

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

TOWN OF DORSET ZONING BYLAW

ORIGINAL ADOPTION MARCH 6, 1973

AMENDED:

March 5, 1974,
March 4, 1975,
Dec. 12, 1977,
March 6, 1979,
March 6, 1984,
March 5, 1985,
March 3, 1987,
March 1, 1988,
June 26, 1990,
March 2, 1993,
March 7, 1995,
March 5, 1996
March 5, 2002
November 15, 2005
April 27, 2010
September 25, 2012
August 28, 2013

REVISED AND ADOPTED AUGUST 28, 2013

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

TABLE OF CONTENTS

i

TOPIC	PAGE
TITLE	1
SECTION 1: PURPOSE	1
SECTION 2: ZONING DISTRICTS AND OVERLAY AREAS	1
2.1 Division into Districts and Overlay Areas	1
2.2 Zoning Maps	2
2.3 Zoning of Streets	2
2.4 Land Under Water	2
2.5 Interpretation of Maps	2
SECTION 3: GENERAL REGULATIONS	2
3.1 Compliance with Bylaws	2
3.2 Dimensional Requirements	3
3.3 Use Regulations	4
3.4 Administrative Requirements	4
3.5 Conditional Uses	5
3.6 Site Related Limitations	5
1. Density Calculations/Buildable Land	5
2. Slope Limitations for Building Sites	6
3.7 Limitations	6
3.8 Site Development Plan	7
1. Application	7
2. Requirements	7
3. Site Development Plan Review	8
3.9 Plot Plan	12
3.10 Fees	13
3.11 Demolition	13
3.12 Change of Use	14
3.13 Waivers	14

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

TOPIC	PAGE
SECTION 4: AGRICULTURAL AND RESIDENTIAL DISTRICTS	15
4.1 Purpose	15
4.2 Agricultural and Rural Residence (A & RR) Districts	15
1. Permitted Uses in A & RR Districts	15
2. Conditional Uses Permitted in A & RR Districts	16
3. Accessory Uses Permitted in A & RR districts	17
4. Dimensional Requirements - A & RR Districts	18
4.3 Village Residential (VR) Districts	18
1. Permitted Uses in VR Districts	19
2. Conditional Uses Permitted in VR Districts	19
3. Accessory Uses Permitted in VR districts	20
4. Dimensional Requirements - VR Districts	20
SECTION 5: OPEN LANDS AND CONSERVATION DISTRICTS	21
5.1 Purpose	21
5.2 Forest I (F I) Districts (Lands above 2,000 feet)	22
1. Permitted Uses in Forest I (FI) Districts	22
2. Conditional Uses Permitted in Forest I (FI) Districts	22
3. Accessory Uses Permitted in Forest I (FI) Districts	23
5.3 Forest II (F II) Districts (Lands above 1,600 feet and below 2,000 feet)	23
1. Permitted Uses in Forest II (F II) Districts	23
2. Conditional Uses Permitted in Forest II (F II) Districts	25
3. Accessory Uses Permitted in Forest II (F II) Districts	26
4. Dimensional Requirements - Forest II District	26
5.4 Public Water (Aquifer) Protection (CA) Districts	27
1. Permitted Uses in Public Water (Aquifer) Protection (CA) Districts	27
2. Conditional Uses Permitted in Public Water (Aquifer) Protection (CA) Districts	27
SECTION 6: COMMERCIAL AND INDUSTRIAL DISTRICTS	27
6.1 Purpose	27
6.2 Planned Commercial-Industrial (CI) Districts	28
1. Maps of the Commercial-Industrial Districts	28
2. Permitted Uses in the Commercial-Industrial One (CI-1) District	28
3. Permitted Uses in the Commercial-Industrial Two (CI-2) District	31
4. Permitted Uses in the Commercial Industrial Two (CI-2) District that require Site Development Plan Review	31

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

TOPIC	PAGE
SECTION 6 -- CONTINUED	
5. Conditional Uses Permitted in the Commercial-Industrial One (CI-1) and Commercial-Industrial Two (CI-2) Districts	31
6. Accessory Uses Permitted in the Commercial-Industrial One (CI-1) and Commercial-Industrial Two (CI-2) Districts	32
7. Dimensional Requirements - CI-1 District	32
8. Dimensional Requirements - CI-2 District	33
6.3 Village Commercial (VC) Districts	33
1. Change of Use	33
2. Increased Intensity of Use	34
3. Maps of the Village Commercial (VC) Districts	34
4. Permitted Uses in the Village Commercial (VC) Districts	34
5. Conditional Uses Permitted in the Village Commercial (VC) Districts	36
6. Accessory Uses Permitted in the Village Commercial (VC) Districts	36
7. Dimensional Requirements - VC Districts	37
SECTION 7: PLANNED RESIDENTIAL DEVELOPMENT (CLUSTER SUBDIVISION)	
7.1 Purpose	38
7.2 Planned Residential Development (Cluster Subdivision) Administration	38
1. Where Permitted	38
2. Density of Dwellings	38
3. Site Development Plan/Plat Application	38
4. Review and Approval	39
5. Plat/Plan Filing	39
7.3 Standards and Conditions for Planned Residential Developments (Cluster Subdivision)	39
1. Sewage Disposal and Water Supply	39
2. Open Space Requirements	40
3. Design	40
7.4 Dedication of Open Space in Planned Residential Developments (Cluster Subdivision)	40
1. Homeowners Association	40
SECTION 8: FLOOD HAZARD AREAS	
8.1 Purpose	41
8.2 Other Provisions	41

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

iv

TOPIC	PAGE
SECTION 8 – CONTINUED	
1. Precedence of Bylaw	41
2. Validity and Severability	41
3. Warning of Disclaimer of Liability	42
8.3 Lands to Which these Regulations Apply	42
1. Regulated Flood Hazard Areas	42
2. Base Flood Elevations and Floodway Limits in Special Flood Hazard Areas	42
3. Interpretation	42
8.4 Summary Table: Development Review in Hazard Areas	43
8.5 Development Review in Hazard Areas	44
1. Permit	44
2. Permitted Development	44
3. Prohibited Development in Special Flood Hazard Area and Fluvial Erosion Hazard Zone	44
4. Conditional Use Review	44
5. Exempted Activities	45
6. Variances	45
7. Nonconforming Structures and Uses	46
8.6 Development Standards	46
A. Special Flood Hazard Area	46
1. All development	46
2. In Zones AE, AH, and A1	47
3. Structures to be substantially improved in Zones A, A1-30, AE, and AH	47
4. Non-residential structures to be substantially improved	47
5. Fully enclosed areas below grade	47
6. Fully enclosed areas above grade	47
7. Recreational vehicles	48
8. Small accessory structures of 500 sq. ft. or less	48
9. Water supply systems	48
10. Sanitary sewage systems	48
11. On-site waste disposal systems	48
12. Flood carrying and sediment transport capacity	48
13. Bridges and culverts	48
14. Subdivisions and Planned Unit Development	48
15. Existing buildings	48
B. Floodway Areas	48
1. Encroachments or development above grade	48
2. Public utilities	49
C. Fluvial Erosion Hazard Zone	49
1. Improvements to existing structures	49

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

	2. Accessory structures	49
	v	
TOPIC		PAGE
 SECTION 8 -- CONTINUED		
	3. Development and fluvial erosion	49
	4. Development and damage to other properties	49
	5. Development and burden on public services	49
	6. Bridges and culverts	49
	7. Channel management	49
8.7	Administration	49
	A. Application Submission Requirements	49
	1. Site Plan	49
	2. VT Agency of Natural Resources Project Review Sheet	50
	B. Referrals	50
	1. National Flood Insurance Program Coordinator	50
	2. Adjacent communities, and other agencies	50
	C. Decisions	50
	D. Records	50
	1. All permits	50
	2. Elevation Certificate	50
	3. Other Certificates	50
	4. Decisions of the ZBA	51
8.8	Certificate of Occupancy	51
8.9	Enforcement and Penalties	51
	A. Enforcement	51
	B. Appeals	51
	C. Violations of Accepted Agricultural Practices	51
8.10	Disclaimer	51
	Endnotes	51
 SECTION 9: DESIGN (D) AREAS		
9.1	Designation Procedure	53
9.2	Purpose	54
9.3	Identification of Design (D) Areas	54
	1. Dorset Village Historic District	54
9.4	Application of Regulations and Review Guidelines	54
	1. Introduction	54
	2. Goals	55
	3. Design Areas	55
	4. Specific Guidelines For All Construction In The Design Areas	56
	4.1 Maintenance and Repairs	56
	4.2 Alterations and Additions	56

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

vi

TOPIC	PAGE
SECTION 9 – CONTINUED	
4.3 New Construction	58
9.4.5. Specific Construction Guidelines	59
5.1 Location on Lot	59
5.2 Exteriors	60
5.3 Windows	60
5.4 Entrances	61
5.5 Porches	61
5.6 Decks and Terraces	61
5.7 Roofs	61
5.8 Chimneys and Foundations	62
5.9 Fences and Walls	62
9.5 Design Review Board	62
9.6 Design Plan	63
9.7 Interior Alterations	63
9.8 Appeals	63
SECTION 10: SPECIAL REGULATIONS	63
10.1 Non-Conforming Uses and Non-Complying Buildings	63
1. General Requirements	63
2. Enlargement of Noncomplying Buildings	64
3. Reconstruction of Noncomplying Buildings	64
4. Discontinuance of Nonconforming Uses/ Noncomplying Buildings	64
10.2 Protection of Wetlands, Waterbodies, Streams and Drainageways	64
10.3 Off-Street Parking	65
1. Parking Facilities	65
2. Shared Parking	66
3. Parking Space Size	66
4. Handicapped Parking	66
5. Loading Facilities	66
6. Landscaping	66
7. Applicability	67
10.4 Mobile Home and Travel Trailer Occupancy	67
10.5 Mobile Home Parks	67
1. Application	67
2. Standards	68
3. Operation	69
10.6 Campgrounds	69
1. Application	69
2. Standards	69

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

vii

TOPIC	PAGE
SECTION 10 – CONTINUED	
3. Operation	70
10.7 Removal of Top Soil, Rock, Sand, Gravel	70
10.8 Ridgeline and Mountainside Overlay Zone	71
1. Purpose	71
2. Location of Ridgeline and Mountainside Conservation Zone	71
3. Uses Permitted	72
SECTION 11: WIRELESS COMMUNICATON FACILITIES	72
11.1 Purpose	72
11.2 Administration	72
1. Where Permitted	72
2. Application	72
11.3 Site Development Plan	73
11.4 Density Requirements	73
1. Yard Requirements	73
2. Height Limitations	73
3. Setbacks	74
11.5 Standards and Conditions for Wireless Communications Facilities	74
1. Lighting	74
2. Bulk, Height, and Glare	75
3. Noise	74
4. Screening, Camouflage, Fencing	74
5. Co-location	75
6. Access (Roads and/or Right-of-Way) and Above Ground Utilities	75
7. Protection of Scenic Ridges and Hillsides	76
8. Environmentally Sensitive Areas	76
9. Design Areas	76
10. Monitoring, Maintenance, Security	77
11.6 Review and Approval	77
11.7 Provision for Independent Consultants	78
11.8 Amendments	78
11.9 Abandonment, Discontinuation of Use, and Removal of Antennas and Towers	78
11.10 Fees	79
11.11 Consistency with Federal Law	79
11.12 Separability	79

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

viii

TOPIC	PAGE
SECTION 12: ADMINISTRATION AND ENFORCEMENT	79
12.1 Zoning Administrator Appointment and Duties	79
12.2 Permits	80
1. Application	80
2. Zoning Administrator Actions	80
3. Permit Expiration	81
12.3 Certificate of Occupancy	81
12.4 Interpretation of Bylaws	81
12.5 Penalties	82
12.6 Validity	82
12.7 Public Notice	82
12.8 Zoning Board of Adjustment	82
12.9 Appeals - Variances	82
12.10 Amendments	84
12.11 Review	84
APPENDIX A: DEFINITIONS	84
APPENDIX B: MAPS	98
APPENDIX C: DESCRIPTION OF ZONING DISTRICTS AND OVERLAY AREAS	99

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

TITLE: This Bylaw shall be known and cited as the Town of Dorset Zoning Bylaw.

SECTION 1: PURPOSE

As provided for under 24 VSA, Chapter 117, the Town of Dorset does hereby adopt this zoning Bylaw. The purpose of this Bylaw is to encourage appropriate development of lands in the Town of Dorset in a manner that will promote the public health, safety, and general welfare; to provide methods for prevention of such land development problems as may be foreseen; for protection of the advantageous natural environment of the area; and for encouragement of economic well-being for the benefit of all its citizens. These Bylaws are intended to implement the goals and policies of the Town Plan by providing for appropriate future land uses, densities, and intensities of development. Sections of this Bylaw which incorporate sections of Vermont Statutes Annotated (VSA), or which refer to specific sections of VSA for further requirements or responsibilities, shall be considered to be amended, with no further action by the Town, whenever applicable sections of VSA are amended by action of the State legislature.

SECTION 2: ZONING DISTRICTS AND OVERLAY AREAS

2.1 Division Into Districts and Overlay Areas

For the purpose of this Bylaw, the Town is divided into the following districts or overlay areas, to be designated by the abbreviations set forth below:

Agricultural and Residential	
Agriculture and Rural Residential	A & RR Districts
Village Residential	VR Districts
Open Lands	
Forest 1	F1 Districts
Forest 2	F2 Districts
Conservation	
Public Water (Aquifer) Protection	CA Districts
Commercial and Industrial	
Planned Commercial-Industrial	CI Districts
Village Commercial	VC Districts
Overlays	
Flood Hazard Areas	FH Areas
Design Areas	D Areas
Ridgeline Mountainside Overlay District	

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

2.2 Zoning Maps

The boundaries of these districts are hereby established, as shown on the Town of Dorset Zoning Bylaw Map, and zoning detail maps, dated August 6, 2015 and on the Flood Hazard Boundary Map (also known as the Flood Insurance Rate Map), dated December 2, 2015 and amendments thereto, and on the Dorset Village Historic District Map dated August 6, 2015 and amendments thereto, which maps and amendments are hereby declared to be part of this Bylaw.

2.3 Zoning of Streets

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

2.4 Land Under Water

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

2.5 Interpretation of Maps

Any uncertainty as to the location of a district boundary line on the Zoning Maps, Dorset Village Historic District Map or on the Flood Hazard Boundary Map, shall be resolved by the Zoning Administrator with appeals of any such decisions made to the Board of Adjustment. A report from the Planning Commission may be requested before making a decision.

SECTION 3. GENERAL REGULATIONS

3.1 Compliance with Bylaws

3.1.1 No land, building, or premises, or part thereof, shall hereafter be used, and no building or part thereof, or other structure, shall be constructed, reconstructed, extended, enlarged, moved or altered, except in conformity with this Bylaw. No lot shall have an area, width, or a front, side or rear yard, less than that set forth in the applicable paragraph hereof, except as otherwise specifically provided in this Bylaw. No building or buildings shall occupy in the aggregate a greater percentage of lot area, nor be greater in height, than set forth in the applicable paragraph hereof, except as otherwise specifically provided in this Bylaw.

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

3.1.2 Except as otherwise specifically provided by this Bylaw, any building or use may not be located in any required front, side, or rear yard.

3.1.3 No lot shall be diminished, nor shall any yard, court, or any other open space be reduced, except in conformity with this Bylaw.

3.2 Dimensional Requirements

3.2.1 No land development, except buildings accessory to an existing dwelling, may be permitted on lots which do not have either frontage on a public road or, with the approval of the Planning Commission, access to such road by a permanent right-of-way or easement. All access must be at least 20 feet in width, and capable, after reasonable improvement, of being traveled on by a standard two-wheel-drive passenger car. Design of access to Town roads must be approved by the legislative body of the Town.

A copy of the current and accurate deed and map, which fully sets forth and describes the right-of-way must be included with the zoning application.

3.2.2 Nothing in this Bylaw shall prohibit the projection of not more than one foot into required open space of pilasters, columns, belt courses, sills, cornices, or other similar architectural features, nor the planting or landscaping of such open space, except as provided in Section 3.2.5 hereof.

3.2.3 No building in any district shall exceed a height applicable to the district, but this limit shall not apply to spires, cupolas, chimneys, or similar parts of a building, occupying in the aggregate not more than ten percent (10%) of the area of such building, and not used for any human occupancy, nor to farm silos, or other farm equipment as defined in 24 VSA, § 4413(d), or flagpoles. Rooftop solar collectors less than 10 feet high which are mounted on complying structures are permitted. Wind turbines with blades less than 20 feet in diameter which exceed the district height limit may be permitted if the Board of Adjustment approves a variance for a renewable energy resource structure pursuant to Section 12.9.3 of this bylaw. The height of any wireless telecommunication facility must comply with Section 11 of this Bylaw.

3.2.4 For the purpose of this Bylaw, all Town roads shall be considered to be fifty (50) feet wide including right-of-way. However, determination of the line for the required Front Yard setbacks, as specified for each District, shall be made from the “traveled portion” of the road defined as follows:

a. Paved Town Roads: Traveled portion shall be deemed to be the full width of the paved portion.

b. Unpaved Town Roads: Traveled portion shall be deemed to be ten (10) feet each way

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

from the center of the road.

- c. Private roads serving, or designed to serve, three (3) or more lots, shall require setbacks from the traveled portion of the private road as determined for Town Roads.

3.2.5 No fence, wall, hedge, shrubbery, or other obstruction to vision in excess of three (3) feet in height, as measured above the nearest portion of the traveled way, shall be placed or allowed to grow at street intersections within the area formed by connecting points as measured twenty (20) feet from the intersection of the edge of the traveled way of the street.

3.3 Use Regulations

3.3.1 The use of land for access or for parking in connection with a use shall be considered to be accessory to and part of such use, except that this provision shall not prohibit access across a Commercial District to a use lying in an Industrial District.

3.4 Administrative Requirements

3.4.1 Any lot in existence on the effective date of this Bylaw (March 6, 1973) may be developed for the purposes permitted in the district in which it is located, even though not conforming to minimum lot size requirements, if such lot is not less than one-eighth acre in area with a minimum width or depth dimension of forty feet. The Zoning Administrator may issue a zoning permit for such development if setback requirements can be met. The applicant must assure, to the Zoning Administrator that all other local, Planning Commission, and State requirements applicable can also be met such as water supply and wastewater disposal including replacements for failed systems.

3.4.2 If more than one dwelling is to be placed on any one lot, such dwelling shall be located so that each such dwelling, and any building accessory to it, could be set off as a separate lot conforming to all of the applicable provisions of this Bylaw, and no dwelling shall be sold into separate ownership except in compliance with the above, and in compliance with the Town of Dorset Subdivision Development Regulations. As per the definition of "Lot" in this Bylaw, a group of buildings for public, institutional, commercial, industrial or agricultural uses, all under the same ownership, may be considered as occupying the same lot. Any subdivision, or intent to subdivide, for uses other than residential shall follow the dimensional requirements of the zoning district in which the use is located, so that each such building, or group of buildings, could be set off as a separate lot conforming to all of the applicable provisions of this Bylaw, and no such lot shall be sold into separate ownership except in compliance with the above, and in compliance with the Town of Dorset Subdivision Development Regulations. The applicant must assure to the Zoning Administrator that all other local, Planning Commission, and State requirements applicable are also met. Farm structures as defined in 24 VSA, § 4413(d) are exempted except that no structure shall be constructed until a written notice of intent to build is

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

filed with the Zoning Administrator, and such farm structure shall conform to all setback requirements of the zone in which it is located unless specifically approved otherwise by the Secretary of Agriculture, Food, and Markets.)

3.5 Conditional Uses

A conditional use may be approved by the Zoning Board of Adjustment only after a public hearing. The purpose of the ZBA public hearing shall be to consider the Site Development Plan submitted by the applicant pursuant to the requirements of Section 3.8. Thirty (30) days before the public hearing (unless a shorter period is mutually agreed upon by the Zoning Board of Adjustment and the Planning Commission), the Zoning Board of Adjustment shall refer the Site Development Plan and application to the Planning Commission for a report. Such report will become part of the record of the hearing. The Zoning Board of Adjustment shall act to approve or disapprove any such requested conditional use within forty five (45) calendar days after the date of the final ZBA hearing and failure to so act within such period shall be deemed approval on the 46th day. A conditional use may be approved provided that the Zoning Board of Adjustment shall have found that such use will not adversely affect:

- a. the capacity of existing or planned community facilities;
- b. the character of the area affected as defined by the purpose of the zoning district within which the project is located, and specifically stated policies and standards of the Town Plan;
- c. traffic on roads and highways in the vicinity;
- d. is in accord with other applicable provisions of ordinances, regulations and bylaws of the Town;
- e. utilization of renewable energy resources; and
- f. each use so approved shall meet any standards applicable to the specific use as to lot and building dimensional requirements, landscaping, design, location of signs and service areas, the location of existing or proposed sewage systems, be in accordance with the Special Regulations in Section 10 of this Bylaw, and the standards listed in Section 3.8 of this Bylaw .

3.6 Site Related Limitations

3.6.1 Density Calculations/Buildable Land

When calculating the amount of development allowed in any zoning district, the acreage of the following lands shall be excluded from the gross acreage figure:

- a. Any Zone A or AE lands as defined by the Federal Emergency Management Administration (FEMA) Flood Hazard Boundary Map;
- b. Wetlands identified as significant in the document, "Study of Wetlands in Dorset, Vermont," (prepared by the Water Quality Division, Vermont Dept. of Environmental Conservation), any wetlands shown on the National Wetlands

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

Inventory Maps, and determined to be significant under State Wetlands Rules; wetlands identified on Town Plan Maps and included in the Town Plan; and wetland buffer zones;

- c. Lands where the slope is 20% or greater; and
- d. Lands containing public water aquifers or spring recharge areas as identified in the Town Plan, Town Plan Maps, and/or Zoning Maps (CA Districts).

No part of any building, parking area, internal road or driveway may be located on any portion of those lands included in a, b, c and/or d above except as noted below.

3.6.2 Slope Limitations for Building Sites

In any zone, construction of any new building shall not be permitted where slopes are twenty percent (20%) or greater in their natural, ungraded state. However, in specific cases, site modifications may be permitted under variance procedures. Previous actions affecting these lands may create non-complying situations. Any such non-compliance will have to be corrected to be in conformance with permits.

3.7 Limitations

In accordance with 24 VSA, § 4413, the following uses may be regulated only with respect to location, size, height, bulk, yards, courts, setbacks, density of buildings, off-street parking, loading facilities, traffic, noise, lighting, landscaping and screening requirements. No permit for any such use shall be granted until a Site Development Plan, prepared in accordance with applicable requirements of Section 3.8 shall have been approved by the Planning Commission and other applicable provisions.

3.7.1 State or community (municipality) owned and operated institutions and facilities;

3.7.2 Public and private schools and other educational institutions certified by the Vermont Dept. of Education;

3.7.3 Churches, convents and parish houses;

3.7.4 Public and private hospitals;

3.7.5 Regional solid waste management facilities certified under 10 VSA, Ch.159;

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

3.7.7 A state licensed or registered residential care home or group home serving not more than eight (8) persons who have a handicap or disability as defined in 9 V.S.A. s.4501, shall be considered by right to constitute a permitted single-family residential use of property, except that no such home shall be so considered if it locates within 1,000 feet of another such home.

3.7.8 Pursuant to 24 V.S.A. Section 4412(5), a state registered or licensed family childcare home serving six (6) or fewer children, not including children of the proprietor, shall be considered by right to constitute a permitted single family use of property. A family child care home serving no more than six full-time and four part-time children, as defined in 33

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

V.S.A. Section 4902(3)(A), shall be considered to constitute a permitted single-family residential use of property, but shall be subject to site plan approval pursuant to Section 3.8 of this Bylaw. A family child care home serving in excess of six full-time and four part-time children may be permitted as a conditional use.

- 3.7.9** Pursuant to 24 V.S.A. Section 4412(I)(E) and (F), an accessory dwelling unit, as defined in this bylaw, is permitted as a use subordinate to a one-family dwelling, provided such accessory dwelling unit meets all applicable setback, coverage, wastewater, and parking requirements. The accessory dwelling unit may be located in the one-family dwelling structure or in an existing or new accessory structure. If creation of the accessory dwelling unit involves the construction of a new accessory structure, an increase in the height or floor area of any existing structure, or an increase in the dimension of a parking area, conditional use review shall be required pursuant to Section 3.5 of this bylaw. (See Appendix A, Definitions)

3.8 Site Development Plan

3.8.1 Application

Where required by provisions of this Bylaw, a carefully drawn Site Development Plan shall be submitted with an application for a permit or other approval. The Administrative Officer shall provide the applicant with a Site Development Plan checklist to accompany the permit or other application. When submitting the application, the applicant shall provide the Zoning Administrator with a complete application. An application will be considered complete by the Zoning Administrator and the Town of Dorset when all information required is provided as per the Zoning Bylaw, Zoning Permit Application, Site Development Plan, and Site Development Plan Checklist, and the correct fee has been submitted. Should any of these items not be complete, the Zoning Administrator shall return the entire submittal, and fee, if any, to the applicant. (Refer also to Section 12.2.)

A complete application for a Site Development Plan shall be submitted at least thirty (30) days prior to a regular Planning Commission meeting.

3.8.2 Requirements

- Such Site Development Plan shall show:
1. Name and address of the record owner and applicant;
 2. North arrow and date;
 3. Scale prescribed by the Planning Commission;
 4. Subject lot and subject lot size boundaries and area of the subject lot with dimensions to scale;
 5. Location of all existing and proposed buildings and structures with dimensions on the subject lot;
 6. Location of all existing buildings and structures on adjacent lots within a distance of

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

- 200 feet from the subject lot;
7. Location and length of all existing and proposed streets and driveways on the subject lot;
8. Required setbacks;
9. Length of frontage on or access to public or private road;
10. Location highlighting any slopes 20% or greater;
11. Location of all existing and proposed streets and driveways on the subject lot and within a distance of 200 feet from the subject lot;
12. Proposed vehicular circulation and parking within the subject lot and with all parking spaces dimensioned;
13. Projected number of daily vehicular round trips generated -- the average and peak -- for residential use, customers, delivery and shipping, and employees;
14. Sight distances -- the distance in feet of unobstructed view along a road(s) in all directions from point(s) of existing and/or proposed curb cuts on roads abutting the subject lot;
15. Proposed pedestrian circulation;
16. Open space, park and playground facilities;
17. Existing landscaping details and proposed landscaping plans;
18. Proposed water supply;
19. Fire protection;
20. Location(s) and dimensions of existing and proposed sewage disposal system and areas on the subject lot;
21. Location(s) of potable water supply on the subject lot;
22. Existing and proposed storm drainage;
23. Location of all water sources or sewage disposal systems and areas in relation to natural drainage ways and watercourses, wetlands, springs, flood hazard areas, ponds, or other watercourses on the property or adjacent property within 50 feet, in accordance with Special Regulations Section 10;
24. Existing contours and proposed grading;
25. Existing land conditions on the subject lot;
26. Existing and proposed exterior lighting
27. Location of all existing and proposed utilities on the subject lot and within a distance of 200 feet from the subject lot; and
28. Any other information the Planning Commission or Zoning Administrator may require to determine that the proposal meets the general and specific standards of these Bylaws.

3.8.3 Site Development Plan Review

1. **Public Hearing.** The Planning Commission shall hold a public hearing on any Site Development Plan submitted with an application for a permit.
2. **Action by the Planning Commission on the Site Development Plan, and other applicable sections of this Bylaw.** The Planning Commission shall review the

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

application and any testimony in relation to the Site Development Plan requirements, and other applicable sections of this Bylaw. The Planning Commission shall approve, approve with conditions to ensure compliance or disapprove an application which is not in compliance within forty-five (45) days after the date of the adjournment of the final public hearing; failure to act within such period shall be deemed approval.

3. Conditional Uses

For Conditional Uses the Planning Commission shall review the application as per the above paragraph and make recommendations in the form of a written report to the Zoning Board of Adjustment to ensure compliance with this Bylaw.

4. Review by the Planning Commission on the Site Development Plan, and other applicable sections of this Bylaw

In reviewing a Site Development Plan, the Commission may consider and impose appropriate safeguards and conditions with respect to the adequacy of: traffic access and safety, parking and circulation, landscaping and screening, the protection of the utilization of renewable energy resources, and other matters specified in these Bylaws. The Planning Commission shall consider the following criteria in reviewing a Site Development Plan for applications as specified in this Bylaw (with the exception of one family and two-family dwellings, unless in a Planned Residential Development or Mobile Home Park). A Site Development Plan is required for all conditional use applications, and where applicable under State law.

i. Traffic Access and Safety

- a. Access to Routes 7, 7A, or 30 shall be minimized to reduce conflicts with through traffic. Commercial or industrial uses shall share access where possible to reduce the number of driveways opening into Route 30, Route 7, and Route 7A. The Planning Commission may require abutting uses within a district to combine accesses. Properties having frontage on Route 7, 7A, or 30, and also on a secondary road shall be required to locate all access points on the secondary road, except where the Planning Commission determines that the topographical or traffic safety conditions make such location impracticable. Where traffic access is required to only a portion of a site, the Planning Commission may require provisions for sharing that access with future uses on the same or abutting sites. When abutting a residential use, access-ways and parking shall be on the portion of the lot located away from the residence if possible.
- b. Traffic flow, and the number of trips generated by the proposed use shall be carefully considered. The size of the proposed use may be regulated in order to keep traffic flow and trips generated compatible with neighboring residential uses, and of a degree associated with the residential character or

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

village scale uses of that area.

- c. Driveways and curb cuts shall be located and designed as approved by the Town and/or State.
- ii. Parking and Circulation
 - a. All parking shall be off-street, and shall meet the parking requirements of this Bylaw as provided in Section 10.3. Parking for any commercial or industrial use is not permitted within the required yard setbacks.
 - b. The Planning Commission shall require that adequate space for maneuvering in and out of parking and loading areas be provided and located so as not to interfere with circulation to and within the site. In considering internal circulation, adequacy of provisions for runoff, refuse removal, service areas, emergency services, and snow removal shall also be considered.
- iii. Landscaping and Screening
 - 1. All parts of the lot not occupied by buildings, drives, or parking shall be landscaped or in lawn, or contain pedestrian pathways. Landscaping shall take the form of shade trees, evergreens, shrubs, grass, flower gardens, wild flowers and groundcover, acceptable to the Planning Commission. Particular consideration shall be given to preservation of existing vegetation and important features of the site; visibility of unsightly or incompatible areas from the road and adjoining properties; and the-adequacy of landscaping materials to meet seasonal conditions, soil conditions and erosion control.
 - 2. When a commercial or industrial use abuts a residential use or public road, a landscaped buffer will be required to be provided and maintained. This latter requirement may be met by the provision of a written agreement between the applicant and abutting landowners concerning the landscaping. In the absence of such written agreement, the Planning Commission will determine the nature of the required landscape buffer.

Visual screening, using trees, other plant material, decorative fencing, or a combination thereof, may be required where the proposed development includes on-site facilities such as large parking areas, loading areas, utility installations, outdoor storage areas, solid waste disposal facilities, and similar facilities. (Refer also to Section 10.3.6.)

Where the proposed development includes large expanses of blank wall, or other man-made features, the Planning Commission may require additional landscaping/screening elements to lessen the visual impact of these facilities.

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

iv. Lighting

a. All lighting, except for safety and security lighting, shall be extinguished at the close of business or by 9:00 p.m., whichever is later.

b. Lighting fixtures shall be constructed and/or mounted to direct glare away from residential uses, and from adjacent streets. Lighting fixtures shall be mercury vapor, metal halide, or other "white" light. Incandescent lighting may be used. Lighting shall be designed with consideration for uses in the surrounding area, and to:

- i. avoid glare and excessive light off-site;
- ii. avoid excessive lighting on-site which would impact views of the night sky from the surrounding area and detract from the character of the area; and to
- iii. avoid traffic safety hazards.

v. Storm Drainage and Erosion Control

a. Existing natural drainage patterns shall be preserved wherever possible.

b. Applicants may be required to follow and maintain erosion control measures in accordance with the Vermont Handbook for Soil Erosion and Sediment Control on Construction Sites.

c. The Planning Commission may require that a storm drainage master plan be prepared. Such plan shall show sources of run-off, possible sources and types of contaminants, proposed drainageways, and detention/retention areas. Drainage for snow storage areas shall be included on the plan.

vi. Noise

No use or business may, under normal conditions, emit objectionable noise beyond the boundaries of the approved Site Development Plan.

xii. Fire and Safety Hazards

No business or use shall create, cause or result in an undue fire, safety, explosive or other hazard which endangers properties or residents beyond the boundaries of the development site.

xiii. Sewage and Solid Waste Disposal

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

Required State sewage and solid waste disposal permits shall have been granted prior to approval of an application by the Town.

ix. Water

Required State water supply permits shall have been granted prior to approval of an application by the Town.

x. Vibration and Electromagnetic Disturbances

a. No use or business shall, under normal conditions, cause or allow any noticeable, clearly apparent vibration on any property outside the development site.

b. No business or use shall, under normal conditions, create, transmit or release any electronic emission or signal which will repeatedly interfere with the reception of FM radio, television, or other electronic signals beyond the boundaries of the development site.

xi. Smoke, Dust, Odor, Noxious Gases or other forms of Air Pollution

No business or use shall, under normal conditions, cause or emit smoke, dust, odors, noxious gases or other forms of air pollution which exceed federal or State air pollution standards, or which constitute a nuisance outside the boundaries of the development site.

5. Other applicable sections of this Bylaw

All uses are subject to parking requirements, action by the Design Review Board for plans within the Design Area, Section 3.5, and all other applicable requirements of this Bylaw. Single family and two-family dwellings are not subject to Site Development Plan Review unless reviewed as part of a Planned Residential Development (refer to Section 7), or Mobile Home Park (refer to Section 10).

3.9 Plot Plan

A carefully drawn Plot Plan shall be submitted with an application for a permit or other approval (such as Access by Easement) not requiring a detailed Site Development Plan. The Zoning Administrator shall provide the applicant with a Plot Plan checklist and sample Plot Plan to accompany the permit or other application. When submitting the application, the applicant shall provide the Zoning Administrator with a complete application. An application will not be considered complete by the Zoning Administrator and the Town of Dorset unless all information required is provided as per the Zoning Permit Application, Plot Plan, and Plot Plan Checklist, and the correct fee has been

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

submitted. Should any of these items not be complete, the Zoning Administrator shall return the entire submittal, and fee, if any, to the applicant. (Refer to Section 12.2.)

The Plot Plan shall show:

1. Name and address of the record owner and applicant;
2. North arrow and date;
3. Scale;
4. Subject lot and subject lot size boundaries with dimensions to scale;
5. Location of all existing buildings and structures on the subject lot including accessory buildings and dimensions;
6. Location of all proposed buildings and structures on the subject lot with dimensions;
7. Location and length of driveway(s) on the subject lot;
8. Required setbacks;
9. Length of frontage on or access to public or private road;
10. Location highlighting any slopes 20% or greater;
11. Location(s) and dimensions of sewage disposal systems and areas on the subject lot;
12. Location(s) of potable water supply on the subject lot;
13. All water sources or sewage disposal systems and areas in relation to a natural drainageway, wetland, springs, flood hazard areas, pond, or other watercourses on the property or adjacent property within 50 feet, in accordance with Special Regulations Section 10;
14. Ponds and man-made waterways, and
15. Any other information the Zoning Administrator may require.

3.10 Fees

Any application pursuant to this Bylaw shall be accompanied by a fee according to the Town of Dorset Zoning Bylaw fee schedule as approved by the Town of Dorset Selectboard. All fees shall be paid to the Town of Dorset. No application shall be acted upon until the fees provided for pursuant to this Section 3.10 are paid.

3.11 Demolition

Demolition (only) of any structure shall require a Demolition Permit from the Zoning Administrator. There shall be no fee for this permit. The application shall include a plot plan including not less than the following:

1. Name and address of the record owner and applicant.
2. North arrow and date.
3. Scale of drawing.

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

4. Subject lot and subject lot size boundaries and area with dimensions to scale.
5. All existing buildings and structures.
6. All existing buildings and structures to be demolished clearly identified as such.
7. Location of all existing streets, driveways, and ponds on the subject lot.
8. Ponds and man-made waterways, and
9. Any other information the Planning Commission or Zoning Administrator may require determining that the proposal meets the general and specific standards of these Bylaws.

3.12 Change of Use

Any change of use (only) not requiring Site Development Plan review and, or a public hearing before the Zoning Board of Adjustment, shall require a Change of Use Permit from the Zoning Administrator.

The application shall include a plot plan including not less than the following:

1. Name and address of the record owner and applicant
2. North arrow and date
3. Scale
4. Subject lot and subject lot size boundaries with dimensions, drawn to scale
5. Location of all existing buildings and structures on the subject lot including accessory buildings with dimensions, drawn to scale
6. Location and length of driveway(s) on the subject lot
7. Required setbacks
8. Length of frontage on or access to public or private road(s)
9. Location(s) and dimensions of sewage disposal systems and areas on the subject lot
10. Location(s) of potable water supply on the subject lot

All requirements of Section 10, Special Regulations, of this Bylaw shall apply to Change of Use permits.

3.13 Waivers

Where renovation or expansion is proposed for a residential structure, a waiver of setback or other dimensional requirements may be approved by the Planning Commission if the following standards are satisfied:

1. The new or renovated part of the building does not extend beyond the existing non-conforming structure, unless needed to accomplish the intended goal (an expanded, improved entry deck, for example).
2. The result will improve the property and the neighborhood.
3. The result will not alter the character of the neighborhood, impair reasonable or appropriate use of adjoining properties, nor cause harm to the public welfare.
4. Is helpful or necessary to allow for continued reasonable use of the property.
5. The proposed work or construction does not encroach any more than necessary to accomplish the desired results.

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF THE TOWN OF DORSET, VERMONT

Note: No waiver is needed for the expansion of a non-conforming residential structure if the expansion or enlargement meets the dimensional requirements for the district in which it is located.

SECTION 4: AGRICULTURAL AND RESIDENTIAL DISTRICTS

4.1 Purpose

The purpose of the regulations applicable to Agricultural and Residential Districts is to insure development of a wide variety of residential use types, densities, and cost levels. The regulations recognize the fact that compact development generally requires the provision of public water supply and sanitary sewer systems, as well as higher standards of street improvements, such as curbs, gutters, storm sewers, sidewalks, and street lighting. These regulations and accompanying zoning map are intended to provide for this compact urban or village type development in areas where such utilities and improvements may be efficiently and economically installed and maintained, while insuring in other areas a density of development which will permit the permanent use of private on-site water supply and sewage disposal and greater economy in other improvements.

It is the intent of these regulations to prevent undue urban sprawl, to maintain and enhance the scenic and environmental qualities of the Town, to encourage the preservation of adequate open space, and to provide for residential development as related to the needs of the anticipated future population.

The purpose of Agriculture and Rural Residential (A & RR) Districts is to insure the preservation of the natural rural and scenic qualities of areas which are planned to be predominantly residential and agricultural in character, while permitting appropriate cluster development, but in all cases at densities to avoid the need for public water supply and public sewer systems.

The purpose of Village Residential (VR) Districts is to provide for compact residential development, in one family, two family, and multi-family dwellings, within or near existing concentrations of such development, at densities requiring public or off-premise water supply, and at a scale that reflects the historic settlement character of Dorset's villages.

4.2 Agricultural and Rural Residential (A & RR) Districts

4.2.1 Permitted Uses in A & RR Districts

1. Public and semipublic uses, as enumerated in Section 3.7.
2. Single family and two-family dwellings.
3. Customary Home Occupations subject to the requirements in Appendix A. If the

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

Zoning Administrator is not sure all of the requirements will be met, or if it is not clear that the occupation meets the definition in Appendix A, the Zoning Administrator shall forward the complete application to the Planning Commission for Site Development Plan review under Section 3.8 of this Bylaw.

4. Farming, including, but not limited to, dairying, orchards, truck gardening, keeping of poultry, and other agricultural and silvicultural uses as defined in 24 VSA, § 4413(d). A permit is not required.
5. A farm stand subject to the requirements of Appendix A.
6. The removal of sand, gravel, topsoil, or quarried stone for sale when incidental to or connected with the construction of a building on the same premises.
7. Woodlots and forestry, including on-site preparation of firewood/cordwood at a temporary location by a landowner or as part of a logging contract if the operation produces less than 20 cords per year.
8. Planned residential development (PRD) subject to Section 7 of this Bylaw, and the applicable requirements of this District. The intent of PRD is to have Site Development Plan review performed at the same time as Subdivision Plat review.
9. Remodeling of an existing dwelling, conversion of an existing single family dwelling to a two-family dwelling, or conversion of an existing accessory building to a dwelling for single-family or two-family occupancy, requires a permit if the footprint of the building changes. An accessory building so converted may not be sold into separate ownership unless it meets the requirements of Section 3.4.2 of this Bylaw, and the Town of Dorset Subdivision Regulations.
10. Residential Care or Group Home (see 3.7.7)
11. Family Childcare Home (see 3.7.8)

4.2.2 Conditional Uses Permitted in A & RR Districts

The following may be permitted as conditional uses in A & RR Districts in conformance with the provisions of Section 3.5:

1. A park, playground, or recreation building or center not operated by the State or municipality.
2. A library, museum, or similar philanthropic use not operated by the State or municipality.
3. A bona-fide club, including a golf club, the principal activity of which is not carried on as a business, provided a building for human occupancy shall not be less than 50 feet from a lot line or from the edge of the traveled portion of a street line as per Section 3.2.4 of this Bylaw and further provided that off-street parking facilities in accordance with Section 10.3 can be complied with, and that such use does not create a nuisance.
4. Multi-family dwellings, subject to the requirements of Section 4.2.4.
5. A convalescent home, or home of the aged serving seven (7) or more persons.
6. A cemetery, owned by a church or a cemetery association located in the Town.

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

7. An organized camp for adults, families or children, whether operated for profit or not, provided that the lot area is not less than 25 acres.
8. A commercial golf course, provided that the lot area is not less than 20 acres, and that all buildings are located not less than 40 feet from any street line or other lot line.
9. A private recreational, hunting or fishing camp, consisting of a building or tent not suitable for use as a dwelling, but used occasionally or seasonally for temporary shelter in connection with a recreational activity.
10. A commercial kennel, veterinary hospital or riding stable, provided that the lot area is not less than 5 acres, and that no building or open enclosure for the keeping of dogs shall be located within 100 feet from any side or rear lot line and further provided that off-street parking facilities in accordance with Section 10.3 can be complied with, and that such use does not create a nuisance as per the standards listed in Section 3.8 of this Bylaw.
11. Extraction of Natural Products:
 - a. The operation of rock, sand and gravel pits, and top soil removal in accordance with Section 10.7.
 - b. Extractive industries for the removal of minerals, gas and oil, provided that all applicable State and federal laws are complied with and would not cause pollution on the property of any adjacent landowner by way of excessive noise, dust, or traffic or of any other nature which would tend to disturb residents on adjoining property or anywhere in the Town.
12. A firewood/cordwood processing operation that produces twenty (20) or more (4' x 4' x 8') cords per year.
13. Tourist Home (Bed and Breakfast) as defined under Public Lodging, in Appendix A.
14. Rooming House (Boarding House) as defined under Public Lodging, in Appendix A.
15. A State registered or licensed family child care home serving in excess of six full time and four part time children (not including children of the proprietor).
16. A State licensed or registered residential care home or group home serving nine (9) or more persons who have a handicap or disability.
17. A Mobile Home Park or Campground (refer to Sections 10.5 and 10.6).
18. A mixed use, such that a residential and conditional use are combined.

4.2.3 Accessory Uses Permitted in A & RR Districts

1. Accessory uses customarily incidental to a permitted use on the same lot, including buildings used for permitted home occupations. Accessory buildings may be used for dwelling purposes as provided in Section 4.2.1.9 or if the dwelling unit meets the requirements of Section 3.7.9 and the definition of an accessory dwelling unit.
2. Uses accessory to a Conditional Use, Section 4.2.2, are permitted only when applied for, and as granted as part of the Conditional Use.

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

4.2.4 Dimensional Requirements - A & RR Districts

Note: The requirements of Section 3.6, Site Related Limitations, must be applied when calculating developable lot sizes.

1. For single family or two family dwellings and other permitted and conditional structures:

Min. developable lot area, sq. ft.	120,000
Min. lot width (frontage), ft.	150
Min. front yard, ft.	40
Min. side yard each, ft.	30
Min. rear yard, ft.	40
Max. building height, ft.....	35

Height shall be measured from the average finished grade within ten (10) feet of the walls of the building to the highest point of the roof.

Max. building coverage, percent.....	10%
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2. Soil or terrain conditions may require larger lot sizes to satisfy State public water and/or septic regulations. The burden of proof of soil suitability and terrain is on the applicant. Standards for soil suitability are available from the Bennington County Conservation District.

3. For residential dwellings and accessory buildings in a planned residential development (cluster subdivision):

Min. developable lot area.....	10 acres
Min. developable lot area per dwelling unit, sq. ft.	60,000
Min. lot width (frontage), ft.	150
Min. front yard, ft.	50
Min. side yard, each, ft.	30
Min. rear yard, ft.	50
Max. building height, ft.....	35

Height shall be measured from the average finished grade within ten (10) feet of the walls of the building to the highest point of the roof.

Max. building coverage, percent	25%
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4. Driveways shall be located at least 10 feet from any lot line, unless a shared driveway is utilized. State permits are required for access onto State roads, and Town permits are required for access onto Town roads.

4.3 Village Residential (VR) Districts

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

4.3.1 Permitted Uses in VR Districts

1. Public and semipublic uses, as enumerated in Section 3.7.
2. Single family and two family dwellings, subject to the requirements of Section 4.3.4 regarding dwellings for more than one family.
3. Customary Home Occupations subject to the requirements listed in Appendix A. If the Zoning Administrator is not sure all of the requirements will be met, or if it is not clear that the occupation meets the definition in Appendix A, the Zoning Administrator shall forward the complete application to the Planning Commission for Site Development Plan review under Section 3.8 of this Bylaw.
4. The removal of sand, gravel, topsoil, or quarried stone for sale when incidental to or connected with the construction of a building on the same premises.
5. Planned residential development (PRD) subject to Section 7 of this Bylaw, and the applicable requirements of this District. The intent of PRD is to have Site Development Plan review performed at the same time as Subdivision Plat review.
6. Residential Care or Group Home (see 3.7.7)
7. Family Childcare Home (see 3.7.8)

4.3.2 Conditional Uses Permitted in VR Districts

The following may be permitted as conditional uses in VR districts in conformance with the provisions of Section 3.5:

1. A park, playground, or recreation building or center not operated by the State or municipality.
2. A library, museum, or similar philanthropic use not operated by the State or municipality.
3. A bona-fide club, including a golf club, the principal activity of which is not carried on as a business, provided a building for human occupancy shall not be less than 50 feet from a lot line or from the edge of the traveled portion of a street line as per Section 3.2.4 of this Bylaw and further provided that off-street parking facilities in accordance with Section 10.3 can be complied with, and that such use does not create a nuisance.

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

4. Multi-family dwellings subject to the requirements of Section 4.3.4.
5. Remodeling of an existing dwelling, conversion of an existing single-family dwelling to a two-family dwelling, or conversion of an existing accessory building to a dwelling for single-family or two-family occupancy, requires a permit if the footprint of the building changes. An accessory building so converted may not be sold into separate ownership unless it meets the requirements of Section 3.4.2 of this Bylaw and the Town of Dorset Subdivision Regulations.
6. A convalescent home or home for the aged serving seven or more persons.
7. Tourist Home (Bed and Breakfast) as defined under Public Lodging in Appendix A.
8. Rooming House (Boarding House) as defined under Public Lodging, in Appendix A.
9. A State registered or licensed family child care home serving in excess of six full time and four part time children (not including children of the proprietor).
10. A State licensed or registered residential care home or group home serving nine (9) or more persons who have a handicap or disability.
11. A mixed use, such that a residential and conditional use are combined.

4.3.3 Accessory Uses Permitted in VR Districts

1. Accessory uses customarily incidental to a permitted use on the same lot, including buildings used for permitted home occupations. Accessory buildings may be used for dwelling purposes as provided in Section 4.3.2.5 or if the dwelling unit meets the requirements of Section 3.7.9 and the definition of an accessory dwelling unit.
2. Uses accessory to a Conditional Use, Section 4.3.2, are permitted only when applied for and as granted as a part of the Conditional Use.

4.3.4 Dimensional Requirements - VR Districts

Note: The requirements of Section 3.6, Site Related Limitations, must be applied when calculating developable lot sizes.

1. The following schedule applies to lots where all dwelling units will be connected to a public or community water system. Setback, height and lot coverage requirements are applicable to all accessory buildings as well

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

as dwelling units.

- Min. developable lot area, sq. ft.20,000
- Min. developable lot area per dwelling unit, sq. ft. *.....15,000
- Min. front yard, ft.30
- Min. side yard, each, ft.15
- Min. rear yard, ft.15
- Max. building height, ft.....35
- Height shall be measured from the average finished grade within ten (10) feet of the walls of the building to the highest point of the roof.
- Max. building coverage, percent..... 20%
- *Maximum 6 dwelling units.

2. On lots not connected to a public or community water system, residential use shall be limited to a 40,000 sq. ft. minimum lot. All other dimensional requirements shall be the same as in 4.3.4.1 above.

Soil or terrain conditions may require larger lot sizes to satisfy Town or State public water and/or septic regulations. The burden of proof of soil suitability and terrain is on the applicant. Standards for soil suitability are available from the Bennington County Conservation District.

3. For residential dwellings and accessory buildings in a planned residential development (cluster subdivision):

- Min. developable lot area.....5 acres
- Min. developable lot area per dwelling unit, sq. ft.....12,000
- Min. lot width (frontage), ft.150
- Min. front yard, ft.25
- Min. side yards, each, ft.15
- Min. rear yard, ft.15
- Max. building height, ft.....35
- Height shall be measured from the average finished grade within ten (10) feet of the walls of the building to the highest point of the roof.
- Max. building coverage.....25%
- Min. required greenspace and pedestrian pathways.....60%

4. Driveways shall be located at least 10 feet from any lot line, unless a shared driveway is utilized. State permits are required for access onto State roads, and Town permits are required for access onto Town roads.

SECTION 5: OPEN LANDS AND CONSERVATION DISTRICTS

5.1 Purpose

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

The purpose of the regulations applicable to Open Lands Districts is to guide the growth of the region in an orderly manner by concentrating residential and other development where it will most efficiently be served by public facilities, utilities and roads; to provide for identification of land more suitable for lesser density residential use; to preserve tracts suitable for perpetuating the forest resources and forest-related industries which have been an important part of the State's economy; to protect the vital sources of pure water for public supplies; and to maintain a high quality environment for forest or mountain based recreation.

For the purpose of this Bylaw the Forest District I shall consist of all lands in Dorset 2000' elevation and above, excluding any portion of the Public Water (Aquifer) Protection (CA) Districts shown on the Town Zoning Map. Most of these lands are not suitable for normal development due to limitations related to topography, soil conditions, high elevation, and inaccessibility.

The Forest District II shall consist of all lands in Dorset 1,600 feet and above and below 2,000 feet in elevation, excluding any portion of the Public Water (Aquifer) Protection (CA) Districts shown on the Town Zoning Map.

The purpose of the regulations applicable to Public Water (Aquifer) Protection (CA) Districts is to encourage land use which is compatible with the need to protect existing or potential public or private water systems and water sources. The Public Water (Aquifer) Protection (CA) Districts identified by the State of Vermont, Water Supply Division, Dept. of Environmental Conservation, Agency of Natural Resources, and as portrayed via the Vermont Geographic Information System (VGIS), are shown on the Town Zoning Map as special districts to achieve the stated purpose.

5.2 Forest I (FI) Districts (Lands above 2,000 feet)

5.2.1 Permitted Uses in Forest I (FI) Districts

1. Commercial forestry in accordance with accepted forestry practices.
2. Forestry carried on for research, demonstration, education, and related uses.
3. Recreation areas operated by a governmental unit, hiking or touring trails, or trail shelters operated by a nonprofit organization.

5.2.2 Conditional Uses Permitted in Forest I (FI) Districts

The following may be permitted, as Conditional Uses in FI Districts, in conformance with the provisions of Section 3.5:

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

1. A private recreational, hunting or fishing camp, consisting of a building or tent not suitable for use as a dwelling, but used occasionally or seasonally for temporary shelter in connection with a recreational activity. Only chemical, incinerator or privy-type toilet facilities will be permitted.
2. Accommodations for personnel employed on the premises, consisting of a building or tent not suitable for use as a dwelling, but used occasionally or seasonally for temporary shelter in connection with the permitted activity. Only chemical, incinerator or privy-type toilet facilities will be permitted.
3. Extractive industries for the removal of minerals, excluding gas and oil, provided that all applicable State and federal laws are complied with and would not cause pollution on the property of any adjacent landowner by way of excessive noise, dust, traffic or of any other nature which would tend to disturb adjoining property owners or anywhere in the Town.

5.2.3 Accessory Uses Permitted in Forest I (FI) Districts

1. Accessory uses, including buildings for storing and repairing logging equipment and processing firewood.
2. Uses accessory to a Conditional Use, Section 5.2.2, are permitted only when applied for and granted as a part of the Conditional Use.

5.3 Forest II (F II) Districts (Lands above 1,600 feet and below 2,000 feet)

5.3.1 Permitted Uses in Forest II (F II) Districts

1. Farming, including, but not limited to, dairying, orchards, truck gardening, keeping of poultry, and other agricultural and silvicultural uses as defined in 24 VSA, § 4413(d). A permit is not required.
2. Forestry carried on for research, demonstration, education and for related uses.
3. Commercial forestry, in accordance with accepted forestry practices.
4. Recreation areas operated by a governmental unit, hiking or touring trails, or trail shelters operated by a non-profit organization.
5. Accommodations for personnel employed on the premises.
6. Single family dwellings and accessory buildings in subdivisions which have been reviewed and approved subject to Town of Dorset subdivision

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

regulations.

7. Single family dwellings and accessory buildings in a planned residential development (PRD) subject to Section 7 of this Bylaw, and the applicable requirements of this District. The intent of PRD is to have Site Development Plan review performed at the same time as Subdivision Plat review.
8. Single family dwellings and accessory buildings.
9. Single-family dwellings and accessory buildings in a subdivision which have not been reviewed and approved subject to Town of Dorset subdivision regulations. Such dwelling is to be located on a lot of not less than the minimal dimensional requirements of Section 5.3.4.2. The following standards must also be met:
 - a. A letter is received from a State of Vermont professional engineer or certified Site Technician B, or a certified Site Technician A, within the limits of their professional capacities as defined in the Environmental Protection Rules, in effect at the time of application, and these zoning regulations, certifying that there is a suitable location and suitable soil conditions to enable the design and installation of septic systems that meet the requirements of the Vermont Agency of Natural Resources Environmental Protection Rules, and these zoning regulations and the Town Plan, in effect at the time of application.
 - b. Prior to occupancy of the use a letter must be received by the Town from a professional engineer, a certified Site Technician B, or a certified Site Technician A, within the limits of their professional capacities as defined in the Environmental Protection Rules, in effect at the time of application, and these zoning regulations, certifying that the septic system has been designed and installed in conformance with the full requirements of the Vermont Agency of Natural Resources Environmental Protection Rules, these zoning regulations, and the Town Plan in effect at the time of application.
 - c. An erosion control plan is submitted which includes road construction and other grading details.
 - d. Construction of buildings is not permitted where slopes are equal to or exceed 20% in their natural, ungraded state.
 - e. There shall be no disturbance of springs, except to improve or

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

maintain a water supply, and

- f. There shall be minimal disturbance of natural drainageways. Such drainageways shall be restored to their original state following construction.
10. A private recreational hunting or fishing camp consisting of a building or tent not suitable for use as a dwelling, but used occasionally or seasonally for temporary shelter in connection with a recreational activity. Only chemical incinerator or privy-type toilet facilities will be permitted.

5.3.2 Conditional Uses Permitted in Forest II (F II) Districts

The following may be permitted, as Conditional Uses, in F II Districts, in conformance with the provisions of Section 3.5.

1. Customary Home Occupations subject to the requirements listed in Appendix A.
2. An organized camp for adults, families or children, whether operated for profit or not, provided that the lot area is not less than 25 acres.
3. A private recreational hunting or fishing camp consisting of a building or tent not suitable for use as a dwelling, but used occasionally or seasonally for temporary shelter in connection with a recreational activity. Only chemical incinerator or privy-type toilet facilities will be permitted.
4. Extractive industries for the removal of minerals, excluding gas and oil, provided that all applicable State and federal laws are complied with and further provided that such activity will not cause pollution on the property of any adjacent landowner by way of excessive noise, dust, or traffic or of any other nature which would tend to disturb adjoining property owners or anywhere in the Town.
5. Springhouses and reservoirs and accessory structures necessary to divert and conduct water from a spring or springs.
6. A permanent wood processing operation for manufacturing of wood products, but excluding a sawmill.
7. A firewood/cordwood processing operation that produces twenty (20) or more cords (4' x 4' x 8') per year.
8. A mixed use, such that a residential and conditional use are combined.

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF THE TOWN OF DORSET, VERMONT

3. Accessory Uses Permitted in Forest II (F II) Districts:

1. Accessory uses, including buildings for storing and repairing logging equipment and processing firewood.
2. Uses accessory to a Conditional Use, per Section 5.3.2, are permitted only when applied for and granted as a part of the conditional use.

5.3.4 Dimensional Requirements - Forest II District

Note: The requirements of Section 3.6, Site Related Limitations, must be applied when calculating developable lot sizes.

1. For single family dwellings and accessory buildings in a planned residential development (cluster subdivision):

The density for planned residential development is limited to 25% more than the amount of development allowed in a traditionally designed subdivision.

Min. developable lot area	10 acres
Max. lot area to be developed, sq. ft. per single family unit, sq. ft.....	30,000
Min. lot width (frontage), ft.	150
Min. front yard, ft.	50
Min. side yard, each, ft.	30
Min. rear yard, ft.	50
Max. building height, ft.	35

Height shall be measured from the average finished grade within ten (10) feet of the walls of the building to the highest point of the roof.

Max. building coverage, percent of lot area to be developed.....10%

2. For single family dwellings and accessory buildings in a standard subdivision which have been reviewed and approved subject to Town of Dorset subdivision regulations:

Min. developable lot area	10 acres
Max. lot area to be developed, per single family unit, sq. ft.....	30,000
Min. lot width (frontage), ft.	400
Min. front yard, ft.	75
Min. side yard, each, ft.	100

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF THE TOWN OF DORSET, VERMONT

Min. rear yard, ft.100
Max. building height, ft.35
Height shall be measured from the average finished grade within ten (10) feet of the walls of the building to the highest point of the roof.
Max. building coverage, percent10%

3. For a single family dwelling and accessory buildings on a pre-existing lot:

The requirements of Sections 5.3.1.9 and 5.3.4.2 must be met with the exception that a pre-existing, nonconforming lot may not have sufficient acreage to meet minimum lot area requirements.

- 4. Driveways shall be located at least 10 feet from any lot line, unless a shared driveway is utilized. State permits are required for access onto State roads, and Town permits are required for access onto Town roads.
- 5. Soil or terrain conditions may require larger lot sizes to satisfy State public water and/or septic regulations. The burden of proof of soil suitability and terrain is on the applicant. Standards for soil suitability are available from the Bennington County Conservation District.

5.4 Public Water (Aquifer) Protection (CA) Districts

5.4.1 Permitted Uses in Public Water (Aquifer) Protection (CA) Districts

- 1. Tree farming
- 2. Woodlots
- 3. Forestry in accordance with accepted forestry practices.

5.4.2 Conditional Uses Permitted in Public Water (Aquifer) Protection (CA) Districts

- 1. Springhouses and reservoirs and accessory structures necessary to divert and conduct water from a spring or springs.
- 2. Hiking or touring trails.

SECTION 6: COMMERCIAL AND INDUSTRIAL DISTRICTS

6.1 Purpose

The Planned Commercial-Industrial Districts are intended to recognize existing areas of commercial-industrial use, and to provide suitable locations of adequate size to attract new light commercial/industrial development in the Town, and new employment opportunities.

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

Within the Planned Commercial-Industrial District areas, a mixture of uses is anticipated in recognition of the typical commercial-industrial areas in the Town which presently contain light industrial uses, some forms of commercial uses, and rural residential uses. However, the uses and regulations are intended to prevent the development of the Town's rural areas for retail commercial uses or for strip development for transient commercial uses.

Two different Planned Commercial-Industrial Districts are hereby established, CI-1 and CI-2, with the permitted uses and regulations varying between these districts in recognition of differing locational characteristics.

The purpose of Village Commercial Districts is to provide lands for a combination of residential and compatible village-scale commercial uses, which provide convenience services and incidental shopping for residents and visitors of the village areas while protecting scenic and environmental qualities of those lands and retaining the residential character of the villages. Residential characteristics in building scale, daily traffic loads, and landscaping should be maintained in all commercial developments. Village scale is defined in the dimensional requirements Section 6.3.7 of this Bylaw.

6.2 Planned Commercial-Industrial (CI) Districts

6.2.1 Maps of the Planned Commercial-Industrial Districts

The Planned Commercial-Industrial (CI) Districts shall be as shown on the official Zoning Map, and as shown on the detail zoning maps, South Dorset Village, East Dorset CI-1 Zone, Northeast Dorset CI-2 Zone, and Southeast Dorset. Where there is any conflict, Maps South Dorset Village, East Dorset CI-1 Zone, Northeast Dorset CI-2 Zone, and Southeast Dorset shall prevail. The boundaries of the CI Districts have been drawn by using the Property Tax Maps prepared by MicroDATA November 2012, for the Listers of the Town of Dorset. The Property Tax Maps do not constitute a boundary survey and were prepared to assist the Listers in creating an appropriate Grand List for the Town of Dorset. The purpose of these detail zoning maps is to aid and benefit the Planning Commission and the Zoning Administrator in defining CI Districts.

6.2.2 Permitted Uses in the Commercial-Industrial One (CI-1) District

a. The following are permitted uses in the CI-1 District and do not require Site Development Plan review, unless otherwise provided.

1. Public and semi-public uses enumerated in Section 3.7. A Site Development Plan is required.
2. Single family and two-family dwellings and accessory structures.

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

3. Conversion of a single family dwelling to a two-family dwelling.
 4. Conversion of an accessory building, in whole or in part, associated with an existing single family or two-family dwelling, to be used for dwelling purposes for up to two families, either for rent or for non-paying occupancy.
 5. Customary home occupations subject to the requirements of Appendix A. If the Zoning Administrator is not sure all of the requirements will be met, or if it is not clear that the occupation meets the definition in Appendix A, the Zoning Administrator shall forward the complete application to the Planning Commission for review under Section 3.8 of this Bylaw.
 6. Farming, including but not limited to dairying, orchards, truck gardening, keeping of poultry, and other agricultural and silvicultural uses as defined in 24 V.S.A., § 4413(d). A permit is not required.
 7. A farm stand, subject to the requirements in Appendix A.
 8. A private recreational, hunting or fishing camp limited to erection of structures for temporary use only. Such structures should not be suitable for a dwelling, but sufficient to be used occasionally or seasonally for temporary shelter in connection with a recreational activity.
 9. Residential Care or Group Home (see 3.7.7.)
 10. Family Childcare Home (see 3.7.8)
- b. The following are permitted uses in the CI-1 District and require Site Development Plan review.
1. Manufacture, assembly, compounding, and processing of goods to be conducted within a building.
 2. Retail sales of goods/products as incidental and accessory to the principal use, up to 25% of the total floor area.
 3. Research facilities.
 4. Professional and business offices.
 5. Contracting businesses such as plumber, electrician, carpenter, auto and truck repair, and similar uses.

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

6. Printing and publishing establishments.
7. Wholesale distributors.
8. Trans-shipment centers.
9. Warehousing for mail order distribution centers.
10. Vocational schools which are not State certified.
11. A State registered or licensed residential care home or group home serving nine (9) or more persons who have a handicap or disability.
12. A State registered or licensed family child care home-serving in excess of six full-time and four part time children (not including children of the owner/operator).
13. A library, museum, or similar philanthropic use not operated by the State or municipality.
14. A cemetery owned by a church or a cemetery association located in the Town of Dorset.
15. A park, playground, or recreation building or center not operated by the State or municipality.
16. A health club/sports club.
17. A public or private sports facility excluding stadiums.
18. Multi-family dwellings and accessory structures.
19. A commercial kennel, veterinary hospital or riding stable.
20. A firewood/cordwood processing operation that produces twenty (20) or more (4' x 4' x 8') cords per year.
21. The removal of sand, gravel, topsoil or quarried stone for sale when incidental to, or connected with the construction of a building on the same premises.
22. The operation of rock, sand and gravel pits, and topsoil removal in accordance with Section 10. 7 and other applicable sections of this Bylaw.
23. Extractive industries for the removal of minerals, gas and oil, provided that all applicable State and federal laws are complied with and would not cause pollution

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

on the property of any adjacent landowner by way of excessive noise, dust, or traffic or of any other nature which would tend to disturb residents on adjoining property or anywhere in the Town.

24. Temporary use of open land for public events.

25. Restaurants, provided that all food and beverages are served to customers seated at tables or counters, inside or outside the building, but this shall not prevent a catering operation where food is sold and taken out for home consumption. Drive-up windows are not permitted.

26. A sawmill/logyard, subject to the definition under Appendix A.

6.2.3 Permitted Uses in the Commercial-Industrial Two (CI-2) District

1. All those uses permitted in the CI-1 District as set out in Section 6.2.2.

6.2.4 Permitted Uses in the Commercial Industrial Two (CI-2) District that require site plan review:

1. Contracting businesses such as plumber, electrician, carpenter, auto and truck repair, and similar uses. Outside storage of materials and supplies is permitted.
2. Bulk fuel storage inside or outside a building.
3. Lumberyards, outside storage of merchandise permitted.
4. Sales/rentals of vehicles, equipment and machinery. Outside storage of merchandise permitted.

6.2.5 Conditional Uses Permitted in the Commercial-Industrial One (CI-1) and Commercial-Industrial Two (CI-2) Districts

1. Conversion of a single family or two-family dwelling to a multi-family dwelling.
2. Conversion of an accessory building, in whole or in part, associated with an existing single family or two-family dwelling, to be used for dwelling purposes for more than two families either for rent or for non-paying occupancy.
3. Tourist Home (Bed and Breakfast) as defined under Public Lodging in Appendix A.
4. Rooming House (Boarding House) as defined under Public Lodging in Appendix A.
5. A mixed use, such that a residential and other permitted or conditional use is

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF THE TOWN OF DORSET, VERMONT

combined.

6.2.6 Accessory Uses Permitted in the Commercial-Industrial One (CI-1) and Commercial-Industrial Two (CI-2) Districts

1. Accessory uses customarily incidental to a permitted use on the same lot.
2. Uses accessory to conditional uses are permitted only when applied for and approved as a part of the Conditional Use permit.
3. Indoor and outdoor storage accessory to a permitted or conditional use, provided that any outdoor storage is screened from adjacent properties and public roadways.
4. Accessory buildings may be used for dwelling purposes as provided in Section 4.2.1.9 or if the dwelling unit meets the requirements of Section 3.7.9 and the definition of an accessory dwelling unit.

6.2.7 Dimensional Requirements - CI-1 District

Note: The requirements of Section 3.6, Site Related Limitations, must be applied when calculating developable lot sizes.

1. The following schedule applies to all uses in the CI-1 district.

Min. developable lot area, sq. ft.....	80,000
Min. lot width (frontage), ft.....	200
Min. front yard adjacent to Routes 7, 7A and 30, ft.....	75
Min. front yard adjacent to other streets.....	50
Min. side and rear yard, ft.....	50
Except adjacent to Routes 7, 7A, and 30	where it shall be 75 ft.
Min. setbacks between buildings, ft.	20
Min. setbacks for parking areas, ft.	20
Max. building coverage.....	up to 20%
Max. lot coverage of building, drives and parking.....	up to 60%
Max. building height, ft.	35
Height shall be measured from the average finished grade within ten (10) feet of the walls of the building to the highest point of the roof.	

2. Soil or terrain conditions may require larger lot sizes to satisfy State public water and/or septic regulations. The burden of proof of soil suitability and terrain is on the applicant. Standards for soil suitability are available from the Bennington County Conservation District.
3. Driveways shall be located at least 10 feet from any lot line, unless a shared driveway is utilized. State permits are required for access onto State roads, and Town permits are required for access onto Town roads.

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF THE TOWN OF DORSET, VERMONT

6.2.8 Dimensional Requirements - CI-2 District

Note: The requirements of Section 3.6, Site Related Limitations, must be applied when calculating developable lot sizes.

1. The following schedule applies to all uses in the CI-2 District.

Min. developable lot area, sq. ft.	80,000
Min. lot width (frontage), ft.....	200
Min. front yard adjacent to Routes 7, 7A, and 30,	75
Min. front yard adjacent to other street, ft.	50
Min. side and rear yard, ft.....	25
Except adjacent to Routes 7, 7A, and 30 where it shall be 75 ft.	
Min. setbacks between buildings, ft.....	20
Min. setbacks for parking areas, ft.....	20
Max. building coverage.....	up to 30%
Max. lot coverage of building, drives and parking.....	up to 60%
Max. building height, ft.....	35
Height shall be measured from the average finished grade within ten (10) feet of the walls of the building to the highest point of the roof.	

2. Soil or terrain conditions may require larger lot sizes to satisfy State public water and/or septic regulations. The burden of proof of soil suitability and terrain is on the applicant. Standards for soil suitability are available from the Bennington County Conservation District.
3. Driveways shall be located at least 10 feet from any lot line, unless a shared driveway is utilized. State permits are required for access onto State roads, and Town permits are required for access onto Town roads.

6.3 Village Commercial (VC) Districts

6.3.1 Change of Use

Permits for an alteration in use may be issued by the Zoning Administrator if the proposed alteration is of the same or less area of the building, and is of the same or lesser intensity of use as the existing use.

Intensity shall be evaluated by the criteria listed in Section 6.3.2 below, and other criteria as determined by the Planning Commission.

If the Zoning Administrator is unable to make a determination regarding increased intensity, the Zoning Administrator shall forward the application to the Planning Commission for Site Development Plan hearing as per Section 3.8.

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

6.3.2 Increased Intensity of Use

No permit shall be issued for an enlargement or expansion of a use until a Site Development Plan has been approved by the Planning Commission. Enlargement or expansion of use shall include but not be limited to an increase in:

- area of the use
- number of parking spaces
- amount of traffic generated
- hours of operation if adjacent to a residential use
- amount and intensity of outdoor lighting
- amount and intensity of noise
- number of customers/clients served
- number of employees or tenants

6.3.3 Maps of the Village Commercial (VC) Districts

The Village Commercial (VC) maps which are a part of this Bylaw are identified Dorset Village, South Dorset Village, and East Dorset Village for the convenience of referring to specific areas of Dorset, but uses, regulations, and standards are identical for all Village Commercial Districts. All Village Commercial (VC) Districts shall be as shown on the official Zoning Map, and as shown on the detail zoning maps, Dorset Village, South Dorset Village, and East Dorset Village. Where there is any conflict, Map: Dorset Village, South Dorset Village and East Dorset Village shall prevail. The boundaries of the Village Commercial (VC) Districts have been drawn using the Property Tax Maps prepared by MicroDATA in November 1997, for the Listers of the Town of Dorset. The Property Tax Maps do not constitute a boundary survey and were prepared to assist the Listers in creating an appropriate Grand List for the Town of Dorset. The purpose of these zoning detail maps is to aid and benefit the Planning Commission and the Zoning Administrator in defining the VC Districts. It is intended that the boundaries of the VC Districts follow property lines, or a distinctive, natural, physical boundary, such as the west branch of the Batten Kill in South Dorset. If the zone boundary does not follow a property line, or physical boundary, a determination will be made based upon the depth of the District on adjacent properties.

6.3.4 Permitted Uses in the Village Commercial (VC) Districts

- a. The following are permitted uses in the VC Districts and do not require Site Development Plan review, unless otherwise provided.
 1. Public and semi-public uses as per Section 3.7. A Site Development Plan is required.
 2. Single family and two-family dwellings and accessory structures.

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

3. Conversion of a single family dwelling to a two-family dwelling.
 4. Conversion of an accessory building, in whole or in part, associated with an existing single family or two-family dwelling, to be used for dwelling purposes for up to two families, either for rent or for non-paying occupancy.
 5. Customary home occupations subject to the requirements of Appendix A. If the Zoning Administrator is not sure all of the requirements will be met, or if it is not clear that the occupation meets the definition in Appendix A, the Zoning Administrator shall forward the complete application to the Planning Commission for review under Section 3.8 of this Bylaw.
 6. Residential Care or Group Home (see 3.7.7)
 7. Family Childcare Home (see 3.7.8)
- b. The following are permitted uses in the VC Districts and require Site Development Plan review.
1. Tourist Home (Bed and Breakfast) as defined under Public Lodging in Appendix A.
 2. Rooming House (Boarding House) as defined under Public Lodging in Appendix A.
 3. Retail sales/rentals. All sales, storage and display of merchandise shall occur within an enclosed structure, except for temporary display of merchandise outdoors, on-site during the operating hours of the business, or from 8:00 a.m. to 6:00 p.m., whichever is later, provided that all such merchandise is stored in a building or screened storage area at the close of business each day. Agricultural products are exempted from the outdoor storage restrictions. No sale of automotive or diesel fuel is permitted.
 4. Business and professional offices.
 5. Personal service establishments such as barber shops, hairdressers, shoe repair, dry cleaner, laundry, copy/type shop, caterer, and other like uses as approved by the Planning Commission. Drive-up windows are not permitted.
 6. Inns
 7. Banks and savings and loans institutions. Drive-up windows are not permitted.

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

8. Restaurants, provided that all food and beverages are served to customers seated at tables or counters, inside or outside the building, but this shall not prevent a catering operation where food is sold and taken out for home consumption. Drive-up windows are not permitted.
9. Contractors such as repair of appliances, bicycles, and lawnmowers, and contractor businesses such as plumbing and electrical. All materials, equipment, storage, sales and items being repaired shall be located inside an enclosed building, or, with the approval of the Planning Commission during Site Plan Review, a covered storage area closed on 3 sides. Outdoor display may occur as for retail in 6.3.4.b.3.

6.3.5 Conditional Uses Permitted in the Village Commercial (VC) Districts

1. A State registered or licensed family child care home serving in excess of six full-time and four part time children (not including children dependents of the owner/operator).
2. A State registered or licensed residential care home or group home serving nine (9) or more persons who have a handicap or disability.
3. An automobile maintenance/repair business limited to a maximum of two service bay doors not to exceed 10' x 10' each. Only employee vehicles, or registered vehicles scheduled for service or on which service has been completed, may be parked outside the building. No storage or sales of any vehicles, equipment or materials, nor parking of cars permanently disabled, is permitted outside the building. No sale of automotive or diesel fuel is permitted.
4. Recreational facilities, either open land, or within buildings.
5. Theaters.
6. A mixed use, such that a residential or other permitted use and conditional use are combined.

6.3.6 Accessory Uses Permitted in the Village Commercial (VC) Districts

1. Accessory uses customarily incidental to a permitted use on the same lot, including buildings used for permitted home occupations.
2. Uses accessory to conditional uses are permitted only when applied for and approved as a part of the Conditional Use permit.
3. Indoor and outdoor storage accessory to a permitted or conditional use, provided that

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

any outdoor storage is screened from adjacent properties and public roadways.

4. Accessory building may be used for dwelling purposes as provided in Section 4.2.1.9 or if the dwelling unit meets the requirements of Section 3.7.9 and the definition of an accessory dwelling unit.

6.3.7 Dimensional Requirements - VC Districts

Note: The requirements of Section 3.6, Site Related Limitations, must be applied when calculating developable lot sizes.

1. The following schedule applies to lots where all residential and commercial uses will be connected to a public or community water system.

Min. developable lot area, sq. ft.	20,000
Min. developable lot area, per dwelling unit, sq. ft.	15,000
Min. front yard, ft.....	30
Min side yard, each, ft.....	15
Min. rear yard, ft.....	25
Max. building height, ft.	30
Height shall be measured from the average finished grade within ten (10) feet of the walls of the building to the highest point of the roof.	
Max. building footprint, sq. ft.....	2,000
Max. lot coverage of building, drives and parking.....	up to 60%
Max. building coverage.....	up to 30%
Min. setback between commercial buildings, ft.....	12
Min. required greenspace and pedestrian pathways.....	40%

2. On a lot not connected to a public or community water system, uses requiring on-site sewage disposal are required to have a lot area of at least 40,000 sq. ft.. All other dimensional requirements as per Section 6.3.7.1 apply.
3. Soil or terrain conditions may require larger lot sizes to satisfy State public water and/or septic regulations. The burden of proof of soil suitability and terrain is on the applicant. Standards for soil suitability are available from the Bennington County Conservation District.
4. Driveways shall be located at least 10 feet from any lot line, unless a shared driveway is utilized. State permits are required for access onto State roads, and Town permits are required for access onto Town roads.

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

SECTION 7: PLANNED RESIDENTIAL DEVELOPMENT (CLUSTER SUBDIVISION)

7.1 Purpose

The purpose of the Planned Residential Development (Cluster Subdivision) is to enable and encourage flexibility of design and development of tracts of land for one, two, and multi-family dwellings in groups, so as to promote the most appropriate use of land; to facilitate the adequate and economical provision of roads and utilities; to enhance the environmental qualities of the area through maximum preservation of open space; to preserve natural and scenic qualities of open space; to provide protection of natural resource and hazard lands, and to preserve agricultural lands identified by a LESA rating of 225 or more, or lands for forestry as identified by a FLESA evaluation of “high importance” or “prime.”

7.2 Planned Residential Development (Cluster Subdivision) Administration

7.2.1 Where Permitted

Planned Residential Development (Cluster Subdivision) may be approved by the Planning Commission as a Permitted Use in Agriculture & Rural Residence (A & RR), Village Residential (VR), or Forest II (F II) Districts in accordance with the provisions of this section, and applicable requirements of the respective Districts. A Planned Residential Development (Cluster Subdivision) may be approved simultaneously with the approval of a subdivision plat under the Town of Dorset Subdivision Development Regulations.

The Planning Commission may require that an owner/developer utilize a cluster design if the site contains natural resource or natural hazard lands as identified by the Town Plan, or agricultural lands as identified by a LESA rating of 225 or greater, or lands for forestry as identified by a FLESA evaluation of “high importance” or “prime,” or if development on the site will affect natural resource or hazard areas, or agricultural or forestry lands on adjacent sites.

7.2.2 Density of Dwellings

In Planned Residential Development (Cluster Subdivision), the total number of dwelling units shall not exceed the number allowed under the density requirements outlined for each District.

7.2.3 Site Development Plan/Plat Application

In addition to the requirements of Section 3.8 Site Development Plan, the following items are to be included. If the Planned Residential Development (Cluster Subdivision) is to be reviewed under the preliminary and final plat requirements of the Town of Dorset Subdivision Regulations, only those items in

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

Section 3.8 and this section not already required as part of a plat submission, shall be required.

1. Description and location of maximum building heights, types of dwelling units, and non-residential structures.
2. The location and size in acres or square feet of all areas to be conveyed, dedicated, or reserved as common open spaces, public parks, recreational areas, or public and semi-public uses.
3. The existing and proposed utility systems including sanitary and storm sewers, water, electric, gas, cable and telephone lines.

7.2.4 Review and Approval

No permit shall be approved for the erection, alteration, enlargement or relocation of a building or use in a Planned Residential Development (Cluster Subdivision) until a Site Development Plan (Section 3.8) has been approved by the Planning Commission and the standards and conditions of Section 7.3 have been met.

In their review, the Planning Commission shall find that the project will not adversely affect:

- a. The capacity of existing or planned community facilities;
- b. The character of the area;
- c. The traffic on roads or highways in the vicinity of the project;

Nor will the Planned Residential Development (Cluster Subdivision) contravene any provisions of other bylaws, ordinances, or regulations of the Town of Dorset then in effect.

7.2.5 Plat/Plan Filing

Upon approval of a Planned Residential Development (Cluster Subdivision), the standards and criteria for design, dimensions, and spacing of buildings and the sizes and dimensions of lots and open spaces which are required, shall be noted or appended to the Subdivision Plat.

7.3 Standards and Conditions for Planned Residential Developments (Cluster Subdivision)

7.3.1 Sewage Disposal and Water Supply

The design and installation of sewage disposal systems and water supply for each lot shall be subject to all the applicable requirements of Section 5 of the Town of

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

Dorset Subdivision Development Regulations.

7.3.2 Open Space Requirements

The land area not included in building lots, or in roads, rights-of-way, or easements for access or utilities, shall be permanently reserved as open space for recreation, conservation, protection of natural resource or natural hazard lands as identified in the Town Plan; or protection of agricultural lands as identified by a LESA rating of 225 or greater, or lands for forestry as identified by a FLESA evaluation of "high importance" or "prime." Such open space shall be of a character, size, extent and shape suitable for the above purposes, and located such that it is easily accessible, in the case of agricultural or forest lands, by the farm or forestry operator. Such open spaces shall meet the dimensional requirements in the applicable district for the gross area of the site. Location of open space shall implement objectives of the Town Plan and is subject to approval of the Planning Commission. Ownership of open space shall conform to the requirements of Section 7.4.

7.3.3 Design

The design of Planned Residential Developments (Cluster Subdivisions), including but not limited to, street and lot layout and location of open space, shall be consistent with the Town Plan, with Section 3 of the Town of Dorset Subdivision Development Regulations, and shall be subject to approval of the Planning Commission.

7.4 Dedication of Open Space in Planned Residential Development (Cluster Subdivision)

7.4.1 Homeowners Association

As a condition of approval of a plan or plat for a Planned Residential Development (Cluster Subdivision), the applicant may be required by the Planning Commission to organize an incorporated homeowners association, incorporated under the laws of the State of Vermont. Such association shall be composed of all present and future owners of lots within the Planned Residential Development (Cluster Subdivision). Each lot shall have one vote, and membership shall be mandatory for all owners of lots. Each owner shall be responsible for his proportionate share of assessments for maintenance, upkeep and other costs of operation. The open space and other properties and facilities of such association shall be held for the benefit of the occupants of all lots therein. The charter of such association shall be subject to the approval of the Planning Commission. If open space is intended to protect natural resource or natural hazard lands, or to be used for agricultural or forestry purposes, the charter shall

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

include notification of that purpose or intent, and shall clearly set out restrictions, if any, on the use of natural resource or natural hazard lands; and in the case of agricultural or forest lands, shall clearly recognize that customary agricultural or forestry practices will occur on the agricultural or forestry portion of the open space, and that such practices are not cause for nuisance actions or other legal redress.

SECTION 8: FLOOD HAZARD AREAS

8.1 Statement of Purpose

It is the purpose of this Section to:

- 8.1.1** Implement the goals, policies, and recommendations in the current municipal plan;
- 8.1.2** Avoid and minimize the loss of life and property, the disruption of commerce, the impairment of the tax base, and the extraordinary public expenditures and demands on public services that result from flooding related inundation and erosion;
- 8.1.3** Ensure that the selection, design, creation, and use of development in hazard areas is reasonably safe and accomplished in a manner that is consistent with public wellbeing, does not impair stream equilibrium, flood plain services, or the stream corridor,
- 8.1.4** Manage all flood hazard areas designated pursuant to 10 V.S.A. Chapter 32 § 753, the municipal hazard mitigation plan; and make the Town of Dorset, its citizens, and businesses eligible for federal flood insurance, federal disaster recovery funds, and hazard mitigation funds as may be available.

8.2 Other Provisions

8.2.1 Precedence of Bylaw

The provisions of these flood hazard bylaws shall not in any way impair or remove the necessity of compliance with any other local, state, or federal laws or regulations. Where this flood hazard regulation imposes a greater restriction the provisions here shall take precedence.

8.2.2 Validity and Severability

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

8.2.3 Warning of Disclaimer of Liability

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

This bylaw does not imply that land outside of the areas covered by this bylaw will be free from flood or erosion damages. This regulation shall not create liability on the part of the Town of Dorset or any municipal official or employee thereof, for any flood or erosion damages that result from reliance on this regulation, or any administrative decision lawfully made hereunder.

8.3 Lands to Which these Regulations Apply

8.3.1 Regulated Flood Hazard Areas

These regulations shall apply to the Fluvial Erosion Hazard Areas and Special Flood Hazard Areas (hereafter called "hazard areas") in the Town of Dorset, Vermont as described below. These hazard areas overlay any other existing zoning districts and the regulations herein are the minimum standards that must be met before meeting the additional standards applicable in the underlying district. These hazard areas include:

- A. The Fluvial Erosion Hazard Zone as determined on the most current Fluvial Erosion Hazard Zone Map published by the Vermont Agency of Natural Resources which are hereby adopted by reference and declared to be part of these regulations, 4 and
- B. The Special Flood Hazard Area in and on the most current flood insurance studies and maps published by the Department of Homeland Security, Federal Emergency Management Agency, National Flood Insurance Program, as provided by the Secretary of the Agency of Natural Resources pursuant to 10 V.S.A. Chapter 32 § 753, which are hereby adopted by reference and declared to be part of these regulations.

8.3.2 Base Flood Elevations and Floodway Limits in Special Flood Hazard Areas

Where available, base flood elevations and floodway limits provided by the National Flood Insurance Program and in the Flood Insurance Study and accompanying maps shall be used to administer and enforce these regulations. In Special Flood Hazard Areas where base flood elevations and/or floodway limits *have not* been provided by the National Flood Insurance Program in the Flood Insurance Study and accompanying maps, it is the applicant's responsibility to develop the necessary data. Where available, the applicant shall use data provided by FEMA, or State, or Federal agencies.

8.3.3 Interpretation

The information presented on any maps, or contained in any studies, adopted by reference, is presumed accurate.

**DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT**

1. If uncertainty exists with respect to the boundaries of the Special Flood Hazard Area or the floodway, the location of the boundary shall be determined by the Zoning Administrator (ZA). If the applicant disagrees with the determination made by the ZA, a Letter of Map Amendment from FEMA shall constitute proof.
2. If uncertainty exists with respect to the boundaries of the Fluvial Erosion Hazard Zone, the location of the boundary shall be determined by the ZA. If the applicant disagrees with the determination made by the ZA, a letter of determination from the Vermont Agency of Natural Resources shall constitute proof.

8.4 Summary Table: Development Review in Hazard Areas

The hazard areas are not appropriate sites for new structures nor for development that increases the elevation of the base flood or obstructs the ability of streams to establish and maintain geomorphic equilibrium.

#	Activity	Hazard Zone		
		Special Flood Hazard Area	Floodway	FEH Zone
	P Permitted C Conditional X Prohibited A Exempted			
1	New Structures	X	X	X
2	Storage	X	X	X
3	Improvements to Existing Structures	P,C	C	C
4	Small Accessory Structures	P	X	C
5	At Grade Parking	P	C	C
6	Replacement water supply or septic systems	C	C	C
8	Fill as needed to elevate existing structures	C	C	C
9	Fill	X	X	X
12	Grading	C	C	C
13	Road maintenance	A	A	A
14	Road improvements	C	C	C
15	Bridges and culverts	C	C	C
16	Channel management	C	C	C
17	Recreational vehicles	P	P	P
18	Open space, recreation	A	A	A
19	Forestry	A	A	A
20	Agriculture	A	A	A

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

8.5 Development Review in Hazard Areas

8.5.1 Permit

A permit is required from the Administrative Officer for all development in all areas defined in Section 8.3. Development that requires conditional use approval, non-conforming use approval, or a variance from the Zoning Board of Adjustment (ZBA) under these flood hazard regulations, must have such approvals prior to the issuance of a permit by the ZA. Any development subject to municipal jurisdiction in the designated hazard areas shall meet the criteria in Section 8.6 and 8.7. Any permit issued will require that all other necessary permits from State or Federal Agencies have been received before work may begin. 5

8.5.2 Permitted Development

For the purposes of review under these regulations, the following development activities in the Special Flood Hazard area where outside of the floodway and outside of the Fluvial Erosion Hazard Zone, and meeting the Development Standards in Section 8.6, require only an administrative permit from the ZA:

1. Non-substantial improvements;
2. Accessory structures;
3. Development related to on-site septic or water supply systems;
4. Building utilities;
5. At-grade parking for existing buildings; and,
Recreational vehicles.

8.5.3 Prohibited Development in Special Flood Hazard Area and Fluvial Erosion Hazard Zone

1. New residential or non-residential structures (including the placement of manufactured homes);
2. Storage or junk yards;
3. New fill except as necessary to elevate structures above the base flood elevation;
4. Accessory structures in the floodway;
5. Critical facilities are prohibited in all areas affected by mapped flood hazards; and,
6. All development not exempted, permitted, or conditionally permitted.

8.5.4 Conditional Use Review

Conditional use review and approval by the ZBA is required prior to the issuance of a permit by the ZA for proposed development within the following:

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

1. Substantial improvement, elevation, relocation, or flood proofing of existing structures;
2. New or replacement storage tanks for existing structures;
3. Improvements to existing structures in the floodway;
Vermont Model Flood Hazard Regulation 4 10/19/09
4. Grading, excavation; or the creation of a pond;
5. Improvements to existing roads;
6. Bridges, culverts, channel management activities, or public projects which are functionally dependent on stream access or stream crossing;
7. Public utilities;
8. Improvements to existing primary structures in the Fluvial Erosion Hazard Zone that do not expand the footprint of the existing structure more than 500 square feet;
9. Accessory structures in the Fluvial Erosion Hazard Zone, of 500 square feet or less, that represent a minimal investment
10. Building utilities in the Fluvial Erosion Hazard Zone; and,
11. At-grade parking for existing buildings in the Fluvial Erosion Hazard Zone.

8.5.5 Exempted Activities

The following are exempt from regulation under this bylaw:

1. The removal of a building or other structure in whole or in part;
2. Maintenance of existing roads and storm water drainage;
3. Silvicultural (forestry) activities conducted in accordance with the Vermont Department of Forests and Parks Acceptable Management Practices; and,
4. Agricultural activities conducted in accordance with the Vermont Department of Agriculture's Accepted Agricultural Practices (AAP). Prior to the construction of farm structures the farmer must notify the ZA in writing of the proposed activity. The notice must contain a sketch of the proposed structure including setbacks.

8.5.6 Variances

Variances may be granted in writing by the ZBA only in accordance with all the criteria in 24 V.S.A. § 4469, § 4424 (E), and 44 CFR Section 60.6 6, after a public hearing noticed as described in Section 8.5.7.

1. A variance for development within the Fluvial Erosion Hazard Zone may be allowed if, based on a review by VT ANR, it is determined that the proposed development will not obstruct the establishment and maintenance of fluvial geomorphic equilibrium for the watercourse.
2. Any variance issued in the Special Flood Hazard Area will not increase flood heights, and will inform the applicant in writing over the signature of a community official that the issuance of a variance to construct a structure below the base flood elevation increases risk to life and property and will result in increased flood

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

insurance premiums up to amounts as high as \$25 for \$100 of coverage. Such notification shall be maintained with a record of all variance actions. 7

8.5.7 Nonconforming Structures and Uses

The ZBA may, after public notice and hearing, approve the repair, relocation, replacement, or enlargement of a nonconforming structure within a flood hazard area provided that:

1. The proposed development is in compliance with all the Development Standards in Section 8.6 of this bylaw;
2. A nonconforming structure that is substantially damaged or destroyed may be reconstructed only in circumstances when the structure cannot be relocated to a less hazardous location on the parcel. The lowest floor of the reconstructed structure must be rebuilt to one foot or more above the base flood elevation, and the structure must otherwise comply with all requirements of the National Flood Insurance Program;
3. Nonconforming structures or uses shall be considered abandoned where such structures or uses are discontinued for more than 12 months; and
4. An individual manufactured home lot in an existing manufactured home park that is vacated shall not be considered a discontinuance or abandonment of nonconformity. Replacement manufactured homes must be placed so as to meet the development standards in this bylaw.

8.6 Development Standards

The criteria below are the minimum standards for development in the flood hazard areas. Where more than one zone or area is involved, the most restrictive standard shall take precedence.

A. Special Flood Hazard Area

8.6.1 All development shall be:

- a. Reasonably safe from flooding; Designed, operated, maintained, modified, and adequately anchored to prevent flotation, collapse, release, or lateral movement of the structure;
- b. Constructed with materials resistant to flood damage;
- c. Constructed by methods and practices that minimize flood damage;
- d. Constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
- e. Adequately drained to reduce exposure to flood hazards;

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

- f. Located so as to minimize conflict with changes in channel location over time and the need to intervene with such changes; and,
- g. Required to locate any fuel storage tanks (as needed to serve an existing building in the Special Flood Hazard Zone) a minimum of one foot above the base flood elevation and be securely anchored to prevent flotation; or storage tanks may be placed underground, if securely anchored as certified by a qualified professional.

8.6.2 In Zones AE, AH, and A1 – A30 *where base flood elevations and/or floodway limits have not been determined*, development shall not be permitted unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated encroachment, will not increase the base flood elevation more than 1.00 foot ⁸ at any point within the community. The demonstration must be supported by technical data that conforms to standard hydraulic engineering principles and certified by a registered professional engineer.

8.6.3 *Structures to be substantially improved* in Zones A, A1-30, AE, and AH shall be located such that the lowest floor is at least one foot ⁹ above base flood elevation, this must be documented, in as-built condition, with a FEMA Elevation Certificate;

8.6.4 *Non-residential structures to be substantially improved* shall:

- a. Meet the standards in 8.6.A.3; or,
- b. Have the lowest floor, including basement, together with attendant utility and sanitary facilities be designed so that two feet above the base flood elevation the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; A permit for flood proofing shall not be issued until a registered professional engineer or architect has reviewed the structural design, specifications and plans, and has certified that the design and proposed methods of construction are in accordance with accepted standards of practice for meeting the provisions of this subsection.

8.6.5 *Fully enclosed areas below grade* on all sides (including below grade crawlspaces and basements) are prohibited.

8.6.6 *Fully enclosed areas that are above grade*, below the lowest floor, below BFE and subject to flooding, shall:

- a. Be solely used for parking of vehicles, storage, or building access, and such a condition shall clearly be stated on any permits; and,
- b. Be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Such designs must be certified by a registered professional engineer or architect, or meet or exceed the following minimum criteria: A minimum of two openings on two walls having a total net area

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade.

Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

- 8.6.7** *Recreational vehicles* must be fully licensed and ready for highway use; ¹⁰
- 8.6.8** A *small accessory* structure of 500 square feet or less ¹¹ that represents a minimal investment need not be elevated to the base flood elevation in this area, provided the structure is placed on the building site so as to offer the minimum resistance to the flow of floodwaters and shall meet the criteria in 8.6.A.6 (above).
- 8.6.9** *Water supply systems* shall be designed to minimize or eliminate infiltration of flood waters into the systems. ¹²
- 8.6.10** *Sanitary sewage systems* shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters.
- 8.6.11** *On-site waste disposal systems* shall be located to avoid impairment to them or contamination from them during flooding.
- 8.6.12** *The flood carrying and sediment transport capacity* ¹³ within the altered or relocated portion of any watercourse shall be maintained, and any alteration or relocation shall not result in any decrease of stream stability;
- 8.6.13** *Bridges and culverts*, which by their nature must be placed in or over the stream, must have a stream alteration permit from the Agency of Natural Resources where applicable.
- 8.6.14** *Subdivisions and Planned Unit Developments* must be accessible by *dry land* access outside the special flood hazard area.
- 8.6.15** *Existing buildings, including manufactured homes, to be substantially improved in Zone AO* shall have the lowest floor, including basement, elevated above the highest adjacent grade, at least as high as the depth number specified on the community's FIRM, or at least two feet if no depth number is specified. ¹⁴

B. Floodway Areas ¹⁵

1. Encroachments or development above grade and less than one foot above the base flood elevation, are prohibited unless hydrologic and hydraulic analyses are performed in accordance with standard engineering practice, by a registered professional engineer, certifying that the proposed development will:

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

- a. Not result in any increase in flood levels (0.00 feet) during the occurrence of the base flood;
 - b. Not increase any risk to surrounding properties, facilities, or structures from erosion or flooding.
2. Public utilities may be placed underground, and the analyses may be waived, where a registered professional engineer certifies that there will be no change in grade and the utilities will be adequately protected from scour.

C. Fluvial Erosion Hazard Zone ¹⁶

1. Improvements to existing structures, and any associated fill as needed to comply with elevation requirements in the Special Flood Hazard Area shall not decrease the distance between the existing primary building and the top of bank;
2. Accessory structures may be located within 50 feet of the existing primary building provided that the location does not decrease the distance between the existing primary structure and the top of bank.
3. Development shall not increase the susceptibility of that or other properties to fluvial erosion damage;
4. Development shall not increase the potential of materials being swept onto other lands or into the stream and causing damage to other properties from fluvial erosion;
5. Development shall not cause an undue burden on public services and facilities including roads, bridges, culverts, and emergency service providers during and after fluvial erosion events.
6. Bridge and culvert projects must have a Stream Alteration Permit; and
7. Channel management activities must be authorized by the Agency of Natural Resources.

8.7 Administration

A. Application Submission Requirements

Applications for development shall include:

1. Where applicable, a site plan that depicts the proposed development, all water bodies, Special Flood Hazard Areas, floodways, Fluvial Erosion Hazard Zone, the shortest horizontal distance from the proposed development to the top of bank of any stream, any existing and proposed drainage, any proposed fill, and pre and post development grades, and the elevation of the proposed lowest floor, as referenced to the same vertical datum as the elevation on the current Flood Insurance Rate Maps;
2. A Vermont Agency of Natural Resources Project Review Sheet for the proposal. The Project Review Sheet shall identify all State and Federal agencies from which

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

permit approval is required for the proposal, and shall be filed as a required attachment to the municipal permit application. The identified permits, or letters indicating that such permits are not required, shall be submitted to the ZA and attached to the permit before work can begin; 17

B. Referrals

1. Upon receipt of a complete application for a substantial improvement or new construction the ZA shall submit a copy of the application and supporting information to the State National Flood Insurance Program (NFIP) Coordinator at the Vermont Agency of Natural Resources, in accordance with 24 V.S.A. § 4424 18. A permit may be issued only following receipt of comments from the Agency, or the expiration of 30 days from the date the application was mailed to the Agency, whichever is sooner. 19
2. If the applicant is seeking a permit for the alteration or relocation of a watercourse, copies of the application shall also be submitted to the adjacent communities, the Stream Alteration Engineer at the Vermont Agency of Natural Resources, and the Army Corps of Engineers. Copies of such notice shall be provided to the State National Flood Insurance Program (NFIP) Coordinator at the Vermont Agency of Natural Resources, Department of Environmental Conservation. A permit may be issued only following receipt of comments from the Vermont Agency of Natural Resources, or the expiration of 30 days from the date the application was mailed to the Vermont Agency of Natural Resources, whichever is sooner. The Board should consider comments from the NFIP Coordinator at ANR.

C. Decisions

The ZBA shall consider comments from the NFIP Coordinator at ANR. The ZBA may recess the proceedings on any application pending submission of additional information.

D. Records

The Administrative Officer shall properly file and maintain a record of: 20

1. All permits issued in areas covered by this bylaw;
2. An Elevation Certificate with the as-built elevation (consistent with the datum of the elevation on the current Flood Insurance Rate Maps for the community) of the lowest floor, including basement, of all new, substantially improved, or flood proofed buildings (not including accessory buildings) in the Special Flood Hazard Area;
3. All flood proofing and other certifications required under this regulation; and,
4. All decisions of the ZBA (including variances and violations) and all supporting findings of fact, conclusions and conditions.

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

8.8 Certificate of Occupancy ²¹

See Section 12.3.

8.9 Enforcement and Penalties

- A. This bylaw shall be enforced under the municipal zoning bylaw in accordance with 10 VSA § 1974a, § 4451, and § 4452. A copy of the notice of violation will be mailed the State NFIP Coordinator.
- B. If any appeals have been resolved, but the violation remains, the ZA shall submit a declaration to the Administrator of the National Flood Insurance Program requesting a denial of flood insurance to the property pursuant to Section 1316 of the National Flood Insurance Act of 1968, as amended.
- C. Violations of the Accepted Agricultural Practices shall be enforced under this Section as violations of this bylaw. Such violations shall also be immediately reported to the Secretary of Agriculture for enforcement under 6 V.S.A. Section 4812.

8.10 Disclaimer

These regulations shall not be construed to imply that areas outside the Flood Hazard Areas, or land uses permitted hereunder with such Flood Hazard Areas, will be free from flooding or flood damage. No permit issued hereunder, or development permitted in accordance herewith, shall create any liability on the part of The Town of Dorset or any officer, agent, or employee thereof.

Endnotes

¹ Kusler, Jon A., *Legal Questions: Government Liability and No Adverse Impact Floodplain Management*, Association of State Floodplain Managers, May 2004

² Please search for and replace “Town/City/Village of _____” with the name of your municipality in all locations in this document.

³ In some communities the flood hazard areas are considered “underlying” districts. Please use the term appropriate for your community.

⁴ VT DEC and the NFIP strongly recommend these standards. 44 CFR 60.1 (c)(d) Structures in the Fluvial Erosion Hazard Zone are at risk of damage through predictable river channel adjustments. Efforts to protect such structures, such as through the armoring of banks, impinge on the area needed to maintain long term stream channel equilibrium and may increase the risk of flood and erosion damage to existing properties and public infrastructure. Damage caused by flood-caused erosion is the single most expensive type of disaster in Vermont for the state and municipalities. VT DEC has identified Fluvial Erosion Hazard Zones for many Vermont rivers and strongly recommends these regulations.

⁵ To participate in the National Flood Insurance Program (NFIP), the Code of Federal

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

Regulations requires that communities assure that all other permits have been secured. 44
CFR 60.3 (a) (2)

6 Required for NFIP, 44 CFR Section 60.6

7 Required for NFIP, 44 CFR Section 60.6 (a) (5)

8 The “one foot” standard here should be the same as the standard that the community adopts
in the definition of “Floodway, Regulatory in Town/City/Village of _____”.

9 Where base flood elevations are available, structures are required to be at or above the base
flood elevation, 44 CFR 60.3 (c)(2)(3). Flood insurance rates are substantially reduced for
structures one foot or more above base flood elevation. Over time the elevation of the base
flood may increase as the stream changes position, as the floodplain is encroached upon, as
development increases in the watershed, and as the climate changes. VT DEC strongly
recommends that existing structures in all flood hazard areas be at least one foot above the
base flood elevation. Under the minimum regulations in the CFR it is possible to add a clause
to allow manufactured homes in parks that pre-date the flood hazard maps, to be elevated to
only 36 or 48” above grade if they can not otherwise be elevated above BFE. This is not safe
or recommended. If the community needs to consider this option please consult with VT
DEC regarding the language and definitions required.

10 The NFIP requires fully licensed and ready for highway use, or on site for 180 days or less,
44 CFR 60.3 (c)(14).

11 The community can define a low cost structure by setting a limit such as 500 ft² or less.
The community can also choose to not allow such accessory structures. Flood insurance is not
available for such structures.

12 The NFIP requires the standards in VII A 9, 10, and 11, 44 CFR 60.3 (a) (5)(6). Under
Vermont state law, permits for such activity are handled by VT DEC and are not subject to
local control unless the community has been delegated authority. The NFIP requirements are
met through the state permit process. If there are additional requirements regarding
development (in general) in the hazard zone then any application for development must meet
those standards during local review.

Vermont Model Flood Hazard Regulation 4 10/19/09

For communities with existing zoning and fluvial erosion hazard maps.

13 The NFIP requires that any altered watercourse maintain its capacity to carry floodwaters,
44 CFR 60.3 (b) 7. VT DEC recommends that any altered watercourse also maintain its
ability to transport its sediment load and not decrease stream geomorphic stability.

14 Communities that do not have AO Zones mapped on their FIRM do not need to adopt this
regulation.

15 These standards are recommended by VT DEC and/or required by the NFIP. The floodway
is an area reserved to convey floodwaters during the base flood. Encroachments in the
floodway are prohibited if they cause any increase in the elevation of the base flood. Actual
floodwater movement during the base flood may have considerable destructive velocity and
power.

16 Please see endnote 6.

17 The NFIP requires assurance that all other permits have been secured. The Project Review
Sheet provides an efficient way to meet that requirement.

18 Required by Title 24 VSA Chapter 117 §4424.

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

¹⁹ Required by Title 24 VSA Chapter 117 §4424.

²⁰ The NFIP requires the community to keep records of permits, variances, elevations, flood proofing, and certifications. CFR 60.3 (b) (5)

²¹ A Certificate of Occupancy is recommended by the VT DEC as a low cost method to support the enforcement of these regulations.

²² If the FIRM includes information on base flood elevations, the NFIP requires that the community adopt a regulatory floodway standard. CFR 60.3 (d) (2). This standard should allow a surcharge of one foot or less. In effect, this allows the base flood elevation to increase up to one foot, thereby increasing the risk of damage to existing properties in or near the Special Flood Hazard Area. Section VI C 3 prohibits new fill, except where necessary to safely elevate structures, as a way to minimize increases in the elevation of the base flood.

²³ The community has several options here. "Substantial Development" sets the threshold by which a structure in harm's way is compelled to be prepared for the base flood. Typically the preparation is to elevate the addition or the structure. The minimum NFIP standard is to define "substantial" as an investment of 50% of the existing value of the structure, or any investment subsequent to "substantial damage" to the structure. This high (50%) threshold may not get the structure or community prepared in time for the next flood, and many improvements are phased over several years. The NFIP encourages communities to adopt stricter standards such as by defining "substantial improvement" as cumulative over a defined period of time (such as three or five years), or by way of a common plan of development. The definition here uses three years. 44 CFR 59.1.

SECTION 9: DESIGN (D) AREAS

9.1 Designation Procedure

A Design (D) Area may be established under Section 9.2, hereunder, provided the following requirements are met:

9.1.1 A petition, signed by at least 85% of the landowners within a proposed design district has been filed with the office of the Town Clerk, with copies furnished to the Planning Commission and the Selectboard, attesting as to the wishes of said landowners that the area designated by them be declared a design overlay area subject to the provisions of 24 VSA, § 4414(E).

9.1.2 The approval of such design overlay area has been duly warned and so voted by Australian ballot by a majority of those voting during a regular or special Town Meeting.

9.2 Purpose

Subject to meeting the procedural requirements of Section 9.1, above, a design area is established as an overlay on the underlying zoning districts affected, to preserve the historical, architectural or cultural character of the district and to prevent developments

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF THE TOWN OF DORSET, VERMONT

which, by their incompatibility with the prevailing building and settlement patterns, will diminish the quality of the prevailing patterns, will diminish the quality of the environment, and consequently the quality of life therein.

9.3 Identification of Design (D) Areas

9.3.1 Dorset Village Historic District

The Dorset Village Historic District is designated as a Design (D) Area subject to the provisions and procedures of this Bylaw. The boundary of this Area shall be the same as the boundary of the Dorset Village Historic District, officially recognized as a National Historic District by the U.S. Department of the Interior in May, 1985, and as shown on the map appended to these Bylaws.

9.4 Application of Regulations and Review Guidelines

9.4.1 INTRODUCTION

Design Review Board

In accordance with Section 9.2 of the Dorset Zoning Bylaws, the Design Review Board is to apply criteria in evaluating proposals described in permit applications within the Design Areas based on the existing characteristics of the Areas described in the nominating document which resulted in establishment as of these Areas as National Historic Districts.

.....

A permit application must be obtained from the Zoning Administrator for any and all exterior changes, additions and deletions on any and all sites in the Design Areas.

.....

In considering applications, the Board will be guided by reference to the following principles and issues:

Are the Site Plan and Arrangement of Facilities in conflict with adjoining uses of land in the Design Area?

Is the Basic Design of the proposed structure compatible with the surroundings in the Design Area?

Is the Bulk of the structure consistent with the lot size and its neighbors, and is the structure designed and placed so as to not adversely affect the Design Area?

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

Is the Exterior of the structure appropriate and compatible with adjoining structures in the Design Area?

Are Accessory Structure and/or Out Buildings compatible with surroundings and located so they do not detract from the character in the Design Area?

9.4.2 GOALS

The Dorset Town Plan lists among its goals the following:

- Preserve the historic structures, historic architecture and materials details, the historic land use pattern, including streetscapes and other unique and individual historic characteristics of the Historic Districts.
- Maintain the small, rural, primarily residential appearance of the Historic Districts.
- Ensure that new buildings, alterations, and repairs to existing buildings enhance the historic appearance of the Historic Districts.
- Maintain design controls to ensure future development is consistent with above.

9.4.3 DESIGN AREAS

The intent of these Criteria is to ensure that new construction and renovations enhance the Design Areas. If any changes can be viewed from the street or neighboring properties, it must ensure that new structures and landscaping on lots in this district are compatible with those on adjacent or neighboring lots.

The Design Area is: * Dorset Village Historic District

In the Design Areas the following general guidelines apply:

- Site plans and arrangements of buildings should not be in conflict with adjoining streetscapes.
- Roads, streets and driveways should be designed to follow natural contours of the land. Large driveway aprons are discouraged and small aggregate stone is preferable.
- Design, size, location, lighting and other aspects of signs should be closely

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

controlled.

- Landscaping and lighting should be appropriate for a historic district; that is, similar type of bushes, trees, walkways, etc.

9.4.4 SPECIFIC GUIDELINES FOR ALL CONSTRUCTION IN THE DESIGN AREAS

9.4.4.1 Maintenance and Repairs

Subject to the following guidelines, maintenance and repairs of a historic site or structure does not require a permit.

1. Repairs must replace in-kind deteriorated or damaged features to match the original in design, size, shape, material, dimension, pattern, texture, color and detail. This applies to all features of the site and structure, including but not limited to, walkways, driveways, parking areas, landscaping, masonry, architectural metals, exterior walls, trim, windows, doors, entrances, porches, and decks.
2. Where possible, replace only the deteriorated or damaged portion or detail of a feature rather than the entire feature.
3. The exterior color of the body and the trim of the primary structure is white. Outbuildings may be historical red, green, gray, or white. Previously painted surfaces may be repainted with paints that match the current colors without a permit. Sandblasting and/or excessive power washing are NOT permitted as they are detrimental to the historic materials.
4. Damaged, deteriorated, or missing exterior lighting fixtures may be replaced with new fixtures that are either similar to the existing in material, appearance, detail, and scale or compatible with the historic structure and site in material, appearance, and scale.

9.4.4.2 Alterations and Additions

Changes to a historic structure or site, including removal or demolition of the structure, or parts thereof that do not comply with the above guidelines for maintenance and repair are considered alterations or additions. Alterations or additions in a Design Area require design review and a Zoning permit.

The following guidelines apply to alterations and additions to historic structures in the Design Areas.

1. If necessary, new walkways, driveways, or parking areas may be constructed if

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

they match the location, scale, materials, and configuration and overall historic character of the historic structure and site. Whenever possible new parking should be at the rear of the structures and existing mature vegetation and additional perimeter landscaping or screening should be used to lessen the impact of the new parking areas. To diminish or substantially alter the overall historic character of the historic site through the introduction of new walkways, driveways, or parking areas is not permitted.

2. If necessary for security or safety, or to highlight a public historic building, new exterior lighting that is the same as the old in terms of location, appearance, material, scale, color, finish, and lighting brightness, with the character and scale of the historic structure and site may be introduced with a maximum of 100 watts. The introduction of new lighting that diminishes the overall historic character of the historic structure or site is not permitted. For example, it is not appropriate to introduce period lighting fixtures predating the historic structure in an attempt to create a false historical appearance.
3. New, non-historic roof features, such as, skylights, vents, satellite dishes and antennae, may only be installed on non-character-defining roofs. A non-character defining roof is a secondary roof. Such features must not be visible from Design Area streets and must be located so that they do not diminish the original character of the historic structure or damage historic roofing materials.
4. New exterior wall features, including doors, windows, ventilators, and electrical and mechanical fixtures, may be introduced only on non-character-defining elevations. Such features must be located so that they do not diminish the original character of the historic structure or damage historic wall materials. It is not allowed to add, cover, or remove a window or door opening on a historic structure's character-defining elevations unless required for an accurate restoration, nor is it appropriate to replace or cover wooden features such as siding, trim, or window sash with contemporary substitute materials such as vinyl, Masonite, or aluminum. Additions to past non-conforming additions will be dealt with on a case-by-case basis.
5. The exterior color of the body and trim of a structure is white, though other subtle colors may be approved if the applicant can demonstrate to the DRB that they are historic and/or appropriate for the structure and consistent with neighboring structures. Accent colors may be used on separate features such as shutters, doors, and sash with the Design Review Board's approval.
6. Narrow profile exterior storm windows and doors may be installed for energy efficiency. Full-light storm doors, constructed of wood or aluminum, should be painted or finished with the same color as the existing door and installed so that the original doors and frames are not obscured or damaged. Storm windows shall

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

not damage or obscure existing sash and frame and shall be painted or finished with a color compatible with the existing sash color. If covering double-hung windows, operable storm windows with muntins (dividers) that align with existing sash division should be selected.

7. If desired and historically appropriate in color and style, fabric awnings over windows, entrances, or porch openings may be installed in a way that does not damage or obscure historic features.
8. New porches, decks or entrances may be introduced only on non-character-defining elevations and must be attached in ways that minimize the loss of historic fabric. These units must be located so that they do not diminish the original character of the historic structure or damage historic wall materials. It is not allowed to add a new porch or entrance to a historic structure's character-defining elevations unless required for an accurate restoration.
9. Transformers, meters, pipes, and mechanical-related items must be located as inconspicuously as possible, in rear yard locations or along non-character-defining elevations. Such features should be screened from view. Portable air-conditioning units and satellite dishes should be located on the rear or on non-character defining elevations of historic structures.
10. Existing additions that contribute to the overall historic character of a historic structure shall not be removed unless approved by the Design Review Board.
11. New additions may be added on non-character-defining elevations in such a manner as not to visually overpower the historic structure or diminish, conceal or detract from the character of the historic structure and the structure's historic setting. New additions must be consistent with the historic building and constructed where possible to be structurally self-supporting so that they may be removed in the future with minimal damage to the historic structure.
12. New additions must be compatible with the historic building in massing, height, form, scale, proportions, roof shape, and relationship of solids to voids in exterior walls. New additions must also be compatible with the historic structure in terms of the placement, spacing, proportion, orientation, scale, and size of window and door openings. Windows and doors should be the same in configuration, material, and detail with the windows and doors of the historic building and the materials and finishes characteristic of the historic building with regard to scale, composition, module, texture, pattern, detail, color, and surface finish.

9.4.4.3 New Construction

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

New construction in the Design Areas may involve an entirely new structure or a structure intended to replace a severely damaged or deteriorated structure, and requires design review and zoning permits.

The following guidelines apply to both new construction on a lot in Design Areas that contain a historic structure and new construction on lots in the Design Areas that does not contain a historic structure (i.e., an empty lot, a lot where a historic structure was destroyed or demolished and is not being exactly reproduced, or a lot containing a non-contributing structure).

1. New structures on historic sites shall be constructed only in locations that do not diminish, conceal, or detract from the character of the historic structure. The new construction shall be sited on historic sites in ways that conform to the patterns of building setback, spacing, and orientation characteristic of the specific historic site and/or similar historic settings. The siting of new buildings should match setbacks of neighboring houses, if applicable. A variance will be required if that setback is less than zoning requirements.
2. New construction shall be designed to be compatible with the historic building in massing, height, form, scale, proportion, and roof shape as well as the visual and spatial character of the building's historic setting. To introduce new construction which visually overpowers the historic structure or otherwise detracts from the overall historic setting, or which requires the loss of a significant site feature, planting or building element is not allowed.
3. New construction will be consistent with the historic building in terms of the placement, spacing, proportion, orientation, scale and size of window and door openings. Windows and doors for new construction will be selected that are the same in configuration, materials, and proportion with the windows and doors of the historic building. Materials and finishes shall be characteristic of the historic building with regard to scale, composition, module, texture, pattern, detail, and color.

9.4.5 SPECIFIC CONSTRUCTION GUIDELINES

New structures should present an architecturally consistent appearance.

9.4.5.1 Location on lot

1. To provide a uniform streetscape, new principal structures in the Design Areas should be located with their fronts parallel to the street, roughly centered between the lot sides, and set back a distance comparable to adjacent structures. If the adjacent building is non-complying for setback regulations, the new structure shall conform to regulated setback requirements.

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

2. Free standing accessory buildings or attachments, such as garages, should be located at the rear of the main structure, so that they do not detract from the streetscape.
3. Where possible, garages, whether free standing, attached, or built into the dwelling, should be positioned so that their doors are not visible from the streets or sidewalks.

9.4.5.2 Exteriors

1. Painted or solid stained wooden clapboards or shingles, when used with appropriate corner and sill boards, cornices and crown moldings, are the preferred siding materials for structures.
2. The chosen siding material should normally be used exclusively over the entire structure. However if the applicant can demonstrate to the Design Review Board that it both contributes to the style and compliments the Design Area's appearance, different types of siding materials may be mixed.
3. Imitative materials, such as T-111 or other laminates, asphalt or asbestos shingles, or similar materials will not be approved as siding materials. Stucco may not be used for the main mass of the building.
4. The exterior color of the body and trim of the primary structure is white. Outbuildings may be historical red, green, gray or white. Accent colors may be used on separate features such as shutters, doors, and sash with Design Review Board approval. Approved paint color chips are available from the Design Review Board.

9.4.5.3 Windows

1. Windows should be chosen and located to provide an appearance of a solid wall surface pierced with a regular pattern of openings, especially on the front of the structure. Window openings should be regularly spaced or grouped, but random openings or windows unrelated in terms of pattern and scale should be avoided.
2. Double hung, multi-light, windows are strongly preferred in the Design Areas. The proportions of both the windows and the individual lights within windows should be consistent.
3. Curved, arched or bay windows may be approved if consistent with the overall architecture style.

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

4. Mirrored glass or severely tinted glass will not be approved.
5. Storm windows are permitted. The frames of the storm windows should align within the frame of the windows they protect.
6. Wooden shutters are required. Replacement shutters should be in wood. All shutters must match in style and color. Louvered shutters are strongly preferred. All shutters should be attached to the window frames and extend from just below the top of the window to just above the sill. The width of the shutters should be such that, if closed, they would meet at the center line of the window.
7. Solar walls, picture windows, or other large expanses of glass will not be approved on exterior surfaces that are visible from the streets or sidewalks.

9.4.5.4 Entrances

1. Front entrances should convey a significant traditional design element. Appropriate entrances for new construction in the Design Areas are located on a prominent façade; the size and style should clearly identify the formal entrance to the structure.

9.4.5.5 Porches

1. As long as their design and architectural detail compliments the rest of the structure, porches may run across the house front, wrap around the sides and rear, and may be one story high.
2. Exposed brick or stone piers supporting porches as well as wood lattice screening are acceptable. Exposed cement blocks or concrete piers are not permitted.
3. Exposed pressure treated wood is not allowed on elevations visible from the street. Posts, columns, and trim should normally be made of wood and painted to match the house. Ill proportioned turned posts as well as unenclosed structural wood, steel or concrete posts not allowed. Properly proportioned cast aluminum or fiber glass posts may be used if appropriately painted.
4. Molded or shaped rails with turned, jigsawn, or square balusters are preferred. Industrial type railings, railings made from construction lumber such as 2x4's, unduly thin balusters, or balusters placed in front of or behind the rails are not allowed.

9.4.5.6 Decks and Terraces

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

1. Generally decks and terraces should not be located on the front or public side of a house. If, because of the orientation of the house or to capitalize on a view, it is necessary to locate a deck or terrace on the front of a house, it must meet with the Design Review Board's approval.

9.4.5.7 Roofs

1. Gabled roofs are preferred and should be pitched at a minimum of 7/12 slope. Hip roofs may be permitted but shed and flat roofs, with the exception of porches, should be used only when they cannot be viewed from the street or sidewalk.
2. Multiple roof segments should present a hierarchy of the main structure and wings.
3. The roof shall not overhang any exterior wall by more than 2 feet. Soffits and fascia, must be finished so that no portion of the roof rafters is visible (unless the roof rafters are to present a decorative architectural detail).
4. Slate roofing is preferred, but mineral fiber roofing resembling slate, dark colored asphalt shingles, or seamed metal roofing may be used. Rolled roofing is not appropriate and can only be used on roofs out of sight from the street and sidewalks. Different roofing materials normally should not be mixed on a given structure, unless approved by the Design Review Board.
5. Dormers may be used to provide light and ventilation to the upper floors of a building. The size, number, and location of dormers should be carefully chosen to compliment the overall appearance and symmetry of the structure.
6. Skylights may be used on structures only when they are inconspicuous and cannot be viewed from the streets or sidewalks.
7. Solar panels, TV antennas, and satellite dishes shall not be visible from the streets or sidewalks. Satellite dishes shall not exceed two feet in diameter.

9.4.5.8 Chimneys and Foundations

1. All visible chimney surfaces should be stone or brick. Concrete blocks or formed concrete (whether or not covered with stucco), or metal flues may be used on structures only when they are inconspicuous and cannot be viewed from the street or sidewalk.
2. Foundations of natural stone are preferred. With appropriate foundation plantings for screening, poured concrete or concrete blocks with a thick

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

mortar wash coat or stucco may be used. No concrete blocks or foundation insulation shall be visible above grade.

9.4.5.9 Fences and Walls

1. No fences, hedges, or walls will be allowed in the Dorset Village Historic District on Church Street from Route 30 to Cheney Road. Fences and walls will be allowed at the rear and side lots only with the Design Review Board's approval. Fences or walls at the side lots shall not extend beyond the front of the dwelling.

9.5 Design Review Board

A Design Review Board shall be appointed by the Selectboard to advise the Planning Commission in its deliberations concerning a proposed Design Plan. The Design Review Board shall have terms of office and procedure rules as determined by the Selectboard.

9.6 Design Plan

For major changes, the Design Plan shall include:

1. A site plan of the property, showing elevations, location of structures, driveways, fences, walls, and landscaping;
2. Building elevations visible from roads, highways, or existing structures, showing door and window types, shutters, and other architectural details;
3. Description of exterior building materials, colors, and textures.
For minor changes in the exterior of a structure, a full Design Plan is not required as long as the application is in writing and is clear and complete relative to any such proposed change.

9.7 Interior Alterations

Any interior alterations that do not affect, change, or add to the exterior structure shall not be subject to these design regulations.

9.8 Appeals

An interested person may appeal any decision or act taken by the Zoning Administrator as provided in Section 12.9 of these Bylaws.

SECTION 10: SPECIAL REGULATIONS

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

10.1 Nonconforming Uses and Noncomplying Buildings

10.1.1 General Requirements

Any nonconforming use of a building or premises, which was lawfully existing at the time of the adoption of this Bylaw, or any pertinent amendment thereto, may be continued, and any building so existing, which was designed, arranged, intended for, or devoted to a nonconforming use, may be reconstructed and structurally altered, and the nonconforming use therein changed, subject to the following regulations:

1. No nonconforming use may be changed, except to a conforming use, or, with the approval of the Zoning Board of Adjustment, to another nonconforming use not more objectionable in character.
2. No nonconforming use shall, if once changed into a conforming use, be changed back again into a nonconforming use.
3. A lot or parcel upon which a lawfully pre-existing nonconforming use has been discontinued for a period of three or more years may be used thereafter only for conforming uses. Intent to resume a discontinued nonconforming use shall not confer the right to do so.

10.1.2 Enlargement of Noncomplying Buildings

A building(s) which does not conform to the requirements of this Bylaw regarding building height limit, area, and width of lot, percentage of coverage, and required yards and parking facilities, shall not be enlarged or altered, unless such enlarged or altered portion conforms to the regulations, including use regulations, applying to the district in which it is located except with the approval of the Zoning Board of Adjustment.

10.1.3 Reconstruction of Noncomplying Buildings

1. Except in Flood Hazard Areas as regulated in Section 8 nothing in this Bylaw shall prevent the restoration or reconstruction within three (3) years of a building damaged or destroyed by fire, explosion, accident or by the public enemy, subsequent to the adoption of this Bylaw, to its condition prior to such damage or destruction, nor prevent the restoration of an unsafe wall or structural member, provided the original dimensions of the structure are not exceeded.
2. Nothing in this Bylaw shall prevent the taking down of a pre-existing, noncomplying building to be replaced at its original site, providing that the original dimensions are

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

not exceeded. A permit for demolition shall be required and, for any reconstruction within the three (3) year period, permitted.

10.1.4 Discontinuance of Nonconforming Uses/Noncomplying Buildings

Nothing herein shall require the discontinuance of a nonconforming use or noncomplying building already lawfully in use prior to passage of this Bylaw, or amendments thereto.

10.2 Protection of Wetlands, Waterbodies, Streams and Drainageways

An undisturbed, naturally vegetated buffer strip shall be maintained in all zoning districts within a minimum distance of 100 ft. from the boundary of any Class I wetland; 50 feet from the boundary of any Class II wetland; 50 feet from the top of the normal bank of a stream or watercourse, or within a horizontal distance of 50 feet from the shore line of any natural or artificial pond, lake, or waterbody; all as shown on Town Plan Maps and as included in the Town Plan. If evidence shows a greater buffer is required, it will be applied. (Refer to Section 3.6.)

New development, dredging, ditching or manipulation of vegetation, will not be permitted within the buffer strip or wetland, unless in conformance with the Vermont Wetlands Rules, Vermont Dept. of Fish & Wildlife approved management practices, federal regulations, and these regulations. Where these Bylaws are more restrictive than State or federal regulations, they shall apply.

Application for such approval shall be submitted to the Zoning Board of Adjustment with such surveys, maps, and other data, as the Zoning Board of Adjustment may require in order to reach its decision. The Zoning Board of Adjustment shall refer all applications and accompanying surveys, maps, and data to the Planning Commission for its report and recommendations. Prior to granting such approval the Zoning Board of Adjustment shall have found that the proposed use will not contribute to impeded drainage, flood hazard, erosion, silting or other adverse effect on natural conditions, or on fish or wildlife habitat, nor cause pollution.

10.3 Off-Street Parking

10.3.1 Parking Facilities

Parking facilities shall be provided for all permitted uses and, in all instances, off the street and outside the public right-of-way. Parking facilities shall be located on the same lot unless otherwise approved by the Planning Commission. Handicapped parking facilities are required in addition to the following minimum requirements:

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

1. Each dwelling unit shall be provided with at least one (1) parking space.
2. Group service uses shall be provided with at least one parking space for every four (4) persons to be accommodated on the premises.
3. There shall be provided adequate off street parking for any commercial purpose, and in no case shall there be less than one (1) parking space for every motorized vehicle used in the business, plus a minimum of one (1) parking space for every person normally employed on any one shift or work period, plus a minimum of two (2) additional parking spaces provided for each commercial establishment.
4. There shall be provided not less than one (1) parking space for each three (3) seats in a restaurant or establishment, the primary function of which is to serve food or beverages to patrons.
5. There shall be provided for each motel, hotel, tourist home, rooming house or similar establishment, not less than one (1) parking space for each two (2) persons accommodated on the premises.
6. Commercial-Industrial uses and buildings shall have one (1) parking space for every motorized vehicle used in the business, plus a minimum of one (1) parking space for every person normally employed on any one shift or work period, plus a minimum of two (2) additional parking spaces provided for each commercial establishment.
7. Customary home occupations shall have an additional parking space for each employee who is not a family member living on the premises.

10.3.2 Shared Parking

Where it can be demonstrated that parking facilities dedicated to another nearby use will not be utilized during the same period as the proposed use, those parking facilities may be shared contingent on a binding written, signed, and notarized agreement between the land owners, and as approved by the Planning Commission. Such easements will need to be recorded in the Town Land Records.

10.3.3 Parking Space Size

The size of each parking space shall measure 10 feet by 20 feet, except for handicapped parking spaces which require additional space for a parking access aisle as regulated by the Americans With Disabilities Act.

10.3.4 Handicapped Parking

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

All public buildings and uses shall have at least one handicapped parking space except for customary home occupations. One additional handicapped space is required for every twenty-five (25) regular parking spaces.

10.3.5 Loading Facilities

All loading areas shall be designed with the proper turning radii to easily accommodate the typical size of trucks expected at the site. All loading areas shall occur on-site, and out of the right-of-way of adjacent roads. Loading areas shall be located away from residential areas, wherever possible. If located adjacent to residential areas, a year-round landscaped buffer at least 15 feet in width shall be provided by the applicant, and shall meet the landscaping standards of this Bylaw.

10.3.6 Landscaping

Landscaping shall be required for all parking/loading areas. Screening shall be required for commercial or industrial parking/loading areas located adjacent to residential districts. Landscaping shall be required between buildings and parking areas. Parking lot entrances, exits, and areas adjacent to roads shall be landscaped with medium scale trees so that visibility is maintained at all times, and when trees mature. A landscaped strip shall be required between two abutting rows of parking, or between abutting parking areas on separate lots. All trees shall be at least 1 1/2 inches to 1 3/4 inches caliper when planted. All screening shrubbery shall be 5-6 feet in height when planted, and shall provide a year-round screen.

10.3.7 Applicability

Expansions or changes of uses as well as new uses, must meet these requirements.

10.4 Mobile Home and Travel Trailer Occupancy

10.4.1 A mobile home may be used as a one-family dwelling, provided that it is located on a lot meeting all of the requirements of this Bylaw applicable to a one-family dwelling in the district in which it is located.

10.4.2 A mobile home may be temporarily parked on a lot, and used as a dwelling, by the owner of the lot during construction of, and until occupancy of, a permanent dwelling, for a period not to exceed one (1) year. The Zoning Administrator may approve a one (1) year extension.

10.4.3 A mobile home, or travel trailer may be used temporarily as a field office, accessory to a construction operation being executed on the premises, for a period not to extend beyond the time of contract.

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

10.4.4 A mobile home or travel trailer may be parked at a campground operated by the State of Vermont on State land, or at a private campground approved by the appropriate State Agencies.

10.5 Mobile Home Parks

Mobile home park regulations are in accordance with 10 VSA, Ch. 153, § 6204 (a) and 24 VSA, § 4412(B) and (C).

10.5.1 Application

No person shall construct or occupy a mobile home park (more than 2 units) without first obtaining a Site Development Plan approval from the Planning Commission, Zoning Board of Adjustment conditional use approval, and a State mobile home park permit. Mobile home parks shall be allowed in the A & RR district. As per Section 3.8, a Site Development Plan is required.

10.5.2 Standards

In addition to the requirements of Section 3.8 of this Bylaw, the following standards apply:

1. A mobile home park shall have an area not less than 5 acres.
2. Mobile home parks shall provide for individual mobile home lots, access driveways, parking, and recreation and open space.
3. Each mobile home site must have frontage onto an access driveway, which must be at least 50 feet in right-of-way width and have a gravel surface at least 24 feet in width and 12 inches in depth of compacted gravel. All driveways shall be adequately lighted.
4. At least 11,000 sq. ft. of lot area for each mobile home site shall be provided. A minimum of 3,000 sq. ft. per mobile home site shall be in common open space, not including roads or parking. Each mobile home shall be located a minimum of 15 feet from its individual lot line.
5. At least two (2) parking spaces per mobile home unit plus an additional parking space for every two (2) mobile home units, to accommodate visitors, shall be provided. Parking spaces must be paved or graveled. All other requirements in Section 10.3 of this Bylaw shall apply as applicable. Pedestrian walkways must be provided and adequately lighted.
6. A buffer strip of land, at least 100 feet in width, shall be maintained as a landscaped

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

area within and abutting all property lines and public road frontage of the mobile home park. No structures or uses shall be permitted within this buffer strip.

7. Each mobile home site must have an attachment for water supply. The water supply source and hookups must be approved by the appropriate State agencies.
8. Each mobile home site must have an attachment for sewage disposal. The sewage disposal method and hookups must be approved by the appropriate State agencies.
9. The base of each mobile home shall be adequately skirted.
10. Open space for recreation and playground purposes shall be required, occupying not less than 10% of the gross area of the mobile home park, conveniently located to all individual mobile home sites. Such open space shall be suitably landscaped with a protective screen separating such space from driveways, parking areas, and should be suitably equipped and furnished, in the judgment of the Planning Commission, for recreational and play purposes.

10.5.3 Operation

1. The operator of a mobile home park or campground facility shall maintain all parts of the mobile home park or facility in good condition. The operator shall provide for the collection and removal of waste and garbage.
2. The operator of a mobile home park or campground shall remove snow from all driveways, and shall maintain safe conditions on all driveways at all times.
3. The commercial sale of mobile homes or other vehicles in connection with the operation of a mobile home park is prohibited. The sale of a resident mobile home, previously situated within the park, is permissible. No sale of merchandise and no service business shall be carried on within the lot occupied by a mobile home.

10.6 Campgrounds

10.6.1 Application

No person shall construct or occupy a campground (more than 2 sites) without first obtaining a Site Development Plan approval from the Planning Commission, and Zoning Board of Adjustment conditional use approval. Campgrounds shall be allowed in the A & RR district. As per Section 3.8, a Site Development Plan is required.

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

10.6.2 Standards

In addition to the requirements of Section 3.8 of this Bylaw, the following standards apply:

1. A campground shall have an area not less than 5 acres.
2. Campgrounds shall provide for individual camping sites, access driveways, parking, and recreation and open space.
3. Each camping site must have frontage onto an access driveway, which must be at least 50 feet in right-of-way width and have a gravel surface at least 24 feet in width and 12 inches in depth of compacted gravel. All driveways shall be adequately lighted.
4. The minimum individual camping site shall not be less than 5,000 sq. ft.
5. At least two (2) parking spaces per camping site, plus an additional parking space for every two (2) camping sites, to accommodate visitors, shall be provided. Parking spaces must be paved or graveled. All other requirements in Section 10.3 of this Bylaw shall apply as applicable. Pedestrian walkways must be provided and adequately lighted.
6. A buffer strip of land, at least 100 feet in width, shall be maintained as a landscaped area within and abutting all property lines and public road frontage of the campground. No structures or uses shall be permitted within this buffer strip.
7. Campground facilities must provide adequate water supply and access. The water supply source and hookups must be approved by the appropriate State agencies.
8. Campground facilities must provide adequate sewage disposal facilities and public rest rooms. The sewage disposal method and hookups must be approved by the appropriate State agencies.
9. Open space for recreation and playground purposes shall be required, occupying not less than 10% of the gross campground area, conveniently located to all camping sites. Such open space shall be suitably landscaped with a protective screen separating such space from driveways, parking areas, and should be suitably equipped and furnished, in the judgment of the Planning Commission, for recreational and play purposes.

10.6.3 Operation

1. The operator of a campground facility shall maintain all parts of the facility in good

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

condition. The operator shall provide for the collection and removal of waste and garbage.

2. The operator of a campground shall remove snow from all driveways (if open in winter), and shall maintain safe conditions on all driveways at all times.
3. The commercial sale of travel trailers or vehicles in connection with the operation of a campground, or otherwise, is prohibited.
4. Concession stands, small dry goods, or package stores may be allowed within a campground, and shall be applied for as part of the campground application.

10.7 Removal of Top-Soil, Rock, Sand, Gravel

The following regulations shall apply to all operations for removal of rock, sand, gravel, and top-soil, and for the extension of such activities from existing operations. Conditional use review and approval by the Zoning Board of Adjustment and application of the following standards shall apply in addition to the requirements and standards of Section 3.8 of this Bylaw.

- 10.7.1** A plan shall be submitted by the applicant which shows the existing grades in the area from which the material is to be removed and proposed finished grades at the conclusion of the operation.
- 10.7.2** When the removal of materials is completed, the finished grades, as specified in the plan, shall be covered with two inches of topsoil and seeded with a suitable cover crop, except where ledge rock is exposed. A form of financial surety may be required, as approved by the Selectboard.
- 10.7.3** The operator shall provide for proper drainage for the area of the operation during and after completion, and no bank shall exceed a slope of one foot of vertical rise in two feet of horizontal distance except in ledge rock. No removal shall take place within 20 feet of a property line except that when the grade from a property line rises towards the lot where removal is to take place, material lying above the grade at the property line may be removed.
- 10.7.4** The Zoning Board of Adjustment may, as a condition of issuing a permit, place a time restriction on the operation, subject to renewal.
- 10.7.5** Extraction operations are not allowed in Village Residence (VR) or Village Commercial (VC) districts, or Public Water (Aquifer) Protection (CA) districts, except as part of the normal construction for an allowed use.

10.8 Ridgeline and Mountainside Overlay Zone

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

10.8.1 Purpose

The purpose of the Ridgeline and Mountainside Conservation Overlay Zone is to define an area in which new land subdivisions can be reviewed to protect Dorset's scenic resources while allowing for carefully planned development.

10.8.2 Location of Ridgeline and Mountainside Conservation Zone

The Ridgeline and Mountainside Conservation Overlay Zone shall consist of all land at and above 1,100 feet above mean sea level west of Route 7 in Dorset and all lands at and above 900 feet above mean sea level east of Route 7 in Dorset as specifically depicted and set forth on a map entitled "Dorset, Vermont - Ridgeline and Mountainside Conservation Overlay Area," dated August 6, 2015. In the event of any question of the limits or boundaries of any Ridgeline and Mountainside Conservation Overlay Zone, the Dorset Zoning Board of Adjustment shall have the authority to determine the exact area lying within the zone. A report from the Planning Commission shall be provided, pursuant to Section 2.5 of this Bylaw.

10.8.1 Uses Permitted

Uses permitted in the underlying district are permitted in the Ridgeline and Mountainside Conservation Overlay Zone and uses conditionally permitted in the underlying zone are conditionally permitted in the Ridgeline and Mountainside Conservation Overlay Zone. New land subdivision in the Ridgeline and Mountainside Conservation Overlay Zone shall be subject to the special requirements of Section 3.05 of the Dorset Subdivision Regulations.

SECTION 11: Wireless Communication Facilities

11.1 Purpose

While recognizing the importance of wireless communication facilities, it is the express purpose of this provision to minimize the visual and environmental impacts of such facilities. This section enables a review of wireless facilities by the Zoning Board of Adjustment in keeping with the Town Plan and existing Zoning Bylaws taking into account historic sites, sensitive areas, scenic corridors, recreation use and experience, environmental conditions and existing land use.

The purpose of this section shall be to regulate the placement, design, construction and modifications of wireless communication facilities so as to promote the public health, safety, and welfare of the Town and to protect its historic, cultural, natural, and aesthetic resources.

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

11.2 Administration

11.2.1 Where Permitted

Communication towers or antenna shall not be located in Natural Hazard Areas or Natural Resource Areas identified in the Town Plan with the exception of deer yards. Wireless service facilities are not permitted on a one or two family dwelling or accessory structure thereto.

11.2.2 Application

No permit for the development of a wireless communication facility shall be granted by the Zoning Administrator without Conditional Use Approval from the Zoning Board of Adjustment. Prior to granting such approval, the Zoning Board of Adjustment shall make affirmative findings for each of the criteria listed in this Section in addition to the other applicable provisions set forth in this Bylaw.

11.3 Site Development Plan

The following requirements are in addition to those in Section 3.8 of this Bylaw:

- 11.3.1** Name and address of the record landowners and any duly appointed agents of the parties;
- 11.3.2** Names and addresses of the record owners of all abutting property;
- 11.3.3** A map or sketch on mylar of the property proposed to be developed, professionally drawn to scale and with the area to be developed clearly indicated;
- 11.3.4** A description of the proposed development;
- 11.3.5** The location of the proposed structure on a USGS Topographic Map or Survey with 20' elevations or a GIS generated map compatible with VCGI standards;
- 11.3.6** A utility and access road plan located on a USGS Topographic Map;
- 11.3.7** Where the wireless communication facility is located on a parcel that is forested, the approximate average height of the existing vegetation within 100 feet of the tower base;
- 11.3.8** A design or plan for all structures, buildings, or facilities proposed for the site;
- 11.3.9** The proposed locations of all existing or proposed wireless service facilities in Dorset and within 20 miles of the proposed site for all licensed carriers seeking approval under this application;
- 11.3.10** To the extent required by the National Environmental Policy Act (NEPA) and as administered by the FCC, an Environmental Assessment (EA) draft or final report outlining the probable impacts of the proposed facility on wildlife habitats, endangered species, historic and archeological resources, wetlands, and other resources;
- 11.3.11** A cumulative radio frequency radiation study demonstrating compliance with FCC standards at the site;
- 11.3.12** Existing wireless communication facility for any competitor providing functionally equivalent service to Dorset and the estimated coverage area; and

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

11.3.13 Construction sequence and time schedule for completion of each phase of the entire project shall be provided by the applicant to the Zoning Board of Adjustment.

11.4 Density Requirements

11.4.1 Yard Requirements

Equipment, buildings, and other structures shall conform to the minimum front, side, and rear setbacks for the district in which they are located.

11.4.2 Height Limitations

The height limit for towers, antenna, and tower related fixtures in all districts shall not exceed twenty (20) feet above the average height of the tree line measured within one hundred (100) feet of the highest vertical element of the wireless communication facility. Notwithstanding the above, additional height may be approved upon finding by the Zoning Board of Adjustment that it is necessary to provide adequate coverage to Dorset, or to accomplish co-location as outlined below and does not have an undue adverse visual impact on scenic or natural beauty as outlined below.

11.4.3 Setbacks

All wireless communications facilities shall comply with the setback provisions of the zoning districts in which facilities are located. Notwithstanding, the above, in order to ensure public safety, the minimum distance of any wireless communication facility to any property line, dwelling, or occupied structure shall be no less than the height of the tower, including antennas or other vertical appurtenances. This setback shall be referred to as a fall zone. In the event that an existing structure such as a barn silo, church steeple, or utility pole is proposed as a mounting for a wireless communication facility, a fall zone setback shall not be required.

11.5 Standards and Conditions for Wireless Communications Facilities

11.5.1 Lighting

Towers requiring lighting shall not be permitted unless deemed necessary by the Zoning Board of Adjustment as the only viable alternative to meet reasonable facility requirements of a communications service provider. The only tower lighting to be permitted by the Zoning Board of Adjustment shall be required by FAA regulation or by special necessity to ensure aviation safety where FAA standards apply. All tower lighting shall be shielded to minimize glare and impact on neighboring properties.

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

11.5.2 Bulk, Height, and Glare

All wireless communication facilities shall be designed in such a manner as to minimize the visual impact of height, mass, guy wire supports, and disruption of existing vegetation. Materials utilized for the exterior of any structure shall be of a type, style, color and location so as to minimize glare and not result in an undue adverse visible impact on any scenic or historic view shed, public vantage point or abutting properties.

11.5.3 Noise

The Zoning Board of Adjustment may require the applicant to provide a statement listing the existing and maximum future projected measurements of noise from the proposed facility measured in decibels Ldn (logarithmic scale, accounting for greater sensitivity at night). It shall include existing or ambient measurements plus the proposed facility's maximum noise and existing noise environment.

11.5.4 Screening, Camouflage, Fencing

Screening shall be required at the perimeter of the site unless it can be demonstrated that existing natural foliage is adequate. A planted or natural vegetative screen shall be a minimum of ten (10) feet in depth with a minimum height of six (6) feet and shall have a potential to grow to a height of at least 15 feet at maturity. Types of vegetation shall be specified by the Planning Commission so that 12 month coverage is provided. Existing on-site vegetation outside the site for the wireless facility shall be preserved or improved. Disturbance to existing topography shall be minimized, unless the disturbance is demonstrated to result in less visual impact on the wireless facility on surrounding properties and vantage points. The use of camouflage and/or a naturally appearing structure (e.g. to represent a fully mature tree) shall be required all instances to blend in with existing structures and site characteristics. Security fencing, if required, shall be indicated on the site plan including the use of materials.

11.5.5 Co-location

The principle of co-location shall be employed, where feasible, to minimize the number of towers necessary to provide competition by FCC licensed providers. This shall impose a burden upon the applicant to demonstrate that there are no existing sites within a 20 mile radius of the proposed site which are suitable to the applicants needs despite a due diligence search, and that if such facilities do exist, that they are either technically inadequate or that the owner, after a process of good faith negotiation, will not allow co-location. The duration and terms of the offer shall be disclosed to the Zoning Board of Adjustment. It shall be the burden of the applicant to perform an analysis of technical feasibility. The applicant shall be required by permit condition to allow other

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

wireless service providers to co-locate on any new or existing tower subject to reasonable terms and conditions. Notwithstanding, there shall be no affirmative obligation on the applicant to increase the height or width of a tower in order to accommodate the equipment or facilities of another user nor shall the applicant be required to engineer the tower to accommodate another potential user. The applicant shall provide evidence in writing on how it intends to comply with this requirement and to provide copies of any such proposed agreements for proposed co-location or new tower construction.

11.5.6 Access (Roads and/or Right-of-Way) and Above Ground Utilities

Where new wireless communication facilities require construction or improvement of access, to the extent practicable, roads shall follow contour of the land. Access roads, when consistent with the purposes of this section and economically feasible, shall be constructed or improved within existing forest or forest fringe areas and not in open fields. Utility or service lines shall be designed and located so as to minimize or prevent disruption to the scenic character or beauty of the area.

11.5.7 Protection of Scenic Ridges and Hillsides

Where the Zoning Board of Adjustment, after consultation with the Zoning Administrator and the applicant, determines that a proposed wireless communication facility will likely be visible against the skyline from at least one vantage point on a State highway or Class I or II highway, or at least two vantage points on a Class III town highway no less than 1000 feet apart, the applicant shall prepare a report identifying the duration and frequency for which the tower would be visible to a passing motorist or a boater in feet and the distance to the proposed facility from the vantage points. The Zoning Board of Adjustment may require the report to include the elevation of the ground level of the facility site, the average elevation of vegetation within 100 feet of the facility within the affected viewshed, the slope of the facility site, the vertical height of the facility, appropriate design measures and recommendations to minimize any impact on scenic quality. To assist the Zoning Board of Adjustment in its review of a likely visual impact of proposed facility under this Section, the Zoning Board of Adjustment may require the applicant to fly or raise a three foot diameter balloon at the maximum height of the proposed facility at a location within fifty (50) horizontal feet of the center of the proposed facility. The applicants shall provide at least seven (7) days written notice to the Zoning Board of Adjustment the date and time of the test. The applicant is to provide a 15 day warning notice of the balloon test in a newspaper of general circulation throughout the Town of Dorset. The applicant shall provide to the Zoning Board of Adjustment photographs of the balloon test taken from at least four vantage points previously designated by the Zoning Board of Adjustment.

11.5.8 Environmentally Sensitive Areas

The Town Plan identifies several environmentally sensitive areas including

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

Natural Hazard Areas (flood hazard areas, steep slopes) and Natural Resource Areas (public water system aquifer areas, spring recharge areas, wetlands, water resources, wildlife habitat areas, natural/fragile areas, and rare and endangered plant and animal communities). When the Zoning Board of Adjustment, after consultation with the Zoning Administrator and the applicant, determines that a proposed facility may impact a sensitive area, the applicant may be required to prepare a report identifying the impacts and proposed design or other mitigation measures demonstrating that the facility will not have an undue impact. The Zoning Board of Adjustment may require visual aids, site examinations, and such other means as it deems necessary to best evaluate the impacts on the sensitive area or resource under consideration.

11.5.9 Design Areas

Facilities shall be reviewed for compliance with criteria established for special design review districts, as applicable within the requirements of this Bylaw.

11.5.10 Monitoring, Maintenance, Security

The owner/operator shall provide an annual report on the status of the facility including adherence to conditions in the permit, operations, appearance, structural integrity, safety (including fencing), periodic monitoring of noise, landscaping, service roads, utility connections and such other information as may be required by the Zoning Board of Adjustment.

11.6 Review and Approval

Upon review of the applicant's report, supporting materials, testimony from the parties, and inspections from the designated vantage points, the Zoning Board of Adjustment shall find that the proposed wireless communication facility shall not have an undue adverse visual impact on the scenic or natural beauty of the land proposed to be developed as viewed from public highway or water body within the Town.

Where a tower would break or cross the skyline when viewed from the identified vantage points, the Zoning Board of Adjustment may designate an alternative location for the its application to include such a site, assuming it is available to the applicant and reasonably technically feasible to meet the applicant's broadcast objectives.

For the purposes of this Section, a wireless communication facility shall be presumed likely to be visible against the skyline when the facility is more than eight (8) inches wide or in diameter at the point where it intersects the treeline or forest canopy.

In determining whether or not a tower would have an undue adverse visual impact on the scenic or natural beauty of a ridge or hillside, the Zoning Board of Adjustment shall consider:

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

- 11.6.1** The period of time during which the proposed tower would be viewed by the traveling public on a public highway;
- 11.6.2** The frequency of the view of the proposed tower as experienced by the traveling public;
- 11.6.3** The degree to which the view of the tower is screened by existing vegetation, the topography of the land, and the existing structures;
- 11.6.4** Background features in the line of sight to the proposed tower that obscure the facility or make it more conspicuous;
- 11.6.5** The distance of the proposed tower from the viewing vantage point and the proportion of the facility that is visible above the skyline;
- 11.6.6** The number of vehicles traveling on a public highway or water at or near the vantage point;
- 11.6.7** The sensitivity or unique value of the particular view affected by the proposed tower; and
- 11.6.8** Significant disruption of a view shed that provides context to a historic or scenic resource.

The Zoning Board of Adjustment shall have the authority to impose conditions consistent with the purpose of this Section in approving a proposed plan for the development of a wireless communication facility. A notice of decision with conditions shall be promptly recorded or filed with the Town by the Zoning Board of Adjustment or Administrative Officer. It shall be the obligation of the permittees and subsequent assigns to remain in compliance with all conditions.

11.7 Provision for Independent Consultants

To assist the Zoning Board of Adjustment in its review of applications for Conditional Use Approval under this Section, the Zoning Board of Adjustment may employ or contract with consultants whose services shall be paid for through the Town, with costs to be reimbursed to the Town by the applicant. Any or all final reports or documents prepared by the consultant shall be made available to the applicant and other parties to the proceeding.

11.8 Amendments

An amendment to a prior approved wireless communication facility may be considered by the Zoning Board of Adjustment and shall require Conditional Use Approval from the Zoning Board of Adjustment when any of the following are proposed:

1. Change in the number of facilities permitted on the site;
2. Changes in technology, power or frequency used for the facility; or
3. Addition of any equipment or additional height not specified in the original application.

11.9 Abandonment, Discontinuation of Use, and Removal of Antennas and Towers

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

If there are plans to abandon or discontinue operation, the owner/operator shall notify the Town by certified U.S. mail of the proposed date of abandonment or discontinuation of operations. Such notice shall be given no less than thirty (30) days prior to abandonment or discontinuation. Failure to provide notice shall be considered abandonment. Upon abandonment or discontinuation of use, the owner/operator shall physically remove all facilities and return the site to its original condition.

Any wireless communication facility that is not operated for a continuous period of twelve (12) months shall be considered abandoned and hazardous to the public health and safety, unless the owner of said tower provides proof to the contrary through quarterly inspections. Exceptions to continuous operation include shutdowns for routine maintenance, repairs, or to repair or replace damage as a result of so-called Acts of God such as a tornado, which would require longer periods. The owner shall remove the abandoned structure within ninety (90) days of receipt of a declaration of abandonment from the Town notifying the owner of such abandonment. A declaration of abandonment shall only be issued following a noticed public hearing conducted by the Zoning Board of Adjustment with notice to the last known owner/operator and occupants of the tower. If the abandoned tower is not removed within ninety (90) days, the Town may bring action to have the tower removed. The Zoning Board of Adjustment, as a condition to approval, may require the applicant to provide a performance bond, or similar form of surety payable to the Town at an amount sufficient to cover the full costs of removal of a tower antenna in the event that the facility is declared abandoned. Operation of a facility must commence upon completion of construction.

11.10 Fees

A schedule of fees for wireless communications facilities to cover project review, permitting, and monitoring costs shall be established by the Dorset Selectboard and may contain provision for the applicant to reimburse the Town for the costs of independent consultant services in connection with application review.

11.11 Consistency with Federal Law

These regulations are intended to be consistent with Section 704 of the 1996 Telecommunications Act. Accordingly, they shall not prohibit, or have the effect of prohibiting the provision of personal wireless communications services; shall not unreasonable discriminate among providers of functionally equivalent services; and shall not regulate personal wireless services based on the environmental effects of radio frequency emissions to the extent that these facilities comply with the Federal Communications Commission Regulations concerning such emissions.

11.12 Separability

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

If any part or provision of this Section or the application of this Section is adjudged invalid by a court of competent jurisdiction, the judgment shall be confined in its operation to this Section, or application directly involved in the controversy in which the judgment has been rendered. Accordingly, it shall not affect or impair the validity of the remainder of this Section or the application thereof to other service providers or circumstances.

SECTION 12: ADMINISTRATION AND ENFORCEMENT

12.1 Zoning Administrator Appointment and Duties

The provisions of this Bylaw shall be administered and enforced by the Zoning Administrator, nominated by the Planning Commission and approved by the Selectboard, for a term of three (3) years, or as provided by law. The Zoning Administrator shall literally enforce the provisions of these regulations, inspect land developments, maintain records of actions taken, and perform all other necessary and required tasks to carry out the provisions of these regulations, and the duties of the office.

12.2 Permits

12.2.1 Application

Before any development, land or building is devoted to a new or changed use, or before the erection, extension, alteration of the outside, enlargement, or moving of any building, a permit shall be obtained from the Zoning Administrator. Application for such permit shall be made on a prescribed form provided by the Zoning Administrator and certified as correct by the applicant, and accompanied by the correct fee(s). If a person(s) other than the property owner(s) is the applicant, the property owner(s) shall provide a notarized statement authorizing the applicant to act on behalf of the property owner(s). The applicant must present his application and any required fee to the Zoning Administrator either in person or by certified mail. The Zoning Administrator shall determine that the application is complete, including the furnishing by the applicant of copies of all applicable State, Town, or other relevant permits, and that it appears to contain sufficient information to determine that the proposed building or use complies with the applicable provisions of this Bylaw. If the application is incomplete, or the fee is not submitted, the Zoning Administrator shall return the application, along with any fee submitted, in person or by certified mail stating the reasons for the return.

Except in Flood Hazard Areas as regulated in Section 8, minor construction of accessories or additions of up to and including 120 square feet are exempt from the permit process, except in a design district, but must comply with setback requirements.

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

Except in Flood Hazard Areas as regulated in Section 8, such construction of accessories or additions does not refer to changes inside an existing building which do not affect the outside appearance or dimensions of that building.

The Zoning Administrator shall follow the provisions of this Bylaw and Sections 4448 and 4449 of the Vermont Planning and Development Act when issuing permits.

12.2.2 Zoning Administrator Actions

Once a complete application, including fee, is received, the Administrative Officer shall have ten (10) working days to approve, disapprove, refer to the appropriate Board or Commission, or notify the applicant of the need for time extension for extended examination of the application. The Administrative Officer must reply in person or by certified mail.

In cases where the Zoning Administrator is unable to act or requires extensive examination of a valid or complete application, the applicant shall be notified in writing by the Zoning Administrator within the ten (10) day period that an extension is necessary except as limited by Section 3.7 - Limitations, and Section 8.6 - Development Standards (Flood Hazard Areas). Such extension shall not exceed thirty (30) days.

If the Zoning Administrator fails to act with regard to a complete application for a permit within 30 days, whether by issuing a decision or by making a referral to the appropriate municipal panel, a permit shall be deemed issued on the 31st day.

Before issuing any permit, the Zoning Administrator shall certify that the proposed building or use complies with all the applicable provisions of this Bylaw, and shall then follow the provisions of 24 VSA, Ss4449 during course of construction, a card issued by the Zoning Administrator at the time permit is approved, shall be displayed in a prominent outdoor location at the site.

12.2.3 Permit Expiration

Permits issued in accordance with the above shall be considered void if construction does not commence within one (1) year of approval date, after which time a new permit may be applied for, unless longer times have been specified by the Planning Commission or Zoning Board of Adjustment and approved in the permit and permit conditions. Permits may be renewed at any time less than one year after the date of approval for a period of one year. Permits will be valid for one year from the date of renewal and can only be renewed once.

12.3 Certificate of Occupancy

It shall be unlawful to use or occupy or permit the use or occupancy of any land or

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

structure, or part thereof, created, erected, converted, or altered in its use or configuration prior to the issuance, by the Zoning Administrator, of a Certificate of Occupancy stating that the proposed use of the structure or land conforms to that which was originally authorized by the Zoning Permit.

12.4 Interpretation of Bylaws

In their interpretation and application, the provisions of this Bylaw shall be held to be the minimum requirements adopted for the promotion of the public health, safety, comfort, convenience, and general welfare. It is not intended by this Bylaw to repeal, abrogate, annul, or in any way to impair or interfere with existing provisions of law or ordinance, or any rules, regulations, or permits previously adopted or issued, or which shall be adopted or issued pursuant to law, relating to the use of buildings or premises; nor is it intended by this Bylaw to interfere with or abrogate or annul any easements, covenants, or other agreement between parties, provided, however, that where this Bylaw imposes a greater restriction upon the use of buildings or premises, or upon the height of buildings, or requires larger yards, courts, or other open spaces than are imposed or required by existing provisions of law or ordinance, or by such rules, regulations or permits, or by such easements, covenants or agreement, the provisions of this Bylaw shall control.

12.5 Penalties

Any person who violates the provisions of this Bylaw shall be subject to the penalties prescribed in the Vermont Municipal and Regional Planning and Development Act of 1968, Title 24 VSA, Chapter 117, and amendments thereto, or appropriate civil action.

12.6 Validity

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

12.7 Public Notice

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

12.8 Zoning Board of Adjustment

There shall be a Zoning Board of Adjustment, created as provided by 24 VSA, § 4460 through 4473, inclusive, with the power and duties as provided therein.

12.9 Appeals – Variances

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

12.9.1 An interested person (s.4465) may appeal any decision or act taken by the Zoning Administrator by filing a notice of appeal with the Secretary of the Zoning Board of Adjustment or with the Town Clerk, as provided by 24 VSA, § 4465 through 4470, inclusive, and as amended. Any interested person may appeal a decision of the Planning Commission or Board of Adjustment to the Environmental Court, as provided for in 24 V.S.A. Sections 4471 and 4472.

12.9.2 On appeal from a decision by the Zoning Administrator, when a variance from the strict requirements of this bylaw is requested, the Board of Adjustment may render a decision in favor of the applicant only if it makes a positive finding for all of the following reasons:

1. That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that the unnecessary hardship is due to such conditions, and not the circumstances or conditions generally created by the provisions of the zoning regulation in the neighborhood or district in which the property is located;
2. That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the zoning regulations, and that the authorization of a variance is therefore necessary to enable the reasonable use of the property;
3. That such unnecessary hardship has not been created by the appellant;
4. That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor reduce access to renewable energy resources, 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 deviation possible of the zoning regulation and of the plan.

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

1. It is unusually difficult or unduly expensive for the appellant to build a suitable renewable energy resource structure in conformance with the bylaw;

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

2. The hardship was not created by the appellant;
3. The variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, substantially or permanently impair the appropriate use or development of adjacent property, reduce access to renewable energy resources, or be detrimental to the public welfare; and
4. The variance, if authorized, will represent the minimum variance that will afford relief and will represent the least deviation possible from the Bylaw and the Town Plan.

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

12.10 Amendments

This Bylaw, or the boundaries of zone districts established herein, may be amended from time to time after a public hearing, as provided by 24 VSA, § 4442 and as amended.

12.11 Review

At a minimum, every fourth year from the date of adoption of this Bylaw, the Planning Commission shall review this Bylaw to recommend such changes and amendments as may be necessary. The Planning Commission shall hold not less than one public hearing.

APPENDIX A: DEFINITIONS

For the purpose of this Bylaw, certain terms or words shall be defined as below. All other words shall retain their dictionary meaning as found in any readily available dictionary, unless such meanings run counter to the purposes and objectives of the Town of Dorset Zoning Bylaw or Town Plan. The definitions of terms defined in 24 V.S.A., §4303, and not otherwise defined herein are made a part of this Bylaw. Words in the present tense include the future, the singular number includes the plural, and vice-versa. The word "person" includes a partnership, corporation, or other entity. The word "building" includes the word "structure."

Accessory Dwelling: An efficiency or one bedroom dwelling unit constructed within, attached, or appurtenant to an owner occupied primary single family residence whereby occupancy is

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

restricted to not more than two persons, and where floor space does not exceed 30 percent of the floor space of the existing living area of the single family residence or 400 square feet, whichever is greater. A single family residence with an accessory apartment as defined herein is not considered a public building. Also see Section 3.7.9.

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

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

Acre: 43,560 square feet.

Antenna: A device attached to a tower or other structure for transmitting or receiving electromagnetic waves.

Area of Special Flood Hazard is synonymous in meaning with the phrase “**special flood hazard area**” for the purposes of these regulations.

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

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

BFE: see Base Flood Elevation

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

Building: Any structure having a roof and intended for the shelter, housing, or enclosure of persons, animals or materials. “Building” includes a gas or liquid storage tank that is principally above ground.

Building, Accessory: Any building which is subordinate to and whose use is incidental and accessory to the use of the principal building on the same lot, or on an adjoining lot under the same ownership. A detached accessory building shall be one which is not attached to the principal building by any covered porch, breezeway, or other roofed structure. The term

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

“Building, Accessory” shall include, but not be limited to, swimming pools, tennis courts, and satellite dish receivers exceeding two (2) feet in diameter or requiring permanent foundation footings.

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

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

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

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

Building, Principal: The primary use on the lot, i.e. the house, or main house on a residential lot, the commercial buildings on a commercial lot, etc.

Campground: Land on which is located one or more trailers, vans, campers, tents, lean-to shelters, or other accommodations suitable for seasonal or temporary living purposes.

Camp, Organized: An organized camp for adults, families or children, where the curriculum is supervised, such as a Boy Scout, Girl Scout, 4-H, or similar camp. Organized camps contain accommodations suitable only for seasonal or temporary living purposes.

Change of Use: Any change of a business purpose or increase of intensity of use, as per Section 6.3.2.

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

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

Common plan of development: Where a structure will be refurbished over a period of time. Such work might be planned unit by unit.

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

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

Customary Home Occupation: An occupation or profession practiced either part time or full time which

- (1) is carried on by a member of the family residing in the dwelling unit for residential purposes; and
- (2) is clearly incidental and secondary to the use of the dwelling unit for residential purposes; and
- (3) conforms to the following conditions:
 - (a) Does not change the outside appearance of the dwelling or accessory building and is not visible from the street or road or neighboring properties;
 - (b) Does not create traffic or parking in excess of normal residential use, nor create a sewage disposal or water supply problem;
 - (c) Does not create a hazard to person or property, result in electrical interference, nor become a nuisance;
 - (d) Does not result in outside storage or display of raw materials, work in progress or completed project(s). This limitation does not include materials or product(s) stored in existing accessory buildings which are not fully enclosed. Screening may be required by such storage;
 - (e) Creates no offensive noise, vibrations, odors, heat, light, glare, smoke, or dust noticeable off premises;
 - (f) Retail sales allowed only for products produced on the property;
 - (g) Number of nonresident employees limited to four in all zoning districts;
 - (h) Does not detract from the residential character of the neighborhood;
 - (i) One unlighted identification sign not to exceed four (4) square feet is permitted.

Development: Any construction or improvement including, but not limited to buildings, structures, roadways, driveways, parking areas, on-site septic systems or other infrastructure, or alteration of the grades, necessary for the conversion of a tract of raw land into an area suitable for residential or business uses or any change in the use of any building or other structure, or land (including but not limited to mining, excavation, and landfill), or extension of use of land. Development is also the division of a parcel of land into two or more parcels.

DFIRM: Digital Flood Insurance Rate Maps.

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

Driveway: Private access over privately owned land, or by permanent easement, serving no more than two dwellings or commercial uses.

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

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

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

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

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

FAA: Federal Aviation Administration.

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

Family Child Care Home or Facility: A home or facility where the owner or operator is licensed or registered by the State for child care. See section 3.7.8.

Farm Stand: A farm stand does not exceed 200 sq. ft. in area, and is used for the sale of local agricultural products. Farm stands must be erected at least 50 feet back from the edge of the traveled way as per Section 3.2.4 of this Bylaw, and must have parking spaces provided as per Section 10.3 of this Bylaw.

FCC: Federal Communications Commission

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

FIRM: see Flood Insurance Rate Map

FLESA: FLESA stands for Forest Land evaluation Site Assessment. FLESA is a system that numerically rates forest land. The system is based on criteria related to soils, timber management, wildlife, scenic and recreational resources, and certain other criteria as identified in the FLESA document. FLESA is a planning tool - - to be used as a guideline -- by the Planning Commission, the Zoning Board of Adjustment, and the Selectboard.

Flood : (a) A general and temporary condition of partial or complete inundation of normally dry land areas from: the overflow of inland or tidal waters; the unusual and rapid accumulation or runoff of surface waters from any source; and mudslides which are proximately caused by

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

flooding and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.

(b) The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding.

Flood Insurance Rate Map (FIRM): An official map of a community, on which the Federal Insurance Administrator has delineated both the special flood hazard areas and the risk premium zones applicable to the community.

Flood Insurance Study: An examination, evaluation and determination of flood hazards and, if appropriate, the corresponding water surface elevations or an examination, evaluation and determination of mudslide (i.e., mudflow) and /or flood related erosion hazards.

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

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

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

Floodway, Regulatory in Town of Dorset: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot at any point. 22

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

Fluvial Erosion Hazard Zone: Includes the stream and adjacent lands necessary to accommodate the slope and plan form requirements of a geomorphically stable channel, and is subject to fluvial erosion as defined by the Vermont Agency of Natural Resources and delineated on the current Fluvial Erosion Hazard Zone Map.

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

Functionally dependent use: A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water.

Historic structure: Any structure that is: (a) listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (b) certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or (d) individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: (i) by an approved state program as determined by the Secretary of the Interior or (ii) directly by the Secretary of the Interior in states without approved programs.

Inn: A building providing lodging for persons with or without meals, and intended for accommodation of transients, and so designed that normal ingress and egress occur from a central lobby, as opposed to individual entrances to separate units from the outdoors. No cooking facilities are available to guests. An inn is not a dwelling unit. An Inn is considered Public Lodging.

LESA: LESA stands for Land Evaluation and Site Assessment. It is a program developed by the U.S. Soil Conservation Service. LESA is a system that numerically rates agricultural land. The Land Evaluation is based on the quality and slope of the soil. The Site Assessment is based on the size of the parcel, its location, and certain other criteria appropriate to this community. LESA is a planning tool; guidelines for use by the Planning Commission, the Zoning Board of Adjustment, and the Selectboard.

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

Lot: A plot or parcel of land occupied or intended for occupancy by a use or a principal building and the accessory buildings or uses customarily incident to it, including such open spaces as are required by this Bylaw. In the case of public, institutional, commercial, industrial, or agricultural buildings, a group of buildings on the same or contiguous premises, all under the same ownership, may be considered as occupying the same lot.

Lot, Corner: A lot at the intersection of and abutting on two or more streets where the angle of intersection is not more than 135 degrees, or where the intersection is rounded by a curve having a radius of less than one hundred feet. All lines dividing the lot from streets shall be considered

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

front lot lines.

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

Lot, Through: A lot other than a corner lot which abuts two or more streets which do not intersect at the lot. All lines dividing the lot from streets shall be considered front lot lines. All other lot lines shall be considered side lot lines.

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

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

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

Lot Line, Side: The line or lines bounding a lot which extends from the street towards the rear in a direction approximately perpendicular to the street.

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

Lowest Floor: The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, useable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor, provided such an enclosure is not built in such a way as to render the structure in violation of the applicable non elevation design requirements of the Flood Hazard Areas, Section 8 of this Bylaw.

Manufactured Home: See Mobile Home/Manufactured Home, below.

Manufacturing: Shall include fabricating, assembling, treating, processing, and similar operations performed under the conditions of this Bylaw.

Mobile Home/Manufactured Home: Means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes, the term "manufactured home" also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days.

Mobile Home Park: A parcel of land under single or common ownership or control, which

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

contains, or is designed, laid out or adapted to accommodate, two or more mobile homes. Nothing herein shall be construed to apply to premises used solely for storage or display of mobile homes.

Motel: A building or group of buildings providing lodging for persons, intended primarily for the accommodation of transients, having a private outside entrance for each room or suite of rooms, and for each of which rooms or suites of rooms, vehicular parking is provided on the premises.

New construction: For regulation under this bylaw, means structures for which the *start of construction* commenced on or after the effective date of the floodplain management regulation adopted by the community and includes any subsequent improvements to such structures.

Noncomplying Building: Delete definition

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

Nonconforming Use: A use of land, building or premises, which is not a use permitted by the provisions of this Bylaw for the district in which such land, building, or premises, are situated, but which was legally existing prior to the effective date of the original March 6, 1973 Bylaws and amendments, as well as to the adoption of this Bylaw, or of any amendment hereto.

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

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

Off-premise Water Supply: One or more springs or wells owned by an individual or individuals rather than a municipality, each of which serves three or more properties by common agreement among the persons involved, and not subject to public regulation.

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

Premises: A lot, as defined in this section.

Principal Building: The building on the lot containing the major permitted use or uses, as

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

opposed to a building containing a minor use customarily incidental to the principal use.

Public Highways: All federal, State and municipal highways, including Class 1,2 3 and 4 municipal highways.

Public Lodging: Public lodging is a conditional use requiring site plan review by the Planning Commission, and review and approval by the Zoning Board of Adjustment. Public lodging is not considered a Customary Home Occupation. Public lodging is an Inn, Rooming House or Tourist Home as defined in this Bylaw. Public lodging shall accommodate more than two guests, but no more than two guests per bedroom in the existing dwelling (excepting children under 12 years of age) provided that:

- a. the residential character of the neighborhood is maintained;
- b. there is no noticeable glare off-site from outdoor lighting;
- c. noise levels will not create an objectionable impact off-site;
- d. off-street parking is provided, consistent with the requirements of Section 10 and screened as appropriate from neighboring properties;
- and
- e. all applicable State requirements are met.

A dwelling meeting this definition, regardless of its name, is deemed to be a Tourist Home for the purposes of this Bylaw.

Public Sewer: A system of sanitary sewers owned and operated by a municipality or other governmental unit.

Public Water Supply: A system of water supply owned and operated by a municipality or other governmental unit, or by a corporation authorized and regulated by the State of Vermont for purposes of public water supply.

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

Retail: Refers to a shop or store for the sale of goods, commodities, products or services directly to the consumer, as opposed to wholesale.

Rooming House (Boarding House): A dwelling wherein rooms in the principal dwelling house are offered for hire for residential purposes, with or without meals. Transients may not be accommodated. Meals may be served only to residents. Any dwelling meeting this definition, regardless of its name, is deemed to be a Rooming House for the purposes of this Bylaw. A Rooming House is considered Public Lodging.

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

Sawmill/ Logyard: A mill or machine for sawing logs. Operation includes the shipment of raw wood products to and from the sawmill facility. The material is generally unfinished in nature. Examples of raw wood products include: bark, boards, chips, dust, mulch, slabs, firewood for home heating etc. Trans-shipment and storage of raw wood products on the site of a Sawmill/Logyard is considered subordinate and must be screened from adjacent properties and public roadways.

Several: More than one.

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

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

Street: A town or State highway, or a street shown on a subdivision plan approved by the Planning Commission. The word “street” shall include the entire right-of-way thereof. If a boundary of the right-of-way has not been surveyed and so recorded and is not marked by a fence line or other physical feature, the boundary shall be deemed to be 25 feet from the center line of the traveled way.

Street Line: The line dividing the street and the lot.

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

Structure: An assembly of materials for occupancy or use, including but not limited to, a building, or manufactured home, mobile home or trailer, and gas or liquid storage tanks.

Structure, Farm: A building for housing livestock, raising horticultural or agronomic plants, or carrying out farming practices, including a silo, but not including a dwelling for human habitation. Municipal zoning permits for farm structures are not required, but the property owner shall notify the Administrative Officer of intent to build a farm structure, and shall abide by setbacks approved by the State Commissioner of Agriculture, Food, and Markets.

Subdivision: The division of land into two or more lots, plat sites, or other divisions for the purpose, whether immediate or future, of sale, lease or development. This shall apply to all uses, such as residential uses (including, but not limited to condominium units), commercial, industrial, recreational, agricultural, municipal, institutional, utilities, and forestry. The word subdivision shall refer to the land to be subdivided or to the process of subdividing, as appropriate to the context. The term subdivision includes re-subdivision. A property boundary adjustment exchange, in accordance with the Town of Dorset Subdivision Development Regulations, shall not be considered a subdivision or re-subdivision.

Subordinate: Of a smaller size, or lesser degree of intensity or impact of use than the principal use on the parcel or lot.

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

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

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

Tourist Home (Bed and Breakfast): A dwelling wherein rooms in the principal dwelling house

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

are offered for hire to transient guests, with or without meals. Meals may be served only to guests who have hired rooms. A Tourist Home is considered Public Lodging.

Tower: A structure more than 20 feet in height above ground elevation built for the purpose of supporting, elevating, or placement of antennas for broadcast services or wireless services.

Travel Trailer: A vehicle not exceeding thirty feet in length, and designed and used primarily for recreational travel purposes. To be considered a travel trailer, such vehicle must rest on its own wheels. The provisions hereof applicable to travel trailers shall also be applied to any motor vehicle not exceeding thirty feet in length, whose body has been equipped for occupancy for recreational purposes. Travel trailers beyond 30 feet in length shall be considered mobile homes. This definition does not apply to commercial vehicles, such as 18 wheel trucks equipped with sleeping quarters, that are used to transport goods.

Travel Trailer Camp: Any premises used or permitted to be used for the parking of more than one occupied travel trailer.

Traveled Way (Traveled Portion): For the purpose of this Bylaw, this means that portion of the right-of-way which is paved. In the case of unpaved roads the traveled way shall be deemed to be ten feet each way from the center line of the road. In the case of U.S. 7 and Vt. 30 the portion of the road lying between the painted side lines shall be deemed the traveled way.

Vantage Point: A point located on a public highway or public water body from which a proposed wireless communication facility will be visible.

Viewshed: The entire area visible from a vantage point.

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

Wireless Communication Facility: A tower, pole, antenna, guy wire, or related fixtures or equipment intended for use in connection with transmission or receipt of radio or television signals or any other electromagnetic spectrum-based transmissions/reception and for which a license is sought or has been granted by the FCC; the construction or improvement of a road, trail, building, or structure incidental to a communication facility.

Yard, Front: An open space between the building and the traveled way of the public or private road, extending the full length of the lot, or, in the case of a corner lot, extending along all roads.

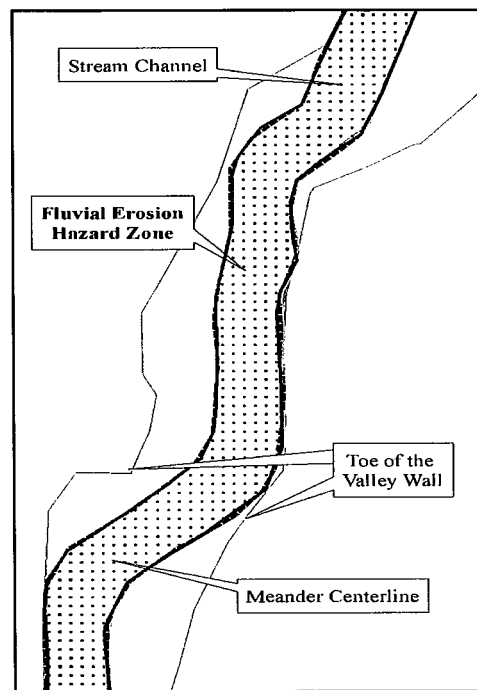
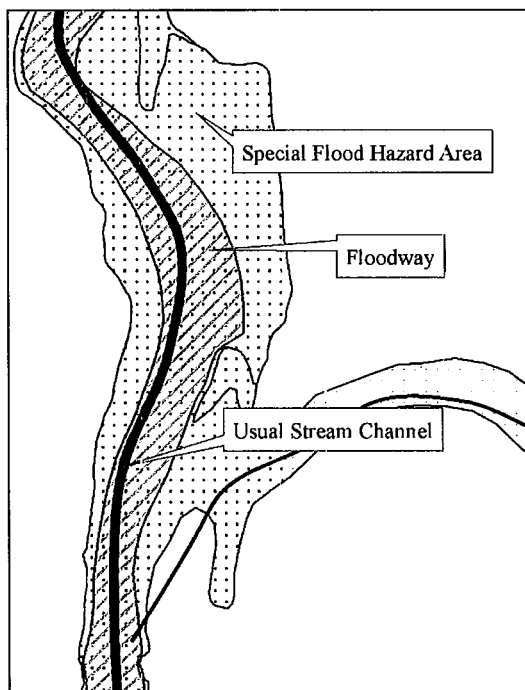
Yard, Side: An open space between the building and a side lot line, extending the full length of the lot.

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF THE TOWN OF DORSET, VERMONT

Yard, Rear: An open space between the building and a rear lot line, extending the full length of the lot.

Yard, Required Front, Rear or Side: So much of the front, rear or side yard, as required by the applicable provisions of this Bylaw

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



See end of Bylaw Section 8 for all endnotes.

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

APPENDIX B - MAPS

PLEASE NOTE:

The Town of Dorset Zoning map dated August 6, 2015 and amendments thereto;

The Dorset Village Historic District Map dated August 6, 2015 and amendments thereto;

The zoning detail maps for VC Districts – Map: Dorset Village, Map: South Dorset Village, and Map: East Dorset Village -- all dated August 6, 2015;

The zoning detail maps for CI Districts -- Map South Dorset Village, East Dorset CI-1, South East Dorset, and Northeast Dorset CI-2 -- all dated August 6, 2015;

The Public Water (Aquifer) Protection Areas – dated August 6, 2015

Ridgeline and Mountainside Conservation Overlay Zone – dated August 6, 2015

Also considered part of the Zoning Bylaw map are the Flood Hazard Boundary Maps (also known as the Flood Insurance Rate Maps) dated December 2, 2015 and amendments thereto;

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

**APPENDIX C:
DESCRIPTION OF ZONING DISTRICTS AND OVERLAY AREAS**

NOTE: The Description of Zoning Districts and Overlay Areas is attached to describe in detail the location of zoning districts and overlays in the Town of Dorset Zoning Bylaw. Where there is a discrepancy in the maps, the description shall prevail. Subsection 2.5, "Interpretation of Maps" shall apply if there is any uncertainty as to the location of a district boundary line.

Agricultural and Residential: (Map: All Maps)

Agricultural and Rural Residence (A & RR Districts) = all lands within the Town of Dorset not contained in the Village Residence (VR Districts), Forest I (FI Districts), Forest II (F II Districts), Public Water (Aquifer) Protection Areas (CA Districts), Planned Commercial-Industrial (CI Districts), and Village Commercial (VC Districts), all as described below and as shown on the Town of Dorset Zoning Map dated August 6, 2015, and all amendments thereto.

Village Residential (VR Districts) (Map: Dorset Village)

Dorset Village (north side of Route 30) = all lands contained within the district formed when starting at a point where the north side of Route 30 intersects with the center line of Pinnacle Lane, then running in a northerly direction a distance of 210 feet along the center line of Pinnacle Lane, then turning and running in an easterly direction until its intersection with the northwest corner of the property of lot #83-block #21-sheet #20, then running in a northeasterly direction until its intersection with the southwest corner of the property of lot #53.2-block #21-sheet #20, then continuing in a northeasterly direction until its intersection with the 1,100 foot contour elevation, then running in an easterly direction along the 1,100 foot contour elevation until its intersection with the northeast corner of the property of lot #63-block #21-sheet #20, then continuing in a northerly direction along the 1,100 foot contour elevation until reaching the northeast corner of the property of lot #92-sheet #21, then turning and running in an easterly direction along the northern boundary line of said property and along the northern boundary line of the property of lot #91-sheet #21 for a distance of 308 feet or until its intersection with the west side of Dorset Hollow Road, then continuing in an easterly direction until its intersection with the center line of Dorset Hollow Road, then turning and running in a southerly direction along the center line of Dorset Hollow Road a distance of 189 feet, then turning and running in an easterly direction until its intersection with the east side of Dorset Hollow Road and the northwest corner boundary of the property of lot #86-sheet #21, then turning and running in an easterly direction a distance of 180 feet along the north boundary line of said property, then turning and running in a southerly direction along the east boundary line of said property a distance of 249 feet or until its intersection with the northern boundary line of the property of lot #85.2-sheet #21, then running along the northern and eastern boundary lines of said property until its intersection with the northern boundary of the property of lot #12-block #20-sheet #23, then running in an easterly direction along the north boundary of said property until its intersection with the northwest corner boundary of the property of lot #14-block #20-sheet #23, then following along the west boundary line of said property in a southerly direction a distance of 118 feet or until reaching the southwest corner boundary of said property, then continuing in an easterly direction along the south boundary lines of said property until reaching the northeast

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

corner boundary line of the property of lot #12-block #20-sheet #23, then running along the east boundary of said property until intersecting with the northwest corner boundary of the property of lot #15-block #20-sheet #23, then running along the north and east boundary lines of said property until its intersection with the northern boundary line of lot #2-block#20-sheet#23, then running in an easterly direction until its intersection with the northwest corner boundary of the property of lot #33-block#20-sheet#23, then following the western boundary line of said property a distance of 491 feet in a southerly direction or until its intersection with the north side of Route 30, then continuing in a southerly direction to its intersection with the Route 30 center line, then running west along the Route 30 center line for a distance of 3,305 feet or until its point of beginning.

Dorset Village (south side of Route 30) (Map: Dorset Village) = all lands contained within the district formed when starting at a point on the south side of Route 30 where it intersects with the northwest corner boundary of the property of lot #33-block #20-sheet #20, then running in a southerly direction along the western boundary line of said property a distance of 230 feet or until its intersection with the southwest corner boundary of said property, then turning and running in an easterly direction along the southern boundary line of said property a distance of 273 feet or until its intersection with the VC District line, then following the VC District line in an easterly direction until its intersection with the western boundary line of lot #27-block #20-sheet #22, then following the western boundary line of said property in a southerly direction and also following the western boundary lines of lot #26, lot #25, lot #24, and lot #23 -- all of block #20-sheet #22 in a southerly direction, then continuing in a southerly direction across lot # 32-block #20-sheet #20 and the right-of-way until its intersection with the northwest corner boundary of lot #22-block #20-sheet #22, then turning and running in a westerly direction along the north boundary line of lot #20-block #20-sheet #20, then turning and running in a southerly direction along the western boundary line of said property a distance of 224 feet or until its intersection with the northwest corner boundary of the property of lot #19-block #20-sheet #20, then continuing in a southerly direction along the western boundary line of said property a distance of 118 feet or until its intersection with the northern boundary line of the property of lot #17-block #20-sheet #20, then continuing in a southerly direction across said property and across the property of lot #16-block #20-sheet #20 and across the property of lot #15-block #20-sheet #20 in a southerly direction until its intersection with Prentiss Brook, then turning and following Prentiss Brook in an easterly direction and crossing Church Street to Prentiss Pond, then continuing to follow Prentiss Pond and Brook in a southerly direction until joining with the West Branch of the Batten Kill, then continuing in an easterly direction until its intersection with the eastern boundary line of lot #74-block #21-sheet #22, then turning and running in a northerly direction along the eastern boundary line of said property until its intersection with the southeast corner boundary of lot #73-block #21-sheet #22, then running in a northerly direction along the eastern boundary line of said property a distance of 935 feet or until its intersection with the south side of Route 30, then continuing in a northerly direction until reaching the center line of Route 30, then turning and running in a westerly direction along the center line of Route 30 a distance of 33 feet, then turning and running in a southerly direction until its intersection with the south side of Route 30 and the northwest corner boundary of the property of lot #6-block #2-sheet #23, which is also the VC District line, then following the VC District line in a westerly

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

direction crossing Church Street and continuing in a westerly direction until its intersection with the center line of Route 30, then running in a westerly direction along the center line of Church Street a distance of 280 feet, then turning and running in a southerly direction until its intersection with the northwest corner boundary of the property of lot #33-block #20-sheet #20 or its point of beginning.

East Dorset Village (Map: East Dorset Village) = all lands contained within the district formed when starting at a point of the intersection of the center line of U.S. Route 7 which is also the southern boundary point of the VC District in East Dorset, then crossing U.S. Route 7 in an easterly direction until its intersection with the southwest corner boundary of lot #85.1-block #21-sheet #25, then turning and running along the southern boundary line of said property and the southern boundary line of lot #85.2-block #21-sheet #25 a distance of 525 feet or until its intersection with the southeast corner boundary of lot #85.2-block #21-sheet #25, then turning and running in a northerly direction along the eastern boundary line of said property until its intersection with the southern boundary line of the property of lot #84.2-block #21-sheet #25, then turning and running along the southern boundary line of said property a distance of 211 feet or until its intersection with the southeast corner boundary of said property, then turning and running in a northerly direction along the eastern boundary line of said property until its intersection with the south boundary line of the property of lot #77.12-block #21-sheet #25, then running in an easterly direction along the southern boundary lines of lots # 77.11, #77.2, #76 and #75 -- all of block #21-sheet #25 -- until its intersection with the southeast corner boundary of lot 75-block #21-sheet #25, then running in an easterly direction a distance of 140 feet along the eastern boundary line of lot #74-block #21-sheet #25 or until its intersection with Mad Tom Brook, then running along Mad Tom Brook in a northerly direction until intersecting with the western boundary line of #69-block #21-sheet #25, then continuing along Mad Tom Brook a distance of 500 feet, then turning and running in a northerly direction a distance of 500 feet, then turning and running in a westerly direction until its intersection with the east side of Mad Tom Road, then continuing in a westerly direction crossing Mad Tom Road until its intersection with the northern corner boundary of the property of lot #64-block #21-sheet #25 which intersects the southern boundary line of the property line of lot # 37.1-sheet #11, then running in a westerly direction along the southern boundary line of the property line of lot # 37.1-sheet #11 until its intersection with an unnamed stream, then running in a westerly direction along the unnamed stream until its intersection with the eastern boundary line of the property of lot #37.2-sheet #11, then turning and running in a westerly direction across the property of lot #37.2-sheet #11 until its intersection with the northeast corner boundary of the property of lot #26-block #21-sheet #25, then running in a westerly direction along the northern boundary line of said property and along the northern boundary lines of the property of lot #24, lot #1, and lot #2 -- all of block #21-sheet #25 -- until its intersection with the Vermont Railroad tracks which is also the VC district boundary line, then turning and running in a southerly direction along the Vermont Railroad tracks and the VC district boundary line until its point of beginning.

South Village (Map: Southeast Dorset) = all lands contained within the district formed when starting at a point of the intersection of Morse Hill Road and Benedict Road, then following the Benedict Road center line for a distance of 1,000 feet south, then running in a westerly direction

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

until its intersection with the northeast corner boundary of the property of lot #68.2-block #20-sheet #25, then running in a westerly direction along the northern boundary line of said property until its intersection with the northwest corner boundary of said property, then turning and running in a southerly direction along the western boundary line of said property until its intersection with the Batten Kill, then running in a southerly direction along the Batten Kill until its intersection with Route 7A, then turning and running in an easterly direction until its intersection with the center line of Route 7A, then turning and running in a northerly direction along the center line of Route 7A to its intersection with the center line of Morse Hill Road, then running in a westerly direction along the center line of Morse Hill Road to the point of beginning.

South Dorset Village (Map: South Dorset Village) = all lands contained within the district formed when starting at a point on the south side of Route 30 and the intersection of the northwest corner boundary of the property of lot #59-sheet #10, then running in a southerly direction along the western boundary line of said property until its intersection with the West Branch of the Batten Kill, then running in an easterly direction along the West branch of the Batten Kill until its intersection with the southeast corner boundary of said property, then turning and running in a northerly direction along the eastern boundary line of said property and the eastern boundary line of the property of lot #58-sheet #10 until its intersection with the center line of Route 30 and the VC district, then running in an easterly direction along the VC district boundary line until its intersection with the center line of Morse Hill Road, then turning and running along the center line of Morse Hill Road and the VC district line in a southerly direction until its intersection with the West Branch of the Batten Kill, then turning and running in an easterly direction along the West Branch of the Batten Kill until its intersection with a branch of the Batten Kill that runs in a northerly direction from the property of lot #71-sheet #24 until its intersection with the center line of Route 30, then running in a northerly direction until its intersection with the southeast corner boundary of the property of lot #67-sheet #24 and the north side of Route 30, then running in a northerly direction along eastern boundary of said property for a distance of 200 feet or until its intersection with the southeast corner boundary of lot #54-sheet #24, then running in a northerly direction crossing the said property until its intersection with the southeast corner boundary of lot #50-sheet #24, then running in a northerly direction along the east boundary of said property and also the east boundary lines of lot #49, #48, and #47 -- all of sheet #24 -- until its intersection with the northeast corner boundary of lot #47-sheet #24, then turning and running in a westerly direction along the northern boundary line of said property until its intersection with the center line of Morse Hill Road, then running in an easterly and northerly direction along the center line of Morse Hill Road for a distance of 190 feet, then turning and running in a northwesterly direction until its intersection with the northeast corner boundary of lot #44-sheet #24, then running along the north boundary line of said property and the north boundary line of lot #45-sheet #24 and lot #37-sheet #24 until its intersection with the 1,100 foot contour elevation, then running in a westerly direction along the 1,100 foot contour elevation until its intersection with the northwest corner boundary of the property of lot #48.2-sheet #10, then running in a westerly direction to the northeast corner boundary of the property of lot #54-sheet #10 which is also the boundary of the CI-I district, then running along the eastern boundary line of the CI-I district to its intersection with the north side of Route 30, then

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

running in a southerly direction across Route 30 to the south side of Route 30 and its intersection with the northwest corner boundary of the property of lot #59-sheet #10, or its point of beginning.

Open Lands:

Forest I (FI Districts) = all lands in the Town of Dorset 2,000 feet and above in elevation, excluding any portion of the Public Water (Aquifer) Protection (CA) Districts as shown on the Town of Dorset Zoning Map and as stated in the written description below.

Forest II (F II Districts) = all lands in the Town of Dorset 1,600 feet and above in elevation, excluding any portion of the Public Water (Aquifer) Protection (CA) Districts as shown on the Town of Dorset Zoning Map and as stated in the written description below.

Conservation:

Public Water (Aquifer) Protection (CA Districts) = all lands shown on the Town of Dorset Zoning Map delineating the groundwater source protection and source location points for public water supplies for Dorset Fire District #1 and East Dorset Fire District #1, as determined by the State of Vermont, Water Supply Division, Department of Environmental Conservation, Agency of Natural Resources, and as portrayed via the Vermont Geographic Information System (VGIS).

Commercial and Industrial:

Planned Commercial-Industrial (CI Districts)

Commercial-Industrial One (CI-1 District) (Map: East Dorset CI-1 Zone) = all lands contained within the district formed when starting at a point where Route 7A intersects with the South Village VR District eastern boundary which is 375 feet south from the intersection of the centerline of Route 7A and Morse Hill Road, then running in a southerly direction along the center line of Route 7A for a distance of 2,892 feet or until it reaches south of the Batten Kill and to a point which is directly east of the northeast corner of the property now or formerly of lot #70-sheet #15, then turning and running in a westerly direction until its intersection with said property corner boundary, then running along the northern property boundary line of said property for a distance of 750 feet or until a point where it intersects with a point which is 750 feet parallel from the center line of Route 7A, then running 750 feet parallel from the centerline of Route 7A in a southerly direction for a distance of 4,542 feet or until its intersection with the Town of Manchester-Dorset boundary line, then following the Town of Manchester-Dorset boundary line in an easterly direction for a distance of 2,875 feet or until its intersection with the center line of the Batten Kill, then following the center line of the Batten Kill in a northeasterly direction until reaching a point which is 83 feet west of the western boundary of U.S. Route 7, then turning and running east until its intersection with the western boundary of the right-of-way for U.S. Route 7, then running in a northerly direction along the western boundary of the right-of-way of U.S. Route 7 until its intersection with the property line of lot #89-block #21-sheet #25, then following the western boundary of U.S. Route 7 in an easterly and northerly direction for 105 feet, then turning and following the western boundary of U.S. Route 7 for a distance of 177 feet until its intersection with the northern property line of lot #89-block #21-sheet #25, then

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

following said property line in a westerly direction for a distance of 625 feet or until its intersection with the eastern boundary line of Route 7A, then crossing Route 7A in a westerly direction back to its point of beginning.

Commercial-Industrial One (CI-1 District) (Map South East Dorset, west side of U.S. Route 7) = all lands contained within the district formed when starting at a point at the center line of U.S. Route 7 at a distance 265 feet north of the right-of-way to the Freedleyville gravel pit, or to the southeastern corner of the property of lot #71-sheet #7, then running south along the center line of U.S. Route 7 a distance of 6,042 feet to the intersection of U.S. Route 7 with the center line of Cook Road, then running in a northwesterly direction on the center line of Cook Road to the northeastern property line of lot #15-block 20-sheet #25 or the northwestern most point of the VC-C District, then running in a southwesterly direction along the property line of said property a distance of 792 feet or until reaching the northeastern property line boundary of the property of lot #13-sheet #10, then following the northern property boundary line of said property in a westerly direction 208 feet or until reaching the 1,100 foot contour elevation, then following said 1,100 foot contour elevation in a northerly direction until its intersection with a point where it intersects with the eastern property boundary of the property of lot #48-sheet #7, then turning and running east until its intersection with the southernmost boundary line of the property boundary of lot #46-sheet #7, then running along the southern boundary line of said property a distance of 500 feet in an easterly direction to its intersection with the Vermont Railroad tracks, then following the Vermont Railroad tracks in a southeasterly direction for a distance of 2,125 feet or until its intersection with the northwestern corner property line boundary of the property now or formerly of lot #71-sheet #7, then following the western boundary line of said property for a distance of 1,062 feet or until reaching its intersection with the southwestern corner boundary line said property, then turning and running in an easterly direction along the southern boundary line of said property for a distance of 368 feet, then continuing in an easterly direction until its intersection with the center line of U.S. Route 7 or until its point of beginning.

Commercial-Industrial One (CI-1 District) (Map: South East Dorset, east side of U.S. Route 7) = all lands contained within the district formed when starting at a point at the center the line of U.S. Route 7 at a distance 265 feet north of the right-of-way to the Freedleyville gravel pit, then running north along the center line of U.S. Route 7 a distance of 2,833 feet, then running in a northeasterly direction from the center line of U.S. Route 7 until intersecting with the southwest corner boundary of the property line of Emerald Lake State Forest for a distance of 417 feet or until meeting the northeast corner of the property of lot #60-sheet #7, then running in a southerly direction along the eastern boundary line of said property a distance of 896 feet or until intersecting with the property line boundary of the lands of lot #61.1-sheet #7, then running in a southeasterly and easterly direction for a distance of 583 feet, then running in an easterly direction a distance of 2,083 feet, then turning south and running a distance of 1,250 feet or until reaching the northwest corner of the property boundary line of the property of lot #12-1-sheet #7, then running in a southerly direction along the western property boundary line of said property for a distance of 917 feet or until reaching the northwest corner of the property boundary line of the property of lot #12-2.2-sheet #7, then continuing along the western boundary line of said property for a distance of 535 feet or until reaching the southwest corner boundary line of said property, then running in a southerly and westerly direction for a distance

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

of 2,500 feet or until reaching the northeastern corner boundary line of the property of lot #37.2-sheet #11, then turning west and running in a westerly direction along the northern property boundary line of said property for a distance of 578 feet or until reaching the northeastern corner boundary line of the property of the (?? cemetery, then continuing along the northern property boundary line of the (?) cemetery for a distance of 715 feet, or until reaching the northwestern corner of said property, then continuing in a westerly direction for a distance of 83 feet or until reaching an unnamed stream, then continuing in a westerly direction for a distance of 292 feet or until reaching the Vermont Railroad tracks, then turning south and running in a southerly direction along the Vermont Railroad tracks for a distance of 1,083 feet or until reaching the northern corner boundary of the VC-C District located on the eastern side of U.S. Route 7, then turning west and running in a northwesterly direction for a distance of 167 feet to its intersection with the center line of U.S. Route 7, then following U.S. Route 7 north for a distance of 6,042 feet or to its point of beginning.

Commercial-Industrial One (CI-1 District) (Map: South Dorset Village) = all lands contained within the district formed when starting at a point on the north side of Route 30 a distance of 1,854 feet west of Cross Road, then running in a northerly direction following the property line now or formerly of J.K. Adams, then running in a westerly direction following the property line now or formerly of J.K. Adams, then running in a southerly direction also following the property line now or formerly of J.K. Adams, where it intersects with the centerline of Route 30, then following the center line of Route 30 east to Cross Road, then following in a northerly direction until its point of beginning.

Commercial-Industrial Two (CI-2 District) (Map: North East Dorset CI-2 Zone) = all lands contained within the district formed when starting at a point intersecting with the center line of U.S. Route 7 and the Bennington-Rutland County boundary line, then running east a distance of 583 feet until its intersection with Otter Creek, then following Otter Creek in a southerly direction until its intersection with the northern boundary line of the property now or formerly of Emerald Lake State Forest, then running in a westerly direction until its intersection with the Vermont Railroad tracks, then running in a southerly direction along the Vermont Railroad tracks for a distance of 1,200 feet or until its intersection with an unnamed stream heading west for a distance of 208 feet to the centerline of U.S. Route 7, then running in a northwesterly direction 208 feet until its intersection with the center line of U.S. Route 7, then following the center line of U.S. Route 7 north 104 feet to its intersection with Sweeney Road, then running along the center line of Sweeney Road in a northwesterly direction 917 feet, then running along the unnamed trail that emanates from Sweeney Road in a northwesterly direction for a distance of 1,042 feet until reaching its intersection with the second unnamed stream, then running in a northeasterly direction a distance of 188 feet until reaching its intersection with the southwest corner boundary line of the property of lot # 3.3-sheet # , then running in a northeasterly direction a distance of 285 feet along said property, and 190 feet in a northeasterly direction along the property of lot # 5-sheet # , then running 667 feet parallel from the center lines of Old Route 7 and Connors Lane for a distance of 2,250 feet, or until the point where Connors Lane intersects with U.S. Route 7, then running in a northwesterly direction for a distance of 125 feet, or until reaching the southwest corner boundary of the property line of lot #3-sheet # , then

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

running a northeasterly direction 792 feet parallel from the center line of U.S. Route for a distance of 2,604 feet or until meeting the southwest corner boundary of the property line of lot # 8-sheet # , then running in a northeasterly direction for a distance of 808.5 feet along the eastern property boundary line of said property or until its intersection with the Bennington-Rutland County boundary line, then turning east and running in an easterly direction 708 feet to its point of beginning.

Village Commercial (VC Districts):

Village Commercial (Dorset Village Area) (Map: Dorset Village) = all lands contained within the district formed when starting at a point on the center line of Route 30 which is 312 feet west of the intersection of the center lines of Route 30 and Church Street, then running in a northerly direction until meeting the southwestern corner boundary of the property now or formerly of lot #78-sheet #20(?), then running in a northerly direction along the western boundary line of said property a distance of 254 feet or until its intersection with the northwestern corner of said property, then turning and running in an easterly direction along the northern boundary line of said property a distance of 99 feet or until its intersection with the northeastern corner boundary of said property, then continuing in an easterly direction a distance of 83 feet or until its intersection with the northwestern corner boundary point of the property of lot #72-sheet #20(?), then continuing in an easterly direction and running along the northern property boundary line of said property and of the northern property boundary line of the property of lot # 73-sheet #20(?) for a distance of 180 feet or until meeting the northeastern corner boundary of said property, then running in a southeasterly direction a distance of 166 feet across Kent Road to the northwestern corner boundary of the property of lot #69-sheet #20(?), then running along the northern boundary line of said property and the northern boundary line of the property of lot # 48-sheet #20(?) for a distance of 164 feet or until its intersection with the northeastern corner of the property of lot # 48-sheet #22(?), then running along the southern boundary of the property of lot # 68-sheets #20 and #22(?) a distance of 85 feet or until its intersection with the southeastern corner of said property, the continuing in an easterly direction a distance of 166 feet or until its intersection with the southwestern corner of the property of lot #66-sheet #22(?), then running along the southern boundary line of said property a distance of 104 feet, then turning south and running in a southerly direction a distance of 42 feet or until its intersection with the northwestern corner boundary of the property of lot #65-sheet #22(?), then continuing in a southerly direction a distance of 176 feet along the western boundary line of said property and the western boundary line of the property of lot # 64-sheet #22(?) or until its intersection with the southwestern corner boundary of said property, then turning and running in an easterly direction along the southern boundary line of said property a distance of 25 feet, then turning northerly and running a distance of 20 feet along said property line, then turning east and running in an easterly direction 150 feet along said property line and continuing in an easterly direction until its intersection with the center line of Dorset Hollow Road, then running in a northerly direction along the center line of Dorset Hollow Road a distance of 478 feet or until its intersection with the center line of the right-of-way on the eastern side of Dorset Hollow Road, then running in an easterly direction along the center line of said right-of-way a distance of 354 feet or until its intersection on the southern side of the right-of-way with the boundary line of the property of lot #4-sheet #23(?), then running in a southeasterly direction along the eastern boundary line of said

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

property a distance of 235 feet or until its intersection with the northwestern corner boundary of the property of (? lot #3-sheet #23(?), then running in a southeasterly direction a distance of 218 feet along the southeastern boundary line of said property, then running southerly a distance of 618 feet along the western boundary or said property or until its intersection with the northern boundary of Route 30, then running in a southerly direction to the center line of Route 30, then running in an easterly direction along the center line of Route 30 a distance of 726 feet, then running in a southerly direction to the northeastern corner boundary of the property of lot #6-sheet #23(?), then running along the eastern boundary line of said property and the eastern boundary line of the property of lot #3.1-sheets #23 and #22(?) a distance of 648 feet or until it reaches the southeast corner boundary of said property, then running in a westerly direction along the southern boundary line of said property a distance of 571 feet or until it reaches its southwestern corner boundary, then turning and running in a northerly direction a distance of 393 feet along its western boundary line or until it reaches the southeastern corner boundary of the property of lot #71-sheet #22(?), then turning and running in a westerly direction along the southern boundary line of said property a distance of 238 feet then turning and running south along the western boundary line of said property a distance of 42 feet or until its intersection with the southeastern corner boundary of the property of lot #56-sheet #22(?), then running in a westerly direction along the southern boundary line of said property a distance of 208 feet until its intersection with the south side of Church Street, then continuing in a westerly direction until reaching the center line of Church Street, then turning and running in a southerly direction along the center line of Church Street for a distance of 21 feet, then turning and running in a westerly direction or until its intersection with the southwestern corner boundary of the property of lot #51-sheet #22(?), then running in a westerly direction along the southern boundary line of the properties of lots #51, # 47, #45, and #42-- all sheet #22 -- for a distance of 645 feet or until its intersection with southwestern corner boundary line of lot #41-sheet #22, then running in a westerly direction along the southern boundary lines of said property and the property of lot #40-sheet #22 for a distance of 73 feet or until its intersection with the southern boundary line of the property of lot #39-sheet #22, then continuing in a westerly direction along the southern boundary line of said lot and across the property of lot #36-sheet #22 to its intersection with the southwestern corner boundary of the property of lot #38-sheet #22, then continuing in a westerly direction along the southern boundary of said property a distance of 72 feet, then turning and running in a southerly direction along the southern boundary line of said property and the eastern boundary line of the property of lot #35- sheet #22 for a distance of 72 feet and across the right-of-way for a distance of 18 feet until its intersection with the northern boundary line of the property of lot #34-sheet #22, then turning and running in a westerly direction along the northern boundary line of said property until its intersection with the northwestern corner of said property, then turning and running in a southerly direction a distance of 70 feet along the eastern boundary line of said property until reaching its southeastern corner boundary, then turning and running in a westerly direction along the southern boundary line of said property a distance of 143 feet or until its intersection with the western boundary of Church Street, the continuing in a westerly direction to the center line of Church Street, then turning and running in a northerly direction along the center line of Church Street a distance of 166 feet, then turning and running in a westerly direction to the southwestern corner boundary of the property of lot #30.1-sheet #20, then running in a westerly direction along the southern boundary of said property and following

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

the entire boundary line of said property until its intersection with the south side of Route 30, then running in a northerly direction to the center line of Route 30, then turning and running in a westerly direction along the center line of Route 30 a distance of 62 feet, then turning and running in a northerly direction until its intersection with the southwestern corner boundary of the property of lot #78-sheet #20, or its point of beginning.

Village Commercial (South Dorset Village Area) (Map: South Dorset Village) = all lands contained within the district formed when starting at a point where the south side of Route 30 intersects with the northwest corner boundary of the property of lot #55-sheet # 10, then running in a southerly direction along the western boundary line of said property for a distance of 146 feet or until its intersection with the southwest corner boundary of said property, then turning and running in an easterly direction along the southern boundary line of said property for a distance of 208 feet or until its intersection with the western boundary of Cross Road, then continuing to the center line of Cross Road, then turning and running in a southerly direction along the center line of Cross Road for a distance of 208 feet, then turning and running in an easterly direction until its intersection with the southwest corner boundary of the property of lot #1_-sheet #24 for a distance of 131 feet or until its intersection with the southeast corner boundary of said property, then turning and running in a southerly direction 115 feet or until its intersection with the West Branch of the Batten Kill, then turning and following the center line of the West Branch of the Batten Kill in an easterly direction for a distance of 1,750 feet or until its intersection with the eastern boundary line of the property of lot #73 -sheet #24, then turning and following the eastern boundary line of said property in a northerly direction for a distance of 250 feet or until its intersection with the northeast corner boundary of said property and the south side of Route 30, then running across Route 30 in a northeasterly direction until its intersection with the center line of Morse Hill Road, then running in a northeasterly direction along the center line of Morse Hill Road a distance of 250 feet, then turning and running in a westerly direction until its intersection with the west side of Morse Hill Road and the southeast corner boundary of the property of lot #57-sheet #24, then running along the northern boundary lines and encompassing lots #57, 58, 11, 12, 12.2, 13.2 and 14-sheet #24 until its intersection with the center line of a right-of-way, then turning and running in a southerly direction along the center of said right-of-way a distance of 208 feet, then turning and running in a westerly direction until its intersection with the northwest corner boundary of the property of lot #15-sheet #24, then following the northern boundary line of said property and the northern boundary line of the property of lot #16-sheet #24 until its intersection with the center line of Tudor Road, then turning and running in a southerly direction a distance of 208 feet, then turning and running in a westerly direction until its intersection with the northwest corner boundary of the property of lot #18-sheet #24, then running along the northern boundary line of said property, and along the northern boundary line of the property of lot #19-sheet #24 or until its intersection with the eastern boundary line of the property of lot #78-sheet #24, then turning and running in a northerly direction along the eastern boundary line of said property and along the eastern boundary line of the property of lot # 77.1-sheets #10 and #24 until its intersection with the northwest corner boundary of said property, then turning and running in a westerly direction along the northern boundary line of said property and the northern boundary line of a right-of-way dissecting said property until its intersection with the eastern boundary line of the property of lot #46-sheet #10, then turning and

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

running in a northerly direction a distance of 232 feet or until its intersection with the northeast corner boundary of said property, then turning and running in a westerly direction along the northern boundary line of said property a distance of 316 feet or until its intersection with the northwest corner boundary of said property, then turning and running in a southerly direction along the western boundary line of said property a distance of 512 feet or until its intersection with the western boundary line of the property of lot #50-sheet #10, then turning and running in a southerly direction along the western boundary line of said property to its intersection with the eastern boundary line of the property now or formerly of (lot #51, sheet #10). Then running in a northerly direction along said property line to its intersection with the southerly boundary line of (lot #52, sheet #10), then turning and running in an easterly direction along said boundary line to the southeast corner of said lot. Then turning and running westerly, along the easterly boundary lines of (lot #52, sheet #10 and Lot #49.1, Sheet #10 encompassing both lots until its intersection with the southerly boundary line of (lot #53, sheet #10), then turning and running northeast along said boundary line 174.53', then turning and running north and then generally west to encompass said lot until the southwest corner of (lot #53, sheet #10) at its intersection with the north side of Route 30, then running along the north side of Route 30 and the westerly boundary lines of (lot #53, Lot #49.1, Lot #52 and Lot #51, all of sheet #10) until its intersection with the north side of Route 30 and the southwest corner boundary of lot #51, sheet #10, then running in a southerly direction to the center line of Route 30, then turning and running in an easterly direction along the centerline of Route 30 a distance of 125 feet, then turning and running in a southerly direction until its intersection with the south side of Route 30 and the northwest corner boundary of the property of lot #55-sheet #10, or to its point of beginning.

Village Commercial (East Dorset Village Area) (Map: East Dorset Village) = all lands contained within the district formed when starting at a point where the Vermont Railroad tracks intersect with the center line of Mad Tom Road, then running in a northerly direction along the Vermont Railroad tracks for a distance of 667 feet or until reaching the CI-1 District, Map South East Dorset, east side of U.S. Route 7 southernmost boundary point, then following the CI-1 District, Map South East Dorset, boundary line across U.S. Route 7 in a westerly direction until reaching the intersection of U.S. Route 7 with the center line of Cook Road, then running in a northwesterly direction on the center line of Cook Road to the northeastern property line of lot #15-block #20-sheet #25 which is the northwesternmost point of the VC-C district boundary, then running in a southwesterly direction along the property line of said property a distance of 792 feet or until reaching the northwestern property line boundary of the property lot #13-sheet #10), then following the northern property boundary line of the property of lot #14-sheet #10 in an easterly direction 208 feet or until reaching the northeastern corner boundary line of said property, then turning south and running in a southwesterly direction along the eastern property boundary line of said property for a distance of 233 feet or until its intersection with the center line of Squirrel Hollow Road, then running in a southeasterly direction along the center line of Squirrel Hollow Road for a distance of 417 feet or until it reaches a point which connects to the northeastern corner boundary of the property now or formerly of lot # 17-sheet #10, then running along the western boundary line of said property for a distance of 917 feet or until its intersection with the northeastern corner boundary of the property of lot # 19.2-sheet #10, then running along the western boundary of said property a distance of 492 feet or until its intersection with the

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

northeastern corner boundary of the property of (? lot #20-sheet #10, then running in a southerly direction along the western boundary line of said property for a distance of 810 feet until its intersection with the southwestern corner boundary of said property, then turning east and running in an easterly direction along the southern boundary line of said property a distance of 300 feet or until its intersection with the southeastern corner boundary of said property, then continuing in an easterly direction across U.S. Route 7 until reaching the Vermont Railroad tracks, then turning north and running along the Vermont Railroad tracks in a northerly direction a distance of 1,500 feet or until its intersection with the center line of Mad Tom Road or its point of beginning.

Overlays:

Flood Hazard Areas (FH Areas) = lands shown on the Flood Hazard Boundary Map (also known as the Flood Insurance Rate Map), dated December 2, 2015, and amendments thereto. This maps are attached and considered part of the Town Zoning Map.

Ridgeline and Mountainside Conservation Overlay Zone

All land at and above 1,100 feet above mean sea level west of Route 7 in Dorset and all land at and above 900 feet above mean sea level east of Route 7 in Dorset as specifically depicted and set forth on a map entitled "Dorset, Vermont - Ridgeline and Mountainside Conservation Overlay Area," dated August 6, 2015.

Design Areas (D Areas)

Dorset Village Historic District Map = lands shown on the Dorset Village Historic District Map dated August 6, 2015, and amendments thereto. This map is attached and considered part of the Town Zoning Map.

Dorset Village Historic District West Map - all lands shown on the Dorset Village Historic District (West) map dated 4/3/01 and amendments thereto. This map is attached and considered part of the Town Zoning map. These lands are further described as all lands contained within the area formed when starting at a point on the north side of Church Street right-of-way at the southeast corner of lot #15-block #20- sheet #22. The boundary then extends northerly and then extends in a generally westerly direction, enclosing lots #15, #14, #13 and #12.1, all of block #20-sheet #22, to the northwest corner of said lot #12.1, at the east edge of the West Road right-of-way. The boundary then crosses said right-of-way to the southeast corner of lot #6.4-block #20-sheet #22, in the west edge of said right-of-way. The boundary then extends northwesterly to the northeast corner of lot #7-block #20-sheet #22. The boundary then extends southwesterly and thence southeasterly, enclosing lots #7 and #6.4, both of block #20-sheet #22, back to the southeast corner of lot #6.4-block #20-sheet #22, located at the west edge of the West Road right-of-way. The boundary then extends southeasterly along said right-of-way to the northeast corner of lot #8-block #20-sheet #22, and thence in a westerly, southeasterly and easterly direction, enclosing lots #8 and #9, both of block #20-sheet #22, to the southeast corner of lot #9-block #20-sheet #22, in the west edge of the West Road right-of-way. The boundary then

DORSET ZONING BYLAW - APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

extends southeasterly along said right-of-way to the northerly most corner of lot #10-block #20-sheet #22, in the west edge of the West Road right-of-way. The boundary then extends generally southwesterly, southeasterly and northeasterly, enclosing lot #10-block #20-sheet #22 and lot #35-block #20-sheet #22, to the southeast corner of lot #35-block #20-sheet #22, in the West Road right-of-way. The boundary then crosses said right-of-way on an extension of the last segment of lot #35-block #20-sheet #22, to the east edge of said right-of-way, and thence proceeds southeasterly along said right-of-way to the southwest corner of lot #4-block #21-sheet #22. From this point the boundary extends northeasterly to the southeast corner of #4-block #21-sheet #22, and thence generally northerly along the east boundaries of lot #4, lot #2, and lot #1, all of block #21-sheet #22, to the northeast corner of said lot #1-block #21-sheet #22 in the south edge of the Church Street right-of-way. The boundary then crosses said right-of-way to the north edge of the Church Street right-of-way. The boundary then extends northeasterly along said right-of-way to the point of beginning.

DORSET ZONING BYLAW-APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

APPENDIX A: DEFINITIONS

For the purpose of this Bylaw, certain terms or words shall be defined as below. All other words shall retain their dictionary meaning as found in any readily available dictionary, unless such meanings run counter to the purposes and objectives of the Town of Dorset Zoning Bylaw or Town Plan. The definitions of terms defined in 24 V.S.A., §4303, and not otherwise defined herein are made a part of this Bylaw. Words in the present tense include the future, the singular number includes the plural, and vice-versa. The word "person" includes a partnership, corporation, or other entity. The word "building" includes the word "structure."

Accessory Dwelling: An efficiency or one bedroom dwelling unit constructed within, attached, or appurtenant to an owner occupied primary single family residence whereby occupancy is restricted to not more than two persons, and where floor space does not exceed 30 percent of the floor space of the existing living area of the single family residence or 400 square feet, whichever is greater. A single family residence with an accessory apartment as defined herein is not considered a public building. Also see Section 3.7.9.

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

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

Acre: 43,560 square feet.

Antenna: A device attached to a tower or other structure for transmitting or receiving electromagnetic waves.

Area of Special Flood Hazard is synonymous in meaning with the phrase "**special flood hazard area**" for the purposes of these regulations.

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

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

BFE: see Base Flood Elevation

DORSET ZONING BYLAW-APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

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

Building: Any structure having a roof and intended for the shelter, housing, or enclosure of persons, animals or materials. "Building" includes a gas or liquid storage tank that is principally above ground.

Building, Accessory: Any building which is subordinate to and whose use is incidental and accessory to the use of the principal building on the same lot, or on an adjoining lot under the same ownership. A detached accessory building shall be one which is not attached to the principal building by any covered porch, breezeway, or other roofed structure. The term "Building, Accessory" shall include, but not be limited to, swimming pools, tennis courts, and satellite dish receivers exceeding two (2) feet in diameter or requiring permanent foundation footings.

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

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

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

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

Building, Principal: The primary use on the lot, i.e. the house, or main house on a residential lot, the commercial buildings on a commercial lot, etc.

Campground: Land on which is located one or more trailers, vans, campers, tents, lean-to shelters, or other accommodations suitable for seasonal or temporary living purposes.

Camp, Organized: An organized camp for adults, families or children, where the curriculum is supervised, such as a Boy Scout, Girl Scout, 4-H, or similar camp. Organized camps contain accommodations suitable only for seasonal or temporary living purposes.

Change of Use: Any change of a business purpose or increase of intensity of use, as per Section 6.3.2.

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

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

DORSET ZONING BYLAW-APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

APPENDIX B - MAPS

PLEASE NOTE:

The Town of Dorset Zoning map dated August 6, 2015 and amendments thereto;

The Dorset Village Historic District Map dated August 6, 2015 and amendments thereto;

The zoning detail maps for VC Districts – Map: Dorset Village, Map: South Dorset Village, and Map: East Dorset Village -- all dated August 6, 2015;

The zoning detail maps for CI Districts -- Map South Dorset Village, East Dorset CI, South East Dorset CI, and North East Dorset CI -- all dated August 6, 2015;

The Public Water (Aquifer) Protection Areas – dated August 6, 2015

Ridgeline and Mountainside Conservation Overlay Zone – dated August 6, 2015

Dorset & East Dorset Village Downtown Designation Maps – dated August 6, 2015

Also considered part of the Zoning Bylaw map are the Flood Hazard Boundary Map (also known as the Flood Insurance Rate Map) dated December 2, 2015 and amendments thereto;

DORSET ZONING BYLAW-APPROVED AUGUST 28, 2013 BY VOTERS OF THE TOWN
OF DORSET, VERMONT

**APPENDIX C:
DESCRIPTION OF ZONING DISTRICTS AND OVERLAY AREAS**

NOTE: The Description of Zoning Districts and Overlay Areas is attached to describe in detail the location of zoning districts and overlays in the Town of Dorset Zoning Bylaw. Where there is a discrepancy in the maps, the description shall prevail. Subsection 2.5, "Interpretation of Maps" shall apply if there is any uncertainty as to the location of a district boundary line.

Agricultural and Residential:

Agriculture and Rural Residence (A & RR Districts) = all lands within the Town of Dorset not contained in the Village Residence (VR Districts), Forest I (FI Districts), Forest II (F II Districts), Public Water (Aquifer) Protection Areas (CA Districts), Planned Commercial-Industrial (CI Districts), and Village Commercial (VC Districts), all as described below and as shown on the Town of Dorset Zoning Map dated August 6, 2015, and all amendments thereto.

Village Residence (VR Districts):

Dorset Village (north side of Route 30) = all lands contained within the district formed when starting at a point where the north side of Route 30 intersects with the center line of Pinnacle Lane, then running in a northerly direction a distance of 210 feet along the center line of Pinnacle Lane, then turning and running in an easterly direction until its intersection with the northwest corner of the property of lot #83-block #21-sheet #20, then running in a northeasterly direction until its intersection with the southwest corner of the property of lot #53.2-block #21-sheet #20, then continuing in a northeasterly direction until its intersection with the 1,100 foot contour elevation, then running in an easterly direction along the 1,100 foot contour elevation until its intersection with the northeast corner of the property of lot #63-block #21-sheet #20, then continuing in a northerly direction along the 1,100 foot contour elevation until reaching the northeast corner of the property of lot #92-sheet #21, then turning and running in an easterly direction along the northern boundary line of said property and along the northern boundary line of the property of lot #91-sheet #21 for a distance of 308 feet or until its intersection with the west side of Dorset Hollow Road, then continuing in an easterly direction until its intersection with the center line of Dorset Hollow Road, then turning and running in a southerly direction along the center line of Dorset Hollow Road a distance of 189 feet, then turning and running in an easterly direction until its intersection with the east side of Dorset Hollow Road and the northwest corner boundary of the property of lot #86-sheet #21, then turning and running in an easterly direction a distance of 180 feet along the north boundary line of said property, then turning and running in a southerly direction along the east boundary line of said property a distance of 249 feet or until its intersection with the northern boundary line of the property of lot #85.2-sheet #21, then running along the northern and eastern boundary lines of said property until its intersection with the northern boundary of the property of lot #12-block #20-sheet #23, then running in an easterly direction along the north boundary of said property until its intersection with the northwest corner boundary of the property of lot #14-block #20-sheet #23, then following along the west boundary line of said property in a southerly direction a distance of 118 feet or until reaching the southwest corner boundary of said property, then continuing in an easterly direction along the south boundary lines of said property until reaching the northeast corner boundary line of the property of lot #12-block #20-sheet #23, then running along the east

DORSET ZONING BYLAW-APPROVED AUGUST 28, 2013 BY VOTERS OF THE TOWN
OF DORSET, VERMONT

boundary of said property until intersecting with the northwest corner boundary of the property of lot #15-block #20-sheet #23, then running along the north and east boundary lines of said property until its intersection with the northern boundary line of lot #2-block#20-sheet#23, then running in an easterly direction until its intersection with the northwest corner boundary of the property of lot #33-block#20-sheet#23, then following the western boundary line of said property a distance of 491 feet in a southerly direction or until its intersection with the north side of Route 30, then continuing in a southerly direction to its intersection with the Route 30 center line, then running west along the Route 30 center line for a distance of 3,305 feet or until its point of beginning.

Dorset Village (south side of Route 30) = all lands contained within the district formed when starting at a point on the south side of Route 30 where it intersects with the northwest corner boundary of the property of lot #33-block #20-sheet #20, then running in a southerly direction along the western boundary line of said property a distance of 230 feet or until its intersection with the southwest corner boundary of said property, then turning and running in an easterly direction along the southern boundary line of said property a distance of 273 feet or until its intersection with the VC District line, then following the VC District line in an easterly direction until its intersection with the western boundary line of lot #27-block #20-sheet #22, then following the western boundary line of said property in a southerly direction and also following the western boundary lines of lot #26, lot #25, lot #24, and lot #23 -- all of block #20-sheet #22 in a southerly direction, then continuing in a southerly direction across lot # 32-block #20-sheet #20 and the right-of-way until its intersection with the northwest corner boundary of lot #22-block #20-sheet #22, then turning and running in a westerly direction along the north boundary line of lot #20-block #20-sheet #20, then turning and running in a southerly direction along the western boundary line of said property a distance of 224 feet or until its intersection with the northwest corner boundary of the property of lot #19-block #20-sheet #20, then continuing in a southerly direction along the western boundary line of said property a distance of 118 feet or until its intersection with the northern boundary line of the property of lot #17-block #20-sheet #20, then continuing in a southerly direction across said property and across the property of lot #16-block #20-sheet #20 and across the property of lot #15-block #20-sheet #20 in a southerly direction until its intersection with Prentiss Brook, then turning and following Prentiss Brook in an easterly direction and crossing Church Street to Prentiss Pond, then continuing to follow Prentiss Pond and Brook in a southerly direction until joining with the West Branch of the Batten Kill, then continuing in an easterly direction until its intersection with the eastern boundary line of lot #74-block #21-sheet #22, then turning and running in a northerly direction along the eastern boundary line of said property until its intersection with the southeast corner boundary of lot #73-block #21-sheet #22, then running in a northerly direction along the eastern boundary line of said property a distance of 935 feet or until its intersection with the south side of Route 30, then continuing in a northerly direction until reaching the center line of Route 30, then turning and running in a westerly direction along the center line of Route 30 a distance of 33 feet, then turning and running in a southerly direction until its intersection with the south side of Route 30 and the northwest corner boundary of the property of lot #6-block #2-sheet #23, which is also the VC District line, then following the VC District line in a westerly direction crossing Church Street and continuing in a westerly direction until its intersection with the center line of Route 30, then running in a westerly direction along the center line of Church Street a distance of

DORSET ZONING BYLAW-APPROVED AUGUST 28, 2013 BY VOTERS OF THE TOWN
OF DORSET, VERMONT

280 feet, then turning and running in a southerly direction until its intersection with the northwest corner boundary of the property of lot #33-block #20-sheet #20 or its point of beginning.

East Dorset Village = all lands contained within the district formed when starting at a point of the intersection of the center line of U.S. Route 7 which is also the southern boundary point of the VC District in East Dorset, then crossing U.S. Route 7 in an easterly direction until its intersection with the southwest corner boundary of lot #85.1-block #21-sheet #25, then turning and running along the southern boundary line of said property and the southern boundary line of lot #85.2-block #21-sheet #25 a distance of 525 feet or until its intersection with the southeast corner boundary of lot #85.2-block #21-sheet #25, then turning and running in a northerly direction along the eastern boundary line of said property until its intersection with the southern boundary line of the property of lot #84.2-block #21-sheet #25, then turning and running along the southern boundary line of said property a distance of 211 feet or until its intersection with the southeast corner boundary of said property, then turning and running in a northerly direction along the eastern boundary line of said property until its intersection with the south boundary line of the property of lot #77.12-block #21-sheet #25, then running in an easterly direction along the southern boundary lines of lots # 77.11, #77.2, #76 and #75 -- all of block #21-sheet #25 -- until its intersection with the southeast corner boundary of lot 75-block #21-sheet #25, then running in an easterly direction a distance of 140 feet along the eastern boundary line of lot #74-block #21-sheet #25 or until its intersection with Mad Tom Brook, then running along Mad Tom Brook in a northerly direction until intersecting with the western boundary line of #69-block #21-sheet #25, then continuing along Mad Tom Brook a distance of 500 feet, then turning and running in a northerly direction a distance of 500 feet, then turning and running in a westerly direction until its intersection with the east side of Mad Tom Road, then continuing in a westerly direction crossing Mad Tom Road until its intersection with the northern corner boundary of the property of lot #64-block #21-sheet #25 which intersects the southern boundary line of the property line of lot # 37.1-sheet #11, then running in a westerly direction along the southern boundary line of the property line of lot # 37.1-sheet #11 until its intersection with an unnamed stream, then running in a westerly direction along the unnamed stream until its intersection with the eastern boundary line of the property of lot #37.2-sheet #11, then turning and running in a westerly direction across the property of lot #37.2-sheet #11 until its intersection with the northeast corner boundary of the property of lot #26-block #21-sheet #25, then running in a westerly direction along the northern boundary line of said property and along the northern boundary lines of the property of lot #24, lot #1, and lot #2 -- all of block #21-sheet #25 -- until its intersection with the Vermont Railroad tracks which is also the VC district boundary line, then turning and running in a southerly direction along the Vermont Railroad tracks and the VC district boundary line until its point of beginning.

South Village = all lands contained within the district formed when starting at a point of the intersection of Morse Hill Road and Benedict Road, then following the Benedict Road center line for a distance of 1,000 feet south, then running in a westerly direction until its intersection with the northeast corner boundary of the property of lot #68.2-block #20-sheet #25, then running in a westerly direction along the northern boundary line of said property until its intersection with the northwest corner boundary of said property, then turning and running in a

DORSET ZONING BYLAW-APPROVED AUGUST 28, 2013 BY VOTERS OF THE TOWN
OF DORSET, VERMONT

southerly direction along the western boundary line of said property until its intersection with the Batten Kill, then running in a southerly direction along the Batten Kill until its intersection with Route 7A, then turning and running in an easterly direction until its intersection with the center line of Route 7A, then turning and running in a northerly direction along the center line of Route 7A to its intersection with the center line of Morse Hill Road, then running in a westerly direction along the center line of Morse Hill Road to the point of beginning.

South Dorset Village = all lands contained within the district formed when starting at a point on the south side of Route 30 and the intersection of the northwest corner boundary of the property of lot #59-sheet #10, then running in a southerly direction along the western boundary line of said property until its intersection with the West Branch of the Batten Kill, then running in an easterly direction along the West branch of the Batten Kill until its intersection with the southeast corner boundary of said property, then turning and running in a northerly direction along the eastern boundary line of said property and the eastern boundary line of the property of lot #58-sheet #10 until its intersection with the center line of Route 30 and the VC district, then running in an easterly direction along the VC district boundary line until its intersection with the center line of Morse Hill Road, then turning and running along the center line of Morse Hill Road and the VC district line in a southerly direction until its intersection with the West Branch of the Batten Kill, then turning and running in an easterly direction along the West Branch of the Batten Kill until its intersection with a branch of the Batten Kill that runs in a northerly direction from the property of lot #71-sheet #24 until its intersection with the center line of Route 30, then running in a northerly direction until its intersection with the southeast corner boundary of the property of lot #67-sheet #24 and the north side of Route 30, then running in a northerly direction along eastern boundary of said property for a distance of 200 feet or until its intersection with the southeast corner boundary of lot #54-sheet #24, then running in a northerly direction crossing the said property until its intersection with the southeast corner boundary of lot #50-sheet #24, then running in a northerly direction along the east boundary of said property and also the east boundary lines of lot #49, #48, and #47 -- all of sheet #24 -- until its intersection with the northeast corner boundary of lot #47-sheet #24, then turning and running in a westerly direction along the northern boundary line of said property until its intersection with the center line of Morse Hill Road, then running in an easterly and northerly direction along the center line of Morse Hill Road for a distance of 190 feet, then turning and running in a northwesterly direction until its intersection with the northeast corner boundary of lot #44-sheet #24, then running along the north boundary line of said property and the north boundary line of lot #45-sheet #24 and lot #37-sheet #24 until its intersection with the 1,100 foot contour elevation, then running in a westerly direction along the 1,100 foot contour elevation until its intersection with the northwest corner boundary of the property of lot #48.2-sheet #10, then running in a westerly direction to the northeast corner boundary of the property of lot #54-sheet #10 which is also the boundary of the CI-I district, then running along the eastern boundary line of the CI-I district to its intersection with the north side of Route 30, then running in a southerly direction across Route 30 to the south side of Route 30 and its intersection with the northwest corner boundary of the property of lot #59-sheet #10, or its point of beginning.

Open Lands:

DORSET ZONING BYLAW-APPROVED AUGUST 28, 2013 BY VOTERS OF THE TOWN
OF DORSET, VERMONT

Forest I (FI Districts) = all lands in the Town of Dorset 2,000 feet and above in elevation, excluding any portion of the Public Water (Aquifer) Protection (CA) Districts as shown on the Town of Dorset Zoning Map and as stated in the written description below.

Forest II (F II Districts) = all lands in the Town of Dorset 1,600 feet and above in elevation, excluding any portion of the Public Water (Aquifer) Protection (CA) Districts as shown on the Town of Dorset Zoning Map and as stated in the written description below.

Conservation:

Public Water (Aquifer) Protection (CA Districts) = all lands shown on the Town of Dorset Zoning Map delineating the groundwater source protection and source location points for public water supplies for Dorset Fire District #1 and East Dorset Fire District #1, as determined by the State of Vermont, Water Supply Division, Department of Environmental Conservation, Agency of Natural Resources, and as portrayed via the Vermont Geographic Information System (VGIS).

Commercial and Industrial:

Planned Commercial-Industrial (CI Districts)

Commercial-Industrial One (CI-1 District) (Map: East Dorset CI Zone) = all lands contained within the district formed when starting at a point where Route 7A intersects with the South Village VR District eastern boundary which is 375 feet south from the intersection of the centerline of Route 7A and Morse Hill Road, then running in a southerly direction along the center line of Route 7A for a distance of 2,892 feet or until it reaches south of the Batten Kill and to a point which is directly east of the northeast corner of the property now or formerly of lot #70-sheet #15, then turning and running in a westerly direction until its intersection with said property corner boundary, then running along the northern property boundary line of said property for a distance of 750 feet or until a point where it intersects with a point which is 750 feet parallel from the center line of Route 7A, then running 750 feet parallel from the centerline of Route 7A in a southerly direction for a distance of 4,542 feet or until its intersection with the Town of Manchester-Dorset boundary line, then following the Town of Manchester-Dorset boundary line in an easterly direction for a distance of 2,875 feet or until its intersection with the center line of the Batten Kill, then following the center line of the Batten Kill in a northeasterly direction until reaching a point which is 83 feet west of the western boundary of U.S. Route 7, then turning and running east until its intersection with the western boundary of the right-of-way for U.S. Route 7, then running in a northerly direction along the western boundary of the right-of-way of U.S. Route 7 until its intersection with the property line of lot #89-block #21-sheet #25, then following the western boundary of U.S. Route 7 in an easterly and northerly direction for 105 feet, then turning and following the western boundary of U.S. Route 7 for a distance of 177 feet until its intersection with the northern property line of lot #89-block #21-sheet #25, then following said property line in a westerly direction for a distance of 625 feet or until its intersection with the eastern boundary line of Route 7A, then crossing Route 7A in a westerly direction back to its point of beginning.

Commercial-Industrial One (CI-1 District) (Map South East Dorset, west side of U.S. Route 7) = all lands contained within the district formed when starting at a point at the center line of U.S. Route 7 at a distance 265 feet north of the right-of-way to the Freedleyville gravel pit, or to the southeastern corner of the property of lot #71-sheet #7, then running south along the center line

DORSET ZONING BYLAW-APPROVED AUGUST 28, 2013 BY VOTERS OF THE TOWN OF DORSET, VERMONT

of U.S. Route 7 a distance of 6,042 feet to the intersection of U.S. Route 7 with the center line of Cook Road, then running in a northwesterly direction on the center line of Cook Road to the northeastern property line of lot #15-block 20-sheet #25 or the northwesternmost point of the VC-C District, then running in a southwesterly direction along the property line of said property a distance of 792 feet or until reaching the northeastern property line boundary of the property of lot #13-sheet #10, then following the northern property boundary line of said property in a westerly direction 208 feet or until reaching the 1,100 foot contour elevation, then following said 1,100 foot contour elevation in a northerly direction until its intersection with a point where it intersects with the eastern property boundary of the property of lot #48-sheet #7, then turning and running east until its intersection with the southernmost boundary line of the property boundary of lot #46-sheet #7, then running along the southern boundary line of said property a distance of 500 feet in an easterly direction to its intersection with the Vermont Railroad tracks, then following the Vermont Railroad tracks in a southeasterly direction for a distance of 2,125 feet or until its intersection with the northwestern corner property line boundary of the property now or formerly of lot #71-sheet #7, then following the western boundary line of said property for a distance of 1,062 feet or until reaching its intersection with the southwestern corner boundary line said property, then turning and running in an easterly direction along the southern boundary line of said property for a distance of 368 feet, then continuing in an easterly direction until its intersection with the center line of U.S. Route 7 or until its point of beginning.

Commercial-Industrial One (CI-1 District) (Map: South East Dorset, east side of U.S. Route 7) = all lands contained within the district formed when starting at a point at the center the line of U.S. Route 7 at a distance 265 feet north of the right-of-way to the Freedleyville gravel pit, then running north along the center line of U.S. Route 7 a distance of 2,833 feet, then running in a northeasterly direction from the center line of U.S. Route 7 until intersecting with the southwest corner boundary of the property line of Emerald Lake State Forest for a distance of 417 feet or until meeting the northeast corner of the property of lot #60-sheet #7, then running in a southerly direction along the eastern boundary line of said property a distance of 896 feet or until intersecting with the property line boundary of the lands of lot #61.1-sheet #7, then running in a southeasterly and easterly direction for a distance of 583 feet, then running in an easterly direction a distance of 2,083 feet, then turning south and running a distance of 1,250 feet or until reaching the northwest corner of the property boundary line of the property of lot #12-1-sheet #7, then running in a southerly direction along the western property boundary line of said property for a distance of 917 feet or until reaching the northwest corner of the property boundary line of the property of lot #12-2.2-sheet #7, then continuing along the western boundary line of said property for a distance of 535 feet or until reaching the southwest corner boundary line of said property, then running in a southerly and westerly direction for a distance of 2,500 feet or until reaching the northeastern corner boundary line of the property of lot #37.2-sheet #11, then turning west and running in a westerly direction along the northern property boundary line of said property for a distance of 578 feet or until reaching the northeastern corner boundary line of the property of the (?? cemetery, then continuing along the northern property boundary line of the (?) cemetery for a distance of 715 feet, or until reaching the northwestern corner of said property, then continuing in a westerly direction for a distance of 83 feet or until reaching an unnamed stream, then continuing in a westerly direction for a distance of 292 feet or until reaching the Vermont Railroad tracks, then turning south and running in a southerly

DORSET ZONING BYLAW-APPROVED AUGUST 28, 2013 BY VOTERS OF THE TOWN
OF DORSET, VERMONT

direction along the Vermont Railroad tracks for a distance of 1,083 feet or until reaching the northern corner boundary of the VC-C District located on the eastern side of U.S. Route 7, then turning west and running in a northwesterly direction for a distance of 167 feet to its intersection with the center line of U.S. Route 7, then following U.S. Route 7 north for a distance of 6,042 feet or to its point of beginning.

Commercial-Industrial One (CI-1 District) (Map: South Dorset Village) = all lands contained within the district formed when starting at a point on the north side of Route 30 a distance of 1,854 feet west of Cross Road, then running in a northerly direction following the property line now or formerly of J.K. Adams, then running in a westerly direction following the property line now or formerly of J.K. Adams, then running in a southerly direction also following the property line now or formerly of J.K. Adams, where it intersects with the centerline of Route 30, then following the center line of Route 30 east to Cross Road, then following in a northerly direction until its point of beginning.

Commercial-Industrial Two (CI-2 District) (Map: North East Dorset) = all lands contained within the district formed when starting at a point intersecting with the center line of U.S. Route 7 and the Bennington-Rutland County boundary line, then running east a distance of 583 feet until its intersection with Otter Creek, then following Otter Creek in a southerly direction until its intersection with the northern boundary line of the property now or formerly of Emerald Lake State Forest, then running in a westerly direction until its intersection with the Vermont Railroad tracks, then running in a southerly direction along the Vermont Railroad tracks for a distance of 1,200 feet or until its intersection with an unnamed stream heading west for a distance of 208 feet to the centerline of U.S. Route 7, then running in a northwesterly direction 208 feet until its intersection with the center line of U.S. Route 7, then following the center line of U.S. Route 7 north 104 feet to its intersection with Sweeney Road, then running along the center line of Sweeney Road in a northwesterly direction 917 feet, then running along the unnamed trail that emanates from Sweeney Road in a northwesterly direction for a distance of 1,042 feet until reaching its intersection with the second unnamed stream, then running in a northeasterly direction a distance of 188 feet until reaching its intersection with the southwest corner boundary line of the property of lot # 3.3-sheet # , then running in a northeasterly direction a distance of 285 feet along said property, and 190 feet in a northeasterly direction along the property of lot # 5-sheet # , then running 667 feet parallel from the center lines of Old Route 7 and Connors Lane for a distance of 2,250 feet, or until the point where Connors Lane intersects with U.S. Route 7, then running in a northwesterly direction for a distance of 125 feet, or until reaching the southwest corner boundary of the property line of lot #3-sheet # , then running a northeasterly direction 792 feet parallel from the center line of U.S. Route for a distance of 2,604 feet or until meeting the southwest corner boundary of the property line of lot # 8-sheet # , then running in a northeasterly direction for a distance of 808.5 feet along the eastern property boundary line of said property or until its intersection with the Bennington-Rutland County boundary line, then turning east and running in an easterly direction 708 feet to its point of beginning.

Village Commercial (VC Districts):

Village Commercial (Dorset Village Area) (Map: Dorset Village) = all lands contained within the district formed when starting at a point on the center line of Route 30 which is 312 feet west

DORSET ZONING BYLAW-APPROVED AUGUST 28, 2013 BY VOTERS OF THE TOWN
OF DORSET, VERMONT

of the intersection of the center lines of Route 30 and Church Street, then running in a northerly direction until meeting the southwestern corner boundary of the property now or formerly of lot #78-sheet #20(?), then running in a northerly direction along the western boundary line of said property a distance of 254 feet or until its intersection with the northwestern corner of said property, then turning and running in an easterly direction along the northern boundary line of said property a distance of 99 feet or until its intersection with the northeastern corner boundary of said property, then continuing in an easterly direction a distance of 83 feet or until its intersection with the northwestern corner boundary point of the property of lot #72-sheet #20(?), then continuing in an easterly direction and running along the northern property boundary line of said property and of the northern property boundary line of the property of lot # 73-sheet #20(?) for a distance of 180 feet or until meeting the northeastern corner boundary of said property, then running in a southeasterly direction a distance of 166 feet across Kent Road to the northwestern corner boundary of the property of lot #69-sheet #20(?), then running along the northern boundary line of said property and the northern boundary line of the property of lot # 48-sheet #20(?) for a distance of 164 feet or until its intersection with the northeastern corner of the property of lot # 48-sheet #22(?), then running along the southern boundary of the property of lot # 68-sheets #20 and #22(?) a distance of 85 feet or until its intersection with the southeastern corner of said property, then continuing in an easterly direction a distance of 166 feet or until its intersection with the southwestern corner of the property of lot #66-sheet #22(?), then running along the southern boundary line of said property a distance of 104 feet, then turning south and running in a southerly direction a distance of 42 feet or until its intersection with the northwestern corner boundary of the property of lot #65-sheet #22(?), then continuing in a southerly direction a distance of 176 feet along the western boundary line of said property and the western boundary line of the property of lot # 64-sheet #22(?) or until its intersection with the southwestern corner boundary of said property, then turning and running in an easterly direction along the southern boundary line of said property a distance of 25 feet, then turning northerly and running a distance of 20 feet along said property line, then turning east and running in an easterly direction 150 feet along said property line and continuing in an easterly direction until its intersection with the center line of Dorset Hollow Road, then running in a northerly direction along the center line of Dorset Hollow Road a distance of 478 feet or until its intersection with the center line of the right-of-way on the eastern side of Dorset Hollow Road, then running in an easterly direction along the center line of said right-of-way a distance of 354 feet or until its intersection on the southern side of the right-of-way with the boundary line of the property of lot #4-sheet #23(?), then running in a southeasterly direction along the eastern boundary line of said property a distance of 235 feet or until its intersection with the northwestern corner boundary of the property of (? lot #3-sheet #23(?), then running in a southerly direction a distance of 535 feet along the western boundary line of said property or until its intersection with the northern boundary of Route 30, then running in a southerly direction to the center line of Route 30, then running in an easterly direction along the center line of Route 30 a distance of 894 feet, then running in a southerly direction to the northeastern corner boundary of the property of lot #6-sheet #23(?), then running along the eastern boundary line of said property and the eastern boundary line of the property of lot #3.1-sheets #23 and #22(?) a distance of 648 feet or until it reaches the southeast corner boundary of said property, then running in a westerly direction along the southern boundary line of said property a distance of 571 feet or until it reaches its southwestern corner boundary, then turning and running in a northerly direction a distance of

DORSET ZONING BYLAW-APPROVED AUGUST 28, 2013 BY VOTERS OF THE TOWN
OF DORSET, VERMONT

393 feet along its western boundary line or until it reaches the southeastern corner boundary of the property of lot #71-sheet #22(?), then turning and running in a westerly direction along the southern boundary line of said property a distance of 238 feet then turning and running south along the western boundary line of said property a distance of 42 feet or until its intersection with the southeastern corner boundary of the property of lot #56-sheet #22(?), then running in a westerly direction along the southern boundary line of said property a distance of 208 feet until its intersection with the south side of Church Street, then continuing in a westerly direction until reaching the center line of Church Street, then turning and running in a southerly direction along the center line of Church Street for a distance of 21 feet, then turning and running in a westerly direction or until its intersection with the southwestern corner boundary of the property of lot #51-sheet #22(?), then running in a westerly direction along the southern boundary line of the properties of lots #51, # 47, #45, and #42-- all sheet #22 -- for a distance of 645 feet or until its intersection with southwestern corner boundary line of lot #41-sheet #22, then running in a westerly direction along the southern boundary lines of said property and the property of lot #40-sheet #22 for a distance of 73 feet or until its intersection with the southern boundary line of the property of lot #39-sheet #22, then continuing in a westerly direction along the southern boundary line of said lot and across the property of lot #36-sheet #22 to its intersection with the southwestern corner boundary of the property of lot #38-sheet #22, then continuing in a westerly direction along the southern boundary of said property a distance of 72 feet, then turning and running in a southerly direction along the southern boundary line of said property and the eastern boundary line of the property of lot #35- sheet #22 for a distance of 72 feet and across the right-of-way for a distance of 18 feet until its intersection with the northern boundary line of the property of lot #34-sheet #22, then turning and running in a westerly direction along the northern boundary line of said property until its intersection with the northwestern corner of said property, then turning and running in a southerly direction a distance of 70 feet along the eastern boundary line of said property until reaching its southeastern corner boundary, then turning and running in a westerly direction along the southern boundary line of said property a distance of 143 feet or until its intersection with the western boundary of Church Street, the continuing in a westerly direction to the center line of Church Street, then turning and running in a northerly direction along the center line of Church Street a distance of 166 feet, then turning and running in a westerly direction to the southwestern corner boundary of the property of lot #30.1-sheet #20, then running in a westerly direction along the southern boundary of said property and following the entire boundary line of said property until its intersection with the south side of Route 30, then running in a northerly direction to the center line of Route 30, then turning and running in a westerly direction along the center line of Route 30 a distance of 62 feet, then turning and running in a northerly direction until its intersection with the southwestern corner boundary of the property of lot #78-sheet #20, or its point of beginning.

Village Commercial (South Dorset Village Area) (Map: South Dorset Village) = all lands contained within the district formed when starting at a point where the south side of Route 30 intersects with the northwest corner boundary of the property of lot #55-sheet # 10, then running in a southerly direction along the western boundary line of said property for a distance of 146 feet or until its intersection with the southwest corner boundary of said property, then turning and running in an easterly direction along the southern boundary line of said property for a distance of 208 feet or until its intersection with the western boundary of Cross Road, then continuing to

DORSET ZONING BYLAW-APPROVED AUGUST 28, 2013 BY VOTERS OF THE TOWN
OF DORSET, VERMONT

the center line of Cross Road, then turning and running in a southerly direction along the center line of Cross Road for a distance of 208 feet, then turning and running in an easterly direction until its intersection with the southwest corner boundary of the property of lot #1_-sheet #24 for a distance of 131 feet or until its intersection with the southeast corner boundary of said property, then turning and running in a southerly direction 115 feet or until its intersection with the West Branch of the Batten Kill, then turning and following the center line of the West Branch of the Batten Kill in an easterly direction for a distance of 1,750 feet or until its intersection with the eastern boundary line of the property of lot #73 -sheet #24, then turning and following the eastern boundary line of said property in a northerly direction for a distance of 250 feet or until its intersection with the northeast corner boundary of said property and the south side of Route 30, then running across Route 30 in a northeasterly direction until its intersection with the center line of Morse Hill Road, then running in a northeasterly direction along the center line of Morse Hill Road a distance of 250 feet, then turning and running in a westerly direction until its intersection with the west side of Morse Hill Road and the southeast corner boundary of the property of lot #57-sheet #24, then running along the northern boundary lines and encompassing lots #57, 58, 11, 12, 12.2, 13.2 and 14-sheet #24 until its intersection with the center line of a right-of-way, then turning and running in a southerly direction along the center of said right-of-way a distance of 208 feet, then turning and running in a westerly direction until its intersection with the northwest corner boundary of the property of lot #15-sheet #24, then following the northern boundary line of said property and the northern boundary line of the property of lot #16-sheet #24 until its intersection with the center line of Tudor Road, then turning and running in a southerly direction a distance of 208 feet, then turning and running in a westerly direction until its intersection with the northwest corner boundary of the property of lot #18-sheet #24, then running along the northern boundary line of said property, and along the northern boundary line of the property of lot #19-sheet #24 or until its intersection with the eastern boundary line of the property of lot #78-sheet #24, then turning and running in a northerly direction along the eastern boundary line of said property and along the eastern boundary line of the property of lot # 77.1-sheets #10 and #24 until its intersection with the northwest corner boundary of said property, then turning and running in a westerly direction along the northern boundary line of said property and the northern boundary line of a right-of-way dissecting said property until its intersection with the eastern boundary line of the property of lot #46-sheet #10, then turning and running in a northerly direction a distance of 232 feet or until its intersection with the northeast corner boundary of said property, then turning and running in a westerly direction along the northern boundary line of said property a distance of 316 feet or until its intersection with the northwest corner boundary of said property, then turning and running in a southerly direction along the western boundary line of said property a distance of 512 feet or until its intersection with the western boundary line of the property of lot #50-sheet #10, then turning and running in a southerly direction along the western boundary line of said property to its intersection with the eastern boundary line of the property now or formerly of (lot #51, sheet #10). Then running in a northerly direction along said property line to its intersection with the southerly boundary line of (lot #52, sheet #10), then turning and running in an easterly direction along said boundary line to the southeast corner of said lot. Then turning and running westerly, along the easterly boundary lines of (lot #52, sheet #10 and Lot #49.1, Sheet #10 encompassing both lots until its intersection with the southerly boundary line of (lot #53, sheet #10), then turning and running northeast along said boundary line 174.53', then turning and running north and then generally west to encompass

DORSET ZONING BYLAW-APPROVED AUGUST 28, 2013 BY VOTERS OF THE TOWN
OF DORSET, VERMONT

said lot until the southwest corner of (lot #53, sheet #10) at its intersection with the north side of Route 30, then running along the north side of Route 30 and the westerly boundary lines of (lot #53, Lot #49.1, Lot #52 and Lot #51, all of sheet #10) until its intersection with the north side of Route 30 and the southwest corner boundary of lot #51, sheet #10, then running in a southerly direction to the center line of Route 30, then turning and running in an easterly direction along the centerline of Route 30 a distance of 125 feet, then turning and running in a southerly direction until its intersection with the south side of Route 30 and the northwest corner boundary of the property of lot #55-sheet #10, or to its point of beginning.

Village Commercial (East Dorset Village Area) (Map: East Dorset Village) = all lands contained within the district formed when starting at a point where the Vermont Railroad tracks intersect with the center line of Mad Tom Road, then running in a northerly direction along the Vermont Railroad tracks for a distance of 667 feet or until reaching the CI-1 District, Map South East Dorset, east side of U.S. Route 7 southernmost boundary point, then following the CI-1 District, Map South East Dorset, boundary line across U.S. Route 7 in a westerly direction until reaching the intersection of U.S. Route 7 with the center line of Cook Road, then running in a northwesterly direction on the center line of Cook Road to the northeastern property line of lot #15-block #20-sheet #25 which is the northwesternmost point of the VC-C district boundary, then running in a southwesterly direction along the property line of said property a distance of 792 feet or until reaching the northwestern property line boundary of the property lot #13-sheet #10), then following the northern property boundary line of the property of lot #14-sheet #10 in an easterly direction 208 feet or until reaching the northeastern corner boundary line of said property, then turning south and running in a southwesterly direction along the eastern property boundary line of said property for a distance of 233 feet or until its intersection with the center line of Squirrel Hollow Road, then running in a southeasterly direction along the center line of Squirrel Hollow Road for a distance of 417 feet or until it reaches a point which connects to the northeastern corner boundary of the property now or formerly of lot # 17-sheet #10, then running along the western boundary line of said property for a distance of 917 feet or until its intersection with the northeastern corner boundary of the property of lot # 19.2-sheet #10, then running along the western boundary of said property a distance of 492 feet or until its intersection with the northeastern corner boundary of the property of (? lot #20-sheet #10, then running in a southerly direction along the western boundary line of said property for a distance of 810 feet until its intersection with the southwestern corner boundary of said property, then turning east and running in an easterly direction along the southern boundary line of said property a distance of 300 feet or until its intersection with the southeastern corner boundary of said property, then continuing in an easterly direction across U.S. Route 7 until reaching the Vermont Railroad tracks, then turning north and running along the Vermont Railroad tracks in a northerly direction a distance of 1,500 feet or until its intersection with the center line of Mad Tom Road or its point of beginning.

Overlays:

Flood Hazard Areas (FH Areas) = lands shown on the Flood Hazard Boundary Map (also known as the Flood Insurance Rate Map), dated December 2, 2015, and amendments thereto. This map is attached and considered part of the Town Zoning Map.

DORSET ZONING BYLAW-APPROVED AUGUST 28, 2013 BY VOTERS OF THE TOWN
OF DORSET, VERMONT

Ridgeline and Mountainside Conservation Overlay Zone

All land at and above 1,100 feet above mean sea level west of Route 7 in Dorset and all land at and above 900 feet above mean sea level east of Route 7 in Dorset as specifically depicted and set forth on a map entitled "Dorset, Vermont - Ridgeline and Mountainside Conservation Overlay Area," dated August 6, 2015.

Design Areas (D Areas)

Dorset Village Historic District Map = lands shown on the Dorset Village Historic District Map dated August 6, 2015, and amendments thereto. This map is attached and considered part of the Town Zoning Map.

Dorset Village Historic District West Map - all lands shown on the Dorset Village Historic District (West) map dated 4/3/01 and amendments thereto. This map is attached and considered part of the Town Zoning map. These lands are further described as all lands contained within the area formed when starting at a point on the north side of Church Street right-of-way at the southeast corner of lot #15-block #20- sheet #22. The boundary then extends northerly and then extends in a generally westerly direction, enclosing lots #15, #14, #13 and #12.1, all of block #20-sheet #22, to the northwest corner of said lot #12.1, at the east edge of the West Road right-of-way. The boundary then crosses said right-of-way to the southeast corner of lot #6.4-block #20-sheet #22, in the west edge of said right-of-way. The boundary then extends northwesterly to the northeast corner of lot #7-block #20-sheet #22. The boundary then extends southwestwardly and thence southeasterly, enclosing lots #7 and #6.4, both of block #20-sheet #22, back to the southeast corner of lot #6.4-block #20-sheet #22, located at the west edge of the West Road right-of-way. The boundary then extends southeasterly along said right-of-way to the northeast corner of lot #8-block #20-sheet #22, and thence in a westerly, southeasterly and easterly direction, enclosing lots #8 and #9, both of block #20-sheet #22, to the southeast corner of lot #9-block #20-sheet #22, in the west edge of the West Road right-of-way. The boundary then extends southeasterly along said right-of-way to the northerly most corner of lot #10-block #20-sheet #22, in the west edge of the West Road right-of-way. The boundary then extends generally southwestwardly, southeasterly and northeasterly, enclosing lot #10-block #20-sheet #22 and lot #35-block #20-sheet #22, to the southeast corner of lot #35-block #20-sheet #22, in the West Road right-of-way. The boundary then crosses said right-of-way on an extension of the last segment of lot #35-block #20-sheet #22, to the east edge of said right-of-way, and thence proceeds southeasterly along said right-of-way to the southwest corner of lot #4-block #21-sheet #22. From this point the boundary extends northeasterly to the southeast corner of #4-block #21-sheet #22, and thence generally northerly along the east boundaries of lot #4, lot #2, and lot #1, all of block #21-sheet #22, to the northeast corner of said lot #1-block #21-sheet #22 in the south edge of the Church Street right-of-way. The boundary then crosses said right-of-way to the north edge of the Church Street right-of-way. The boundary then extends northeasterly along said right-of-way to the point of beginning.

DORSET ZONING BYLAW-APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

Common plan of development: Where a structure will be refurbished over a period of time. Such work might be planned unit by unit.

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

Customary Home Occupation: An occupation or profession practiced either part time or full time which

- (1) is carried on by a member of the family residing in the dwelling unit for residential purposes; and
- (2) is clearly incidental and secondary to the use of the dwelling unit for residential purposes; and
- (3) conforms to the following conditions:
 - (a) Does not change the outside appearance of the dwelling or accessory building and is not visible from the street or road or neighboring properties;
 - (b) Does not create traffic or parking in excess of normal residential use, nor create a sewage disposal or water supply problem;
 - (c) Does not create a hazard to person or property, result in electrical interference, nor become a nuisance;
 - (d) Does not result in outside storage or display of raw materials, work in progress or completed project(s). This limitation does not include materials or product(s) stored in existing accessory buildings which are not fully enclosed. Screening may be required by such storage;
 - (e) Creates no offensive noise, vibrations, odors, heat, light, glare, smoke, or dust noticeable off premises;
 - (f) Retail sales allowed only for products produced on the property;
 - (g) Number of nonresident employees limited to four in all zoning districts;
 - (h) Does not detract from the residential character of the neighborhood;
 - (i) One unlighted identification sign not to exceed four (4) square feet is permitted.

Development: Any construction or improvement including, but not limited to buildings, structures, roadways, driveways, parking areas, on-site septic systems or other infrastructure, or alteration of the grades, necessary for the conversion of a tract of raw land into an area suitable for residential or business uses or any change in the use of any building or other structure, or land (including but not limited to mining, excavation, and landfill), or extension of use of land. Development is also the division of a parcel of land into two or more parcels.

DORSET ZONING BYLAW-APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

DFIRM: Digital Flood Insurance Rate Maps.

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

Driveway: Private access over privately owned land, or by permanent easement, serving no more than two dwellings or commercial uses.

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

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

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

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

FAA: Federal Aviation Administration.

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

Family Child Care Home or Facility: A home or facility where the owner or operator is licensed or registered by the State for child care. See section 3.7.8.

Farm Stand: A farm stand does not exceed 200 sq. ft. in area, and is used for the sale of local agricultural products. Farm stands must be erected at least 50 feet back from the edge of the traveled way as per Section 3.2.4 of this Bylaw, and must have parking spaces provided as per Section 10.3 of this Bylaw.

FCC: Federal Communications Commission

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

FIRM: see Flood Insurance Rate Map

FLESA: FLESA stands for Forest Land evaluation Site Assessment. FLESA is a system that numerically rates forest land. The system is based on criteria related to soils, timber management, wildlife, scenic and recreational resources, and certain other criteria as identified in the FLESA document. FLESA is a planning tool - - to be used as a guideline -- by the Planning Commission, the Zoning Board of Adjustment, and the Selectboard.

DORSET ZONING BYLAW-APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

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

Flood Insurance Rate Map (FIRM): An official map of a community, on which the Federal Insurance Administrator has delineated both the special flood hazard areas and the risk premium zones applicable to the community.

Flood Insurance Study: An examination, evaluation and determination of flood hazards and, if appropriate, the corresponding water surface elevations or an examination, evaluation and determination of mudslide (i.e., mudflow) and /or flood related erosion hazards.

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

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

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

Floodway, Regulatory in Town of Dorset: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot at any point. 22

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

Fluvial Erosion Hazard Zone: Includes the stream and adjacent lands necessary to accommodate the slope and plan form requirements of a geomorphically stable channel, and is subject to fluvial erosion as defined by the Vermont Agency of Natural Resources and delineated on the current Fluvial Erosion Hazard Zone Map.

DORSET ZONING BYLAW-APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

Functionally dependent use: A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water.

Historic structure: Any structure that is: (a) listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (b) certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or (d) individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: (i) by an approved state program as determined by the Secretary of the Interior or (ii) directly by the Secretary of the Interior in states without approved programs.

Inn: A building providing lodging for persons with or without meals, and intended for accommodation of transients, and so designed that normal ingress and egress occur from a central lobby, as opposed to individual entrances to separate units from the outdoors. No cooking facilities are available to guests. An inn is not a dwelling unit. An Inn is considered Public Lodging.

LESA: LESA stands for Land Evaluation and Site Assessment. It is a program developed by the U.S. Soil Conservation Service. LESA is a system that numerically rates agricultural land. The Land Evaluation is based on the quality and slope of the soil. The Site Assessment is based on the size of the parcel, its location, and certain other criteria appropriate to this community. LESA is a planning tool; guidelines for use by the Planning Commission, the Zoning Board of Adjustment, and the Selectboard.

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

Lot: A plot or parcel of land occupied or intended for occupancy by a use or a principal building and the accessory buildings or uses customarily incident to it, including such open spaces as are required by this Bylaw. In the case of public, institutional, commercial, industrial, or agricultural buildings, a group of buildings on the same or contiguous premises, all under the same ownership, may be considered as occupying the same lot.

Lot, Corner: A lot at the intersection of and abutting on two or more streets where the angle of intersection is not more than 135 degrees, or where the intersection is rounded by a curve having a radius of less than one hundred feet. All lines dividing the lot from streets shall be considered front lot lines.

DORSET ZONING BYLAW-APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

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

Lot, Through: A lot other than a corner lot which abuts two or more streets which do not intersect at the lot. All lines dividing the lot from streets shall be considered front lot lines. All other lot lines shall be considered side lot lines.

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

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

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

Lot Line, Side: The line or lines bounding a lot which extends from the street towards the rear in a direction approximately perpendicular to the street.

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

Lowest Floor: The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, useable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor, provided such an enclosure is not built in such a way as to render the structure in violation of the applicable non elevation design requirements of the Flood Hazard Areas, Section 8 of this Bylaw.

Manufactured Home: See Mobile Home/Manufactured Home, below.

Manufacturing: Shall include fabricating, assembling, treating, processing, and similar operations performed under the conditions of this Bylaw.

Mobile Home/Manufactured Home: Means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes, the term "manufactured home" also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days.

Mobile Home Park: A parcel of land under single or common ownership or control, which contains, or is designed, laid out or adapted to accommodate, two or more mobile homes. Nothing herein shall be construed to apply to premises used solely for storage or display of mobile homes.

DORSET ZONING BYLAW-APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

Motel: A building or group of buildings providing lodging for persons, intended primarily for the accommodation of transients, having a private outside entrance for each room or suite of rooms, and for each of which rooms or suites of rooms, vehicular parking is provided on the premises.

New construction: For regulation under this bylaw, means structures for which the *start of construction* commenced on or after the effective date of the floodplain management regulation adopted by the community and includes any subsequent improvements to such structures.

Noncomplying Building: Delete definition

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

Nonconforming Use: A use of land, building or premises, which is not a use permitted by the provisions of this Bylaw for the district in which such land, building, or premises, are situated, but which was legally existing prior to the effective date of the original March 6, 1973 Bylaws and amendments, as well as to the adoption of this Bylaw, or of any amendment hereto.

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

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

Off-premise Water Supply: One or more springs or wells owned by an individual or individuals rather than a municipality, each of which serves three or more properties by common agreement among the persons involved, and not subject to public regulation.

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

Premises: A lot, as defined in this section.

Principal Building: The building on the lot containing the major permitted use or uses, as opposed to a building containing a minor use customarily incidental to the principal use.

Public Highways: All federal, State and municipal highways, including Class 1,2 3 and 4 municipal highways.

DORSET ZONING BYLAW-APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

Public Lodging: Public lodging is a conditional use requiring site plan review by the Planning Commission, and review and approval by the Zoning Board of Adjustment. Public lodging is not considered a Customary Home Occupation. Public lodging is an Inn, Rooming House or Tourist Home as defined in this Bylaw. Public lodging shall accommodate more than two guests, but no more than two guests per bedroom in the existing dwelling (excepting children under 12 years of age) provided that:

- a. the residential character of the neighborhood is maintained;
- b. there is no noticeable glare off-site from outdoor lighting;
- c. noise levels will not create an objectionable impact off-site;
- d. off-street parking is provided, consistent with the requirements of Section 10 and screened as appropriate from neighboring properties;
- and
- e. all applicable State requirements are met.

A dwelling meeting this definition, regardless of its name, is deemed to be a Tourist Home for the purposes of this Bylaw.

Public Sewer: A system of sanitary sewers owned and operated by a municipality or other governmental unit.

Public Water Supply: A system of water supply owned and operated by a municipality or other governmental unit, or by a corporation authorized and regulated by the State of Vermont for purposes of public water supply.

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

Retail: Refers to a shop or store for the sale of goods, commodities, products or services directly to the consumer, as opposed to wholesale.

Rooming House (Boarding House): A dwelling wherein rooms in the principal dwelling house are offered for hire for residential purposes, with or without meals. Transients may not be accommodated. Meals may be served only to residents. Any dwelling meeting this definition, regardless of its name, is deemed to be a Rooming House for the purposes of this Bylaw. A Rooming House is considered Public Lodging.

Sawmill/ Logyard: A mill or machine for sawing logs. Operation includes the shipment of raw wood products to and from the sawmill facility. The material is generally unfinished in nature. Examples of raw wood products include: bark, boards, chips, dust, mulch, slabs, firewood for home heating etc. Trans-shipment and storage of raw wood products on the site of a Sawmill/Logyard is considered subordinate and must be screened from adjacent properties and public roadways.

DORSET ZONING BYLAW-APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

Severall: More than one.

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

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

Street: A town or State highway, or a street shown on a subdivision plan approved by the Planning Commission. The word “street” shall include the entire right-of-way thereof. If a boundary of the right-of-way has not been surveyed and so recorded and is not marked by a fence line or other physical feature, the boundary shall be deemed to be 25 feet from the center line of the traveled way.

Street Line: The line dividing the street and the lot.

Structure: An assembly of materials for occupancy or use, including but not limited to, a building, or manufactured home, mobile home or trailer, and gas or liquid storage tanks.

Structure, Farm: A building for housing livestock, raising horticultural or agronomic plants, or carrying out farming practices, including a silo, but not including a dwelling for human habitation. Municipal zoning permits for farm structures are not required, but the property owner shall notify the Administrative Officer of intent to build a farm structure, and shall abide by setbacks approved by the State Commissioner of Agriculture, Food, and Markets.

DORSET ZONING BYLAW-APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

Subdivision: The division of land into two or more lots, plat sites, or other divisions for the purpose, whether immediate or future, of sale, lease or development. This shall apply to all uses, such as residential uses (including, but not limited to condominium units), commercial, industrial, recreational, agricultural, municipal, institutional, utilities, and forestry. The word subdivision shall refer to the land to be subdivided or to the process of subdividing, as appropriate to the context. The term subdivision includes re-subdivision. A property boundary adjustment exchange, in accordance with the Town of Dorset Subdivision Development Regulations, shall not be considered a subdivision or re-subdivision.

Subordinate: Of a smaller size, or lesser degree of intensity or impact of use than the principal use on the parcel or lot.

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

Substantial Improvement: Any reconstruction, rehabilitation, addition, or other improvement of a structure after the date of adoption of this bylaw, the cost of which, over three years, or over the period of a common plan of development, ²³ cumulatively equals or exceeds 50 percent of the market value of the structure before the “start of construction” of the improvement. This term includes structures which have incurred “substantial damage”, regardless of the actual repair work performed. The term does not, however, include either: (a) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specification which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions or (b) Any alteration of a “historic structure”, provided that the alteration will not preclude the structure’s continued designation as a “historic structure”.

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

Tourist Home (Bed and Breakfast): A dwelling wherein rooms in the principal dwelling house are offered for hire to transient guests, with or without meals. Meals may be served only to guests who have hired rooms. A Tourist Home is considered Public Lodging.

Tower: A structure more than 20 feet in height above ground elevation built for the purpose of supporting, elevating, or placement of antennas for broadcast services or wireless services.

Travel Trailer: A vehicle not exceeding thirty feet in length, and designed and used primarily for recreational travel purposes. To be considered a travel trailer, such vehicle must rest on its own wheels. The provisions hereof applicable to travel trailers shall also be applied to any motor vehicle not exceeding thirty feet in length, whose body has been equipped for occupancy for recreational purposes. Travel trailers beyond 30 feet in length shall be considered mobile homes.

DORSET ZONING BYLAW-APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT

This definition does not apply to commercial vehicles, such as 18 wheel trucks equipped with sleeping quarters, that are used to transport goods.

Travel Trailer Camp: Any premises used or permitted to be used for the parking of more than one occupied travel trailer.

Traveled Way (Traveled Portion): For the purpose of this Bylaw, this means that portion of the right-of-way which is paved. In the case of unpaved roads the traveled way shall be deemed to be ten feet each way from the center line of the road. In the case of U.S. 7 and Vt. 30 the portion of the road lying between the painted side lines shall be deemed the traveled way.

Vantage Point: A point located on a public highway or public water body from which a proposed wireless communication facility will be visible.

Viewshed: The entire area visible from a vantage point.

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

Wireless Communication Facility: A tower, pole, antenna, guy wire, or related fixtures or equipment intended for use in connection with transmission or receipt of radio or television signals or any other electromagnetic spectrum-based transmissions/reception and for which a license is sought or has been granted by the FCC; the construction or improvement of a road, trail, building, or structure incidental to a communication facility.

Yard, Front: An open space between the building and the traveled way of the public or private road, extending the full length of the lot, or, in the case of a corner lot, extending along all roads.

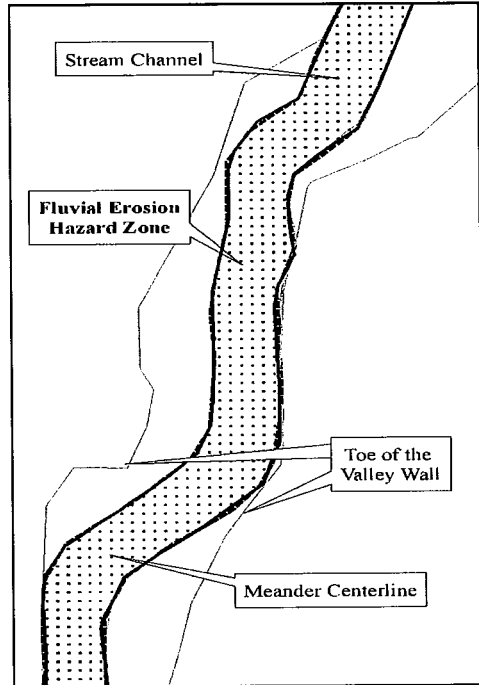
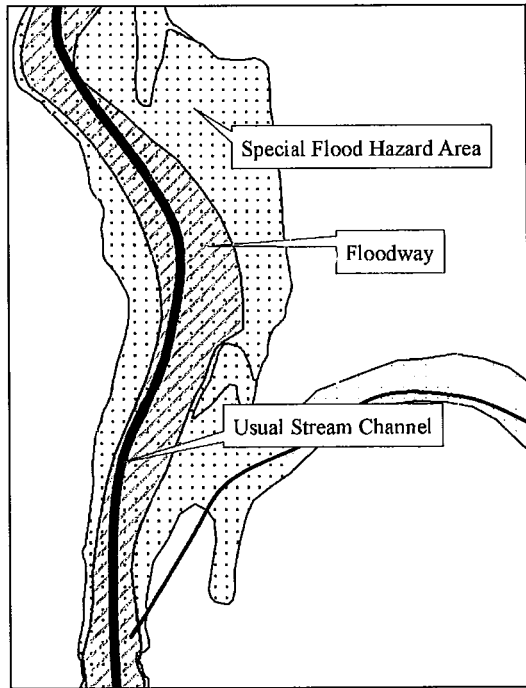
Yard, Side: An open space between the building and a side lot line, extending the full length of the lot.

Yard, Rear: An open space between the building and a rear lot line, extending the full length of the lot.

Yard, Required Front, Rear or Side: So much of the front, rear or side yard, as required by the applicable provisions of this Bylaw

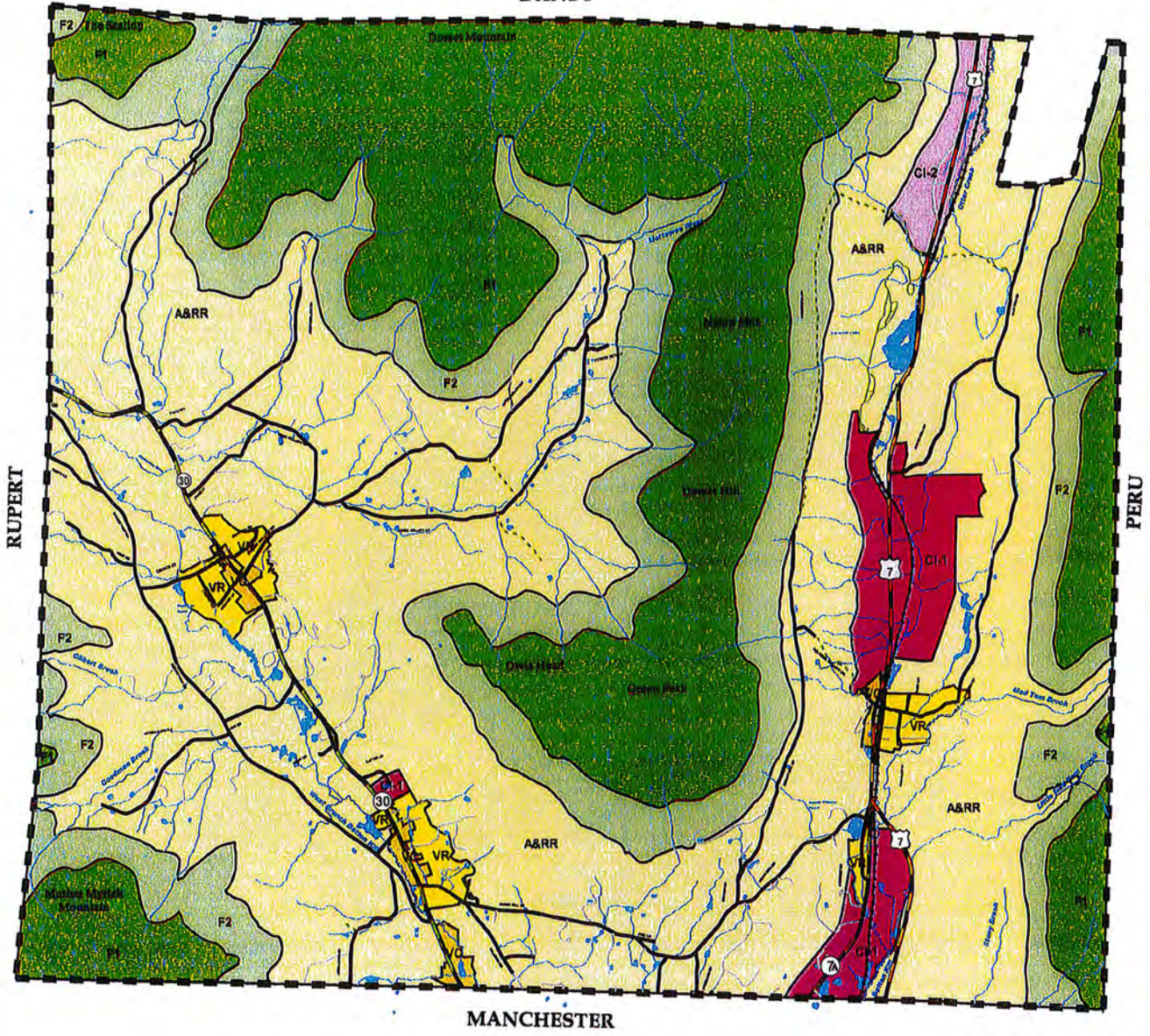
Yards, Depth or Width of: The depth of front and rear yards, and the width of side yards, shall be measured perpendicularly to the respective lot lines.

DORSET ZONING BYLAW-APPROVED AUGUST 28, 2013 BY THE SELECTBOARD OF
THE TOWN OF DORSET, VERMONT



See end of Bylaw Section 8 for all endnotes.

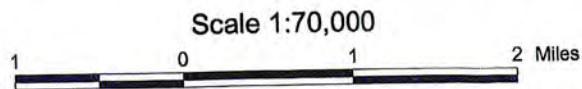
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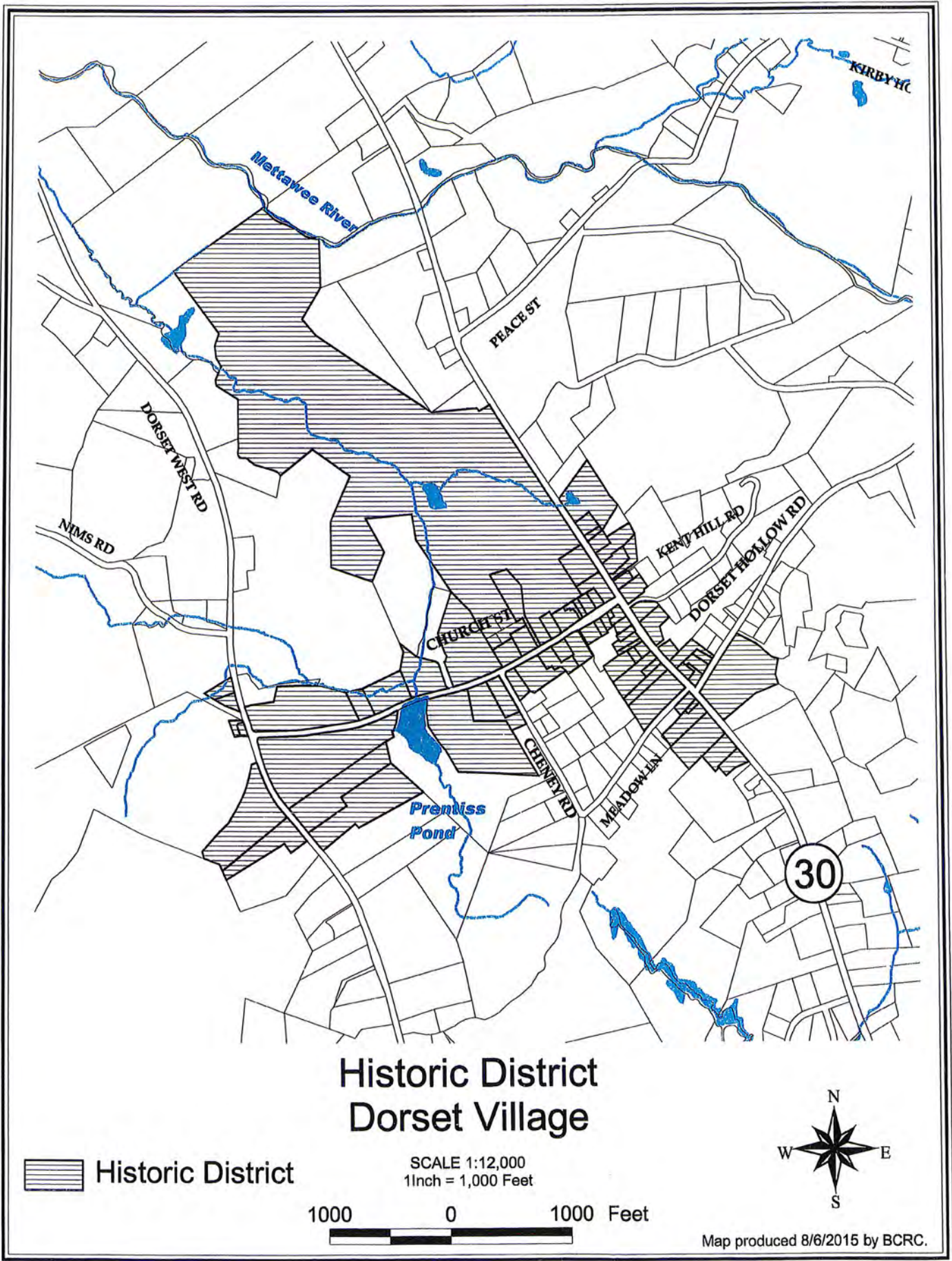
- Town Highway
- State Highway
- U.S. Highway
- Private Road
- Forest Road
- Trail
- Rivers and Streams

- Zoning Districts
- Agricultural and Rural Residential
 - Village Residential
 - Village Commercial
 - Commercial - Industrial 1
 - Commercial - Industrial 2
 - Forest 1
 - Forest 2

Zoning Map Dorset, Vermont



Map produced 8/6/2015 by BCRC.



Historic District Dorset Village

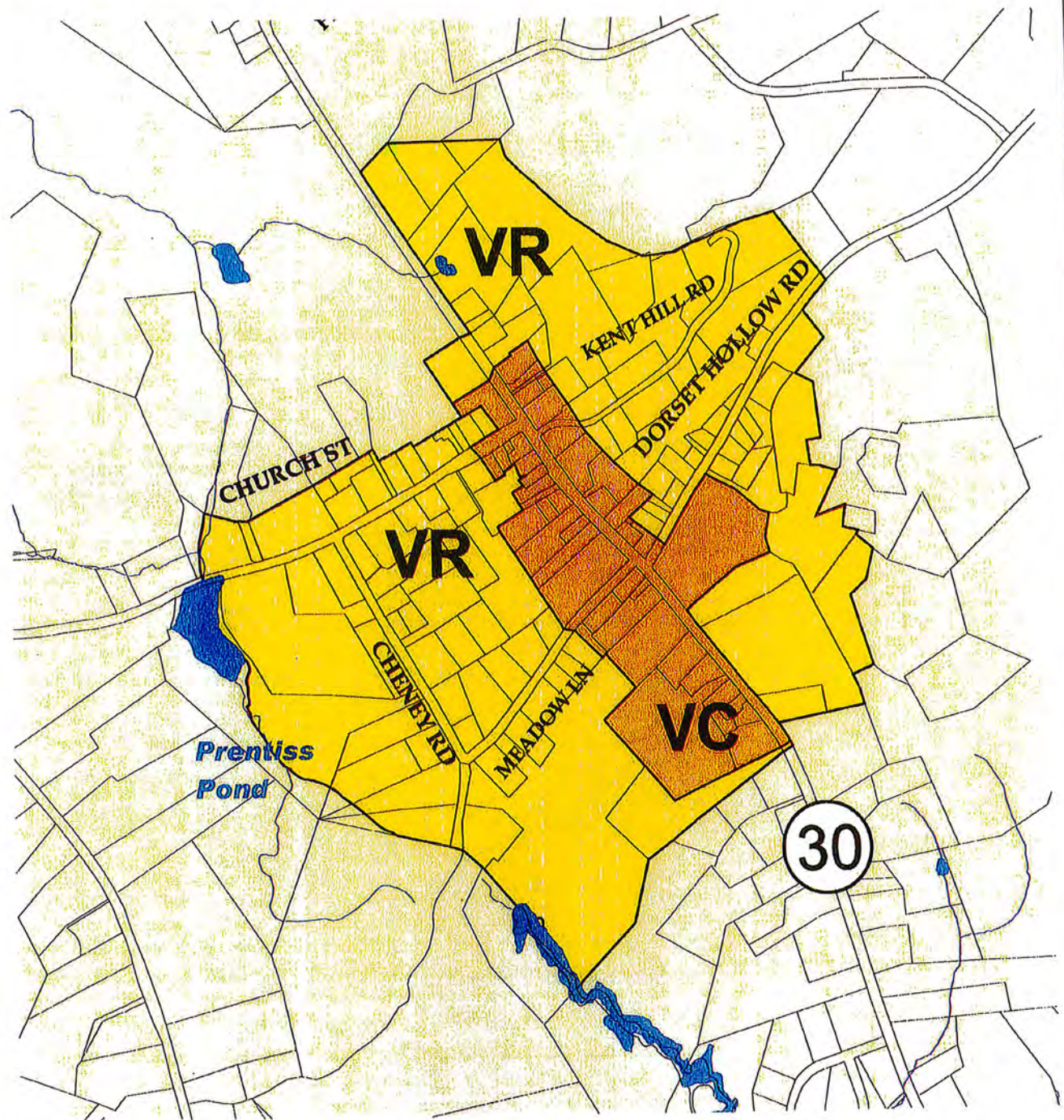
 Historic District

SCALE 1:12,000
1Inch = 1,000 Feet

1000 0 1000 Feet



Map produced 8/6/2015 by BCRC.



Zoning Districts

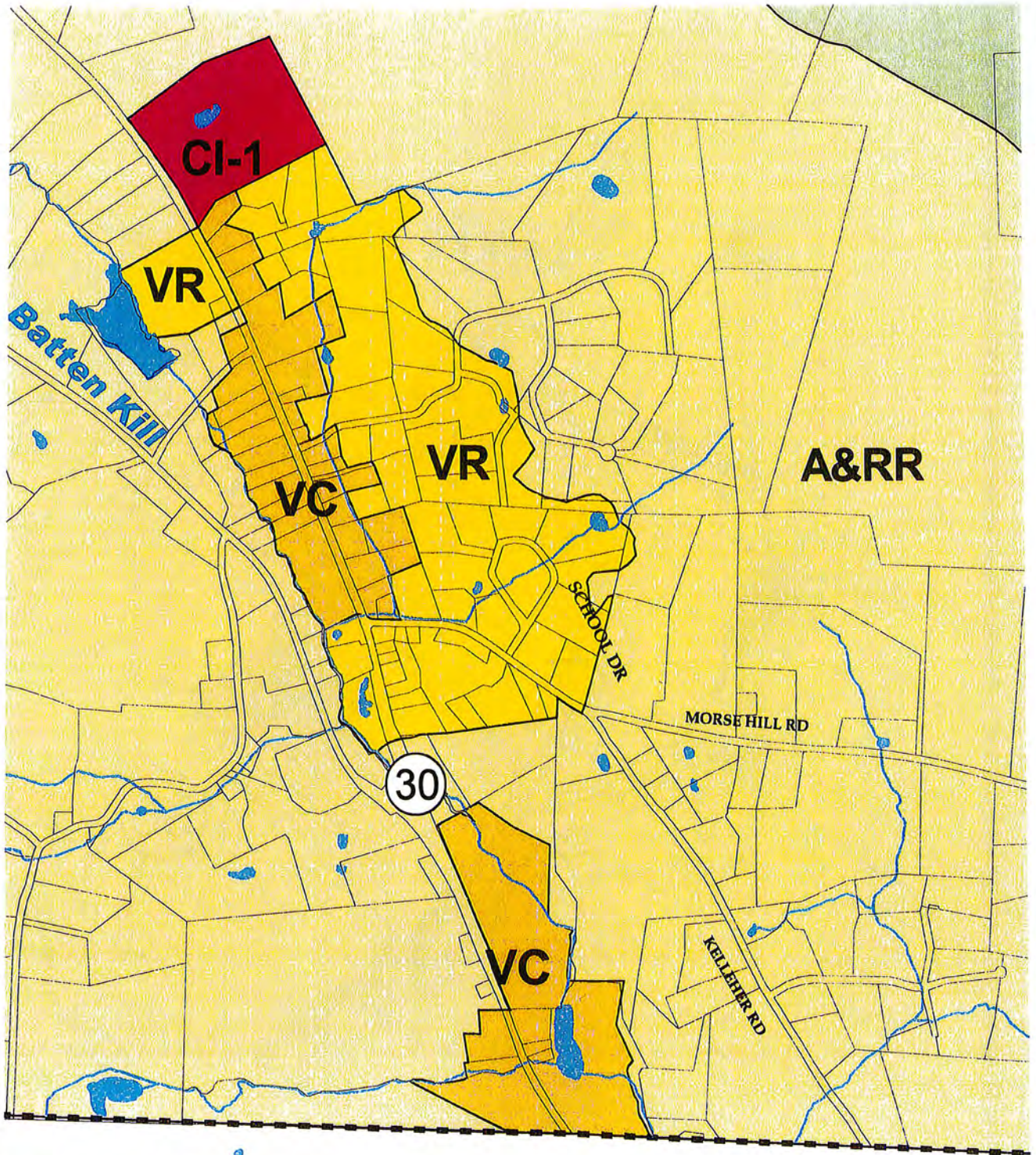
-  Agricultural and Rural Residential
-  Village Residential
-  Village Commercial
-  Commercial - Industrial 1
-  Commercial - Industrial 2
-  Forest 1
-  Forest 2








Zoning Map Dorset Village

SCALE 1:9,600
1 inch = 800 Feet



Map produced 8/6/2015 by BCRC.



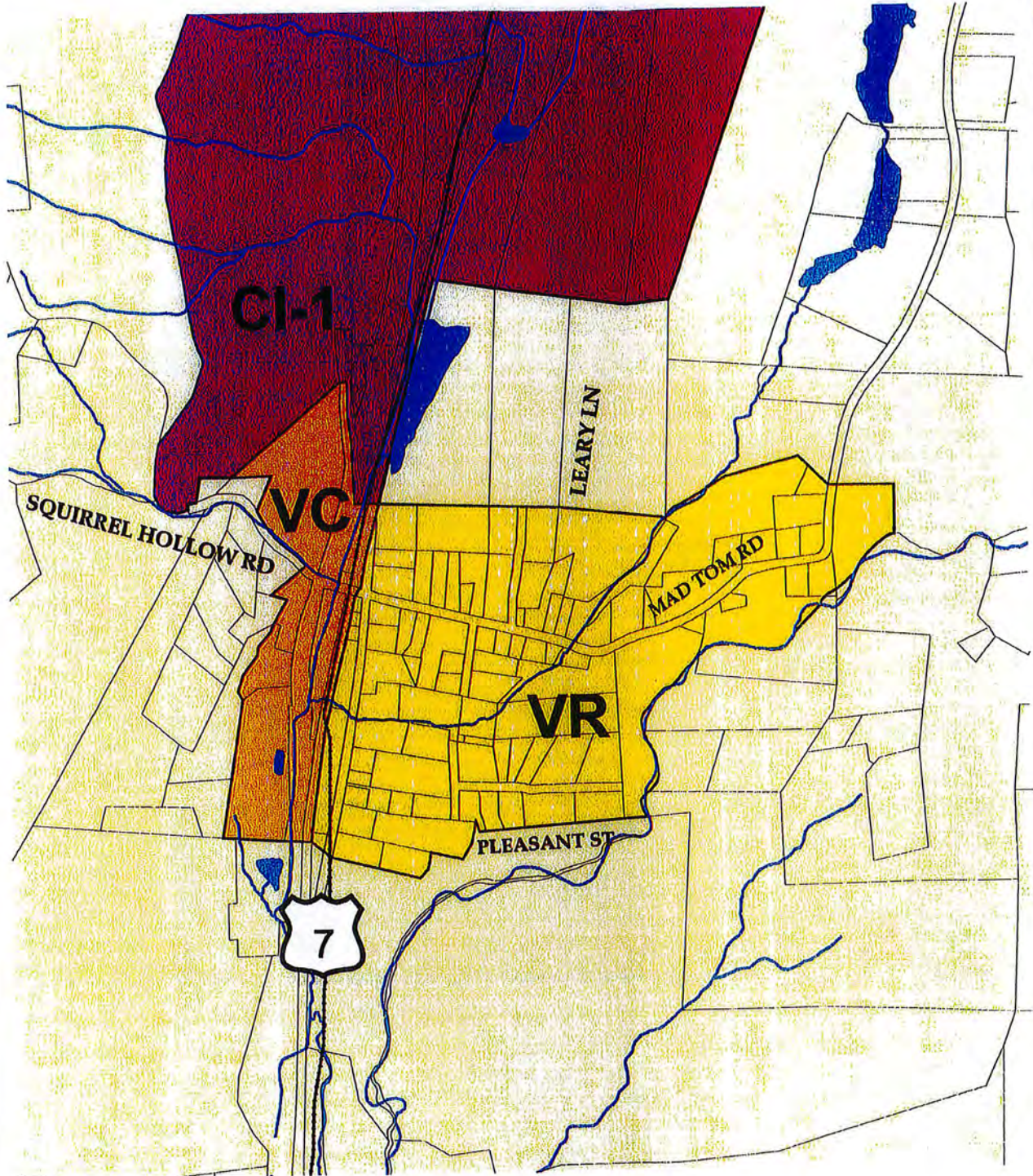
- Zoning Districts**
-  Agricultural and Rural Residential
 -  Village Residential
 -  Village Commercial
 -  Commercial - Industrial 1
 -  Commercial - Industrial 2
 -  Forest 1
 -  Forest 2

Zoning Map South Dorset Village

SCALE 1:12,000
1 Inch = 1,000 Feet



Map produced 8/6/2015 by BCRC.



- Zoning Districts**
- Agricultural and Rural Residential
 - Village Residential
 - Village Commercial
 - Commercial - Industrial 1
 - Commercial - Industrial 2
 - Forest 1
 - Forest 2

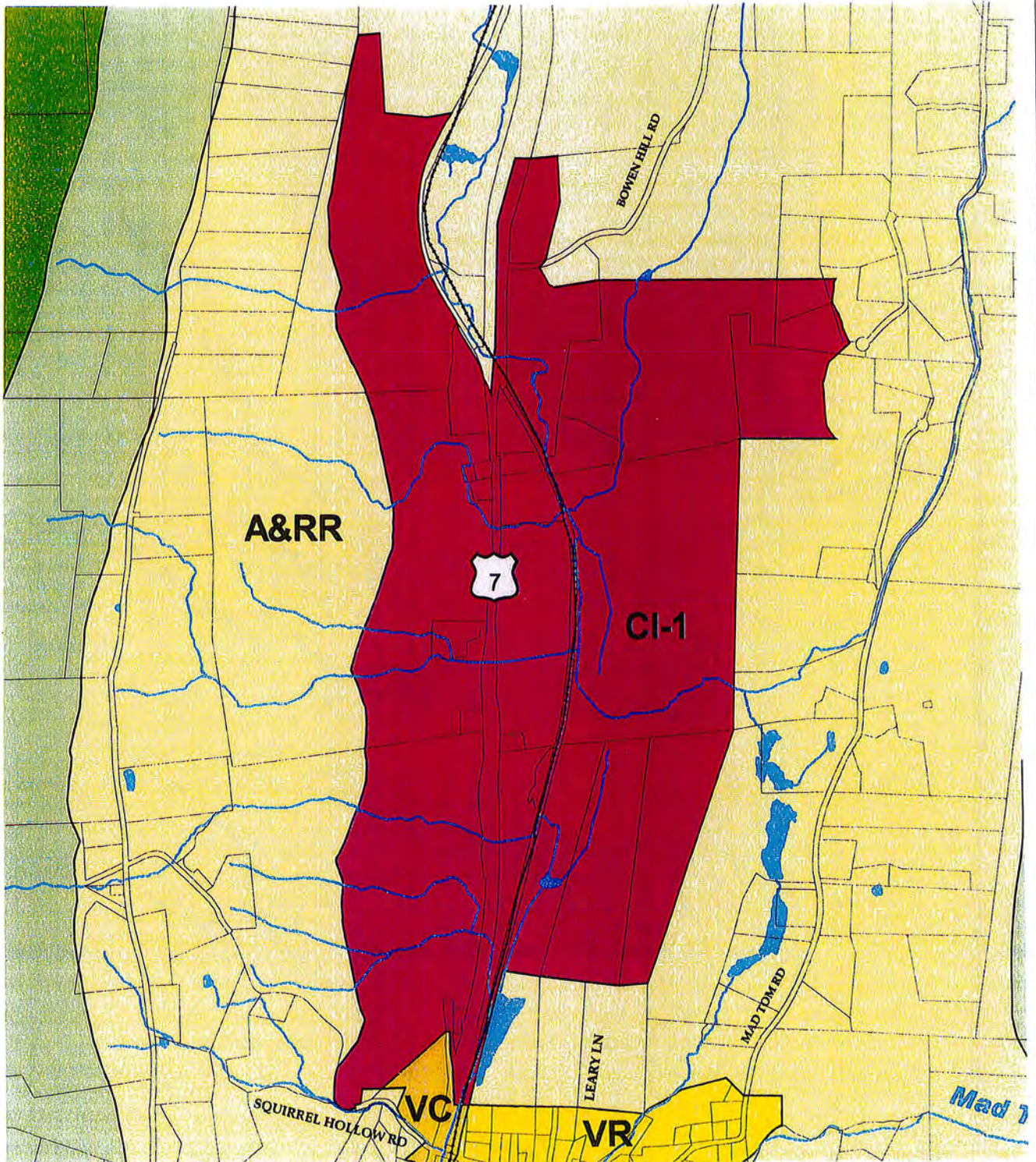
Zoning Map East Dorset Village

SCALE 1:9,600
1Inch = 800 Feet

800 0 800 Feet



Map produced 8/6/2015 by BCRC.



Zoning Districts

- Agricultural and Rural Residential
- Village Residential
- Village Commercial
- Commercial - Industrial 1
- Commercial - Industrial 2
- Forest 1
- Forest 2

Zoning Map

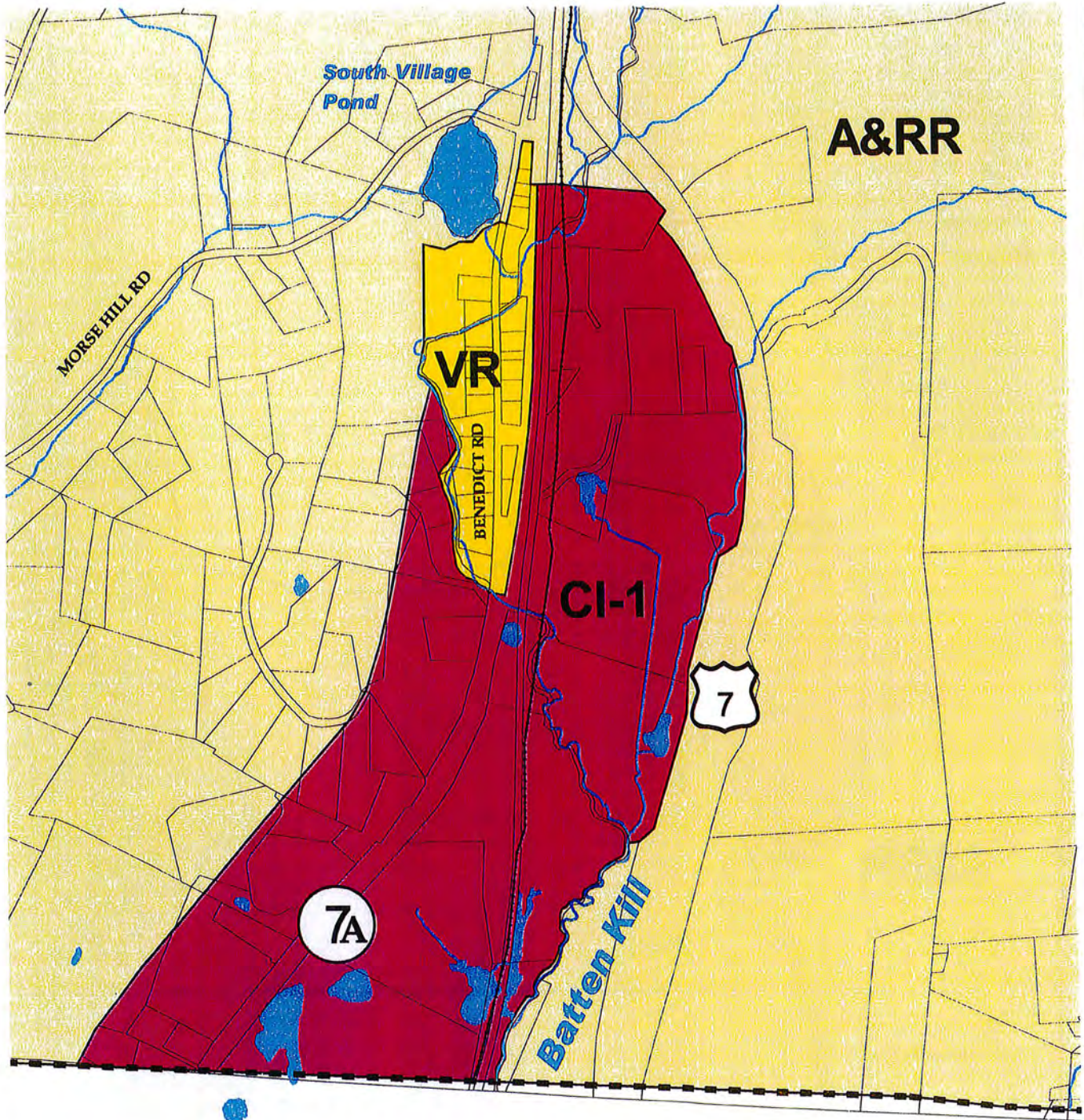
East Dorset CI-1 Zone

SCALE 1:15,840
1Inch = 1/4 Mile

0.25 0 0.25 Miles



Map produced 8/6/2015 by BCRC.

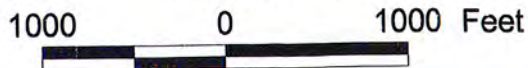


Zoning Districts

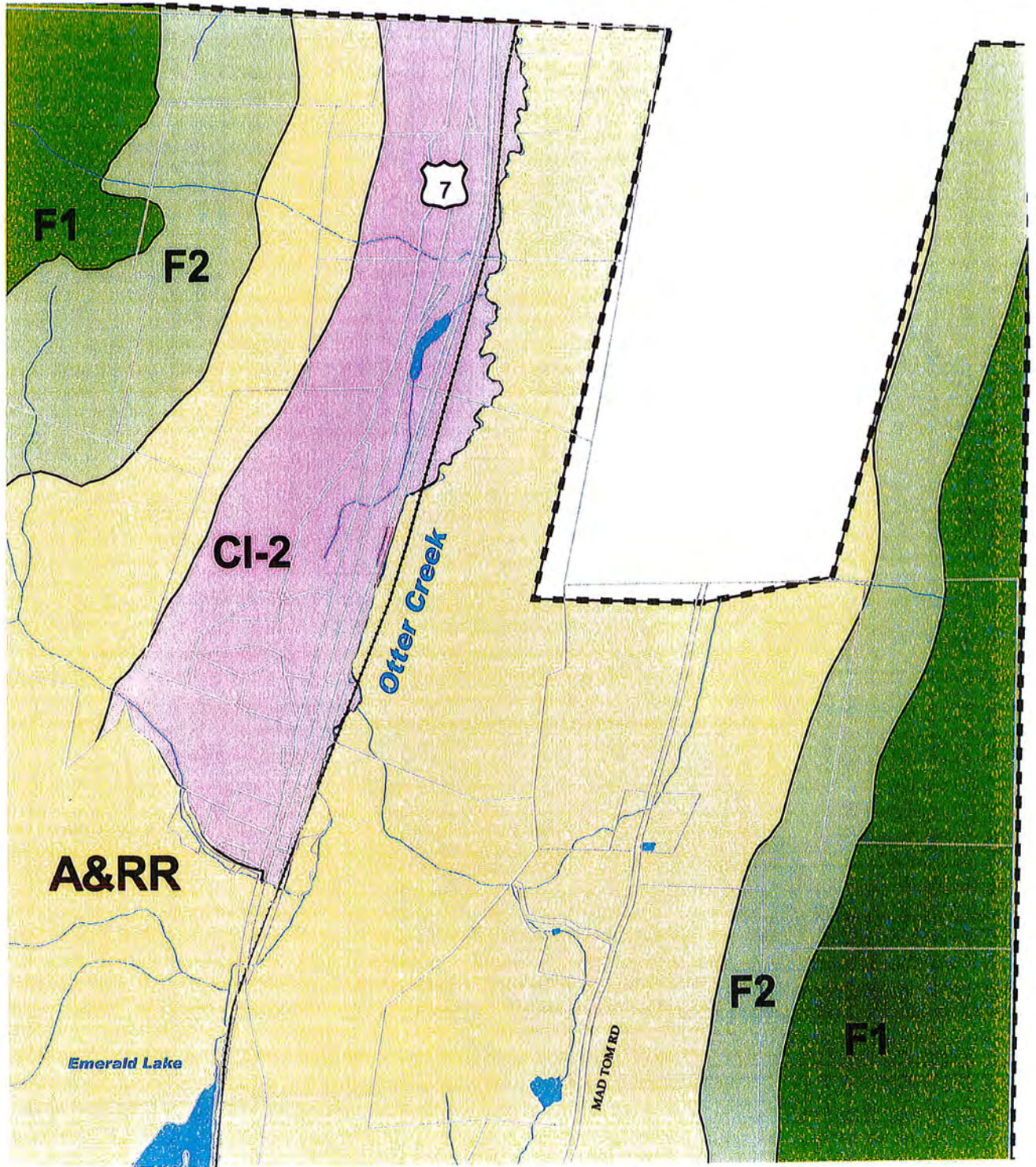
-  Agricultural and Rural Residential
-  Village Residential
-  Village Commercial
-  Commercial - Industrial 1
-  Commercial - Industrial 2
-  Forest 1
-  Forest 2

Zoning Map Southeast Dorset

SCALE 1:12,000
1Inch = 1,000 Feet



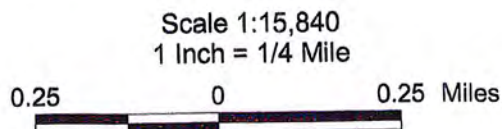
Map produced 8/6/2015 by BCRC.



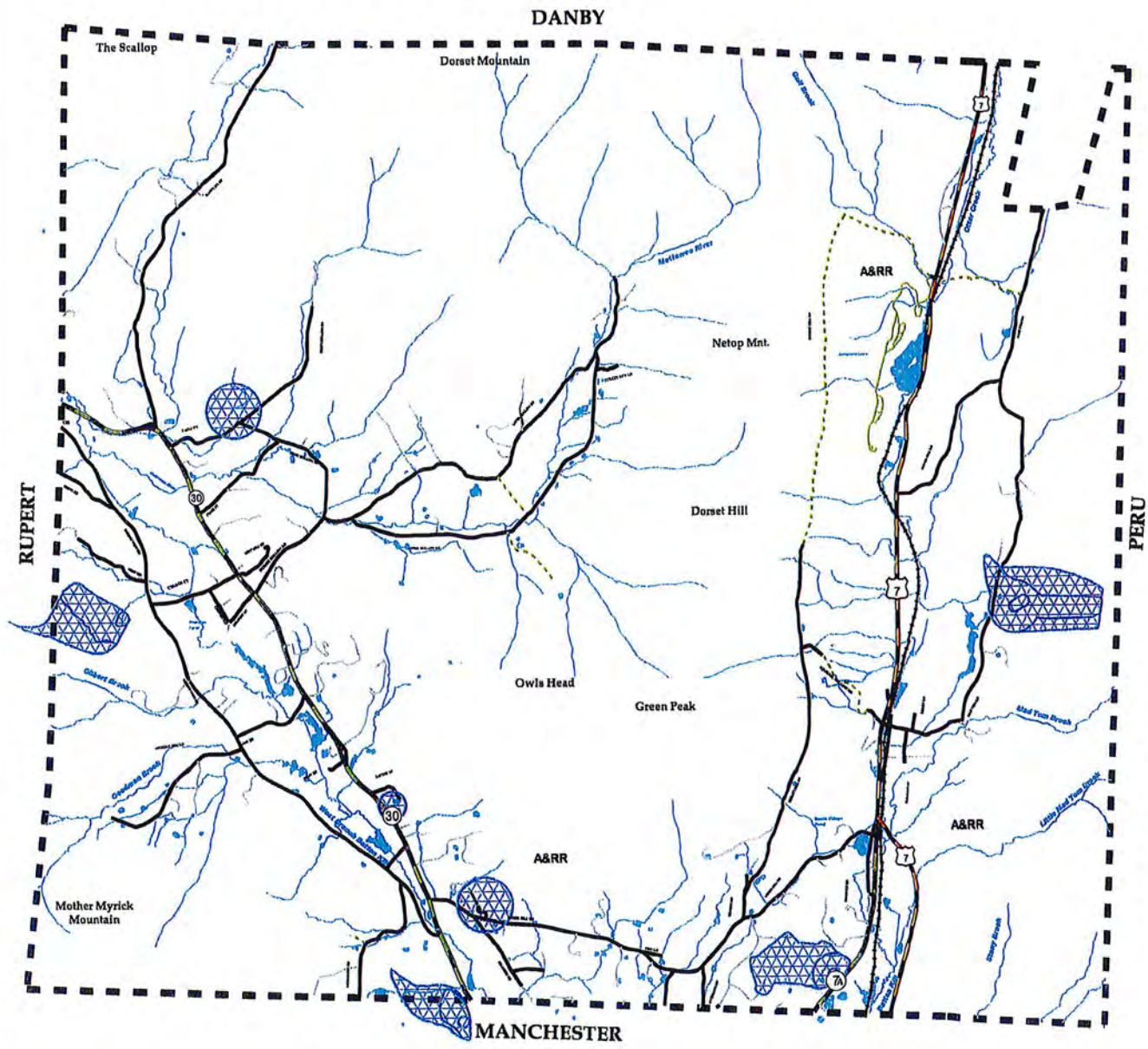
Zoning Map Northeast Dorset CI-2 Zone

Zoning Districts

- Agricultural and Rural Residential
- Village Residential
- Village Commercial
- Commercial - Industrial 1
- Commercial - Industrial 2
- Forest 1
- Forest 2

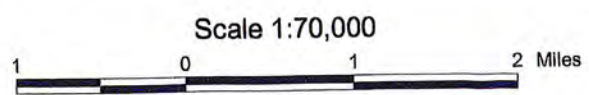


Map produced 8/6/2015 by BCRC.

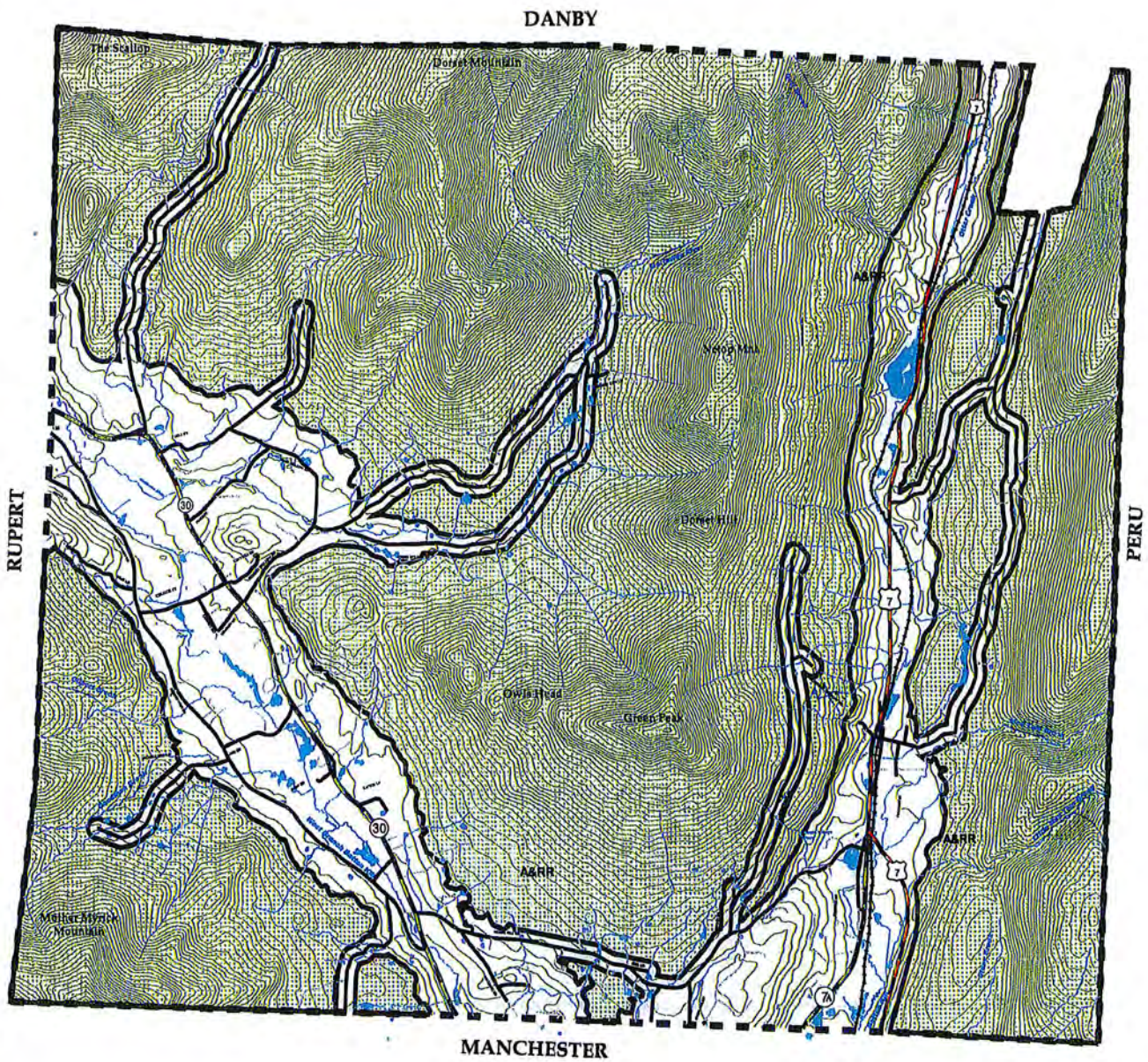


Public Water (Aquifer) Protection Areas Dorset, Vermont




Public Wellhead Protection Areas
 Rivers and Streams



Map produced 8/6/2015 by BCRC.



Ridgeline and Mountainside Conservation Overlay Zone Dorset, Vermont

-  100 Foot Contours
-  Rivers and Streams
-  Ridgeline Overlay Zone

Scale 1:70,000



Map produced 8/6/2015 by BCRC.

NOTES TO USERS

This map is for use as an insurance rate map for the National Flood Insurance Program. It does not constitute a warranty of any kind. The National Flood Insurance Program is a federal program that provides flood insurance to property owners in the United States. The map is based on the best available information and is subject to change without notice. The map is not intended to be used for any other purpose.

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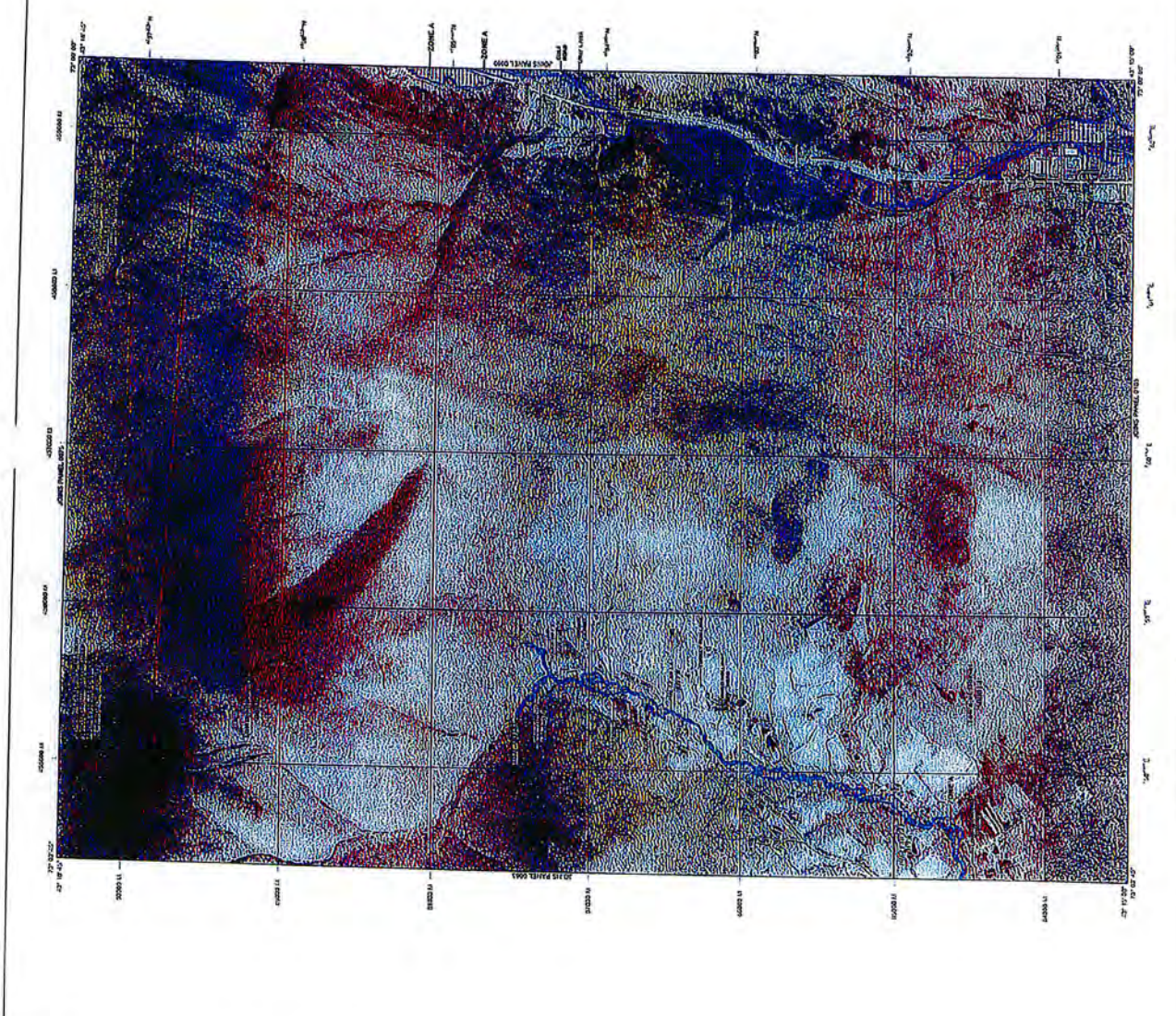
LEGEND

SPECIAL FLOOD HAZARD AREAS (SPECIAL STUDY) ID
1. Areas with a Flood Hazard Rating of 1 or 2 are shown in red. Areas with a Flood Hazard Rating of 3 are shown in blue. Areas with a Flood Hazard Rating of 4 are shown in yellow. Areas with a Flood Hazard Rating of 5 are shown in green.

LEGEND
1. Areas with a Flood Hazard Rating of 1 or 2 are shown in red. Areas with a Flood Hazard Rating of 3 are shown in blue. Areas with a Flood Hazard Rating of 4 are shown in yellow. Areas with a Flood Hazard Rating of 5 are shown in green.

LEGEND
1. Areas with a Flood Hazard Rating of 1 or 2 are shown in red. Areas with a Flood Hazard Rating of 3 are shown in blue. Areas with a Flood Hazard Rating of 4 are shown in yellow. Areas with a Flood Hazard Rating of 5 are shown in green.

NATIONAL FLOOD INSURANCE PROGRAM
FIRM
FLOOD INSURANCE RATE MAP
WASHINGTON COUNTY,
VERMONT
(ALL JURISDICTIONS)
MAP NUMBER
500000700
EFFECTIVE DATE
DECEMBER 2, 2015



NOTES TO USERS

This map is to be used as a guide only. It is not intended to be used as a legal document. The National Flood Insurance Program is a federal program that provides flood insurance to property owners in the United States. The map shows the areas that are covered by the program. It is not intended to be used as a legal document. The map shows the areas that are covered by the program. It is not intended to be used as a legal document.

The information on this map was prepared by the Federal Emergency Management Agency (FEMA) in cooperation with the National Flood Insurance Program. The map shows the areas that are covered by the program. It is not intended to be used as a legal document.

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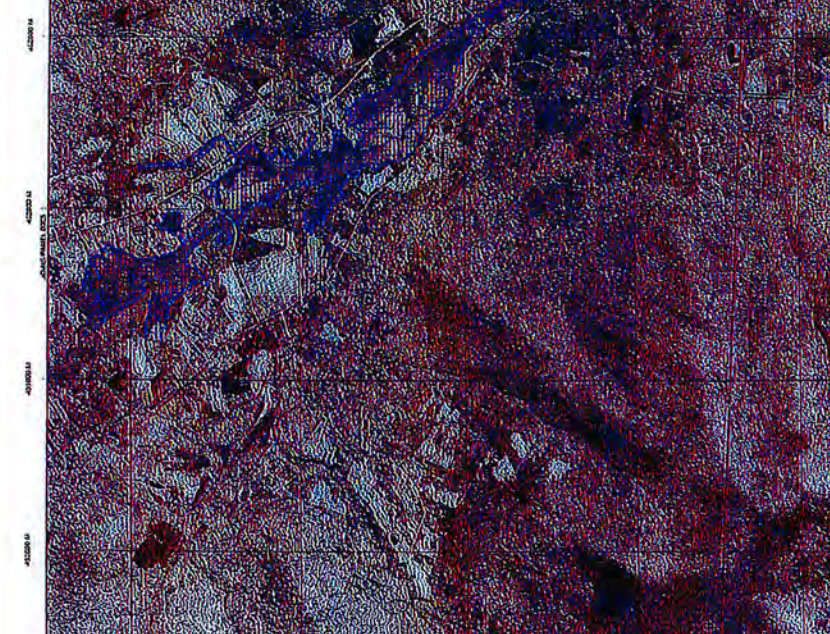
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LEGEND

- PROXIMATE FLOOD HAZARD AREAS**
 - 1. Areas with a 1% annual chance flood hazard.
 - 2. Areas with a 1% annual chance flood hazard.
 - 3. Areas with a 1% annual chance flood hazard.
- OTHER AREAS**
 - 4. Areas with a 1% annual chance flood hazard.
 - 5. Areas with a 1% annual chance flood hazard.
 - 6. Areas with a 1% annual chance flood hazard.
- GENERAL INFORMATION**
 - 7. Areas with a 1% annual chance flood hazard.
 - 8. Areas with a 1% annual chance flood hazard.
 - 9. Areas with a 1% annual chance flood hazard.



Scale: 1" = 100'

NOTES TO USERS

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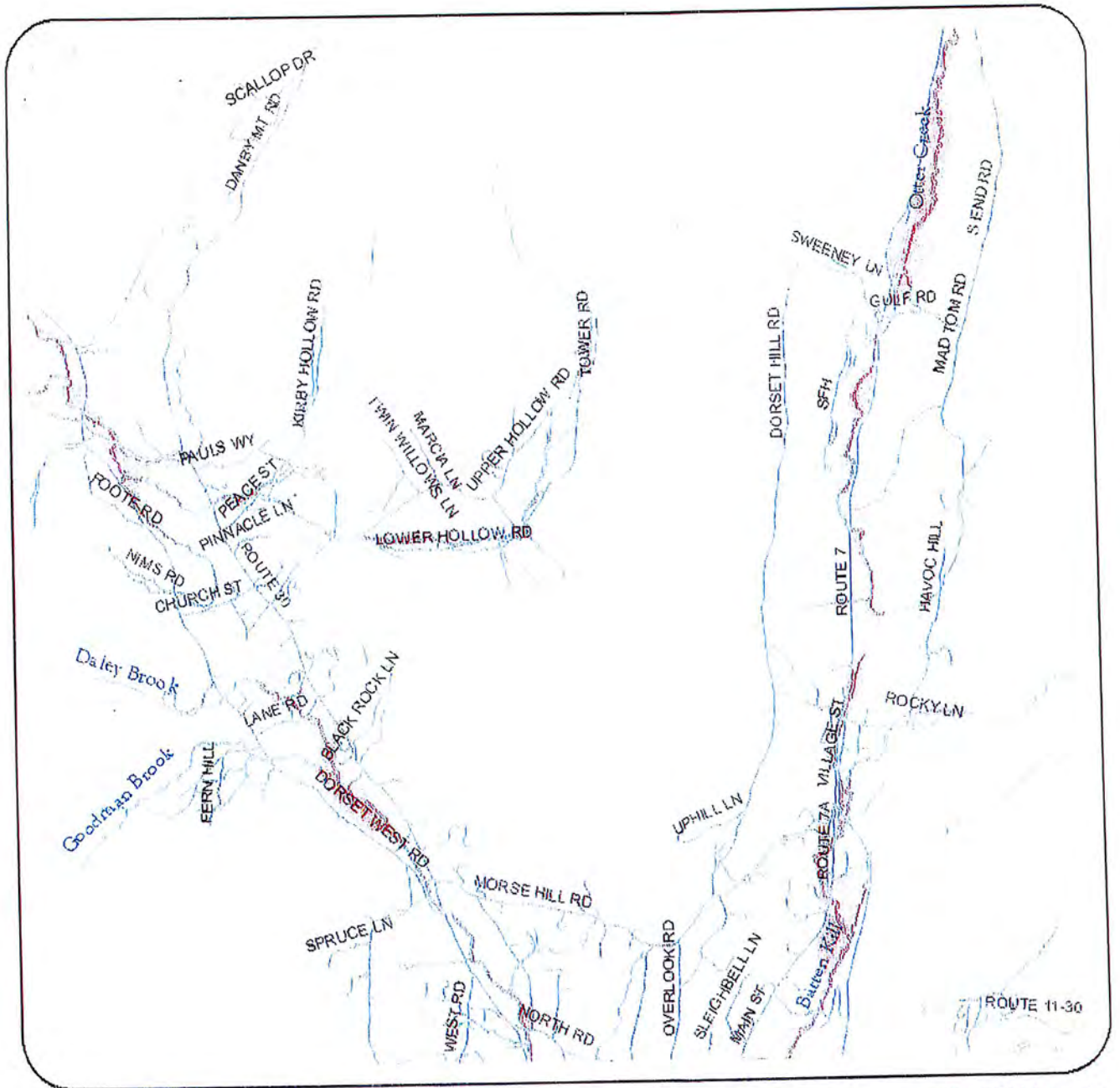
The information on this map was prepared by the Federal Emergency Management Agency (FEMA) in cooperation with the National Flood Insurance Program. The map shows the areas that are covered by the program. It is not intended to be used as a legal document.

Scale: 1" = 100'

FIRM
FLOOD INSURANCE RATE MAP
BENNINGTON COUNTY,
VERMONT
(ALL INSTRUCTIONS)

PANEL 180 OF 275
SHEET NUMBER (SEE PANEL LABELS)
DATE: 12/27/15
SCALE: 1" = 100'

NATIONAL FLOOD INSURANCE PROGRAM
MAP NUMBER: 50000CHRD
EFFECTIVE DATE: DECEMBER 2, 2015
FEMA: Federal Emergency Management Agency



Town of Dorset Special Flood Hazard Areas

Special Flood Hazard Areas
Zone A and AE

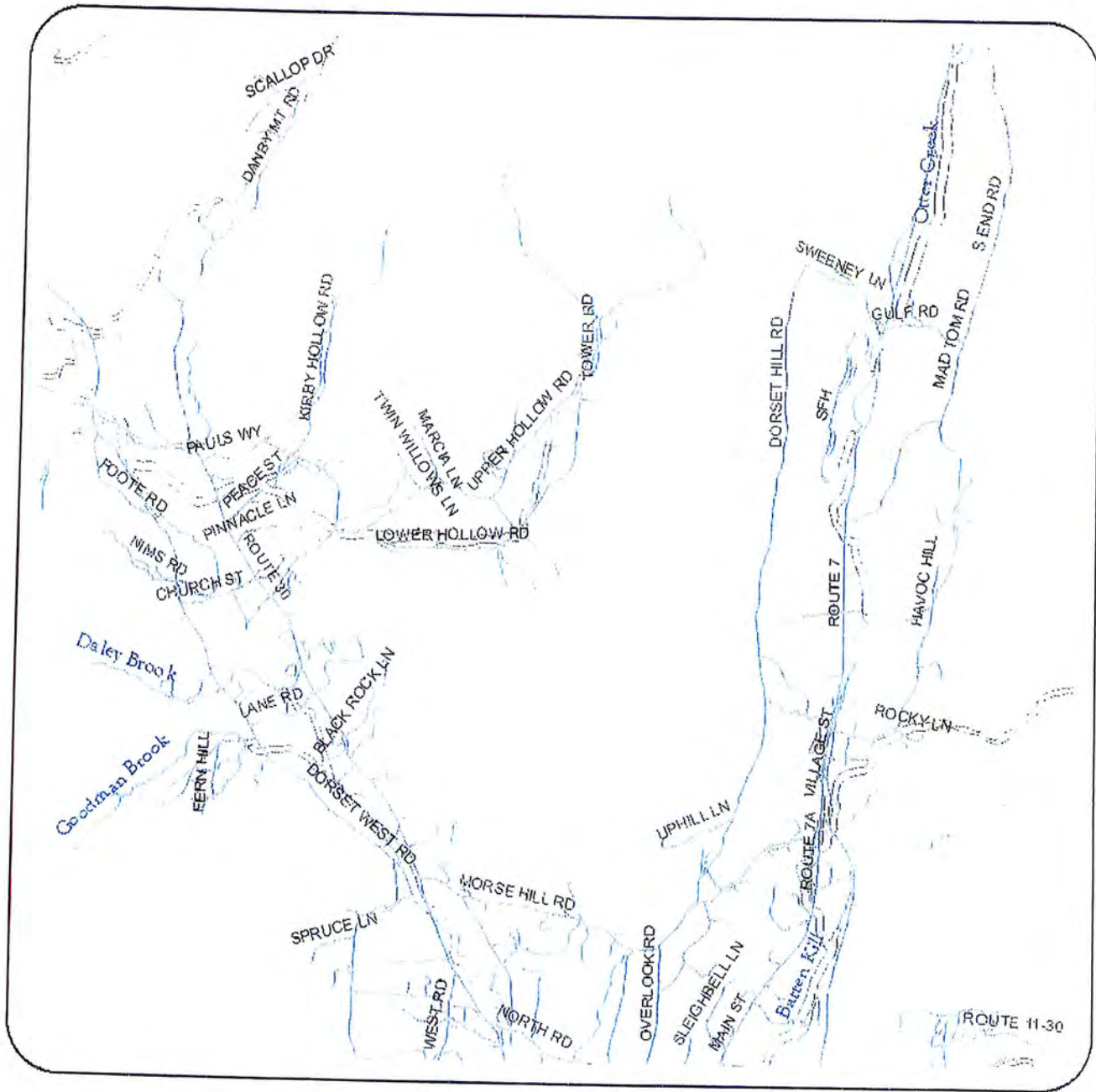


Special Flood Hazard Areas are mapped by FEMA for the National Flood Insurance Program (NFIP).


Official maps can be found online at the FEMA Map Service Center - www.msc.fema.gov

Flood Hazard Areas can also be viewed on the Vermont Flood Ready Atlas - vt.vt.gov/floodreadyatlas

1315 MT DEC



Town of Dorset River Corridors

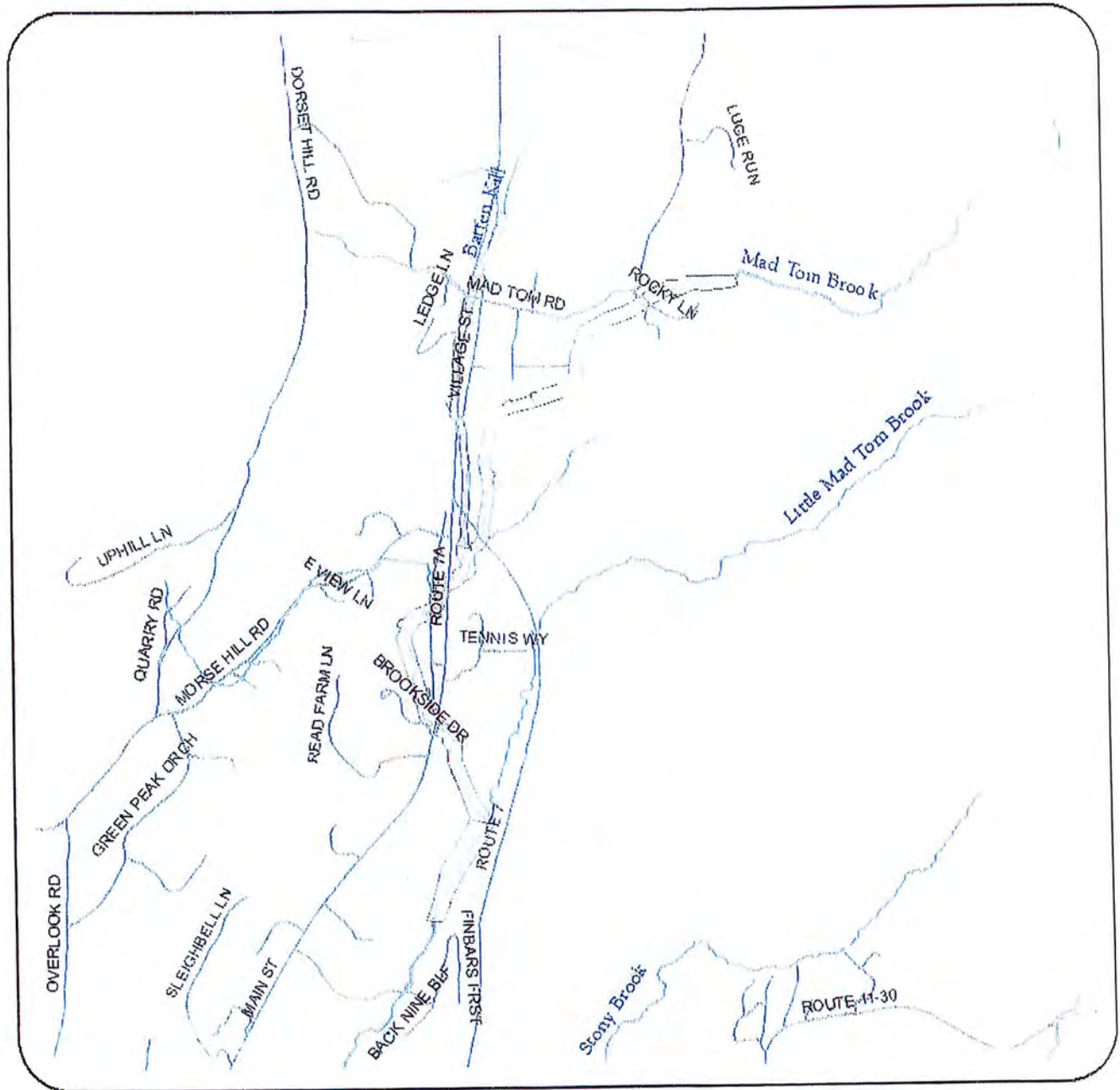
 River Corridors

River Corridors are mapped by the Agency of Natural Resources and are regulated under Act 250 and Act 245.

River Corridors can be viewed on the Vermont Flood Ready Atlas - annual.com/floodreadyatlas



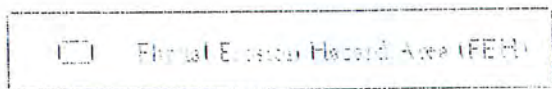
7/15/2010 DEC



Town of Dorset Fluvial Erosion Hazard Areas

Special Flood Hazard Areas are mapped by FEMA for the National Flood Insurance Program (NFIP)

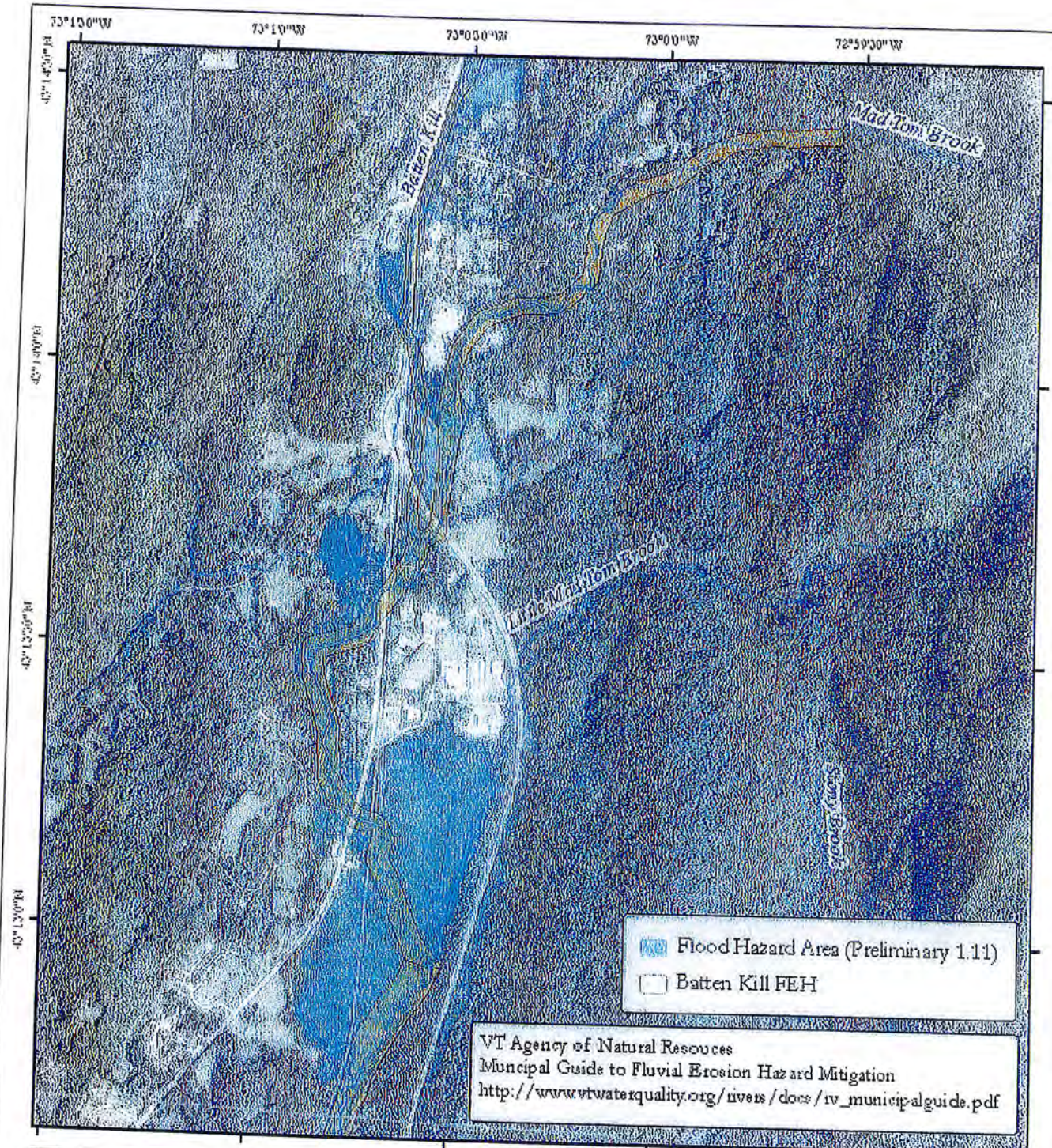
Official maps can be found online at the FEMA Map Service Center www.msc.fema.gov



Flood Hazard Areas can also be viewed on the Vermont Flood Ready Atlas tinyurl.com/floodreadyvtatlas



15.15 VT DEC




- Flood Hazard Area (Preliminary 1/11)
- Batten Kill FEH

VT Agency of Natural Resources
 Municipal Guide to Fluvial Erosion Hazard Mitigation
http://www.vtwaterquality.org/tivers/docs/tv_municipalguide.pdf

Fluvial Erosion Hazard Area - Batten Kill
 Vermont Department of Environmental Conservation
 Water Quality Division
 Map from Ned Swanberg 4/4/11

0 500 1,000 2,000 Feet




This map shows a draft of the Fluvial Erosion Hazard Area along the Batten Kill (brown) together with the Special Flood Hazard Area (blue) as shown on the 1/11 Preliminary Digital Flood Insurance Rate Map.

1:17,500

