of the selection process.

The board shall keep a written record of its discussions, resolutions and transactions, which shall be maintained as a public record of the municipality.

SECTION 707 ZONING PERMIT

No land development may be started unless a zoning permit has been duly issued by the Administrative Officer, as provided in Section 4443 of the Act.

- A. The fees for zoning permits shall be established by the Board of Trustees.
- B. All zoning permits issued must be in conformance with these Regulations.
- C. Applications for permits shall be acted on within 30 days upon receipt of a completed application upon determination by the Administrative Officer.
- D. Within 3 working days of issuance: copies shall be posted in 3 public places; 1 copy shall be given to the Listers.
- E. Notice of all permits issued shall be published within fourteen (14) days in the newspaper of record as designated by the Trustees.
- F. The zoning permit shall not take effect for a period of 15 days in the case of an Administrative Permit and 30 days in the case of a board decision from the date of signature, during which time appeals from the decision may be filed.
- G. The zoning permit shall be in effect for a period of (12) months. If during that time no diligent progress in construction has taken place, the permit will no longer be valid and a new permit must be applied for. In the case of a subdivision or a lot line adjustment, recording the final plat with the Town Clerk's Office constitutes compliance with this Section.
- H. Land development shall not commence until a zoning permit card issued by the Administrative Officer is prominently displayed in a position visible from the road to remain until development is completed.
- I. Any misrepresentation or incomplete representation of information can result in the postponement of the start of the legal time period for permit review.
- J. Upon commencement of work within twelve (12) months and thereafter diligently pursued the permit shall vest.

SECTION 708 APPLICATION INFORMATION

- A. Administrative Permit applications shall include but not be limited to the following information:
 - 1. SUBDIVISION: (see Section 613)
 - a. Survey map showing lots and access rights of way, if any.
 - b. Town of Woodstock confirmation of sewer connection potential.
 - 2. SINGLE-FAMILY AND TWO-FAMILY DWELLING:
 - a. Building footprint with dimensions.
 - b. Site plan (location of all existing and proposed structures on lot with setbacks indicated).
 - c. Elevation drawing (showing all sides of building).
 - d. Driveway access permit (issued by Board of Trustees).
 - e. Town of Woodstock confirmation of sewer connection.
 - 3. ACCESSORY STRUCTURE:
 - a. Building footprint with dimensions.
 - b. Site plan (location of all existing and proposed structures on lot with setbacks indicated).
 - c. Elevation drawing (showing all sides of building).
 - 4. LOT LINE ADJUSTMENT: Survey of parcels involved (see Section 605).
 - 5. SIGNS:
 - a. Drawing of sign with dimensions.
 - b. Site plan with proposed sign location and establishment's linear frontage.
 - 6. LANDSCAPING/GRADING: A before and after site plan.
 - 7. One set of drawings shall be submitted in an eight and one-half inch by eleven (8 ½ x 11) inch format.
- B. Every zoning application for a Conditional Use Permit, Variance, or Site Plan Review shall include the following plans and supporting information:
 - 1. Name and address of owner of record.
 - 2. One set of **map(s)** showing the location of the site within the community, including existing roads and highways, adjacent land uses, and a statement including the name and address of the owner of record of the property at issue.
 - 3. One **site plan**, drawn at an appropriate scale, illustrating the overall proposed site development, including the location of proposed buildings in and adjacent to the site, including the location of streets, driveways, parking and loading areas, traffic circulation patterns, loading docks, pedestrian paths and walks, and landscaping.
 - 4. Construction sequence and time schedule for completion of each phase of building, parking spaces, and landscaped areas of entire development.
 - 5. One set of plans shall be submitted in an eight and half inch by eleven inch (8 ½ x 11) format.
- C. Before the use is approved, the VDRB may require, without limitation, that any of the following additional information be submitted and certified by a person licensed in the State of Vermont:
 - 1. A property survey with percolation site and alternate septic field.

2. A grading and drainage plan.
3. A topographic map.
4. A traffic and circulation plan.
5. A planting plan.

- D.** The VDRB shall act to approve or disapprove a site plan within 45 days of close of testimony; failure to act within such period shall be deemed approval.

SECTION 709 SITE PLAN APPROVAL

- A.** No zoning permit shall be issued by the Administrative Officer for any commercial, industrial, public and quasi-public use, multi-family dwelling (three (3) units or more), subdivision of three (3) lots or more, until the VDRB grants Site Plan Approval. Site Plan Approval is not required for Central Commercial District projects where no exterior changes are proposed.
- B.** In considering its action, the VDRB shall review the application information required under Section 708, taking into consideration the following objectives:
1. The maximum safety of vehicular and pedestrian circulation between the site and street network and adjacent traffic generators.
 2. The adequacy and safety of circulation, parking and loading facilities.
 3. Adequacy of landscaping, screening, and setbacks in regard to achieving maximum compatibility and protection of adjacent properties.
 4. The avoidance of glare.
 5. The adequacy of surface drainage facilities.
 6. The protection of the utilization of renewable resources and natural resources.
 7. The provision of municipal services.
- C.** The VDRB shall conform to the requirements of Section 4416 of the Act before acting on any application and shall impose appropriate conditions and safeguards only with respect to the above objectives. Such conditions may include, but are not be limited to, the following:
1. Limiting the number and nature of access points to a site from adjacent public highways.
 2. Requiring fencing and/or plantings to screen outdoor lighting, outdoor storage areas, driveways, and parking from adjacent residential properties.
 3. Requiring installation of surface drainage facilities to mitigate and control the runoff from parking areas and hard surfaces.
 4. Requiring an as-built plan.

SECTION 710 CONDITIONAL USE

- A.** Any use and/or structure which requires a Conditional Use Permit shall not be granted a zoning permit by the Administrative Officer unless the VDRB determines that the proposed use shall conform to the general standards prescribed in these Regulations by not unduly adversely affecting:
1. The capacity of existing or planned community facilities.
 2. The character of the area affected.
 3. Traffic on roads and highways in the vicinity.
 4. By-laws then in effect.
 5. Utilization of renewable energy resources.

In addition, the VDRB shall find that the proposed use and/or structure adequately meets such specific standards with respect to:

1. Minimum lot size.
2. Distance from adjacent or nearby uses.
3. Minimum off-street parking and loading facilities.
4. Landscaping and fencing.
5. Design and location of structures and service areas.
6. Size, location, and design of signs.
7. Access and circulation.

- B.** In granting or denying a Conditional Use Permit, the procedures followed by the VDRB shall be in accordance with Section 4464 of the Act.

- C. As a condition of permitting a Conditional Use, the VDRB may attach such additional reasonable conditions and safeguards as it may deem necessary to implement the purposes of the Act and these Regulations.
- D. Except as otherwise provided in Section 606, a change in use, expansion or contraction of land, area, or alteration of structures or uses which are designated as a Conditional Use within the district in which they are located and are existing therein, prior to the effective date of zoning regulation, shall conform to all regulations herein pertaining to Conditional Uses and shall not be commenced unless and until a permit is issued by the VDRB for such change, expansion, construction or alteration under Section 715.
- E. The effective date of a zoning permit issued as a Conditional Use shall be thirty (30) days from the date of issuance, during which time, appeals from the decision may be filed; in which case, the result of the appeal shall determine the outcome.

SECTION 711 BOND TERM AND FORFEITURE

A performance bond or other surety may be required by the Development Review Board pursuant to Site Plan or Conditional Use Review. The amount, term and conditions of forfeiture shall be stated in the decision which requires the surety and shall be reflected in the surety contract. The surety contract shall be filed with the Town Clerk and shall be satisfactory to the legislative body as to form, sufficiency and manner of execution.

SECTION 712 INSPECTIONS

The Administrative Officer (or designee) shall have the right to make such inspections, at reasonable times as are necessary to assure compliance with these Regulations.

SECTION 713 CERTIFICATE OF OCCUPANCY

All change of use, new construction, substantial improvement or permits upon determination by the Development Review Board shall require a certificate of occupancy before such use is authorized. Said certificate of occupancy shall show that the premises comply with all applicable provisions of these Regulations and the permit as granted.

Said certificate of occupancy shall be granted or denied within fourteen (14) days after written notice of completion by the applicant to the Administrative Officer, and shall remain in effect as long as such building or use is in compliance with the standards and conditions authorized by the zoning permit. Applicant shall have the right to occupy said premises if Administrative Officer does not respond within the fourteen (14) day period. But this shall not be conclusive evidence that the premises comply with the provisions of these Regulations.

If the Administrative Officer, after such final inspection, refuses to issue a Certificate of Occupancy, he shall state such refusal and cause therefore in writing and immediately mail notice of such refusal to the applicant at the address indicated on the application. Appeals from decisions of the Administrative Officer shall be taken to the VDRB under Section 717 of these Regulations. Neither the Village nor the Administrative Officer is responsible for any Certificate of Occupancy issued in good faith after a reasonable inspection.

Owner-builders may apply for a temporary certificate of occupancy, to be reviewed annually, which will allow occupancy in the structure until completion of construction. In certain circumstances, to be determined by the Administrative Officer, a conditional certificate of occupancy may be issued.

SECTION 714 PENALTIES

Violations of these Regulations shall be regulated as prescribed in Sections 4451 and 4452 of the Act.

SECTION 715 VARIANCES

- A. The VDRB may grant a variance from the provisions of these Regulations pursuant to 4469 of the Act if all the following facts are found by the VDRB and such findings are specified in its decision:
 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 these Regulations 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 these Regulations 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 of development of adjacent property, not be detrimental to the public welfare.
 5. That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of these Regulations and the Plan.
- B.** In granting a variance under this Section, the VDRB may attach such conditions to such variance as it may consider necessary and appropriate under the circumstances to implement purposes of these Regulations, the Plan or the Act.
- C.** The effective date of a zoning permit issued as a variance shall be thirty (30) days from the date of issuance, during which time, appeals from the decision may be filed; in which case, the result of the appeal shall determine the outcome.

SECTION 716 DEVELOPMENT REVIEW BOARD LIMITATIONS

Except as specifically provided herein, the VDRB may not amend, alter, invalidate or affect the Plan or by-law of the municipality or the implementation or enforcement thereof, or allow any use not permitted by these Regulations.

SECTION 717 APPEALS FROM DECISIONS OF ADMINISTRATIVE OFFICER

In accordance with Section 4465 of the Act, an interested person may appeal any decision or act taken by the Administrative Officer by filing notice of appeal with the clerk of the VDRB. If the appeal is taken with respect to a decision or act of an Administrative Officer, such notice of appeal must be filed within fifteen (15) days of the date of such decision or act, and a copy of the notice of appeal shall be filed with such officer.

If the Administrative Officer fails to act with regard to an application for a permit, within thirty (30) days, a permit shall be deemed issued on the 31st day.

SECTION 718 APPEALS FROM DECISION OF VILLAGE DEVELOPMENT REVIEW BOARD

An interested person may appeal a decision of the VDRB within 30 days of signature of the notice of decision to the Environmental Court in accordance with Section 4471 of the Act.

SECTION 719 PUBLIC NOTICE

Any public notice required for public hearing under these Regulations shall be given by the publication of the date, place and purpose of such hearing in a newspaper of general circulation in the municipality, and the posting of a notice in three or more public places within the municipality not less than fifteen (15) days prior to the date of the public hearing.

Where such hearing is called in reference to any amendment of these Regulations or any other matter relating to written material, such public notice shall include either the full text or a brief summary describing the principal provisions and a reference to a place within the municipality where copies of the proposed material may be examined.

SIMPLIFIED ZONING CHART *

* This chart is not legally binding. Detailed regulations are in the text.

District	Administrative Permit	Conditional Use Permit	Minimum Lot Size
			Minimum Frontage
			Setbacks: Front/Rear/Side
Community §301 p.10	1. Structural alterations or additions	1. Public buildings 2. Quasi-public buildings 3. Accessory uses & structures 4. Parking (§517) 5. Subdivision (§612)	5,445 sq ft ----- none ----- F50' / R20' / S10'
Residential Three Acres §302 p.10	1. Single-family dwelling 2. Structures accessory to single-family dwelling 3. Two-family dwelling 4. Buildings and structures for forestry.	1. Detached apartment (§510) 2. Multi-family dwelling 3. Public and quasi-public building 4. Public utility 5. Home occupation (§514) 6. Special care facility (§520) 7. Day care facility (§508) 8. Private and public parking (§517) 9. Bed and Breakfast (§504) 10. Commercial recreation facility 11. Subdivision (§612)	3 acres per dwelling unit or 2-family dwelling ----- Class I -II Hwy: 100' Village Street: 75' End of Cul de sac: 50' ----- Class I-II Hwy: F80' / R25' / S25' Village Street: F60' / R25' / S25'
Residential One Acre §303 p.11	1. Single-family dwelling 2. Structures accessory to single-family dwelling 3. Two-family dwelling 4. Buildings and structures for forestry.	1. Detached apartment (§510) 2. Multi-family dwelling 3. Public and quasi-public building 4. Public utility 5. Home occupation (§514) 6. Special care facility (§520) 7. Day care facility (§508) 8. Private and public parking (§517) 9. Bed and breakfast (§504) 10. Subdivision (§612)	1 acre per dwelling unit or two-family dwelling ----- Village Street: 75' Cul de sac Perimeter: 50' ----- Village Street: F60' / R25' / S25'
Residential Low Density §304 p.12	1. Single-family dwelling 2. Structures accessory to single-family dwelling 3. Two-family dwelling	1. Detached apartment (§510) 2. Multi-family dwelling 3. Public and quasi-public building 4. Public utility 5. Home occupation (§514) 6. Special care facility (§520) 7. Day care facility (§508) 8. Private and public parking (§517) 9. Bed and breakfast §504) 10. Subdivision (§612)	1-2 family unit: 20,000 sf 3 family unit: 40,000 sf ----- 75' ----- Class I-II Hwy: F50' / R25' / S15' Village Street: F35' / R25' / S15'
Residential Medium Density §305 p.12	1. Single-family dwelling 2. Structures accessory to single-family dwelling 3. Two-family dwelling	1. Detached apartment (§510) 2. Multi-family dwelling 3. Public and quasi-public building 4. Public utility 5. Home occupation (§514) 6. Special care facility (§520) 7. Day care facility (§508) 8. Private and public parking (§517) 9. Bed and breakfast (§504) 10. Subdivision (§612)	1-2 family unit: 8,000 sf 3 family unit: 16,000 sf ----- 50' ----- Class I-II Hwy: F35' / R20' / S10' Village Street: F25' / R20' / S10'

SIMPLIFIED ZONING CHART *

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District	Administrative Permit	Conditional Use Permit	Minimum Lot Size
			Minimum Frontage
			Setbacks: Front/Rear/Side
Residential High Density §306 p.13	1. Single-family dwelling 2. Structures accessory to single-family dwelling 3. Two-family dwelling	1. Detached apartment (§510) 2. Multi-family dwelling 3. Public and quasi-public building 4. Public utility 5. Home occupation (§514) 6. Special care facility (§520) 7. Day care facility (§508) 8. Private and public parking (§517) 9. Bed and breakfast (§504) 10. Subdivision (§612)	1-2 family unit: 5,445 sf 3 family unit: 10,000 sf <hr style="border-top: 1px dashed black;"/> 50' <hr style="border-top: 1px dashed black;"/> F25' / R15' / S10'
Residential/ Office § 307 p.14	1. Single-family dwelling 2. Structures accessory to single-family dwelling 3. Two-family dwelling	1. Detached apartment (§510) 2. Multi-family dwelling 3. Public and quasi-public building 4. Public utility 5. Home occupation (§514) 6. Special care facility (§520) 7. Day care facility (§508) 8. Private and public parking (§517) 9. Bed and Breakfast (§504) 10. Office 11. Subdivision (§612)	5,445 sq. ft per residential unit or 1 two-family dwelling <hr style="border-top: 1px dashed black;"/> 75' <hr style="border-top: 1px dashed black;"/> F30' / R15' / S none
Central Commercial § 308 p.14	1. Single-family dwelling 2. Structures accessory to single-family dwelling 3. Two-family dwelling 4. Existing retail-to-office or office-to-retail conversion	1. Detached apartment (§510) 2. Multi-family dwelling 3. Public and quasi-public building 4. Public utility 5. Home occupation (§514) 6. Special care facility (§520) 7. Private & public parking §517) 8. Bed and Breakfast (§504) 9. Subdivision (§612) 10. Commercial uses: a. Restaurant b. Bakery c. Bank d. Office e. Medical Clinic f. Pottery and/or ceramics g. Furniture-making h. Storage/warehouse i. Physical fitness facility j. Theater k. Retail sales and services, excluding filling station, automobile sales and service, dry cleaning, laundry and other similar establishment	5,445 sf <hr style="border-top: 1px dashed black;"/> Residential: 50' All Other Uses: 20' <hr style="border-top: 1px dashed black;"/> Front: 30' or = to abutting bldgs on Elm or Central Rear: None Side: None except firewall built to State standards

SIMPLIFIED ZONING CHART *

* This chart is not legally binding. Detailed regulations are in the text.

District	Administrative Permit	Conditional Use Permit	Minimum Lot Size
			Minimum Frontage
			Setbacks: Front/Rear/Side
<p>Commercial / Light Industrial</p> <p>§ 309</p> <p>p.15</p>	<ol style="list-style-type: none"> 1. Single-family dwelling 2. Structures accessory to single-family dwelling 3. Two-family dwelling 	<ol style="list-style-type: none"> 1. Detached apartment (§509) 2. Multi-family dwelling 3. Public and quasi-public building 4. Public utility 5. Home occupation (§512) 6. Special care facility (§518) 7. Day Care Facility (§508) 8. Private and public parking (§515) 9. Bed and breakfast (§504) 10. Subdivision (§612) 11. Commercial uses: <ol style="list-style-type: none"> a. Office b. Medical Clinic c. Physical fitness facility d. Hotel/motel e. Restaurant f. Retail store g. Research establishment (§ 507) h. Design and drafting establishment i. Insurance company, branch office j. Filling station (§513) k. Auto dealership, repair service and body shop l. Other similar commercial uses upon determination by ZBA 12. Industrial uses: <ol style="list-style-type: none"> a. Bakery b. Storage/warehouse c. Light manufacturing and assembly d. Printing, publishing e. Pottery and/or ceramics f. Furniture making g. Garden supplies and equipment h. Agricultural supplies i. Building or road construction establishment j. Stone work (tombstones, flagstones, slate), excluding quarries k. Greenhouse l. Other industrial uses upon determination by ZBA 	<p>10,000 sf per unit or 1 two-family dwelling</p> <p>Light Industrial Development: Maximum Building, Parking, and Access Coverage = 60% of lot</p> <p>Maximum Allowable Building Footprint = 15,000 sf</p> <hr style="border-top: 1px dashed black;"/> <p>50'</p> <hr style="border-top: 1px dashed black;"/> <p>F30' / R none / S15'</p>

SIMPLIFIED ZONING CHART *

* This chart is not legally binding. Detailed regulations are in the text.

District	Administrative Permit	Conditional Use Permit	Minimum Lot Size
			Minimum Frontage
			Setbacks: Front/Rear/Side
Light Commercial § 310 p.17	1. Single-family dwelling 2. Structures accessory to single-family dwelling 3. Two-family dwelling	1. Detached apartment 2. Multi-family dwelling 3. Public and quasi-public building 4. Public utility 5. Home Occupation (§512) 6. Special care facility (§518) 7. Daycare facility (§508) 8. Bed and Breakfast (§504) 9. Light Commercial Uses a. Office b. Retail store (limited to 2,000 sf) c. Restaurant (limited to 2,000 sf) d. Research/engineering establishment e. Design and drafting establishment. f. Insurance company, branch office g. Other commercial uses, upon determination by ZBA 10. Subdivision (§612)	10,000 sf 5,445 sf per unit or per two-family dwelling
			50'
			F50' / R none / S15'
Inn § 311 p.17	1. Single-family dwelling 2. Structures accessory to single-family dwelling 3. Two-family dwelling	1. Detached apartment (§509) 2. Multi-family dwelling 3. Public and quasi-public building 4. Public utility 5. Home occupation (§512) 6. Private and Public Parking (§515) 7. Bed and Breakfast (§504) 8. An Inn 9. Accessory uses to an Inn 10. Subdivision (§612)	2 acres
			150'
			F 50' / R25' / S25'

VILLAGE OF WOODSTOCK ZONING REGULATIONS
SECTION 507 - WIRELESS TELECOMMUNICATIONS FACILITIES

Wireless telecommunication facilities shall include all antennae, associated equipment and buildings operated by wireless telecommunication providers, licensed and/or regulated by the Federal Communications Commission.

A. Purpose

The purpose of this Section is to preserve the character and appearance of the Village of Woodstock while facilitating the provision of adequate wireless telecommunications services to residents and businesses. Accordingly, this Section shall:

1. Protect the Village's scenic, historic, cultural, aesthetic, and natural resources.
2. Minimize the adverse visual effects of towers and other facilities by providing standards and requirements for the operation, siting, design, appearance, construction, monitoring, modification, and removal of wireless telecommunications facilities and towers.
3. Minimize tower and antenna proliferation by requiring the sharing of existing communications facilities, towers and sites where possible and appropriate.
4. Prohibit the location of towers and antennas in residential areas.

B. Authority

Pursuant to 24 V.S.A. § 4401 et seq. the Village Development Review Board is authorized to review, approve, conditionally approve, and deny applications for wireless telecommunications facilities. Pursuant to 24 V.S.A. § 4407, the VDRB is authorized to hire qualified persons to conduct an independent technical review of applications and to require the applicant to pay for all reasonable costs thereof.

C. Exemptions

The following wireless telecommunications facilities are exempt from Section 507 provided the height of such facility does not exceed twenty (20) feet. If the facility exceeds twenty (20) feet, a Conditional Use Permit is required.

1. Amateur radio tower
2. Citizens band radio
3. Receiving antennae
4. Police, fire, ambulance, and other emergency dispatch
5. Single use local business radio dispatch

No other wireless telecommunications facility shall be considered exempt from these regulations for any reason whether or not said facility is proposed to share a facility or other structure with such exempt uses.

VILLAGE OF WOODSTOCK ZONING REGULATIONS
SECTION 507 - WIRELESS TELECOMMUNICATIONS FACILITIES

D. Permitted and Prohibited Locations

Wireless telecommunications facilities of any kind, may be permitted as conditional uses in the Commercial Light Industrial District.

Additionally, freestanding telecommunications towers shall not be permitted, all antennae shall be concealed.

E. Approval Process

- 1. Applicant / Agent:** An applicant for a permit must be a personal wireless service provider or FCC licensee, or must provide a copy of its executed contract to provide land or facilities to such an entity, to the Administrative Officer at the time that an application is submitted. A permit shall not be granted for a facility to be built on speculation.
- 2. Conditional Use and Site Plan Approval:** Any construction, alteration, modification (including the installation of antennas for new uses), or installation of wireless telecommunications facilities not exempted in subsection 507C, whether new (non co-located) or co-located, must first be reviewed under the requirements of Section 507 by the VDRB as a conditional use and for site plan approval prior to the issuance of a zoning permit by the Administrative Officer.

The VDRB shall have the authority to impose conditions consistent with the purpose of this section in approving a proposed facility.

- a. Conditional Use Review - Co-location Requirements:** An application for a new wireless telecommunications facility shall not be approved unless the VDRB finds that the new facility cannot be accommodated on or within an existing or approved facility due to one of the following reasons, as documented by a qualified engineer licensed to practice in the State of Vermont:
 - i. The proposed antennas and equipment would exceed the *structural or spatial capacity* of the existing or approved facility. Additionally, the existing or approved facility cannot be reinforced, modified or replaced to accommodate planned or equivalent equipment, at a reasonable cost, to provide coverage and capacity comparable to that of the proposed facility.
 - ii. The proposed antennas and equipment would cause *radio frequency interference (RFI)* materially impacting the usefulness of other existing or permitted equipment at the existing or approved facility and such interference cannot be mitigated at a reasonable cost.
 - iii. The proposed antennas and equipment, either alone or together with existing facilities, equipment or antennas, would create *excessive radio frequency radiation (RFR)* in violation of federal standards or requirements.

VILLAGE OF WOODSTOCK ZONING REGULATIONS
SECTION 507 - WIRELESS TELECOMMUNICATIONS FACILITIES

- iv. *Existing structures* cannot accommodate, or be reasonably modified to accommodate, the planned equipment at a height necessary to function reasonably or are too far from the area of needed coverage to function reasonably.
 - v. *Aesthetic reasons* make it unreasonable to locate the planned equipment upon an existing or approved facility.
- b. Conditional Use - Design Criteria:** Proposed facilities shall not interfere with the view from any public park, natural scenic vista, historic building or district, or major view corridor.

Prior to granting conditional use approval, the VDRB shall make affirmative findings for each of the following criteria in addition to the other applicable provisions set forth in this Section 507 and Section 710 Conditional Uses.

- i. Height / Mass:** The height and mass of facilities shall not exceed that which is essential for the intended use and public safety.
 - (1) To protect public safety and to preserve the scenic character and appearance of the area, the height limit for antennas and facility-related fixtures shall be not more than 10 feet above the average height of the tree line measured within 150 feet of the highest vertical element of the telecommunications facility.
 - (2) In the event that an existing is proposed as the mount for the facility, the height of that structure shall not be increased by more than ten (10) feet above the highest point of a flat or mansard roof or ten (10) feet above the midpoint of other roofs unless the facility is completely concealed (e.g., in a chimney, steeple). The increase in height of the structure shall be in scale and proportionality to the structure as originally configured.
 - (3) Utility or service lines shall be buried underground.
 - (4) Adequate protection against lightning strikes and/or electrical surges through the facility shall be sufficiently demonstrated by the applicant.
- ii. Color/Materials/Glare:** Antennas, and any necessary support buildings or structures shall be designed to blend into the surrounding environment through the use of color camouflaging and architectural treatment, except in cases in which the Federal Aviation Authority (FAA), state or federal authorities have dictated color. Use of stealth design, including those which imitate natural features, may be required in visually sensitive locations. In any case, materials used for the exterior of any structure shall be of a type, style and location that will minimize glare.

VILLAGE OF WOODSTOCK ZONING REGULATIONS
SECTION 507 - WIRELESS TELECOMMUNICATIONS FACILITIES

- iii. Lighting / Marking:** Emergency, safety or security lighting may be utilized when people are on site, but limited to lighting that is directed downward towards the facility, shielded and away from neighboring properties. All lighting shall be extinguished when no one is present.
- iv. Signage:** No commercial signs or lettering shall be placed on a facility. Signage shall be limited to that required by federal or state regulation.
- v. Noise:** In addition to requiring compliance with the Village's 70 decibel performance standard for noise, or any future more restrictive standard, the Board may impose additional conditions to minimize the effect of noise from the operation of machinery or equipment upon adjacent properties.
- vi. Screening:** All facilities shall be designed to blend into the surrounding environment through the use of existing vegetation, landscaping and screening, the use of compatible materials and colors, or other camouflaging techniques.

A fifty (50) foot vegetated buffer area shall screen views of the facility year-round from all directions. Such buffer shall be protected by a landscape easement or be within the area of the provider's lease. The easement or lease shall specify that the trees within the buffer shall be maintained and shall not be removed or trimmed, unless dead or dying and present a hazard to persons or property; or approval is granted by the VDRB.

- vii. Aesthetic Impact:** Antennas and any necessary support structures, including utility or service lines, shall be designed and located to prevent disruption to the scenic character or beauty of the area and to avoid creating an undue adverse aesthetic impact on prominent ridgelines, hilltops, trails, view corridors.

In determining whether a facility's aesthetic impact would be undue and adverse, the Board will consider:

- (1) The amount of time and the time of year during which the proposed facility would be viewed by the traveling public on a public highway, public trail, or public water body;
- (2) The frequency of the view experienced by the traveling public;
- (3) The degree to which the view of the proposed facility is screened by existing vegetation, the topography of the land, and existing structures;
- (4) Background features in the line of sight, from all angles of view, to the proposed facility that obscure the facility or make it more conspicuous;
- (5) The distance of the proposed facility from key vantage points and the proportion of the facility that will be visible above the skyline or treeline;

VILLAGE OF WOODSTOCK ZONING REGULATIONS
SECTION 507 - WIRELESS TELECOMMUNICATIONS FACILITIES

- (6) The sensitivity or unique value of a particular view affected by the proposed facility;
- (7) The number of travelers and residents of Woodstock and neighboring towns who will be affected by the alteration to the scenic character of the area;
- (8) The sensitivity or unique value of the particular view affected by the proposal; and
- (9) Significant disruption of a viewshed that provides context to a historic or scenic resource.

c. Site Plan Criteria: The following shall be reviewed in addition to Section 709 Site Plan Review:

- i. Screening:** All facilities shall be designed to blend into the surrounding environment through the use of existing vegetation, landscaping and screening, the use of compatible materials and colors, or other camouflaging techniques. A fifty (50) foot vegetated buffer area shall screen views of the facility year-round from all directions.
- ii. Setbacks:** All buildings and structures accessory to a facility (except for electric power poles where specifically exempted by the Board) shall (a) meet the minimum setback requirements of the underlying zoning district or (b) be set back one hundred five percent (105%) of its height from all property lines, whichever is greater. The 105% setback may be satisfied by including the areas outside the property boundaries if secured by an easement. The easement shall be shown on site plans and the terms of the easement shall be provided as part of the Application Materials.
- iii. Fencing:** Where deemed necessary by the Planning Commission, a new wireless telecommunications facility shall be fenced to discourage trespass on the facility and to discourage climbing on any structure by trespassers.
- iv. Landscaping:** Existing on-site vegetation outside the immediate site for the wireless facility shall be preserved or improved. Disturbance to existing topography shall be minimized unless the disturbance is demonstrated to result in reducing the visual impact of the facility on surrounding properties and other vantage points
- v. Access Roads and Above Ground Facilities:** Where the construction of new wireless telecommunications facility requires construction of or improvement to access roads, to the extent practicable, roads shall follow the contour of the land, and be constructed or improved within forest or forest fringe areas, and not in open fields. The Village may require closure of access roads to vehicles following facility construction where it is determined that site conditions warrant the same and where maintenance personnel can reasonably access the facility site on foot.

VILLAGE OF WOODSTOCK ZONING REGULATIONS
SECTION 507 - WIRELESS TELECOMMUNICATIONS FACILITIES

F. Application Requirements:

In addition to Section 709 Application Information, the applicant shall provide the following:

1. **Applicant/Agent:** The name and address of the applicant, the record landowners and any agents of the landowners or applicants as well as an applicant's registered agent and registered office. If the applicant is not a person, the name and address of the business and the state in which it is incorporated and has its principal office shall be provided.
2. **Contact:** The name(s), address(es), fax/telephone numbers and email addresses of the persons authorized to act in the event of an emergency regarding the structure or safety of the facility.
3. **Abutters:** The names and addresses of the record owners of all abutting property. If proposed facility might be visible from parcels in a neighboring community, the names and addresses of the neighboring Planning Commission and Regional Planning Commission must also be provided.
4. **Location Map** using the most recent United States Geological Survey Quadrangle map showing the area within a three mile radius of the proposed facility site, indicating facility location, property lines of facility parcel, and all easements / rights of way needed for access from a public way to the facility.
5. **Vicinity Map** showing surrounding area within a 2,500-foot radius of the facility site, including the facility, topography, public and private roads and driveways, buildings and structures, water bodies, wetlands, landscape features, historic sites, and habitats for endangered species.
6. **Site Plan** drawn at a scale no smaller than one (1) inch equals fifty (50) feet, indicating (a) the approximate average height of existing vegetation within 200 feet of the facility base and (b) all proposed improvements including landscaping, utility lines, guy wires, screening and roads.
7. **Elevations** showing all facades and indicating all exterior materials and color of buildings and associated facilities.
8. **Computer-generated Photo Simulations** showing the proposed facility from all public rights-of-way and any adjacent property from which it may be visible. Each photo must be labeled with the line of sight, elevation and the date taken imprinted on the photograph. The photos must show the color of the facility and method of screening.
9. **Sequence and Schedule** for completion of each phase of the entire project.
10. **Right of Way and Easement Agreements**, if applicable.

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- 11. Report:** A report prepared by qualified engineers¹ that:
- a.** Describes the facility height, design and elevation. [structural engineer]
 - b.** Documents the height above grade for all proposed mounting positions for antennas to be co-located on a telecommunications tower or facility and the minimum separation distances between antennas. [radio frequency (RF) engineer]
 - c.** Describes the facility's proposed capacity, including the number, height, and type(s) of antennas. [structural engineer]
 - d.** Demonstrates that existing telecommunications sites and structures, or other structures proposed by the applicant within 5 miles of the proposed site cannot reasonably provide adequate coverage and adequate capacity to the Village of Woodstock. The documentation shall include, for each facility site or proposed site within such radius, the exact location, ground elevation, height of tower or structure, and sufficient additional data to allow the independent reviewer to verify that other locations will not be suitable.
 - e.** Demonstrates that the applicant has analyzed the feasibility of using "repeaters" or micro-cells in conjunction with all facility sites listed to provide coverage to the intended service area.
 - f.** Describes potential changes to those existing facilities or sites in their current state that would enable them to provide adequate coverage.
 - g.** Describes the output frequency, number of channels, sector orientation, and power output per channel, as appropriate for each proposed antenna.
 - h.** Includes a written explanation for use of the proposed facility, including reasons for seeking capacity in excess of immediate needs, if applicable, as well as plans for additional development and coverage within the Village.
 - i.** Demonstrates the facility's compliance with current Electronic Industries Association/Telecommunications Industries Association (EIA/TIA) 222 Revision Standard entitled "Structural Standards for Steel Antenna Towers and Antenna Supporting Structures."
 - j.** Provides assurance that at the proposed site the applicant will establish and maintain compliance with all FCC rules and regulations, particularly with respect to radio frequency exposure. The Village may hire independent engineers to perform evaluations of compliance with the FCC regulations, standards and requirements on an annual basis at unannounced times, at the applicant's expense (Pursuant to 24 V.S.A. § 4407).
 - k.** Includes other information considered necessary by the VDRB to evaluate the request.
 - l.** Includes the structural engineers' stamp and registration numbers and credentials of radio frequency engineers. A letter of intent committing the facility owner and his or her successors to permit shared use of the facility if the additional user agrees to meet reasonable terms and conditions for shared use.
 - m.** For a facility to be installed on an existing structure, a copy of the applicant's executed contract with the owner of the existing structure (to be provided to the Administrative Officer at the time an application is submitted).

¹define qualified engineers (structural: licenced in State of Vt; RF engineer)

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- n. To the extent required by the National Environmental Policy Act (NEPA) as administered by the FCC, a complete Environmental Assessment (EA) draft or final report describing the probable impacts of the proposed facility.
- o. Copy of the application or draft application for an Act 250 permit, if applicable.

12. Performance Bond

A performance bond, in the minimum amount of \$2,000.00, posted by the applicant shall accompany the completed application.

13. Expense Reimbursement

No permit for a facility shall be issued prior to reimbursement to the Village of Woodstock for all expenses incurred by said Village, pertaining to independent technical review of the application.

G. Continuing Obligations

Upon receiving a permit, the permittee shall annually submit a report that demonstrates compliance with all FCC standards and requirements regarding radio frequency exposure, and provide the basis for his or her representations. Such report to be prepared by a qualified engineer selected by the Village. Permittee is obligated to contact the Village Zoning Administrator 90 days prior to the due date of this report to determine the engineering firm selected by the Village to prepare the report. All costs of preparing the report shall be at the sole expense of the applicant.

H. Facility Removal

Abandoned, unused, obsolete, or noncompliant facilities shall be removed as follows:

1. **Declaration of Use:** The owner of a facility shall annually, on January 15, file a declaration with the Village of Woodstock's Administrative Officer certifying the continuing safe operation of every facility installed subject to these regulations. Failure to file a declaration shall mean that the facility is no longer in use and considered abandoned.

An owner who has failed to file an annual declaration with the Administrative Officer by January 15 may, by February 15, file a declaration of use or intended use and may request the ability to continue use of the facility/tower.

2. **Removal:** Facilities which are constructed in violation of permit conditions or application representations and facilities deemed to be abandoned or unused shall be removed within 180 days of cessation of operations at the site unless a time extension is approved by the VDRB. In the event the facility is not removed within 180 days of the cessation of operations at a site, the municipality shall notify the owner and may remove the facility. Costs of removal shall be assessed against the property or facility owner.
3. **Bond:** Applicant shall, as a condition of the conditional use permit, provide a financial surety bond payable to the Village of Woodstock and acceptable to the Board to cover the cost of removal of the facility and remediation of the landscape, should the above clauses be invoked.

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I. Maintenance Requirements

The Applicant shall maintain all facilities. Such maintenance shall include, but not be limited to painting, structural integrity, and landscaping. In the event the applicant fails to maintain the facility, the Village of Woodstock may undertake such maintenance at the expense of the applicant or landowner.

J. Insurance Requirements

The facility owner shall maintain adequate liability insurance as may be required by the Village on all facilities. In no event shall such liability insurance be less than five million dollars.

K. Consultant Fee

In addition to application / review fees, the Applicant shall be charged the reasonable cost of independent technical assessment(s) incurred during the review and permitting process.

L. Definitions

Adequate Capacity:

Capacity for wireless telephony is considered to be "adequate" if the grade of service ("GOS") is p.05 or better for median teletraffic levels offered during the typical busy hour, as assessed by direct measurement of the facility in question. The GOS shall be determined by the use of standard Erlang B calculations. As call blocking may occur in either the land line or radio portions of a wireless network, Adequate Capacity for this regulation shall apply only to the capacity of the radio components. Where capacity must be determined prior to the installation of the personal wireless services facility in question, Adequate Capacity shall be determined on the basis of a 20% busy hour (20% of all offered traffic occurring within the busiest hour of the day), with total daily traffic based on aggregate estimates of the expected traffic in the coverage area.

Adequate Coverage:

Coverage for wireless telephony is "adequate" within that area surrounding a base station where the predicted or measured median field strength of the transmitted signal is such that most of the time, transceivers properly installed and operated will be able to communicate with the base station without objectionable noise (or excessive bit-error-rate for digital) and without calls being dropped. In the case of cellular communications in a rural environment, this would be a signal strength of at least -90 dBm. It is acceptable for there to be holes within the area of adequate coverage as long as the signal regains its strength further away from the base station. The outer boundary of the area of adequate coverage, however, is that location past which the signal does not regain.

Affiliate:

When used in relation to an operator, another person who directly or indirectly owns or controls, is owned or controlled by, or is under common ownership or common control with the operator, or an operator's principal partners, shareholders, or owners of some other ownership interest. When used in relation to the municipality, any agency, board, authority or political subdivision affiliated with the municipality or other person in which the municipality has legal or financial interest.

Concealed Design Structure:

Clock towers, bell steeples, silos and similar alternative-design mounting structures that camouflage or conceal the presence of antennas.

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Antenna:

A device for transmitting and/or receiving electromagnetic waves.

Antenna Height:

The vertical distance measured from the base of the antenna support structure at grade to the highest point of the structure. If the support structure is on a sloped grade, then the average between the highest and lowest grades shall be used in calculating the antenna height.

Applicant:

A person who applies for a telecommunications facility siting. An applicant can be the telecommunications service provider with the owner's written permission (or other legally designated representative) or the owner of the property.

Available Space:

The space in a tower or structure to which antennas of a telecommunications provider are both structurally able and electromagnetically able to be attached.

Base Station:

The primary sending and receiving site in a telecommunications facility network. More than one base station and/or more than one variety of telecommunications provider can be located in a structure.

Bulletin 65:

Published by the Federal Communications Commission (FCC) Office of Engineering and Technology specifying radio frequency radiation levels and methods to determine compliance.

Cell Site:

A tract or parcel of land that contains a cellular communication antenna, its support structure, accessory building(s), and parking, and may include others uses associated with and ancillary to cellular communications transmission.

Cellular Service:

A telecommunications service that permits customers to use wireless, mobile telephones to connect, via low-power radio transmission sites called cell sites, either to the public switched network or to other mobile cellular phones.

Cellular Telecommunications:

A commercial Low Power Mobile Radio Service bandwidth licensed by the FCC to providers in a specific geographical area in which the radio frequency spectrum is divided into discrete channels which are assigned in groups to geographic cells within a service area and which are capable of being reused in different cells within the service area.

Cellular Telecommunications Facility:

Consists of the equipment and structures at a particular site involved in receiving telecommunication or radio signals from mobile radio communications sources and transmitting those signals to a central switching computer which connects the mobile unit with the land-based telephone lines.

Channel:

The segment of the radiation spectrum to or from an antenna which carries one signal. An antenna may radiate on many channels simultaneously.

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Co-location:

Locating wireless communications equipment from more than one provider on a single site.

Common Carrier:

An entity licensed by the FCC or a state agency to supply local and/or long distance telecommunications services to the general public at established and stated rates.

Communication Equipment Shelter:

A structure located at a base station designed principally to enclose equipment used in connection with telecommunications transmissions.

Communication Tower:

A guyed, monopole, or self-supporting tower, constructed as a free standing structure or in association with a building, other permanent structure or equipment, containing one or more antennas intended for transmitting and/or receiving television, AM/FM radio, digital, microwave, cellular, telephone, or similar forms of electronic communication.

Communications Facility:

A land facility supporting antennas and/or microwave dishes that sends and/or receives radio frequency signals. Communications facilities may include structures, or accessory buildings.

dBm:

Unit of measure of the power level of a signal expressed in decibels above 1 milliwatt.

Directional Antenna:

An antenna or array of antennas designed to concentrate a radio signal in a particular area.

Dish Antenna:

A dish-like antenna used to link communications sites together by wireless transmission of voice or data. Also called microwave antenna or microwave dish antenna.

Facility:

Facility includes all buildings and structures that are presented as part of the application.

Facility Site:

A property, or any part thereof, which is owned or leased by one or more telecommunications facility(s) and where required landscaping is located.

FCC:

Federal Communications Commission. The government agency responsible for regulating telecommunications in the United States.

Frequency:

The number of cycles completed each second by an electromagnetic wave measured in hertz (Hz).

GHz:

Gigahertz. One billion hertz

Hertz: (Hz)

One hertz is the frequency of an electric or magnetic field which reverses polarity once each second, or one cycle per second.

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Location:

References to site location shall be the exact longitude and latitude, to the nearest tenth of a second. Bearing or orientation should be referenced to true North.

MHz:

Megahertz, or one million hertz.

Micro-Cell:

A low power mobile radio service telecommunications facility used to provide increased capacity in high call-demand areas or to improve coverage in areas of weak coverage.

Microwave Antenna:

A dish-like antenna manufactured in many sizes and shapes used to link communication sites together by wireless transmission of voice or data.

Monitoring:

The measurement, by the use of instruments in the field, of radio frequency exposure from telecommunications facilities, ~~towers~~, antennas or repeaters.

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Monopole:

A single self-supporting vertical pole with no guy wire anchors, usually consisting of a galvanized or other unpainted metal or a wooden pole with below grade foundations.

Omnidirectional Antenna:

An antenna that is equally effective in all directions and whose size varies with the frequency and gain for which it is designed.

Permit:

Embodies the rights and obligations extended by the municipality to an operator to own, construct, maintain, and operate its facility within the boundaries of the municipality.

Personal Communications Services or PCS:

Digital wireless telephone technology using higher frequency spectrum than cellular.

Personal Wireless Services:

Commercial mobile services, unlicensed wireless exchange access services. These services include: cellular services, personal communications services, specialized mobile radio services, and paging services.

Preexisting Towers and Antennas:

Any tower or antenna for which a permit has been issued prior to the effective date of these regulations.

Radiated-Signal Propagation Studies or Coverage Plots:

Computer generated estimates of the signal emanating, and prediction of coverage, from antennas or repeaters sited on a specific tower or structure. The height above ground, power input and output, frequency output, type of antenna, antenna gain, topography of the site and its surroundings are all taken into account to create these simulations. They are the primary tools for determining a need and whether the telecommunications equipment will provide adequate coverage for that site.

Repeater:

A small receiver/relay transmitter and antenna of relatively low power output designed to provide service to areas which are not able to receive adequate coverage directly from a base or primary station.

Roof and/or Building Mount Facility:

A facility in which antennas are mounted to an existing structure on the roof (including rooftop appurtenances) or a building face.

Scenic View:

A scenic view is a wide angle or panoramic field of sight and may include natural and/or manmade structures and activities. A scenic view may be from a stationary viewpoint or be seen as one travels along a roadway, waterway, or path. A view may be to a far away object, such as a mountain, or a nearby object.

Self-Supporting Tower:

A communications tower that is constructed without guy wires.

Spectrum:

Relating to any transmissions or reception of electromagnetic waves.

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Structurally Able:

The determination that a facility is capable of carrying the load imposed by the proposed new antenna(s) under all reasonable predictable conditions as determined by professional structural engineering analysis.

System:

The communications transmission system operated by a telecommunications service provider in the municipality or region.

Telecommunications Facility:

All equipment (including repeaters) and locations of equipment with which a telecommunications provider transmits and receives the waves which carry their services. This facility may be sited on one or more structure(s) owned and permitted by the provider or another owner or entity.

Telecommunications Provider:

An entity licensed by the FCC to provide telecommunications services to individuals or institutions.

Temporary Wireless Communication Facility:

Any tower, pole, antenna, etc., designed for use while a permanent wireless facility is under construction, or for a special event or conference.

Tower:

A vertical structure for antenna(s) that provide telecommunications services.

View Corridor:

A three dimensional area extending out from a viewpoint. The width of the view corridor depends on the focus of the view. The focus of the view may be a single object, such as a mountain, which would result in a narrow corridor, or a group of objects, such as a downtown skyline, which would result in a wide corridor. Panoramic views have very wide corridors and may include a 360-degree perspective. Although the view corridor extends from the viewpoint to the focus of the view, the mapped portion of the corridor extends from the viewpoint and is based on the area where base zone heights must be limited in order to protect the view.

Whip Antenna:

A vertical antenna that normally transmits signals in 360 degrees. Whip antennas are typically cylindrical in shape, narrow (less than 6 inches in diameter) and long (often measure 18 inches in height or more)