

ARTICLE III BOUNDARY LINES & SUBDIVISION

Section 300: Purpose

The purpose of this article is to define the processes and procedures for altering boundary lines and creating subdivisions.

Section 310: Boundary Line Adjustment

Boundary Line Adjustment is a method of adjusting boundaries of adjacent Lots without creating an additional Lot and which does not cause any parcel of land involved to become nonconforming.

Boundary line adjustments shall be issued a zoning Permit by the Zoning Administrator provided:

- A. A survey, prepared by a Vermont licensed surveyor is provided identifying the dimensions of all Lots to be created or altered and the location of any road, highway, waterway, right-of-way or easement, and
- B. All resulting Lots satisfy all requirements of the districts in which they lie, and
- C. On a nonconforming Lot, the boundary line adjustment does not increase the degree of nonconformity.

A Development Review Board written decision and approval is required in all other circumstances.

Upon completion of a Boundary Line Adjustment landowners are responsible for recording new deeds for affected properties in the land records.

Section 320: Subdivision of Land

Pursuant to 24 V.S.A. § 4418 subdivision of Land creates two (2) or more Lots from a single Lot. Each Lot resulting from a subdivision of land shall have legal means of access by way of:

1. a public road, private road, highway, easement or right-of-way conforming to the Wilmington Highway Ordinance adopted September 27, 2011 as updated and amended from time to time, or
2. public waters

Subdivision of land applications shall be issued a zoning Permit by the Zoning Administrator provided:

- A. A survey, prepared by a Vermont licensed surveyor, is provided identifying the dimensions of all Lots to be created or altered and the location of any road, highway, waterway, right-of-way or easement, and
- B. The application creates five (5) or fewer Lots, and
- C. Lot size and building setback requirements can be met for every Lot (See Article IV Section 450 for district site criteria setbacks), and
- D. Frontage requirements
 1. can be met for every Lot or

2. at least one (1) Lot has the requisite road frontage, and a survey, prepared by a Vermont Licensed Surveyor, shows a right-of-way a preferred width of fifty (50) feet providing access to the remaining Lots. In no case will right-of-way be less than twenty (20) feet in width.

A Development Review Board written decision and approval shall be required for the subdivision of land in all other circumstances.

Upon completion of a Subdivision the landowner is responsible for recording new deeds for affected properties in the land records.

Section 330: Dimensional Calculations

Right-of-ways shall be excluded from all dimensional calculations as non-developable property.

Dimensional conformity shall be measured from the property line, or in the case of a right-of-way, from the edge of the right-of-way.