TOWN OF GROTON, VERMONT
ZONING BYLAW

Adopted March 2, 1999

Amended March 2, 2004

Amended November 24, 2012

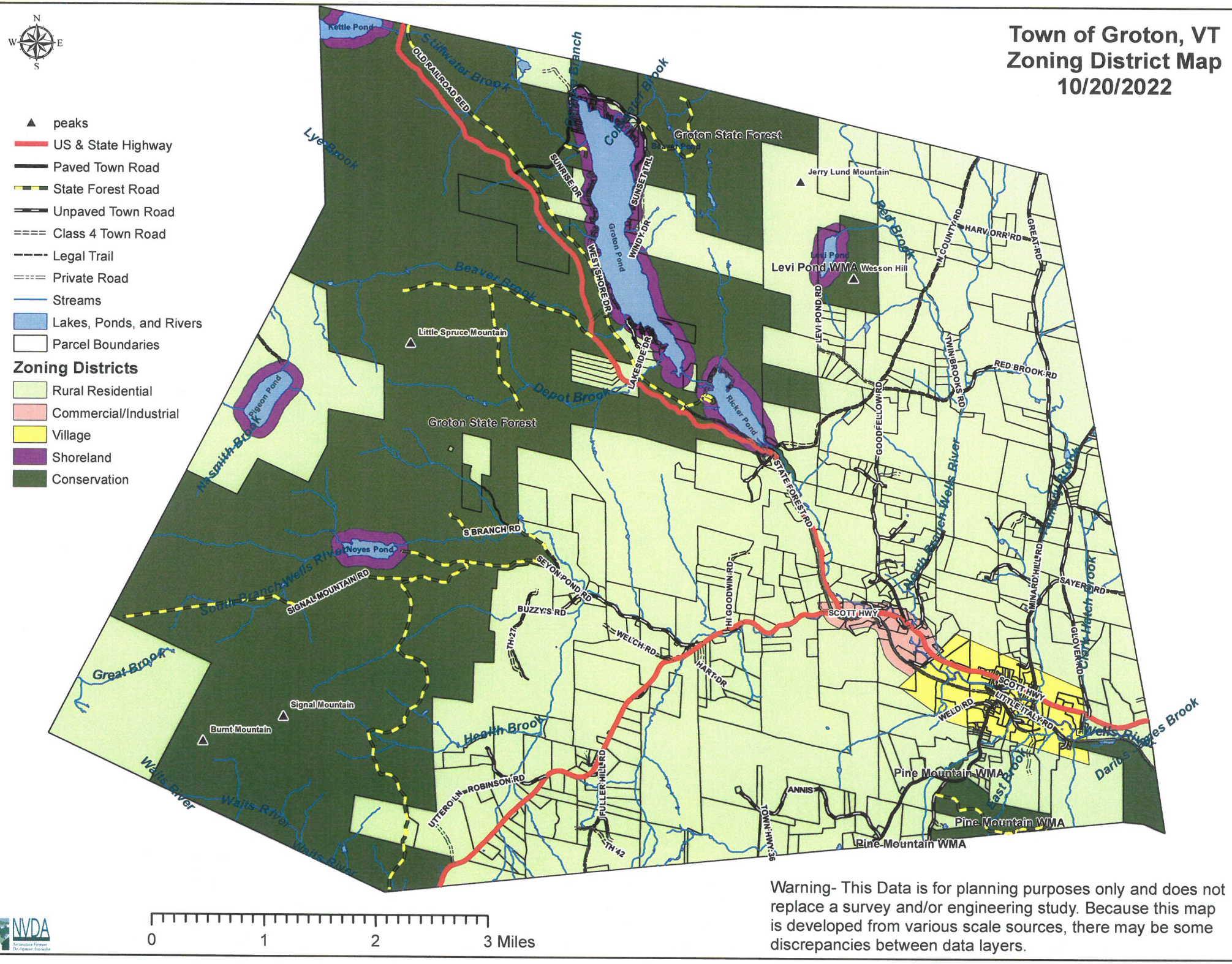
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Town of Groton, VT
Zoning District Map
10/20/2022



Warning- This Data is for planning purposes only and does not replace a survey and/or engineering study. Because this map is developed from various scale sources, there may be some discrepancies between data layers.

ARTICLE 1: ENACTMENT & INTENT

§101: Enactment

In accordance with the Vermont Municipal and Regional Planning and Development Act (24 VSA, Chapter 117), there is hereby established a zoning bylaw for the Town of Groton, Vt. which is set forth in the text and map that constitutes this bylaw. This bylaw shall be known and cited as the "Town of Groton Zoning Bylaw."

§102: Intent

It is the intent of this Zoning Bylaw to provide for orderly community growth and to further the goals, objectives and purposes established in the Municipal Plan and 24 VSA, §4302. It is not the intent of this Zoning Bylaw to supercede any state law or regulation that is controlling as to the subject matter being addressed including, but not limited to, State Shoreland Regulations effective in 2014.

§103: Procedure for Applicant Permit

1. Call the Town Clerk's office for a Zoning Permit Application (802-584-3276) or visit the Town of Groton's Web site: www.grotonvt.com/

2. Return the Zoning Permit Application to the Town Clerk's office with the Permit fee as specified on the fee schedule along with any questions for the designated Zoning Administrator.

3. Once the designated Zoning Administrator has received a complete Zoning P~~p~~ermit Application, the designated Zoning Administrator will inspect said property named on the application within fifteen (15) days. Within 30 days of receiving a complete application, the Zoning Administrator shall either issue a decision or refer the application to the appropriate municipal panel.

ARTICLE 2: ESTABLISHMENT OF DISTRICTS & BOUNDARIES

§201: Establishment of Zoning Districts

The Town of Groton, Vt. is hereby divided into the following Zoning Districts as shown on the Town of Groton, Vt. Zoning Map:

"CON" Conservation District
"C/I" Commercial/Industrial
"RR" Rural Residential District
"SL" Shoreland District
"V" Village District

§202: Zoning District Boundaries

The general location and boundaries of zoning districts are shown on the attached reduced Zoning Map. Regardless of the existence of other printed copies of the zoning map, which from time to time may be made or published, the official zoning map, which shall be located in the office of the Town Clerk, shall be the final authority as to the current zoning status of the land and water areas, buildings, and other structures in the town. The large-scale Official Zoning Map dated April 23, 2012, and located in the Town Office, shows these areas in more detail, and is hereby made a part of this bylaw.

§203: Interpretation of District Boundaries

203.01 All zoning district boundaries shown as following a road shall be deemed to follow the centerline of such road.

203.02 All zoning district boundaries shown as following a property line shall be deemed to follow such property line.

203.03 All zoning district boundaries shown as following a river, brook, or stream shall be deemed to follow the centerline of such river, brook, or stream.

203.04 All zoning district boundaries shown as following the shoreline of a pond or lake shall be deemed to follow the mean high-water mark of such pond or lake.

203.05 If uncertainty exists with respect to the location of any district boundary on the official Zoning Map, dated April 23, 2012, the Planning Commission shall determine the location of such boundary.

§204: Application of Bylaw

The application of this bylaw is subject to 24 VSA, Chapter 117. Except as hereinafter provided, no building or structure shall be erected, moved, altered, or extended, and no land excavated or structure, or land part thereof shall be occupied or used unless in conformity with this bylaw as herein specified for the district in which such structure is located. Any use not permitted by this bylaw shall be deemed prohibited.

§205: District Regulations

The following subsections describe the purpose of each district and delineate the permitted and conditional uses in that district as well as other specific district standards:

§205.01: Village District ("V")

Objective:
This is the area in the central part of the community and is designed to continue the New England character, which includes residential, commercial, and religious uses. Growth should be concentrated within the village centers, leaving much of the open land less developed. It is important to preserve and promote the residential character of the village.

Permitted Uses:
1. Accessory use/structure
2. Bed and Breakfast
3. Community center
4. Day care of 6 or less children
5. Dwelling, one family
6. Dwelling, two family
7. Forestry
8. Home occupations
9. Office, private or public
10. Public buildings
11. Religious institution
12. School

Conditional Uses:
1. Agriculture
2. Auto sales/service
3. Bank
4. Bars/Clubs
5. Carwash
6. Cemetery
7. Clinic
8. Contractor's yard
9. Day care of more than six full-time and four part-time children
10. Dwelling, multifamily
11. Essential services
12. Fuel station/auto repair
13. Hotel/Motel
14. Hospital
15. Industry
16. Nursery school
17. Nursing home
18. Personal services
19. Public assembly
20. Recreational facility
21. Restaurant
22. Retail business
23. Theaters
24. Wholesale use

Minimum Area and Dimensional Requirements:

Lot Area Minimum (sq. ft.)	40,000
Lot Frontage Minimum (ft.)	100
Lot Depth Minimum (ft.)	200
Front Yard Minimum (ft.)	35
Rear Yard Minimum (ft.)	25
Side Yard Minimum (ft.)	25
Building Height Maximum (ft.)	50[1]

[1] But not more than three (3) habitable stories.

§205.02: Rural Residential District ("RR")

Objective:
This district is comprised of residential, agricultural, and other compatible uses at densities compatible with the physical capability of the land and the availability of community facilities and services on lands outside of Village District areas. Planned unit development, open space preservation and other techniques for preserving the rural character of these areas are encouraged.

Permitted Uses:

1. Accessory uses/structure
2. Agriculture
3. Day care of 6 or less children
4. Dwelling, one family
5. Dwelling, two family
6. Forestry
7. Home occupations

Conditional Uses:

1. Bed and Breakfast
2. Boarding house
3. Campground
4. Cemeteries
5. Clinic
6. Clubs
7. Commercial forestry structures
8. Contractor yard
9. Day care of more than six full-time and four part-time children
10. Dwelling, multi-family
11. Essential services
12. Hospital
13. Hotel/Motel
14. Industry
15. Mobile home park
16. Nursing home
17. Office, private or public
18. Personal services
19. Public assembly
20. Public buildings
21. Recreation facility
22. Religious institution
23. Restaurant
24. School
25. Soil, sand, gravel, and stone quarries
26. Veterinary clinic
27. Warehouse

Minimum Area and Dimensional Requirements:

Lot Area Minimum (sq. ft.)	40,000
Lot Frontage Minimum (ft.)	100
Lot Depth Minimum (ft.)	200
Front Yard Minimum (ft.)	35
Rear Yard Minimum (ft.)	25
Side Yard Minimum (ft.)	25
Building Height Maximum (ft.)	50[1]

[1] But not more than two (2) habitable stories.

§205.03: Commercial/Industrial (C/I)

Objective:
This district allows for the continuation of the New England character providing services and shopping opportunities by allowing light industrial, office and warehouse uses that will not be detrimental to surrounding residential uses. The area provided takes into consideration truck access and the availability of utilities. Within this district, multi-story structures with retail businesses on the ground floor may have (residential and/or) office uses located on any floor. Any change of a structure from commercial to a noncommercial use shall be approved by the Zoning Board of Adjustment.

Permitted Uses:
1. Accessory use/structure
2. Agriculture
3. Banks
4. Bed and Breakfast
5. Commercial business under 2000 sq. ft.
6. Day care of 6 or less children
7. Dwelling, one family
8. Dwelling, two family
9. Forestry
10. Home occupation
11. Industry under 2000 sq. ft.
12. Office
13. Retail businesses

Conditional Uses:
1. Auto sales/service
2. Car wash
3. Clinics
4. Clubs
5. Commercial business over 2000 sq. ft.
6. Day care of more than six full-time and four part-time children
7. Dwelling, multi-family
8. Essential services
9. Gasoline station
10. Hotels/motels
11. Industry
12. Mobile home park
13. Personal services
14. Public buildings
15. Recreation facility
16. Religious institution
17. Restaurants
18. Theaters
19. Warehouse
20. Wholesale use

Minimum Area and Dimensional Requirements:

	A[1]	B[2]
Lot Area Minimum (sq. ft.)	80,000	40,000
Lot Frontage Minimum (ft.)	150	100
Lot Depth Minimum (ft.)	200	200
Front Yard Minimum (ft.)	35	35
Rear Yard Minimum (ft.)	50	25
Side Yard Minimum (ft.)	50	25
Building Height Maximum (ft.)	50	50[3]

[1] Column (A) is for all commercial and industrial buildings as listed under permitted and conditional uses.
[2] Column (B) is for all one- and two-family dwellings only.
[3] But not more than two (2) habitable stories.

§205.04: Shoreland District ("SL")

Objective:
This district preserves the attractive natural features surrounding the ponds and lakes of Groton while permitting seasonal and year-round residential uses. Shoreland includes the land within 500 ft. of the mean water level of ponds and lakes designated on the zoning map.

Permitted Uses:
1. Accessory use/structure
2. Day care of 6 or less children
3. Dwelling, one family
4. Dwelling, two family
5. Forestry
6. Home Occupation

Conditional Uses:
1. Agriculture
2. Bed and Breakfast
3. Campground
4. Day care of more than six full-time and four part-time children
5. Outdoor recreational

Minimum Area and Dimensional Requirements:

Lot Size Category	A	B
Lot Area Minimum (sq. ft.)	40,000	5,000
Lot Frontage Minimum (ft.)	100	50
Lot Depth Minimum (ft.)	200	
Front Yard Minimum (ft.)	40	40
Rear Yard Minimum (ft.)	25	25
Side Yard Minimum	25	10
Building Height Maximum (ft.)	35[1]	35[1]

- Any lots created after the effective date of this bylaw and all lots in excess of 40,000 square feet must comply with the Lot Size Category A requirements.
- The Lot Size-Category B requirements are for the development of existing lots that are larger than 5,000 square feet but smaller than 40,000 square feet. These lots may be developed for the purposes permitted in this district as long as such development does not put the property in further non-compliance of the Lot Size Category A requirements.
- For shorefront properties the front yards are considered the shoreline side of the lot. Front yard minimums are to be measured from the mean high-water mark of the pond or lake. Backyards are considered the side toward the primary road and will be measured from the centerline of the traveled portion of the right of way.
- In order to protect the water quality, stabilize the soil, and to prevent erosion, landowners are encouraged to preserve and maintain the natural ground cover.

[1] But not more than two (2) habitable stories.

§205.05: Conservation District (CON)

Objective:
This district is designed to allow for open space and conservation uses. This district is comprised solely of State-owned land. The areas that this district covers in the community are not served by adequate facilities and utilities, have certain environmental conditions that cause problems in development, or should be conserved because of their scenic values in order to obtain the community's goal of keeping this an attractive community with adequate open space.

Permitted Uses:
1. Accessory use/structure
2. Day care of 6 or less children
3. Dwelling, single-family
4. Forestry
5. Home occupation
6. Reservoir
7. Wildlife refuge

Conditional Uses:
1. Agriculture
2. Campground
3. Cemetery
4. Day care of more than six full-time and four part-time children
5. Essential services
6. Hotel/Motel
7. Recreational facility

Minimum Area and Dimensional Requirements:

Lot Area Minimum (acres)	25
Lot Frontage Minimum (ft.)	500
Lot Depth Minimum (ft.)	400
Front Yard Minimum (ft.)	100
Rear Yard Minimum (ft.)	200
Side Yard Minimum (ft.)	200
Building Height (ft.)	50[1]

[1] No more than two (2) habitable stories. No height limit for agricultural use.

§206: Permitted Uses

Permitted uses are those uses that may be established upon issuance of a permit by the Zoning Administrator. Such permit may be issued when and only when the applicant has shown that the proposed use and/or structure comply with the requirements set forth in this bylaw. If the proposed use or structure requires approval of the Board of Adjustment and/or Planning Commission, the Zoning Administrator shall not issue a permit until such approvals have been granted in accordance with §207 and §208 below.

§207: Site Plan Review

207.01 After public notice and hearing in accordance with Section 608 of this bylaw, the Planning Commission may recess the proceedings pending submission of additional information. Once the requested information has been submitted, the Planning Commission shall adjourn the hearing and issue a decision within 45 days in accordance with Section 609 of this bylaw. In reviewing site plans, in accordance with 24 V.S.A. §4416, the Planning Commission may impose appropriate safeguards with respect to the following:

A. The adequacy of parking
B. Traffic access and circulation for pedestrians and vehicles
C. Landscaping and screening
D. The protection of the utilization of renewable energy resources

207.02` The following uses shall be subject to Site Plan Review:

A. Access to non-frontage lots (§304)
B. Off-site Parking (§323.01)
C. Planned Unit Developments (§329)
D. Campgrounds (§330)
E. Subdivision of land (§301)

207.03 Whenever a proposed site plan involves access to a State highway or other work in the State highway right-of-way such as excavation, grading, paving, or utility installation, the application for site plan approval shall include a letter from the Agency of Transportation confirming that the Agency has reviewed the proposed site plan and determined whether a permit is required under 19 V.S.A. § 1111. If the Agency determines that a permit for the proposed site plan is required under 19 V.S.A. § 1111, then the letter from the Agency shall set out any conditions that the Agency proposes to attach to the permit.

§208: Conditional Uses

208.01 Permitted upon issuance of a conditional use permit are those uses that may be allowed by the Board of Adjustment as provided for in 24 VSA, §4414(3) after public notice and hearing. In order for the permit to be granted the proposed use shall not result in an undue adverse effect to any of the following; provided, however, that a multiunit dwelling project consisting of four or fewer units located in a district allowing multiunit dwellings may not be denied solely due to an undue adverse effect on the character of

the area affected:

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 in the Groton Town Plan.
C. Traffic on roads and highways in the vicinity.
D. Bylaws in effect with special reference to this zoning bylaw.
E. The utilization of renewable energy resources.

208.02 In permitting a conditional use, the Board of Adjustment may impose, in addition to the regulations and standards expressly specified by this bylaw, other conditions found necessary to protect the best interests of the surrounding property, the neighborhood, or the municipality as a whole. These conditions may include but are not limited to the following:

A. Increasing the required lot size or yard dimensions in order to protect adjacent properties.
B. Limiting the coverage or height of buildings because of obstruction to view and reduction of light and air to adjacent property.
C. Controlling the location and number of vehicular access points to the property.
D. Increasing street width.
E. Increasing the number of off-street parking or loading spaces required.
F. Limiting the number, location, and size of signs.
G. Requiring suitable landscaping where necessary to reduce noise and glare and to maintain the property in a character in keeping with the surrounding area.
H. Specifying a specific time limit for construction, alteration, or enlargement of a structure to house a conditional use.
I. Requiring that any future enlargement or alteration of the use be reviewed by the Board of Adjustment to permit the specifying of new conditions.
J. As a condition of the grant of a conditional use, the Board of Adjustment may attach such additional reasonable conditions and safeguards as it may deem necessary to implement the purposes of 24 VSA, Chapter 117 and this zoning bylaw.

208.03 A change in use, expansion or contraction of land, area, or alteration of structures or uses which are designated as conditional uses within the district in which they are located and are existing therein, prior to the effective date of this bylaw, shall conform to all regulations herein pertaining to conditional uses.

§209: Concurrent Board Reviews

An application that requires both Site Plan review by the Planning Commission and Conditional Use review from Board of Adjustment, can be subjected to concurrently held public hearings. Nevertheless, the Planning Commission must issue its Site Plan approval before the Board of Adjustment can issue its Conditional Use Approval.

ARTICLE 3: GENERAL REGULATIONS

§301: Subdivision of Land

301.01

A. Any application for subdivision of land shall be accompanied by a plat of sufficient scale and clarity to portray existing conditions and proposed development. The plat shall include all lot lines and boundary dimensions, names of roads abutting the property, location and size of existing improvements identified as "existing," location and size of proposed improvements identified as "proposed," setback dimensions of proposed and existing structures, location of existing and proposed driveways and culverts, location of existing and proposed wells and/or septic systems and location of waterways, wetlands, and flood plains. In addition, a topographic survey may be required.

B. Subdivision approval shall be conditioned on any required State permits, and on the filing of a final subdivision plat meeting the requirements of 27 V.S.A. §§ 1403 and 1404.

C. In accordance with 24 V.S.A. § 4463, in the case of a subdivision located within 500 feet of a municipal boundary, a copy of the public hearing notice on the subdivision shall be sent to the clerk of the adjacent municipality at least 15 days prior to the public hearing.

D. Subdivision approval shall expire 180 days from that approval unless, within that 180-day period, that plat shall have been duly filed or recorded with the Groton Town Clerk's office. The Zoning Administrator may extend the date for filing the plat by an additional 90 days, if final local or State permits are still pending.

E. Every street or highway shown on a subdivision plat shall be deemed to be a private street or highway until it has been formally accepted by Groton as a public street or highway by ordinance or resolution of the Groton Select Board. The Select Board shall have authority after a public hearing on the subject to name and rename all public streets and to number and renumber lots so as to provide for existing as well as future structures.

§302: Accessory Dwelling Units

302.01 An accessory dwelling unit that is located within or appurtenant to a single-family dwelling on an owner-occupied lot shall be a permitted use, provided it complies with Groton's Flood Hazard Area Regulations. An accessory dwelling unit shall be defined as a distinct unit that is clearly subordinate to a single-unit dwelling and has facilities and provisions for independent living, including sleeping, food preparation, and sanitation, provided there is compliance with all of the following:

A. The property has sufficient wastewater capacity.

B. The unit does not exceed 30% of the total habitable floor area of the single unit dwelling or 900 square feet, whichever is greater.

C. Applicable yard minimums, coverage, and parking requirements specified in the bylaws are met.

§303: Existing Small Lots

Any lot that is legally subdivided in individual and separate and non-affiliated ownership from surrounding properties in existence on the effective date of this bylaw 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.

§304: Frontage on or Access to Public Roads or Waters

No land development may be permitted on lots which do not either have frontage on a public road or public waters or, with the site plan approval of the Planning Commission, access to such a road or waters by a permanent easement or right-of-way at least twenty feet in width. [24 VSA, §4412(3)]

§305: Protection of Home Occupations

305.01 No regulation herein is intended to infringe upon the right of any resident to use a portion of a dwelling for an occupation which is customary in residential areas, and which does not change the character thereof. [24 VSA, §4412(4)]

305.02 Exterior displays or signs other than those normally permitted in the district, exterior storage of materials, and exterior indication of the home occupation or variation from the residential character of the principal structure shall not be permitted.

§306: Family Childcare Homes

A family childcare home serving six or fewer children shall be considered to constitute a permitted use of a single-unit dwelling.

§307: Residential Care and Group Homes

A residential care home or group home, to be operated under state licensing or registration, serving not more than eight persons who have a handicap or disability as defined in 9 V.S.A. §4501, shall be considered to constitute a permitted use of a single-unit dwelling.

§308: Calculation of Required Lot Area

When creating one or more lots, such lots shall be of sufficient area and dimensions to comply with the minimum lot area and dimensional requirements set forth in this bylaw for the district in which such lots are proposed. Existing or proposed rights-of-way or public sites shall not be included as part of a lot for the purpose of compliance with the minimum area and dimensional requirements.

§309: Lots in Two Zoning Districts

Where a district boundary line divides a lot of record at the time such line is adopted, the regulations for the less restricted part of such lot shall extend not more than thirty feet into the

more restricted part, provided the lot has frontage on a street in the less restricted district.

§310: Principal Uses on Lots

There shall be only one principal use on a lot unless otherwise permitted by §205.

§311: Reduction of Lot Area

No lot shall be so reduced in area such that the area, yards, lot width, frontage, coverage, or other requirements of this bylaw shall be smaller than herein prescribed for each district. No lot shall be made smaller than is prescribed for each district.

§312: Required Area or Yards

Space required under this bylaw to satisfy area, yard, or other open space requirements in relation to one principal use or structure shall not be counted as part of a required open space for any other principal use or structure.

§313: Yards on Corner Lots

Any yard adjoining a street shall be considered a front yard for the purposes of this bylaw. However, only one front yard is required to comply with the minimum depth requirement. All other front yards shall either equal the front yard minimum or shall be at least twenty-five feet in depth.

§314: Projections into Required Yards

All structures, whether attached to the principal structure or not, and whether open or enclosed, including porches, carports, balconies, or platforms above normal grade level, shall not project into any minimum required front, side, or rear yard.

§315: Temporary Uses and Structures

Temporary permits may be issued by the Zoning Administrator for a period not exceeding one year, for non-conforming uses or structures incidental to construction projects located on the same lot, provided such permits are conditioned upon agreement by the applicant to remove the structure or use upon expiration of the permit. Such permits may not be renewed.

§316: Excavation

With the exception of rock cuts, no grading, cutting, or filling shall be carried out in any district which leaves the slope of the existing grade in excess of one foot measured vertically for every two feet measured horizontally unless an approved vegetative ground cover or other soil stabilization technique is used. Stabilized slopes shall have a maximum grade of 1 foot measured vertically for every foot measured horizontally. This section shall pertain only to excavations in excess of 1,000 square feet in area.

§317: Obstruction of Vision

In all districts on a corner lot, within the triangular area formed by the intersection of two street property lines and a third line joining them at points twenty-five feet away from their intersection, there shall be no obstruction to vision between the height of two feet and twelve feet above the average grade of each street.

§318: Height Exceptions and Restrictions

Except within 3,000 feet of an aircraft landing strip, nothing herein contained shall be interpreted to limit or restrict the height of silos, church spires, cupolas, and bell and clock towers and essential public utility structures.

§319: Signs

The purpose of this section is to promote and protect the public health, safety, and welfare by regulating existing and proposed signs in the Town of Groton. It is further intended to hereby protect the economic and scenic value of the Town, and in order to prevent hazards to users of roads in the Town.

319.01 Regulations and Restrictions:

A. Each business shall be permitted one or more signs.
B. The maximum area of a sign shall be 32 square feet for a one-sided sign and 64 square feet for a two or more-sided sign.
C. When a sign has two or more sides, the area of all sides shall be included in computing the total area of the sign.
D. No sign shall be permitted to intrude on the sidewalk space, except at least twelve feet above the sidewalk.
E. A freestanding sign shall not exceed 16 feet in height.
F. No sign shall be permitted which appears to direct the movement of traffic or which interferes with, imitates, or resembles any official traffic, directional, or route sign, signal, or device.
G. No sign shall be permitted which prevents a clear and unobstructed view of official traffic signs and approaching or merging traffic.
H. Lighting shall be so shielded that the source of light shall not be from any a hazard or annoyance and so that only the sign is directly illuminated, except for neon or fiber optic signs.
I. No flashing, intermittent or moving lights shall be permitted. Lighted signs must be shielded to prevent glare on adjoining roads. A sign must be removed if the indicated activity is discontinued.
J. All signs must be well constructed and maintained in good repair and stable condition.
K. No sign shall be erected, attached, or maintained on utility poles or drawn or painted on rocks or other similar natural features.
L. No sign shall be allowed which is not on the premises served by the sign, except

special directional signs as permitted by Title 10 V.S.A. Chapter 21.

M. No sign may be attached or placed upon any property, including but not limited to, cars, trucks, trailers, fences, walls, and buildings, by anyone other than the owner, or tenant of such property or his authorized agent.

319.02 Exempt Signs. The following signs do not require permits:

A. Single or double sided "real estate for sale" signs may be posted provided that such signs do not exceed an area of six square feet per side.

B. Signs erected, maintained, or administered by the Town or the State of Vermont under Title 10 Chapter 21, whether maintained at private or public expense.

C. Small signs without advertising displayed for the direction, instruction, or convenience of the public, including signs, which identify rest rooms, freight entrances, posted areas or the like with an area not exceeding two square feet.

D. Signs to be maintained for not more than four weeks announcing an auction, or a campaign drive or event of a civil, political, philanthropic service, religious organization, special sales, special rates, fairs, expositions, special entertainment, or similar information, not exceeding six square feet in area.

E. Signs located on the rolling stock of common carriers or on registered motor vehicles except those, which are determined by the Zoning Administrator and/or Planning Commission to be circumventing the intent of this Ordinance.

F. Signs identifying stops of public conveyances provided they do not exceed 2 square feet.

G. Trespassing signs and signs indicating private ownership of roadways or other property, on the same premises therewith, provided that the total area on any one side of such sign shall not exceed two square feet and shall be spaced at intervals according to Vermont State Laws.

H. Temporary signs of carpenters, plumbers, electricians, and other contractors may be erected only on the premises where such work is being performed and shall be removed promptly upon completion of the work.

319.03 Non-Conforming Signs:

A. Signs existing on the effective date of this ordinance, which do not conform to these regulations, may be continued.

B. Non-conforming signs, which have been damaged or destroyed by fire or other accident, may be re-established, but only within one year of such damage or destruction.

C. Non-conforming signs, which have been voluntarily removed, shall not be remounted on the supporting structure except in compliance with these regulations.

§320: Gasoline Stations/Motor Vehicle Service Stations

In all districts where permitted, gasoline or motor vehicle service stations, which may include mini marts, shall comply with the following: Gasoline stations/motor vehicle service stations shall not be located within 500 feet of any lot occupied by a school, hospital, library, or religious institution.

§321: Temporary Roadside Agricultural Stands

Temporary roadside stands where 50% of the goods sold are attributed to off-farm production may be erected without a permit provided that:

321.01 Any stand in place exceeding 6 months yearly shall be subject to zoning regulations and considered a permanent structure for tax purposes.
321.02 No stand shall be nearer the front or side lot lines than 25 feet.
321.03 Off street parking space shall be provided for at least 2 motor vehicles.
321.04 Agricultural stands where more than 50% of the products are produced on the farm on which the stand is located shall be exempt from this regulation.

§322: Minimum Yard Exemptions

Notwithstanding §310, exterior steps, stairs, landing less than 25 square feet in area, bulkheads, and handicapped access ramps are exempt from the yard minimum requirements set forth in §205 of this bylaw and may be erected without permit.

§323: Off-Street Parking Space Requirements

The minimum number of parking spaces required for both new structures and existing structures that are to be extended or changed in use, shall be determined from the table below. The driveway providing access to such parking lots shall be at least 20 feet in width, except for driveways for one and two family uses, and agricultural/forestry uses.

Use	Number of parking spaces required
Auto sales/service	1 per employee, plus 1 per bay
Bank	1 per 200 sq. ft. of floor area
Bars/Clubs	1 per 3 seats in assembly/dining room
Bed and Breakfast	1.5 per bed
Boarding house	1.5 per bedroom
Campground	1 per campsite
Carwash	1 per 300 sq. ft. of floor area
Clinic	1 per 200 sq. ft. of floor area
Clubs	1 per 200 sq. ft. of floor area
Community center	1 per 200 sq. ft. of floor area
Contractor yard	1 per business vehicle or piece of equipment, plus 1 per employee on largest shift

Day care of more than six full-time and four part-time children	1 per employee on largest shift
Dwelling, multifamily, one-family, or two-family	2 per dwelling unit
Essential services	1 per business vehicle or piece of equipment
Forestry/ Commercial forestry structures	1 per business vehicle or piece of equipment
Fuel station/auto repair	1 per employee, plus 1 per bay
Hotel/Motel	1 per lodging unit, plus 3 additional
Industry	1 per business vehicle or piece of equipment, plus 1 per employee on largest shift
Mobile home park	2 per dwelling unit
Nursery school	1 per employee on largest shift
Nursing home	1.5 per employee
Office, private or public	1 per 200 sq. ft. of floor area
Outdoor recreational	1 per 2 expected participants or spectators
Personal services	1 per 200 sq. ft. of floor area
Public assembly	1 per 3 seats, or if no seating, 2 per 200 sq. ft. of floor area
Public buildings	1 per 200 sq. ft. of floor area
Recreation facility	1 per 2 expected participants or spectators
Restaurant	1 per 3 seats in assembly/dining room
Retail business	1 per business vehicle/piece of equipment, plus 1 per 200 sq. ft. of floor area
Soil, sand, gravel, and stone quarries	1 per vehicle/piece of equipment
Theaters	1 per 3 seats in assembly area
Veterinary clinic	1 per 200 sq. ft. of floor area
Warehouse	1 per vehicle/piece of equipment, plus 1 per employee on largest shift
Wholesale use, with or without storage	1 per employee, plus 1 per bay

323.01 Parking spaces may be provided by the applicant on other property, provided such land lies within four hundred feet of an entrance to the principal building. Such parking configuration shall be approved by the Board of Adjustment for a use that requires Conditional Use approval. All other uses shall be approved by the Planning Commission in Site Plan Review.

323.02 Parking spaces for any number of separate uses may be combined in one parking lot, but the required space assigned to one use may not be assigned to another use at the same time.

§324: Off-Street Loading and Unloading Space Requirements

For every building hereafter erected, altered, extended, or changed in use for the purpose of business, trade, or industry there shall be provided ample space that is not restrictive of traffic:

324.01 Hotels, Motels, Commercial, Business, Service, and Industrial Establishments: one loading and unloading space for every 10,000 square feet of floor area or fraction

thereof.

324.02 Wholesale, Warehouse, Freight and Trucking Uses: one off-street loading space for every 7,500 square feet of floor area or fraction thereof.

§325: Travel Trailers

It shall be unlawful for any person to park a camping trailer, travel trailer, pick-up coach, or motor home on any public or private property, except in accordance with the regulations below:

325.01 In an approved travel trailer park.

325.02 In an approved sales, service, storage, and repair facility.

325.03 A person may park or store his/her travel trailer on his/her property without a permit providing it is no closer than six feet to any property line and as long as it is not occupied for more than six (6) months in a calendar year.

325.04 No travel trailer or recreational vehicle shall be occupied for longer than six (6) months in any calendar year nor permanently located on a lot unless such lot and travel trailer or recreational vehicle complies with the minimum lot area and dimensional requirements for the district in which the travel trailer or recreational vehicle is or is to be located. Such travel trailer or recreational vehicle shall also comply with all other requirements, including permitting, found herein that are applicable to single family dwellings.

§326: Sewage Regulation

Please see: *Environmental Protection Rules, Chapter 1, Wastewater System and Potable Water Supply Rules, Effective Sept. 29, 2007,* or the latest version as promulgated by the State of Vermont.

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§327: Screened Service Area Requirements

In any district, any area designated, used, or intended to be used as a service area for any building or land use, other than one- and two-family dwellings, shall be screened from view with either a wall, a solid fence, or a hedge of evergreens at a height of at least five feet above grade level on all sides where the adjacent land is in a residential district or residential use.

§328: Burned Buildings

No owner or occupant of land in any district shall permit fire or other ruins to be left, but within eighteen (18) months shall remove or refill the same to clear ground level or shall repair, rebuild, or replace the structure. This provision shall not apply when a burned structure is the subject of an arson trial, and the burned structure must be maintained for evidentiary purposes.

§329: Planned Unit Development

With the approval of a site plan the Planning Commission is hereby empowered to vary certain zoning regulations under the criteria and procedures established in 24 VSA, §4417).

329.01 Proposals for planned unit development shall be submitted to the Planning Commission. The material accompanying the proposal shall contain the following: Required site plan shall depict all buildings, parking areas, and landscaping at a scale sufficient to permit the study of all elements of the plan. All utilities shall also be shown and described. Typical elevations and floor plans may also be required. In addition, the site plans shall show the adjacent building outlines and other outstanding features within 200 feet of the proposed Planned Unit Development. Any change in grading shall be shown.

329.02 The purpose of planned unit development shall be to encourage a development, which will result in:

A. A choice in the type of environment and living units available to the public, and quality in residential land uses so that development will be a permanent and long-term asset to the town.
B. Open space and recreation areas.
C. A pattern of development, which preserves trees, outstanding natural topographic and geologic, features and prevents soil erosion.
D. An efficient use of land resulting in smaller networks of utilities and streets and wherever economically feasible, underground utilities are streets and wherever economically feasible underground utilities are recommended.
E. An environment in harmony with surrounding development.
F. A more desirable environment than would be possible through strict application of other sections of this bylaw.

329.03 Density may vary within the development, but the total permitted number of dwelling units shall not exceed 25% more than the number which could be permitted in the Planning Commission's judgment if the land were subdivided into lots in conformance with the zoning regulations for the district in which the land is situated.

329.04 The predominant use of the land shall not differ substantially from the uses permitted in the district in which the plan is located. In a planned unit development, development in a residential district, commercial, educational, and public facilities may be allowed which are designed to serve the development and the area around the development.

329.05 Lot size, width, front yard depth, and side yard requirements may be waived; however, these will be evaluated by the Planning Commission on their individual merit.

329.06 A planned unit development shall comply with the following standards:

A. Shall be at least ten contiguous acres except in the Conservation District, which shall be at least 50 contiguous acres.
B. The developer of a planned unit development with 6 or more units may be required to install common water and/or sewer systems to serve such development.
C. Adequate space shall be left open for common usage. This may be waived by the Planning Commission for commercial and industrial planned unit developments providing adequate screening and landscaping is provided.

329.07 The Planning Commission may prescribe, from time to time, rules, and regulations to supplement the standards and conditions set forth in this zoning bylaw for planned unit development, provided the rules and regulations are not inconsistent with the zoning bylaw. The Planning Commission shall hold a public hearing after public notice as required by 24 VSA, §4464(a), prior to the establishment of any supplementary rules

and regulations for planned unit development.

§330: Campgrounds

330.01 Permit Required. It shall be unlawful for any person to construct, maintain or operate any campground within the limits of the Town of Groton unless the owner and operator hold a valid permit. Upon approval of the Planning Commission, the Zoning Administrator shall issue a permit, which shall be contingent upon compliance with this local regulation.

330.02 Method of Permit Application and Requirements. Applications for permits shall be made in writing, signed by the applicant who shall file with the application proof of ownership of the premises or of a lease or written permission from the owner thereof together with a complete set of plans drawn to scale, showing the location of the proposed campground and which shall include:

A. The areas and dimension of the tract of land.
B. The maximum number, location, and size of all camping spaces.
C. The location of any existing buildings, roadways, parking areas, walkways and turn outs.
D. The location of electrical, water, storm drainage and sewer lines and sewage disposal systems.
E. A contour map showing the proposed grading of the campground.

330.03 Construction or Enlargement of Campgrounds. No person shall construct or enlarge a campground without first obtaining approval from the Planning Commission and conditional use approval from the Board of Adjustment, if required. Before such a permit may be issued, there must be favorable recommendation by a majority of the Planning Commission. Before granting approval, the Planning Commission may require a performance bond from the operator of the campground to assure that the campground is constructed and maintained in a satisfactory manner. The Planning Commission, in the interest of public safety, health and welfare, may require and other improvements and facilities before approving the campground. The Planning Commission may accept the proposed plan, accept the proposed plan with recommended changes or reject the plan. The Commission shall submit the application and the plan to the Zoning Administrator, together with the Commission's action regarding the permit.

330.04 Campground Standards. The following regulations shall apply in respect to all campgrounds.

A. Campground shall have an area of no less than 10 acres.
B. Campgrounds shall provide for individual trailer spaces, access driveways and parking.
C. Each campsite shall be at least 2,500 square feet in area and at least thirty feet in width and have a compacted gravel surface at least ten feet in width and forty-two feet in length.
D. A strip of land at least twenty-five feet in width shall be maintained as a landscaped area abutting all campground property lines except when the campground boundary is adjacent to residential uses, then the landscaped area shall be at least fifty feet in width.

§331: Salvage Yards

In all districts, salvage yards shall not be permitted unless permitted by the State of Vermont.

§332: Yard Minimums from Private Rights-of-Way

When an individual's property abuts a private right-of-way not owned by said individual, any and all structures erected on said individual's property shall be located from the private right-of-way in conformance with the applicable yard minimum. If the property also abuts a public right-of-way, the front yard minimum shall be from such public right-of-way. If the property abuts only a private right-of-way, then the front yard minimum shall be from the private right-of-way.

§333: Connection of Driveways, Private Roads, and Curb Cuts

333.01 In accordance with 19 VSA, §1111 any driveway or private road connecting to a public road shall require a driveway permit, whether the driveway or road is intended for permanent or temporary use. When such drive or road is associated with other new construction or change of use, application for the permit may be made concurrently using the Groton Zoning Permit Application form. This form must be used even when no other construction is involved.

333.02 This application must include a sketch or attached map clearly showing the location of the access point and distances to the nearest driveways and intersections. In the case of technically difficult, potentially unsafe, or anticipated high-usage connections, the Town may require professionally engineered designs or impose requirements in addition to those specified herein. Guidance for making any connection shall be based on the most recent Vermont Agency of Transportation Standards.

333.03 Typically only one access point shall be permitted for a single property.

333.04 Any connection of a driveway, private road, or other curb cut shall be made using a culvert. When in question the Zoning Administrator may require the applicant to obtain the Road Commissioner's approval of the size and location of the culvert to be installed, or waiver of this requirement.

333.05 All driveways and private roadways shall be constructed so as not to impair drainage within the right-of-way, alter the stability of the improved area, or change the drainage of adjacent areas. In no case shall drainage from any driveway or private road run onto the public road. The gradient of the driveway or road shall not exceed 10-percent as it approaches the point of connection. The preferred angle of approach for the intersection of a driveway and a public road is 90-degrees. However, in no case shall the angle of approach be less than 60-degrees.

333.06 Driveways and private roadways for lots to be newly developed should be constructed no closer than 20-feet from a property line and no closer than 100-feet from another intersecting street.

ARTICLE 4: NON-CONFORMING USES & NON-CONFORMING STRUCTURES

§401: Permits Issued Prior to Bylaw Amendment

Permits that are valid on the effective date of this bylaw may be utilized even if such permits result in structures and/or uses considered non-complying and/or non-conforming under the requirements of this bylaw. In addition, nothing contained herein shall require any changes to the plans or construction of previously permitted structures and/or uses.

All activities authorized by the issuance of a zoning permit shall be completed within two years of its date of issue, or the zoning permit shall become null and void and reapplication to complete any activities shall be required.

§402: Non-conforming Uses

The following provisions shall apply to all uses existing on the effective date of this bylaw which do not conform to the requirements set forth in this bylaw and to all uses which in the future do not conform by reason of any subsequent amendment to this bylaw, or as the result of error of the Zoning Administrator.

Any non-conforming use of structures or land, except those specified below, may be continued indefinitely, but:

402.01 Shall not be moved, enlarged, or extended.

402.02 Shall not be changed to another non-conforming use without approval of the Zoning Board of Adjustment and then only to a use, which, in the opinion of the Zoning Board of Adjustment is of the same, or of a more restricted nature.

402.03 Shall not be re-established if such use has been discontinued for any reason for a period of two years, or has been changed to, or replaced by, a conforming use. Intent to resume a nonconforming use shall not confer the right to do so.

§403: Non-conforming Buildings

The following provisions shall apply to all structures existing on the effective date of this bylaw which do not comply with the lot area, yard minimums and other requirements set forth in this bylaw and all structures which in the future do not comply by reason of any subsequent amendment to this bylaw, or as the result of error by the Zoning Administrator.

All non-conforming structures may be continued indefinitely and shall comply with the following:

403.01 Shall not be moved unless such action conforms to any and all applicable requirements of this bylaw.

403.02 May be enlarged or extended providing such enlargement or extension is in conformance with the requirements of this bylaw and such enlargement or extension does not increase the original structure's degree of non-conformance.

403.03 Shall not be replaced on the original foundation after such structure has been voluntarily razed.

403.04 Shall not be replaced on the original foundation after such structure has been razed due to fire or other natural damage unless done so within one year following the date of such damage.

403.05 May receive normal maintenance and repair provided that such action does not increase the degree of non-conformance.

ARTICLE 5: DEFINITIONS

For the purpose of this bylaw, certain terms or words used herein shall be interpreted as follows:

§501: Word Definitions

The word "person" includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.

The word "shall" is mandatory, the word "may" is permissive.

The words "used or occupied" include the words intended, designed, or arranged to be used or occupied.

The word "lot" includes the words plot or parcel.

§502: Term Definitions

ACCESSORY DWELLING UNIT: Means an apartment that is a distinct unit clearly subordinate to a single-family dwelling, and has facilities and provisions for independent living, including sleeping, food preparation, and sanitization.

ACCESSORY USE/STRUCTURE: A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.

AGRICULTURE: The cultivation or other use of land for growing food, fiber, Christmas trees, maple sap, or horticultural and orchard crops; or the raising, feeding or management of livestock, poultry, equines, fish, or bees; or the operation of greenhouses; or the production of maple syrup; or the on-site storage, preparation and sale of agricultural products principally produced on the farm; or the on-site production of fuel or power from agricultural products or waste produced on the farm.

For purposes of this bylaw, agriculture may also include integrated uses that may not be directly related to the agricultural use, provided that such uses shall be subordinate to the primary agricultural use in terms of overall land use (e.g., land area, structures utilized), and may include one or more of the following activities:

- On-site processing, storage, sampling and tasting of crops or farm products not principally produced on the farm.
- Retail sales of crops or farm products not principally produced on the farm.
- Retail sales of non-farm products related to the farm and/or what is produced on the farm, provided that such retail sales of non-farm products are clearly subordinate to the farming operation and/or other integrated uses.

- Education, cultural, recreation programming – e.g., classes, day camp, etc.
- Event hosting as long as such events are clearly subordinate to the farming operation – e.g., wedding venue, dinner/dance venue, theater production, etc.
- On-farm cafes for consumption on the premises, of food and/or beverages that include but are not exclusively created from agricultural products grown on the parcel on which it is located.

AUTO SALES/SERVICE: The use of any building, land area of other premises for the display and sale of new or used automobiles, panel trucks or vans, trailers, or recreation vehicles and including any warranty repair work and other repair service conducted as an accessory use.

BANK: Any institution engaged in providing financial services, including but not limited to checking accounts, savings accounts, money market accounts, investments, credit cards, loans and/or mortgages, to individuals and/or businesses.

BAR: A structure or part of a structure used primarily for the sale or dispensing of alcoholic beverages by the drink.

BED AND BREAKFAST: A commercial facility often operated out of someone's home or a structure that is similar to a home that provides overnight lodging and breakfast for transients in a home like atmosphere.

BOARDING HOUSE: A building in which the rooms are rented with or without meals to three (3) or more persons.

BUILDING: Any structure for the shelter, support or enclosure of persons, animals, chattels or property of any kind.

BUILDING HEIGHT: Vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat and mansard roofs, and to the average height between eaves and ridge for all other types of roofs.

CAMPER: Any individual who occupies a campsite or otherwise assumes charge of, or is placed in charge of, a campsite.

CAMPGROUND: A plot of ground upon which two or more campsites are located, established, or maintained for occupancy by camping units of the general public as temporary living quarters for recreation, educational or vacation purposes.

CAMPING UNIT: Any tent, recreational vehicle, cabin, lean-to, or similar structure established or maintained in a campground as temporary living quarters for recreation, education, or vacation purposes.

CAMPSITE: Any plot of ground within a campground intended for the exclusive occupancy by camping unit or units under the control of a camper.

CARWASH: Any building or premises or portions thereof operated as a business that is used for washing and/or cleaning either the exterior or interior of cars.

CEMETERY: Property used for the interring of the dead.

CLINIC: An establishment where patients are admitted for examination and treatment by one or more physicians, dentists, psychologists, or social workers and where patients are not usually lodged overnight.

CONDITIONAL USE: A use permitted in a particular zoning district only upon showing that such use in a specified location will comply with all the conditions and standards for the location or operation of such use as specified in this zoning bylaw and authorized by the Zoning Board of Adjustment.

CONTRACTOR'S YARD: Any parcel of land or portion thereof that is used by a contractor for the parking and storage of such contractor's construction vehicles and equipment when it is not being used.

CLUB, PRIVATE: Building or use catering exclusively to club members and their guests for recreational purposes, and not operated primarily for profit.

COMMUNITY CENTER: A building used for recreational, social, educational, and cultural activities, usually owned and operated by a public or nonprofit group or agency.

COVERAGE: That percentage of the lot area covered by those structures located on said lot.

DAYCARE, MAJOR: A facility as defined under 30 V.S.A. §4902(3)(A), designed and registered or licensed by the state to care for and feed more than six full-time and four part-time children, for a fee or other compensation, while the parents of such children are working or tending to such other responsibilities that require childcare.

DAYCARE, MINOR: A facility as defined under 30 V.S.A. §4902(3)(A) designed and registered or licensed by the state to care for and feed six (6) or fewer children, for a fee or other compensation, while the parents of such children are working or tending to such other responsibilities that require childcare. Such a daycare, under the provisions of 24 VSA, § 4412(5) shall be considered by right to constitute a permitted use of a single-family residence.

DWELLING, MULTI-FAMILY: A residential building designed for or occupied by three or more families, with the number of families in residence not exceeding the number of dwelling-units provided.

DWELLING, ONE FAMILY: A detached residential dwelling unit designed for and/or occupied by one family only.

DWELLING, TWO-FAMILY: A residential building designed for or occupied by two families living independently of each other in individual dwelling units.

DWELLING UNIT: A room, or rooms connected together, constituting a separate, independent housekeeping establishment for owner occupancy, rental or lease, and physically separated from any other rooms or dwelling units which may be in the same structure, and containing independent cooking and sleeping facilities. It shall include prefabricated and modular units that shall meet the standards of the National Building Code. This definition shall not include hotels, motels, or similar structures.

EARTH RESOURCE REMOVAL: An open land area where sand, gravel and rock fragments are mined or excavated for sale or off-tract use.

ESSENTIAL SERVICES: The erection, construction, alteration, or maintenance by public utilities or municipal or other governmental agencies of underground or overhead gas, electrical, steam or water transmission, or distribution systems, including poles, wires, mains, drains, sewers, pipes, conduit cables, fire alarm boxes, police call boxes, traffic signals, hydrants, street signs and similar equipment and accessories in connection therewith, and including buildings, reasonably necessary for the furnishing of adequate service by such public utilities or municipal or other governmental agencies for the public health, safety or general welfare.

FAA: Federal Aviation Administration.

FAMILY: One or more persons occupying a single dwelling unit, provided that unless all members are legally related no such family shall contain over 5 persons. However, domestic servants and farm workers employed on the premises may be housed on the premises without being counted as a family or families.

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

FLOOR AREA: The total of all floor areas of a building, excluding stairwells and elevator shafts, equipment rooms, and all floors below the first or ground floor, except when these are used or intended to be used for human habitation or service to the public.

FORESTRY: Establishments primarily engaged in the operation of timber tracts, tree farms, forest nurseries, the gathering of forest products, or in performing forest services.

GASOLINE STATION: Any building, land area or other premises, or portion thereof, used or intended to be used for the retail dispensing or sales of vehicular fuels; and including as an accessory use, the sale and installation of lubricants, tires, batteries, and similar accessories. Gasoline stations may also include convenience stores selling beverages, bread, snacks, and similar food items.

GROUP HOME: Any residential facility operating under a license or registration granted or recognized by a state agency, that serves not more than eight unrelated persons, who have a handicap or disability as defined in 9 V.S.A. § 4501, and who live together as a single housekeeping unit. In addition to room, board and supervision, residents of a group home may receive other services at the group home meeting their health, developmental or educational needs.

HOME OCCUPATION: Accessory use of a service character conducted within a dwelling by the residents thereof, which is clearly secondary to the dwelling used for living purposes and does not change the character thereof.

HOSPITAL: Includes sanitarium, clinic, rest home, nursing home, convalescent home, home for the aged, and any other place for the diagnosis and treatment of human ailments.

JUNK: Old or scrap copper, brass, iron, steel, and other old or scrap or nonferrous material, including but not limited to rope, rags, batteries, glass, rubber debris, waste, trash, or any discarded, dismantled, wrecked, scrapped, or ruined motor vehicles or parts thereof. [24 V.S.A. §2241(5)]

JUNK YARD: See Salvage Yard.

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

INDUSTRY: Any facility for the assembly, manufacture, compounding, processing, packing, treatment or testing of materials, goods, or products. Such activities must be conducted in such a manner so as not to generate noise, smoke, vibration, dust, glare, odors, electrical interference, or heat that is detectable at the boundaries of the property.

LOADING SPACE: Off-street space, used for the temporary location of one licensed motor vehicle, which is at least twelve feet wide and 55 feet long and fourteen feet high, not including access driveway, and having direct access to street or alley.

LOT: A lot is a parcel of land occupied or to be occupied by only one main building and the accessory buildings or uses customarily incident to it. A lot shall be of sufficient size to meet minimum zoning requirements for use, coverage, and area, and to provide such yards and other open spaces as are herein required. Such lot shall have frontage on an improved public street and may consist of:

A. A single lot of record.
B. A portion of a lot of record.
C. A combination of complete lots of record, or complete lots of record and portions of lots of record, or of portions of lots of record.
D. A parcel of land described by metes and bounds, provided that in no case of division or combination shall any residual lot or parcel be created which does not meet the requirements of this bylaw.

LOT DEPTH: Depth of a lot shall be considered to be the distance between the midpoints of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.

LOT LINE, FRONT: Any lot line separating a parcel from either a public right-of-way or public waters. Where the location of a line separating a lot from a public right-of-way has not been established, the front lot line shall be considered to be 25 feet from the center line of the traveled portion of the right-of-way. On lots abutting a lake or pond, the front yard minimum shall be measured from the mean high-water mark.

LOT LINE, REAR: That lot line opposite and most distant from the street line.

LOT LINE, SIDE: A lot line which is neither a street line nor a rear lot line.

LOT LINE ADJUSTMENT: An adjustment of a boundary line which does not result in the creation of a new lot, and provided that the resulting lots meet all the requirements of this bylaw and the conditions of any previous approvals.

LOT WIDTH: Width of a lot shall be considered to be the distance between straight lines connecting front and rear lot lines at each side of the lot, measured across the rear of the required front yard. However, that width between the lot lines at their foremost points shall not be less than 80% of the required lot width except in the case of lots on the turning circle of cul-de-sacs, where the 80% requirement shall not apply.

LOT OF RECORD: A lot which is part of a subdivision recorded in the office of the Town Clerk, or a lot or parcel described by metes and bounds, the description of which has been so recorded.

MOBILE HOME: A structure, transportable in 1 or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. It does not include recreational vehicles or travel trailers.

MOBILE HOME PARK: Land on which 2 or more mobile homes are parked and occupied for living purposes.

MOTEL/HOTEL: Building, other than a bed and breakfast, containing rooms which are rented as a series of sleeping units for automobile transients, each sleeping unit consisting of at least a bedroom and bathroom.

MUNICIPAL FACILITY: Any municipal facility used for office space, meeting space, public safety and/or maintenance of municipal equipment.

NON-CONFORMING STRUCTURE: A structure or part of a structure that does not conform with the zoning regulations for the district in which it is located, where such structure complied with all applicable laws and regulations, prior to the enactment of this bylaw, including a structure improperly authorized by the Zoning Administrator.

NON-CONFORMING USE: Use of land or structure which does not conform with the zoning regulations for the district in which it is located, where such use conformed to all applicable laws and regulations, prior to the enactment of this bylaw, including a use

improperly authorized by the Zoning Administrator.

NON-RESIDENTIAL USE: All uses of buildings, structures or land not used for family dwellings.

NON-TAXABLE FENCING: Any fencing used to set boundaries or contain animals within a parcel.

NURSERY SCHOOL: Any school, public or private, which is designed and licensed for the purpose of educating preschool age children.

NURSING HOME: Any facility licensed or approved to provide full-time convalescent or chronic care to individuals who, by reason of advanced age, chronic illness, infirmity, or other handicap, are unable to care for themselves.

OFFICE, PUBLIC OR PRIVATE: Any place where the business of a commercial, industrial, service, or professional organization is transacted. Includes a clinic.

PARKING SPACE, OFF-STREET: For the purposes of this bylaw, an off-street parking space shall consist of a space adequate for parking an automobile with room for opening doors on both sides, together with properly related access to a public street or alley and maneuvering space.

PERMITTED USE: Use specifically allowed in the district, excluding illegal uses and non-conforming uses. Providing no action by the Planning Commission or Board of Adjustment is necessary, the permit for such uses may be issued by the Zoning Administrator.

PERSONAL SERVICE: Includes barber, hairdresser, beauty parlor, shoe repair, shoeshine, laundry, Laundromat, dry cleaner, photographic studio, and businesses providing similar services.

PLANNED UNIT DEVELOPMENT: An area of minimum contiguous size, as specified by this bylaw, developed according to plan as a single entity and containing two or more structures with appurtenant common areas. Planned unit developments may contain all residential, commercial, educational, or public uses or a mixture of such uses where the commercial, educational, or public uses are designed to serve the residential uses within such development.

PRINCIPAL BUILDING: Any building or structure whose use, actual or intended, is not subordinate to any other use which is located in another building on the same lot.

PUBLIC ASSEMBLY: Any facility, with or without seating, designed to accommodate groups of people for any purpose.

PUBLIC BUILDING: Any building used exclusively for public purposes by any department or branch of government; or any building of an institutional nature that serves a public need, such as a post office, library, rescue or fire station or recycling center

RECREATIONAL FACILITY: A place designed and equipped for the conduct of sports, leisure time activities and other customary and usual recreational activities.

RECREATIONAL VEHICLE: A vehicular type portable structure without permanent foundation, which can be towed, hauled, or driven and primarily designed as temporary living accommodation for recreation, camping and travel use and including but not limited to travel trailers, fifth wheelers, truck campers, camping trailers and self-propelled motor homes.

RELIGIOUS INSTITUTION: A structure or place in which worship, ceremonies, rituals and/or education pertaining to a particular system of beliefs are held.

RESERVOIR: A pond, lake, tank, or basin, natural or man-made, used for the storage,

regulation, and control of water.

RESIDENTIAL USE: Includes single family dwelling, mobile home dwelling, two family dwelling and multi-family dwelling.

RESTAURANT: An establishment where food and drink are~~is~~ prepared, served, and consumed primarily within the principal building.

RETAIL BUSINESS: Establishments engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods.

ROAD: Any public or private vehicular right of way that has been accepted by the Select Board for inclusion on the E911 system and GIS map.

SALVAGE YARD: means any place of outdoor storage or deposit for storing, keeping, processing, buying, or selling junk or as a scrap metal processing facility. "Salvage yard" also means any outdoor area used for operation of an automobile graveyard. It does not mean a garage where wrecked or disabled motor vehicles are stored for less than 90 days for inspection or repairs. [24 V.S.A. §2241(7)]

SCHOOL: Any building or part thereof which is designed, constructed, or used for public or independent education.

SUGARHOUSE: A structure whose principal use is the production of Maple Syrup ONLY.

SERVICE AREA: An area of land used for the storage of trash receptacles or equipment.

SIGN: Any device designed to inform or attract the attention of persons not on the premises on which the sign is located, provided however, that the following shall not be included in the application of the regulation herein:

A. Flags and insignia of any government except when displayed in connection with commercial promotion.
B. Legal notices, identification, informational, or directional signs erected as required by governmental bodies.
C. Integral decorative or architectural features of building, except letters, trademarks, moving parts or moving lights.
D. Signs directing and guiding traffic and parking on private property but bearing no advertising matter.

SIGNS, NUMBERS AND SURFACE AREA: For the purpose of determining number of signs, a sign shall be considered to be a single display surface or display device containing elements organized, related, and composed to form a unit. Where matter is displayed in a random manner without organized relationship of elements, or where there is reasonable doubt about the relationship of elements, each element shall be considered to be a single sign. The surface of a sign shall be computed as including the entire area within a regular geometric form or combinations of regular geometric forms comprising all of the display area of the sign and including all of the elements of the matter displayed. Frames and structural members not bearing advertising matter shall not be included in computation of surface area.

SIGN, ON-SITE: A sign relating in its subject matter to the premises on which it is located, or to products, accommodations, services, or activities on the premises. On-site signs do not include signs erected by the outdoor advertising industry in the conduct of the outdoor advertising - business.

STREET: See ROAD.

STRUCTURE: Anything constructed or erected with a fixed location on the ground. Among

other things, structures include buildings, swimming pools, mobile homes, billboards, and poster panels. For purposes of this bylaw, this definition does not include fences.

SUBDIVISION: The division of land into two (2) or more parcels. Subdivisions require site plan review and approval under the provisions of this bylaw. Subdivisions creating six (6) or more lots within a continuous period of five years also require an Act 250 Permit from the Vermont Natural Resources Board pursuant to 10 V.S.A. Chapter 151.

THEATER: A building or part of a building devoted to showing motion pictures, or for dramatic, musical, or live performances.

USE, CONDITIONAL: See conditional use.

USE, PERMITTED: See permitted use.

VETERINARY CLINIC: Any structure or premises in which animals or pets are given medical or surgical treatment.

VSA: Vermont Statutes Annotated. Laws of the State of Vermont. These books are often found in town clerk's offices and libraries.

WAREHOUSE: A building used primarily for the storage of goods and materials.

WHOLESALE USE: Any establishment or place of business primarily engaged in selling merchandise to retailers; to industrial, commercial, institutional, or professional business users, or to other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies.

WILDLIFE REFUGE: Any area of land, with or without buildings, that is used for the care and propagation of one or more species of wild animals.

WIRELESS COMMUNICATION FACILITY: A tower, pole, antenna, guy wire, or related fixture intended for use in connection with transmission and/or receipt of radio or television signals or any other electromagnetic spectrum-based transmissions/reception; the construction or improvement of a road, trail, building, or structure incidental to a telecommunications facility.

YARD: Space on a lot not occupied by a building or structure. Porches or decks whether enclosed or unenclosed, shall be considered as part of the main building and shall not project into a required yard.

YARD, FRONT: Yard between the front lot line and the front line of a building extended to the side lot lines of the lot. The depth of the front yard shall be measured from the center line of the traveled portion of the right-of-way for lots abutting a paved road and from the center line of the traveled portion of the right-of-way for lots abutting gravel roads. For lots abutting a lake or pond, the front yard shall be measured from the mean high-water mark to that part of the structure that is or will be closest to the mean high-water mark.

YARD, REAR: Yard between the rear lot line and rear line of the building extended to the side lot lines of the lot. The depth of the rear yard shall be measured from the rear lot line to the rear line of the building.

YARD, SIDE: Yard between the principal building or accessory building and a side lot line, and extending through from the front yard to the rear yard.

ARTICLE 6: ADMINISTRATION& ENFORCEMENT

§601: Zoning Administrator

601.01 The Zoning Administrator shall be appointed to administer the zoning bylaw pursuant to 24 VSA, §4448. Said Zoning Administrator shall literally enforce the provisions of this bylaw and in so doing shall inspect developments, maintain records, and perform all other necessary tasks to carry out the provisions of this bylaw.

601.02 An acting Zoning Administrator may be appointed pursuant to 24 VSA, §4448(b).

601.03 An interested person may appeal any decision or act taken by the Zoning Administrator in accordance with 24 VSA, §4465. An interested person means any one of the following:

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

§602: Zoning Permits

602.01 No land development, as defined in 24 VSA, §4303(10), may be commenced without a permit therefore issued by the Zoning Administrator. No zoning permit may be issued by the Zoning Administrator except in conformance with this bylaw.

602.02 Applications for zoning permits shall be made to the Zoning Administrator on forms provided by him for that purpose.

602.03 Prior to the issuance of any zoning permit the Zoning Administrator shall first be satisfied himself that the application is in conformance with this bylaw. In pursuit thereof, the Zoning Administrator may request from an applicant any information deemed necessary for this purpose. No such permit shall be issued unless an application, fee, plot plan and any other approvals of the Planning Commission or the Zoning Board of Adjustment required by this bylaw have been properly obtained and are submitted in connection with the application. The Zoning Administrator shall, within 30 days of submission of the application, data, and approvals, either issue or

deny a zoning permit, or refer the permit to the Planning Commission or Zoning Board of Adjustment. If denied, the Zoning Administrator shall so notify the applicant in writing, stating reasons therefore. If the Zoning Administrator fails to act with regard to a complete application within thirty (30) days, the permit shall be deemed issued on the 31st day. If the zoning permit is approved, all activities authorized by its issuance shall be completed within two years of its date of issue, or the zoning permit shall become null and void and reapplication to complete any activities shall be required.

602.04 In the issuance of zoning permits, the Zoning Administrator shall comply with all of the provisions of 24 VSA, §4449.

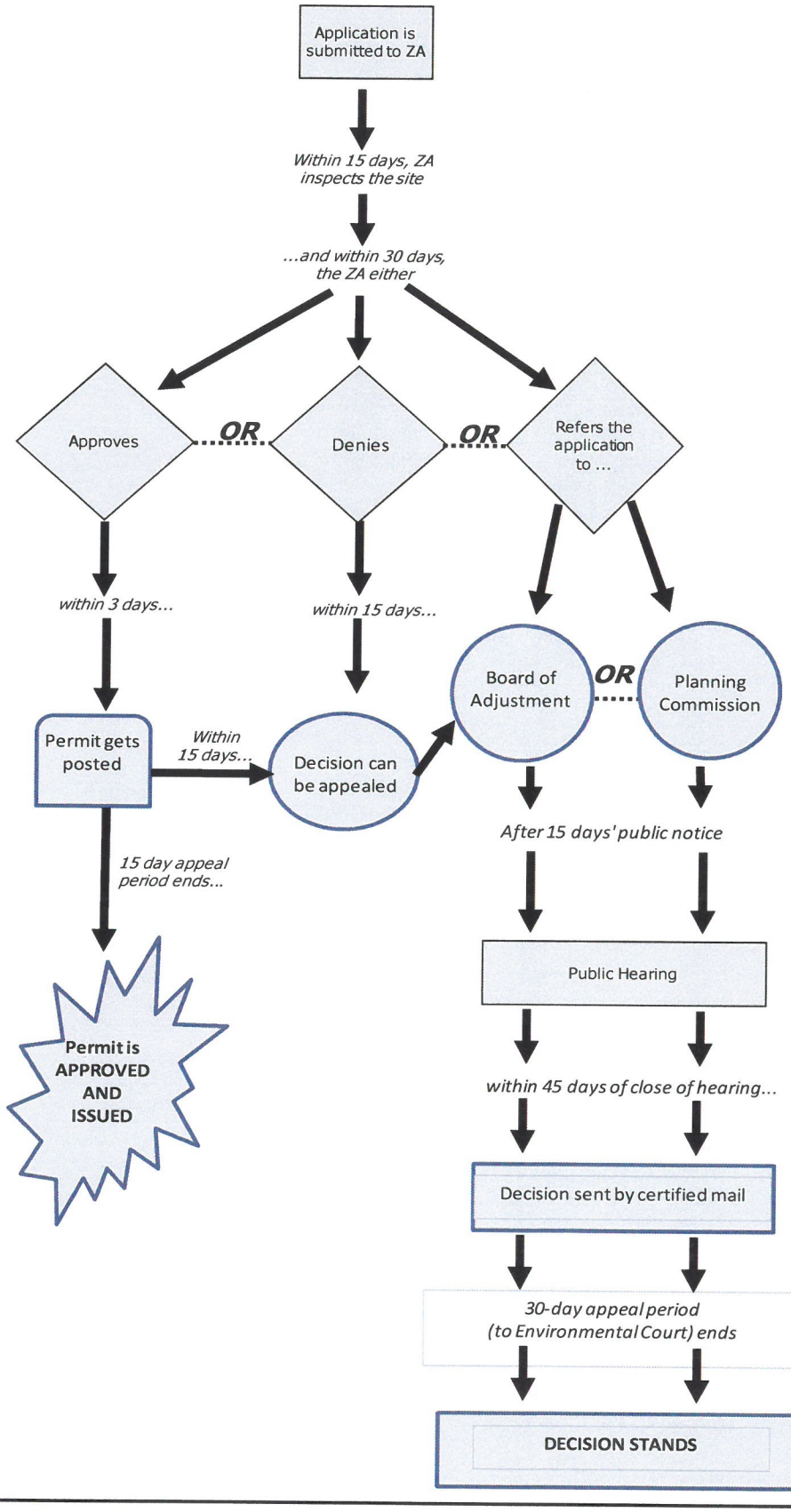
602.05 The Select Board shall establish the fee for a zoning permit. It may be a sliding scale depending upon the cost of the land development. Said fee shall accompany each application for a permit.

602.06 No zoning permit issued pursuant to 24 VSA, §4449 shall take effect until the time for appeal (15 days) in 24 VSA, §4464(a) has passed. In the event that a notice of appeal is properly filed, such permit shall not take effect until the final adjudication of said appeal.

602.07 The permit shall contain a statement of the period of time within an appeal may be taken. The permit shall be posted by the applicant within view from the public right-of-way most nearly adjacent to the subject property until the time for appeal has passed.

602.08 Within three days following the issuance of a permit, the Zoning Administrator shall:

A. Deliver a copy of the permit to the listers of the municipality; and
B. Post a copy of the permit in at least one public place in the municipality until the expiration of 15 days from the date of issuance of the permit.


Application is submitted to ZA
Within 15 days, ZA inspects the site
...and within 30 days, the ZA either
Approves
OR
Denies
OR
Refers the application to ...
within 3 days...
within 15 days...
Permit gets posted
Within 15 days...
Decision can be appealed
Board of Adjustment
OR
Planning Commission
15 day appeal period ends...
After 15 days' public notice
Public Hearing
Permit is APPROVED AND ISSUED
within 45 days of close of hearing...
Decision sent by certified mail
30-day appeal period (to Environmental Court) ends
DECISION STANDS

§603: Exemptions

603.01 No zoning permit shall be required for the following:

A. Required agricultural or farming practices, including the construction of farm structures, as such practices are defined by the Secretary of Agriculture, Food and Markets. However, any landowner proposing to erect a farm structure shall notify the Zoning Administrator of such intent prior to the erection of such structure. Farm structures shall comply with setbacks approved by the Secretary of Agriculture, Food and Markets.

B. Accepted silvicultural practices, as defined by the Commissioner of Forests, Parks and Recreation, including practices that are in compliance with the Acceptable Management Practices for Maintaining Water Quality on Logging Jobs in Vermont, as adopted by the Commissioner of Forests, Parks and Recreation; and forestry operations as defined in 10 V.S.A. §2602.

C. Electric generation facilities, energy storage facilities, and transmission facilities, which are regulated under 30 V.S.A. §248 or subject to regulation under 30 V.S.A. § 8011.

D. Hunting, fishing, and trapping as specified under 24 V.S.A §2295 on private or public land. This does not include facilities supporting such activities, such as firing ranges or rod and gun clubs, which for the purposes of these regulations are defined as recreation facilities.

E. Wind turbines with blades less than 20 feet in diameter, or rooftop solar collectors less than 10 feet high, any of which are mounted on complying structures.

F. Exterior steps, stairs, landings less than 25 square feet in area, bulkheads, and handicapped access ramps.

G. Generators, e.g., trailer mounted or on concrete slabs.

H. Movable structures that are unplumbed and not wired, not to exceed 100 square feet.

603.02 Except as necessary to ensure compliance with the National Flood Insurance Program, no zoning permit shall be required for:

A. an ancillary improvement to a communications facility regulated under 30 V.S.A. § 248a that does not exceed a footprint of 300 square feet and a height of 10 feet.

B. the following improvements associated with the construction or installation of a communications line:

(i) the attachment of a new or replacement cable or wire to an existing electrical distribution or communications distribution pole.

(ii) the replacement of an existing electrical distribution or communications distribution pole with a new pole, so long as the new pole is not more than 10 feet taller than the pole it replaces.

§604: Limitations

The following uses may be regulated only with respect to location, size, height, building bulk, yards, courts, yard minimums, density of buildings, off-street parking, loading facilities, traffic, noise, lighting, landscaping, and screening requirements, and only to the extent that regulations do not have the effect of interfering with the intended functional use:

A. State- or community-owned and operated institutions and facilities.
B. Public and private schools and other educational institutions certified by the state department of education.
C. Churches and other places of worship, convents, and parish houses.
D. Public and private hospitals.
E. Regional solid waste management facilities certified under 10 V.S.A. Chapter 159.
F. Hazardous waste management facilities for which a notice of intent to construct has been received under 10 V.S.A. §6606a.

Each of the uses B. through F. above may be regulated for compliance with the National Flood Insurance Program and Groton's Flood Hazard Area Regulations.

§605: Enforcement; Penalties

605.01 As provided in 24 VSA, §4451 any person who violates this bylaw after the effective date thereof shall be fined in accordance with the Town's schedule of fees and fines, not to exceed $200.00 for each offense. No action may be brought under this section unless the alleged offender has had at least seven days' warning notice by certified mail. An action may be brought without the seven-day notice and opportunity to cure if the alleged offender repeats the violation of the bylaw or ordinance after the seven-day notice period and within the next succeeding 12 months. The seven-day warning notice shall state that a violation exists, that the alleged offender has an opportunity to cure the violation within the seven days, and that the alleged offender will not be entitled to an additional warning notice for a violation occurring after the seven days. The notice shall also state:

A. the bylaw or municipal land use permit condition alleged to have been violated.
B. the facts giving rise to the alleged violation.
C. to whom appeal may be taken and the period of time for taking an appeal, as provided in §610 of these bylaws; and,
D. that failure to file an appeal within that period will render the notice of violation the final decision on the violation addressed in the notice.

In default of payment of the fine, the person, the members of any partnership, or the principal officers of the corporation shall each pay double the amount of the fine. Each day that a violation is continued shall constitute a separate offense. All fines collected for the violation of bylaws shall be paid to the Town of Groton.

605.02 Any person who, being the owner or agent of the owner of any lot, tract, or parcel of land, lays out, constructs, opens, or dedicates any street, sanitary sewer, storm sewer, water main, or other improvements for public use, travel, or other purposes or for the common use of occupants of buildings abutting thereon, or sells, transfers, or agrees or enters into an agreement to sell any land in a subdivision or land development whether by reference to or by other use of a plat of that subdivision or land development or otherwise, or erects any structure on that land, unless a final plat has been prepared and recorded in full compliance with these bylaws, shall be fined in accordance with the Town's schedule of fees and fines, not to exceed $200.00, and each lot or parcel so transferred or sold or agreed or included in a contract to be sold shall be deemed a

separate violation. All fines collected for these violations shall be paid to the Town of Groton. The description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the seller or transferor from these penalties or from the remedies stated herein.

§606: Planning Commission

606.01 The Planning Commission shall consist of not less than (3) nor more than nine (9) members, who shall serve in accordance with 24 V.S.A. §4323(c).

606.02 The Planning Commission shall adopt rules of procedure and rules of ethics with respect to conflicts of interest to guide its official conduct, as required under 24 V.S.A. §4461(a)] and Vermont's Open Meeting Law. The Commission shall have all powers and duties as set forth in the Act to administer the provisions of these regulations, including but not limited to the power to hear and act upon:

A. Access to non-frontage lots (§304)
B. Off-site Parking (§323.01)
C. Planned Unit Developments (§329)
D. Campgrounds (§330)
E. Subdivisions (§301)

§607: Zoning Board of Adjustment

607.01 The Select Board shall appoint a Zoning Board of Adjustment and shall serve for specified terms in accordance with 24 V.S.A. §4460(b) and (c).

607.02 The Zoning Board of Adjustment shall adopt rules of procedure and rules of ethics with respect to conflicts of interest to guide its official conduct, as required under 24 V.S.A. §4461(a) and Vermont's Open Meeting Law. The Zoning Board of Adjustment shall have all powers and duties as set forth in the Act to administer the provisions of these regulations, including but not limited to power to hear and act upon:

A. Applications for Conditional Use Approval (§208)
B. Appeals of decisions of the Zoning Administrator (§610.01)
C. Request for variances (§611)

§608: Public Notice

Any public notice required by either this bylaw or 24 VSA, Chapter 117, for any meeting of either the Zoning Board of Adjustment or the Planning Commission, shall be given not less than 15 days prior to the date of the public hearing. Public notice shall include the date, time, place, and purpose of such hearing and shall be issued accordingly:

A. By the publication in a newspaper of general circulation in Groton.
B. By posting in three or more public places within the municipality including posting within view from the nearest public right of way most nearly adjacent to the property for which an application is made.
C. By written notification to the applicant and to owners of all properties adjoining the property subject to development, without regard to public rights-of-way. This written

notice shall include a description of the proposed project, clearly identify how and where additional information may be obtained, and state that participation in the local proceeding is a prerequisite to the right to take any subsequent appeal.

§609: Decisions

609.01 In accordance with 24 V.S.A. §4464(b), the Planning Commission and the Zoning Board of Adjustment shall issue all decisions within 45 days after the adjournment of the hearing. Failure to issue a decision within the 45-day period shall be deemed approval and shall be effective the 46th day.

609.02 All decisions shall be issued in writing and shall separately state findings of fact and conclusions of law. Findings of fact shall explicitly and concisely restate the underlying facts that support the decision, based exclusively on evidence of the record. Conclusions shall be based on the findings of fact. The decision shall also include a statement of the time within which appeals may be taken. The minutes of a meeting may suffice, provided that the factual basis and conclusions relating to the review standards are provided in accordance with these requirements.

609.03 All decisions shall be sent by certified mail, within the required 45-day period, to the applicant or the appellant on matters of appeal. Copies of the decision also shall be mailed to every person appearing and having been heard at the hearing and filed with the Zoning Administrator and Clerk as part of the public record of the municipality.

§610: Appeals of Decisions or Acts of the Zoning Administrator

610.01 Any interested person may appeal a decision or act of the Zoning Administrator within 15 days of the date of the decision or act by filing a notice of appeal with the Secretary of the Zoning Board of Adjustment, or the Municipal Clerk if no Secretary has been elected, and by filing a copy of the notice with the Zoning Administrator.

610.02 The Zoning Board of Adjustment shall hold a public hearing on a notice of appeal within 60 days of its filing, as required under 24 V.S.A. §4468. The Zoning Board of Adjustment shall give public notice of the hearing in accordance with §608 of this bylaw and mail a copy of the hearing notice to the appellant not less than 15 days prior to the hearing date.

610.03 The Zoning Board of Adjustment may reject an appeal or request for reconsideration without hearing, and render a decision which shall include findings of fact within 10 days of the filing of a notice of appeal if the Zoning Board of Adjustment determines that the issues raised by the appellant have been decided in an earlier appeal or are based on substantially or materially the same facts by or on behalf of the appellant.

610.04 All decisions of an appeal shall be issued in accordance with §609 of this bylaw.

§611: Appeals to Environmental Court

611.01 An interested person who has participated in a hearing of the Planning Commission or the Zoning Board of Adjustment may appeal any decision or act taken by the either the Planning Commission or the Zoning Board of Adjustment. Such appeal shall be made as provided for in 24 VSA, §4471 to the Environmental Court.

611.02 Participation in a hearing of the Planning Commission or Zoning Board of Adjustment shall consist of offering, through oral or written testimony, evidence of a statement of concern related to the subject of the hearing.

§612: Variances

The Zoning Board of Adjustment shall hear and decide requests for variances in accordance with 24 V.S.A. §4469(a) and appeal procedures under §610 of these regulations. In granting a variance, the Zoning Board of Adjustment may impose conditions it deems necessary and appropriate under the circumstances to implement the purposes of these regulations and the municipal plan currently in effect. The Zoning Board of Adjustment may grant a variance and render a decision in favor of the appellant only if all of the following facts are found, and the findings are specified in its written decision:

A. 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 unnecessary hardship is due to these conditions and not the circumstances or conditions generally created by the provisions of these regulations in the neighborhood or district in which the property is located.
B. Because of these physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of these regulations and that the authorization of a variance is necessary to enable the reasonable use of the property.
C. The unnecessary hardship has not been created by the appellant.
D. 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
E. The variance, if authorized, will represent the minimum that will afford relief and will represent the least deviation possible from these regulations and from the plan.

ARTICLE 7: MISCELLANEOUS PROVISIONS

§701: Amendments

This bylaw may be amended according to the requirements and procedures established in 24 VSA, §§4441 and 4442.

§702: Interpretation

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

702.02 Except for 24 VSA, §4413 and where, in this bylaw specifically provided to the contrary, it is not the intention of this bylaw to repeal, annul, or in any way to impair any regulations or permits previously adopted or issued. However, where this bylaw

imposes a greater restriction upon the use of a structure or land than is required by any other statute, ordinance, rule, regulation, permit, easement, or agreement, the provisions of this bylaw shall control.

§703: Effective Date

This bylaw shall take effect in accordance with the voting and other procedures contained in 21 VSA, §4442.

§704: Separability

The invalidity of any article or section of this bylaw shall not invalidate any other article or section thereof.

§705: Repeal of Former Zoning Bylaw

Upon the date of adoption of this bylaw, the former Town of Groton Zoning Bylaw, adopted in 2012, is hereby declared repealed and shall have no further force or effect.