



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, 12 August 2019 - 7 PM

1. Call to order
2. Agenda Review – 12 August 2019
3. Comments from Citizens
4. Approval of Meeting Minutes – 22 July 2019
5. Sketch Plan Review:
 - Address: 482 Skyline Drive
 - Owners: Allan H. & Jean K. Swanson
 - Parcel ID: 13-01-02
 - Acreage: 59.222ac. to be subdivided into:
(1) 50.391ac. & (2) 8.931ac.
6. Zoning Bylaw Updates
 - (a) 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, 26 August 2019 - 7 PM**, Martin Memorial Hall

DRAFT
TOWN OF WEATHERSFIELD, VERMONT
MINUTES OF PLANNING COMMISSION MEETING
Monday, 22 July, 2019

I. Call to Order - Vice-Chair, Paul Tillman called the meeting to order at 7:03pm.
Planing Commission: Howard Beach, Sven Fedorow (Land Use Administrator), Tyler Harwell, Paul Tillman, Michael Todd, Julia Lloyd Wright (Energy Coordinator, ex-officio)
Visitors: Ed Morris, Town Manager, Jeff Pelton, Conservation Commission

III. Agenda Review - 22 July, 2019

Item II. Executive Session was moved to follow Item V. Approval of Meeting Minutes.

VI. Comments from Citizens - None

V. Approval of Meeting Minutes - 8 July, 2019

A motion was made by Tyler Harlow to approve the Minutes of 8 July, 2019, seconded by Howard Beach. Voted: Unanimously.

II. Executive session per 1 V.S.A. s/s 313(3) (personnel)

A motion was made by Michael Todd to go into Executive session at 7:10pm to discuss personnel issues, seconded by Howard Beach. Voted: Unanimously

A motion was made by Howard Beach to come out of Executive session at 8:57pm, seconded by Tyler Harwell. Voted: Unanimously.

A motion was made by Michael Todd on a recommendation by Ed Morris to consider combining or creating a land use administrator and lister, acting assessor position with a change from the latter elected position to an appointed position and an increase in salary for combined position, seconded by Howard Beach. Voted: Unanimously.

VI. Zoning Bylaw Updates

(a) Conservation of Natural Resources bylaw
- Agricultural zoning

3.2.1 Agricultural soils

Following discussion it was agreed that three acres was not viable for a farm, the proposed new bylaw should read: (1) Conditional use approval is required for any development or use on “prime” or “statewide significant soils” as defined by the US Department of Agriculture, unless one of the following exemptions applies:

(c) should now read: The parcel is four acres or less in size; or contiguous agricultural soils.
Sven Fedorow will prepare a final draft for the next meeting.

3.2.7 Steep slopes and high elevation

Weathersfield exemptions included Outdoor recreational trails (e.g. walking, hiking, cross-country skiing and snowmobile trails) which do not require the installation of structures or parking areas.

Development for steep slopes in several other towns was discussed

It was agreed that a chart with industry standards on “How to calculate slope” with Approximate Slope Conversions and How to estimate disturbance area” should be included with the town bylaw. Sven Fedorow will have a draft for the next meeting.

3.2.5 Pond Construction

A variety of sizing was discussed, setbacks and the amount of cubic feet of water, plus slope and whether it will be used for a fire pond or snowmaking. State requirements are listed under 10 V.S.A., Chapter 41.

Sven Fedorow will have a draft bylaw available for the next meeting.

VII. Next meeting agenda, 12 August, 2019

Zoning Bylaw Updates: Streambank conservation/Riparian buffers will be on the agenda for the next meeting, plus (b) Exemptions.

VIII. Adjourn

A motion was made by Michael Todd to adjourn at 9:05pm, seconded by Howard Beach. Voted: Unanimously

Proposed new bylaws:

- Research sources include:
- * Wetland and Stream Buffers: A Review of the Science and Regulatory Approaches to Protection, April 2007, City of Boulder Planning and Development Services
 - * Vermont Standards and Specifications for Erosion Prevention & Sediment Control
 - * Riparian Buffer Zones: Functions and Recommended Widths (Hawes and Smith, 2005)
 - * Synthesis of Design Guidelines and Experimental Data for Water Quality Function in Agricultural Landscapes in the Intermountain West, USDA National Agroforestry Center, Susan Buffler, 2005.

Agricultural Soils bylaw

3.2.1 Agricultural Soils

(1) Conditional use approval is required for any development or use on “prime” or “statewide significant” soils as defined by the US Department of Agriculture, unless one of the following exemptions applies:

- (a) The development or use is within the Village, Hamlet, Highway Commercial or Industrial district; or
- (b) The development will not result in impermeable surfaces covering greater than 10% of the portion of “prime” or “statewide significant” soils existing on the parcel; or
- (c) The parcel contains 4 or less contiguous acres of “prime” or “statewide significant” soils; or
- (d) The Farmland Conversion Impact Rating score is less than 160 points (see Appendix to calculate).

(2) In setting conditions applicable to any development or use to which this bylaw applies, the Zoning Board of Adjustment may consider:

- (a) whether reasonable modifications to the proposed development or use could be made to maximize preservation of the soils or reduce fragmentation of the soils;
- (b) requiring measures to restore disturbed portions of soils caused by the proposed development;
- (c) whether permitting more encroachment onto the soils is justified due to the use of permeable materials in construction.

Subdivision regs: Current language amended to reflect change from three acre -> four acre exemption:

“Contiguous prime agricultural soils of state-wide significance on any property that is greater than the four acre exemption shall not be further subdivided to achieve the exemption status.”

Ponds bylaw

6.10.4 Ponds

(1) **Setbacks.** Unless otherwise prohibited by State law, ponds are subject to a minimum 10 foot side, rear and front setback.

(2) **Exempt ponds.* (see notes at bottom)** The construction or creation of a pond meeting the following criteria does not require a zoning permit:

- (a) Total surface area does not exceed 5,000 square feet; and
- (b) The maximum depth at any point is 20 feet or less; and
- (c) The pond does not require the construction of an embankment, such as an earthen dike, concrete dam or spillway.

(3) **Hydric soils.** Notwithstanding the above, construction of ponds within 50 feet of hydric soils as mapped by the Vermont Agency of Natural Resources requires a conditional use permit for wetland determination.

(4) **Ponds on multiple parcels.** Ponds may be constructed across property lines with the written agreement of the parcel owners.

(5) **Ponds subject to conditional use permit.** The construction of any pond not specifically exempted under section 6.10.4(1) requires a conditional use permit. The following requirements apply:

- (a) The pond must be designed by a professional engineer, licensed by the State of Vermont, with expertise in pond design and construction.
- (b) The design of all water control structures must be based on the size of the watershed area that drains into the pond and, at minimum, a 25-year storm event.
- (c) An emergency spillway capable of passing flows which exceed the capacity of the control structures must be constructed.
- (d) The property owner acknowledges, as a condition of the conditional use permit, responsibility for the pond's safety and liability for the pond's failure if the pond is not maintained, repaired and operated in a safe and proper manner.
- (e) It is demonstrated to the satisfaction of the Zoning Board of Adjustment that the pond and associated spillway areas will not adversely affect municipal facilities, other properties, or downstream drainage. The Zoning Board of Adjustment may require that an applicant obtain easements from other property owners covering impoundment or spillway areas, if those

impoundment or spillway areas will extend onto or have the potential to flood those other properties.

NOTES TO PONDS: State and Federal permits often apply to pond construction. In particular, ponds capable of impounding 500,000 cubic feet, and work in or near streams, wetlands or rivers. You are responsible for following all State and Federal requirements.

Steep Slopes bylaw

6.10.10 Steep Slopes and High Elevation

Development is prohibited on land 1,500 feet or above elevation and on slopes greater than 25%, with the exception of the following:

- (1) No permit required: Fixed ladders, stairways, fixed cables, or other structures as may be deemed similar in nature by the Zoning Board of Adjustment.
- (2) Conditional use approval required:
 - (a) Ski lifts.
 - (b) Primitive camps as defined by the Vermont Agency of Natural Resources, not exceeding 400 square feet in size.

Riparian Buffers bylaw

6.10.1 Riparian Buffers

Any use or structure requiring a zoning permit must be setback a minimum of twenty five (25) feet from the boundaries of the below specified buffer zones. *(EXAMPLE: An accessory garage to a residential use must be 50 feet total from the regular high water mark of a river or stream per Section 6.10.1(1)(a): 25 foot riparian buffer + 25 foot setback from the edge of the riparian buffer)*

(1) **Rivers and Streams.** Any river or stream with a channel width greater than four (4) feet at the regular high water mark is subject to the following buffer requirements:

- (a) **Residential uses.** A buffer of twenty five (25) feet from the regular high water mark of the river or stream must be maintained.
- (b) **All other uses.** A buffer of fifty (50) feet from the regular high water mark of the river or stream must be maintained.

(2) **Wetlands.** Minimum buffers to wetland boundaries are as set forth under Vermont State law.

(3) **Vernal pools.** A buffer of one hundred fifty (150) feet from the boundary of any vernal pool mapped on the Agency of Natural Resources Atlas must be maintained, whether confirmed or unconfirmed. If

unconfirmed, adequate proof must be obtained that no vernal pool exists to obtain exemption from the buffer requirement.

(4) **Steep slopes exception.** Wherever the average grade within the normally required buffer area exceeds fifteen percent (15%), the required buffer width is doubled on that side of the waterway, stream or wetland.

(5) **Maintenance standards.** Riparian buffer zones are to be left in an undisturbed and unmowed vegetated condition, except for the following:

- (a) Removal of vegetation not to exceed 5% of the buffer area.
- (b) Replacement of underbrush with native vegetation more appropriate to a riparian zone.
- (c) Trimming of trees, provided that the overall canopy is maintained.
- (d) Removal or control of noxious weeds as identified by the Vermont Agency of Natural Resources.
- (e) Stream crossings must be approved by the State of Vermont River Management Program where required by the State of Vermont.
- (f) Removal of hazard trees, if the Town tree warden determines that a tree is a danger to public safety and welfare because of defect, decay or lack of support; or a tree constitutes a threat to other trees because it harbors or breeds noxious insects, disease or pests. Stumps must be left in place unless doing so would pose a continuing risk to public safety or other trees.

Places of Unique Ecological Interest

6.10.7 Agricultural Zoning *(Amended January 6, 2011)*

Prime land identified by the Natural Resources Conservation Service (NRCS) as "P - prime " or "S - statewide significant" and as described in the Farmland Classification System for Vermont Soils, published by the United States Department of Agriculture (USDA) - NRCS and available at <http://www.nrb.state.vt.us/lup/publications/importantfarmlands.pdf>, is land to be preserved.

These lands are shown on the map, "Important Farmland Soils, Weathersfield, Vermont" printed by Southern Windsor County Regional Planning Commission (SWCRPC) based on data provided by the USDA. Additional information can be obtained from the USDA WebSoil Survey at <http://websoilsurvey.nrcs.usda.gov/app/>.

Applicants or interested parties may challenge applicability of this section 6.10.7 to a project site. Challenges may be based upon the "Farmland Classification System for Vermont Soils" and/or the "Weathersfield, VT, Farmland Conversion Impact Rating" (Appendix #3). A score of less than 160 points on the Weathersfield, VT, Farmland Conversion Impact Rating shall exempt a project site from this Section 6.10.7.

Land uses on P- or S- designated soils other than agricultural or forestry shall require a conditional use permit from the Zoning Board of Adjustment. The Zoning Board shall condition the proposed land use so as to maximize preservation of the protected soils. In no event shall the total area of impermeable surfaces on the P- or S-designated soils - existing and proposed combined - exceed 10% of the total area of the mapped protected soils on the parcel.

A conditional use permit shall not be required when an attached addition to an existing building is proposed that will not result in greater than 10% impermeable surface on the protected soil or on lots which contain three (3) or less acres of contiguous P- or S-designated soils or for an accessory structure that is to be located within 50 feet of the primary structure and that will not result in greater than 10% impermeable surface on the protected soil.

Impermeable surface is defined for the purpose of this bylaw as any manmade surface including, but not limited to, paved and unpaved roads, parking areas, roofs, driveways, walkways, decks and pools that disturb the soil such that it is no longer useable for agricultural purposes.

6.10.8 Agricultural Structures

Pursuant to 24 V.S.A. §4413(d) the following are exempt from local permitting requirements:

- farm structures (excluding dwellings),
- accepted agricultural practices and
- accepted silvicultural practices.

However, farmers intending to erect a farm structure, as part of a farming operation as defined by Section 6001(22) of Title 10, must:

- notify the municipality of the intent to build a farm structure, and
- abide by setbacks contained within the zoning bylaws, unless they provide an approval of lesser setbacks by the Commissioner of Agriculture, Food and Markets.

The notification must contain a sketch of the proposed structure and include the setback distances from adjoining property owners and the street right-of-way.

Additionally, all farm structures within the Flood Hazard Overlay District must comply with the National Flood Insurance Program.

Lastly, the municipality may report violations of Accepted Agricultural Practices or accepted silvicultural practices to the appropriate state authorities.

6.10.4 Pond Construction

(A) To protect:

- the lives and property of citizens,
- the infrastructure of the community, and
- the health of the natural environment,

the construction of ponds shall require a zoning permit.

(B) The purpose of regulating construction is:

- to reduce the possibility of failure from improper design or construction,
- to minimize potential flood damages incurred to upstream properties by the storage of flood waters, and
- to minimize the damages caused by the sudden release of stored waters from a failure of the dam or intentional rapid draining of the impoundment.

(C) The creation of ponds and other impoundments less than 5,000 cubic feet is allowed as an accessory use upon application and receipt of a zoning permit.

(D) A pond 5,000 cubic feet or more shall require a conditional use permit.

(E) The construction of any pond upon any permanent or seasonal stream, or using stream water as a source, is prohibited, unless approved by the Vermont Department of Environmental Conservation, in accordance with 10 V.S.A., Chapter 41.

(F) Pond discharges into a stream may be possible provided they do not violate the Vermont Water Quality Standards for temperature, dissolved oxygen, and turbidity of the permanent stream or pond receiving the discharge.

(G) Any pond involving the impoundment of water through the creation of an embankment, berm or other structure that exceeds the natural grade must provide documentation from a licensed engineer of the likely results of catastrophic failure of the impoundment. This exercise is not to evaluate the likelihood of failure but to examine worst case scenarios (terrorism, major accident, extreme negligence, etc.).

(H) All impoundments must have an emergency spillway, designed by a Vermont licensed engineer, capable of passing flows that exceed what the control structure is capable of handling. All drainage shall flow into established watercourses.

Conditional use review

All ponds and other impoundments 5,000 cubic feet or more are subject to conditional use review. In granting approval, the Zoning Board of Adjustment shall find that the proposed pond is located where failure of the embankment, berm, or other structure would not cause:

- 1) Loss of life;
- 2) Injury to persons or livestock;
- 3) Damage to residences, commercial or industrial buildings;
- 4) Damage to roads, bridges, culverts, or other infrastructures; or
- 5) Interruptions of the use of public utilities.

Conditions of approval

Upon issuance of conditional use approval, the Zoning Board of Adjustment shall duly note that the owner of the property is responsible for the safe functioning of the pond and is liable for its failure if the owner does not maintain, repair, or operate the pond in a safe and proper manner.

Construction Standards

- 1) Excavated soil must be disposed of in an upland site so as not to wash back into water bodies and wetlands. All areas above the pond's waterline stripped of vegetation during construction must be seeded and mulched as soon as possible after construction is completed.
- 2) The banks of ponds should be no steeper than a 3:1 slope (i.e., three feet horizontally to one foot vertically) out to a depth of three feet.
- 3) Ponds and their supporting structures shall not encroach on highway rights-of-way.

6.10.10 Steep Slopes and High Elevation

These lands are most often located in forested areas that serve as vital groundwater recharge and critical habitat and travel corridors for wildlife.

These areas are better left undisturbed.

Development shall be sited in a manner that will cause a minimum of disturbances to the natural landscape and is prohibited on land 1,500 feet or above elevation and on slopes greater than 25%.

These conditions make the land highly susceptible to erosion and should be protected from any development

6.10.1 Streambank Conservation *(Amended November 22, 2011)*

Purpose

The purpose of this bylaw is to prevent:

- erosion of the soil adjacent to streams;
- sedimentation of streams;
- destruction of stream bank habitat.

Application

This bylaw shall be applied to any stream wherever the stream channel width is greater than 4 feet at the regular high water mark. These streams shall be referred to as Aprotected streams@. (See definition of stream, Section 8)

Method

- A naturally vegetated buffer strip shall be maintained on the banks of protected streams.
- The width of the buffer strip shall be measured from the regular high water mark (see definition of regular high water mark, Section 8) of the protected stream to the top of the stream bank or 25 feet, whichever is less.
- The buffer strip width shall be measured as the tape lies.
- No new development or manipulation of the buffer vegetation, other than approved management practices or approved stream crossings, shall occur within the buffer strip.
- Stream crossings shall be approved by the State of Vermont River Management Program where required by the State of Vermont.
- No structure shall be placed within 10 feet of the buffer strip.
- No structure shall be placed or erected within 10' of the buffer.
- No structure that requires a zoning permit shall be placed within 50 feet of the buffer strip.
- No structure requiring a building permit shall be erected within 50' of the buffer.

Approved Management Practices

The following activities are allowed to occur within a protected stream bank buffer:

- Removal of invasive species
- Cutting hazard trees and/or limbs (stump shall remain)
- Removal of debris

6.10.3 Wetlands

A naturally vegetated buffer strip shall be maintained, of at least 50 feet in uniform width, for Class Two wetlands, and 100 feet in uniform width, for Class One wetlands.

No development, dredging, ditching or manipulation of vegetation will be permitted within the buffer strip or within the wetland unless in conformance with the Vermont Wetlands Rules.

(For conformance requirements, the applicant should contact the Vermont Department of Environmental Conservation.)

Bylaw update status as at 7/31/2019 - Omitting done items

Bylaw Section	Not done	Maybe done	Done	Unchanged?	Hearing done	Related Subdiv Reg
2.5 Table of Districts and Uses						
2.5.3 Hamlet (H)						320.8, 330.1(b)
2.5.4 Rural Residential (RR-1)						330.1(c)
2.5.5 Rural Residential Reserve (RRR 3-5)						330.1(d)
2.5.6 Conservation (C-10)						330.1(d)
2.5.7 Highway Commercial (HC)						330.1(e)
2.5.8 Industrial (I)						330.1(e)
3.2 Conservation of Natural Resources						320, 120(6)
3.2.1 Agricultural Zoning						Appx A Farmland, Prim. Soils
3.2.5 Pond Construction						
3.2.8 Streambank Conservation						320.3
3.3 Damaged Structures						
3.4 Nonconformities						
3.4.2 Nonconforming Structures						
3.4.3 Nonconforming Uses						
3.7 Performance Standards						
3.7.2(b) Vibration						
3.7.2(c) Smoke, dust, odors, noxious gases						
3.7.2(d) Heat, cold, moisture, mist, fog, precip.						
3.7.2(e) Electromagnetic disturbances/signals						
3.7.2(f) Glare, light or reflection						
3.7.2(g) Liquid or solid wastes or refuse						
3.7.2(h) Fire, safety, explosive or other hazard						
TABLE: Permitted Noise Levels	To be eliminated per new "unreasonable noise" bylaw?					
4.2 Day Care Facilities						
4.2.1 Child Day Care						
4.2.2 Adult Day Care						
4.3 Extraction of Earth Resources						
4.10 Public Utility Substations						
4.12 Seasonal Road Stands						
4.14 Storage of Flammable Liquids and Gases						
4.17 Travel Trailer Camping Areas						
4.18 Travel Trailers/Camping Vehicles						
5.2 Permitted Use Review						
5.3 Site Plan Review						230, 240, 250, 310
5.3.1 Compatibility with surrounding development						
5.3.2 Traffic access and circulation						370.7
5.3.3 Protection of natural resources						320

- [5.3.4 Storm water management and drainage](#)
 - [5.3.5 Landscaping and screening](#)
- [5.4 Conditional Use Review](#)
- [5.5 Combined Review](#)
- [5.6 Planned Unit Development](#)
 - [5.6.1 Purpose](#)
 - [5.6.2 Applicability](#)
 - [5.6.3 PUD Review Procedures](#)
 - [5.6.4 General Standards](#)
 - [5.6.5 Standards for Residential PUDs](#)
 - [5.6.6 Modification of Zoning Regulations](#)
 - [5.6.7 Decisions](#)
 - [5.6.8 Legal Requirements](#)
- [6.2 Permit Requirements](#)
 - [6.2.1 Applicability](#)
 - [6.2.2 Exemptions](#)
 - [6.2.3 Limitations](#)
- [6.6 Certificate of Conformance](#)
- [6.7 Certificate of Occupancy](#)
- [Article 7: Definitions](#)
 - [Abandoned Structure](#)
 - [Agriculture Use](#)
 - [Airport Uses](#)
 - [Average Grade](#)
 - [Bed and Breakfast](#)
 - [Boarding House](#)
 - [Buffer](#)
 - [Building](#)
 - [Common Plan of Development](#)
 - [Community Non-profit](#)
 - [Contractor's Storage Yard](#)
 - [Critical Facilities](#)
 - [Emitter](#)
 - [Excessive Noise](#)
 - [Existing manufactured home park or subdivision](#)
 - [Family](#)
 - [Family Child Care Home](#)
 - [Family Child Care Facility](#)
 - [Farming](#)
 - [Farming structure](#)
 - [Frontage](#)
 - [Functionally dependent use](#)
 - [Guest House](#)
 - [Highway-Commercial](#)
 - [Home-Based Business](#)
 - [Home-Based Occupation](#)
 - [Indoor Recreational Facility](#)
 - [Industry](#)
 - [Insignificant Activities and/or Repairs](#)
 - [Junkyard](#)

[Light Industry](#)
[Lumber Yard](#)
[Manufactured Home \(or Mobile Home\)](#)
[Manufactured Home Park or Subdivision](#)
[Medical Facility](#)
[Minor Structure](#)
[Mobile Home](#)
[Mobile Home Park](#)
[Modular \(or Prefabricated\) Housing](#)
[Motel](#)
[Multi-family Dwelling](#)
[New Manufactured Home Park or Subdivision](#)
[Nightclub or Bar](#)
[Non-highway Commercial](#)
[Non-Residential](#)
[Outdoor Recreation Facility](#)
[Planned Residential Development](#)
[Planned Unit Development](#)
[Recreational Vehicle](#)
[Regular High Water Mark](#)
[Residential Care Home](#)
[Residential, Two-Family](#)
[School](#)
[Small Office](#)
[Structure](#)
[Subdivision](#)
[Substantial damage](#)
[Substantial improvement](#)
[Telecommunications Facility](#)
[Top of Bank](#)
[Travel Trailer](#)

[illegible]

Bylaw update status as at 7/25/2019

Bylaw Section

Not done Maybe done Done Unchanged? Hearing done Related Subdiv Reg

1.1 Authority							
1.2 Purpose						120	
1.3 Application of Regulations							
1.4 Interpretation							
1.5 Adoption and Amendments; Effective Date							
1.6 Severability							
2.1 Introduction and Table of Districts and Uses							
2.2 Zoning Map and Interpretation							
2.3 Lot in Two Districts							
2.4 Expansion of Minimum Lot Size							Eliminated
2.5 Table of Districts and Uses							
2.5.1 Village (v) – Ascutney						320.8, 330.1(a)	Merge both into one village zone?
2.5.2 Village (V) – Perkinsville						320.8, 330.1(a)	Village done March 11; 0.3 ac; 12.5 ft s/b, 10 s/b front
2.5.3 Hamlet (H)						320.8, 330.1(b)	
2.5.4 Rural Residential (RR-1)						330.1(c)	
2.5.5 Rural Residential Reserve (RRR 3-5)						330.1(d)	
2.5.6 Conservation (C-10)						330.1(d)	
2.5.7 Highway Commercial (HC)						330.1(e)	
2.5.8 Industrial (I)						330.1(e)	
3.1 Required Frontage On, or Access To, Public Roads							
3.1.1 Driveways							
3.2 Conservation of Natural Resources						320, 120(6)	
3.2.1 Agricultural Zoning						Appx A Farmland, Prim. Soils	Final version to be considered August 12
3.2.2 Biological Natural Areas Survey, 1992						320.5	Keep - useful for State permit review process
3.2.3 Connecticut River							Finished December 10 (with River Corridors)
3.2.4 Habitat Areas						320.5, Appx A Wild Habitat	
3.2.5 Pond Construction							
3.2.7 Steep Slopes and High Elevation						320.4, Appx A	
3.2.8 Streambank Conservation						320.3	
3.2.9 Wetlands						320.3	
3.3 Damaged Structures							
3.4 Nonconformities							
3.4.1 Nonconforming Lots and Parcels							
3.4.1.1 Existing Small Lots							
3.4.1.2 Merger, any district							
3.4.2 Nonconforming Structures							
3.4.3 Nonconforming Uses							
3.5 Off-Street Parking							
3.5.1 General Standards							
3.5.2 Specific Standards							
3.5.3 Waivers							
3.6 Outdoor Lighting							
3.6.1 General Standards							
3.6.2 Home Business, Commercial and Industrial Uses							
3.6.3 Private Roadways							
3.7 Performance Standards							
3.7.2(a) Noise Pollution -> Unreasonable Noise							
3.7.2(b) Vibration							
3.7.2(c) Smoke, dust, odors, noxious gases							
3.7.2(d) Heat, cold, moisture, mist, fog, precip.							
3.7.2(e) Electromagnetic disturbances/signals							
3.7.2(f) Glare, light or reflection							
3.7.2(g) Liquid or solid wastes or refuse							
3.7.2(h) Fire, safety, explosive or other hazard							
TABLE: Permitted Noise Levels							To be eliminated per new "unreasonable noise" bylaw?

3.8 Signs						
3.8.1 General Standards: Applicable in all Zoning Districts						
3.8.2 Home Occupation Signage						
3.8.3 Home Business Level 1 Signage						
3.8.4 Home Business Level 2 Signage						
3.8.5 Commercial / Industrial Signage						
4.1 Accessory Dwelling Unit						
4.1.1 Definitions						
4.1.2 General Standards						
4. Airport Uses						Overlay district map done & zoning modeled on Spring
4.2 Day Care Facilities						
4.2.1 Child Day Care						
4.2.2 Adult Day Care						
4.3 Extraction of Earth Resources						
4.4 Gasoline Station / Convenience Stores						
4.4.1 General Standards						
4.5 Home-Based Occupation and Home-Based Business						
4.5.1 Definitions and General Standards						
4.5.2 Home-Based Occupation						
4.5.3 Home-Based Business-Level 1						
4.5.4 Home-Based Business-Level 2						
4.6 Junkyards, Scrap Materials, Recycling Facilities, and Landfills (privately owned)						
4.7 Low and Moderate Income Housing						
4.8 Mobile Homes and Modular (or Prefabricated) Housing						
4.9 Mobile Home Parks						Looks OK but may want to review
4.10 Public Utility Substations						
4.11 Renewable Energy Production						
4.12 Seasonal Road Stands						No definition; State just introduced "Accessory on farm"
4.13 Self-Storage Facility						
4.14 Storage of Flammable Liquids and Gases						
4.15 Subdivision of Lots						
4.16 Temporary Uses and Structures						
4.17 Travel Trailer Camping Areas						
4.18 Travel Trailers/Camping Vehicles						
4.19 Wireless Communication Facilities						
4.19.1 Wireless Communications Facilities						
4.19.2 Wireless Telecommunications Facilities						
4.20 Renewable Energy Systems						
4.20.1 Definitions						
4.2.2 Small-Scale Renewable Energy Systems						"Installations on historic structures or prime agricultural"
4.2.3 Large-Scale Renewable Energy Systems						
4.2.4 General Standards						
5.1 Application Submission Requirements						
5.1.1 Permitted Uses						Dimensions of sketch plan 8.5 x 11?
5.1.2 Site Plan Review						
5.1.3 Conditional Use Review						
5.1.4 PUD Review					320.8	
5.1.5 Flood Permit Review						"Flood Hazard Area District" not defined
5.2 Permitted Use Review						
5.3 Site Plan Review					230, 240, 250, 310	
5.3.1 Compatibility with surrounding development						
5.3.2 Traffic access and circulation					370.7	
5.3.3 Protection of natural resources					320	1992 Biological Natural Areas
5.3.4 Storm water management and drainage					370.8, 360	
5.3.5 Landscaping and screening					310.5	
5.4 Conditional Use Review						
5.5 Combined Review						
5.6 Planned Unit Development					310.2, 210.4, 320.8	
5.6.1 Purpose						

5.6.2 Applicability						
5.6.3 PUD Review Procedures						
5.6.4 General Standards						
5.6.5 Standards for Residential PUDs						
5.6.6 Modification of Zoning Regulations						
5.6.7 Decisions						
5.6.8 Legal Requirements						
5.7 Flood Plains and Floodways					320.3, Appx A Floodplains	
5.7.1 Statutory Authorization and Effect					320.3	
5.7.2 Statement of Purpose					320.3	
5.7.3 Other Provisions					320.3	
5.7.4 Lands to Which these Regulations Apply					320.3	
5.7.5 Development Review in Hazard Areas					320.3	
5.7.6 Development Standards					320.3	
5.7.7 Administration					320.3	
5.7.8 Certificate of Occupancy					320.3	
5.7.9 Enforcement and Penalties					320.3	
6.1 Municipal Appointments						
6.1.1 Administrative Officer					410.1	
6.1.2 Planning Commission					410.2	Should Planning Commission be given site plan review
6.1.3 Board of Adjustment					410.3	
6.1.4 Advisory Commissions						
6.2 Permit Requirements						May want to add "Cert. of conformance" language here
6.2.1 Applicability						
6.2.2 Exemptions						
6.2.3 Limitations						
6.2.3 Issuance						
6.2.4 Effective Date						
6.2.5 Permit Notice Posting Requirement						
6.2.6 Permit Expiration						
6.3 Public Hearings					430.2	
6.3.1 Public Notice					430.1	
6.3.2 Hearings					430.2	
6.3.3 Decisions					430.3	
6.3.4 Recording Requirements						
6.4 Deed Restrictions						
6.5 Other Town Regulations						
6.6 Certificate of Conformance						
6.7 Certificate of Occupancy						
Ambiguity clause / interpretation in favor of applicant						Set forth on March 11 agenda
6.8 Appeals					450	
6.8.1 Administrative Officer Actions						
6.8.2 Interested Persons					450.3	
6.8.3 Notice of Appeal						
6.8.4 Appeals to Environmental Court						
6.9 Waivers						Setback waivers
6.9.1 Purpose						
6.9.2 Allowable Waivers						
6.9.3 Review Procedures						
6.9.4 Standard of Review						
6.9.5 Decisions and Conditions of Approval						
6.10 Variances						unchanged from past language
6.10.1 Variance Criteria						
6.10.2 Variances for Renewable Energy Structures						
6.10.3 Variances within the Flood Hazard Area						
6.11 Violations and Enforcement					440	
6.11.1 Violations						
6.11.2 Notice of Violation						
6.11.3 Limitations on Enforcement						

Article 7: Definitions

A Zone							flood related
Abandoned Structure							
Accessory Structure							
Accessory Use							
Affordable Housing							Maybe just reference statute here
Affordable Housing Development							Maybe just reference statute here
Agriculture Use							Maybe just reference statute here
Airport Uses							
Appropriate Municipal Panel							
Area of Special Flood Hazard							flood related
Athletic Courts							
Average Grade							
Background Noise							
Bankfull Width							
Base Flood							flood related
Base Flood Elevation							flood related
Basement							
Bed and Breakfast							
Boarding House							Should probably delete
Buffer						defined	
Building							
Building or Structure Height (now separate)							
Cemetery							Does this need defining? Probably not.
Channel							
Common Plan of Development							
Community Non-profit							Replaces "Semi-public"
Contractor's Storage Yard							
Coverage							
Critical Facilities							defined, not referenced elsewhere in bylaws
Daytime Hours							
Decibel							
Development						defined	
Development in the areas of special flood hazard							flood related
District, Zoning District							
Dwelling, Dwelling Unit							
Emitter							
Excessive Noise							Does this need updating to reflect new "unreasonable
Existing Small Lot							
Existing manufactured home park or subdivision							
Family							Probably should be deleted
Family Child Care Home							
Family Child Care Facility							
Farming							Probably should be deleted
Farming structure							Probably should be deleted
Fill							
FIRM							flood related
Flood							flood related
Flood Insurance Study							flood related
Floodway							flood related
Fluvial erosion							flood related
Fluvial Geomorphic Equilibrium							flood related
Formula Business							added July 31 per PC discussions: re: small enterprise
Frontage							
Functionally dependent use							Only defined, not used elsewhere
Gasoline/Service Station							
Group Home							
Guest House							Only defined, not used elsewhere
Hazardous Materials							
Highway-Commercial							
Historic Structure							
Home-Based Business							Redundant definition - already defined in section 4.5.2
Home-Based Occupation							Redundant definition - already defined in section 4.5.2
Impulse Noise							
Indoor Recreational Facility							
Industry							Not referenced anywhere in bylaws
Inn/Small hotel							
Insignificant Activities and/or Repairs							Anything else to add to this? Flood related
Junkyard							Update to match state definition of salvage yard?
Land Development							
Letter of Map Amendment							flood related
Light Industry							Defined, not used elsewhere in bylaws
Lot							
Lot Size							
Lowest Floor							flood related
Lumber Yard							
Manufactured Home (or Mobile Home)							"Designed for use with or without permanent chassis"
Manufactured Home Park or Subdivision							
Mean Sea Level							flood related

Medical Facility							
Minor Structure							
Mobile Home							
Mobile Home Park							
Modular (or Prefabricated) Housing							
Motel							
Multi-family Dwelling							
Municipal Land Use Permit							
New construction							flood related
New Manufactured Home Park or Subdivision							flood related
Nightclub or Bar							
Noise Zone							
Nonconforming Lots or Parcels							
Nonconforming Structure							
Nonconforming Use							
Nonconformity							
Non-highway Commercial							
Non-Residential							
Outdoor Recreation Facility							
Planned Residential Development						210.4	
Planned Unit Development						210.4	
Pre-existing							
Prime Agricultural Land						defined	Update to reflect whatever new "agricultural soils" byl.
Public Water						defined	
Receptor							
Recreational Vehicle							
Regular High Water Mark							
Renewable Energy Resources							
Residential Care Home							Refers to people "unrelated" to home operator -- shou
Residential, Single-Family							Refers to "family" definition -- should this be changed?
Residential Structure							
Residential, Multi-Family							Refers to "family" definition -- should this be changed?
Residential, Two-Family							"A legitimate home occupation is optional"
River Corridor							
School							
Self-Storage Facility							
Setback							
Sign							
Small Enterprise							Added by PC
Small Office							Only reference: As permitted use in Industrial district
Sound Level Meter							Maybe delete; refers to specific ANSI standard
Special Flood Hazard Area							
Start of Construction							flood related
Stream							
Structure							
Structural Development							
Subdivision						defined	
Substantial damage							
Substantial improvement							
Telecommunications Facility							
Top of Bank							
Travel Trailer							flood related?
Use, Associated							
Use, Conditional							
Use, Permitted							
Variance							
Violation							flood related
Wetlands							Delete or replace with reference to statute / reference
Wireless Communications Facility							statutory?
Wireless Telecommunication Facility							statutory?