

1 Planning Commission  
2 Martin Memorial Hall  
3 5259 Route 5, Ascutney VT  
4 Planning Commission Meeting Minutes  
5 Monday, May 24, 2021 6:30 PM  
6

7 Planning Commission Members Present:

8 Paul Tillman

9 Michael Todd (Online)

10 Howard Beach

11 Chris Whidden, Zoning Administrator  
12

13 Planning Commission Members Absent: Tyler Harwell  
14

15 Online Attendees: Jason Rasmussen, Chris Yurik  
16

17 1.) Call to Order by Chair Howard Beach at 6:32 pm

18 2.) Agenda Review – May 24, 2021

19 Paul Tillman made a motion to move the current #6 – Check in with Regional Planning re: zoning and  
20 Town Plan to Item #3 on the Agenda.

21 Michael Todd – 2<sup>nd</sup>

22 Update Agenda as follows:

23 1.) Call to Order/Introductions

24 2.) Agenda Review – May 24, 2021

25 3.) Check in with Regional Planning re: zoning and Town Plan

26 4.) Comments from the Chair and Land Use Administrator

27 5.) Comment from Citizens regarding items not on the agenda

28 6.) Approval of Meeting Minutes May 10, 2021

29 7.) Hearing (continued) – Review of the 2017 Future Land Use definitions/zoning districts

30 8.) Discussion of Items for Future Agenda Items

31 9.) Any Other Business that can be legally discussed

32 10.) Adjourn  
33  
34  
35  
36

37 3.) Check in with Regional Planning re: zoning and Town Plan

38 Jason Rasmussen and Chris Yurick from Regional Planning attended the meeting to give an update and  
39 see what Regional Planning can do to help the Planning Commission out.

40 Regional Planning did a review of the most recent Town Plan from 2017 and as it related to various  
41 statutory requirements.

42 The current Town Plan meets the minimum requirements. There are some new Forest Block and Habitat  
43 Connectivity requirements that came about from Act 171 that came about after the Town adopted the  
44 current Town Plan.

45 There are some references to outdated regulations and standards that could be updated.  
46 Recommendations were sent to the Planning Commission to address these.

47 There were changes to the Energy goal and requirements.

48 There are some economic development areas that should be looked at:

- 49 • Broadband
- 50 • Waste water

51 Michael Todd noted that he was the Economic Development representative to the Selectboard and  
52 thought it would be a great idea to meet with Regional Planning and the Town Manager to discuss areas  
53 to be looked at.

54 There is some discussion regarding making an Airport District.

55 Springfield Airport Commission wants to discuss with Springfield and Weathersfield about zoning  
56 related items.

57 Chris Whidden sent our subdivision regulations and Weathersfield overlay to Springfield.

58 Regional Planning has some transportation planning money that may be able to be used to work with the  
59 Planning Commission.

60 There was continued discussion on the Airport.

61 Paul Tillman will provide a rough draft of the Airport zoning that the Planning Commission has worked  
62 on previously.

63 Howard Beach also mentioned that there had been discussion about Springfield providing sewer up to  
64 the airport and how we would get Perkinsville attached.

65 Jason Rasmussen let the Planning Commission know there were HARPA funds for sewer and water.

66 Hotel and motel zoning for Traveling Nurses, Dr.s etc. was discussed. Will look further into that type of  
67 zoning.

68 There will be future discussions between the Planning Commission and Regional Planning to move  
69 forward on some of these topics.

70 4.) Comments from the Chair and Land Use Administrator

71 No comments from Chair.

Chris Whidden let the Planning Commission know that that the digitization of the records is at 75% completion, named and ready for review. Once it is completed and all in one location, he will start uploading it to the website.

He has a notice of appeal for a zoning violation coming up. He has not received the physical appeal as of the date of this meeting; however, they have told Chris they are intending to appeal. Chris has requested a reason for the appeal and has not heard back.

Chris also has a meeting with John Tuesday, May 25<sup>th</sup> to discuss some issues with the ZBA.

5.) Comment from Citizens regarding items not on the Agenda

None

6.) Approval of Meeting Minutes – May 10, 2021

Michael Todd made a motion to accept the minutes of 5-10-21

Paul Tillman – 2nd

No Discussion

Vote – unanimous

7.) Hearing (continued) – Review of the 2017 Future Land Use definitions/zoning districts

The proposed definitions/zoning districts are as follows”

**Village (V) –**

**5/10/2021**

**PURPOSE:** Established dense residential centers for sociability, convenient shopping and other public and private community services compatible with a small village setting; intensive land use with some multi-family housing; efficient location for compatible commercial activities. The Village District can absorb growth without greatly increasing demand for roads and school bus services. A public water system serves the Village, but public sewer services may need to be provided to accommodate growth.

**USES THAT DO NOT REQUIRE A ZONING PERMIT:** The following uses are permitted without a Zoning Permit, provided that these uses are in compliance with these Bylaws:

- Agriculture
- Baby-sitting services
- Home-based occupation
- Minor structures (see definition)
- Temporary signs

**PERMITTED USES:** The following uses are permitted following the issuance of a Zoning Permit by the Administrative Officer:

**Permitted Principal Uses:**

- Cemetery
- Group homes
- Single family dwelling
- Two family dwelling
- Small enterprise<sup>1,2,3</sup> (see definitions; in keeping with Village residential/commercial mix)

- 111     ▪ Bank/financial service
- 112     ▪ Adult day care facility/service<sup>1,3</sup> (see Sect. 7.13)
- 113     ▪ Family childcare facility/service<sup>1,3</sup> (see Sect. 7.13)
- 114     ▪ Inn/small hotel<sup>1,3</sup> (see definition)
- 115     ▪ Multi-family dwelling<sup>1,2,3</sup> (three to six units)
- 116     ▪ Planned Residential Development (PRD) (PUD)<sup>1,3</sup>
- 117     ▪ Residential care home
- 118     ▪ Single family or multi-family (three to six units) (see Sect. 7.3)
- 119     ▪ Bank/financial service
- 120     ▪ Arts and crafts, studio, and gallery
- 121     ▪ Restaurant
- 122     ▪ Veterinary clinic
- 123     ▪ Health clinic

124     **Permitted Accessory Uses:**

- 125     ▪ Accessory dwelling unit (see Sect. 6.9.1)
- 126     ▪ Accessory use or structure
- 127     ▪ Bed and Breakfast (up to 3 bedrooms for transient boarders/tourists)
- 128     ▪ Ponds (see Sect. 6.10.4)
- 129     ▪ Seasonal roadside stand (see Sect. 7.11)
- 130     ▪ Swimming pool (in ground or above ground)

131     **CONDITIONAL USES:** The following uses are permitted upon granting of Conditional Use Approval by the  
132     Board of Adjustment:

133     **Conditional Principal Uses:**

- 134     ▪ Commercial school (i.e. music, dance, driving, beauty, culture)
- 135     ▪ Semi-public, Community Non-profit<sup>1,2,3</sup> (Primarily nonprofit: church, museum, library, private club,  
136         YMCA, YWCA, mortuary, etc.)
- 137     ▪ Indoor or outdoor recreation facility<sup>1,3</sup> (see definition)
- 138     ▪ Mobile home park
- 139     ▪ Gasoline/service station<sup>1,2,3</sup>
- 140     ▪ Medical facility<sup>1,2,3</sup> (see definition)
- 141     ▪ Public water
- 142     ▪ Formula Restaurant<sup>1,2,3</sup> (see definition)
- 143     ▪ School public/private<sup>1,2</sup>
- 144     ▪ Other uses as determined by the Board of Adjustment, to be of a similar type and character as those  
145         listed above and meeting the purposes of this District.

146     **Conditional Accessory Uses:**

- 147     ▪ Docks
- 148     ▪ Wireless Communication Facilities<sup>2,3</sup>

149     **USES NOT PERMITTED:** The following uses are not permitted within this District:

- 150     ▪ Campground, children's camp or resort
- 151     ▪ Contractor's storage (of materials, machinery, heavy equipment)
- 152     ▪ Junkyard (*see State definition, synonymous with "salvage yard"*), landfill, recycling facility (privately  
153         owned)
- 154     ▪ Extraction of earth resources

- Self-Storage Facility (effective July 9, 2012)

#### **AREA, LAND & STRUCTURAL REQUIREMENTS:**

1. Each principal use requires at least the minimum lot area and minimum required frontage specified for the district in which it is located.

**Lot area minimum:** 1/2 acre (1 acre in the Aquafer recharge district) See Aquafer overlay map.

#### **Lot frontage and setbacks:**

Frontage	80 feet
Front Setback	20 feet
Rear Setback	10 feet
Side Setback	10 feet

#### **Building Height:**

Maximum Building Height: 35 feet. (Amended 6/11/2012) See “Height” definition for measurement standards.

<sup>1</sup> Site Plan Review required

<sup>2</sup> General/Special Provisions apply

<sup>3</sup> Certificate of Occupancy required

#### **4.3.2(b) Hamlet (H)**

**Purpose:** Sparse residential centers for limited sociability with very limited shopping and community services, compatible with a rural setting; reasonable location for neighborhood general stores. The Hamlet District is capable of absorbing limited growth without increasing demands for roads and school bus routes, though school bus capacity would increase.

**Uses that do not require a Zoning Permit:** The following uses are permitted without a Zoning Permit, provided that these uses are in compliance with these Bylaws:

- ☐ Agriculture/Forestry (see Sect. 6.10.8)
- ☐ Baby-sitting service (see Sect. 7.13)
- ☐ Minor structures (see definitions)
- ☐ Temporary signs

**Permitted Uses:** The following uses are permitted following the issuance of a Zoning Permit by the Administrative Officer:

#### **Permitted Principal Uses:**

- ☐ Cemetery
- ☐ Group home
- ☐ Single family dwelling
- ☐ Small enterprise 1,2,3 (see definitions; of a neighborhood trade character; may include one apartment)

189 ☐ Two family dwelling (altered from pre-existing single family dwelling, if no enlargement of structure; not  
190 new construction.)

191 **Permitted Accessory Uses:**

- 192 ☐ Accessory dwelling unit (see Sect. 6.9.1)  
193 ☐ Accessory use or structure  
194 ☐ Adult day care service (see Sect. 7.13)  
195 ☐ Athletic courts  
196 ☐ Bed and Breakfast (up to 3 bedrooms for transient boarders/tourists)  
197 ☐ Family child care home (see Sect. 7.13)  
198 ☐ Home occupations  
199 ☐ Ponds (see Sect. 6.10.4)  
200 ☐ Seasonal roadside stand (see Sect. 7.11)  
201 ☐ Signs, permanent  
202 ☐ Swimming pool (in ground or aboveground)

203 **Conditional Uses:** The following uses are permitted upon the granting of Conditional Use Approval by the  
204 Board of Adjustment:

205 **Conditional Principal Uses:**

- 206 ☐ Adult day care facility 1,3 (see Sect. 7.13)  
207 ☐ Family child care facility 1,3 (see Sect. 7.13)  
208 ☐ Indoor or outdoor recreation facility 1,2,3 (see definitions)  
209 ☐ Inn/small hotel 1,3 (see definitions)  
210 ☐ Medical facility 1,2,3 (see definitions)  
211 ☐ Public water, sewage treatment plant 1,2,3  
212 ☐ School 1,2,3 (see definitions)  
213 ☐ Semi-public 1, 3 (Primarily nonprofit: church, museum, library, private club, YMCA, YWCA, mortuary,  
214 etc.)  
215 ☐ Single family PRD 1, 3 (see Sect. 7.3)  
216 ☐ Two family dwelling (new construction)  
217 ☐ **4.3.2(b) Hamlet (cont.)**  
218 ☐ Other uses (as determined after public hearing, by the Board of Adjustment, to be of a similar type and  
219 character as those listed above and meeting the purposes of this District.

220 **Conditional Accessory Uses:**

- 221 ☐ Docks  
222 ☐ Home Industry  
223 ☐ Wireless Communication Facilities 2,3

224 **Uses Not Permitted:** The following uses are not permitted within this District:

- 225 ☐ Campground, children's camp or resort  
226 ☐ Contractor's storage (materials, machinery, heavy equipment)  
227 ☐ Gasoline/service station

- 228 ☐ Highway Commercial
- 229 ☐ Industrial
- 230 ☐ Junkyard, landfill, recycling facility (privately owned)
- 231 ☐ Extraction of earth resources
- 232 ☐ Mobile home park
- 233 ☐ Multi-family dwelling or PRD
- 234 ☐ Non-highway Commercial
- 235 ☐ Self-Storage Facility (*effective July 9, 2012*)

236 **Area, Land, & Structural Requirements:**

- 237 1. Only one principal use is allowed per parcel of land.
- 238 2. Each principal use requires at least the minimum lot area and minimum required frontage specified for the
- 239 district in which it is located.
- 240 3. Establishment of multiple principal uses on a single parcel of land requires a PUD permit.
- 241 Soil or terrain conditions may require larger lot sizes to satisfy Town or State public health regulations.

242 **Lot Area Minimum:** Basic Minimum: 1 acre

243 Single family dwelling: 1 acre;

244 Two family dwelling: 1 acre (1 ½ acre if no public water or if altered single family dwelling);

245 All other principal uses: 1 acre.

246 **Lot Frontage and Setbacks:**

247 Frontage 150 feet

248 Front Setback 40 feet

249 Rear Setback 25 feet

250 Side Setback 25 feet

251 **Building Height:**

252 Maximum building height: 35 feet (*Amended 6/11/2012*) See “building height” definition for measurement

253 standards.

254 1 Site Plan Review required

255 2 General/Special Provisions apply

256 3 Certificate of Occupancy required

257 **4.3.2(C) Rural Residential (RR-1)**

**3/22/21**

258 **Purpose:** Residential growth areas surrounding villages and hamlets; somewhat convenient to their amenities;

259 intended to always retain some large lots to add variety and rural scenery. Growth in the Rural Residential

260 District will increase demand for roads and school bus service slowly and at a small rate per family.

261 **Uses that do not require a Zoning Permit:** The following uses are permitted without a Zoning Permit,  
262 provided that these uses are in compliance with these Bylaws:

- 263 ☐ Agriculture/Forestry (see State law definitions)
- 264 ☐ Home Based Occupation
- 265 ☐ Minor structures (see definitions)
- 266 ☐ Temporary signs

267 **Permitted Uses:** The following uses are permitted following the issuance of a Zoning Permit by the  
268 Administrative Officer:

269 **Permitted Principal Uses:**

- 270 ☐ Cemetery
- 271 ☐ Home Based Business – Level 1
- 272 ☐ Single family dwelling
- 273 ☐ Two family dwelling

274 **Permitted Accessory Uses:**

- 275 ☐ Accessory dwelling unit
- 276 ☐ Accessory use or structure
- 277 ☐ Adult day care service
- 278 ☐ Athletic courts
- 279 ☐ Bed and Breakfast (up to 3 bedrooms for transient boarders/tourists)
- 280 ☐ Family child care home
- 281 ☐ Home occupations
- 282 ☐ Ponds
- 283 ☐ Seasonal roadside stand
- 284 ☐ Signs, permanent
- 285 ☐ Swimming pool (in ground or aboveground)

286 **Conditional Uses:** The following uses are permitted upon the granting of Conditional Use Approval by the  
287 Board of Adjustment:

288 **Conditional Principal Uses:**

- 289 ☐ Multi-family dwellings (3-4 families)
- 290 ☐ Adult day care facility 1,3
- 291 ☐ Campground, resort, children's camp 1,3
- 292 ☐ Family child care facility 1,3
- 293 ☐ Indoor or outdoor recreation facility 1,2,3 (see definitions)
- 294 ☐ Home Based Business (level 2)
- 295 ☐ Inn/small hotel 1,3 (see definitions)
- 296 ☐ Medical facility 1,2,3 (see definitions)
- 297 ☐ Extraction of earth resources 1,2,3
- 298 ☐ Mobile Home Park (see Sect. 7.5)
- 299 ☐ Public water, sewage treatment plant 1,2,3



- 300 ☐ School 1,2,3 (see definitions)
- 301 ☐ Community Non Profit1,2,3 (Primarily nonprofit: church, museum, library, private club, YMCA, YWCA,
- 302 mortuary, etc.)

303 **4.3.2(c) Rural Residential (cont.)**

- 304 ☐ Other uses (as determined after public hearing, by the Board of Adjustment, to be of a similar type and
- 305 character as those listed above and meeting the purposes of this District)
- 306 ☐ Small Enterprise

307 **Conditional Accessory Uses:**

- 308 ☐ Docks
- 309 ☐ Wireless Communication Facilities 2,3

310 **Uses Not Permitted:** The following uses are not permitted within this District:

- 311 ☐ Contractor's storage (of materials, machinery, heavy equip.)
- 312 ☐ Gasoline/service station
- 313 ☐ Highway Commercial
- 314 ☐ Junkyard, landfill, recycling facility (privately owned)
- 315 ☐ Self-Storage Facility (*effective July 9, 2012*)

316 **Area, Land, & Structural Requirements:**

317 Each use requires at least the minimum lot area and minimum required frontage specified for the district in

318 which it is located.

319 **Lot Area Minimum:** 1 acre

320 **Lot Frontage and Setbacks:**

321 Frontage 150 feet

322 Front Setback 25 feet

323 Rear Setback 25 feet

324 Side Setback 15 feet

325 **Building Heights:**

326 Maximum Building Height: 35 feet. See "building height" definition for measurement standards.

- 327 1 Site Plan Review required
- 328 2 General/Special Provisions apply
- 329 3 Certificate of Occupancy required

330

331

332

#### 4.3.2(d) Rural Residential Reserve (RRR 3-5)

5/10/21

**Purpose:** Rural areas that give Weathersfield its valued rural atmosphere; a mix of open and wooded lands, agriculture, and residences, accessible and remote. Residential growth in the Rural Residential Reserve District will increase demand for utilities and services moderately to severely dependent upon the intensity and remoteness of the growth location.

**Uses that do not require a Zoning Permit:** The following uses are permitted without a Zoning Permit, provided that these uses are in compliance with these Bylaws:

- ☐ Agriculture/Forestry (see State Definitions) (see Sect. 6.10.8)
- ☐ Baby-sitting service (see Sect. 7.13)
- ☐ Minor structures (see definitions)
- ☐ Temporary signs

##### Home Based Business Level 1

**Permitted Uses:** The following uses are permitted following the issuance of a Zoning Permit by the Administrative Officer:

##### Permitted Principal Uses:

- ☐ Cemetery
- ☐ Group home
- ☐ Single family dwelling
- ☐ Two family dwelling

##### Permitted Accessory Uses:

- ☐ Accessory dwelling unit (see Sect. 6.9.1)
- ☐ Accessory use or structure
- ☐ Adult day care service (see Sect. 7.13)
- ☐ Athletic courts
- ☐ Bed and Breakfast (up to 3 bedrooms for transient boarders/tourists)
- ☐ Family child care home (see Sect. 7.13)
- ☐ Home occupations
- ☐ Ponds (see Sect. 6.10.4)
- ☐ Seasonal roadside stand (see Sect. 7.11)
- ☐ Signs, permanent

##### Home Based Business Level 2

- ☐ Swimming pool (in ground or aboveground)

**Conditional Uses:** The following uses are permitted upon the granting of Conditional Use Approval by the Board of Adjustment:

##### Conditional Principal Uses:

- ☐ Adult day care facility 1,3 (see Sect. 7.13)
- ☐ Campground, resort, children's camp 1,3
- ☐ Church (see Semi-Public)

- 371 ☐ Contractor's storage 1,3 (of materials, machinery heavy equipment)  
372 ☐ Family child care facility 1,3 (see Sect. 7.13)  
373 ☐ Indoor or outdoor recreation facility 1,2,3 (see definitions)  
374 ☐ Inn/small hotel 1,3 (see definitions)  
375 ☐ Medical facility 1,2,3 (see definitions)  
376 ☐ Extraction of earth resources 1,2,3  
377 ☐ Home Based Business Level 3  
378     Mobile home park (see Sect. 7.5)  
379 ☐ Public water, sewage treatment plant 1,2,3

380 **4.3.2(d) Rural Residential Reserve (cont.)**

- 381 ☐ School 1,2,3 (see definitions)  
382 ☐ Semi-public 1,2,3 (Primarily nonprofit: church, museum, library, private club, YMCA, YWCA, mortuary,  
383 etc.)  
384 ☐ Single family PRD 1,2,3  
385 ☐ Other uses (as determined after public hearing, by the Board of Adjustment, to be of a similar type and  
386 character as those listed above and meeting the purposes of this District)

387 **Conditional Accessory Uses:**

- 388 ☐ Dock  
389 ☐ Home industry  
390 ☐ Wireless Communication Facilities 2,3

391 **Uses Not Permitted:** The following uses are not permitted within this District:

- 392 ☐ Gasoline/service station  
393 ☐ Highway Commercial  
394 ☐ Industrial  
395 ☐ Junkyard (see State definition), landfill, recycling facility (privately owned)  
396 ☐ Multi-family dwelling or PRD  
397 ☐ Non-highway Commercial  
398 ☐ Small enterprise  
399 ☐ Self-Storage Facility (*effective July 9, 2012*)

400 **Area, Land, & Structural Requirements:**

- 401 1. Only one principal use is allowed per parcel of land.  
402 2. Each principal use requires at least the minimum lot area and minimum required frontage specified for the  
403 district in which it is located.  
404 3. Establishment of multiple principal uses on a single parcel of land requires a PUD permit.  
405 Soil or terrain conditions may require larger lot sizes to satisfy Town or State public health regulations; the  
406 burden of proof of soil suitability and terrain is on the applicant.

407 **Lot Area Minimum:** 3 acres

408

409 **Lot Frontage and Setbacks:**

410 Frontage 200 feet

411 Front Setback 40 feet

412 Rear Setback 50 feet

413 Side Setback 50 feet

414 **Building Heights:**

415 Maximum building height: 35 feet (*Amended 6/11/2012*)

416 1 Site Plan Review required

417 2 General/Special Provisions apply

418 3 Certificate of Occupancy required

419 **4.3.2(e) Conservation (C-10)**

420 **Purpose:** Areas in which sparse development is wise for one or more of the following reasons: remote from  
421 roads or utility services; location of scarce mineral resources, prime agricultural or forested land, significant or  
422 irreplaceable natural, historic, recreational or scenic resources; slope elevations exceeding 25%; land over 1,500  
423 feet in elevation; severe soil limitations; risk of flooding; or flood ways need.

424 **Uses that do not require a Zoning Permit:** The following uses are permitted without a Zoning Permit,  
425 provided that these uses are in compliance with these Bylaws:

426 ☐ Agriculture/Forestry (see Sect. 6.10.8)

427 ☐ Baby-sitting service (see Sect. 7.13)

428 ☐ Minor structures (see definitions)

429 ☐ Temporary signs

430 **Permitted Uses:** The following uses are permitted following the issuance of a Zoning Permit by the Adm.  
431 Officer:

432 **Permitted Principal Uses:**

433 ☐ Group home

434 ☐ Single family dwelling (must not defeat purpose of the District)

435 ☐ Two family dwelling (altered from pre-existing single family dwelling, if no enlargement of structure; no  
436 new construction)

437 **Permitted Accessory Uses:**

438 ☐ Accessory dwelling unit (see Sect. 6.9.1)

439 ☐ Accessory use or structure

440 ☐ Adult day care service (see Sect. 7.13)

441 ☐ Athletic structures

442 ☐ Bed and Breakfast (up to 3 bedrooms for transient boarders/tourists)

443 ☐ Family child care home (see Sect. 7.13)

444 ☐ Home occupations

- 445 ☐ Ponds (see Sect. 6.10.4)
- 446 ☐ Seasonal roadside stand (see Sect. 7.11)
- 447 ☐ Signs, permanent
- 448 ☐ Swimming pool (in ground or aboveground)

449 **Conditional Uses:** The following uses are permitted upon the granting of Conditional Use Approval by the  
450 Board of Adjustment:

451 **Conditional Principal Uses:**

- 452 ☐ Adult day care facility 1,3 (see Sect. 7.13)
- 453 ☐ Campground, resort, children's camp 1,3
- 454 ☐ Cemetery
- 455 ☐ Church (See Semi-public)
- 456 ☐ Contractor's storage 1,3 (materials, machinery, heavy equipment)
- 457 ☐ Family child care facility 1,3 (see Sect. 7.13)
- 458 ☐ Inn/small hotel 1,3 (see definitions; must not defeat purpose of the District)
- 459 ☐ Medical facility 1,2,3 (see definitions)
- 460 ☐ Extraction of earth resources 1,2,3 (Site Plan Review)
- 461 ☐ Outdoor recreation facility 1,2,3 (see definitions, must not defeat the purpose of the District)

462 **4.3.2(e) Conservation (cont.)**

- 463 ☐ Public water, sewage treatment plant 1,2,3
- 464 ☐ School 1,2,3
- 465 ☐ Semi-public 1,2,3
- 466 ☐ Other uses (as determined after public hearing, by the Board of Adjustment, to  
467 be of a similar type and character as those listed above and meeting the purposes of this District)

468 **Conditional Accessory Uses:**

- 469 ☐ Dock
- 470 ☐ Home industry
- 471 ☐ Wireless Communication Facilities 2,3
- 472 ☐ Single family PRD 1,2,3

473 **Uses Not Permitted:** The following uses are not permitted within this District:

- 474 ☐ Gasoline/service station
- 475 ☐ Highway Commercial
- 476 ☐ Indoor recreational facility
- 477 ☐ Industrial
- 478 ☐ Junkyard, landfill, recycling facility (privately owned)
- 479 ☐ Mobile home park
- 480 ☐ Two family dwelling (new construction)
- 481 ☐ Multi-family dwelling or PRD
- 482 ☐ Non-highway Commercial
- 483 ☐ Small enterprise

☐ Self-Storage Facility (*effective July 9, 2012*)

**Area, Land, & Structural Requirements:**

1. Only one principal use is allowed per parcel of land.

2. Each principal use requires at least the minimum lot area and minimum required frontage specified for the district in which it is located.

3. Establishment of multiple principal uses on a single parcel of land requires a PUD permit.

Soil or terrain conditions may require larger lot sizes to satisfy Town or State public health regulations; the burden of proof of soil suitability and terrain is on the applicant.

**Lot Area Minimum:**

Basic District Requirement: 10 acres (the owner(s) of record prior to January 4, 1994, of a lot containing at least 6 acres and less than 20 acres and which lot, under the prior bylaws was in RRR 3-5 District, shall be permitted to subdivide said lot into 2 lots, provided both lots meet the town subdivision and zoning requirements)

Two family dwelling (altered from pre-existing single family dwelling): 2 acres (more may be required to provide a proper sewage disposal system)

**Lot frontage and setbacks:** Applies for all uses unless increased by the Board of Adjustment as a condition to help a conditional use avoid defeating the purpose of the District.

Frontage 200 feet

Front Setback 40 feet

Rear Setback 50 feet

Side Setback 50 feet

**Building Height:**

Maximum building height: 35 feet (*Amended 6/11/2012*)

1 Site Plan Review required

2 General/Special Provisions apply

3 Certificate of Occupancy required

**4.3.2(f) Highway Commercial (HC)**

**Purpose:** Areas adjacent to highways or highway intersections with sufficient traffic to support the efficient provision of goods and services to the public. Serves local residents and transients, provides some local employment and helps to broaden the Town tax base. Access drives and curb cuts must be carefully planned to avoid traffic nuisances and dangers.

**Uses that do not require a Zoning Permit:** The following uses are permitted without a Zoning Permit, provided that these uses are in compliance with these Bylaws:

☐ Agriculture/Forestry (see Sect. 6.10.8)

☐ Baby-sitting service (see Sect. 7.13)

☐ Minor structures (see definitions)

☐ Temporary signs

**Permitted Uses:** The following uses are permitted following the issuance of a Zoning Permit by the Administrative Officer:

**Permitted Principal Uses:**

☐ Highway Commercial 1,2,3

☐ Light industrial 1,3 (see definitions)

☐ Self-Storage Facility ☐ 10,000 sq ft of gross floor area 1,2,3,4

☐ Small enterprise 1,2,3

**Permitted Accessory Uses:**

☐ Accessory use or structure

☐ Adult day care service (see Sect. 7.13)

☐ Athletic courts

☐ Bed and Breakfast (up to 3 bedrooms for transient boarders/tourists)

☐ Family child-care home (see Sect. 7.13)

☐ Home occupations

☐ Ponds (see Sect. 6.10.4)

☐ Seasonal roadside stand (see Sect. 7.11)

☐ Self-Storage Facility ☐ 10,000 sq ft of gross floor area 1,2,3,4

☐ Signs, permanent

☐ Swimming pool (in ground or aboveground)

**Conditional Uses:** The following uses are permitted upon the granting of Conditional Use Approval by the Board of Adjustment:

**Conditional Principal Uses:**

☐ Adult day care facility 1,3 (see Sect. 7.13)

☐ Church (see Semi-public)

☐ Contractor's storage 1 (materials, machinery, heavy equip.)

☐ Family child care facility 1,3 (see Sect. 7.13)

☐ Gasoline/service station 1,2,3

☐ Group home

☐ Indoor recreational facility 1,3

☐ Inn/small hotel 1,3 (see definitions)

☐ Outdoor recreation facility 1,2,3 (see definitions)

☐ Public water, sewage treatment plant 1,2,3

☐ Semi-public 1,2,3 (Primarily nonprofit: church, museum, library, private club, YMCA, YWCA, mortuary, etc.)

☐ Self-Storage Facility >10,000 sq ft of gross floor area 1,2,3,4

☐ Single family dwelling

**Purpose:** Areas suitable in terrain and proximity to transportation facilities to be desirable by industry and those commercial activities that do not depend on highway traffic for customers. Provides employment for local residents and broadens the Town tax base. Currently located in areas partially sodeveloped and considered to be appropriate for such use.

**Uses that do not require a Zoning Permit:** The following uses are permitted without a Zoning Permit, provided that these uses are in compliance with these Bylaws:

- Agriculture/Forestry (see State definition)

**Permitted Uses:** The following uses are permitted following the issuance of a Zoning Permit by the Administrative Officer:

**Permitted Principal Uses:**

- Public water, sewage treatment plant<sup>1,2,3</sup>
- Self-Storage Facility<sup>1,2,3</sup>
- Auto salvage/recycling facility, landfill, recycling facility (privately owned)<sup>1,2,3</sup>
- Industrial<sup>1,2,3</sup> (see definition)
- Non-highway Commercial<sup>1,2,3</sup> (see definition)
- Wireless Communication Facilities<sup>2,3</sup>

**Permitted Accessory Uses:**

- Accessory use or structure
- Athletic Courts/ Outdoor recreation facility (only as facilities for use by employees during lunch, etc. on same basis as primary industrial commercial facility)
- Home occupations (for existing homes)
- Small Office (see definition)

**Conditional Uses:**

The following uses are permitted upon the granting of Conditional Use Approval by the Board of Adjustment:

**Conditional Principal Uses:**

- Extraction of earth resources<sup>1,2,3</sup>
- Highway Commercial
- Home industry (for existing homes)
- Other uses (as determined after public hearing, by the Board of Adjustment, to be of a similar type and character as those listed above and meeting the purposes of this District)

**Conditional Accessory Uses:**

**Uses Not Permitted:** The following uses are not permitted within this District:

- Adult day care facility
- Campground, resort, children's camp
- Cemetery
- Community Non-profit
- Gasoline/service station
- Indoor recreational facility
- Inn/small hotel



- Medical facility (see definitions)
- Mobile home park
- Multi-family dwelling
- Residential PUD
- School (see definition)
- Single family dwelling
- Two family dwelling

**Area, Land, & Structural Requirements:**

1. Each principal use requires at least the minimum lot area and minimum required frontage specified for the district in which it is located.
2. Establishment of multiple principal uses on a single parcel of land requires a PUD permit.

Soil or terrain conditions may require larger lot sizes to satisfy Town or State public health regulations; the burden of proof of soil suitability and terrain is on the applicant.

**Lot Area Minimum:**

Basic District requirement: 2 acres

**Lot Frontage and Setbacks:**

Applies for all uses unless increased by the Board of Adjustment as a condition to help a conditional use avoid defeating the purpose of the District.

Frontage	200 feet
Front Setback	40 feet
Rear Setback	25 feet
Side Setback	25 feet

**Building Height:**

Maximum building height: 35 feet with the following exception: In this District, proposed structures exceeding 35 feet may be allowed with a conditional use permit. See “Height” definition for measurement standards.

Unless increased by the Planning Commission during Site Plan Review, a minimum of 50’ buffer with natural screening is required between industrial and residential zones.

- <sup>1</sup> Site Plan Review required
- <sup>2</sup> General/Special Provisions apply
- <sup>3</sup> Certificate of Occupancy required

638 8.) Discussion of Items for Future Agenda Items:

- 639 • Town Plan  
640 • Airport

641 9.) Any Other Business that can be legally discussed

642 None

643 10.) Adjourn

644 Michael Todd made a motion to adjourn the meeting.

645 Chris Whidden– 2<sup>nd</sup>

646 No discussion

647 Vote - unanimous

648 Meeting adjourned at 7:46 PM  
649

650 Next Planning Commission Meeting is scheduled for Monday, June 14, 2021 at 6:30 pm at Martin Memorial  
651 Hall.

652  
653 Respectfully,  
654 Chauncie Tillman  
655 Recording Secretary  
656  
657  
658  
659  
660  
661  
662  
663  
664  
665  
666  
667  
668  
669  
670  
671  
672  
673  
674  
675  
676  
677  
678  
679

**Planning Commission**

---

Howard Beach, Chair

---

Paul Tillman, Vice Chair

---

Tyler Harwell, Commissioner

---

Michael Todd, Commissioner

681  
682  
683

DRAFT