



TOWN OF WEATHERSFIELD

LAND USE ADMINISTRATOR'S OFFICE

(802)674-2626

P.O. BOX 550 ASCUTNEY, VT 05030

landuse@weathersfield.org

Zoning Board of Adjustment Agenda

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

Tuesday, May 23, 2023 – 6:30 PM

-
1. Call to Order
 2. Agenda Review
 3. Comments from Citizens regarding items not on the agenda
 4. Approval of Meeting Minutes – April 11, 2023
 5. **Public Hearing: Application 23.04.26.ZBA.2 by Mathew Lewis for a Site Plan Review and Conditional Use Review for the construction of a Contractor's Storage Yard at 20 Harvest Park Road (Parcel: 5A-01-41). The parcel is located in the Highway Commercial zoning district.**
 6. **Public Hearing: Application 23.04.26.ZBA by Scott Rogers for a variance review at 6014 Route 5, Ascutney, VT 05030 (Parcel: 06-00-14). The parcel is located in the Highway Commercial zoning district.**
 7. Site Plan Review checklist
 8. Update from LUA on changes to Bylaws by Planning Commission
 9. Discussion of Items for Future Agendas
 10. Adjourn

Remote option – Zoom link and instructions:

<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

PUBLIC HEARING

Lewis Final Plat Review – Contractor Storage Yard

May 23, 2023

Item 1: Public Hearing Notice

Item 2: Certification of Posting and Distribution

Item 3: Newspaper Tear Sheet

Item 4: 23.04.26.ZBA.2 – Combined Hearing Application

Item 5: Site Plan – March 22, 2023

Item 6: Accessory Maps

Item 7: Letter from Abutter – April 17, 2023

Item 8: DEC Project Review Sheet – October 8, 2019

Item 9: DEC Water/Wastewater Permit – April 12, 2019

Item 10: Rapanotti Septic Design – September 16, 2019

Item 11: Subdivision Decision – July 3, 2019

Item 12: Highway Access Permit Application – February 7, 2014

Item 13: Water Capacity Allocation Letter – May 22, 2019

Item 14: NRB Act 250 Abandonment Order – September 25, 2013

HEARING ITEM

1



TOWN OF WEATHERSFIELD

LAND USE ADMINISTRATOR'S OFFICE

(802)674-2626

P.O. BOX 550 ASCUTNEY, VT 05030

landuse@weathersfield.org

Zoning Board of Adjustment

NOTICE OF PUBLIC HEARING

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

Remote option – Zoom details below

Tuesday, May 23, 2023 – 6:30 PM (6:00 Site Visit)

A public hearing before the Weathersfield Zoning Board of Adjustment will be held at the Town Office in Ascutney on Tuesday, May 23, 2023, at 6:30 PM (6:00 site visit) to consider the following application:

Application 23.04.26.ZBA.2 by Mathew Lewis for a Site Plan Review and Conditional Use Review for the construction of a Contractor's Storage Yard at 20 Harvest Park Road (Parcel: 5A-01-41). The parcel is located in the Highway Commercial zoning district.

The above application is available for inspection at the Town Office in Ascutney. Persons wishing to appeal and be heard may do so in person or be represented by an agent or attorney. Participation in this proceeding is required in order to ensure your ability to appeal the Zoning Board's decision. Communications about the above application may be filed in writing with the Zoning Board of Adjustment or at the hearing.

Remote option - Zoom link and instructions:

<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.

HEARING ITEM

2

Certification of Posting and Distribution

Notice of Public Hearing

Hearing Date May 23, 2023 - 6:30 Site Visit May 23, 2023 - 6:00

I hereby certify that I have posted the attached "Notice of Public Hearing" in the following public places and mailed, faxed or emailed as noted said "Notice of Public Hearing" to the following parties on May 3 & May 5, 2023 as required by the Vermont Statutes Annotated, Chapter 117, §4464



Ryan Gumbart, Land Use Administrator

Application # 23.04.26.ZBA.2

Applicant's Name: Matthew Lewis

For ZBA: Send copy of Rules of Procedure re public hearings with the hearing notice

<input type="checkbox"/>	Vault	NA
<input checked="" type="checkbox"/>	Applicant's File	May 3, 2023
<input checked="" type="checkbox"/>	Applicant (paper copy/mailed)	May 3 & 5, 2023
<input checked="" type="checkbox"/>	Applicant (cardboard copy for posting)	Posted May 3, 2023
<input checked="" type="checkbox"/>	Landowner (mailed)	May 3 & 5, 2023
<input type="checkbox"/>	Agent (mailed)	NA
<input checked="" type="checkbox"/>	Newspaper (notice emailed to paper)	May 3 & 4, 2023
<input checked="" type="checkbox"/>	Publication in newspaper	May 6, 2023
<input checked="" type="checkbox"/>	Abutters* (mailed)	May 3 & 5, 2023
<input checked="" type="checkbox"/>	Board Members (mailed)	May 3 & 4, 2023
<input checked="" type="checkbox"/>	Board Secretary (mailed)	May 3 & 4, 2023
<input checked="" type="checkbox"/>	Town Website (posted)	May 3 & 4, 2023
<input checked="" type="checkbox"/>	3 Public Places	
<input checked="" type="checkbox"/>	Town Hall	May 5, 2023
<input checked="" type="checkbox"/>	Ascutney Post Office	May 5, 2023
<input checked="" type="checkbox"/>	Perkinsville Post Office	May 5, 2023
<input type="checkbox"/>	Other	NA
<input type="checkbox"/>	VT Secretary of Transportation**	NA

* Abutters - see attached list

** when application for variance of setback from state highway (§4464(a)(1)(C))

HEARING ITEM

3



Heating Oil, Kerosene,
Diesel Fuel, and Propane

Heating, Air Conditioning, Plumbing
& Electrical ~ Installation & Service

8 Lane Ridge Rd, Claremont, NH 03743
603.543.3571
Fully Insured

READ ALL ABOUT IT!

Printing Tuesday - Thursday - Saturday
Delivered to your door with your daily mail

Our Goal is
LOCAL, LOCAL, LOCAL!

SUBSCRIBE TODAY!



MARKETPLACE

800-545-0347 | 603-543-3100 | classi@eagletimes.com

Your daily shopping resource

JOBS | AUTOS | REAL ESTATE

ADVERTISE TODAY!!!



PUBLIC NOTICE

The Claremont City Council will hold Budget Meetings in the Council Chambers of City Hall on the following dates.

May 10, 2023 (Wednesday), 6:30 p.m.
regular Council meeting

- Preliminary Budget Discussion
- Assessing
- Welfare
- Library
- Elections
- Debt Retirement (Debt Service)
- Policy
- Outside Agency Request

May 20, 2023 (Saturday), 8:30 a.m. to 3:30 p.m.

- Fire
- Airport
- Planning & Development
- TIFD-Downtown
- Finance/IT
- City Administration (Finance)
- General Services
- Police
- Communication 911
- Sanitation (Transfer Station)
- Cemetery
- Streets & Roads (Highways)
- Parks
- CSB Community Center-Recreation
- Municipal Complex (Maintenance)

May 24, 2023 (Wednesday), 6:30 p.m.
regular Council meeting

- General Fund Revenue
- Water Fund Budget
- Sewer Fund Budget

June 14, 2023 (Wednesday), 6:30 p.m.
regular Council meeting

- Encumbrance Budget

June 28, 2023 (Wednesday), 6:30 p.m.
regular Council meeting

- PUBLIC HEARING AND VOTE - 2024 BUDGET

(Proposed budget will be available for review in the City Manager's and City Clerk's offices.)

Yoshi Manale, Interim City Manager

Index 0000

5 EASY WAYS TO REACH US

1. Call us at: 603-543-3100
2. The Best Way is to E-mail us at: Sydney.mcallister@eagletimes.com (Please make sure to include your ad copy and payment info)
3. Fax us at: 603-504-3199
4. Mail your ad to: Eagle Times, 27 Pleasant St., Claremont, NH 03743
5. Or drop off at: 27 Pleasant St., Claremont, NH

The Eagle Times accepts cancellations, but no copy changes allowed while advertisement is running. Please make any typographical error changes the first week your ad is inserted.

NOTICE OF PUBLIC HEARING

A public hearing before the Weathersfield Zoning Board of Adjustment will be held at the Town Office in Ascutney on Tuesday, May 23, 2023, at 7:00 PM to consider the following application: **Application 23.04.26.ZBA by Scott Rogers for the variance at 6014 Route 5, Ascutney, VT 05030 (Parcel: 06-00-14). The parcel is located in the Highway Commercial zoning district.**

NOTICE OF PUBLIC HEARING

A public hearing before the Weathersfield Zoning Board of Adjustment will be held at the Town Office in Ascutney on Tuesday, May 23, 2023, at 6:30 PM (6:00PM site visit) to consider the following application: Application 23.04.26.ZBA.2 by Mathew Lewis for a Site Plan Review and Conditional Use Review for the **construction of a Contractor's Storage Yard at 20 Harvest Park Road (Parcel: 5A-01-41). The parcel is located in the Highway Commercial zoning district.**

Index 0000

TIME FOR A CHANGE?

There's no time like the present to find a job you love. Check out the Eagle Times classifieds!

Legals 1010

NOTICE OF PUBLIC MEETING

A public meeting will be held on Tuesday, May 16, 2023, 5:30 - 6:30 pm, at Springfield Hospital to share information on plans to replace the pedestrian bridge that connects the hospital parking lot with the upper level of the Ridgewood Professional Building. All are invited to attend the meeting which will take place in the Level D conference room at Springfield Hospital, 25 Ridgewood Road, Springfield, VT 05156. For more information, please contact Anna Smith at annasmith@springfieldhospital.org, or call 802-885-7621.

Special Announcements 1012 Services 1500

Renee Bailey of Springfield, VT is turning 100 on May 7th!

Services 1500

BRIAN'S RARE COINS NOW OPEN
Buying and Selling US Coins.
Gold and Silver Bullion Available at competitive prices I need:
•Silver Dollars
•Indian Head Pennies
•Buffalo Nickels
•All Sets of Coins
•Paper Money
•All Proof
•Mint Sets
•Gold and Silver Coins
•Jewelry
•Sterling Flatware

Highest Prices Paid.
653 Washington Street, Claremont, NH 03743.
Please call for hours 603-477-2902

C. WEST PROFESSIONAL PAINTING
For all of your painting needs
INTERIOR
EXTERIOR
COMMERCIAL
RESIDENTIAL
RESTORATION
Call 603-558-3369
FOR ALL ESTIMATES

PUBLIC NOTICE INVITATION TO BID: ROOFING SYSTEM REPLACEMENT

The Claremont School District, Claremont NH is seeking proposals from qualified individuals and companies to provide the following services:

Roofing System Replacement at Steven High School, 175 Broad Street in Claremont, NH.

Parties interested providing all of this work are asked to contact Steven Holt, Facility Director at (603)219-4604 or sholt@sau6.org to schedule an onsite inspection of existing conditions and to ask questions. Additional information and more detailed requirements may also be obtained from the website at www.sau6.org Departments/Facilities/Current Bids.

CASH PAID
•Antique Furniture
•Collectibles
•Sterling Silver
•Gold Jewelry
•Artwork
•Art Pottery
•Firearms
•Tools
•Fine Dishware and Glassware,
•Books
•Anything Unique
Call or text Greg 603-903-3069

CLAREMONT RECONDITIONING CARS & TRUCKS DETAILING

Spotless inside and out: waxing, shampooing, etc.

30 years in business

- Free pick up & delivery - Insured

Mon.-Fri., 8 am - 4 pm
216 Main St., Claremont
claremontreconditioning.com
603-543-3010

COLEMAN'S PLUMBING & HEATING

Complete Boiler & Furnace Replacement
Plus

Heat pump installations
Free Estimates!!
802-875-3644

Sell It In The Classifieds!

Big Blooming Spring Savings

2009 Dodge Caliber 4 Door Hatchback

Auto, A/C, well maintained and ready to go, tan with saddle interior

\$3,950
Stk # 21A37



2018 Jeep Wrangler JK Series 4 Door w/Sierra Pkg

Absolutely fully equipped, only 39K miles, full white body paint, clean inside and out

\$42,500



2016 Jeep Renegade Limited

Fully equipped, sunroof, leather interior, excellent shape, well maintained

\$14,700
Stk #21A28



2011 Ford Fusion 4 Door Sedan SE

Fully equipped with sunroof, well maintained, 103K miles, black

\$9,850
Stk #21A25



2012 Toyota Camry 4 Door

Low mileage, auto, A/C, nicely maintained

\$10,950
Stk # 21A53



2005 Chevrolet Tahoe

Extremely nice condition, well maintained, dark blue.

\$7,500
Stk #21A50



2017 Chevrolet 4x4 Crew Cab

Excellent shape, well maintained, very reasonably priced, red

\$19,950
Stk #21A45



Used Tire Inventory Sale!!

Size 14 - Size 20 singles, pairs, and a few Sets
Call for sizes and conditions

603-464-5511

WYMAN'S SALES & SERVICE

"Where Satisfaction is a Tradition Since 1953"



172 West Main St., Hillsboro, NH

* Restrictions apply. See dealer for details

603-464-5544

Visit us at Wymanscars.com

Sales: Monday - Friday 8:30am - 4pm

*Actual vehicle color may vary from the image featured in the ad.

HEARING ITEM

4

Town of Weathersfield Zoning Permit Application

Town of Weathersfield, ATTN: Land Use Administrator, P.O. Box 550, Ascutney, VT 05030
(802) 674-2626 | landuse@weathersfield.org

Property Information

Address 20 Harvest Park Rd
 Town, State, Zip Weathersfield VT 05157
 Parcel ID 5A0141
 Lot Size (acres) 1.16
 Road Frontage (ft) none
 Existing Principal Use (enter below, e.g. "single-family dwelling")
(if no existing Principal Use, leave blank)

Permit Type (check all that apply)

New Principal Building or Unit (e.g. "single-family dwelling") *(potential shg)*
 New Accessory Structure (e.g. "shed") *(pole barn)*
 Alteration to Existing Structure (e.g. "new room addition")
 Change of Use (e.g. "personal service" to "restaurant")
 Demolition / Removal (e.g. demolition & removal of pool)
 Sign (one-sided square footage): _____ sq. ft.
 Variance

Applicant

Name(s) Matthew Lewis
 Name(s) _____
 Mailing Address 747 Randall Hill Rd
 Town, State, Zip Springfield VT 05156
 Telephone # 802 376-6463
 Mobile # same
 E-mail Address matthewvt@gmail.com

Project Information

Proposed Principal Use Definition (if new or changing, enter below)
Machinery / Material Storage
 Approximate Value of Development \$75K (pole barn)
 Total New Finished Floor Area _____ sq. ft.
 Total New Unfinished Floor Area 2400 sq. ft.
 Maximum Height 30 ft.
 Number of Stories 1

Landowner (if different)

Name(s) CARL WYMAN
 Name(s) _____
 Mailing Address 473 Plains Rd
 Town, State, Zip Weathersfield, VT 05157
 Telephone # 802-738-5343
 Mobile # 802-738-5343
 E-mail Address _____

Filing Information (Staff Use Only)

Zoning Permit # 23.04.26.ZBA.2
 Fee Collected \$720.00
 Zoning Area HC
 Permit Issue Date _____
 Appeal by Date _____
 Type of Review Required (check all that apply)
 Administrative
 Zoning Board of Adjustment
 Conservation Commission
 Flood Hazard / Agricultural Soils

Decision (Staff Use Only)

APPROVED DENIED

Permit Expiration Date _____

Description of Project (please provide a complete description along with dimensions)

Phase 1: Install 60' x 30' pole barn for equipment and material storage. Water and power would both be supplied as well

Phase 2: Install Heated shop area. Unsure of dimensions - not to exceed 60' x 80'. Potentially 2024?

Is your project subject to the Residential / Commercial Building Energy Standards? Yes No

If yes, you must record a Vermont Residential/Commercial Energy Standards (RBES or CBES) Certificate in the Land Records prior to receiving your Certificate of Compliance/Occupancy. Contact Energy Code Assistance Center at (855) 887-0673 to determine if you need to follow these standards. *phase 2 would be*

Does your project involve any demolition and/or renovation? Yes No

If yes, you must contact the Lead and Asbestos Regulatory Program at (800) 439-8550 prior to demo/renovation.

Does your project involve the installation or removal of a new manufactured/mobile home? Yes No

If yes, you must provide a copy of HUD Form 309. Installation must comply with the HUD Permanent Foundations Guide for Manufactured Housing. A bill of sale must be obtained from the Weathersfield Town Clerk.

Does your project involve work within a Town or State right of way? Yes No

If yes, you must obtain Highway Access permit approval from the Town of Weathersfield and/or Vermont Agency of Transportation at (802) 279-1152

Will your project involve connecting to municipal water? Yes No

If yes, you must contact the Town Manager at (802) 674-2626

Does your project involve construction of / change of use to or from being a public building? Yes No

If yes, you must contact the Vermont Department of Public Safety, Division of Fire Safety. A public building is any building that the public has the occasion to enter EXCEPT for owner-occupied, single-family dwellings, registered home day cares, and working farms, but INCLUDING single family homes becoming rentals. The Town of Weathersfield currently recommends the installation of a Knox Box. For more information, visit <http://www.knoxbox.com/>

Does your project involve a new home / business, change in # of bedrooms / change in use? Yes No

If yes, contact the local Water/Wastewater Permit Specialist at (802) 279-4747, or the State Water/Wastewater Division, Springfield Office at (802) 289-0603

Septic Permit in place

Permit Fee Calculator (Cash or Check only, payable to Town of Weathersfield)			
Principal Use	\$100 + 0.05 x <u>4,800</u> sq. ft.	=	\$ <u>340.00</u>
Accessory Use	\$30 + 0.05 x <u>1,800</u> sq. ft.	=	\$ <u>120.00</u>
Conditional Use	\$200 + 0.05 x <u>6,600</u> sq. ft.	=	\$ <u>530.00</u>
Permit Renewal	Expired permit renewal: \$30	+	\$
Variance	\$200	+	\$
	SUBTOTAL		\$ <u>705.00</u>
Late Fee	Double all fees for after-the-fact permit	2x	\$
Recording Fee	Applies to all applications	+	\$ 15
	TOTAL		\$ <u>720.00</u>

Site Plan Review

Staff Use Only
Fee Collected?
[Signature]
Initials

Landowner & Applicant Acknowledgements

By signing this form, the landowner(s) and applicant(s) described in this application (and their agents, assigns, and successors in interest) hereby apply for a permit to develop the project described in this application and accept the following:

- ◆ Applications will not be considered properly filed and vested for rights to review under any applicable laws until fees are paid in full and all items necessary to determine compliance with this bylaw are complete and submitted;
- ◆ Vermont law allows the Land Use Administrator 30 days to act on this application;
- ◆ All submissions are public record available for inspection and copy;
- ◆ All representations made in this application and the materials accompanying it are true and accurate to the best of my knowledge. Omission or misstatement of any material fact on this application (which would warrant refusing the permit or approval) shall be grounds for revoking the permit or approval;
- ◆ Private agreements (such as covenants, deed restrictions and easements) may apply, be more or less restrictive than Weathersfield's bylaws and may affect this project. By signing, I acknowledge that it is my responsibility to disclose and comply with these agreements;
- ◆ State and Federal regulations may apply, be more or less restrictive than Weathersfield's bylaws, and may affect this project. By signing, I acknowledge that it is my responsibility to obtain all required State and Federal permits;
- ◆ No development or work may commence until receipt of all applicable permits and approvals;
- ◆ If this application is approved, I must post the Zoning Permit within view of the public right-of-way most nearly adjacent to the subject property until the period in which an appeal may be filed has expired; and
- ◆ Reasonable access to the subject property is to be granted to the Land Use Administrator, designees, and the Listers Office for the purpose of establishing compliance with this permit and for the purpose of determining what, if any consequence the development will have on the property's assessment.

Landowner Signature *[Signature]*
Date 7/16/23

Applicant Signature *[Signature]*
Date 7/16/23

Required Reviews, Forms, and Fees

To be filled out by Land Use Administrator

Review by Planning Commission – PC

Review by Zoning Board of Adjustment – ZBA

- Administrative Review Form
 - Principal Use : \$100 + \$0.05 x _____ sq.ft. new construction
 - Accessory Use: \$30 + \$0.05 x _____ sq.ft. new construction
 - After-the-fact: (Standard fees) x 2
 - Permit Amendment: \$100 or \$30 + \$0.05 x _____ sq.ft. new construction
 - Permit Renewal: \$30

- Highway Access Form: \$30

- Boundary Line Adjustment Form
 - Administrative Review: \$40
 - Access Approval - PC: \$75

- Subdivision Review Form – PC \$200 + \$50 per lot

- Planned Unit Development Review Form
 - Sketch Plan Review - PC: \$100
 - See applicable ZBA Reviews below
 - Final Plat Review - PC: \$100 + \$50 per lot

- Zoning Board of Adjustment Review Form
 - Conditional Use Review: \$200 x 6,600 sq.ft new construction
 - Variance Hearing \$200
 - Flood Hazard Review \$200
 - Site Plan Review
 - New: \$170
 - Amendment: \$100
 - “Other Use” Determination \$200
 - Appeal by Permittee FREE
 - Appeal by Interested Party \$95

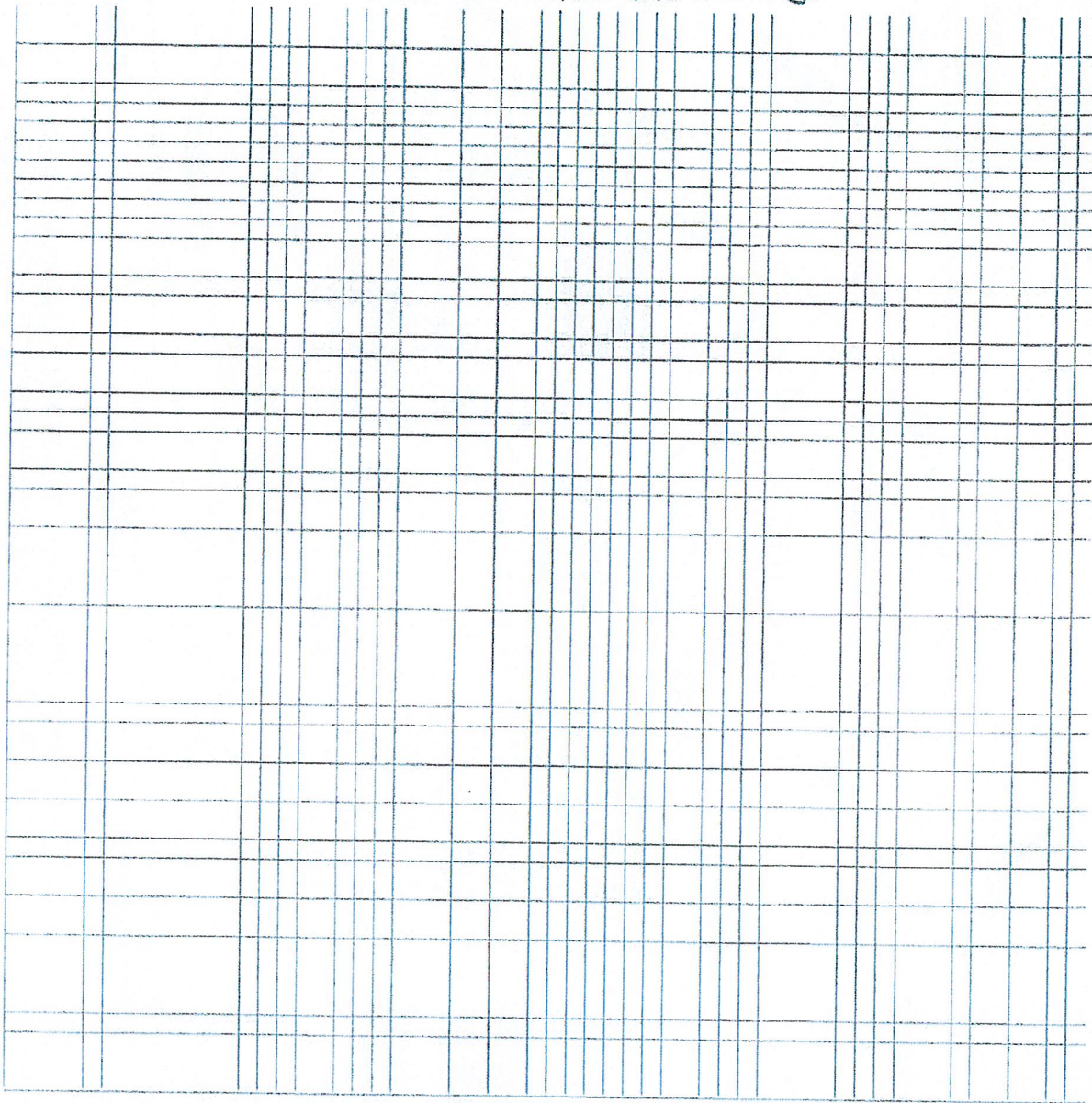
- Town Clerk Recording Fee \$15

Permit Fee Total: \$720.00

Site Plan Drawing

Draw an aerial view of the property described in this application showing a north arrow, all property lines, and dimensions of land. Include the shape, size and location of all existing and proposed structures (principal and accessory) on the property with measurements to the front, sides, rear and closest property boundary lines (setbacks) and distances between each structure. Identify the use of all buildings, and the location of septic/sewer and water utilities. Identify access from Town or State Highway and road frontage distance. Identify any deeded easements or rights-of-way. Include any proposed signs in the drawing. Include any streams, water bodies and wetlands. If the scale is too small to show details after drawing all property lines, please use supplemental pages to map required features at a larger scale.

SEE ATTACHED DRAWING



Land Use Administrator Signature _____

Applicant Signature _____

A handwritten signature in blue ink, appearing to be "John Doe", written over a horizontal line.

NOTE: Signature required for valid permit

Town of Weathersfield

Date: 03/07/2023 Time: 13:17:25

Clerk: Osavage

Name: Matt Lewis

Comments:

Description	Amount
Land Records	10.00
Land Records	3.00
Land Records	2.00
Zoning Permits	705.00

TOTAL 720.00

Check 196

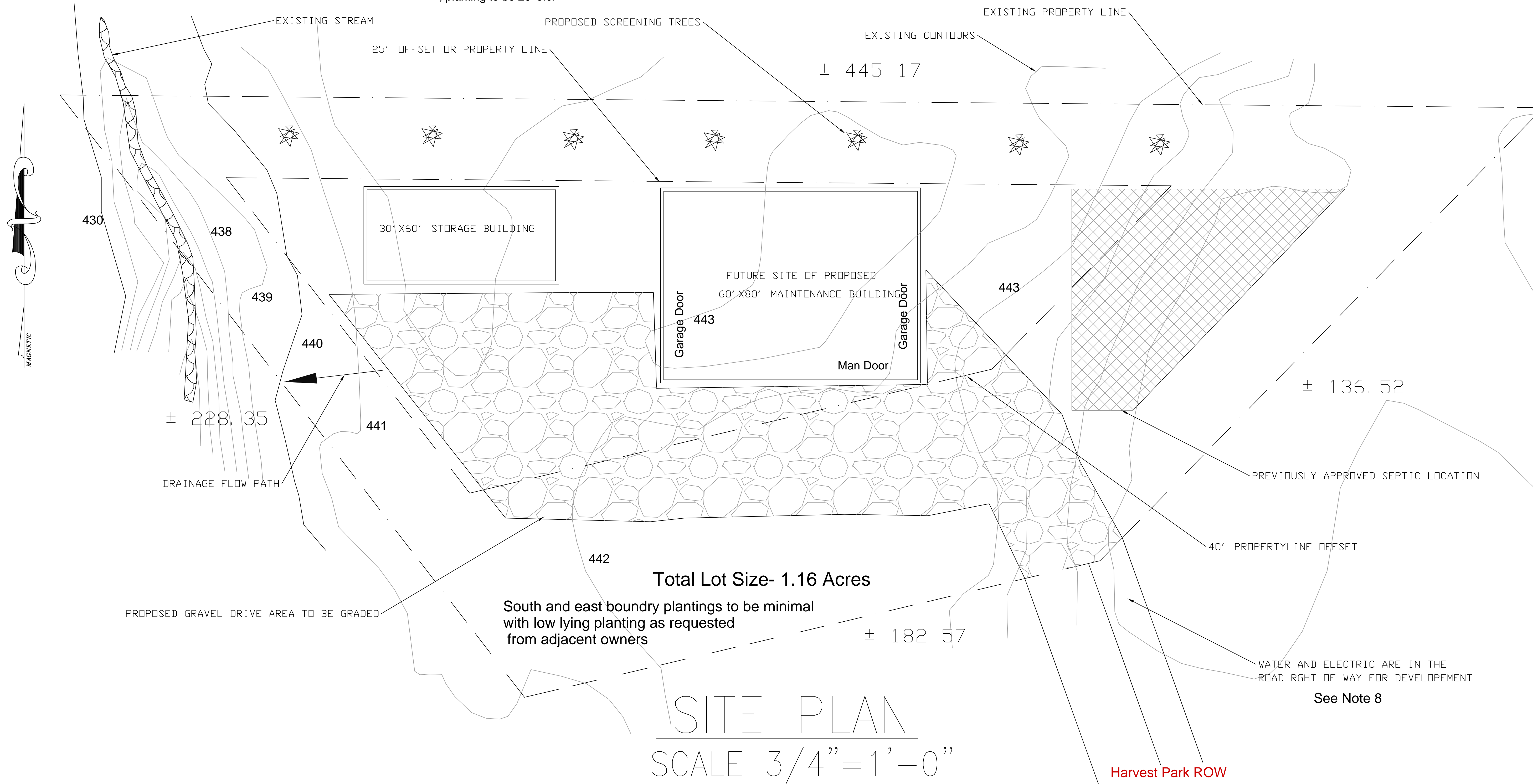
Thank you

HEARING ITEM

5

GENERAL PROJECT NOTES:
 1) TEMPORARY BENCH MARK ELEVATIONS ARE ASSUMED.
 2) REFERENCE TAX MAP FOR LOT INFORMATION AND SITE LOCUS.
 3) BUILDING ELEVATIONS ARE LIMITED TO 35 FOOT MAX HEIGHT.
 4) THE PROPERTY LINES, EASEMENTS, AND OTHER REAL PROPERTY DESCRIPTIONS PROVIDED IN THIS PERMIT APPLICATION ARE FOR THE USE OF THE ANR ONLY. THEY DO NOT DEFINE LEGAL RIGHTS OR MEET LEGAL REQUIREMENTS FOR A LAND SURVEY AS DESCRIBED IN 26 V.S.A. SECTION 2502(4), AND SHALL NOT BE USED IN LIEU OF A SURVEY AS THE BASIS OF ANY LAND TRANSFER OR ESTABLISHMENT OF ANY PROPERTY RIGHT.
 5) DIG SAFE SHALL BE CONTACTED BEFORE EXCAVATING IN ANY PUBLICLY OWNED LANDS.

Planting on North Boundry to be 3-4 foot Balsam Fir alternating with deciduous plant of same size, planting to be 20' o.c.



Total Lot Size- 1.16 Acres

South and east boundry plantings to be minimal with low lying planting as requested from adjacent owners

SITE PLAN
 SCALE 3/4" = 1' - 0"

See Note 8

Additional Notes:

- 6- Future Maintenance building roof height of 32'. Storage building height of 25'. Entrance, the entire 60' on the south of the storage building.
- 7- Parking will be on the graveled surface, this property is a space for equipment and material storage, not a public use building with designated parking.
- 8- Electricity will be privately owned and will be installed within Harvest Park ROW. Water will be brought in via the same ROW. This is still under discussion as to the layout of the water system. The water line plan dated 8-22-19 has previously been submitted and approved. Approved Septic permit included. All utilites will be installed underground.
- 9- No fire suppression will be installed
- 10- Final Grade to be level, any runoff will be channelized west side of the property, see sttached storm water treatments.
- 11- Per review from Zoning Administrator, area is not near a significant natural area.

Property Owner- Carl Wyman, 473 Plains Road Weathersfield VT 05151
 Applicant- Matthew Lewis, 747 Randll Hill Road Springfield VT 05156

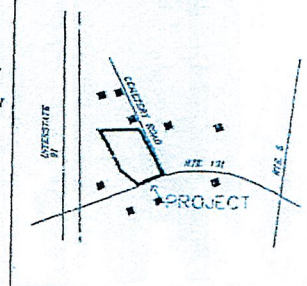
PROJECT: JN# 018-23		
LEWCO PROJECT ZONING PLAN PREPARED FOR HARVEST PARK		
WEATHERSFIELD VERMONT		
WAYSVILLE ENGINEERING 222 BARLOW RD SPRINGFIELD, VT 05156		
DATE: 2-24-23	REVISIONS:	DWG.NO
SCALE: AS NOTED		Z1
DR. BY: JEW	3/22/23	
CHECKED BY: LPS		REV. 0

HEARING ITEM

6

TOTAL AREA=4.65 Acres±
ZONED HIGHWAY COMMERCIAL TAX MAP 5A-01-41

LOCATION MAP



LAND OF
 OPEN BIBLE BAPTIST CHURCH
 MAP 5A BLOCK 01 PARCEL 40

LAND OF
 PETER R. & WYONA N
 LECLAIR
 MAP 5A BLOCK 01 PARCEL 40

LAND OF
 THOMAS HEISER JR & ELSIE
 HEISER
 MAP 5A BLOCK 01 PARCEL 31

LAND OF
 ROBERT E. DUFRESNE
 MAP 5A BLOCK 01
 PARCEL 32

DATE	DESCRIPTION

CONSTRUCTION NOTES

- 1) THE ACCESS ROAD WILL BE BUILT ACCORDING TO THE TOWN OF WEATHERSFIELD ROAD AND BRIDGE STANDARDS
- 2) THE PLANNING COMMISSION WAIVED THE REQUIREMENTS OF SECTION 370.1. CONSTRUCTION OF SIDEWALKS WILL NOT BE REQUIRED.
- 3) AN ASSORTMENT OF 2-3" DECIDUOUS TREES WILL BE PLANTED ABOUT 30-50 FEET APART ALONG BOTH SIDES OF HARVEST PARK ROAD.
- 4) BURIED UTILITIES TO LOTS 2-4 WILL BE LOCATED IN THE 50 WIDE EASEMENT. THEIR LOCATIONS TO BE DETERMINED AS THE LOTS ARE DEVELOPED.
- 5) STATE OF VERMONT STORMWATER RUNOFF AND CONSTRUCTION GENERAL (EROSION CONTROL) PERMITS WILL BE OBTAINED AS THE LOTS ARE DEVELOPED. THESE ARE NOT REQUIRED FOR CONSTRUCTION OF THE ROAD.
- 6) THIS PROJECT IS EXEMPT FROM AGRICULTURAL ZONING, SECTION 6.10.7. THE FARMLAND CONVERSION IMPACT RATING IS LESS THAN 160 POINTS.

LOT 3
 1.16 Acres ±

LOT 4
 1.04 Acres±

LOT 2
 1.10 Acres±

LOT 1
 1.35 Acres±

50 FOOT WIDE
 RIGHT OF WAY
 TO BE USED BY
 LOTS 1-4 FOR
 ACCESS AND
 BURIED UTILITIES

FINAL PLAT#

Refer to Motion of District dated _____
 for a complete listing of findings and conditions applicable to this plat.

Other documents pertaining to this subdivision are:

Joint Petition (Water/Land)

Subdivision/General Permit (State)

Easement Control Plan

Other _____

Signature of the Planning Commission in endorsement that all of the conditions of approval for this subdivision have been:

Completed

Resolved for completion within one (1) year of the date of signature.

Signature _____ Date _____

NOTES

1. The parcel shown was plotted from a closed theodolite and E.D.M. survey that meets the requirements for a suburban survey as set forth by the State of Vermont.
2. The bearings shown on this plan refer to observed magnetic north 2009 of the Paton survey referenced in §5 below.
3. The parcel shown was conveyed to Carl E. Wyman in volume 171 page 516 of the Weathersfield Land Records.
4. Refer to Central Vermont Public Service Corp. easement volume 41 page 87.
5. Refer to a survey entitled "Estate of Stanley & Helen Patch" by Paton Land Surveying, dated 2/28/2009, drawing 2009-252-45.

LEGEND

- NON-REPLACEMENT
- REPLACEMENT COMPLETION POINT
- CONCRETE MONUMENT
- PROPERTY LINE
- SURVEY LINE
- BARRIERS AND FENCE
- STREAM
- UTILITY POLE
- PAVED ROAD
- GRAVEL ROAD

TO ASCUTNEY



I hereby certify to the best of my knowledge that the boundaries shown on this plan are consistent with physical evidence as found in the field, deeds and prior records and other sources shown on this plan.

VT. L.S. #531

VERMONT ROUTE 131

LAND OF
 MAYNELL FRAZER
 MAP 5 BLOCK 02 PARCEL 35

TO INTERSTATE 91

Subdivision Plan
Carl E. Wyman
 Weathersfield Vermont

GARY RAPANOTTI L.S.

June 20, 2011 1"=30' 12-10660-3



Lewis Vicinity Map

Weathersfield, VT

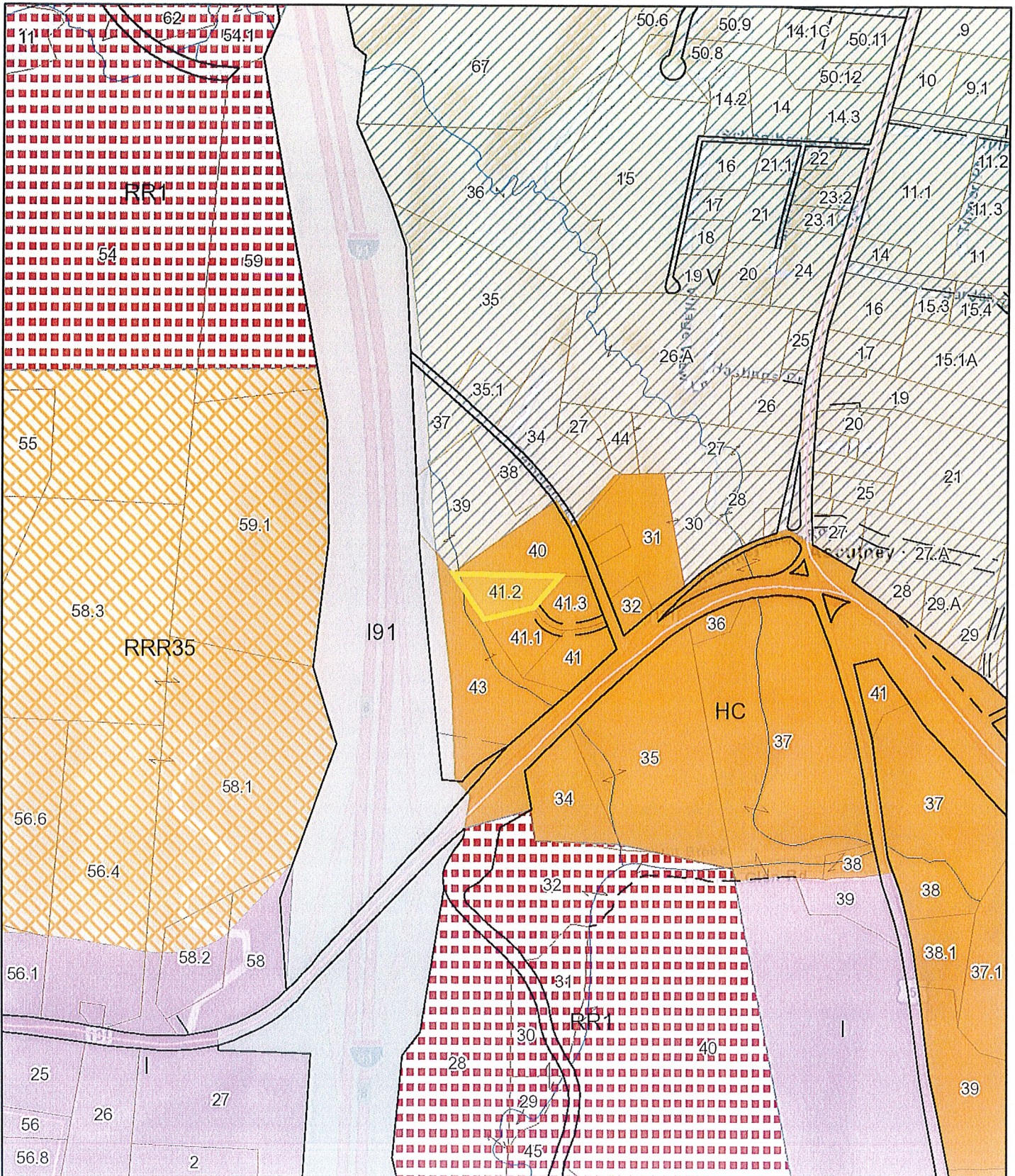
1 inch = 547 Feet



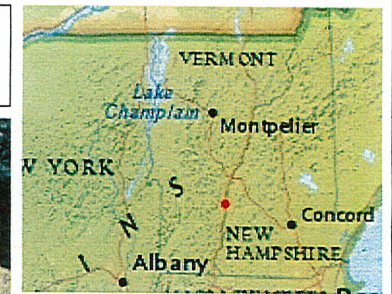
April 12, 2023



www.cai-tech.com



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.



LEGEND

- River Corridors (Aug 27, 2019)
 - .5 - 2 sqmi.
 - .25-.5 sqmi.
- Private Wells
 - GPS Located
 - Screen Digitized
 - E911 Address Matched
 - Welldriller/Clarion
 - Unknown Location Method
 - Incorrectly Located
- Parcels (standardized)
- Stream
 - Stream
 - Intermittent Stream
- Roads
 - Interstate
 - US Highway; 1
 - State Highway
 - Town Highway (Class 1)
 - Town Highway (Class 2,3)
 - Town Highway (Class 4)
 - State Forest Trail
 - National Forest Trail
 - Legal Trail
 - Private Road/Driveway
 - Proposed Roads
- Town Boundary

1: 2,435
April 12, 2023

124.0 0 62.00 124.0 Meters
 WGS_1984_Web_Mercator_Auxiliary_Sphere 1" = 203 Ft. 1cm = 24 Meters
 © Vermont Agency of Natural Resources THIS MAP IS NOT TO BE USED FOR NAVIGATION

DISCLAIMER: This map is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. ANR and the State of Vermont make no representations of any kind, including but not limited to, the warranties of merchantability, or fitness for a particular use, nor are any such warranties to be implied with respect to the data on this map.

NOTES

Map created using ANR's Natural Resources Atlas

Vermont Parcel Program



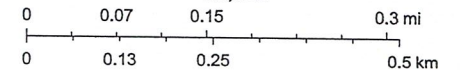
4/5/2023, 6:21:30 PM

VT Parcels

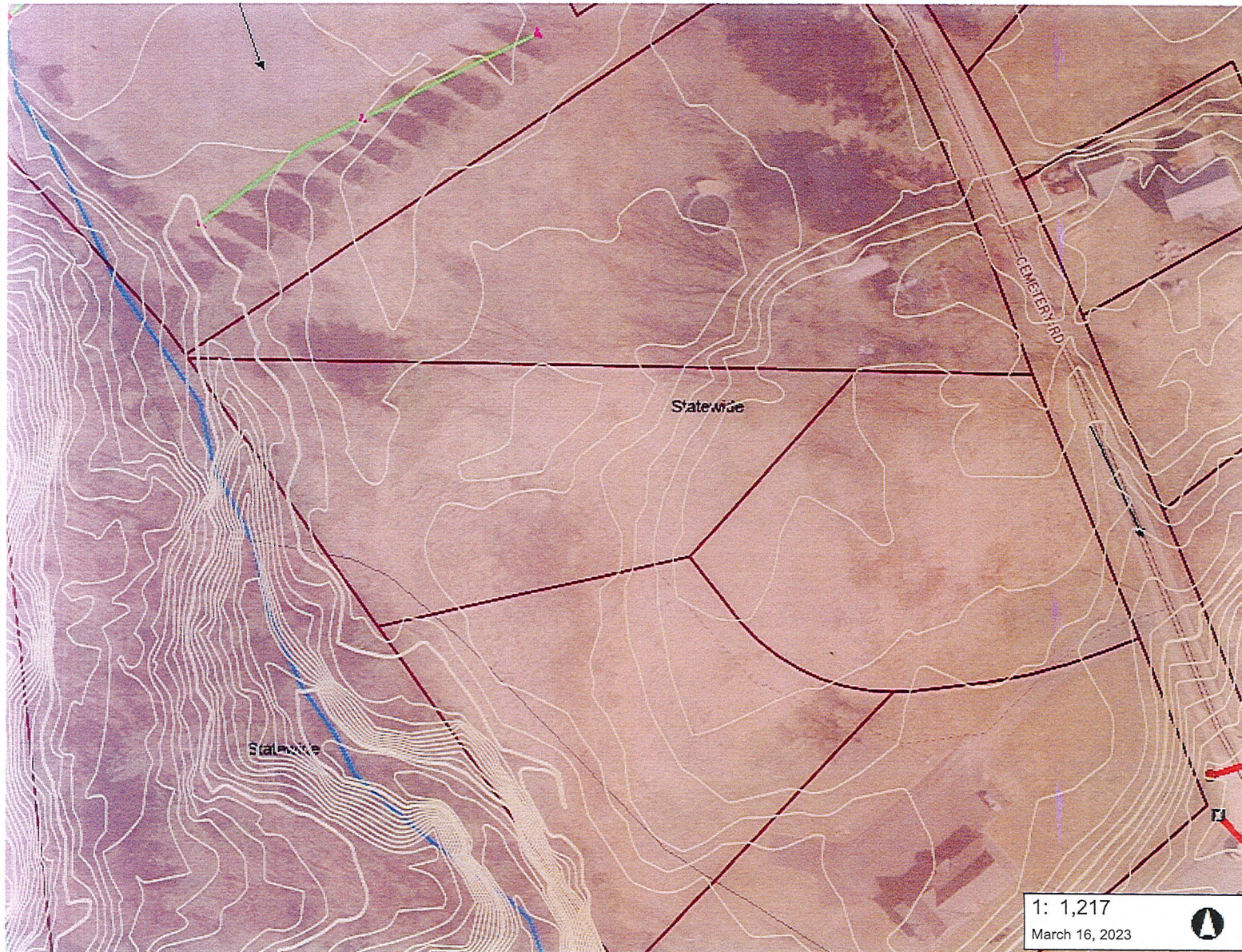
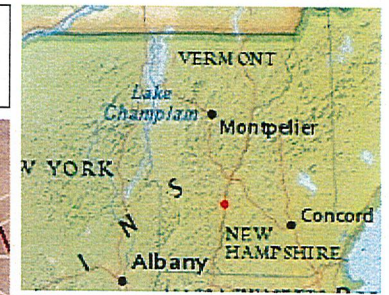
VCGI Color Imagery Service

- Red: Band_1
- Green: Band_2
- Blue: Band_3

1:9,028



VCGI, Esri Community Maps Contributors, VCGI, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA



LEGEND

- Contours - LiDAR 1ft.**
- Contour Line, Index Major
 - Contour Line, Index Minor
 - Contour Line, Intermediate Even
 - Contour Line, Intermediate Odd
- Existing stormwater point**
- Pipe Cross (not connected)
 - Catchbasin
 - Dry Well
 - Drop Inlet
 - Grate/Curb Inlet
 - Yard drain
 - Junction Box
 - Stormwater Manhole
 - Outfall
 - Culvert inlet
 - Culvert outlet
 - Pond outlet structure
 - Treatment feature (see notes)
 - Retrofit
 - Unknown Point
 - Information Point
 - <all other values>
- Existing stormwater line**
- Storm line
 - Storm line (old Sanitary line)
 - Tunnel (storm)

1: 1,217
March 16, 2023

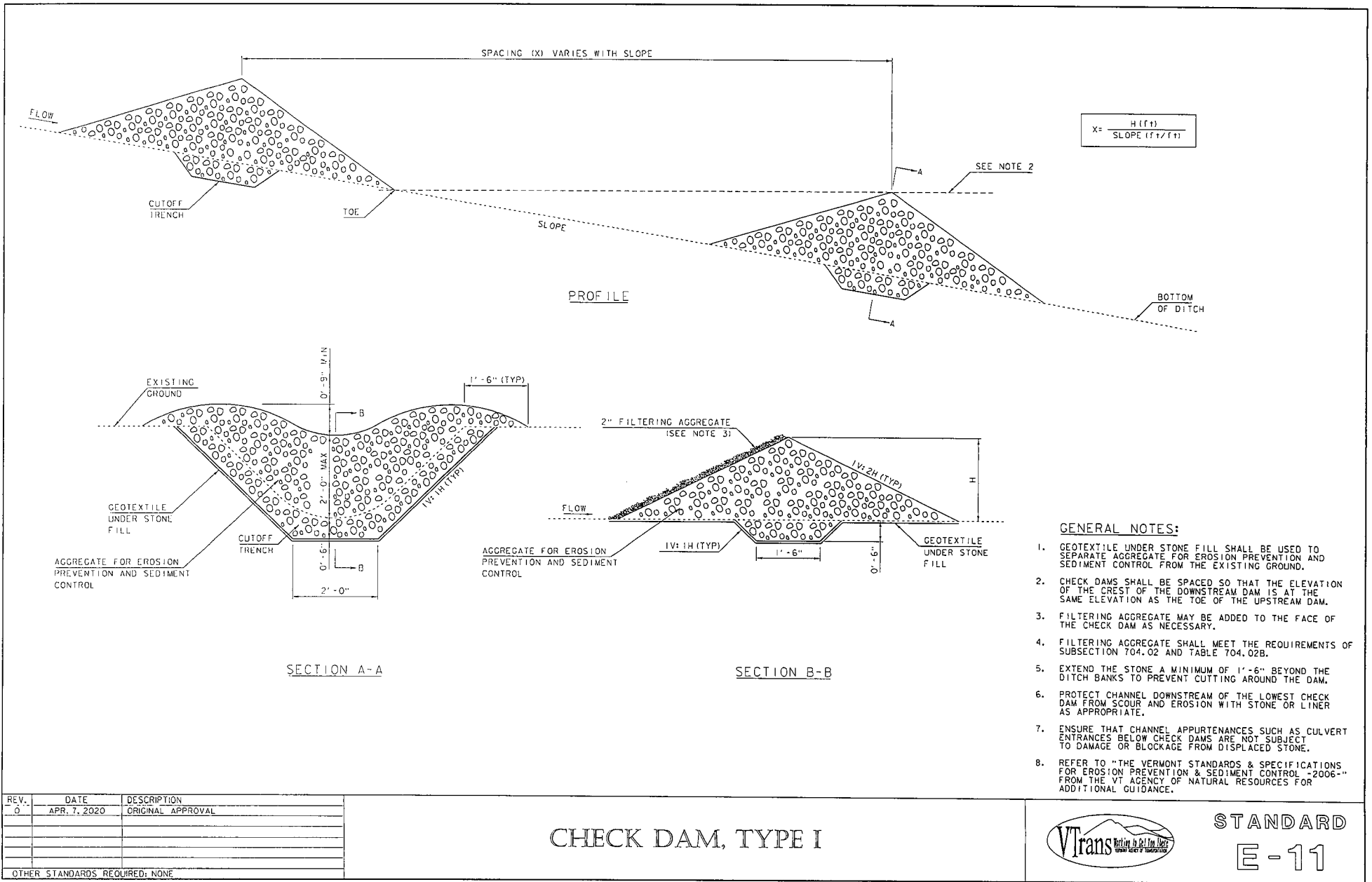


NOTES

Map created using ANR's Natural Resources Atlas

62.0 0 31.00 62.0 Meters
 WGS_1984_Web_Mercator_Auxiliary_Sphere 1" = 101 Ft. 1cm = 12 Meters
 © Vermont Agency of Natural Resources THIS MAP IS NOT TO BE USED FOR NAVIGATION

DISCLAIMER: This map is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. ANR and the State of Vermont make no representations of any kind, including but not limited to, the warranties of merchantability, or fitness for a particular use, nor are any such warranties to be implied with respect to the data on this map.



- GENERAL NOTES:**
1. GEOTEXTILE UNDER STONE FILL SHALL BE USED TO SEPARATE AGGREGATE FOR EROSION PREVENTION AND SEDIMENT CONTROL FROM THE EXISTING GROUND.
 2. CHECK DAMS SHALL BE SPACED SO THAT THE ELEVATION OF THE CREST OF THE DOWNSTREAM DAM IS AT THE SAME ELEVATION AS THE TOE OF THE UPSTREAM DAM.
 3. FILTERING AGGREGATE MAY BE ADDED TO THE FACE OF THE CHECK DAM AS NECESSARY.
 4. FILTERING AGGREGATE SHALL MEET THE REQUIREMENTS OF SUBSECTION 704.02 AND TABLE 704.02B.
 5. EXTEND THE STONE A MINIMUM OF 1'-6" BEYOND THE DITCH BANKS TO PREVENT CUTTING AROUND THE DAM.
 6. PROTECT CHANNEL DOWNSTREAM OF THE LOWEST CHECK DAM FROM SCOUR AND EROSION WITH STONE OR LINER AS APPROPRIATE.
 7. ENSURE THAT CHANNEL APPURTENANCES SUCH AS CULVERT ENTRANCES BELOW CHECK DAMS ARE NOT SUBJECT TO DAMAGE OR BLOCKAGE FROM DISPLACED STONE.
 8. REFER TO "THE VERMONT STANDARDS & SPECIFICATIONS FOR EROSION PREVENTION & SEDIMENT CONTROL -2006-" FROM THE VT AGENCY OF NATURAL RESOURCES FOR ADDITIONAL GUIDANCE.

REV.	DATE	DESCRIPTION
0	APR. 7, 2020	ORIGINAL APPROVAL

OTHER STANDARDS REQUIRED: NONE

CHECK DAM, TYPE I



STANDARD
E-11

HEARING ITEM

7



Matthew Lewis <mattlewvt@gmail.com>

Lot 3 development

1 message

Carl Wyman <wymanfarm@gmail.com>
To: Matt Lewis <mattlewvt@gmail.com>

Mon, Apr 17, 2023 at 8:36 AM

Hi Matt

Please convey to the land use department that as the owner of lot 1 and lot 2, I would prefer the following considerations when deciding on landscaping the lot.

- 1- Because each lot when developed will have some lot screening, lets not end up with a double lot wall of screening result.
- 2- I want to keep the view of mount Ascutney if possible so I would prefer a random smattering of low vegetation or fencing along our shared lot lines
- 3- Keep it simple . I do not need to have your building or activities blocked from view. Light screening is fine.
- 4- Either deciduous or coniferous vegetation is fine. I like the occasional crab trees as well.

Thank you for the consideration.

Carl Wyman

HEARING ITEM

8

Project Review Sheet

Date Initiated	<input type="text" value="10/8/2019"/>	ANR PIN#	<input type="text" value="NS14-0075"/>	WW Project#	<input type="text" value="WW-2-4632-2"/>	Pre-application Review	<input type="checkbox"/>
----------------	--	----------	--	-------------	--	------------------------	--------------------------

Project Information

General Information

PROJECT NAME (if applicable) Wyman Office Building subdivision and additional 3 office buildings	PROJECT TOWN Weathersfield
PROJECT LOCATION (911 address if available) 24 Cemetery Road (along VT-131 near Exit 8)	SPAN(S) (if available) 705-224-11168

Contact(s)

CONTACT TYPE Consultant	NAME Brian Rapanotti	ORGANIZATION NAME (if applicable) Wastewater Designer	
ADDRESS P.O. Box 11	TOWN Springfield	STATE VT	ZIP 05156
PHONE 8022899917	CELL PHONE	EMAIL vtsepticdesign@aol.com	
CONTACT TYPE Consultant	NAME Jason Waysville	ORGANIZATION NAME (if applicable) Water Connection Designer	
ADDRESS 222 Barlow Road	TOWN Springfield	STATE VT	ZIP 05156
PHONE 8022306144	CELL PHONE	EMAIL waysvilleengineering@gmail.com	
CONTACT TYPE Landowner	NAME Carl Wyman	ORGANIZATION NAME (if applicable)	
ADDRESS 473 Plains Road	TOWN Weathersfield	STATE VT	ZIP 05151
PHONE 8027385343	CELL PHONE	EMAIL	

Project Description

ENTERED BY John Fay	INFORMATION SOURCE Wastewater System & Potable Water Supply	DATE ENTERED 10/8/2019 10:48 AM
PROJECT DESCRIPTION Proposed subdivision into 4 lots of an existing 4.65± acre lot with an existing office building. Each of the three new lots proposed to have a new office building (three new buildings total) with its own onsite wastewater system and new connection to town water supply.		

DEC Prior Permits

PERMIT TYPE Wastewater System & Potable Water Supply	PERMIT NUMBER WW-2-4632 and -1
PERMIT TYPE Act 250	PERMIT NUMBER 2S0273 Abandoned

Act 250 Jurisdictional Opinion

This is a jurisdictional opinion issued pursuant to 10 V.S.A. § 6007(c) and Act 250 Rule 3(A). Reconsideration requests are governed by Act 250 Rule 3(B) and should be directed to the district coordinator at the above address. Effective May 31, 2016, any appeal of this decision must be filed with the Superior Court, Environmental Division (32 Cherry Street, 2nd Floor, Ste. 303, Burlington, VT 05401) within 30 days of the date the decision was issued, pursuant to 10 V.S.A. Chapter 220. The Notice of Appeal must comply with the Vermont Rules for Environmental Court Proceedings (VRECP). The appellant must file with the Notice of Appeal the entry fee required by 32 V.S.A. § 1431, which is \$295.00. The appellant also must serve a copy of the Notice of Appeal on the Natural Resources Board, 10 Baldwin Street, Montpelier, VT 05633-3201, and on other parties in accordance with Rule 5(b)(4)(B) of the Vermont Rules for Environmental Court Proceedings.

PERSON REQUESTING JURISDICTIONAL OPINION John Fay	REQUESTOR TYPE Permit Specialist	ACT 250 PERMIT NUMBER (if any)	HAS THE LANDOWNER SUBDIVIDED BEFORE? <input type="checkbox"/> Yes <input type="checkbox"/> No
TYPE OF PROJECT (check all that apply) <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential <input type="checkbox"/> Agricultural <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Federal			
IS AN ACT 250 PERMIT REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		COPIES SENT TO STATUTORY PARTIES? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
BASIS FOR DECISION An Act 250 permit is not required because the lot is smaller than 10 acres in a town with permanent zoning and subdivision bylaws and fewer than 10 lots have been created in the past five years. 10 V.S.A. Section 6001(3)(A)(i) and (19).			
DISTRICT COORDINATOR SIGNATURE 2019.10.16 15:37:09 -04'00'		Stephanie Gile, District 2 Coordinator [phone] 802-289-0597 [email] stephanie.gile@vermont.gov Natural Resources Board Districts 2 & 3 Environmental Commission 100 Mineral Street, Suite 305, Springfield, VT 05156	

Wastewater System & Potable Water Supply Permit Jurisdictional Opinion

IS A WASTEWATER SYSTEM & POTABLE WATER SUPPLY PERMIT/APPROVAL REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> Permit application currently under review <input type="checkbox"/> No <input type="checkbox"/> Permit issued on _____	
--	--

The following are preliminary, non-binding determinations made by DEC Permit Specialists identifying other permits that may be needed **PRIOR TO COMMENCEMENT OF CONSTRUCTION**

SPECIAL WETLANDS DISCLAIMER

A desktop review cannot definitively confirm the presence or absence of a wetland in or within fifty feet of your project site. This review sheet is the result of a desktop review that included reviewing the project site with these mapping tools available at <https://anr.vermont.gov/maps>. Many wetlands do not appear on these maps. You are advised to review the site on the ground for wetlands, regardless of whether this box is checked or not (<https://dec.vermont.gov/watershed/wetlands/what/guide>). To confirm the presence/absence of wetlands, contact a qualified environmental consultant (<https://dec.vermont.gov/watershed/wetlands/what/id/wetland-consultant-list>) or the State Wetlands Program (<https://dec.vermont.gov/watershed/wetlands>).

Preliminary, Non-binding Determination of the Applicability of Other State Permits

Note: Fact Sheet numbers below refer to permit fact sheets available at: <http://dec.vermont.gov/permits/handbook/info-sheets>

Agency of Natural Resources - Department of Environmental Conservation
WATERSHED MANAGEMENT DIVISION <input checked="" type="checkbox"/> Stormwater: Developments [Fact Sheets #6.2 & 6.3] [See Stormwater District Contacts Map] <input checked="" type="checkbox"/> Contact: Chris Tomberg Email: chris.tomberg@vermont.gov Phone: 802-490-6917
Department of Public Safety <input checked="" type="checkbox"/> Construction Permit Fire Prevention, Electrical, Plumbing, Accessibility (ADA) [Fact Sheets #49, 50, 50.1, & 50.2] <input checked="" type="checkbox"/> Springfield: 802-885-8883
Vermont Energy Code Assistance Center <input checked="" type="checkbox"/> Vermont Building Energy Standards [Fact Sheet #47.2] Contact: Kelly Launder Email: kelly.launder@vermont.gov Phone: 802-828-4039

Local Permits

See your Town Clerk, Zoning Administrator, Planning Commission or Public Works

PERMIT SPECIALIST SIGNATURE

2019.10.16
15:43:42 -04'00'**John Fay, Permit Specialist** VERMONT[phone] 802-279-4747 [email] john.fay@vermont.gov**Department of Environmental Conservation**
Environmental Assistance Office - Springfield Regional Office
100 Mineral Street, Suite 303, Springfield, VT 05156

HEARING ITEM

9

WASTEWATER SYSTEM AND POTABLE WATER SUPPLY PERMIT**LAWS/REGULATIONS INVOLVED**10 V.S.A. Chapter 64, Potable Water Supply and Wastewater System Permit
Wastewater System and Potable Water Supply Rules, Effective April 12, 2019**Permittee(s): Carl Wyman
473 Plains Road
Weathersfield VT 05151****Permit Number: WW-2-4632-2**

This permit affects the following properties in Weathersfield, Vermont:

Lot	Parcel	SPAN	Acres	Book(s)/Page(s)#
1 (existing)	5A-1-41	705-224-11168	4.65	Book:171 Page(s):511
1 (proposed)			1.35	
2 (proposed)			1.10	
3 (proposed)			1.16	
4 (proposed)			1.04	

This application consisting of 4-lot subdivision with: lot #1 developed with an existing 12 employee office building and 1-bedroom apartment, lots #2-4 each proposed with a 16 employee office buildings, located at 24 Cemetery Road, Weathersfield, VT in Weathersfield, Vermont, is hereby approved under the requirements of the regulations named above subject to the following conditions. Any person aggrieved by this permit may appeal to the Environmental Court within 30 days of the date of issuance of this permit in accordance with 10 V.S.A. Chapter 220 and the Vermont Rules of Environmental Court Proceedings.

1. GENERAL

- 1.1 The permittee is responsible to record this permit in the Weathersfield Land Records within thirty days of issuance of this permit and prior to the conveyance of any lot subject to the jurisdiction of this permit.
- 1.2 The permittee is responsible to record the design and installation certifications and other documents that are required to be filed under these Rules or under a permit condition in the Weathersfield Land Records.
- 1.3 Each assign or successor in interest shall be shown a copy of the Wastewater System and Potable Water Supply Permit and the stamped plan(s) prior to the conveyance of a lot.
- 1.4 By acceptance of this permit, the permittee agrees to allow representatives of the State of Vermont access to the property covered by the permit, at reasonable times, for the purpose of ascertaining compliance with the Vermont environmental and health statutes and regulations, and permit conditions.
- 1.5 This permit does not relieve the landowner from obtaining all other approvals and permits other State Agencies or Departments, or local officials prior to construction.
- 1.6 This permit was, in part, issued based upon the designer's certification that the design-related information submitted is true and correct and complies with the Wastewater System and Potable Water Supply Rules. This permit may be revoked if it is determined the design of the wastewater system or potable water supply does not comply with these rules.
- 1.7 *All conditions set forth in WW-2-4632 & -1 shall remain in effect except as amended or modified herein.* No changes shall be made to the existing, previously permitted building on lot #1.

2. CONSTRUCTION

- 2.1 Construction shall be completed as shown on the plans and/or documents prepared by Brian Rapanotti, LD and Jason E. Waysville, PE with the stamped plans listed as follows:



Title	Sheet #	Plan Date	Revision
OVERALL SITEPLAN (BR)	S1	09/05/2019	
DISPOSAL AREAS (BR)	S2	09/05/2019	
SEPTIC DETAILS (BR)	S3	09/05/2019	
Wyman Property Waterline (JW)	WL1	08/22/2019	10/23/19
Wyman Property Waterline (JW)	WL2	08/22/2019	10/23/19

2.2 Construction of wastewater systems or potable water supplies, or buildings or structures (as defined by the Wastewater System and Potable Water Supply Rules), or campgrounds, not depicted on the stamped plans, or identified in this permit, is not allowed without prior approval by the Drinking Water and Groundwater Protection Division.

2.3 No buildings, roads, water pipes, sewer services, earthwork, re-grading, excavation, or other construction that might interfere with the operation of a wastewater system or a potable water supply are allowed on or near the site-specific wastewater system, wastewater replacement area, or potable water supply depicted on the stamped plans. Adherence to all isolation distances that are set forth in the Wastewater System and Potable Water Supply Rules is required.

3. INSPECTIONS

3.1 No permit issued by the Secretary shall be valid for a substantially completed potable water supply and wastewater system until the Secretary receives a signed and dated certification from a qualified Vermont Licensed Designer (or where allowed, the installer) that states: ***“I hereby certify that, in the exercise of my reasonable professional judgment, the installation-related information submitted is true and correct and the potable water supply and wastewater system were installed in accordance with the permitted design and all permit conditions, were inspected, were properly tested, and have successfully met those performance tests”*** or which satisfies the requirements of §1-311 of the referenced rules.

4. DESIGN FLOW

4.1 Lot use and design flows (gpd) shall correspond to the following.

Lot	Building	Building Use / Design Flow Basis	Water	Wastewater
1	office & apt	12 employees & 1-bedroom apartment (max 2-person occupancy)	320	320
2	office building	16 employees	240	240
3	office building	16 employees	240	240
4	office building	16 employees	240	240

5. WASTEWATER SYSTEM

5.1 A designer shall flag, prior to construction or site work on the lot:

- a. The perimeter of the approved leachfield, or, if the leachfield is in an at-grade, a mound, or a bottomless sand filter, the perimeter of the fill material for the at-grade or mound or the perimeter of the enclosure for the bottomless sand filter and the flags maintained until commencement of construction of the component.
- b. The perimeter of any approved replacement area or replacement system and the flags maintained until completion of construction of the building or structure.

5.2 Should the wastewater system fail and not qualify as a minor repair or for an exemption, the landowner shall engage a qualified Licensed Designer to evaluate the cause of the failure and submit an application to the Drinking Water and Groundwater Protection Division prior to correcting the failure.

5.3 This permit does not relieve the permittee of the obligations of Title 10, Chapter 48, Subchapter 4, for the protection of groundwater.

6. POTABLE WATER SUPPLY


6.1 This permit is based, in part, on a determination by the municipality that sufficient capacity exists in the municipal water supply to accommodate the design flow of this project. This permit does not imply the municipality will grant allocation to the building.

6.2 Should any part of the potable water supply (main or service line) fail and not qualify as a minor repair or for an exemption, the landowner shall engage a qualified Licensed Designer to evaluate the cause of the failure and submit an application to the Drinking Water and Groundwater Protection Division prior to correcting the failure.

6.3 Portions of the proposed potable water supply system crosses onto lots #1, 2 & 3. The land deeds that establish and transfer ownership to each of these lots shall contain permanent legal access which grants future owner(s) of each lot the right to enter upon each/any lot for the construction, repair, maintenance and other such reasonable purposes as may arise regarding the potable water supply. Failure to properly execute the permanent legal access renders this permit

null and void for the purpose of constructing the potable water source. It is recommended that a copy of the executed easement be sent to the Drinking Water and Groundwater Protection Division.

Emily Boedecker, Commissioner
Department of Environmental Conservation

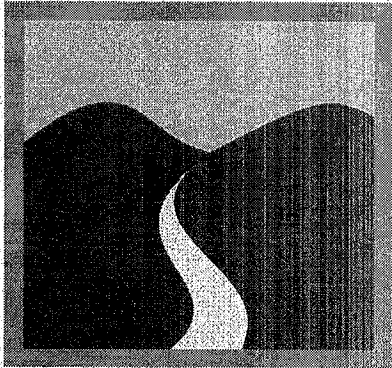
By  Dated October 28, 2019
Terry Shearer
Regional Engineer
Springfield Regional Office
Drinking Water and Groundwater Protection Division

cc: Brian Rapanotti
Jason E Waysville
Weathersfield Planning Commission
Drinking Water and Groundwater Protection Division
Act 250 District II Environmental Commission
Department of Public Safety, Division of Fire Safety

HEARING ITEM

10

Rapanotti Septic Design



Brian Rapanotti
VT Licensed Designer #514
PO BOX 11
Springfield, VT 05156
0: 802-289-9917
vtsepticdesign@aol.com

JOB: Wyman

LOCATION: 131 & Cemetary Road, Ascutney, VT

DATE: 9/16/19

DESCRIPTION

Septic design for 3 new lots all office buildings with 16 employees. Test pits, siteplan, application submittal to State of Vermont.

TOTAL

\$3000.00



Carl Wyman <wymanfarm@gmail.com>

docs to sign

1 message

Brian Rapanotti <vtsepticdesign@aim.com>

Mon, Sep 16, 2019 at 4:08 PM

To: wymanfarm@gmail.com

Sign both and return to me.



The application fee is \$870 made payable to State of Vermont.

I am notifying abutters today.

Let me know if you have any questions.

Thanks

Brian

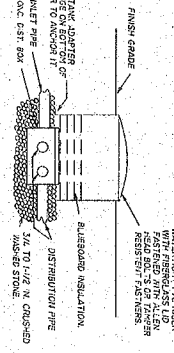
3 attachments **wyman anr 4.pdf**
27K **wyman own sig.pdf**
30K **wyman bill.pdf**
116K

CONSTRUCTION NOTES

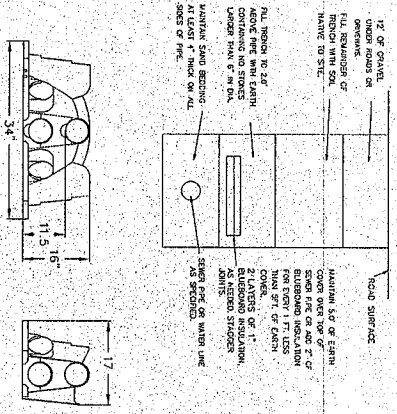
1. ALL CONSTRUCTION EQUIPMENT SHALL BE PROTECTED BY THE CONTRACTOR.
2. CONSTRUCTION SHALL NOT BE UNDERTAKEN WHEN SOIL IS SATURATED.
3. THE LAYOUT OF THE SEWER SHALL BE CONSTRUCTED AT THE END OF THE LINE TO BE INSTALLED.
4. THE SEWER SHALL BE INSTALLED WITH A MINIMUM SLOPE OF 1/8" PER FOOT.
5. THE SEWER SHALL BE INSTALLED WITH A MINIMUM COVER OF 18" BELOW FINISH GRADE.
6. THE SEWER SHALL BE INSTALLED WITH A MINIMUM COVER OF 18" BELOW FINISH GRADE.
7. THE SEWER SHALL BE INSTALLED WITH A MINIMUM COVER OF 18" BELOW FINISH GRADE.
8. THE SEWER SHALL BE INSTALLED WITH A MINIMUM COVER OF 18" BELOW FINISH GRADE.
9. THE SEWER SHALL BE INSTALLED WITH A MINIMUM COVER OF 18" BELOW FINISH GRADE.
10. THE SEWER SHALL BE INSTALLED WITH A MINIMUM COVER OF 18" BELOW FINISH GRADE.
11. THE SEWER SHALL BE INSTALLED WITH A MINIMUM COVER OF 18" BELOW FINISH GRADE.
12. THE SEWER SHALL BE INSTALLED WITH A MINIMUM COVER OF 18" BELOW FINISH GRADE.
13. THE SEWER SHALL BE INSTALLED WITH A MINIMUM COVER OF 18" BELOW FINISH GRADE.
14. THE SEWER SHALL BE INSTALLED WITH A MINIMUM COVER OF 18" BELOW FINISH GRADE.
15. THE SEWER SHALL BE INSTALLED WITH A MINIMUM COVER OF 18" BELOW FINISH GRADE.

CONCRETE DISTRIBUTION BOX WITH PVC RISER TO GRADE

1. SET CONC. DIST. BOX LEVEL ON TOP OF 4" TO 1/2" IN. CURBED BRICKS
2. SET RISER TO TOP OF DIST. BOX
3. SET RISER TO TOP OF DIST. BOX
4. SET RISER TO TOP OF DIST. BOX
5. SET RISER TO TOP OF DIST. BOX
6. SET RISER TO TOP OF DIST. BOX
7. SET RISER TO TOP OF DIST. BOX
8. SET RISER TO TOP OF DIST. BOX
9. SET RISER TO TOP OF DIST. BOX
10. SET RISER TO TOP OF DIST. BOX
11. SET RISER TO TOP OF DIST. BOX
12. SET RISER TO TOP OF DIST. BOX
13. SET RISER TO TOP OF DIST. BOX
14. SET RISER TO TOP OF DIST. BOX
15. SET RISER TO TOP OF DIST. BOX

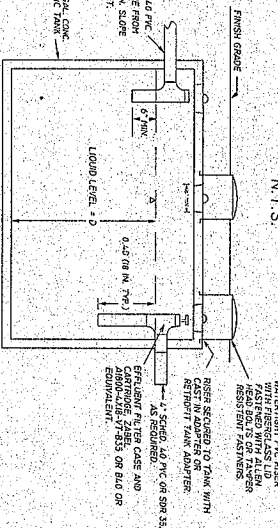


SEWER PIPE OR WATER LINE ROAD CROSSING



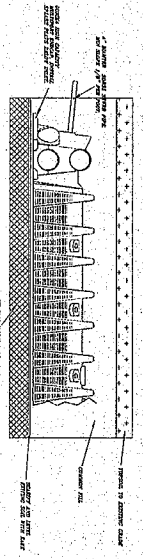
SEPTIC TANK FILTER DETAIL

N.T.S.



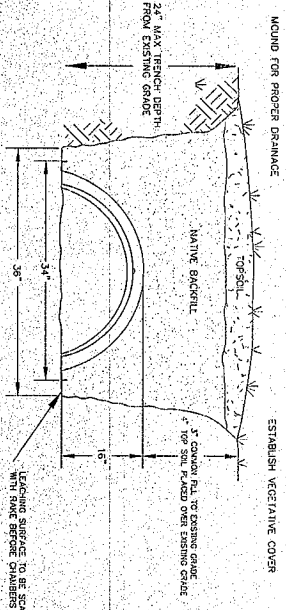
- MAINTENANCE:**
1. SEPTIC TANK SHOULD BE INSPECTED AT LEAST ONCE A YEAR IF FAILURE IS SUSPECTED.
 2. DURING YEARLY INSPECTION, THE EFFLUENT FILTER SHOULD BE CLEANED, INSPECTED AND CLEANED AS PER MANUFACTURER'S INSTRUCTIONS.
 3. DURING YEARLY INSPECTION, DOSSING TANKS AND DISTRIBUTION BOXES SHOULD BE OPENED, CHECKED FOR LEAKS AND SHOULD BE REPAIRED.

QUICK4 HIGH CAPACITY CHAMBER SIDEVIEW

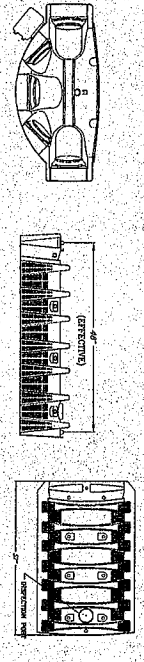


QUICK4 HIGH CAPACITY INFILTRATOR TRENCH DETAIL

(NOT TO SCALE)

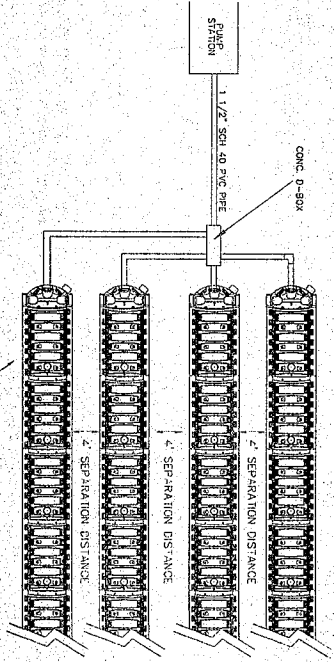
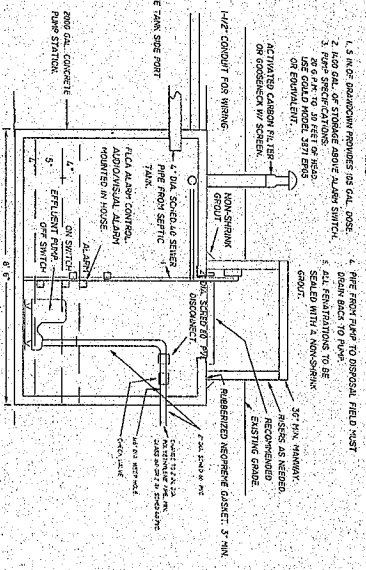


QUICK4 HIGH CAPACITY MOUNDPORT ENDCAP



PUMP STATION DETAIL

N.T.S.



- LOTS 2-3 HAVE 4 TRENCHES 10' BETWEEN TRENCHES
- LOT 4 HAS 3 TRENCHES 10' BETWEEN TRENCHES

SHEET S-3

7. Any party certifying that the design-related information submitted is correct, and that, in the exercise of my reasonable professional judgment, the design complies with the Vermont Water-Use System and the Vermont Water Supply Rules.

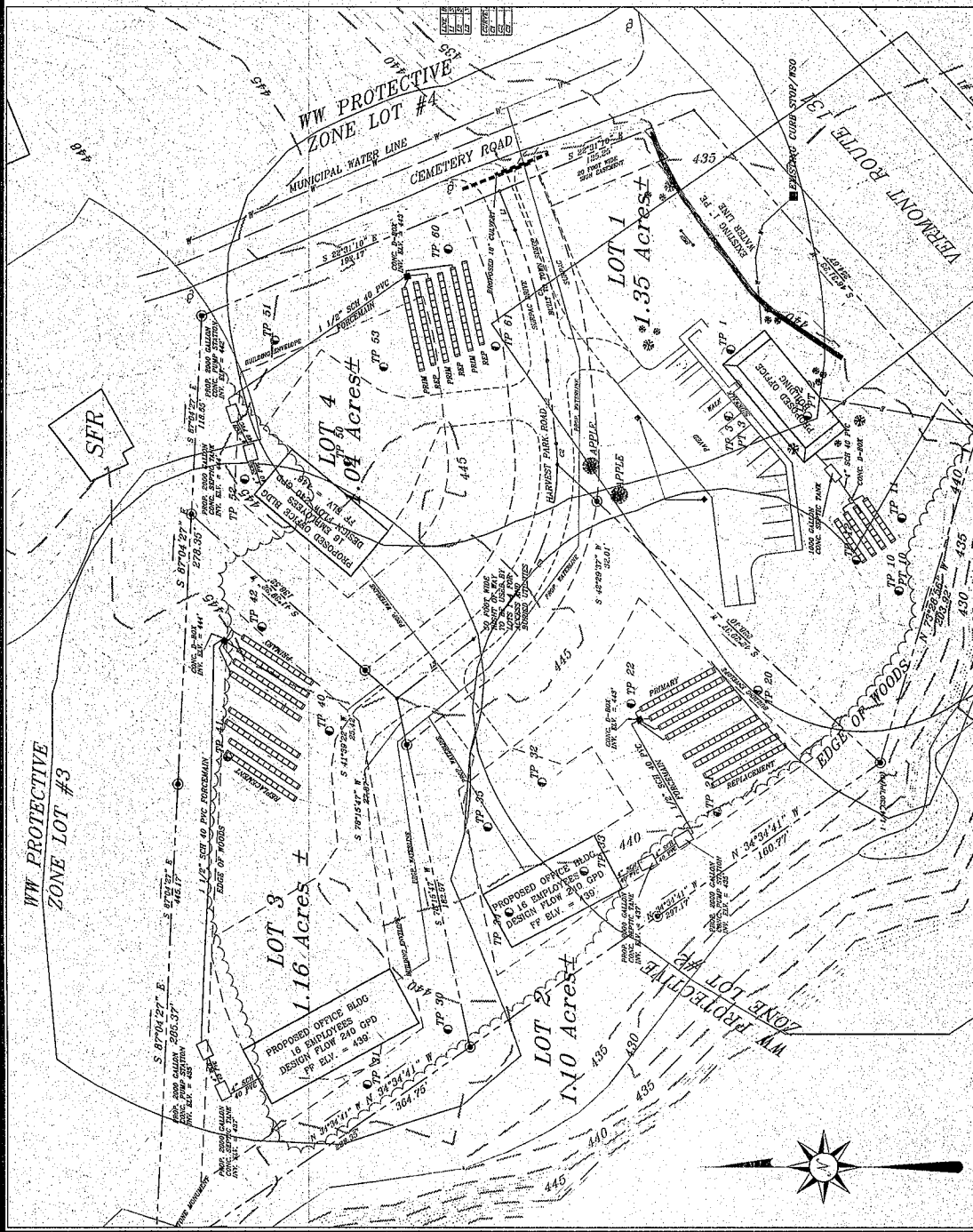
Brian Rapanotti

RAPANOTTI SEPTIC DESIGN

RAPANOTTI SEPTIC DESIGN

Carl Whymann
Ascotbury Vermont
145237-19
N.S. NOTED

BRIAN RAPANOTTI
REGISTERED PROFESSIONAL ENGINEER
NO. 602-883-8800
TEL. 602-883-8800



PRIM/REP DISPOSAL AREA LOT 2

SOIL TEST RESULTS

TEST PIT #10 DEPTH TO S.H.W.T. NONE TO 68"
 TEST PIT #21 DEPTH TO S.H.W.T. NONE TO 58"
 TEST PIT #22 DEPTH TO S.H.W.T. NONE TO 68"
 MIN DEPTH TO S.H.W.T. NONE TO 65"

DESIGN CRITERIA

DESIGN FLOW = 240 GPD
 FINE SAND PER TABLE 9-3 1.0 GPD/SFT
 240 GPD / 1.0 (GPD/SFT) = 240 SFT
 240 SFT / 4.5(SFT/LF) = 52.9 LF
 52.9 LF / 4 RUNS = 13.22 FEET PER TRENCH
 TRENCH SIZE
 (4) 3' X 48" TRENCHES

PRIM/REP DISPOSAL AREA LOT 3

SOIL TEST RESULTS

TEST PIT #40 DEPTH TO S.H.W.T. NONE TO 65"
 TEST PIT #41 DEPTH TO S.H.W.T. NONE TO 58"
 TEST PIT #42 DEPTH TO S.H.W.T. NONE TO 68"
 MIN DEPTH TO S.H.W.T. NONE TO 65"

DESIGN CRITERIA

DESIGN FLOW = 240 GPD
 FINE SAND PER TABLE 9-3 1.0 GPD/SFT
 240 GPD / 1.0 (GPD/SFT) = 240 SFT
 240 SFT / 4.5(SFT/LF) = 52.9 LF
 52.9 LF / 4 RUNS = 13.22 FEET PER TRENCH
 TRENCH SIZE
 (4) 3' X 48" TRENCHES

PRIM/REP DISPOSAL AREA LOT 4

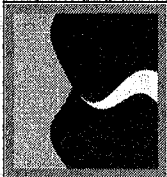
SOIL TEST RESULTS

TEST PIT #80 DEPTH TO S.H.W.T. NONE TO 68"
 TEST PIT #81 DEPTH TO S.H.W.T. NONE TO 68"
 TEST PIT #83 DEPTH TO S.H.W.T. NONE TO 68"
 MIN DEPTH TO S.H.W.T. NONE TO 65"

DESIGN CRITERIA

DESIGN FLOW = 240 GPD
 FINE SAND PER TABLE 9-3 1.0 GPD/SFT
 240 GPD / 1.0 (GPD/SFT) = 240 SFT
 240 SFT / 4.5(SFT/LF) = 52.9 LF
 52.9 LF / 3 RUNS = 17.63 FEET PER TRENCH
 TRENCH SIZE
 (3) 3' X 48" TRENCHES

RAPANOTTI SEPTIC DESIGN



DISPOSAL AREAS

Carl Wyman
 Ascotney Vermont

DATE: 08/05/19
 SCALE: AS NOTED
 14-20-19

BRIAN RAPANOTTI
 118 B 264
 VERMONT
 PO BOX 11 SPRINGFIELD, VT 05448
 TEL: 1-855-885-3000

SHEET S-2

I hereby certify that the design-related information submitted with this application is true and correct to the best of my reasonable professional judgment. The design included in this application complies with the Vermont Potable Water Supply System and Potable Water Supply rules and the Vermont Water Supply rules.

Bruce Rapanotti

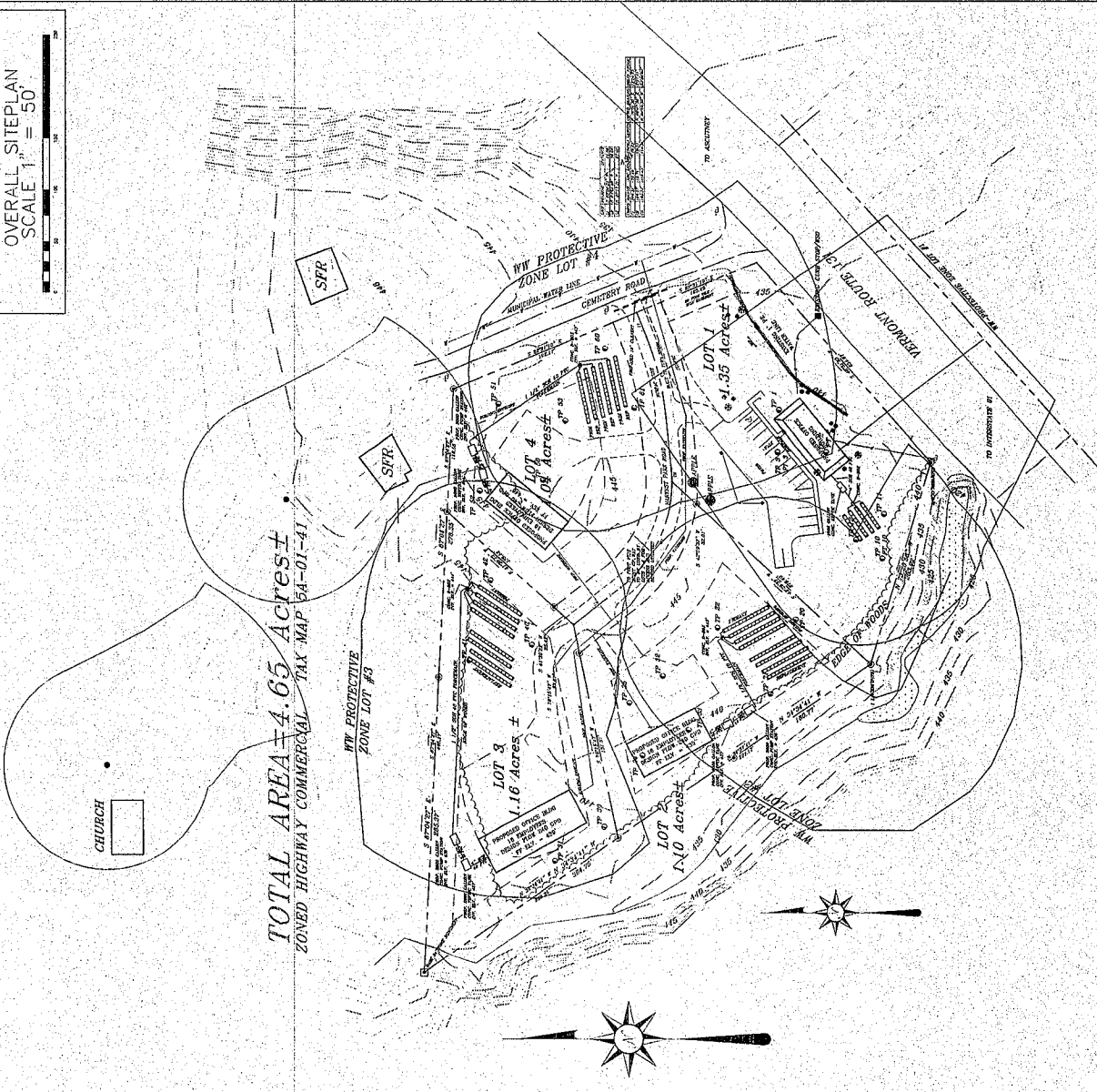


GENERAL NOTES:

1. THIS PLAN IS FOR REGULATORY APPROVAL ONLY. IT IS NOT A SURVEY.
2. OWNER AND OR CONTRACTOR WILL NOTIFY ENGINEER 72 HOURS BEFORE BEGINNING CONSTRUCTION ON SEPTIC SYSTEM OR WATER SUPPLY.
3. SEPTIC AND WATER SUPPLY MUST BE INSTALLED AS SPECIFIED AND IN THE LOCATION AS INDICATED ON THIS PLAN.
4. ALL EQUIPMENT MUST BE INSTALLED ACCORDING TO MANUFACTURER'S INSTRUCTIONS. NO CHANGES OR SUBSTITUTIONS MAY BE PLAN WITHOUT CONSULTANT APPROVAL.
5. THIS PLAN IS FOR THE FOLLOWING:
 LOT #1 EXISTING 1 BEDROOM APART. DESIGN FLOW = 140 G.P.D.
 LOT #1 EXISTING 12 EMPLOYEE OFFICE BUILDING DESIGN FLOW = 180 G.P.D.
 TOTAL DESIGN FLOW = 320 G.P.D.
 EXISTING PERMIT WW-2-4632-1
 LOT #2 PROPOSED 16 EMPLOYEE OFFICE BUILDING. DESIGN FLOW = 240 G.P.D.
 LOT #3 PROPOSED 16 EMPLOYEE OFFICE BUILDING. DESIGN FLOW = 240 G.P.D.
 LOT #4 PROPOSED 16 EMPLOYEE OFFICE BUILDING. DESIGN FLOW = 240 G.P.D.
 TOTAL DESIGN FLOW = 1040 G.P.D.

SEE WAYSVILLE PLAN FOR MORE WATER DETAILS

OVERALL SITEPLAN
 SCALE 1" = 50'



SHEET S-1

I hereby certify that the design-related information submitted with this application is true and correct to the best of my knowledge and belief, and that I am a duly licensed professional engineer in the State of Vermont. I am the author of the design included in this application. I am not providing this design as part of a contract for design services under the Vermont Water Supply System and Permit Water Supply Rules and the Vermont Water Supply Rules.

Brian Rapanotti

RAPANOTTI SEPTIC DESIGN

OVERALL SITEPLAN

Carl Wyman
 Ascotney Vermont
 Sept. 6, 2018
 AS NOTED
 14-237-08



BRIAN RAPANOTTI
 VERMONT REGISTERED PROFESSIONAL ENGINEER
 NO. 6184
 100 BOX 116, WOODVILLE, VT 05688
 TEL. 802-888-3500

HEARING ITEM

11



TOWN OF WEATHERSFIELD

CHARTERED BY: NEW HAMPSHIRE ON AUGUST 20, 1761
NEW YORK ON APRIL 8, 1772

(802)674-2626

P.O. BOX 550 ASCUTNEY, VT 05030

townmanager@weathersfield.org

Planning Commission – Subdivision Review Findings of Fact and Decision of Law

Carl Wyman
24 Cemetery Road

Introduction and Procedural History

1. This proceeding involves review of an application submitted by Carl Wyman for a four-lot Highway Commercial subdivision approval under the Town of Weathersfield Subdivision Regulations, Adopted on 2 March 2010.

2. Chronology

09 May 2019	Request for sketch plan review and application fee paid
13 May 2019	Sketch Plan Review
22 May 2019	Application for Final Plat
10 June 2019	Public Hearing

The hearing notice ran in the Valley News on May 23, 2019 and notice was posted at the Town Hall, Ascutney Post Office, Perkinsville Post Office, Ascutney Market & Downers 4 Corners store on May 22, 2019. Certified mail was sent to the abutters on May 22.

Attendance for the public hearing:

Carl Wyman (Applicant)

Gary Rapanotti (Surveyor)

Planning Commission Member:

Paul Tillman

Michael Todd

Howard Beach

Absent - Nancy Heatley

Absent - Tyler Harwell

No members of the public commented on this subdivision.

The Land Use Administrator, Highway Department, Ascutney Fire Chief, and the Planning Commission have reviewed the project.

The Planning Commission voted to approve the Application.

Findings of Fact

Based on the application, testimony, exhibits, and other evidence, the Planning Commission makes the following Findings:

1. The applicant – Carl Wyman - owns a developed 4.65-acre parcel of land located in the Highway Commercial (HC) zoning district at 24 Cemetery Road. The applicants propose to subdivide the parcel into four lots as follows:
 - Lot 1 consisting of 1.35 acres (current developed lot)
 - Lot 2 consisting of 1.1 acres
 - Lot 3 consisting of 1.16 acres
 - Lot 4 consisting of 1.04 acres
2. The minimum lot size in the Highway Commercial (HC) zoning district is 1 acre. All four proposed lots meet this requirement.
3. There is a buildable area on each lot, and each lot meets the road frontage requirement as well as front, rear, and sideline setbacks.
4. The surveyor has shown that there is adequate room for water and septic systems to fit on the new lot.
5. The surveyor has shown a proposed new private road that will come off from Cemetery Road to service the new lots. There will be an emergency vehicle turnaround on lot 2.
6. The applicant provided the Planning Commission with a Road Maintenance Agreement (required by the Planning Commission) that applies to all four lots.
7. Subdivision approval is requested for the project, pursuant to review under the following sections of the Town of Weathersfield Subdivision Regulations:
 - Section 120 - Purpose
 - Section 250 – Final Subdivision and Plat Review
 - Sections 310-390 – Subdivision Standards
 - Section 460 - Recording Requirements

Conclusions

1. The subdivision plans conform to the planning and design standards under Article 3 of the Weathersfield Subdivision Regulations, as adopted by the Town Meeting on 2 March 2010, with the Weathersfield Town Plan as adopted on 17 May 2017, and does not conflict with any municipal regulations currently in effect or with the objectives of Section 120.

Decisions and Conditions

1. This project is exempt from agricultural zoning section 6.10.7. The farmland conversion impact rating is less than 160 points.
2. The Planning Commission waived the requirements of section 370.1. Construction of sidewalks will not be required.

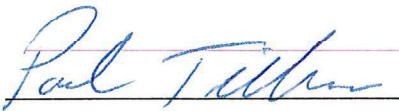
3. Based upon these findings and subject to the conditions set forth below, the Planning Commission finds that the proposed subdivision meets the requirements of Sections 120, 250, 310-390, and 460 of the Subdivision Regulations and grants approval for the Wyman subdivision, Application #- subject to the following Conditions of Approval:

Conditions of Approval

(A) General Conditions

1. No changes, modifications, or other revisions that alter the final subdivision plat or conditions of approval shall be made unless the proposed revisions are first resubmitted to the Planning Commission as a final subdivision application and the Planning Commission approves such revisions after a duly-warned public hearing. If such plat revisions are recorded without complying with these requirements, the revisions on the Mylar shall be considered null and void. (Section 270)
2. Permanent monuments and corner markers shall be placed in conformance with the Rules of the Vermont Board of Land Surveyors, Part 5, Standards for the Practice of Land Surveying and as shown on the approved Mylar.
3. This approval is not final until the written decision is signed and filed with the Town Clerk.
4. The approval of the Planning Commission shall expire 180 days from the date of this decision, unless the approved plat is duly filed or recorded in the office of the municipal clerk. [In accordance with Section 460.2 of the Subdivision Regulations, the administrative officer may extend for an additional 90 days the date for filing the plat - if final local or state permits are still pending.]
5. It is the responsibility of the applicant to obtain any necessary local, state, or federal permits.
6. The applicant shall pay all filing and recording fees.

Dated at Weathersfield, Vermont, this 3 day of July, 2019



Paul Tillman, Vice Chair

Members of the Planning Commission participating in this Decision:

Paul Tillman, Vice Chair
Michael Todd
Howard Beach, Clerk

CC: Carl Wyman
Gary Rapanotti
Town of Weathersfield Municipal Office

HEARING ITEM

12

TOWN OF WEATHERSFIELD, VERMONT
HIGHWAY ACCESS PERMIT APPLICATION

To request a permit to construct, reconstruct, or change the use of an access within any Town of Weathersfield right-of-way, please submit a completed, signed application at least thirty (30) days prior to the anticipated construction.

Applicant Name: CARL WYMAN
Mailing Address: 473 PLAINS Rd. WEATHERSFIELD VT 05151
Day Phone: 802 738 5343 Evening Phone: SAMS
Email: wymanfarm@gmail.com
Landowner [if different from applicant]: _____

Property to be accessed: Parcel I.D. No. 5A0141
Access is from Town Highway No. _____ Name: Cemetery Rd.
Location of Access: Distance 120 feet/miles from [known landmark] From Jet Cemetery Rd / RTR
Attach a map or sketch of the access location and any technical plans required per this permit.

The private road/driveway will access: Single residential lot
 Two or more residential lots/Number of lots _____
 Commercial or Industrial Logging Gravel extraction Agriculture
Width of proposed access: 18 feet Length: _____ feet/miles
Surface: Paved Gravel
Culvert: Diameter: 18 inches Length: 30' feet

The applicant agrees to build and maintain said access in conformance with the access standards in the Weathersfield Highway Access Ordinance, and to adhere to the directions, restrictions, and conditions established as part of this permit.

Signature of Applicant: Carl Wyman Date: 2-18-14
Signature of Landowner: _____ Date: _____

Application Fee <u>\$30.00</u> <u>Ch. 4418</u>	Date received: <u>2/19/14</u>	Received by: <u>JEM</u>
ACCESS PERMIT		
This permit is issued in accordance with 19 V.S.A. 303 and 1111, relative to all highways within the control and jurisdiction of the Town of Weathersfield. The issuance of this permit DOES NOT release the applicant from any requirements of the Statutes, ordinances, rules, and regulations administered by other governmental agencies. The permit will be effective upon compliance with such of these requirements as are applicable and continue in effect for as long as the present land use continues. Violations are subject to the penalties set forth in 19 V.S.A. 1111.		
Conditions: <u>24 Cemetery Road</u>		
Issued by: <u>Weathersfield Highway Dept</u> Date: <u>Feb. 27, 2014</u>		
Inspection Dates:	Pre-construction: _____	Inspected by: _____
	Mid-construction: _____	Inspected by: _____
	Final: _____	Inspected by: _____

HEARING ITEM

13

Ascutney Fire District #2
P.O. Box 550, Ascutney, Vermont 05030

802.674.2626 (phone)

townmanager@weathersfield.org

Water Capacity Allocation

5/22/2019

Carl Wyman
7409 Route 131
Weathersfield VT 05151

Subject Water Capacity Allocation for Parcel 5A-01-40 Subdivision

Currently the Ascutney Fire District Number 2 is running just over ½ capacity. Because of this I would say we could provide water to the three proposed lots in your subdivision plan. Allocations are based on 248 gallons of water per Equivalent Residential Units (ERU) with a two-bedroom home equaling one ERU. Businesses are issued ERU's on many factors and would be analyzed on a per business bases. Capacity also changes as users are added to the system, which creates a scenario where the district cannot guarantee capacity in the future.

For subdivision purposes, the water system could currently allocate the ERU's based on a moderate allocation request of 1-2 ERU's per lot.

This is a letter is for the purpose of explaining the capacity of the water system and not an allocation of water rights.

Ed Morris



Ascutney Fire District # 2
Manager

HEARING ITEM

14

**STATE OF VERMONT
NATURAL RESOURCES BOARD
DISTRICT ENVIRONMENTAL COMMISSION #2**

RE: ABANDONMENT ORDER

LAND USE PERMIT #2S0273
10 V.S.A. Chapter 151 (Act 250)

Carl E. Wyman
5784 Route 131
Perkinsville, VT 05151

BACKGROUND:

Land Use Permit #2S0273 was issued on May 29, 1975, to Hodgdon Brothers, Inc. The permit authorized construction of a speed shop and grocery store located off Route 131 in Ascutney, Vermont.

FINDINGS OF FACT:

On July 24, 2013, Carl E. Wyman, submitted a petition to the District Environmental Commission to declare the permit abandoned by non-use. The permittee has not commenced construction on the project within three years as required by Act 250 Rule 38(A). The permittee (now Carl Wyman) does not intend to pursue the project authorized by the permit.

Pursuant to Act 250 Rule 38(A), all parties were notified of the request to have the permit abandoned. Twenty days were allowed for comments or requests for a hearing. No comments were received within the allocated time period.

COMMISSION ORDER:

Permit #2S0273 is hereby abandoned.

Dated at Springfield, Vermont this 25th day of September, 2013.



By: _____
Michael Bernhardt, Chair
District #2 Environmental Commission
Natural Resources Board

Other Commissioners participating: Leslie Hanafin and Stephan Morse

Any **appeal** of this Order must be filed with the Superior Court, Environmental Division, within 30 days of the date the decision was issued, pursuant to 10 V.S.A. Chapter 220. The Notice of Appeal must comply with the Vermont Rules for Environmental Court Proceedings (VRECP). The appellant must file with the Notice of Appeal, the entry fee required by 32 V.S.A. § 1431 and the 5% surcharge required by 32 V.S.A. § 1434a(a), which is \$262.50 as of January 2011. The appellant must also serve a copy of the Notice of Appeal on the Natural Resources Board, National Life Records Center Building, Montpelier, VT 05620-3201, and on other parties in accordance with Rule 5(b)(4)(B) of the Vermont Rules for Environmental Court Proceedings. For additional information on filing appeals, see the Court's website at:

<http://www.vermontjudiciary.org/GTC/environmental/default.aspx> or call 802-828-1660. The Court's mailing address is: Superior Court, Environmental Division, 2418 Airport Road, Suite 1, Barre, VT 05641-8701.

E-Notification CERTIFICATE OF SERVICE #2S0273

I hereby certify that I sent a copy of the foregoing Abandonment Order on September 25, 2013, by U.S. Mail, postage prepaid, to the individuals without email addresses and by electronic mail, to the following with email addresses: **Note: Any recipient may change its preferred method of receiving notices and other documents by contacting the District Office staff at the mailing address or email below. If you have elected to receive notices and other documents by email, it is your responsibility to notify our office of any email address changes.** All email replies should be sent to nrb-act250springfield@state.vt.us

Carl E. Wyman
5783 Route 131, Perkinsville, VT 05151
cwyman@wymaninsurance.com
wymanfarm@gmail.com

Weathersfield Selectboard
Daniel E. Boyer, Chair
P. O. Box 550, Ascutney, VT 05030
danboyer@tds.net

Weathersfield Town Planning
Michael Todd, Chair
P. O. Box 550, Ascutney, VT 05030
zoning@weathersfield.org

So. Windsor County Regional
Planning Commission
P.O. Box 320, Ascutney, VT 05030
Jrasmussen@swcrpc.org

Elizabeth Lord, Esq. / Land Use Attorney
ANR Office of Planning & Legal Affairs
1 National Life Dr., Davis 2
Montpelier, VT 05602-3901
anr.act250@state.vt.us
elizabeth.lord@state.vt.us

FOR INFORMATION ONLY

District 2 Environmental Commission
100 Mineral Street, Suite 305
Springfield, VT 05156
NRB-Act250Springfield@state.vt.us

Weathersfield Town Manager,
James Mullen
P. O. Box 550, Ascutney, VT 05030
townmgr@weathersfield.org



By: _____
Terry Ranney, NRB Technician

Weathersfield Town Clerk
Ms. Flo-Ann Dango
P. O. Box 550, Ascutney, VT 05030
tclerk@weathersfield.org

Weathersfield Zoning Administrator
deForest Bearse
P. O. Box 550, Ascutney, VT 05030-0551
zoning@weathersfield.org

Ascutney Volunteer Fire Association
Darrin Spaulding
m_d_electric@yahoo.com

Joshua Dauphin
West Weathersfield Volunteer Fire Dept.
Joshdauphin@comcast.net

Barry Murphy, Public Service Department
112 State Office Building
Montpelier, VT 05620-2601
barry.murphy@state.vt.us

Craig Keller, Utilities and Permits
Vermont Agency of Transportation
1 National Life Dr., Montpelier, VT 05633
craig.keller@state.vt.us

Louise Waterman, Policy Analyst
Dept. of Agriculture, Food & Markets
louise.waterman@state.vt.us
kyle.davis@state.vt.us

Scott Dillon and James Duggan
Division for Historic Preservation
scott.dillon@state.vt.us
James.duggan@state.vt.us

AGENDA ITEM

6

PUBLIC HEARING

Rogers Subdivision – Variance Review

May 23, 2023

Item 1: Public Hearing Notice

Item 2: Certification of Posting & Distribution

Item 3: Newspaper Tear Sheet – May 6, 2023

Item 4: Application for Variance – April 26, 2023

Item 5: Application for Sketch Plan Review – March 8, 2023

Item 6: Sketch Plan Decision – April 23, 2023

HEARING ITEM

1



TOWN OF WEATHERSFIELD

LAND USE ADMINISTRATOR'S OFFICE

(802)674-2626

P.O. BOX 550 ASCUTNEY, VT 05030

landuse@weathersfield.org

Zoning Board of Adjustment

NOTICE OF PUBLIC HEARING

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

Remote option – Zoom details below

Tuesday, May 23, 2023 – 7:00 PM

A public hearing before the Weathersfield Zoning Board of Adjustment will be held at the Town Office in Ascutney on Tuesday, May 23, 2023, at 7:00 PM to consider the following application:

Application 23.04.26.ZBA by Scott Rogers for a variance review at 6014 Route 5, Ascutney, VT 05030 (Parcel: 06-00-14). The parcel is located in the Highway Commercial zoning district.

The above application is available for inspection at the Town Office in Ascutney. Persons wishing to appeal and be heard may do so in person or be represented by an agent or attorney. Participation in this proceeding is required in order to ensure your ability to appeal the Zoning Board's decision. Communications about the above application may be filed in writing with the Zoning Board of Adjustment or at the hearing.

Remote option – Zoom link and instructions:

<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.

HEARING ITEM

2

Certification of Posting and Distribution

Notice of Public Hearing

Hearing Date May 23, 2023 Site Visit NA

I hereby certify that I have posted the attached "Notice of Public Hearing" in the following public places and mailed, faxed or emailed as noted said "Notice of Public Hearing" to the following parties on May 3, 2023 as required by the Vermont Statutes Annotated, Chapter 117, §4464



Ryan Gumbart, Land Use Administrator

Application # 23.04.26.ZBA

Applicant's Name: Scott Rogers

For ZBA: Send copy of Rules of Procedure re public hearings with the hearing notice

<input type="checkbox"/>	Vault	NA
<input checked="" type="checkbox"/>	Applicant's File	May 3 & 10, 2023
<input checked="" type="checkbox"/>	Applicant (paper copy/mailed)	May 3 & 5, 2023
<input checked="" type="checkbox"/>	Applicant (cardboard copy for posting)	May 3, 2023
<input checked="" type="checkbox"/>	Landowner (mailed)	May 3 & 5, 2023
<input type="checkbox"/>	Agent (mailed)	NA
<input checked="" type="checkbox"/>	Newspaper (notice emailed to paper)	May 3 & 4, 2023
<input checked="" type="checkbox"/>	Publication in newspaper	May 6, 2023
<input checked="" type="checkbox"/>	Abutters* (mailed)	May 3 & 5, 2023
<input checked="" type="checkbox"/>	Board Members (mailed)	May 3 & 4, 2023
<input checked="" type="checkbox"/>	Board Secretary (mailed)	May 3 & 4, 2023
<input checked="" type="checkbox"/>	Town Website (posted)	May 4, 2023
<input checked="" type="checkbox"/>	3 Public Places	
<input checked="" type="checkbox"/>	Town Hall	May 5, 2023
<input checked="" type="checkbox"/>	Ascutney Post Office	May 5, 2023
<input checked="" type="checkbox"/>	Perkinsville Post Office	May 5, 2023
<input type="checkbox"/>	Other	NA
<input type="checkbox"/>	VT Secretary of Transportation**	NA

* Abutters - see attached list

** when application for variance of setback from state highway (§4464(a)(1)(C))

HEARING ITEM

3



Heating Oil, Kerosene,
Diesel Fuel, and Propane

Heating, Air Conditioning, Plumbing
& Electrical ~ Installation & Service

8 Lane Ridge Rd, Claremont, NH 03743
603.543.3571
Fully Insured

READ ALL ABOUT IT!

Printing Tuesday - Thursday - Saturday
Delivered to your door with your daily mail

Our Goal is
LOCAL, LOCAL, LOCAL!

SUBSCRIBE TODAY!



MARKETPLACE

800-545-0347 | 603-543-3100 | classi@eagletimes.com

Your daily shopping resource

JOBS | AUTOS | REAL ESTATE

ADVERTISE TODAY!!!



PUBLIC NOTICE

The Claremont City Council will hold Budget Meetings in the Council Chambers of City Hall on the following dates.

May 10, 2023 (Wednesday), 6:30 p.m.
regular Council meeting

- Preliminary Budget Discussion
- Assessing
- Welfare
- Library
- Elections
- Debt Retirement (Debt Service)
- Policy
- Outside Agency Request

May 20, 2023 (Saturday), 8:30 a.m. to 3:30 p.m.

- Fire
- Airport
- Planning & Development
- TIFD-Downtown
- Finance/IT
- City Administration (Finance)
- General Services
- Police
- Communication 911
- Sanitation (Transfer Station)
- Cemetery
- Streets & Roads (Highways)
- Parks
- CSB Community Center-Recreation
- Municipal Complex (Maintenance)

May 24, 2023 (Wednesday), 6:30 p.m.
regular Council meeting

- General Fund Revenue
- Water Fund Budget
- Sewer Fund Budget

June 14, 2023 (Wednesday), 6:30 p.m.
regular Council meeting

- Encumbrance Budget

June 28, 2023 (Wednesday), 6:30 p.m.
regular Council meeting

- PUBLIC HEARING AND VOTE - 2024 BUDGET

(Proposed budget will be available for review in the City Manager's and City Clerk's offices.)

Yoshi Manale, Interim City Manager

Index 0000

5 EASY WAYS TO REACH US

1. Call us at: 603-543-3100
2. The Best Way is to E-mail us at: Sydney.mcallister@eagletimes.com (Please make sure to include your ad copy and payment info)
3. Fax us at: 603-504-3199
4. Mail your ad to: Eagle Times, 27 Pleasant St., Claremont, NH 03743
5. Or drop off at: 27 Pleasant St., Claremont, NH

The Eagle Times accepts cancellations, but no copy changes allowed while advertisement is running. Please make any typographical error changes the first week your ad is inserted.

NOTICE OF PUBLIC HEARING

A public hearing before the Weathersfield Zoning Board of Adjustment will be held at the Town Office in Ascutney on Tuesday, May 23, 2023, at 7:00 PM to consider the following application: **Application 23.04.26.ZBA by Scott Rogers for the variance at 6014 Route 5, Ascutney, VT 05030 (Parcel: 06-00-14). The parcel is located in the Highway Commercial zoning district.**

NOTICE OF PUBLIC HEARING

A public hearing before the Weathersfield Zoning Board of Adjustment will be held at the Town Office in Ascutney on Tuesday, May 23, 2023, at 6:30 PM (6:00PM site visit) to consider the following application: Application 23.04.26.ZBA.2 by Mathew Lewis for a Site Plan Review and Conditional Use Review for the **construction of a Contractor's Storage Yard at 20 Harvest Park Road (Parcel: 5A-01-41). The parcel is located in the Highway Commercial zoning district.**

TIME FOR A CHANGE?

There's no time like the present to find a job you love. Check out the Eagle Times classifieds!

Legals 1010

NOTICE OF PUBLIC MEETING

A public meeting will be held on Tuesday, May 16, 2023, 5:30 - 6:30 pm, at Springfield Hospital to share information on plans to replace the pedestrian bridge that connects the hospital parking lot with the upper level of the Ridgewood Professional Building. All are invited to attend the meeting which will take place in the Level D conference room at Springfield Hospital, 25 Ridgewood Road, Springfield, VT 05156. For more information, please contact Anna Smith at annasmith@springfieldhospital.org, or call 802-885-7621.

Special Announcements 1012 Services 1500

Renee Bailey of Springfield, VT is turning 100 on May 7th!

Services 1500

BRIAN'S RARE COINS NOW OPEN
Buying and Selling US Coins.
Gold and Silver Bullion Available at competitive prices I need:
•Silver Dollars
•Indian Head Pennies
•Buffalo Nickels
•All Sets of Coins
•Paper Money
•All Proof
•Mint Sets
•Gold and Silver Coins
•Jewelry
•Sterling Flatware

Highest Prices Paid.
653 Washington Street, Claremont, NH 03743.
Please call for hours 603-477-2902

C. WEST PROFESSIONAL PAINTING
For all of your painting needs
INTERIOR
EXTERIOR
COMMERCIAL
RESIDENTIAL
RESTORATION
Call 603-558-3369
FOR ALL ESTIMATES

PUBLIC NOTICE INVITATION TO BID: ROOFING SYSTEM REPLACEMENT

The Claremont School District, Claremont NH is seeking proposals from qualified individuals and companies to provide the following services:

Roofing System Replacement at Steven High School, 175 Broad Street in Claremont, NH.

Parties interested providing all of this work are asked to contact Steven Holt, Facility Director at (603)219-4604 or sholt@sau6.org to schedule an onsite inspection of existing conditions and to ask questions. Additional information and more detailed requirements may also be obtained from the website at www.sau6.org Departments/Facilities/Current Bids.

CASH PAID
•Antique Furniture
•Collectibles
•Sterling Silver
•Gold Jewelry
•Artwork
•Art Pottery
•Firearms
•Tools
•Fine Dishware and
•Glassware,
•Books
•Anything Unique
Call or text Greg 603-903-3069

CLAREMONT RECONDITIONING CARS & TRUCKS DETAILING

Spotless inside and out: waxing, shampooing, etc.

30 years in business

- Free pick up & delivery - Insured

Mon.-Fri., 8 am - 4 pm
216 Main St., Claremont
claremontreconditioning.com
603-543-3010

COLEMAN'S PLUMBING & HEATING

Complete Boiler & Furnace Replacement
Plus

Heat pump installations
Free Estimates!!
802-875-3644

Sell It In The Classifieds!

Big Blooming Spring Savings

2009 Dodge Caliber 4 Door Hatchback

Auto, A/C, well maintained and ready to go, tan with saddle interior

\$3,950
Stk # 21A37



2018 Jeep Wrangler JK Series 4 Door w/Sierra Pkg

Absolutely fully equipped, only 39K miles, full white body paint, clean inside and out

\$42,500



2016 Jeep Renegade Limited

Fully equipped, sunroof, leather interior, excellent shape, well maintained

\$14,700
Stk #21A28



2011 Ford Fusion 4 Door Sedan SE

Fully equipped with sunroof, well maintained, 103K miles, black

\$9,850
Stk #21A25



2012 Toyota Camry 4 Door

Low mileage, auto, A/C, nicely maintained

\$10,950
Stk # 21A53



2005 Chevrolet Tahoe

Extremely nice condition, well maintained, dark blue.

\$7,500
Stk #21A50



2017 Chevrolet 4x4 Crew Cab

Excellent shape, well maintained, very reasonably priced, red

\$19,950
Stk #21A45



Used Tire Inventory Sale!!

Size 14 - Size 20 singles, pairs, and a few Sets
Call for sizes and conditions

603-464-5511

WYMAN'S SALES & SERVICE

"Where Satisfaction is a Tradition Since 1953"



172 West Main St., Hillsboro, NH

* Restrictions apply. See dealer for details

603-464-5544

Visit us at Wymanscars.com

Sales: Monday - Friday 8:30am - 4pm

*Actual vehicle color may vary from the image featured in the ad.

HEARING ITEM

4

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 TO ZONING BOARD OF ADJUSTMENT VARIANCE

TAX MAP PARCEL NUMBER 06-00-14

LOCATABLE ADDRESS: Number: 6014 Road: Route 5

DEED TO THE PROPERTY RECORDED IN WEATHERSFIELD LAND RECORDS AT:
BOOK 152 PAGE 220

APPLICANT: Scott Rogers
A. Mailing Address P.O. Box 705, Ascutney, VT 05030
B. Telephone number: Home: 802-674-9595 Work: _____

LANDOWNER signature, if different from applicant: Scott Rogers, LLC
A. Mailing Address: P.O. Box 705, Ascutney, VT 05030
B. Telephone number: Home: 802-674-9595 Work: _____
C. Date property acquired: January 15, 2008

SPECIFIC RELIEF REQUESTED:
In what zoning district is your property located? HC
What is the required setback? 25'
What are you requesting? 21'

- SITE PLAN INCLUDED (see attached requirements)
- Criteria worksheet (see attached)

Signature of Applicant [Signature] Date 4/26/23

Application No. 23.04.26.ZBA Date of Notice May 3, 2023
Date received by AO April 26, 2023 Date of Hearing May 23, 2023
Fee Paid \$ 200.00 Date of Decision _____
Date Paid May 3, 2023 Decision approved _____ denied _____

Site plan requirements

(for variance application)

Your drawing should clearly illustrate why your property cannot be developed in strict conformity with the Town's zoning bylaws.

Show the following on your plan:

1. Outline of the lot, including the dimensions.
2. Outline of all existing buildings on the lot and their setbacks to all property lines and resource areas.
3. Outline of proposed building and the setbacks to all property lines and resource areas.
4. Location of the road (include road name), your driveway, and names of abutting property owners
5. Location of neighboring buildings
6. Location of renewable energy resources
7. Building envelope - show the setbacks that are required from each of your property lines and required setbacks for any resource areas that pertain to your property

Supplemental Information

(for variance applications)

8. Describe the *unique physical circumstance or conditions* of your property:
 - lot size or shape:
 - irregularly shaped?
 - narrowness - how narrow?
 - shallowness - how shallow? *Too small to meet district minimum.*
 - exceptional topographical conditions - what makes the topography exceptional?
 - other physical conditions - what are they and why are they unique to your property? *Pre-existing building locations*
9. Describe the neighborhood or district in which your property is located. What are the setbacks of the other buildings in the neighborhood?
Abutting trailer park. Buildings within 5-15' of boundary.
10. Did you create this hardship yourself? When did you purchase this property?
No. January 15, 2008. Buildings built prior to zoning.
11. Could your variance request be smaller?
No

Applicant: Scott Rogers Hearing Closed: _____
Application # 23.04.26.ZBA Decision Due By: _____

Variance Criteria

1. There are:
 - unique physical circumstances or conditions, including
 - irregularity,
 - narrowness or
 - shallowness of lot size or shape, OR
 - exceptional topographical OR
 - other physical conditions peculiar to the particular property AND
 - that unnecessary hardship is due to these conditions AND
 - not the circumstances or conditions generally created by the provisions of these regulations* in the neighborhood or district in which the property is located;
2. Because of these physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of these regulations*; AND
 - that the authorization of a variance is necessary to enable the reasonable use of the property;
3. The unnecessary hardship has not been created by the appellant;
4. The variance, if authorized,
 - will not alter the essential character of the neighborhood or district in which the property is located;
 - (will not) substantially or permanently impair the appropriate use or development of adjacent property;
 - (will not) reduce access to renewable energy resources; OR
 - (will not) be detrimental to the public welfare;
5. The variance, if authorized,
 - will represent the minimum that will afford relief AND
 - will represent the least deviation possible from these regulations and from the plan

* Weathersfield Zoning Bylaws



Ascutney Market Subdivision

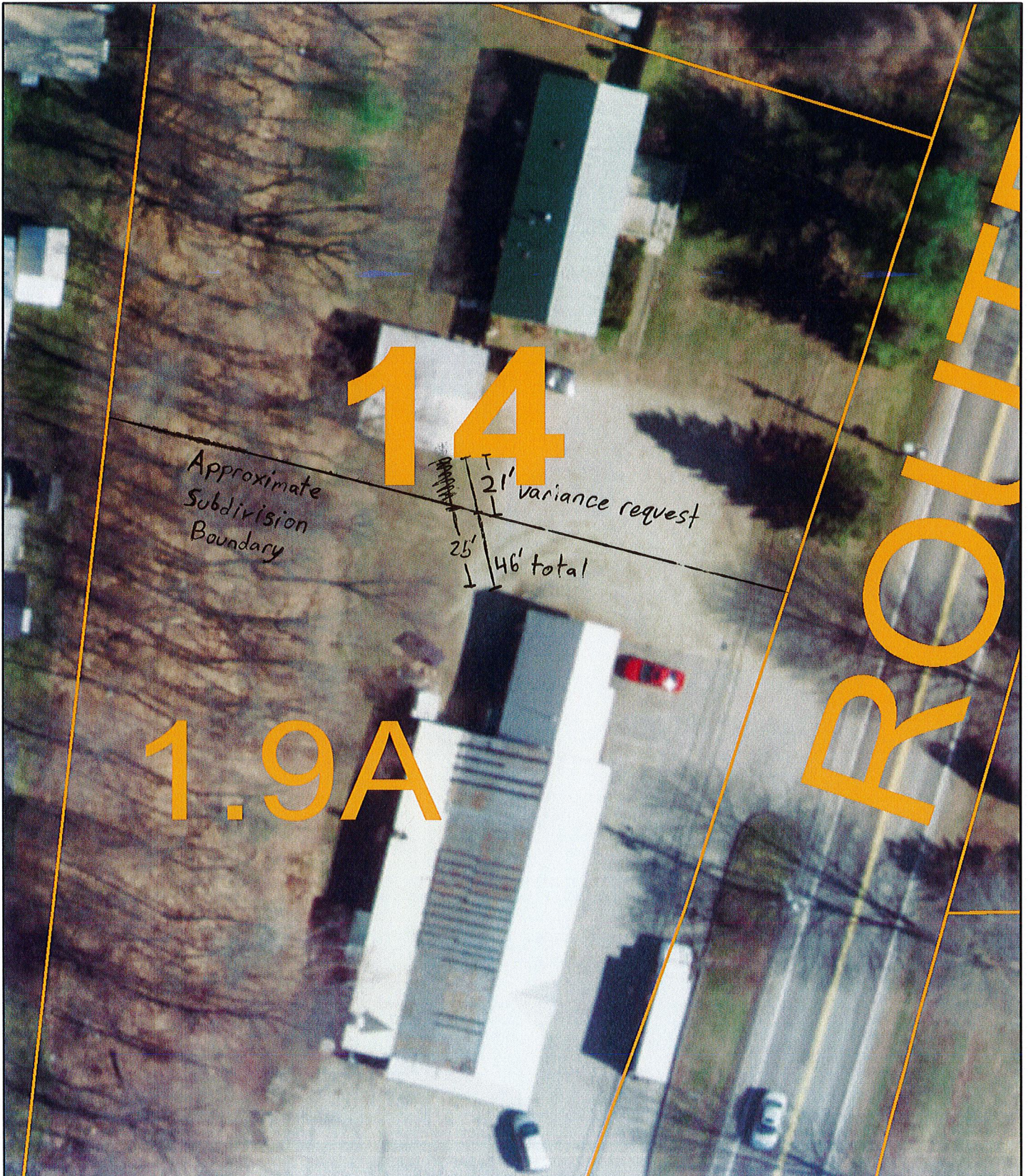
Weathersfield, VT



March 8, 2023

1 inch = 34 Feet

www.cai-tech.com



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

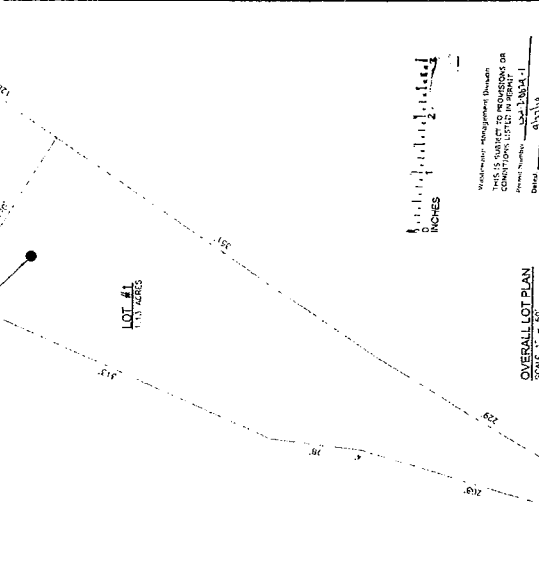
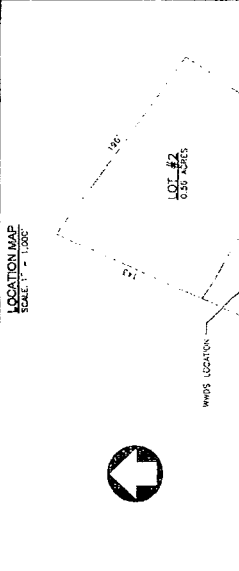


NO.	DATE	REVISIONS
1	9/1/10	DATE COMMENTS
2	9/1/10	BY
3	9/1/10	DATE COMMENTS
4	9/1/10	BY

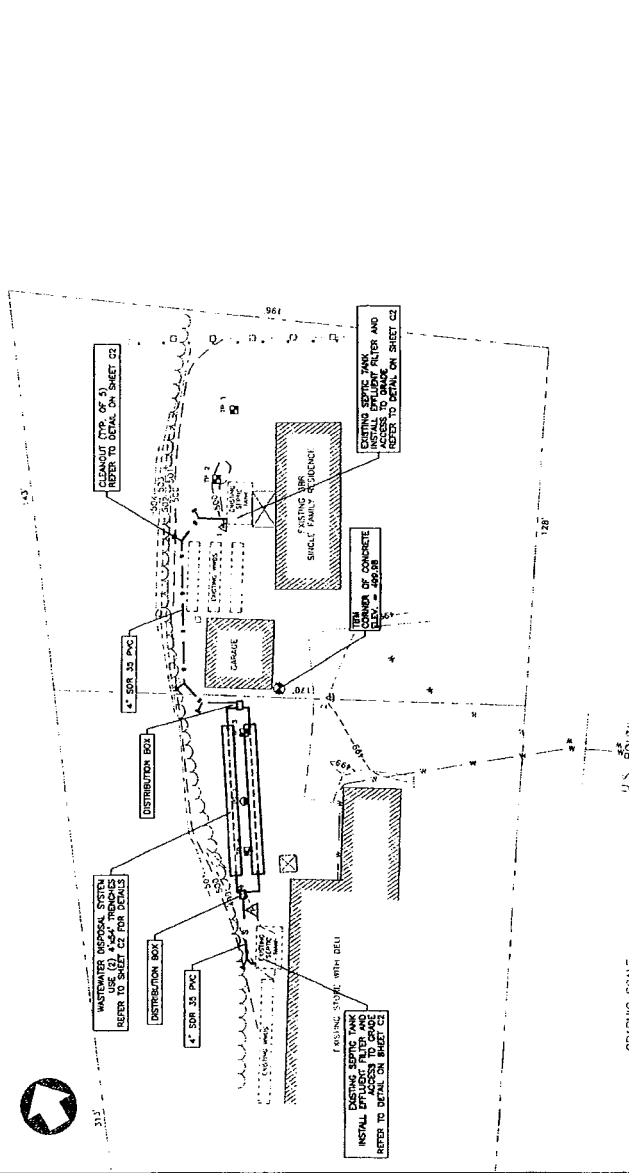
SITE PLAN
 ASCUTNEY MARKET AND DELI
 6014 ROUTE 5 SOUTH
 ASCUTNEY, VERMONT

Project #	ST00008
Project Mgr.	B.L. BAKER
Design By	B.L. BAKER
Drawn By	B.L. BAKER
Reviewed by	C.L. WHITEHEAD
Approved by	R.E. DUFRERNE
Date	SEPTEMBER 10, 2010
Scale	AS SHOWN

C1
 SHEET 1 OF 2



THE PROPERTY LINES, EASEMENTS, AND OTHER REAL PROPERTY DESCRIPTIONS AS SHOWN ON THIS SITE PLAN ARE BASED ON THE RECORD DEEDS AND PLATS FOR THE PROPERTY AND NOT SOME LEGAL RIGHTS OR INTERESTS. THE ENGINEER HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND HAS FOUND NO EVIDENCE OF ANY UNRECORDED EASEMENTS OR OTHER REAL PROPERTY INTERESTS. THE ENGINEER HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND HAS FOUND NO EVIDENCE OF ANY UNRECORDED EASEMENTS OR OTHER REAL PROPERTY INTERESTS.



LEGEND

EXISTING	PROPOSED
MINOR CONTOUR	MINOR CONTOUR
MAJOR CONTOUR	MAJOR CONTOUR
PAVED ROAD/DRIVE	PAVED ROAD/DRIVE
GRAVEL ROAD/DRIVE	GRAVEL ROAD/DRIVE
PROPERTY LINE	PROPERTY LINE
SETBACK LINE	SETBACK LINE
STAIRS	STAIRS
STAIRWELL	STAIRWELL
WELL	WELL
IRON PIPE/PIPE FOUND	IRON PIPE/PIPE FOUND
TRANSVERSE MARKER	TRANSVERSE MARKER
UTILITY POLE	UTILITY POLE
SHIELD (SEE SIGN)	SHIELD (SEE SIGN)
TEST PIT	TEST PIT
WELL SHIELD	WELL SHIELD

PERCOLATION TESTS

TEST NO.	DEPTH (IN.)	RATE (GAL./MIN.)
PT-1	2'	2.5
PT-2	2'	2.5

TEST PIT LOC.
 BY B.L. BAKER 7/28/10

TEST NO.	DEPTH (IN.)	RATE (GAL./MIN.)
TP1	10"	BROWN
TP2	3'-20"	LOAM SAND
TP3	10"	LOAM SAND
TP4	3'-20"	LOAM SAND
TP5	10"	LOAM SAND
TP6	3'-20"	LOAM SAND
TP7	10"	LOAM SAND
TP8	3'-20"	LOAM SAND
TP9	10"	LOAM SAND
TP10	3'-20"	LOAM SAND
TP11	10"	LOAM SAND
TP12	3'-20"	LOAM SAND
TP13	10"	LOAM SAND
TP14	3'-20"	LOAM SAND
TP15	10"	LOAM SAND
TP16	3'-20"	LOAM SAND
TP17	10"	LOAM SAND
TP18	3'-20"	LOAM SAND
TP19	10"	LOAM SAND
TP20	3'-20"	LOAM SAND
TP21	10"	LOAM SAND
TP22	3'-20"	LOAM SAND
TP23	10"	LOAM SAND
TP24	3'-20"	LOAM SAND
TP25	10"	LOAM SAND
TP26	3'-20"	LOAM SAND
TP27	10"	LOAM SAND
TP28	3'-20"	LOAM SAND
TP29	10"	LOAM SAND
TP30	3'-20"	LOAM SAND
TP31	10"	LOAM SAND
TP32	3'-20"	LOAM SAND
TP33	10"	LOAM SAND
TP34	3'-20"	LOAM SAND
TP35	10"	LOAM SAND
TP36	3'-20"	LOAM SAND
TP37	10"	LOAM SAND
TP38	3'-20"	LOAM SAND
TP39	10"	LOAM SAND
TP40	3'-20"	LOAM SAND
TP41	10"	LOAM SAND
TP42	3'-20"	LOAM SAND
TP43	10"	LOAM SAND
TP44	3'-20"	LOAM SAND
TP45	10"	LOAM SAND
TP46	3'-20"	LOAM SAND
TP47	10"	LOAM SAND
TP48	3'-20"	LOAM SAND
TP49	10"	LOAM SAND
TP50	3'-20"	LOAM SAND

ABBREVIATIONS

WASTEWATER DISPOSAL SYSTEM

TEST PIT

SINGLE FAMILY RESIDENCE

BAWLS

NO WATER TO DEPTH

NO LOGS TO DEPTH

NO LOGS TO DEPTH



PERCOLATION TESTS

TEST NO.	DEPTH (IN.)	RATE (GAL./MIN.)
PT-1	2'	2.5
PT-2	2'	2.5

TEST PIT LOC.
 BY B.L. BAKER 7/28/10

TEST NO.	DEPTH (IN.)	RATE (GAL./MIN.)
TP1	10"	BROWN
TP2	3'-20"	LOAM SAND
TP3	10"	LOAM SAND
TP4	3'-20"	LOAM SAND
TP5	10"	LOAM SAND
TP6	3'-20"	LOAM SAND
TP7	10"	LOAM SAND
TP8	3'-20"	LOAM SAND
TP9	10"	LOAM SAND
TP10	3'-20"	LOAM SAND
TP11	10"	LOAM SAND
TP12	3'-20"	LOAM SAND
TP13	10"	LOAM SAND
TP14	3'-20"	LOAM SAND
TP15	10"	LOAM SAND
TP16	3'-20"	LOAM SAND
TP17	10"	LOAM SAND
TP18	3'-20"	LOAM SAND
TP19	10"	LOAM SAND
TP20	3'-20"	LOAM SAND
TP21	10"	LOAM SAND
TP22	3'-20"	LOAM SAND
TP23	10"	LOAM SAND
TP24	3'-20"	LOAM SAND
TP25	10"	LOAM SAND
TP26	3'-20"	LOAM SAND
TP27	10"	LOAM SAND
TP28	3'-20"	LOAM SAND
TP29	10"	LOAM SAND
TP30	3'-20"	LOAM SAND
TP31	10"	LOAM SAND
TP32	3'-20"	LOAM SAND
TP33	10"	LOAM SAND
TP34	3'-20"	LOAM SAND
TP35	10"	LOAM SAND
TP36	3'-20"	LOAM SAND
TP37	10"	LOAM SAND
TP38	3'-20"	LOAM SAND
TP39	10"	LOAM SAND
TP40	3'-20"	LOAM SAND
TP41	10"	LOAM SAND
TP42	3'-20"	LOAM SAND
TP43	10"	LOAM SAND
TP44	3'-20"	LOAM SAND
TP45	10"	LOAM SAND
TP46	3'-20"	LOAM SAND
TP47	10"	LOAM SAND
TP48	3'-20"	LOAM SAND
TP49	10"	LOAM SAND
TP50	3'-20"	LOAM SAND

ABBREVIATIONS

WASTEWATER DISPOSAL SYSTEM

TEST PIT

SINGLE FAMILY RESIDENCE

BAWLS

NO WATER TO DEPTH

NO LOGS TO DEPTH

NO LOGS TO DEPTH

Town of Weathersfield

Date: 05/03/2023 Time: 14:19:23

Clerk: osavage

Account: 060014-A

Name: ROGERS SCOTT & NANCY

Comments:

Description	Amount
Land Records	10.00
Land Records	3.00
Land Records	2.00
Zoning Permits	185.00

TOTAL 200.00

Check 6756

Thank you

HEARING ITEM

5

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 # 2023.03.08.SD

Applicant Name SCOTT ROGERS
Address (Mailing) P.O. BOX 705 ASCUTNEY VT 05030
Telephone # 802-674-9595 Email Address ASCUTNEYMARKET@GMAIL.COM

Landowner Name SAME AS ABOVE
Address (Mailing) _____
Telephone # _____ Email Address _____

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

Name of Project Ascutney Market Subdivision
Tax Map/Parcel Number 06-00-14
Location of Subdivision _____

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

TO ZONE EXISTING LOTS. 1 LOT FOR STORE AND
1 LOT FOR SINGLE FAMILY RESIDENCE

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.

Landowner Signature _____

3/4/23
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 \$100 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 802-282-6488 to speak to the State Permit Specialist before beginning construction.

Meeting date at which you should be present: March 13, 2023

FOR OFFICE USE

Date Received March 8, 2023 Fee Paid \$100.00
 Date presented to the Planning Commission March 13, 2023

Application No. 2023.03.08.50 Date of Notice NA
 Date received by AO March 8, 2023 Date of Hearing NA
 Fee Paid \$ 100.00 Date of Decision March 27, 2023
 Date Paid March 8, 2023 ~~Appeal~~ granted ✓ denied _____

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



Ascutney Market Subdivision

Weathersfield, VT

1 inch = 34 Feet



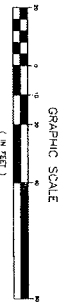
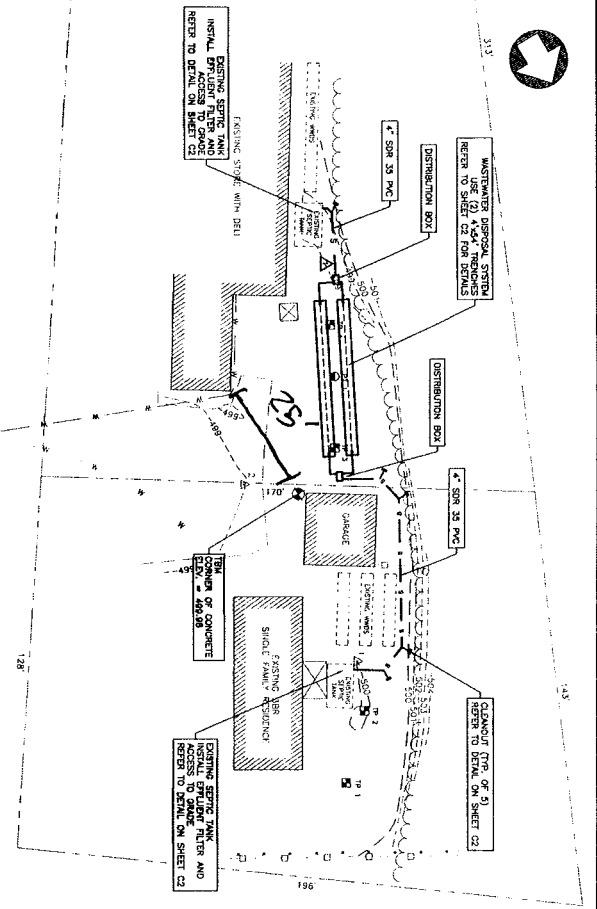
March 8, 2023



www.cai-tech.com



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.



U.S. ROUTE 5
SITE PLAN
SCALE: 1" = 20'

PERCOLATION TESTS		
TEST NO.	DEPTH (IN.)	RATE (MIN./IN.)
PT-1	24	4.2

TEST PIT LOG
By Brian Burch 7/27/13

DEPTH	TYPE	COLOR	REMARKS
0-5'	10R	BROWN	LOW SAND
5-12'	10R	DARK BROWN	LOW SAND
12-20'	10R	BROWN	LOW SAND
20-25'	10R	BROWN	LOW SAND
25-30'	10R	BROWN	LOW SAND
30-35'	10R	BROWN	LOW SAND
35-40'	10R	BROWN	LOW SAND
40-45'	10R	BROWN	LOW SAND
45-50'	10R	BROWN	LOW SAND
50-55'	10R	BROWN	LOW SAND
55-60'	10R	BROWN	LOW SAND
60-65'	10R	BROWN	LOW SAND
65-70'	10R	BROWN	LOW SAND
70-75'	10R	BROWN	LOW SAND
75-80'	10R	BROWN	LOW SAND
80-85'	10R	BROWN	LOW SAND
85-90'	10R	BROWN	LOW SAND
90-95'	10R	BROWN	LOW SAND
95-100'	10R	BROWN	LOW SAND
100-105'	10R	BROWN	LOW SAND
105-110'	10R	BROWN	LOW SAND
110-115'	10R	BROWN	LOW SAND
115-120'	10R	BROWN	LOW SAND
120-125'	10R	BROWN	LOW SAND
125-130'	10R	BROWN	LOW SAND
130-135'	10R	BROWN	LOW SAND
135-140'	10R	BROWN	LOW SAND
140-145'	10R	BROWN	LOW SAND
145-150'	10R	BROWN	LOW SAND
150-155'	10R	BROWN	LOW SAND
155-160'	10R	BROWN	LOW SAND
160-165'	10R	BROWN	LOW SAND
165-170'	10R	BROWN	LOW SAND
170-175'	10R	BROWN	LOW SAND
175-180'	10R	BROWN	LOW SAND
180-185'	10R	BROWN	LOW SAND
185-190'	10R	BROWN	LOW SAND
190-195'	10R	BROWN	LOW SAND
195-200'	10R	BROWN	LOW SAND
200-205'	10R	BROWN	LOW SAND
205-210'	10R	BROWN	LOW SAND
210-215'	10R	BROWN	LOW SAND
215-220'	10R	BROWN	LOW SAND
220-225'	10R	BROWN	LOW SAND
225-230'	10R	BROWN	LOW SAND
230-235'	10R	BROWN	LOW SAND
235-240'	10R	BROWN	LOW SAND
240-245'	10R	BROWN	LOW SAND
245-250'	10R	BROWN	LOW SAND
250-255'	10R	BROWN	LOW SAND
255-260'	10R	BROWN	LOW SAND
260-265'	10R	BROWN	LOW SAND
265-270'	10R	BROWN	LOW SAND
270-275'	10R	BROWN	LOW SAND
275-280'	10R	BROWN	LOW SAND
280-285'	10R	BROWN	LOW SAND
285-290'	10R	BROWN	LOW SAND
290-295'	10R	BROWN	LOW SAND
295-300'	10R	BROWN	LOW SAND
300-305'	10R	BROWN	LOW SAND
305-310'	10R	BROWN	LOW SAND
310-315'	10R	BROWN	LOW SAND
315-320'	10R	BROWN	LOW SAND
320-325'	10R	BROWN	LOW SAND
325-330'	10R	BROWN	LOW SAND
330-335'	10R	BROWN	LOW SAND
335-340'	10R	BROWN	LOW SAND
340-345'	10R	BROWN	LOW SAND
345-350'	10R	BROWN	LOW SAND
350-355'	10R	BROWN	LOW SAND
355-360'	10R	BROWN	LOW SAND
360-365'	10R	BROWN	LOW SAND
365-370'	10R	BROWN	LOW SAND
370-375'	10R	BROWN	LOW SAND
375-380'	10R	BROWN	LOW SAND
380-385'	10R	BROWN	LOW SAND
385-390'	10R	BROWN	LOW SAND
390-395'	10R	BROWN	LOW SAND
395-400'	10R	BROWN	LOW SAND
400-405'	10R	BROWN	LOW SAND
405-410'	10R	BROWN	LOW SAND
410-415'	10R	BROWN	LOW SAND
415-420'	10R	BROWN	LOW SAND
420-425'	10R	BROWN	LOW SAND
425-430'	10R	BROWN	LOW SAND
430-435'	10R	BROWN	LOW SAND
435-440'	10R	BROWN	LOW SAND
440-445'	10R	BROWN	LOW SAND
445-450'	10R	BROWN	LOW SAND
450-455'	10R	BROWN	LOW SAND
455-460'	10R	BROWN	LOW SAND
460-465'	10R	BROWN	LOW SAND
465-470'	10R	BROWN	LOW SAND
470-475'	10R	BROWN	LOW SAND
475-480'	10R	BROWN	LOW SAND
480-485'	10R	BROWN	LOW SAND
485-490'	10R	BROWN	LOW SAND
490-495'	10R	BROWN	LOW SAND
495-500'	10R	BROWN	LOW SAND

LEGEND	
	EXISTING WALL
	PROPOSED WALL
	EXISTING CONCRETE FOUNDATION
	PROPOSED CONCRETE FOUNDATION
	EXISTING GRAVEL ROAD
	PROPOSED GRAVEL ROAD
	EXISTING DRIVEWAY
	PROPOSED DRIVEWAY
	EXISTING UTILITY POLE
	PROPOSED UTILITY POLE
	EXISTING WELL
	PROPOSED WELL
	EXISTING WELL SHIELD
	PROPOSED WELL SHIELD
	EXISTING STONE WALL
	PROPOSED STONE WALL
	EXISTING BENCH MARK
	PROPOSED BENCH MARK
	EXISTING IRON PIPE/ROD FOUND
	PROPOSED IRON PIPE/ROD FOUND
	EXISTING TRAVERSE MARKER
	PROPOSED TRAVERSE MARKER
	EXISTING UTILITY POLE SIGN
	PROPOSED UTILITY POLE SIGN
	EXISTING PERK TEST
	PROPOSED PERK TEST
	EXISTING WELL TEST
	PROPOSED WELL TEST

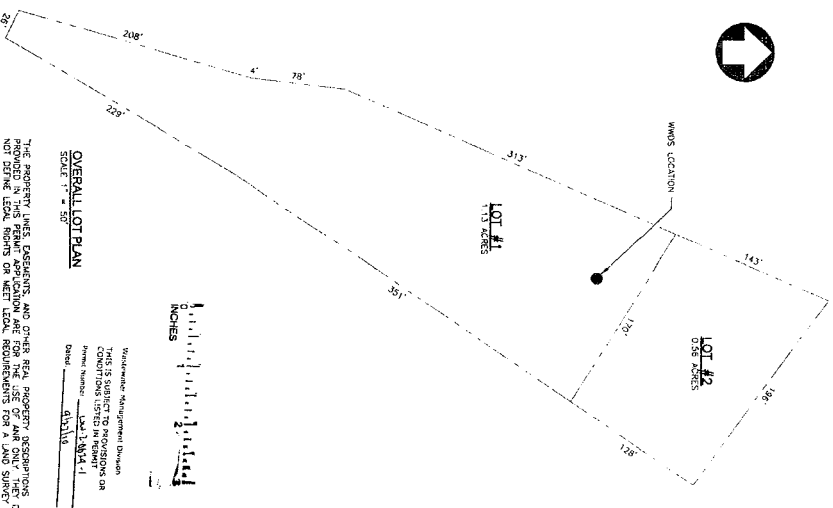
ABBREVIATIONS

W	WATER LINE
S	SEWER LINE
F	FLOOR
FM	FLOOR MAT
FR	FLOOR REINFORCEMENT
PT	PERCOLATION TEST
SR	SINGLE FAMILY RESIDENCE
DFR	DIAPHRAGM
DM	DIAPHRAGM MAT
NO	NO ACCESS TO DEPTH
ND	NO DATA



PROJECT LOCATION

LOCATION MAP
SCALE: 1" = 1000'



OVERALL LOT PLAN
SCALE: 1" = 50'

THE BOUNDARY LINES, DIMENSIONS, AND OTHER DATA SHOWN HEREON ARE BASED ON THE RECORD PLANS AND SURVEY DATA PROVIDED TO THE ENGINEER BY THE OWNER. THE ENGINEER HAS CONDUCTED A VISUAL INSPECTION OF THE RECORD PLANS AND SURVEY DATA AND HAS FOUND THEM TO BE CORRECT. THE ENGINEER DOES NOT WARRANT THE ACCURACY OF THE INFORMATION SHOWN HEREON. THE USER OF THIS PLAN SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR VERIFYING THE ACCURACY OF THE INFORMATION SHOWN HEREON.

Project #	5100008
Project Name	BL BAKER
Drawn by	BL BAKER
Checked by	BL BAKER
Reviewed by	C.L. WINTERHO
Approved by	RE DUFRESNE
Date	SEPTEMBER 10, 2010
Scale	AS SHOWN

REVISIONS	
DATE	COMMENTS
9/10/10	STORE CONNECTION

BY	BLB
DATE	9/10/10

DUFRESNE GROUP
CONSULTING ENGINEERS
54 Main Street, P.O. Box 8
Montpelier, Vermont 05602
Tel: 802.253.1111
Fax: 802.253.1112
www.dufresne.com

Professional Engineer Seal: RE DUFRESNE, No. 455, State of Vermont, expires 9/30/11.

Town of Weathersfield

Date: 03/08/2023 Time: 10:03:57

Clerk: Osavage

Account: 060014-A

Name: ROGERS SCOTT & NANCY

Comments:

Description	Amount
Land Records	10.00
Land Records	3.00
Land Records	2.00
Zoning Permits	85.00

TOTAL 100.00

Check 14992

Thank you

Sketch Plan Review Checklist

- Sketch is on existing survey if one exists.
- Sketch includes all parcel boundaries.
- Sketch shows existing and proposed lot lines, dimensions, parcel and lot numbers.
- Sketch shows existing and proposed driveways, roads, paths, parking areas, associated rights-of-way or easements.
- Sketch shows approximate setback distance relative to proposed development.

Property acreage: 1.9 ac.

Proposed lot acreages:

Lot 1: 1.13 ac.

Lot 2: 0.56 ac.

District: Highway Commercial

Minimum acreage: 1 ac. / 3 ac. for residence Frontage: 200'

Setbacks: Front 40', Rear 25', Side 25'

Existing non-conformities:

2 principal uses on single lot. Lot currently does not meet minimum acreage requirements for residence. Existing residence does not meet current setbacks.

Notes:

Access will either require new highway access to Route 5 or a right-of-way. A waiver may be necessary to accommodate the existing conditions regarding setbacks.

HEARING ITEM

6



TOWN OF WEATHERSFIELD

CHARTERED BY: NEW HAMPSHIRE ON AUGUST 20, 1761
NEW YORK ON APRIL 8, 1772

(802)674-2626

P.O. BOX 550 ASCUTNEY, VT 05030

townmanager@weathersfield.org

Planning Commission – Subdivision Sketch Plan Review Findings of Fact and Decision

Scott Rogers

P.O. Box 705 Ascutney, Vt 05030

Application #2023.03.08.SD

Introduction and Procedural History

1. This proceeding involves review of an application submitted by Scott Rogers for the subdivision of parcel 06-00-14 located at 6014 Route 5 South, Ascutney, VT 05030. The parcel is in the Highway Commercial (HC) zoning district, and this subdivision is requested under the approval of the Town of Weathersfield Subdivision Regulations, Adopted on 2 March 2010.

2. Chronology

03 March 2023	Request for sketch plan review and application fee paid.
13 March 2023	Sketch Plan Review
27 March 2023	Sketch Plan Review continuation from March 13, 2023

The Sketch Plan Review was on the agenda for the March 13, 2023, Planning Commission Meeting that was held at 6:30PM at Martin Memorial Hall 5259 Route 5 in Ascutney, VT.

Attendance for the sketch Plan Review:

Scott Rogers

Planning Commission Members:

Paul Tillman
Michael Todd
Howard Beach
Joseph Bublat
Hank Ainley
Ryan Gumbart (Land Use Administrator)
Chauncie Tillman (Recording Secretary)

No members of the public commented on this subdivision either prior to or at the meetings of March 13th, or the 27th of 2023.

The Land Use Administrator and the Planning Commission have reviewed the project.

The Planning Commission voted to approve the Sketch Plan Application for subdivision on March 27th, 2023.

Findings of Fact

Based on the application, testimony, exhibits, and other evidence, the Planning Commission makes the following Findings:

1. The landowner, Scott Rogers, owns a 1.76-acre parcel located in the Highway Commercial (HC) zoning district. This parcel has a residential single-family dwelling and a general convenience store. The applicant, Scott Rogers, propose to subdivide the parcel into two lots as follows:

Lot 1 consisting of 1.13 acres and the single-family residents in Highway Commercial (HC) zoning districts.

Lot 2 consisting of 0.56 acres and the store in Highway Commercial (HC) zoning district.

2. The minimum lot size in Highway Commercial (HC) is 1 acre. Each proposed lot does not meet the requirements in the Weathersfield Subdivision Regulations. Single Family Dwelling: Must meet "Area, Land and Structural Requirements" of RRR 3-5 Zone. This standard requires a minimum lot size of 3 acres for a single-family dwelling.

3. Subdivision approval is requested for the project, pursuant to review under the following sections of the Town of Weathersfield Subdivision Regulations:

- Section 120 - Purpose
- Section 250 – Final Subdivision and Plat Review
- Sections 310-390 – Subdivision Standards
- Section 460 - Recording Requirements

4. Please see attached Documents for reference:

- Attachment A – Subdivision Application.
- Attachment B – Subdivision plan map.
- Attachment C – Subdivision filing fee receipt.
- Attachment D – Sketch Plan review check list.
- Attachment E – Minutes from the March 13th Public Hearing
- Attachment F – Minutes from the March 27th Public Hearing
- Attachment G – Letter from the Land Use Administrator.

Conclusions & Recommendations

1. The subdivision plan for the lot with the single-family dwelling does not conform to the planning and design standards under Article 3 of the Weathersfield Subdivision Regulations, as adopted at Town Meeting on 2 March 2010, with the Weathersfield Town Plan as adopted on 17 May 2017.

2. The Planning Commission voted to accept the proposed sketch plan and will await the decisions of the ZBA on this to hold the public hearing for the final subdivision of this property.

3. The subdivision generally does not conform to the subdivision standards and bylaws. A variance from the ZBA will be needed to conform to the standards and bylaws.

4. The Planning Commission recommends that the applicant apply to the ZBA for a variance on the setback distances.
5. The approval of the Planning Commission and any recommendations shall expire 1 year from the date of this decision. Under section 230.6 of the subdivision regulations the applicant may apply within one year to the Planning Commission for a final subdivision approval per Section 250.
6. It is the responsibility of the applicant to obtain any necessary local, state, or federal permits.
7. The applicant shall pay all filing and recording fees.
8. The applicant shall verify and or add to the mylar the following items as identified by the Planning Commission:
 - a. Planning commission recommends having the 25 foot setback established on the lot where the convenience store will be located.
 - b. The Planning Commission recommends going to the ZBA for a variance of the non-conforming items and if approved return to the Planning Commission for a Final Subdivision Review with the decision from the ZBA.
9. Sketch plan recommendations shall not be legally binding and do not constitute an appealable decision.

Dated at Weathersfield, Vermont, this 23rd day of April 2023

 Paul Tillman, Chair

Members of the Planning Commission participating in this Decision:

Paul Tillman, Chair
Howard Beach, Vice Chair
Michael Todd
Joseph Bublat
Hank Ainley

CC: Scott Rogers
Town of Weathersfield Municipal Office

ATTACHMENT A

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 # 2023.03.08.SD

Applicant Name SCOTT ROGERS
Address (Mailing) P.O. BOX 705 ASCUTNEY VT 05030
Telephone # 802-674-9595 Email Address ASCUTNEYMARKET@gmail.com

Landowner Name SAME AS ABOVE
Address (Mailing) _____
Telephone # _____ Email Address _____

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

Name of Project Ascutney Market Subdivision
Tax Map/Parcel Number 06-00-14
Location of Subdivision _____

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

TO "ZONE" EXISTING LOTS. 1 LOT FOR STORE AND
1 LOT FOR SINGLE FAMILY RESIDENCE

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

Landowner Signature

(See checklist on reverse side)

3/4/23
Date

- 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 802-282-6488 to speak to the State Permit Specialist before beginning construction.

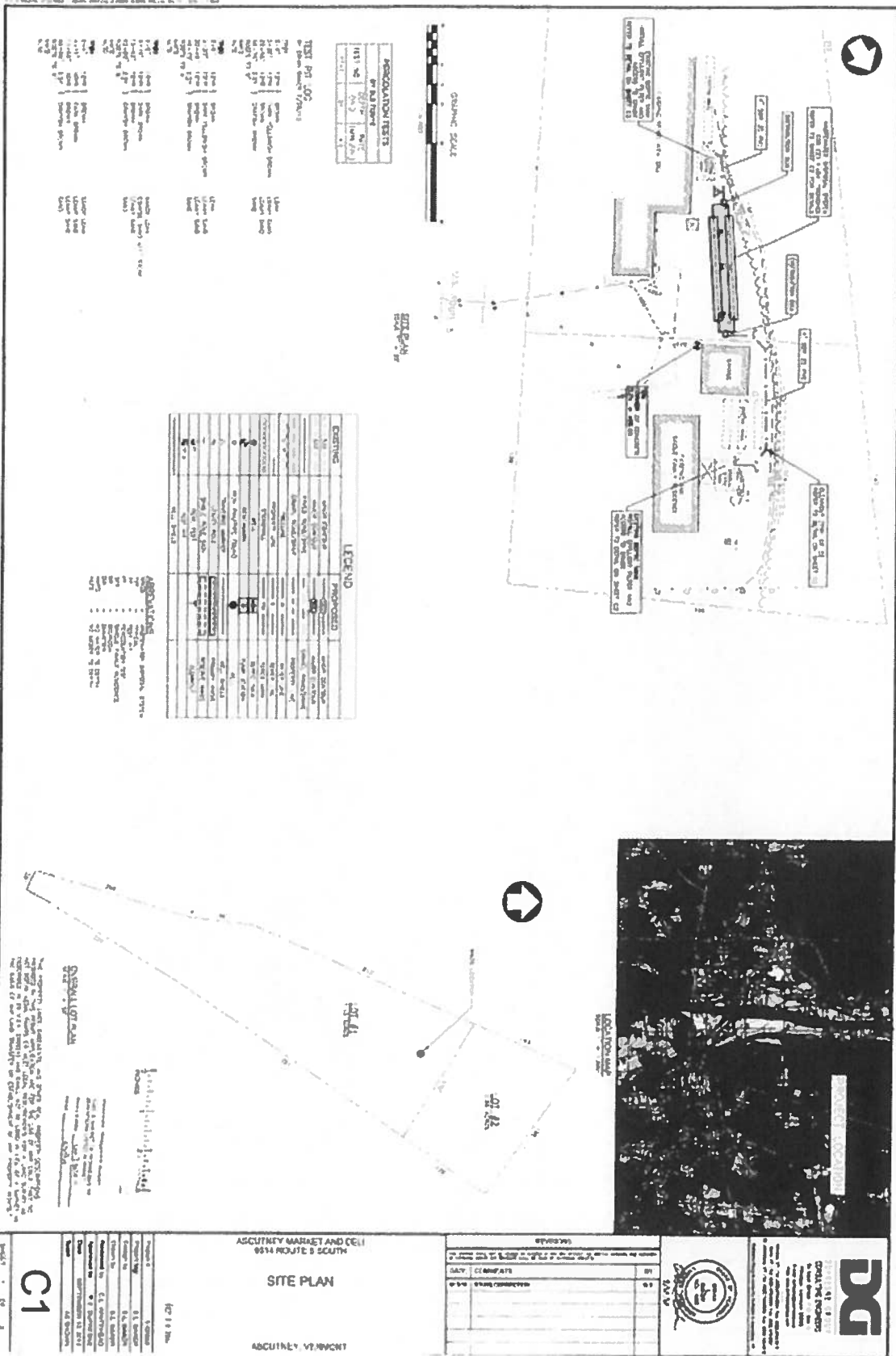
Meeting date at which you should be present: March 13, 2023

FOR OFFICE USE

Date Received March 8, 2023 Fee Paid \$100.00
 Date presented to the Planning Commission _____

Application No. 2023.03.08.50 Date of Notice NA
 Date received by AO March 8, 2023 Date of Hearing NH
 Fee Paid \$ 100.00 Date of Decision _____
 Date Paid March 8, 2023 Appeal granted _____ denied _____

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



REGULATION TESTS

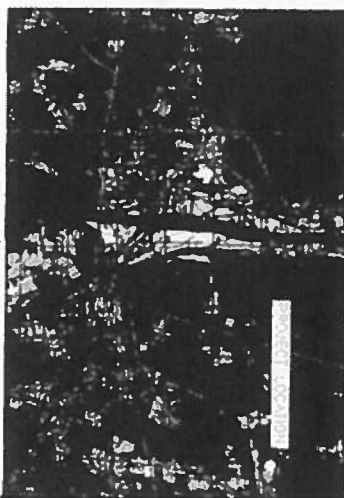
TEST NO.	DATE	TESTER	RESULTS
101	10/15/11
102	10/15/11

TEST FOR USE

TEST NO.	DATE	TESTER	RESULTS
101	10/15/11
102	10/15/11

LEGEND

EXISTING	PROPOSED
...	...
...	...



GENERAL NOTES

1. The site is located in the C1 zoning district.
2. The proposed building is shown in solid lines.
3. The existing building is shown in dashed lines.

ASCUITNEY MARKET AND CELL
6934 ROUTE 8 SOUTH
ASCUITNEY, VT 05401

SITE PLAN

ASCUITNEY, VERMONT

C1

DEVELOPER: ...

DATE: ...

SCALE: ...



Ascutney Market Subdivision

Weathersfield, VT

1 inch = 34 Feet



March 8, 2023



www.cai-tech.com



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

ATTACHMENT C

Town of Weathersfield

Date: 03/08/2023 Time: 10:03:57

Clerk: Osavage

Account: 060014-A

Name: ROGERS SCOTT & NANCY

Comments:

Description	Amount
Land Records	10.00
Land Records	3.00
Land Records	2.00
Zoning Permits	85.00

TOTAL 100.00

Check 14992

Thank you

Sketch Plan Review Checklist

- Sketch is on existing survey if one exists.
- Sketch includes all parcel boundaries.
- Sketch shows existing and proposed lot lines, dimensions, parcel and lot numbers.
- Sketch shows existing and proposed driveways, roads, paths, parking areas, associated rights-of-way or easements.
- Sketch shows approximate setback distance relative to proposed development.

Property acreage: 1.9 ac.

Proposed lot acreages:

Lot 1: 1.13 ac.

Lot 2: 0.56 ac.

District: Highway Commercial

Minimum acreage: 1 ac. / 3 ac. for residence Frontage: 200'

Setbacks: Front 40', Rear 25', Side 25'

Existing non-conformities:

2 principal uses on single lot. Lot currently does not meet minimum acreage requirements for residence. Existing residence does not meet current setbacks.

Notes:

Access will either require new highway access to Route 5 or a right-of-way. A waiver may be necessary to accommodate the existing conditions regarding setbacks.

ATTACHMENT E

Made a motion to continue to keep meetings on the 2nd and 4th Mondays of the month at 6:30 pm.

4. Comments from the Chair and Land Use Administrator

Paul Tillman welcomed the new Planning Commission member, Hank Ainsley.

Ryan Gumbart let the Planning Commission know that Scott Rogers was present at the meeting to discuss his Sketch Plan Review. The Planning Commission moved Item #11 Sketch Plan Review – Ascotney Market: New Application to Agenda Item #5.

5. Sketch Plan Review – Ascotney Market: New Application

The Planning Commission review the Sketch Plan for the Ascotney Market. Scott Rogers would like to divide the property into 2 lots, one for the house and garage, which would still be non-conforming due to the acreage size in the zoned district.

Scott will work with Ryan Gumbart, Land Use Administrator to measure the distance between the 2 preexisting buildings, the garage, the store and the new proposed property line and come back to the Planning Commission.

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

None

7. Approval of Meeting Minutes – February 27, 2023

Michael Todd made a motion to approve the minutes from 2-27-23.

Howard Beach – 2nd

Discussion:

Ryan Gumbart asked what the 1:55:27 is under agenda item #6 at the end of “Add final Plat recording title block.” Paul Tillman explained that is the time on the recording where it stopped and was listed in error. He will remove it from the meeting minutes.

Ryan Gumbart also noted that the “w” was missing from “review” under agenda item #7 in Final Plat Review. Paul Tillman will make the corrections as noted.

Vote – unanimous

8. Public Hearing – Town Plan Amendment – Energy Section: No Update

9. Public Hearing – Final Plat Review – Arrison: Close Hearing

Paul Tillman, Chair closed the public hearing for John Arrison at the request of Mr. Arrison. Mr. Arrison understands that they will have to start the process over at this point.

10. Bylaws - PUD Review: No Update

ATTACHMENT F

7. Sketch Plan Review – Ascutney Market – Application 2023.03.08.SD Scott Rogers. 22:07

Please see **Appendix B** for sketch plan review application, map, and letter from the Land Use Administrator explaining his findings.

Recommendation from the planning commission to have the 25 foot setback on the store lot.

Joseph Bublat made a motion to approve the Sketch Plan Review application for Scott Rogers – Ascutney Market.

Seconded by Paul Tillman, Motion Passed 4-0

8. Public Hearing – Town Plan Amendment – Energy Section: No update – rev 8 – 03.08.2023
9. Bylaws – PUD Review Section: No update – Rev 5 – 02.22.2023
10. Bylaws – Table of Districts and Uses: Review clean draft – Rev 5 – 03.23.2023 –

Ryan Gumbart presented the clean copy and minor discussion was had about the purpose of these edits being house keeping changes.

Joseph Bublat made a motion to approve the table of Districts and Uses Rev 5 03.23.2023 as presented at this meeting.

Seconded by Paul Tillman, Motion Passed 3-1

Howard Beach voted “apposed”.

11. Bylaws – Definitions (Related to Tables) review clean draft – Rev 4 – 03.23.2023 –

Ryan Gumbart presented the clean copy of the Definitions.

The Definition “Dock” was in a font that was not legible. Any motion will have the definition “Dock” as read from the previous draft.

Ryan Gumbart made a motion to approve the Definitions Rev 4 03.23.2023 as presented at this meeting with the definition of “Dock” changed to have a legible font and as read.

Seconded by Joseph Bublat, Motion Passed 3-1

Howard Beach voted “apposed”.

12. Vermont Planning Association – Legislative Report 03.2032023 – Ryan Gumbart presented the legislative updates.
13. Discussion of items for future agendas – No other item for future agendas.



TOWN OF WEATHERSFIELD

LAND USE ADMINISTRATOR'S OFFICE

(802)574-2626

P.O. BOX 550 ASCUTNEY, VT 05030

lancluse@weathersfield.org

To: Weathersfield Planning Commission
From: Ryan Gumbart, Land Use Administrator
Date: March 23, 2023
Re: Ascutney Market Subdivision

On March 8, 2023 I received an Application for Sketch Plan Review from Scott Rogers of the Ascutney Market on Route 5 in Ascutney. The proposed subdivision is to subdivide parcel 06-00-14 located at 6014 US Route 5. The parcel is entirely located in the Highway Commercial district which requires the following for development to occur: 1 acre of lot area (3 acres for residential use), 200 feet of road frontage, a 40-foot front setback, a 25-foot rear setback, and a 25-foot side setback. The Area, Land, & Structural Requirements also state *Only one principal use is allowed per parcel of land.*

There is also an existing single-family residence on the same parcel with an address of 6046 US Route 5. This pre-existing residential use currently does not conform with the Area, Land, & Structural Use Requirements in the current Zoning Bylaws for 2 reasons.

1. There are 2 existing principal uses occurring on this parcel.
2. The lot does not meet the 3-acre minimum.

Per Bylaw 3.4.1.1, this Existing Small Lot *may be developed for the purposes permitted in the district ..., even though not conforming to minimum lot size ... (Full text at the bottom).* In this application the proposed development is to subdivide, which is considered development per Article 7: Definitions.

Based on this rationale it is my opinion that the proposed development is allowable under the current Zoning Bylaws. So, if a subdivision is theoretically allowable. The next question is, can this development be achieved in strict conformance with the bylaws?

The answer is no. The residential use also has an accessory structure, a detached garage. I measured by surveyor's tape, a distance of 46 feet between the buildings. This distance does not allow for the minimum setback distance of 25 feet to be met by both buildings if a new parcel boundary line were drawn. Thus, in order to use the lot for the proposed purpose (subdivision) a variance would have to be granted by the Zoning Board of Adjustment.

A variance is defined as: *A deviation from the strict application of the requirements of these Bylaws in the case of exceptional physical conditions. See 24 V.S.A., Section 4464 and 4469.*



TOWN OF WEATHERSFIELD

LAND USE ADMINISTRATOR'S OFFICE

(802) 674-2626

P.O. BOX 550 ASCUTNEY, VT 05030

landuse@weathersfield.org

The first condition that must be met in order for a variance to be granted is that *there are unique physical circumstances or conditions... peculiar to the particular property, and that unnecessary hardship is due to these conditions and not the circumstances or conditions generally created by the provisions of these regulations... (Full text at the bottom).*

In this case, my interpretation is that the preexisting building locations constitute *unique physical circumstances*. The inability to develop the property in strict conformance constitutes *unnecessary hardship*. (Other unnecessary hardship may also include inability to sell the residence and reduced value of the store due to the two being inseparable.) This inability to develop the property is due to the pre-existing building locations not due to any other regulations other than that regulation for which a variance is being sought.

If the Zoning Board of Adjustment agrees with this interpretation of the proposal and the Zoning Bylaws, I believe the remaining conditions for obtaining a variance are straightforward.

I see potential for disagreement in the identification of the *unique conditions, unnecessary hardship, and cause of the hardship*. I can see how one might argue that there is no unnecessary hardship as the property is currently being used to some degree. However, I can not imagine any type of hardship other than the denial of an application.

Further, I cannot imagine a hardship that is not ultimately caused by the provisions of the zoning regulations. The regulations inherently are the cause of all nonconformities, violations, and needs for variances.

Ultimately, it is my opinion that the proposed application satisfies the requirements for a Sketch Plan Review and that approval of a Final Plat would be contingent upon the applicants ability to obtain a variance from the ZBA. If there are questions about whether or not this proposal satisfies the conditions for obtaining a variance it is for the ZBA to determine.

Respectfully,

Ryan Gumbart



TOWN OF WEATHERSFIELD

LAND USE ADMINISTRATOR'S OFFICE

(802)674-2626

P.O. BOX 550 ASCUTNEY, VT 05030

landuse@weathersfield.org

Full text of referenced bylaws:

3.4 Nonconformities

3.4.1 Nonconforming Lots and Parcels

3.4.1.1 Existing Small Lots

Lots in individual and separate and nonaffiliated ownership from surrounding properties in existence on the effective date of these Bylaws, may be developed for the purposes permitted in the district in which they are located, even though not conforming to minimum lot size requirements, if such lots are not less than one-eighth acre in area with a minimum width or depth dimension of forty (40) feet, provided the plans for any proposed water and sewage provisions comply with applicable state and town regulations.

6.10 Variances

6.10.1 Variance Criteria

The Board of Adjustment shall hear and decide requests for variances as required by the Act [§4469(a)] and appeal procedures under Section 6.8. In granting a variance, the Board may impose conditions it deems necessary and appropriate under the circumstances to implement the purposes of these regulations and the municipal plan currently in effect. The Board may grant a variance and render a decision in favor of the appellant only if all of the following facts are found, and the findings are specified in its written decision:

- a) There are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that unnecessary hardship is due to these conditions and not the circumstances or conditions generally created by the provisions of these regulations in the neighborhood or district in which the property is located;
- b) Because of these physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of these regulations and that the authorization of a variance is necessary to enable the reasonable use of the property;
- c) The unnecessary hardship has not been created by the appellant;
- d) The variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, substantially or permanently impair the appropriate use or development of adjacent property, reduce access to renewable energy resources, or be detrimental to the public welfare; and e) The variance, if authorized, will represent the minimum that will afford relief and will represent the least deviation possible from these regulations and from the plan.

Mr. Turner will be using existing signage adding an additional name. Steve W. requested adequate lighting be shown on the Site Plan.

The Planning Commission would like the following items shown on the Site Plan;

- Show that Lot 1 parking is shared.
- Show entrance, exits and label loading dock.
- Note where the water supply is and that it is furnished by Country Estates.
- Note that contours are needed.
- Update the Title Block on the plan.
- Trim bushes for traffic viewing and maintain existing shrubbery.

The board felt that these items need to be added to the Plan before accepting it. Mr. Turner will be back before the board on February 25, 2003.

B. Sketch Plan Review:

1. Application #02.0303SK by Michael Owen;

Property being purchased by Michael Owen is formerly known as the Quik and Go.

Property is located on Route 5 just outside the Village of Ascutney. Property is in a Highway Commercial Zone. Lynn said the commercial lot size is one acre and three acres is needed for residential use in a Commercial Zone. Applicant must change Lot # 14 to Lot # 1 which will be 1.12 acres; Lot # 13 will be Lot # 2 the new residential lot will be .57 acres. Lot 2 will not conform to the lot size in that zone. The applicant is requesting that the board grant him a waiver under section 250 of the Subdivision Regulations. The property was developed prior to Subdivision Regulations, with two primary uses.

Julie motion to grant a waiver under Section 250. Steve W. seconded.

The Sketch Plan was presented on two maps. Applicant must condense to one and show the following:

- Show Right of Way
- Correct Right of Way to show two driveways
- Correct Title Block, show location map

Page 4 of 4
Planning Commission

Upon further review the board realized that additional waivers would be necessary.

Julie motioned that the 200 ft. requirement for property line footage on road and the setbacks for structures on Lot 1 and Lot 2 be waived. Steve W. seconded. This project was classified as a Minor Subdivision.

Julie Levy moved to adjourn. Steve W. second. All in favor, none opposed. Meeting adjourned at 9:28 p.m.

Respectfully submitted,



Patrice Dodge, Recording Secretary

AGENDA ITEM

7

Article 5: Development Review

5.1 Application Submission Requirements

5.1.2 Site Plan Review

Applications shall include the following:

- 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:** Consisting of one or more sheets, clearly and legibly drawn. Sheets shall be at a minimum 18 inches by 24 inches, or larger at the request of the Zoning Board of Adjustment, and must illustrate the following: (The degree of detail to be determined by the Zoning Board of Adjustment.)
 - 1) Name of project;
 - 2) Name and address of applicant and property owner;
 - 3) Name and address of person or firm who prepared Site Plan (if other than applicant);
 - 4) Date drawn and date of latest version (if any);
 - 5) North arrow and scale;
 - 6) Vicinity map showing the site within the Town and Zoning District;
 - 7) Boundaries, dimensions, and total area of the lot drawn to appropriate scale;
 - 8) Existing buildings, wells, highways, and publicly owned property, all within 1/8 mile of the property boundary;
 - 9) Existing and proposed contour lines (two foot minimum), existing wetlands, bodies of water, and other prominent physical section and elevation;
 - 10) Existing and proposed building footprints (with setbacks) located on the lot showing the location of all entrances and loading docks and building heights;
 - 11) Proposed vehicular and pedestrian circulation, parking, off street parking, and points of

- access to the public right-of-way;
- 12) Landscaping plan showing quantity and type of plants to be used to provide screening and integration with the adjacent property and/or to enhance the appearance of the proposed development;
 - 13) Existing and proposed location of wells and septic systems, including connection to public facilities;
 - 14) Location of existing and proposed utility system;
 - 15) Location and type of all outside lighting;
 - 16) Where applicable, the location and size of water storage to be used for firefighting;
 - 17) Drainage and runoff plan;
 - 18) Location of critical wildlife habitat;
 - 19) Evidence of review of the 1992 Biological Natural Areas of Weathersfield, Vermont survey and map(prepared by Elizabeth H. Thompson) to identify any potential disturbances or threats; and
 - 20) Any other items as identified by the Zoning Board of Adjustment, including a traffic impact study in accordance with the Weathersfield Traffic Impact Study Guidelines (Refer to Appendix #2).

BLANK

5.2 Site Plan Review

In accordance with 24 V.S.A. Sect. 4416, for any use other than a one- or two- family dwelling, and where indicated in the bylaws, the approval of site plans by the Zoning Board of Adjustment is required prior to the issuance of a zoning permit. In reviewing site plans, the Zoning Board of Adjustment may impose appropriate conditions and safeguards with respect to impact on character of the area, adequacy of traffic access, circulation and parking; landscaping and screening; compatibility with surrounding development; noise, vibration, erosion, and dust; and protection of natural resources. Consideration shall be given to traffic mobility and safety on affected streets, impacts on surrounding uses, and to desired land use patterns as encouraged by the Town Plan and the zoning bylaws of the affected district(s). A performance bond or other surety may be required as a condition for approval as authorized in 24 V.S.A. Sect. 4464. Conditions may include, but are not limited to, the following:

5.2.1 Compatibility with surrounding development

The Zoning Board of Adjustment may require the design and placement of structures to conform with the existing relationship of surrounding buildings to the street, the landscape, and to each other, including setback distances, physical orientation, construction materials, and architectural design. Design shall not be limited to any particular style or period, but should be consistent with established trends and patterns in the surrounding area.

5.2.2 Traffic access and circulation

Among other appropriate safeguards and conditions, the Zoning Board of Adjustment may:

- a) Require the installation of frontage roads, speed change lanes, or other highway design elements on a street or adjacent to any access or connecting roads, if deemed necessary

based on current or anticipated conditions.

- b) Limit the number and width of access drives; require consolidation of existing access points.
- c) Limit access to a property to a side street or secondary road in order to avoid access to heavily traveled streets and highways
- d) Require shared access and/or parking for adjoining properties or for future users of the remainder of a parcel; require the reservation of shared rights-of-way for future roads, parking areas, and pedestrian facilities; allow for consolidation or shared use of required parking spaces between uses.
- e) Require an applicant to commission a traffic impact study from a qualified consultant according to the Weathersfield Traffic Impact Study Guidelines (Refer to Appendix #2).
- f) Require the location or relocation of access points on one side of a street or highway directly across from existing access points on the opposite side.
- g) Prohibit the location of parking facilities between the front line of building(s) and the street.
- h) Accommodate existing or future facilities for non-vehicular travel.

5.2.3 Protection of natural resources

The Zoning Board of Adjustment may require that structures, parking facilities and other development be located so as to avoid impacts to surface waters, wetlands, wildlife habitat, agricultural land, important scenic resources, and significant natural and cultural features. These requirements may include modification of the minimum setback distances of the district. (Refer to Sect. 3.2.2 “1992 Biological Natural Areas of Weathersfield, Vermont”.)

5.2.4 Storm water management and drainage

Adequate provisions shall be made for the management of erosion, sedimentation and storm water runoff. For all projects undergoing Site Plan Review, except one- or two-family dwellings, appropriate storm water management measures shall be incorporated into the final site design to ensure that no additional storm water runoff is generated beyond the boundaries of the property and that existing drainage patterns are not altered in a manner which impacts neighboring properties, town highways or surface waters.

The Zoning Board of Adjustment may require a storm water management and erosion control plan prepared by a professional engineer licensed by the State of Vermont. The plan shall provide detailed information regarding proposed erosion and sedimentation control measures to be employed during all stages of the development (including site preparation, construction and post-construction). The Zoning Board of Adjustment may waive compliance with this provision in situations involving minimal disturbance of the site and/or limited areas of steep slope in which the development clearly poses a negligible risk to water quality, public facilities and roads, and nearby properties.

5.2.5 Landscaping and screening

Landscaping shall enhance the features and conditions unique to each site and shall include a combination of shade and street trees, shrubs, planting beds, well-kept grasses and ground covers. Landscaping is required in front and side yards, adjacent to parking areas, where rear yards abut residential properties or public roads, and as otherwise necessary to provide adequate screening and without compromising vehicular and pedestrian safety by blocking visibility and site lines.

Landscaping plans shall emphasize the following:

- a) The preservation of existing ground cover and trees, especially those that are mature or determined to be of special horticultural or landscape value.
- b) The use of both deciduous and coniferous shade trees in available yard area, especially

front and side yards and parking areas. Shade trees shall be placed to interrupt the facades of buildings, break-up expanses of parking, visually reduce the scale and bulk of large buildings, integrate the site with the surrounding landscape and to enhance environmental quality (e.g. wildlife habitat, soil stabilization, storm water retention, air quality, energy conservation).

- c) The use of street trees along well-traveled roads. Street trees should be planted where site conditions make such planting practical. Such trees shall be planted along the edge of the road right-of-way to create a canopy effect and shall be indigenous, deciduous species tolerant of road- salt, soil compaction and drought.

A three-year plan for all proposed landscaping shall be prepared and bonding or other surety may be required to ensure installation and maintenance. The Zoning Board of Adjustment may require a professional landscape architect to prepare a plan on a case-by-case basis

AGENDA ITEM

8

PLANNING COMMISSION PROJECTS

<u>Project</u>	<u>Last Action Taken</u>	<u>Current Status</u>	<u>Next Steps</u>
Town Plan Amendment – Energy	2/13 Hearing opened, PC requested LUA to break out General Standards from the Solar Standards and to add a Wind Standards section. 5/8 Hearing continued to 5/22.	Waiting on LUA to make changes as time allows.	Review LUA’s changes, vote on adoption, if in favor warn hearing for SB review.
Zoning Bylaws Amendment – Use Tables & Definitions	PC voted to approve and send the proposed amendments to the SB.	Waiting on Town Manager to schedule and warn a SB hearing.	Hold a hearing at the SB and vote.
Zoning Bylaws Amendment – PUD Review	Not in hearing, PC requested LUA to format a PUD standards table based on district.	Waiting on LUA to make changes as time allows.	Review LUA’s changes, discuss further. Once finalized, warn bylaw amendment hearing.
Subdivision Review - Hodgdon	5/10 decision distributed to appropriate parties by LUA.	Waiting on landowner to notify LUA of placement of corner markers.	Applicant will record the survey plan with the Clerk.
Subdivision Review – Ascutney Market	3/27 PC voted to approve sketch plan.	Applicant has submitted an application for a variance review by the ZBA. The hearing has not been warned.	If ZBA votes in favor of the applicant, they would apply for a Final Plat Review by the PC.
PUD Review – Habitat for Humanity	4/24 PC voted to approve sketch plan.	Applicant has submitted an application for a variance,	If ZBA votes in favor of the applicant, they would come back the PC for Final Plat

		conditional use, and site plan review by the ZBA.	Review. Application submitted as part of PUD application. The PC has to schedule a hearing by 6/23.
--	--	---	---