



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, January 8, 2024 – 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 – November 13, 2023; November 27, 2023; December 11, 2023
-
6. **Sketch Plan Review – DeBartolo** – Initial review of 2-lot subdivision
 7. **Sketch Plan Review – Vizi** – Initial review of 2-lot subdivision
 8. **Planning Commission Project Review** – Review table of ongoing projects
 9. **PUBLIC HEARING – Zoning Bylaw Amendment** – Private Airstrips and Helipads
 10. **Zoning Bylaw Amendment - Aquifer Protection Overlay District** – Review new map and language
-
11. Discussion of items for future agendas
 12. Any other business that can be legally discussed
 13. Adjourn

The next regularly scheduled meeting of the Planning Commission will be **Monday, January 22, 2024 - 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, November 13, 2023
6:30 PM
REGULAR MEETING
Draft Minutes

Members Present: Joseph Bublat, Michael Todd, Hank Ainley, Brian Bosenberg,
Howard Beach

Ryan Gumbart, Land Use Administrator

Others Present:

Beth Hunton (remote)		
Halle Abuayyash		
Julie Levy		

- 1 Call to Order**
Mr. Bublat called the meeting to order at 6:30pm.

- 2 Agenda Review**
The Planning Commission discussed scheduling conflicts due to the upcoming holidays.
Motion: To cancel the December 25, 2023 meeting.
Made by: Mr. Todd **Second:** Mr. Beach
Vote: All in Favor

- 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: 10/23/23**
Additions/corrections/deletions:
 - a. Corrections:
Section 6: Change the wording “pointed out that without going on Lot B to make access to Lot C because of how steep the slopes are and that getting the driveway in there was going to be a challenge” to pointed out that access to the building site on Lot C may be challenging and may require an easement across Lot B.
Section 6: Change “water” to “stream inspection”
Section 6: Change “letter” to “letter of compliance.”

- Section 6: Change “a way” to “of-way.”
- Section 6: Change “would” to “may.”
- Section 6: Change “permit” to “driveway permit.”
- Section 9: Change “restrictive” to “permissive.”
- Section 9: Delete the word “that.”
- Section 14: Add “There were no other nominations.”

Made by: Mr. Todd **Second:** Mr. Bosenberg
Vote: 4 yays, 1 abstention- Mr. Beach

6 Project Status Update: Review Planning Commission project log
 The Land Use Administrator gave a presentation on the Planning Commission Projects, which included actions taken, current status, and next steps of each project. See below:

PLANNING COMMISSION PROJECTS
 Listed in order of priority

Project	Last Action Taken	Current Status	Next Steps
1. PUD Review – Habitat for Humanity	10/23 Per applicant’s request, hearing continued by PC to 12/11	Hearing is scheduled to be continued on 12/11	Applicant will get requested information for review
2. Town Plan Amendment – Energy Section	11/2 Annette Smith provided comments on language.	Awaiting review by PC	Determine if further changes are needed.
3. Town Plan Amendment – Required Changes	None	First discussion at 11/27 PC meeting. Halle to review needed changes.	Identify who will complete what.
4. Aquifer Protection Overlay District	Language as existing was formatted into the bylaws.	Awaiting review by PC. Waiting on CAI to add layer to zoning map.	Review language and map.
5. Zoning Bylaws Amendment – PUD Review	Table by district was added and some language changes.	Awaiting review by PC. Further changes will be necessary.	Review LUA’s changes, discuss further. Once finalized, warn bylaw amendment hearing.

7 PUBLIC HEARING – Town Plan Amendment – Energy Section: Review Annette Smith’s comments.

The Planning Commission discussed Annette Smith’s correspondence regarding the [Energy Section](#) of the Town Plan. The Commission discussed the language in the document. Changes were made where the Commission deemed appropriate.

The Land Use Administrator will render a final draft with the potentiality of being adopted at the next Planning Commission meeting on November 27, 2023.

Motion: To continue the hearing for the Town Plan Amendment – Energy Section to November 27, 2023 at 6:30pm.

Made by: Mr. Beach **Second:** Mr. Todd

Vote: All in Favor

8 Zoning Bylaw Amendment – PUD Review: Review Rev. 6 – 2023.11.08

The Chair allotted a 30 minute limit for the conversation.

The Land Use Administrator presented a chart about the Standards for Residential PUDs (below). He went over some of the changes he had made and the rationale for these changes. The Committee discussed set-backs and lot sizes at length. When the 30 minutes had expired, the Land Use Administrator requested five more minutes on the topic.

Motion: To extend the topic for 5 minutes.

Made by: Mr. Todd **Second:** Mr. Bosenberg

Vote: All in Favor

The Land Use Administrator presented briefly two changes he had made to two lines in the General Standards and his rationale.

5.4.6 Standards for Residential PUDs

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

	Village, Hamlet Districts	Rural Residential Districts	Conservation District
Minimum Lot Size	None	None	None
Density	1 unit/0.5 acres	1 unit/ 1 acre	1 unit/5 acres
Affordable housing density bonus	1 unit/0.3 acres	1 unit/ 0.75 acres	Maximum of 5 additional units
Perimeter setbacks	Front: 40' Side: 10'	Front: 40' Side:40'	Shall not be prominently visible from abutting land and shall be screened from road.
Internal setbacks	None	None	None
Maximum height	35' (to top floor window?)	35'	35'
Open Space Requirement	Remainder to be designated as open space or to be developed for communal use for recreation, or to remain as open space.	Remainder to be designated as open space or may develop up to 2 acres for communal use for recreation.	Remainder to be conserved by deeded easement held by _____. To remain as open space only to allow for forest and agricultural uses.

**9 Zoning Bylaw Amendment – Groundwater Protection Overlay District:
Review Rev. 1 – 2023.11.08**

The Commission is waiting on the maps from MARC. The Commission agreed to put this item on the January 8, 2024 meeting agenda.

**10 Zoning Bylaw Discussion – Airport District & Private Airstrip
Regulations**

The Commission discussed the implications of not having specific regulations regarding air travel in Weathersfield. As an example, Mr. Bosenburg shared the [Town of Cavendish Municipal Ordinance](#) on Prohibiting the Construction and/or Operation of Aircraft Take-Off and Landing Facilities within the Town of Cavendish.

Motion: To consider the proposed bylaw amendment to include “Helipads and Private Landing Strips are prohibited” at the next meeting.

Made by: Mr. Bosenberg **Second:** Mr. Todd

Vote: All in Favor

11 Discussion of Items for Future Agendas

- Affordable Housing
- Short Term Rentals
- Landlord Rights and Tenant Rights
- Small lots and setbacks
- Airstrip Regulations/Airport District
- Otter Creek Feasibility Study Update

12 Any other business that can be legally discussed

None.

13 Adjourn

Motion: To adjourn the meeting.

Made by: Mr. Beach **Second:** Mr. Ainley

Vote: All in favor

The meeting adjourned at 8:47pm.

Respectfully submitted,
Nichole Gagnon

The next regularly scheduled meeting of the Planning Commission will be Monday, November 27, 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

Joseph Bublat, Chairperson

Hank Ainley, Commissioner

Brian Bosenberg, Vice-Chairperson

Howard Beach, Clerk

Michael Todd, Commissioner

BLANK

Planning Commission
Martin Memorial Hall
5259 Route 5, Ascutney VT
Monday, November 27, 2023
6:30 PM
REGULAR MEETING
Draft Minutes

Members Present: Joseph Bublat, Michael Todd, Hank Ainley (remote), Brian Bosenberg, Howard Beach

Ryan Gumbart, Land Use Administrator

Others Present:

Halle Abuayyash (remote)	Bruce Cox	Jason (ZBA)
Jonah Blum	Cheryl Cox	Grace Knight (ZBA)
Anna Vogell	Willis Wood (ZBA)	

- 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**
This will be Nichole Gagnon’s last meeting as Recording Secretary for the Planning Commission.
- 5 Review Minutes from Previous Meeting: 11/13/23**
Motion: To table the minutes until the next meeting.
Made by: Mr. Beach **Second:** Mr. Todd
Vote: All in Favor
- 6 Planning and Zoning in Vermont – Presentation by Jens Hilke, VT F&W Conservation Planner**
Jens Hilke, a Conservation Planner from the Vermont Fish and Wildlife Department, gave a presentation. Topics covered were the benefits of large forests, wildlife present in forest patches, the power of forests on the economy, losing wildlife habitats and working forests, effects of forest fragmentation, forest/habitat blocks, and climate change and animal migration.

Mr. Hilke also presented Vermont’s Conservation Design, discussing interior forest blocks, connectivity blocks, property sales, private land, [Act 171](#) planning provisions, maintaining forest blocks and connections, town plan and future land use, and gave some examples of zoning rewrites and resources for the Planning Commission.

The Chair opened up the floor with a 15 minute limit for questions and comment. The Commission thanked the presenter for an informative presentation.

7 Project Status Update: Review Planning Commission project log

The Land Use Administrator gave a presentation on the Planning Commission Projects, which included actions taken, current status, and next steps for each of the projects. See below:

PLANNING COMMISSION PROJECTS

Listed in order of priority

Project	Last Action Taken	Current Status	Next Steps
1. PUD Review – Habitat for Humanity	10/23 Per applicant’s request, hearing continued by PC to 12/11	Hearing is scheduled to be continued on 12/11	Applicant will get requested information for review
2. Town Plan Amendment – Energy Section	11/15 Ryan created clean copy of energy section then reviewed and made changes.	Awaiting review by PC	If PC approves, vote to submit amendment to Selectboard
3. Town Plan Amendment – Required Changes	None	First discussion at 12/11 PC meeting. Halle to review needed changes.	Identify who will complete what.
4. Aquifer Protection Overlay District	Language as existing was formatted into the bylaws. Discussion tabled to 1/8.	Awaiting review by PC. Waiting on CAI to add layer to zoning map.	Review language and map.
5. Zoning Bylaws Amendment – PUD Review	Table by district was added and some language changes.	Awaiting review by PC. Further changes will be necessary.	Review LUA’s changes, discuss further. Once finalized, warn bylaw amendment hearing.
6. Zoning Bylaws Amendment – Private Airstrips & Helipads	Brian provided resources and suggested a simple change to add new prohibited use in use tables. Ryan sent amendment materials to required parties for 30-day notice.	Hearing to be warned for 1/8	Vote to submit to Selectboard

Future Projects:

1. 2024 – Planning – Update Scenic Resources section of Town Plan
2. March 11, 2024 – Zoning – Create Airport overlay district
3. 2024 – Discussion – Affordable housing
4. 2024 – Discussion – Short-term rentals, landlord & tenant rights
5. 2024 – Discussion – Small lots and setbacks
6. 2024 – Zoning – Add “Mixed Use” to Use Tables
7. 2024 – Zoning – Update Floodways and Floodplains language
8. 2024 – Planning – Update Future Land Use Map in Town Plan

9. 2024 – Discussion – Work with Fire and Police Departments on Standards for development

8 PUBLIC HEARING – Town Plan Amendment – Energy Section: Review Rev. 12 - 2023.11.15

The Planning Commission discussed the [Energy Section](#) of the Town Plan. The Commission discussed the language in the document. Changes were made where the Commission deemed appropriate. The Land Use Administrator will present the clean copy at the next meeting.

Motion: To adopt the Energy Section of the Town Plan, with the changes discussed at this meeting, so the clean copy to be sent to the Select Board at a future meeting.

Made by: Mr. Beach **Second:** Mr. Bublat

Vote: All in Favor

9 Route 5 Bike Route: Discussion

Representative Arrison sent out a survey about having a bike path on Route 5, but the date to send the survey back had expired. The Commission agreed that they could send a letter to Rep. Arrison on their thoughts on the topic.

10 Discussion of Items for Future Agendas

- Affordable Housing
- Short Term Rentals
- Landlord Rights and Tenant Rights
- Small Lots and Setbacks
- Airstrip Regulations/Airport District
- Otter Creek Feasibility Study Update

11 Any other business that can be legally discussed

None.

12 Adjourn

Motion: To adjourn the meeting.

Made by: Mr. Beach **Second:** Mr. Todd

Vote: All in favor

The meeting adjourned at 8:08pm.

Respectfully submitted,
Nichole Gagnon

The next regularly scheduled meeting of the Planning Commission will be Monday, December 11, 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

Joseph Bublat, Chairperson

Hank Ainley, Commissioner

Brian Bosenberg, Vice-Chairperson

Howard Beach, Clerk

Michael Todd, Commissioner

AGENDA ITEM

6

CHARTERED BY
NEW HAMPSHIRE
AUGUST 20, 1761

Town of Weathersfield

POST OFFICE BOX 550
ASCUTNEY, VERMONT 05030-0550

CHARTERED BY
NEW YORK
APRIL 8, 1772

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

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

Planning and Zoning

APPLICATION FOR SKETCH PLAN REVIEW

Application # _____

Applicant Name Douglas DeBartolo
Address (Mailing) 9119 Forest DR Sunset Beach NC 28468
Telephone # 910-524-6052 Email Address debart4@gmail.com

Landowner Name Douglas DeBartolo
Address (Mailing) 9119 Forest DR Sunset Beach NC 28468
Telephone # 910-524-6052 Email Address debart4@gmail.com

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

Name of Project DeBartolo Subdivision
Tax Map/Parcel Number 110151-1
Location of Subdivision 211 Green Valley Rd perkinsville VT 05151

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

The one lot is to be divided into 2 equal parts

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.

Dough DeBartolo
Landowner Signature

11-26-23
Date

(See checklist on reverse side)

CHARTERED BY
NEW HAMPSHIRE
AUGUST 20, 1761

Town of Weathersfield

POST OFFICE BOX 550
ASCUTNEY, VERMONT 05030-0550

CHARTERED BY
NEW YORK
APRIL 8, 1772

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

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

Planning and Zoning

APPLICATION FOR SKETCH PLAN REVIEW

Application # _____

Applicant Name Douglas DeBartolo
Address (Mailing) 9119 Forest DR Sunset Beach NC 28468
Telephone # 910-524-6052 Email Address debart4@gmail.com

Landowner Name Douglas DeBartolo
Address (Mailing) 9119 Forest DR Sunset Beach NC 28468
Telephone # 910-524-6052 Email Address debart4@gmail.com

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

Name of Project DeBartolo Subdivision
Tax Map/Parcel Number 110151-1
Location of Subdivision 211 Green Valley Rd Perkinsville VT 05151

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

The one lot is to be divided into 2 Equal parts

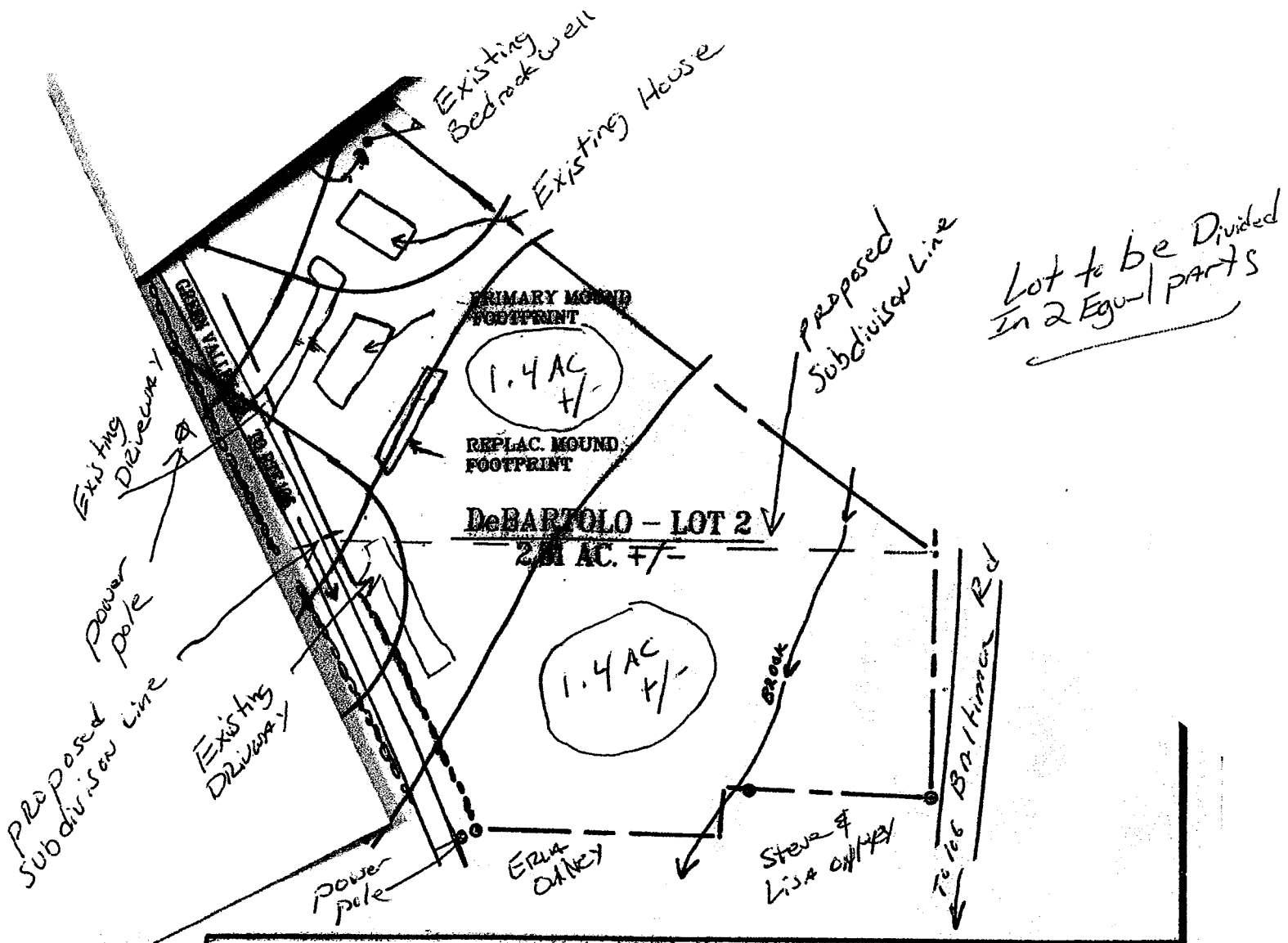
Sketch should clearly indicate existing and proposed lot lines, dimensions and lot numbers.

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

Douglas DeBartolo
Landowner Signature

11-26-23
Date

(See checklist on reverse side)



SEPTIC SYSTEM DESIGN

SUBDIVISION OF
DOUGLAS W. DeBARTOLO

LOT 2: 2.81 ACRES +/- WEATHERSFIELD, VT.
 RECORDED: BOOK 85, PAGE 42 AND BOOK 94, PAGE 150

PREPARED BY:
 ALAN A. REGIER
 39 QUARRY RD.
 PROCTORVILLE, VT. 05153
 TEL. (802) 226-7331

VT. SITE TECH, TYPE B
 LICENSE NO. 342

DATE **PRELIMINARY**

Town of Weathersfield

Date: 12/13/2023 Time: 14:41:24

Clerk: osavage

Account: 110151-1

Name: DEBARTOLO DOUGLAS W &

Comments:

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

TOTAL 100.00

Check 1212

Thank you

BLANK

Subdivision Checklist

Prior to Sketch Plan Review

- Application for sketch plan review has been received.
- No land clearing, land development, or construction has begun.
- No permits have been issued for land development involving land to be subdivided.
- Application reviewed for completeness
 - o Check against Table 2.1

Required Elements	Boundary Adjustment	Sketch Plan	Final Plan
(A) Application Information			
Application Form (Number of Copies)	<input type="checkbox"/> 1	<input checked="" type="checkbox"/> 1	<input type="checkbox"/> 1
Application Fee	<input type="checkbox"/> X	<input checked="" type="checkbox"/> X	<input type="checkbox"/> X
Name of project	<input type="checkbox"/> X	<input checked="" type="checkbox"/> X	<input type="checkbox"/> X
Name, address of applicant (landowners and subdivider, if different)	<input type="checkbox"/> X	<input checked="" type="checkbox"/> X	<input type="checkbox"/> X
Written description of proposed development plans , including number and size of lots, and the general timing of development		<input type="checkbox"/> X	<input type="checkbox"/> X
Waiver requests, in writing (optional)			<input type="checkbox"/> X
Evidence of written notification of intent to subdivide to abutters; to include copies of any waiver request if any *			<input type="checkbox"/> X
(B) Plan/Plat Mapping Requirements			
Plat & any other required construction drawings or plans (18"X24")	<input type="checkbox"/> 1 Paper Plat	<input checked="" type="checkbox"/> 1 Paper Plan (11"X17")	<input type="checkbox"/> 2 Paper Plat
Subdivision Name/Title, Municipality, Name & Address of Record Owner(s)/Applicant(s)	<input type="checkbox"/> X	<input checked="" type="checkbox"/> X	<input type="checkbox"/> X
Date, North Arrow, Legend	<input type="checkbox"/> X	<input type="checkbox"/> X	<input type="checkbox"/> X
Preparer Information, Revision Dates, Certifications	<input type="checkbox"/> X	<input checked="" type="checkbox"/> X	<input type="checkbox"/> X
Scale (not greater than 1 inch = 200' unless waived for large parcels)	<input type="checkbox"/> X	? <input type="checkbox"/> X	<input type="checkbox"/> X
Project boundaries and property lines	<input type="checkbox"/> X	<input checked="" type="checkbox"/> Sketch	<input type="checkbox"/> Surveyed
Existing and proposed lot lines, Dimensions, Lot numbers	<input type="checkbox"/> X	<input type="checkbox"/> Sketch	<input type="checkbox"/> Surveyed
Adjoining land uses, roads and drainage	<input type="checkbox"/> X	<input type="checkbox"/> X	<input type="checkbox"/> X
Zoning district designations and boundaries	<input type="checkbox"/> X	<input type="checkbox"/> X	<input type="checkbox"/> X
Location of significant natural features, including but not limited to:	<input type="checkbox"/> Specific boundaries	<input type="checkbox"/> General locations based on available maps and data	<input type="checkbox"/> Specific boundaries, unless waived because of limited potential impact
- slopes with a gradient of 25% or greater;			
- critical wildlife habitat;			
- historic sites and features, including stone walls;			
- flood hazard areas, surface waters , wetlands and associated buffer areas; and,			
- other significant geologic features and landforms, including prominent knolls and ridgelines.			
Existing and proposed elevations, contour lines within 100 feet of any site development (e.g. driveway) and development envelope *			<input type="checkbox"/> 5' intervals
Existing and proposed roads, paths, parking areas, associated rights-of-way or easements	<input type="checkbox"/> Surveyed	<input checked="" type="checkbox"/> Sketch	<input type="checkbox"/> Surveyed
Proposed utilities, water and wastewater systems and associated rights-of-way or easements *	<input type="checkbox"/> X		<input type="checkbox"/> X
Proposed development envelopes *			<input type="checkbox"/> X
Monument locations shown on plat & set in the ground	<input type="checkbox"/> X		<input type="checkbox"/> X
Road profiles; road, intersection and parking area geometry and construction schematics *			<input type="checkbox"/> X
Proposed landscaping and screening *			<input type="checkbox"/> X
Proposed conservation buffer and/or easement areas *			<input type="checkbox"/> X

Notation prepared in accordance with Section 460	<input type="checkbox"/> X		<input type="checkbox"/> X
Reduced (11" x 17") copies of proposed plan [number of copies]	<input type="checkbox"/> ?		<input type="checkbox"/> ?
(C) Supporting Information and Documentation			
Site location map showing proposed subdivision in relation to major roads, drainage ways and adjoining properties	<input type="checkbox"/> X	<input type="checkbox"/> X	<input type="checkbox"/> X
Statement of compliance with the Town Plan and applicable local regulations	<input type="checkbox"/> X	<input type="checkbox"/> X	<input type="checkbox"/> X
Written request to the Select Board for a preliminary determination of the Town's willingness to accept any streets, utilities or other community facilities for the subdivision			<input type="checkbox"/> X
Engineering reports (water and wastewater systems)			<input type="checkbox"/> X
Existing and proposed traffic generation rates and volumes *			<input type="checkbox"/> X
Off-site easements (for water, wastewater, access, etc.) *		<input type="checkbox"/> Description	<input type="checkbox"/> Final
Proposed phasing schedule *		<input type="checkbox"/> Description	<input type="checkbox"/> Final
Proposed covenants and/or deed restrictions *		<input type="checkbox"/> Description	<input type="checkbox"/> Final
Proposed homeowner or tenant association or agreements *		<input type="checkbox"/> Description	<input type="checkbox"/> Final
Proposed performance bond or surety *			<input type="checkbox"/> X
Copy of all other local permits or pending applications	<input type="checkbox"/> X		<input type="checkbox"/> X
VTans access permit letter of intent	<input type="checkbox"/> X		<input type="checkbox"/> X
VT ANR Project Review Sheet	<input type="checkbox"/> X		<input type="checkbox"/> X
(D) The Planning Commission may require the additional information depending upon the scope and location of the proposed project, including but not limited to the following:			
<input type="checkbox"/> Stormwater management and erosion control plans.			
<input type="checkbox"/> Grading plan (showing proposed areas of cut and fill)			
<input type="checkbox"/> Building footprints			
<input type="checkbox"/> Traffic impact analysis (current and proposed traffic volumes, capacities, levels of service, proposed improvements).			
<input type="checkbox"/> Open space management plan			
<input type="checkbox"/> Visual impact analysis and mitigation plan			
<input type="checkbox"/> Site reclamation plan (for subdivisions involving extraction)			
<input type="checkbox"/> Wildlife habitat impact assessment and mitigation plan			
<input type="checkbox"/> Master plan for very large subdivisions or subdivisions or very large parcels			
<input type="checkbox"/> Fiscal impact analysis (analysis of financial costs and benefits to the Town)			
<input type="checkbox"/> Other information or studies necessary for the Commission or Board to conduct a comprehensive review.			
* Upon written request may be waived by the Planning Commission or Zoning Board of Adjustment in accordance with Section 210(E)			

- Fees have been paid
- Sketch on survey if existing
- Should applicant meet with municipal representatives?

During Sketch Plan Review

- Does the PC waive:
 - PUD Standards for PUD subdivisions
 - Items in Table 2.1

Following Sketch Plan Review

- PC issues recommendations within 30 days
- Applicant to submit application for Final Plat Review within 1 year

Prior to Final Plat Review

- Application for Final Plat Review has been received.

- Application reviewed for completeness
 - o Check against Table 2.1
 - o Fees have been paid
 - o Other PC requests from sketch plan decision fulfilled
 - o Permit navigator form has been completed to indicate other State and Federal permits
 - o Other Town permits have been applied for
- Site visit scheduled if necessary.

Following Final Plat Approval

- PC issues decision within 45 days of closing the hearing
- Monuments shall be placed prior to signing the mylar
- Mylar shall be signed and recorded within 180 days of decision

Prior to issuance of zoning permits

- LUA shall confirm all decision conditions have been met

Notes:

- Driveway existing prior to submission of Sketch Plan Review application
- Does not include development plans
- No date or north arrow
- Statewide ag soils in northeast

Subdivision Standards Checklist

- 310 General Standards
 - 310.1 – No undue adverse impacts on public health or safety, neighboring properties, rural character and natural resources or to the environment.
 - 310.2 – Uses least amount of roadway, water, and utility line.
 - 310.3 – Use complies with Town Plan.
 - 310.4 – Reasonable shape and dimensions. Depth does not exceed 4 times width. Meets minimum frontage requirement.
 - 310.5 – Meets needs for landscaping and shade trees.
 - 310.6 – Minimizes grading and excavation.
- 320 Protection of Natural and Cultural Resources
 - 320.1 – PC does not need a detailed site analysis, or has been provided if needed.
 - 320.2 – Development envelopes established to protect natural & cultural resources.
 - 320.3 – Lot boundaries and development envelopes located to avoid any undue adverse impact to wetlands, floodplains, ponds, streams and rivers.
 - a. Plat shows buffers from streams and wetlands
 - b. Structures, road, driveways, and utilities located and sized to exclude above resources. Disturbance in buffers is minimized.
 - c. Buffers may be designated as open space.
 - 320.4
 - 320.5
 - a.
 - b.
 - c.
 - d.
 - 320.6
 - a.
 - b.
 - c.
 - 320.7
 - 320.8
- 330 District Settlement Patterns
 - 330.1
 - a.
 - b.
 - c.
 - d.
 - e.
- 340 Community Services
 - 340.1
 - a.
 - b.
 - c.

- 350 Utilities, Water Supply & Wastewater Disposal
 - o 350.1
 - a.
 - b.
 - c.
 - o 350.2
 - a.
 - b.
 - c.
- 360 Stormwater Management and Erosion Control
 - o 360.1
 - o 360.2
 - o 360.3
 - o 360.4
- 370 Roads, Access and Pedestrian Facilities
 - o 370.1
 - a.
 - b.
 - c.
 - o 370.2
 - a.
 - b.
 - c.
 - d.
 - e.
 - f.
 - o 370.3
 - a.
 - b.
 - c.
 - o 370.4
 - o 370.5
 - a.
 - b.
 - o 370.6
 - a.
 - b.
 - c.
 - o 370.7
 - a.
 - b.

- 1.
- 2.
- 3.
- 4.
- 5.

- c.
 - 370.8
 - 370.9
 - 370.10
 - a.
 - b.
 - 370.11
 - 370.12
 - a.
 - b.
- 380 Dedication of Open Space and Common Land
 - 380.1
 - a.
 - b.
 - c.
 - d.
 - e.
 - f.
 - g.
 - 380.2
 - 380.3
- 390 Disclosure of Subsequent Development Plans

Notes:

- Need to determine building envelope.

AGENDA ITEM

7

Town of Weathersfield Subdivision Application

Town of Weathersfield, ATTN: Land Use Administrator, P.O. Box 550, Ascutney, VT 05030

(802) 674-2626 | landuse@weathersfield.org

Property Information

Address Mountain View Drive
 Town, State, Zip Weathersfield
 Parcel ID & Zoning District 090103-4
 Lot Size (acres) 10.31
 Road Frontage (ft) 251.91
 Existing Principal Use of Land
Residential

Applicant

Name(s) Robert Vizi
 Name(s) _____
 Mailing Address 605 Hart Street
 Town, State, Zip Bridgeport, CT, 06606-4348
 Telephone # _____
 Mobile # 203-583-5327
 E-mail Address Robvizi@yahoo.com

Subdivision Details

Total Number of Parcels to be Created: 2

Parcel 1: <u>5.01</u> acres	Parcel 7: _____ acres
Parcel 2: <u>5.31</u> acres	Parcel 8: _____ acres
Parcel 3: _____ acres	Parcel 9: _____ acres
Parcel 4: _____ acres	Parcel 10: _____ acres
Parcel 5: _____ acres	Parcel 11: _____ acres
Parcel 6: _____ acres	Parcel 12: _____ acres

If more than 12 parcels, attach information on separate sheet

Landowner (if different)

Name(s) _____
 Name(s) _____
 Mailing Address _____
 Town, State, Zip _____
 Telephone # _____
 Mobile # _____
 E-mail Address _____

Road Access Information – by Parcel

	EXISTING			NON-EXISTING		
	State	Local	Easement/Right-of-way	State	Local	Easement/Right-of-way
Parcel 1:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parcel 2:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parcel 3:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parcel 4:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parcel 5:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parcel 6:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parcel 7:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parcel 8:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parcel 9:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parcel 10:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parcel 11:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parcel 12:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Permit Details – by Agency (if multiple, list all)

Wastewater Permit # : Is underway
 (ALWAYS applicable, call Regional Permit Specialist, (802) 279-4747 or john.fay@vermont.gov)
 Act 250 Permit # : 0000004908
 (IF applicable, call Act 250 District Coordinator, (802) 289-0597 or stephanie.gile@vermont.gov)

Is the subdivision for ten lots or more, or cumulatively ten lots of more in a five year period? Yes No

If yes, you must obtain an Act 250 permit for the subdivision. Contact Stephanie Gile, Natural Resources Board, Act 250 District Coordinator, District 2 at stephanie.gile@vermont.gov or (802) 289-0597

Description

In the space provided below, please provide a description of how the proposed subdivision will likely reflect the district settlement pattern where it is located (see Section 330 of the Subdivision Regulations for district settlement pattern descriptions), and how the proposed subdivision will reflect the goals and objectives set forth in the Town Plan, with particular emphasis on the Land Use section. If additional space is required, attach additional sheets to this page.

This project consists of a two-lot subdivision of an existing vacant parcel of 10.3 acres on Mountain View Drive. This vacant lot is set between 712 & 796 Mountain View Drive and is in the C-10 Conservation District. This parcel has access to utility lines and adequate space and soil for onsite water and wastewater systems. There are some wetlands on the front of the parcel, but much of the parcel is uplands. Proposed Lot 1 of 5.01 Acres +/- and 252' of frontage will have a proposed single-family residence and onsite sewer and water utilities. Lot 1 will be subject to a 50' access and utilities easement to serve Lot 2. Development will be deferred on Lot 2. Per Section 4.3.2(e) Conservation (C-10) of the Town of Weathersfield Zoning Bylaws, Adopted March 5, 1974 as amended October 21, 2013 the owner of record prior to January 4, 1994, of a lot containing at least 6 acres and less than 20 acres and which lot, under the prior bylaws was in RRR 3-5 District, shall be permitted to subdivide said lot into 2 lots, provided both lots meet the town subdivision and zoning requirements. As the applicant has owned the property since August 22, 1990, it is believed that this subdivision is allowable per the regulations.

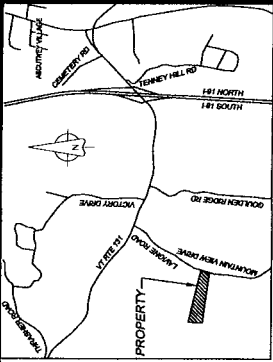
Landowner & Applicant Acknowledgements

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, Planning Commission, 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 12/3/23

Applicant Signature [Signature]
Date 12/3/23



LOCATION MAP
NOT TO SCALE

SUBJECT PROPERTY:

ROBERT VIZI
PID: 080100-4
SPAC: 78524-11883
CURRENT & NET DEED: BOOK 78 PAGE 117

SURVEYORS NOTES:

- THIS SURVEY WAS CONDUCTED BY USE OF A TRIMBLE SB PRODOTS TOTAL STATION, A GEOMAX ZOOM 80 TOTAL STATION, OR A GEOMAX ZENTHIS PRO GNSS RECEIVER WITH A PRECISION WITHIN ACCEPTED STANDARDS.
- THIS SURVEY IS BASED ON DEEDS AND SURVEYS OF RECORD, PHYSICAL EVIDENCE LOCATED, AND INFORMATION PROVIDED BY OWNERS AND ADJUTERS.
- ENCROACHMENTS, IF ANY, ARE AS SHOWN HEREON.
- ONLY EASEMENTS AND/OR RIGHTS-OF-WAY ENCOUNTERED DURING RECORD RESEARCH NECESSARY TO DETERMINE PARCEL BOUNDARIES HAVE BEEN DEPICTED HEREON. THE PROPERTY MAY BE SUBJECT TO OTHER EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS AND RESERVATIONS.
- BEARINGS SHOWN HEREON ARE STATE PLANE GRID NORTH BASED ON POST PROCESSED (DPOSS-AND) OBSERVATIONS ON JULY 22, 2023. BEARINGS ARE INCLUDED ONLY TO DEPICT THE ANGLE AS BEING MEASURED AT THE POINT. BEARINGS WILL BE NOTED DUE TO DIFFERING MERIDIANS OR METHODOLOGIES, BUT ARE NOT INDICATIVE OF A CHANGE IN BOUNDARY LOCATION.
- THE RIGHT-OF-WAY OF MOUNTAIN VIEW DRIVE IS BASED ON SURVEYS OF RECORD AND MONUMENTATION FOUND, WHERE UNMONUMENTED, A THREE ROD WIDTH BASED ON THE OBSERVED CENTERLINE IS ASSUMED PURSUANT TO 19-VSA-32. NO OPINION IS OFFERED AS TO THE OWNERSHIP OF THE LAND BETWEEN THE RIGHT OF WAY LINES AS SHOWN HEREON AND THE CENTERLINE OF SAID ROAD.
- THOUGH THE RECORD PLAT DISTANCES SHOWN ON REFERENCE #1 VARY SOMEWHAT (APPROXIMATELY 1% +/-) FROM THOSE MEASURED BY THIS FIRM FOR THIS SURVEY, WE BELIEVE THAT THE CORNER MONUMENTS AND STONE WALL INTERSECTIONS FOUND ARE THE TRUE CORNERS.
- PER SECTION 4.3.2(B) CONSERVATION (C.18) OF THE TOWN OF WEATHERSFIELD ZONING BYLAWS, ADOPTED MARCH 15, 1974 AS AMENDED OCTOBER 21, 2013, THE MINIMUM REQUIREMENT FOR CONSERVATION LOT, UNDER THE PRIOR BYLAWS WAS IN RRR 3.5 DISTRICT, SHALL BE PERMITTED TO SUBDIVIDE SAID LOT INTO 2 LOTS, PROVIDED BOTH LOTS MEET THE TOWN SUBDIVISION AND ZONING REQUIREMENTS.

REFERENCES:

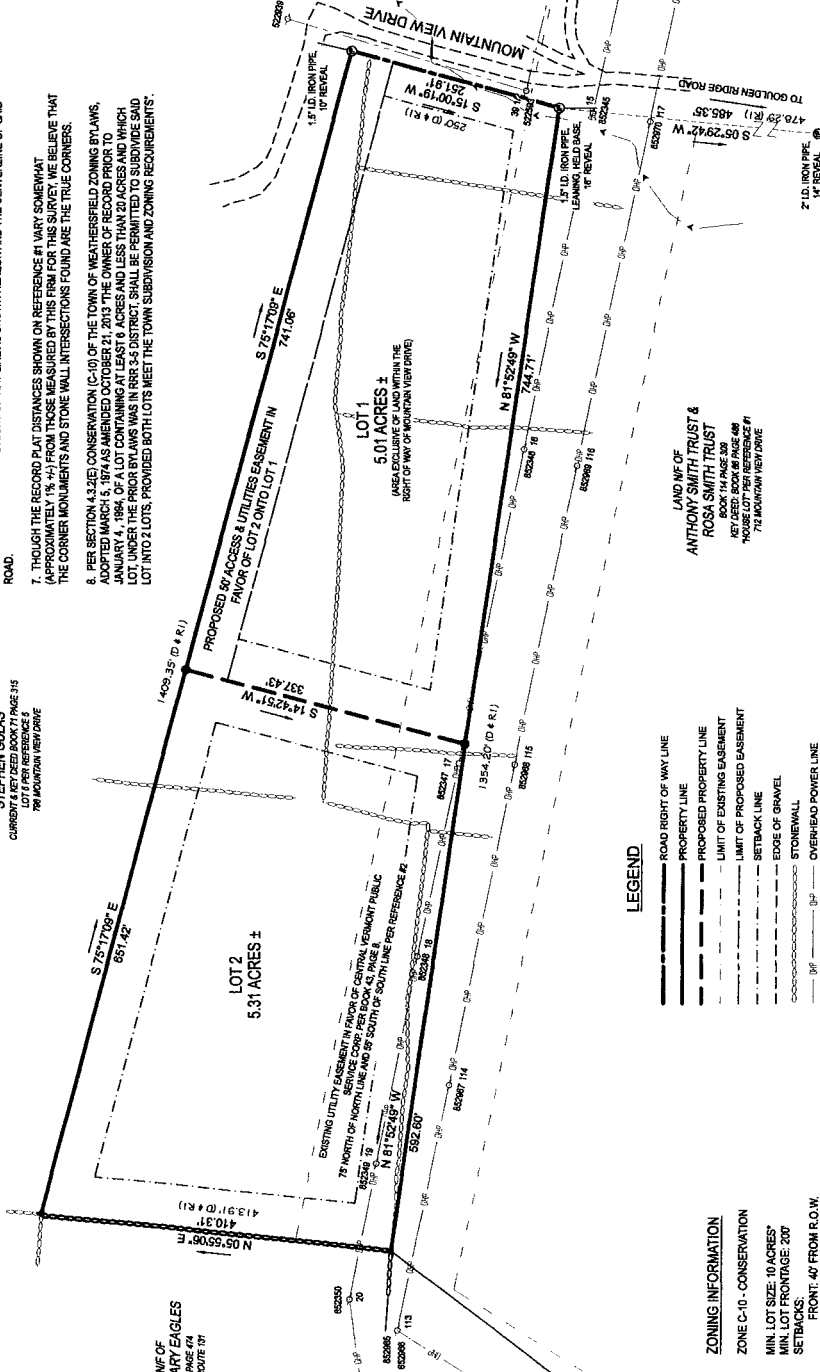
- A PLAN ENTITLED "LAND SURVEY FOR FARNWORTH-ECKERT (THE ELSA CHAMBERS ESTATE) WEATHERSFIELD, VERMONT" BY FARNWORTH SURVEYS, ROBERT FARNWORTH, DATED MAY 16, 1988 AS FOUND IN THE TOWN OF WEATHERSFIELD LAND RECORDS, SUE 54, MAP # 16.
- A PLAN ENTITLED "CENTRAL VERMONT PUBLIC SERVICE CORP. SPRINGFIELD - ASCUTNEY 4.6 KV TRANSMISSION LINE, MILE 7.7 BY THE, DATED MAY 25, 1987 PROVIDED BY GREEN MOUNTAIN POWER.

LAND NF OF
STEPHEN GULAS
BOOK 74 PAGE 115
LOT 152
78 MOUNTAIN VIEW DRIVE

LAND NF OF
DENNIS & MARY EAGLES
BOOK 74 PAGE 116
LOT 174

LAND NF OF
KELLY POWERS-DUMONT
BOOK 80 PAGE 286
NET DEED: BOOK 80 PAGE 249
KEY DEED: BOOK 80 PAGE 250
280 MOUNTAIN VIEW DRIVE

LAND NF OF
ANTHONY SMITH TRUST
ROSA SMITH TRUST
BOOK 14 PAGE 300
NET DEED: BOOK 68 PAGE 489
KEY DEED: BOOK 68 PAGE 491
719 MOUNTAIN VIEW DRIVE



ZONING INFORMATION

ZONE C-10 - CONSERVATION
MIN. LOT SIZE: 10 ACRES*
MIN. LOT FRONTAGE: 200'
SETBACKS:
FRONT: 40' FROM R.O.W.
REAR: 50'
MAX BUILDING HEIGHT: 35'

*SEE ZONING BYLAWS, SECTION 4.3.2(B)

LEGEND

- ROAD RIGHT OF WAY LINE
- PROPERTY LINE
- PROPOSED PROPERTY LINE
- LIMIT OF EXISTING EASEMENT
- LIMIT OF PROPOSED EASEMENT
- SETBACK LINE
- EDGE OF GRAVEL
- STONEWALL
- OVERHEAD POWER LINE
- TIE LINE
- IRON PIPE FOUND (G.A., RT)
- #6 REBAR SET W.I.D. CAP
- UTILITY POLE
- PER DEED
- PER REFERENCE #
- NOW OR FORMERLY

CERTIFICATION

I HEREBY CERTIFY THAT THIS PLAT AND THE SURVEY ON WHICH IT IS BASED, WAS CONDUCTED IN ACCORDANCE WITH THE PARCEL RECORDS DEPARTMENT AS REQUIRED BY THE BEST OF MY KNOWLEDGE AND BELIEF, AND CONFORMS WITH THE REQUIREMENTS SET FORTH IN 26 V.S.A.S 2598. THE SURVEY WAS CONDUCTED UNDER MY DIRECT SUPERVISION BY METHODS NOTED HEREON WITH A PRECISION WITHIN ACCEPTED STANDARDS FOR THIS CLASS OF SURVEY.

PRELIMINARY 10/19/23

WILLIAM R. CHASE RLS. #642 VERMONT

NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYORS SEAL

SUBDIVISION RESURVEY

ROBERT VIZI
MOUNTAIN VIEW DRIVE
WEATHERSFIELD, VERMONT

SCALE: 1" = 100' DATE: 7/26/23 PROJ.# 2023.003 DWG.# 230818
DRAWN BY: TOM [CHECKED BY: WRC] FRPR.# 24/LEB SHEET BURY1



301 North Main Street, Suite 1
Barre, Vt., 05641
802-479-9636

Surveyors & Designers, Inc

GRAPHIC SCALE



1" = 100'

Town of Weathersfield

Date: 12/13/2023 Time: 14:39:30

Clerk: osavage

Account: 090103-4

Name: VIZI ROBERT A

Comments:

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

TOTAL 100.00

Check 101

Thank you

BLANK

Subdivision Checklist

Prior to Sketch Plan Review

- Application for sketch plan review has been received.
- No land clearing, land development, or construction has begun.
- No permits have been issued for land development involving land to be subdivided.
- Application meets district dimensional standards
- Application reviewed for completeness
 - o Check against Table 2.1

Required Elements	Boundary Adjustment	Sketch Plan	Final Plan
(A) Application Information			
Application Form (Number of Copies)	<input type="checkbox"/> 1	<input checked="" type="checkbox"/> 1	<input type="checkbox"/> 1
Application Fee	<input type="checkbox"/> X	<input checked="" type="checkbox"/> X	<input type="checkbox"/> X
Name of project	<input type="checkbox"/> X	<input checked="" type="checkbox"/> X	<input type="checkbox"/> X
Name, address of applicant (landowners and subdivider, if different)	<input type="checkbox"/> X	<input checked="" type="checkbox"/> X	<input type="checkbox"/> X
Written description of proposed development plans, including number and size of lots, and the general timing of development		<input checked="" type="checkbox"/> X	<input type="checkbox"/> X
Waiver requests, in writing (optional)			<input type="checkbox"/> X
Evidence of written notification of intent to subdivide to abutters; to include copies of any waiver request if any *			<input type="checkbox"/> X
(B) Plan/Plat Mapping Requirements			
Plat & any other required construction drawings or plans (18"X24")	<input type="checkbox"/> 1 Paper Plat	<input checked="" type="checkbox"/> 1 Paper Plan (11"X17")	<input type="checkbox"/> 2 Paper Plat
Subdivision Name/Title, Municipality, Name & Address of Record Owner(s)/Applicant(s)	<input type="checkbox"/> X	<input checked="" type="checkbox"/> X	<input type="checkbox"/> X
Date, North Arrow, Legend	<input type="checkbox"/> X	<input checked="" type="checkbox"/> X	<input type="checkbox"/> X
Preparer Information, Revision Dates, Certifications	<input type="checkbox"/> X	<input checked="" type="checkbox"/> X	<input type="checkbox"/> X
Scale (not greater than 1 inch = 200' unless waived for large parcels)	<input type="checkbox"/> X	<input checked="" type="checkbox"/> X	<input type="checkbox"/> X
Project boundaries and property lines	<input type="checkbox"/> X	<input checked="" type="checkbox"/> Sketch	<input type="checkbox"/> Surveyed
Existing and proposed lot lines, Dimensions, Lot numbers	<input type="checkbox"/> X	<input checked="" type="checkbox"/> Sketch	<input type="checkbox"/> Surveyed
Adjoining land uses, roads and drainage	<input type="checkbox"/> X	<input type="checkbox"/> X	<input type="checkbox"/> X
Zoning district designations and boundaries	<input type="checkbox"/> X	<input checked="" type="checkbox"/> X	<input type="checkbox"/> X
Location of significant natural features, including but not limited to:	<input type="checkbox"/> Specific boundaries	<input checked="" type="checkbox"/> General locations based on available maps and data	<input type="checkbox"/> Specific boundaries, unless waived because of limited potential impact
- slopes with a gradient of 25% or greater;			
- critical wildlife habitat;			
- historic sites and features, including stone walls;			
- flood hazard areas, surface waters, wetlands and associated buffer areas; and,			
- other significant geologic features and landforms, including prominent knolls and ridgelines.			
Existing and proposed elevations, contour lines within 100 feet of any site development (e.g. driveway) and development envelope *			<input type="checkbox"/> 5' intervals
Existing and proposed roads, paths, parking areas, associated rights-of-way or easements	<input type="checkbox"/> Surveyed	<input checked="" type="checkbox"/> Sketch	<input type="checkbox"/> Surveyed
Proposed utilities, water and wastewater systems and associated rights-of-way or easements *	<input type="checkbox"/> X		<input type="checkbox"/> X
Proposed development envelopes *			<input type="checkbox"/> X
Monument locations shown on plat & set in the ground	<input type="checkbox"/> X		<input type="checkbox"/> X
Road profiles; road, intersection and parking area geometry and construction schematics *			<input type="checkbox"/> X
Proposed landscaping and screening *			<input type="checkbox"/> X

Proposed conservation buffer and/or easement areas *			<input type="checkbox"/> X
Notation prepared in accordance with Section 460	<input type="checkbox"/> X		<input type="checkbox"/> X
Reduced (11" x 17") copies of proposed plan [number of copies]	<input type="checkbox"/> ?		<input type="checkbox"/> ?
(C) Supporting Information and Documentation			
Site location map showing proposed subdivision in relation to major roads, drainage ways and adjoining properties	<input type="checkbox"/> X	<input checked="" type="checkbox"/> X	<input type="checkbox"/> X
Statement of compliance with the Town Plan and applicable local regulations	<input type="checkbox"/> X	<input checked="" type="checkbox"/> X	<input type="checkbox"/> X
Written request to the Select Board for a preliminary determination of the Town's willingness to accept any streets, utilities or other community facilities for the subdivision			<input type="checkbox"/> X
Engineering reports (water and wastewater systems)			<input type="checkbox"/> X
Existing and proposed traffic generation rates and volumes *			<input type="checkbox"/> X
Off-site easements (for water, wastewater, access, etc.) *		<input type="checkbox"/> Description	<input type="checkbox"/> Final
Proposed phasing schedule *		<input type="checkbox"/> Description	<input type="checkbox"/> Final
Proposed covenants and/or deed restrictions *		<input type="checkbox"/> Description	<input type="checkbox"/> Final
Proposed homeowner or tenant association or agreements *		<input type="checkbox"/> Description	<input type="checkbox"/> Final
Proposed performance bond or surety *			<input type="checkbox"/> X
Copy of all other local permits or pending applications	<input type="checkbox"/> X		<input type="checkbox"/> X
VTrans access permit letter of intent	<input type="checkbox"/> X		<input type="checkbox"/> X
VT ANR Project Review Sheet	<input type="checkbox"/> X		<input type="checkbox"/> X
(D) The Planning Commission may require the additional information depending upon the scope and location of the proposed project, including but not limited to the following:			
<input type="checkbox"/> Stormwater management and erosion control plans.			
<input type="checkbox"/> Grading plan (showing proposed areas of cut and fill)			
<input type="checkbox"/> Building footprints			
<input type="checkbox"/> Traffic impact analysis (current and proposed traffic volumes, capacities, levels of service, proposed improvements).			
<input type="checkbox"/> Open space management plan			
<input type="checkbox"/> Visual impact analysis and mitigation plan			
<input type="checkbox"/> Site reclamation plan (for subdivisions involving extraction)			
<input type="checkbox"/> Wildlife habitat impact assessment and mitigation plan			
<input type="checkbox"/> Master plan for very large subdivisions or subdivisions or very large parcels			
<input type="checkbox"/> Fiscal impact analysis (analysis of financial costs and benefits to the Town)			
<input type="checkbox"/> Other information or studies necessary for the Commission or Board to conduct a comprehensive review.			
* Upon written request may be waived by the Planning Commission or Zoning Board of Adjustment in accordance with Section 210(E)			

- Fees have been paid
- Sketch on survey if existing
- Should applicant meet with municipal representatives? [Not at this time](#)

During Sketch Plan Review

- Does the PC waive:
 - PUD Standards for PUD subdivisions
 - Items in Table 2.1

Following Sketch Plan Review

- PC issues recommendations within 30 days
- Applicant to submit application for Final Plat Review within 1 year

Prior to Final Plat Review

- Application for Final Plat Review has been received.
- Application reviewed for completeness
 - o Check against Table 2.1
 - o Fees have been paid
 - o Other PC requests from sketch plan decision fulfilled
 - o Permit navigator form has been completed to indicate other State and Federal permits
 - o Other Town permits have been applied for
- Site visit scheduled if necessary.

Following Final Plat Approval

- PC issues decision within 45 days of closing the hearing
- Monuments shall be placed prior to signing the mylar
- Mylar shall be signed and recorded within 180 days of decision

Prior to issuance of zoning permits

- LUA shall confirm all decision conditions have been met

Notes:

- Missing adjoining land uses
- Missing statement of compliance
- Request to waive certain supporting documents
- Highway access permit needed?
- Waiting for WW permit
- Final plat will need permit navigator results
- Minimum acreage not met, invoking 1994 C-10 district change clause

Subdivision Standards Checklist

- 310 General Standards
 - 310.1 – No undue adverse impacts on public health or safety, neighboring properties, rural character and natural resources or to the environment.
 - 310.2 – Uses least amount of roadway, water, and utility line.
 - 310.3 – Use complies with Town Plan.
 - 310.4 – Reasonable shape and dimensions. Depth does not exceed 4 times width. Meets minimum frontage requirement.
 - 310.5 – Meets needs for landscaping and shade trees.
 - 310.6 – Minimizes grading and excavation.
- 320 Protection of Natural and Cultural Resources
 - 320.1 – PC does not need a detailed site analysis, or has been provided if needed.
 - 320.2 – Development envelopes established to protect natural & cultural resources.
 - 320.3 – Lot boundaries and development envelopes located to avoid any undue adverse impact to wetlands, floodplains, ponds, streams and rivers.
 - a. Plat shows buffers from streams and wetlands
 - b. Structures, road, driveways, and utilities located and sized to exclude above resources. Disturbance in buffers is minimized.
 - c. Buffers may be designated as open space.
 - 320.4
 - 320.5
 - a.
 - b.
 - c.
 - d.
 - 320.6
 - a.
 - b.
 - c.
 - 320.7
 - 320.8
- 330 District Settlement Patterns
 - 330.1
 - a.
 - b.
 - c.
 - d.
 - e.
- 340 Community Services
 - 340.1
 - a.
 - b.
 - c.

- 350 Utilities, Water Supply & Wastewater Disposal
 - 350.1
 - a.
 - b.
 - c.
 - 350.2
 - a.
 - b.
 - c.
- 360 Stormwater Management and Erosion Control
 - 360.1
 - 360.2
 - 360.3
 - 360.4
- 370 Roads, Access and Pedestrian Facilities
 - 370.1
 - a.
 - b.
 - c.
 - 370.2
 - a.
 - b.
 - c.
 - d.
 - e.
 - f.
 - 370.3
 - a.
 - b.
 - c.
 - 370.4
 - 370.5
 - a.
 - b.
 - 370.6
 - a.
 - b.
 - c.
 - 370.7
 - a.
 - b.

- 1.
- 2.
- 3.
- 4.
- 5.

- c.
 - 370.8
 - 370.9
 - 370.10
 - a.
 - b.
 - 370.11
 - 370.12
 - a.
 - b.
- 380 Dedication of Open Space and Common Land
 - 380.1
 - a.
 - b.
 - c.
 - d.
 - e.
 - f.
 - g.
 - 380.2
 - 380.3
- 390 Disclosure of Subsequent Development Plans

Notes:

-

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>
1.			
PUD Review – Habitat for Humanity	12/11 Per applicant’s request, hearing continued by PC to 1/22.	Hearing is scheduled to be continued on 1/22	Applicant will get requested information for review
2.			
Town Plan Amendment – Energy Section	12/11 PC voted to accept the amendment and send to the Selectboard for approval.	Awaiting review by SB.	If SB votes to adopt the changes are effective immediately.
3.			
Town Plan Amendment – Required Changes	First discussion at 12/11 PC meeting. Halle to review needed changes.	Halle will prepare changes to one of the sections to be reviewed by the PC.	Board to work with Halle on various updates.
4.			
Aquifer Protection Overlay District	Language as existing was formatted into the bylaws. Discussion tabled to 1/8.	Awaiting review by PC. Waiting on CAI to add layer to zoning map.	Review language and map.
5.			
Zoning Bylaws Amendment – PUD Review	Table by district was added and some language changes.	Awaiting review by PC. Further changes will be necessary.	Review LUA’s changes, discuss further. Once finalized, warn bylaw amendment hearing.
6.			
Zoning Bylaws Amendment – Private Airstrips & Helipads	Brian provided resources and suggested a simple change to add new prohibited use in use tables. Ryan sent amendment materials to required parties for 30-day notice.	Hearing to be warned for 1/8	Vote to submit to Selectboard

Future Projects:

1. 2024 – Planning – Update Scenic Resources section of Town Plan
2. March 11, 2024 – Zoning – Create Airport overlay district
3. 2024 – Discussion – Affordable housing
4. 2024 – Discussion – Short-term rentals, landlord & tenant rights
5. 2024 – Discussion – Small lots and setbacks
6. 2024 – Zoning – Add “Mixed Use” to Use Tables
7. 2024 – Zoning – Update Floodways and Floodplains language
8. 2024 – Planning – Update Future Land Use Map in Town Plan
9. 2024 – Discussion – Work with Fire and Police Departments on Standards for development

AGENDA ITEM

9

PUBLIC HEARING

Zoning Bylaw Amendment – Private Airstrips and Helipads

January 8, 2024

Item 1: Public Hearing Notice

Item 2: Bylaw Adoption Checklist

Item 3: Bylaw Amendment Public Hearing Checklist

Item 4: Newspaper Ad Tearsheet

Item 5: DHCD Confirmation of Receipt

Item 6: MARC Confirmation of Receipt

Item 7: Certified Mailings Receipts

Item 8: Bylaw Amendment – Proposed Changes

Item 9: Bylaw Reporting Form

Item 10: Letter from VT Transportation Board



TOWN OF WEATHERSFIELD

LAND USE ADMINISTRATOR'S OFFICE

(802)674-2626

P.O. BOX 550 ASCUTNEY, VT 05030

landuse@weathersfield.org

Planning Commission

NOTICE OF PUBLIC HEARING

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

Remote option – Zoom details below

Monday, January 8, 2024 – 6:30 PM

A public hearing before the Weathersfield Planning Commission will be held at the Town Office in Ascutney on Monday, January 8, 2024, at 6:30 PM to consider the following amendments to the Zoning Bylaws:

Statement of Purpose

The purpose of making the proposed amendments is to prohibit the use of Private Airstrips and Helipads in the Town of Weathersfield. Please see the Reporting Form available at the Town Office.

Geographic Areas Affected

All lands within the Town of Weathersfield are affected by these amendments.

Sections Headings

Article 2: Zoning Districts and District Standards

Article 7: Definitions

The above amendment and Reporting Form are available for inspection at the Town Office in Ascutney. Persons wishing to be heard and participate in the hearing may do so in person or be represented by an agent or attorney. Communications about the above amendments may be filed in writing with the Land Use Administrator 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.

BLANK

CERTIFICATE OF MUNICIPAL BYLAW
___ADOPTION ___AMENDMENT ___REPEAL

I, _____, Clerk of the Town/Village/City of _____, in _____ County, State of Vermont, do hereby certify pursuant to 24 VSA, §§ 4441, 4442, 4444, and 4447 that the following actions were taken by the designated parties with the respect to the adoption/amendment/repeal of the proposed municipal bylaw for the Town of _____, of which the attached is a true copy.

Signed: _____
Date: _____

Attach herewith all documentation, tear sheets, notices, etc. resulting from and confirming this adoption process.

I PLANNING COMMISSION HEARING(S), SUBMITTALS

A) Transmittal of Proposed Plan/Amendment/Repeal

Deadline for action: 30 days prior to first hearing date (a.k.a. 30 day notice)

Mail by **certified mail, return receipt**, or delivered with proof of receipt, **or by email with delivery receipt** copies of each of the following:

- proposed plan/amendment/repeal; hearing notice;
 report; and solicitation for comments

To:

- Planning Commission chairs of adjoining municipalities (or municipal clerk if no planning commission exists)
 - Town of Springfield
96 Main Street
Springfield, VT 05156
 - Town of Chester
P.O. Box 370
Chester, VT 05143
 - Town of Baltimore
1902 Baltimore Road
Baltimore, VT 05143
 - Town of Cavendish
P.O. Box 126
Cavendish, VT 05142
 - Town of Reading
P.O. Box 72
Reading, VT 05062
 - Town of West Windsor
P.O. Box 6
Brownsville, VT 05037
 - Town of Windsor
P.O. Box 47
Windsor, VT 05089
- Executive Director, (*Name and address of Regional Planning Commission*)
Jason Rasmussen - Mount Ascutney Regional Commission
P.O. Box 320
Ascutney, VT 05030-0320
- DHCD, *electronic submissions only*. See instructions: <http://accd.vermont.gov/community-development/town-future/plans-bylaws>
- Interested groups who requested notice in writing. (List groups)

Statutory reference(s): §4384(e)
Mailing Date: 11/29/2023

Initialed: _____

On file: copy of proposed plan/amendment/repeal, hearing notice and report as mailed

B) Hearing Notice

Deadline for action: 15 days prior to first hearing date

The planning commission shall hold at least one public hearing on the proposed bylaw/amendment/repeal following 15 days notice. All hearings must be warned in accordance with the notice requirements under §§4441(d) and 4444. *Note: In calculating the warning/notice period, the first day shall not be counted, and the final day shall be counted.*

The planning commission has two options under §4444:

1. Publication in a newspaper of general circulation and posting a notice in three places in the municipality one of which must be in or near the clerk's office including date, time, place and purpose of the hearing, with either the full text of the material, **or** a summary, including a statement of purpose, geographic areas affected, table of contents/listing of section headings, and a description of the place within the municipality where the full text and/or maps may be examined; *or*
- ~~2. Publication in a newspaper of general circulation designated by the legislative body and posting a notice in three places in the municipality one of which must be in or near the clerk's office including date, time, place, and purpose of the hearing; and mailing or delivery of the hearing notice with copies of the full text or a summary (as noted above), to each voter on the voter checklist, and to each landowner on the grand list.~~

Statutory reference(s): §4444
Posting Dates: 12/6/2023 *Version Warned* 1
Municipality (2 locations minimum) Perkinsville PO & Ascutney PO
Municipal Clerk's Office Yes
Newspaper: Eagle Times Publication Date _____

AND, either:

- 1) Post the full text or a summary including: a statement of purpose; geographic areas affected; table of contents/listing of section headings; and a description where the full text may be examined;

OR

- ~~2) mail/deliver to each voter on the voter checklist and each landowner on the grand list:
 the hearing notice; a copy of the full text; **or** summary **Initialed:** _____~~

On file: _____ copies of posted and published notices, dated copy of proposed plan/amendment/repeal as warned, copies of voter checklist and grand list, if applicable

C) Planning Commission Hearing

Deadline for action: 15 days after notice publication

As noted, the planning commission must hold at least one public hearing, following public notice, on the proposed bylaw/amendment/repeal as warned. *Note: No changes may be made between the time the public notice is posted/published and the public hearing.*

Statutory reference(s): §§4441 (d), 4444
Hearing Date: January 8, 2024
Location: Martin Memorial Hall

On file: board minutes; comments submitted

D) Submittal of proposed bylaw/amendment/repeal to the legislative body and clerk.

Deadline for action: *After planning commission’s changes to the proposed bylaw/amendment/repeal and any written report unless supported by petition or requested by legislative body in which case the planning commission must promptly submit the amendment and only those changes necessary to correct any technical deficiencies along with any recommendations or opinions the planning commission considers appropriate.*

The planning commission may make changes to the proposed bylaw/amendment/repeal and to any written report and thereafter submit them to the legislative body. Simultaneous with its submissions the planning commission shall file with the clerk of the municipality a copy of the proposed bylaw/amendment/repeal and written reports as submitted to the legislative body, for public review.

Statutory reference(s): §4441(g)

Filing Date: _____

Initialed: _____

On file: dated copy of proposed bylaw/amendment/repeal with revisions, reports as submitted by the planning commission to the legislative body and clerk following final planning commission hearing

II. LEGISLATIVE HEARING(s)

A) Changes to proposed bylaw/amendment/repeal

Deadline for action: *15 days prior to final hearing date*

The legislative body may change the proposed bylaw/amendment/repeal, but shall not do so less than 14 days prior to the final public hearing. If substantial changes are made in the concept, meaning, or extent of the proposed bylaw/amendment/repeal, it shall warn a new public hearing(s). If any part of the proposal is changed, the change shall be filed at least 10 days prior to the public hearing with the municipal clerk and with the planning commission. The planning commission shall amend its report to reflect the changes made and submit it thereon to the legislative body prior to or at the public hearing.

Statutory reference(s): §§4442

Filing Date: _____ **Initialed:** _____

On file: copy of proposed changes as warned, and filed with clerk and planning commission. Planning commission report if submitted prior to hearing

B) Hearing Notice

Deadline for action: *15 days prior to the first hearing date*

Not less than 15 nor more than 120 days after a proposed bylaw/amendment/repeal is submitted to the legislative body of the municipality, the legislative body shall hold one or more public hearings, following 15 days public notice, on the proposed bylaw/amendment/repeal. All hearings must be warned in accordance with the notice requirements under §4444. The legislative body must make copies of proposal and written report by PC available to the public upon request. *Note: In calculating the warning/notice period, the first day shall not be counted, and the final day shall be counted.*

The legislative body has two options under §4444

- 1) Publication in a newspaper of general circulation and posting a notice in three places in the municipality one of which must be in or near the clerk's office including date, time, place and purpose of the hearing , with either the full text of the material, **or** a summary, including a statement of purpose, geographic areas affected, table of contents/listing of section headings, and a description of the place within the municipality where the full text and/or maps may be examined; *or*
- 2) Publication in a newspaper of general circulation designated by the legislative body and posting a notice in three places in the municipality one of which must be in or near the clerk's office including date, time, place, and purpose of the hearing; and mailing or delivery of the hearing notice with copies of the full text or a summary (as noted above), to each voter on the voter checklist, and to each landowner on the grand list.

Statutory reference(s): §§4442 and 4444

Posting Dates: _____ *Version Warned* _____

Municipality (2 locations minimum) _____

Municipal Clerk's Office _____

Newspaper: _____ **Publication Date** _____

AND, either:

- 1) post the full text or a summary including: a statement of purpose; geographic areas affected; table of contents/listing of section headings; and a description where the full text may be examined;

OR

- 2) mail/deliver to each voter on the voter checklist and each landowner on the grand list:

the hearing notice; a copy of the full text; **or** summary **Initialed:** _____

On file: copies of posted and published notices, dates copy of proposed plan/amendment/repeal with planning commission report, as warned, copies of vote checklist and grand list, if applicable

C) Legislative Body Hearing(s).

Deadline for action: *not less than 15 nor more than 120 days following submission by the planning commission (for the first hearing); as warned*

As noted, not less than 15 nor more than 120 days after a proposed bylaw/amendment/repeal is submitted to the legislative body, it shall hold the first of one or more public hearings, after public notice on the proposed bylaw/amendment/repeal. Also as noted above, if the legislative body makes any substantial changes, it shall warn a new public hearing or hearings and file the proposed changes with the clerk and planning commission at least 10 days prior to the final public hearing as warned. *Note: Failure to hold a hearing within 120 day period does not invalidate the adoption of the bylaw/amendment/repeal.*

Statutory reference(s): §§4442 and 4444

Hearing Date(s): _____

Locations: _____

Initialed: _____

On file: record of proceedings, attendance, planning commission report as submitted

III. ADOPTION OF MUNICIPAL BYLAW/AMENDMENT/REPEAL

A) Legislative Body Adoption.

Deadline for action: *Within one year of date of final planning commission hearing*

Bylaws, amendments, and/or repeals, unless otherwise noted under subsection III. B and C (Australian ballot options and exceptions to routine adoptions) shall be adopted or rejected by a majority of the member of the legislative body at a meeting which is held after final public hearing, and shall be effective 21 days after adoption, unless petitioned for popular vote (see below).

Statutory reference(s): §4442(c)

Date of Meeting/Vote: _____

Action: Adopted Rejected **Initialed:** _____

On file: meeting minutes, record of vote, dated copy of proposed bylaw/amendment/repeal as accepted or rejected by legislative body

- (1) Petition for Popular Vote. A vote by the legislative body on a bylaw, amendment, or repeal shall not take effect if five percent of the voters of the municipality petition for a meeting of the municipality to consider the bylaw, amendment, or repeal, and the petition is filed within 20 days of the vote. In that case, a meeting of the municipality shall be duly warned for the purpose of acting by Australian ballot upon the bylaw, amendment, or repeal.

Statutory reference(s): 24 V.S.A., §4442(d)

Deadlines for action: petition filed within 20 days of vote

Date petition filed: _____

Within 20 days: Yes No

Validity confirmed by: _____

Date: _____

Date of Meeting/Vote: _____

Posting Date: _____ NA

Publication Date: _____ NA

Procedures for adoption by Australian Ballot have been certified and are included under separate attachment.

Action: Adopted _____ Rejected _____ **Initialed:** _____

On file: copy of petition; certification of action by Australian Ballot with attached documentation; dated copy of bylaw as adopted/rejected by voters

B) Australian Ballot Options (*legislative body may put the bylaw before the voters for adoption via Australian Ballot, or a rural municipality with a population of less than 2,500 that has previously elected at a special or regular town meeting to require bylaws/ amendments/repeals be adopted by Australian ballot*)

A proposed bylaw, amendment or repeal for a municipality shall be adopted or rejected by the vote of the municipality by Australian Ballot (17 VSA, §2641) at the next regular or special town meeting duly warned and held after final public hearing. The adoption or rejection shall be effective immediately.

Vote by Australian Ballot. Questions voted on by Australian Ballot must be warned according to 17 VSA, §2641. The warning must be posted in **two** locations, and in or near the municipal clerk’s office. The warning must also be distributed using one of the following methods:

- published in a newspaper designated by the legislative body; or
- published and distributed as a warned article in the municipal report; or
- otherwise distributed in written form to all town or city postal patrons at least 10 days before the meeting.

Note: A public informational hearing is not required for bylaws adopted via Australian ballot; however, if the town would like to hold a public informational hearing it may.

Statutory reference(s): Title 17 V.S.A., §§2641 and 2642
Deadlines for action: Posting: not less than 30 nor more than 40 days prior to vote; and
Publication, newspaper: at least 5 days prior to vote; or
Publication, report: distributed at least 10 days prior to meeting
Vote: within one year of date of final planning commission hearing.

Posting Dates:
Municipality (2 locations minimum) _____
Municipal Clerk's Office _____
Newspaper: _____ **Publication Date** _____
Meeting/Vote Date: _____
Action: Adopted Rejected
Initialed: _____

On file: copy of notice as posted, published, meeting minutes, record of vote; dated copy of proposed plan/amendment/repeal as accepted or rejected by voters

D. Exceptions to routine adoptions

Petition for action past one-year deadline

As noted, if a bylaw, amendment or repeal is not approved or rejected by the municipality within one year of the date of the final planning commission hearing, it shall be considered disapproved unless 5 percent of the voters of the municipality petition for a meeting of the municipality to consider the bylaw, amendment or repeal, and the petition is filed within 60 days of the end of that year. In that case, a meeting of the municipality shall be duly warned for the purpose of acting upon the bylaw or amendment by Australian Ballot.

Statutory reference(s): §4442(g)
Deadline for action: filing within 60 days of end of year as defined

Date petition filed: _____
Within 60 days: Yes No

Validity confirmed by: _____
Date: _____

Date of Meeting/Vote: _____

Posting Date: _____ NA

Publication Date: _____ NA

Procedures for adoption by Australian Ballot have been certified and are included under separate attachment.

Action: Adopted Rejected **Initialed:** _____

On file: copy of petition; certification of action by Australian Ballot with attached documentation; dated copy of bylaw/amendment/repeal as adopted/rejected by voters

Planning Commission Reporting Form for Municipal Bylaw Amendments

This report is in accordance with 24 V.S.A. §4441(c) which states:

“When considering an amendment to a bylaw, the planning commission shall prepare and approve a written report on the proposal. A single report may be prepared so as to satisfy the requirements of this subsection concerning bylaw amendments and subsection 4384(c) of this title concerning plan amendments. The report shall provide:(.)

(A) brief explanation of the proposed bylaw, amendment, or repeal andinclude a statement of purpose as required for notice under §4444 of this title,

(A)nd shall include findings regarding how the proposal:

- 1. Conforms with or furthers the goals and policies contained in the municipal plan, including the effect of the proposal on the availability of safe and affordable housing;*
- 2. Is compatible with the proposed future land uses and densities of the municipal plan:*
- 3. Carries out, as applicable, any specific proposals for any planned community facilities.”*

Please Note:

- ❖ The planning commission shall hold at least one public hearing within the municipality after public notice on any proposed bylaw, amendment or repeal and;
- ❖ At least **15** days prior to the first hearing, a copy of the proposed plan or amendment and the written report shall be delivered with proof of the receipt, or mailed by certified mail, return receipt requested, to each of the following:
 1. the chairperson of the planning commission of each abutting municipality, or in the absence of any planning commission in an abutting municipality, to the clerk of that abutting municipality;
 2. the executive director of the regional planning commission of the area in which the municipality is located;
 3. the Department of Economic, Housing and Community Development within the Agency of Commerce and Community Development.

- ❖ The planning commission may make revisions to the proposed bylaw, amendment, or repeal and to the written report, and shall then submit the proposed bylaw, amendment or repeal and the written report to the legislative body of the municipality. If requested by the legislative body or supported by petition the planning commission shall promptly submit the amendment with changes only to correct technical deficiencies, together with any recommendations.

- ❖ Simultaneously, with the submission, the planning commission shall file with the clerk of the municipality a copy of the proposed bylaw, amendment, or repeal, and the written report for public review.

BLANK

Bylaw Amendment Checklist for Warning a Public Hearing

- See Bylaw Adoption Checklist in Checklist folder

After 30-day transmittal to Towns, MARC, and DHCD

- Eagle Times (due by 4:00 2 days before) Print dates Tues, Thurs, Sat
 - o Email "sydney.mcallister@eagletimes.com" including date, location & purpose

Hi Syd,

Would you please publish the following hearing notice as an in-column legal notice in the Saturday, December 9, 2023 issue of the Eagle Times?

Please confirm via email and please include a copy of the ad with the bill which should be charged to the Town of Weathersfield Account #12781.

Thank you,

Ryan Gumbart
Land Use
Weathersfield, VT

NOTICE OF PUBLIC HEARING

A public hearing before the Weathersfield Planning Commission will be held at the Town Office in Ascutney on Monday, January 8, 2024, at 6:30 PM to consider the following amendments to the Zoning Bylaws:

Statement of Purpose

The purpose of making the proposed amendments is to prohibit the use of Private Airstrips and Helipads in the Town of Weathersfield. Please see the Reporting Form available at the Town Office.

Geographic Areas Affected

All lands within the Town of Weathersfield are affected by these amendments.

Sections Headings

Article 2: Zoning Districts and District Standards

Article 7: Definitions

The above amendment and Reporting Form are available for inspection at the Town Office in Ascutney. Persons wishing to be heard and participate in the hearing may do so in person or be represented by an agent or attorney. Communications about the above amendments may be filed in writing with the Land Use Administrator or at the hearing.

- Print to PDF email to newspaper, then tearsheet too
- Email Board hearing notice
- Post notices
 - o Online
 - o Town Hall
 - o Ascutney PO
 - o Perkinsville PO
- Post amendment and reporting form
 - o Online
 - o Outside front desk

BLANK



R.E. Hinkley Company

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:
Tuesdays,
Thursdays,
& Saturdays

Local News!
Local People!
Local Everything!

Our goal is
**LOCAL,
LOCAL,
AND MORE LOCAL!**

SUBSCRIBE TODAY!

MARKETPLACE

800-545-0347 | 603-543-3100 | classi@eagletimes.com *Your daily shopping resource* JOBS | AUTOS | REAL ESTATE

CITY OF CLAREMONT
PUBLIC HEARING NOTICE
For a meeting of the
CLAREMONT PLANNING BOARD
To be held on
Wednesday, December 27, 2023 at 6:30 PM
Council Chambers, City Hall
Claremont NH

NOTE DIFFERENT DAY OF MEETING

The public is hereby notified that the Claremont Planning Board will be holding a public hearing at this meeting to consider the following applications:

A. (PL 2023-00021) Robert Landry, 19 Fielding Place – Voluntary Lot Merger of parcels 145-26, 145-26-1, 146-16 and 146-17 at 384-392 Washington Street into a single lot. Zoning District: B2
B. (PL 2023-00022) Daniel Hannoush, West Springfield MA – Minor subdivision of merged lots at 384-392 Washington Street into two lots. Zoning District: B2
C. (PL 2023-00023) Daniel Hannoush, West Springfield MA – Site plan review of commercial redevelopment of two lots on (formerly) 384-392 Washington Street. Tax Map 145, lots 26 and 26-1. Zoning District: B2

Interested persons may review the applications at the Planning and Development Department at 14 North Street during normal business hours. Comments may be made at the public hearing, submitted in writing to the Claremont Planning Board at 14 North Street, Claremont NH 03743, or by email to cityplanner@claremontnh.com.

Richard Wahrlich, Chair

CLAREMONT MANOR APARTMENTS- HIRING A PART-TIME MAINTENANCE TECHNICIAN
2 Manor Drive, Claremont, NH 03743

ABOUT THE JOB:
Candidates must have comprehensive knowledge of general maintenance/carpentry functions & activities including plumbing, electrical, carpentry, drywall, painting, appliance repairs, lawn care, landscaping & snow removal. This candidate must be able to work alone and in a team environment and have good problem solving, communication & time management skills. Candidates must also be willing to after your shift ends if necessary to complete a job/task. Candidates must also have a valid driver's license, reliable transportation and have their own tools. After the probationary period has been completed you will need to be prepared to be on-call for all after hours emergency calls on nights, weekends & holidays. We are looking for a candidate that has High School Diploma, GED or equivalent preferred and we cannot hire anyone who has a felony on their record. **If you feel you would be a good candidate for the Part-time Maintenance Technician position please send your resume to kyle@srkmgmt.com or call the CMA Office at 1(603)542-9502 and ask for an application or setup an appointment to pick up an application at the office.**

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.

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 HEARING

A public hearing before the Weathersfield Planning Commission will be held at the Town Office in Acutney on Monday, January 8, 2024, at 6:30 PM to consider the following amendments to the Zoning Bylaws:

Statement of Purpose
The purpose of making the proposed amendments is to prohibit the use of Private Airstrips and Helpads in the Town of Weathersfield. Please see the Reporting Form available at the Town Office.

Geographic Areas Affected
All lands within the Town of Weathersfield are affected by these amendments.

Sections Headings
Article 2: Zoning Districts and District Standards
Article 7: Definitions

The above amendment and Reporting Form are available for inspection at the Town Office in Acutney. Persons wishing to be heard and participate in the hearing may do so in person or be represented by an agent or attorney. Communications about the above amendments may be filed in writing with the Land Use Administrator or at the hearing.

Services 1500

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

EAGLE TIMES SUBSCRIPTIONS

1 Year subscription = \$97.50
6 Month subscription = \$60.00
3 Month subscription = \$36.00
1 Month subscription = \$18.00

Call 603-543-3100

ESTATE CLEAN OUT/ BUY OUT SERVICE
We buy out or clean out household contents:

- Attics
- Basements
- Garages
- Out buildings

We buy:
•Antiques
•Quality household furniture, too!

Phone or text Greg 603-903-3069

Services 1500

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

FULTON'S SITE SERVICES, LLC "Earthworks"

Excavation
Site work,
Septic system designing
and installations
Sand & Gravel

761 US Rte. 10
Lempster, NH 03605

603-558-0250
email:
jasfulton@yahoo.com

****GARAGE DOOR**
SERVICES**

NORTH COUNTRY OVERHEAD DOORS

Garage Door Repairs
Electric Openers
Installations

Charlestown, NH
603-826-3014

Professional Services 1530

WSM Washington Street Mobil

Servicing Claremont and surrounding areas since 1981

169 Winter St.
Claremont, NH
603-542-8336

State Inspections
A/C Service
Complete Auto & Truck Repairs
Tires, batteries, brakes, oil changes, shocks, struts and much more
Specializing in Ford Diesel Truck Repairs

Major Credit Cards Accepted

ADVERTISE WITH US

Place Your:

- Yard Sale
- Garage Sale
- Church Sale

Ad In *Your* Eagle Times

Contact Sydney McAllister at Sydney.McAllister@EagleTimes.com



IMPORTANT ANNOUNCEMENT

****ADVERTISERS****
Please check your Classified ad(s) on the first day of publication for accuracy. If you find an error, we want to correct it. Call us at 603-543-3100. We recognize that we're human and sometimes make mistakes. We will correct the error and will assume the cost for the next (1) insertion. After the first day of publication, Eagle Printing is not responsible for any mistakes and is not obligated to compensate the customer.

Services 1500

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

Buy It In The Classifieds!



ADVERTISE TODAY!!!

SELECT-A-SERVICE BUSINESS & SERVICE DIRECTORY

CONSTRUCTION

Fulton's Site Services, LLC
"Earthworks"
Excavation, Site Work, Septic Systems
Designs & Installations, Sand & Gravel

761 US Route 10
Lempster, NH 03605
603-558-0250
email: jasfulton@yahoo.com



Imagine your ad here!

PLUMBING & HEATING

Coleman Plumbing & Heating

Complete Boiler & Furnace Replacement
Free Estimates
Brent Coleman (802) 875-3644



Be top of mind for your customers by advertising your business here!
Call 603-543-3100 for more information.

BLANK

RE: Weathersfield proposed zoning bylaw - hearing date?

Dodge, Alice <Alice.Dodge@vermont.gov>

Mon 11/27/2023 3:59 PM

To: Land Use <Landuse@weathersfield.org>

Dear Ryan,

Thank you for submitting Weathersfield's proposed Zoning Bylaw amendments to the Department of Housing and Community Development (DHCD). This email shall serve as proof of receipt, as required by 24 V.S.A. §4384, §4385, §4441 and §4445.

Submitted plans and bylaws will be uploaded to the searchable [Municipal Plan and Bylaw Database](#). Please remember to send DHCD and your regional planning commission a PDF of the adopted version of the bylaw within 30 days of adoption, in keeping with 24 V.S.A. § 4385 (c). Please ensure adopted [Municipal Bylaws](#) are in conformance with Act 47 of 2023 (HOME Act), which adds a requirement to submit a Bylaw Reporting Form.

Best,
Alice

Alice Dodge, (she/her) Grants Management Specialist
Community Planning + Revitalization
Department of Housing and Community Development
Vermont Agency of Commerce & Community Development
1 National Life Dr, Davis Bldg, 6th Floor | Montpelier, Vermont 05620-0501 | 802-505-3158

From: Land Use <Landuse@weathersfield.org>

Sent: Monday, November 27, 2023 1:01 PM

To: Dodge, Alice <Alice.Dodge@vermont.gov>

Subject: Re: Weathersfield proposed zoning bylaw - hearing date?

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hi Alice,

Attached is a new hearing notice. It has not been warned yet.

Also, attached is the reporting form with a changed date.

Thanks,
Ryan

From: Dodge, Alice <Alice.Dodge@vermont.gov>

Sent: Monday, November 27, 2023 11:58 AM

To: Land Use <Landuse@weathersfield.org>

Subject: Weathersfield proposed zoning bylaw - hearing date?

Hi Ryan,

I received the proposed zoning bylaw, reporting form, and notice of public hearing – thanks for uploading! Quick question, though – on the reporting form and notice of public hearing, it lists the pc hearing date as January 8, 2023 – I am assuming you meant 2024? Can you send me a new copy of those two documents with the correct date?

Thank you!

Alice

Alice Dodge, (she/her) Grants Management Specialist
Community Planning + Revitalization
Department of Housing and Community Development
Vermont Agency of Commerce & Community Development
1 National Life Dr, Davis Bldg, 6th Floor | Montpelier, Vermont 05620-0501 | 802-505-3158

BLANK

RE: Weathersfield Zoning Bylaw Amendment

Jason Rasmussen <jrasmussen@marcvt.org>

Mon 11/27/2023 11:06 AM

To: Land Use <Landuse@weathersfield.org>

Hi Ryan,

I have received these materials. Sorry for the delayed response.

Jason

From: Land Use <Landuse@weathersfield.org>
Sent: Wednesday, November 22, 2023 2:38 PM
To: Jason Rasmussen <jrasmussen@marcvt.org>
Subject: Weathersfield Zoning Bylaw Amendment

Hi Jason,

Attached are the materials for a proposed Zoning Bylaw amendment. Please confirm receipt and let me know if you have questions or comments.

The PC would like to add Private Airstrips and Helipads to the list of Prohibited Uses in all districts. A definition has also been created for the use.

Thanks,
Ryan

BLANK

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Cathy R. Archibald*

Agent
 Addressee

B. Received by (Printed Name)
Cathy R. Archibald

C. Date of Delivery

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)

- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Town of Windsor
PO Box 47
Windsor VT 05089



9590 9402 6991 1225 9382 70

2. Article Number (Transfer from service label)

7020 1810 0000 7250 0766

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Douletk*

Agent
 Addressee

B. Received by (Printed Name)
Douletk

C. Date of Delivery

11/29/23

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below:

*29 Union St
Windsor, VT
05089*

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)

- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Debby Bean*

Agent
 Addressee

B. Received by (Printed Name)
Debby Bean

C. Date of Delivery

12/18/2023

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

*1210 Baltimore Rd
Baltimore, VT 05143
Town Clerk's Residence*

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)

- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Town of Reading
PO Box 72
Reading VT 05062



9590 9402 6991 1225 9381 95

2. Article Number (Transfer from service label)

7020 1810 0000 7250 0704

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Calista Brunner*

Agent
 Addressee

B. Received by (Printed Name)

C. Date of Delivery

11/30/23

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)

- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 Town of Chester
 PO Box 370
 Chester VT 05143

2. Article Number (Transfer from service label)
 7020 1810 0000 7250 0759

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X *Amee O'Brien* Agent Addressee

B. Received by (Printed Name) C. Date of Delivery
Amee O'Brien 11/29/23

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Adult Signature Priority Mail Express®
 Adult Signature Restricted Delivery Registered Mail™
 Certified Mail® Registered Mail Restricted Delivery
 Certified Mail Restricted Delivery Signature Confirmation™
 Collect on Delivery Signature Confirmation Restricted Delivery
 Collect on Delivery Restricted Delivery Insured Mail Restricted Delivery (over \$500)

Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 Town of Cavendish
 PO Box 126
 Cavendish VT 05142

2. Article Number (Transfer from service label)
 7020 1810 0000 7250 0742

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X *A. Hedrick* Agent Addressee

B. Received by (Printed Name) C. Date of Delivery
Jemimah Hedrick NOV 29 2023

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Adult Signature Priority Mail Express®
 Adult Signature Restricted Delivery Registered Mail™
 Certified Mail® Registered Mail Restricted Delivery
 Certified Mail Restricted Delivery Signature Confirmation™
 Collect on Delivery Signature Confirmation Restricted Delivery
 Collect on Delivery Restricted Delivery Insured Mail Restricted Delivery (over \$500)

Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 Town of Springfield
 16 main St
 Springfield VT 05166

2. Article Number (Transfer from service label)
 7020 1810 0000 7250 0728

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X *Shanne Worner* Agent Addressee

B. Received by (Printed Name) C. Date of Delivery
Shanne Worner 11/29/23

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Adult Signature Priority Mail Express®
 Adult Signature Restricted Delivery Registered Mail™
 Certified Mail® Registered Mail Restricted Delivery
 Certified Mail Restricted Delivery Signature Confirmation™
 Collect on Delivery Signature Confirmation Restricted Delivery
 Collect on Delivery Restricted Delivery Insured Mail Restricted Delivery (over \$500)

Domestic Return Receipt

BLANK

2.5.1 Village (v)

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

USES THAT DO NOT REQUIRE A ZONING PERMIT: For land uses that are exempt from the zoning permit requirement see section 6.2.2. These uses may still require written notification and compliance with district setback requirements, as well as other specific regulations.

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

Permitted Principal Uses:

- Public cemetery
- Residential, Single-family
- Small enterprise^{1,3} (in keeping with the Village residential/commercial mix)
- Residential, Two-family (altered from pre-existing single-family dwelling, if no enlargement of structure; not new construction)

Permitted Accessory Uses:

- Accessory dwelling unit², Section 4.1
- Accessory use or structure
- Adult day care service², Section 4.2.2
- Residential athletic courts
- Bed and breakfast (up to 3 bedrooms for transient boarders/tourists)
- Family child care home², Section 4.2.1
- Home-based business - level 1², Section 4.5.3
- Non-agricultural ponds, Section 3.2.5
- Seasonal roadside stand, Section 4.12
- Signs, Section 3.8 (some exemptions apply)
- Residential swimming pool (in ground or aboveground)

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

Conditional Principal Uses:

- Adult day care facility^{1,2,3}, Section 4.2.2
- Family child care facility^{1,2,3}, Section 4.2.1
- Indoor or outdoor recreation facility^{1,3}
- Inn/small hotel ^{1,3}
- Medical facility^{1,3}
- Residential, Multi-family^{1,3} (three to six units)
- Public water, sewage treatment plant ^{1,3}
- School^{1,3}

- Semi-public ^{1,3} (primarily nonprofit: church, museum, library, private club, YMCA, YWCA, mortuary, etc.)
- Residential, Two-family (new construction)
- Other uses^{1,2,3} (as determined after public hearing, by the Board of Adjustment, to be of a similar type and character as those listed above and meeting the purposes of this District.)

Conditional Accessory Uses:

- Docks (for water access)
- Home-based business - level 2^{1,2}, Section 4.5.4
- Wireless communication facilities^{2,3}, Section 4.19

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

- Campground, resort, children's camp
- Contractor's storage yard (of materials, machinery, heavy equip.)
- Gasoline/service station
- Highway commercial
- Industry
- Junkyard, landfill, recycling facility (privately owned)
- Extraction of earth resources, Section 4.3
- Mobile home park, Section 4.9
- Non-highway commercial
- Self-storage facility
- Private airstrip or helipad

AREA, LAND & STRUCTURAL REQUIREMENTS:

1. Only one principal use is allowed per parcel of land.
2. Establishment of multiple principal uses on a single parcel of land requires a PUD permit.
3. Soil or terrain conditions may require larger lot sizes to satisfy Town or State public health regulations; the burden of proof of soil suitability and terrain is on the applicant. Standards for soil suitability are available from the Soil Conservation Service.

Lot area minimum: 1 acre

Lot frontage and setbacks:

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

Building Height:

Maximum Building Height: 35 feet

Notes:

- ¹ Site Plan Review required, Article 5
- ² Specific Use Standards apply, Article 4
- ³ Certificate of Occupancy required, Section 6.7

2.5.2 Hamlet (H)

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

Uses that do not require a Zoning Permit: For land uses that are exempt from the zoning permit requirement see section 6.2.2. These uses may still require written notification and compliance with district setback requirements, as well as other specific regulations.

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

Permitted Principal Uses:

- Public cemetery
- Residential, Single-family
- Small enterprise^{1,3} (in keeping with the character of the hamlet)
- Residential, Two-family (altered from pre-existing single-family dwelling, if no enlargement of structure; not new construction)

Permitted Accessory Uses:

- Accessory dwelling unit², Section 4.1
- Accessory use or structure
- Adult day care service², Section 4.2.2
- Residential athletic courts
- Bed and breakfast (up to 3 bedrooms for transient boarders/tourists)
- Family child care home², Section 4.2.1
- Home-based Business - level 1², Section 4.5.3
- Non-agricultural ponds, Section 3.2.5
- Seasonal roadside stand, Section 4.12
- Signs, Section 3.8 (some exemptions apply)
- Residential swimming pool (in ground or aboveground)

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

Conditional Principal Uses:

- Adult day care facility^{1,2,3}, Section 4.2.2
- Family child care facility^{1,2,3}, Section 4.2.1
- Indoor or outdoor recreation facility^{1,3}
- Inn/small hotel^{1,3}
- Medical facility^{1,3}
- Public water, sewage treatment plant^{1,3}
- School^{1,3}
- Semi-public^{1,3} (primarily nonprofit: church, museum, library, private club, YMCA, YWCA, mortuary, etc.)

- Other uses^{1,2,3} (as determined after public hearing, by the Board of Adjustment, to be of a similar type and character as those listed above and meeting the purposes of this District.

Conditional Accessory Uses:

- Docks (for water access)
- Home-based business - level 2^{1,2}, Section 4.5.4
- Wireless communication facilities^{2,3}, Section 4.19

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

- Campground, resort, children’s camp
- Contractor’s storage yard (materials, machinery, heavy equipment)
- Gasoline/service station
- Highway commercial
- Industry
- Junkyard, landfill, recycling facility (privately owned)
- Extraction of earth resources, Section 4.3
- Mobile home park, Section 4.9
- Residential, Multi-family
- Non-highway commercial
- Self-storage facility
- Private airstrip or helipad

Area, Land, & Structural Requirements:

1. Only one principal use is allowed per parcel of land.
2. Establishment of multiple principal uses on a single parcel of land requires a PUD permit.
3. Soil or terrain conditions may require larger lot sizes to satisfy Town or State public health regulations; the burden of proof of soil suitability and terrain is on the applicant. Standards for soil suitability are available from the Soil Conservation Service.

Lot Area Minimum: 1 acre

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

Lot Frontage and Setbacks:

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

Building Height:

Maximum building height: 35 feet

Notes:

- 1 Site Plan Review required, Article 5
- 2 Specific Use Standards apply, Article 4
- 3 Certificate of Occupancy required, Section 6.7

2.5.3 Rural Residential (RR-1)

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

Uses that do not require a Zoning Permit: For land uses that are exempt from the zoning permit requirement see section 6.2.2. These uses may still require written notification and compliance with district setback requirements, as well as other specific regulations.

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

Permitted Principal Uses:

- Public cemetery
- Residential, Single-family
- Residential, Two-family (altered from pre-existing single-family dwelling, if no enlargement of structure; no new construction)

Permitted Accessory Uses:

- Accessory dwelling unit², Section 4.1
- Accessory use or structure
- Adult day care service², Section 4.2.2
- Residential athletic courts
- Bed and breakfast (up to 3 bedrooms for transient boarders/tourists)
- Family child care home², Section 4.2.1
- Home-based business - level 1², Section 4.5.3
- Non-agricultural ponds, Section 3.2.5
- Seasonal roadside stand, Section 4.12
- Signs, Section 3.8 (some exemptions apply)
- Residential swimming pool (in ground or aboveground)

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

Conditional Principal Uses:

- Adult day care facility^{1,2,3}, Section 4.2.2
- Campground, resort, children's camp^{1,3}
- Family child care facility^{1,2,3}, Section 4.2.1
- Indoor or outdoor recreation facility^{1,3}
- Inn/small hotel^{1,3}
- Medical facility^{1,3}
- Extraction of earth resources^{1,2,3}, Section 4.3
- Mobile Home Park^{1,2}, Section 4.9
- Public water, sewage treatment plant^{1,3}

- School^{1,3}
- Semi-public^{1,3} (primarily nonprofit: church, museum, library, private club, YMCA, YWCA, mortuary, etc.)
- Other uses^{1,2,3} (as determined after public hearing, by the Board of Adjustment, to be of a similar type and character as those listed above and meeting the purposes of this District)

Conditional Accessory Uses:

- Docks (for water access)
- Home-based business - level 2^{1,2}, Section 4.5.4
- Wireless communication facilities^{2,3}, Section 4.19

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

- Contractor's storage yard (of materials, machinery, heavy equip.)
- Gasoline/service station
- Highway commercial
- Industry
- Junkyard, landfill, recycling facility (privately owned)
- Residential, Multi-family
- Residential, Two-family (new construction)
- Non-highway commercial
- Small enterprise
- Self-storage facility
- Private airstrip or helipad

Area, Land, & Structural Requirements:

1. Only one principal use is allowed per parcel of land.
2. Establishment of multiple principal uses on a single parcel of land requires a PUD permit.
3. Soil or terrain conditions may require larger lot sizes to satisfy Town or State public health regulations; the burden of proof of soil suitability and terrain is on the applicant. Standards for soil suitability are available from the Soil Conservation Service.

Lot Area Minimum: 1 acre

Lot Frontage and Setbacks:

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

Building Heights:

Maximum Building Height: 35 feet

Notes:

- ¹ Site Plan Review required, Article 5
- ² Specific Use Standards apply, Article 4
- ³ Certificate of Occupancy required, Section 6.7

2.5.4 Rural Residential Reserve (RRR 3-5)

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

Uses that do not require a Zoning Permit: For land uses that are exempt from the zoning permit requirement see section 6.2.2. These uses may still require written notification and compliance with district setback requirements, as well as other specific regulations.

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

Permitted Principal Uses:

- Public cemetery
- Residential, Single-family
- Residential, Two-family (altered from pre-existing single-family dwelling, if no enlargement of structure; no new construction)

Permitted Accessory Uses:

- Accessory dwelling unit², Section 4.1
- Accessory use or structure
- Adult day care service², Section 4.2.2
- Residential athletic courts
- Bed and breakfast (up to 3 bedrooms for transient boarders/tourists)
- Family child care home², Section 4.2.1
- Home-based business - level 1², Section 4.5.3
- Non-agricultural ponds
- Seasonal roadside stand, Section 4.12
- Signs, Section 3.8 (some exemptions apply)
- Residential swimming pool (in ground or aboveground)

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

Conditional Principal Uses:

- Adult day care facility^{1,2,3}, Section 4.2.2
- Campground, resort, children's camp^{1,3}
- Contractor's storage yard^{1,3} (of materials, machinery heavy equipment)
- Family child care facility^{1,2,3}, Section 4.2.1
- Indoor or outdoor recreation facility^{1,3}
- Inn/small hotel^{1,3}
- Medical facility^{1,3}
- Extraction of earth resources^{1,2,3}, Section 4.3
- Mobile home park^{1,2}, Section 4.9

- Public water, sewage treatment plant^{1,3}
- School^{1,3}
- Semi-public^{1,2,3} (primarily nonprofit: church, museum, library, private club, YMCA, YWCA, mortuary, etc.)
- Other uses^{1,2,3} (as determined after public hearing, by the Board of Adjustment, to be of a similar type and character as those listed above and meeting the purposes of this District)

Conditional Accessory Uses:

- Dock (for water access)
- Home-based business - level 2^{1,2}, Section 4.5.4
- Wireless communication facilities^{2,3}, Section 4.19

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

- Gasoline/service station
- Highway commercial
- Industry
- Junkyard, landfill, recycling facility (privately owned)
- Residential, Multi-family
- Non-highway commercial
- Small enterprise
- Self-storage facility
- Private airstrip or helipad

Area, Land, & Structural Requirements:

1. Only one principal use is allowed per parcel of land.
2. Establishment of multiple principal uses on a single parcel of land requires a PUD permit.
3. Soil or terrain conditions may require larger lot sizes to satisfy Town or State public health regulations; the burden of proof of soil suitability and terrain is on the applicant. Standards for soil suitability are available from the Soil Conservation Service.

Lot Area Minimum: 3 acres

Lot Frontage and Setbacks:

Frontage	200 feet
Front Setback	40 feet
Rear Setback	50 feet
Side Setback	50 feet

Building Heights:

Maximum building height: 35 feet

Notes:

- 1 Site Plan Review required, Article 5
- 2 Specific Use Standards apply, Article 4
- 3 Certificate of Occupancy required, Section 6.7

2.5.5 Conservation (C-10)

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

Uses that do not require a Zoning Permit: For land uses that are exempt from the zoning permit requirement see section 6.2.2. These uses may still require written notification and compliance with district setback requirements, as well as other specific regulations.

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

Permitted Principal Uses:

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

Permitted Accessory Uses:

- Accessory dwelling unit², Section 4.1
- Accessory use or structure
- Adult day care service², Section 4.2.2
- Residential athletic courts
- Bed and breakfast (up to 3 bedrooms for transient boarders/tourists)
- Family child care home², Section 4.2.1
- Home-based business - level 1², Section 4.5.3
- Non-agricultural ponds
- Seasonal roadside stand, Section 4.12
- Signs, Section 3.8 (some exemptions apply)
- Residential swimming pool (in ground or aboveground)

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

Conditional Principal Uses:

- Adult day care facility^{1,2,3}, Section 4.2.2
- Campground, resort, children's camp^{1,3}
- Public cemetery
- Contractor's storage yard^{1,3} (materials, machinery, heavy equipment)
- Family child care facility^{1,2,3}, Section 4.2.1
- Inn/small hotel^{1,3} (must not defeat purpose of the District)
- Medical facility^{1,3}
- Extraction of earth resources^{1,2,3}, Section 4.3
- Outdoor recreation facility^{1,3} (must not defeat the purpose of the District)

- Public water, sewage treatment plant^{1,3}
- School^{1,3}
- Semi-public^{1,3} (primarily nonprofit: church, museum, library, private club, YMCA, YWCA, mortuary, etc.)
- Other uses^{1,2,3} (as determined after public hearing, by the Board of Adjustment, to be of a similar type and character as those listed above and meeting the purposes of this District)

Conditional Accessory Uses:

- Dock (for water access)
- Home-based business - level 2^{1,2}, Section 4.5.4
- Wireless communication facilities^{2,3}, Section 4.19

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

- Gasoline/service station
- Highway commercial
- Indoor recreation facility
- Industry
- Junkyard, landfill, recycling facility (privately owned)
- Mobile home park, Section 4.9
- Residential, Two-family (new construction)
- Residential, Multi-family
- Non-highway commercial
- Small enterprise
- Self-storage facility
- Private airstrip or helipad

Area, Land, & Structural Requirements:

1. Only one principal use is allowed per parcel of land.
2. Establishment of multiple principal uses on a single parcel of land requires a PUD permit.
3. Soil or terrain conditions may require larger lot sizes to satisfy Town or State public health regulations; the burden of proof of soil suitability and terrain is on the applicant. Standards for soil suitability are available from the Soil Conservation Service.

Lot Area Minimum: 10 acres

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

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

Frontage	200 feet
Front Setback	40 feet
Rear Setback	50 feet
Side Setback	50 feet

Building Height:

Maximum building height: 35 feet

Notes:

- 1 Site Plan Review required, Article 5
- 2 Specific Use Standards apply, Article 4
- 3 Certificate of Occupancy required, Section 6.7

2.5.6 Highway Commercial (HC)

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

Uses that do not require a Zoning Permit: For land uses that are exempt from the zoning permit requirement see section 6.2.2. These uses may still require written notification and compliance with district setback requirements, as well as other specific regulations.

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

Permitted Principal Uses:

- Highway commercial^{1,3}
- Light industry^{1,3}
- Self-storage facility $\leq 10,000$ sq ft of gross floor area^{1,3}

Permitted Accessory Uses:

- Accessory use or structure (Includes athletic courts incidental to allowed principal uses)
- Adult day care service², Section 4.2.2
- Bed and breakfast (up to 3 bedrooms for transient boarders/tourists)
- Family child care home², Section 4.2.1
- Non-agricultural ponds
- Seasonal roadside stand, Section 4.12
- Self-Storage Facility $\leq 10,000$ sq ft of gross floor area^{1,3}
- Signs, Section 3.8 (some exemptions apply)
- Residential swimming pool (in ground or aboveground)

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

Conditional Principal Uses:

- Adult day care facility^{1,2,3}, Section 4.2.2
- Contractor's storage yard^{1,3} (materials, machinery, heavy equip.)
- Family child care facility^{1,2,3}, Section 4.2.1
- Gasoline/service station^{1,3}
- Indoor or outdoor recreation facility^{1,3}
- Inn/small hotel^{1,3}
- Public water, sewage treatment plant^{1,3}
- Semi-public^{1,3} (primarily nonprofit: church, museum, library, private club, YMCA, YWCA, mortuary, etc.)
- Self-Storage Facility $> 10,000$ sq ft of gross floor area^{1,3}
- Residential, Single-family

- Residential, Two-family (altered from pre-existing single-family dwelling, if no enlargement of structure; no new construction)
- Other uses^{1,2,3} (as determined after public hearing, by the Board of Adjustment, to be of a similar type and character as those listed above and meeting the purposes of this District)

Conditional Accessory Uses:

- Accessory Dwelling Unit
- Dock
- Home-based business - level 1², Section 4.5.3
- Home-based business - level 2^{1,2}, Section 4.5.4
- Residential athletic courts
- Wireless communication facilities^{2,3}

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

- Campground, resort, children's camp
- Public cemetery
- Industry
- Junkyard, landfill, recycling facility (privately owned)
- Medical facility
- Extraction of earth resources, Section 4.3
- Mobile home park, Section 4.9
- Residential, Multi-family
- Non-highway commercial
- School
- Planned Unit Development, Residential
- Private airstrip or helipad

Area, Land, & Structural Requirements:

1. Only one principal use is allowed per parcel of land.
2. Establishment of multiple principal uses on a single parcel of land requires a PUD permit.
3. Soil or terrain conditions may require larger lot sizes to satisfy Town or State public health regulations; the burden of proof of soil suitability and terrain is on the applicant. Standards for soil suitability are available from the Soil Conservation Service.

Lot Area Minimum: 1 acre

*Residential, Single-family: 3 acres

*Residential, Two-family (altered from pre-existing single-family dwelling): 3 acres

Lot Frontage and Setbacks:

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

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

Building Height:

Maximum building height: 35 feet

Notes:

- ¹ Site Plan Review required, Article 5
- ² Specific Use Standards apply, Article 4
- ³ Certificate of Occupancy required, Section 6.7

2.5.7 Industrial (I)

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

Uses that do not require a Zoning Permit: For land uses that are exempt from the zoning permit requirement see section 6.2.2. These uses may still require written notification and compliance with district setback requirements, as well as other specific regulations.

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

Permitted Principal Uses:

- Public water, sewage treatment plant^{1,3}
- Self-Storage Facility^{1,3}
- Small office

Permitted Accessory Uses:

- Accessory use or structure (Includes athletic courts incidental to allowed principal uses)
- Adult day care service², Section 4.2.2
- Bed and breakfast (in existing home only; up to 3 bedrooms for transient boarders/tourists)
- Family child care home², Section 4.2.1
- Non-agricultural ponds
- Seasonal roadside stand, Section 4.12
- Self-Storage Facility^{1,3}
- Signs, Section 3.8 (some exemptions apply)

Conditional Uses:

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

Conditional Principal Uses:

- Contractor's storage yard^{1,3} (materials, machinery, heavy equip)
- Extraction of earth resources^{1,2,3}, Section 4.3
- Family child care facility^{1,2,3}, Section 4.2.1
- Highway commercial
- Junkyard, landfill, recycling facility (privately owned)^{1,3}
- Industry^{1,3}
- Non-highway commercial^{1,3}
- Other uses^{1,2,3} (as determined after public hearing, by the Board of Adjustment, to be of a similar type and character as those listed above and meeting the purposes of this District)

Conditional Accessory Uses:

- Wireless communication facilities^{2,3}

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

- Adult day care facility, Section 4.2.2
- Campground, resort, children's camp
- Cemetery
- Gasoline/service station
- Indoor recreational facility
- Inn/small hotel
- Medical facility
- Mobile home park, Section 4.9
- Residential, Multi-family
- School
- Semi-public (primarily nonprofit: church, museum, library, private club, YMCA, YWCA, mortuary, etc.)
- Residential, Single-family
- Planned Unit Development, Residential
- Residential, Two-family
- Private airstrip or helipad

Area, Land, & Structural Requirements:

1. Only one principal use is allowed per parcel of land.
2. Establishment of multiple principal uses on a single parcel of land requires a PUD permit.
3. Soil or terrain conditions may require larger lot sizes to satisfy Town or State public health regulations; the burden of proof of soil suitability and terrain is on the applicant. Standards for soil suitability are available from the Soil Conservation Service.

Lot Area Minimum: 1 acre

Lot Frontage and Setbacks:

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

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

Building Height: 35 feet

*In this District, proposed structures exceeding 35 feet may be allowed with a conditional use permit.

Unless increased by the Zoning Board of Adjustment during Site Plan Review, a minimum of 50' buffer with natural screening is required between industrial and residential zones.

Notes:

- 1 Site Plan Review required, Article 5
- 2 Specific Use Standards apply, Article 4
- 3 Certificate of Occupancy required, Section 6.7

Article 7: Definitions

For the purposes of these Bylaws, meanings for the following words and phrases shall be as defined below. All other words shall retain their dictionary meaning (Webster's Ninth New Collegiate Dictionary) unless such meanings run counter to the purposes and objectives of Weathersfield's Bylaws or Town Plan. The definitions of terms defined in 24 V.S.A. §4303, and not otherwise defined herein are made a part of these Bylaws.

Private airstrip or helipad: The use of any land or structure for the purpose of takeoff and/or landing of aircraft other than at public airports.

BLANK

State of Vermont Agency of Commerce & Community Development Department of Housing & Community Development **Municipal Planning Commission Bylaw Reporting Form**

Provisional Form pursuant to Act 47 of 2023, The HOME Act

This provisional form issued pursuant to the Act 47 of 2023 is subject to change. The Department welcomes feedback on the form's implementation of the Act. A standing form will be issued by December 31, 2023.

Published June 30, 2023

Contacts: Alice Dodge, Grants Management Specialist
alice.dodge@vermont.gov, 802-505-3158
Jacob Hemmerick, Community Planning & Policy Manager
jacob.hemmerick@vermont.gov, 802.828.5249

Why is this form required?

Vermont's Municipal & Regional Planning & Development Act (24 V.S.A 4441) requires a municipal planning commission to prepare a report when considering an amendment to a bylaw. Act 47 of 2023 adds a requirement to the report to include findings on conformance with sections 4412, 4413, and 4414 of the Act. It also adds a requirement that the municipal planning commission provide the report to the Department of Housing and Community Development upon approval of an adoption or amendment. The report must be submitted with GIS (Geographic Information Systems) files, a complete bylaw, and information about municipal planning and governance and systems. The form will be published on the Vermont Planning Data Center, here: <https://accdmaps.vermont.gov/MunicipalPlanningDataCenter/>. Bylaw submission and posting supports the availability of Vermont's adopted municipal bylaws from a central digital source for statewide access and use.

Vermont Municipal Bylaw Reporting Form

How does a municipality submit the form?

Upon completion of the sections below, upload a saved version of the file [here](#). The form must be submitted with the approved bylaw(s) and any GIS shapefiles (when adding or amending district boundaries of record on the Vermont Open [Geodata Portal](#)). The form can be saved as a Microsoft Word document (DOC) or converted to a Portable Document Format (PDF) file. If you need assistance completing the form, please reach out to the contact above or your municipality's regional planning commission.

Type of Bylaw Filing

Select all that apply.

- New bylaw(s)
- Amendment to existing bylaw(s)
- Repeal of existing bylaw(s)

Explain multiple selections.

Type of Bylaw(s)

Select all that apply.

- Unified Development *(select all bylaws included in the unified bylaws below)*
- Zoning
 - Does the bylaw add or change any zoning districts or boundaries?**
 - Yes
 - No
- Subdivision
- Interim
- Flood Hazard
- River Corridor
- Shoreland Protection
- Other: *(explain)*

Vermont Municipal Bylaw Reporting Form

Date of Hearing(s)

Planning Commission Hearing(s) *(enter date[s])*

Legislative Body Hearing(s) *(enter date[s])*

Date of Adoption

Skip this section if the bylaw is proposed for hearing.

Date of Popular Election *(enter date only if subject to a popular election/vote)*

Date of Last Action *(enter date of final approval action by voters or legislative body)*

Bylaw Summary & Statement of Purpose

Provide a brief explanation of the bylaw and a statement of purpose (per 24 V.S.A. 4441). Use as much space as needed.

Findings on Municipal Plan Furtherance

Explain how the bylaw conforms with or furthers the goals and policies contained in the municipal plan. Use as much space as needed.

Vermont Municipal Bylaw Reporting Form

Findings on Safe & Affordable Housing

Explain the effect of the bylaw on the availability of safe and affordable housing. Use as much space as needed.

Findings on Required Provisions & Prohibited Effects

Explain how the bylaw conforms with 24 V.S.A. 4412. Use as much space as needed.

Include explanations on how the bylaws conform with these provisions (as applicable):

- *Mobile, modular and prefabricated housing*
- *Mobile home parks*
- *Duplex uses*
- *Multi-unit dwelling uses*
- *Accessory dwelling unit uses*
- *Residential care homes or group homes*
- *Hotels for emergency housing*
- *Existing small lots*
- *Required frontage*
- *Home occupations*
- *Childcare home or facility*
- *Heights of renewable energy structures*
- *Nonconformities*
- *Communications antennae and facilities*
- *Planting projects in flood hazards*
- *Accessory on-farm businesses*
- *Lot and dimensional standards for minimum dwelling unit density*
- *Density for affordable housing*

Vermont Municipal Bylaw Reporting Form

Findings on Limitations on Municipal Bylaws

Explain how the bylaw conforms with 24 V.S.A. 4413. Use as much space as needed.

Include explanations on how the bylaws conform with these provisions (as applicable):

- *State- or community-owned and -operated institutions and facilities*
- *Public and private schools and other institutions*
- *Places of worship*
- *Public and private hospitals*
- *Regional solid waste management facilities*
- *Hazardous waste management facilities*
- *Emergency shelters*
- *Required agricultural practices*
- *Accepted silvicultural practices*
- *Solar energy devices*
- *Ancillary telecommunications improvements and lines*

Vermont Municipal Bylaw Reporting Form

Findings on Permissible Types of Regulation

Explain how the bylaw conforms with 24 V.S.A. 4414. Use as much space as needed.

Select all regulations adopted by the municipality:

- Zoning (§4414)
 - Downtown, Village Center, and Growth Center Districts
 - Agricultural, Rural Residential, Forest & Recreation Districts
 - Airport Hazard Areas
 - Shorelands
 - Design Review Districts
 - Historic District/Landmark Bylaws
 - River Corridors and Buffers
- Overlay Districts (§4414)

List overlays:

- Conditional Use Review (§4414)
- Parking & Loading Standards (§4414)
- Performance Standards (§4414)
- Energy Resource Standards (§4414)
- Inclusionary Zoning (§4414)
- Waiver Provisions (§4414)
- Stormwater Management Standards (§4414)
- Wireless Telecommunication Bylaws (§4414)
- Water/Wastewater Permit Sequencing Standards (§4414)
- Green Development Incentives (§4414)
- Solar Screening Standards (§4414)

Vermont Municipal Bylaw Reporting Form

Municipal Plan Future Land Uses & Density Compatibility

Explain how the bylaw is compatible with the proposed future land uses and densities of the municipal plan.

Planned Community Facilities

Explain how the bylaw carries out, as applicable, any specific proposals for any planned community facilities.

Municipal Planning Implementation Information

Upon adoption of the bylaw(s), select all elements of the municipal planning program that apply in the municipality:

- Unexpired Municipal Plan
- RPC-Approved Municipal Plan & Confirmed Planning Process (§4350)
- Interim Bylaws (§4415)
- Site Plan Review (§4416)
- Planned Unit Development (§4417)
- Subdivision (§4418)
- Administrative approvals of minor subdivisions/boundary adjustments (§4463)
- Unified Development Bylaws (§4419)
- Local Act 250 Review of Municipal Impacts (§4419)
- On The Record Review/Adopted Municipal Administrative Procedures (§4471)
- Official Map (§4421)

Vermont Municipal Bylaw Reporting Form

- Public Facilities Phasing (§4422)
- Transfer Development Rights (§4423)
- Freestanding Shorelands Bylaws (§4424)
- Freestanding River Corridor Protection Areas (§4424)
- Freestanding Flood or Hazard Areas (§4424)
- Enrolled in the National Flood Insurance Program
- Other Special or Freestanding Bylaws (§4424)

List

- Capital Budget & Program (§4430)
- Impact Fees (Chapter 131, §4422)
- Judicial Bureau Ticketing Option for Enforcement (§4452 & 1974a of Title)
- Advisory Commissions/Committees (§4433(1))
- Historic Preservation Commissions (§4433(3))
- Design Review Commissions (§4433(4))
- Housing Commissions (§4433(5))
- Development Review Board (§4460)
- Zoning Board of Adjustment (§4460)
- Joint Board of Adjustment Development Review Board (§4460)
- Full-time Administrative Officer
- Part-time Administrative Officer
- Volunteer/stipend Administrative Officer
- Staff planner(s)
- Availability of planning Information on municipal website:
 - Municipal plan and maps
 - Bylaws
 - Fee schedule
 - Contact information for administrative officer
 - Information about Planning Commission
 - Information about the Appropriate Municipal Panel (ZBA/DRB)

Primary website URL:

BLANK



February 10, 2021

Re: Permitting Helipads and Airstrips

Dear Municipal Manager & Planning Commissioner:

The Vermont Transportation Board serves as the state permitting authority for airports and restricted landing areas. Restricted landing areas include private helipads and airstrips but do not include regulation of drones. Over the last few years, the Board has seen a significant increase in applications for private helipads and airstrips, often serving a single home in an existing subdivision or neighborhood. These private facilities can dramatically change the character of an area and can have negative impacts while providing a private benefit to few.

The State, as part of its permit process, requires that a proposed helipad or airstrip first receive municipal approval. But in the vast majority of cases that come before the Board, the host city or town has no regulatory mechanism to review such applications. In these cases, court guidance tells us the State must accept the application and proceed as if municipal approval has been granted. While this allows the application to proceed, it essentially shorts the permit process because the Transportation Board has no authority to review land use. This means that private helipads and airstrips often gain approval without any kind of local process that determines whether the proposed location is compatible with the surrounding area.

In short, the State's permitting process for a helipad or airstrip is designed to have three review components: 1) the local municipality reviews land use, 2) the State reviews ground-related safety to determine if aircraft can take-off and land safely, and 3) the U.S Government reviews the airspace to ensure safety once the aircraft is airborne. Given this regulatory structure, if the host municipality has no policy language in its adopted plan or no established regulatory mechanism, such as zoning bylaws that deal with aviation or a stand-alone municipal bylaw that deals with aviation, land-use issues and neighborhood concerns go unchecked.

Realizing this, the Board convened a committee comprised of municipal planners, regional planners, VTrans staff and a representative of the Vermont League of Cities and Towns to develop guidelines to help municipalities understand what they can do to establish a local, regulatory mechanism that deals with helipads and airstrips should one be proposed within your municipality.

The committee, as well as the Transportation Board, encourages all Vermont cities and towns to consider adopting municipal plan policies and/or bylaws regarding aviation facilities as recent history shows that applications for private helipads and airstrips are increasing. Vermont is regularly seeing



applications all across the state, and often for locations within or close to village settings or in existing residential neighborhoods in rural communities.

What follows are some suggestions on what to consider should your community wish to better prepare itself for such an application. Transportation Board Executive Secretary John Zicconi is willing to meet with any town (municipal manager, selectboard, planning commission, etc.) to discuss this issue further. Inquiries can be made directly to him at 802-343-7280 or at john.zicconi@vermont.gov.

MUNICIPAL PLANS

Municipal plans establish the policy basis for zoning bylaws, but they also have regulatory effect in state permitting processes, such as Act 250 (land use) and Section 248 (energy generation and transmission). Including explicit, prescriptive policy language in the municipal plan about where private helipads and airstrips are and are not allowed establishes a policy basis for municipal approval. Prescriptive policy language uses words such as will and must as opposed to more passive words such as consider, should, support, and encourage. If a municipality uses a municipal plan to either approve or deny a helipad or airstrip, the Transportation Board requires a letter from the municipality explaining its decision with reference to the section of the municipal plan used.

ZONING BYLAWS & ORDINANCES

Many Vermont towns have zoning, but not all zoning regulations capture helipads and airstrips. The Transportation Board encourages municipalities to review their zoning regulations to determine if they cover private aviation facilities which can be proposed in residential as well as commercial districts. Detailed zoning regulations may take the following tools into account.

Setbacks – establish a minimum for helipads and airstrips, which may vary depending on the zoning district. There is no magic number of feet a setback should be.

Lot Size – there is no common or recommended lot size. Helicopters can land in very small spaces. Appropriate lot sizes also may vary by type of zoning district as one size may be appropriate for a commercial district while a different minimum size may be more appropriate for a residential district. For airstrips, the U.S. Government sets minimum runway lengths necessary depending on the class of aircraft to be flown.

Noise – federal law prohibits states or municipalities from considering or regulating aircraft noise. Aircraft noise is the sole domain of the federal government. However, municipalities can regulate land uses and the character of an area so long as they are not used as a proxy for limiting aircraft noise.



For example, courts have held that regulating hours of an airport's operation is a proxy for regulating aircraft noise.

Permitted Use – if a community wishes to allow helipads and airstrips they can be allowed in some or all zoning districts.

Conditional Use – can address the character of the area, performance standards, and land uses so long as they are not a proxy for noise.

Accessory Use – helipads and airstrips can be allowed as incidental or subordinate uses to the property's primary use.

Prohibited Use – municipalities with proper regulatory tools can prohibit helipads and airstrips throughout town, or they can prohibit them only from specific areas of town or within specific zoning districts.

Exemptions – zoning can prohibit helipads and airstrips but also exempt certain aviation uses – such as crop dusting and insect control – from needing a local permit. The State and the U.S. Government may still be required to review such uses, but municipalities if they wish can exempt specific uses from needing local approval. None of this, however, would prohibit an aircraft that must land due to an emergency as federal law for safety purposes allows that to occur anywhere necessary.

Screening & Visual Impact – while planting trees and shrubs to screen certain development is commonplace within zoning, keep in mind that aircraft require specific glideslopes with specific ground-to-air clearance ratios (helicopters require an 8-to-1 horizontal to vertical clearance) to land and takeoff safely. Thus, trees or other structures cannot be placed too close to the actual landing facility. Also, zoning can establish how aircraft can be parked and other associated visual parameters.

Surface Type – certain aircraft can land on almost any kind of surface. Some towns require helipads to be paved and maintained free from dust, dirt and other loose material that could be blown onto adjoining properties by the air wash.

Runway Length – while helicopters can land in very small spaces – including on top of buildings – specific class of airplanes require specific runway lengths. As a result, zoning must understand what type of aircraft class is acceptable and then ensure the regulations allow for proper runway length.

Additional Permitting – Vermont statute requires that municipal approval be obtained prior to applying for a State Aviation permit, so local regulations should not require State approval be obtained



Transportation Board

first. Local regulations can, however, require that obtaining a State Certificate of Operation is required prior to the commencement of local flights.

STAND-ALONE MUNICIPAL BYLAW

Municipalities that do not have zoning can still regulate helipads and airstrips. Statutes allow for a stand-alone bylaw under Title 24 Chapter 117. As another option, statute allows for an ordinance under Title 24 Chapter 59. The above zoning guidelines also can be used to help guide communities wishing to establish such bylaws or ordinances.

QUESTIONS

In closing, the Transportation Board emphasizes that its executive secretary is happy to answer any questions you may have regarding helipads and airstrips, and is willing to meet with your local planning commission, selectboard or whatever other entity is responsible for drafting local zoning regulations and municipal ordinances. The Board has seen many examples of Vermont communities being caught off guard when application for a Restricted Landing Area is made and witnessed the shock local residents have when they learn the municipality has no way to determine for itself if such a facility is appropriate for their community.

As a result, the Board encourages all Vermont communities to discuss this issue and decide if its local permitting processes is adequate when it comes to siting helipads and airstrips. The Board hopes you find the enclosed information helpful, and it is happy to assist any city or town to help it better understand the issue.

Sincerely,

John B. Zicconi

Executive Secretary, Vermont Transportation Board

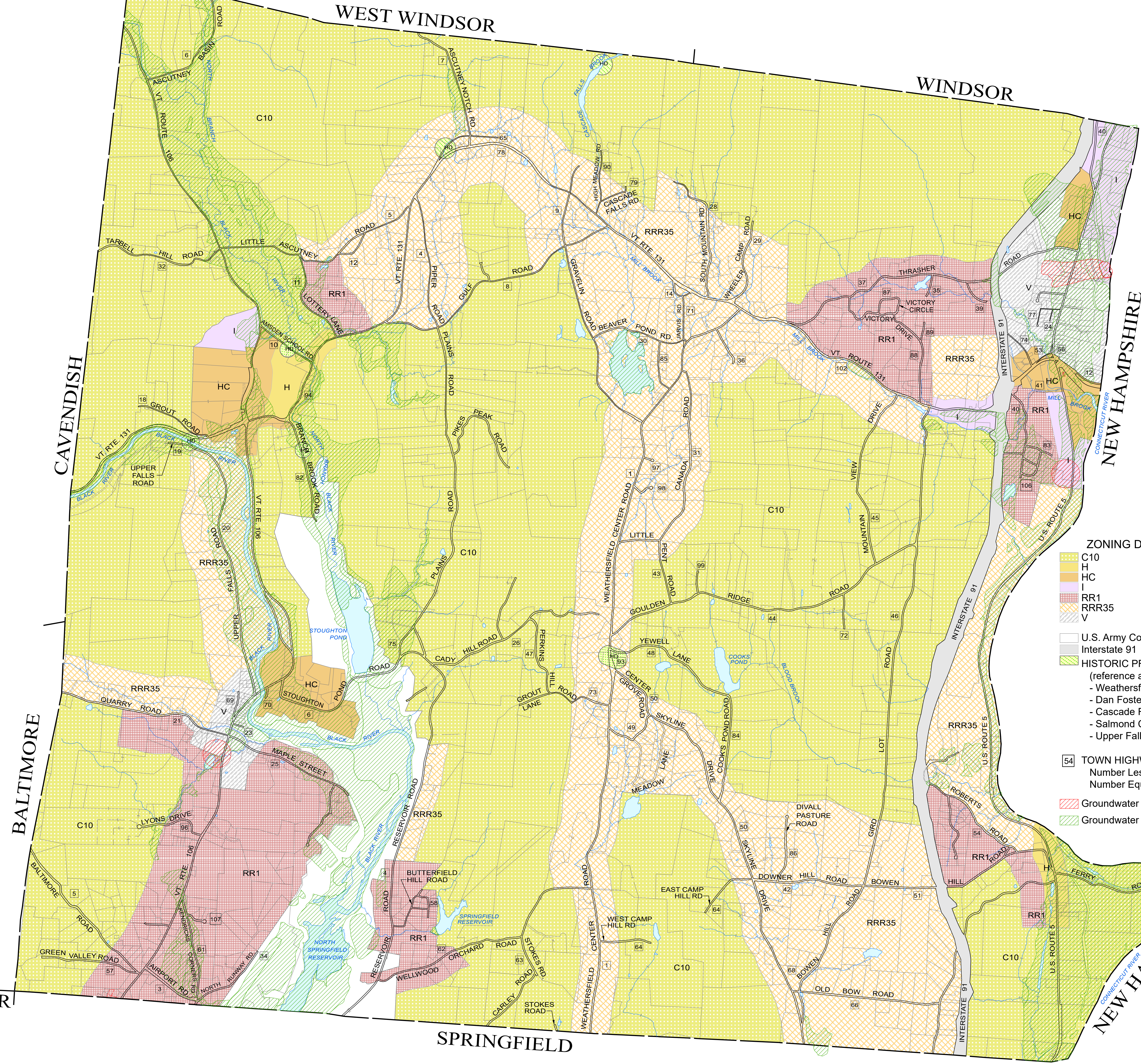
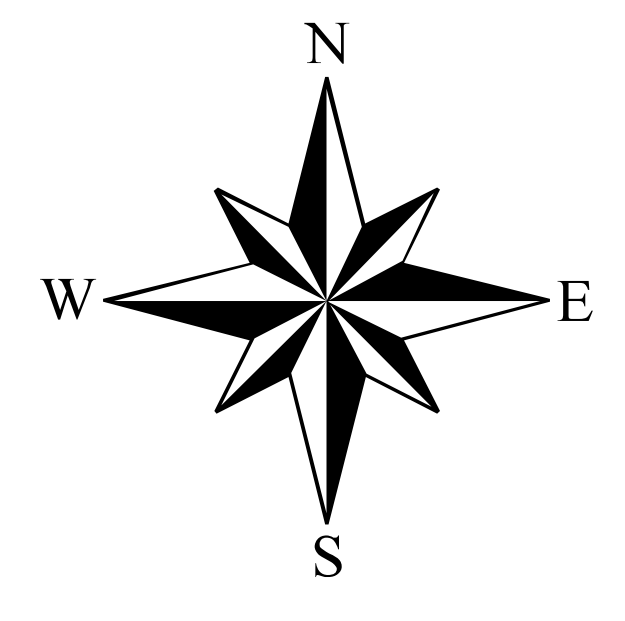
AGENDA ITEM

10

READING

WEST WINDSOR

WINDSOR



CAVENDISH

NEW HAMPSHIRE

BALTIMORE

NEW HAMPSHIRE

CHESTER

SPRINGFIELD

- ZONING DISTRICTS**
- C10 Conservation 10
 - H Hamlet
 - HC Highway Commercial
 - I Industrial
 - RR1 Rural Residential
 - RRR35 Rural Residential Reserve
 - V Village
- U.S. Army Corps of Engineers Property
- Interstate 91 Right of Way
- HISTORIC PRESERVATION**
(reference action 6.11)
- Weathersfield Center Meetinghouse and Grove
 - Dan Foster House and Grounds
 - Cascade Falls
 - Salmond Covered Bridge
 - Upper Falls Cover Bridge
- 54** TOWN HIGHWAY NUMBER
Number Less than 10 = Class 2
Number Equal or Greater than 10 = Class 3
- Groundwater Overlay District - Zone A
- Groundwater Overlay District - Zone B

NOTES

THIS MAP IS BASED ON THE TOWN OF WEATHERSFIELD, VERMONT PROPERTY MAPS. EXISTING DIGITAL FILES WERE OBTAINED FROM THE TOWN AND REVISED IN 2003 BY CARTOGRAPHIC ASSOCIATES, INC.

PROPERTY LINES CURRENT TO APRIL 1, 2021

SOURCE OF ZONING INFORMATION IS FROM MAP ENTITLED: "TOWN OF WEATHERSFIELD, VT - ZONING, AS ADOPTED JANUARY 4, 1994" PREPARED BY SOUTHERN WINDSOR COUNTY REGIONAL PLANNING COMMISSION AND MICRODATA.

THIS MAP IS INTENDED FOR REFERENCE AND PLANNING PURPOSES ONLY. IT MAY NOT BE ADEQUATE FOR LEGAL BOUNDARY DEFINITION OR REGULATORY INTERPRETATION.

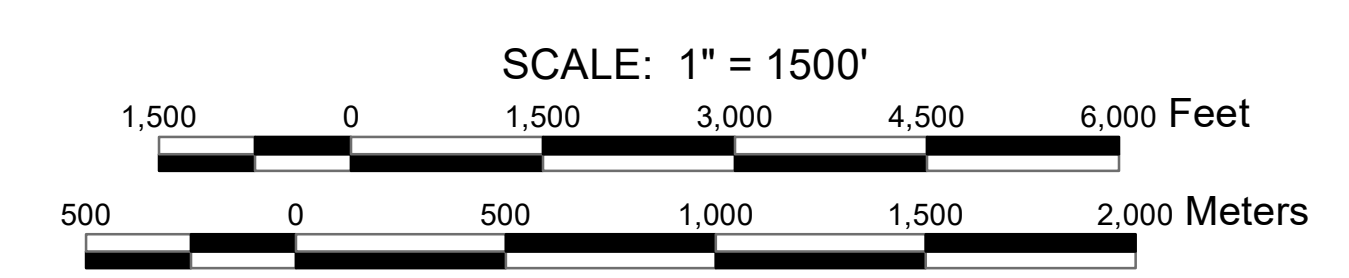
LEGEND

- PROPERTY LINE
- COMMON OWNERSHIP
- IN CONTENTION
- - - TOWN LINE
- WATER
- ROAD
- - - SECONDARY ROAD
- PRIVATE ROAD
- - - RIGHT OF WAY
- [21] TOWN HIGHWAY NUMBER

ZONE MAP
OF
WEATHERSFIELD
VERMONT

PRODUCED BY
CAI Technologies
Precision Mapping. Geospatial Solutions.

11 PLEASANT STREET, LITTLETON, NH 03598
800.322.4540 - WWW.CAI-TECH.COM



BLANK

DRAFT GROUNDWATER PROTECTION OVERLAY DISTRICT BYLAW

2.5.8 Groundwater Overlay (GPOD)

Purpose: To protect public health and safety by minimizing contamination of vulnerable aquifers and preserving and protecting existing and potential sources of drinking water supplies. It is the intent of the Town of Weathersfield to accomplish this through the adoption of this GPOD. The GPOD allows for appropriate land use regulations, in addition to those currently imposed by existing zoning districts or other state and federal regulations. It is intended that public education and cooperation will complement this effort.

USES THAT DO NOT REQUIRE A ZONING PERMIT: For land uses that are exempt from the zoning permit requirement see section 6.2.2. These uses may still require written notification and compliance with district setback requirements, as well as other specific regulations.

Zone A: Drinking Water Critical Impact Zone

Zone A is defined as the area within the combined two-year time-of-travel distance and zones 1 and 2 as identified in an existing water system's Source Protection Plan where these zones have been mapped around a public water supply well(s) or around the location designated for a potential future water supply.

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

- Public water distribution systems and facilities
- Accessory structures (to other permitted uses)
- Parks, greenways, publicly-owned recreation areas such as foot, bicycle, and/or horse paths, playgrounds, ballfields and tennis courts
- Conservation areas
- Forestry
- Agriculture
- Camp
- Recreation facilities
- Single- and/or two family dwellings
- Group home
- Home child care
- Home occupation

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

- Accessory dwelling units
- Accessory uses
- Single- and/or two-family dwellings
- Schools (private and public)
- Church

- **Day care center**

- Child care facility
- Kennel
- Garden center
- Health clinic

- **Recreation**

- **Garden center**

- Outdoor market
- Funeral home
- Cultural facility
- Agribusiness
- Agritourism
- Contractor's yard
- Restaurants
- Transit facility
- Telecommunications facility
- Office

- **Inn**

- **Home industry**

- Extraction and quarrying
- Community center
- Home business

- **Home occupation**

- Essential services

- **Managed grazing of livestock**

- Mobile home parks

- **Recreation**

- **Forestry**

- **Telecommunications**

- Wind energy conversion

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

- Fuel or hazardous material storage
- Hazardous waste management
- Underground fuel storage tanks
- Fueling station
- Repair garage
- Body shop

- Car wash
- Laundromat
- Dry cleaner
- Machine shops
- **Contractor's yard**
- Bus garage
- Highway maintenance facility
- Slaughterhouse
- Junkyard
- Landfill
- Recycling center
- Commercial compost facility
- **Industrial/commercial earth resource/groundwater extraction**
- On-site wastewater disposal systems
- Wastewater treatment facilities
- Open storage of road salt or other deicing chemicals
- Disposal of snow which has been brought in from outside the district
- Commercial metal plating/finishing/polishing
- Chemical/medical/bacteriological laboratories or manufacturing facilities
- Manufacturing facilities for electrical equipment/pharmaceuticals/plastic/fiberglass/rubber goods/textiles
- Commercial food processing
- Commercial photographic processing
- Commercial wood processing
- Printing establishments
- Concrete plants
- Furniture stripping establishments
- **Commercial feeding of livestock**
- Pesticide/herbicide/fungicide storage
- Pesticide/herbicide/fungicide applications with the exception of those reviewed and approved by the Department of Health
- **Industrial uses**
- **Two Year Time of Travel:** Approval of septic disposal systems within the two-year time of travel boundary is prohibited unless it can be demonstrated that the discharge from the septic disposal site is not hydraulically connected to the drinking water aquifer, or that additional information is presented to document that a two-year time of travel is met or exceeded to the existing or potential water supply source.

Zone B: Drinking Water Potential Impact Zone

Zone B is established as the remainder of the GPOD not included in Zone A, but

deemed necessary to ensure adequate protection of public drinking water supplies.
(Note: Zone B is generally equivalent to a public water supply's Zone 3 as identified in their water system's Source Protection Plan.)

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

- All uses allowed in the underlying zoning districts provided that they can meet the Performance Standards as outlined for the GPOD.

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

- All conditional uses permitted in underlying districts may be approved by the Town of Weathersfield Zoning Board of Adjustment provided they can meet performance standards outlined for the GPOD.

Article 3: General Provisions

3.2 Conservation of Natural Resources

3.2.10 Groundwater Protection

(1) Title

This bylaw shall be known as the Groundwater Protection Overlay District Bylaw of the Town of Weathersfield ("GPOD Bylaw"). This bylaw is in addition to other districts already established through the Town of Weathersfield Zoning Ordinance.

(2) Purpose and Intent

The Town of Weathersfield recognizes that many residents rely on groundwater for their safe drinking water supply, and that certain land uses can contaminate groundwater, particularly in shallow/surficial aquifers, or where contaminants can get into a bedrock aquifer. To ensure the protection of these drinking water supplies, this bylaw establishes a zoning overlay district to be known as the Groundwater Protection Overlay District (GPOD).

The purpose of the GPOD is to protect public health and safety by minimizing contamination of vulnerable aquifers and preserving and protecting existing and potential sources of drinking water supplies. It is the intent of the Town of Weathersfield to accomplish this through the adoption of this GPOD. The GPOD allows for appropriate land use regulations, in addition to those currently imposed by existing zoning districts or other state and federal regulations. It is intended that public education and cooperation will complement this effort.

The GPOD is superimposed on all current zoning districts and shall apply to all new construction, reconstruction, or expansion of existing buildings and new or expanded uses. Applicable activities/uses allowed in a portion of one of the underlying zoning districts that fall within the GPOD must additionally comply with the requirements of this district. Uses prohibited in the underlying zoning districts shall not be permitted in the GPOD.

(3) Authority

(a) This bylaw has been prepared and adopted pursuant to the provisions of 24 V.S.A. Chapter 117 (§ 4414(2)), known as the Vermont Municipal and Regional Planning and Development Act.

(b) Pursuant to 24 V.S.A. Chapter 117, the Zoning Board of Adjustment of the Town of Weathersfield is authorized to review, approve, conditionally approve, and deny applications for land development, including sketch, preliminary and final plans, and installation. Pursuant to 24 V.S.A. § 4440(d) the [Board] is authorized to hire qualified persons to conduct an independent technical review of applications and to require the applicant to pay for all reasonable costs thereof.

(4) Definitions

For the purposes of this section, the following terms are defined below:

1. Aquifer. A geological formation, group of formations or part of a formation either composed of unconsolidated rock, sand, gravel, or other unconsolidated soils, or composed of bedrock with an interconnected series of crevasses, fractures, joints, faults, cleavages, bedding planes, porosity, or other geologic features which allow groundwater to move in the subsurface environment and are capable of storing and yielding groundwater to wells and springs.

2. Contamination. An impairment of water quality by chemicals, biologic organisms, or other extraneous matter whether or not it affects the potential or intended beneficial use of water.

3. Land 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, or land, or extension of use of land.

4. Facility. Something that is built, installed, or established for a particular purpose.

5. Gray Water. All domestic wastewater except toilet discharge water.

6. Groundwater. Water below the land surface in a zone of saturation.

7. Groundwater Protection Overlay District. A zoning district that is superimposed on all underlying zoning districts in the Town of Weathersfield. It includes all lands that are included in the definitions of Zones A and B of the GPOD, and is included in the Official Map of the Town of Weathersfield. This district may include specifically designated recharge areas that collect precipitation or surface water and carry it to aquifers.

8. Hazardous Material means all petroleum and toxic, corrosive or other chemicals and related sludge included in any of the following:

(A) any substance defined in section 101(14) of the federal Comprehensive Environmental Response, Compensation and Liability Act of 1980;

(B) petroleum, including crude oil or any fraction thereof; or

(C) hazardous wastes, as determined under subdivision (9) of this section;

(D) "Hazardous material" does not include herbicides and pesticides when applied consistent with good practice conducted in conformity with federal, state and local laws and regulations and according to manufacturer's instructions.

(E) "Hazardous material" does not include livestock wastes.

9. **Hazardous Waste.** Any waste or combination of wastes of a solid, liquid, contained gaseous, or semi-solid form, including, but not limited to those which are toxic, corrosive, ignitable, reactive, strong sensitizers, or which generate pressure through decomposition, heat or other means, which in the judgment of the Secretary of the Vermont Agency of Natural Resources may cause, or contribute to, an increase in mortality or an increase in serious irreversible or incapacitating reversible illness, taking into account the toxicity of such waste, its persistence and degradability in nature, and its potential for assimilation, or concentration in tissue, and other factors that may otherwise cause or contribute to adverse acute or chronic effects on the health of persons or other living organisms, or any matter which may have an unusually destructive effect on water quality if discharged to ground or surface waters of the state. All special nuclear, source, or by-product material, as defined by the Atomic Energy Act of 1954 and amendments thereto, codified in 42 U.S.C. § 2014, is specifically excluded from this definition. The storage and handling of livestock wastes and by-products are specifically excluded from this definition.
10. **Primary Containment Facility.** A tank, pit, container, pipe or vessel of first containment of a liquid or chemical, excluding the storage and handling of livestock wastes and by-products.
11. **Public Water Supply.** Any system(s) or combination of systems owned or controlled by a person, that provides drinking water through pipes or other constructed conveyances to the public and that has at least 15 service connections or serves an average of at least 25 individuals daily for at least 60 days out of the year. Such term includes all collection, treatment, storage and distribution facilities under the control of the water supplier and used primarily in connection with such system, and any collection or pretreatment storage facilities not under such control that are used primarily in connection with such system. In addition, this includes any water supply system with ten or more residential connections.
12. **Release.** Any unplanned or improper discharge, leak, or spill of a potential contaminant including a hazardous material and/or hazardous waste, excluding the storage and handling of livestock wastes and by-products.
13. **Secondary Containment Structure.** A double walled tank, catchment pit, pipe, or vessel that limits and contains a hazardous material or hazardous waste leaking or leaching from a primary containment area; monitoring and recovery are required excluding the storage and handling of livestock wastes and by-products.
14. **Spill Response Plans.** Detailed plans for control, re-containment, recovery and clean up of hazardous material and/or hazardous waste releases, such as during fires or equipment failures.
15. **Stormwater Treatment Practice (STP).** A stormwater treatment practice that is a specific device or technique designed to provide stormwater quality treatment and or quality control.

16. **Stormwater Runoff.** Precipitation that does not infiltrate the soil, including material dissolved or suspended in it, but does not include discharges from undisturbed natural terrain or wastes from combined sewer overflows.
17. **Time-Of-Travel Distance.** The distance that groundwater will travel in a specified time. This distance is generally a function of the permeability and slope of the aquifer.

(5) Performance Standards

The following permitting standards shall apply to uses in Zones A and B of the GPOD:

- Any conditionally permitted facility involving the collection, handling, manufacture, use, storage, transfer or disposal of hazardous material or hazardous wastes must have a secondary containment system that is easily inspected and whose purpose is to intercept any leak or release from primary containment vessel or structure. Underground tanks or buried pipes carrying such materials must have double walls and inspectable sumps. Open liquid waste ponds containing hazardous material or hazardous wastes will not be permitted without a secondary containment system.

Storage of petroleum products in quantities exceeding (1,000) gallons at one locality in one tank or series of tanks must be in elevated tanks; such tanks must have a secondary containment system as noted above.

- All permitted facilities must adhere to appropriate federal and state standards for storage, handling and disposal of any hazardous material or hazardous waste. All conditionally permitted facilities must prepare an acceptable contingency plan for preventing hazardous materials and/or hazardous wastes from contaminating the shallow/surficial aquifer should floods, fire, or other natural catastrophes, equipment failure, or releases occur:

(a) **All** conditionally permitted underground facilities shall include, but not be limited to a monitoring system and secondary standpipe 5-feet above the 100-year flood control level, for monitoring and recovery. For above-ground conditionally permitted facilities, an impervious dike, 5-feet above the 100-year flood level and capable of containing 110 percent of the largest volume of storage, will be provided with an overflow recovery catchment area (sump).

(b) All conditionally permitted facilities shall include fire fighting plans and procedures, a fire retarding system, and provide for dealing safely with any other health and technical hazards that may be encountered by disaster control personnel in combating fire. Hazards to be considered are pipes, hazardous materials, hazardous wastes, or open flames in the immediate vicinity.

(c) For equipment failures, plans for conditionally permitted facilities that use, maintain, store, process or produce hazardous materials and/or hazardous wastes shall include, but not be limited to, below-ground level, removal and replacement of leaking parts, a leak detection system with monitoring, and an overfill protection system; and above-ground level, liquid and leaching monitoring of primary containment systems, the replacement or repair and cleanup and/or repair of the impervious surface.

(d) For any other release occurring, the owner and/or operator shall report all incidents involving liquid or chemical material to the Town of Weathersfield.

Since it is known that improperly abandoned wells can become a direct conduit for contamination of groundwater by surface water, all abandoned wells shall be properly plugged according to local and state regulations.

(6) Liability

Nothing in this ordinance shall be construed to imply that the Town of Weathersfield has accepted any of an owner/developer's liability if a permitted facility or use contaminates groundwater in any aquifer.

(7) District Boundary Disputes

If the location of the GPOD boundary in relation to a particular parcel is in doubt and the application already requires conditional use approval because of the requirements of the underlying zone, the Town Zoning Administrative Officer, interpreting the municipal zoning bylaw literally, shall inform the applicant whether he/she believes the project is located within the GPOD. If the project would not need conditional use approval based on the requirements of the underlying district, the Zoning Administrative Officer may still determine, based on the official map, that such project is located within the GPOD. Such decision may be appealed to the Zoning Board of Adjustment.

The burden of proof shall be upon the owner(s) of the land to demonstrate where the boundaries of the district should be located with respect to their individual parcel(s) of land. If the owner(s) request that the Town of Weathersfield determine more accurately the boundaries of the district with respect to individual parcels of land, the Town may engage a professional engineer, hydrologist, geologist, or soil scientist and charge the owner(s) for the cost of the investigation. If the location of the GPOD boundary in relation to a particular parcel is in doubt and the application already requires conditional use approval because of the requirements of the underlying zone, the Town Zoning Administrative Officer, interpreting the municipal zoning bylaw literally, shall inform the applicant whether he/she believes the project is located within the GPOD. If the project would not need conditional use approval based on the requirements of the underlying district, the Zoning Administrative Officer may still determine, based on the official map, that such project is located within the GPOD. Such decision may be appealed to the Zoning Board of Adjustment.

(8) Enforcement and Penalties

A violation of this ordinance shall be a civil matter enforced in accordance with the provisions of 24 V.S.A. §§ 4451, 4452 and 4454 or 24 V.S.A. §§ 1974a and 1977, et seq., in the discretion of the zoning administrator. A civil penalty of not more than \$200.00 per violation may be imposed for violation of this ordinance. The Zoning Administrative Officer shall issue a notice of alleged violation, which shall include the opportunity to cure the violation within seven days. If it is not cured after seven days, a municipal ticket may be issued immediately. The Zoning Administrative Officer may institute, in the name of the municipality, any appropriate action seeking an injunction, or other appropriate relief to prevent, restrain, correct, or abate that construction or use. Such action may be initiated in either the Vermont Environmental Court, or in the Vermont Judicial Bureau, as appropriate. Each day that the violation continues shall constitute a separate violation of this ordinance.

(9) Enforcement Officials

The town zoning administrator and health officer shall be the designated enforcement officer(s). Said designee(s) shall issue tickets and may be the appearing officer at any hearing.

(10) Enforcement

(11) Severability

If any portion of this ordinance is held unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

(12) Effective Date

This zoning bylaw shall become effective 21 days after its adoption by the legislative body. (Unless the town has determined to adopt, amend, and repeal zoning bylaws by Australian ballot, in which case, the bylaw shall become effective upon adoption by the voters of the Town of Weathersfield.