

services. This facility may be sited on one or more towers or structure(s) owned and permitted by the provider or another owner or entity.

Telecommunications Provider: An entity licensed by the FCC to provide telecommunications services to individuals or institutions.

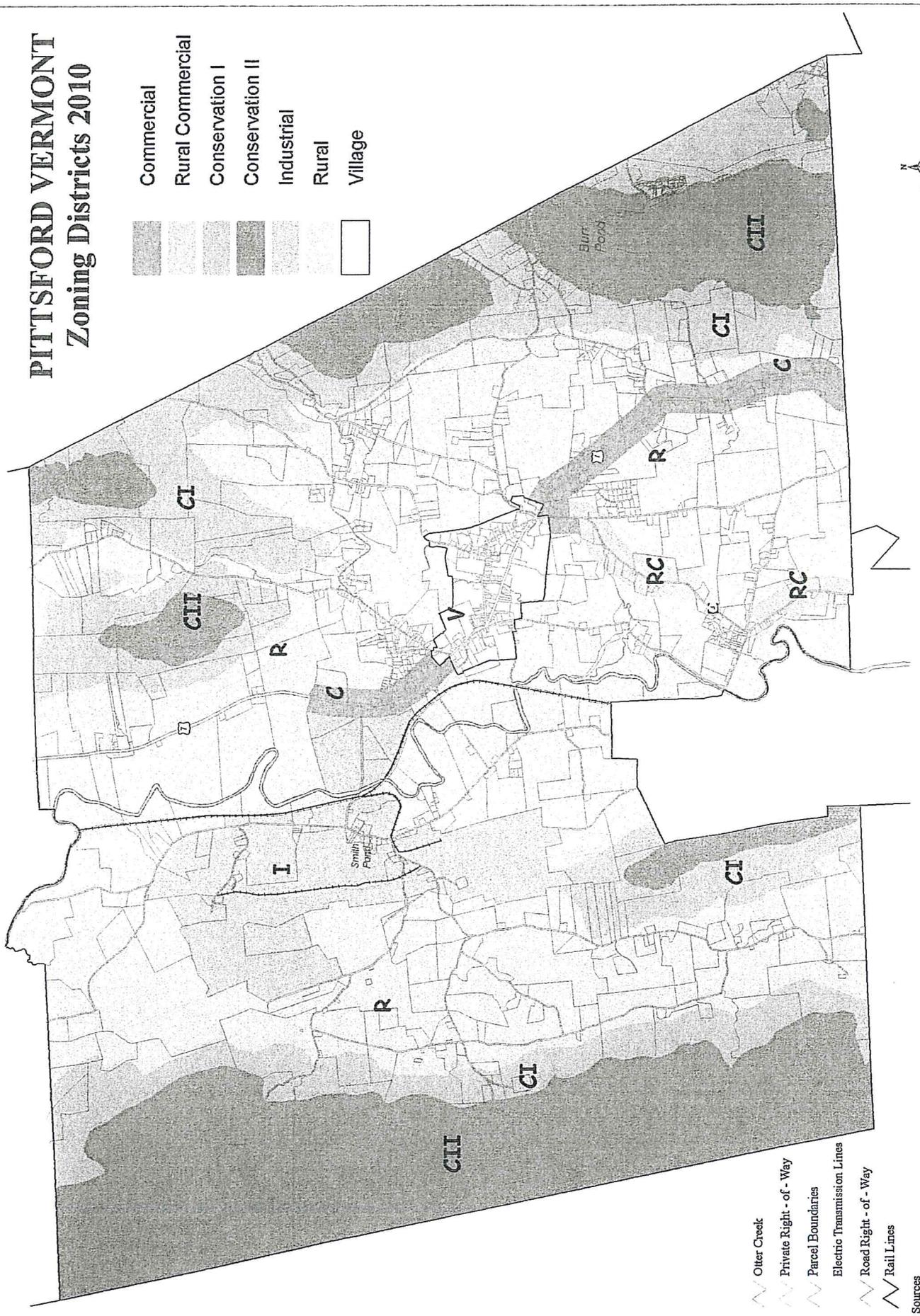
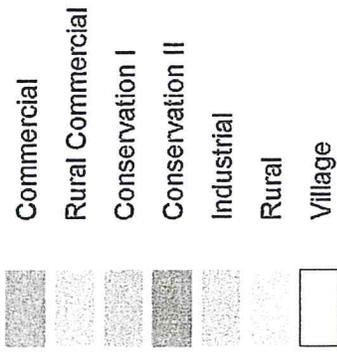
Temporary Wireless Communication Facility: Any tower, pole, antenna, etc., designed for use while a permanent wireless facility is under construction, or for a special event or conference where a majority of people attending are wireless users.

Tower: A vertical structure for antenna(s) that provide telecommunications services.

View Corridor: A three-dimensional area extending out from a viewpoint. The width of the view corridor depends on the focus of the view. The focus of the view may be a single object, such as a mountain, which would result in a narrow corridor, or a group of objects, such as a downtown skyline, which would result in a wide corridor. Panoramic views have very wide corridors and may include a 360-degree perspective. Although the view corridor extends from the viewpoint to the focus of the view, the mapped portion of the corridor extends from the viewpoint and is based on the area where base zone heights must be limited in order to protect the view.

Whip Antenna: A vertical antenna that normally transmits signals in 360-degrees. Whip antennas are typically cylindrical in shape, narrow (less than 6 inches in diameter) and long (often measure 18 inches in height or more).

PITTSFORD VERMONT Zoning Districts 2010



- Olter Creek
- Private Right - of - Way
- Parcel Boundaries
- Electric Transmission Lines
- Road Right - of - Way
- Rail Lines

Sources
Town of Pittsford Vermont
Vermont Center for Geographic Information, Inc.



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TOWN OF PITTSFORD
FLOOD HAZARD AREA REGULATIONS**

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**TOWN OF PITTSFORD
FLOOD HAZARD AREA REGULATIONS**

I. Statutory Authorization

To effect the purposes of 10 V.S.A. Chapter 32, and in accordance with 24 V.S.A. § 4424, there is hereby established regulations for areas of special flood hazard in the Pittsford, Vermont.

II. Statement of Purpose

It is the purpose of this regulation to:

- A. Minimize and prevent the loss of life and property, the disruption of commerce, the impairment of the tax base, and the extraordinary public expenditures and demands on public services that result from flooding and other flood related hazards; and
- B. Ensure that the design and construction of development in flood and other hazard areas are accomplished in a manner that minimizes or eliminates the potential for flood and loss or damage to life and property; and
- C. Manage all flood hazard areas designated pursuant to 10 V.S.A. § 753; and
- D. Make the state, municipalities, and individuals eligible for federal flood insurance and other federal disaster recovery and hazard mitigation funds as may be available.

III. Lands to Which These Regulations Apply

These regulations shall apply in the Special Flood Hazard Areas in and on the most current flood insurance studies and maps published by the Department of Homeland Security, Federal Emergency Management Agency, National Flood Insurance Program, as provided by the Secretary of the Agency of Natural Resources pursuant to 10 V.S.A. Chapter 32 § 753, which are hereby adopted by reference and declared to be part of these regulations.

IV. Determination of Base Flood Elevations and Floodway Limit

A. Base Flood Elevation (BFE) and Floodway Limits

Where available, base flood elevations and floodway limits provided by the National Flood Insurance Program and in the Flood Insurance Study and accompanying maps shall be used to administer and enforce these regulations.

In special flood hazard areas where base flood elevations *have not* been provided by the National Flood Insurance Program in the Flood Insurance Study and accompanying maps, it is the applicant's responsibility to develop the base flood elevation at the site. The applicant shall use data provided by FEMA or available from State or Federal agencies.

B. Special Flood Hazard Areas where Floodways have not been determined:

1. In Zones A, AE, AH, and A1 – A30 where floodways have not been determined, development shall not be permitted unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated encroachment, will not increase the water surface elevation of the base flood more than 1.00 foot at any point within the community. The demonstration must be supported by technical data that conforms to standard hydraulic engineering principles and certified by a registered professional engineer.
2. in Zone A, where neither base flood elevations nor floodways have been determined development shall not be permitted unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated encroachment, will not increase the water surface elevation of the base flood more than 1.00 foot at any point within the community. The demonstration must be supported by technical data that conforms to standard hydraulic engineering principles and certified by a registered professional engineer.

C. Disputes in Areas and Elevations

The information presented on any maps, or contained in any studies, adopted by reference, is presumed accurate and shall be used until shown to be otherwise. Rulings by FEMA shall be considered proof for the purposes of this bylaw.

If uncertainty exists with respect to the horizontal boundaries on the map, the location of the boundary shall first be determined by the Administrative Officer (AO). If the Applicant disagrees with the Administrative Officers

decision, it can be appealed to the Board of Adjustment where the applicant shall have the burden of proof. A Letter of Map Amendment or Letter of Map Revision from FEMA shall constitute proof.

V. Development Permit and Conditional Use Approval

A. Permit Required

A permit is required from the Administrative Officer for all proposed fill, construction or other development, including new or substantially improved structures, the placement of manufactured homes or recreational vehicles, and storage of chemicals, explosives, flammable liquids, or other hazardous or toxic materials, in all areas covered by this bylaw. Development needing conditional use approval, nonconforming use approval or a variance must have such.

B. Permitted Development

The following activities outside the floodway only require an administrative permit from the Administrative Officer:

1. non-substantial improvements to existing structures that do not involve fill and do not decrease structure setbacks from any stream;
2. at-grade parking areas that meet the requirements in Article VI;
3. small accessory structures such as fences, sheds, or utilities that meet the requirements in Article VI; or
4. utilities that do not involve fill and that meet the requirements in Article VI and FEMA Guidance 348 *Protecting Building Utilities From Flood Damage*

C. Conditional Use Approval

Conditional use approval by the Board of Adjustment, prior to the issuance of a permit by the Administrative Officer, is required for:

1. Any development that takes place in the underlying zoning districts that is not excluded by Section V. B. and D including new or substantial improvement, elevation, or flood proofing of existing structures,
2. improvements to existing roads or drainage,
3. grading, excavation, or the creation of a pond,
4. bridges, culverts, public utilities, stabilization projects, or public projects which are functionally dependent on stream access or stream crossing,

In granting conditional use approval, the Board shall use the standards for development set out below in Section VI.

D. Exempted Activities

The following are exempt from regulation under this flood hazard area regulations.

1. the removal of a structure or building in whole or in part;
2. maintenance of existing roads and drainage.
3. silvicultural (forestry) activities conducted in accordance with Vermont Department of Forest and Parks Acceptable Management Practices; and
4. agricultural activities conducted in accordance with Vermont Department of Agriculture Accepted Agricultural Practices (AAP). In Section 4.07 the AAP states:
 - a. Manure, fertilizer, pesticide storage structures, and farm structures shall not be constructed within a floodway area as presented on National Flood Insurance Maps on file with Town Clerks or within a Fluvial Erosion Hazard Zone as designated by municipal ordinance. Such structures may be constructed outside this area yet within the 100-year floodplain when adequately protected from inundation and floodwater damage. Fences through which floodwater may flow are not structures which represent an encroachment in a floodway area.
 - b. All manure, fertilizer, and pesticide storage structures constructed within a floodplain must conform to National Flood Insurance Program standards.
 - c. Prior to construction of farm structures, the farmer must notify the zoning administrator or the town clerk in writing of the proposed construction activity. The notification must contain a sketch of the proposed structure including the setbacks from adjoining property lines and road rights-of-way.
 - d. Local setbacks or no build areas within Fluvial Erosion Hazard Zones established by the municipality shall be maintained unless upon written petition of the farmer the Secretary has approved other reasonable setbacks for the specific farm structure being constructed or maintained.
 - e. In addition to the provisions of 4.07 (a) and (b); new structures that are not additions to existing farm structures associated with farm operations shall be constructed so that a minimum distance of 50 feet is maintained between the top of the bank of the adjoining waters and the farm structure. Such structures do not include those for irrigation, drainage or fencing.
 - f. All waste storage facilities constructed or expanded after July 1, 2006 shall be designed and constructed according to USDA

Natural Resource Conservation Service standards and specifications or an equivalent standard certified by a professional engineer licensed in the State of Vermont.

- g. In addition to the provisions of 4.07 (a) and (b); new structures that are not additions to existing farm structures associated with farm operations shall be constructed so that a minimum distance of 50 feet is maintained between the top of the bank of the adjoining waters and the farm structure. Such structures do not include those for irrigation, drainage or fencing.

VI. Development Standards

A. Floodway Areas

1. Development or other encroachments within the regulatory floodway, as determined by Section VI.A, is prohibited unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice by a registered professional engineer certifying that the proposed development will result in no increase in flood levels during the occurrence of the base flood.
2. Junkyards, on-site wastewater disposal systems, and storage facilities for floatable materials, chemicals, explosives, flammable liquids, or other hazardous or toxic materials, are prohibited within the floodway.

B. All Special Flood Hazard Areas (within mapped Floodway Areas, the following Section B. provisions are additive to the Section A provisions above).

1. All Development - All development shall be reasonably safe from flooding and:
 - (a) Designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure during the occurrence of the base flood,
 - (b) constructed with materials resistant to flood damage,
 - (c) constructed by methods and practices that minimize flood damage, and
 - (d) constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

2. Residential Development:

- (a) New construction and existing buildings to be substantially improved that are located in Zones A, A1-30, AE, and AH shall have the lowest floor, including basement, elevated to or above the base flood elevation.
- (b) Manufactured homes to be placed and existing manufactured homes to be substantially improved that are:
 - (i) located in a new manufactured home park or subdivision, outside of a manufactured home park or subdivision, in an expansion to an existing manufactured home park or subdivision, or in a manufactured home park or subdivision which has incurred substantial damage from a flood shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to no less than one foot above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist floatation, collapse, and lateral movement during the occurrence of the base flood.
 - (ii) located in an existing manufactured home park, where elevating a replacement home to or above base flood elevation is not possible, the lowest floor shall be supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 48 inches in height above grade and be securely anchored to an adequately anchored system to resist floatation, collapse, and lateral movement.
- (c) Residential construction located within Zones A, AH and AO shall have adequate drainage paths around structures on slopes, to guide floodwater around and away from the proposed structures

3. Non-residential Development:

- (a) New construction located in Zones A, A1-30, AE, and AH shall have the lowest floor, including basement, elevated to or above the base flood elevation.
- (b) Existing buildings to be substantially improved located in Zones A, A1-30, AE, and AH shall have the lowest floor, including basement, elevated to or above the base flood elevation or together with attendant utility and sanitary facilities be designed so that below the base flood elevation the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.
- (c) A permit for a building proposed to be flood proofed shall not be issued until a registered professional engineer or architect has reviewed the structural design, specifications and plans, and has certified that the design and proposed methods of construction are

in accordance with accepted standards of practice for meeting the provisions of this subsection.

- (d) Non-residential construction located within Zones AH and AO shall have adequate drainage paths around structures on slopes, to guide floodwater around and away from the proposed structures.

4. Subdivisions:

- (a) New subdivision proposals and other proposed development (including proposals for manufactured home parks and subdivisions) that are greater than 50 lots or 5 acres, whichever is the lesser, shall include base flood elevation data.
- (b) Subdivisions (including manufactured home parks) shall be designed to assure:
 - (i) such proposals minimize flood damage within the flood-prone area,
 - (ii) public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage, and
 - (iii) adequate drainage is provided to reduce exposure to flood hazards.

5. Enclosed Areas Below the Lowest Floor:

- (a) Enclosed areas below the lowest floor which are subject to flooding shall be used solely for parking of vehicles, building access, or storage.
- (b) New construction and existing buildings to be substantially improved with fully enclosed areas below the lowest floor that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters.
- (c) Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria: A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

6. Recreational Vehicles: Recreational Vehicles placed on sites with special flood hazard areas shall either:

- (a) be on the site for fewer than 180 consecutive days,
- (b) be fully licensed and ready for highway use, or

- (c) be permitted in accordance with the elevation and anchoring requirements for “manufactured homes” in section B.2. (b).
7. Accessory Structures: A small accessory building that represents a minimal investment need not be elevated to the base flood elevation provided the structure meets the following requirements:
- (a) The structure must only be used for parking or storage,
 - (b) The structure must have the required openings to allow floodwaters in and out,
 - (c) The structure must be constructed using flood resistant materials below the Base Flood Elevation,
 - (d) The structure must be adequately anchored to resist flotation, collapse, and lateral movement, and
 - (e) All building utility equipment including electrical and heating must be elevated or flood proofed.
8. Water Supply Systems: New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the systems.
9. Sanitary Sewage Systems: New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters.
10. On-Site Waste Disposal Systems: On-site wastewater disposal systems shall be located to avoid impairment to them or contamination from them during flooding.
11. Watercourse Carrying Capacity: The flood carrying capacity within any altered or relocated portion of a watercourse shall be maintained.

VII. Variances to the Development Standards

Variances to the above standards may be granted in writing by the Board of Adjustment only in accordance with 24 V.S.A. § 4469 and 44 CFR Section 60.6, and after a hearing noticed in accordance with 24 VSA 117, Section 4464(a).

Any variance issued will inform the applicant that the issuance of a variance to construct a structure below the base flood elevation increases risk to life and property and will result in increased flood insurance premiums up to amounts as high as \$25 for \$100 of coverage. Such notification shall be maintained with a record of all variance actions.

VIII. Nonconforming Structure(s) in Areas of Special Flood Hazard

The Development Review Board may, after public notice and hearing, approve the repair, relocation, replacement, or enlargement of a non conforming structure within a regulated flood hazard area, subject to compliance with the development standards in VI above and the following:

- A. The Board finds that the repair, relocation, or enlargement of such non conforming structure is required for the continued economically feasible operation of a non residential enterprise; and
- B. The Board finds that the repair, relocation, or enlargement of a non conforming residential or non residential structure will not increase flood levels in the regulatory floodway, threaten the health, safety and welfare of the public or other property owners; and
- C. The permit, so granted, shall state that the repaired, relocated, or enlarged nonconforming structure is located in a regulated flood hazard area, does not conform to the bylaws pertaining thereto, may not be eligible for any flood insurance which may pertain to regulated flood hazard areas, and will be maintained at the risk of the owner; and
- D. A copy of such permit shall be affixed to the copy of the deed of the concerned property on file in the municipal clerk's office.

IX. Administration

All proposed development shall be reviewed by the administrative officer or the Board of Adjustment to assure that all necessary permits have been received from those government agencies from which approval is required by Federal, State or Municipal law.

A. Application Requirements

All applications for development in the Flood Hazard Overlay District shall include:

1. the name and contact information for the owner of the property, including any agents authorized to act on their behalf;
2. a thorough description of the proposed development;
3. general location map including the address of the property, tax parcel ID, relative locations of the existing development and the nearest public road;