ARTICLE X
GENERAL DEFINITIONS

Definitions for Sections VI Flood Hazard District and Section IX Telecommunication are included within each of their respective sections. The following definitions apply to all other Sections of this Zoning Ordinance.

All words used in these Regulations shall carry their customary meanings. Words used in the present tense include the future, and the singular includes the plural. Reference for terms undefined is *Black's Law* Dictionary, and if the term is not found, Webster's *New College Dictionary.* The word "shall" is mandatory; "occupied" or "uses" shall be considered as though followed by "or intended, arranged or designed to be used or occupied"; "person" includes individual, partnership, association, cooperative, corporation, company, organization or any governmental body.

Accessory Apartment: An apartment created within, attached or detached, which is subordinate to an owner occupied single-family dwelling where property can demonstrate sufficient wastewater capacity. [See 24 V.S.A. §4412(1)(E)]

Accessory Structure: Any assembly of materials for occupancy or use, attached or detached, which is subordinate to and which use is incidental and accessory to the use of the principal building on the same lot.

Accessory Agricultural Uses: Customary on-farm uses not requiring a Permit that are directly related and subordinate to the Agricultural operations. Such activities need not be subordinate to the Agricultural operation in terms of revenue, but shall be subordinate in overall land use (e.g., land area, structures utilized). Including, but not limited to: farm tours, trails for non-motorized recreation, composting, u-pick operations, product tasting, retail sales of products produced on the farm (including products that are produced and then processed on the farm, for example, livestock), retail sales of a limited number of Agricultural products not produced on the farm as long as such sales are clearly subordinate to retail sales of on-farm products.

Accessory Use: A use subordinate to and incidental to the principal use of land or building.

Acre: A measure of land area containing 43,560 square feet.

Administrative Officer: Zoning Administrator

Affordable Housing Development: A housing development in which at least 20% or a minimum of 5 units, whichever is greater, are affordable housing units as defined by 24 V.S.A.§ 4303 (1). Affordable units shall be subject to covenants or restrictions that preserve their affordability for a minimum of 20 years from the date of their first sale or lease. [See 24 V.S.A. §§ 4303(2) and 4412(1)]

Agricultural (Farm) Structure: A Structure for an Agricultural Use or Accessory Agricultural Use licensed or Permitted by the State of Vermont under 10 VA 1021(f) and 1259(f) and 6 V.S.A.

4810 and meeting the criteria outlined in 24 VSA 4413 (d) (1). Agricultural Farm Structures do not need a Permit.

Agricultural (Farm) Structure Notification: The submission by the farm property owner of a plot plan showing property lines, all structures on the lot, and the setbacks and dimensions of the proposed structures. [See 24 V.S.A. § 4413(d)(2)]

Agriculture (Agricultural): Land or Structures used for the growing or harvesting of crops; raising of livestock; operation of orchards, including maple sugar orchards; the sale of Agricultural produce and forest products on the premises where raised; the processing or storage of products raised on the premises, as licensed and Permitted by the Commissioner of Agriculture, Food and Markets and the use of Agricultural Structures and the storage of Agricultural equipment incidental to the above. Includes Forest Management. [See 24 V.S.A. § 4413(d)]

Agritourism: operations taking place on a farm that include activities that may not be directly related to the Agricultural use. Such activities need not be subordinate to the Agricultural operation in terms of revenue, but shall be subordinate in terms of overall land use (e.g., land area, structures utilized). Activities must fall within one or more of the following categories:

- On-site processing, storage, sampling and tasting of crops or farm products including livestock 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. Such retail sales of non-farm products must be clearly subordinate to the farming operation and/or other integrated uses.
- Education, cultural, recreation programming – e.g., classes, day camp, corn maze, petting zoo, 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.
- Farm Café - A restaurant with indoor seating for no more than 40 people, and no more than 1,000 square feet of outdoor seating that meets the following criteria:
  1. Is subordinate to an Agricultural operation.
  2. One of the principal objectives is the use of products produced on the farm.
  3. Is located on a parcel of at least 15 acres that contains one or more of the farm operation's principal structures. This use need not be subordinate to the Agricultural operation in terms of revenue, but shall be subordinate in terms of overall land use (e.g., land area, structures utilized). Includes dining on the premises (indoor and/or outdoor), take out dining, and delivery, but excludes drive-through service.

Airport terminal facility: A facility/structure at an airport where passengers transfer between ground transportation and the facilities that allow them to board and disembark from aircraft.

Airport Hanger: Structure for the storage of aircraft.

Alteration: External structural change, rearrangement, change in location, or addition to a building, other than repairs to the building.

Appeal: An application to a higher authority where it is alleged that an error or mistake has occurred in an order, requirement, decision, or determination made by the Zoning Administrator or the Development Review Board. Variances are a type of appeal. A complaint is a form of appeal.

Appropriate Municipal Panel (AMP): The Development Review Board. [See 24 V.S.A. §§ 4303(3) and 4460]

Automotive Service Station and Repair Garage: Land or structures used for either or both the sale of petroleum products, motor fuel, oil or other fuel for the propulsion of motor vehicles and the maintenance, servicing, repairing or painting of vehicles.

Automotive Services: Establishments primarily engaged in furnishing automotive rental, leasing, washing or installation of accessories (such as tires, windows and stereos), and other similar activities. Retail establishments engaged in the sale of automotive accessories are not included.

Average Grade: The proposed finished elevation of the land around the structure measured as an average of the highest and lowest points.

Bank: A business, with or without a drive-up window, for the custody, loan, or exchange of money; for the extension of credit; and for facilitating the transmission of funds. ATMs within another business are not considered to be a bank.

Bar or Lounge: A room or establishment where the sale and consumption of alcoholic beverages are the primary activity.

Basement: Any area of the building having its floor elevation below grade level on all sides.

Basement, walk-out: An area of the building having its floor elevation below grade level on one to three sides.

Base Lodge Facilities: A building(s) used for recreational support services.

Boundary Line Adjustment: Altering the location of a line or lines that mark the common edge of two contiguous properties.

Buffer Area: A space between two or more other area to prevent incompatible uses from coming into contact.

Buildable Site Area: The buildable site area is the area of the site that may be altered, disturbed, or re-graded for development purposes. The buildable site area could contain buildings, roads, parking areas, sewage systems, and stormwater management facilities. The buildable site area shall not contain required open space, recreation, or natural resource protection areas.

Building: see Structure

Bus Shelter: An enclosure or canopy intended for bus passenger protection.

Business and/or Commerce: The purchase, sale, exchange or other transaction involving the handling or disposition of any article, substance or commodity for profit or livelihood, or the ownership or management of office buildings, office, recreation enterprises or the maintenance and use of offices or professions and trades rendering service.

Camp, Dwelling: See Dwelling, Seasonal.

Camp, Recreational: A building or group of associated buildings containing facilities for occupancy and/or use on a short term basis and having an overseeing entity managing the building(s) and providing services to the occupants of the facility for the purpose of providing sports, educational, developmental or recreational services. Included are sports camps, club camps, educational camps and vacation camps.

Campground / Recreational Vehicle Park: Temporary or permanent buildings, recreational vehicles/travel trailers, tents, or other structures established or maintained as a temporary living quarter, occupied for recreation, religious, education, or vacation purposes.

Canopy: A roof-like structure providing partial protection from the weather, with a maximum drip edge of six (6") inches. The canopy has no permanent foundation. However, a canopy used over an automotive service station may be permanently affixed to a cement or macadam surface.

Cemetery: Property used for interring the dead.

Change of Use: A Change of Use occurs when a use within a structure or property changes to another use of the structure or property. Examples of allowed uses are listed in Article II, District Requirements. A zoning Permit must be issued prior to establishing a Change of Use.

Child Care Facilities: [See 24 V.S.A. § 4412(5)]

A. Family Child Care Home: A state registered or licensed family child care home serving no more than six (6) full-time children and four (4) part-time children, as defined in 24 V.S.A. § 4412(5) and33 V.S.A.§ 4902(3).

B. Child Care Facility: A state registered or licensed center-based program as defined and regulated by the Child Care Services Division of the Vermont Agency of Human Services, as defined in 24 V.S.A. § 4412(5) and 33 V.S.A.§ 4902(2).

Community Facility: A structure or use as defined in Section 448 of this ordinance.

Conditional Use: In any district, a use that is allowed only by approval of the Development Review Board.

Construction: The assembly or building of a structure.

Cultural Facility: See Entertainment/Cultural Facility

Customer Entry Door: A door used primarily for exterior ingress and egress for customers to access a business space.

Density: Density is a measure of the number of dwelling units per unit of area.

Development: See Land Development.

District: A geographic unit established by the provisions of Article II of this ordinance.

Dripline: The vertical line from the outermost edge of a roof or eave extending to the ground.

Dwelling Unit: A building or a portion of a building occupied or intended to be occupied for residential purposes, containing cooking, sleeping and sanitary facilities that constitute a separate independent housekeeping establishment.

Dwelling, Multiple-Family: A building containing separate dwelling units for three (3) or more families having separate or joint entrances, services, or facilities.

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

Dwelling, Seasonal: A dwelling unit which is not a primary residence and is occupied on a part time or seasonal basis, not to exceed four (4) months per year. Seasonal dwellings shall have no indoor plumbing and must meet all other standards for development in the district. However, inside composting, incinerating, and other non-plumbed toilets are allowed.

Dwelling, Two-Family/Duplex: A building containing separate dwelling units for two (2) families, either side by side or top and bottom; each dwelling unit designated for occupancy as a residence for one family.

Educational or Institutional Facility: A public, parochial, or private institution that provides educational instruction to students.

Entertainment/Cultural Facility: A museum, art gallery, theater, concert hall, community center or other establishment offering programs, performances, or exhibits of cultural, educational, historical or scientific interest.

Excavation: The movement of soil or earth to create roads, dams, retaining walls, foundations, drainage, canals or berms.

Extraction of Earth Resources/Quarrying: The removal of earth, soil, sand or other materials in excess of 200 cubic yards per site, per year.

Family: One (1) or more persons occupying a single dwelling unit and living as a single household unit.

Family Child Care Home: See Child Care Facilities

F.I.A.: Federal Insurance Administrator.

Forest Management: See Silviculture. [See 24 V.S.A. § 4413(d)]

Food Stand: An establishment that serves food and beverages to the public for take-out and/or outdoor consumption.

Formula Business: Retail stores, restaurants, hotels or other establishments that are required by contract or other arrangements to adopt standardized services, décor, methods of operation, architecture or other features that make it virtually identical to businesses elsewhere.

Frontage: The length of a lot bordering on and parallel with a public or private road(s) or right(s) of way.

Golf Course: Substantially undeveloped land, including amenities such as landscaping, irrigation systems, paths and golf greens and tees, which may be used for golfing or golfing practice by the public or by members and guests of a private club. A golf course may include a clubhouse, restaurant, bar/lounge and shelters as Accessory Uses.

Group Home, 1-8 Residents: A state licensed or registered residential care home or group home, serving not more than eight (8) persons who are developmentally disabled or physically handicapped, shall be considered by right to constitute an allowed single-family residential use of property, except that no such home shall be so considered if it is located within one thousand (1,000) feet of another existing and allowed such home. [See 24 V.S.A. § 4412(1)(G)]

Group Home, more than 8 residents: A Group Home serving more than 8 residents.

Health Care Facility: An institution providing health care services and medical or surgical care, primarily to out-patients.

Home Business: See Article IV Section 462 for detailed definition.

Home Industry: See Article IV Section 462 for detailed definition.

Home Occupation: See Article IV Section 462 for detailed definition.

Impervious Surface: A surface that does not allow infiltration of rain into soil, including paved and graveled surfaces.

Improvement: A change or addition to the property, usually increasing the value thereof.

Industry: A type of Manufacturing (See Manufacturing)

Junkyard (or Salvage Yard): Land or structure used for the collection, storage, or sale of waste paper, rags, scrap metal or discarded material, or for the collecting, wrecking, dismantling, storage, salvaging and sale of machinery, parts or vehicles. A Junkyard shall also be considered to be any property which has situated on it two (2) or more un-housed Junked Vehicles, as defined herein.

Junked Vehicle: Any vehicle that is both (1) without a valid vehicle registration in any state, and (2) unable to be started and operated as the vehicle is intended to operate.

Kennel: Commercial operation for the breeding or boarding of dogs or cats.

Lake and Ponds: Lakes and ponds are natural or artificial bodies of water that retain water year-round. Artificial bodies of water may be created by dams, or result from excavation using machinery.

Land Development: The Subdivision of a parcel into two (2) or more parcels; the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any building or other structure; or of any mining, excavation that increases peak off-site flow or landfill, or any change in the use of any building or other structure, or land, or extension of use of land. Land development shall include water impoundment such as lakes and ponds. [See 24 V.S.A. §§ 4303(10) and 4449]

Landfill: Land that is built up from deposits of solid materials in layers covered by soil.

Landscaping: Modification of the land by grading, clearing or decorative planting.

Lodging ≤ two (2) guest rooms: The rental of bedrooms for overnight accommodations where the operator lives on site.

Lodging > two (2) guest rooms: The rental of bedrooms for overnight accommodations. Meals may be provided to the general public.

Lot: A measured parcel of land having fixed boundaries.

Lot Area: The lot area is the area contained within the property lines of the individual parcels of land.

Lot Coverage: The total ground floor area of all structures on a lot. Lot coverage may be expressed as a percentage of the total lot area.

Maintenance: Performing the routine actions which keep a structure or property in good condition.

Maintenance Facility: A facility used for maintenance, repair or storage of machinery or property associated with a commercial activity.

Manufactured Home: see Mobile Home

Manufacturing: An operation used for packaging, processing, fabricating, assembling, treating, processing, and similar operations performed on any materials allowed by the terms of this Regulation.

Medical Marijuana Dispensary: A nonprofit entity registered under 18 V.S.A. § 4474(e) which acquires, processes, cultivates, manufactures, transfers, transports, supplies, sells, or dispenses

marijuana, marijuana-infused products, and marijuana-related supplies or educational materials for or to a registered patient.

Mining: The extraction of materials from the earth. See also: Extraction of Earth Resources/Quarrying.

Mini-Storage Facility: A purpose–built building or group of buildings divided into separate compartments used to meet the temporary storage needs of small businesses, apartment dwellers and other residential users and may include refrigerated facilities.

Mixed Use: Any combination of Permitted or Conditional Commercial and Residential uses allowed in the district.

Mobile Home: A dwelling unit that is substantially assembled in a manufacturing plant and designed to be transported to the home site on its own chassis. (Also referred to as a Manufactured Home.) Recreational vehicles shall not be considered to be manufactured homes and shall not be allowed as a permanent dwelling.

Mobile Home Park: A parcel of land under single or common ownership or control, which contains, or is designed, laid out or adopted to accommodate two (2) or more mobile homes.

Multi-Business Center: A group of businesses sharing a common building or buildings, and a common parking area.

Municipal Transfer Station: An area where solid waste is disposed of, prepared, or stored for transfer in a controlled, managed manner, owned and operated, or under contract by the Town of Wilmington, and which may contain a recycling facility. [See 24 V.S.A. § 4413(a)(5)]

Municipal Utility or Safety Related Facility: All buildings, structures, or other protected enclosures for providing services traditionally provided by local government, including administrative offices, water and sewer operations, roads, parks, schools, parking and police and fire protection. [See 24 V.S.A. § 4413(a)(1)]

Must: "Must" means that any requirement stated herein is mandatory.

Non-Conforming Lots or Parcels: Lots or parcels that do not conform to the present bylaws covering dimensional requirements but were in conformance with all applicable laws, ordinances, and regulations prior to the enactment of the present bylaws, including a lot or parcel improperly authorized as a result of error by the Zoning Administrator. [See 24 V.S.A. §§ 4303(13) and 4412(7)]

Non-Conforming Structure: A structure or part of a structure that does not conform to the present bylaws but was in conformance with all applicable laws, ordinances, and regulations prior to the enactment of the present bylaws, including a structure improperly authorized as a result of error by the Zoning Administrator. [See 24 V.S.A. §§ 4303(14) and 4412(7)]

Non-Conforming Use: Use of land that does not conform to the present bylaws but did conform to all applicable laws, ordinances, and regulations prior to the enactment of the present bylaws,

including a use improperly authorized as a result of error by the Zoning Administrator. [See 24 V.S.A. §§ 4303(16) and 4412(7)]

Nonconformity: A non-conforming use, structure, lot or parcel. [See 24 V.S.A. §§ 4303(16) and 4412(7)]

Nursing Home/Assisted Living Facility: An extended or intermediate care facility licensed or approved to provide full-time convalescent or chronic care to individuals who, by reason of advanced age, chronic illness or infirmity, are unable to care for themselves.

Occupied: "Occupied" or "used" shall confer the intention for use or occupancy.

Office: A structure or part of a structure, used primarily for conducting the affairs of one (1) or more businesses, professions, services, studios or governmental agencies.

Open Space: Land or space not occupied by a building or other roofed structure.

Open Space Ratio: The open space ratio is a measure of the intensity of land use. It is calculated by dividing the total amount of open space within the development by the base site area.

Parking Space: Refers only to off-street space used for the temporary location of one licensed motor vehicle, which is at least ten (10) feet wide and eighteen (18) feet long, not including the access driveway and having direct access to a street or alley.

Parking Lot: An open, firm-surfaced area, other than street or public way, to be used for parking by employees, visitors, and/or patrons of any government office, public accommodations, business, commercial, or industrial establishment, or any other business open to the general public.

Permitted Use: In any district, a use that is allowed only through issuance of a Permit by the Zoning Administrator.

Person: An individual, a corporation, a partnership, an association and any other incorporated or unincorporated organization or group. [See 24 V.S.A. § 4303(17)]

Place of Worship: The use of a building or grounds primarily intended for the conducting of organized religious services or activities. [See 24 V.S.A. § 4413(a)(3)]

Planned Unit Development: One or more lots, tracts, or parcels of land to be developed as a single entity, the plan for which may propose any authorized combination of density or intensity transfers or increases, as well as the mixing of land uses. This plan, as authorized, may deviate from bylaw requirements that are otherwise applicable to the area in which it is located with respect to lot size, bulk, or type of dwelling or building, use, density, intensity, lot coverage, parking, required common open space, or other standards. [See 24 V.S.A. §§ 4303(19) and 4417]

Plot Plan: A plan or map of an individual property that is to scale and shows all boundary lines and lot line distances, road frontage, driveways, curb cuts, fences and stone walls. A plot plan must locate and identify roads and brooks, easements and rights-of-ways, and must locate all existing buildings/structures with dimensions, and shows setback dimensions from property lines.

Premises: A piece of land or real estate including the buildings thereon.

Primary Use: The principal use on a property.

Premises: A tract of land, including any buildings or portion of a building thereon.

Principal Building: The structure on the lot containing the Primary approved Use or Uses.

Private Club: A structure and related facilities owned or operated by a corporation, association, or group of individuals established for the fraternal, social, education, recreational or cultural enrichment of its members.

Private Road: For the purposes of this ordinance, any thoroughfare or road of less and or equal to .2 miles, owned and maintained by a private individual, organization, or company rather than by a government.

Property Line: The line dividing two pieces of property. For the purpose of determining conformity with dimensional requirements of this zoning ordinance, for any property with a right-of-way the property line will be measured to the right-of-way. Right-of-way lands will not count in dimensional calculations.

Public Road: For the purposes of this ordinance, a Public Road is:
1) any thoroughfare, road, or highway of any length, maintained or owned by the state, town, or other municipal corporation, and
2) any thoroughfare, road, or highway of greater than .2 miles, whether or not maintained or owned by a private individual, organization, or company.

Public Road shall mean the entire width of the right-of-way. Where no width is defined, right-of-way shall be considered to be 25 feet from the centerline on each side.

PUD: See Planned Unit Development

Recreation Facility, Outdoor: Land and/or structures used for outdoor recreational activities that require alteration or maintenance of the land, such as: developed parks and playing fields, playgrounds, hunting preserves, ski and snowmobile centers and associated trails, mountain bike centers and associated trails, tennis courts, swimming pools, ice rinks, etc. Such activities may include minor supporting structures such as benches, bridges, backstops, dugouts, warming huts, etc. Such activities may include larger supporting structures (e.g., customer reception, rental equipment, restrooms, locker rooms, clubhouses, etc.) as long as such structures indeed support the outdoor recreation activity, and do not constitute an indoor recreational facility.

Recreation, Indoor: A recreational activity conducted wholly within a structure.

Recreation, Outdoor: A recreational activity conducted wholly or partially outdoors. Specifically included in this use are outdoor recreational activities that require no substantial alteration or maintenance of the land, such as: undeveloped green space or park land, primitive hiking, cross-country ski, ATV, snowmobile, mountain bike or sleigh trail, VT Association of Snow Travelers

(VAST) trail, etc. Outdoor recreational activities that are incidental or accessory to a Primary Residential Use, and used primarily by the residents of the property shall also constitute allowed Accessory Use, and shall not be considered Outdoor Recreational Facilities – e.g., a backyard badminton or volleyball court, horseshoe pit, etc.

Recreational Vehicle: Any motor home, vehicle or trailer, including travel trailers, campers, motor homes or similar vehicles, which are intended to be used as sleeping or camping for short periods of time. Recreational vehicles shall not mean a manufactured, prefabricated, modular or similar structure, which is intended for use as a dwelling unit.

Remodel: To renovate.

Renovation: The process of restoring or improving a structure.

Repair: To mend or restore to good condition.

Restaurant: An establishment, the primary function of which is to serve food and beverages to the public within a building.

Restoration: Work performed on a building in order to return it to a previous state.

Retail Business: A business delivering goods, or providing services to the general public .

Right-of-Way: A legal right of passage over another's land.

Salvage Yard: see Junkyard

Sawmill: A facility where timber may be processed into building materials, not including the processing of timber for use on the same lot by the owner or resident of that lot. See Wood Processing Operation.

School: see Educational or Institutional Center

Secondary Use: Any use other than the Primary Use.

Service Business: A business primarily engaged in providing assistance (as opposed to products) to individuals, business, government, or other enterprises. Examples include, but are not limited to: hair salon, caterer, appliance repair shop, real estate agency, laundromat, tailor, pet grooming business, etc. May also include incidental retail sales as a minor portion of the business; for example, as a Cosmetologist may sell shampoo.

Setback: The distance between the nearest portion of a building on a lot and the public or private road or a property line and extending the full width of the lot. In no case shall the dripline of a building extend onto an adjoining property.

Setback Area: The space on a lot required to be left open and unoccupied by buildings or structures, either by the front, side or rear yard requirements of this by-law. Distance shall be

measured perpendicularly from the edge of any public or private road or property line to the nearest portion of the structure, and shall extend the full width of the lot.

Setback, Front: A setback measured from the property line abutting a public or private road. Corner lots may choose a single "front."

Shall: "Shall" means that any requirement stated herein is mandatory.

Should: Something that is expected or recommended.

Sign: Any structure, display, device or representation, either temporary or permanent, which is designed or used to advertise or call attention to or direct persons to any business, association, profession, commodity, product, institution, service, entertainment, person, place, thing or activity of any kind whatsoever, and is intended to be visible from a public road. A sign shall include window signs, as defined herein, with the exception noted in the definition of window signs. Types of signs include:

Awning - A type of wall sign that is attached to an awning, canopy, or other structural protective cover over a door, entrance, window or other outdoor service area.

Banners and Posters - A temporary sign of lightweight fabric, vinyl, cardboard, or other material.

Flush Mounted - A sign affixed to and mounted parallel to or painted on the face of the building or structure.

Freestanding (Pole, Pedestal, Post, Flag, Plaza) - A sign supported by structures or supports in or upon the ground and independent of support from any building.

Hanging: A sign attached to a building or structure, other than Flush Mounted, generally two sided, supported by a structure other than the face of the building,

Header: A sign appearing directly above a plaza sign, identifying the name of the plaza complex.

Panel: Smaller signs attached to a plaza sign, representing individual businesses.

Structure Mounted: A sign attached to or painted on a structure, including Flush Mounted and Hanging.

Window Signs: Any sign affixed to a window or door. Displays of merchandise shall not be considered window signs

Sign – Graphics: The pictorial information displayed on a sign, including logos, designs or other visual representations.

Sign – Internal Illumination: Any sign where an internal light source shines through a transparent or semitransparent sign face to illuminate the sign's message. Neon and LED illumination are considered forms of internal illumination.

Sign - Off Premises: A sign which directs attention to a business, profession, commodity, service, or entertainment that is not carried on, sold, or offered on the same premises on which the sign is located.

Silviculture: The developing, caring for or cultivating of forests, or the management and harvesting of timber. (See Forest Management) [See also 24 V.S.A. § 4413(d)(3)]

Site Area: All land within the tract as defined in the deed. This area shall be computed from an actual site survey rather than from a deed description.

Slaughterhouse, Agricultural: A facility on a farm licensed and Permitted as an Agricultural Use or an Accessory Agricultural Use under 10 VA 1021(f) and 1259(f) and 6 V.S.A. 4810 where animals are killed and/or butchered and a majority of the animals are raised on the premises. An Agricultural Slaughterhouse is an Accessory Agricultural Use.

Slaughterhouse, Commercial: Any facility where animals are killed and/or butchered not meeting the definition of Slaughterhouse, Agricultural or Slaughterhouse, Custom Processor under this ordinance.

Slaughterhouse, Custom Processor: Any person who maintains an establishment licensed by the Vermont Agency of Agriculture, Food, and Markets, for the purpose of processing livestock, meat, meat food product, poultry, or poultry product exclusively for use in the household of the owner of the commodity, be him/her and members of his/her household, and his/her nonpaying guests and employees. The meat from a custom processed animal cannot be sold and must be identified as "NOT FOR SALE".

Snowmaking Facility: Any installation for snowmaking to include pump house, valve stations, maintenance building, or snowmaking pond/reservoir, snow guns, compressors and hoses.

Start of Construction: Includes substantial improvement, and means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement/footing/piers/foundations or the erection of temporary forms.

Steep Slopes: Areas where the average slope is 15 percent or greater.

Storage Facility: Property or structures used for the storage of materials, vehicles, machinery or other goods in the conduct of business or for financial gain except as defined as Mini-Storage Facility or Warehouse. Re-use of existing structures is encouraged.

Street: A Public Road.

Street Line: The line dividing the Public Road and a lot. Where the width of a Public Road is not established or cannot be determined, the street line shall be considered to be twenty-five feet from the center of the travelled way of the public road.

Structural Alteration: Work performed on a building that changes its size, area, height or other dimension.

Structure, Large: Any fence, building or assembly of materials for occupancy or use with a footprint greater than 150 square feet or over ten (10) feet in height. All Large Structures are subject to setbacks and do require a Permit. Signs and their supporting structures are not considered a Large Structure. (See Structure Height)

Structure, Small: Any fence, building or assembly of materials for any use with a footprint less than or equal to 150 square feet and ten (10) feet or less in height. Small Structures are not subject to setbacks defined in Article II. Small Structures, including fences, have a zero (0) setback. Small structures, except for fences exceeding six feet six inches in height, do not require a Permit. (See Structure Height)

Structure Height: see Article IV

Subdivision of Land: A tract or tracts of land which have been partitioned or divided for any purpose.

Temporary Retail Stand: Temporary outdoor business for less than or equal to four days, unless extended by the Development Review Board.

Tower: A tower shall be any uninhabitable structure over 50' in height with an aspect ratio of 4:1 or greater installed at grade level or attached to any location of a building (excluding radio and/or television antennas under 50' above grade). See Windmill.

Tower Height: The height of a Tower shall include the highest point of the fixed Tower to the lowest point of structure (excluding fan blades, for example).

Transportation Center: A place where goods and/or people transfer between modes of travel; a terminating point where goods are transferred from a truck to a storage area or to other trucks, or are picked up by other forms of transportation. Includes facilities for vehicle maintenance, parking and waiting rooms.

Utility Facility: All buildings, structures, or other protected enclosures for the producing, transmitting, or distributing of communications, power, electricity, light, heat, gas, oil, crude products, water, steam, waste or any other similar commodity.

Warehouse: All buildings, structures, or other protected enclosures used for storage of articles of value, with or without compensation. See Mini-Storage and Storage Facility.

Wetlands: Wetlands are those areas that are inundated or saturated by surface or groundwater, as determined by the State of Vermont. [See 24 V.S.A. § 4303(32)]

Wholesale Business: A business selling or delivering goods to retailers; to industrial, commercial, institutional, or professional business users; or to other wholesalers.

Wildlife Refuge: A parcel of land set aside by transfer of development rights to provide a safe place for wildlife.

Windmill: A machine that converts the kinetic energy in the wind into a usable form.

Woodlands: A woodland is one-quarter acre or more of wooded land where the largest trees measure at least 6 inches diameter at 4.5 feet from the ground. The woodland shall be measured from the dripline of the outer trees. Woodlands are also a grove of trees forming one canopy where 10 or more trees measure at least 10 inches diameter at 4.5 feet.