

# **1 GENERAL**

## **100 LEGAL FRAMEWORK**

### **1001 TITLE**

1001.A These are the Town of Norwich’s Land Use and Development Regulations and constitute the town’s zoning, subdivision and flood hazard regulations.

### **1002 AUTHORITY**

1002.A The Town of Norwich adopted these regulations under the authority of *Vermont Municipal and Regional Planning and Development Act*, 24 VSA Chapter 117, and 10 VSA Chapter 32.

### **1003 PURPOSE**

1003.A These regulations implement the goals and policies of the *Norwich Town Plan* and the *Vermont Municipal and Regional Planning and Development Act* as most recently amended. They are intended to:

- (1) Ensure that land use and development will not adversely impact public health, safety and welfare;
- (2) Provide for orderly and coordinated development;
- (3) Ensure that land use and development will not adversely impact the reasonable use and enjoyment of adjoining property;
- (4) Protect Norwich’s rural character;
- (5) Protect environmental quality and important natural resources;
- (6) Facilitate the adequate and efficient provision of public services and facilities;
- (7) Ensure that there will be safe and adequate vehicular, pedestrian and emergency access to and within development sites;
- (8) Ensure that development sites, structures and infrastructure are built and maintained in a safe and adequate condition; and
- (9) Establish sound development standards that result in well-constructed projects that minimize their impacts, contribute positively to community character, and do not burden future landowners or the town with unreasonable maintenance costs.

### **1004 APPLICABILITY**

1004.A Unless specifically exempted in Subchapter 110, all land development within the Town of Norwich requires a zoning permit or subdivision approval issued in accordance with these regulations. Land development means:

- (1) The division of a parcel into two or more parcels, or any other change in the location or elimination (to merge two or more parcels) of lot lines;
- (2) The construction, reconstruction, demolition, structural alteration, conversion, relocation or enlargement of any structure;
- (3) Mining, excavating or filling land; or
- (4) Any change in, or extension of, the use of land or a structure.

**1005 RELATIONSHIP WITH OTHER LAWS OR REGULATIONS**

- 1005.A If any provision of these regulations is more restrictive than any other law, regulation, rule or code, the provision of these regulations will apply and take precedence.
- 1005.B If any provision of another law, or regulation, rule or code is more restrictive than these regulations, the provision of these regulations will be superseded and the more restrictive provision will apply.
- 1005.C No provision of these regulations will be interpreted to prevent the Town of Norwich from acting to prevent or eliminate threats to public health, safety and welfare under the authority granted to the municipality by the State of Vermont.

**1006 EFFECTIVE DATE**

- 1006.A These regulations and any subsequent amendments will take effect 21 days after their adoption by the Norwich Selectboard in accordance with the procedures established in the *Vermont Municipal and Regional Planning and Development Act*.

**1007 AMENDMENT OR REPEAL**

- 1007.A The Town of Norwich may amend or repeal these regulations, in whole or part, at any time in accordance with the procedures established in the *Vermont Municipal and Regional Planning and Development Act*.

**1008 SEVERABILITY**

- 1008.A If a court of competent jurisdiction invalidates any provisions of these regulations, that decision will not affect the validity, application or enforcement of the remaining provisions of these regulations.

**1009 DISCLAIMER OF LIABILITY**

- 1009.A These regulations do not create any liability on the part of the Town of Norwich, its officials, agents, employees, or representatives for alleged damages that result from reliance on these regulations or any lawful administrative action or decision taken under these regulations.

## 110 Exemptions and Limitations

### 1101 GENERAL EXEMPTIONS

1101.A **Interpretation.** The standards of these regulations, including but not limited to setbacks and other dimensional requirements of the applicable zoning district, do not apply to land development exempted by this section unless specifically stated.

1101.B **Flood Hazard Areas.** The exemptions listed below do not apply within the flood hazard overlay district.

1101.C **Exempt Land Use and Development Activities.** Landowners do not need to obtain a zoning permit for:

- (1) **Emergency repair and stabilization** of a structure damaged by any cause to the extent necessary to protect public health and safety, and to protect the damaged structure from the elements. Landowners must obtain a zoning permit for repair or reconstruction beyond the minimum necessary to stabilize and secure the structure. See Section 1208.
- (2) **Normal maintenance and repair** (see definition in [add x-ref. here]) of:
  - (a) An existing structure.
  - (b) Sidewalks and walkways, including replacement or reconstruction within the same footprint as the original.
  - (c) Essential services (see definition in [add x-ref. here]) including replacement or reconstruction within the same footprint as the original.
- (3) **Demolition** of a fence or an accessory structure with a footprint of 200 square feet or less.
- (4) **Interior alterations** that do not increase the area occupied by a non-residential use;
- (5) **Well and septic system** installation, maintenance, repair and replacement (a state Wastewater System and Potable Water Supply Permit may be required, contact the state permit specialist at the Regional Office of the Vermont Department of Environmental Conservation);
- (6) **Landscaping, grading and excavating** for noncommercial purposes that does not affect existing drainage patterns on adjacent lots or public rights-of-way and that does not result in more than 100 cubic yards of material being removed from or fill brought onto lot within any calendar year.
- (7) **Pre-development site work** consisting of the minimum amount of land clearing and improvement necessary to access undeveloped land for the purposes of completing the site design and engineering work (such as land surveying and soil testing) needed to submit an application for land development under these regulations.
- (8) **Pond construction or modification** that will:

- (a) Have a surface area of not more than 10,000 square feet or 10% of the lot area, whichever is less;
  - (b) Have a maximum depth of not more than 10 feet;
  - (c) Meet applicable setback requirements for the zoning district;
  - (d) Not involve damming or otherwise altering a natural water course or body;
  - (e) Not affect existing drainage patterns on adjacent lots or public rights-of-way; and
  - (f) Not be located within a wetland, wetland buffer, riparian buffer, or flood hazard area.
- (9) **Fences or walls** on single- or two-unit residential property to be:
- (a) Replaced or reconstructed that are in the same location and are not higher than the original.
  - (b) Constructed that:
    - (i) Are not more than 4 feet tall, if functioning as a retaining wall, or otherwise not more than 7 feet tall (see [ad x-ref. here] for measuring fence height);
    - (ii) Do not extend into or obstruct a public right-of-way;
    - (iii) Do not interfere with sight distance for vehicular traffic;
    - (iv) Do not affect existing drainage patterns on adjacent lots or public rights-of-way;
    - (v) Do not pose a safety hazard;
    - (vi) Are not designed to inflict physical harm; and
    - (vii) Are installed so that any support posts are to the inside and the “finished” or “good” side faces out (fences may be built to and along the edge of the property line).
  - (c) Temporarily installed as a snow fence or deer fence that is in place for not more than 6 months in any one calendar year.
- (10) **Fuel tanks** (above or below ground) on single- or two-unit residential property that:
- (a) Hold not more than 1,000 gallons of fuel for on-site use;
  - (b) Meet applicable setback requirements for the zoning district; and
  - (c) Are sited, installed and secured in accordance with state and federal regulations.
- (11) **Mechanical equipment** on single- or two-unit residential property (such as ground-mounted HVAC systems or back-up generators) that:
- (a) Have a footprint or are placed on a pad that does not exceed 200 square feet;
  - (b) Meet applicable setback and lot coverage requirements for the zoning district; and

- (c) Are sited, installed and secured in accordance with state and federal requirements.

(12) **Above ground swimming pools** on single- or two-unit residential property that:

- (a) Do not exceed a horizontal width or diameter of 20 feet in any dimension or a depth of 5 feet;
- (b) Meet applicable setback and lot coverage requirements for the zoning district; and
- (c) Are installed and secured to prevent unauthorized access.

(13) **Unroofed patios or decks** on single- or two-unit residential property that:

- (a) Have a footprint that does not exceed 200 square feet; and
- (b) Meet applicable setback and lot coverage requirements for the zoning district.

(14) **Accessibility structures** such as ramps, entry stairs or walkways on single- or two-unit residential property that do not:

- (a) Exceed 6 feet in width;
- (b) Extend into or obstruct a public right-of-way;
- (c) Interfere with corner visibility or sight distance for vehicular traffic; or
- (d) Affect existing drainage patterns on adjacent lots or public rights-of-way.

(15) **Accessory structures** on single- or two-unit residential property that:

- (a) Have a footprint that does not exceed 200 square feet;
- (b) Are not more than 15 feet tall;
- (c) Meet applicable setback and lot coverage requirements for the zoning district; and
- (d) Are not used as a dwelling or lodging unit.

(16) **Outdoor light fixtures** on single- or two-unit residential property that:

- (a) Have an initial output that does not exceed 2,000 lumens; and
- (b) Are downward directed and shielded as necessary to prevent glare or light trespass beyond the property line.

(17) **Holiday light displays** that are illuminated for not more than 45 consecutive days and 90 days total in any calendar year.

(18) **Solar energy devices** (not grid-tied) that:

- (a) Will be installed on and project not more than 10 feet above the surface of a roof with a slope greater than 5%; or
- (b) Will be installed on a roof with a slope of 5% or less.

- (19) **Antennas** (including television antennas, radio antennas, satellite dishes or similar devices used to provide on-site communication including business dispatch or to provide public safety dispatch) that:
- (a) Are not more than 15 square feet in area, if a dish antenna;
  - (b) Do not extend more than 12 feet above the roofline, if attached to a building;
  - (c) Do not extend more than 50 feet above the ground, if freestanding;
  - (d) Meet applicable setback requirements for the zoning district;
  - (e) Do not interfere with public safety communications; and
  - (f) Are installed in a location that minimizes visibility from public vantage points and adjoining property to the greatest extent feasible while allowing for reasonable function.
- (20) **Telecommunications equipment** and related site development (not subject to a Certificate of Public Good) that does not exceed a footprint of 300 square feet and a height of 10 feet.
- (21) **Electrical or communications distribution poles** (not subject to a Certificate of Public Good) being:
- (a) Replaced with new poles (including an increase in pole height); and
  - (b) Repaired or upgraded with new or replacement cable or wire.
- (22) **Transit shelters** that have a footprint of not more than 200 square feet and that are not more than 15 feet tall.
- (23) **Public art** that does not:
- (a) Function as a commercial sign;
  - (b) Extend into or obstruct a public right-of-way unless otherwise approved by the town or state, as applicable;
  - (c) Interfere with corner visibility or sight distance for vehicular traffic;
  - (d) Affect existing drainage patterns on adjacent lots or public rights-of-way; and
  - (e) Pose a safety hazard.
- (24) **Home occupations** that:
- (a) Are located within a dwelling unit;
  - (b) Occupy not more than 25% of the habitable floor area of that dwelling;
  - (c) Are carried out by one or more residents of that dwelling;
  - (d) Do not have any non-resident employees working from that dwelling;
  - (e) Do not generate regular customer or client traffic; and

- (f) Do not have a sign.
- (25) **Special events** (including, but not limited to, garage sales, yard sales, tent sales, auctions, festivals, fairs, mobile food service) that do not occur on a lot for longer than 4 consecutive days and for more than 16 days in any calendar year.
- (26) **Sales of used personal or business goods** such as vehicles or equipment owned by the landowner or tenant that do not occur on the lot for more than 30 days in any calendar year (calculated cumulatively if goods are offered for sale at more than one time during the year) and that are limited to not more than 3 items at any given time if displayed outside.
- (27) **Hunting, fishing, trapping or shooting** in accordance with state regulations, but not including any permanent structures associated with such use.
- (28) **Noncommercial recreational trails and activities** but not including any permanent structures (including, but not limited to, buildings and bridges) associated with such use.
- (29) **Work within public road rights-of-way** that is subject to approval from the town or state as applicable.
- (30) **Rail carrier transportation structures and uses** that are subject to federal laws and regulations.
- (31) **Federal government land and facilities.**

**1102 DEVELOPMENT WITH A CERTIFICATE OF PUBLIC GOOD**

1102.A In accordance with state statute, landowners do not need to obtain a zoning permit for development associated with utility, energy or telecommunications infrastructure that receives a Certificate of Public Good from the Public Utilities Commission.

**1103 FARMING AND FORESTRY**

1103.A **Farming and Forestry Practices.** In accordance with state statute, landowners do not need to obtain a zoning permit to conduct required agricultural practices or accepted silvicultural practices as defined by the State of Vermont Agency of Agriculture or Department of Forests, Parks and Recreation, respectively. The Zoning Administrator may require a landowner to provide a written determination from the applicable state agency as to whether the subject land use activity is a required agricultural or accepted silvicultural practice.

1103.B **Farm Structures.** In accordance with state statute, landowners do not need to obtain a zoning permit to build a farm structure in accordance with state regulations and the following:

- (1) Landowners must submit a zoning permit application demonstrating that proposed development qualifies as an exempt farm structure, but they do not have to pay the associated application fee.

- (2) The Zoning Administrator may require landowners to provide a written determination from the Vermont Agency of Agriculture, Food and Markets as to whether proposed development qualifies as an exempt farm structure.
- (3) Farm structures, other than walls or fences used for farming purposes, must meet the setback requirements for the district unless the applicant provides the Zoning Administrator with a written waiver from the Vermont Agency of Agriculture, Food and Markets.
- (4) Farm structures are not required to meet bulk or height requirements for the zoning district.
- (5) Walls or fences used for farming purposes must form a continuous barrier intended to keep livestock in and/or keep wildlife out.
- (6) Upon finding that the proposed development qualifies as an exempt farm structure, the Zoning Administrator will issue a letter stating that the landowner may build and use the structure for agricultural purposes in accordance with the state's required agricultural practices without a zoning permit, but that a zoning permit is required before the structure may be used for any other purpose.

**1104 GOVERNMENT AND COMMUNITY FACILITIES**

1104.A In accordance with state statute, the provisions of this section apply to the following non-federal government and community facilities:

- (1) Institutions or facilities owned and operated by a state, county or municipality;
- (2) Public and private schools or other educational institutions certified by the state;
- (3) Places of worship or religious institutions owned and operated by a 501(c)(3) (tax-exempt) organization;
- (4) Public and private hospitals certified by the state; and
- (5) Waste management facilities certified by the state.

1104.B The government and community facilities listed above are allowed in any zoning district subject to conditional use approval and may be permitted in some zoning districts as specified in Chapter 2.

1104.C Landowners must obtain a zoning permit and any associated development approvals as applicable for development associated with a government or community facility unless otherwise exempted under these regulations.

1104.D Development associated with a government or community facility must meet the same standards as comparable types of private development unless the applicant demonstrates that meeting the standard(s) will interfere with the intended function or use of the government or community facility.

**1105 GROUP HOMES**



1105.A In accordance with state statute, landowners do not need to obtain a zoning permit to use a lawful single-unit dwelling as a group home that will:

- (1) House not more than 8 people who have a handicap or disability;
- (2) Be located not closer than 1,000 feet from another existing or permitted group home as measured from property line to property line; and
- (3) Be operated under state licensing or registration.

1105.B Landowners must obtain a zoning permit for home construction or other associated development to the same extent as required for other single-unit dwellings in the zoning district.

## **120 Prior Applications, Approvals and Uses**

### **1201 PRIOR APPLICATIONS**

1201.A The Zoning Administrator and Development Review Board will review applications based on the regulations in effect at the time the Zoning Administrator determined that the filed application was complete.

### **1202 PRIOR PERMITS AND APPROVALS**

1202.A **Zoning Permits Issued Prior to Amendment or Adoption of these Regulations.** If the Zoning Administrator lawfully issued a zoning permit before the Town of Norwich adopted or amended these regulations, an applicant will not need a new or amended permit for the project. If such an applicant does not substantially complete the development or receive an extension before that permit expires, the applicant will need to apply for a new zoning permit, including any development approvals as applicable, under the regulations in effect at the time of the new application.

1202.B **Prior Zoning Permits for Phased Projects.** If an applicant received approval for a phased project before the Town of Norwich adopted or amended these regulations, the Zoning Administrator will issue permits for the development as approved irrespective of any change in the regulations. However, if such an applicant does not substantially complete the phased project as a whole within the timeframe specified in the approval, the applicant will need to apply for a new zoning permit, including any development approvals as applicable, under the regulations in effect at the time of the new application.

1202.C **Prior Development Approvals.** If an applicant does not obtain a zoning permit for proposed development (other than a subdivision) that the Development Review Board approved within 12 months of receiving that development approval, the approval will expire and the applicant will need to apply for a new approval under the regulations in effect at the time of the new application. See [add x-ref. here], which allows the applicant to request a delay in effect for a zoning permit and/or development approval.

1202.D **Lawfully Recorded Subdivision Plats.** If an applicant lawfully recorded an approved subdivision plat in the Norwich Land Records, that plat will remain valid and will not expire irrespective of any change in these regulations. For the purposes of administering these regulations, the boundaries of lot shown on a lawfully recorded subdivision plat will be as established on the plat and will supersede any property description included in a deed or other document filed in the Norwich Land Records, and the lot boundaries shown on the Norwich Property Tax Maps.

### **1203 CHANGE IN OWNERSHIP**

1203.A Zoning permits, development approvals and lawfully filed subdivision plats remain valid irrespective of any change in ownership of the property.

### **1204 CHANGE OF USE**

1204.A **Change from One Use Definition to Another.** A landowner must obtain a zoning permit, and any development approvals as applicable, for a change of use if the two uses do not fall under the same definition in [add x-ref to use definitions] (e.g., a personal service use such as a barber shop to a restaurant use such as a coffee shop).

1204.B **Change within a Use Definition.** A landowner will not need to obtain a zoning permit or development approval for a change of use if both uses fall under the same definition in [add cross reference to use definitions] (e.g., a retail sales use such as a bookstore to a retail sales use such as a home furnishings store). Other building modifications or site development associated with the change of use may require a permit or approval (including, but not limited to, new or modified signage, outdoor lighting or parking).

## **1205 EXPANSION OF USE**

1205.A **Nonresidential Uses.** A landowner must obtain a zoning permit, and any development approvals as applicable, to expand a non-residential use to occupy additional space in a building or on a lot.

1205.B **Residential Uses.** A landowner does not need to obtain a zoning permit to expand a residential use to occupy existing space in the building. Creation of an accessory dwelling unit will require a zoning permit.

## **1206 DISCONTINUED USES**

1206.A **Nonresidential Uses.** A landowner must obtain a new zoning permit, and any development approvals as applicable, to resume a lawful nonresidential use that has been discontinued for more than 12 months except if the:

- (1) Use is nonconforming, see [Section 1302](#);
- (2) Landowner has had to discontinue a nonresidential use as result of damage to the structure in which it was housed, the owner may re-establish the use once the structure has been repaired or rebuilt in accordance with [Section 1208](#); or
- (3) Landowner demonstrates that the property or business is being actively marketed for sale or lease, the Zoning Administrator may grant one extension to the period of discontinuance for a conforming use for up to 24 months.

1206.B **Residential Uses.** A landowner will not need to obtain a zoning permit to resume residential use of a lawful vacant dwelling unit. If the use is nonconforming, see [Section 1302](#).

## **1207 ABANDONED DEVELOPMENT**

1207.A If the development authorized by a zoning permit is abandoned without being completed, a landowner must demolish or secure any partially completed structures, remove all structural materials from the site, restore the site to a natural grade, and re-establish groundcover to prevent erosion prior to the expiration of the zoning permit.

## **1208 DAMAGED OR DESTROYED STRUCTURES**

- 1208.A **Stabilize and Secure.** A landowner must act promptly to stabilize and secure a structure damaged or destroyed by any cause as necessary to protect public health and safety, and to maintain it in that condition until such time as it is reconstructed or demolished.
- 1208.B **Reconstruction or Demolition.** Within 12 months of a structure being damaged or destroyed by any cause, a landowner must obtain a zoning permit for either reconstruction or demolition of the structure. The landowner will not have to pay the associated application fee if a complete application is filed within 12 months of the structure being damaged or destroyed.
- 1208.C **Extension of Period to Act.** The Zoning Administrator may grant one extension to the deadline to obtain a zoning permit for a period not to exceed 24 months in the case of a declared disaster or upon the landowner demonstrating that the deadline cannot be met due to factors beyond their control (e.g., legal or insurance processes).
- 1208.D **Failure to Act.** The failure to obtain a zoning permit for reconstruction or demolition, or to stabilize or secure a damaged or destroyed structure as required under this section will be considered a violation of these regulations subject to enforcement under [cross reference to enforcement subchapter].
- 1208.E **Nonconforming Structures.** If a nonconforming structure is damaged or destroyed, a landowner may rebuild and use the structure in accordance with Section 1301 provided that:
- (1) The structure as reconstructed is not more nonconforming than the original structure;  
and
  - (2) The landowner submits a complete application for a zoning permit for reconstruction within 12 months of the structure being damaged or destroyed.

## 130 Nonconformities

### 1301 NONCONFORMING STRUCTURES

- 1301.A **General.** A nonconforming structure that lawfully existed when the Town of Norwich adopted or amended these regulations may continue to exist unchanged indefinitely.
- 1301.B **Use.** A landowner may obtain a zoning permit, and any applicable development approvals, to use a nonconforming structure for any land use allowed in the zoning district.
- 1301.C **Maintenance and Repair.** A landowner may undertake normal maintenance and repair of a nonconforming structure without a zoning permit in accordance with Section 1101.
- 1301.D **Additions.** The Zoning Administrator may issue a zoning permit for development that would authorize changes to the exterior dimensions of a nonconforming structure provided that the proposed development:
- (1) Will not result in any nonconforming expansion of the building footprint or an increase in height of any nonconforming portion of the building;
  - (2) Will not convert a nonconforming porch, deck, entryway or similar unenclosed feature to enclosed and/or conditioned building space;
  - (3) Is not subject to conditions from prior approvals or permits that would otherwise restrict the proposed development; and
  - (4) Would not otherwise require a development approval from the Development Review Board.
- 1301.E **Code or Accessibility Improvements.** The Zoning Administrator may issue a zoning permit for development that would authorize changes to the exterior dimensions of a nonconforming structure, including further encroachments beyond the existing nonconforming building line or height, to the minimum extent necessary to comply with state or federal building, energy or accessibility code requirements.
- 1301.F **Damaged or Destroyed Structures.** A landowner may obtain a zoning permit to reconstruct a nonconforming structure that has been damaged or destroyed by any cause in accordance with Section 1208 and provided that the reconstruction does not change the exterior dimensions of the structure in a manner that would result in the reconstructed structure or portion of the structure encroaching further beyond the previous nonconforming building line or height.
- 1301.G **Waiver or Variance.** A landowner may obtain a waiver or variance in accordance with [cross reference to waiver and variance sections] that would authorize further encroachments beyond the existing nonconforming building line or height.

### 1302 NONCONFORMING USES

- 1302.A **General.** A nonconforming use that lawfully existed when the Town of Norwich adopted or amended these regulations may continue to exist in its current location, configuration and intensity indefinitely.

- 1302.B **Relocation.** A landowner must not move a nonconforming use from one location to another where it would also be a nonconforming use.
- 1302.C **Resumption.** A landowner must not resume a nonconforming use that was abandoned, discontinued or replaced with another use for more than 12 months. If a nonconforming use is located in a structure that is damaged or destroyed by any cause, the landowner may resume the use once the structure is reconstructed in accordance with Section 1208.
- 1302.D **Minor Expansion.** The Zoning Administrator may issue a zoning permit to allow a landowner to extend or expand a nonconforming use to:
- (1) Fully occupy space within the associated structure as that structure existed as of *\*effective date*; or
  - (2) Occupy up to 25% more floor area than when the use became nonconforming in another structure or in a lawful addition to the existing structure.
- 1302.E **Major Expansion.** The Development Review Board may approve a greater extension or expansion of a nonconforming use as a conditional use upon the applicant demonstrating the proposed extension or expansion will not result in greater adverse impacts on the character of the area.
- 1302.F **Change of Use.** The Development Review Board may approve the change of one nonconforming use to another nonconforming use as a conditional use upon the applicant demonstrating that the proposed nonconforming use will be less intensive in nature, have fewer off-site impacts and will be more compatible with the character of the area than the existing nonconforming use.

### **1303 NONCONFORMING LOTS**

- 1303.A **General.** A nonconforming lot may continue to exist unchanged indefinitely.
- 1303.B **Merger.** If a nonconforming lot comes into common ownership with one or more contiguous lots, the Town of Norwich will not deem the lot merged with the contiguous lot(s) for the purposes of these regulations.
- 1303.C **Lot Size.** In accordance with statute, a landowner may develop a lot that does not meet the minimum lot size for the zoning district in accordance with all other applicable provisions of these provided that the lot:
- (1) Is legally subdivided and able to be conveyed separate from any other lot;
  - (2) Existed as of the effective date of these regulations;
  - (3) Is at least 1/8 acre (5,445 square feet) in area; and
  - (4) Is not less than 40 feet wide or deep.
- 1303.D **Lot Frontage.** A landowner with a lot that does not meet the minimum lot frontage for the zoning district:
- (1) May develop that lot in accordance with all other applicable provisions of these regulations provided that:

- (a) The lot has access to a maintained public or private road by lot frontage, permanent easement or right-of-way at least 20 feet in width; and
  - (b) Access to the proposed development will conform to the requirements of [add cross reference to access standards].
- (2) May only subdivide the lot if:
- (a) The lot has access to a maintained public or private road by lot frontage, permanent easement or right-of-way at least 50 feet in width;
  - (b) The lots will be served by a shared driveway; and
  - (c) Access to the subdivided lots will conform to the requirements of [add cross reference to access standards].

**1304 CREATION OF A NONCONFORMITY**

1304.A The Town of Norwich prohibits any development that would create a nonconformity except for:

- (1) A public project that requires the transfer or taking of land (e.g., road widening); or
- (2) Development that receives a waiver or variance under [add cross reference to waiver and variance sections].