

**TOWN OF HALIFAX, VERMONT**  
**PERMIT FOR NEW PARCELS**  
**(for subdivisions or boundary line adjustments)**

*(For Zoning Administrator Use Only)* Zoning District: \_\_\_\_\_ Date Filed: \_\_\_\_\_  
Number: \_\_\_\_\_ Parcel ID: \_\_\_\_\_  Approved  Denied Date: \_\_\_\_\_  
Fee Paid: \$ \_\_\_\_\_ Approval Conditions: \_\_\_\_\_  
Denial Reasons: \_\_\_\_\_  
\_\_\_\_\_  
Officer Signature: \_\_\_\_\_

Landowner Name: \_\_\_\_\_ Phone # \_\_\_\_\_

Address, Email: \_\_\_\_\_

Local Contact, if not landowner: \_\_\_\_\_ Phone # \_\_\_\_\_

Property Location: \_\_\_\_\_ Parcel ID: \_\_\_\_\_

**Existing Condition:** Parcel size (acres) \_\_\_\_\_ Public road frontage (feet) \_\_\_\_\_

Right of way or other, explain \_\_\_\_\_

**Proposed Division (if a boundary line adjustment, number of lots is 1)**

Number of lots \_\_\_\_\_ Size of each lot and frontage after division (e.g., 10 acres/400 feet) \_\_\_\_\_

Explain right-of-way only access, or boundary adjustment \_\_\_\_\_

Attach a plot plan in two parts: existing conditions and proposed lots *drawn in dark ink that will photocopy*. The plan does not have to be professionally done, but must be easily deciphered and include a *scale*, indication of *north*, the original *parcel ID* and the following:

Owner's name, address and phone number

- Existing and proposed lot lines with dimensions, acreage, and frontage
- Location of existing structures and measures to proposed lot lines and road center
- Location and name of adjacent roads
- Location of streams, ponds, wetlands (if any)
- Location and dimensions of access or rights-of-way
- Location of septic and well (if any)

A written decision issued by the Planning Commission or Zoning Board of Adjustment approving a subdivision application will include a condition requiring that a Mylar (11" x 17" or 18" x 24" or 24" x 36" in size) of the Final Plat meeting the State of Vermont requirements for filing and a new deed description of each lot shall be filed in the Halifax Land Records within 180 days.

*(continued on reverse)*

**Other Approvals:** List other permit numbers you are required to have (refer to enclosed instruction sheet), with their date of approval and attach copies to this application. State wastewater permit required for all land divisions, or a clause must be put in the deed stating that there are no permits.

State Subdivision Permit #: \_\_\_\_\_ Date: \_\_\_\_\_

State Wastewater Permit #: \_\_\_\_\_ Date: \_\_\_\_\_

Other Permits: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Landowner: \_\_\_\_\_ Date: \_\_\_\_\_

**Fee Schedule**

If you have filed a deed before gaining zoning approval, the *late fee* in italic applies.

- New parcel creation  
**\$100 per parcel**                      *Late fee: \$200 per parcel*
- Boundary line adjustments to absorb a newly created or existing nonconforming parcel, **\$30**
- New right-of-way  
**\$100**                                      *Late Fee: \$200*

Make checks payable to: **Town of Halifax, Vermont**

Submit this form, all necessary attachments, and fees to:

Zoning Administrator  
Town of Halifax  
PO Box 127  
West Halifax, VT 05358

Did you include a plot plan or a state permit number if required? Applications will be returned if incomplete and your check retained pending resubmission. This will cause a delay. Resubmissions to correct omissions or comply with Halifax zoning regulations are subject to a \$35 fee for each instance.

Your permit will be acted on within 30 days of receipt. To allow time for appeal, no zoning permit takes effect until 15 days after approval.

If permit approved, post the enclosed notice in a place visible from the nearest road during the 15-day waiting period.

## Instructions for Standard and New Parcel Zoning Permit

### Permits Required For:

- **Construction, reconstruction, relocation, enlargement or demolition of any structure (house, deck, garage, etc.):** File a *Standard Permit*. *Note:* Alterations that retain the dimensions or use of a structure, such as moving interior partition walls, replacing windows, doors, or roofing, etc. do not require permits.
- **Division of a parcel into two or more parcels, or boundary adjustments:** File a *New Parcel Permit*.
- **Change in use of any structure:** May require a state permit. File a *Standard Permit* with necessary state approval attached.
- **Mining, excavation, or other land disturbance:** Requires ZBA approval. File a *Standard Permit*.
- **Conditional uses:** Inquire of Zoning Administrator; may require special approval and forms.

### Before Submitting a Zoning Permit

1. *State Agency of Natural Resources* (ANR) permit for water supply and septic may be required for any new construction other than one single family residence and attendant outbuildings or changes in use which affect the water or sewer system. *State wastewater permit required for land divisions of any size, unless lack of permit clearly stated in deed.* ANR approval also required for parcels of land less than 10 acres in size. *Act 250* permit required for 10 or more lots of land of any size subdivided within 5 years, 10 or more dwelling units, roads serving 6 or more parcels of land. Questions? Call Permit Specialist at District 2 & 3 Regional Office in Springfield (802-885-8850). For ANR/Act 250 permits call same Regional Office (802-885-8855).
2. Only one single- or two-family dwelling is allowed per parcel. Planning Commission approval is required for Planned Residential Developments (PRDs) or other multi-unit construction, building on parcels that only have right-of-way access, and for conditional uses in each district which are listed on the reverse. Contact the Zoning Administrator with any questions.
3. Obtain a driveway permit for any access that will enter on a town right-of-way. This permit must be submitted with a zoning application. Contact the Road Commissioner.
4. Obtain a health permit for new construction. Submit this permit with your zoning application. Contact the Health Officer.
5. Prepare a Plot Plan. This plan does not have to be professionally done, but must be easily deciphered and include a scale, indication of north and the parcel ID. Additional details are on zoning applications.

**Your permit will be acted on within 30 days of receipt. To allow time for appeal, no zoning permit takes effect until 15 days after approval. You may not begin work during this waiting period, subject to fines. If approved, post notice included with reply in a place visible from the road for 15 days.**

**Note:** The Zoning Administrator will make several site visits to confirm information on your zoning application. Set out stakes for foundations or alterations, clearly mark lot borders, then call at least 48 hours before work will begin to the Administrator can check measurements. If these conditions are not met, or stated distances on your permit are at least 20% different from those measured on site, no work will be allowed. When site conditions agree with the permit application, the Administrator will leave a preliminary approval notice on site. There will be one more inspection for accessory structures, additions and alterations (only one visit total for minor work, sheds). Houses require notice after foundation pour and one more inspection for a total of three visits.

A stop work order will subsequently be issued for any activity that varies from your permit application and preliminary approval notice. When such an order is issued, you will be required at the least to resubmit your permit. If the activity violates Halifax zoning regulations, you will be notified by certified mail and given seven days to comply (which may require moving improperly sited structures) before fines of up to \$100 per day begin.

## Some General and Specific Standards from Halifax Zoning Regulation

- Buildings and Uses** There shall be only one principal building or use and its structures on a lot. Accessory uses and home occupations are allowed. (241.1)
- Building Height** Maximum building height in all districts is 3 stories or 35 feet, whichever is less, except for silos and other agricultural uses, church spires, cupolas, and bell, clock, and fire towers. (241.2)
- Setbacks** All setbacks measured from the street line or property line to the nearest point of the structure. Street line is the border of the town right-of-way and the lot; *an additional 25 feet from the center line of a 3 rod road assumed in measurements below.* (241.3)
- Setbacks from Water Body** The minimum setback for structures and septic systems from all water bodies is 75 feet. Setbacks are measured from the top of banks or shorelines. Docks, boathouses, and similar structures exempt. (241.3)
- Rights-of-way Coverage** In calculating the required area, width and depth of a lot, existing and proposed road rights-of-way shall be excluded. (241.7)
- Prohibited Uses** All uses not designated as permitted or conditional (or similar to conditional) are prohibited. (241.9)
- State Requirements** No land development may be permitted on lots that do not have either frontage on a public road or public waters, or with the approval of the Planning Commission, access to such a road or waters by permanent right-of-way easement of at least 50 feet in width. (312)

### Uses and Dimensions Standards by District

#### Conservation District

Area and Dimensions		Permitted Uses	
Lot area	15 acres	Agricultural	1 & 2 family unit
Frontage	500 feet	Forestry	Home industry
Front setback	75 ft from road ctr.	Wildlife refuge	Subdivision
Side & rear setback	50 feet	Accessory use	Cemetery
Lot coverage	10%		
<b>Conditional Uses</b>			
PRD	Accessory apartment		Resource industry
PUD	Bed & Breakfast		Kennel
Public utility facility	Lodge/Inn		Commercial animals
Public assembly	Limited outdoor recreation		Vet clinic

#### Rural Residential District

Area and Dimensions		Permitted Uses	
Lot area	3 acres	Agricultural	1 & 2 family unit
Frontage	300 feet	Forestry	Home industry
Front setback	60 ft from road ctr.	Wildlife refuge	Subdivision
Side & rear setback	25 feet	Accessory use	Cemetery
Lot coverage	15%	Bed & Breakfast	Professional office
Non-residential setbacks: front 75 ft., side & rear 50 ft., Lot coverage, 25%		Personal service	
<b>Conditional Uses</b>			
PRD	Office/office building	Outdoor recreation facility	Group home facility
PUD	Retail	Limited outdoor recreation	Bulk fuel storage
Public utility facility	Restaurant	Resource industry	Residential childcare
Public assembly	Boarding house	Kennel	Garden/farm supply

#### **Rural Residential Conditional Uses (continued)**

Accessory apartment	Service station	Commercial animals	Mobile home park
Bed & Breakfast	Repair garage		Earth & mineral extraction
	Private air/heliport		
Lodge/Inn	Light industry	Daycare facility	Mini-storage
Vet clinic	Funeral home	Campground	
Multi-family dwelling	Indoor recreation	Residential care home	

**Village District**

**Area and Dimensions**

Lot area	2 acres
Frontage	300 feet
Front setback	60 ft from road ctr.
Side & rear setback	24 feet
Lot coverage	20%
Non-residential: setbacks same,	
Lot coverage 40%	

**Permitted Uses**

Same as Rural Residential

**Conditional Uses**

PRD	Bank	Light industry	Earth & mineral extraction
PUD	Multi-family dwelling	Funeral home	Daycare facility
Public utility facility	Office/office building	Indoor recreation	Campground
Public assembly	Retail	Outdoor recreation facility	Residential care home
Accessory apartment	Restaurant	Limited outdoor recreation	Group home facility
Bed & Breakfast	Boarding house		Resource industry
	Residential childcare		
Lodge/Inn	Service station	Hotel/Motel	Garden/farm supply
Vet clinic	Repair garage		

**FILING OF LAND PLATS**  
**27 V.S.A. Chapter 17 §1401-1406**

**§ 1401. Acceptance of survey plats; definition**

- (a) Each town clerk shall accept survey plats for filing and maintain files and indices to files of survey plats in accordance with this chapter.
- (b) For purposes of this chapter, "survey plat" shall mean a map or plan drawn to scale of one or more parcels, tracts or subdivisions of land, showing, but not limited to, boundaries, corners, markers, monuments, easements, and other rights. (Added 1969, No. 235 (Adj. Sess.), § 3; amended 1991, No. 163 (Adj. Sess.), § 1.)

**§ 1402. Repealed. 2009, No. 91 (Adj. Sess.), § 12, eff. May 6, 2010.**

**§ 1403. Composition of survey plats**

- (a) **Plats filed in accordance with this chapter shall be on sheets 11 inches by 17 inches or 18 inches by 24 inches in size or 24 inches by 36 inches if the town or city has appropriate storage facilities as determined by the town or city clerk.**
- (b) Plats filed in accordance with this chapter shall also conform with the following requirements:
  - (1) **Each survey plat shall contain an inset locus map clearly indicating the location of the land depicted and a legend of symbols used.**
  - (2) **All lettering and data shall be clearly legible.**
  - (3) **Plat scale ratios shall be sufficient to allow all pertinent survey data to be shown, and each plat shall contain a graphic scale graduated in units of measure used in the body of the plat.**
  - (4) **Each plat sheet shall have a minimum one-half inch margin, except the binder side, which shall have a minimum one and one-half inch margin.**
  - (5) **Each plat sheet shall contain a title area in the lower right-hand corner of the sheet stating the location of the land, scale expressed in engineering units, date of compilation, the name of the record owner as of that date, the land surveyor's certification as outlined in 26 V.S.A. § 2596, and a certification that the plat conforms with requirements of this section. These certifications shall be accompanied by the responsible land surveyor's seal, name and number, and signature.**
  - (6) **Each survey plat shall contain a graphical indication of the reference meridian used on the survey plat and a statement describing the basis of bearings referenced on the survey plat.**
  - (7) **When the plat sheet is produced by a reproduction process, the process shall be identified and certified to by the producer in the margin of the plat sheet. Original plat sheets shall be so identified and certified to by the same process.**
  - (8) **The recordable plat materials shall be composed in one of the following processes:**
    - (A) **fixed-line photographic process on stable base polyester film; or**
    - (B) **pigment ink on stable base polyester film or linen tracing cloth.**
- (c) Survey plats prepared and dated before July 1, 1992 shall be exempt from the requirements of subdivisions (b)(1)-(6) and (8) of this section, but shall comply with requirements in State law in effect when the plats were prepared and dated.
- (d) Survey plats prepared and dated before any statutory regulation of land plats shall comply with subsection (a) and subdivision (b)(7) of this section.
- (e) Any survey plat exempted by subsection (c) or (d) of this section and revised after July 1, 1992 shall meet all the requirements of this chapter. (Added 1969, No. 235 (Adj. Sess.), § 3; amended 1991, No. 163 (Adj. Sess.), § 1; 1993, No. 62, §§ 13; 1995, No. 148 (Adj. Sess.), § 4(c)(2), eff. May 6, 1996; 2009, No. 91 (Adj. Sess.), § 13, eff. May 6, 2010; 2011, No. 155 (Adj. Sess.), § 17; 2011, No. 155 (Adj. Sess.), § 18, eff. July 1, 2013; 2015, No. 156 (Adj. Sess.), § 18.)

#### **§ 1404. Exemptions**

- (a) Survey plats prepared and filed by municipal and State government agencies shall be exempt from subdivision 1403(b)(5) of this chapter. Each plat sheet filed under this exemption shall contain a title area in the lower right-hand corner of the sheet stating the location of the land, the scale expressed in engineering units, and the date of compilation. Highway plats or plans filed under this exemption shall also include right-of-way detail sheets and a title sheet.
- (b) Survey plats prepared and filed in accordance with 24 V.S.A. § 4463 shall be exempt from subdivision 1403(b)(5) of this chapter. Survey plats or plans filed under this exemption shall contain a title area, the location of the land, and scale expressed in engineering units. In addition, they shall include inscriptions and data required by zoning and planning boards.
- (c) Survey plats prepared and filed in accordance with chapter 15 of this title shall be exempt from subdivision 1403(b)(5) of this chapter. Each plat sheet filed under this exemption shall contain a title area stating the location of the land, the scale expressed in engineering or architectural units, and the date of compilation. (Added 1969, No. 235 (Adj. Sess.), § 3; amended 1991, No. 163 (Adj. Sess.), § 1; 2011, No. 155 (Adj. Sess.), § 16; 2013, No. 167 (Adj. Sess.), § 30; 2015, No. 156 (Adj. Sess.), § 19.)

#### **§ 1405. Applicability**

This chapter does not apply to layout plats of highways or other transportation facilities prepared by or for the agency of transportation, other than plats of individual parcels, before that agency issues a right-of-way clearance certificate for a transportation project. When the agency of transportation issues a right-of-way clearance certificate for a transportation project, it also shall file with the appropriate municipal clerk one set of plans that conforms to the requirements of this chapter, with instructions to the clerk to dispose of all previously filed plats for that particular project. (Added 1969, No. 235 (Adj. Sess.), § 3; amended 1993, No. 61, § 29, eff. June 3, 1993; 1997, No. 150 (Adj. Sess.), § 18.)

#### **§ 1406. Prohibition**

A town clerk shall not accept any survey plat for filing unless it is in compliance with the requirements of this chapter. (Added 1969, No. 235 (Adj. Sess.), § 3; amended 1991, No. 163 (Adj. Sess.), § 2.)