

Dec 16,2021

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SECTION 703: FENCES; PROPERTY LINE OR PROPERTY BOUNDARY FENCES

- A. Applicability.** All property line or property boundary fences are subject to this section. All property line or property boundary fences 5 feet high and over shall be approved by the Zoning Administrator through issuance of a Fence Permit.
1. **Exemptions.** Fences whose purpose is agricultural are exempt. Hedgerows and other vegetation do not require permits and are exempt from the standards of this section.
- B. Review Standards.** All property line or property boundary fences (hereafter referred to as ‘fence(s)’) shall comply with the following standards.
1. **Location.** Fences shall not be located within any road or highway right-of-way and shall not present a hazard to vehicles (including interference with sight distances at intersections), cyclists, or pedestrians. This standard applies to, but is not limited to, areas on a curve or on a tangent to a curve and on a corner lot to the triangular area formed by the lot lines along highways, roads, or rights-of-way and a line connecting them at 30 feet from the intersection. Fences in river corridors, floodplains and floodways shall meet the requirements of Article IX.
 2. **Setbacks.** Fences and all associated footings, etc., shall remain on the property of the applicant set back a minimum of two feet from the property line. Construction on a property line shall only be permitted through joint application.
 3. **Construction Material.**
 - a. All fences shall be of durable materials and shall be maintained in good condition, using materials that appear similar to that of traditional fencing for new or replacement fencing.
 - b. No fence shall be made of reflective materials.
 - c. Fences shall not be topped with barbed wire, razor wire or similar material unless required for public safety (e.g. prisons, electrical substations, airports).
 4. **Renewable Energy.** Fences shall not impair the use of renewable energy structures on adjacent properties.
 5. The more visually appealing side of the fence is required to face the neighboring properties.

At the Dec 15,2021 meeting of the Planning Commission the Commission agreed to recommend to the Selectboard to keep “Fences” in the Development Regulations and NOT to make it an ordinance. The rationale is the Commission simplified the section, clarified wording, and made the section more straightforward and less open to interpretation.