



# TOWN OF WEATHERSFIELD

LAND USE ADMINISTRATOR'S OFFICE

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## Planning Commission Agenda

**Martin Memorial Hall – 5259 Route 5, Ascutney, Vermont 05030**

**Monday, 23 September 2019 - 7 PM**

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1. Call to order
2. Agenda Review – 23 September 2019
3. Comments from Citizens
4. Approval of Meeting Minutes – 9 September 2019
5. Staff update – Interim Town Manager position
6. Zoning Bylaw Updates
  - (a) Draft zoning district map
  - (b) Potential firewood processing bylaw
  - (c) Conservation of Natural Resources bylaw
    - Agricultural soils
    - Ponds
    - Steep Slopes and High Elevation
    - Riparian buffers
7. Bylaw updates – Status spreadsheet review
8. Next meeting agenda
9. Adjourn

The next regularly scheduled meeting of the Planning Commission will be **Monday, 14 October 2019 - 7 PM**, Martin Memorial Hall

DRAFT  
TOWN OF WEATHERSFIELD, VERMONT  
MINUTES OF PLANNING COMMISSION MEETING  
Monday, 9 September, 2019

I. Call to Order by Chair, Nancy Heatley at 7pm

Planing Commission: Howard Beach, Sven Fedorow (Land Use Administrator), Tyler Harwell, Paul Tillman, Michael Todd, Julia Lloyd Wright (Energy Coordinator, ex-officio)

Visitors: Allan and Jean Swanson, subdivision 482 Skyline Drive and William C. Metzger, Skyline Drive; Nikita Lenahan, Fred Kowalik, Norwich Solar Technologies; Doug Reed and Meghan Reed, Mountain & Valley.

II. Agenda Review - Minutes of 26 August, 2019

A motion was made by Michael Todd to approve the Minutes of 26 August, 2019 following Item 6. Final Plan Review Allan and Jean Swanson, 482 Skyline Drive. seconded by Paul Tillman. Voted: Unanimously.

III. Comments from Citizens -

Fred Kowalik speaking with regard to the Town of Weathersfield/Norwich Solar Technologies solar energy project at the Transfer Station said as an abutter and in response to his letter written to the PUC during the comment period, he received a letter from the Agency of Natural Resources that the project "raised significant issues in Section 348 wetlands and springs." He was assured by the Commission that land abutters have a right to intervene. The project setback boundary from Route 106 is 100ft but there appeared to be a discrepancy as to whether it should be 50ft or 230ft between abutters. The Commission agreed to review this difference.

IV. Approval of Meeting Minutes 26 August, 2019

A motion was made by Michael Todd to approve the Minutes of 26 August, 2019, seconded by Paul Tillman....

V. Final plat review:

The Weathersfield Planning Commission to hold a public hearing on Monday, September 9, 2019 at 7:15pm at the Town Office/Martin Memorial Hall for the purpose of considering the following plat review application:

Allan H. & Jean K. Swanson at 482 Skyline Drive (Parcel #13-01-02) to subdivide existing 59.222 acre parcel into (a) one parcel measuring 50.391 acres and (b) 8.931 acres.

Chair Nancy Heatley opened the Hearing at 7:15pm and read the Notice of Public Hearing for the Final Plat Review.

The Commission reviewed and checked off the Plat/Mapping and Document Requirements of the final Plat Checklist.

Allan Swanson said he will supply the Mylar. There was change in the road alignment for the driveway corners, these were now correct and set to the Swanson house. He said the house is on the large parcel and the eight acres would require permits.

Sven Fedorow said that there were no comments from abutting neighbor Anthony Roisman to trigger permits and the driveway and the existing frontage are OK. Allan Swanson said the house and 50 acres were for sale, he might build on the lot but it was not definitive.

If Allan Swanson decides to develop, he will need to add the setbacks on the plat. The Final Plan will also need a stamp.

Chair Nancy Heatley closed the Hearing at 7:40pm

A motion was made by Paul Tillman to approve the subdivision for Allan H. and Jean K. Swanson, seconded by Michael Todd. Voted: Unanimously. Still pending are two comments to be added to the mylar.

#### IV. Continuation of Approval of Meeting Minutes 26 August, 2019

A motion was made by Michael Todd to approve the Minutes of 26 August, 2019, seconded by Howard Beach. Voted: Unanimously.

#### VI. Discussion regarding Roisman subdivision (decided 2 November, 2017)

There was no representation at the subdivision hearing from Anthony Roisman. Sven Fedorow said that Anthony Roisman had been notified of the recent hearing by certified mail.

#### VII. Zoning Bylaw Updates

##### (a) Discussion of potential forestry/wood processing bylaw

A suggested change in the titled bylaw was suggested to read: "potential firewood processing."

The Future Land Use Map, dated May 1, 2017 has not been adopted on the current map. Following a discussion on C.10 Conversation districts, Howard Beach said, although it has not been adopted, "...It will drastically change the outlook of the town to preserve 10 acre development. Trying to cluster development on C.10 land was mentioned and to review a land use overlay of C.10. Tyler Harwell suggested getting an overlay of the Regional Plan, too and Future Land Use.

A discussion took place with Doug Reed and his request for an alternative bylaw to include firewood processing. Before drafting a bylaw the commission would like to speak with Ethan McNaughton, and consider the language definition to solve problems. Sven Fedorow suggested a plan that could consider wording, but Howard Beach asked how the Commission could approve a business use for 3-5 area districts as a business use? In a C.10 prime use business the house would be subordinate he said. Doug Reed proposed wording for a bylaw and petition and gave the Commission a copy. Sven Fedorow was asked to look at area towns, their hours and districts then come up with a proposed bylaw for discussion.

##### (b) Conservation of Natural Resources bylaw

- Agricultural soils
- Ponds
- Steep Slopes and High Elevation
- Riparian buffers
- C10 Conservation bylaw

#### VIII. Bylaw updates - Status spreadsheet review

#### IX. Next meeting agenda, 23 September, 2019

Under current item VII (b) - C10 Conservation Law was added.

Other items not discussed will be added to the next Agenda.

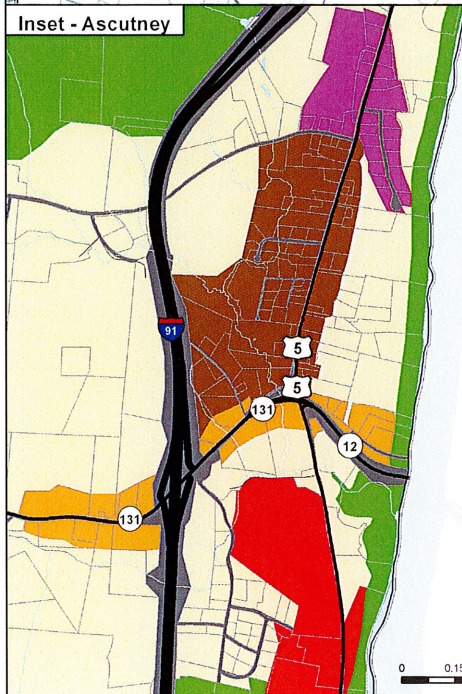
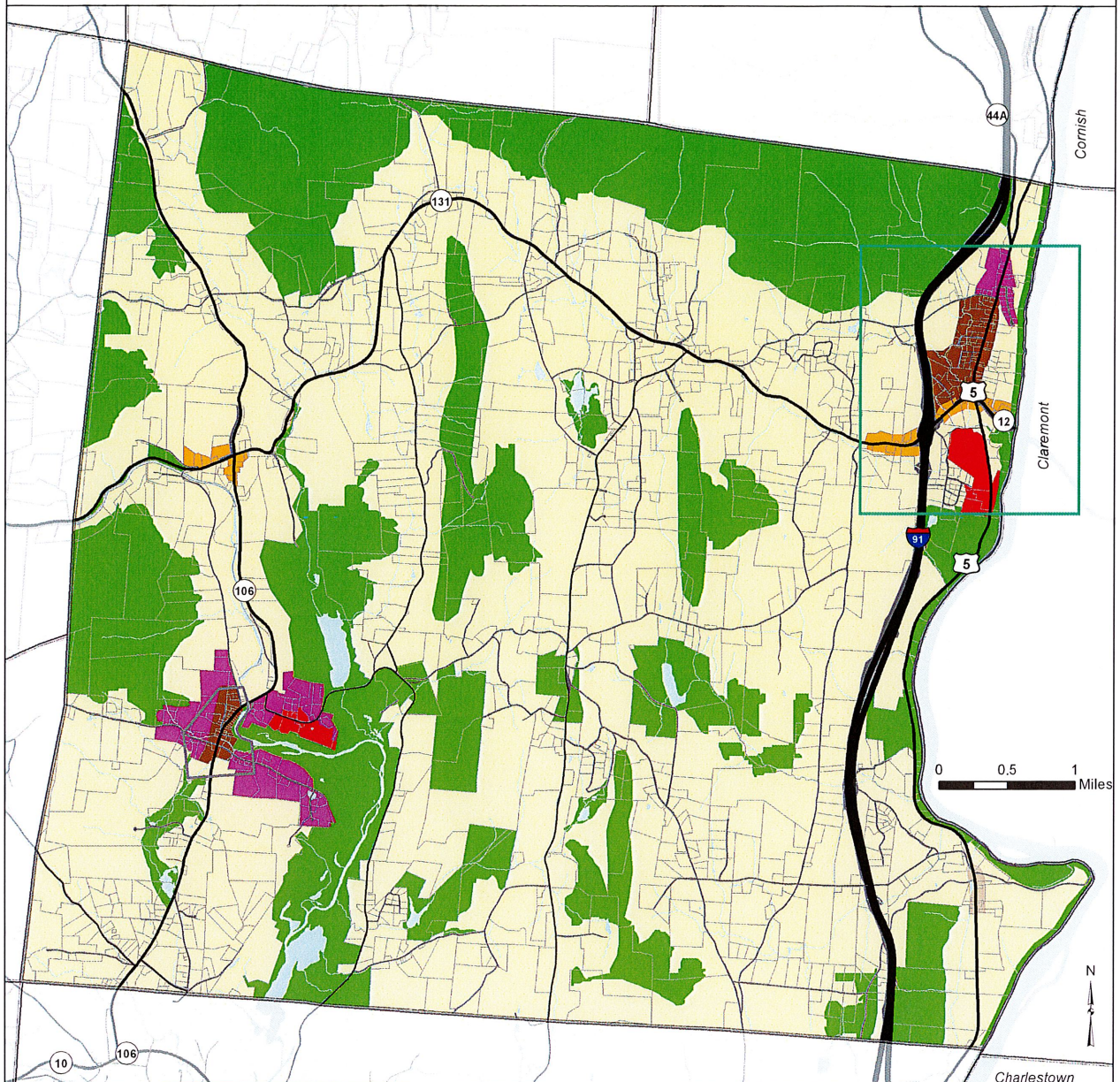
#### X. Adjourn

A motion was made by Tyler Harwell to adjourn at 9pm, seconded by Paul Tillman. Voted: Unanimously



**Town of Weathersfield, Vermont**  
**Proposed Zoning Districts 2019**

**Zoning Districts Map**  
**DRAFT: September 17, 2019**



**Proposed Zoning Districts**

- Village (V)
- Hamlet (H)
- Highway Commercial (HC)
- Industrial (I)
- Rural Residential (RR1)
- Rural Residential Reserve (RRR35)
- Conservation (C10)

- ROW
- Interstate
- US and State Highway
- Class 2 Town Highway
- Class 3 Town Highway

- River
- Lakes and Ponds
- Parcel Boundary
- Village of Perkinsville
- Weathersfield Boundary
- Other Town Boundaries

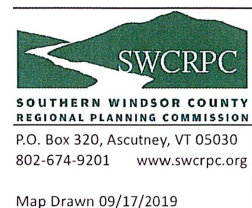
Future Land Use categories were last amended in September 2016 and May 2013. 2013 categories were likely adopted in 2013 as part of the Town Plan. The 2016 was adopted as part of the Town Plan on May 1, 2017.

Data Sources: Zoning Districts (Town and RPC 2019), Parcel Boundary (VCGI 2019), Roads (VTrans 2018), Town & Village Boundaries (VCGI 2016 & NHGranit 2009), Rivers and Ponds (VHD 2010).

VT State Plane, Meters, NAD 83

For planning purposes only.  
 Not for regulatory interpretation.

Data depicted on this map is based on best available information.





# Firewood Processing bylaw research

## Warren County, Virginia

### [§ 180-46.7 Firewood processing operation.](#)

[Added 3-18-2008]

**Firewood processing operations** shall meet the following requirements:

- A. The minimum acreage for a firewood processing operation shall be **five acres**.
- B. Proposed sites for such activities shall be adjacent to and have access to a **state-maintained road**.
- C. No structure and no storage of lumber, logs, chips or timber shall be located **closer than 100 feet** to any property line.
- D. The area used for storage of lumber, logs, chips or timber shall meet the screening and buffering requirements of § [180-18](#).
- E. No such use shall be established **closer than 500 feet to any existing residential property line**. Operation of such use shall be limited to Monday through Friday between the hours of 7:30 a.m. and 5:00 p.m. unless otherwise stipulated by the Board of Supervisors in the granting of a conditional use permit.

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## Dorset, VT

4.2 Agriculture and Rural Residence (A & RR) Districts 4.2.1 Permitted Uses in A & RR Districts

7. Woodlots and forestry, including **on-site preparation of firewood/cordwood at a temporary location** by a landowner or as part of a logging contract if the operation produces **less than 20 cords per year**.

4.2.2 Conditional Uses Permitted in A & RR Districts

12. A **firewood/cordwood processing operation** that produces **twenty (20) or more (4' x 4' x 8') cords per year**.

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## Fayston, VT

### **Section 4.18 Wood Processing and Storage**

(A) **Commercial wood processing and storage operations** may be permitted in designated zoning districts subject to conditional use review under Article 5. In addition to the standards set forth in Article 5, the DRB may require specific conditions or modifications to the project to ensure the following:

(1) The wood processing and storage operation will not create dangerous, injurious, noxious or otherwise objectionable conditions that adversely affect the reasonable use of adjoining or neighboring properties.

(2) The operation will not take place within 50 feet of the center line of the road, and within 25 feet of the rear or side property lines. The DRB may increase any of the aforementioned setbacks if deemed appropriate to meet the standards set forth in Article 5. Setback requirements for any building or structure shall be in conformance with the setback requirements set forth in Article 3 for the district in which the proposed Wood Processing and Storage facility is located. The applicant's plan shall show the location of all property lines and primary and accessory structures on the lot where the operation is proposed. The applicant's plan shall indicate the distances from all processing and storage activities to property lines.

(3) The proposed hours of operation will not result in an adverse effect on the reasonable use of adjoining or neighboring properties. The DRB or ZA may set the permitted hours of operation as a condition of approval.

The administrative Officer may issue permits for the operation of portable mills, not to exceed 1 month (may be renewable), subject to the conditions of Section 4.18 (A) (1) through (3) above.

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## Hinesburg, VT

Commercial cordwood operations are a conditional use in the agricultural and rural residential 2 zoning districts

Cordwood Operation: A business involving the production, processing, storage, or sale of wood in lengths suitable for stacking, typically for firewood use. Byproducts of the cordwood operation that are incidental and accessory (e.g., wood chips) may also be part of such a business.

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## Springfield, VT

### **Section 3.6 Agriculture and Forestry Product Processing**

This use is intended to allow owners and users of farm and forest lands to maintain "very small" (defined as less than "certified small" in 6 VSA 4871 & Section 4.1 of Vermont Required Agricultural Practices) scale processing and/or packaging operations. Examples of such processing/packaging operations include but are not limited to maple syrup production and

bottling, wine making and bottling, **firewood cutting and splitting**, small sawmills, etc. In all cases, the following requirements must be satisfied:

- A. Parking for employees and customers must be completely off of any public roads.
- B. If any toilet facilities are provided, arrangements for wastewater treatment and disposal shall meet all Town and State requirements.
- C. Suitable provisions must be made to prevent any waste materials from entering ground or surface waters.

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## Essex, VT

Conditional use in A1 (agricultural), R1 (low density residential), I1 (industrial), C1 (conservation) districts

PERMITTED in resource preservation – industrial district (RPD-I)

**Firewood Processing and Sales:** Any activity including the storage, cutting, splitting or otherwise processing firewood for the purpose of sale and distribution to users other than the owner of the property on which the activity takes place.

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## Sunderland, VT

Conditional use in rural residential district:

14. A **sawmill or commercial cordwood production operation**, provided that:

- a. There be at least two acres devoted exclusively to such use, and
- b. There be a landscaped buffer of at least 100 feet from the front lot line, and 75 feet from side and rear lot lines, and
- c. A detailed site plan, in accordance with Section 3.6 of this Bylaw, be approved by the Planning Commission. Such approval may include appropriate conditions with respect to landscaping, visual and auditory screening, parking, access, and circulation, and
- d. Such use will not create a nuisance or alter the essential character of the area.

Permitted use in Forest (F) district:

For the purposes of this Bylaw, the forest district shall consist of all lands in Sunderland above the 1250 foot elevation.

## Allowed uses

1. Commercial forestry and related uses, including sawmills and cordwood production.
2. Forestry carried on for research, demonstration, education, and related uses.
3. Temporary accommodations for personnel employed on the premises, or permanent housing for a caretaker.
4. Recreation areas operated by a governmental unit, hiking or touring trails, or trail shelters operated by a nonprofit organization.

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## Halifax, VT

Home Industry A home industry which is customarily conducted entirely within a dwelling or accessory structure, and carried on by the occupants thereof, and which is clearly incidental and secondary to the use of the property for residential purposes and does not change the character of the neighborhood is a permitted use in all districts. In addition, **a use which is customarily conducted outside of a dwelling or accessory structure, such as a cord wood operation, shall also be permitted as a home industry, so long as it is clearly incidental and secondary to the residential use of the property and does not change the character of the neighborhood.** A home industry requires a zoning permit with a detailed plot plan to be reviewed by the Zoning Administrator. If the Zoning Administrator deems it advisable or necessary, the application will be forwarded to the Zoning Board of Adjustment for conditional use review and approval as detailed in Section 203(3). A home industry shall comply with the following:

- a. The home industry shall be carried on by members of the family who reside within the dwelling; two employees who are not family members living within the dwelling are permitted.
  - b. The home industry shall be carried on within a minor portion (less than 50%) of the dwelling or within an accessory building such as a garage or barn.
  - c. No traffic shall be generated in substantially greater volumes than would normally be expected in the neighborhood.
  - d. A home industry shall conform to all General Performance Standards in Section 404.
  - e. Off street parking shall be provided as required in Section 413.
  - f. Processed products or agricultural products not grown or processed on the premises may not be sold directly to the general public. This limitation does not apply to a mail order home industry.
  - g. A permit for a home industry shall be personal to the occupant at that location only and shall not attach to the land.
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## Morristown, VT

Firewood Processing: The processing of **less than 300 cords** (or board foot equivalent) per calendar year of firewood from off-site logs for commercial purposes by 3 or fewer employees. Said small-scale processing, including the delivery of logs and other wood processing, manufacturing, mulch grinding and fencepost making, shall be limited to the **hours of 8:00 AM to 5:00 PM Monday through Friday and from 9am to 2pm on Saturdays. Processing of 300 or more cords of wood per year shall not be a Permitted Use and shall require Conditional Use approval.**

Zones: Business Enterprise, Special Industrial, Rural Residential Ag, Airport Zone

NOT permitted: Commercial, Central Business, Industrial, Low Density Res, Medium Density Res, High Density Res