

ZONING ORDINANCE

for the

TOWN OF THETFORD, VT

Adopted by the Voters of the Town of Thetford
October 21, 1972

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TABLE OF CONTENTS

		<u>Page</u>
ARTICLE I: <u>GENERAL PROVISIONS</u>		
Section	110	Title 1
	120	Purpose 1
	130	Rules 1
 ARTICLE II: <u>ZONING DISTRICT REGULATIONS</u>		
Section	210	Zoning District: General 2
	220	Establishment of Zoning Districts 2
		Thetford Hill Historic Preservation Overlay 3
	230	Interpretation 5
	240	Schedule A: Area & Bulk Regulations
		Parking Requirements; Permitted
		Uses; Conditional Uses 5
 ARTICLE III: <u>SUPPLEMENTARY USE REGULATIONS</u>		
Section	310	Churches and Places of Formal Worship 6
	320	Extraction of Soil, Sand or Gravel 6
	330	Fences, Walls and Hedges 7
	335	Structures over 35 Feet 7
	340	Automobile Service and/or Repair 8
	350	Home Occupations 8
	360	Junk Yards 8
	365	Landfills 9
	370	Mobile Homes: Individual 15
	380	Mobile Home Parks 15
	390	Offstreet Parking 16
	392	Travel Trailers: Storage 16
	393	Travel Trailers: Occupancy 16
	394	Travel Trailer Camps 17
	395	Planned Residential Development and Planned Unit Development 17
	396	Time Share Projects 21
	397	Bed and Breakfast 21
	398	Continuing Care Retirement Community 21

ARTICLE IV: GENERAL SUPPLEMENTARY REGULATIONS

Section	410	Division of Lots.....	22
	420	Combination of Contiguous Lots	22
	430	Principal Use of Lot	22
	440	Location of Required Open Spaces	22
	450	Maintenance of Required Open Spaces	22
	460	Reduction of Required Open Spaces.....	23
	470	Required Open Space for Existing Buildings	23
	480	General Performance Standards	23
	490	On-Site Water and Sewage Systems	24
	491	Required Regulations and Limitations.....	24
	492	Site Plan	24
	493	Lot Size Averaging.....	25

ARTICLE V: SIGN REGULATIONS

Section	510	Applicability.....	25
	511	Nonconforming Signs	25
	512	Removal of Unused Signs	26
	513	Site Plan Review	26
	521	Permitted Signs	26
	522	Size of Sign	26
	523	Illumination	27
	524	Lighting & Movement.....	27
	525	Construction & Location.....	27
	526	Pole Signs.....	27
	527	Restrictions as to Location	27

ARTICLE VI: HISTORIC PRESERVATION GUIDELINES

Section	601	Certificate of Appropriateness Required.....	28
	602	Thetford Historic Preservation Committee	29
	603	Officers.....	30
	604	Meeting - Quorum - Rules	31
	605	Meetings of Review	31
	606	New Construction.....	31
	607	Demolition.....	32
	608	Exterior Renovations or Additions.....	32
	609	Review Criteria	33

ARTICLE VI:	<u>HISTORIC PRESERVATION GUIDELINES, cont.</u>	
	610	Guidelines for Reviewing Applications 35
	611	Standards Not Applicable..... 44
ARTICLE VII:	<u>NON-CONFORMING USES, BUILDINGS & STRUCTURES AND TEMPORARY USES & STRUCTURES</u>	
Section	711	Continuation and Expansion 44
	712	Change of Use 44
	713	Superseded By A Conforming Use 44
	714	Resumption After Discontinuance 45
	721	Continuance..... 45
	722	Setbacks for Existing Structures 45
	723	Restoration and Reconstruction 45
	730	Temporary Uses and Structures 45
ARTICLE VIII:	<u>BOARD OF ADJUSTMENT</u>	
Section	810	Authorization..... 46
	820	Powers 46
	830	Procedures 46
ARTICLE IX:	<u>VARIANCES AND CONDITIONAL USES</u>	
Section	910	General Provisions 46
	920	Variance Requirements 47
	930	Conditional Uses: Findings of Fact..... 48
	940	Application for Permit..... 49
	950	Referral to Planning Board..... 49
	960	Public Hearings 49
	970	Action By Board of Adjustment..... 49
	980	Granting of Permit..... 50
ARTICLE X:	<u>ADMINISTRATION AND ENFORCEMENT</u>	
Section	1010	Administrative Officer 50
	1020	Zoning Permit..... 51

		<u>Page</u>
ARTICLE XI:	<u>MISCELLANEOUS PROVISIONS</u>	
Section	1110 Amendments.....	52
	1120 Conflict With Other Regulations.....	52
	1130 Effective Date.....	52
	1140 Interpretation	52
	1150 Penalties	52
	1160 Severability.....	53
	1170 Definitions.....	53

FLOOD HAZARD AREA ZONING BYLAW

1.0	Statutory Authorization.....	62
2.0	Statement of Purpose	62
3.0	Lands To Which These Regulations Apply	62
4.0	Official Flood Hazard Area Map	63
5.0	Interpretation of District Boundaries.....	63
6.0	Permitted Uses.....	63
7.0	Conditional Uses	64
8.0	Permit Requirements and Application Procedures.....	64
9.0	Records.....	64
10.0	Conditional Use Review and Approval Procedures.....	65
11.0	Considerations By The Board of Adjustment	66
12.0	Conditions Attached to Conditional Uses	67
13.0	Time for Acting on Application	69
14.0	Issuance and Transmission of Permits	69
15.0	Effective Date.....	70
16.0	Appeals.....	70
17.0	Variances	70
18.0	Prohibited Uses	71
19.0	Fees	71
20.0	Warning of Disclaimer of Liability.....	71
21.0	Severability	71
22.0	Precedence of Regulations.....	71
23.0	Annual Report to Federal Insurance Administration.....	72
24.0	Definitions	72

ARTICLE I
GENERAL PROVISIONS

Section 110 - TITLE

In accordance with the Vermont Planning and Development Act, 24 V.S.A., Chapter 117, Section 4401 through Section 4491 (c), a Zoning Ordinance for the Town of Thetford, Vermont is hereby established and amended.

Section 120 - PURPOSE

It is the purpose of this Ordinance to protect the public health, safety and general welfare; to carry out local goals and objectives in order to foster orderly community development; while preserving the natural resources and retaining the beauty and historic character of the Town; and to further the purposes established in Section 4302 of the Act. To these ends, the Ordinance has the specific objectives of ensuring that: (1) Property owners enjoy unhampered use of their property, provided that such use does not affect the health or safety of their neighbors, or unduly impair the value of neighboring properties; (2) The expense of providing essential Town services to all properties are minimized; and (3) Any development within the Town conforms to these objectives and purposes.

Section 130 - RULES

For purposes of this Ordinance, the following shall apply:

- Words used in the present tense shall include the future.
- Words used in the singular number includes the plural number, and the plural includes the singular.
- The word shall is mandatory, not discretionary; the word may is permissive.
- The word lot includes the words plot and parcel.
- The words used for shall include the words, intended for, designed for, arranged for and occupied for.
- The word Act shall refer to and be interpreted to mean the Vermont Planning and Development Act.
- The word Town shall refer to and be interpreted to mean the Town of Thetford, Vermont.
- The word Ordinance shall refer to and be interpreted to mean the Zoning Ordinance for the Town of Thetford, Vermont.

ARTICLE II
ZONING DISTRICT REGULATIONS

Section 210 - ZONING DISTRICTS: GENERAL

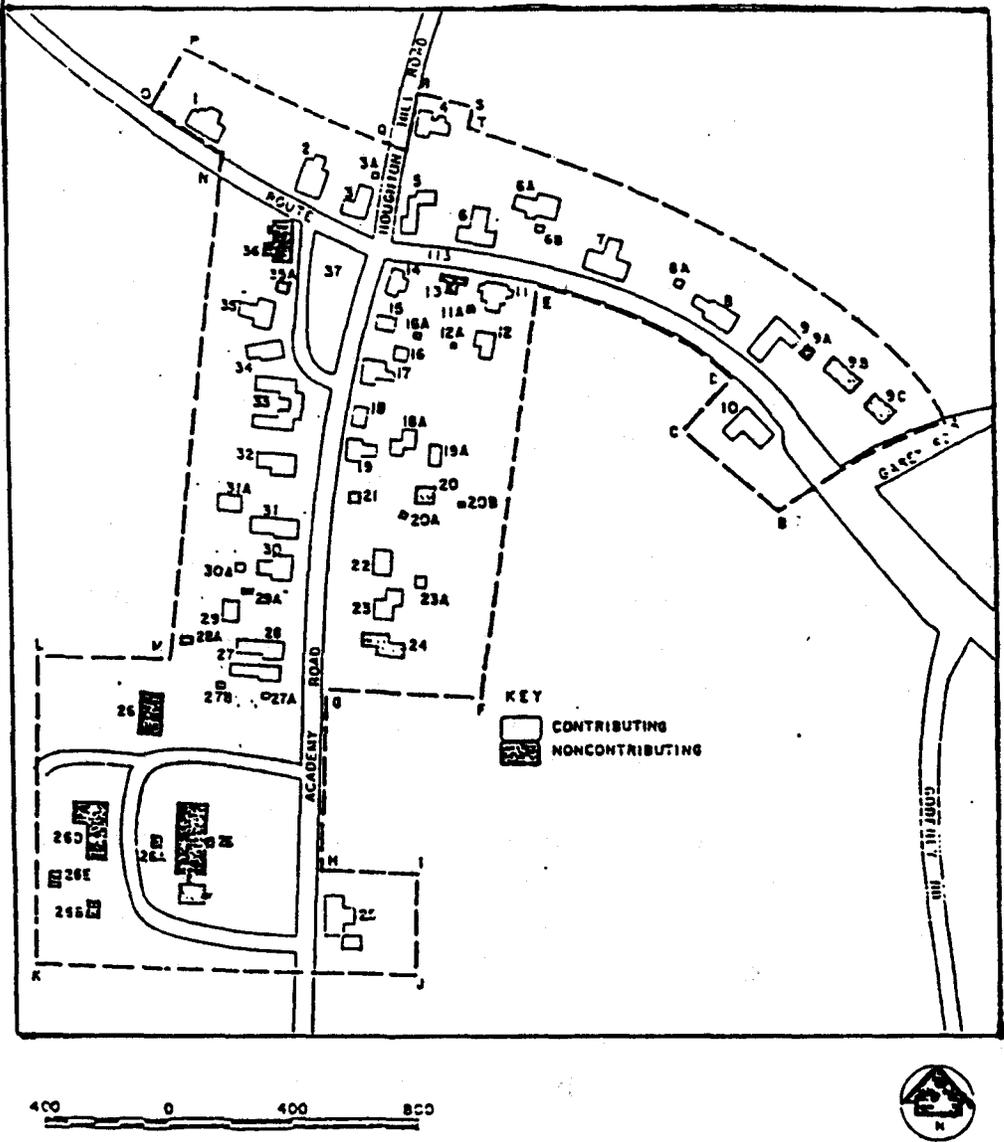
For the purpose of this Ordinance, the Town as shown on the District Map is divided into three districts which are (1) Village Residential (VR), (2) Rural Residential (RR), and (3) Community Business (CB).

The general purpose of each district shall be as follows:

- (1) Village Residential - To encourage the development of residential centers on land suitable for building development which will serve as a nucleus for future residential growth of the Town.
- (2) Rural Residential - To maintain a low density rural character primarily as a district of farms, residences and woodlands.
- (3) Community Business - To encourage the development of business centers at central locations to meet the needs of the community and serve the motoring public.
- (4) Thetford Hill Historic Preservation Overlay- To preserve as a part of the heritage of the citizens of the Town and for the education, enjoyment, and pride of the citizens, as well as the beautification of the Town and enhancement of the value of such property, districts, buildings and sites in the Town having special historical associations or significance or of special architectural merit or significance, should be preserved. While not all buildings are of equal historic significance, all buildings and lands support and contribute to any given district. To that end, Historic Preservation Guidelines are included herein, in conformance with 24 VSA Section 4407 (15).

Section 220 - ESTABLISHMENT OF ZONING DISTRICTS

The boundaries of the zoning districts specified in Section 210 are established as shown on the District Map of the Town of Thetford. The zoning districts and boundaries are hereby adopted and established as shown on said District Map, which Map together with all notations, references, data, district boundaries and other information thereon, are made a part of this Ordinance by reference. The official District Map shall remain on file in the office of the Town Clerk.



VILLAGE HISTORIC PRESERVATION OVERLAY
OF
THETFORD HILL, VERMONT

Thetford Zoning Ordinance

The boundaries of the Thetford Hill Historic Preservation Overlay, henceforth called the "Historic Overlay", are officially designated on the map entitled "Village Historic Preservation Overlay of Thetford Hill, Vermont", as adopted. The boundaries are described with reference to said map, as follows:

The boundary of the Historic Overlay begins at the northeast corner of the Thetford Historical Society property (#9) [point A on the map] and thence proceeds generally southwest along the west curblineline of Garey Road, crossing Rt. 113 to the southeast corner of property #10 [point B], proceeding northwestward [point C] and then northeastward [point D] to encompass the said property #10. The boundary then proceeds easterly along Rt. 113 to the northeast corner of property #11 [point E]. The line then proceeds generally southward along rear property lines, #12- 24, until it reaches the southeast corner of property #24 where it proceeds westward to the east curblineline of Academy Road [point G]. From thence, the boundary continues southward along the east edge of Academy Road right- of- way until it reaches the northeast corner of property #25 at Academy Road [point H], extending east [point I], south [point J] and then west to encompass the said property #25. The line continues generally west, crossing Academy Road to the southwest corner of the Thetford Academy property, #26 [point K], then proceeds generally north to the northwestern corner of the same property [point L]. Thence, the line proceeds eastward to the northwest corner of property #27 [point M] then generally proceeds northward, behind properties #27- 36 to the northwest corner of property #36. From there, the boundary crosses Rt. 113 [point N], proceeding in a northwesterly direction to the southwest corner of the American Legion property, #1 [point O] to the northwest corner of same property [point P] proceeding along the rear of properties #1-3 in a southeast direction, crossing Houghton Hill Road to the southwest corner of property #4 [point Q]. The boundary extends north [point R], east [point S], and then south [point T] to encompass the said property #4 and extends along the rear property line of properties #6-9. Finally, the boundary extends in a general southeast direction to the beginning of the boundary, point A.

As summarized in the Historic Preservation Ordinance Report, the Historic Overlay has been designated through the comprehensive study and survey of the resources listed in the Appendix of the Report, which is available at the Town Clerk's and Planning and Zoning Offices. The future designation of districts, landmarks, and sites may be made through continued study.

Section 230 - INTERPRETATION

Whenever any uncertainty exists as to the boundary of any zoning district as shown on the District Map, the following rules shall apply:

- (1) Where zoning district boundary lines are indicated as following rights-of-way, they shall be construed as following the center lines of such rights-of-way.
- (2) Where zoning district boundary lines are indicated as approximately parallel to the center lines of roads or highways, they shall be construed as being parallel thereto and at such distance therefrom as indicated on the District Map.
- (3) Where zoning district boundary lines are indicated as following lot or property lines, they shall be construed as following such lot or property lines.
- (4) Where zoning district boundary lines are indicated as following political boundary lines, they shall be construed as following such political boundary lines.
- (5) Where zoning district boundary lines are indicated as following stream courses or rivers, they shall be construed as following the center line of such stream course or river, except in those instances where the limit of the jurisdiction of the Town does not extend to the center line of such stream course or river.

Section 240 - SCHEDULE A: AREA AND BULK REGULATIONS; PARKING REQUIREMENTS; PERMITTED USES; CONDITIONAL USES

To facilitate public understanding, convenience of use and proper administration of this Ordinance, Schedule A is hereby adopted and declared to be an integral part of this Ordinance, and it may be amended in the same manner as any other part of this Ordinance.

For each district listed in Schedule A, requirements as to lot size, yard dimensions, lot coverage, building height, off-street parking, special provisions and uses are specified by column for each Zoning District and shall be read across the Schedule from left to right.

ARTICLE III
SUPPLEMENTARY USE REGULATIONS

Section 310 - CHURCHES AND PLACES OF FORMAL WORSHIP

In any district where churches are permitted, the following additional requirements shall be met:

- (1) For each 75 seats or fraction thereof, the site shall contain at least one-half acre of land.
- (2) Each principal building shall be located at least 25 feet from all property lines.

Section 320 - EXTRACTION OF SOIL, SAND OR GRAVEL

In accordance with Section 4407 of the Act, any new soil, sand or gravel extraction operation or extension thereof in any district, except where incidental to construction of a building or of the roadway to a building on the same premises, shall be permitted only when the following requirements and conditions have been met:

- (1) A performance bond or other security acceptable to the Board of Selectmen has been posted with the Town to ensure that the site will be reshaped in conformance with a site restoration plan after the extraction operation has ceased or has been abandoned. Said performance bond or other security shall be in an amount sufficient to permit the Town to rehabilitate the site in conformance with a site restoration plan in the event that the person operating or responsible for such sand or gravel extraction operation or extension fails to carry out such site restoration plan. Failure to continue active operation for a consecutive 12-month period shall be deemed to constitute abandonment.
- (2) The following maps and information have been submitted to the Planning Commission:
 - (a) A description of the ownership of the proposed site and the abutting properties; the equipment and facilities to be used; and any other pertinent information regarding the intended operation.
 - (b) A map of the site at a suitable scale showing existing topographic features and natural drainage ways.

- (c) A site restoration plan for reshaping and final grading of the land after the operation has ceased showing final contours (at two foot intervals) and drainage ways.
- (3) A public hearing has been held and approval has been granted by the Zoning Board of Adjustment. Any additional conditions and requirements may be imposed by the Zoning Board of Adjustment as it may find necessary for the general public, safety and welfare.

Section 330 - FENCES, WALLS AND HEDGES

Fences, walls or hedges used for any purpose shall conform to the following:

- (1) For the purpose of minimizing traffic hazards at street intersections by improving visibility for converging vehicles, fences, walls and hedges higher than three feet above street level and which may obstruct visibility shall not be permitted except as a conditional use by the Zoning Board of Adjustment.
- (2) No permanent fence or retaining wall shall be constructed or erected within any public street unless authorized by the Board of Selectmen. Fences erected on public easement or across drainage courses shall be so constructed that drainage shall not be obstructed and, in the event of necessity for removal of such fence for maintenance or other purpose, removal and/or replacement of such fence or other improvement shall be the responsibility of the property owner.
- (3) Fences, walls and hedges may be located on lot lines, provided such fences, walls and hedges do not exceed six feet in height. Fences, walls and hedges may exceed six feet in height only when authorized as a conditional use by the Zoning Board of Adjustment.

Section 335 - STRUCTURES OVER 35 FEET

Structures over 35 feet will be set back from all property lines a distance equal to their height. All will be a conditional use.

Section 340 - AUTOMOBILE SERVICE AND/OR REPAIR STATIONS

All storage and dispensing of gasoline and other flammable liquids with a flash point of below 100 degrees F. shall be in accordance with National Fire Protection Association standards. Any person dispensing gasoline or other flammable liquids with a flash point below 100 degrees F. shall have readily available to him an approved fire extinguisher of at least 5 BC rating.

Section 350 - HOME OCCUPATIONS

A resident may use up to 50% of the gross floor area of a dwelling **only**, for a home occupation which is customary in a residential area. Outbuildings, such as a garage or shed, and additions to the residence, such as a porch or deck, shall not be counted in the calculation of gross floor area. Such use shall not result in levels of noise or odor which would disturb the reasonable enjoyment of properties in the area. Such use shall not involve the storage or display of goods and equipment visible from the highway or from other properties. There shall be adequate off-street parking for all customers, clients and employees. There is no limit on the number of employees as long as each employee resides on premise.

Section 360 - JUNK YARDS

In any district where junk yards are permitted, the following shall apply:

- (1) All junk yards shall comply with the provisions of Vermont Statutes, and shall not be in view of any primary highway.
- (2) Any junk yard shall be located not less than 1000 feet from any residential area.
- (3) Screening Requirements shall be as follows:
 - (a) Junk yards shall be screened by a fence or vegetation which effectively screens it from view from the highway and have a gate which shall be closed except when the yard is in operation.
 - (b) Fences and artificial means used for screening purposes as hereinafter provided shall be maintained neatly and in good repair. They shall not be used for advertising signs or other displays which are visible from the main travelled way of a highway.
 - (c) All junk stored or deposited in a junk yard shall be kept within the enclosure except while being transported to or from the junk yard. All work on the junk shall be accomplished within the enclosure.

Section 365 - LANDFILLS

Definitions

365.01 All landfills will be defined to be either Local District Landfills or Extra-Regional Landfills.

365.02 For the purpose of this section, the words `primary service area' of a landfill shall mean the area which is the source of 85% of the estimated waste (by weight or by compacted volume) brought to the facility. The words `principal disposal site' for a member town of a solid waste district shall mean the facility which, under the district's waste disposal plan, is designated as the landfill to receive and process the bulk of the solid waste from that town (or, if the solid waste plan divides a town into sub-districts, from the relevant part of such town). The words `group of contiguous communities' shall be defined as follows: two communities shall be considered contiguous if they share a common border and are connected by a Class 2 road or better. A set of towns shall constitute a `group of contiguous communities' if every pair of communities in the set can be connected by a path passing without break through contiguous member communities of that set.

365.03 Local District Landfill: A landfill, whether public or private, shall be considered a local district landfill if its primary service area is restricted to: (a) the Town of Thetford, OR (b) the Town of Thetford together with a group of contiguous communities (i) which cooperate to share landfill operating expenses and liability; and (ii) which, together with the Town of Thetford, have a combined total population of less than 20,000 persons, OR (c) member towns of the solid waste district (formed pursuant to 24 VSA Chapter 121) to which the Town of Thetford belongs, provided that the combined population of those member towns using the facility in question as their principal disposal site is less than 20,000 persons.

Example: Thetford belongs to a Solid Waste District consisting of the Town of Thetford plus Towns A, B, C, D, E, F, G, H, I, and J. The total population of district member towns is 50,000. If the landfill under consideration were to be the principal disposal site for all of these towns, the facility would NOT meet the definition of a local district landfill. If, however, the Solid Waste District operated other facilities in addition to the landfill under consideration, and the Thetford facility served as the principal disposal site for Thetford plus Towns B, C, and G with a combined population of 12,500, then the facility would meet the definition of a local district landfill.

365.04 Extra-Regional Landfill: Any landfill which does not meet the requirements of (a), (b), or (c) under the definition of a local district landfill shall be considered an extra-regional landfill. In addition to landfills which fail the test(s) of total population size for the service area, or of common membership in a Solid Waste District, or of contiguity of communities in the service area, any landfill for which spot market deliveries and contract deliveries together constitute (or will constitute) more than 10% of the total material (by weight or by compacted volume) brought to the facility shall be defined to be an Extra- Regional Landfill.

Regulations and Conditions for Approval

365.10 Local district landfills shall be a conditional use only in the Rural Residential District and the Remote Forest District (if the latter is established).

365.11 In a small town such as Thetford, with limited town services and administrative capacity, with clustered village residential areas located on all the major routes through the town, dependent on groundwater for drinking purposes, and in view of the limited area in which the Town can effectively conduct educational outreach programs regarding waste reduction, recycling and proper handling of household hazardous waste, an Extra- Regional Landfill is an inappropriate activity and shall be a prohibited use in all zoning districts.

365.12 In deciding whether or not to issue a conditional use permit for a landfill at a particular location, the Zoning Board of Adjustment(ZBA) shall consider and evaluate the following:

- (a) general health issues including, but not limited to, impact on surface and groundwater quality, impact on drinking water supplies and recharge areas, and impact on air quality (including both pollutants and odors);
- (b) general safety issues including, but not limited to, operating procedures used (or proposed to be used) on the site and security of the site both during and after normal operating hours;
- (c) aesthetic and quality of life issues, including, but not limited to, impact on nearby businesses or residences, impact on recreation (including use of rivers, ponds and streams), impact on scenic views, and impact on historic areas;

- (d) traffic and road safety issues including traffic levels and also the sizes and types of vehicles using the facility. Review of traffic issues shall include consideration of the impact at the immediate vicinity of the landfill and also along the most commonly travelled route(s) used to reach it. The character of the roads to be used shall be taken into account, including steep hills, sharp curves, or sections of road which are, for Thetford, more than normally busy or have more than usual levels of entering and exiting traffic. The impact of traffic on schools (in terms of both noise and safety), on recreation areas, on fire stations and other community facilities, and on densely settled residential areas shall be considered and special concern be given to school bus routes;
- (e) impact on Town services and administrative capacity, including, but not limited to, the ability of the Town to monitor the proposed facility adequately and sufficiently to protect the safety and well-being of the general public;
- (f) impact of the proposed facility on road maintenance requirements, particularly when unsurfaced roads are affected.

Required Provisions of Conditional Use Permits for Landfills

365.21 As part of any conditional use permit, the Zoning Board of Adjustment shall require the operating authority of any landfill to make arrangements, specified in writing and determined by a formal vote to be satisfactory to the Selectmen, to monitor all waste material entering the landfill.

Monitoring the landfill and its operations shall include, but not be limited to, wells and other devices for monitoring groundwater at both shallow and deep levels, regular tests of surface water which might conceivably be affected, direct visual observation of material deposited and of daily operating procedures, and review of records regarding numbers and types of vehicles using the landfill and the quantities, geographic source, and types of materials (household, commercial, construction, industrial, etc.) which they bring. Monitoring may also include use of devices to measure air quality (odor, gases, particulate matter), devices for taking core samples, as well as fencing, gates and locks for the landfill area to prevent entry to unauthorized and unrecorded trash, particularly outside of posted operating hours.

All costs for monitoring activity and any required equipment shall be borne by the landfill operating authority since these costs should be considered part of the normal costs of properly disposing of solid wastes. Individuals or consulting firms hired to carry out such monitoring activities must have the approval of the ZBA.

Failure to fulfill the terms of the monitoring agreement to a standard acceptable to the ZBA shall be grounds (i) for amending the conditional use permit to impose additional conditions or restrictions to ensure present and future compliance with the conditions of the permit; and/or (ii) for revoking the landfill's conditional use permit; and/or (iii) for suspending operations or closing the facility; and/or (iv) for instituting in the name of the municipality any appropriate action, injunction, process of contempt or other proceeding to rectify the situation and to restrict or prevent operation until the situation has been rectified.

365.22 As part of any conditional use permit, the Zoning Board of Adjustment shall require the operating authority of any landfill to make arrangements (e.g., a long term performance bond, an escrow account, etc.) specified in writing and approved by the Selectmen, to assume full financial liability for any cost or damages resulting from the landfill or its operation and to ensure that funds are available for its eventual closure and for post-closure monitoring.

Liability costs and damages from landfill operations shall include (but not be limited to) costs of remedying soil or surface water contamination; measures to mitigate contamination of ground water; provision of alternate water systems (including a backup system should the primary system, or its water source, fail) to affected landowners in the event of pollution of off-site groundwater, or in the event that a satisfactory alternate water system can not be provided, purchase, at the option of the landowner, of the affected property at full (pre-contamination) market value; medical and disability costs and damages associated with off-site water or air pollution; and an extended period (at least 30 years) of groundwater monitoring following closure.

Failure to maintain the approved arrangements regarding ability to meet financial liabilities to the satisfaction of the ZBA shall be grounds (i) for revoking the landfill's conditional use permit; and/or (ii) for suspending operations or closing the facility; and/or (iii) for instituting in the name of the municipality any appropriate action, injunction, process of contempt or other proceeding to rectify the situation and to restrict or prevent operation until the situation has been rectified.

365.23 As part of a conditional use permit, the ZBA shall require the keeping of records, using forms which the ZBA may devise, of the numbers of vehicles, by category, using the landfill; the types of material brought by each vehicle (eg. household, commercial, industrial, medical, etc.); and the town or places(s) of business originating the wastes transported. The ZBA may also require information on estimated quantities of waste brought by commercial vehicles.

The ZBA may treat negligent or willful failure to keep accurate and complete records or falsification of records as grounds (i) for amending the conditional use permit to impose additional conditions or restrictions to ensure present and future compliance with the conditions of the permit; and/or (ii) for revoking the landfill's conditional use permit; and/or (iii) for suspending operations or closing the facility; and/or (iv) for instituting in the name of the municipality any appropriate action, injunction, process of contempt or other proceeding to rectify the situation and to restrict or prevent operation until the situation has been rectified.

365.24 As part of a conditional use permit, the Zoning Board of Adjustment shall review current or proposed operating procedures and shall impose appropriate conditions or restrictions on operating procedures in order to minimize the spread of odor, dust, and noise beyond the property lines of the landfill parcel.

Other Provisions

365.30 In addition, the provisions in paragraphs 365.31 through 365.40 shall apply:

365.31 All landfills shall comply with all provisions of Vermont Statutes and state regulations and with all Town Ordinance and By-Laws.

365.32 To protect the public interest and general welfare, members of the ZBA, or such person(s) as they may designate, shall have the right to enter upon the landfill premises for the purpose of making scheduled or unscheduled inspections of landfill conditions or operations. Such inspection visits may be made at the initiative of the ZBA or in response to complaints from the public.

365.33 No landfill shall locate its area of operation within 500 feet of any pre-existing residence or within 1000 feet of any residential area. For this purpose, a residential area shall be (a) the whole of any area zoned Village Residential or Community Business, or (b) any other area containing ten or more residences within one-quarter square mile; the ZBA shall establish the boundaries of such an area.

Thetford Zoning Ordinance

365.34 No landfill shall locate its area of operation within 300 feet of any lake, pond, river, stream, or wetland.

365.35 No landfill shall be located within 1000 feet of the source or re-charge area of any public water supply system.

365.36 No landfill operations shall take place within 100 feet of the property lines of the landfill parcel.

365.37 All landfills shall be screened from view from the highway and from abutting properties.

365.38 All landfills shall have a minimum vertical separation from the high seasonal water table of six (6) feet and a minimum vertical separation from bedrock of ten (10) feet.

365.39 All landfills shall be screened so as to protect properties in the vicinity from unreasonable levels of noise due to entering and departing traffic and due to equipment operation within the landfill. Sound suppressing devices on equipment and all screens of natural or artificial material shall be maintained in good working order as a requirement for holding a conditional use permit for a landfill.

365.40 As part of a conditional use permit, the ZBA shall impose appropriate restrictions on hours of operation in the interest of protecting the immediate neighborhood from noise at unreasonable times or in the interest of protecting the immediate neighborhood and other areas of the town from large vehicle traffic during busy periods and times when school buses are operating.

Violation of such imposed conditions shall be grounds (i) for amending the conditional use permit to impose additional conditions or restrictions to ensure present and future compliance with the conditions of the permit; and/or (ii) for revoking the landfill's conditional use permit; and/or (iii) for suspending operations or closing the facility; and/or (iv) for instituting in the name of the municipality any appropriate action, injunction, process of contempt or other proceeding to rectify the situation and to restrict or prevent operation until the situation has been rectified. (Such penalties shall be in addition to any others authorized by State Statute or Local Ordinance.)

Annual Performance Review

365.50 At a public hearing, the ZBA shall conduct an annual performance review of landfill operations, including level of compliance with any conditions, restrictions, or positive requirements imposed as part of the conditional use permit. For the purpose of this review, copies of results of all groundwater tests carried out for the landfill shall be provided to the ZBA and to abutting landowners. Such a review shall make use of records maintained on landfill operations, complaints received (if any), and shall also allow for input from abutting landowners and the general public.

If in the course of this annual review, the ZBA shall find the landfill in substantial non-compliance with any condition or other provision of its Conditional Use Permit, such non-compliance shall be grounds (i) for amending the conditional use permit to impose additional conditions or restrictions to ensure present and future compliance with the conditions of the permit; and/or (ii) for revoking the landfill's conditional use permit; and/or (iii) for suspending operations or closing the facility; and/or (iv) for instituting in the name of the municipality any appropriate action, injunction, process of contempt or other proceeding to rectify the situation and to restrict or prevent operation until the situation has been rectified.

370 - MOBILE HOMES: INDIVIDUAL

An individual mobile home may be parked on a zoning lot for thirty days provided that written permission has been granted by the Administrative Officer.

An individual mobile home may be parked for inspection and sale on any lawful trailer sales lot.

Section 380 - MOBILE HOME PARKS

Mobile home parks may be permitted in the Rural Residential district as a conditional use; provided that the proposed location and a site plan have been approved by the Planning Commission as provided in 24 V.S.A., 4407 (5).

All mobile home parks shall be developed in accordance with the general and specific standards in 10 V.S.A., Chapter 153.

Section 390 - OFFSTREET PARKING

Offstreet parking areas whether open or enclosed shall be provided on the same lot containing the use for which they are required, or on separate lots and subject to such conditions that may be imposed by the Planning Commission. Each offstreet parking space shall not be less than 10 feet wide and 20 feet in length. Each space shall meet the following minimum offstreet parking requirements:

- (1) Residential: 1 space per dwelling unit.
- (2) Hotel, Motel, etc.: 1 space per guest.
- (3) Dormitory, Hospital, etc.: 1 space per each two beds.
- (4) Public assembly buildings: 1 space per each five seats, or if no seats, 1 space for each 200 square feet of floor area.
- (5) Business, professional, and medical offices: 1 space for each 200 square feet of floor area.
- (6) Commercial, business and unspecified uses: 1 space for every motor vehicle used in business, plus 1 space for each 200 square feet of floor area.
- (7) Restaurants: 1 space for each three seats.
- (8) Industrial, wholesale, storage, etc. uses: 1 space for every motor vehicle used in the business plus 1 space for each two employees.
- (9) Outdoor recreation: as required by the Planning Commission.

Section 392 - TRAVEL TRAILERS: STORAGE

An unoccupied travel trailer may be parked or stored in the rear or side yard of a residential lot, provided that said travel trailer is parked behind the front face of a principal building and shall comply with the yard requirements for accessory buildings of the district in which it is located.

Section 393 - TRAVEL TRAILERS: OCCUPANCY

A travel trailer may not be located on a premises and used as living quarters unless written permission has been obtained from the landowner(s). Such permission shall authorize the location and occupancy by a bona fide non-paying guest of a travel trailer for 14 consecutive days during a calendar year. No travel trailer shall be used as living quarters for more than 14 consecutive days during a calendar year unless said trailer conforms to all of the requirements for a one-family residential structure for the district in which it is located and a permit has been issued by the Administrative Officer.

Section 394 - TRAVEL TRAILER CAMPS

Travel trailer camps shall be permitted as a conditional use in the Rural Residential district and the Community Business district provided that a public hearing has been held, the proposed location and a site plan has been approved by the Planning Commission, and a permit has been issued by the Administrative Officer.

The following regulations shall apply to all travel trailer camps:

- (1) Such camp shall provide for individual trailers, access driveways and parking.
- (2) Such camp shall have an area of not less than three acres.
- (3) Each trailer lot shall be 4,500 square feet in area, at least 50 feet in width and have a compacted gravel surface of at least twenty feet in width.
- (4) All access driveways within such a camp must have a compacted gravel surface at least twenty (20) feet in width.
- (5) A water supply source must be approved by the VT Health Dept. and each trailer lot shall have an attachment for water supply.
- (6) Said camp shall have provision for public toilet and sewage disposal in compliance with regulations of the State Health Department.
- (7) Individual trailers or service buildings shall comply with all yard requirements of the Rural Residential district or the Community Business district.

Section 395 - PLANNED RESIDENTIAL DEVELOPMENT AND PLANNED UNIT DEVELOPMENT

In accordance with the provisions set forth in Section 4407 (3) and (12) of the Act, in order to encourage flexibility of design and development in harmony with natural terrain and natural features, and in order to promote the economical provisions of streets and utilities, and the preservation of the natural and scenic qualities of open lands, the Planning Commission shall encourage and support an owner or owners or a duly authorized agent to develop the tract as a Planned Residential Development (PRD) or a Planned Unit Development (PUD), subject to the applicable regulations of this Ordinance and the purposes, conditions and safeguards (a) through (e) below. The Planning Commission may permit the planning of such PUD or PRD to take place simultaneously with the approval of a subdivision plat and site plan.

- (1) Every PRD and PUD shall encourage development which will result in:
 - (a) Alternative types of settings and living units (where applicable) and carefully considered land uses so that the development will be a permanent or long-term asset to the Town.
 - (b) Open space and recreation areas if dwelling units are a part of the development.
 - (c) A pattern of development which preserves trees, outstanding natural topography and geologic features, prevents soil erosion, and preserves the natural and scenic qualities of the open land in the Town for conservation and recreation.
 - (d) An efficient use of land resulting in smaller networks of utilities and streets.
 - (e) A development in harmony with its surroundings.
- (2) Only residential uses shall be permitted within a PRD- single-family, two-family and multi-family dwellings.
- (3) PRD is permitted within the Village Residential (VR), Rural Residential (RR), and Community Business districts subject to the area and bulk requirements set forth in Schedule B, below.
- (4) When PRD is proposed on a tract of land which lies within more than one district, the overall density of the development shall be directly proportional to the amount of acreage held in each district.
- (5) Density may vary within the development. The total permitted number of dwelling units may be allowed to exceed the number which could be permitted in the Planning Commission's judgement if the land were subdivided into lots in conformance with the zoning regulations for the district in which the land is situated, however, in no case shall the density, as measured by dwelling units per acre, be greater than 20% more than the density that would be allowed using a conventional development pattern.
- (6) The predominant use of the land shall not differ substantially from the uses permitted in the district in which the plan is located. In a PUD in a residential district, commercial, educational and public facilities may be allowed which are designed to serve the development and the area around the development.
- (7) Lot size, width, front yard depth and side yard requirements may be waived; however, these will be evaluated by the Planning Commission on their individual merit.

- (8) Proposals for PRD and PUD shall be submitted to the Planning Commission. Every proposal shall include:
- (a) a site plan as provided for in Section 492 of this Ordinance;
 - (b) information which describes the ownership, use and maintenance of open space land or land to be held in common;
 - (c) information which describes the proposed method of water supply and sewage disposal; and
 - (d) a statement which describes the nature of all proposed changes or modifications to standards contained in the Ordinance in effect at the time of application.

SCHEDULE B AREA and BULK REQUIREMENTS - PLANNED RESIDENTIAL DEVELOPMENT		
ZONING DISTRICT	VR & CB	RR
MINIMUM SIZE REQUIREMENTS		
Minimum Size of Development	120,000 sq. ft.	400,000 sq. ft.
Overall Density of Development	1 DU per 20,000 sq. ft. if a community septic or water system is available; or 1 DU per 40,000 sq. ft. if individual on-site sewer and water are proposed.	1 DU per 80,000 sq. ft.
Width at Building Line in Feet	100 feet	100 feet
YARDS		
Rear Yard Depth in Linear Feet	15 feet	15 feet
Width of Side Yards in Linear Feet	15 feet	15 feet
Building Setback from Road Center	65 feet	65 feet
Maximum Height	35 feet	35 feet
Minimum Offstreet Parking Spaces	2 spaces/DU plus room for one additional space for each additional bedroom after the first bedroom	2 spaces/DU plus room for one additional space for each additional bedroom after the first bedroom
Permitted Uses	Residential DUs and Accessory Uses	Residential DUs and Accessory Uses
Conditional Uses	None	None

Section 396 - TIME SHARE PROJECTS

Time share projects shall be subject to the zoning standards that govern the uses that are shared under a time share license.

Section 397 - BED & BREAKFAST

An owner-occupied dwelling may be used as a bed and breakfast if such dwelling is located on a conforming lot and there are off-street parking spaces as follows: Three parking spaces for the dwelling unit plus one space for each bedroom for guests.

Section 398 - CONTINUING CARE RETIREMENT COMMUNITY

The objectives of a continuing care retirement community (CCRC) are to allow a more useful and flexible pattern of retirement and elderly housing in the rural residential district, so as to promote the most appropriate use of land for this purpose; to facilitate economical and efficient provision of public services; to allow land use patterns which preserve trees, outstanding natural topography and geologic features, and prevent soil erosion; to preserve the natural and scenic qualities of the open land in the Town for conservation and recreation.

Area and Setback - Minimum areas of land for a CCRC: The minimum area of land shall be not less than 30 acres in the rural residential district. Minimum setback for CCRC-(1) All buildings and/or parking in the CCRC shall be set back from abutting property lot lines and any public street existing at the time of initial application not less than 100 feet. Within the CCRC, the yard requirements in Schedule A do not apply and there are no fixed yard requirements for zoning purposes. All distances between buildings and streets within the CCRC shall be approved by the Planning Commission.

Maximum Density - There shall be a minimum of 20 dwelling units and the maximum number of dwelling units shall not exceed 250 units. Any units used for staff dwelling units shall be counted as dwelling units. The density shall be based on the capability of the land to support development as determined by the Planning Commission.

Other Requirements - A minimum of 35% of the area shall be retained for open space and outdoor recreational activities. Five or more residential buildings are required. These buildings may be interconnected by a covered walkway.

ARTICLE IV
GENERAL SUPPLEMENTARY REGULATIONS

Section 410 - DIVISION OF LOTS

No lot shall hereafter be divided into two or more lots unless all lots resulting from each such division conform with all the applicable regulations of the zoning district in which the property is located. A town line or road, present on the most recent edition of the Vermont General Highway Map - Town of Thetford as prepared by the Vermont Agency of Transportation, constitutes a dividing line between lots within the Town of Thetford. Each lot shall be subject to all applicable Health regulations and regulations of the zoning district in which the property is located.

Section 420 - COMBINATION OF CONTIGUOUS LOTS

When two or more lots or parcels of land, each of which lacks adequate area and/or dimension to satisfy the requirements of the zoning district in which they are located, are contiguous, and are held in one ownership, they shall be used as one zoning lot or parcel for the purposes of this Ordinance.

Section 430 - PRINCIPAL USE OF LOT

Except as otherwise provided in this Ordinance, only one principal use shall be permitted on a lot.

Section 440 - LOCATION OF REQUIRED OPEN SPACES

All yards, courts, and other open spaces allocated to a building or group of buildings shall be located on the same lot as such building or group of buildings unless otherwise specifically provided for herein.

Section 450 - MAINTENANCE OF REQUIRED OPEN SPACES

The maintenance of yards, courts, and other space and minimum lot area legally required for a building shall be a continuing obligation of the owner of such building or property on which it is located, as long as the building is in existence. Furthermore, no legally required yards, courts, or other open spaces or minimum lot area allocated to any building shall by virtue of change of ownership or for any other reason, be used to satisfy yard, court, other open space, or minimum lot area requirements for any building.

Section 460 - REDUCTION OF REQUIRED OPEN SPACES

No spaces allocated to a building or group of buildings for the purpose of complying with the yard, frontage or other open space requirements of this Ordinance shall thereafter, for any reason, be used to satisfy the open space requirements of any other building or group of buildings.

Section 470 - REQUIRED OPEN SPACE FOR EXISTING BUILDINGS

No yards or other required open space now or hereafter provided for a building existing on the effective date of this ordinance shall subsequently be reduced below, or further reduced below if already less than, the minimum yard requirements of this Ordinance for equivalent new construction.

Section 480 - GENERAL PERFORMANCE STANDARDS

Noise emanating from any use shall not be of such volume or frequency as to be unreasonably offensive at or beyond the property line. Unreasonably offensive noises, due to intermittence, beat frequency or shrillness shall be muffled so as not to become a nuisance to adjacent uses.

No toxic, corrosive matter, septic wastes, smoke, fumes or gases or other forms of environmental pollution shall be discharged across the boundaries of any lot or into public waters in such concentrations as to be detrimental to or endanger the public health, safety, comfort or welfare or to cause injury or damage to property or business. The provisions of this section regarding noise, gases, and odors shall not be applied to restrict or prohibit agricultural production(including production of field crops; dairy, livestock, and poultry; orchard crops; maple syrup and honey; flowers or ornamental plants; and operation of riding stables) provided that the agricultural producers can demonstrate that he or she is following reasonable and generally accepted practice, appropriate to the scale of his or her operation. An agricultural producer may satisfy the requirements of this paragraph either (a) by supplying the Zoning Board of Adjustment with a written statement from an agricultural extension agent stating that the agricultural operation has been inspected and was found to be following currently recommended practices for an operation of its type and scale or (b) by providing such other information (including a guided tour of the site) to the Zoning Board of Adjustment as it shall consider sufficient to demonstrate a reasonable good faith effort to limit impact on neighbors.

Section 490 - ON-SITE WATER AND SEWAGE SYSTEMS

Where on-site water and sewage systems are used in place of public or approved private off-site water and/or sewage facilities, the minimum lot area, width and depth shall be subject to approval of the Board of Selectmen, but shall not be less than that required for the district in which the use is to be located. When doubt exists with the Board of Selectmen as to the adequacy of the soil structure of the lot to properly accommodate an on-site water and/or sewage system, the Board of Selectmen may require the property owner to obtain an opinion from a registered engineer as to the size of lot required for an on-site water and/or sewage system to operate on the lot according to recommended Health Regulations of the Vermont Department of Health. If the findings of the engineer indicate that larger lots are necessary, the Board of Selectmen may require a lot size in excess of the minimum required for that zoning district in which the lot or lots is located.

Section 491 - REQUIRED REGULATIONS AND LIMITATIONS

All required regulations with respect to existing small lots, frontage requirements and protection of home occupations specified in Section 4406 of the Act are adopted by reference and shall be considered as required provisions of this Ordinance.

Section 492 - SITE PLAN

In all instances where site plans are required, no buildings or structures shall be erected and no parking area shall be established or changed except in conformity with a site plan approved by the Planning Commission. Such plan shall be drawn to scale, sufficient to permit the study of all elements of the plan.

- (1) Location, height and spacing of all existing and proposed buildings, structures, and uses.
- (2) Location of pedestrian trails, walkways and street crossings and vehicular circulation, loading and off-street parking areas.
- (3) Location of snow storage areas.
- (4) Location of existing and proposed utilities.
- (5) Grading and drainage plan as required in the Subdivision Regulations.
- (6) Open space, landscaping and screening plans.
- (7) Typical elevations and floor plans.
- (8) Adjacent building outlines and other features within 200 feet of the property.

Section 493 - LOT SIZE AVERAGING

Lot size averaging is permitted to allow flexibility of design and to encourage a mix of lot sizes and living situations in Town. Under lot size averaging, a landowner has the ability to create a lot that is smaller in acreage than otherwise permitted, provided that land equal in area to the difference between the proposed lot and the minimum lot size is restricted from development, so as to maintain the overall density for the parent lot as specified in the Ordinance. The area equal to the difference between the proposed lot and the minimum lot size shall be restricted permanently through the grant of a conservation easement to the Town or to a conservation organization approved by the Planning Commission. When lot size averaging is used, minimum road frontage and front, rear and side setbacks will be established at the discretion of the Planning Board.

ARTICLE V
SIGN REGULATIONS

Section 510 - APPLICABILITY

The purpose and intent of this section is to provide control of the erection, installation and maintenance of signs for the purpose of aesthetic values and for the safety, convenience, comfort, propriety and the general welfare. All signs placed, erected, or established subsequent to the adoption of this ordinance shall conform to the requirements herein. Any pre-existing sign which is replaced or altered must conform with these regulations.

For the purpose of this Article the word "sign" does not include street or traffic signs or warnings or the flag, pennant or insignia of any nation, group of nations, state, city, or other governmental units. Temporary posting, "for sale" or "for rent" signs and temporary off- premises signs for activities such as a yard sale or auction, or for availability of agricultural produce are not subject to the regulations herein except to the extent of the regulations relating to safety, lighting, and the prohibition against flashing or animated signs. The within regulations shall not apply to non-illuminated signs and window posters that are displayed from within a building.

Section 511 - NONCONFORMING SIGNS

Any sign not conforming to the terms of this Ordinance shall be allowed to continue nonconforming until such sign is replaced for any reason.

Section 512 - REMOVAL OF UNUSED SIGNS

Any sign now or hereafter existing which no longer advertises a bona fide business conducted, or product sold, shall be removed by the owner, agent or person having the beneficial use of the building or property upon which the sign is located within fourteen (14) days after written notification from the Administrator.

Section 513 - SITE PLAN REVIEW

All signs to be erected in conjunction with a new site plan or a change in site plan shall be subject to Site Plan Review.

General Requirements

Section 521 - PERMITTED SIGNS

A. On-Premise Signs - Except for Directional Signs, signs shall refer only to a use or activity carried on in or on the premises on which the sign is located.

B. Directional Signs - Off-Premises Directional Signs may be permitted by the ZBA by conditional use. Such Directional Signs shall be used solely to direct persons to premises in the Town of Thetford and shall contain no advertising other than the name of the premises to which the direction relate. There shall be no more than two Directional Signs to any premises and there shall be no more than one Directional Sign on any one lot. No Directional Sign shall be located within 50 of another Directional Sign.

C. Home Business or Office Signs - Home Business or Office Signs are limited to one per cottage industry or home occupation and shall be used for identification purposes only.

Section 522 - SIZE OF SIGN

A. On-Premise Signs - The total area of On-Premise Signs on any lot shall be limited to 15 square feet per side for businesses and two square feet per side for dwellings.

B. Directional Signs - The area of a Directional Sign shall not exceed six square feet.

C. Home Business or Office Signs - The area of Home Business or Office Signs shall not exceed three square feet.

Section 523 - ILLUMINATION

Signs may be illuminated only by continuous indirect white light with the light sources so placed that they will not constitute a hazard to driving or be a nuisance to neighboring properties. No business sign shall be illuminated more than one hour after the business closes for the night.

Section 524 - LIGHTING & MOVEMENT

No flashing or moving signs or signs with visible moving parts or intermittent lighting to create the visual effect of movement are permitted. Neon and tubular signs are permitted when they are located within the building and are seen through a window.

Section 525 - CONSTRUCTION & LOCATION

Signs shall be constructed of durable materials and shall be maintained in good condition and repair. No signs shall be located more than 20 feet above ground level. No sign shall extend above the roof or parapet line of any building on the premises, nor more than 4 inches out from and parallel to the wall to which it is attached. Any motor vehicle primarily used to display a sign will be subject to any and all regulations as contained in this article. No sign shall be located within side and rear set back areas.

Section 526 - POLE SIGNS

Only one Pole Sign may be erected upon any premises.

Section 527 - RESTRICTIONS AS TO LOCATION

No sign other than official street signs or traffic directions shall be erected or maintained within the road right-of-way. No sign shall be placed in such a position as to endanger motor vehicle or pedestrian traffic or obscure or otherwise cause confusion with official street or highway signs or signals.

ARTICLE VI
HISTORIC PRESERVATION GUIDELINES

Section 601 - CERTIFICATE OF APPROPRIATENESS REQUIRED

Within the Thetford Hill Historic Preservation Overlay, a Certificate of Appropriateness is required before:

1. a building or demolition permit application for exterior work or new construction can be made;
2. an application for an alteration to a noncomplying building be brought before the Zoning Board of Adjustment;
3. preliminary subdivision review by the Planning Commission for Planned Residential Developments, Condominium Developments and Planned Unit Developments;
4. a site plan application be brought before the Planning Commission;
5. an addition or alteration be made to the exterior of a building which increases or decreases the square footage of the building, whether enclosed or not;
6. an alteration be made to the exterior wall of a building by tearing down or removing any portion thereof, or by changing or altering any portion of an existing window, door space, porch or breezeway thereon; and
7. an addition or removal be made of materials to or from the exterior walls or roof of a building where the materials so added or exposed are of a kind or type different from those existing.

A Certificate of Appropriateness may be issued by the Planning Commission, upon written recommendations from the Historic Preservation Committee, in accordance with Sections 601-611(henceforth called the "Guidelines") when it is satisfied that the proposed plan will not visually and physically impair the historic or architectural significance of the structure or surrounding area.

Section 602 - THETFORD HISTORIC PRESERVATION COMMITTEE

There hereby is created a Thetford Hill Historic Preservation Committee, henceforth known as the "Committee".

- (a) Membership. The Historic Preservation Committee shall consist of no more than seven members or less than five members, each entitled to one vote, selected at large. All members shall serve without compensation and shall be appointed by the Planning Commission who shall make every effort to appoint persons who have demonstrated an interest, competence or knowledge in historic preservation. To the extent available within the jurisdiction of the local government, at least a majority of the members shall be professionals from the disciplines of history, archeology, architectural history, architecture and historical architecture. Members representing other historic preservation related disciplines, such as urban planning, American studies, American civilization, cultural geography, cultural anthropology, or the building trades, and lay members are encouraged. At least one member of the Committee shall be a resident from within the area designated as the Historic Overlay. The Committee shall serve in an advisory capacity to the Planning Commission and work with the Administrator. All members shall serve a term of four years, commencing on the first Tuesday in January, except the first appointments which shall be for the following terms: one member shall be appointed initially for a one-year term, one member for a two-year term, one member for a three-year term; and two members shall be appointed initially for four-year terms. Any vacancy occurring in a position for any reason other than the expiration of the term, shall be filled by appointment by the Planning Commission for the remainder of the term.
- (b) Role of the Committee. The role of the Historic Preservation Committee shall include:
 - (1) The provision of historic preservation guidance and recommendations to property owners who are considering making alterations or additions to existing structures or commencing new construction within the Town of Thetford.
 - (2) Recommendations to the Planning Commission on the issuance of Certificates of Appropriateness or Notices of Denial.

- (3) Review of subdivision proposals, including PRDs, Condominium Developments and PUDs, after concept review by the Planning Commission and prior to preliminary subdivision review by the Planning Commission.
- (4) Review of proposed site plan applications prior to application to and review by the Planning Commission.
- (5) The review of building permit applications for alterations to historic structures and construction upon historic sites, including building permit applications associated with subdivisions and site plans, when the subject property is within an historic district.
- (6) The review of demolition permit applications which would result in the destruction of historic structures.
- (7) The establishment of criteria for the ongoing evaluation and designation of significant historic resources and landmarks, and the review of requests by property owners to be included in a district, to be designated as a landmark, or to establish a new district.
- (8) The development and presentation of educational and informational materials and public events regarding Thetford architectural history and its preservation.
- (9) The review of local nominations to the National Register of Historic Places
- (10) Other historic preservation functions as determined by the PC/ZBA, such as seeking funding for a historic preservation project.

Section 603 - OFFICERS

The Historic Preservation Committee, at its first meeting of each calendar year, shall elect a chairperson and vice-chairperson who shall hold office during the remainder of said year. Members of the Committee shall also elect a secretary who shall be responsible for keeping an accurate record of all proceedings of said Committee, including Committee recommendations to the PC/ZBA.

Section 604 - MEETING - QUORUM - RULES

A quorum of the members must be present to conduct a meeting. The Committee, with a majority of its members concurring, may make and alter rules and regulations for its procedures, which at a minimum shall address meeting procedures, attendance and conflict of interest, consistent with the Town and State regulations. The Committee shall have one regularly scheduled meeting time per month during which time official reviews will be conducted and assistance given to those property owners requesting it. The Committee may also be called to meeting by the Administrator at such times as it is required to meet.

Section 605 - MEETINGS OF REVIEW

- (a) The Committee shall conduct a public meeting on a Certificate of Appropriateness application within twenty-one days of the filing of such a completed application. Every effort shall be made to expeditiously act upon these applications. Plan revisions requested at a review meeting shall be submitted to the Administrator within ten days of said meeting unless the Committee grants an extension.

- (b) The Committee shall forward recommendations to the Planning Commission regarding the issuance of a Certificate of Appropriateness or Notice of Denial within sixty days of the receipt of the completed Certificate of Appropriateness application. The Planning Commission shall render a decision on this application within thirty days of receipt of the Historic Preservation Committee's recommendations. When necessary, due to the magnitude of a project, the review process shall be extended an additional thirty days.

Section 606 - NEW CONSTRUCTION

The Administrator, upon receipt of all requests for new construction in the Historic Overlay or any other designated district, shall schedule a meeting of the Committee, within twenty-one days of receiving said request, for review. Before the standard site plan or subdivision review process commences, a Certificate of Appropriateness for the design must be issued by the Planning Commission upon the recommendations of the Historic Preservation Committee.

Section 607 - DEMOLITION

The Administrator shall receive all requests for the demolition of a structure in the Historic Overlay or other designated area, and shall schedule a meeting of the Committee, within twenty-one days of said request, for review and discussion of possible alternatives to demolition.

No building shall be demolished until a notice of the proposed demolition has been given by the owner of such property in a newspaper of general circulation in the area, and a notice given to the Thetford Hill Historical Society and the State Historic Preservation Office and a notice posted at two public places in the district. Such provision affords a person or organization the opportunity to acquire or to arrange for the preservation of the building for a three month period commencing on the day of notice. This requirement may be waived by the Committee when deemed appropriate.

Exception: If the structure for which the demolition request has been filed has been damaged in excess of seventy percent of its assessed value due to flood, fire, wind, or other natural act, a demolition permit may be approved by the Administrator without processing the request through the Historic Preservation Committee.

Section 608 - EXTERIOR RENOVATIONS OR ADDITIONS

The Administrator shall forward to the Committee all building permit requests for exterior alteration to a building. The Committee shall, within twenty-one days, review the permit application for compliance with the requirements as set out in the Guidelines of this Ordinance.

- (a) If the Committee finds the proposed alterations to be in compliance with the Guidelines, they shall submit to the Planning Commission recommendations to issue a Certificate of Appropriateness which will indicate that the requirements of the Guidelines have been satisfied by the request.
- (b) If the Committee finds the proposed alterations to be in noncompliance with the requirements in the Guidelines, they shall recommend to the Planning Commission:
 - (1) Approval of the application subject to compliance with conditions which will bring the application into conformance with the Guidelines; or,
 - (2) Issuance of a "Notice of Denial" accompanied by the findings for this recommendation.

Section 609 - REVIEW CRITERIA

In making a determination on an application, the Historic Preservation Committee shall give consideration to the following:

- (a) The historical, architectural, or cultural value of the building(s) or structure(s) and its relationship and contribution to the setting.
- (b) The compatibility of the proposed exterior design, arrangement, orientation, texture, and materials in relation to the existing buildings or structures and its setting; or if new construction, compatibility with the surrounding area.
- (c) The scale and general size of the proposed building or structure in relation to existing surroundings, including consideration of such factors as the building's overall height, width, street frontage, number of stories, roof type, facade openings (windows, doors, etc.), and architectural details.
- (d) Factors including open space, yards, off-street parking, screening, fencing, entrance drives, sidewalks, signs, lights, and/or landscaping that might affect the character of any building or structure within the Historic Overlay or any other district, shall be considered as well as those factors which relate to the placement of a structure or group of structures which might affect the overall streetscape.
- (e) The impact the applicant's proposal will have on the surroundings, and the extent to which it will preserve and enhance the historic, architectural and cultural qualities of the Historic Overlay or any other district, and the community. The Committee shall be guided by the following:
 - (1) Every reasonable effort shall be made to provide a compatible use which will require minimum alteration to the structure and its environment.
 - (2) Rehabilitation or renovation work shall not destroy the distinguishing qualities or character of the structure and its environment. Historic material or architectural features should not be removed or altered.

- (3) Deteriorated architectural features should be repaired rather than replaced where ever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on physical or pictorial evidence rather than on conjectural designs or the availability of different architectural features from other buildings.
- (4) Changes which may have taken place in the course of time are evidence of the history and development of the structure and its environment, and these changes shall be recognized and respected.
- (5) All structures are recognized as products of their own time. Alterations to create an earlier period are discouraged.
- (6) Additions to existing structures are acceptable if such design, materials and construction are of quality and are compatible with the size, scale, material, and character of the neighborhood, structures, and its environment.
- (7) Whenever possible, new additions or alterations to structures shall be done in such a manner that if they were removed in the future, the essential form and integrity of the original structure would be unimpaired.
- (8) Every reasonable effort shall be made so that structures not be razed or demolished, in order to preserve the historic streetscape.
- (9) New construction shall be sympathetic to architectural features and materials which are in keeping with the character of the historic buildings found within Thetford Hill or any other historic district. New structures should enhance, compliment, and maintain the integrity of the Village, or other district, and its structures.

Section 610 - GUIDELINES FOR REVIEWING APPLICATIONS

A. ALTERATIONS AND RENOVATIONS

1. GUIDELINE: INCORPORATE ELEMENTS OF THE ORIGINAL BUILDING, STRUCTURE, OR LANDMARK INTO THE RENOVATION SCHEME.

Do not obscure original materials.

Do not alter the shape of original openings such as windows and doors.

Do not obscure the facade or facade details by covering them with materials such as metal or plastic panels, signs, by painting them out, etc.

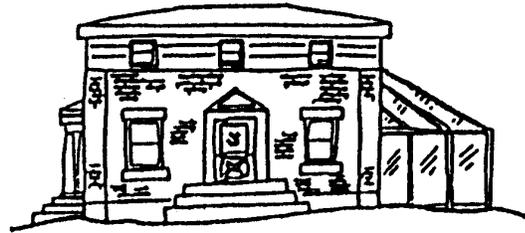
2. GUIDELINE: RESPECT THE ORIGINAL CHARACTER AND PERIOD OF THE BUILDING, STRUCTURE OR LANDMARK.

Do not try to make the building, structure or landmark look "historically" older than it really is as this debases what is truly historic.

Do not try to modernize the architectural features of a building, structure or landmark.



Recommend



Avoid

3. GUIDELINE: PRESERVE THE ORIGINAL FINISH OR MASONRY FACADES.

Always use the gentlest cleaning methods possible. Some chemical cleansers may be acceptable, but their effect should be researched before they are used. (Consult the State Historic Preservation Officer for further suggestions.)

Never sandblast masonry. Sandblasting removes water-protective glaze and accelerates erosion.

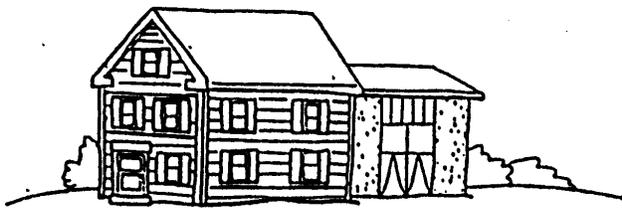
Generally, let painted masonry remain painted, unpainted masonry remain unpainted.

B. ADDITIONS

1. GUIDELINE: THE MATERIALS USED FOR ADDITIONS SHOULD BE COMPATIBLE WITH MATERIALS USED ON THE ORIGINAL BUILDING, STRUCTURE OR LANDMARK AND BE IN KEEPING WITH THE INTENT OF THE BUILDING.

Design window additions to be similar to existing or original windows.

Design the roof on additions to have the same pitch as the original or existing roof.



Avoid



Recommend

2. GUIDELINE: ADDITIONS THAT ARE SYMPATHETIC TO THE ORIGINAL BUILDING, STRUCTURE OR LANDMARK YET IN THE SPIRIT OF THIS DAY, ARE ENCOURAGED.
3. GUIDELINE: ADDITIONS REQUIRED FOR SAFETY, SUCH AS FIRE ESCAPES OR HANDICAP ACCESS, MUST BE SYMPATHETIC AND COMPATIBLE TO THE BUILDING INVOLVED.
4. GUIDELINE: THE MATERIALS USED FOR RENOVATIONS SHOULD BE FINISHED IN WAYS THAT ARE CONSISTENT WITH THE ORIGINAL BUILDING, STRUCTURE OR LANDMARK.

New siding should have the same dimensions and orientation as original clapboard siding, diagonal or vertical siding not being compatible in most cases. New brick should be of similar size as old brick and mortar should be of matching color, to the extent possible.

5. GUIDELINE: PRESERVE ORIGINAL BUILDING ENTRANCE

Do not remove fanlights, sidelights, door ornamentation, columns, or pilasters.



Recommend



Avoid

6. GUIDELINE: PORCHES SHOULD BE COMPATIBLE WITH THE ORIGINAL STRUCTURE IN SIZE, SCALE AND USE.

A porch addition should match the style of the original or existing front of the structure.

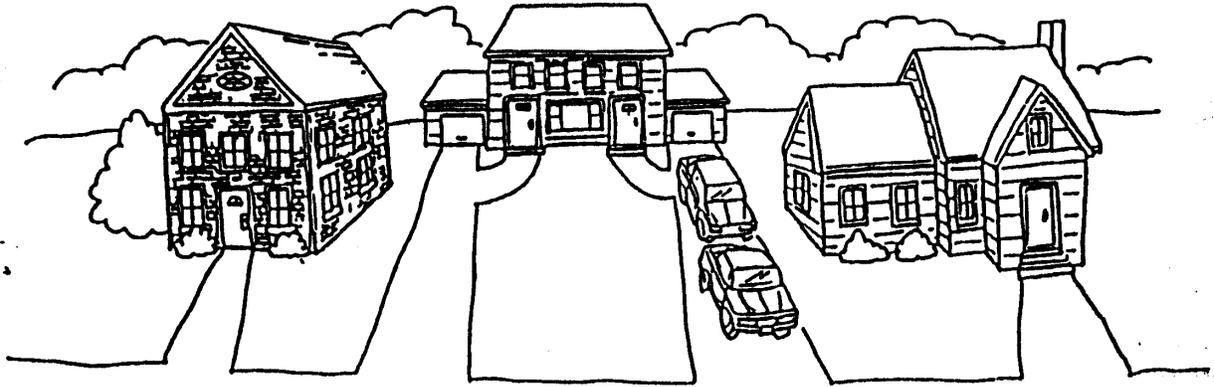
(See Streetscape Guidelines under New Construction for further Additions Guidelines.)

C. NEW CONSTRUCTION

Thetford Hill contains many fine examples of 19th century architectural styles including: Georgian, Greek Revival, Federal, Gothic Revival, and Vernacular. The architectural themes provided by these structures should be considered and paralleled in the design of any new structures. Sensitivity to surrounding buildings and existing land use patterns is essential to historically conscious development. New structures should be compatible with Thetford Hill's significant historical styles and their placement in the Village streetscape in terms of the following guideline criteria.

1. GUIDELINE: NEW CONSTRUCTION SHOULD ENHANCE AND MAINTAIN SCENIC HISTORIC VISTAS AS SEEN FROM MAJOR THOROUGHFARES.
2. GUIDELINE: THE HEIGHTS OF NEW BUILDINGS OR STRUCTURES SHOULD BE SIMILAR TO THE HEIGHTS OF EXISTING BUILDINGS OR STRUCTURES IN ORDER TO KEEP THE RELATIONSHIP BETWEEN BUILDING HEIGHTS COMPATIBLE.
3. GUIDELINE: SETBACKS SHOULD BE COMPATIBLE WITH NEIGHBORING STRUCTURES' SETBACKS.

The front yard setback of structures built in Thetford Hill, or any other district, shall be determined by the setback requirements of the underlying zoning regulations, and the relationship between the new structure and adjacent structures.



Side yard spacing shall conform with the underlying zoning regulations.

4. GUIDELINE: GARAGES AND OUTBUILDINGS SHOULD BE SECONDARY TO THE PRINCIPLE STRUCTURE ON THE LOT.

These structures shall be positioned so that the principle building is dominant. This may be accomplished by siting the garage so that its front yard setback is significantly greater than that of the principle structure. The side yard relationship between new garages/outbuildings and neighboring buildings shall respect open space patterns commonly found in the Historic Overlay or other designated district. Architectural design and building materials should be similar to those of the principle structure.

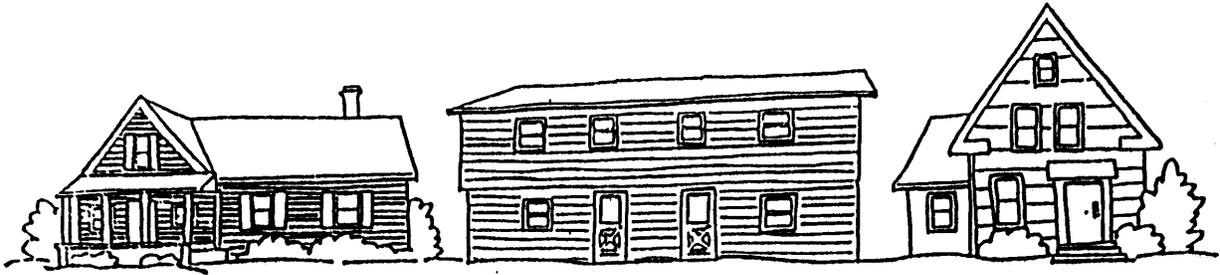
5. GUIDELINE: BUILDING COMPONENTS SHOULD BE SIMILAR, IN SIZE, SHAPE, AND MATERIAL, TO SIGNIFICANT HISTORIC STRUCTURES ALONG THE STREET.

Distinctive architectural features and materials, such as double hung windows, gabled roofs, cornices, eave returns, shutters, pediments, window lites, brick and wood clapboard, frequently recur along the streetscape. These details should suggest the extent, nature and scale of details on new buildings.

The following components should be carefully considered:

WINDOWS: The scale and proportions of the windows should relate to existing surrounding buildings and the building itself. Maintain the pattern created by upper-story windows as well as their horizontal arrangement.

ROOF FORM: Roof pitch should be moderate to steep. Similarity and compatibility with roof shapes in the surrounding area shall be considered in the construction.



Avoid

WALLS: Materials should be brick or narrow clapboard (3 inch reveal or less).

6. **GUIDELINE: MAINTAIN THE PATTERN OF FRONT ENTRANCES**

Historically, the formal entrance for each building is oriented toward the street. This entrance is usually emphasized by a walk leading to it, with steps if above grade.

Avoid facades with no strong sense of entry. Avoid introducing incompatible facade patterns that upset the rhythm of openings established by the surrounding structures.

7. GUIDELINE: BUILDING ELEMENTS (SHUTTERS, BRACKETS, PORCHES, ETC.) SHOULD LOOK FUNCTIONAL.

Use shutters with caution and only where the size of the shutters fits the size of the window. Brackets should actually support something. Porches should actually shelter entrances.

8. GUIDELINE: BUILDING WIDTHS AND MASS SHOULD BE COMPATIBLE WITH STRUCTURES ALREADY PRESENT IN THE STREETScape.

9. GUIDELINE: IN ORDER TO REINFORCE THE EXISTING STREETScape, BUILDING PLACEMENT AND SITING OF NEW CONSTRUCTION SHOULD BE COMPATIBLE WITH SURROUNDING STRUCTURES.

Building lines should be oriented parallel to or perpendicular to the street. Avoid a building orientation which puts the building at an angle to the street.



10. GUIDELINE: OPEN SPACE BETWEEN BUILDINGS SHOULD BE SIMILAR TO THOSE SPACES COMMONLY FOUND IN THE THETFORD HILL OR OTHER DESIGNATED DISTRICT.

Side yard setbacks shall be regulated by the underlying zoning for the district.

11. GUIDELINE: MINIMIZE MODIFICATION TO EXISTING LAND CONTOURS.

Grade changes should be incorporated so as to enhance the existing scale and character of the site. Any site grade modification should relate to grades on adjacent properties. The filling or cutting of existing contours and natural areas is discouraged.

D. OPEN SPACE

The historic nature of Thetford Hill results not only from the structures found there and their arrangement, but also from the common, integration of landscaping and structures and hilltop vistas.

The historic landscape serves to frame and give a setting to the historic structures and other buildings found in the Village. The open space includes the land between the road and any structure. It is comprised of the common, trees, landscaping, paths and grassy areas, and is free from built objects which would obstruct its visual continuity.

1. GUIDELINE: PRESERVE AND MAINTAIN THE GREENBELT THAT LINES THE VILLAGE STREETScape.

Maintain size and scale of existing landscaping. Replace lost vegetation, such as trees, with similar, healthy varieties.

Plant new trees of traditional varieties. Discourage the widening of Academy Road and Route 113.

2. GUIDELINE: MAINTAIN A SENSE OF OPEN SPACE SURROUNDING THE VILLAGE STREETScape.

New structures built on the open land surrounding the Village streetscape should be placed so as to maintain a sense of open space behind the historic streetscape.

E. DEMOLITION

1. GUIDELINE: CONSIDER ALL MEANS OF PRESERVING HISTORIC BUILDINGS, STRUCTURES AND LANDMARKS.

Consider such preservation means as:

- (a) adding an addition to the present structure
- (b) finding a new use for the structure
- (c) sale of the property
- (d) partial demolition - i.e. outbuildings, additions
- (e) moving the structure
- (f) any other feasible means as developed by the Committee and owner.

F. SIGNS

1. GUIDELINE: KEEP SIGNS SUBORDINATE TO BUILDINGS AND STREETSCAPE.

Sign colors, materials, sizes, shapes, and type of illumination should reinforce the composition and preservation of the facade.

The size of free standing signs should be limited so that they do not obscure the building's main facade, break patterns of the streetscape's facades and yards, or cause alteration to the greenbelt.

Low monument signs are recommended.

Signs placed on buildings should be limited to small identification panels at the entrance instead of projecting off the building.

Signs should be illuminated with indirect light rather than internally. The source of illumination should not be visible from adjoining properties or the road.

Wood is the preferred material for signs, whether they are located in neighborhoods where older buildings of brick or wood prevail, or associated with new construction.

Section 611 - STANDARDS NOT APPLICABLE

Should the above standards be inapplicable, the Secretary of the Interior's "Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings" shall be used.

ARTICLE VII
NON-CONFORMING USES, BUILDINGS & STRUCTURES
AND TEMPORARY USES & STRUCTURES

Non-conforming Uses

Section 711 - CONTINUATION AND EXPANSION

Any lawful non-conforming use in existence at the time of the passage of this Ordinance may continue and may be expanded as a conditional use allowed by the ZBA pursuant to the provisions of Section 930 provided that all other zoning requirements are met and the use is expanded by not more than 25% in overall intensity (the base being the level of use in 1989) including, but not limited to, such matters as the following: traffic generated, number of employees, number of shifts, volume of water use, volume of sewage effluent, gross floor area, and noise.

Section 712 - CHANGE OF USE

An existing non-conforming use may be changed to another non-conforming use if said proposed use is of equal or greater conformity relative to said existing use and the permitted uses in the district in which it is located. Any change in a non-conforming use to one of equal or greater conformity may be permitted upon prior review by the Commission and approval of the ZBA pursuant to the provisions of Section 930 and provided that all other zoning requirements are met.

Section 713 - SUPERSEDED BY A CONFORMING USE

If a non-conforming use is superseded by a permitted use or a conditional use, the use on that lot shall thereafter conform to the regulations of the district and the non-conforming use shall not be resumed.

Section 714 - RESUMPTION AFTER DISCONTINUANCE

A non-conforming use which has ceased to exist for a period of 12 consecutive months may not again be initiated.

Non-conforming Buildings and Structures

Section 721 - CONTINUANCE

Any lawful non-conforming building or structure in existence at the time of passage of this ordinance may continue unchanged, but may not be altered or expanded in any way which will result in a new or increased violation, except as provided herein.

Section 722 - SETBACKS FOR EXISTING STRUCTURES

Where an existing structure is non-conforming with respect to the front, side or rear setback requirements, additions to, or replacements of that structure and the construction of accessory buildings may be permitted in the setback area as a conditional use subject to the provisions of Section 930 and to the following requirements:

- a. the proposed replacement, addition or accessory building cannot reasonably be located outside the setback area; and
- b. the footprint of the proposed addition or accessory building will not be unreasonably larger than the existing building footprint.

Section 723 - RESTORATION AND RECONSTRUCTION

Nothing herein shall prevent the substantial restoration or reconstruction within one year of a building substantially damaged (to 50% or more of value) by fire or other casualty so long as said improvement does not result in a new or increased violation.

Section 730 - TEMPORARY USES AND STRUCTURES

Temporary permits may be issued by the Administrative Officer for a period not exceeding one year, for non-conforming uses incidental to construction projects, provided such permits are conditioned upon agreement by the owner to remove the structure or use upon expiration of the permit. Such permits may be renewed upon application for an additional period not exceeding one year.

ARTICLE VIII
BOARD OF ADJUSTMENT

Section 810 - AUTHORIZATION

A Zoning Board of Adjustment is hereby established in accordance with provisions of Subchapter 8 of the Act. Members of the Board of Adjustment shall be appointed in accord with the provisions of the Act.

Section 820 - POWERS

The Board of Adjustment shall have the following powers:

- (1) To hear and decide appeals where it is alleged that an error has been committed in any order, requirements, decision or determination made by the Administrative Officer in connection with the enforcement of this Ordinance.
- (2) To hear and grant requests for variances from the provisions of this Ordinance after a finding that special or unique conditions or circumstances exist and that a strict or literal enforcement of this Ordinance will result in unnecessary or undue hardship.
- (3) To hear and decide if conditional uses shall be permitted under this Ordinance.

Section 830 - PROCEDURES

The Board of Adjustment shall establish rules of procedures with respect to meetings, filing for notices of appeal, minutes of proceedings, records of examinations, findings and official actions, and conduct hearings on appeals in accordance with provisions of Sections 4461 through 4473 of Subchapter 8 of the Act.

ARTICLE IX
VARIANCES AND CONDITIONAL USES

Section 910 - GENERAL PROVISIONS

Variances and conditional uses may be permitted only by approval of the Board of Adjustment after public notice and public hearing and after a finding that the proposed variance meets the requirements of Section 920 or that the conditional use conforms to the general and specific standards as contained in this Ordinance.

Section 920 - VARIANCE REQUIREMENTS

The Board of Adjustment may grant a variance and render a decision in favor of any appellant if all the following facts are found by the Board and such finding is 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 the zoning 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 the zoning ordinance and that the authorization of a variance is therefore necessary to enable the reasonable use of the property;
- (3) That such unnecessary hardship has not been created by the appellant;
- (4) That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property nor be detrimental to the public welfare; and
- (5) That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the zoning ordinance and of the Plan. In rendering a decision in favor of an appellant the Board may attach such conditions to such variance as it may consider necessary and appropriate under the circumstances to implement the purposes of 24 V.S.A. Chapter 91, this Ordinance and the Town Plan.

Section 930 - CONDITIONAL USES: FINDINGS OF FACT

A conditional use described in Schedule A may be permitted only by approval of the Board of Adjustment after public notice and public hearing and a determination by the Board that the general standards as contained in this section and specific standards to which such conditional use must conform as contained in other provisions of this ordinance are met. Any proposed conditional use shall comply with these general standards and shall not adversely affect:

- (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) Town by-laws then in effect.

The proposed use will not result in the pollution of ground or surface waters or the injection of toxic and hazardous waste into ground waters.

The proposed use will not result in the pollution of the air including localized air pollution exceeding the State Air Quality standards.

The proposed use will not result in soil erosion during and after the course of construction.

The proposed use will not result in unreasonably increased traffic volume, speed, intensity or risk to public safety.

The proposed use will not provide less than the number of usable off-street parking spaces required in this Ordinance.

The proposed use will not result in increased levels of noise, light, odor or radiation any of which would disturb the reasonable enjoyment of the current and anticipated uses of other properties or be adverse to public health or safety.

Such conditional use must also conform to the specific standards to which permitted uses must conform in such district.

Section 940 – APPLICATION FOR PERMIT

A site plan as specified in Section 492 of this Ordinance shall accompany all applications for conditional use permit.

Section 950 - REFERRAL TO PLANNING BOARD

All applications for a variance or conditional use permit shall be referred to the Planning Board for their review and recommendation. Failure by the Planning Board to review an application and transmit their findings to the Board of Adjustment within 30 days of the date of transmittal shall be deemed approval.

Section 960 - PUBLIC HEARINGS

The Board of Adjustment shall set a date and place for a public hearing on the application within sixty (60) days of the date of filing. The Board shall give public notice of the hearing, and shall mail to the applicant a copy of such notice at least fifteen (15) days prior to the hearing date. The Board shall also notify all abutters to the property and may notify any other person(s), group(s), or organization(s) and/or public offices it deems necessary and proper.

Section 970 - ACTION BY BOARD OF ADJUSTMENT

After a public hearing, the Board of Adjustment may (1) grant the application, (2) deny the application or (3) refer the application back to the applicant for modification.

The Board shall render its decision which shall include the findings of fact within forty-five (45) days after completing the hearing and shall within that period send to the appellant by certified mail a copy of the decision. Copies of the decision shall also be mailed to every person or body appearing and having been heard at the hearing, and a copy thereof shall be filed with the Administrative Officer and the Town Clerk as part of the public records. If the Board does not render its decision within forty-five (45) days, the Board shall be deemed to have rendered a decision in favor of the appellant and granted the relief requested by him on the last day of such period.

The Board may reject an appeal without hearing and render a decision which shall include findings of fact within ten days of the date of filing of the notice of appeal if the Board considers the issues raised by the appeal have been decided in an earlier appeal or the same in substantially or materially the same facts by or on behalf of that appellant. Such decision shall be rendered on notice given as in the case of a decision in a case where there has been a full hearing, and shall constitute a decision of the Board for purposes of appeal to the county court.

Section 980 - GRANTING OF PERMIT

The Board of Adjustment may attach such conditions to such variance or conditional use as it may consider necessary and appropriate under the circumstances to implement the purposes of this Ordinance and the Plan.

ARTICLE X
ADMINISTRATION AND ENFORCEMENT

Section 1010 - ADMINISTRATIVE OFFICER

An Administrative Officer shall be appointed by the Planning Commission, with the approval of the Board of Selectmen, in accordance with the provisions of Section 4442 of the Act. The Administrative Officer shall administer and enforce literally the provisions of this Ordinance. In fulfilling his duties and responsibilities, the Administrative Officer shall receive applications, inspect premises, maintain records, issue permits and certificates of occupancy and perform other necessary tasks as may be necessary to carry out the provisions of this Ordinance.

The Administrative Officer shall have the right to enter upon any premises at any reasonable time prior to, during or upon completion of construction of buildings and other improvements for the purpose of making inspections to carry out his duties in the enforcement of this Ordinance.

Whenever any building work is being done, or use is established, altered or otherwise changed in a manner contrary to the provisions of this Ordinance, the Administrative Officer may order the work stopped by notice in writing served on a person engaged in doing or causing such work to be done, and said person shall forthwith cease such work until authorized to proceed by the Administrative Officer.

If any building, structure or land is or is proposed to be erected, constructed, reconstructed, altered, converted, maintained or used in violation of this Ordinance, the Administrative Officer shall institute in the name of the Town any appropriate action, injunction or other proceeding to prevent, restrain, correct or abate such construction or use or to prevent in or about such premises any act, conduct, business or use constituting a violation.

If any uncertainty exists with respect to the exact location of any district boundary, the Administrative Officer shall make a determination of the location of such district boundary.

Section 1020 - ZONING PERMIT

No building construction or land development may commence or no land or structure may be devoted to a new or changed use within the Town without a zoning permit duly issued by the Administrative Officer as provided for in Section 4443 of the Act.

All applications for a zoning permit shall be accompanied by two copies of a sketch plan on an 8 1/2 x 11 sheet showing the dimensions of the lot to be built on, size and location on the lot of the building and accessory buildings to be erected, a surveyor's plot plan of the property, if available, and such other information as may be necessary to determine and provide for the enforcement of this Ordinance.

The fee for a zoning permit shall be established by the Board of Selectmen. A zoning permit shall be issued by the Administrative Officer only if an application, fee, sketch plan and other requirements of this Ordinance have been properly met. A zoning permit shall be issued or denied by the Administrative Officer within 30 days of the submission of an application.

If a zoning permit is denied, the Administrative Officer shall so notify the applicant in writing, stating the reasons for denial. If a zoning permit is approved, the Administrative Officer shall certify that all requirements of this Ordinance have been met. All activities authorized by the issuance of a zoning permit shall be completed within two years of its date of issue, or the permit shall become null and void and reapplication and reissuance of another zoning permit shall be required to complete the activities begun under the original permit.

No zoning permit may be issued by the Administrative Officer for development of certain types of land or for development of land within certain designated areas as specified by Section 4409 (c) of the Act without first submitting a report to the appropriate state agency.

ARTICLE XI
MISCELLANEOUS PROVISIONS

Section 1110 - AMENDMENTS

This Ordinance may be amended in accordance with the requirements and procedures established in 24 V.S.A. Title 10, Chapter 91.

Section 1120 - CONFLICT WITH OTHER REGULATIONS

If this Ordinance is more restrictive with respect to the use of structures or land than other statute, ordinance, regulation, rule, easement or agreement, then the provisions of this Ordinance shall apply.

Section 1130 - EFFECTIVE DATE

This Ordinance shall take effect in accordance with procedures specified in Section 4404 of the Act.

Section 1140 - INTERPRETATION

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

Section 1150 - PENALTIES

Any person, members of a partnership, or principal officers of such corporation in violation of this Ordinance shall be subject to a maximum fine of fifty (50) dollars for each offense as provided in Sections 4444 and 4445 of the Act. Each day that a violation is continued shall constitute a separate offense.

No action may be brought under Section 4444 unless the alleged offender has had at least seven days notice by certified mail that a violation exists.

Section 1160 - SEVERABILITY

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this Ordinance.

Section 1170 - DEFINITIONS

For purposes of this Ordinance, meanings of the following words and terms shall be interpreted as herein defined.

ACCESSORY USE: A use incidental and subordinate to the principal use of the premises, and which does not change the basic character thereof.

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

APARTMENT BUILDING: Includes buildings containing 3 or more living units, with independent cooking and bathroom facilities, whether designated as apartment house, tenement, garden apartment, or by any other name.

AUTOMOBILE SERVICE AND/OR REPAIR STATIONS: A building or premises or portion thereof used for the retail sale of gasoline, oil or other fuel, automotive parts, supplies or accessories for motor vehicles and which may include, as an incidental use only, facilities used for polishing, grazing, washing or otherwise cleaning or light servicing of motor vehicles, but not including liquified petroleum gas distribution facilities.

BED & BREAKFAST: A single-family owner-occupied dwelling with meal service limited to breakfast, for ten or fewer in-house transient guests in a maximum of five bedrooms with rental periods no longer than a period of two weeks.

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 CONSTRUCTION: Any activity which creates a new structure, reconstructs or relocates a structure, increases the number of bedrooms in a structure, or increases the height of or alters the footprint of a structure.

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 ridge for other types of roofs.

BUILDING LINE: The line, parallel to the front lot line, measured between side lot lines through that part of the building structure or construction site where the lot is narrowest.

CONTIGUOUS COMMUNITIES/GROUP OF CONTIGUOUS COMMUNITIES: Two communities shall be considered contiguous if they share a common border and are connected by a Class 2 road or better. A set of towns shall constitute a group of contiguous communities if every pair of communities in the set can be connected by a path passing without break through contiguous member communities of that set.

CONTINUING CARE RETIREMENT COMMUNITY (CCRC): A community for the elderly which includes a contract for lifetime care of the residents. A CCRC shall have common facilities including licensed intermediate and skilled nursing facilities primarily for and adequate to meet the needs of the residents; and other services which are not accessory to other permitted uses. The community and all of its facilities shall be under one ownership.

DISTRICT: A part of the territory of the Town of Thetford within which certain uniform regulations and requirements of various combinations thereof apply under the provisions of this Ordinance.

DWELLINGS, 1 & 2 FAMILY: Any building or portion thereof, designed or used exclusively as living quarters for one or two families, other than motels, hotels, tourist homes, clubs, hospitals or similar uses. A two family dwelling shall require additional acreage as set forth in Schedule A, Column B, in addition to the minimum lot size specified in the zoning district.

ESSENTIAL SERVICE: The erection, construction, alteration or maintenance by public utilities or underground or overhead gas, communication, and electrical distribution systems, including poles, wire, mains, pipes, conduit, cables, and other similar equipment and accessories in connection therewith, reasonably necessary for the furnishing of adequate service by such public utilities or commissions for the public health or safety or general welfare but not including buildings.

EXTRA-REGIONAL LANDFILL: Any landfill which does not meet the requirements of (a), (b), or (c) under the definition of a local district landfill shall be considered an extra- regional landfill. In addition to landfills which fail the test(s) of total population size for the service area, or of common membership in a solid waste district, or of contiguity of communities in the service area, any landfill for which spot market deliveries and contract deliveries together constitute (or will constitute) more than 10% of the total material (by weight or by compacted volume) brought to the facility shall be defined to be an extra- regional landfill.

FAMILY: (1) A single individual, doing his own cooking and living upon the premises as a separate housekeeping unit; or (2) a collective body of persons doing their own cooking and living together upon the premises as a separate housekeeping unit in a domestic relationship based upon birth, marriage, adoption or employment as domestic servants; or (3) a group of not more than five (5) unrelated persons doing their own cooking and living together on the premises as a separate housekeeping agreement.

FLOOR AREA: Gross floor area shall be the floor area within the outside perimeter of the outside walls of the building under consideration.

HOME OCCUPATION: An accessory use of a service character that is incidental and secondary to the use of the single family residence, or homestead, for residential purposes and does not change the residential character thereof. The business of selling merchandise, supplies or products other than incidental retail sales in connection with other permitted uses shall not be considered a home occupational use.

HOTELS: Includes buildings or groups of buildings under the same management in which there are more than 15 sleeping accommodations for hire primarily used by transients who are lodged with or without meals, whether designated as a hotel, inn, club, motel, or by any other name. So-called apartment hotels shall be classified as hotels because they are potentially subject to transient occupancy like that of hotels.

LAND DEVELOPMENT: The construction, reconstruction, relocation or enlargement of any building or other structure, or of any mining, excavation, or landfill, and any change in the use of any building or other structure, or land, or extension of use of land. The conversion of land used agriculturally to land used for forestry and of land used for forestry to land used agriculturally shall not require a permit.

LOCAL DISTRICT LANDFILL: A landfill, whether public or private, shall be considered a local district landfill if its primary service area is restricted to: (a) the Town of Thetford; or (b) the Town of Thetford together with a group of contiguous communities (i) which cooperate to share landfill operating expenses and liability; and (ii) which, together with the Town of Thetford, have a combined total population of less than 20,000 persons, or (c) member towns of a solid waste district, formed pursuant to 24 VSA Chapter 121, to which the Town of Thetford belongs, provided that the combined population of those member towns using the facility in question as their principal disposal site is less than 20,000 persons.

LODGING OR ROOMING HOUSES: Includes buildings in which separate sleeping rooms are rented providing sleeping accommodations for a total of 15 or less persons, either on a transient or permanent basis; with or without meals, but without separate cooking facilities for individual occupants except as provided in 1 and 2 family dwellings.

LOT: A portion or parcel of land occupied or intended to be occupied by a building or use and its accessories, together with such yards as are required under the provisions of this Ordinance, having not less than the minimum area, width and depth required by this ordinance, for a lot in the district in which such land is situated, and having its principal frontage on a street or on such other means of access as permitted in accordance with the provisions of this Ordinance. The minimum area of a lot as defined herein must be an integral unit of land under unified ownership in fee or in co-tenancy or under legal control tantamount to such ownership, which ownership or control must continue for the existence of the building or buildings permitted to be situated on the lot.

LOT AREA: The total area within the property lines of the lot, excluding public streets, and meeting the district requirements of this Ordinance.

LOT DEPTH: The mean horizontal distance between the front and rear lot lines, measured at right angles to the front building line.

LOT LINE: Property lines bounding a lot.

LOT SIZE: The total horizontal land area within the boundaries of a lot. For the purposes of determining the allowable density of a planned residential development, road right-of-way, surface waters, areas with slopes in excess of 25% and wetland areas shall be excluded from the calculation of acreage.

LOT SIZE AVERAGING: The ability to create a lot that is smaller in acreage than otherwise permitted, provided that land equal in area to the difference between the proposed lot and the minimum lot size is restricted from development by conservation easement, so as to maintain the overall density for the parent lot as specified in the Ordinance.

LOT WIDTH: The Mean horizontal width of the lot measured at right angles to its depth.

MOBILE HOME: An automobile trailer, trailer coach, house trailer, trailer vehicle, structure (1) designed and constructed in such manner as will permit occupancy thereof as sleeping quarters for one or more persons, or the conduct of any business or profession and (2) so designed that it is, or may be mounted on wheels, and used as a conveyance on highways or streets, propelled or drawn by its own or automotive power, excepting a device used exclusively upon stationary rails or tracks.

MOBILE HOME PARK: Any tract of land designed, maintained or intended for the purpose of providing a location or accommodation for two or more mobile homes, including all buildings used or intended for use as a part of the equipment or accessories thereof whether or not the same or any part thereof is held or operated for gain; excepting, however, automobile or mobile home trailer sales lots on which unoccupied mobile homes are parked for inspection and sale.

MODULAR HOUSE: A permanent structure intended for residential use which is manufactured or assembled in sectional or modular units, transported to a construction site and joined together with a minimum of on-site construction and finishing.

NON-CONFORMING BUILDINGS: A building or structure or portion thereof not in compliance with the provisions of this Ordinance applicable to the district in which it is situated.

NON-CONFORMING USE: A use of a building or land legally existing at the time of adoption of this Ordinance, or any amendment thereto, and which does not conform with the use regulations of the district in which it is located.

PARKING SPACE: Off-street space used for the temporary storage of one passenger automobile or commercial vehicle under 1 1/2 ton capacity and containing not less than 200 square feet exclusive of access drives, aisles, ramps, columns, having direct access to a street.

PERMANENT FOUNDATION: The foundation provided for a structure or residential dwelling consisting of solid, permanent materials such as brick, stone or rock, concrete slab or other acceptable materials.

POLE SIGN: A free-standing sign mounted on any number of poles or posts which are in or upon the ground.

PRIMARY SERVICE AREA (of a landfill): The area which is the source of 85 % of the estimated waste (by weight or by compacted volume) brought to a landfill facility.

PRINCIPAL DISPOSAL SITE (for a member town of a solid waste district): The facility which, under the solid waste district's waste disposal plan, is designated as the landfill to receive and process the bulk of the solid waste from that town (or, if the solid waste plan divides a town into sub-districts, from the relevant part of such town).

RESIDENTIAL AREA: The whole of any area zoned Village Residential or Community Business, or any other area containing ten or more residences within one- quarter square mile as established by the ZBA.

SIGN: Any structure or part thereof or device attached thereto or painted or represented thereon which displays or includes any letter, word, model, banner, flag, pennant, insignia, device or representation used as or which is in the nature of an announcement, direction, or advertisement.

SIGN AREA: Sign area shall mean the entire area of the sign together with any frame but excluding the necessary supports or uprights on which the sign is placed. Only one side of flat, back to back signs shall be included in calculating sign area.

STRUCTURE: Anything constructed or erected with a fixed location on the ground, or attachment to something located on the ground, including towers or docks, but not including walls or fences under six feet in height. Satellite dishes and small antennae are permitted unless placed within the setback distances as defined elsewhere in this ordinance; if not so placed a variance is required.

TRAVEL TRAILER: A travel trailer shall mean any structure designed as a temporary dwelling for travel recreation and vacation and constructed so as to permit its being used as a conveyance on public roads and highways, and having a width not exceeding 8 feet and a length not exceeding 32 feet.

TRAVEL TRAILER, cont: For purposes of this Ordinance, the meaning of camping trailer and travel trailer shall be synonymous.

WETLAND: Wetlands are hereby defined as all areas greater than 2500 square feet in size comprising bogs, marshes, swamps and very poorly or poorly drained soils. Swamps, marshes and bogs are areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support a prevalence of vegetation adapted for life in saturated soil conditions.

YARD: An open space on a lot not occupied or obstructed by any structure or portion of a structure.

YARD, FRONT: The yard extending across the full width of the yard between the front lot line and the nearest line or point at the principal building.

YARD, REAR: A yard extending across the full width of the lot between the rear lot line and the nearest line or point of the principal building.

YARD, SIDE: A yard extending across from the front yard to the rear yard between the side lot lines and the nearest line or point of building.

TOWN OF THETFORD, VERMONT

FLOOD HAZARD AREA ZONING BYLAW

Thetford Flood Hazard Area Zoning Bylaw
adopted by
Thetford Board of Selectmen
31 July 1978.

TOWN OF THETFORD, VERMONT
FLOOD HAZARD AREA ZONING BYLAW

1.0 STATUTORY AUTHORIZATION

1.1 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, Sections 4405, 4407(9), and 4412, there are hereby established zoning regulations for flood hazard areas in the Town of Thetford, Vermont.

2.0 STATEMENT OF PURPOSE

2.1 It is the purpose of these regulations to promote the public health, safety, and general welfare, to prevent increases in flooding caused by the uncontrolled development of lands in flood hazard areas, and to minimize losses due to floods by:

- (a) restricting or prohibiting uses that are dangerous to health, safety, or property in times of flood or cause excessive increase in flood heights or velocities;
- (b) requiring that uses vulnerable to floods, including public facilities that serve such uses, shall be protected against flood damage at the time of initial construction;
- (c) protecting individuals from buying lands that are unsuited for their intended purposes because of flood hazard.

3.0 LANDS TO WHICH THESE REGULATIONS APPLY

3.1 These regulations shall apply to all lands:

- (a) within Zone A on the Federal Insurance Administration (FIA) Flood Hazard Boundary Map (FHBM), and any revisions thereto;
- (b) within 100 feet of any FIA flood hazard boundary; or
- (c) within 100 feet from the center line of any stream or reach of stream designated as a flood hazard area on Thetford's Flood Hazard Area Map, whichever is the greater distance.

4.0 OFFICIAL FLOOD HAZARD AREA MAP

4.1 The Official Flood Hazard Area Map shall consist of the FIA Flood Hazard Boundary Map, any revisions thereto, and any additional lands identified thereon as flood hazard areas by other available federal, state, or local flood data. The Official Flood Hazard Area Map, together with all explanatory matter thereon and attached hereto, is hereby adopted by reference and declared to be a part of these regulations.

5.0 INTERPRETATION OF DISTRICT BOUNDARIES

5.1 The Administrative Officer shall determine the boundaries of the designated flood hazard area by scaling distances on the Official Flood Hazard Area Map. Appeals with respect to a boundary interpretation shall be made by filing a notice with a secretary of the Board of Adjustment within fifteen (15) days of the decision or act.

6.0 PERMITTED USES

6.1 Upon issuance of a permit by the Administrative Officer, the following open space uses shall be permitted within the flood hazard area to the extent that they are not prohibited by any other ordinance and provided that they do not require the erection of structures or storage of materials and equipment, the borrowing of fill from outside the flood hazard area, or channel modification or relocation, and do not obstruct flood flows, affect the water carrying capacity of the floodway or channel, or increase offsite flood damage potential.

- (a) Agricultural uses, such as general farming, pasture, orchard, grazing, outdoor plant nurseries, truck farming, and forestry.
- (b) Recreation uses, such as parks, camps, picnic grounds, tennis courts, golf courses, golf driving ranges, archery and shooting ranges, hiking and riding trails, hunting and fishing areas, game farms, fish hatcheries, wildlife sanctuaries, nature preserves, swimming areas, and boat launching sites.
- (c) Residential uses, such as lawns, gardens, parking areas, and play areas.

7.0 CONDITIONAL USES

7.1 All new construction and development uses prescribed by the Town of Thetford Zoning Ordinance that do not meet the requirements of Section 6.0 and fall within the designated flood hazard area are permitted only upon the granting of a conditional use permit by the Board of Adjustment as provided in Sections 11.0 and 12.0 of these regulations.

8.0 PERMIT REQUIREMENTS AND APPLICATION PROCEDURES

8.1 Permits are required for all proposed new construction, substantial improvements and other developments, including the placement of mobile homes, within all lands to which these regulations apply.

8.2 All zoning permit applications shall be submitted to the Administrative Officer, on forms furnished by him, who shall determine, on application, whether or not the proposed development is located within the flood hazard area by the procedures established in Section 5.0.

8.3 If the proposed use will be located in the flood hazard area and meets the requirements of Section 6.0, the Administrative Officer shall issue a permit. If the proposed use does not meet the requirements of Section 6.0, the Administrative Officer shall refer all applicants to the secretary of the Board of Adjustment.

9.0 RECORDS

9.1 The Administrative Officer shall maintain a record of:

- (a) The elevation, in relation to mean sea level, of the lowest habitable floor, including basement, of all new or substantially improved structures, and whether or not such structures contain a basement; and
- (b) The elevation, in relation to mean sea level, to which such structures have been floodproofed.

10.0 CONDITIONAL USE REVIEW AND APPROVAL PROCEDURES

10.1 Upon receiving an application for a conditional use permit under the regulations, the Board of Adjustment shall, prior to holding a hearing and rendering a decision thereon, obtain from the applicant:

- (a) Base flood elevation data for all subdivisions and other proposed new developments greater than 50 lots or 5 acres, whichever is the smaller;
- (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) Confirmation as to whether or not such structures contain a basement;
- (d) The elevation, in relation to mean sea level, to which any non-residential structure or substantial improvements has been floodproofed.

10.2 In addition, the Board of Adjustment shall require such of the following information as it deems necessary for determining the suitability of the particular site for the proposed use.

- (a) Plans in triplicate, drawn to scale, showing the location, dimensions, contours, and elevation of the lot; the size and location on the site of existing or proposed structures, fill or storage of materials; the location and elevations of streets, water supply, and sanitary facilities; and the relation of the above to the location of the channel, floodway, and base flood elevation where such information is available.
- (b) A typical valley cross-section showing the channel of the stream, elevation of land areas adjoining each side of the channel, and cross-sectional areas to be occupied by the proposed development.
- (c) A profile showing the slope of the bottom of the channel or flow line of the stream.

- (d) Specifications for building construction and materials, floodproofing, mining, dredging, filling, grading, paving, excavation, or drilling, channel improvement, storage of materials, water supply, and sanitary facilities.

10.3 In the absence of FIA base flood elevation data, the Board of Adjustment shall obtain, review, and reasonably utilize any base flood elevation data available from a federal, state, or other source as criteria for all new construction and substantial improvements under 10.1 (b) and (d) above.

10.4 The Board of Adjustment shall notify adjacent communities and the Vermont Department of Water Resources prior to approval of any alteration or relocation of a watercourse and shall submit copies of such notifications to the FIA Administrator.

10.5 The secretary of the Board of Adjustment shall transmit one copy of the information described in subsections 10.1, 10.2 and 10.3 to the Vermont Department of Water Resources in accordance with 24 V.S.A. section 4409 (c) (2) (A).

10.6 In reviewing the application, the Board of Adjustment shall consider the evaluation of the Vermont Department of Water Resources and shall determine that the proposed use will conform to the development standards of section 12.0 of these regulations.

10.7 In accordance with 24 V.S.A. Section 4409 (c) (2) (A), no permit may be granted for new construction or the development of land in any area designated as a flood plain by the Vermont Department of Water Resources prior to the expiration of a period of 30 days following

the submission of a report to the Vermont Department of Water Resources under section 10.5 above.

11.0 CONSIDERATIONS BY THE BOARD OF ADJUSTMENT

11.1 In reviewing each application, the Board of Adjustment shall assure that the flood carrying capacity within any portion of an altered or relocated watercourse is maintained and consider:

- (a) the danger of life and property due to increased flood heights or velocities caused by encroachments;
- (b) the danger that materials may be swept onto other lands or downstream to the injury of others;
- (c) the proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination, and unsanitary conditions;
- (d) the susceptibility of the proposed facility and its contents to flood damage and the effect of damage on individual owners;
- (e) the importance of the services provided by the proposed facility to the community;
- (f) the availability of alternative locations not subject to flooding for the proposed use;
- (g) the compatibility of the proposed use with development - both existing and anticipated in the foreseeable future;
- (h) the relationship of the proposed use to the proposed comprehensive plan, insofar as it has been developed;
- (i) the safety of access to the property in times of flood of ordinary and emergency vehicles;
- (j) the expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters expected at the site;
- (k) such other factors relevant to the purposes of this Ordinance.

12.0 CONDITIONS ATTACHED TO CONDITIONAL USES

12.1 Upon consideration of those factors in section 11.0, above, and the purposes of these regulations, the Board of Adjustment shall attach such conditions to the granting of a permit as are necessary to meet the flood plain management requirements of Section 1910.3 (b) of the FIA regulations and further the purposes of these zoning regulations. Such conditions shall require that:

- (a) all new construction or substantial improvement of any residential structure have the first floor and basement floor elevated at least one foot above the base flood elevation where this information is available;
- (b) all new construction or substantial improvement of non-residential structures have the lowest floor, including basement, elevated or floodproofed at least one foot above the base flood elevation where this information is available;
- (c) structures be designed and anchored to resist floatation, collapse, or lateral movement;
- (d) adequate surface drainage be provided to reduce exposure to flood hazards;
- (e) any encroachment, including fill, new construction, substantial improvement or other development, be prohibited that will adversely affect the capacity of the floodway during the base flood discharge, except as a flood control measure;
- (f) all gas and electrical equipment, circuits, and appliances be located and constructed to minimize or eliminate flood damage;
- (g) all new and replacement water supply systems be designed so as to minimize or prevent the infiltration of flood waters into the system;
- (h) all new and replacement sanitary sewage systems be designed to minimize or prevent infiltration of flood waters into the systems and discharges from the systems into flood waters;
- (i) on-site waste disposal systems be located to avoid impairment to them or contamination from them during flooding;
- (j) all mobile homes to be placed in the designated area of special flood hazard be anchored to resist floatation, collapse, or lateral movement by:

- (1) over-the-top ties at each of the four corners of the mobile home, with two additional ties per side at intermediate locations and mobile homes less than 50 feet long requiring one additional tie per side;
- (2) frame ties at each corner of the home with five additional ties per side at intermediate points and mobile homes less than 50 feet long requiring four additional ties per side;
- (k) all components of the mobile home anchoring system shall be capable of carrying a force of 4,800 pounds and any additions to the mobile home shall be similarly anchored;
- (l) an evacuation plan indicating alternate vehicular access and escape routes be filed with and approved by the Deputy Civil Defense Director for mobile home parks and mobile home subdivisions located within the designated flood hazard area;
- (m) all necessary permits be obtained from governmental agencies from which approval is required by federal or state law.

13.0 TIME FOR ACTING ON APPLICATION

- 13.1 The Board of Adjustment shall hold a properly warned hearing within 30 days of receiving the application, and shall act on such application in a manner described in Sections 11.0 and 12.0 above, within 30 days of the final hearing, subject to the limitation of Section 10.7 of this Ordinance.
- 13.2 A copy of the public notice shall be mailed to the applicant at least fifteen (15) days prior to the hearing date.

14.0 ISSUANCE AND TRANSMISSION OF PERMITS

- 14.1 Upon granting a permit, the Board of Adjustment shall send to the applicant, by certified mail, a copy of the decision. Copies of the decision also shall be mailed to every person appearing and having been heard at the hearing, with the Administrative Officer, who shall forthwith issue a permit, and with the Town Clerk as a part of the public records.

15.0 EFFECTIVE DATE

15.1 A permitted use permit shall take effect fifteen (15) days from the date of issuance.

15.2 Conditional use permits shall take effect upon adjudication by the ZBA.

16.0 APPEALS

16.1 An interested person, as defined in 24 V.S.A. Section 4464 (b), may appeal a decision of the Board of Adjustment to the superior court in accordance with the provisions of 24 V.S.A. Section 4471.

17.0 VARIANCES

17.1 Variances shall be granted by the Board of Adjustment only:

- (a) in accordance with the provisions of 24 V.S.A. Section 4468;
- (b) upon a determination that during the base flood discharge the variance will not result in increased flood levels, threats to public safety, extraordinary public expense, or create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

17.2 The secretary of the Board of Adjustment shall notify the applicant that:

- (a) the issuance of a variance to construct a structure below the base flood elevation will result in increased premium rates for flood insurance commensurate with the resulting increase in risk up to amounts as high as \$25 for \$100 of insurance coverage.
- (b) such construction below the base flood elevation increases risks of life and property.

17.3 The secretary of the Board of Adjustment shall:

- (a) maintain a record of all variance actions, including justification for their issuance, and
- (b) report such variances issued to the Administrator upon request.

18.0 PROHIBITED USES

18.1 Junkyards, as defined in 24 V.S.A. Section 2068, and storage facilities for chemicals, explosives, flammable liquids, or other toxic materials shall be prohibited.

19.0 FEES

19.1 The Board of Adjustment shall establish such fees as may be necessary for the filing of notices and the processing of hearings and action thereon. All such fees shall be paid to the secretary of the Board of Adjustment upon application for a conditional use permit under these regulations.

20.0 WARNING OF DISCLAIMER OF LIABILITY

20.1 These regulations do not imply that land outside the areas of special flood hazard or land uses permitted within such districts will be free from flooding or flood damages. These regulations shall not create liability on the part of the Town of Thetford or any town official or employee thereof for any flood damages that result from reliance on this Ordinance or any administrative decision lawfully made thereunder.

21.0 SEVERABILITY

21.1 If any portion of this Ordinance is held unconstitutional or invalid by a competent court, the remainder of this Ordinance shall not be affected thereby.

22.0 PRECEDENCE OF REGULATIONS

22.1 The provisions of these regulations shall take precedence over any conflicting and less restrictive local laws.

23.0 ANNUAL REPORT TO FEDERAL INSURANCE ADMINISTRATION

23.1 The Administrative Officer shall, to the extent possible, submit to the Administrator the information required by the FIA annual report form with respect to the administration and enforcement of the flood hazard area bylaw.

23.2 A copy of the annual report shall be submitted to the state coordinating agency.

24.0 DEFINITIONS

Administrator: The Federal Insurance Administrator.

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 a given year.

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

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

FIA: Federal Insurance Administration.

FHBM: The Flood Hazard Boundary Map issued by the FIA, where the areas of special flood hazard have been designated as Zone A.

FIRM: An official map of a community, on which the Administrator has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

Floodproofing: Any combination of structural and nonstructural 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.

Mobile home: An automobile trailer, trailer coach, house trailer, trailer vehicle, structure (1) designed and constructed in such a manner as will permit occupancy thereof as sleeping quarters for one or more persons, or the conduct of any business or profession and (2) so designed that it is, or may be mounted on wheels, and used as a conveyance on highways or streets, propelled or drawn by its own or automotive power, excepting a device used exclusively upon stationary rails or tracks.

Mobile Home Park: Any tract of land designed, maintained or intended for the purpose of providing a location or accommodation for two or more mobile homes, including all buildings used or intended for use as a part of the equipment or accessories thereof whether or not the same or any part thereof is held or operated for gain; excepting, however, automobile or mobile home trailer sales lots on which unoccupied mobile homes are parked for inspection and sale.

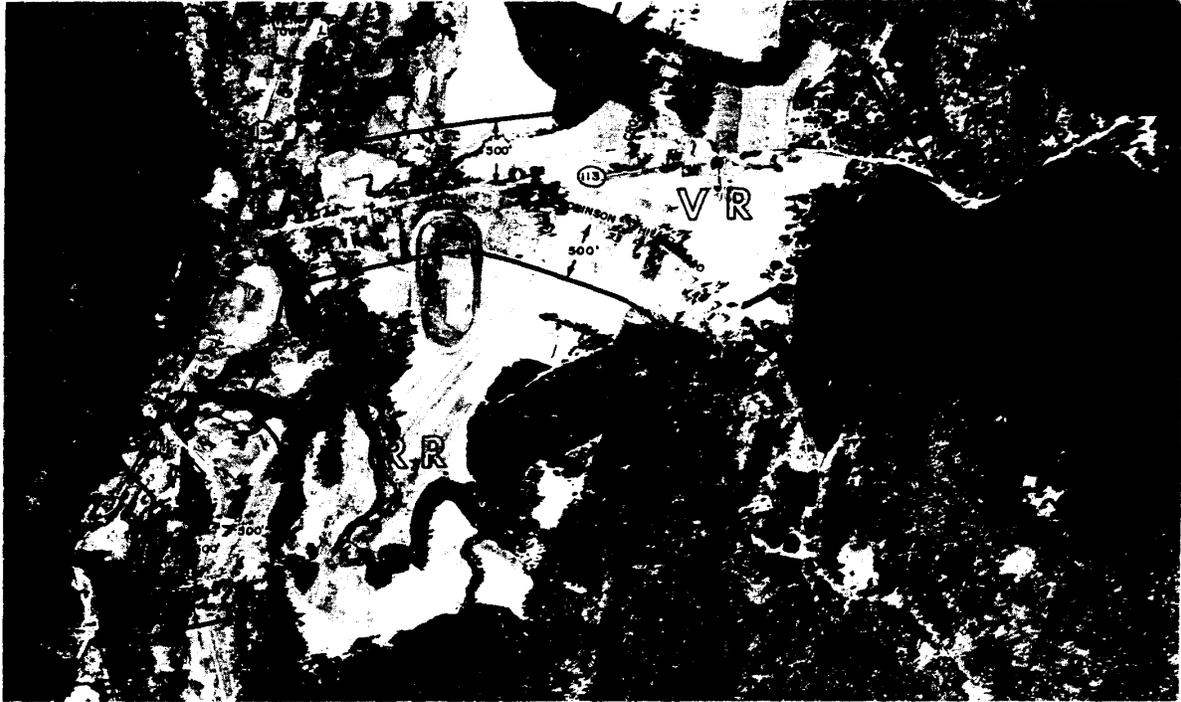
New construction: Structures commenced on or after the effective date of this Ordinance.

Structure: Anything constructed or erected with a fixed location on the ground, or attachment to something located on the ground, including towers but not including walls or fences on an operating farm.

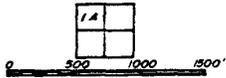
Start of Construction: See FIA definition in Section 1909.1 of the current National Flood Insurance Program rules and regulations. (p. 46972).

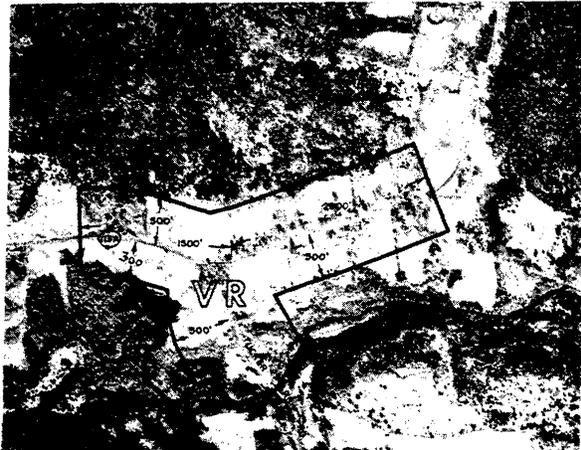
Substantial Improvement: See FIA definition in Section 1909.1 of the current National Flood Insurance Program rules and regulations. (p. 46972).

PLATE 2



POST MILLS





THETFORD CENTER



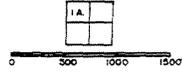
NORTH THETFORD



UNION VILLAGE



EAST THETFORD



SCHEDULE A (PART I)

A ZONING DISTRICT	MINIMUM LOT SIZE				MINIMUM YARD DIMENSIONS			I MAXIMUM LOT COVERAGE IN PERCENT	J MAXIMUM HEIGHT OF BUILDING IN LINEAR FEET	K MINIMUM OFF-STREET PARKING SPACE
	B MAXIMUM NUMBER OF DWELLING UNITS	C AREA IN SQUARE FEET	D MEAN DEPTH IN LINEAR FEET	E WIDTH AT BUILDING LINE IN LINEAR FT.	F DEPTH OF REAR YARD IN LINEAR FT	G DEPTH OF SIDE YARD IN LINEAR FEET	H BUILDING SETBACK FROM CENTERLINE OF TRAVELED WAY			
Village Residential (VR)	1 Per 20,000 sq. feet	20,000	100'	100'	15'	15'	65'	20%	35' For taller structures refer to Section 335	One space for each dwelling unit. For all other uses, refer to Section
Rural Residential (RR)	1 Per 80,000 sq. feet	80,000	100'	100'	15'	15'	65'	20%	35' For taller structures refer to Section 335	One space for each dwelling unit. For all other uses, refer to Section
Community Business (CB)	1 Per 20,000 sq. feet	20,000	100'	100'	15'	10' Except 15' when abutting a RR or VR District or residential property	65'	20%	35' For taller structures refer to Section 335	One space for each dwelling unit. For all other uses, refer to Section

SCHEDULE A (PART II)

A ZONING DISTRICT	L SPECIAL PROVISIONS AND REQUIREMENTS	M PERMITTED USES	N CONDITIONAL USES
<p>Village Residential (VR)</p>	<p>All dwelling units without a basement, including mobile homes, shall be completely enclosed from grade level to the base of the structure with a skirting of spark-arresting material. Coverage regulations do not apply to auto parking areas.</p>	<p>1 & 2 Family residential dwellings</p> <p>Mobile homes subject to the provisions of Section 370</p> <p>Churches and places of formal worship subject to the provisions of Section 310</p> <p>Home occupations subject to the provisions of Section 350</p> <p>Customary accessory uses</p>	<p>Apartments</p> <p>Automobile service and/or repair station subject to Section 340</p> <p>“Convenience type” retail shops, such as grocery & drugs</p> <p>Bed & Breakfast</p> <p>Day care facilities</p> <p>Fire Stations</p> <p>Libraries, museums & similar cultural facilities</p> <p>Lodging & rooming house</p> <p>Membership clubs & public or charitable institutions</p> <p>Off-street parking subject to provisions of Section 390</p> <p>Personal service shops, such as barber, tailor, or beautician</p> <p>Planned residential developments subject to Section 395</p> <p>Police stations</p> <p>Public & private schools</p> <p>Public assembly or meeting places</p> <p>Public buildings, utility stations & other essential services</p> <p>Restaurants</p>
<p>Rural Residential (RR)</p>	<p>All dwelling units without a basement, including mobile homes, shall be completely enclosed from grade level to the base of the structure with a skirting of spark-arresting material. Coverage regulations do not apply to auto parking areas.</p>	<p>Any use permitted and as regulated in the Village Residential District</p> <p>Cemeteries</p> <p>Fairs, auctions & similar transient or occasional enterprises</p> <p>Farms & all uses classified as agricultural, horticultural, or forestry</p> <p>Libraries, museums & similar cultural facilities</p> <p>Produce stands</p> <p>Riding stables</p>	<p>Any Conditional Uses and as regulated in the VR District</p> <p>Commercial recreation facilities, including golf courses</p> <p>Continuing care retirement community</p> <p>Health care facilities and convalescent homes</p> <p>Junk yards subject to provisions of Section 360</p> <p>Mobile home parks subject to provisions of Section 380</p> <p>Planned unit development subject to provisions of Section 395</p> <p>Retail sales of antiques, art pieces & handicrafts when accessory to a residence</p> <p>Sanitary landfills</p> <p>Sawmills</p> <p>Travel trailer camps, subject to the provisions of Section 394</p> <p>Any other commercial or industrial use will be located on a lot not less than 5 acres, or such lesser area as the Zoning Board of Adjustment shall deem and find appropriate, considering the proposed use, nature of the terrain, and character of the setting.</p>
<p>Community Business (CB)</p>	<p>All dwelling units without a basement, including mobile homes, shall be completely enclosed from grade level to the base of the structure with a skirting of spark-arresting material. Coverage regulations do not apply to auto parking areas.</p>	<p>Any use permitted and as regulated in the Village Residential District</p> <p>Motels & hotels</p> <p>Place of assembly or amusement</p> <p>Public & commercial offices</p> <p>Restaurants</p>	<p>Any Conditional Uses and as regulated in the VR District</p> <p>Carpenter or woodworking shop</p> <p>Drive-in establishment</p> <p>Laundry or dry cleaning establishment</p> <p>Planned Unit Development subject to the provisions of Section 395</p> <p>Printing shop</p> <p>Any retail business or service use subject to the general and specific standards of Section 930.</p>