**Sec. 201.7 High Elevation Resource Protection Overlay**

*General Description:* Lands above 2000 feet in Forest Districts.

*Purpose:* The purpose of the High Elevation Resource Protection Overlay District is to protect fragile, ecologically important land, to preserve forest blocks and to preserve Windham’s rural character and scenic landscape. High-elevation sites above 2000 feet in Forest Districts are especially fragile and important for a variety of reasons, particularly because they are the source of the headwaters for numerous streams and rivers, and they include forest blocks and high elevation habitat that may be needed as more and more species adapt to climate change. These areas are appropriate for no development, except for the conditional uses listed below.

*Boundaries*: All land at, or above 2000 feet in elevation in all Forest Districts. District boundaries are identified on the attached High Elevation Protection Overlay Map. The provisions of this Article shall only apply to that portion of a parcel located within the Overlay District.

*Permitted Uses:*

1. Commercial Forestry (including maple sugaring) in compliance with all State Regulations including “Acceptable Management Practices for maintaining Water Quality on Logging Jobs in Vermont” (published by Vermont Department of Forests, Parks and Recreation).

*Conditional Uses*:

1. Pasturing livestock on existing open land

2. Forestry for research, demonstration, education and related uses

3. Private camp

Conditional uses shall comply with the standards outlined in Sections 206 and 209 of the Windham zoning regulations. In addition, the Zoning Board of Adjustment shall consider conditional uses in relation to existing vegetation and topography and may impose additional conditions, including but not limited to the following:

1) Structures shall be situated so that the height of any structure shall not visually exceed the height of the tree canopy adjacent to or serving as the visual backdrop for the structure.

2) Structures shall be situated so that they shall not result in an adverse visual impact, stand in contrast to the surrounding landscape patterns and features, or serve as a visual focal point. In determining whether a structure would result in an adverse visual impact, the ZBA shall consider the following:

 a) The degree to which the view of the structure is screened by existing vegetation and topography at all times of day or night.

 b) The visibility of structures at all times of day or night from off-site vantage points, especially the scenic landscapes and viewsheds articulated in Chapter VI, Section C of the Windham Town Plan and on the accompanying map. (This includes exterior lighting which shall be prohibited or must be shielded or directed in such a manner that it is not visible from off-site vantage points.)

3) Forest cover shall be maintained adjacent to proposed structures to interrupt the visibility of structures, provide a forested backdrop, and/or soften the visual impact of the structure.

4) A tree cutting, landscaping and/or forest management plan may be required to ensure that ridges and hill tops remain wooded, and to ensure that trees remain standing immediately adjacent to buildings to visually interrupt facades and reduce reflective glare, as viewed from off site. Such a plan shall address specific measures to be taken to ensure the survival or, if necessary, replacement of designated trees during or after site disturbance. Such a plan may include additional landscaping & screening to minimize the visibility of a structure as viewed from off-site and to visually integrate the structure into the surrounding landscape.