



TOWN OF WEATHERSFIELD

LAND USE ADMINISTRATOR'S OFFICE

(802)674-2626

P.O. BOX 550 ASCUTNEY, VT 05030

landuse@weathersfield.org

Planning Commission Agenda

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

Remote option – Zoom details below

Monday, October 10, 2022 – 6:30 PM

-
1. Call to Order
 2. Agenda Review
 3. Comments from the Chair and Land Use Administrator
 4. Comment from citizens regarding items not on the agenda
 5. Approval of Meeting Minutes – September 26, 2022

Old Business

6. **Sketch Plan Review – Hodgdon:** Continuation
7. **Sketch Plan Review – Fairbrother:** Continuation
8. **Town Plan – Energy section:** Review changes with Regional Planning Commission
9. **Review – Preferred Site Checklist:** Review and modify if needed
10. **Bylaws – PUD Review section:** No update

New Business

11. **Bylaws – Table of Districts and Uses:** Start review

-
12. Discussion of items for future agendas
 13. Any other business that can be legally discussed
 14. Adjourn

The next regularly scheduled meeting of the Planning Commission will be **Monday, October 24, 2022 - 6:30 PM**, Martin Memorial Hall.

Due to public demand and COVID-19; the Town has changed its public meeting platform from GoToMeeting to Zoom. For computer access, please go to this website, where you will find instructions and links to the meeting:
<https://www.weathersfieldvt.org/home/news/public-meetings-zoom>

To join any public meeting via phone, dial (929) 205-6099. When prompted, enter meeting ID 542-595-4364. You will not have a participant ID. Please press # when prompted to skip this section. The passcode for all meetings is 8021.

AGENDA ITEM

5

Planning Commission
Martin Memorial Hall
5459 Rte 5 Ascutney, VT
Planning Commission Meeting
DRAFT Monday, September 26, 2022 6:30 PM

Planning Commission Members Present:

Paul Tillman
Michael Todd
Howard Beach
Joseph Bublat
Tyler Harwell

Ryan Gumbart, Land Use Administrator

Attendees: Brian Bosenberg, Beth Hunton, Beth Gorton, Ken Blum, Dave Gulbranson, Rika Henderson,

Online Attendees: Julie Levy, Hank Ainley

1. Call to Order made by Paul Tillman, Chair at 6:30 pm.
2. Agenda Review

Michael Todd did not have anything to change, however, he did suggest that they date items that are on the agenda for themselves and for the attendees so they know what is being covered at which meetings as the same items seem to be on each week, but they are not able to cover each item.

3. Comments from the Chair and Land Use Administrator

Paul Tillman said he would work with Ryan to narrow down the agenda topics and more date specific.

4. Comments from Citizens regarding items not on the agenda.

None

5. Approval of Meeting Minutes – August 22, 2022 & September 12, 2022

Michael Todd made a motion to approve the minutes from 8-22-22 with corrections.

Joseph Bublat – 2nd

Paul Tillman noted that there were some spelling corrections and that Joseph Bublat was listed as online, however, he was in person. On the signature page, Tyler Harwell is listed as the Clerk, He will go and update those and get those back out to the Commission.

Vote – unanimous

Joseph Bublat made a motion to approve the minutes from 9-12-22 with corrections as needed.
Howard Beach– 2nd
No discussion
Vote – unanimous

6. Sketch Plan Review – Fairbrother

Michael Todd made a motion to continue the Sketch Plan Review for Fairbrother to October 10, 2022 Planning Commission Meeting.

Joseph Bublat – 2nd

Discussion: As of today, Ryan Gumbart, Land Use Administrator has not received an update regarding the Sketch Plan. If he has not heard anything by the next meeting on 10-10-22, he will reach out to the applicant for an update.

Vote – unanimous

7. Scenic Resources Discussion – Brian Bosenberg

Brian Bosenberg was present at the meeting to discuss Scenic Resources.

Protecting Scenic Views

The Town of Somers's scenic resource selection process is clearly explained in the municipal code. Scenic resources in each of the seven categories are designated according to specific criteria. Below are the standards for four categories—roadways, ridgelines, open fields and meadows, and cultural places:

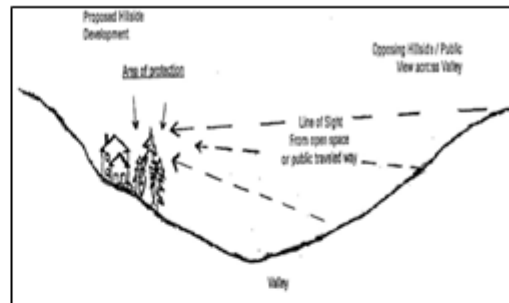
§138-8. Designation Criteria

A. General characteristics. A scenic resource shall be found to possess one or more of the following general characteristics:

- (1) Illustrative of a natural landscape feature, geologic feature or improvement representing the natural character and history of the town.
- (2) Possessing a unique overall quality of scenic beauty, scale, texture and form.

B. Specific characteristics. A scenic resource shall be found to have one or more of the following specific characteristics:

- (1) Roadways.
 - (a) The natural landscape on the edge of the roadway consists of dense forest edge with extensive, healthy or unusual variety of major rock outcroppings.
 - (b) The roadway provides a scenic vista or a panoramic view over one or more of the other types of scenic resources identified in §138-5.
 - (c) The road has a narrow, winding quality linking it with the town's rural past.
 - (d) The road has a special character defined in the Town Development Plan.
 - (e) The road is bordered by a stone wall.
- (3) Ridgelines.
 - (a) The crest of hills that are the focal points of vistas or are elements of a panoramic view.
 - (b) Linear elements that define the horizon or define progressions of significant elevation.



The zoning ordinance of the Town of Washington, New Jersey illustrates how a proposed new development must be screened from view in designated viewshed protection areas.

- (4) Open fields and meadows.
 - (a) A large open area where the predominant vegetation consists of herbaceous growth and shrubs that provide a unique and distinct landscape scenery significantly different from the predominant wooded landscape of the town.
 - (b) The open field or meadow provides a visual link to the agricultural history of the town.
 - (c) The open field provides an important visual focus for stands of trees, stone walls or fences.
- (6) Cultural places.
 - (a) Settings and locations, including buildings, walls, fences, cemeteries, markers, monuments, statues, other structures and the surrounding areas which provide a visual link to the culture and history of the town.
 - (b) Any historically unique or significant area, including the Business Historic Preservation District identified in Chapter 170, Zoning.
 - (c) Any property designated or eligible for designation on an official list of historic places.

Ranking. Once scenic resources are identified, they should be ranked according to the criteria

Protecting Scenic Views

FACT SHEET FACT SHEET FACT SHEET FACT SHEET

using a point scale. This will help prioritize views for preservation. The subjective impulse in a picturesque area like the Genesee-Finger Lakes region may be to identify every view as scenic; however, it's usually feasible to save only significant views that preserve community character. A grading system, according to established criteria, provides an objective, legitimate, and legally defensible assessment for designating particular views for protection.

map, followed by site visits, and ranking. A map with multiple layers (ortho, topo, property lines, prime agricultural lands, wetlands, etc.) can provide an initial understanding of issues, constraints, and opportunities in a particular area. Other communities begin with a public meeting to establish site selection criteria.

Mapping. After data are compiled and ranked, a scenic resources map or maps should be prepared.

You know what works best for your community and where to start the scenic resource designation process.

Some communities begin the process of designating scenic resources by preparing a

If the process is done at the municipal level, consider sharing your work with neighboring cities, towns, villages, and counties because views do not stop at municipal boundaries.

- Map Features**
- ★ Scenic Feature
 - ↔ Scenic Corridor
 - ↔ Scenic Road
 - ~ Municipal Border
 - ~ Roads
 - ~ Water Features
 - Scenic Landforms
 - ← Scenic Vistas



Scenic Vistas		
ID	Direction	Feature
1	ENE	Ag/Woods
2	SE	Agriculture
3	WNW	Ag/Woodlands
4	N	Pond/Creek
5	N	Ag/Creek
6	SW	Ag/Creek
7	N	Ag/Woods
8	SSE	Ag/Creek
9	N	Agriculture
10	N	Ag/Woods
11	NNW	Agriculture
12	E	Agriculture
13	S	Ag/Creek
14	N	Ag/Woods
15	NE	Ag/Woodlands
16	W	Agriculture
17	N	Pond
18	W	Agriculture
19	ENE	Agriculture
20	NNE	Ag/Woods

Scenic Road	
ID	Feature
1	Canopy Covered
2	Canopy Covered

Scenic Landform	
ID	Feature
1	Route 10 Ridgeline

Scenic Corridor	
ID	Feature
1	Octoraro Creek
2	Natural

Scenic Features	
ID	Feature
1	Pine Grove Covered Bridge
2	Camp Tweedale
3	Stone Arch Bridge
4	Stone Arch Bridge
5	Stone Arch Bridge
6	Lincoln University

The Town of Lower Oxford, Pennsylvania maps scenic resources designated for preservation in its Open Space Plan. A photographic inventory of scenic resources is also prepared.

Protecting Scenic Views

FACT SHEET FACT SHEET FACT SHEET FACT SHEET

REGULATIONS

Section 10(1)(ii)(a)(11) of New York’s Municipal Home Rule Law states that a municipality may adopt local laws for the “protection and enhancement of its physical and visual environment.” Ultimately, the integrity of scenic resources must be protected by law. Generally, this involves the following three elements:

1. Maintain an up-to-date list of scenic resources.
2. Recognize the importance of scenic resources within municipal ordinances.

For example, the zoning ordinance of the Town of Day, NY expresses the following purpose:

Section 4.6 Town of Day Viewshed Protection Area

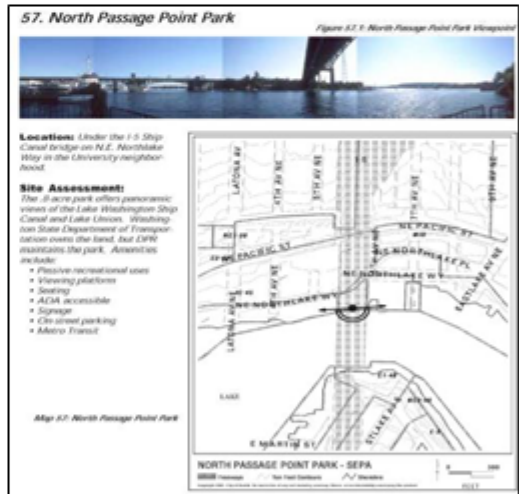
The Town Board of the Town of Day finds that many landscape features, geological features and other resources of the Town of Day and the Adirondack Park have special aesthetic, scenic or historical value. Many of these resources are located in the Town of Day Viewshed Protection Area. Great Sacandaga Lake is a significant resource of the Town, and many of the resources located in the Town of Day Viewshed Protection Area are visible from Great Sacandaga Lake, or from public roads. In order to protect and preserve those resources and to prevent or diminish the loss of those irreplaceable resources, the Town Board hereby declares it to be the public policy of the Town of Day to protect, perpetuate and enhance those resources.

3. Require within ordinances that any proposed subdivision, land development, or permit action near a designated scenic resource coordinate early and throughout project development with the municipality to avoid, minimize, and/or mitigate negative scenic impacts.

For example, development proposals submitted

for review by the Town of Day Planning Board must include line of sight profiles, which are subject to field verification, in addition to meeting area, height, and bulk requirements. The Planning Board also has the discretion to consider the avoidance, minimization, or mitigation techniques to lessen impacts on visibility.

Avoidance can be as simple as relocating a driveway or parking lot to a different portion of a property to avoid being in the line of a scenic view. Minimization can be a design element, such as the use of non-reflective building materials, that reduces the prominence of a new development in the public view of a scenic resource. Mitigation can be as basic as a landscaping plan that provides a buffer between a new or remodeled structure and an existing scenic feature.



The code of the City of Seattle lists 86 public viewscapes that are protected. The Department of Planning and Development is responsible for conducting an environmental review of proposals and may conditionally approve or deny projects that adversely affect these views. Within designated viewsheds, developers are expected to balance height, setbacks, and other requirements to protect views.

Protecting Scenic Views

FACT SHEET

OTHER REGULATORY MEASURES

Sometimes a community's land use policies and regulations have the unintended effect of protecting irreplaceable views. The Town of Irondequoit, for example, strictly regulates development and landscaping above, on, and below the steep slopes lining Irondequoit Bay. The regulations, specified for Steep Slope Environmental Protection Overlay Districts, are intended to prevent erosion and slope failure, but also preserve vistas of the beautiful and fragile slopes. An increasing number of municipalities, such as Boulder, Colorado, explicitly use hillside protection regulations to protect views.

Many communities effectively preserve scenic resources by adopting ordinance language to:

- Encourage property owners to preserve such scenic resources as historic structures, bridges, stone walls, and fences, and to keep them in good repair.
- Diminish the impact of signs and billboards by specifying limits for number, height, size, illumination, materials, and placement.
- Regulate the location and design of cell towers, as well as require a maintenance plan for towers, the land around towers, and for tower removal.
- Specify parking design, including the location, layout, and type of parking; allowance for shared parking, as appropriate, to eliminate excess parking and impervious surfaces; and screening, buffering, and landscaping of parking lots.
- Require storm water management facilities to replicate natural systems, where possible.
- Promote underground utility installation for new development to maintain community character.
- Allow flexible building use and reuse so that abandoned buildings can be reoccupied more easily before they become unsightly.
- Prohibit the accumulation of cars, trash, and litter on any property, as well as unmowed grass.



Thoughtful land use strategies can help communities avoid poorly sited or designed development.

OTHER LAND MANAGEMENT TOOLS

Although not specifically designed to protect scenic views, other planning tools are available to help communities safeguard views and viewsheds.

Agricultural Zoning. Effective agricultural zoning encourages the preservation of

Protecting Scenic Views

FACT SHEET
FACT SHEET
FACT SHEET
FACT SHEET
FACT SHEET

farmland and can be used to discourage land uses that are incompatible, including scenically incompatible, with agricultural uses.

Transfer of Development Rights. TDRs are a voluntary, incentive-based, and market-driven approach to preserving open space by directing development away from agricultural, natural, historic, and recreational resources on a site.

Conservation Easements. A landowner donates or sells a conservation easement to a state or local government or a land trust in order to protect farmlands, wildlife habitats, historic sites, or other resources. Properties with conservation easements remain private and may not be open to the public; however, the public can benefit from scenic views of the property.

SEQR. New York State allows municipalities to "customize" mandatory State Environmental Quality Review to meet local needs. An example is the Town of Penfield's "PEQR" process. State environmental quality law gives municipalities the right to protect identified public views through the application of mitigation measures, such as setback and height restrictions. Forthcoming changes to SEQR require more scrutiny of a proposed project's effects on community character, including the impact on designated viewsheds.

Community Education

Residents who are aware of an area's cultural heritage and of the value of scenic resources are more likely to become stakeholders to protect them. Several communities in the region have informal or formal educational efforts, including walking tours of historic sites, nature hikes, heritage festivals, canal rides, presentations from area experts, and newsletter articles on local resources.

Resources

Town of Somers, NY Zoning Code, Chapter 138, Scenic Resource Protection
<http://ecode360.com/11112531>

Town of Day, New York
Current Viewshed Protection Ordinance
<http://www.townofday.com/townhall.pdf/landuseamend1.pdf>

2012 Proposed Revised Zoning Code
<http://www.saratogacountyny.gov/upload/day-proposed-zoning-regulations.pdf>

Seattle, Washington
Inventory of Protected Views,
http://www.seattle.gov/dpd/Planning/View_Protection/Overview/default.asp
Public View Protection, (municipal code, 25.05.675P)
<http://www.seattle.gov/leg/clerk/>

Preservation Law Educational Materials: Approaches to Viewshed Protection Around the Country, National Trust for Historic Preservation, 2009
<http://www.preservationnation.org/information-center/law-and-policy/legal-resources/preservation-law-101/resources/Viewshed-Protection.pdf>

Protecting Scenic Views: Community-Based Performance Standards, Maine State Planning Office, 2007
http://www.maine.gov/doc/nrimc/mcp/downloads/scenic/protectinglocalscenicresources_dec07.pdf

Strategies for Protecting Scenic Views and Vistas, Scenic America
<http://www.scenic.org/issues/scenic-easements-a-view-protection/strategies-for-protecting-scenic-views-and-vistas>

- Genesee Transportation Council, July 2013

8. Town Plan – Energy Section – tabled for future meeting. The Planning Commission is still reviewing from Jason Rasmussen.
9. Town Plan – General – tabled for future meeting.
10. Bylaws – PUD Review Section – tabled for future meeting.
11. Discussion of Items for Future Agenda
 - a. Town Plan Energy
 - b. Town Plan General
 - c. Bylaws – PUD
 - d. Town Plan Land Use
 - e. Preferred site maps
12. Any other business that can be legally discussed
13. Executive Personal Executive Session 1 V.S.A. § 313 for Personnel

Michael Todd made a motion to go into Executive Session 1 V.S.A. § 313 for Personnel.

Joseph Bublat – 2nd

No Discussion

Vote - unanimous

The Planning Commission came out of Executive Session at 8:32 pm with no action.

14. Adjourn

Michael Todd made a motion to adjourn at 8:33 pm

Howard Beach – 2nd

No discussion

Vote - unanimous

Next Planning Commission Meeting is scheduled for Monday, October 10, 2022 at 6:30 pm at Martin Memorial Hall.

Respectfully,
Chauncie Tillman
Recording Secretary

Planning Commission

Howard Beach, Vice - Chair

Joseph Bublat, Clerk

Tyler Harwell, Chairperson

Paul Tillman, Chair

Michael Todd, Chairperson

DRAFT

AGENDA ITEM

6

CHARTERED BY
NEW HAMPSHIRE
AUGUST 20, 1761

Town of Weathersfield

POST OFFICE BOX 550
ASCUTNEY, VERMONT 05030-0550

CHARTERED BY
NEW YORK
APRIL 8, 1772

Telephone: [802] 674-2626
Facsimile: [802] 674-2117

E-mail: zoning@weathersfield.org
Website: <http://www.weathersfield.org>

Planning and Zoning

APPLICATION FOR SKETCH PLAN REVIEW

Application # _____

Applicant Name Colby Hodgdon
Address (Mailing) One Meadow Lake Windsor, VT 05089
Telephone # 802 991 1289 Email Address Chodgdon76@gmail.com

Landowner Name Darcy Hodgdon Jr + Diane Hodgdon
Address (Mailing) PO Box 179 Ascutney VT 05030
Telephone # 674 5375 Email Address Dawddservices@yahoo.com

Subdivider Name _____
Address (Mailing) _____
Telephone # _____ Email Address _____

Name of Project Hodgdon House
Tax Map/Parcel Number 05-03-40
Location of Subdivision Ascutney

Written description of proposed development plans, including number and size of lots, and the general timing of development.

Subdivide out a single 5-7 acre lot for a house - primary Residence
Construction to start August/Sept '22 - Aug/Sept '23

Sketch should clearly indicate existing and proposed lot lines, dimensions and lot numbers.

The Planning Commission may require additional information depending upon the scope and location of the proposed project.

Darcy Hodgdon Jr
Landowner Signature

3/30/22
Date

(See checklist on reverse side)

- Submit two (2) copies of this application to the Land Use Administrator at least twenty-one (21) days prior to a regular meeting of the Planning Commission.
- Submit nine (9) copies of your sketch plan with this application.
- Pay the fee of _____ at the time of application.
- The subdivider or duly authorized representative shall attend the Planning Commission meeting to discuss the sketch plan and requirements of the Subdivision Regulations.
- Completed Impact Statement

WARNING – State permits may be required for this project. Call 802-_____ to speak to the State Permit Specialist before beginning construction.

Meeting date at which you should be present: 4/11/2022

FOR OFFICE USE

Date Received 3/30/2022 Fee Paid \$100.00
 Date presented to the Planning Commission _____

Application No. 22.03.30.1 Date of Notice _____
 Date received by AO 3/30/2022 Date of Hearing _____
 Fee Paid \$ 100.00 Date of Decision _____
 Date Paid 4/7/2022 Appeal granted _____ denied _____

T:\Departments\Land Use and Zoning\APPLICATION FORMS\Applications\Application for Sketch Plan Review.docx

D



48

RR

2B A

49

Driveway

1.0A

50

1.0A

LAWRENCE FARM ROAD

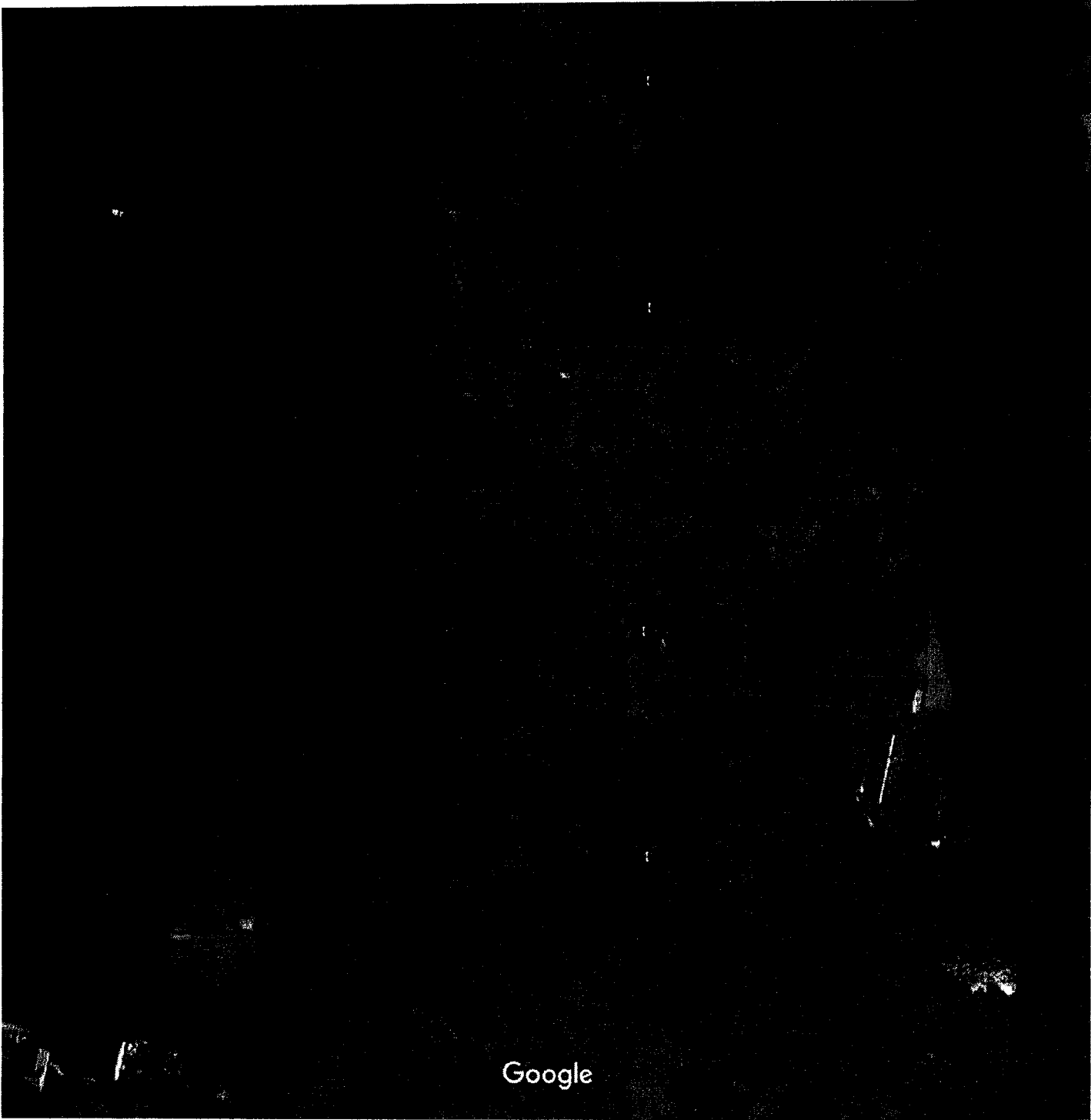
51

52

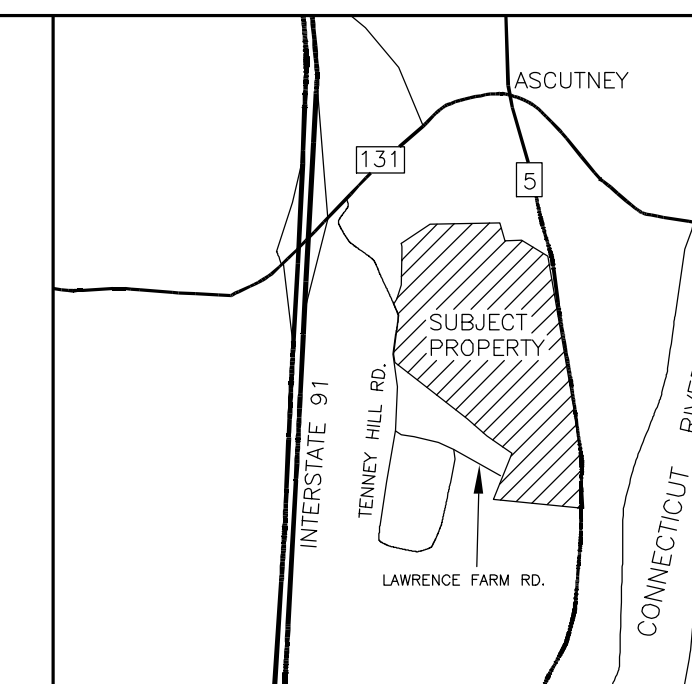
1.2A

1.0A

56



BLANK



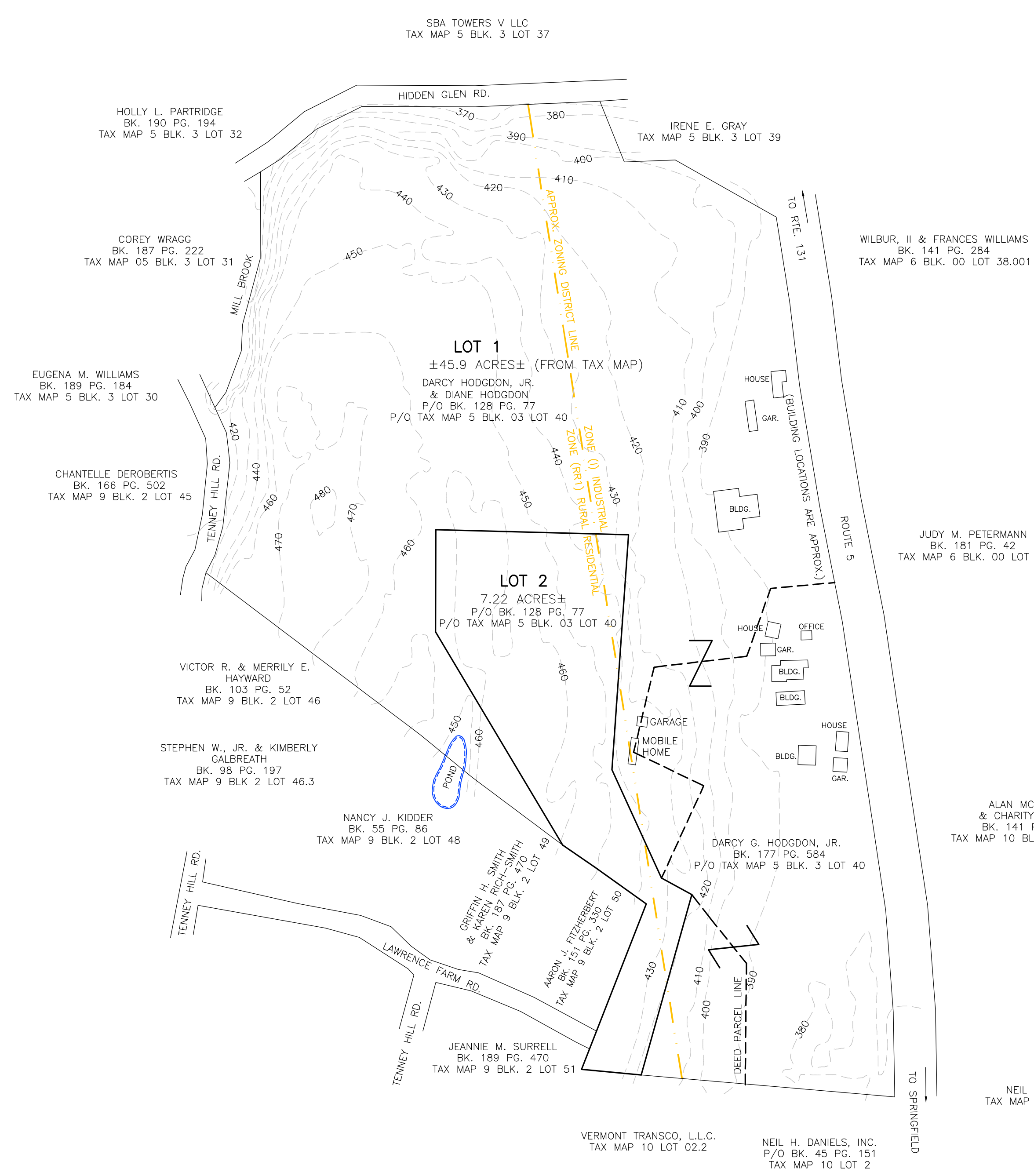
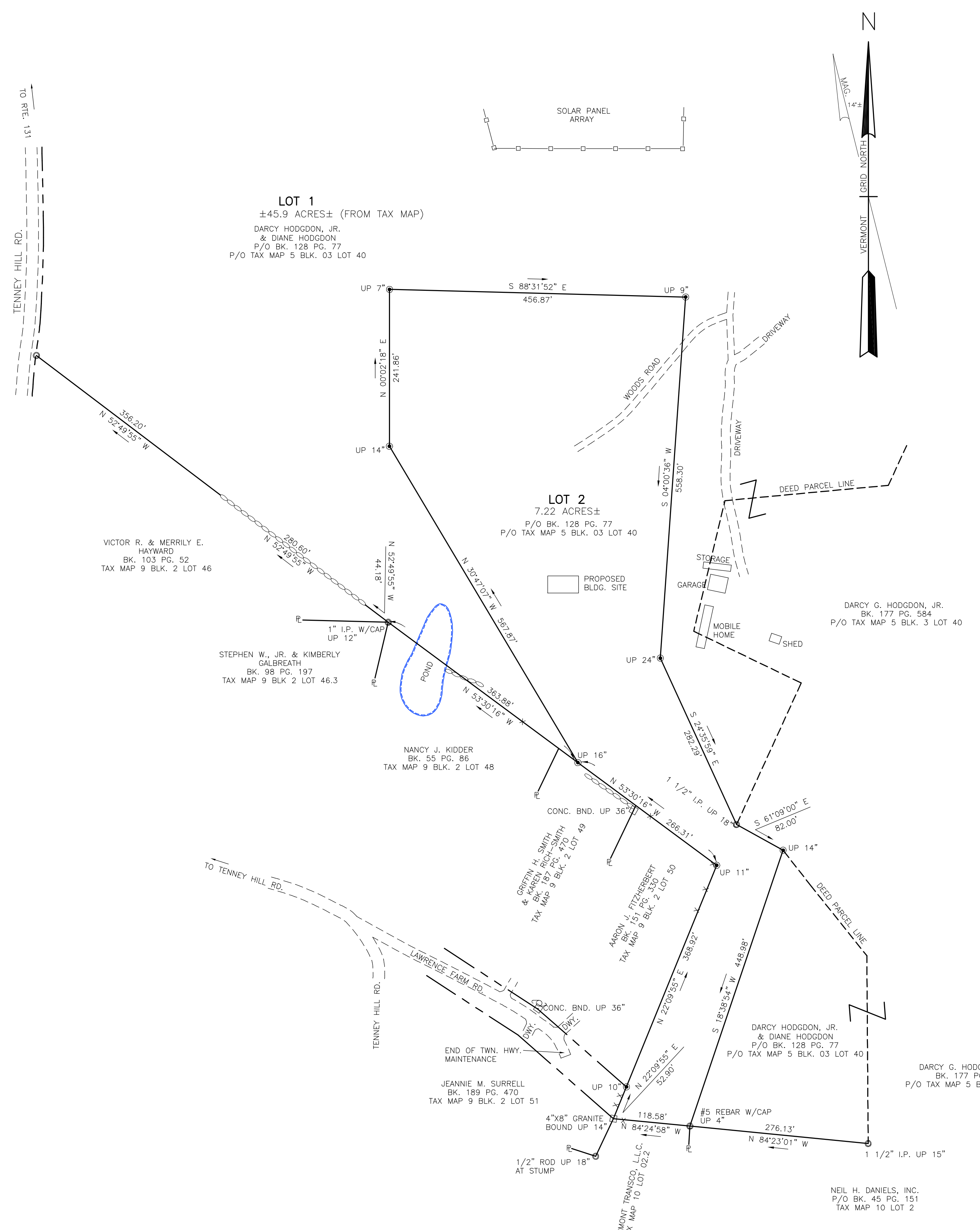
— LOCATION MAP —

DIMENSIONAL STANDARDS FOR ZONE (RR1) RURAL RESIDENTIAL

Lot Area Minimum: 1 acre
 Lot Frontage and Setbacks:
 Frontage 150 feet
 Front Setback 40 feet
 Rear Setback 25 feet
 Side Setback 25 feet
 Maximum Building Height: 35 feet

DIMENSIONAL STANDARDS FOR ZONE (I) INDUSTRIAL

Lot Area Minimum: 1 acre
 Lot Frontage and Setbacks:
 Frontage 200 feet
 Front Setback 40 feet
 Rear Setback 25 feet
 Side Setback 25 feet

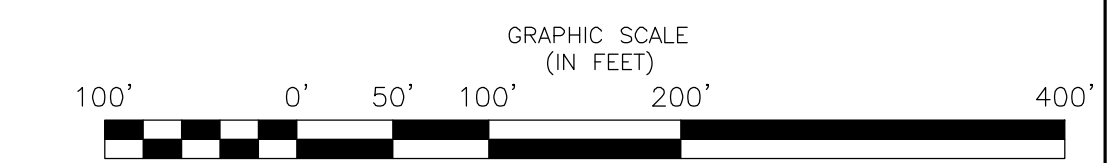


OVERALL PROPERTY SKETCH
 (TAKEN FROM TAX MAP)

SCALE: 1"=200'±

LEGEND

- REBAR SET
- IRON PIN FOUND
- ⊕ UTILITY POLE
- x x x WIRE FENCE REMAINS
- STONE WALL
- HIGHWAY R.O.W. LIMITS
- PROPERTY LINE
- BK. 128 PG. 77 DEED REFERENCE
- PROPERTY LINE
- GRANITE BOUND
- P/O PART OF
- CONCRETE BOUND



NOTES

1. METHOD OF SURVEY: R.T.K. G.P.S. AND THEODOLITE & E.D.M.
2. BEARINGS ARE IN RELATION TO VERMONT GRID NORTH.
3. TOTAL AREA PRIOR TO SUBDIVISION IS 53.13 ACRES± (AREA FROM VT. PARCEL VIEWER).
4. ONLY LOT 2 WAS SURVEYED BY THIS FIRM.
5. THIS PROPERTY IS SUBJECT TO AND INCLUDES RIGHTS OF RECORD.
6. THE APPROXIMATE 10 FOOT CONTOURS SHOWN HEREON WERE TAKEN FROM THE VT. CENTER FOR GEOGRAPHIC INFORMATION WEBSITE.
7. FOR LOT 2 SITE, WELL AND SEPTIC DETAILS REFER TO WATER/WASTE WATER DESIGN PLANS PREPARED BY WEATHERSFIELD ENGINEERING.

REFERENCE PLANS

- REFERENCE IS MADE TO THE FOLLOWING PLANS:
- A. "PROPERTY OF WILLIAM J. WILGUS IN THE TOWN OF WEATHERSFIELD, VT.", DATED 4/12/1923, SCALE 1"=100'.
 - B. "PROPOSED SUBDIVISION OF PROPERTY OF EARLE INGALLS, WEATHERSFIELD, VT.", DATED 3/25/98, DWG. NO. 97-198, PREPARED BY DBS SURVEYS, INC.
 - C. "PROPERTY AND EASEMENTS TO BE CONVEYED BY NEIL H. DANIELS, INC. TO VERMONT TRANSCO LLC, WEATHERSFIELD, VT.", DATED 6/27/2016, PROJ. NO. 9048, PREPARED BY VERMONT SURVEY AND ENGINEERING, INC.
 - D. "PROPERTY AND EASEMENTS TO BE CONVEYED BY NEIL H. DANIELS, INC. TO VERMONT TRANSCO LLC, WEATHERSFIELD, VT.", DATED 8/30/2012, PROJ. NO. 9048, PREPARED BY VERMONT SURVEY AND ENGINEERING, INC.

CLIENT ADDRESS:
 HODGDON BROS., INC.
 P.O. BOX 136
 ASCUTNEY, VT. 05030-0136

— CERTIFICATION —

IN MY OPINION AND TO THE BEST OF MY KNOWLEDGE THIS PLAT IS CONSISTENT WITH INFORMATION ABSTRACTED FROM THE TOWN OF WEATHERSFIELD LAND RECORDS AND PHYSICAL EVIDENCE FOUND IN THE FIELD.

Christopher T. Paton
 CHRISTOPHER T. PATON, VT. L.L.S. NO. 692

PROPOSED SUBDIVISION OF PROPERTY OF
**DARCY HODGDON, JR.
 & DIANE HODGDON**
 LOT 2 TO BE CONVEYED TO
COLBY HODGDON

WEATHERSFIELD, VERMONT

PREPARED BY
PATON LAND SURVEYING
 P.O. BOX 581 SPRINGFIELD, VT 05156
 (802) 885-6674

DATE: 8/19/2022 SCALE: 1"=100'
 DRAWN BY JWC CK'D BY CTP
 SURVEYED BY CP, JC, JM
 PROJ. NO. 2021-294-43

BLANK

Estate of Darcy G. Hodgdon TO Darcy G. Hodgdon, Jr.
Diane C. Hodgdon, Co-Executor
Darcy G. Hodgdon, Jr., Co-Executor

STATE OF VERMONT

SUPERIOR COURT
WINDSOR UNIT

PROBATE DIVISION
DOCKET NO. 14329

IN RE ESTATE OF DARCY G. HODGDON

FINAL DECREE OF DISTRIBUTION - REAL PROPERTY

Diane C. Hodgdon and Darcy G. Hodgdon, Jr., Co-Executors, have submitted a final account and Motion for Decree of Final Distribution. The Court finds that:

1. Due notice has been given to the interested persons pursuant to statutes and the rules of probate procedures.
2. Debts and funeral charges of the decedent, taxes, and expenses of administration have been paid.

Therefore, the Court **DECREEES** that the remaining property be distributed as follows:

TO: DARCY G. HODGDON, JR.

Meaning and intending to convey any and all right, title and interest that Darcy Hodgdon, Sr. may have in and to all property located in the Town of Weathersfield.

Being Darcy Hodgdon Sr's. one-third interest in and to all and the same lands as were conveyed to Darcy Hodgdon, Porter Hodgdon and Albert Hodgdon, d/b/a Hodgdon Brothers by Warranty Deed of Norman G. Fair and Sigrid E. Fair, dated August 1, 1973 and recorded in the Weathersfield Land Records at Book 50 Page 120-22 and in said deed described as follows:

"Being a portion of the premises conveyed to Leon M. and Anne K. Cleveland by warranty deed from William J. Wilgus, dated June 7, 1946 and recorded in Book 31, Pages 135-7 of the Weathersfield Land Records and more particularly described as follows:

"Beginning at an iron pin on the westerly edge of U.S. Route #5, which point is approximately 100' southerly of a stone monument at the base of a 12" maple tree also on the westerly edge; thence N 50 degrees 26' W approximately 87' more or less to an iron pin; thence N 79 degrees 40' W approximately 292' more or less, to an iron pin; thence S 60 degrees 57' W approximately 842.8' more or less, to an iron pin; thence S 81 degrees E approximately 392', more or less, to an iron pin, which line is approximately 5' parallel to a cluster of pines; thence northerly along the westerly edge of Route #5 to the place of beginning.

"This conveyance is made subject to the following restrictions and limitation, which shall run with the land, that there shall be no commercial development of the above described premises, no trailers, no mobile homes nor tarpaper shacks permitted on the above described premises. However, this shall not prohibit the operation of an antique shop or similar "home businesses".

"The within grantors agree, as further consideration for this transfer, not to cut the northerly row of pines on the boundary of premises now or formerly of Hodgdon.

"In the event of the within grantees, their heirs or assigns shall receive a bona fide offer to purchase said premises and such offer of purchase shall be satisfactory to the grantees, their heirs and assigns, then the grantees, their heirs and assigns agree to give the within grantor, his heirs and assigns the privilege of purchasing the premises and on the terms of the offer so made. Said privilege is to be given by a notice sent to the within grantor at his Ascutney address, requiring him to accept it in writing and to sign a suitable form of contract of purchase within a period of 15 days after the mailing of such notice.

"In the event of the failure of the within grantor to accept such offer or sign such contract of purchase within said period of time, then and in that event, the privilege of the within grantor shall be thereupon null and void, and the grantees, their heirs and assigns shall be at liberty to sell the premises to another.

"As further consideration, the within Grantors agree to give the within grantees the right of first refusal over the following described parcel, subject to the terms and conditions recited above.

"Being all and the same land and premises conveyed to Leon M. and Anne K. Cleveland by Allen C. Young, administrator of the Naomi H. Ingalls Estate dated April 4, 1969 and recorded in Book 45, Page 33 of the Weathersfield Land Records.

"As further consideration, the within Grantors agree to give the within grantees the right of first refusal over the remainder of the premises conveyed to Leon M. and Anne K. Cleveland by William J. Wilgus subject to the terms and conditions recited above.

"The within grantors also mean to convey their rights to take water from the reservoir on premises now or formerly of Donner Carr subject to the terms and conditions of the agreement between the within grantors and Carr.

"The above described conveyance is subject to highway rights in the State of Vermont.

"Being the same land and premises received from Leon M. C. Cleveland and Anne K. Cleveland by warranty deed dated September 21, 1971, recorded in Book 47, pages 353-55 in the Weathersfield Land Records.

Being Darcy Hodgdon Sr's. one-third interest in and to all and the same lands as were conveyed to Darcy Hodgdon, Porter Hodgdon and Albert Hodgdon by Warranty Deed of Clarence B. Croft and Nellie Croft, dated October 2, 1967 and recorded in the Weathersfield Land Records at Book 42, Page 292, and in said deed described as follows:

"Beginning at a stone post set on the westerly side of the River Road in Ascutney and running thence North Eighty-seven and one-fourth (87 1/4) degrees West eight (8) rods to a stone bound; thence South Thirty-Eight and one-half (38 1/2) degrees West turning an angle on the left of One Hundred Twenty-Five (125) degrees Forty (40') feet with the last mentioned line Ten (10) rods to a stone

bound; thence North Eighty-one and one-half (81 1/2) degrees West turning an angle on the right of One Hundred Twenty-Nine (129) degrees Thirty-One (31') feet Thirteen (13) rods Twenty (20) links to a stone bound; thence South Thirty (30) degrees West Twelve and one-half (12 1/2) rods to a yellow birch tree in a fence corner; thence South Fifty-two and three eighths (52 3/8) degrees East along an old stump fence ten (10) rods to a stone bound; thence Northerly Eight (8) rods to a stone bound; thence South Eighty-two and three-fourths (82 3/4) degrees East Twenty and one-half (20 1/2) rods to a stone bound on the Westerly side of the above-mentioned River Road; thence Northerly along said road Eighteen (18) rods to the point of beginning. Being part of the William Lewis Farm, so-called.

"Being all of the same land and premises as conveyed to Frank W. Plumb by Clarence H. Martin by his Warranty Deed dated October 2, 1918, recorded in Volume 25, Page 354 of the Town of Weathersfield Land Records, to which deed and the deeds and records therein mentioned reference is hereby made.'

"Parcel #2

"Bounded on the North by other land of Frank Plumb Estate; on the East by the highway known as the "River Road"; on the South by land of Orville Ingalls, land on the West by land of Leon M. Cleveland.'

"Being all of the same land and premises as was conveyed to Frank W. Plumb by Clarence H. Martin, by his Warranty Deed, dated December 6, 1920, recorded in Volume 26, Page 237, of the Town of Weathersfield Land Records, to which Deed and the Deeds and Records therein, reference is hereby made."

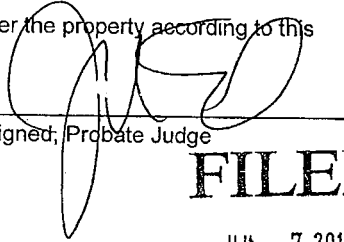
TO HAVE AND TO HOLD the same to him, his heirs, successors and assigns forever.

The Fiduciary is ordered to pay over and deliver the property according to this decree.

Dated

7/6/15

Signed, Probate Judge



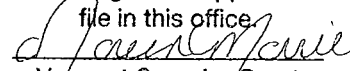
FILED

JUL 7 2015

VERMONT SUPERIOR COURT
WINDSOR UNIT

Date July 7, 2015

Certified to be a true copy
of the original as appears on
file in this office


Vermont Superior Court
Windsor Unit

Weathersfield, Vermont Town Clerk's Office, July 21, A.D. 2015 at 1:00 PM
received Decree of Distribution of which the foregoing is a true record.

Attest:  Assistant Town Clerk

AGENDA ITEM

8

ENERGY

7.1 Introduction

We all use energy in many forms to conduct our daily lives. That energy may come from local sources or be imported from outside the town. Either source may be renewable or non-renewable. Renewable energy comes from sources that are naturally replenished and include biomass (wood, corn, grasses, and vegetable oil), the sun (solar), wind, the earth (geothermal), water (hydro), or ~~cow~~ manure (methane digesters - "cow power"). Non-renewable energy is produced from sources that cannot be renewed by human activity or within the human time scale. These include oil, natural gas, uranium, and coal.

Weathersfield is heavily dependent upon imported, non-renewable sources to meet its energy needs. This chapter provides an analysis of our energy resources and needs, as well as energy scarcity, conservation, costs, and problems in our community.

~~The 2022 Vermont Comprehensive Energy Plan (CEP) recommends comprehensive consideration of adjustments to the Renewable Energy Standard, including consideration of a low carbon or carbon-free standard, in addition to 100% RES.~~

~~7.1.1 The overall purpose of this energy plan is to provide decision-making guidance to:~~

~~7.1.1.1 Weathersfield Town Government~~

~~7.1.1.2 Residents of Weathersfield~~

~~7.1.1.3 Weathersfield Business and Agricultural Community~~

~~7.1.1.4 Agency of Natural Resources in the Act 250 permit process~~

~~7.1.1.5 Public Service Board in the Act 248 permit process~~

~~7.1.1.6 Southern Windsor County Regional Planning Commission~~

~~7.1.2~~ 7.1.1 In addition, ~~†~~This plan seeks to:

~~7.1.2.1~~ 7.1.1.1 Help the town identify ways to conserve energy in its municipal functions,

~~7.1.2.2~~ 7.1.1.2 Encourage renewable or lower-emission energy sources for electricity, heat and transportation. Identify alternative sources of energy that are suitable for the town and that promote a balance between economics and pollution reduction,

~~7.1.2.3~~ 7.1.1.3 Encourage a pattern of development that likely results in the conservation of energy, ~~the town's residents to conserve energy, and~~

7.1.1.4 Encourage development of appropriately-scaled renewable energy resources,

7.1.1.5 Reduce greenhouse gas emissions, and

~~7.1.2.4~~ 7.1.1.6 Reduce transportation energy demand and single-occupant vehicle use.

Commented [JR1]: delete

7.2 Analysis of Renewable Energy Resources in Weathersfield (renewable resources)

~~Few households in town generate power or heat with small non-wood renewable energy systems. Weathersfield as a whole does not have a number of renewable energy systems currently operating. In 2022, these systems include 11 solar hot water systems, 1 windmill, 16 ground-mounted photovoltaic systems, 3 solar trackers, and 44 roof-mounted photovoltaic systems, according to the Vermont Energy Dashboard (www.vtenergydashboard.org/energy-atlas). These existing systems have a capacity of about 1.16 MW. Two additional larger ground-mounted systems have come online more recently than this data represents: one is off VT Route 106 in Perkinsville and another is at the Town Highway Garage. These two additional systems have capacity of an additional 1 MW. They produce any significant amounts of non-wood renewable energy. However, the town has significant the potential for to generate additional renewable energy generation from any of the following renewable resources: biomass, geothermal, hydro, solar, and wind sources.~~

~~The Vermont Online Energy Atlas (as of 2016) is an excellent source of information regarding the availability and potential production of renewable energy resources in Vermont.~~

7.2.1 **Biomass:** The term “biomass” includes bio-diesel, perennial grasses, methane digesters, waste to energy, firewood, and woody biomass.

7.2.1.1 *Bio-diesel:* Bio-diesel is a type of fuel made from vegetable oils, animal fats, or waste cooking oil. It may be used in its purest form or combined with petroleum diesel. It is biodegradable, nontoxic, far less polluting than fossil fuels and may be used in ordinary diesel engines with little or no modification. Bio-diesel may also be produced from waste cooking oil. There are several restaurants in Weathersfield that could provide small amounts of waste cooking oil for conversion to bio-diesel. Any biodiesel use in Weathersfield is by private users; no figures are readily available.

7.2.1.2 *Vegetable oils:* Vegetable oils are derived from oilseed crops such as mustard, rapeseed, or sunflowers. There are no oilseed crops being produced in Weathersfield nor are there the facilities within a reasonable distance to convert the seeds to bio-diesel.

7.2.1.3 *Woody Biomass:* Wood is used in a variety of forms to provide heat or to generate electricity. In the simplest form, wood from trees is split and sold for firewood for wood-burning stoves and furnaces in home heating. The Weathersfield School uses wood chips to heat the school. Wood pellets are also a popular way to provide home heating.

Commented [JR2]: Verify data accuracy

Commented [JR3R2]: The windmill is listed on VT Energy Dashboard as of 2020, electric capacity of 9.5kw, installed 2004. Owned(?) by Duane and Carmel Blanchard.

WEATHERSFIELD TOWN PLAN

Studies show that burning woody biomass to generate heat is far more efficient than burning it to generate electricity. Additional challenges to using woody biomass for energy production on a large scale are truck traffic (large logging trucks), waste heat (if the biomass is used for electricity production), and carbon dioxide emissions.

According to the Atlas, there are 12,412 acres of wooded land in Weathersfield with an annual potential yield of 5,763 tons of available low grade wood, which are suitable for heat and/or biomass electricity production (0.464 tons Net Available Low Grade Wood (NALG)/acre x 12,412 acres = 5,763 tons of NALG wood). Logging should be done according to acceptable practices.

7.2.1.4. *Perennial Grasses:* There are problems associated with the burning of perennial grasses that must be taken into consideration when considering this fuel source. No perennial grasses are currently being grown in Weathersfield for energy use.

7.2.1.5. *Methane Digesters:* According to Green Mountain Power (GMP), Cow Power, "one cow can produce about 30 gallons of manure a day which, in turn, can generate enough electricity to power two 100-watt incandescent light bulbs for 24 hours. The waste from 4-6 cows will generate about 1 kw of electricity." (VT Renewable Energy Atlas). Weathersfield has a number of various types of livestock in town, but no working dairy farms. There are currently no methane digesters in the town.

7.2.2 Geothermal: Geothermal, or ground source heating, is the direct use of energy absorbed from the sun at the earth's surface, and supplemented from the earth's core. Modern geothermal heating and cooling systems rely on the stable temperature of the earth (55 degrees Fahrenheit), or groundwater in a well, along with an electric heat pump. This technology is not currently financially feasible in Weathersfield.

7.2.3 Hydro: There are three potential sites in Weathersfield for hydroelectric power - Stoughton Pond, Springfield Reservoir, and the Soapstone Dam on the Black River. The Vermont Energy Atlas estimates they have the potential to produce a total of 207 kW of power.

With the abundance of streams in Weathersfield, micro hydro-power (run-of-river) is another alternative that should be considered. Micro hydro-power generation requires as little as two gallons per minute of stream flow and does not require the usual reservoir associated with standard hydro-power projects. Peak power production is in the winter when electricity demands are high.

WEATHERSFIELD TOWN PLAN

Installation costs and maintenance fees are relatively small in comparison to other technologies.

7.2.4 Solar: Solar energy may be used to generate electricity or thermal heat. It may be stored on-site using batteries or sent to the grid via net-metering. Solar hot water does not require batteries or net-metering. There are an increasing number of net-metering sites in Weathersfield.

~~7.2.5 Wind: According to the U.S. Department of Energy Wind Program and the National Renewable Energy Laboratory, areas with annual average wind speeds of 21.3 ft/s (or 14.5 mph) and greater at a height of 262 feet are suitable for wind energy development. Their map shows the wind speeds in Weathersfield at this height average 16.4 ft/s (or 11.1 mph) and below.~~

~~7.2.6~~

~~7.2.5 Wind: The Vermont Department of Public Service has published a map of potential wind resources at 98 feet for the state, shows only modest potential for utility- (70 meters or 230 feet tall at the hub) or commercial-scale (50 meters or 164 feet tall) wind power in town. Residential-scale (30 meters or 98 feet tall) wind appears to be the only reasonable option given prevailing wind speeds, land ownership, and proximity to three phase power lines. This map indicates Class 2 sites (17.1–19.4 ft/s or 11.6–13.2 mph) on Little Ascutney Mountain and in a small area southeast of the end of West Camp Hill Road. According to the U.S. Department of Energy, these wind speeds are insufficient for the generation of significant amounts of electricity.~~

~~7.2.7~~ 7.2.6 Heat pumps: An increasing number of air source cold-climate heat pumps are being used in the town as a highly efficient source of heat and air conditioning. Cold-climate heat pumps are also referred to as air-source heat pumps, mini-splits or ductless heat pumps. These systems are a good option to retrofit existing houses, and can be used to supplement the existing heating system. They also provide air conditioning during the warmer months. Ground source (geothermal) heat pumps may also be suitable option. Heat pump water heaters are also an energy efficient option.

Commented [JR4]: Not renewable, relocate

~~7.2.8~~ 7.2.7 Summary of Renewable Resources: In summary, it appears that there are several ways that Weathersfield residents and the town government could reduce their non-renewable, imported energy dependencies through the development and use of locally produced, renewable energy fuels.

~~7.2.9~~ 7.2.8 All development of renewable energy in Weathersfield should be consistent with land use, conservation, and other goals described elsewhere in this plan.

7.3 Analysis of Non-Renewable Energy Resources in Weathersfield ~~(non-renewable resources)~~

Fuel oil and propane for home heating, cooking, and hot water are delivered to Weathersfield residents from commercial sources outside the Town. The only reserves for home heating fuel in the Town are the storage tanks on municipal and private properties.

Transportation is fueled primarily with gasoline or diesel fuel that is likewise imported to the Town by various distributors in the area. The only storage facilities in Town for any of these energy resources are the gasoline storage tanks at the gas stations in Town, and the storage tanks at the Town Highway Garage, and ~~some at some~~ commercial and residential locations.

Electricity is brought to the majority of Weathersfield homes and businesses via the “grid.” The electricity traveling in the grid is produced from both renewable and non-renewable sources. The Town is crisscrossed by numerous distribution and transmission lines belonging to both Vermont Electric Power Company (VELCO) and GMP. The substation in Ascutney was upgraded to a newer design that will be more reliable than the previous design.

7.4 Analysis of Energy Scarcity and Needs in Weathersfield

7.4.1 Scarcity

Weathersfield does not have any local sources of non-renewable energy. The scarcity or abundance of non-renewable sources is entirely dependent on factors beyond the town.

Weathersfield has a variety of local sources of renewable energy, as discussed in detail in Section 1.2 above. ~~The scarcity or abundance potential of renewable energy at each specific site will depend on the extent of the development of these renewable sources site conditions (e.g. solar access). Factors, such as droughts, may limit micro-hydro opportunities.~~

7.4.2 Needs

Weathersfield residents, like many Vermonters, are highly dependent on non-renewable energy, although each year residents and business owners invest in more renewable systems. Many are encouraged to do so with existing incentives through Efficiency Vermont or Green Mountain Power. Additional incentives are needed to encourage more residents to invest in energy efficiency improvements and renewable energy systems, especially for retirees and lower-income residents.

According to data compiled for a planning base year of 2015 by the Mount Ascutney Regional Commission, there were 76 businesses in town and it cost an average of \$3,159

a year to heat those business structures. The cost would be much higher in 2022 for fuel oil or propane systems, given the volatility of fuel prices.

Detailed numbers are not available for types of energy consumption in the Town of Weathersfield. However, Weathersfield is typical of Vermont, and figures for the entire state are available from the 2016 Comprehensive Energy Plan of the Vermont Department of Public Service.

In 2015, there were an estimated 2,633 registered vehicles in town. About 81% of residents drove to work alone. The average commute time was 24 minutes.

About ¾ of all electricity used in Weathersfield is for residences; the rest is used for non-residential uses. The average residence uses 7,211 KWh a year. A chart from the Comprehensive Plan appears on the next page.

Table 4.1 from p. 28 of Comprehensive Energy Plan of 2016

7.5 ~~7.5~~ Analysis of Energy Costs

To provide a complete or accurate analysis of energy costs, the Ttown must establish a baseline of energy costs from municipal buildings, vehicles, and operations and diligently maintain the database ~~so as to~~ determine where energy costs may be stabilized or reduced.

Cost savings may be realized from:

7.5.1 ~~W~~weatherization of buildings

7.5.2 ~~E~~energy efficient lighting

~~7.5.3~~ ~~H~~heating and air conditioning changes to more efficient mechanisms, such as air-source cold climate heat pumps

~~7.5.5~~ ~~7.5.4~~ ~~C~~onservation measures (reduction in use)

~~7.5.6~~ ~~7.5.5~~ ~~F~~uel-efficient vehicles

~~7.5.7~~ ~~7.5.6~~ ~~A~~nalysis of town vehicle operations.

7.6 Analysis of Energy Problems in Weathersfield

The primary energy problems in Weathersfield are less efficient older homes and dependence on energy from outside the Town ~~and less efficient older homes.~~

WEATHERSFIELD TOWN PLAN

Problems could arise in the future as a result of energy projects, such as substantial truck trips generated by a large biomass power plant. The Town should promote future energy projects, but also the carefully review the current and potential impacts of energy projects on costs, aesthetics, natural resources, and the environment.

There are specific areas where the Town's residents would not like to see overhead transmission lines or energy projects (other than roof-mounted solar) that have an undue adverse impact on important scenic resources. They are:

7.6.1 View of Mount Ascutney:

- from Route 131 near 9 Little Ascutney Road (formerly the Joe Stoughton house).
- from the Weathersfield Center Road near 478 Weathersfield Center Road (the Kamel residence).

Commented [JR5]: VT 106 Downers

7.6.2 View from the Weathersfield Center Road, looking west, near 2811 Weathersfield Center Road (Hunter Press).

7.6.3 View from Skyline Drive at the height of the land, looking east.

7.6.4 View of the Center Church and grove.

7.7 Energy Goals

7.7.1 To make efficient use of energy, provide for the development of renewable energy resources, encourage weatherization, and reduce emissions of greenhouse gases, prioritize energy efficient forms of transportation, and promote land use policies that are likely to result in energy conservation.

7.8 Energy Policies

7.8.1 Weathersfield has limited potential for utility-scale wind energy development, as areas with sufficient access to consistent wind are generally small in size and more than a mile away from three-phase power lines. The prime wind sites (e.g. Weathersfield Center, Butterfield Hill, Pikes Peak) are relatively close to established residences and/or specifically identified scenic, historic or natural resources in the Town Plan and/or Biologic Natural Areas of Weathersfield. The secondary wind sites (e.g. Skyline Drive, Hawks Mountain, Little Ascutney, Pierson Peak, Mount Ascutney) are largely in scenic or natural resources areas also specifically identified in the Town Plan and/or Biologic Natural Areas of Weathersfield. Development in these areas would have a profoundly negative impact on critical viewsheds throughout the community, as the natural profile of the mountain forms an

Commented [JR6]: Add a policy encouraging other renewables (e.g. methane digesters, microhydro, etc).

iconic backdrop from both in-town and rural valley locations. Because no other locations in Weathersfield have suitable wind resource, infrastructure availability, or are free from significant environmental constraints (Figure 6), no utility-scale (100 KW capacity or greater) wind energy facilities should be located in the town. Smaller scale wind projects, including residential-scale turbines (generally less than 10 KW) and turbines that may be installed at farms, residences or small businesses, up to 100 KW, may be appropriate as long as noise from the turbines does not adversely affect neighboring residential properties and as long as they are not prominently visible from any town-identified historic district.

Commented [JR7]: Encourage?

7.8.2 The Town particularly encourages solar energy development, of any scale, on building rooftops.

7.8.3 The Town strongly supports the development of residential small-scale (up to 150 KW capacity ground-mounted or less)-electricity generation from solar energy at homes, businesses, schools, and other institutions.

7.8.4 The Town strongly encourages community solar projects (between 15 KW and 150KW in size) provided they are located on sites identified as having high potential for electricity generation based on solar resource availability and avoid "prohibited areas" as identified below. Moreover, any community solar project located on a site that is not a prohibited/exclusion area shall be considered as being located on a "preferred site" and eligible for all of the regulatory and financial incentives associated with larger scale solar energy installations pursuant to Public Utility Commission Rule 5.100 and 30 V.S.A. Section 248.

Commented [JR8]: reword

Commented [JR9R8]: Delete "community".

Commented [JR10R8]: Consider rewording. The town actively wants more rooftop solar and residential-scale solar (up to 15 KW). The town likes 15-150 KW solar provided it is sited properly.

7.8.5 Any larger scale solar development (greater than 150 kW capacity) shall be subject to the following Solar Energy Facility Siting Policy and Map, and the Solar Electric Facility Siting Guidelines.

7.8.6 **Solar Energy Facility Siting Policy and Map**

Commented [JR11]: Delete, apply to all renewable energy systems

The Solar Energy Resource Map shall serve as a guide for developers wishing to identify land suitable for larger-scale solar energy generation facilities (greater than 150 kW capacity) within the Town of Weathersfield. This map identifies sites which have been determined by the Town of Weathersfield, through official action of the Select Board, to be suitable for solar facilities and sites which are not suitable due to the presence of constraints. Only sites identified as "preferred sites" (on this map or through the Town of Weathersfield's Preferred Site Policy) or located in a "preferred area" as defined in the Solar Facility Siting Criteria, below, may be developed with solar generating facilities in excess of 150 KW of rated capacity.

WEATHERSFIELD TOWN PLAN

The Solar Energy Resource Map shall be used in concert with the Town's Solar Facility Siting Guidelines (incorporating the Community Standards and Siting Criteria) included in this section of the Town Plan to direct the development and design of solar facilities. Although solar energy development at these preferred sites and locations is an appropriate land use, all such development shall be carefully planned to limit adverse impacts to neighboring properties and to public viewsheds, giving consideration to The Town's Solar Facility Siting Guidelines.

The sites indicated on this map as suitable for solar energy development were selected after a thorough analysis of available geographic data, including an assessment of access to solar energy as well as environmental, aesthetic, cultural, and related regulatory constraints. State-identified environmental constraints are discussed in more detail in the Mount Ascutney Regional Energy Plan, and include the following resource areas:

- a) Class 1 and 2 wetlands, vernal pools, and hydric soils;
- b) Mapped river corridors and FEMA-defined floodways;
- c) Natural communities and rare, threatened, and endangered species;
- d) Federal wilderness areas;
- e) "Primary" and "Statewide" significant agricultural soils;
- f) FEMA-defined special flood hazard areas;
- g) Lands protected for conservation purposes;
- h) Deer wintering areas; and
- i) State-identified high priority "Conservation Design Forest Blocks."

Commented [JR12]: Check

7.8.7 Solar Electricity Facility Siting Guidelines

The term "solar facility" shall have the following meaning: a solar electricity generation and transmission facility with a 150kW (AC) or greater capacity, including all on-site and offsite improvements necessary for the development and operation, and on-going maintenance of the facility.

The Town of Weathersfield has developed ~~community standards and siting standards~~ for the development of solar facilities for reference and use by facility developers and local property owners and for consideration in Section 248 proceedings (30 VSA §248). These standards are set forth below. In addition, the Weathersfield Planning Commission, in consultation with the Mount Ascutney Regional Commission, has identified and mapped ~~(Figure 7)~~ those areas of Weathersfield that are most suitable for solar facility development based on facility siting requirements and municipal energy,

conservation, and development policies and objectives set forth in the Weathersfield Town Plan.

Commented [JR13]: Mapping in progress

7.8.7.21 Community Standards

The following community standards are to be considered in undertaking municipal solar electricity projects and programs, in updating Weathersfield's Zoning Bylaws to address solar facilities subject to local regulation, and in the review of any new or upgraded solar facilities in excess of 15 kW capacity, by the Town of Weathersfield and the Public Utility Commission (Section 248 review).

- a) **Plan Conformance:** New solar facilities and proposed system upgrades should be consistent with the Vermont Comprehensive Energy Plan, the Vermont Long-Range Transmission Plan, and utilities Integrated Resource Planning (IRP).
- b) **Benefits:** A demonstrated statewide public need that outweighs adverse impacts to local residents and resources must be documented for municipal support of new solar facilities located within or which may otherwise affect Weathersfield. Facility development must benefit Town of Weathersfield and State residents, businesses, and property owners in direct proportion to the impacts of the proposed development.
- c) **Impacts:** New solar facilities must be evaluated for consistency with community and regional development objectives and shall avoid undue adverse impacts to significant cultural, natural, and scenic resources and aesthetic values identified by the community in the Weathersfield Town Plan and the Scenic Resources Inventory. When evaluating impacts of a proposed solar facility under the criteria set forth in this Town Plan, the cumulative impact of existing solar facilities, approved pending solar facilities, and the proposed solar facility shall be considered. It is explicitly understood that a proposed solar facility which by itself may not have an adverse impact may be deemed to have an adverse impact when considered in light of the cumulative impacts of the proposed solar facility and existing solar facilities and pending already approved solar facilities.
- d) **Decommissioning:** All facility certificates shall specify conditions for system decommissioning, including required sureties (bonds) for facility removal and site restoration to a safe, useful, and environmentally stable condition. All hazardous materials and structures, including foundations, pads, and accessory structures, must be removed from the site and safely disposed of in accordance

Commented [JR14]: There was a question about whether to keep this statement, but I think the sentiment is to include it.

with regulations and best practices current at the time of decommissioning.

7.8.7.32 **Solar Facility Siting Criteria**

Weathersfield supports development of solar energy generation facilities consistent with the policies and guidelines set forth in this plan. It recognizes that financial considerations require projects to be located in close proximity to electric power lines capable of distributing the load proposed to be generated and to have convenient access from major transportation networks for construction. However, the Town desires to maintain the open landscape and scenic views important to Weathersfield's sense of place, tourism economy, and rural cultural aesthetic. Not all solar facilities proposed can meet this standard. Projects must meet the following criteria in order to be supported by this Town Plan:

- a) **Siting Requirements:** New solar facilities shall be sited in locations that do not adversely impact the community's traditional and planned patterns of growth, of compact village centers surrounded by a rural countryside, including working farms and forest land. Solar facilities shall, therefore, not be sited in locations that adversely impact scenic views, roads, or other areas identified in the Scenic Resources Inventory, nor shall solar facilities be sited in locations that adversely impact any of the following scenic attributes identified in the Scenic Resource Inventory: views across open fields, especially when those fields form an important foreground; prominent ridgelines or hillsides that can be seen from many public vantage points and thus form a natural backdrop for many landscapes; historic buildings and districts and gateways to historic districts; and, scenes that include important contrasting elements such as water. The impact on prime and statewide agricultural soils currently in production shall be minimized during project design.
- b) **Preferred Areas:** The following areas are specifically identified as preferred areas for solar facilities, as they are most likely to meet the siting requirements:
- Roof-mounted systems;
 - Parking lot canopies;
 - Systems located in proximity to existing large scale, commercial or industrial buildings;
 - Proximity to existing hedgerows or other topographical features that naturally screen the entire proposed array;
 - Reuse of former brownfields;

Commented [JR15]: Too broad and open to interpretation?

WEATHERSFIELD TOWN PLAN

- Facilities that are sited in previously disturbed areas, such as gravel pits, closed landfills, or former quarries;
 - ~~Areas specifically identified as suitable for solar facilities on the Solar Energy Resource Map.~~
- c) **Prohibited (Exclusion) Areas:** In addition to those areas that do not meet the siting requirements set forth above, development of solar generating facilities shall be excluded from (prohibited within), and shall not be supported by the Town, in the following locations:
- Floodways shown on Flood Insurance Rate Maps (FIRMs);
 - ~~River corridors as shown in the Town of Weathersfield Zoning Bylaws;~~
 - Class I or II wetlands;
 - A location that would significantly diminish the economic viability or potential economic viability of the town's working landscape, including productive forest land and primary agricultural soils (as defined in Act 250 and as mapped by the U.S. Natural Resource Conservation Service);
 - Rare, threatened, or endangered species habitat or communities as mapped or identified through site investigation, and core habitat areas, migratory routes and travel corridors;
 - Ridgelines and significant vantage points:—
 - Steep slopes (>25%);
 - Surface waters and riparian buffer areas (except for stream crossings);
 - Topography that causes a facility to be prominently visible against the skyline from public and private vantage points such as roads, homes, and neighborhoods;
 - A site in proximity to and interfering with a significant viewshed identified in the Scenic Resource Inventory (see Section 7.6 and Section 5.3);
 - ~~A site on which a solar facility project cannot comply with Weathersfield's prescribed siting and screening standards, including the screening requirements set forth in Screening of Solar Facilities Ordinance;~~
 - A site that causes adverse impacts to historical or cultural resources, including state or federal designated historic districts, sites and structures, and locally significant cultural resources identified in the municipal plan. Prohibited impacts to historical and cultural resources include:
 - ~~R~~Removal or demolition;

Commented [JR16]: Delete?

Commented [JR17]: Proposed river corridor provisions were in a earlier zoning bylaws draft. I don't think that was ever voted on; status is not clear to me.

- ~~p~~Physical or structural damage, significant visual intrusion, or threat to the use;
- ~~s~~Significant intrusion in a rural historic district or historic landscape with a high degree of integrity;
- ~~s~~Significant visual intrusion into a hillside that serves as a backdrop to a historic site or structure;
- ~~e~~Creating a focal point that would disrupt or distract from elements of a historic landscape;
- ~~a~~A significant intrusion in a rural historic district or historic landscape that has a high degree of integrity;
- ~~i~~mpairing a vista or viewshed from a historic resource that is a significant component of its historic character and history of use;
- ~~v~~isually overwhelming a historic setting, such as by being dramatically out of scale;
- ~~i~~solating a historic resource from its historic setting, or introducing incongruous or incompatible uses, or new visual, audible or atmospheric elements.

d) Mass and Scale: Except for projects located on preferred sites, solar facilities larger than 10 acres, individually or cumulatively, cannot be adequately screened or mitigated to blend into the municipality's landscape and are, therefore, explicitly prohibited.

7.8.8 ~~Energy audits should be conducted prior to undertaking major improvements to Town-owned buildings, and the Town should invest in priority energy efficiency upgrades as called for in energy audit.~~

7.8.9 ~~All applicable new and renovated buildings are subject to the Vermont Residential Building Energy Standards or Vermont Commercial Building Energy Standards.~~

7.8.10 ~~The Town encourages other methods to exceed the state energy code, such as through passive solar building orientation to take advantage of heating from the sun, landscaping to shade buildings and reduce summer temperatures, or using the "Energy Star" building performance rating system.~~

7.8.11 ~~The current land use pattern requires people to drive to work and other amenities; encourage new housing, businesses, and other amenities in walkable/centralized areas. The reduction of sprawl and low-density development not only reduces energy consumption, but also can improve the local and regional economy. Refer to Future Land Use Map.~~

7.9 Energy Recommendations

- 7.9.1 Consider adopting a freestanding solar screening bylaw under 24 V.S.A. §4414 (15).
- 7.9.2 The Town of Weathersfield may participate in the Public Utility Commission's review of new and expanded generation facilities to ensure that local energy, resource conservation, and development objectives are identified and considered in proposed utility development. This may include joint participation and collaboration with other affected municipalities and the Mount Ascutney Regional Commission for projects that may have significant regional impact. It is acknowledged that the PUC's primary focus is on administering state public policy and regulating actions that are directed at ensuring that utility services promote the general good of the state.
- 7.9.3 The Planning Commission, in consultation with the Select Board, should develop guidelines to direct local participation in Section 248 proceedings related to solar facilities located in Weathersfield or in neighboring communities which may affect the town. The guidelines should reflect levels of participation or formal intervention in relation to the type, location, scale, operation, and magnitude of a proposed project, and its potential benefits, detriments to, and impacts on the community.

7.9.4 Inform residents about Efficiency Excellence Network (EEN) contractors by providing links to EEN information through a municipal website or through other means.

7.9.5 Participating in the Safe Routes to School program will help reduce reliance on vehicle transport.

7.9.6 Inform residents and business owners about existing energy efficiency programs and incentives, especially weatherization services and financing options for low-to-moderate income household.

7.9.7 Appoint an Energy Coordinator or establish an Energy Committee to help implement recommendations in this Chapter.

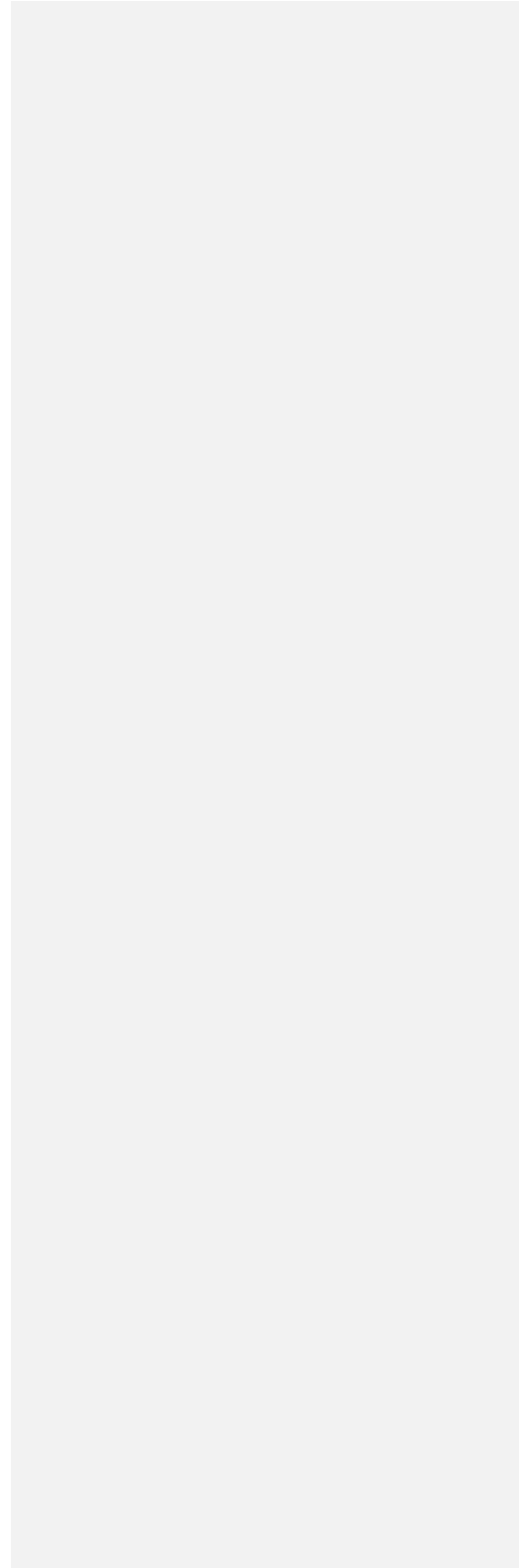
7.9.8 The Town of Weathersfield should actively support programs that identify older buildings with energy inefficiencies, and provide funding for weatherization of homes, particularly of lower-income or vulnerable residents. Older buildings will benefit from air-sealing, insulation, and other weatherization work. Weatherization has been shown to have positive health benefits such as lower rates of asthma and respiratory illness.

WEATHERSFIELD TOWN PLAN

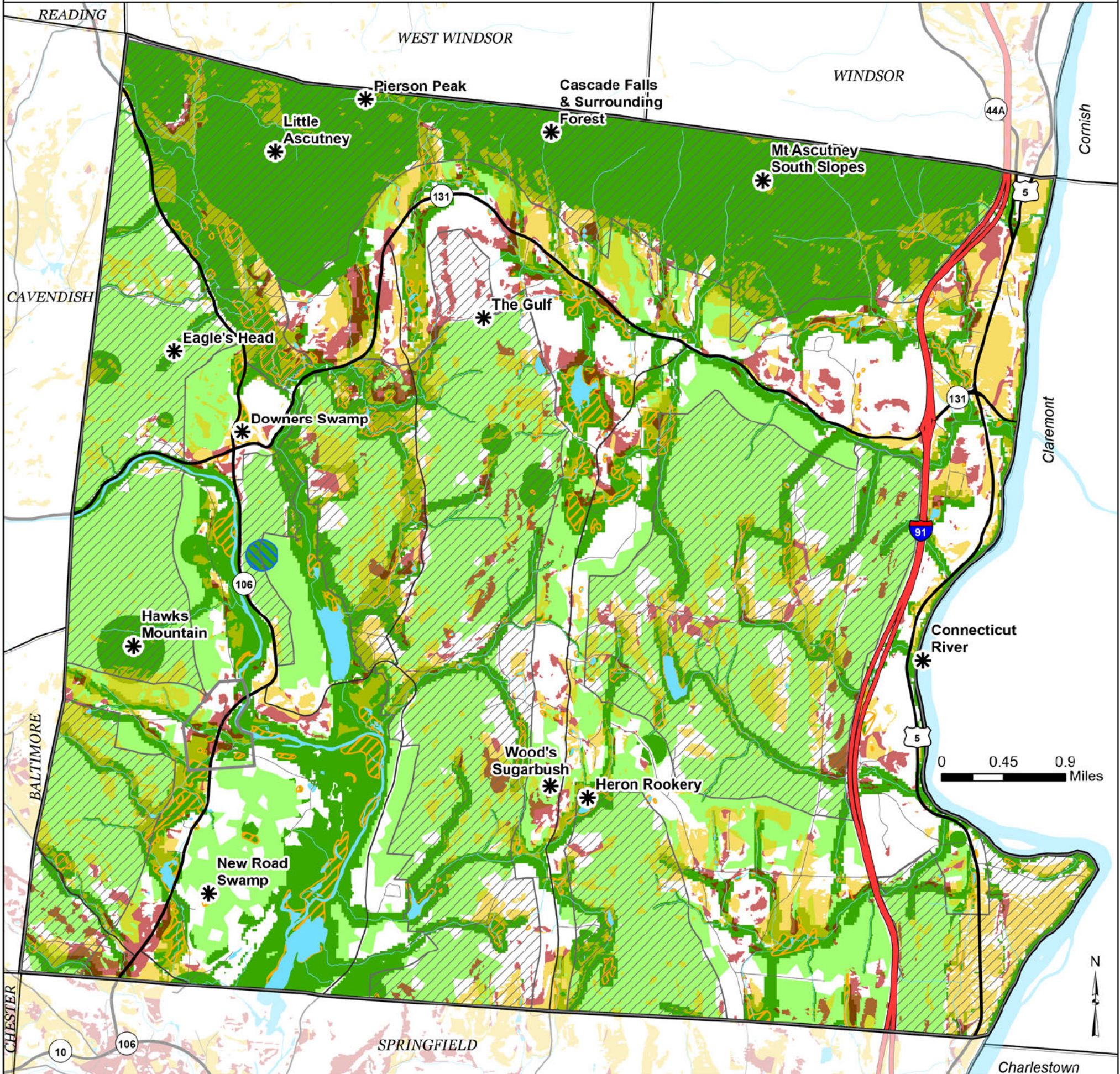
- 7.9.9 Hold an information forum such as Button Up, and invite residents to speak about the energy improvements that they have made to their homes. Provide data that demonstrates why these improvements make sense for residents.
- 7.9.10 Assess the life cycle costs of potential energy improvements during design and construction planning. For example, investment in a new, efficient heating system may be more expensive up front, but more economical to operate over time.
- 7.9.11 Promote and support the Green Saving Smart program to teach financial literacy and help residents understand/maximize the cost-saving options available to them.
- 7.9.12 Promote the use of cold climate heat pumps with education/presentations in coordination with the EEs/electric utilities.
- 7.9.13 Promote the Go Vermont webpage, which provides rideshare, vanpool, public transit and 30 park-and-ride options.
- 7.9.14 Seek grants and partnerships to fund the installation of electric vehicle charging infrastructure at the park and ride lot, school or other town-owned properties.
- 7.9.15 Coordinate with MARC and Local Motion to promote the planned electric-bicycle lending library to help promote e-bikes as a viable form of travel.
- 7.9.16 Continue to financially support The Moover public transportation services, such as the commuter bus that serves the I-91 Exit 8 park and ride lot, to provide access to jobs for residents and encourage less single-occupant vehicle use.
- 7.9.17 The Town should work with electric and utility contractors to assist homeowners with switching to alternative heating systems such as wood pellet stove and air source heat pumps. Woody biomass can be sourced locally.
- 7.9.18 If renewable energy systems are not practicable, encourage homeowners to replace old furnaces or boilers with a high-efficiency model.
- 7.9.19 Promote wood stove change-out programs that take older non-EPA certified stoves out of service and replace them with more efficient and lower emitting cordwood or pellet stove.
- 7.9.20 Continue to maintain the existing trail networks for walking and other suitable uses.

Commented [JR18]: There was a comment about encouraging EV charging stations. This was added previously.

DRAFT



BLANK



- * Significant Natural & Fragile Areas
- Level 1 Conservation
- Level 2 Conservation
- Wetland
- Vernal Pool
- Interstate
- US and State Highway
- Class 2 Town Highway
- Class 3 Town Highway
- River
- Lakes and Ponds
- Zoning District
- Conservation 10 - C10
- Village of Perkinsville
- Weathersfield Boundary
- Other Town Boundaries
- Prime solar resource
- Secondary solar resource

Note: Some data, eg vernal pools, is incomplete. Further study may be needed prior to applying for permits to develop or make changes to the land.

Level 1 and 2 conservation areas were mapped following advice from Jens Hilke, Vermont ANR in October 2014.

Level 1 Conservation Area includes:
 - Rare, threatened or endangered species (Biofinder Tier 1), updated with most recent data available through ANR
 - Significant natural communities (Biofinder Tier 2)
 - Riparian Areas (Biofinder Tier 3)
 - High priority natural sites (E. Thompson 1992)

VT State Plane, Meters, NAD 83
 For planning purposes only.
 Not for regulatory interpretation.

Level 2 Conservation Area includes:
 - Large blocks (i.e. over 500 acres) of undeveloped contiguous forest habitat areas and connecting wildlife travel corridors (Biofinder Tiers 4 and 5)

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

Information on Biofinder - <http://biofinder.vt.gov/>

Data Sources: Significant Natural and Fragile Areas (Digitized approximately from map in Biological Natural Areas of Weathersfield, VT by Elizabeth Thompson. August 1992), Vernal Pools (SN6 component of Biofinder 2013), Threatened and Endangered Species (ANR 2015), Biofinder (ANR 2013), Wetlands (VSWI, ANR 2010), Town & Village Boundaries (VCGI 2012 & NHGranit 2009), Waterbodies and Watersheds (VHD 2008), Zoning (CAI 2013).



P.O. Box 320, Ascutney, VT 05030
 802-674-9201 www.swrcpc.org

Map Drawn 01/26/2022

AGENDA ITEM

9



TOWN OF WEATHERSFIELD

LAND USE ADMINISTRATOR'S OFFICE

(802)674-2626

P.O. BOX 550 ASCUTNEY, VT 05030

landuse@weathersfield.org

Preferred Site Checklist

The Town of Weathersfield will use the following criteria for any requested "preferred site" designation for ground-mounted solar projects under [Vermont Public Utility Commission Rule 5.103](#) that are not clearly identified in the [2017 Weathersfield Town Plan](#), as most recently amended. If all of the following criteria are met to the satisfaction of the Planning Commission and Selectboard, the Town will issue a preferred site determination for this project. Abutters to the proposed project should be notified before the boards consider a preferred site letter request. In evaluating each project, the Planning Commission and Selectboard will evaluate all aspects of the project, including proposed location, clearing activity, solar arrays, fencing, access roads, and interconnection with three phase power lines. To do so, the Planning Commission and Selectboard will use information provided by the applicant as well as mapping materials found on the potential solar maps provided by the Southern Windsor County Regional Planning Commission and the most currently available data found on [VT ANR's Natural Resources Atlas](#).

- Is the project located less than one-mile from a three phase power line?
- Is the project consistent with the land use goals in the Town Plan?
- Will the project not result in undue adverse impacts on the important scenic resources identified in the town plan?
- Does the proposal reasonably mitigate negative aesthetic impacts along major travel corridors and important scenic viewsheds, and neighboring properties?
- Does the proposal avoid undue adverse impacts on resources listed on the National or State Registers of Historic Places or on resources listed in the Town Plan's Natural, Scenic, and Historic Resources Chapter?
- Will the project not result in fragmentation of important forest blocks, wildlife habitat (including those identified in the E. Thompson Study referenced in the Town Plan) and wildlife travel corridor areas?
- Does the project avoid Vermont Significant Wetlands and buffer areas and special flood hazard areas?



TOWN OF WEATHERSFIELD

LAND USE ADMINISTRATOR'S OFFICE

(802)674-2626

P.O. BOX 550 ASCUTNEY, VT 05030

landuse@weathersfield.org

- Does not negatively impact the safety and operation of the Hartness State Airport?

The Town may ask applicants to think about the following additional things:

- Where a proposed project may not clearly meet one of the above Preferred Site Checklist Criteria, the Town and applicant should develop an MOU that spells out conditions of a preferred site designation.
- What is the distance between any existing solar project sites and the proposed site?
- Has the landowner considered securing a decommissioning fund?
- Is the proposed amount of tree clearing the minimum necessary for this project?

T:\Departments\Land Use and Zoning\CHECKLISTS\Preferred Site Checklist.docx

AGENDA ITEM

10

Article 2: Zoning Districts and District Standards

2.5 Table of Districts and Uses

2.5.1 Village (v)

2.5.2 Hamlet (H)

2.5.3 Rural Residential (RR-1)

2.5.4 Rural Residential Reserve (RRR 3-5)

2.5.5 Conservation (C-10)

2.5.6 Highway Commercial (HC)

2.5.7 Industrial (I)

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.~~
- 4.3. Soil or terrain conditions may require larger lot sizes to satisfy Town or State public health regulations.

Article 5: Development Review

5.1 Application Submission Requirements

An application for a zoning permit shall be filed with the Administrative Officer on form(s) provided by the municipality. Required application fees, as set by the Legislative Body, also shall be submitted with each application.

5.1.3 PUD Review Application

Applications for PUDs shall include the following, in addition to the information required for subdivisions:

- a) **Application Form:** Supplied by the Administrative Officer; signed by the owner of record and, in the case of a non-owner applicant, by the applicant;
- b) **Site Plan:** A site plan shall meet all of the requirements of Section 5.1.2(b).
- c) **Project Narrative:** A description of the proposed project shall be required as part of a complete application. Also required is a narrative that is clear and succinct and includes:
 - a. A brief summary of the project and how it meets the PUD standards in this section;
 - b. A statement describing all proposed modifications, changes, or supplements to requirements in the Zoning Bylaws. Any such modification approved under this section shall be specifically set forth in terms of standards and criteria for the design, bulk and spacing of buildings and the sizes of lots and open spaces which shall be required and these shall be noted or appended to the plat;
 - c. A sound proposal for the financing and membership of the management organization which will maintain and operate the property in common ownership.

such as community facilities, private roads, and/or open spaces; and,

d. Additional information required by the Planning Commission to determine whether the proposed mix of uses, density and scale and intensity of uses will meet the standards set forth in these Zoning Bylaws.

d) **Application Fees:** All applicable fees must be paid as part of a complete application.

e) PUD applications may involve single or multiple properties and one owner or multiple owners under a common application.

f) PUD applications are subject to approval by the Planning Commission in accordance with the requirements of Section 5.4 in these Bylaws.

5.4 Planned Unit Development

In accordance with the provisions set forth in Section 4417 of The Act, Planned Unit Developments (PUDs) are allowed to permit flexibility in the application of the Zoning Bylaws for the purposes of Section 4302 of The Act and in conformance with the Weathersfield Town Plan.

5.4.1 Purpose

a) To encourage compact, pedestrian-oriented development and redevelopment, and to promote a mix of residential uses or nonresidential uses, or both, especially in downtowns, village centers, new town centers, and associated neighborhoods.

b) To implement the policies of the municipal plan, such as the provision of affordable housing.

c) To encourage any development in the countryside to be compatible with the use and character of surrounding rural lands.

d) To provide for flexibility in site and lot layout, building design, placement and clustering of buildings, use of open areas, provision of circulation facilities, including pedestrian facilities and parking, and related site and design considerations that will best achieve the goals for the area as articulated in the municipal plan and bylaws within the particular character of the site and its surroundings.

e) To provide for the conservation of open space features recognized as worthy of conservation in the municipal plan and bylaws, such as the preservation of agricultural land, forest land, trails, and other recreational resources, critical and sensitive natural areas, scenic resources, and protection from natural hazards.

f) To provide for efficient use of public facilities and infrastructure.

g) To encourage and preserve opportunities for energy-efficient development and redevelopment.

5.4.2 Applicability

a) The PUD provisions may be applied to any land development in any zoning district within the Town of Weathersfield at the request of the applicant.

b) Uses shall be limited to those permitted and conditional uses within the district in which the PUD is proposed.

5.4.3 PUD Review Procedures

a) Complete applications for PUDs must include the information specified in Section 5.1.

b) PUD applications shall be reviewed under the Subdivision Application Procedures set forth in Weathersfield's Subdivision Regulations, as most recently amended.

c) Approval granted under this section for a PUD that involves the development of one or more uses requiring approval under conditional use review (Section 5.3) does not exempt

the proposed development from both review processes, although applications for PUDs may be reviewed concurrently.

d) The order of PUD review will be:

1. Planning Commission – Sketch Plan Review
2. Zoning Board of Adjustment – Site Plan Review, Conditional Use Review, other reviews administered by the ZBA
3. Planning Commission – Preliminary Review (if required by PC)
4. Planning Commission – Final Plat Review

5.45.41 General Standards

In addition to the standards set forth in Weathersfield's Subdivision Regulations, the following general standards must be met in order for the Planning Commission to approve a PUD application:

- a) PUD is consistent with Town Plan.
- b) The density requirements do not exceed the number of units permitted if the land were subdivided in accordance with district regulations.
- c) All Site Plan Review requirements in Section 5.23 have been met.
- d) The PUD is an appropriate and unified treatment for the proposed development.
- e) The development is designed so as to be compatible with the character of the area. Particular attention will focus on the aural and visual impacts.
- f) The development will not place an undue burden on municipal services.
- g) State and local standards for fire and safety regulations by local fire and police officials are in compliance.
- h) Adequate water supply and sewage disposal facilities are provided.

5.4.5 Standards for Residential PUDs

- a) The total number of dwelling units in any Residential PUD must not exceed 125% of the number of lots into which the parcel could be legally subdivided based upon minimum lot size requirements of these Bylaws.
- b) Only residential and residential accessory uses shall be permitted within a Residential PUD.
- c) Of the land left open within the Residential PUD for common usage or ownership, no more than 25% shall be developed for community facilities (excluding subsurface installations), access road, parking areas, or recreational structures.

5.5.2 Modification of Zoning Regulations

After a duly-warned public hearing (per Section 6.3), simultaneously with subdivision approval, and subject to the standards and conditions set forth in this section, the Planning Commission may modify the zoning district regulations for the proposed PUD as to the following requirements only:

- a) Setbacks, including provision for zero lot lines;
- b) Height, Bulk and Spacing of Buildings;
- c) Type of Building, including ~~a mix of residential and commercial uses in one building~~, a variety of residential structures (one, two, and multi-family structures).
- d) Location of buildings; and

e) Size of lots.

Any modification of the Bylaws for the proposed PUD granted by the Planning Commission shall be noted on the subdivision plat.

AGENDA ITEM

11

Article 2: Zoning Districts and District Standards

2.1 Introduction and Table of Districts and Uses

The tables on pages 7 through 20 are a major part of these Bylaws and illustrate the following information:

- a) The seven types of zoning districts located in the Town of Weathersfield.
- b) For district locations, refer to the official Zoning Districts Map and aerial photographs located at the Town Office.
- c) Brief description and purpose of each district.
- d) Basic minimum requirements in each district.
- e) All uses permitted within the Town of Weathersfield.
- f) Which uses may be permitted in each district type under certain conditions and with what additional requirements.

In addition, all uses must comply with any applicable General Provisions and Special Provisions as listed in Sections 6 and 7 of this document.

After holding a public hearing, the Zoning Board of Adjustment may deem other uses similar in nature to those listed in the Definitions section.

Definitions of words and terms used in these Bylaws appear in Section 8 after the section regarding Special Provisions.

2.2 Zoning Map and Interpretation

The locations and boundaries of zoning districts are established as shown on the Official Zoning Districts Map located in the Town Office.

The Official Zoning Districts Map is hereby made a part of these regulations and a part of all future amendments to these regulations.

The Conservation District boundaries shown on the map are necessarily approximate. Actual conditions of the land shall prevail over any markings on the map.

If uncertainty exists with respect to the boundary of any zoning district on the Official Zoning Districts Map, the Zoning Board of Adjustment shall have the authority to determine the exact location of such boundary, after consultation with the Planning Commission.

2.3 Lot in Two Districts

Where a zoning district boundary line divides a lot of record in single ownership at the time of the adoption of the district line, permitted uses for each of the divided parts shall be as required within the district in which the land is located with the following exception:

- a) **Exception:** When the result of the adopted district boundary line produces an area of land within each district insufficient to meet the requirements for that district, the Board of Adjustment may grant a conditional use permit to extend the regulations for the less restricted part of such a lot into the more restricted part.

2.4 Expansion of Minimum Lot Size

- a) For a Conditional Use: The Board of Adjustment may expand the lot size requirements for resorts, bed and breakfasts, hotels, other paying guest or multi-family complexes by one acre per guest room or per family above the minimum lot size.
- b) For a Permitted Use: When the physical characteristics of the lot and/or the nature of the proposed use are such that larger lots are advisable, all parties are encouraged to consider lot sizes larger than the minimum.

2.5 Table of Districts and Uses

For the purpose of these Bylaws, the following Zoning Districts are hereby established for the Town of Weathersfield:

<u>District Type</u>	<u>District Designations</u>
Village	(V)
Hamlet	(H)
Rural Residential	(RR 1)
Rural Residential Reserve	(RRR 3-5)
Conservation	(C)
Highway Commercial	(HC)
Industrial	(I)

Description and Purpose of Each District

Village (V):

- Established dense residential centers for sociability, convenient shopping and other public and private community services compatible with a rural village setting;
- intensive land use with some multi-family housing;
- efficient location for a limited number of compatible commercial activities.
- The Village District can absorb growth without greatly increasing demand for roads and school bus services.
- Central water and possibly sewer services may need to be provided to accommodate growth.

Hamlet (H):

- 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 demand for roads and school bus route, though school bus capacity would increase.

Rural Residential (RR 1):

- Residential growth areas surrounding villages and hamlets;
- Somewhat convenient to their amenities;
- Intended to always retain some large lots to add variety and rural scenery.
- Growth in the Rural Residential District will increase demand for roads and school bus service slowly and at a small rate per family.

Rural Residential Reserve (RRR 3-5):

- 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.

Conservation (C10):

- Areas in which sparse development is wise for one or more of the following reasons:
- Remote from roads or utility services;
- Location of scarce mineral resources;
- Prime agricultural or forested land;
- Significant or irreplaceable natural, historic, recreational or scenic resources;
- Slope elevations exceeding 25%;
- Land over 1,500 feet in elevation;
- Severe soil limitations;
- Risk of flooding or floodways need.

Highway Commercial (HC):

- 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 tax base.
- Access drives and curb cuts must be carefully planned to avoid traffic nuisances and dangers.

Industrial (I):

- 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 so developed and considered to be appropriate for such use.

Use Requirements by District Type

The following information describes how uses are permitted and the area, land and structural requirements for each District.

2.5.1 Village (v)

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/Forestry
- Baby-sitting services
- Minor structures
- 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
- Small enterprise^{1,2,3} (in keeping with the Village residential/commercial mix)
- Two family dwelling (altered from pre-existing single family dwelling, if no enlargement of structure; not new construction)

Permitted Accessory Uses:

- Accessory dwelling unit
- Accessory use or structure
- Adult day care service
- Athletic courts
- Bed and Breakfast (up to 3 bedrooms for transient boarders/tourists)
- Family child care home
- Home occupations
- Ponds
- Seasonal roadside stand
- Signs, permanent
- Swimming pool (in ground or aboveground)

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

Conditional Principal Uses:

- Adult day care facility^{1,3}
- Family child care facility^{1,3}
- Indoor or outdoor recreation facility^{1,3}
- Inn/small hotel ^{1,3}

- Medical facility^{1,2,3}
- Multi-family dwelling^{1,2,3} (three to six units)
- Public water, sewage treatment plant ^{1,2,3}
- Residential care home
- School^{1,2}
- Semi-public ^{1, 2, 3} (primarily nonprofit: church, museum, library, private club, YMCA, YWCA, mortuary, etc.)
- Two family dwelling (new construction)
- 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:

- Docks
- Home industry
- Wireless Communication Facilities ^{2,3}

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

- Campground, resort, children's camp
- Contractor's storage (of materials, machinery, heavy equip.)
- Gasoline/service station
- Highway Commercial
- Industrial
- Junkyard, landfill, recycling facility (privately owned)
- Extraction of earth resources
- Mobile home park
- Non-highway Commercial
- 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.
4. Soil or terrain conditions may require larger lot sizes to satisfy Town or State public health regulations.

Lot area minimum: 1 acre

Lot frontage and setbacks:

Frontage	80 feet
Front Setback	40 feet
Rear Setback	20 feet
Side Setback	20 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

2.5.2 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
- Baby-sitting service
- Minor structures
- 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} (of a neighborhood trade character; may include one apartment)
- Two family dwelling (altered from pre-existing single family dwelling, if no enlargement of structure; not new construction)

Permitted Accessory Uses:

- Accessory dwelling unit
- Accessory use or structure
- Adult day care service
- Athletic courts
- Bed and Breakfast (up to 3 bedrooms for transient boarders/tourists)
- Family child care home
- Home occupations
- Ponds
- Seasonal roadside stand
- 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}
- Family child care facility^{1,3}
- Indoor or outdoor recreation facility^{1,2,3}
- Inn/small hotel^{1,3}

- Medical facility^{1,2,3}
- Public water, sewage treatment plant^{1,2,3}
- School^{1,2,3}
- Semi-public^{1,3} (primarily nonprofit: church, museum, library, private club, YMCA, YWCA, mortuary, etc.)
- Single family PRD^{1,3}
- 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:

- Docks
- Home Industry
- Wireless Communication Facilities^{2,3}

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

- Campground, resort, children’s camp
- Contractor’s storage (materials, machinery, heavy equipment)
- Gasoline/service station
- Highway Commercial
- Industrial
- Junkyard, landfill, recycling facility (privately owned)
- Extraction of earth resources
- Mobile home park
- Multi-family dwelling
- Non-highway Commercial
- 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.
4. Soil or terrain conditions may require larger lot sizes to satisfy Town or State public health regulations.

Lot Area Minimum: Basic minimum 1 acre

Two family dwelling: 1 acre (1½ acre if no public water or if altered single family dwelling)

Lot Frontage and Setbacks:

Frontage	150 feet
Front Setback	40 feet
Rear Setback	25 feet
Side Setback	25 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

2.5.3 Rural Residential (RR-1)

Purpose: Residential growth areas surrounding villages and hamlets; somewhat convenient to their amenities; intended to always retain some large lots to add variety and rural scenery. Growth in the Rural Residential District will increase demand for roads and school bus service slowly and at a small rate per family.

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
- Baby-sitting service
- Minor structures
- 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
- Two family dwelling (altered from pre-existing single family dwelling, if no enlargement of structure; no new construction)

Permitted Accessory Uses:

- Accessory dwelling unit
- Accessory use or structure
- Adult day care service
- Athletic courts
- Bed and Breakfast (up to 3 bedrooms for transient boarders/tourists)
- Family child care home
- Home occupations
- Ponds
- Seasonal roadside stand
- 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}
- Campground, resort, children's camp^{1,3}
- Church (see Semi-Public)
- Family child care facility^{1,3}

- Indoor or outdoor recreation facility^{1,2,3}
- Inn/small hotel^{1,3}
- Medical facility^{1,2,3}
- Extraction of earth resources^{1,2,3}
- Mobile Home Park
- Public water, sewage treatment plant^{1,2,3}
- School^{1,2,3}
- Semi-public^{1,2,3} (primarily nonprofit: church, museum, library, private club, YMCA, YWCA, mortuary, etc.)
- Single family PRD^{1,2,3}
- 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:

- Docks
- Home Industry
- Wireless Communication Facilities^{2,3}

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

- Contractor's storage (of materials, machinery, heavy equip.)
- Gasoline/service station
- Highway Commercial
- Industrial
- Junkyard, landfill, recycling facility (privately owned)
- Multi-family dwelling or PRD
- Two family dwelling (new construction)
- Non-highway Commercial
- 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.
4. 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. Standards for soil suitability are available from the Soil Conservation Service.

Lot Area Minimum: 1 acre

Lot Frontage and Setbacks:

Frontage 150 feet

Front Setback 40 feet

Rear Setback 25 feet

Side Setback 25 feet

Building Heights:

Maximum Building Height: 35 feet (*Amended 6/11/2012*)

1 Site Plan Review required

2 General/Special Provisions apply

3 Certificate of Occupancy required

2.5.4 Rural Residential Reserve (RRR 3-5)

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
- Baby-sitting service
- Minor structures
- 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
- Two family dwelling (altered from pre-existing single family dwelling, if no enlargement of structure; no new construction)

Permitted Accessory Uses:

- Accessory dwelling unit
- Accessory use or structure
- Adult day care service
- Athletic courts
- Bed and Breakfast (up to 3 bedrooms for transient boarders/tourists)
- Family child care home
- Home occupations
- Ponds
- Seasonal roadside stand
- 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}
- Campground, resort, children's camp^{1,3}
- Church (see Semi-Public)^{superscript?}
- Contractor's storage^{1,3} (of materials, machinery heavy equipment)

- Family child care facility^{1,3}
- Indoor or outdoor recreation facility^{1,2,3}
- Inn/small hotel^{1,3}
- Medical facility^{1,2,3}
- Extraction of earth resources^{1,2,3}
- Mobile home park
- Public water, sewage treatment plant^{1,2,3}
- School^{1,2,3}
- Semi-public^{1,2,3} (primarily nonprofit: church, museum, library, private club, YMCA, YWCA, mortuary, etc.)
- Single family PRD^{1,2,3}
- 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:

- Dock
- Home Industry
- Wireless Communication Facilities^{2,3}

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

- Gasoline/service station
- Highway Commercial
- Industrial
- Junkyard, landfill, recycling facility (privately owned)
- Multi-family dwelling or PRD
- Non-highway Commercial
- 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.
4. 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: 3 acres

Lot Frontage and Setbacks:

Frontage 200 feet

Front Setback 40 feet

Rear Setback 50 feet

Side Setback 50 feet

Building Heights:

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

1 Site Plan Review required

2 General/Special Provisions apply

3 Certificate of Occupancy required

2.5.5 Conservation (C-10)

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

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
- Baby-sitting service
- Minor structures
- Temporary signs

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

Permitted Principal Uses:

- Group home
- Single family dwelling (must not defeat purpose of the District)
- Two family dwelling (altered from pre-existing single family dwelling, if no enlargement of structure; no new construction)

Permitted Accessory Uses:

- Accessory dwelling unit
- Accessory use or structure
- Adult day care service
- Athletic structures
- Bed and Breakfast (up to 3 bedrooms for transient boarders/tourists)
- Family child care home
- Home occupations
- Ponds
- Seasonal roadside stand
- 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}
- Campground, resort, children's camp^{1,3}
- Cemetery
- Church (see Semi-Public)^{superscript?}

- Contractor's storage^{1,3} (materials, machinery, heavy equipment)
- Family child care facility^{1,3}
- Inn/small hotel^{1,3} (must not defeat purpose of the District)
- Medical facility^{1,2,3}
- Extraction of earth resources^{1,2,3}
- Outdoor recreation facility^{1,2,3} (must not defeat the purpose of the District)
- Public water, sewage treatment plant^{1,2,3}
- School^{1,2,3}
- Semi-public^{1,2,3}
- 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:

- Dock
- Home Industry
- Wireless Communication Facilities^{2,3}
- Single family PRD^{1,2,3}

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

- Gasoline/service station
- Highway Commercial
- Indoor recreational facility
- Industrial
- Junkyard, landfill, recycling facility (privately owned)
- Mobile home park
- Two family dwelling (new construction)
- Multi-family dwelling or PRD
- Non-highway Commercial
- 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.
4. 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)

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

2.5.6 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
- Baby-sitting service
- Minor structures
- 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}
- Self-Storage Facility ≤10,000 sq ft of gross floor area^{1,2,3,4}

Permitted Accessory Uses:

- Accessory use or structure
- Adult day care service
- Athletic courts
- Bed and Breakfast (up to 3 bedrooms for transient boarders/tourists)
- Family child care home
- Home occupations
- Ponds
- Seasonal roadside stand
- 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}
- Church (see Semi-Public)^{superscript?}
- Contractor's storage¹ (materials, machinery, heavy equip.)
- Family child care facility^{1,3}
- Gasoline/service station^{1,2,3}

- Group home
- Indoor recreational facility^{1,3}
- Inn/small hotel^{1,3}
- Outdoor recreation facility^{1,2,3}
- 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
- Two family dwelling (altered from pre-existing single family dwelling, if no enlargement of structure; no new construction)
- 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:

- Accessory Dwelling Unit
- Dock
- Home Industry
- Wireless Communication Facilities^{2,3}

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

- Campground, resort, children's camp
- Cemetery
- Industrial
- Junkyard, landfill, recycling facility (privately owned)
- Medical facility (see definitions)
- Mineral extraction
- Mobile home park
- Multi-family dwelling or PRD
- Non-highway Commercial
- School
- Single family PRD

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.
4. 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: 1 acre

Single Family Dwelling: Must meet "Area, Land and Structural Requirements" of RRR 3-5 Zone.

Two Family Dwelling (altered from pre-existing single family dwelling): Must meet "Area, Land and Structural Requirements" of RRR 3-5 Zone.

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 (*Amended 6/11/2012*)

- 1 Site Plan Review required
- 2 General/Special Provisions apply
- 3 Certificate of Occupancy required
- 4 Expires 8/5/2012 as an interim bylaw; effective 7/9/2012 as a permanent bylaw

2.5.7 Industrial (I)

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 so developed 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
- Baby-sitting service
- Minor structures
- Temporary signs

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^{1,2,3}
- Self-Storage Facility^{1,2,3,4}
- Small office space

Permitted Accessory Uses:

- Accessory use or structure
- Adult day care service
- Athletic Courts
- Bed and Breakfast (in existing home only; up to 3 bedrooms for transient boarders/tourists)
- Family child care home
- Home occupations
- Ponds
- Seasonal roadside stand
- Self-Storage Facility^{1,2,3,4}
- Signs, permanent

Conditional Uses:

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

Conditional Principal Uses:

- Contractor's storage¹ (materials, machinery, heavy equip)
- Extraction of earth resources^{1,2,3}
- Family day care facility^{1,3}
- Highway Commercial
- Home Industry

- Junkyard, landfill, recycling facility (privately owned)^{1,2,3}
- Industrial^{1,2,3}
- Non-highway Commercial^{1,2,3}
- Outdoor recreation facility (only as facilities for use by employees during lunch, etc. on same basis as primary industrial commercial facility)
- 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:

- Wireless Communication Facilities^{2,3}

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

- Adult day care facility
- Campground, resort, children's camp
- Cemetery
- Gasoline/service station
- Indoor recreational facility
- Inn/small hotel
- Medical facility
- Mobile home park
- Multi-family dwelling or PRD
- School
- Semi-public
- Single family dwelling
- Single family PRD
- Two family dwelling (new construction)

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.
4. 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: 1 acre

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.

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. (*Amended 6/11/2012*)

- 1 Site Plan Review required
- 2 General/Special Provisions apply
- 3 Certificate of Occupancy required
- 4 Expires 8/5/2012 as an interim bylaw; effective 7/9/2012 as a permanent bylaw