

**Minutes
Wallingford Planning Commission
75 School St.
Wallingford, VT 05773
09 May 2023
7:00 PM**

Members present: Erika Berner (Chair), Jillian Burkett (Via phone) Tony Masuck, Kevin Mullin

Members absent: L. Thayer

Members of the Public: None

Meeting recorded by PEG-TV

I. Chair to call meeting to order

Meeting was called to order at 7:00PM

II. Additions / Deletions Agenda items

J. Burkett made a motion to accept as written. K. Mullin seconded. Motion PASSED

III. Review and approval of minutes of January and April meetings

E. Berner apologized for not including January minutes. K. Mullin made a motion to table review of January minutes. T. Masuck seconded motion. Motion PASSED.

K. Mullin made a motion to accept the April minutes with changes. T. Masuck seconded motion. Motion PASSED.

IV. Zoning Administrator report

E. Berner reported 3 permits were issued. The DRB met in April and approved one application and denied one application.

V. Proposed Zoning Regulations

Commissioners' reports:

a. K. Mullin – Pages 1 – 13

K. Mullin submitted Comparison of Walling, Proctor and West Rutland Town Plans for discussion (Attached to minutes)
Discussion followed.

b. T. Masuck – Pages 27 – 39

T. Masuck discussed comparisons.

- c. L. Thayer – Pages 14 – 26 (E. Berner informed Commission that L. Thayer will bring comparison in June)
- d. J. Burkett and E. Berner: pages 40 – 53 (Appendix A)
E. Berner submitted a chart showing comparison in definitions from Manufactured / Mobile Home to Right-of-Way (attached to minutes).
Discussion followed.

No action taken on items. Will continue next month with full Commission.

VI. Comments from Public

None

VII. Next meeting

Tuesday 13 June 2023

VIII. Adjourn

K. Mullin made a motion to adjourn. T. Masuck seconded motion. Meeting adjourned at 20:13 hrs. (8:13PM)

COMPARISON OF WALLINGFORD, PROCTOR AND WEST RUTLAND TOWN PLANS

Article I Enactment and Purpose

Section 101 Purpose

Proctor includes Flood plan overlay

West Rutland references Town Plan

Section 102 Interpretation

Did not find it addressed in either plan

Section 103 Enactment

Little difference, though found under other sections

Section 104 Effective Date

Only Wallingford had this section

Section 105 Severability

Only Wallingford had this section

Article II

Section 201 Definitions

In Proctor the "Board of Adjustment" will clarify words used in the document.

Did not find anything for West Rutland

Article III Establishment of Zoning Districts and Zoning Maps

Proctor references where to reference for permitted use in each district.

Listing of each District includes a general description.

They also include a Flood Management District and a River Corridor Overlay District.

West Rutland Includes a description of each district, the Purpose of each district and Special District Issues.

They also include a "Source Water Protection Plan Overlay District"

Section 302 Zoning Maps

West Rutland declares the Zoning Map in the office of the Town Clerk as the Official, Final Authority.

Section 303 Interpretation of Zoning District Boundaries

Wallingford **DRB** shall determine the location of each boundary.

Proctor The Board of Adjustment shall, on appeal, make the necessary interpretation.

West Rutland includes a District Summary Table of Uses, 5 pages long

Article IV General Regulations

Section 401 Application of General Regulations

West Rutland shows theirs in Section X General Regulations

Section 402 Limitations on Municipal Bylaws

Only Wallingford had this category.

Section 403 Existing Small Lots

All three plans were essentially in harmony on this issue.

Section 404 Lots Lying in More than One District

While Wallingford had the provision of one District applying into the adjacent District for up to 50 feet, Proctor and West Rutland limited it to 30 feet.

Section 405 Required Frontage on or Access to Public Roads or Water

While Wallingford and Proctor required 20 feet of frontage for a single unit, Proctor required 50 feet for two units.
West Rutland required 50 feet of frontage for a single unit.

Section 406 Protection of Home Occupation

Everyone was in agreement that it must have a resident involved, only West Rutland required that the resident be year around.
Wallingford requires it maintain a residential appearance and that the Home Occupation is clearly secondary to the residence.
Proctor does not allow it to occupy more than 50% of the floor space and permits only one employee while Wallingford and West Rutland allow 2.
West Rutland requires storage of inventory or equipment inside and that the structure be properly screened.
Wallingford forbids vehicle, body repair (auto or truck) while Proctor bans Restaurants and Machine repair

Section 407 Equal Treatment of Housing

Only Wallingford had a category for this.

Section 408 Construction Approved Prior to Adoption or Amendment of Regulations

All three municipalities were the same on it not being affected.

Section 409 Non-Conforming Use

While Wallingford and West Rutland require approval by the DRB, Wallingford does not let it change to another non-conforming use while West Rutland permits it if it is a lesser or equal non-conforming use and there are no structural changes.

Section 410 Non Conforming Structures

Wallingford and Proctor are the same but West Rutland has an extensive list copied herein.

Section 703: Change of Nonconforming Use

A nonconforming use may be changed to another nonconforming use only with the approval of the Development Review Board and then only to a use is a lesser or equal, nonconforming nature and provided that no structural changes are made in the building. Whenever a nonconforming use has been changed to a conforming use, it shall not be changed back to a nonconforming use.

Section 704: Enlargement of a Nonconforming Use

A nonconforming use may be extended throughout the building, provided no structural alterations or changes are made therein, except those required by law or ordinance or as may be required for safety or necessary to secure or insure the continued advantageous use of the building during its lifetime. A nonconforming use may be enlarged on the same lot provided that:

1. All provisions of these Regulations, except type of use, are complied with;
2. The Development Review Board determines that the character of the neighborhood will not be changed substantially by this enlargement;
3. Only one such extension is made.

Section 705: Restoration of a Nonconforming Use

Any nonconforming use which has been destroyed or damaged by fire, explosion, act of God, or by vandalism or public enemy, may be restored within a two-year period, to the same nonconforming use as existed before such damage.

Section 706: Discontinuance of Nonconforming Use

Any nonconforming use of land or building, which has ceased by discontinuance, or abandonment for a period of one year, shall thereafter conform to the provisions of these Regulations. Intent to resume a nonconforming use shall not confer the right to do so unless actual resumption occurs within the specified time period.

Section 707: Non-Conforming Structure

A structure or part thereof not in conformance with the zoning where such structure conformed to all applicable laws, ordinances and regulations prior to the enactment of such zoning regulations except regulations covering building bulk, dimensions, height, area, yards, density or off-street parking or loading requirements.

Section 708: Maintenance of a Non-Conforming Structure

A nonconforming structure may be normally maintained and repaired provided that such action does not increase the degree of non-compliance.

Section 709: Expansion of a Non-Conforming Structure

The Development Review Board may approve the relocation or replacement of a nonconforming structure provided that the structure does not increase its nonconformance with any dimensional requirement.

Section 710: Restoration of a Non-Conforming Structure

Any nonconforming structure that has been destroyed or damaged by fire, explosion, act of God, or by vandalism or public enemy, may be restored within a two-year period, to the same non-complying structure as existed before such damage.

Section 711: Alteration of a Nonconforming Lot or Parcel

The boundaries of a nonconforming lot or parcel may be altered only in a manner that decreases, or does not increase, its degree of non-conformity.

Section 411 Temporary Use Structures

Wallingford Permits issued by the Zoning Administrator for up to one year, can be renewed.

Proctor insists on standard set back requirements.

West Rutland allows these structures to be erected for up to 150 days without a permit. After that a permit is required within 30 days and the structure must conform to prescribed set backs.

Temporary Construction Permits may be issued by the ZA for a period not to exceed one year for incidental Construction Projects, provided such permits are coordinated with an agreement by the owner to remove the structure or use upon the expiration of permit. Such permits may be renewed up to one year.

Section 412 Conditional Use Approval

Proctors different concern is Public Water Supply.

West Rutland grants approval through the DRB

Their additional concerns include Pedestrian Circulation and Access.

The DRB may require service roads connecting to Public Roads, with provision for connection to similar service roads on adjacent property where it finds that limiting the intersections to public roads is in the best interest of the health and safety of the community. All roads are to be built to West Rutland standards.

Section 413 Site Development Plan Approval & Procedure

No permit is to be issued by the ZA for any use requiring conditional use approval until the DRB grants site approval. The DRB shall act to approve or deny any site plan within 45 days after close of the hearing. Proctor Planning Commission Grants Site Plan Approval. Did not find an appeal time-table.

West Rutland DRB grants site approval except the ZA can issue approval For

1. One or two family dwelling and accessory use and buildings
2. Any structure requiring a conditional use permit and signs

A project that requires excavation or fill of over 30 cu yds of earthen material.

Section 415 Uses Not Permitted

The following pages represent West Rutland's uses not permitted.
I did not find the same for Proctor.

8. **Prohibited Uses In the Source Water Protection Overlay District:** The following uses are prohibited within Zones 2 and 2A. (Existing uses listed as "prohibited" below may continue and may be expanded pursuant to section 2.2(a) and 2.2(a).i.)

- a) Automobile body/repair shop;
- b) Gas station;
- c) Dry cleaner / Laundromat;
- d) Electrical/electronic manufacturing facility;
- e) Machine shop;
- f) Metal plating/finishing/fabricating facility;
- g) Chemical processing/storage facility;
- h) Wood preserving/treating facility;
- i) Junk/scrap/salvage yard;
- j) Mines/gravel pit
- k) Irrigated nursery/greenhouse stock
- l) Confined animal feeding operations
- m) On-site wastewater disposal systems;
- n) Equipment maintenance/fueling areas;
- o) Injection wells/dry wells/sumps - except for single-family residences directing gutter downspouts to a dry well. In all cases, sumps must be encased.
- p) Underground storage tanks - except those under 300 gallon capacity, with spill, overfill, & corrosion protection requirements in place.
- q) All other facilities involving the collection, handling, manufacture, use, storage, transfer or disposal of any solid or liquid material or waste having potentially harmful impact on groundwater quality;
- r) All uses not permitted in the underlying zone district.

Section 416 Abandonment of Structures/Structural Materials

Wallingford grants one year after an excavation or building has begun or one year after permanent or temporary structure has been destroyed, demolished or abandoned for all structural materials to be removed and excavation covered over to ground level.

Proctor allows 90 days after a permanent or temporary structure has been destroyed for all structural materials to be removed and the excavation covered over to grade by the owner.

West Rutland Allows 14 Days following significant damage or destruction for the owner to make a reasonable effort to secure the site from unauthorized entry by the public, by warning signs, barricades and or fencing.

Within 180 days after a permanent or temporary building or structure has been significantly damaged, destroyed or demolished, a town permit is required for demolition and or reconstruction.

All debris must be removed within 180 days and necessary excavation filled to grade.

Section 417 Flood Hazard Protection Standards

Specifics found in Wallingford Town Clerk's Office.

Proctor Special Flood Hazard Area & River Corridor District Requirements

Any proposed developments shall be reviewed to assure that all necessary permits have been received from those government agencies from which approval is required by Federal and State Law.

West Rutland has extensive regulations on Flood Hazard Areas. It is difficult to compare them with Wallingford as ours are not part of the Zoning plan Proper.

Section 418 Off Street Parking Space

Proctor For every building erected, placed, extended or changed, there shall be off street parking facilities or vehicle storage at least as set forth below. For any use that is not listed the Planning Commission shall require spaces as it deems necessary based on standards from other accepted sources, including local parking counts.

Minimum parking requirements:

1. Residential Uses: One and two family residential dwellings shall have on the same lot or adjacent thereto, parking spaces equal to two times the number of dwelling units in each structure. Professional residence-offices shall have two parking spaces, plus one additional space for every two hundred (200) square feet of office space. For multiple family dwellings, provision shall be made on the same lot of the principle use or a lot adjacent thereto under the same ownership, three (3) parking spaces for every two (2) dwelling units.

2. Public Assembly Places: As specified by the Planning Commission during a site plan review .

3. Commercial Uses: As specified by the Planning Commission during a site plan review.

Industrial Uses: For every industrial use, provision shall be made on the same lot as the principle use or a lot adjacent thereto under the same ownership, one parking space for each employee on the premises during the maximum shift.

4. Recreational Uses: As specified by the Planning Commission.

Additional requirements:

- Parking spaces for handicapped persons shall be provided for all commercial uses. The size, number and location of spaces shall comply with the ADA Accessibility Guidelines.
- The Planning Commission may require additional off street parking and loading spaces for any use if they find that the minimum spaces are not sufficient.
- A required driveway shall be at least twenty (20) feet, but not more than forty (40) feet in width, except for one and two family use. All driveways are to be located at least one hundred (100) feet from a street line intersection for all uses except one and two-family residential uses.
- Driveways serving multi-family residential uses and all non-residential uses shall be so arranged that vehicles are not required to back onto a public road on entering or leaving.

ARTICLE VI: PARKING AND LOADING

Section 601: Off-Street Parking Space General Requirements:

1. The dimension of a parking space shall be 9' X 20'.
2. Parking spaces will not be permitted directly in front of entrances or exits to buildings. These areas shall be designated as loading areas (passenger or other).
3. Driveways serving multi-family residential uses and all non-residential uses shall be so arranged that vehicles are not required to back onto a public road on entering or leaving.
4. In residential districts, required parking may not be located in the front setback, unless on a driveway on a permitted curb cut. Pavement shall not replace lawns or planted areas in the front setback, exclusive of driveways.
5. Lights used to illuminate parking areas and drives shall be so arranged and designed as to deflect light downward and away from adjacent residential areas and public highways. Shielded fixtures shall be used.
6. All open off-street parking areas containing more than four (4) parking spaces and all off-street loading areas shall be screened on each side adjoining or fronting on any property in a residential district, by a wall, fence, or densely planted hedge not less than three (3) feet nor more than five (5) feet in height.
7. Parking space shall be located on the same lot as the principle use except as otherwise approved by Zoning Administrator.
8. Parking spaces for any number of separate uses may be combined in one parking lot, providing total number of spaces for each use is available.
9. Parking space, access drives, entrances, and exits as required by this section for business buildings, for multi- family dwellings and for dwelling groups shall be adequately paved with macadam, bituminous or concrete and designed so as to [not] divert the flow of water onto the highway right-of-way.
10. All parking and loading areas shall be paved with structural aggregate asphalt, or concrete surfacing except that a porous surface may be approved by the Zoning Administrator or DRB where it is deemed desirables to control water runoff problems. Permanent bumper guards or wheel bumpers shall be required in those locations of the parking and loading area where a matter of safety is involved. Provision shall be made to prevent vehicles from overhanging any sidewalk area, as well as snow piling and/or removal.
11. Except for driveways and other entrances, parking and loading areas shall properly protect adjacent areas against headlight glare by means of a fence, wall, or densely planted hedge having a planted height of not less than three (3) feet; nor a maintained height over five (5) feet. On the side of the lot adjoining a residential zone the area between the property line of the lot and such fence, wall or hedge shall be planted with lawn, shrubs, or flowers and

Section 419 Storage

I was unable to locate Proctor's or West Rutland's Regs on Storages

Section 420 Access to State Highways

West Rutland Required Frontage or Access to Public Roads or Public Waters

Frontage or an easement minimum 50 width or approval by the DRB of permanent access to such a road. The Select Board or their designate must approve the design of access to town Roads.

Section 422 Potable Water Supplies and Wastewater Permit

I did not find these in West Rutland or Proctor. Maybe because they run on municipal water and sewage..

Section 424 Subdivision Parceling

Proctors was very similar to ours. No detail from West Rutland.

Wallingford	Proctor	West Rutland
<p>Manufactured / Mobile Home: A Housing and Urban Development certified factory built, single family structure transportable in one or two sections on a permanent chassis and axles, designed to be used on a concrete slab or temporary foundation and remain transportable, or be set on a permanent foundation.</p>	<p>Manufactured Home: For flood plain management purposes the term "manufactured home" also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days. For insurance purposes the term "manufactured home" does not include park trailers, travel trailers, and other similar vehicles.</p>	<p>Manufactured Home/Mobile Home. A factory-built, single family structure, transportable in one or two sections on a permanent chassis and axles, designed to be used as a one-story structure, and remain transportable, or be set on a gravel pad, concrete slab, or permanent foundation. (See Tiny Houses)</p>
<p>Manufacturing, Light: A use engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales, and distribution of such products, but excluding basic industrial processing.</p>		<p>Manufacturing, Light. A use engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales, and distribution of such products, but excluding basic industrial processing. This use does not regularly cause offensive odors, dust, smoke or noise.</p>
<p>Medical Center: A facility for diagnosis and treatment of patients</p>		<p>Medical Center. A facility for diagnosis and treatment of patients.</p>
	<p>Mean Sea Level: For purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.</p>	
	<p>Mobile Home: A structure or type of manufactured home that is built on a permanent chassis and is designed to be used as a dwelling with or without a permanent foundation, includes plumbing, heating, cooling, and electrical systems, and is:</p> <p>Transportable in one or more sections; and At least eight feet wide or 40 feet long or when erected has at least 320 square feet or if the structure was constructed prior to June 15, 1976, at least eight</p>	

Wallingford	Proctor	West Rutland
Motel: Building containing rooms, which are rented as a series of individual sleeping units each with an outside entrance. Commonly for use by transient guests, each sleeping unit consisting of at least a bedroom and bathroom.		Motel. Building containing rooms, which are rented as a series of individual sleeping units each with an outside entrance. Commonly for use by transient guests, each sleeping unit consisting of at least a bedroom and bathroom.
Motor coach: A mobile vehicle designed for short-term occupancy, overnight lodging, or camping purposes, capable of being towed or self-propelled		Motor coach. A mobile vehicle designed for short-term occupancy, overnight lodging, or camping purposes, capable of being towed or self-propelled.
Motor Vehicle: Includes any equipment designed to carry or transport persons or materials, whether powered by an internal motor, or pulled or carried by other motor-powered equipment. Includes but not limited to aircraft, boats, cars, trucks trailers, Recreational Vehicles, snowmobiles, motorcycles, all-terrain vehicles, farming equipment (excludes lawn & garden equipment).		Motor Vehicle. Includes any equipment designed to carry or transport persons or materials, whether powered by an internal motor, or pulled or carried by other motor powered equipment. Includes but not limited to aircraft, boats, cars, trucks, trailers, Recreational Vehicles, snowmobiles, motorcycles, all-terrain vehicles, farming equipment (excludes lawn & garden equipment).
Motor Sales Dealership: Land and/or buildings used for the display, sale, rent or lease, and service of new or used motor vehicles.		Motor Vehicle Sales Dealership. Land and/or buildings used for the display, sale, rent or lease, and service of new or used motor vehicles.
Neighborhood Commercial Facility: A commercial enterprise which primarily provides convenience goods and services, or basic necessities. This definition excludes bars, lounges and those commercial activities that have been specifically designated to nonresidential districts by the Zoning Ordinance Regulations		Neighborhood Commercial Facility. A commercial enterprise which primarily provides convenience goods and services, or basic necessities. This definition excludes bars, lounges and those commercial activities that have been specifically designated to non-residential districts by the Zoning Regulations.
Nightclub, Lounge, Bistro: A place of business whose primary function is the serving of alcoholic beverages and providing entertainment. This Use may be permitted with a Restaurant Use.		Nightclub, Lounge, Bistro. A place of business whose primary function is the serving of alcoholic beverages and providing entertainment. This Use may be permitted with a Restaurant Use.
Non-Commercial: An activity or facility run by non-profit organizations and/or available to the public without a fee.		Non-Commercial. An activity or facility run by non-profit organizations and/or available to the general public without a fee.

Wallingford	Proctor	West Rutland
<p>Non-conforming Structure: A structure or part of a structure that does not conform to the present bylaws but was in conformance with all applicable laws, ordinances, and regulations prior to the enactment of the present bylaws, including a structure improperly authorized as a result of error by the administrative officer</p>		<p>Nonconforming Structure. A structure or part of a structure that does not conform to the present bylaws but was in conformance with all applicable laws, ordinances, and regulations prior to the enactment of the present bylaws, including a structure improperly authorized as a result of error by the administrative officer.</p>
	<p>Official Zoning Map: The one true copy of the Town Zoning Map located in the office of the Town Clerk.</p>	
<p>Park, Municipal: Any recreation area or park facility owned by the Town Wallingford</p>	<p>Park, Municipal: Any park or recreation area or facility owned by the Town of Proctor.</p>	<p>Park, Municipal. Any recreation area or park facility owned by the Town of West Rutland.</p>
		<p>Parking Lot. An area of four or more parking spaces, designed to allow drivers to exit on to public roads "headlights" first and include area for snow piling and trash disposal containers.</p>
<p>Parking Space: A defined space, which is at least nine (9) feet wide and twenty (20) feet long, located outside of the right of way, parking aisle, or driveway, used for the parking of one motor vehicle, with practical access to the road or right of way, and sufficiently surfaced with durable material to permit year-round use.</p>	<p>Parking Space: A space, measuring ten feet by twenty-two feet, for off-street parking of a motor vehicle in conformance with these Regulations.</p>	<p>Parking Space. A defined space, which is at least nine (9) feet wide and twenty (20) feet long, located outside of the right of way, parking aisle, or driveway, used for the parking of one motor vehicle, with practical access to the road or right of way, and sufficiently surfaced with durable material to permit year-round use.</p>
	<p>Performance Bond: A document issued either by a bonding or surety company approved by the legislative body or by the owner with security acceptable to the legislative body, in an amount sufficient to cover the full cost of said required improvements and their maintenance for a certain period of time as is estimated by the Planning Commission or such municipal departments or officials as the board may designate. Such bond or</p>	

Wallingford	Proctor	West Rutland
<p>Private Club: A building or portion of a building, or use open to club members and their guests, and 596 not to the general public, and not operated for profit. (See Association)</p>		<p>Private Club. A building or portion of a building, or use open to club members and their guests, and not to the general public, and not operated for profit. (See Association)</p>
<p>Professional Residence-Office: Residence in which the occupant has a government issued license professional office (Examples but not limited to architect, accountant, chiropractor, dentist, doctor of medicine, landscape architect, land surveyor, lawyer, optometrist, osteopath, physiotherapist, consultant, podiatrist, engineer, or psychologist) and maintains a Home Office which does not change the residential character thereof.</p>		<p>Professional Residence-Office. Residence in which the occupant has a government issued license professional office (Examples: architect, accountant, chiropractor, dentist, doctor of medicine, landscape architect, land surveyor, lawyer, optometrist, osteopath, physiotherapist, consultant, podiatrist, engineer, or psychologist) and maintains a Home Office which does not change the residential character thereof.</p>
<p>Public Water, Public Sewer: Water supply and sewage disposal systems approved by the legislative 605 body for municipal operation.</p>		<p>Public Water, Public Sewer. Water supply and sewage disposal systems approved by the legislative body for municipal operation.</p>
<p>Recreation, Private: Recreation uses privately owned and commercially operated.</p>	<p>Recreation, Private: Recreation uses privately owned and operated, including but not limited to picnic grounds, archery ranges, hiking and riding trails, hunting and fishing areas, wildlife sanctuaries, nature preserves, swimming areas and boat launching sites, golf driving range, golf pitch and putt course, par three golf courses, hunting preserves, skating rinks, swimming pools, parks, beaches, tennis courts, indoor bowling alley, theater, table tennis and pool hall, gymnasium, health club, hobby workshop, archery range, riding stables.</p>	<p>Recreation, Private. Recreation uses privately owned and operated, including picnic grounds, shooting ranges, hiking and riding trails, hunting and fishing areas, wildlife sanctuaries, nature preserves, swimming areas and boat launching sites, golf driving range, golf pitch and putt course, par three golf courses, skating rinks, swimming pools, parks, beaches, tennis courts, indoor bowling alley, theater, table tennis and pool hall, gymnasium, health club, hobby workshop, riding stables, and similar uses</p>
	<p>Residential Apartment (Multi-family Structure): A building or portion thereof,</p>	

Wallingford	Proctor	West Rutland
Residential Care Home: A place, however named, excluding a licensed foster home, which provides, for profit or otherwise, room, board, and personal care to three or more residents unrelated to the home operator	Residential Care Home: A place, excluding a licensed foster home, which provides, for profit or otherwise, room, board, and personal care to three or more residents unrelated to the home operator.	Residential Care Home. A place, however named, excluding a licensed home, which provides, for profit or otherwise, room, board, and personal care to three or more residents who are not developmentally disabled or physically handicapped, and unrelated to the home operator. (See Section 1004)
Residential use: One, two, or multi-family dwellings units.		Residential Use. One, two or multi-family Dwelling Units; Not associated with short term or transient use of facilities such as a B&B, Inn, Hotel, Motel.
Restaurant Delicatessen: A public eating-place where seats and/or counters, or window pickup of 634 food are provided for Patrons. This Use is separate from, but may be permitted along with Night Clubs, Bars and Tavern	Restaurant: An establishment whose principal business is the selling of food and beverages to customers seated within or adjacent to the building. Drive-up and drive-through services are prohibited. On-sale liquor services are also prohibited (on-sale beer and wine are permitted as regulated by law).	Restaurant. A public eating-place where seats and/or counters, or window pickup, of food are provided for patrons. This Use is separate from, but may be permitted along with Night Club (see definition) Use. (Refer to Section 404)
Retail Store: Includes shop and store for the sale of retail goods, personal service shops, department stores, commercial schools, and shall exclude any free-standing retail stands, auto service stations, motor 639 vehicle repair service shops and motor vehicle sales dealerships		Retail Store. Includes shop and store for the sale of retail goods, personal service shops, department stores, commercial schools, and shall exclude any free-standing retail stands, auto service stations, motor vehicle repair service shops and motor vehicle sales dealerships.
Right of Way: A right of way is an easement that allows another person to travel or pass through deeded land. There are public and private rights of way but neither affects ownership. The most common form of public right of way is a road or path through the land in order to access a public area. A private right of way is to allow a neighbor to cut through someone's property to access their property.	Right-of-Way: A strip of land acquired by reservation, dedication, prescription, or condemnation and intended to be occupied by a street, trail, water line, sanitary sewer, and / or other public utilities or facilities.	