

## WHAT TYPE OF DEVELOPMENT OR USE ACTIVITY ARE YOU PROPOSING?

Activity	See Page (Linked)	Bylaw Section Reference
<a href="#">Selling real estate</a>	<a href="#">2</a>	Not applicable
<a href="#">Granting easements / rights-of-way</a>	<a href="#">2</a>	Not applicable
<a href="#">Changing a lot boundary, or combining two or more lots</a>	<a href="#">2</a>	414
<a href="#">Subdividing a lot (for sale or other purpose)</a>	<a href="#">3</a>	350,426,427
<a href="#">Building new permanent structures or additions / Interior renovations</a>	<a href="#">4</a>	411
<a href="#">Changing the use of a property</a> (i.e. residential to commercial, agricultural to residential)	<a href="#">5</a>	424, 425
<a href="#">Operating a business or industry from a property / Exterior signage</a>	<a href="#">6</a>	Chapter 340, 317
<a href="#">Adding landscape features / fences, etc.</a>	<a href="#">7</a>	110
<a href="#">Repairing or maintaining existing property</a>	<a href="#">7</a>	110
<a href="#">Installing a temporary / seasonal / or portable dwelling or structure</a>	<a href="#">7</a>	341, 411
<a href="#">Open storage of materials / equipment / vehicles</a>	<a href="#">7</a>	315
<a href="#">Building a new driveway or road on a property</a>	<a href="#">8</a>	310, 311, 312, and 313.
<a href="#">Regrading: excavating or filling more than 50 cubic yards</a>	<a href="#">8</a>	330, 331, 334, 335
<a href="#">Installing new utilities (electric, septic, water) on a property</a>	<a href="#">8</a>	103
<a href="#">Building an agricultural structure or operating an agricultural or forestry activity on a property</a>	<a href="#">8</a>	115

## **SELLING REAL ESTATE**

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Selling your home or land property without creating a new lot does not require a permit from the Town; the activity must follow State regulations, which requires that the transaction be filed in the Town Land Records.

Although not required by the Town, a party to the sale may request that the Town issue a Certificate of Compliance for the lot, to understand if there are any current violations or zoning issues. This form can be downloaded from the Zoning page on the Town website, and must be filed with the Zoning Administrator and the fee paid. The ZA will arrange with you to make an exterior site inspection to review if all structures on site are compliant and permitted prior to issuing the certificate.

## **GRANTING EASEMENTS / RIGHTS-OF-WAY**

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Granting easements of any type, or allowing another party legal access to a portion of your land for any purpose, does not require a permit from the Town. The legal agreement and plat (survey of the land boundary indicating the easement), if provided, must be recorded in the Town Land Records.

## **CHANGING A LOT BOUNDARY, OR COMBINING TWO OR MORE LOTS:**

### **Bylaw Section 414**

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To adjust the location of a lot boundary of two lots, or to combine two or more lots, you must file a Boundary Line Adjustment (BLA) / Lot Merger application with the Zoning Administrator (ZA), which can be found on the Zoning page at the Town website, and pay the appropriate fee. All affected Landowners must sign the application.

A sketch of the proposed adjustment or merger must accompany the application, so the ZA can determine if the adjustment or merger is allowed and does not violate other zoning requirements.

The ZA has 30 days to determine if the application is complete, or notify the applicant if further information is needed, or defer the decision to the DRB to follow the process on Page 5. If the ZA approves the sketch, the approved adjustment or merger must be submitted on a surveyed drawing. This survey does not need to indicate the entire parcel or parcels, but only needs to adequately indicate the location of the boundaries to be relocated or removed. The approved application and survey must be recorded in the Town Land Records.

Note that the State has other requirements for boundary adjustments and lot mergers that must be met.

## **SUBDIVIDING A LOT (FOR SALE OR OTHER PURPOSE):**

Bylaw Sections 350, 426 Subdivisions and 427 Planned Unit Developments

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The following steps are involved in this process. Note that the State has other requirements for subdivisions that must also be met:

**1. Pre-Application Meeting:** Arrange a Pre-application meeting with the Zoning Administrator (ZA). You may request with the ZA that this meeting be held with the Development Review Board (DRB). This meeting is free, informal, non-binding, is not a public hearing, and is not required to be warned or abutters notified. If held with the DRB, it will need to follow Open Meeting Law and the agenda must be posted and minutes taken.

At the meeting, the ZA and DRB will review the proposed subdivision and give some preliminary non-binding feedback on any issues that are apparent, and answer questions. They will advise if the subdivision would be considered a major or minor application per Section 426.D, or if it should be submitted as a Planned Unit Development (see Section 427).

**2. File DRB Application:** After the Pre-app meeting, the Applicant files a DRB application and fee with the ZA, filled out appropriately for the type of subdivision. This application is on the Zoning page on the Town website. The application must be accompanied by the following:

- a. A cover letter, briefly describing what the application is for, and the list of enclosed documents.
- b. A list of abutting property owners, checked against the current Grand List.
- c. A Project Narrative, which describes the project detail, and how it responds to each of the Review Criteria in Section 426 or Section 427.
- d. A draft of the proposed plat (surveyed drawing) by a professional land surveyor indicating the existing and proposed lot boundaries, and any other information required by the bylaws.
- e. The fee, as calculated by the ZA.

Once received, the ZA has 30 days to determine if the application is complete. If not, you will be notified regarding additional information or corrections that are necessary to make the application complete. If complete, then the process moves to the next step.

**3. DRB Public Hearings:** Within 120 days of the application being deemed complete, the DRB must notice and warn a public hearing. The applicant will be given a placard to post on site to warn the hearing. If the application is a minor subdivision, this will be the Final Plan Review Hearing. If it is a major subdivision or planned unit development, the first hearing will be the Preliminary Review Hearing, after which the DRB will issue a written determination within 45 days indicating any findings of fact or issues that need to be addressed before the Final Hearing. The Applicant then submits a final application (See Step 2) to the ZA, and once deemed complete, the Final Hearing is warned.

**4. DRB Decision:** Within 45 days of the final public hearing, the DRB must issue a decision of approval or denial. The decision and a placard to be posted on site will be delivered by certified mail to the applicant. There is a 30 day appeal period where anyone attending the hearings can appeal the decision to the DRB.

**5. Final Authorization:** Once the ZA is provided evidence that the Applicant has met any conditions noted in the Decision, the ZA and DRB Chair will sign the DRB Application and provide the Application, the Decision, and the Final Plat to the Clerk to be recorded. The signed and recorded DRB application will be sent to the Applicant, indicating that the subdivision process is now complete.

## **BUILDING NEW PERMANENT STRUCTURES OR ADDITIONS / INTERIOR RENOVATIONS**

### Bylaw Section 411

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New residential, commercial, and storage buildings, structures, and additions require a zoning permit. Interior renovations do not require a zoning permit. Zoning permit steps are as follows:

- 1. Pre-application meeting with the Zoning Administrator (ZA).** This is an informal, non-binding opportunity to discuss your plan with the ZA in person, by phone, email, or virtually. You should provide enough initial information to allow the ZA to give you some guidance as to whether a permit is required or further review by the Development Review Board (DRB) is necessary. The ZA can also discuss any apparent initial issues, and determine what information may need to accompany your application. If your project is exempt, the ZA can provide you with a note (email or otherwise) confirming this exemption and it can go in your parcel file to avoid any future questions regarding your project.
- 2. DRB review required:** If the ZA determines that the project requires a Conditional Use or Site Plan Review by the DRB, then go to page 5 for that process.
- 3. DRB review not required, Permitting allowed:** If the ZA determines that the project can be permitted without DRB review, you may file a Zoning Permit Application: This application is on the Zoning page on the Town website. Follow the instructions on the form. A site plan is required to be filed along with the application. For small projects, a hand-sketch is typically adequate, but a formal site plan by a professional may be required if it is unclear if the development will meet the bylaws without better documentation.
- 4. ZA Review and Fee assessment:** Within 30 days, the ZA must review the application to ensure it is complete, and provide a fee calculation. If there is more information needed, the ZA will notify you. If the Zoning Permit is being filed as a result of a DRB decision, there may be other conditions noted in the DRB decision that will need to be met before a zoning permit can be issued. Once the application is complete and the fee has been paid, the ZA will notify the applicant by letter within 30 days as to whether the permit has been approved, denied, or referred to the DRB for further action (such as a waiver or site plan review). If denied, you may appeal the decision to the DRB. If approved, the ZA will include a posting placard with the approval letter for you to mount near the road of at the property location. This must remain in place for 15 days during the permit appeal period. The permit will then be recorded in the Town Land Records.
- 5. Certificate of Occupancy:** If noted on the approved Zoning Permit, new residences, additions with new bedrooms, and complex projects will require that a Certificate of Occupancy be filed and a fee paid once the project is complete, and before the project is occupied. This form can be found on the Zoning page on the Town website. Once the form is filed, the ZA will conduct a site inspection to determine if the project was built according to the permit documents. Vermont Residential and Commercial Building Energy Standards (RBES and CBES) certificates are required to be filed in the Town Land Records along with this form. There is a link to the Department of Public Service website for these certificates on the Zoning page. If the project requires a new or renovated septic system, the wastewater permit and install certificate issued by the State of Vermont must be filed along with the Certificate of Occupancy.

### **CHANGING THE USE OF A PROPERTY, OR PROJECTS REQUIRING CONDITIONAL USE OR SITE PLAN REVIEW (noted with a “C” or “S” in the Section 210 Use Table)**

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The following steps are involved in this process:

- 1. Pre-application meeting with the Zoning Administrator (ZA).** This is an informal, non-binding opportunity to discuss your project with the ZA in person, by phone, email, or virtually. You should provide enough initial information to allow the ZA to give you some guidance as to whether a permit is required or further review by the Development Review Board (DRB) is necessary. The ZA can also discuss any apparent initial issues, and determine what information may need to accompany your application.
- 2. Projects that can be Permitted by ZA:** If ZA determines that the project can be permitted, you can file a Zoning Permit Application following the process on page 4.
- 3. Projects requiring DRB review:** If the ZA determines the project must receive Conditional Use or Site Plan Review by the DRB, you must file a DRB Application, and fill it out per the instructions and as directed by the ZA. You must include the following with the DRB application:
  - a. A cover letter describing the request, and listing the enclosures.
  - b. A completed Zoning Permit application. The Zoning Permit fee will be deferred until the DRB has made a decision.
  - c. A list of abutting property owners, checked against the Grand List.
  - d. A Project Narrative, which describes the project detail, and how it responds to each of the Review Criteria in Section 424 or Section 425 as applicable.
  - e. A site plan adequate to accurately describe the project and determine compliance. This may need to be provided by a professional if determined by the ZA.
  - f. The fee. The ZA will assess the fee for this review.

Within 30 days of receipt of the application the ZA must determine if the Zoning and DRB applications are complete and will inform you in writing if complete or if further information is required.

**4. DRB Public Hearings:** Within 120 days of the application being deemed complete, the DRB must notice and warn a public hearing. The applicant will be given a placard to post on site to warn the hearing.

**5. DRB Decision:** Within 45 days of the public hearing, the DRB must issue a decision of approval or denial. The decision and a placard to be posted on site will be delivered by certified mail to the applicant. There is a 30 day appeal period where anyone attending the hearings can appeal the decision to the DRB.

**6. Final Authorization and Zoning Permit:** Once the ZA is provided evidence that the Applicant has met any conditions noted in the Decision, the ZA and DRB Chair will sign the DRB Application and provide the Application, the Decision, and the Site Plan to the Clerk to be recorded. The signed and recorded DRB application will be sent to the Applicant to signify that the process is complete. The ZA will then assess the Zoning Permit Fee and issue the Zoning Permit once this is paid. There is a 15 day appeal period on the Zoning Permit.

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### **OPERATING A BUSINESS OR INDUSTRY FROM A PROPERTY / EXTERIOR SIGNAGE**

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Business or industrial activities operating on a property require a zoning permit and may require DRB conditional use or site plan review, see Page 5.

Requirements for Home Business and Industries can be found in Section 342. Home businesses that do not have more than 2 employees and do not generate exterior activities and traffic can be permitted by the Zoning Administrator, see Page 4 for the process. Other home business and industries require DRB review per Page 5.

Other commercial businesses and industries will require DRB review per Page 5.

See Page 8 for Agricultural and Forestry Businesses.

Exterior Signage of any type for any purpose is regulated in Section 317. Unless exempted in that Section, a permit is required, see Page 4 for filing this application.

## **ADDING LANDSCAPE FEATURES / FENCES, ETC.**

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See Chapter 110 for Exemptions, and contact the Zoning Administrator to confirm if a permit is required.

See Page 4 for Zoning Permit process if required below.

Fences and landscape walls do not require a permit as long as they meet the conditions noted in Section 112.A.(6).

General landscaping and road repair does not require a permit as long as it does not involve the cutting or filling of more than 50 cubic yards of earth materials.

Above grade decks, either attached to a building or separate, require a permit. At grade patios without a roof do not require a permit.

Garden structures without a roof and not taller than 10 feet do not require a permit.

Permanent pools require a zoning permit, if they are temporary or portable they are exempt.

## **REPAIRING OR MAINTAINING EXISTING PROPERTY**

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See Chapter 110 for Exemptions.

Normal maintenance or repair does not require a permit as long as there is no change to the size, height or use of the structure.

## **INSTALLING A TEMPORARY / PORTABLE DWELLING OR STRUCTURE**

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A Temporary Zoning Permit is required, see Page 4 for filing details. See Section 341 for specific requirements and details.

Note that State permits may also be required for these structures.

## **OPEN STORAGE OF MATERIALS / EQUIPMENT / VEHICLES**

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For Commerical and Light Industrial outdoor storage, see Section 315 for details. Contact the Zoning Administrator to confirm if a permit is required.

Note that in all uses, outside junk material and vehicle storage are not allowed unless approved by the DRB per page 5, and must be screened.

### **BUILDING A NEW DRIVEWAY, ROAD, OR PARKING AREA ON A PROPERTY**

See Sections 310, 311, 312, and 313.

These activities require a zoning permit and may require DRB site plan review, see Page 5 . If the driveway or road will connect to a Town Road, then a Town Driveway/Access Permit is required for the portion of the work that will occur in the Town's right-of-way. The Driveway/Access Permit can be found on the Zoning page of the Town website, and is to be filed with the Zoning Administrator.

If it will connect to a State Highway, then a State Access Permit will be required for activity in the State right-of-way. A link to the State permit can be found on the Zoning page on the Town website. You must submit the State's approval or letter of intent to the Zoning Administrator in order to obtain a zoning permit.

### **REGRADING: EXCAVATING OR FILLING MORE THAN 50 CUBIC YARDS**

Sections 330, 331, 334, 335

These activities require a zoning permit, and may require DRB conditional use or site plan review, see page 5. Note that State permits may also apply to these projects.

### **INSTALLING NEW UTILITIES (ELECTRIC, SEPTIC, WATER) ON A PROPERTY**

These activities require a zoning permit, and may require DRB conditional use or site plan review, see page 5. Note that State permits may also apply to these projects.

### **BUILDING AN AGRICULTURAL STRUCTURE OR OPERATING AN AGRICULTURAL OR FORESTRY ACTIVITY ON A PROPERTY.** See Section 115.

A zoning permit is not required for agricultural activities if they meet Vermont Agency of Agriculture definitions and requirements. If building an agricultural structure (sugarhouse, animal shelter, ag storage, etc.), a notification letter is required and can be found on the Zoning page at the Town website. This form should be filed with the Zoning Administrator along with a sketch to indicate that the structure will be located within the required setbacks. If the setback requirement cannot be met, you will need to obtain a variance from the Agency of Agriculture.

On-farm businesses that do not fall under Agency of Agriculture programs require DRB review per Section 342.B, see Page 5.

Forestry practices do not require a zoning permit if they meet the Department of Forests Acceptable Management Practices.

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