



# TOWN OF WEATHERSFIELD

LAND USE ADMINISTRATOR'S OFFICE

(802)674-2626

P.O. BOX 550 ASCUTNEY, VT 05030

landuse@weathersfield.org

## Planning Commission Agenda

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

Monday, October 23, 2023 – 6:30 PM

- 
1. Call to Order
  2. Agenda Review
  3. Comments from the Chair and Land Use Administrator
  4. Comment from citizens regarding items not on the agenda
  5. Approval of Meeting Minutes – September 25, 2023

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### New items

6. **Sketch Plan Review – Lisa Mangini, 466 Tarbell Hill Road:** Review application
7. **Bill H.177 – Bicycle route along Route 5:** Discussion

### Continued items

8. **Planning Commission Projects Overview:** Review Spreadsheet
9. **PUBLIC HEARING cont. – Town Plan Amendment – Energy Section:** Review changes
10. **Zoning Bylaws – Aquifer Protection Overlay District:** Discussion
11. **Town Plan Readoption Requirements:** Discussion
12. **Bylaw Amendment – PUD Review:** Discussion and review updated language

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

The next regularly scheduled meeting of the Planning Commission will be **Monday, November 13, 2023 - 6:30 PM**, Martin Memorial Hall.

**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

Planning Commission  
Martin Memorial Hall  
5259 Route 5, Ascutney VT  
Monday, September 25, 2023  
6:30 PM  
REGULAR MEETING  
Draft Minutes

**Members Present:** Joseph Bublat (remote), Michael Todd, Hank Ainley

Others Present:

Julie Levy		
Brian Bosenberg		
Hallie (remote)		
Beth Hunton (remote)		
Olivia Savage		

- 1 Call to Order**  
Mr. Bublat called the meeting to order at 6:30pm.
- 2 Agenda Review**  
No changes.
- 3 Comments from the Chair and Land Use Administrator**  
None.
- 4 Comment from citizens regarding items not on the agenda**  
None.
- 5 Review Minutes from Previous Meeting: 9/11/23**  
**Additions/corrections/deletions:**  
**a.** Corrections: the spelling of “Bosenbeug” should be “Bosenberg” and that Mr. Ainley is not the Commission’s Clerk.  
**Motion:** To approve the 9/11/23 minutes.  
**Made by:** Mr. Todd      **Second:** Mr. Ainley  
**Vote:** All in Favor
- 6 Town Plan Amendment – Energy Section: Current status**  
The Commission agreed that all the members of the commission should be present for the Town Plan Amendment.  
**Motion:** To table the Town Plan Amendment item until the next meeting.  
**Made by:** Mr. Todd      **Second:** Mr. Ainley  
**Vote:** All in Favor

- 7 Zoning Bylaws – Aquifer Protection Overlay District: Discussion**  
The Commission agreed that Mr. Beach is essential to this conversation.  
**Motion:** To table the Zoning Bylaw discussion until the next meeting.  
**Made by:** Mr. Todd      **Second:** Mr. Ainley  
**Vote:** All in Favor
- 8 Town Plan Readoption Requirements**  
The commission concluded that the Land Use Administrator should be present for this discussion.  
**Motion:** To table the Town Plan Readoption Requirement discussion for the next meeting.  
**Made by:** Mr. Todd      **Second:** Mr. Ainley  
**Vote:** All in Favor
- 9 Discussion of items for future agendas**  
Zones and zoning maps  
Town Plan Amendments  
Airport Discussion
- 10 Any other business that can be legally discussed**  
None.
- 11 Adjourn**  
**Motion:** To adjourn the meeting.  
**Made by:** Mr. Todd      **Second:** Mr. Ainley  
**Vote:** All in favor

The meeting adjourned at 6:42pm.

Respectfully submitted,  
Nichole Gagnon

The next regularly scheduled meeting of the Planning Commission will be Monday, October 9, 2023 - 6:30 PM, Martin Memorial Hall.

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

WEATHERSFIELD PLANNING COMMISSION

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Chairperson

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Hank Ainley, Commissioner

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Joseph Bublat, Vice-Chairperson

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Howard Beach, Clerk

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Michael Todd, Commissioner



AGENDA ITEM

6

# Zoning Permit Application Review Checklist

Date received: October 18, 2023

## APPLICATION COMPLETENESS

1.  Copy of WW permit or letter
2.  Applicant Information
3.  Landowner Information
4.  Property Information
5.  Project Information
6.  Permit Type
  - a.  Correct
7.  Project Description clear enough to determine use
8.  Correct fees
  - a.  Collected
9.  Check boxes
10.  Sketch
  - a.  North arrow
  - b.  All property lines
  - c.  Shape, size and location of all existing and proposed structures (principal and accessory) on the property with measurements to the closest lines
  - d.  Structure uses identified
  - e.  Access from highway and road frontage distance
  - f.  Deeded easements or ROWs
  - g.  Proposed signs
  - h.  Streams, water bodies, or wetlands
  - i.  Dates and signatures

1. Is the proposed project “development”? [YES](#)

Land Development or Development:

*The division of a parcel into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any building or other structure or of any mining, excavation or landfill; and any change in the use of any building or other structure, land or extension of use of land.*

Structural Development:

*The addition of a new structure to a parcel of land.*

Structure:

*An assembly of materials for occupancy or use for more than six (6) months. Fences, gates, stone walls, landscape timbers, sculptures, memorial monuments, TV antennae, and satellite dishes are not structures.*

Building:

*A structure having a roof supported by columns and/or walls intended for the shelter or enclosure of persons, animals or chattel, excluding fences, and including a gas or liquid storage tank that is principally above ground.*



2. Is the proposed project exempt from zoning? (6.2.2) NO  
*This applies to all development proposed by all persons, including the Town government of Weathersfield, except when specifically exempted by state law. (sect. 1, pg. 1)*
3. Is the project a Public Facility? (6.2.3) NO
4. Locate the zoning district in which the property is located. C-10
5. Pull parcel file.
6. Check Use Tables:
- Does the project neatly fit into any of the uses listed in the district table? YES
    - If yes, what use? Residential
    - If yes, is a zoning permit necessary? YES
    - If no, does it need to go to the ZBA for a determination?
    - If no, is the use prohibited?
7. What approvals are needed?
- Administrative
  - Conditional use
  - Site plan
  - Subdivision
  - PUD
  - Flood plain
  - Highway access
8. Dimensional requirements: Compliant?
- Lot size – Minimum 10 ac, Existing 10 ac
  - Frontage – Required 200', Existing 400'+/-
  - Setbacks – Required: Front 40, Rear 50, Side 50
  - Setbacks – Proposed: Front NA, Rear NA, Side NA
  - Height – Maximum 35', Proposed NA
9. Is anything non-conforming? (3.4): NO
- Lot
  - Structure
  - Use

- | 10. General Provisions:   | Compliant?                             |
|---|--|
| • Conservation  |  |
| - Ag soils (3.2.1)  | <input checked="" type="checkbox"/>    |
| - Biological areas (3.2.2)  | <input checked="" type="checkbox"/>    |
| - Connecticut river (3.2.3)   | <input checked="" type="checkbox"/>    |
| - Habitat areas (3.2.4)   |  |
| i. Deer wintering areas   | <input checked="" type="checkbox"/>    |
| ii. Rare, threatened or endangered species                                      | <input checked="" type="checkbox"/>    |
| iii. Vernal pools   | <input checked="" type="checkbox"/>    |
| - Ponds (3.2.5)   | <input checked="" type="checkbox"/>    |
| - RTE species (3.2.6)   | <input checked="" type="checkbox"/>    |
| - Steep slopes & elevation >25% (3.2.7)   | <input checked="" type="checkbox"/>    |
| - Streambank conservation (3.2.8)   | <input checked="" type="checkbox"/>    |
| - Wetlands (3.2.9)  | <input checked="" type="checkbox"/>    |
| • Off-street parking  | <input checked="" type="checkbox"/>    |
| • Outdoor lighting  | <input checked="" type="checkbox"/>    |
| 11. Does the application comply with relevant specific use standards?           | <u>                    </u> <u>TBD</u> |
| • <input type="checkbox"/> Damaged Structures (3.3)                             |  |
| • <input type="checkbox"/> Signs (3.8)  |  |
| • <input type="checkbox"/> Accessory Dwelling Unit (4.1)                        |  |
| • <input type="checkbox"/> Day Care Facilities (4.2)                            |  |
| • <input type="checkbox"/> Extraction of Earth Resources (4.3)                  |  |
| • <input type="checkbox"/> Gasoline/Service Station (4.4)                       |  |
| • <input type="checkbox"/> Home-based Occupation/Business (4.5)                 |  |
| • <input type="checkbox"/> Junkyards (4.6)                                      |  |
| • <input type="checkbox"/> Low and Moderate Income Housing (4.7)                |  |
| • <input type="checkbox"/> Mobile/ Modular Homes (4.8)                          |  |
| • <input type="checkbox"/> Mobile Home Parks (4.9)                              |  |
| • <input type="checkbox"/> Public Utility Substation (4.10)                     |  |
| • <input type="checkbox"/> Renewable Energy Production (4.11)                   |  |
| • <input type="checkbox"/> Seasonal Road Stands (4.12)                          |  |
| • <input type="checkbox"/> Self-Storage Facility (4.13)                         |  |
| • <input type="checkbox"/> Storage of Flammable Liquids and Gases (4.14)        |  |
| • <input checked="" type="checkbox"/> Subdivision of Lots (4.15)                |  |
| • <input type="checkbox"/> Temporary Uses and Structures (4.16)                 |  |
| • <input type="checkbox"/> Travel Trailer Camping Areas (4.17)                  |  |
| • <input type="checkbox"/> Travel Trailer/Camping Vehicles (4.18)               |  |
| • <input type="checkbox"/> Wireless Communication Facilities (4.19)             |  |
| • <input type="checkbox"/> Renewable Energy Systems (4.20)                      |  |
| • <input type="checkbox"/> Drug and Tobacco Paraphernalia Establishments (4.21) |  |

8. Is the project in conformance with the zoning bylaws? (sect. 1.2, pg.2) TBD

***Such permit may be issued only in conformance with these regulations and other Town ordinances, as provided in 24 V.S.A., §4449. Any use not permitted by these regulations shall be deemed prohibited. (sect.1.2, pg. 2)***

***... all uses must comply with any applicable General Provisions and Special Provisions as listed in Sections 6 and 7 of (the bylaws). (sect. 4.1, pg.2)***

#### OTHER CHECKS

- State/Nat'l Register of Historic Places
- Send to Fire Chiefs Darren Spaulding & Josh Dauphin
- Application is complete
  - If not, 30 day issuance period has not started
  - Date of completion: October 18, 2023

#### Notes:

- Show building envelope (setbacks) on final plat.
- Contains deer wintering area. Conditions for building?
- Contains steep slopes. Conditions for building?
- Contains protected stream. Conditions for building?

BLANK

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

landusa@weathersfield.org  
E-mail: [zoning@weathersfield.org](mailto:zoning@weathersfield.org)  
Website: <http://www.weathersfield.org>

Planning and Zoning

## APPLICATION FOR SKETCH PLAN REVIEW

100.

Application # 23.1018.SUB

Applicant Name Lisa Mangini  
Address (Mailing) P.O. Box 111 Perkinsville Vt. 05151  
Telephone # 802-291-9595 Email Address dsignstyle@aol.com

Landowner Name Same  
Address (Mailing) \_\_\_\_\_  
Telephone # \_\_\_\_\_ Email Address \_\_\_\_\_

Subdivider Name Same  
Address (Mailing) \_\_\_\_\_  
Telephone # \_\_\_\_\_ Email Address \_\_\_\_\_

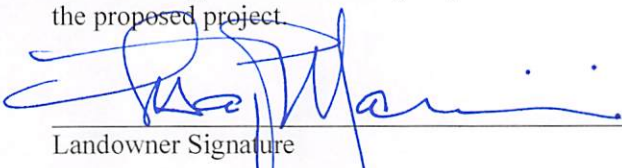
Name of Project Mangini Subdivision  
Tax Map/Parcel Number 03-02-18  
Location of Subdivision 466 Tarbell Hill Road

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

To create a 10 acre lot (lot "C") out of 73.75 acres (lot A)

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

10/18/23  
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: October 23, 2023

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FOR OFFICE USE

Date Received October 18, 2023 Fee Paid \$100  
 Date presented to the Planning Commission October 23, 2023

\*\*\*\*\*

Application No. 23.1018.SUB Date of Notice NA  
 Date received by AO October 18, 2023 Date of Hearing NA  
 Fee Paid \$ 100 Date of Decision \_\_\_\_\_  
 Date Paid October 18, 2023 Appeal granted \_\_\_\_\_ denied \_\_\_\_\_

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

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.

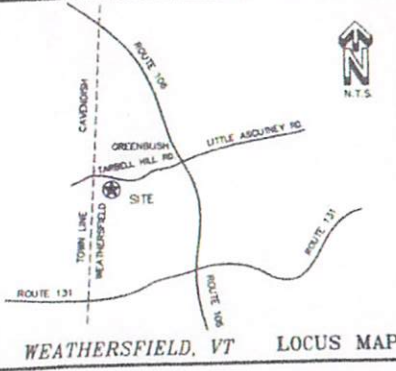
\* See Survey attached

Land Use Administrator Signature \_\_\_\_\_

Applicant Signature \_\_\_\_\_



THIS PLAN MEETS THE REQUIREMENTS OF 27 V.S.A. § 1403 ORIGINAL PINKED PLAN PRODUCED BY: FARNSWORTH SURVEYS - P.O. BOX 68, BROWNVILLE, VERMONT 05637



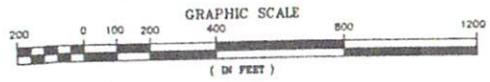
DEED CHAIN  
LAND IN  
BOOK 31, PAGE 352 ( 25 ACRES +- )  
BOOK 32, PAGE 176  
BOOK 34, PAGE 24-25 ( 60' STRIP )  
BOOK 34, PAGE 37 ( 62 ACRES +- FROM DRIGMAN )  
BOOK 35, PAGE 185 ( 100 ACRES ON TOWN LINE )  
LAND OUT  
BOOK 34, PAGE 229 ( TO MILLER NOW LABONTE )  
BOOK 71, PAGE 303 ( 3 ACRES TO DOROTHY CRANGALL )  
BOOK 31, PAGE 310 ( C.V.P.S. )  
BOOK 32, PAGE 157 ( C.V.P.S. )

DEFERRAL OF DEVELOPMENT RIGHTS - LOTS A & B

In order to comply with Section 930 of the Town of Weathersfield's Subdivision Regulations, the grantee shall not construct or erect any structure or building on Subdivided lots if the useful occupancy of that structure will require the installation of a sewage disposal system.  
The restriction does not apply if the grantee or assigns obtains an approved permit from the town. This condition runs with the land and binds the grantee and successors in interest.

GENERAL NOTES:  
THE TITLE HOLDER OF RECORD IS DESCRIBED IN BOOK 178, PAGE 86.  
THE METHOD OF SURVEY WAS WITH A LIETZ SET 4 TOTAL STATION.  
THIS SURVEY MEETS CURRENT MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS.  
BOUNDARY SURVEY DATA ON THIS PLAN PROVIDE A CLOSED GEOMETRIC FIGURE.  
BEARINGS SHOWN ARE REFERENCED TO A MAGNETIC MERIDIAN AND SERVE ONLY TO DEFINE ANGULAR RELATIONSHIPS BETWEEN COURSES.  
SURVEY REFERENCED TO FARNSWORTH SURVEYS' PLAN FOR: ADRIANNE COLLINS, ESTATE TARBELL HILL ROAD, DATED SEPT. 1, 2000 & DRAWING #00-1423.  
SURVEY REFERENCED TO FARNSWORTH SURVEYS' PLAN FOR: RICK HARDIE TARBELL HILL ROAD, DATED MAY 30, 2002 & DRAWING #02-1523.  
EASEMENTS OR SERVICEDS ARE AS SHOWN OR DEEDED.  
ROAD RIGHT OF WAY LIMITS ASSUMED @ 3 RODS.  
SURVEY FIELD WORK STARTED AUG. 23, 2000.

LOT B Legal Description Report  
Beginning at an Iron Pin to be set on the southerly right of way of Tarbell Hill Road  
thence N 62°48'17" W a distance of 148.67;  
thence N 40°40'56" W a distance of 368.47;  
thence N 51°00'34" W a distance of 192.15;  
thence N 67°04'22" W a distance of 131.13;  
thence N 75°30'45" W a distance of 58.47;  
thence S 88°21'15" W a distance of 114.19;  
thence S 73°49'25" W a distance of 260.15;  
thence S 15°03'57" W a distance of 384.90;  
thence S 18°16'48" W a distance of 801.41;  
thence S 18°16'56" W a distance of 405.21;  
thence S 20°43'02" W a distance of 305.93;  
thence S 29°45'48" W a distance of 147.76;  
thence S 23°38'33" W a distance of 403.82;  
thence S 17°11'30" W a distance of 183.06;  
thence S 20°28'14" W a distance of 545.91;  
thence S 15°09'55" W a distance of 195.74;  
thence S 00°12'03" W a distance of 143.70;  
thence S 34°45'52" W a distance of 159.70;  
thence S 80°29'30" E a distance of 400.07;  
thence N 50°19'39" E a distance of 549.46;  
thence S 83°29'54" E a distance of 280.30;  
thence N 27°15'33" E a distance of 1795.34;  
thence N 17°09'54" E a distance of 1202.01;  
which is the point of beginning,  
having an area of 3,763,800 square feet.  
86.40 acres



THE SUBDIVISION DEPICTED ON THIS PLAN WAS DULY APPROVED ON \_\_\_\_\_ DAY OF \_\_\_\_\_ 2021, SUBDIVISION PERMIT # \_\_\_\_\_  
SIGNED: \_\_\_\_\_ ADMINISTRATIVE OFFICER

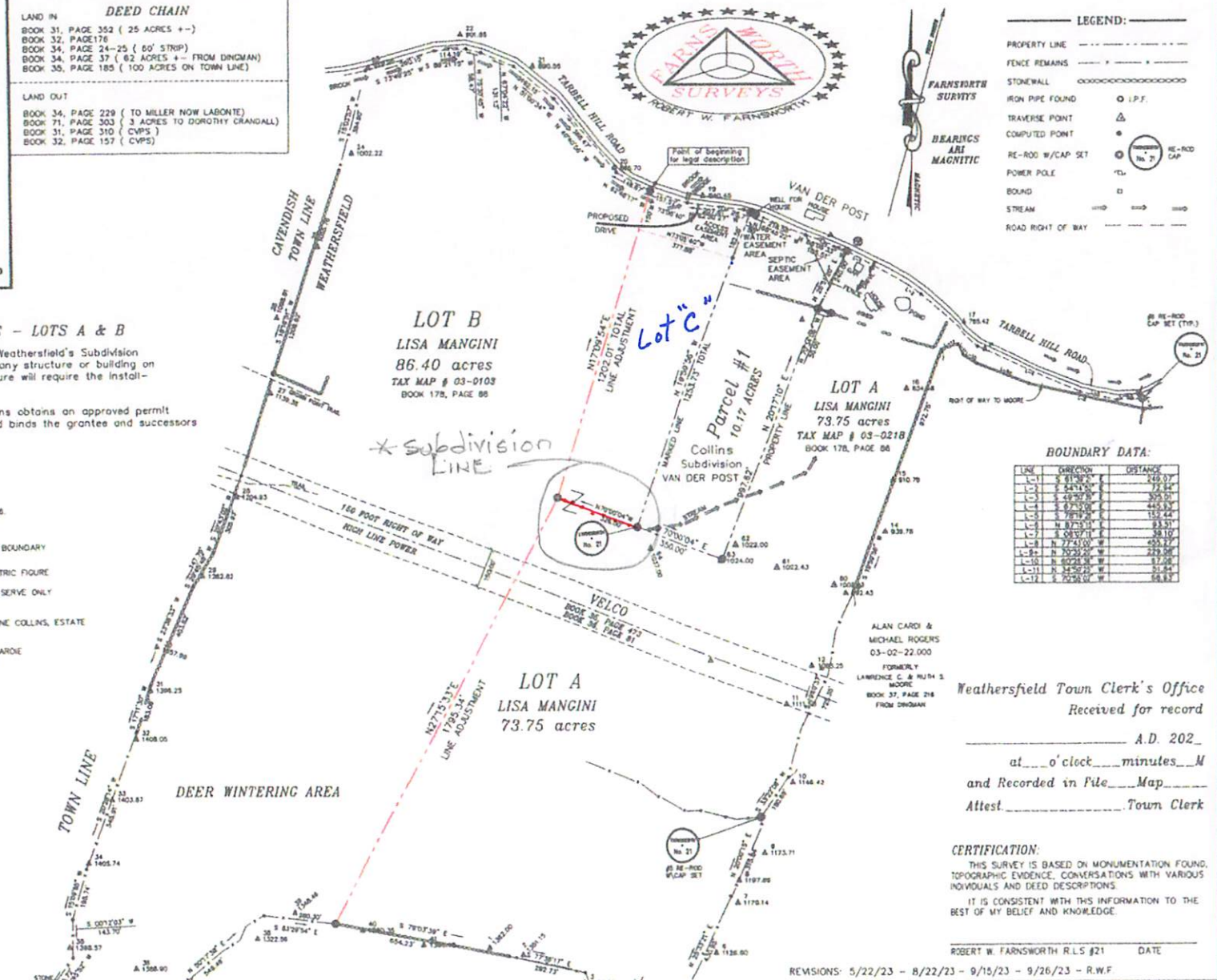
JOHN WELLS' ANTONOVICH  
SHAWN ALLEN ANTONOVICH  
ANDELA ANTONOVICH  
BOOK 84, PAGE 432



- LEGEND:  
PROPERTY LINE  
FENCE REMAINS  
STONEWALL  
IRON PIPE FOUND  
TRAVERSE POINT  
COMPUTED POINT  
RE-ROD W/CAP SET  
POWER POLE  
BOUND  
STREAM  
ROAD RIGHT OF WAY

BOUNDARY DATA:

LINE	DIRECTION	DISTANCE
L-1	S 81°20'0" E	249.07
L-2	S 28°10'0" E	77.42
L-3	S 62°30'0" E	205.24
L-4	S 78°30'0" E	415.33
L-5	S 78°30'0" E	153.44
L-6	N 81°20'0" W	23.51
L-7	S 0°00'0" E	38.10
L-8	N 77°43'0" W	655.27
L-9	N 70°20'0" W	229.90
L-10	N 80°28'0" W	81.64
L-11	N 34°50'0" W	81.64
L-12	N 70°20'0" W	68.83



Weathersfield Town Clerk's Office  
Received for record  
\_\_\_\_\_ A.D. 202\_\_  
at \_\_\_\_\_ o'clock \_\_\_\_\_ minutes \_\_\_\_\_ M  
and Recorded in File \_\_\_\_\_ Map \_\_\_\_\_  
Attest \_\_\_\_\_ Town Clerk

CERTIFICATION:  
THIS SURVEY IS BASED ON MONUMENTATION FOUND, TOPOGRAPHIC EVIDENCE, CONVERSATIONS WITH VARIOUS INDIVIDUALS AND DEED DESCRIPTIONS.  
IT IS CONSISTENT WITH THIS INFORMATION TO THE BEST OF MY BELIEF AND KNOWLEDGE.  
ROBERT W. FARNSWORTH R.L.S. #21 DATE \_\_\_\_\_

REVISIONS: 5/22/23 - 8/22/23 - 9/15/23 - 9/26/23 - R.W.F.

LINE ADJUSTMENT FOR  
**LISA MANGINI**  
466 TARBELL HILL ROAD  
WEATHERSFIELD, VERMONT

Farnsworth Surveys P.O. BOX 68 BROWNVILLE, VERMONT (802)464-8731 05637

DRAWING NO: 21-1423A FULL SCALE: 1" = 200'  
DATE: AUG. 19, 2021 DRAWN BY: R.F.P. & K.B. COMPUTER NAME: MANGINI.DWG

STATE OF VERMONT  
ROBERT W. FARNSWORTH  
No. 21  
REGISTERED  
LAND SURVEYOR

LINE ADJUSTMENT

REDUCED COPY



AGENDA ITEM

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H.177

SHORT FORM

Introduced by Representatives Bartholomew of Hartland, Arrison of  
Weathersfield, Burke of Brattleboro, Burrows of West Windsor,  
Campbell of St. Johnsbury, Christie of Hartford, Clifford of  
Rutland City, Cole of Hartford, Emmons of Springfield,  
Holcombe of Norwich, Labor of Morgan, Masland of Thetford,  
Morris of Springfield, Mrowicki of Putney, Smith of Derby, and  
Toleno of Brattleboro

Referred to Committee on

Date:

Subject: Transportation; bicycle paths; infrastructure; tourism; U.S. Route 5

Statement of purpose of bill as introduced: This bill proposes to require a  
feasibility analysis of constructing a bicycle route—consisting of one or more  
segments of bicycle lanes or bicycle paths, or both—to provide a safe means of  
travel via bicycle along a route that is roughly adjacent to U.S. Route 5 for the  
approximately 190 miles spanning between the State border with  
Massachusetts and the State border with Quebec, Canada. This bill also  
proposes to require that the feasibility analysis address, at a minimum, fiscal  
costs of construction and maintenance along with possible funding sources,  
logistical considerations, possible time frame for construction and completion,

1 the possibility of a segmented or phased approach to construction, and the  
2 costs and benefits to the tourism industry in Vermont in general and to the  
3 municipalities along U.S. Route 5 in particular.

4 An act relating to the feasibility of a bicycle path that runs adjacent U.S.  
5 Route 5

6 It is hereby enacted by the General Assembly of the State of Vermont:

7 (TEXT OMITTED IN SHORT-FORM BILLS)

AGENDA ITEM

8

## PLANNING COMMISSION PROJECTS

\*Listed in order of priority\*

<u>Project</u>	<u>Last Action Taken</u>	<u>Current Status</u>	<u>Next Steps</u>
<b>1.</b>			
PUD Review – Habitat for Humanity	8/28 PC held Combined Hearing with ZBA. Per applicant’s request, hearing continued to 10/9.	Hearing is scheduled to be continued on 10/9.	Applicant will get requested information for review.
<b>2.</b>			
Final Plat Review – Daniels Subdivision	8/28 PC held Final Plat Review. Board voted to approve Final Plat.	9/11 LUA distributed draft decision for board’s review.	Distribute final decision to required parties.
<b>3.</b>			
Town Plan Amendment – Energy Section	10/18 LUA made PC’s changes in Rev. 10.	Awaiting PC review.	Review changes, vote on adoption, if in favor warn hearing for SB review.
<b>4.</b>			
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.
<b>5.</b>			
Aquifer Protection Overlay District	MARC created map delineating affected areas. PC requested a finalized map and a plan for a resolution.	Waiting on MARC to make changes to map. LUA to discuss with TM to formulate a plan for resolution.	TBD
<b>6.</b>			
Town Plan Amendment – Required Changes	None	First discussion at PC meeting.	Identify who will complete what.

**Future Projects:**

- Add "Mixed Use" to Use Tables
- Update Floodways and Floodplains language
- Update Scenic Resources section of Town Plan
- Update Future Land Use Map in Town Plan
- Work with Fire and Police Departments on Standards for development

AGENDA ITEM

9

**Weathersfield Planning Commission**  
**Amendment to the Weathersfield Town Plan**  
**ENERGY**

**7.1 Introduction**

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

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

7.1.1 Community: The primary energy problems in Weathersfield are less efficient older homes and dependence on energy from outside the Town. All new or renovated buildings that are heated or cooled are subject to the Vermont Residential Building Energy Standards or Vermont Commercial Building Energy Standards.

Government: To provide a complete or accurate analysis of Town energy costs, the town government must establish a baseline of energy costs from municipal buildings, vehicles, and operations and diligently maintain the database to determine where energy costs may be stabilized or reduced.

~~7.1.1~~7.1.2 This plan seeks to:

~~7.1.1.1~~7.1.2.1 Help the town identify ways to conserve energy,

~~7.1.1.2~~7.1.2.2 Encourage renewable or lower-emission energy sources for electricity, heat and transportation,

~~7.1.1.3~~7.1.2.3 Encourage a pattern of development that likely results in the conservation of energy,

~~7.1.1.4~~7.1.2.4 Encourage development of appropriately scaled renewable energy resources,

~~7.1.1.5~~7.1.2.5 Reduce greenhouse gas emissions, and

~~7.1.1.6~~7.1.2.6 Reduce transportation energy demand and single-occupant vehicle use.

**7.2 Non-Renewable Energy Usage in Weathersfield**



- 7.2.1 Weathersfield does not have any local sources of non-renewable energy. The scarcity or abundance of non-renewable sources is entirely dependent on factors beyond the town.
- 7.2.2 Fuel oil and propane for home heating, cooking, and hot water are delivered to Weathersfield residents from commercial sources outside the Town. The only reserves for home heating fuel in the Town are the storage tanks on municipal and private properties.
- 7.2.3 Transportation is fueled primarily with gasoline or diesel fuel that is likewise imported to the Town by various distributors in the area. The only storage facilities in Town for any of these energy resources are the ~~gasoline~~-storage tanks at the gas stations in Town, the storage tanks at the Town Highway Garage, and some at commercial and residential locations.
- 7.2.4 Electricity is brought to the majority of Weathersfield homes and businesses via the “grid.” The electricity traveling in the grid is produced from both renewable and non-renewable sources. The Town is crisscrossed by numerous distribution and transmission lines belonging to both Vermont Electric Power Company (VELCO) and [Green Mountain Power \(GMP\)](#). The substation in Ascutney was upgraded to a newer design [in 2013](#) that will be more reliable than the previous design.
- 7.2.5 Weathersfield residents, like many Vermonters, are highly dependent on non-renewable energy, although each year residents and business owners invest in more renewable systems. Many are encouraged to do so with existing incentives through Efficiency Vermont or Green Mountain Power. Additional incentives are needed to encourage more residents to invest in energy efficiency improvements and renewable energy systems, especially for retirees and lower-income residents.

### 7.3 Renewable Energy Usage in Weathersfield

- 7.3.1 ~~In summary, it appears that t~~There are several ways that Weathersfield residents and the town government could reduce their non-renewable, imported energy dependencies through the development and use of locally produced, renewable energy fuels. All development of renewable energy in Weathersfield should be consistent with land use, conservation, and other goals described elsewhere in this plan. Weathersfield has a variety of local sources of renewable energy, ~~as discussed in detail in Section 1.2 above~~. The potential of renewable energy at each specific site will depend on site conditions (e.g. solar access) ~~and other~~-[Environmental](#) factors, such as droughts, [which](#) may limit micro-hydro opportunities.

~~Weathersfield has significant potential to generate additional renewable energy from biomass, geothermal, hydro, solar, and wind sources.~~

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

7.3.3 Wind: State wind resource data was analyzed, and it shows only limited potential for utility-scale (70 meters or 230 feet tall at the hub) or commercial-scale (50 meters or 164 feet tall) wind power in town. Residential-scale (30 meters or 98 feet tall) wind appears to be the only reasonable option given prevailing wind speeds, land ownership, and proximity to three phase power lines.

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

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

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

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

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

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

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

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

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

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

## 7.4 Energy Concerns

7.4.1 Problems could arise in the future as a result of energy projects, such as funding for decommissioning of solar projects. The Town should promote future energy projects, but also carefully review the current and potential impacts of energy projects on costs, aesthetics, natural resources, and the environment.

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

## 7.5 Energy Goals

7.5.1 To make efficient use of energy the Town seeks to:

- 7.5.1.1 Provide for the development of renewable energy resources,
- 7.5.1.2 Encourage weatherization,
- 7.5.1.3 Reduce emissions of greenhouse gases,
- 7.5.1.4 Prioritize energy efficient forms of transportation, and
- 7.5.1.5 Promote land use policies that are likely to result in energy conservation.

## 7.6 Energy Policies

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

~~7.6.2 All applicable new and or renovated buildings that are heated or cooled are subject to the Vermont Residential Building Energy Standards or Vermont Commercial Building Energy Standards.~~

~~7.6.3~~ 7.6.2 The Town encourages other methods to exceed the state energy code, such as through passive solar building orientation to take advantage of heating from the sun, landscaping to shade buildings and reduce summer temperatures, or using the “Energy Star” building performance rating system.

~~7.6.4~~ 7.6.3 The current land use pattern requires people to drive to work and to other amenities. The Town encourages new housing, businesses, and other amenities in walkable/centralized areas. The reduction of sprawl and low-density development not only reduces energy consumption, but also can improve the local and regional economy. Refer to Future Land Use Map.

~~7.6.5~~ 7.6.4 The Town ~~particularly strongly~~ encourages ~~solar~~ renewable energy development, ~~including of any scale, on building rooftop, properly sited, well-screened solar facilities, rooftop solar, s as well as other types of renewables including~~ methane digesters and micro-hydro.

### Community Standards for all Electric Generation, Storage and Transmission Facilities

~~7.6.6~~ 7.6.5 The following community standards are to be considered by the Town of Weathersfield and the Public Utility Commission (Section 248 review) in undertaking municipal all when developing any new or upgraded facilities that generate, store or transmit electricity, projects and programs, in and when updating Weathersfield’s Zoning Bylaws to address the development of energy solar-facilities that are subject to local regulation, and in the review of any new or upgraded solar facilitiesn excess of 15 kW capacity, by the Town of Weathersfield and the Public Utility Commission (Section 248 review).

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

### Additional Standards for Wind Generation Facilities ~~Standards~~

~~7.6.7~~ 7.6.6 For the purposes of this Plan, wind generation facilities include the following different classifications: utility-scale wind involves towers typically 70 meters or 230 feet tall at the hub); commercial- or community-scale wind towers are generally 50 meters or 164 feet tall; and residential-scale towers are usually no taller than 30 meters or 98 feet at the hub. The following standards apply to wind generation facilities in Weathersfield:

- a) Weathersfield has limited potential for utility-scale wind energy development, as areas with sufficient access to consistent wind are generally small residential in size and more than a mile away from three-phase power

lines. Development of tThe identified prime wind sites (e.g. Weathersfield Center, Butterfield Hill, Pikes Peak) ~~are~~ is constrained by their proximity relatively close to established residences and/or ~~specifically identified~~ scenic, historic or natural resources identified in the Town Plan and/or Biological al Natural Areas of Weathersfield. The secondary wind sites (e.g. Skyline Drive, Hawks Mountain, Little Ascutney, Pierson Peak, Mount Ascutney) are largely in scenic or natural resources areas also specifically identified in the Town Plan and/or Biological al Natural Areas of Weathersfield. Development in these areas would have a profoundly negative impact on critical viewsheds throughout the community, as the natural profile of the mountain forms an iconic backdrop from both in-town and rural valley locations. Because there are no other locations in Weathersfield that have suitable-access to sufficient wind resources and necessary transmission ; infrastructure, and -availability, or are free from significant environmental constraints (~~Figure 6~~), no utility-scale (100 KW capacity or greater) wind energy facilities should be located in the town.

- b) ~~Smaller scale wind p~~Projects, including residential-scale turbines (generally less than 10 KW) and commercial- or community-scale turbines ~~installed at farms, residences or small businesses,~~ (up to 100 KW), installed at farms, residences or small businesses, are encouraged as long as noise from the turbines does not adversely affect neighboring residential properties and as long as they are not prominently visible from any town-identified historic districts or scenic resources.
- c) Commercial- or community-scale wind generation facilities are subject to the Renewable EnergyElectricity Siting Standards.

### Solar Generation Facility Standards

~~7.6.8~~7.6.7 The Town strongly supports the development of residential-scale (up to 15 KW capacity ground-mounted) electricity generation from solar energy at homes, businesses, schools, and other institutions.

~~7.6.9~~7.6.8 The Town also supports ~~solar projects~~ (between 15 KW and up to 150KW in size) provided they are located on sites identified as having high potential for electricity generation based on solar resource availability and avoid “prohibited areas” as identified below. Moreover, any ~~community~~ solar project located on a site that is not a prohibited/exclusion area shall be considered as being located on a “preferred site” and eligible for all of the regulatory and financial incentives associated with larger scale solar energy installations pursuant to Public Utility Commission Rule 5.100 and 30 V.S.A. Section 248.

~~7.6.10~~7.6.9 Any larger scale solar development (greater than 150 kW capacity) shall be subject to the following Renewable Electricity Siting Standards.

### Siting Standards for Renewable Electricity Facilities es Siting Standards

~~7.6.11~~7.6.10 **Solar** The Town ~~The term “solar facility” shall have the following meaning: a solar electricity generation and transmission facility with a 150kW (AC) or greater capacity, including all on-site and offsite improvements necessary for the development and operation, and on-going maintenance of the facility~~of Weathersfield has developed standards for the development of **solar renewable electricity** facilities for reference and use by facility developers and local property owners and for consideration in Section 248 proceedings (30 VSA §248). These standards are set forth below.

~~Solar Facility Siting Criteria~~

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

- a) **Siting Requirements:** New ~~solar~~ facilities shall be sited in locations that do not adversely impact the community's traditional and planned patterns of growth of compact village centers surrounded by a rural countryside, including working farms and forest land. ~~Solar~~ Facilities shall, therefore, not be sited in locations that adversely impact scenic views, roads, or other areas identified in the Scenic Resources Section of this Plan, nor shall ~~solar~~ facilities be sited in locations that adversely impact any of the following scenic attributes identified in the Plan including: views across open fields, especially when those fields form an important foreground; prominent ridgelines or hillsides that can be seen from many public vantage points and thus form a natural backdrop for many landscapes; historic buildings and districts, ~~and~~ gateways to historic districts; and, scenes that include important contrasting elements such as water. The impact on prime and statewide agricultural soils shall be minimized during project design.
- b) **Preferred Areas:** The following areas are identified as preferred areas for **solar** facilities, ~~and~~ **provided that** they **must also** meet the Town’s Preferred Siting Checklist:
  - ~~Roofs-mounted systems;~~
  - Parking lot canopies;
  - ~~Systems located~~ Areas in **close** proximity to existing large scale, commercial or industrial buildings;

- ~~Areas in close p~~Proximity to existing hedgerows or other topographical features that naturally screen the entire proposed array;
  - ~~Reuse of~~ former brownfields;
  - ~~Facilities that are sited in~~ previously disturbed areas, such as gravel pits, closed landfills, or former quarries.;
- c) **Prohibited (Exclusion) Areas:** ~~Renewable energy facilities that~~ ~~In addition to those areas that~~ do not meet the siting requirements set forth above, ~~development of solar generating facilities as well as all other renewable energy facilities~~ shall ~~not be supported by the Town, and shall~~ be excluded from (prohibited within), ~~and shall not be supported by the Town, in~~ the following locations:
- Floodways shown on Flood Insurance Rate Maps (FIRMs);
  - Class I or II wetlands;
  - Riparian buffers and setbacks as defined in Weathersfield's Zoning Bylaws;
  - Rare, threatened, or endangered species habitats or communities as mapped or identified through site investigation;
  - Core habitat areas, migratory routes and travel corridors;
  - Elevations ~~at or above~~ of 1,500 feet ~~in elevation or higher~~;
  - Steep slopes (>25%);
  - Habitat blocks of 500 acres or ~~more~~greater in size;
  - ~~Areas A site~~ in proximity to, ~~and impacting and interfering with~~, a significant viewshed identified in the Scenic Resources sections of the Town Plan (see ~~Section 7.6 and~~ Section 5.3);
  - ~~A site that causes adverse impacts to~~Areas containing historical or cultural resources, including state or federal~~ly~~ designated historic districts, sites and structures, and locally significant cultural resources identified in the municipal plan. Prohibited impacts to historical and cultural resources include:
    - Removal or demolition;
    - Physical or structural damage, significant visual intrusion, or ~~threat interference with~~to the use;
    - Significant intrusion ~~into~~ a ~~rural~~ historic district or a historically significant landscape ~~with a high degree of integrity~~;
    - Significant visual intrusion into a hillside that serves as a backdrop to a historic site or structure;
    - Creating a focal point that would disrupt or distract from elements of a historic landscape;



- ~~A significant intrusion in a rural historic district or historic landscape that has a high degree of integrity~~ Impairing a vista or viewshed from a historic resource where the vista or viewshed that is a significant component of ~~its-the~~historic character and ~~history of~~ use of the historic resource;
  - Visually overwhelming a historic setting, such as by being dramatically out of scale;
  - Isolating a historic resource from its historic setting, or introducing incongruous or incompatible uses, or new visual, audible, or atmospheric elements.
- d) **Mass and Scale:** Except for solar projects located on preferred sites, ~~solar renewable energy~~electricity facilities larger than 10 acres, individually or cumulatively, cannot be adequately screened or mitigated to blend into the municipality's landscape and are, therefore, explicitly prohibited.

## 7.7 Energy Recommendations

### 7.7.1 Broadly, ~~C~~ost savings may be realized from:

- 7.7.1.1 Weatherization of buildings
- 7.7.1.2 Energy efficient lighting
- 7.7.1.3 Heating and air conditioning changes to more efficient mechanisms, such as air-source cold climate heat pumps
- 7.7.1.4 Reduction in use ~~Conservation measures (reduction in use)~~
- 7.7.1.5 Fuel-efficient vehicles
- 7.7.1.6 Analysis of town vehicle operations

7.7.2 Consider adopting a freestanding solar screening bylaw under 24 V.S.A. §4414 (15).

7.7.3 The Town of Weathersfield may participate in the Public Utility Commission's review of new and expanded generation facilities to ensure that local energy, resource conservation, and development objectives are identified and considered in proposed utility development. This may include joint participation and collaboration with other affected municipalities and the Mount Ascutney Regional Commission for projects that may have significant regional impact. It is acknowledged that the PUC's primary focus is on administering state public policy and regulating actions that are directed at ensuring that utility services promote the general good of the state.

7.7.4 The Planning Commission, in consultation with the Select Board, should develop guidelines to direct local participation in Section 248 proceedings related to solar facilities located in Weathersfield or in neighboring communities which may affect the town. The guidelines should reflect levels of participation or formal intervention in relation to the type, location, scale, operation, and magnitude of a proposed project, and its potential benefits, detriments to, and impacts on the community.

- 7.7.5 Inform residents about Efficiency Excellence Network (EEN) contractors by providing links to EEN information through a municipal website or through other means.
- 7.7.6 Participating in the Safe Routes to School program will help reduce reliance on vehicle transport.
- 7.7.7 Inform residents and business owners about existing energy efficiency programs and incentives, especially weatherization services and financing options for low-to-moderate income household.
- 7.7.8 Appoint an Energy Coordinator or establish an Energy Committee to help implement recommendations in this Chapter.
- 7.7.9 Hold an information forum such as Button Up, and invite residents to speak about the energy improvements that they have made to their homes. Provide data that demonstrates why these improvements make sense for residents.
- 7.7.10 Assess the life cycle costs of potential energy improvements during design and construction planning. For example, investment in a new, efficient heating system may be more expensive up front, but more economical to operate over time.
- 7.7.11 Promote the use of cold climate heat pumps (aka air-source heat pumps, mini-splits or ductless heat pumps) as a highly efficient source of heat and air conditioning with education/presentations in coordination with the EEU's/electric utilities. These systems are a good option to retrofit existing houses, and can be used to supplement the existing heating system. They also provide air conditioning during the warmer months. Ground source (geothermal) heat pumps may also be suitable option. Heat pump water heaters are also an energy efficient option.
- 7.7.12 Promote the Go Vermont webpage, which provides rideshare, vanpool, public transit and park-and-ride options.
- 7.7.13 Seek grants and partnerships to fund the installation of electric vehicle -charging infrastructure at the park and ride lot, school or other town-owned properties.
- 7.7.14 Coordinate with MARC and Local Motion to promote the planned electric-bicycle lending library to help promote e-bikes as a viable form of travel.
- 7.7.15 Continue to financially support The Moover public transportation services, such as the commuter bus that serves the I-91 Exit 8 park and ride lot, to provide access to jobs for residents and encourage less single-occupant vehicle use.

WEATHERSFIELD TOWN PLAN

- 7.7.16 The Town should work with electric and utility contractors to assist homeowners with switching to alternative heating systems such as wood pellet stove and air source heat pumps. Woody biomass can be sourced locally.
- 7.7.17 If renewable energy systems are not practicable, encourage homeowners to replace old furnaces or boilers with a high-efficiency model.
- 7.7.18 Promote wood stove change-out programs that take older non-EPA certified stoves out of service and replace them with more efficient and lower emitting cordwood or pellet stove.

WEATHERSFIELD TOWN PLAN

The foregoing amendments shall be effective immediately upon signing.

Dated at Weathersfield, Windsor County, Vermont this 27th day of February, 2023.

\_\_\_\_\_  
, Chairperson

\_\_\_\_\_  
Joseph Bublat, Vice-Chairperson

\_\_\_\_\_  
Howard Beach, Board Clerk

\_\_\_\_\_  
Mike Todd, Board Member

\_\_\_\_\_  
David (Hank) Ainley, Board Member

\_\_\_\_\_  
Brian Bosenberg, Board Member

ATTEST:

Received at the Town of Weathersfield

this \_\_\_ day of March, 2023.

\_\_\_\_\_  
Flora Ann Dango, Town Clerk

AGENDA ITEM

11

# The Vermont Statutes Online

NOTE: The Vermont Statutes Online is an unofficial copy of the Vermont Statutes Annotated that is provided as a convenience.

The Vermont Statutes Online will be down for maintenance on Friday, October 20th, 2023. We will be uploading the actions of the 2023 General Assembly session.

## **Title 24 : Municipal And County Government**

### **Chapter 117 : Municipal And Regional Planning And Development**

#### **Subchapter 005 : Municipal Development Plan**

(Cite as: **24 V.S.A. § 4382**)

#### **§ 4382. The plan for a municipality**

(a) A plan for a municipality may be consistent with the goals established in section 4302 of this title and compatible with approved plans of other municipalities in the region and with the regional plan and shall include the following:

(1) A statement of objectives, policies, and programs of the municipality to guide the future growth and development of land, public services, and facilities, and to protect the environment.

(2) A land use plan, which shall consist of a map and statement of present and prospective land uses, that:

(A) Indicates those areas proposed for forests, recreation, agriculture (using the agricultural lands identification process established in 6 V.S.A. § 8), residence, commerce, industry, public and semi-public uses, and open spaces, areas reserved for flood plain, and areas identified by the State, the regional planning commission, or the municipality that require special consideration for aquifer protection; for wetland protection; for the maintenance of forest blocks, wildlife habitat, and habitat connectors; or for other conservation purposes.

(B) Sets forth the present and prospective location, amount, intensity, and character of such land uses and the appropriate timing or sequence of land development activities in relation to the provision of necessary community facilities and service.

(C) Identifies those areas, if any, proposed for designation under chapter 76A of this title, together with, for each area proposed for designation, an explanation of how the designation would further the plan's goals and the goals of section 4302 of this title, and how the area meets the requirements for the type of designation to be sought.

(D) Indicates those areas that are important as forest blocks and habitat connectors and plans for land development in those areas to minimize forest fragmentation and promote the health, viability, and ecological function of forests. A plan may include specific policies to encourage the active management of those areas for wildlife habitat, water quality, timber production, recreation, or other values or functions identified by the municipality.

(3) A transportation plan, consisting of a map and statement of present and prospective transportation and circulation facilities showing existing and proposed highways and streets by type and character of improvement, and where pertinent, parking facilities, transit routes, terminals, bicycle paths and trails, scenic roads, airports, railroads, and port facilities, and other similar facilities or uses, with indications of priority of need.

(4) A utility and facility plan, consisting of a map and statement of present and prospective community facilities and public utilities showing existing and proposed educational, recreational and other public sites, buildings and facilities, including hospitals, libraries, power generating plants and transmission lines, water supply, sewage disposal, refuse disposal, storm drainage, and other similar facilities and activities, and recommendations to meet future needs for community facilities and services, with indications of priority of need, costs, and method of financing.

(5) A statement of policies on the preservation of rare and irreplaceable natural areas, scenic and historic features, and resources.

(6) An educational facilities plan consisting of a map and statement of present and projected uses and the local public school system.

(7) A recommended program for the implementation of the objectives of the development plan.

(8) A statement indicating how the plan relates to development trends and plans for adjacent municipalities, areas, and the region developed under this title.

(9) An energy plan, including an analysis of energy resources, needs, scarcities, costs and problems within the municipality, a statement of policy on the conservation of energy, including programs, such as thermal integrity standards for buildings, to implement that policy, a statement of policy on the development of renewable energy resources, a statement of policy on patterns and densities of land use likely to result in conservation of energy.

(10) A housing element that shall include a recommended program for addressing low and moderate income persons' housing needs as identified by the regional planning commission pursuant to subdivision 4348a(a)(9) of this title. The program should account for permitted accessory dwelling units, as defined in subdivision 4412(1)(E) of this title, which provide affordable housing.

(11) An economic development element that describes present economic conditions and the location, type, and scale of desired economic development, and identifies policies, projects, and programs necessary to foster economic growth.

(12)(A) A flood resilience plan that:

(i) identifies flood hazard and fluvial erosion hazard areas, based on river corridor maps provided by the Secretary of Natural Resources pursuant to 10 V.S.A. § 1428(a) or maps recommended by the Secretary, and designates those areas to be protected, including floodplains, river corridors, land adjacent to streams, wetlands, and upland forests, to reduce the risk of flood damage to infrastructure and improved property; and

(ii) recommends policies and strategies to protect the areas identified and designated under subdivision (12)(A)(i) of this subsection and to mitigate risks to public safety, critical infrastructure, historic structures, and municipal investments.

(B) A flood resilience plan may reference an existing local hazard mitigation plan approved under 44 C.F.R. § 201.6.

(b) The maps called for by this section may be incorporated on one or more maps, and may be referred to in each separate statement called for by this section.

(c) Where appropriate, and to further the purposes of subsection 4302(b) of this title, a municipal plan shall be based upon inventories, studies, and analyses of current trends and shall consider the probable social and economic consequences of the proposed plan. Such studies may consider or contain, but not be limited to:

(1) population characteristics and distribution, including income and employment;

(2) the existing and projected housing needs by amount, type, and location for all economic groups within the municipality and the region;

(3) existing and estimated patterns and rates of growth in the various land use classifications, and desired patterns and rates of growth in terms of the community's ability to finance and provide public facilities and services.

(d) Where appropriate, a municipal plan may provide for the use of "transit passes" or other evidence of reduced demand for parking spaces in lieu of parking spaces. (Added 1967, No. 334 (Adj. Sess.), § 1, eff. March 23, 1968; amended 1971, No. 257 (Adj. Sess.), § 7, eff. April 11, 1972; 1975, No. 236 (Adj. Sess.), § 2; 1979, No. 174 (Adj. Sess.), § 8; 1985, No. 188 (Adj. Sess.), § 10; 1987, No. 200 (Adj. Sess.), §§ 8, 10, eff. July 1, 1989; 1989, No. 280 (Adj. Sess.), § 7; 1991, No. 130 (Adj. Sess.), § 2; 1995, No. 122 (Adj. Sess.), § 2, eff. Apr. 25, 1996; 2003, No. 115 (Adj. Sess.), § 89; 2011, No. 52, § 33, eff. July 1, 2012; 2013, No. 16, § 4, eff. July 1, 2014; 2013, No. 146 (Adj. Sess.), § 6, eff. May 27, 2014; 2015, No. 171 (Adj. Sess.), § 17, eff. Jan. 1, 2018.)



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# The Vermont Statutes Online

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## **Title 24 : Municipal And County Government**

### **Chapter 117 : Municipal And Regional Planning And Development**

#### **Subchapter 005 : Municipal Development Plan**

**(Cite as: 24 V.S.A. § 4387)**

#### **§ 4387. Readoption of plans**

(a) All plans, including all prior amendments, shall expire every eight years unless they are readopted according to the procedures in section 4385 of this title.

(b)(1) A municipality may readopt any plan that has expired or is about to expire. Prior to any readoption, the planning commission shall review and update the information on which the plan is based, and shall consider this information in evaluating the continuing applicability of the plan. In its review, the planning commission shall:

(A) consider the recommendations of the regional planning commission provided pursuant to subdivision 4350(c)(2) of this title;

(B) engage in community outreach and involvement in updating the plan;

(C) consider consistency with the goals established in section 4302 of this title;

(D) address the required plan elements under section 4382 of this title;

(E) evaluate the plan for internal consistency among plan elements, goals, objectives, and community standards;

(F) address compatibility with the regional plan and the approved plans of adjoining municipalities; and

(G) establish a program and schedule for implementing the plan.

(2) The readopted plan shall remain in effect for the ensuing eight years unless earlier readopted.

(c) Upon the expiration of a plan, all bylaws and capital budgets and programs then in effect shall remain in effect, but shall not be amended until a plan is in effect.

(d) The fact that a plan has not been approved shall not make it inapplicable, except as specifically provided by this chapter. Bylaws, capital budgets, and programs shall remain in effect, even if the plan has not been approved. (Added 1967, No. 334 (Adj. Sess.), § 1, eff. March 23, 1968; amended 1975, No. 164 (Adj. Sess.), § 4; 1981, No. 132 (Adj. Sess.), § 11; 1987, No. 200 (Adj. Sess.), § 14, eff. July 1, 1989; 1989, No. 280 (Adj. Sess.), § 10; 2015, No. 90 (Adj. Sess.), § 3.)