

considered an allowed use in all districts.

- b) Written certification from a qualified consultant, electrician installer, and/or sales vendor stating that the scale and/or height of the system falls below the regulatory thresholds established by the Vermont Utility Commission.
- c) Wind turbines must have setbacks that are equal to or greater than the total height of the tower and blades. The distances shall be sufficient to prevent a damaged system from falling onto a road or an adjacent property.
- d) All other ground-mounted facilities shall meet the minimum setback requirements for the zoning district in which they are located.
- e) No ground-mounted renewable energy system shall be sited within special flood hazard areas, wetlands, or within surface water or wetland buffers. Installations on historic structures or prime agricultural soils shall be reversible.

#### **4.20.3 Large-Scale Renewable Energy Systems**

- a) Large-scale renewable energy systems are those of a capacity greater than 15 KW and are generally regulated by the Vermont Public Utility Commission under 30 V.S.A. § 248.

#### **4.20.4 General Standards**

- a) Plantings and other screening installations that protect a residence from a direct view of a ground-mounted solar array that is greater than 15 KW and that requires a Certificate of Public Good from the Vermont Public Utility Commission shall be installed and maintained for the duration of the solar array installation.
- b) Avoid locating facilities within view of natural and cultural resources identified in the Town Plan, Natural Resources Chapter.
- c) Avoid locating facilities within view of historic village centers and hamlets, scenic viewsheds and designated scenic byways.
- d) These installations shall comply with the Town's requirements for maximum height and minimum setbacks.
- e) A permit expires if the system is out of service or otherwise unused for a continuous 12-month period. All structures associated with the energy system shall be removed within 3 months of the permit's expiration.

### **4.21 Drug and Tobacco Paraphernalia Establishments**

Drug and tobacco paraphernalia establishments are not permitted within a ½ mile radius of schools, libraries, recreational fields and licensed childcare centers. The ½ mile radius is defined as the shortest distance from a drug and tobacco paraphernalia establishment's point of sale to the parcel boundary of the school, library, recreation field or licensed childcare center. These drug and tobacco paraphernalia establishments may also not operate within a 1,000 ft. radius of a location occupied by another drug and tobacco paraphernalia establishment. The 1,000 foot radius is defined as the shortest distance from an existing drug and tobacco paraphernalia establishment's point of sale to the proposed drug and tobacco paraphernalia establishment's point of sale.

#### **4.21.1 Definitions**

- a) Drug and Tobacco Paraphernalia Establishment: Any premises where drug and tobacco paraphernalia are displayed for sale and/or offered for sale.
- b) Drug and Tobacco Paraphernalia: Any device designed primarily for use by individuals for the smoking or ingestion of tobacco, marijuana, hashish, hashish oil, cocaine, or any other

“controlled substance”, as that term is defined in the Health and Safety Code of the State of Vermont including but not limited to the following:

- 1) Metal, wooden acrylic, glass, stone, plastic or ceramic pipes, with or without screens (permanent or otherwise), heads, or punctured metal bowls or otherwise;
  - 2) A device constructed so as to prevent the escape of smoke into the air and to channel smoke into a chamber where it may be accumulated to permit inhalation or ingestion of larger quantities of smoke that may not otherwise be possible, where the device is known as a “bong”, or otherwise;
  - 3) A pipe designed for smoking constructed with a receptacle or container in which water or other liquid may be placed into which smoke passes and is cooled in the process of being inhaled, ingested, or otherwise;
  - 4) A pipe designed for smoking which contains a heating unit, whether the device is known as an “electric pipe” or otherwise;
  - 5) A device constructed so as to permit the simultaneous mixing and ingestion of smoke and nitrous oxide or other compressed gas, whether the device is known as a “buzz bomb”, or otherwise;
  - 6) A canister, container or other device with a tub, nozzle or other similar arrangement attached and constructed as to permit the forcing of accumulated smoke into the users lung under pressure.
- c) Tobacco Products: Tobacco products are excluded from the definition of tobacco paraphernalia. Tobacco products are limited to those which are regulated and taxed by the State of Vermont to include cigarettes, roll your own, and little cigars.