

## Appendix A: Glossary of Terms

**ACCESSORY DWELLING UNIT:** In accordance with the Act [[§4412\(E\)](#)] a unit that is located within or appurtenant to a single family dwelling. An accessory dwelling unit means an efficiency or one-bedroom apartment that is clearly subordinate to a single-family dwelling, and has facilities and provisions for independent living, including sleeping, food preparation, and sanitation, provided there is compliance with all the following:

- (i) The property has sufficient wastewater capacity.
- (ii) The unit does not exceed 30 percent of the total habitable floor area of the single-family dwelling.
- (iii) Applicable setback, coverage, and parking requirements specified in the bylaws are met.

**ACCESSORY USE OR BUILDING:** A use or building customarily incidental and subordinate to the principal use or building and located on the same lot, but not including home occupations.

**ACT:** The [Vermont Municipal and Regional Planning and Development Act](#), Title 24, Chapter 117, Vermont Statutes Annotated.

**ACT 250:** Vermont Land Use and Development Law [10 V.S.A.Ch 151](#); the state environmental review process conducted by a District Environmental Commission (DEC) to consider a proposed development's impact using [10 established criteria](#).

**ACT 78:** The 1987 Vermont Solid Waste Bill.

**ADULT BOOKSTORES/ENTERTAINMENT:** An establishment that, as its primary business, imports, sells, lends, circulates, distributes, or exhibits a book, magazine, print, picture, movie, or videotape which contains sexually explicit materials either by print, pictures, figures, or description. This will include an establishment which gives or presents a show or entertainment containing sexually explicit activities.

**ADVERSE IMPACT:** a condition that creates, imposes, aggravates, or leads to inadequate, impractical, unsafe, or unhealthy conditions on a site proposed for development or on offtract property or facilities.

**AFFORDABLE HOUSING:**

(A) Housing that is owned by its inhabitants whose gross annual household income does not exceed 80 percent of the county median income, or 80 percent of the standard metropolitan statistical area income if the municipality is located in such an area, as defined by the United States Department of Housing and Urban Development, and the total annual cost of the housing, including principal, interest, taxes, insurance, and condominium association fees is not more than 30 percent of the household's gross annual income.

(B) Housing that is rented by its inhabitants whose gross annual household income does not exceed 80 percent of the county median income, or 80 percent of the standard metropolitan statistical area income if the municipality is located in such an area, as defined by the United States Department of Housing and Urban Development, and the total annual cost of the housing, including rent, utilities, and condominium association fees, is not more than 30 percent of the household's gross annual income.

**AFFORDABLE HOUSING DEVELOPMENT:** means a housing development of which at least 20 percent of the units or a minimum of five units, whichever is greater, are affordable housing units. Affordable units shall be subject to covenants or restrictions that preserve their affordability for a minimum of 15 years or longer as provided in municipal bylaws.

**AGRICULTURAL LAND:** land capable of supporting commercial farming as defined by state law.

**AGRICULTURAL USE:** [Accepted agricultural or farming practices](#), or accepted silvicultural practices, including the construction of farm structures, as such practices are defined by the Commissioner of Agricultural, Food and Markets, or the Commissioner of Forests, Parks, and Recreation, respectively.

**ALTERATION:** Structural changes, rearrangement, change of location or addition to a building, other than repairs or modifications in building equipment.

**ANIMAL HOSPITAL:** A building used by members of the veterinary medical profession for the diagnosis and treatment of animal ailments.

**AQUIFER:** A water-bearing stratum of permeable rock, sand or gravel.

**AREA OF SHALLOW FLOODING:** A designated AO or AH zone on a community's Flood Insurance Rate Map (FIRM) with one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

**AREA OF SPECIAL FLOOD HAZARD:** The land in the flood plain within a community subject to a one percent or greater chance of flooding in any given year. The area may be designated as Zone A or the FHBM. After detailed rate-making has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AO, AH, A1-30, AE, or A99.

**AUTO SERVICE STATION:** An establishment at which motor vehicles are serviced, which may or may not include fuel sales.

**BASE FLOOD:** Is the flood having a 1 percent chance of being equaled or exceeded in any given year.

**BASE FLOOD DEPTH (BFD):** The depth shown on the Flood Insurance Rate Map (FIRM) for Zone AO that indicates the depth of water above highest adjacent grade resulting from a flood that has a 1 percent chance of equaling or exceeding that level in any given year.

**BASE FLOOD ELEVATION (BFE):** The elevation shown on the Flood Insurance Rate Map (FIRM) for Zones AE, AH, A1-A30, AR, AR/A, AR/AE, AR/A1-A30, AR/AH, AR/AO, V1-V30, and VE that indicates the water surface elevation resulting from a flood that has a 1 percent chance of equaling or exceeding that level in any given year.

**BASEMENT:** Any area of a building which has its floor sub-grade (below ground level) on all sides.

**BED AND BREAKFAST:** An owner occupied home, in which the owner rents guest rooms and serves breakfast only to those guests as part of the room rent.

**BEDROOM:** Any space in the conditioned (heated) area of a dwelling unit which is primarily used for sleeping which is seventy square feet or greater in size and has an exterior wall, shall be counted as a bedroom.

**BEST MANAGEMENT PRACTICES (BMP):** the methods, measures, designs, performance standards, maintenance procedures, and other management practices that prevent or reduce adverse impacts upon water quality.

**BOARDING HOUSE/ROOMING HOUSE:** Buildings in which rooms are rented, with some or all meals provided, to three (3) or more persons. A boarding house shall have no more than eight (8) sleeping rooms for rent. See Lodging House.

**BROWNFIELDS:** Abandoned, idled, or under-used industrial and commercial facilities where expansion or redevelopment is complicated by real or perceived environmental contamination. (U.S. EPA).

**BUFFER:** A designated strip or area of land intended to visibly and/or functionally separate one use from another; to shield or block noise, lights or other nuisance from neighboring properties; and/or to lessen the visual or physical impact of development on surface waters, wetlands and other natural and scenic areas.

**BUILDING:** A walled and roofed building, other than a gas or liquid storage tank, that is principally above ground and affixed to a permanent site, including a building in the course of construction, alteration, or repair, and a manufactured (mobile) home on a foundation; also a building that is located in a participating community and has not been declared by a state or local government to be in violation of its floodplain management requirements.

**BUILDING ENVELOPE:** a specific area delineated on a lot within which all structures are to be located, and outside of which no structures are to be located.

**BUILDING HEIGHT:** The vertical distance measured from the average elevation of the proposed finished grade to the highest point of the roof on flat or mansard roofs, and the mean height between eaves and ridges of other roofs.

**BUILDING FRONT YARD SET BACK:** The distance from a structure to the centerline of a public right-of-way (see each district for requirements).

**BUILD-OUT ANALYSIS:** a study that examines an area's capacity for development.

**BUSINESS OFFICE:** An office from which a commercial or industrial enterprise is operated. (Also see OFFICE)

**BYLAWS:** municipal land use regulations, such as zoning, subdivision and flood hazard regulations, [adopted under the authority of 24 V.S.A. Chapter 117](#).

**CAMPER TRAILER:** Includes any vehicle used as sleeping or camping or living quarters, mounted on wheels or a camper body usually mounted on a truck, and any vehicle which is customarily towed by a motor vehicle and used for carrying goods, equipment, machinery, boats or as an office.

**CAMPGROUND:** Land on which are located one or more cabins, trailers, shelters, houseboats or other accommodations suitable for seasonal or temporary living purposes.

**CAPACITY STUDY:** an inventory of available natural and human-made resources, based on detailed data collection, which identifies the capacities and limits of those resources to absorb land development. Also, a study of where the Region stands high and low in its economic and social performance relative to other regions and areas.

**CAR WASH:** A retail establishment for self-service or attendant operated washing of motor vehicles and travel trailers.

**CLINIC:** An office building used by members of the medical or dental profession for the diagnosis and outpatient treatment of human ailments.

**CLUSTER DEVELOPMENT:** a development design technique that concentrates buildings in specific areas on the site to allow the remaining land to be used for recreation, common open space, and preservation of environmentally sensitive features; sometimes referred to as planned residential development (PRD) or planned unit development (PUD).

**CODE:** A systematic collection, compendium or revision of laws, rules or regulations. As the terms are used in this Plan, *bylaws* or *ordinances* refer to local regulations and *code* refers to state regulations (i.e. State Building Code).

**COMMERCIAL ACREAGE:** Non-residential land used for revenue generating enterprises.

**COMMON ACCESSORY USE LAND:** A parcel or parcels of land or an area of water, or a combination of both, within the Common Land of a development site, designed and intended for the use and enjoyment of the owners, occupants, and guests of PUD. Such land shall include all accessory buildings, access roads, utility easements, parking areas, sidewalks, swimming pools, playgrounds, tennis courts, club houses, and other recreational facilities.

**COMMON LAND:** Land owned and for the use and enjoyment of the association of a planned development.

**COMMON OPEN SPACE:** Land not encumbered by any substantial structure which is (as of the date development began) in its natural state. The land may be developed for trails for walking, riding, and jogging and picnic areas. The developer may allow the common open space to be used by the public at large by a grant of easement to the Town, if accepted by the Town.

**COMMUNITY CENTER:** Includes public or private meeting hall, place of assembly, museum, library, or church, not operated primarily for profit.

**COMMUNITY SEWAGE DISPOSAL SYSTEM:** Any wastewater disposal system other than a municipal sewage disposal system, owned by the same person or persons that disposes of sewage for domestic commercial, industrial or institutional uses to two or more users or customers.

**COMMUNITY WATER SYSTEM:** Any water system owned by the same person or persons that supplies water for domestic, commercial, industrial, or institutional uses to two or more users or customers.

**CONDITIONAL USES:** These uses may be allowed only by approval of the Development Review Board.

**CONDOMINIUM:** Single or multi-unit dwelling or dwellings, including detached, semidetached, or multistory structures, or any combination thereof, each of whose residents (unit owners) enjoys exclusive ownership of his individual apartment or unit while retaining an undivided interest, as a tenant in common in the common, facilities and areas of the condominium property.

**CONDOMINIUM ASSOCIATION:** The community association which administers and maintains the common property, and the elements, of a condominium.

**CONFERENCE CENTER:** A building or set of buildings used for the purposes of group meetings, seminars, professional workshops, and related business or organizational gatherings, of large numbers of persons.

**CONFORMANCE WITH MUNICIPAL PLAN:** Means a proposed implementation tool, including a bylaw or bylaw amendment that is in accord with the municipal plan in effect at the time of adoption, when the bylaw or bylaw amendment includes all the following:

- (A) Makes progress toward attaining, or at least does not interfere with, the goals and policies contained in the municipal plan.
- (B) Provides for proposed future land uses, densities, and intensities of development contained in the municipal plan.
- (C) Carries out, as applicable, any specific proposals for community facilities, or other proposed actions contained in the municipal plan.

**CONVALESCENT HOME:** See HEALTH CARE FACILITY

**CORRIDOR:** a strip of land associated with the movement of people, wildlife, goods, services, and/or utilities in a Right-of-Way.

**COVERAGE:** That percentage of the lot area covered by the footprint of the building area.

**DAY CARE:** Means care in lieu of parental care given for part of the twenty-four (24) hour day to children under six (6) years of age away from their homes, but does not include child care furnished in places of worship during religious services.

**DAY CARE CENTER:** Means any premises operated for profit in which child day care is provided simultaneously for seven (7) or more children who are not relatives of the operator.

**DELICATESSAN:** A retail establishment where food is prepared and sold for consumption off site.

**DENSITY:** The number of dwelling units allowed per lot.

**DEVELOPMENT:** (see Land Development)

**DOCK:** Structure providing moorings for boats.

**DWELLING UNIT:** One or more rooms designed as a separate living quarters with cooking, sleeping, and sanitary facilities provided within the dwelling unit. The term "dwelling unit" shall not include the rooms in a structure that is designed for transient use. Each dwelling unit shall constitute a separate unit for purposes calculating the Lot Area Minimum required in the zoning district.

**DWELLING, SINGLE-FAMILY:** means a detached building consisting of one dwelling unit.

**DWELLING, TWO-FAMILY:** is a detached building consisting of two dwelling units.

**DWELLING, MULTIPLE-FAMILY:** A detached building containing three or more dwelling units.

**DWELLING, SEASONAL:** A residential building used for casual and intermittent occupancy such as, but not limited to, a second home, vacation home, summer cottage, cabin, mobile home, or similar dwelling. A seasonal dwelling shall not be the principal place of residence of the occupant.

**EMERGENCY SERVICES:** Ludlow's Police Department, Fire Department and the Ludlow Ambulance Service.

**FARM LAND:** A parcel of arable land that is worked by plowing and sowing and raising crops. Also a tract of land devoted to pasturage, stock raising, and some allied industries and small wood lots and areas used for small farm roads and buildings.

**FARM STRUCTURE:** A building for housing livestock, raising horticultural/agronomic plants, or for carrying out other practices associated with agriculture or farming practices, including a silo, but excluding a dwelling for human habitation.

**FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA):** The federal agency under which the National Flood Insurance Program (NFIP) is administered.

**FEDERAL INSURANCE ADMINISTRATION (FIA):** The federal entity within FEMA that directly administers the National Flood Insurance Program (NFIP).

**FLOOD:** A general and temporary condition of partial or complete inundation of normally dry land areas from:

- i. Overflow of inland or tidal waters;
- ii. The unusual and rapid accumulation or runoff of surface waters from any source;
- iii. Mudslides (i.e., mudflows) which are proximately caused by flood, as defined above, and are akin to a river of liquid and flowing mud on the surface of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current; and,
- iv. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding the cyclical levels which results in flood, as defined above.

**FLOOD HAZARD AREA:** means the land subject to flooding from the base flood.

**FLOOD INSURANCE RATE MAP (FIRM):** An official map of a community on which the Administrator has delineated both the special hazard areas and the risk premium zones applicable to the community.

**FLOOD INSURANCE STUDY:** An examination, evaluation, and determination of flood hazards and, if appropriate, corresponding water surface elevations.

**FLOODPLAIN:** Any land area susceptible to being inundated by floodwaters from any source.

**FLOODPLAIN MANAGEMENT:** The operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to, emergency preparedness plans, flood control works, and floodplain management regulations.

**FLOOD PROOFING:** means any combination of structural and nonstructural additions, changes, or adjustments to properties and structures that substantially reduce or eliminate flood damage to any combination of real estate, improved real property, water or sanitary facilities, structures, and the contents of structures.

**FLOODWAY:** means the channel of a river or other watercourse and the adjacent land area that must be reserved in order to discharge the base flood without accumulatively increasing the water surface elevation more than one foot.

**FLOOR AREA:** Sum of the gross horizontal area of the floors of a building, excluding basement floor areas. All dimensions shall be measured between interior faces of walls.

**FLUSH MOUNTED SIGN:** A sign attached to and mounted parallel to the face of a building or structure, where architectural features, such as covered entryways or other building elements except where otherwise prohibited, are clearly designed to accommodate a sign mounted parallel to the building face.

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

**FLUVIAL EROSION HAZARD (FEH) ZONE:** includes the stream and adjacent lands necessary to accommodate the slope and plan form requirements of a geomorphically stable channel, and is subject to fluvial erosion as defined by the Vermont Agency of Natural Resources and delineated on the current Fluvial Erosion Hazard Zone Map.

**FOREST LEGACY PROGRAM:** a voluntary [federal grant program](#) available to protect private forestlands in Vermont from conversion to non-forest uses (e.g. subdivision, etc.).

**FOREST SERVICE:** The USDA Forest Service is an agency of the United States Department of Agriculture that administers the nation's 155 national forests and 20 national grasslands. Major divisions of the agency include the National Forest System, State and Private Forestry, and the Research and Development branch.

**FREE STANDING SIGN:** means a sign supported by one (1), or more, poles, columns, or supports placed in or on the ground and not attached to any building or structure.

**FRAGILE AREA:** An area of land or water which has unusual or significant features of scientific, ecological, or educational interest. These areas of natural ecosystem are vulnerable and could be destroyed, severely altered, or irreversibly changed by man-made development or pre-development activities.

**FRONT YARD:** An open space between the buildings and the street, extending the full width of the lot or, in the case of a corner lot, extending along all streets.

**FUNERAL HOME:** A dwelling or other structure used and occupied by a professional licensed mortician for burial preparation and funeral services.

**GAS STATION:** An establishment at which retail vehicle fuel sales are conducted.

**GEOGRAPHIC INFORMATION SYSTEMS (GIS):** a computerized system capable of performing complex analyses of geographically-related information and displaying that information in tabular or map formats.

**GOAL:** The end towards which effort is directed.

**GOVERNMENT RECREATION AREA:** A Town Recreation Area that may be financed by Town, State or Federal Funds, but not operated as a private enterprise.

**GRADE, FINISHED:** Completed surfaces of grounds, lawns, walks, paved areas and roads brought to grades as shown on plans related thereto.

**GREENWAYS:** The components of an integrated, continuous open space system. Greenways link to and connect open space areas such as parks and habitat areas.

**GROUNDWATER:** the water below land surface in a zone of saturation, but not including surface waters.

**GROUP HOMES:** A group home is defined as a state licensed residential care home serving not more than 6 persons who are developmentally disabled or handicapped. In accordance with the Act [4412(1)], a group home shall be considered by right to constitute a permitted single family residential use of property, except that no such home shall be so considered if it locates within 1,000 feet of another group home.

**GROWTH CENTER:** an area within a community providing for a concentration of housing, commercial services, employment opportunities and government uses, and served by basic infrastructure.

**HABITAT:** the physical and biological environment that a community of a particular species of plant or animal requires in order to remain viable.

**HAZARD AREA:** means land subject to landslides, soil erosion, earthquakes, water supply contamination, or other natural or human-made hazards as identified within a

“local mitigation plan” in conformance with and approved pursuant to the provisions of 44 C.F.R. sections 201.6.

**HAZARDOUS WASTE:** as defined in [10 V.S.A. §6602\(4\)](#), as may be amended from time to time.

**HEALTH CARE FACILITY:** Includes sanatorium, clinic, rest home, nursing home, convalescent home, home for the aged, and other places for the diagnosis and treatment of human ailments, except professional office.

**HISTORIC BUILDING:** buildings possessing eligibility for listing on the State or National Register of Historic Places with respect to age, related historic contexts and historic integrity.

**HISTORIC DISTRICT:** groups of buildings and land area listed on the State or National Register of Historic Places.

**HOME CHILD CARE:** (A) In accordance with the Act [§4412(5)], a state registered or licensed child care home serving six or fewer children on a full time basis and up to four additional children on a part time basis, which is conducted within a single family dwelling by a resident of that dwelling, shall be considered a permitted use of the single family residence. No zoning permit is required for home child care providing it meets the requirements of this section.

**HOME OCCUPATION:** [4412(4)] any nonresidential use conducted entirely within a primary residential dwelling or outbuilding and carried on wholly by members of the family living on the premises, with the exception of one part-time, non-family member employee.

**HOUSEHOLD:** a family living together in a single dwelling unit.

**HUMAN-SCALE:** “Human-scale” refers to the size, shape, and proportions of the built environment as perceived by, and in relation to, a pedestrian on the street. While different for different people, an object is considered to be of a human-scale when it appears measurable to the observer and its detail can be appreciated in relation to its overall mass. This is in contrast to an object or space that takes on an awesome or super-human size due to its size and/or distance to the observer. (Lynch, Kevin. *Site Planning*)

**INDEPENDENT SCHOOL:** Independent schools have a distinct educational mission that public schools are not able to provide; they are independently governed by a board of trustees; and, they are supported by tuition (available from the State), charitable contributions, and endowment revenue (i.e. can receive funds both from the government and privately).

**INDOOR RECREATIONAL USES:** Those types of uses commonly considered recreational in nature or are related to improving physical fitness, that may occur inside of a building or enclosure including but not limited to swimming and water activities, racket sports, weight training, aerobic training, skating.

**INDUSTRIAL PARK:** a tract of land planned, developed and operated as an integrated facility for a number of individual industrial uses, with special attention to circulation, parking, utility needs, aesthetics, and compatibility.

**INDUSTRIAL USE:** the industrial (see industry) purpose or activity for which land, buildings, facilities or other form of land development are designed, arranged, or intended for which land, buildings, facilities or other form of land development are occupied or maintained.

**INDUSTRY:** those fields of economic activity including mining; construction; manufacturing; transportation; communication, electric, gas, and sanitary services (including the disposal, reuse, recycling and management of solid waste and hazardous waste and any of its associated facilities); and wholesale trade.

**INFILL:** development or redevelopment of land that has been bypassed, remained vacant, and/or is underused as a result of the continuing urban development process. These areas are already served by municipal infrastructure, and are found within the current extent of the urban development pattern of the community.

**INFRASTRUCTURE:** services and facilities –such as highways and roads; water and sewer lines and other utilities; communications systems; and public facilities –needed to sustain industry, residential, commercial and all other land use activities.

**INN:** A commercial facility for the housing of transients, and which may offer meal service.

**INTERESTED PERSON:** An interested person, defined in §4465 as having the right to appeal a decision of the Development review Board to the Vermont Environmental Court, includes 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 municipality that has a plan or a bylaw at issue in an appeal brought under this chapter or any municipality that adjoins that municipality.
- c) A person owning or occupying property in the immediate neighborhood of a property that is the Article VI. Definitions January 12, 2005 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 within a municipality listed in subdivision (2) of this subsection who, by signed petition to the appropriate municipal panel of a municipality, the plan or a bylaw of which is at issue in any appeal brought under this title, 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 that municipality. 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; and,
- e) Any department and administrative subdivision of this state owning property or any interest in property within a municipality listed in subdivision (2) of this subsection, and the agency of commerce and community development of this state.

**INTERMODALISM:** refers to making connections, or linkages, between various modes of transportation.

**JUNKYARD:** Land or building used for the collection, storage, and/or sale of waste paper, rags, scrap metal, or discarded material, or for the collection, wrecking,

dismantling, storage, salvaging, and/or sale of machinery parts or vehicles not in running condition.

**LAND DEVELOPMENT:** the division 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 or landfill; or any change in the use of any building or other structure, or land, or extension of use of land. Note: See "Structure."

**LANDFILL SITE:** any land used for disposal by abandonment, dumping, burial, or any other means and for whatever purpose, of garbage, sewage, trash, refuse, junk, discarded machinery, vehicles or parts thereof, or waste material of any kind.

**LAND USE:** a description of how land is occupied or utilized.

**LAND USE PLANNING:** general term used to describe activities such as zoning, subdivision, water/wastewater supply regulations, control of real estate development and use, environmental impact studies and the like.

**LEGISLATIVE BODY:** the Selectboard in the case of a Town and the Trustees in the case of an incorporated village.

**LIBRARY:** See COMMUNITY CENTER.

**LIGHT INDUSTRY:** The assembly, manufacture, processing, packaging, or other industrial operations conducted in such a manner that all resulting cinders, dust, electrical interference, fumes, gas, odors, smoke, and vapor are effectively confined to the premises, or disposed of so as to avoid any air pollution, and conducted in such a manner that the noise level at the property line will not exceed eighty (70) decibels, and objectionable flashing lights and vibrations will not occur.

**LIVABLE WAGE:** A "livable wage" is the hourly wage or annual income necessary to cover basic needs and all relevant state and federal taxes. The Livable Wage Rates referenced in this Plan are from the Joint Fiscal Office.

**LOADING SPACE:** Space logically and conveniently located for bulk pickups and deliveries, scaled to delivery vehicles expected. Required off-street loading space is not to be included as off-street parking space in the computation of required off-street parking space.

**LOCK-OUT ROOM:** A bedroom with a bath and its own separate entrance, and which can be locked-off from a dwelling unit and separately rented. Each dwelling unit may contain no more than one lock-out room.

**LODGING HOUSE:** Is a building in which the rooms are rented, without meals, to three (3) or more persons. A lodging house shall have no more than eight (8) sleeping rooms for rent. See Boarding House/Rooming House.

**LOT:** Land occupied or to be occupied by a building and its accessory buildings, together with the required open spaces, having not less than the minimum area, width, and depth required for a lot in the district in which such land is situated, and having frontage on a street, or other means of access as may be determined by the Development Review Board to be adequate for the issuance of a zoning permit.

**LOT DEPTH:** The mean horizontal distance from the street line of the lot, to its opposite rear line, measured at the right angles to the street line.

**LOT FRONTAGE:** Distance measured along the width of a lot at the street line.

**LOT LINE:** The established division line between lots, or between a lot and the street right-of-way.

**LOWEST FLOOR:** The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of the zoning bylaws.

**MASONRY HEATER:** A solid fuel (typically wood) burning heating appliance constructed of concrete or solid masonry having a mass of at least 500 kg (1,100 lb.), excluding the chimney and foundation. It is designed to absorb and store a substantial portion of heat from a fire built in the firebox by routing exhaust gases through internal heat exchange channels in which the flow path downstream of the firebox includes at least one 180-degree change in flow direction before entering the chimney and which delivers heat by radiation from the masonry surface of the heater, as defined by the Masonry Heaters Association (<http://www.mha-net.org/index.htm>).

**MANUFACTURING:** Any process whereby the nature, size, or shapes of articles or raw materials are changed or articles are assembled and/or packaged. Processing of produce where it is raised shall not be considered manufacturing.

**MANUFACTURED HOME:** A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For flood plain management purposes the term "manufactured home" also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days. For insurance purposes the term "manufactured home" does not include park trailers, travel trailers, recreational vehicles and other similar vehicles.

**MEAN SEA LEVEL:** Means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NVD) of 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

**MILL:** a building or group of buildings equipped with machinery for processing raw materials into finished or industrial products (e.g. grain mill, textile mill, etc.)

**MIXED USE:** any mixture of compatible land uses, including mixtures of residences with commercial, offices with retail, or industrial with offices and retail.

**MOBILE HOME:** A prefabricated dwelling unit which:

- i. is designed for long term and continuous residential occupancy;
- ii. is designed to be moved on wheels, as a whole or in sections;
- iii. upon arrival at the site, is complete and ready for occupancy, except for incidental unpacking, assembly, connections with utilities, and placing on supports; or
- iv. contains the same water supply and waste water disposal as immovable housing.

**MOBILE HOME PARK:** A parcel of land under single or common ownership or control, which contains, or is designed, laid out, or adapted to accommodate three (3) or more mobile homes.

**MOTEL:** A building containing rooms that are rented as a series of sleeping units for vehicle transients, each sleeping unit consisting of at least a bedroom and bathroom.

**MULTIPLE DWELLING UNIT BUILDING:** A structure containing two or more residential dwelling units, including detached, semi-detached, or multistory structures, or any combination thereof. Unit ownership within a Multiple Dwelling Unit Building may be

either whole ownership, fractional ownership or any other form of common interest ownership. Some or all of a unit in a Multiple Dwelling Unit Building may be rented to transients.

**MULTIMODALISM:** refers to providing a range of transportation options (e.g. buses, cars, carpools, bikes, walking, etc.)

**MUNICIPAL PLAN:** the Town of Ludlow Municipal Development Plan as most recently adopted. A document that contains a statement of municipal goals, policies and programs to guide the future growth and development of land in accordance with [the Act §4382](#). This Municipal Plan pertains to both the Village of Ludlow as well as the Town of Ludlow.

**MUSEUM:** See COMMUNITY CENTER.

**MYLAR:** Plastic, transparent copies of a blueprint.

**NET-METERED:** home-based renewable energy systems that send excess power not immediately needed in the home directly back into the electrical grid while crediting the homeowner for the excess power. Net-metered renewable energy systems are governed by the Public Service Board (PSB). Such systems that are not reviewed by the PSB and are not explicitly excluded under the Act are governed by the municipality under applicable zoning bylaws.

**NEW CONSTRUCTION:** Means construction of structures or filling commenced on or after the effective date of the adoption of a community's flood hazard bylaws.

**NONCONFORMING LOTS, OR PARCELS:** Means 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 administrative officer.

**NONCOMFORMING STRUCTURE:** Means a structure or part of a structure that does not conform to the present bylaws but was in conformance with all applicable laws, ordinances, and regulations prior to the enactment of the present bylaws, including a structure improperly authorized as a result of error by the administrative officer.

**NONCONFORMING USE:** Means 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 administrative officer.

**NORMAL MEAN WATER MARK:** Acting under the rule-making authority given in the Vermont Statutes Annotated, the Vermont Water Resources Board shall determine normal mean water marks for those waters of the State for which the State has the role of trustee.

**NORMAL WATER FACILITIES:** Any docks, wharves, floats, or boat houses.

**NURSERY:** Shall be any land used to raise trees, shrubs, flowers, and other plants for sale or for transplanting.

**NURSING HOME:** See HEALTH CARE FACILITY.

**OFF PREMISE SIGN:** 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.

**OFFICE:** A room or building designed or used in which a person transacts his business or carries on his stated occupation.

**ON PREMISE SIGN:** A sign which directs attention to a business, profession, commodity, service, or entertainment carried on, or sold, or offered on the same premises.

**OPEN SPACE:** Land which is set aside from development and designated to remain in its natural state, open (woodland, meadowland, wetland, etc.), for agricultural uses, or for active or passive outdoor recreation uses.

**ORDINANCE:** a municipal law or regulation adopted by the Town Selectboard or Village Trustees in accordance with [24 V.S.A. Chapter 59](#).

**PARKING AREA:** an off-street area containing one or more parking spaces, with passageways and driveways appurtenant to.

**PARKING SPACE:** off-street space used for the temporary location of one (1) registered motor vehicle, which is at least nine (9) feet wide and twenty-two (22) feet long, not including an access driveway, and having direct access to a street or approved right-of-way.

**PASSIVE RECREATION:** passive recreational activities such as sitting, walking, nature watching and general relaxation. In contrast to “active recreation” that involves dedicated and organized recreational activities such as baseball, soccer, tennis, hockey, etc.

**PEDESTRIAN SCALE:** an urban development pattern that facilitates walking as a safe, convenient, and interesting mode of travel. It is an area where walking is at least as attractive as any other mode to all destinations within the area.

**PEDESTRIAN-ORIENTED DESIGN:** Urban design intended to facilitate pedestrian movement in an area, as opposed to design that primarily serves automobile movement. Examples of pedestrian-oriented design include continuous building streetwalls with shop windows, outdoor cafes, street trees, benches, and planters.

**PERSON:** Any individual, partnership, corporation, association, unincorporated organization, trust, or any other legal or commercial entity, including a joint venture or affiliated ownership which owns or controls land or other property to be subdivided and/or developed under the provisions of these regulations. The word “person” shall also include any municipality or other government agency.

**PERSONAL SERVICES:** Includes barber, hairdresser, beauty parlor, shoe repair, shoe shine, laundry, laundromat, dry cleaner, photographic studio, and businesses providing similar services of a personal nature.

**PLANNED UNIT DEVELOPMENT:** means 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.

**PLAT, FINAL:** The final drawings, on which the subdivision is presented to the Development Review Board for approval and which, if approved, shall be filed for record with the Town Clerk.

**PLAZA:** A building or development, which sits back from the street on which it fronts, so that signs on the individual business establishments are not readily visible to persons passing by in their motor vehicles, and which is designed to contain and contains three

(3) or more business establishments, each business being under separate and unaffiliated ownership.

**POLICY:** A frame of reference or a set of principles or rules determining what and how things are done by a person or group.

**POSTER:** A temporary, on premise or off premise, sign; printed, lettered, or drawn on nonpermanent cardboard or paper, advertising a specific event or occurrence at a particular time and place.

**PREMISE:** The lot, building, or set of related buildings comprising the location of one or more businesses or other ventures.

**PRIMARY AGRICULTURAL SOILS** (Prime Agricultural Soils): Soil map units (from the Natural Resource Conservation Service County Soil Surveys) are Prime Farmland if they have the best combination of physical and chemical characteristics for producing food, feed fiber, forage, and oilseed crops and are also available for these uses. The present land use may be cropland, pasture, forestland, or other land uses, but not urban and built-up or water. Location, tract size, and accessibility to markets and support industries are not considered when making a Prime Farmland determination. (see Statewide Agricultural Soils)

**PRINCIPLE USE:** The primary purpose or function that a lot serves or is intended to serve.

**PRINCIPLE USE:** the primary purpose or function that a lot serves or is intended to serve.

**PRIVATE CLUB:** A club restricted to members and their guests.

**PRIVATE ROAD:** is a road owned and maintained by a private individual, organization, or company rather than by a government.

**PROFESSIONAL RESIDENCE-OFFICE:** Primary residence in which the occupant has a professional office, including, but not limited to, that of an architect, accountant, dentist, doctor of medicine, land surveyor, real estate or insurance broker, etc., which is clearly secondary to the dwelling use for living purposes, and does not change the residential character thereof.

**PROJECTING SIGN:** A sign attached to, and projecting away from, the face of a building or structure.

**PUBLIC NOTICE:** means the form of notice prescribed by § 4444, 4449, or 4464 of the Act, as the context requires.

**REAL ESTATE OFFICE:** a business office engaged in the conduct of real estate sales, rentals, and related management activities.

**REAR YARD:** an open space between the building and the rear lot line, extending the full width of the lot.

**RECREATIONAL USE:** For the purposes of local land use regulations, this will include all those activities commonly considered to be recreational in nature, and will also include as examples, but not limited to, the following: skiing, golf courses, horseback riding and polo fields, hunting and fishing, picnic areas, playing fields (such as baseball, soccer, etc.), shooting or archery ranges, snowmobile trails, swimming areas, tennis courts, walking and/or nature trails. This will also include buildings which are accessory to the above activities.

**RECREATIONAL VEHICLE (RV):** A vehicle which is (i) built on a single chassis, (ii) 400 square feet or less when measured at the largest horizontal projections, (iii)

designed to be self-propelled or permanently tow able by a light duty truck, and (iv) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use. This definition was added to the NFIP so that a differentiation could be made between Recreational Vehicles and Manufactured Homes.

**RENEWABLE ENERGY RESOURCES:** energy available for collection or conversion from direct sunlight, wind, running water, organically derived fuels including wood, agricultural sources, waste materials, waste heat, and geothermal sources.

**RESIDENTIAL SIGNS:** A sign, not more than one and one half (1 ½) square feet in area, for identification of the residents.

**RE-SUBDIVISION:** Any change in a recorded subdivision plat, if such change affects any street layout on such plat, or area reserved thereon for public use, or any lot line; or if the change affects any map, plan or conditions recorded in association with the subdivision plat.

**REST HOME:** See HEALTH CARE FACILITY.

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

**RETAIL USE:** Includes enclosed restaurant, café, shop and store for the sale of retail goods, personal service shop and department store; and shall exclude drive-up service, free-standing retail stand, gasoline service and motor vehicle repair, new and used car sales and service, trailer and mobile home sales and service.

**RIDGELINE:** the highest elevation of a mountain chain or line of hills. (See Chapter 4)

**RIGHT-OF-WAY:** a strip of land acquired by reservation, dedication, forced dedication, prescription, or condemnation and intended to be occupied by a road, pedestrian way, crosswalk, railroad, electrical transmission lines, oil or gas pipeline, water line, sanitary storm sewer, and other similar uses.

**RIPARIAN:** of, pertaining to, or situated on, the edge of the bank of a river or other body of water. Riparian trees and shrubs are typically plants whose root systems are in constant contact with groundwater.

**ROADS:** Any vehicular way that is (1) an existing state, municipal or private roadway; (2) shown upon a plat approved pursuant to law; (3) approved by other official action; (4) shown on a plat duly filed and recorded in the Town Clerk's office prior to the appointment of a Development Review Board and; (5) shown on the official map or adopted plan. It includes the land between the street lines, whether improved or unimproved.

**SANATORIUM:** See HEALTH CARE FACILITY.

**SAND AND GRAVEL PIT:** An area that is used for the extraction of soil, sand, gravel, stone or other materials for transport off the parcel from which it is extracted. These activities usually involve heavy equipment and may cause high levels of noise and dust.

**SATELLITE DISH ANTENNA:** For the purposes of these Regulations, and in the accordance with Title 24, Chapter 117, of the Vermont Statutes Annotated, a satellite dish antenna more than two (2) feet in diameter shall be considered a structure.

**SCENIC RESOURCES:** those visually pleasing landscapes including mountains, farms, ridge lines and shorelines, and the locations providing scenic vistas of those landscapes.

**SECTION 248 (ACT 248):** Vermont Law regarding the Public Service Board, including its duties and role and the rules of electricity and natural gas supply and transmission.

**SETBACK:** the distance a structure has to be from a property line or center of public right-of-way/highway.

**SIGN:** Any structure, wall display, device, or representation which is designed, or used to advertise, or calls attention or directs a person to a business, association, profession, commodity product, institution, service, entertainment, person, place or thing, or activity of any kind, and is visible or audible from a highway or other right-of-way open to the public. It does not include the flag of any nation or state on a single pole.

**SIGNIFICANT WILDLIFE HABITAT:** Significant wildlife habitats are those natural features that are essential for the survival and/or reproduction of the native wildlife of Ludlow. This shall include, but is not limited to, (1) deer winter habitat; (2) habitat for rare, threatened and endangered; (3) concentrated black bear feeding habitat (bear-scarred beech and oak stands); and (4) wetlands that provide critical functions for sensitive or unusual wetland-dependent wildlife such as breeding/nesting habitat for wading birds (bitterns, herons), waterfowl (ducks, geese) and otter and vernal pools.

**SINGLE FAMILY DWELLING:** a building containing one dwelling unit for a single housekeeping unit.

**SKETCH PLAN:** An informal sketch of the proposed subdivision whose purpose is to enable the subdivider to reach general agreement with the Development Review Board as to the form of the subdivision, objective and requirements of these regulations.

**SOFFIT SIGN:** A sign hung from and within an overhang which is attached to a building or structure, and which covers a walkway serving that building or structure.

**SOLID WASTE:** as defined in [10 V.S.A. § 6602\(2\)](#), as may be amended from time to time.

**SPRAWL:** a pattern of land use that is characterized by dispersed, automobile-dependent development outside of compact urban and village centers, along highways, and in the rural countryside.

**STATE PLANNING GOALS:** under state statute, municipalities shall engage in a continuing planning process that furthers the thirteen state planning goals established under [24 V.S.A. §4302\(b\)](#), or as most recently amended.

**STATEWIDE AGRICULTURAL SOILS (Agricultural Soils of Statewide Importance):** This is land, in addition to Prime Agricultural Soils, that is of Statewide importance for the production of food, feed, fiber, forage, and oilseed crops. In Vermont, criteria for defining and delineating Statewide Important Farmland was determined by the appropriate state agencies, working with the Natural Resources Conservation Service.

**STORAGE ENCLOSURE/BUILDING:** An area or building for holding or safekeeping in a warehouse or other depository to await the happening of some future event or contingency which will call for the removal of the goods.

**STREAM:** A watercourse having a source and terminus, banks and channel, through which waters flow at least periodically and it usually empties into other streams, lakes, or the ocean, but it does not lose its character as a watercourse, even though it may break up and disappear.

**STREET:** Any road, highway, avenue, street, land or other way between right-of-way lines, commonly used for vehicular traffic and serving three or more lots.

**STREETSCAPE:** the visual image of a street, both within and abutting the public right-of-way including the combination of buildings, parking, signs, trees and other vegetation, and other hardscape and street furniture.

**STRUCTURE:** means an assembly of materials for occupancy or use, including a building, mobile home or trailer, sign, wall, or fence.

**SUBDIVISION:** Division of any lot or parcel of land, after the effective date of these regulations, into two or more lots of any size, for the purpose of conveyance, transfer of ownership, improvement, building, development, or sale

**SUBSTANTIAL AMOUNT OF WORK:** Completion of twenty-five (25) percent of the permitted project.

**SUBSTANTIAL IMPROVEMENT:** means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either before the improvement or repair is started or, if the structure has been damaged and is being restored, before the damage occurred. However, the term does not include either of the following:

- i. Any project or improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications that are solely necessary to assure safe living conditions;
- ii. Any alteration of a structure listed on the National Register of Historic Places or a state inventory of historic places.

**SWIMMING POOL:** A water-filled structure, permanently constructed, having a depth of more than eighteen (18) inches below the level of the surrounding land, or an above-surface pool having a depth of more than thirty-six (36) inches, designed, used and maintained for swimming and bathing.

**TECHNICAL DEFICIENCY:** Means a defect in a proposed plan or bylaw, or an amendment or repeal thereof, correction of which does not involve substantive change to the proposal, including corrections to grammar, spelling, and punctuation, as well as the numbering of sections.

**THEATER:** A building or part of a building devoted to showing moving pictures or stage productions on a paid admission basis.

**TOURIST HOME:** An establishment in a private dwelling that supplies temporary accommodations to overnight guests for a fee.

**TOWN PLAN:** See MUNICIPAL PLAN

**TRAFFIC CALMING DEVICES:** Structures built in or adjacent to roadways intended to slow traffic or reduce traffic volumes. Examples include narrowing roadways, speed humps, curb extensions, roundabouts, and traffic diverters.

**TRANSFER STATION:** Land used for the collection and temporary storage of garbage, sewage, trash, refuse, junk, discarded machinery, vehicles or parts thereof, or waste material of any kind.

**TRANSPORTATION DEMAND MANAGEMENT:** Transportation Demand Management refers to efforts to influence how and when people use the transportation system. Examples include staggered or flexible work schedules, telecommuting, and car/van pooling.

**TRANSPORTATION INFRASTRUCTURE:** see Transportation Network.

**TRANSPORTATION MODES:** Transportation systems are divided into modes. A single "mode" of transportation is automobile, public transit, bicycle or rail, etc. "Multi-modal"

refers to a combination of two or more individual modes. “Intermodal” refers to opportunities to make connections between modes (e.g. truck-to-rail intermodal freight transfer facility).

**TRANSPORTATION NETWORK:** the system of sidewalks, trails, bicycle paths, public transportation facilities and routes, railroad tracks and rights-of-way, roads, streets, highways, and all other corridors whose major purpose is to provide mobility for people and goods. Synonymous with transportation infrastructure.

**UNDUE ADVERSE IMPACT:** An adverse impact that meets any one of the following criteria:

- i. Violates a clear, written community standard – including a provision of these regulations or a specific policy of the town plan – intended to preserve the aesthetics or scenic, natural beauty of the area;
- ii. Offends the sensibilities of the average person; or,
- iii. Fails to take generally available mitigating steps that a reasonable person would take to improve the harmony of the proposed project with its surroundings.

**UPGRADING:** The privilege of the property owner to improve the utility of his building, if it does not change the overall use or size of said building. Example: relocating doors or windows, or replacing the siding of a building.

**VETERINARY CLINIC/OFFICE:** See ANIMAL HOSPITAL.

**VILLAGE CENTER:** a traditional center of the community, typically comprised of a cohesive core of residential, civic, religious and commercial buildings, arranged along a main street and intersecting streets. Village Centers may be designated under the Downtown Development Act making the area eligible for many of the same benefits as Downtowns (See [24 V.S.A. §2793a\(c\)](#)).

**WATERFRONT SETBACK:** The distance measured from the mean level to the nearest building, excluding normal waterfront facilities.

**WATER POLLUTION:** the addition of pollutants to water in concentrations or in sufficient quantities to result in measurable degradation of water quality.

**WATERSHED:** an area of land that drains water, sediment, and dissolved material to a common outlet at some point along a stream channel.

**WELLHEAD PROTECTION AREA:** areas designated by the Vermont Department of Health to protect the quality of public water supplies.

**WETLANDS:** includes all wetlands identified in Vermont Wetland Inventory (VWI) maps, wetland areas identified as “Ecologically Significant Wetland” by the Vermont Nongame and Natural Heritage Program, and/or wetland areas identified through site analysis to be inundated by surface or groundwater with a frequency sufficient to support vegetation or aquatic life that depend on saturated or seasonally saturated soil conditions for growth and reproduction pursuant to the Vermont Wetland Rules.

**WILDLIFE REFUGE:** An area set aside for the conservation of plants, animals and general environment within. These are noncommercial areas usually without any structures on them. A single parking area and walking trails are characteristic of a wildlife refuge.

**WINDOW SIGN:** Any sign affixed to the inside or outside of a window or door, or a sign placed within a building so as to be plainly visible and legible through a window or door.

Small signs incorporated into a window display of merchandise, totaling no more than one hundred (100) square inches, shall not be considered a window sign.

**WIND TURBINE:** a rotary engine in which the kinetic energy of wind is converted into mechanical energy by causing a bladed rotor to rotate. Rotating machine which converts the kinetic energy in wind into mechanical energy. If the mechanical energy is used directly by machinery, such as a pump or grinding stones, the machine is usually called a windmill. If the mechanical energy is then converted to electricity, the machine is called a wind generator, wind turbine, wind power unit (WPU), wind energy converter (WEC), or aerogenerator. The term as used in the town Zoning Bylaws excludes net-metered wind turbine systems from this definition and from the effect of local regulations. (See Net-Metered)

**WIRELESS COMMUNICATIONS FACILITY** (Wireless Telecommunications Facility): equipment for the distribution of wireless communications, such as cell phones, which may include towers, antennas, equipment shed(s) or housing(s), and electronic equipment.

**WIRELESS TELECOMMUNICATIONS SERVICES:** all services requiring wireless communications facilities.

**YARD:** Space on a lot not occupied with a building or structure. Porches and decks, whether enclosed or not enclosed, shall be considered as part of the main building and shall not project into a required yard. Minimum yard dimensions are the minimum perpendicular setback of a structure from a lot line.

**ZONING:** the delineation of districts and the establishment of regulations governing the use placement, spacing, and size of land and buildings.