

- B. Camps with accommodations for more than fifty persons.
 - C. Marinas with accommodations for twenty or more boats with lengths in excess of twenty feet.
 - D. Public beaches, or lands within one thousand feet thereof.
 - E. Natural areas as defined in section 2010 of Title 10.
- (6) Highway Department. Any use within five hundred feet of the intersection of any entrance or exit ramp providing access to any limited access highway.

4.11 Junk Motor Vehicle

Any junk motor vehicle which remains unregistered for a period of ninety (90) days from the date of discovery, which can be seen from any road shall be removed by the end of such ninety (90) days.

4.12 Setbacks from Watercourses (Added 2/9/98)

- (1) To protect water quality and maintain the scenic beauty of the Town's watercourses, there shall be no development, excavation, landfill or grading in any zoning district within a minimum distance of fifty (50) feet from the top of the bank of any watercourse in the Town. Within the fifty (50) foot setback, a vegetation buffer shall be left in an undisturbed state with the exception of minimal clearing necessary to accommodate public recreation and transportation paths, recreational river accesses, driveway, public road and utility crossings, landscaping, permitted impoundments and dams and streambank stabilization and restoration projects. Private driveways within the buffer, with a width of no greater than sixteen (16) feet may also be allowed when reasonably necessary to permit access to a lot. (Amended 3/19/02)
- (2) The expansion or enlargement of any pre-existing buildings not in compliance with Section 4.12 (1), above, is only permitted with the approval of the DRB in accordance with Section 5.2 of these regulations.
- (3) No permit will be issued for construction within twenty (20) feet of any required-watercourse buffer without a construction plan that describes how the buffer will be protected from construction-related activity. (Added 3/19/02)

4.13 Transferable Development Rights (Added 2/9/98)

- (1) Purpose. To encourage the preservation of important resource lands and the rural character

of specific zoning districts, and to encourage concentrated development in specific growth nodes along the Mountain Road, the transfer of development rights from designated sending areas to designated receiving areas is allowed in accordance with the following provisions.

- (2) **Sending Area.** Development rights may be transferred from lands which are located within the “Upper Mountain Road District” or the “Meadowland Overlay District” pursuant to Section 15 of these Regulations. For the purposes of this section, lands sharing these designations shall be considered a "sending area". (Amended 3/19/02)
- (3) **Receiving Area.** Development rights transferred from a designated sending area may be used to increase allowable densities, as set forth in Section 4.13 (4) below, in the Mountain Road Crossroads, Mountain Road Village, Village Commercial and Village Residential, which for the purposes of this section shall be designated as a "receiving area(s)". (Amended 3/19/02)
- (4) **Densities.** Development rights may be transferred at a density which permits up to an additional eight percent (8%) of additional building coverage per acre, and/or; an additional three (3) dwelling units per acre or an additional five (5) lodging units per acre, in accordance with the standards of the relevant underlying zoning district. In no case will density previously allocated for development on contiguous or adjacent property, or previously designated as “open space”, as permitted by these Regulations, be transferred to another property.
- (5) **Administration.**
 - A. The removal of development rights from a parcel within a sending area (sending parcel) shall be accomplished through a density reduction easement, of a form and content approved by the DRB, to be recorded in the Stowe Land Records. Such easement shall be accompanied by a recordable plat depicting the boundaries of the sending area parcel, shall specify the total, unallocated density available under current zoning regulations prior to the transfer, and shall specify the total reduction of density resulting from the transfer. Development rights shall be removed from a sending parcel(s) in one-acre increments; any sending parcel(s) which retains a portion of the total allowable development rights shall retain a minimum of one acre of density.
 - B. The transfer of development rights to a parcel within a receiving area (receiving parcel) shall be accomplished through a written agreement, approved by the DRB concurrently with development approval pursuant to Section 4.9 Site Development Plan and/or Section 17 Planned Residential Development and/or Section 18 Planned Unit Development and/or the Stowe Subdivision Regulations. Said written agreement shall be of a form and content approved by the DRB, and shall be

recorded in the Stowe Land Records. Such agreement shall specify the total density being transferred to the receiving area parcel and shall include a deed reference to the density reduction easement from which the TDR density originated.

- C. Upon the removal of development rights from a sending parcel, and prior to the transfer to a receiving parcel, development rights may be held in a “TDR Density Bank”, to be administered by the DRB. The TDR Density Bank will allow for the removal of development rights from a sending parcel(s) by private, non-profit conservation organizations, the Town of Stowe, or any other interested party, without the immediate need to transfer the TDR density to a receiving parcel(s). It will further permit the removal of TDR density from a single sending parcel and the incremental transfer of that TDR density to multiple receiving parcels over an extended period of time. Such TDR Density Bank shall consist of an affidavit, approved by the DRB and recorded in the Stowe Land Records, which shall provide a current record of total development rights removed from sending parcels, together with a current record of TDR density transferred to one or more receiving parcels, and a current record of all unallocated TDR density still available for transfer to parcels within a designated receiving area. Concurrent with any transfer of TDR density, the TDR Density Bank shall be updated by the DRB. Said update shall occur at a regularly scheduled meeting of the DRB, shall require a positive vote of the DRB, and shall involve revising the affidavit and recording the revised affidavit in the Stowe Land Records.

4.14 Outdoor Displays of Merchandise (Added 6/26/00)

- (1) Purpose. To assist in the promotion of the retail service community within the Town, while providing for the regulation of the display of retail goods or merchandise in outside areas to protect the aesthetic qualities of the community.
- (2) Standards. Any business holding a valid permit to operate a retail store may apply to the Zoning Administrator for a zoning permit to erect a display of goods offered for sale, or a display which is designed to promote the sale of goods, including produce, products, goods, equipment, or commodities, outside a building, provided that the following minimum conditions are adhered to:
- A. The applicant owns or operates a retail business legally doing business in the Town of Stowe.
- B. The proposed outside display is to be located in an area immediately adjacent to the building, provided that it does not impede pedestrian or vehicular traffic. The outside display shall not be done in such a manner which impedes the flow of pedestrians or motor vehicles traveling in a public right-of-way.