

## For Your Information...

### **FREQUENTLY ASKED QUESTIONS (FAQs- Wallingford): Is a Permit Required???**

**When is a Town Permit Required?** From Wallingford Zoning Regulations (2015), Article IV (General Regulations, *“Except as provided, no building or structure shall be erected moved, altered, extended, and no land, building structure, or part of thereof, shall be occupied or utilized unless it is in conformity with the regulations specified for the Zoning district in which it is located”*. In Article VI (Zoning Permits); *“No development of Land or building which was created, erected, changed, converted or altered ... may be used of occupied unless a Zoning Permit has been issued by the Zoning Administrator.”* **The past \$2000 project cost exemption no longer applies. Use of a single family residence for any rental use may be subject to local & VT regulations.**

Article II (Definitions) of Zoning regulations define **DEVELOPMENT** as, *“The division of a parcel into two or more parcels; alteration of building(s)\* or other structure(s); or any mining, excavation, or land fill; and (or) any changes\* or extensions of USE\* of any building or other structure(s), or land.*

*\* Note: Conversion of a Single Family Residence for short term (less than 30 days) rental residential use may be considered to be the same as a Bed & Breakfast operation; OR (structural) alteration & change of use Demolition; and both are likely subject to both Town and VT permit requirements. Check with the Zoning Administrator in advance.*

Most Town permit applications are reviewed within 10 days from receipt at the Town Office, although VT statute provides the ZA up to 30 days in which to respond to a *complete application*. However, VT statute also requires a minimum of 15 days warning period after issue date before the permit goes into effect. Starting a project before the Permit is in effect may result in an additional permit Fee of up to \$250.00 +/- or result in a Zoning Violation.

**When is a Town Permit Not Required?** A section of Article IV (General Regulations) identifies specific **EXEMPTIONS from Town Zoning Permits**, providing the project is Not in a FEMA Special Flood Hazard Area. If your project is a clear exemption, please contact the Zoning Administrator for written confirmation that a permit is not required.

Note that exempt projects still need to conform to other applicable sections of the Zoning Regulations, such as minimum setbacks (example: for a storage structure) from property lines.

#### **When is a State of VT Permit Required?**

A Town Permit does not release a business or property owner from also obtaining any VT permits, reviews, inspections, etc. that their project may require. The Town is not authorized to require or enforce VT regulations. If you have questions on if your project will require a VT permit, you are advised to contact the VT Permit Assistance Specialist at [Rick.Oberkirch@vermont.gov](mailto:Rick.Oberkirch@vermont.gov) or (802) 282-6488, or visit the VT Environmental Assistance Office in Rutland city, at 450 Asa Bloomer State Office Building on Merchants Row.

FYI, VT permits often take weeks to months to process.

**When A Qualified Farm Operation wants to Construct an Agricultural Structure:** VT’s Required Agricultural Practices Act requires Farmers to submit to the Town EITHER a *“Notice of Intent to Construct an Agricultural Structure”* form or a Town permit. Failing to submit one or the other is a zoning violation. The VT Agency of Agriculture, Food & Markets may issue a Determination Letter to the Town, to override municipal regulations (example: for setbacks). Notice to Construct an Ag. Structure forms are available on the Town Website or Office.

The Zoning Administrator’s usual Office Hours are on Fridays (8:15 –11:30 am). Please check ahead of your visit for any posted changes to this schedule, at [www.Wallingfordvt.com](http://www.Wallingfordvt.com). OR (802) 446-2336