



TOWN OF WEATHERSFIELD

LAND USE ADMINISTRATOR'S OFFICE

(802)674-2626

P.O. BOX 550 ASCUTNEY, VT 05030

landuse@weathersfield.org

Zoning Board of Adjustment Agenda

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

Tuesday, February 13, 2024 – 6:30 PM

Site Visit – 5:30 PM – 4782 VT Route 106

Site Visit – 6:00 PM – 4344 US Route 5

-
1. Call to Order
 2. Agenda Review
 3. Comments from Citizens regarding items not on the agenda
 4. Approval of Meeting Minutes – December 12, 2024
 5. **Public Hearing:** Application 23.1018.Len by Nikita Lenahan for the addition of a Child Care Home use at 4782 Route 106 (Parcel: 03-02-09.1). The parcel is located in the Highway Commercial zoning district. This application requires Site Plan Review.
 6. **Public Hearing:** Application 24.0124.Dan by Daniels Construction for the reconstruction and alteration of an existing building for Contractor's Storage at 4344 US Route 5 (Parcel: 10-00-02). The parcel is located in the Industrial zoning district. This application requires Site Plan Review.
 7. Update from LUA on changes to Bylaws by Planning Commission
 8. Discussion of Items for Future Agendas
 9. Adjourn

Remote option – Zoom link and instructions:

<https://www.weathersfieldvt.org/home/news/public-meetings-zoom>

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

PUBLIC HEARING

Site Plan Review – Family Child Care Home

February 13, 2024

Item 1: Public Hearing Notice

Item 2: Certification of Posting and Distribution

Item 3: Eagle Times Tear Sheet

Item 4: Project Overview Memo

Item 5: Administrative Review Sheet

Item 6: Application # 23.1018.Len

Item 7: Additional Materials Packet

Item 8: Permit Navigator Results

Item 9: Site Plan Review Checklist

HEARING ITEM

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P.O. BOX 550 ASCUTNEY, VT 05030

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Zoning Board of Adjustment

NOTICE OF PUBLIC HEARING

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

Remote option – Zoom details below

Tuesday, February 13, 2024 – 6:30 PM

5:30 Site Visit at 4782 VT Route 106

6:00 Site Visit at 4344 US Route 5

A public hearing before the Weathersfield Zoning Board of Adjustment will be held at the Town Office in Ascutney on Tuesday, February 13, 2024 at 6:30 PM (5:30 site visit at 4782 VT Route 106 & 6:00 Site Visit at 4344 US Route 5) to consider the following applications:

Application 23.1018.Len by Nikita Lenahan for the addition of a Child Care Home use at 4782 Route 106 (Parcel: 03-02-09.1). The parcel is located in the Highway Commercial zoning district. This application requires Site Plan Review.

Application 24.0124.Dan by Daniels Construction for the reconstruction and alteration of an existing building for Contractor's Storage at 4344 US Route 5 (Parcel: 10-00-02). The parcel is located in the Industrial zoning district. This application requires Site Plan Review.

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

Remote option – Zoom link and instructions:

<https://www.weathersfieldvt.org/home/news/public-meetings-zoom>

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

HEARING ITEM

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Certification of Posting and Distribution

Notice of Public Hearing

Hearing Date February 13, 2026 Site Visit 5:45pm

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

Ryan Gumbart, Land Use Administrator

Application # 23.1018.Len

Applicant's Name: Nikita Lenahan

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

- Inside Town Office 1/24/2024
- Applicant's File 1/24/2024
- Applicant (mailed) 1/25/2024
- Applicant (sign for posting on site) 1/24/2024
- Landowner (mailed) 1/25/2024
- Agent (mailed) NA
- Newspaper (emailed) 1/24/2024
- Publication in newspaper 1/27/2024
- Abutters* (mailed) 1/25/2024
- Board Members (emailed) 1/24/2024
- Board Secretary (emailed) 1/24/2024
- Town Website (posted) 1/24/2024
- 3 Public Places
 - Town Hall 1/25/2024
 - Ascutney Post Office 1/25/2024
 - Perkinsville Post Office 1/25/2024
- Fire Dept. (signed CFSS) _____
- Police Dept. (signed CFSS) _____
- Highway Dept. (signed CFSS) _____
- School sevice (signed CFSS) _____
- Water District Manager (signed CFSS) _____
- Other _____
- VT Secretary of Transportation** _____

* Abutters - see attached list

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

HEARING ITEM

3



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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.

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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.

Legals 1010

Attention Croydon Residents

Public Hearing on Proposed School District 2024-2025 Budget Tuesday, January 30, 2024 at 6:00 PM Croydon Town Hall

Services 1500

CASH PAID

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- Artwork
- Art Pottery
- Firearms
- Tools
- Fine Dishware and Glassware,
- Books
- Anything Unique

Call or text Greg 603-903-3069

NOTICE OF PUBLIC HEARING

A public hearing before the Weathersfield Zoning Board of Adjustment will be held at the Town Office in Ascutney on Tuesday, February 13, 2024 at 6:30 PM (5:30 site visit at 4782 VT Route 106 & 6:00 Site Visit at 4344 US Route 5) to consider the following applications:

Application 23.1018. Len by Nikita Lenahan for the addition of a Child Care Home use at 4782 Route 106 (Parcel: 03-02-09.1). The parcel is located in the Highway Commercial zoning district. This application requires Site Plan Review.

Application 24.0124. Dan by Daniels Construction for the reconstruction and alteration of an existing building for Contractor's Storage at 4344 US Route 5 (Parcel: 10-00-02). The parcel is located in the Industrial zoning district. This application requires Site Plan Review.

Public Notice
Croydon School District
Croydon, NH

Registered voters are encouraged to run for the following School District Positions:

School District Moderator – 1 year term

School District Clerk – 1 year term

School District Treasurer – 1 year term

1-School Board Member – 3 year term

Filing dates: Wednesday January 24, 2024 to Friday February 2, 2024

You must be a resident of Croydon and a registered voter. No fees required. File with the Town Clerk

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Boards, Committees and Commissions Vacancies

The City of Claremont is inviting citizens to apply for vacancies which exist on the following volunteer Boards, Committees and Commissions:

Please note – not all seats on this list are appointed by the City Council

Airport Advisory Board	No Vacant Seats
Board of Appeals	5 Vacant Seats 3 Vacant Alternate Seats
Claremont Community Television Board of Directors	No Vacant Seats
Claremont Development Authority	No Vacant Seats
Claremont Housing Authority Commission	1 Vacant Seat
Claremont Planning Board	1 Vacant Seat 3 Vacant Alternate Seats
Claremont Police Commission	No Vacant Seats
Conservation Commission	1 Vacant Seat 3 Vacant Alternate Seats
Elks Education Fund Trustee	1 Vacant Alternate Seat
Fiske Free Library Board of Trustees	2 Vacant Alternate Seats
Frances J. Tolles Home Board of Trustees	No Vacant Seats
Historic District Commission	3 Vacant Alternate Seats
Licensing Board	1 Vacant Seat
MT Ascutney Region River Subcommittee of the CT River Joint Commission	2 Vacant Seat 2 Vacant Alternate Seats
Parks and Recreation Commission	2 Vacant Alternate Seat
Personnel Advisory Board	1 Vacant Seat
Policy Committee	No Vacant Seats
Steering Committee for EPA Multipurpose Grant	1 Vacant Seat
TIF Downtown Advisory Board	1 Vacant Seat
Trustee of the Trust Funds	No Vacant Seats
Upper Valley Lake Sunapee Regional Planning Commission	2 Vacant Seat
Zoning Board of Adjustment	1 Vacant Alternate Seat

Seats for Future Availability:

Claremont Development Authority	3 Seats Expired 12/31/2023
Claremont Planning Board	3 Seats Expire 3/31/2024
Conservation Commission	2 Seats Expire 3/31/2024
Historic District Commission	2 Seats Expire 3/31/2024
Zoning Board of Adjustment	1 Seat Expires 3/31/2024

Call the Resource Coordinator at 504-0347 or stop by the Visitor Center at 14 North Street to find out how you can volunteer, or go online to <https://www.claremonth.com/boards-and-commissions> to print out an application.

CITATION ON PETITION TO CHANGE NAME

Docket No. SU24C0014CA

Commonwealth of Massachusetts
The Trial Court
Probate and Family Court

In the matter of: Jerel Dazir Lodge-Washington

Suffolk Probate and Family Court
24 New Chardon Street
Boston, MA 02114
(617)788-8300

A Petition to Change Name of Minor has been filed by
Jerel Dazir Lodge-Washington of Dorchester MA

requesting that the court enter a Decree changing their name to:
Jerel Teagan Dardy

IMPORTANT NOTICE

Any person may appear for purposes of objecting to the petition by filing an appearance at:
Suffolk Probate and Family Court before 10:00 a.m. on the return day of 03/18/2024.
This is NOT a hearing date, but a deadline by which you must file a written appearance if you object to this proceeding.

WITNESS, Hon. Brian J. Dunn, First Justice of this Court.

Date: January 16, 2024

Stephanie L. Everett, Esq., Register of Probate

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HEARING ITEM

4



TOWN OF WEATHERSFIELD

LAND USE ADMINISTRATOR'S OFFICE

(802)674-2626

P.O. BOX 550 ASCUTNEY, VT 05030

landuse@weathersfield.org

To: Zoning Board of Adjustment
From: Land Use Office
Date: February 7, 2024
Re: Public Hearing February 13, 2024

Lenahan: Site Plan Review – Family Child Care Home

Applicant: Nikita Lenahan
Landowner: Nikita Lenahan
Zoning District: Highway Commercial - HC
Parcel ID: 03-02-09.1
Lot size: 3.16 ac
Address: 4782 VT Route 106

Project summary: Seeking Zoning Permit to add Family Child Care Home accessory use to an existing Single-family Residence.

Reasons for hearing: Section 2.5.6 and section 4.2.1(B) require Site Plan Review approval in order for the Administrative Officer to issue a zoning permit.

Attached please find documents relating to the above referenced hearing. The following bylaws are among those which relate to this hearing:

- 2.5 Table of Districts and Uses
- 2.5.6 Highway Commercial (HC)
- 4.2.1 Child Day Care
- 5.2 Site Plan Review

Respectfully,

Ryan Gumbart
Land Use Administrator
Weathersfield, Vermont

HEARING ITEM

5

Zoning Permit Application Review Checklist

Date received: [October 12, 2023](#)

APPLICATION COMPLETENESS

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

1. Is the proposed project “development”? _____

Land Development or Development:

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

Structural Development:

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

Structure:

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

Building:

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

2. Is the proposed project exempt from zoning? (6.2.2) _____
This applies to all development proposed by all persons, including the Town government of Weathersfield, except when specifically exempted by state law. (sect. 1, pg. 1)

3. Is the project a Public Facility? (6.2.3) _____

4. Locate the zoning district in which the property is located. _____

5. Pull parcel file.

6. Check Use Tables:

- Does the project neatly fit into any of the uses listed in the district table? _____
 - If yes, what use? _____
 - If yes, is a zoning permit necessary? _____
 - If no, does it need to go to the ZBA for a determination? _____
 - If no, is the use prohibited? _____

7. What approvals are needed?

- Administrative
- Conditional use
- Site plan
- Subdivision
- PUD
- Flood plain
- Highway access

8. Dimensional requirements:

- Lot size – Minimum _____, Existing _____ Compliant?
- Frontage – Required _____, Existing _____
- Setbacks – Required: Front _____, Rear _____, Side _____
- Setbacks – Proposed: Front _____, Rear _____, Side _____
- Height – Maximum _____, Proposed _____

9. Is anything non-conforming? (3.4): _____

- Lot
- Structure
- Use

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

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

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

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

OTHER CHECKS

- State/Nat'l Register of Historic Places
- Send to Fire Chiefs Darren Spaulding & Josh Dauphin
- Application is complete
 - If not, 30 day issuance period has not started
 - Date of completion: [Click or tap to enter a date.](#)

Notes:

- How many children maximum and will it be registered with the State? Use info to determine use.
- Is there currently a residence and will the building continue to function as a residence?
- Need payment for review, need use to determine payment.
- Sketch needs more info:
 - North arrow
 - Measurements to boundary lines
 - Signature
 - Road frontage distance
- Missing signature page

HEARING ITEM

6

Town of Weathersfield

Land Use Permit Application / Notification

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

<u>Applicant</u>	<u>Landowner (if different)</u>
Name <u>Nikita Lenahan</u>	Name _____
Name _____	Name _____
Mailing Address <u>4782 Route 106</u>	Mailing Address _____
Town, ST, Zip <u>Reading VT 05062</u>	Town, ST, Zip _____
Telephone <u>609 471 0608</u>	Telephone _____
E-mail <u>tambinuniversityutegmail.com</u>	E-mail _____

6 full-time / 4 part time students

<u>Property Information</u>	<u>Project Information</u>
911 Address <u>4782 Rt 106 - Perkinsville</u>	Proposed Use <u>registered childcare</u>
Parcel ID <u>03-02-09.1</u>	Area of Development (sq. ft.) <u>500 sq ft</u>
Lot Size <u>3.16 ac</u>	Height of Structure <u>Existing</u>
Road Frontage <u>250' +/- 265'</u>	Zoning District <u>HC</u>
Existing Use <u>home</u>	

<u>Permit Application - Development Type</u>	<u>Notification - Exempt from Permitting</u>
<i>See district use table in Zoning Bylaws</i>	<i>See Section 6.2.2 Exemptions in Zoning Bylaws</i>
<input checked="" type="checkbox"/> Change of Principal Use <i>residence remaining</i>	<input type="checkbox"/> Minor Structure
<input type="checkbox"/> New Principal Structure	<input type="checkbox"/> Agricultural Structure
<input checked="" type="checkbox"/> New Accessory Use <i>registered family childcare facility</i>	<input type="checkbox"/> Residential Care or Group Home
<input type="checkbox"/> New Accessory Structure	
<input type="checkbox"/> Alterations to Existing Structure	
<input type="checkbox"/> Planned Unit Development (PUD)	
<input type="checkbox"/> Subdivision	
<input type="checkbox"/> Boundary Line Adjustment	
<input type="checkbox"/> Highway Access	
<input type="checkbox"/> Zoning Board Use Determination	

Project Description

Please describe as specifically as possible how the property will be used, the dimensions of any proposed lots or buildings, and square footage allocated to each use.

*wish to have a childcare in my home
with plans to expand in the near future*

Required Reviews, Forms, and Fees

To be filled out by Land Use Administrator

Review by Planning Commission – PC

Review by Zoning Board of Adjustment – ZBA

Administrative Review Form

- Principal Use : \$100 + \$0.05 x _____ sq.ft. new construction
- Accessory Use: \$30 + \$0.05 x 500 sq.ft. new construction **\$55.00**
- After-the-fact: (Standard fees) x 2
- Permit Amendment: \$100 or \$30 + \$0.05 x _____ sq.ft. new construction
- Permit Renewal: \$30

Highway Access Form: \$30

Boundary Line Adjustment Form

- Administrative Review: \$40
- Access Approval - PC: \$75

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

Planned Unit Development Review Form

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

Zoning Board of Adjustment Review Form

- Conditional Use Review: \$200 x _____ sq.ft new construction
- Variance Hearing \$200
- Flood Hazard Review \$200
- Site Plan Review
 - New: \$170
 - Amendment: \$100
- "Other Use" Determination \$200
- Appeal by Permittee FREE
- Appeal by Interested Party \$95

Town Clerk Recording Fee \$15

Permit Fee Total: \$240.00

Town of Weathersfield
Administrative Review Form

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

Staff Use Only

Permit #: 23.1018.Len

Fee Collected:

Completion Date: January 24, 2024

Decision: Approved | Denied | 30-day Default

Zoning Bylaw - 6.2.5 Effective Date

No zoning permit shall take effect until the time for appeal under Section 6.8 has passed, or in the event that a notice of appeal is properly filed, until final adjudication of the appeal.

Appeal by/ Effective Date: _____

Zoning Bylaw - 6.2.7 Permit Expiration

Permits expire one year from the effective date if the permitted project has not been started and five years from the effective date if the project has been started but not completed, unless other longer times have been approved in the permit. Permits may be renewed, but such renewal shall take into account any subsequent adopted amendments to these Bylaws. Reactivation of a previously permitted use which has been discontinued for more than one year shall require the issuance of a new permit.

Permit Expiration Date: _____ if project has not been started.

Permit Expiration Date: _____ if project has been started.

Is your project subject to the **Residential / Commercial Building Energy Standards**? Yes No
If yes, you must record a Vermont Residential/Commercial Energy Standards (RBES or CBES) Certificate in the Land Records prior to receiving your Certificate of Compliance/Occupancy. Contact Energy Code Assistance Center at (855) 887-0673 to determine if you need to follow these standards.

Does your project involve any **demolition and/or renovation**? Yes No
If yes, you must contact the Lead and Asbestos Regulatory Program at (800) 439-8550 prior to demo/renovation.

Does your project involve the installation or removal of a **new manufactured/mobile home**? Yes No
If yes, you must provide a copy of HUD Form 309. Installation must comply with the HUD Permanent Foundations Guide for Manufactured Housing. A bill of sale must be obtained from the Weathersfield Town Clerk.

Does your project involve work within a **Town or State right of way**? Yes No
If yes, you must obtain Highway Access permit approval from the Town of Weathersfield and/or Vermont Agency of Transportation at (802) 279-1152.

Will your project involve connecting to **municipal water**? Yes No
If yes, you must contact the Town Manager at (802) 674-2626.

Does your project involve construction of / change of use to or from being a **public building**? Yes No
If yes, you must contact the Vermont Department of Public Safety, Division of Fire Safety. A public building is any building that the public has the occasion to enter EXCEPT for owner-occupied, single-family dwellings, registered home day cares, and working farms, but INCLUDING single family homes becoming rentals.

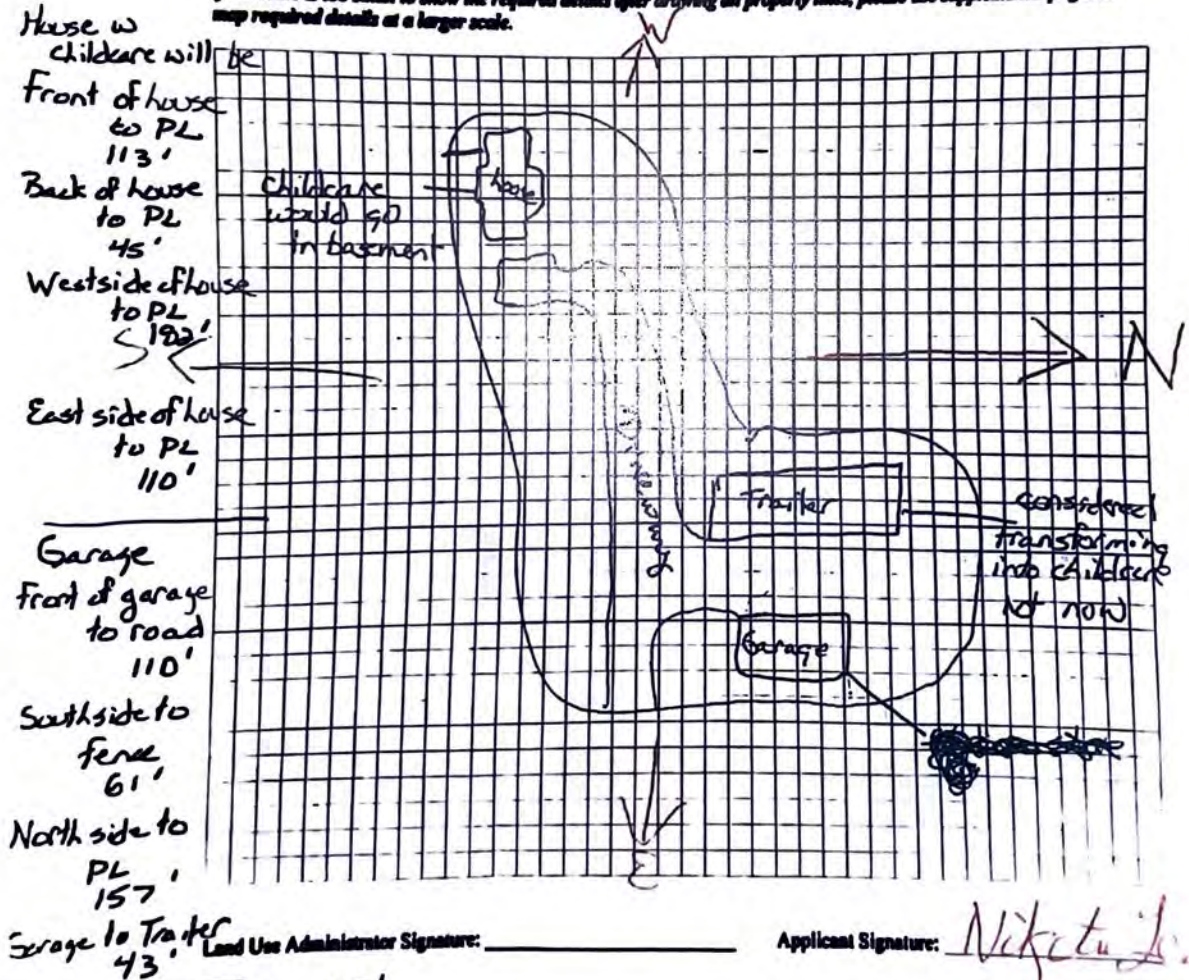
Does your project involve a **new home / business, change in # of bedrooms / change in use**? Yes No
If yes, contact the local Water/Wastewater Permit Specialist at (802) 279-4747, or the State Water/Wastewater Division, Springfield Office at (802) 289-0603.

Site Plan Sketch

Draw an aerial view of the property described in this application showing:

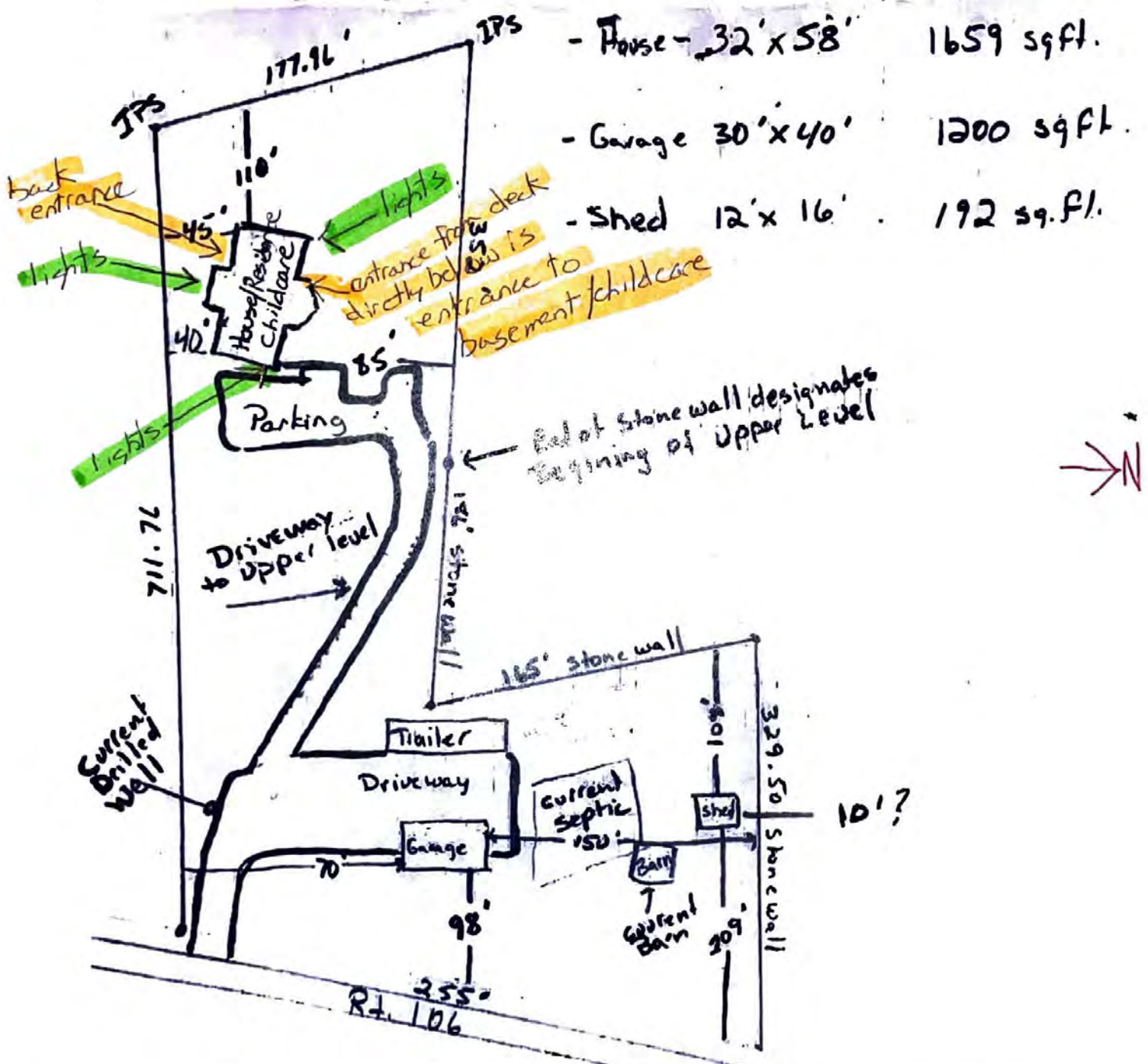
- north arrow;
- all property lines;
- shape, size and location of all existing and proposed structures (principal and accessory) on the property with measurements to the closest property boundary lines;
- identify the structure uses;
- location of septic/tower, water, and power utilities;
- identify access from Town or State Highway and road frontage distance;
- identify any deed easements or rights-of-way;
- include any proposed signs;
- include any streams, water bodies, or wetlands.

If the scale is too small to show the required details after drawing all property lines, please use supplemental pages to map required details at a larger scale.



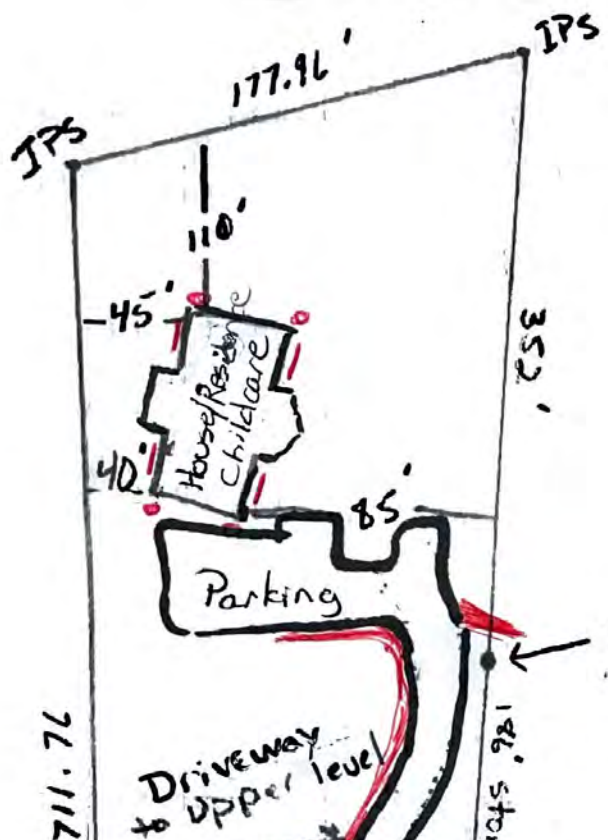
Land Use Administrator Signature: _____

Applicant Signature: *Niketa L...*



- House - 32' x 58' 1659 sqft.
- Garage 30' x 40' 1200 sqft.
- Shed 12' x 16' 192 sq. ft.

Childcare in House
 Residence will remain residence

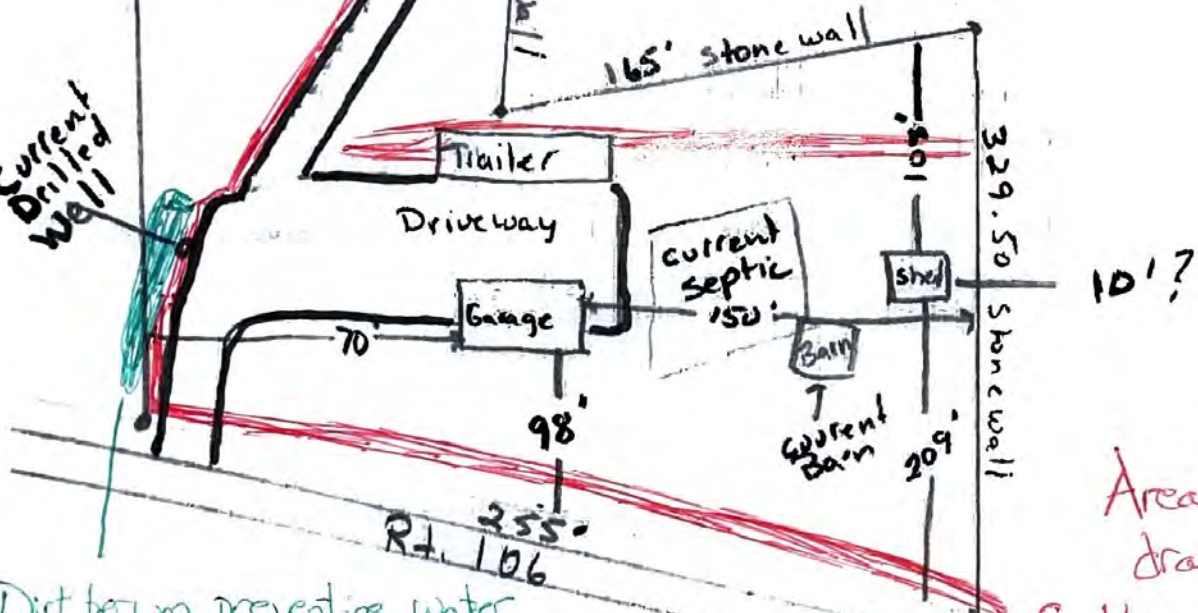


- House - 32' x 58' 1659 sq ft.
- Garage 30' x 40' 1200 sq ft.
- Shed 12' x 16' 192 sq. ft.

End of stone wall designates Beginning of Upper Level



Current Drilled Well



Dirt berm preventing water from going onto adjacent property or vice versa
 Childcare in House
 Residence will remain residence

Areas of red are drainage.
 Gutters on house that spill into perforated pipe under ground.

Ditch, culverts, pitched driveway to prevent erosion.

Drainage at 4782 Rt 106

No new construction will be needed for this childcare to be opened. All dirt work, landscaping, construction, etc has been completed. Water on the upper level of the property where the childcare has several drainage provisions. The house has gutters on it that flow into downspouts attached to perforated pipe so that storm water coming off the roof goes underground ensuring no water can erode around the house or wash out any surrounding landscaping. The driveway is pitched toward a ditch which goes the full length of the driveway. The driveway itself is crowned so that water goes into the ditch preventing the driveway from washing. At the bottom of the driveway the ditch leads to a culvert which spills into another ditch on the side of the lower driveway entering the property then flowing through another culvert under the driveway and off the property. There is a ditch that runs south to north behind the mobile home on the lower level which directs any water flow from washing out any landscaping. The lower parking area is also crowned so that water flows towards the ditches and culverts. There is a berm constructed of dirt so that water from the adjacent property can not come over into the driveway, rather it directs any flow to the ditches and culverts.



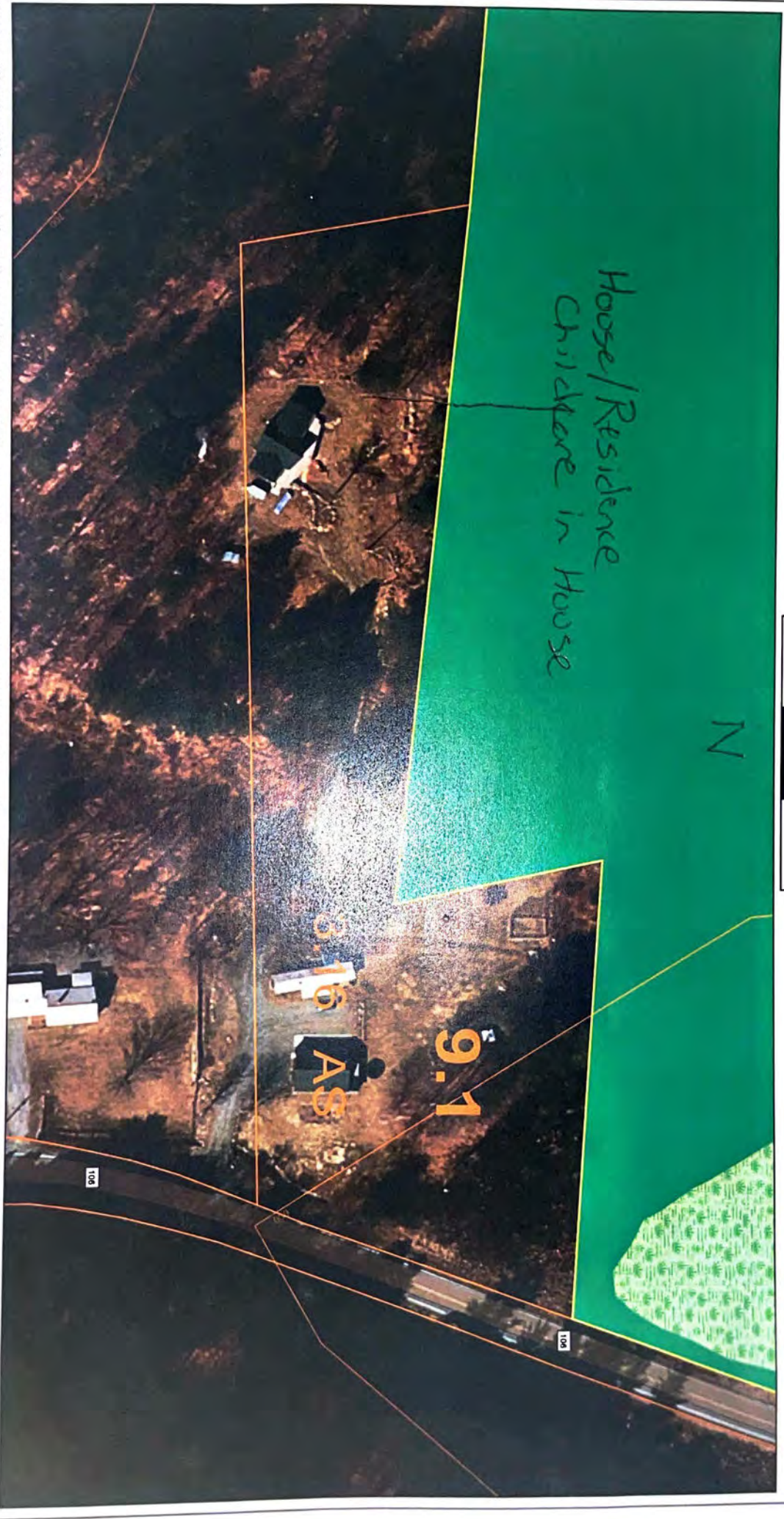
November 6, 2023

Weatherfield, VT

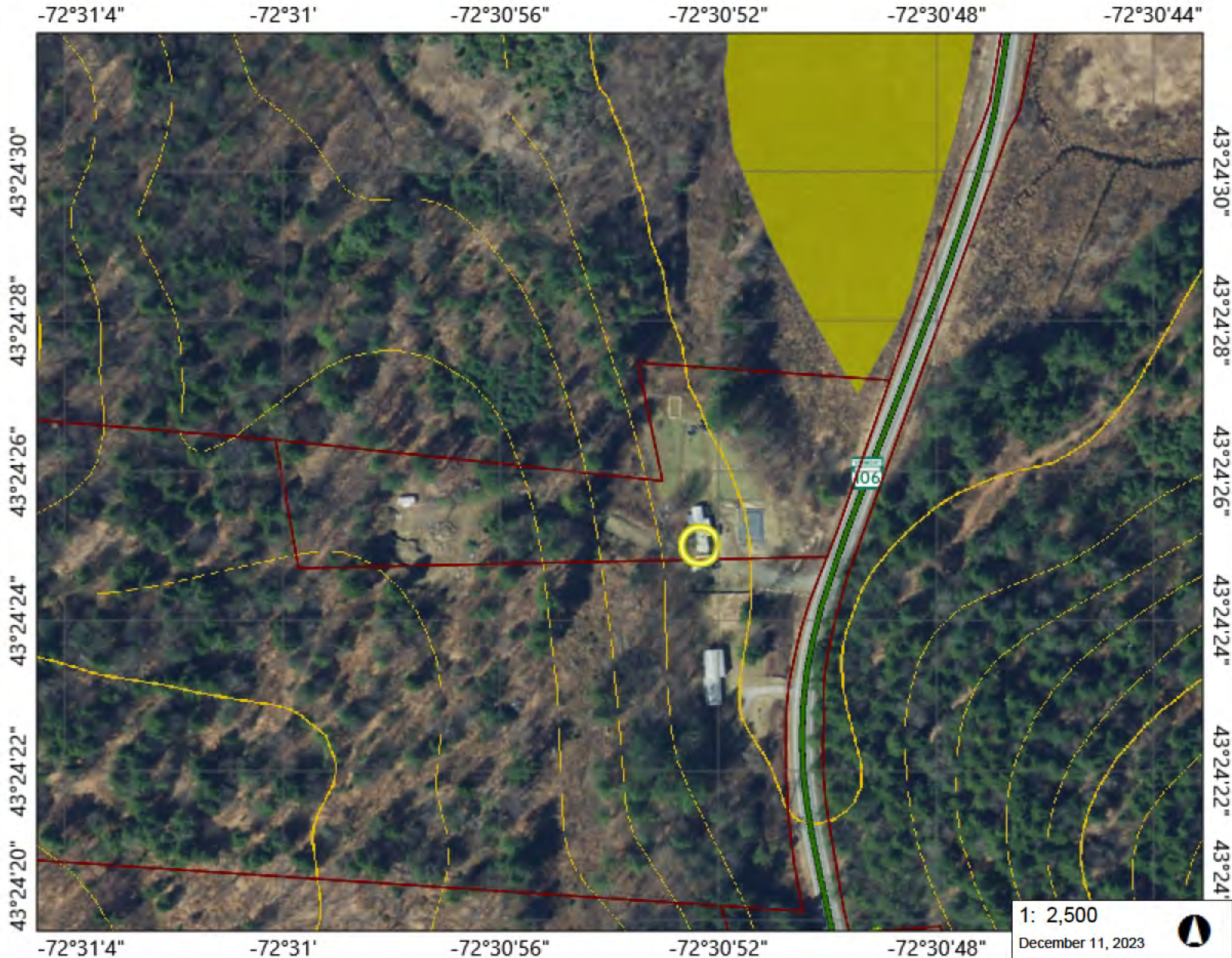
1 Inch = 69 Feet



www.cai-tech.com



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LEGEND

- ★ Wetland Projects
- Priority Waters List (Streams a
 - Part B (impaired TMDL not requirec
 - Part D (impaired with approved TM
 - Part E (altered exotic species)
 - Part F (altered flow regulation)
- Priority Waters List (Lakes and
 - Part B (impaired TMDL not requirec
 - Part D (impaired with approved TM
 - Part E (altered exotic species)
 - Part F (altered flow regulation)
- Stressed Waters List (Streams
 - Stressed Waters List (Lakes at
- Wetland - VSWI
 - Class 1 Wetland
 - Class 2 Wetland
 - Wetland Buffer
- Wetlands Advisory Layer
- Wetland Restoration Potential (2017)
 - 0.600000 - 1.000000
 - 1.000001 - 2.000000
 - 2.000001 - 3.000000
 - 3.000001 - 4.000000
- Wetland VRAM - 2021
 - <= 0
 - 1 - 60
 - 61 - 75

1: 2,500
December 11, 2023

127.0 0 64.00 127.0 Meters

WGS_1984_Web_Mercator_Auxiliary_Sphere 1" = 208 Ft. 1cm = 25 Meters

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NOTES

Map created using ANR's Natural Resources Atlas

Landowner & Applicant Acknowledgements

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

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

Landowner Signature: Nikita Leraban

Date: 11/08/23

Applicant Signature: Nikita Leraban

Date: 11/08/23

Town of Weathersfield

Date: 11/09/2023 Time: 10:34:44

Clerk: osavage

Account: 030209-1

Name: LENAHAN NIKITA

Comments:

Description	Amount
Land Records	10.00
Land Records	3.00
Land Records	2.00
Zoning Permits	235.00
CREDIT CARD	250.00

Thank you

HEARING ITEM

7



LEGEND

- Parcels (standardized)
- Roads**
 - Interstate
 - US Highway; 1
 - State Highway
 - Town Highway (Class 1)
 - Town Highway (Class 2,3)
 - Town Highway (Class 4)
 - State Forest Trail
 - National Forest Trail
 - Legal Trail
 - Private Road/Driveway
 - Proposed Roads
- Town Boundary

1: 1,167
December 20, 2023

NOTES

Prepared for Nikita Lenahan
4782 Route 106, Reading VT 05062
Created 12/20/2023
Prepared by Ryan Gumbart, Land Use
PO BOX 550, Acutney, VT 05030

59.0 0 30.00 59.0 Meters
WGS_1984_Web_Mercator_Auxiliary_Sphere 1" = 97 Ft. 1cm = 12 Meters
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Lenahan Site Plan - 5.1.2(b)(6)

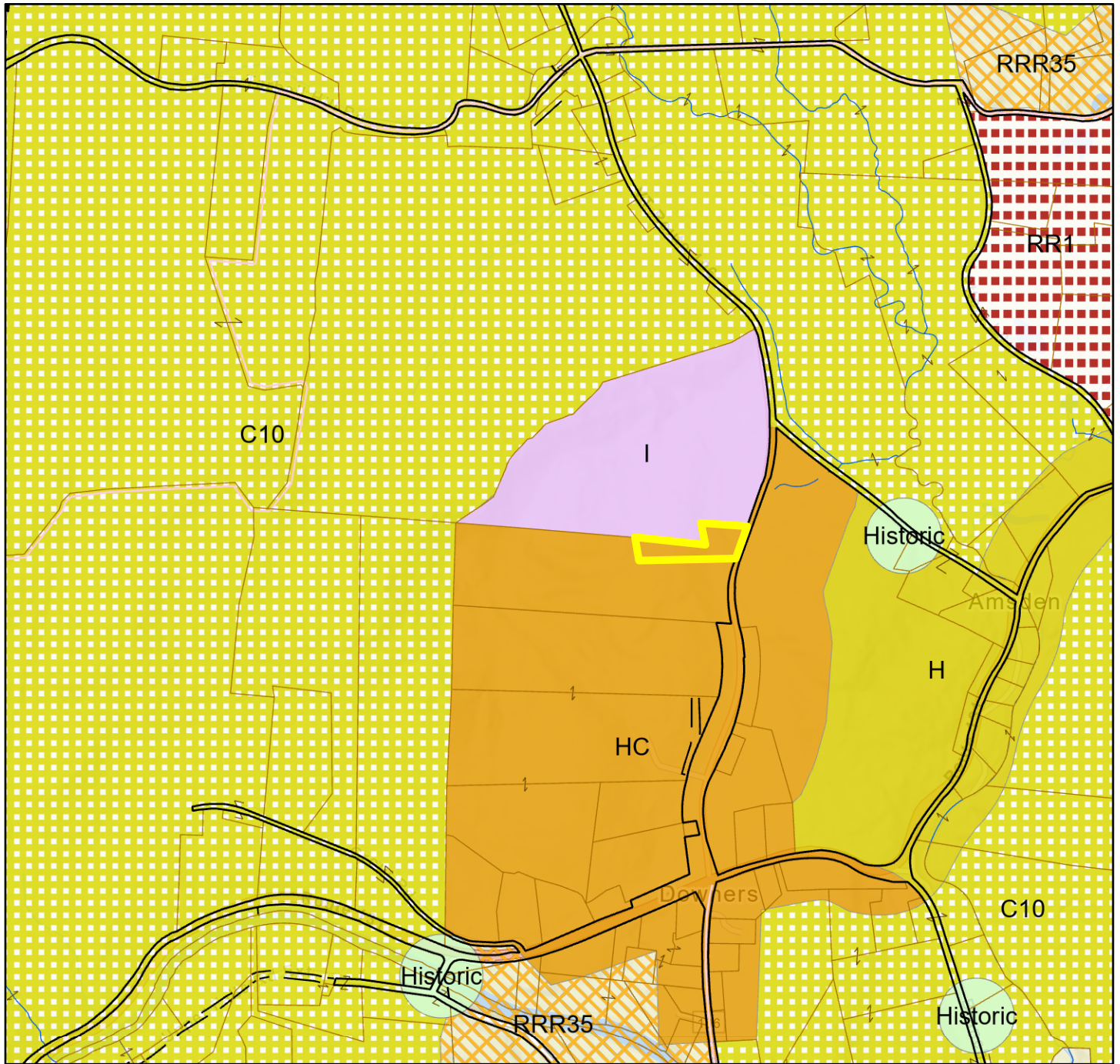
Weathersfield, VT

1 inch = 1096 Feet



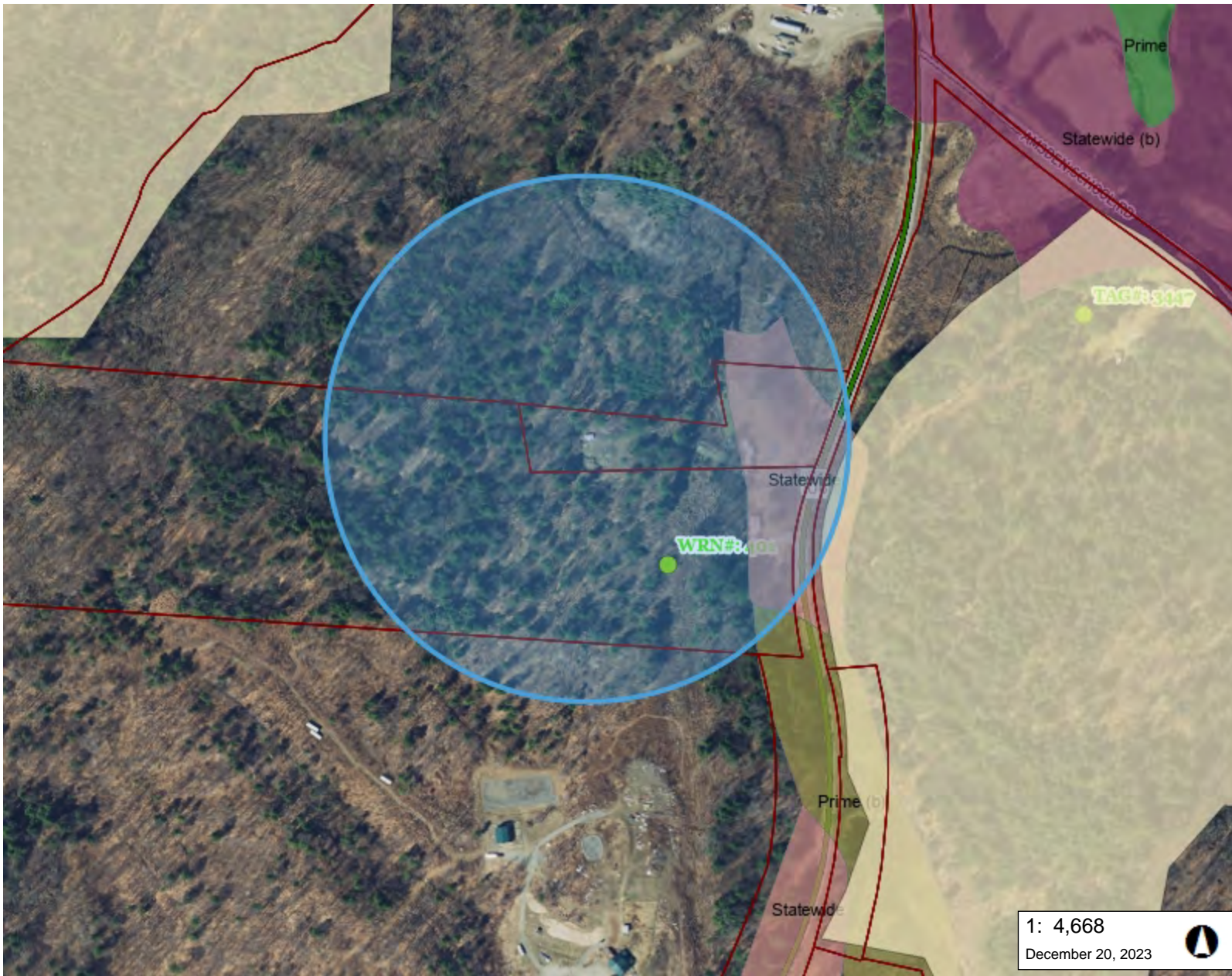
www.cai-tech.com

December 20, 2023



Large Scale	Right of Way	HC - Highway Commercial
CAI Town Line	Block	I - Industrial
Common Line	Property Hook	RR1 - Rural Residential
Property Line	WaterLines	RRR35 - Rural Residential Reserve
Public Road	C10 - Conservation 10	Historic Preservation
Tract Line	H - Hamlet	World Hillshade

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LEGEND

- Rare Threatened and Endange
 - RTE Animal
 - RTE Plant
- Deer Wintering Areas
- Soils - Prime Agricultural
 - Local
 - Local (b)
 - Not rated
 - Prime
 - Prime (b)
 - Prime (f)
 - Statewide
 - Statewide (a)
 - Statewide (b)
 - Statewide (c)
- Public Water Sources
 - Active
 - Proposed
 - Inactive
 - Non-Public, Previously Permitted
- Private Wells
 - GPS Located
 - Screen Digitized
 - E911 Address Matched
 - Welldriller/Clarion
 - Unknown Location Method
 - Incorrectly Located

1: 4,668

December 20, 2023

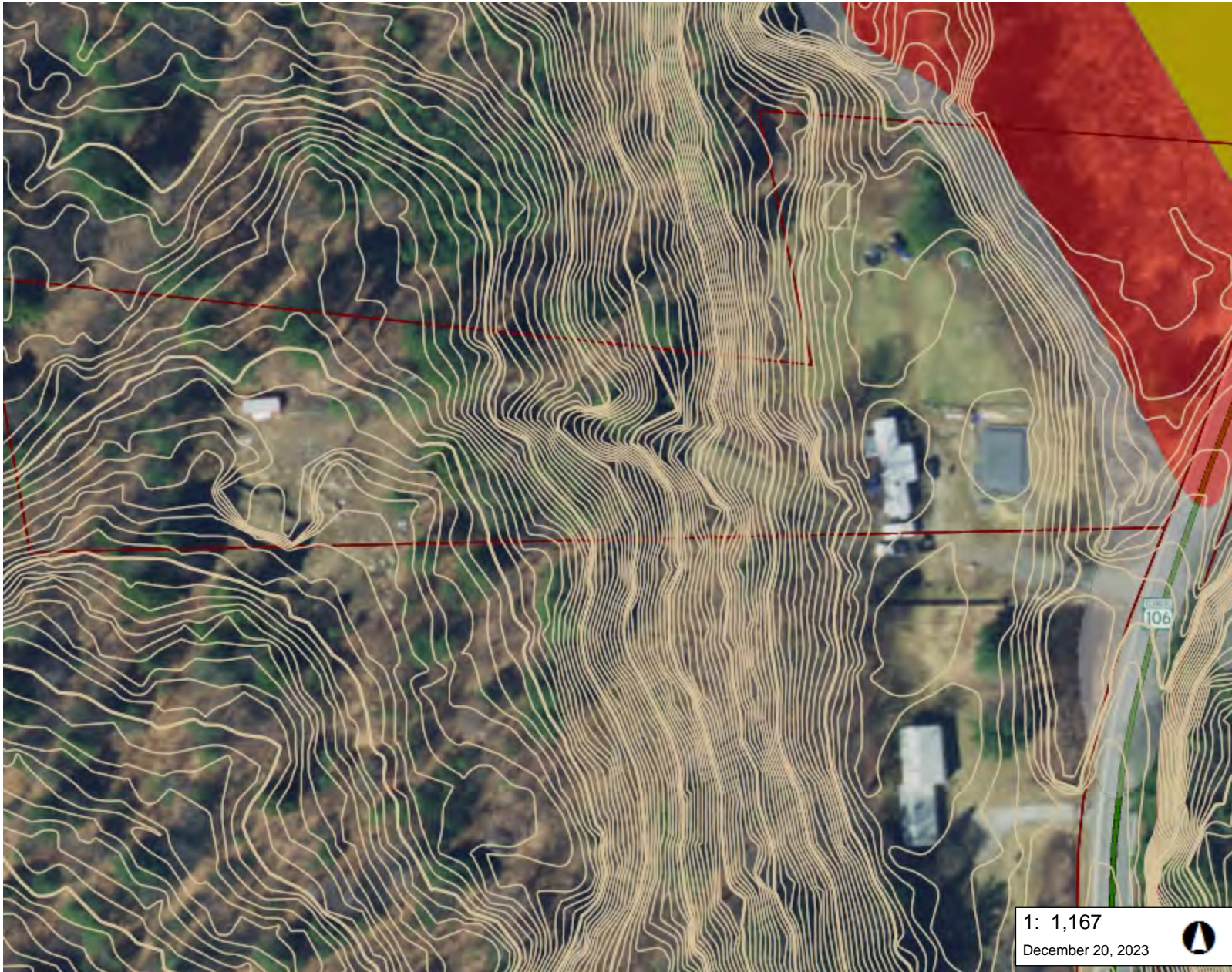


NOTES

Prepared for Nikita Lenahan
 4782 Route 106, Reading VT 05062
 Created 12/20/2023
 Prepared by Ryan Gumbart, Land Use
 PO BOX 550, Acutney, VT 05030

237.0 0 118.00 237.0 Meters
 WGS_1984_Web_Mercator_Auxiliary_Sphere 1" = 389 Ft. 1cm = 47 Meters
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1: 1,167

December 20, 2023



LEGEND

Contours - LiDAR 1ft.

- Contour Line, Index Major
- Contour Line, Index Minor
- Contour Line, Intermediate Even
- Contour Line, Intermediate Odd

Wetland - VSWI

- Class 1 Wetland
- Class 2 Wetland
- Wetland Buffer

Wetlands Advisory Layer

DFIRM Floodways

Flood Hazard Areas (Only FEMA)

- AE (1-percent annual chance flood)
- A (1-percent annual chance flood)
- AO (1-percent annual chance zone feet)
- 0.2-percent annual chance flood ha

Parcels (standardized)

Roads

- Interstate
- US Highway; 1
- State Highway
- Town Highway (Class 1)
- Town Highway (Class 2,3)
- Town Highway (Class 4)
- State Forest Trail
- National Forest Trail
- Legal Trail

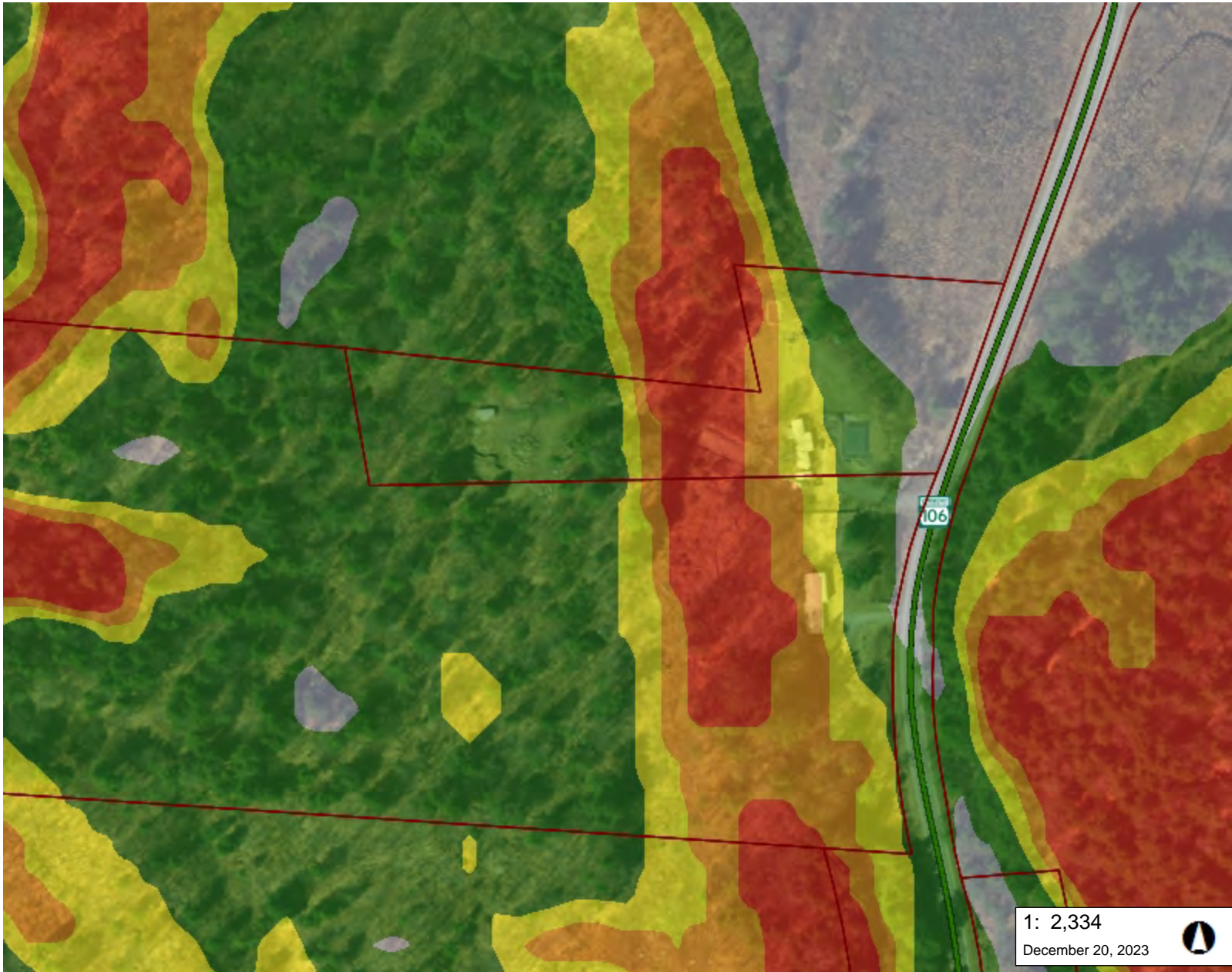
NOTES

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 4782 Route 106, Reading VT 05062
 Created 12/20/2023
 Prepared by Ryan Gumbart, Land Use
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59.0 0 30.00 59.0 Meters

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LEGEND

- Parcels (standardized)
- Roads**
 - Interstate
 - US Highway; 1
 - State Highway
 - Town Highway (Class 1)
 - Town Highway (Class 2,3)
 - Town Highway (Class 4)
 - State Forest Trail
 - National Forest Trail
 - Legal Trail
 - Private Road/Driveway
 - Proposed Roads
- Town Boundary
- Slope**
 - <5%
 - 5-15%
 - 15-20%
 - 20-25%
 - >25%

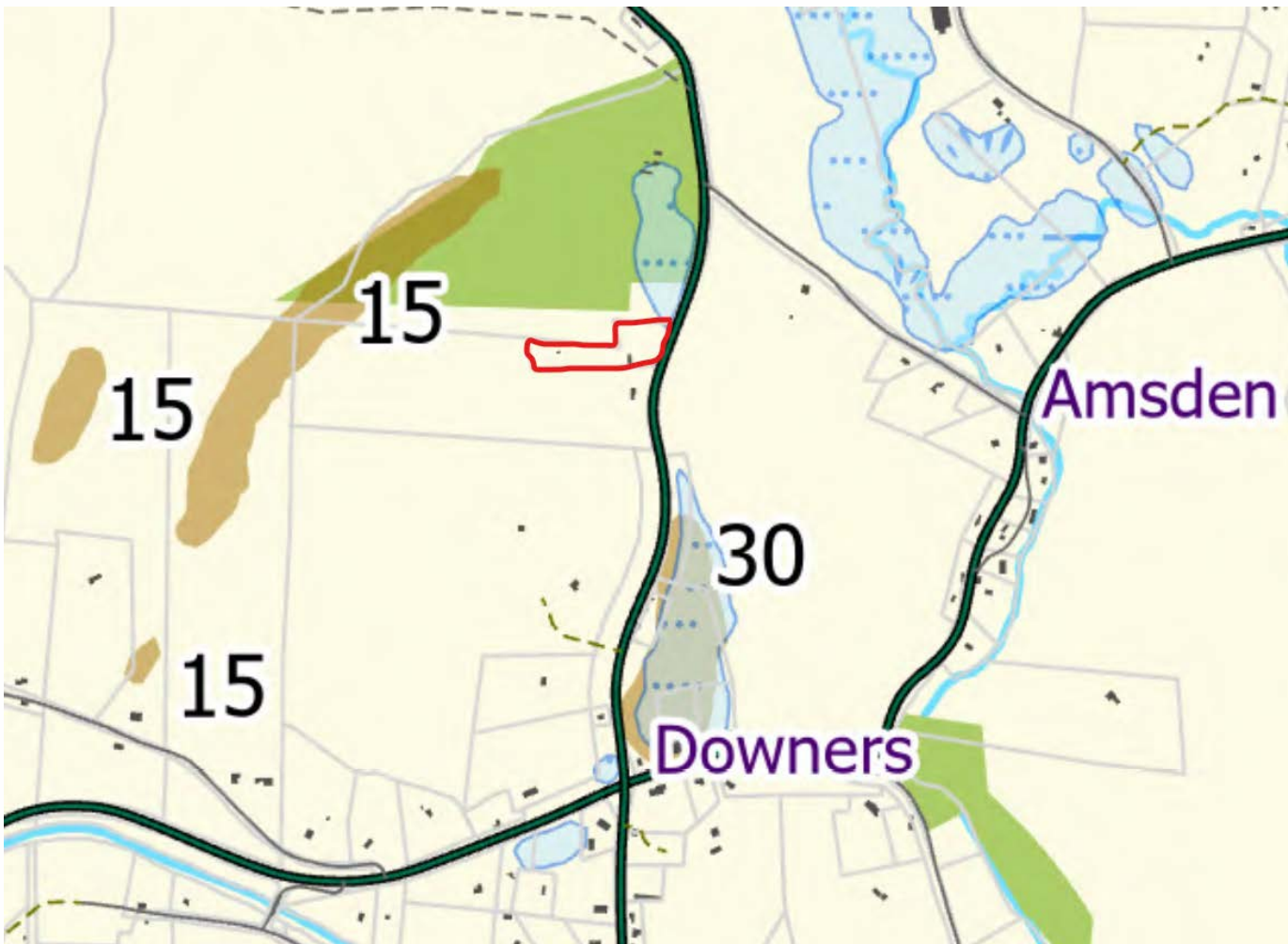
1: 2,334
December 20, 2023

NOTES

Prepared for Nikita Lenahan
4782 Route 106, Reading VT 05062
Created 12/20/2023
Prepared by Ryan Gumbart, Land Use
PO BOX 550, Acutney, VT 05030

119.0 0 60.00 119.0 Meters
WGS_1984_Web_Mercator_Auxiliary_Sphere 1" = 194 Ft. 1cm = 23 Meters
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Site Number: 15
Site Name: Eagleshead
USGS Quad: Cavendish
Orthophoto: 148100

Features of significance:

Natural communities: Vernal pool, open wetland, forested talus, mature forest
Uncommon plants: slender wheatgrass (*Agropyron trachycaulon*) and grass rush (*Juncus marginatus*).

State significance: Moderate

Local Significance: High

Description:

On the east end of Eagleshead there is an area of open ledge, with talus and mature forest below. West of the ledges there is an interesting, though small, wetland complex. There is an uncommon plant on the top of the hill, and another in the powerline.

The forest below the ledges is an oak/hardwood forest, and the largest trees are red oaks. Several trees are up to 24" in diameter, and one tree about 30" was seen. Other trees are sweet birch, hophornbeam, paper birch, sugar maple and basswood.

The shrubs are characteristic of talus areas: mountain maple, bush honeysuckle, mountain ash, and red berried elder, among others. The cliff is open and quite dry, with very little vegetation except in a few cracks. Purple-flowering raspberry, fragile fern, columbine, and early saxifrage are some of the characteristic plants here.

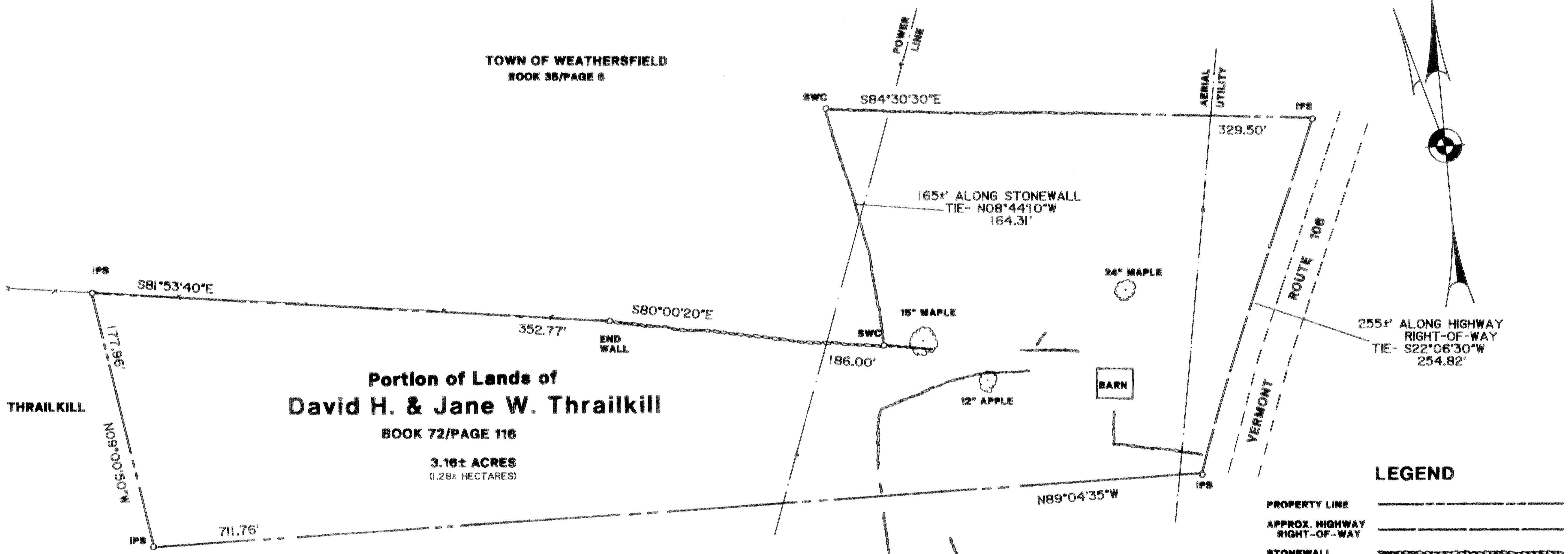
The forest on top of the ledges is dry, but mostly fairly ordinary. The uncommon grass, ***Agropyron trachycaulon***, grows here.

The wetlands in the saddle to the west of the ledges are small, but interesting and of some significance. There is a vernal woodland pool, a wetland which is wet in spring and dry later in the growing season. Wetlands such as this provide important breeding habitat for amphibians. North of this pool there is a more permanent wetland, an open mossy wetland which appears to be a forested wetland that has been opened by logging. Black ash and red maple are occasional, and meadow sweet and steple bush are common shrubs along with Bebb's willow. Common herbs are sensitive fern, rough goldenrod, cinnamon fern, and blue joint grass. Several species of Sphagnum mosses form large hummocks.

The powerline right of way below the ledges provides habitat for an uncommon plant, grass rush (*Juncus marginatus*). This is a species about which little is known in Vermont. It is uncommon yet it grows in some very ordinary habitats, often in disturbed areas. Its natural habitat is damp shores, and it seems to do well in damp sites that are artificially disturbed as well. It probably needs no special management.

In summary, this is an important site with a diversity of features and values.

APPROXIMATE MAGNETIC DECLINATION
OCTOBER, 1988 - 151° WESTERLY



**Portion of Lands of
David H. & Jane W. Thraikill**

BOOK 72/PAGE 116

3.16± ACRES
(1.28± HECTARES)

DAVID H. & JANE W. THRAIKILL
(MORE THAN 10 ACRES)
BOOK 72/PAGE 116

LEGEND

- PROPERTY LINE
- APPROX. HIGHWAY RIGHT-OF-WAY
- STONEWALL
- WIRE FENCE
- AERIAL UTILITY
- POWER POLE
- DECIDUOUS TREE
- BOUNDARY POINT
- IRON PIN FOUND IPF
- IRON PIN SET IPS
- STONEWALL CORNER SWC

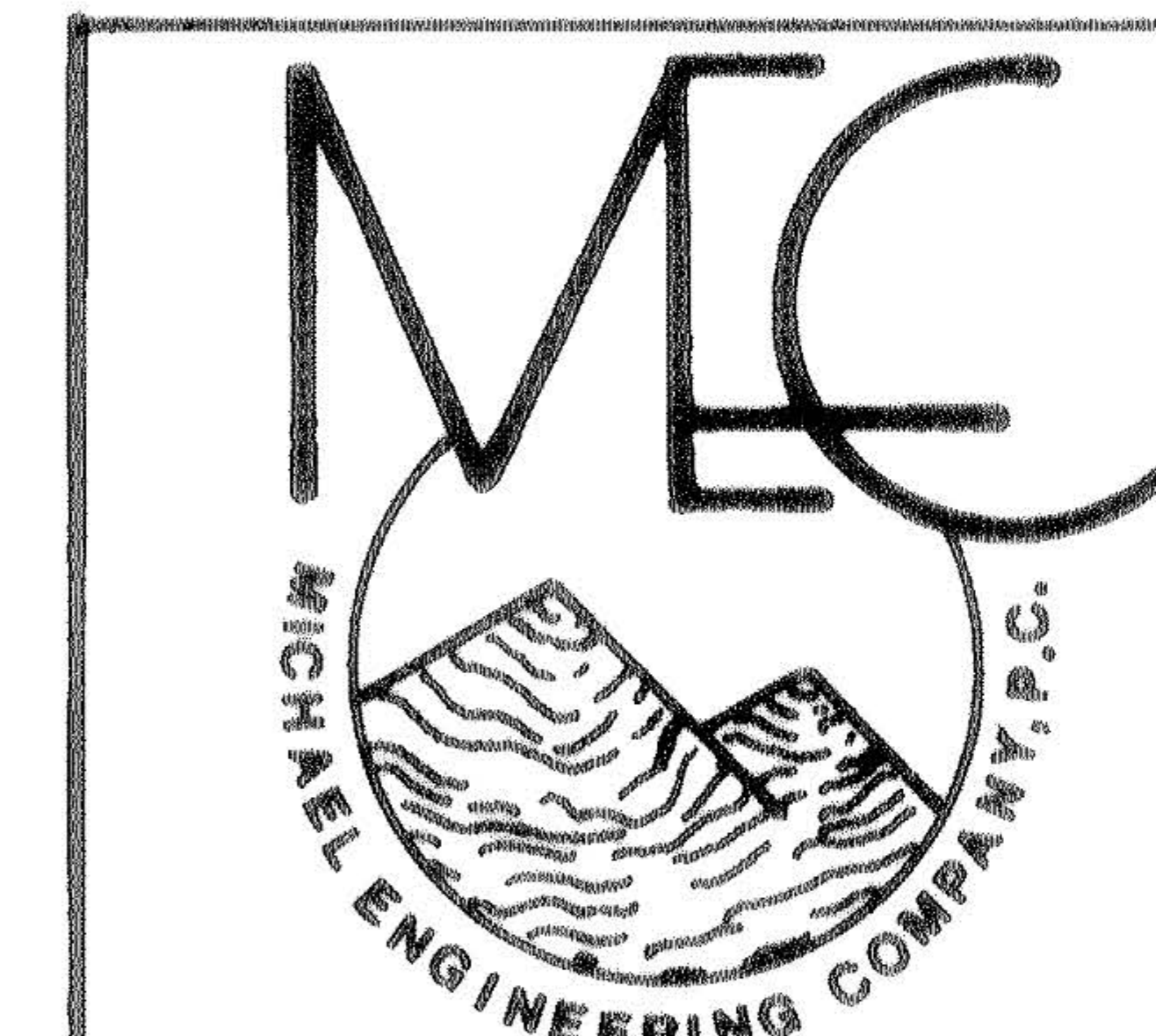
WEATHERSFIELD, VT. TOWN CLERK'S OFFICE

RECEIVED FOR RECORD March 19 A.D., 20 01
AT 10 O'CLOCK 45 MINUTES A M.
AND RECORDED IN Weathersfield
ATTEST: Aina A. Odumatt
Asst. TOWN CLERK

366

NOTES--

1. THIS SURVEY WAS BY THEODELITE-ELECTRONIC DISTANCE METER TRAVERSE.
2. BEARINGS SHOWN ARE WITH RESPECT TO APPROXIMATE TRUE NORTH.
3. BOUNDARIES SHOWN WERE FROM RESEARCH OF THE LAND RECORDS OF WEATHERSFIELD. REFERENCE WAS HAD TO A SURVEY PLAN PREPARED FOR THE TOWN OF WEATHERSFIELD JUNE 30, 1955 BY L.G. BASSO, ENGINEER.
4. THE SURVEYED PARCEL IS SUBJECT TO EASEMENTS FOR UTILITIES WHICH ARE ON RECORD IN THE WEATHERSFIELD LAND RECORDS.
5. THE SURVEYED PARCEL IS A PORTION OF A 30± ACRE TRACT DESCRIBED IN A DEED TO DAVID H. AND JANE W. THRAIKILL RECORDED IN BOOK 72, PAGE 116 OF THE WEATHERSFIELD LAND RECORDS.



ROUTE 100
PLYMOUTH, VERMONT

SURVEY: ZEH, DNR, JD

DRAWN: ZEH, KRT

CHECKED: RJM

REVISION:

DRAWING NO.: 88-47.1

PROJECT NO.: 88-47

**Portion of Lands of
David H. & Jane W. Thraikill**

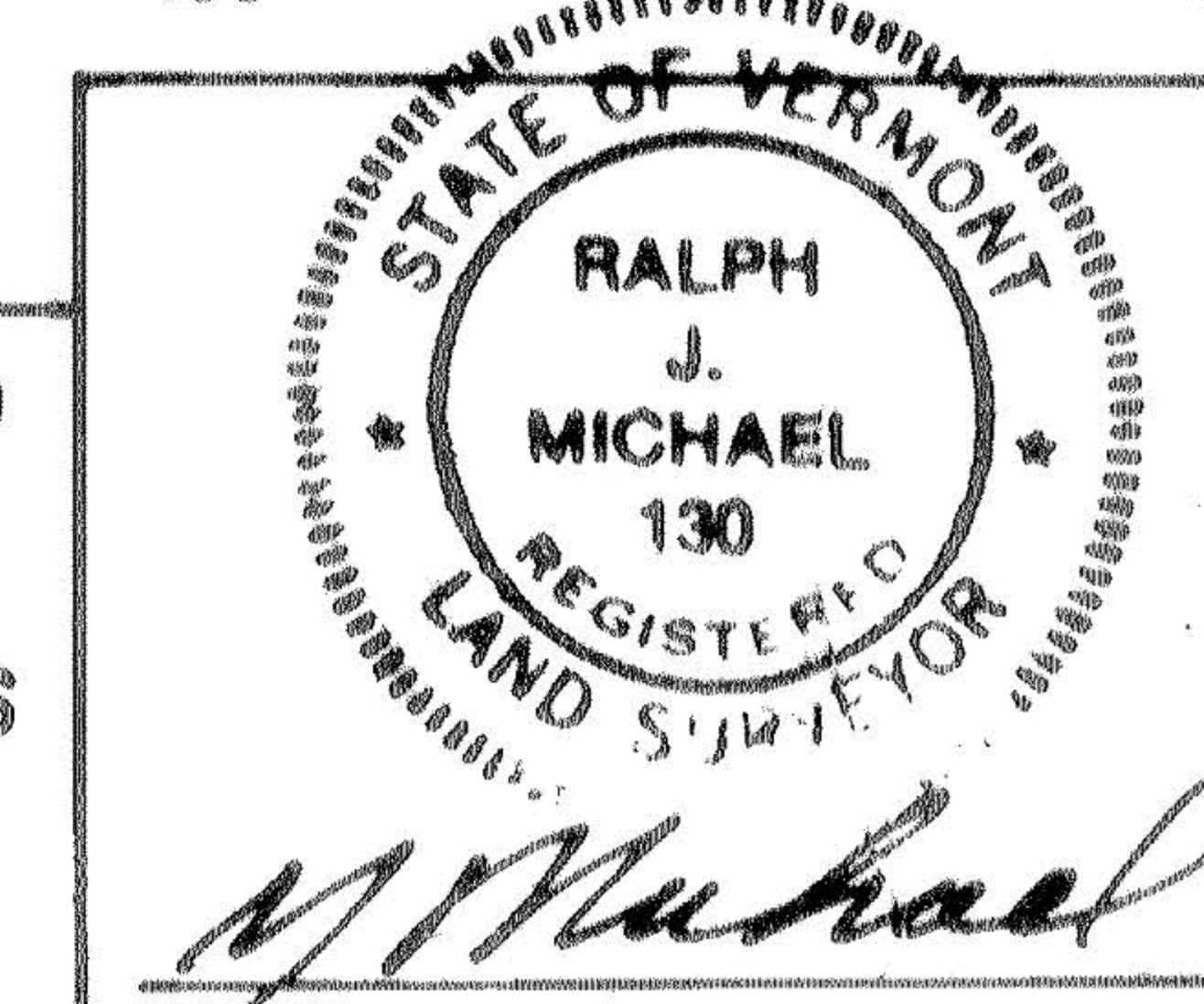
LOCATION: WEATHERSFIELD (WINDSOR COUNTY), VERMONT



SCALE: 1 INCH = 50 FEET

I HEREBY CERTIFY THAT I HAVE CAUSED
A SURVEY TO BE MADE OF THE LANDS
SHOWN HEREON, AND THAT THIS PLAT IS
A TRUE REPRESENTATION THEREOF.

DATE: OCTOBER 31, 1988



HEARING ITEM

8

STATE OF VERMONT

Agency of Natural Resources

Home

Permit Navigator

- ✓ Getting Started
- ✓ General Questions
- ✓ Project Questions

3.1 Act 250

3.2 Air: Compliance/Field Services

3.3 Fish and Wildlife

3.4 Indirect Discharge/Underground Injection Control

3.5 Lakes and Ponds Management and Protection

3.6 Rivers

3.7 Salvage Yards

3.8 Solid Waste Management

3.9 Stormwater Management

3.10 Wastewater Systems & Potable Water Supplies (for buildings & houses)

3.11 Wetlands

4 Review / Download

Please download or print your results to save them for later. If you provided your name and email address, then staff from ANR or Act 250 may reach out and offer additional assistance.

Download

Print

Your Permit Navigator Results

PNR-0000005674

Copy Result Number

Link Generated

On the following page, you will find the following results based on the information that you provided. If the information you provided changes, for example if you change the location or size of your project, you should start over as the results below are no longer valid

Permits Likely Needed

Wastewater System & Potable Water Supply

Wetlands

If you'd like to start over, please [click here](#)

Disclaimer: The Permit Navigator Results Summary is based on the information

Wetlands

If you'd like to start over, please [click here](#)

Disclaimer: The Permit Navigator Results Summary is based on the information provided, and is not intended as an official or binding permitting determination by the ANR or the NRB. The Agency and the NRB reserve the right to require additional permits and/or approvals depending on the specific details of the project.

* By checking this box I confirm that I have read and understood the disclaimer.

Check here if you would like a jurisdictional opinion on whether your project requires an Act 250 permit? If you check this box you will need to provide your contact information (first name, last name, email address, and phone). Otherwise, entering your contact information here is not required, but doing so will make it easier for ANR or Act 250 staff to better assist you in the future.

Disclaimer: Although requesting an Act 250 jurisdictional opinion is not required, it is highly recommended. Commencement of construction on a project (including clearing land or demolishing structures in preparation) that requires an Act 250 permit without securing a jurisdictional opinion could result in penalties and other enforcement actions.

securing a jurisdictional opinion could result in penalties and other enforcement actions.

Project Information Review

Project Address	Category	Industry / Activity
4782 VT ROUTE 106. WEATHERSFIELD, 05062	Individual	Renovating a Home

Your Location selection data

Latitude	Longitude	SPAN
43.4070	-72.5161	705-224-10920

Property Owner	Location
LENAHAN NIKITA 4782 VT ROUTE 106. WEATHERSFIELD, 05062	View Permit Navigator Result Map This link will open a page showing the location of your project and Permit Navigator map information.

Permits Likely Needed

Vermont Department of Environmental Conservation

Wastewater



Vermont Department of
Environmental Conservation



Wastewater System & Potable Water Supply

Regulates the construction or modification of potable water supplies and wastewater treatment and disposal systems in order to protect human health and the environment. Wastewater permit applications are filed by engineers and licensed designers.

[View details](#)



Your response indicates that you do not need this permit, but our information based on location or historical activities on the property indicates that you might. Please contact the permit contact for this permit to receive a definitive answer.

Vermont Department of
Environmental Conservation



Wetlands

Permits are required for most activities within a wetland or its buffer zone (50-foot for Class II wetlands, 100+feet for Class I wetlands). Activities in wetlands and buffers likely needing a permit include filling, draining, cutting or removing vegetation, removing soil or grading. The



Your response indicates that you do not need this permit, but our information based on location or historical activities on the property indicates that you might. Please contact the permit contact for this permit to receive a definitive answer.

Vermont Department of Environmental Conservation



Wetlands

Permits are required for most activities within a wetland or its buffer zone (50-feet for Class II wetlands, 100+feet for Class I wetlands). Activities in wetlands and buffers likely needing a permit include filling, draining, cutting or removing vegetation, removing soil, or grading. The easiest way to research whether a property has jurisdictional wetlands associated with it is to use the Wetland Screening Tool. The results for a given property are listed for you to see, with explanations of each layer and recommended next steps. The link for the tool may be found in the Guidance Link below.

[View details](#)

Environmental Considerations Based on Mapped Results

ID	401
----	-----

Environmental Considerations Based on Mapped Results

ID	401
MAP RESULT	Private Well

ID	283215
MAP RESULT	Hydric Soils

ID	50027C
MAP RESULT	Flood Hazard Area

ID	
MAP RESULT	Vermont Significant Wetland Inventory

Contact Information

First Name	Last Name	Phone
Nikita	Lenahan	(609) 471-0608

Email	Address 1	Address 2
bambinouniversityvt@gmail.com	4782 Rt 106	

City	State	Mailing Zip/Postal Code
Reading	Vermont	

Contact Information

First Name	Last Name	Phone
Nikita	Lenahan	(609) 471-0608
Email	Address 1	Address 2
bambinouniversityvt@gmail.com	4782 Rt 106	
City	State	Mailing Zip/Postal Code
Reading	Vermont	05062

Act 250

Next you will be asked some questions about the nature of your project, acreage, and who the developer is (or the "person" as that term is defined by Act 250). In most cases the questions will be easy (such as when you own one lot and you have no business partners). In some cases it can get pretty complicated. We are here to help. If you don't know the answer to these questions please select: "I don't know," and you will receive information about who to call to help you when you get to the end of these questions.

help. If you don't know the answer to these questions please select: "I don't know," and you will receive information about who to call to help you when you get to the end of these questions.

Did you previously receive an Act 250 Jurisdictional Opinion (JO) for this project?

Answer:

NO

Did you request an Act 250 Jurisdictional Opinion (JO)? (you request this by selecting a checkbox on the first page)

Answer:

NO

Please provide a description of your project. Be sure to include details about how the project will be constructed and operated and where on the property the proposed activities will take place. Your description will help Act 250 staff to determine whether your project will require a land use permit. (If you didn't request a jurisdictional opinion above, please start over and be sure to include your name, email address and/or phone number.)

Answer:

Putting a small registered home childcare in basement of existing home. No changes to the exterior, interior of home, nor is there any changes to water, power, driveway, sewer. Everything will remain the same.

and/or phone number,

water,
power,
driveway,
sewer.
Everything
will remain
the same.

If you know, please indicate whether the land is already subject to Act 250 jurisdiction via a previously issued Act 250 Land Use Permit?

Answer:

NO

Does the project include "construction of improvements" as defined by [Act 250 Rule 2\(C\)\(3\)](#)?
Examples of improvements include land clearing, re-grading, access drives, parking areas, buildings, building additions, demolition of existing buildings, homes, exterior signage, lighting, fencing, ponds, trails, pavilions, event venues, campsites, etc.
Please contact the Act 250 District Coordinator for review if you seek an exemption on the basis of "home occupation."

Answer:

NO

Is the project for a commercial, industrial or non-profit purpose?
Commercial purpose meaning the provision of facilities, goods or services by a person other than for a municipal or state purpose to others in exchange for payment of a purchase price

Answer:


Commercial

Is the project for a commercial, industrial or non-profit purpose?

Commercial purpose meaning the provision of facilities, goods or services by a person other than for a municipal or state purpose to others in exchange for payment of a purchase price, fee, contribution, donation or other object or service having value." Please note that a non-profit may qualify as "commercial purpose."

Answer:
Commercial

Is there currently any commercial activity taking place on this parcel of land?

Answer:
 NO

Please add up all of the acreage of all land owned or controlled by a person as defined in [Act 250 Rule 2\(C\)\(1\)](#) that is a) physically contiguous, as well as all lands that are b) non-contiguous, but located within a 5-mile radius, and involved in the project. This acreage combined is the "tract of land." (Please note that a "person" might include a government agency, close family members, business partners, those involved for profit, etc., and your tract of land might be multiple parcels.) How many acres is the tract (or tracts) of land?

Answer:
3

Does the project utilize a tract or tracts of land involving over ten

Answer:

Does the project utilize a tract or tracts of land involving over ten acres? (If you don't know, or if you have questions about what to count, please select "I don't know" and then contact the Act 250 district office that will be listed after you complete these questions.)

Answer:

 NO

Does the project utilize a tract or tracts of land involving over one acre? (If you don't know, or if you have questions about what to count, please select "I don't know" and then contact the Act 250 district office that will be listed after you complete these questions.)

Answer:

 NO

Will the project create a "subdivision" of land as defined by [10 V.S.A. § 6001 \(19\)\(A\)](#)? If you don't know, please select "I don't know" and then contact the Act 250 district office that will be listed after you complete these questions.)

Answer:

 NO

Does your project involve the modification of a subdivision or commercial project that was in existence prior to 1970?

Answer:

 NO

If your project includes the creation of one or more housing units, hotel rooms or dwelling units, have you or your business partners created other such units on

Answer:

 NO

years, which, combined with these, will total 10 or more?

Does your project include any of the following?

Answer:
None of the above

Open Burning

Do you plan to burn anything outdoors?

Answer:

NO

Fish, Wildlife, and Plants - Threatened and Endangered Species

Does your project involve cutting down trees larger than 8 inches in diameter in any of the following towns?

Answer:

NO

- (Addison, Arlington, Benson, Brandon, Bridport, Bristol, Charlotte, Cornwall, Danby, Dorset, Fair Haven, Ferrisburgh, Hinesburg, Manchester, Middlebury, Monkton, New Haven, Orwell, Panton, Pawlet, Pittsford, Rupert, Salisbury, Sandgate, Shoreham, Starksboro, St. George,

Underground Injection Control

Will you have one or more floor drains or catch basins?

Answer:

NO

Aquatic Nuisance Control

Will your project take place in waters of the State and use pesticides, other chemicals, biological controls, bottom barriers, structural barriers, structural controls, or powered mechanical devices to control an aquatic nuisance plant or animal species? If your project involve pulling aquatic nuisance plants by hand or with a rake, or your project is occurring out of the water, select No.

Answer:

NO

Lake Encroachment Permit

Is your project located at or beyond the shoreline as established by the mean water level of: 1) a public lake or pond, 2) a boatable tributary of Lake Champlain or Lake Memphremagog

Answer:

NO

Connecticut River
impoundments and boatable
tributaries of such
impoundments upstream to
the first barrier to navigation?

Shoreland Protection

Does your project involve the
creation of new cleared area
or impervious surface (e.g.
dirt road, paved road, roof,
driveway, etc.) near a lake or
pond?

Answer:

NO

Stream Alteration and Stream Crossing Structures

Does your project involve any
of the following:

- movement, excavation or fill
of 10 or more cubic yards of
material within a perennial
stream?
- construction or
maintenance of a berm or
additional material for
landscaping adjacent to a
river, stream, or floodplain?
- any crossing of a stream
with utility lines?

Answer:

NO

Floodplain and River Corridor

Is your project proposing activities in or near a floodplain, river, and/or stream.

Answer:

NO

Salvage Yards

Does your project involve storing four or more junk vehicles or scrap metal outside?

Answer:

NO

Demolition Waste

Does your project have demolition waste that needs disposal?

Answer:

NO

Industrial (Multi-Sector) Stormwater Discharge Permit

Does your project involve an industrial activity associated with the Multi-Sector General Permit? (To view multi-sector general permit industrial activities

Answer:

NO

Construction Stormwater Discharge Permit

Will your project disturb one or more acres of land? This could include cutting and stumping trees, clearing land, redeveloping or other activities that expose the soil to the weather. One or more acres should be considered as a whole - any construction activity that may itself be less than one acre but is part of a common plan of development that disturbs one or more acres in its entirety is subject to a permit.

Answer:

NO

Wastewater System & Potable Water Supply

Are you subdividing land?

Answer:

NO

Are you constructing a new building or structure that will have plumbing?

Answer:

NO

Are you adding a bedroom or bedrooms?

Answer:

NO

Will your project increase any of the following (this is a list

Answer:

children or

Will your project increase any of the following (this is a list of common examples, if your project is not on the list, but you think it is similar to an example please select "I don't know"):

Answer:

- children or staff in a child care facility

Wetlands



Your response indicates that you do not need this permit, but our information based on location or historical activities on the property indicates that you might. Please contact the permit contact for this permit to receive a definitive answer.

Does your project involve land that is in or near an area that has any of the following characteristics:

Answer:

NO

o Water is present – ponds, streams, springs, seeps, water filled depressions, soggy ground under foot, trees with shallow roots or water marks?

o Wetland plants, such as cattails, ferns, sphagnum moss, willows, red maple, trees with roots growing along the ground surface, swollen trunk bases, or flat root bases when tipped over?

o Wetland Soils – soil is dark over gray, gray/blue/green? Is there presence of

root bases when tipped over?
o Wetland Soils – soil is dark over gray, gray/blue/green? Is there presence of rusty/red/dark streaks? Soil smells like rotten eggs, feels greasy, mushy or wet? Water fills holes within a few minutes of digging?

Other State and Local Permit Information

In addition to environmental permitting, there are other requirements that may apply. Below are some helpful resources:

- Office of the State Fire Marshal:
<https://firesafety.vermont.gov/>
- Vermont Building Energy Standards:
<https://publicservice.vermont.gov/content/building-energy-standards>
- Secretary of State business registration:
<https://sos.vermont.gov/corporations/registration/>
- Secretary of State professional Boards:
<https://sos.vermont.gov/opr/>
- Department of Taxes:
<https://tax.vermont.gov/>
- For local permits - please see your Town Clerk, Zoning Administrator, Planning Commission or Public Works

Please download or print your results to save them for later. If you provided your name and email address, then

**Motion detected**

now

Motion detected on big house at 04:37:11 PM[tration/](#)

- Secretary of State professional Boards: <https://sos.vermont.gov/opr/>
- Department of Taxes: <https://tax.vermont.gov/>
- For local permits - please see your Town Clerk, Zoning Administrator, Planning Commission or Public Works

Please download or print your results to save them for later. If you provided your name and email address, then staff from ANR or Act 250 may reach out and offer additional assistance.

[Download](#)[Print](#)

If you'd like to start over, please [click here](#)

Questions / Technical Difficulties? Email ANR.PermitNavigator@vermont.gov or click [here](#) to contact your nearest Community Assistance Specialist.

[Back](#)

HEARING ITEM

9

Article 5: Development Review

5.1 Application Submission Requirements

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

5.1.2 Site Plan Review

Applications shall include the following:

- a) **Application Form:** Supplied by the Administrative Officer; signed by the owner of record and, in the case of a non-owner applicant, by the applicant;
- b) **Site Plan:** Consisting of one or more sheets, clearly and legibly drawn. Sheets shall be at a minimum 18 inches by 24 inches, or larger at the request of the Zoning Board of Adjustment, and must illustrate the following: (The degree of detail to be determined by the Zoning Board of Adjustment.)
 - 1) Name of project;
 - 2) Name and address of applicant and property owner;
 - 3) Name and address of person or firm who prepared Site Plan (if other than applicant);
 - 4) Date drawn and date of latest version (if any);
 - 5) North arrow and scale;
 - 6) Vicinity map showing the site within the Town and Zoning District;
 - 7) Boundaries, dimensions, and total area of the lot drawn to appropriate scale;
 - 8) Existing buildings, wells, highways, and publicly owned property, all within 1/8 mile of the property boundary;
 - 9) Existing and proposed contour lines (two foot minimum), existing wetlands, bodies of water, and other prominent physical section and elevation;
 - 10) Existing and proposed building footprints (with setbacks) located on the lot showing the location of all entrances and loading docks and building heights;
 - 11) Proposed vehicular and pedestrian circulation, parking, off street parking, and points of access to the public right-of-way;
 - 12) Landscaping plan showing quantity and type of plants to be used to provide screening and integration with the adjacent property and/or to enhance the appearance of the proposed development;
 - 13) Existing and proposed location of wells and septic systems, including connection to public facilities;
 - 14) Location of existing and proposed utility system;
 - 15) Location and type of all outside lighting;
 - 16) Where applicable, the location and size of water storage to be used for firefighting;
 - 17) Drainage and runoff plan;
 - 18) Location of critical wildlife habitat;
 - 19) Evidence of review of the 1992 Biological Natural Areas of Weathersfield, Vermont survey and map(prepared by Elizabeth H. Thompson) to identify any potential disturbances or threats; and
 - 20) Any other items as identified by the Zoning Board of Adjustment, including a traffic impact study in accordance with the Weathersfield Traffic Impact Study Guidelines (Refer to Appendix #2).

PUBLIC HEARING

Site Plan Review – Contractor’s Storage Yard

February 13, 2024

Item 1: Public Hearing Notice

Item 2: Newspaper Tear Sheet

Item 3: Administrative Review Forms

Item 4: Application# 24.0124.Dan

Item 5: Additional materials

Item 6: 1980 State Permit# PB-2-0453

Item 7: 1999 State Permit# WW-2-1144

Item 8: 2012 Project Review Sheet

Item 9: 2012 Town Zoning Permit# ZP-2012.02.08

Item 10: 2012 State Permit#WW-2-1144-1

Item 11: 2018 State Permit#6710-9020 Termination

Item 12: 2018 State Permit# C-2917-17.1

Item 13: 2018 ZBA Notice of Decision# 18-04-09C

HEARING ITEM

1



TOWN OF WEATHERSFIELD

LAND USE ADMINISTRATOR'S OFFICE

(802)674-2626

P.O. BOX 550 ASCUTNEY, VT 05030

landuse@weathersfield.org

Zoning Board of Adjustment

NOTICE OF PUBLIC HEARING

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

Remote option – Zoom details below

Tuesday, February 13, 2024 – 6:30 PM

5:30 Site Visit at 4782 VT Route 106

6:00 Site Visit at 4344 US Route 5

A public hearing before the Weathersfield Zoning Board of Adjustment will be held at the Town Office in Ascutney on Tuesday, February 13, 2024 at 6:30 PM (5:30 site visit at 4782 VT Route 106 & 6:00 Site Visit at 4344 US Route 5) to consider the following applications:

Application 23.1018.Len by Nikita Lenahan for the addition of a Child Care Home use at 4782 Route 106 (Parcel: 03-02-09.1). The parcel is located in the Highway Commercial zoning district. This application requires Site Plan Review.

Application 24.0124.Dan by Daniels Construction for the reconstruction and alteration of an existing building for Contractor's Storage at 4344 US Route 5 (Parcel: 10-00-02). The parcel is located in the Industrial zoning district. This application requires Site Plan Review.

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

Remote option – Zoom link and instructions:

<https://www.weathersfieldvt.org/home/news/public-meetings-zoom>

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

HEARING ITEM

2



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- 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.

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IMPORTANT ANNOUNCEMENT

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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.

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Attention Croydon Residents

Public Hearing on Proposed School District 2024-2025 Budget Tuesday, January 30, 2024 at 6:00 PM Croydon Town Hall

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NOTICE OF PUBLIC HEARING

A public hearing before the Weathersfield Zoning Board of Adjustment will be held at the Town Office in Ascutney on Tuesday, February 13, 2024 at 6:30 PM (5:30 site visit at 4782 VT Route 106 & 6:00 Site Visit at 4344 US Route 5) to consider the following applications:

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Application 24.0124.Dan by Daniels Construction for the reconstruction and alteration of an existing building for Contractor's Storage at 4344 US Route 5 (Parcel: 10-00-02). The parcel is located in the Industrial zoning district. This application requires Site Plan Review.

Public Notice Croydon School District Croydon, NH

Registered voters are encouraged to run for the following School District Positions:

School District Moderator – 1 year term

School District Clerk – 1 year term

School District Treasurer – 1 year term

1-School Board Member – 3 year term

Filing dates: Wednesday January 24, 2024 to Friday February 2, 2024

You must be a resident of Croydon and a registered voter. No fees required. File with the Town Clerk

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Boards, Committees and Commissions Vacancies

The City of Claremont is inviting citizens to apply for vacancies which exist on the following volunteer Boards, Committees and Commissions:

Please note – not all seats on this list are appointed by the City Council

Airport Advisory Board	No Vacant Seats
Board of Appeals	5 Vacant Seats 3 Vacant Alternate Seats
Claremont Community Television Board of Directors	No Vacant Seats
Claremont Development Authority	No Vacant Seats
Claremont Housing Authority Commission	1 Vacant Seat
Claremont Planning Board	1 Vacant Seat 3 Vacant Alternate Seats
Claremont Police Commission	No Vacant Seats
Conservation Commission	1 Vacant Seat 3 Vacant Alternate Seats
Elks Education Fund Trustee	1 Vacant Alternate Seat
Fiske Free Library Board of Trustees	2 Vacant Alternate Seats
Frances J. Tolles Home Board of Trustees	No Vacant Seats
Historic District Commission	3 Vacant Alternate Seats
Licensing Board	1 Vacant Seat
MT Ascutney Region River Subcommittee of the CT River Joint Commission	2 Vacant Seat 2 Vacant Alternate Seats
Parks and Recreation Commission	2 Vacant Alternate Seat
Personnel Advisory Board	1 Vacant Seat
Policy Committee	No Vacant Seats
Steering Committee for EPA Multipurpose Grant	1 Vacant Seat
TIF Downtown Advisory Board	1 Vacant Seat
Trustee of the Trust Funds	No Vacant Seats
Upper Valley Lake Sunapee Regional Planning Commission	2 Vacant Seat
Zoning Board of Adjustment	1 Vacant Alternate Seat

Seats for Future Availability:

Claremont Development Authority	3 Seats Expired 12/31/2023
Claremont Planning Board	3 Seats Expire 3/31/2024
Conservation Commission	2 Seats Expire 3/31/2024
Historic District Commission	2 Seats Expire 3/31/2024
Zoning Board of Adjustment	1 Seat Expires 3/31/2024

Call the Resource Coordinator at 504-0347 or stop by the Visitor Center at 14 North Street to find out how you can volunteer, or go online to <https://www.claremonth.com/boards-and-commissions> to print out an application.

CITATION ON PETITION TO CHANGE NAME

Docket No. SU24C0014CA

Commonwealth of Massachusetts
The Trial Court
Probate and Family Court

In the matter of: Jerel Dazir Lodge-Washington

Suffolk Probate and Family Court
24 New Chardon Street
Boston, MA 02114
(617)788-8300

A Petition to Change Name of Minor has been filed by
Jerel Dazir Lodge-Washington of Dorchester MA

requesting that the court enter a Decree changing their name to:
Jerel Teagan Dardy

IMPORTANT NOTICE

Any person may appear for purposes of objecting to the petition by filing an appearance at:
Suffolk Probate and Family Court before 10:00 a.m. on the return day of 03/18/2024.
This is NOT a hearing date, but a deadline by which you must file a written appearance if you object to this proceeding.

WITNESS, Hon. Brian J. Dunn, First Justice of this Court.

Date: January 16, 2024

Stephanie L. Everett, Esq., Register of Probate

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HEARING ITEM

3



TOWN OF WEATHERSFIELD

LAND USE ADMINISTRATOR'S OFFICE

(802)674-2626

P.O. BOX 550 ASCUTNEY, VT 05030

landuse@weathersfield.org

To: Zoning Board of Adjustment
From: Land Use Office
Date: February 7, 2024
Re: Public Hearing February 13, 2024

Neil H. Daniels, Inc.: Site Plan Amendment – Contractor's Storage Yard

Applicant: Neil H. Daniels, Inc.
Landowner: Neil H. Daniels, Inc.
Zoning District: Industrial (I)
Parcel ID: 10-00-02
Lot size: 20.1 ac
Address: 4409 US Route 5

Project summary: Seeking Zoning Permit to remove and rebuild a cold storage building to a larger dimension.

Reasons for hearing: Section 2.5.7 specifies that Contractor's Storage Yard requires Site Plan Review approval. The use is listed as a conditional use but is existing and there is no proposal to change the use. It is unclear as to when the property began being used as a Contractor's Storage Yard and whether it was ever subject to Conditional Use Review. I will leave it up to the board to determine whether Conditional Use Review is required for the proposed amendment.

Permit history:

Pre-dating zoning: Shed & office on west side of Route 5 and long angled shed, barn, shop and cold storage on east side of road.
ZP-1974.02.21: New "Garage" (Current use "Commercial"?)
ZP-1974.06.14: Addition to existing maintenance building (Current use "Equip. Maint.")
ZP-1974.08.20: New open storage building
ZP-1976.01.26: Addition of open storage building
ZP-1976.03.13: Appears to be same application as ZP-1976.01.26
ZP-1977.05.20: New storage shed on west side of road
ZP-1977.10.12: Renewal of prior approved permit
ZP-1978.12.20: New boiler room and woodshed (Current use "Contractor's Storage Yard")
PB-2-0453: State Land Use permit regarding wastewater disposal system
ZP-1982.08.10: Project on mobile home owned by Carl Mears
ZP-1985.05.06: Replace existing sign
ZP-1987.04.14: New "Carpenter Shop – manufacture goods and materials for use in contract work only - no retail." (Current use "Contractor Yard/Buildings")
Stream Alteration Permit SA-2-0172: Stabilization of eroded bank of CT River
ZP-1987.12.29: Addition of open storage building "Owners use only"



TOWN OF WEATHERSFIELD

LAND USE ADMINISTRATOR'S OFFICE

(802)674-2626

P.O. BOX 550 ASCUTNEY, VT 05030

landuse@weathersfield.org

WW-2-1144: 1999 Water/Wastewater permit issued by State
ZP-1995.09.19: Addition of 4 signs (Current use "Multiple Use Site" Daniels Construction and Weld-Tek)
ZP-2012.02.08: New 3-sided open shed for storage (Specifies project is below threshold for prime ag soils "See impact rating" [not found])
WW-2-1144-1: 2012 Water/Wastewater permit issued by State
Stormwater Construction Permit 6710-9020: Specifies construction of new bay on building.
ZP 18-04-09C: ZBA decision to grant variance for 8' front setback addition to existing business office.

Project details: The project is subject to section 3.2.1 – Agricultural Zoning. Based on approximate measurement on the ANR Atlas GIS system the amount of existing impervious surface exceeds the limit specified in the bylaw. The bylaw allows for no more than 10% of protected agricultural soils to be developed with impervious surfaces. The existing impervious surface area on agricultural soils as mapped by the State is approximately 33%. The project appears to increase this amount as the new building extends into what appears to be permeable protected soil.

The project is subject to section 3.2.2 – Biological Natural Areas Survey, 1992. Site number 10 in the report is the edge and shoreline of the Connecticut River which runs across the eastern edge of the property.

The project is subject to section 3.2.3 – Connecticut River. The section states any development along the Connecticut River shall be evaluated for the impact it will have on the scenic, recreational, ecological, and agricultural value of the River.

The project is subject to section 3.2.4 – Habitat areas. Subsection 2 specifies that development near area that have been designated by the State as near sites of plants or animals on the Vermont Endangered and Threatened Species list shall be permitted as a conditional use subject to limitations contained in the bylaw.

Parking needs have not been specified although it does not appear that the proposed project will have an impact on parking needs.



TOWN OF WEATHERSFIELD

LAND USE ADMINISTRATOR'S OFFICE

(802)674-2626

P.O. BOX 550 ASCUTNEY, VT 05030

landuse@weathersfield.org

Attached please find documents relating to the above referenced hearing. The following bylaws are among those which relate to this hearing:

- 2.5 Table of Districts and Uses
- 2.5.7 Industrial (I)
- 3.2 Conservation of Natural Resources
- 3.5 Off-Street Parking
- 3.6 Outdoor Lighting
- 3.7 Performance Standards
- 4.2.1 Child Day Care
- 5.2 Site Plan Review

Respectfully,

Ryan Gumbart
Land Use Administrator
Weathersfield, Vermont

Zoning Permit Application Review Checklist

Date received: [January 24, 2024](#)

APPLICATION COMPLETENESS

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

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

Land Development or Development:

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

Structural Development:

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

Structure:

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

Building:

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

2. Is the proposed project exempt from zoning? (6.2.2) NO
This applies to all development proposed by all persons, including the Town government of Weathersfield, except when specifically exempted by state law. (sect. 1, pg. 1)
3. Is the project a Public Facility? (6.2.3) NO
4. Locate the zoning district in which the property is located. Industrial
5. Pull parcel file.
6. Check Use Tables:
- Does the project neatly fit into any of the uses listed in the district table? YES
 - If yes, what use? Contractor's Storage Yard
 - If yes, is a zoning permit necessary? YES
 - If no, does it need to go to the ZBA for a determination?
 - If no, is the use prohibited?
7. What approvals are needed?
- Administrative
 - Conditional use
 - Site plan
 - Subdivision
 - PUD
 - Flood plain
 - Highway access
8. Dimensional requirements: Compliant?
- Lot size – Minimum 1 ac, Existing 20.1
 - Frontage – Required 200, Existing 1,000+
 - Setbacks – Required: Front 40, Rear 25, Side 25
 - Setbacks – Proposed: Front 80', Rear 200', Side 335'
 - Height – Maximum NA, Proposed 15'
9. Is anything non-conforming? (3.4): YES
- Lot
 - Structure
 - Use

10. General Provisions:	Compliant?
• Conservation	
- Ag soils (3.2.1)	<input type="checkbox"/>
- Biological areas (3.2.2)	<input type="checkbox"/>
- Connecticut river (3.2.3)	<input type="checkbox"/>
- Habitat areas (3.2.4)	
i. Deer wintering areas	<input checked="" type="checkbox"/>
ii. Rare, threatened or endangered species	<input type="checkbox"/>
iii. Vernal pools	<input checked="" type="checkbox"/>
- Ponds (3.2.5)	<input checked="" type="checkbox"/>
- RTE species (3.2.6)	<input type="checkbox"/>
- Steep slopes & elevation >25% (3.2.7)	<input checked="" type="checkbox"/>
- Streambank conservation (3.2.8)	<input checked="" type="checkbox"/>
- Wetlands (3.2.9)	<input checked="" type="checkbox"/>
• Off-street parking	<input type="checkbox"/>
• Outdoor lighting	<input type="checkbox"/>

11. Does the application comply with relevant specific use standards? [NA](#)

- Damaged Structures (3.3)
- Signs (3.8)
- Accessory Dwelling Unit (4.1)
- Day Care Facilities (4.2)
- Extraction of Earth Resources (4.3)
- Gasoline/Service Station (4.4)
- Home-based Occupation/Business (4.5)
- Junkyards (4.6)
- Low and Moderate Income Housing (4.7)
- Mobile/ Modular Homes (4.8)
- Mobile Home Parks (4.9)
- Public Utility Substation (4.10)
- Renewable Energy Production (4.11)
- Seasonal Road Stands (4.12)
- Self-Storage Facility (4.13)
- Storage of Flammable Liquids and Gases (4.14)
- Subdivision of Lots (4.15)
- Temporary Uses and Structures (4.16)
- Travel Trailer Camping Areas (4.17)
- Travel Trailer/Camping Vehicles (4.18)
- Wireless Communication Facilities (4.19)
- Renewable Energy Systems (4.20)
- Drug and Tobacco Paraphernalia Establishments (4.21)

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

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

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

OTHER CHECKS

- State/Nat'l Register of Historic Places
- Send to Fire Chiefs Darren Spaulding & Josh Dauphin
- Application is complete
 - If not, 30 day issuance period has not started
 - Date of completion: [Click or tap to enter a date.](#)

Notes:

- Change payment from \$515 to \$115
- Subject to Commercial Building Energy Standards?
- Currently ~33% of protected ag soil covered with impervious surface
- Shall be evaluated per 3.2.3
- Within 300' of State Designated Rare Threatened and Endangered Animal 3.2.4
- Unknown basis for parking
- No lighting shown

Article 5: Development Review

5.1 Application Submission Requirements

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

5.1.2 Site Plan Review

Applications shall include the following:

- a) **Application Form:** Supplied by the Administrative Officer; signed by the owner of record and, in the case of a non-owner applicant, by the applicant;
- b) **Site Plan:** Consisting of one or more sheets, clearly and legibly drawn. Sheets shall be at a minimum 18 inches by 24 inches, or larger at the request of the Zoning Board of Adjustment, and must illustrate the following: (The degree of detail to be determined by the Zoning Board of Adjustment.)
 - 1) Name of project;
 - 2) Name and address of applicant and property owner;
 - 3) Name and address of person or firm who prepared Site Plan (if other than applicant);
 - 4) Date drawn and date of latest version (if any);
 - 5) North arrow and scale;
 - 6) Vicinity map showing the site within the Town and Zoning District;
 - 7) Boundaries, dimensions, and total area of the lot drawn to appropriate scale;
 - 8) Existing buildings, wells, highways, and publicly owned property, all within 1/8 mile of the property boundary;
 - 9) Existing and proposed contour lines (two foot minimum), existing wetlands, bodies of water, and other prominent physical section and elevation;
 - 10) Existing and proposed building footprints (with setbacks) located on the lot showing the location of all entrances and loading docks and building heights;
 - 11) Proposed vehicular and pedestrian circulation, parking, off street parking, and points of access to the public right-of-way;
 - 12) Landscaping plan showing quantity and type of plants to be used to provide screening and integration with the adjacent property and/or to enhance the appearance of the proposed development;
 - 13) Existing and proposed location of wells and septic systems, including connection to public facilities;
 - 14) Location of existing and proposed utility system;
 - 15) Location and type of all outside lighting;
 - 16) Where applicable, the location and size of water storage to be used for firefighting;
 - 17) Drainage and runoff plan;
 - 18) Location of critical wildlife habitat;
 - 19) Evidence of review of the 1992 Biological Natural Areas of Weathersfield, Vermont survey and map(prepared by Elizabeth H. Thompson) to identify any potential disturbances or threats; and
 - 20) Any other items as identified by the Zoning Board of Adjustment, including a traffic impact study in accordance with the Weathersfield Traffic Impact Study Guidelines (Refer to Appendix #2).

HEARING ITEM

4

Town of Weathersfield
Land Use Permit Application / Notification

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

<u>Applicant</u>	<u>Landowner (if different)</u>
Name <u>NEIL H. DANIELS INC.</u>	Name _____
Name <u>SCOTT W. SWEET</u>	Name _____
Mailing Address <u>PO BOX 246</u>	Mailing Address _____
Town, ST, Zip <u>ASCUTNEY, VT 05030</u>	Town, ST, Zip _____
Telephone <u>802-674-6323</u>	Telephone _____
E-mail <u>SSWEET@NEILDANIELS.COM</u>	E-mail _____

<u>Property Information</u>	<u>Project Information</u>
911 Address <u>4409 ROUTE 5</u>	Proposed Use <u>STORAGE</u>
Parcel ID <u>100002</u>	Area of Development (sq. ft.) <u>2,600</u>
Lot Size <u>20.10 AC</u>	Height of Structure <u>15'</u>
Road Frontage <u>1,750 LF</u>	Zoning District <u>INDUSTRIAL</u>
Existing Use <u>STORAGE</u>	

<u>Permit Application - Development Type</u>	<u>Notification – Exempt from Permitting</u>
<i>See district use table in Zoning Bylaws</i>	<i>See Section 6.2.2 Exemptions in Zoning Bylaws</i>
<input type="checkbox"/> Change of Principal Use	<input type="checkbox"/> Minor Structure
<input type="checkbox"/> New Principal Structure	<input type="checkbox"/> Agricultural Structure
<input type="checkbox"/> New Accessory Use	<input type="checkbox"/> Residential Care or Group Home
<input type="checkbox"/> New Accessory Structure	
<input checked="" type="checkbox"/> Alterations to Existing Structure	
<input type="checkbox"/> Planned Unit Development (PUD)	
<input type="checkbox"/> Subdivision	
<input type="checkbox"/> Boundary Line Adjustment	
<input type="checkbox"/> Highway Access	
<input type="checkbox"/> Zoning Board Use Determination	

Project Description

Please describe as specifically as possible how the property will be used, the dimensions of any proposed lots or buildings, and square footage allocated to each use.

DEMOLISH EXISTING 40' X 40' COLD STORAGE STRUCTURE &
INSTALL A 65' X 40' STRUCTURE (REMAIN COLD STORAGE).
STRUCTURE WILL HAVE CONCRETE FROSTWALLS UNDER &
CONCRETE SLAB FOR FLOOR.

Required Reviews, Forms, and Fees

To be filled out by Land Use Administrator

Review by Planning Commission – PC

Review by Zoning Board of Adjustment – ZBA

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

- Highway Access Form: \$30

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

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

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

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

- Town Clerk Recording Fee \$15

Permit Fee Total: \$115.00

Town of Weathersfield
Administrative Review Form

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

Staff Use Only

Permit #: _____

Fee Collected:

Completion Date: _____

Decision: Approved | Denied | 30-day Default

Zoning Bylaw - 6.2.5 Effective Date

No zoning permit shall take effect until the time for appeal under Section 6.8 has passed, or in the event that a notice of appeal is properly filed, until final adjudication of the appeal.

Appeal by/ Effective Date: _____

Zoning Bylaw - 6.2.7 Permit Expiration

Permits expire one year from the effective date if the permitted project has not been started and five years from the effective date if the project has been started but not completed, unless other longer times have been approved in the permit. Permits may be renewed, but such renewal shall take into account any subsequent adopted amendments to these Bylaws. Reactivation of a previously permitted use which has been discontinued for more than one year shall require the issuance of a new permit.

Permit Expiration Date: _____ if project has not been started.

Permit Expiration Date: _____ if project has been started.

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

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

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

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

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

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

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

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

Will your project involve connecting to **municipal water**? Yes No

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

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

If yes, you must contact the Vermont Department of Public Safety, Division of Fire Safety. A public building is any building that the public has the occasion to enter EXCEPT for owner-occupied, single-family dwellings, registered home day cares, and working farms, but INCLUDING single family homes becoming rentals.

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

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

Site Plan Sketch

Draw an aerial view of the property described in this application showing:

- north arrow;
- all property lines;
- shape, size and location of all existing and proposed structures (principal and accessory) on the property with measurements to the closest property boundary lines;
- identify the structure uses;
- location of septic/sewer, water, and power utilities;
- identify access from Town or State Highway and road frontage distance;
- identify any deeded easements or rights-of-way;
- include any proposed signs;
- include any streams, water bodies, or wetlands.

If the scale is too small to show the required details after drawing all property lines, please use supplemental pages to map required details at a larger scale.

SEE SITE SKETCH ATTACHED

Land Use Administrator Signature: _____

Applicant Signature: Scott W. Sweet

Landowner & Applicant Acknowledgements

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

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

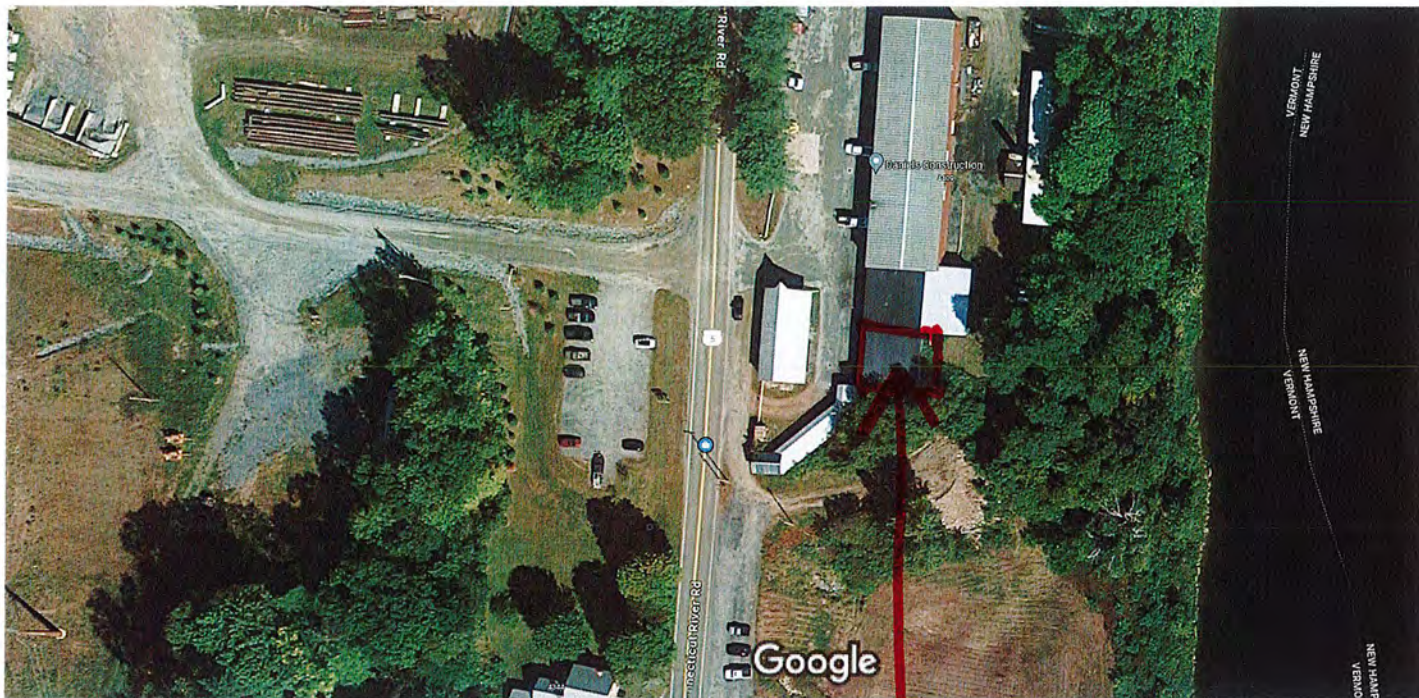
Landowner Signature: Scott W. Sweet - NEIL H. DANIELS INC.

Date: 1/31/2024

Applicant Signature: Scott W. Sweet - NEIL H. DANIELS INC.

Date: 1/31/2024

Google Maps



Imagery ©2024 Google, Imagery ©2024 CNES / Airbus, Maxar Technologies, Map data ©2024 Google 50 ft



Town of Weathersfield

Date: 02/07/2024 Time: 11:02:06

Clerk: osavage

Account: 100002

Name: DANIELS NEIL H INC

Comments:

Description	Amount
Library Fundraising	500.00
Land Records	10.00
Land Records	3.00
Land Records	2.00

TOTAL 515.00

Check 187095

Thank you

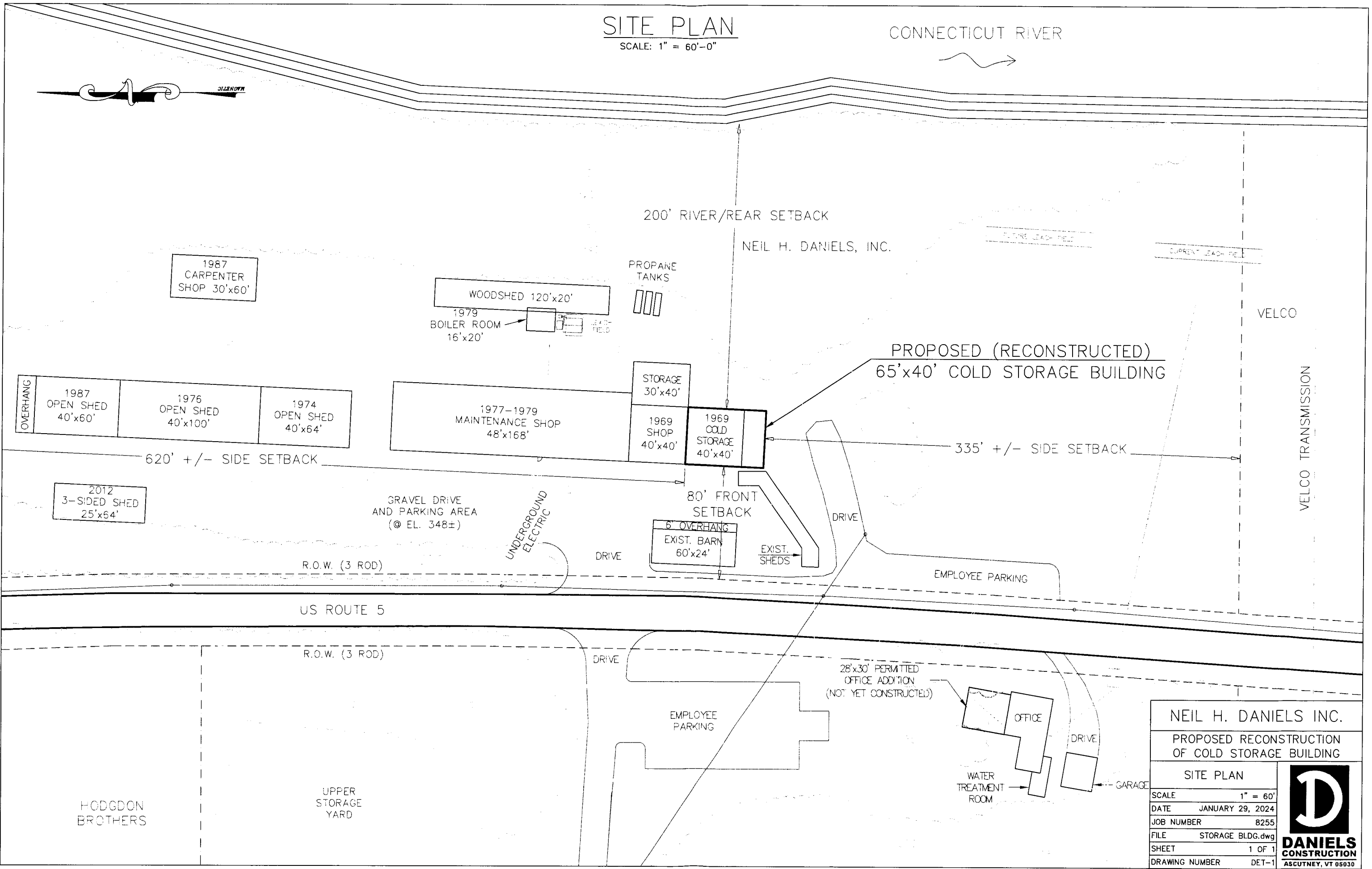
SITE PLAN

SCALE: 1" = 60'-0"

CONNECTICUT RIVER



DRAFTED BY
CHECKED BY
DESIGNED BY



NEIL H. DANIELS INC.	
PROPOSED RECONSTRUCTION OF COLD STORAGE BUILDING	
SITE PLAN	
SCALE	1" = 60'
DATE	JANUARY 29, 2024
JOB NUMBER	8255
FILE	STORAGE BLDG.dwg
SHEET	1 OF 1
DRAWING NUMBER	DET-1



HODGDON BROTHERS

UPPER STORAGE YARD

EMPLOYEE PARKING

WATER TREATMENT ROOM

OFFICE

GARAGE

28'x30' PERMITTED OFFICE ADDITION (NOT YET CONSTRUCTED)

DRIVE

DRIVE

EXIST. SHEDS

DRIVE

EMPLOYEE PARKING

80' FRONT SETBACK

6' OVERHANG
EXIST. BARN
60'x24'

GRAVEL DRIVE AND PARKING AREA
(@ EL. 348±)

R.O.W. (3 ROD)

US ROUTE 5

R.O.W. (3 ROD)

620' +/- SIDE SETBACK

335' +/- SIDE SETBACK

200' RIVER/REAR SETBACK

NEIL H. DANIELS, INC.

VELCO

VELCO TRANSMISSION

PROPOSED (RECONSTRUCTED)
65'x40' COLD STORAGE BUILDING

PROPANE TANKS

WOODSHED 120'x20'

1979 BOILER ROOM
16'x20'

1987 CARPENTER SHOP
30'x60'

OVERHANG
1987 OPEN SHED
40'x60'

1976 OPEN SHED
40'x100'

1974 OPEN SHED
40'x64'

1977-1979 MAINTENANCE SHOP
48'x168'

STORAGE
30'x40'

1969 SHOP
40'x40'

1969 COLD STORAGE
40'x40'

HEARING ITEM

5



LEGEND

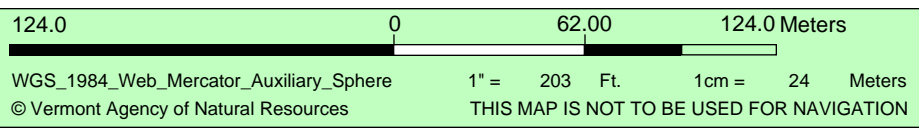
- Soils - Prime Agricultural**
- Local
 - Local (b)
 - Not rated
 - Prime
 - Prime (b)
 - Prime (f)
 - Statewide
 - Statewide (a)
 - Statewide (b)
 - Statewide (c)
- Parcels (standardized)
- Roads**
- Interstate
 - US Highway; 1
 - State Highway
 - Town Highway (Class 1)
 - Town Highway (Class 2,3)
 - Town Highway (Class 4)
 - State Forest Trail
 - National Forest Trail
 - Legal Trail
 - Private Road/Driveway
 - Proposed Roads
- Town Boundary

1: 2,435
February 7, 2024



NOTES

Delineated area of impervious surface



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



LEGEND

Public Water Sources

- Active (Green circle)
- Proposed (Yellow circle)
- Inactive (Red circle)
- Non-Public, Previously Permitted (Purple circle)

Private Wells

- GPS Located (Green circle)
- Screen Digitized (Light Green circle)
- E911 Address Matched (Grey circle)
- Welldriller/Clarion (Orange circle)
- Unknown Location Method (Red circle)
- Incorrectly Located (Pink square)

Parcels (standardized)

Roads

- Interstate (Blue line)
- US Highway; 1 (Red line)
- State Highway (Green line)
- Town Highway (Class 1) (Grey line)
- Town Highway (Class 2,3) (Dark Grey line)
- Town Highway (Class 4) (Light Grey line)
- State Forest Trail (Dotted line)
- National Forest Trail (Dotted line)
- Legal Trail (Dark Red line)
- Private Road/Driveway (Dotted line)
- Proposed Roads (Red dashed line)

Town Boundary (Red outline)

1: 2,435
February 7, 2024

124.0 0 62.00 124.0 Meters

WGS_1984_Web_Mercator_Auxiliary_Sphere 1" = 203 Ft. 1cm = 24 Meters

© Vermont Agency of Natural Resources THIS MAP IS NOT TO BE USED FOR NAVIGATION

NOTES

Delineated area of impervious surface

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Vicinity Map

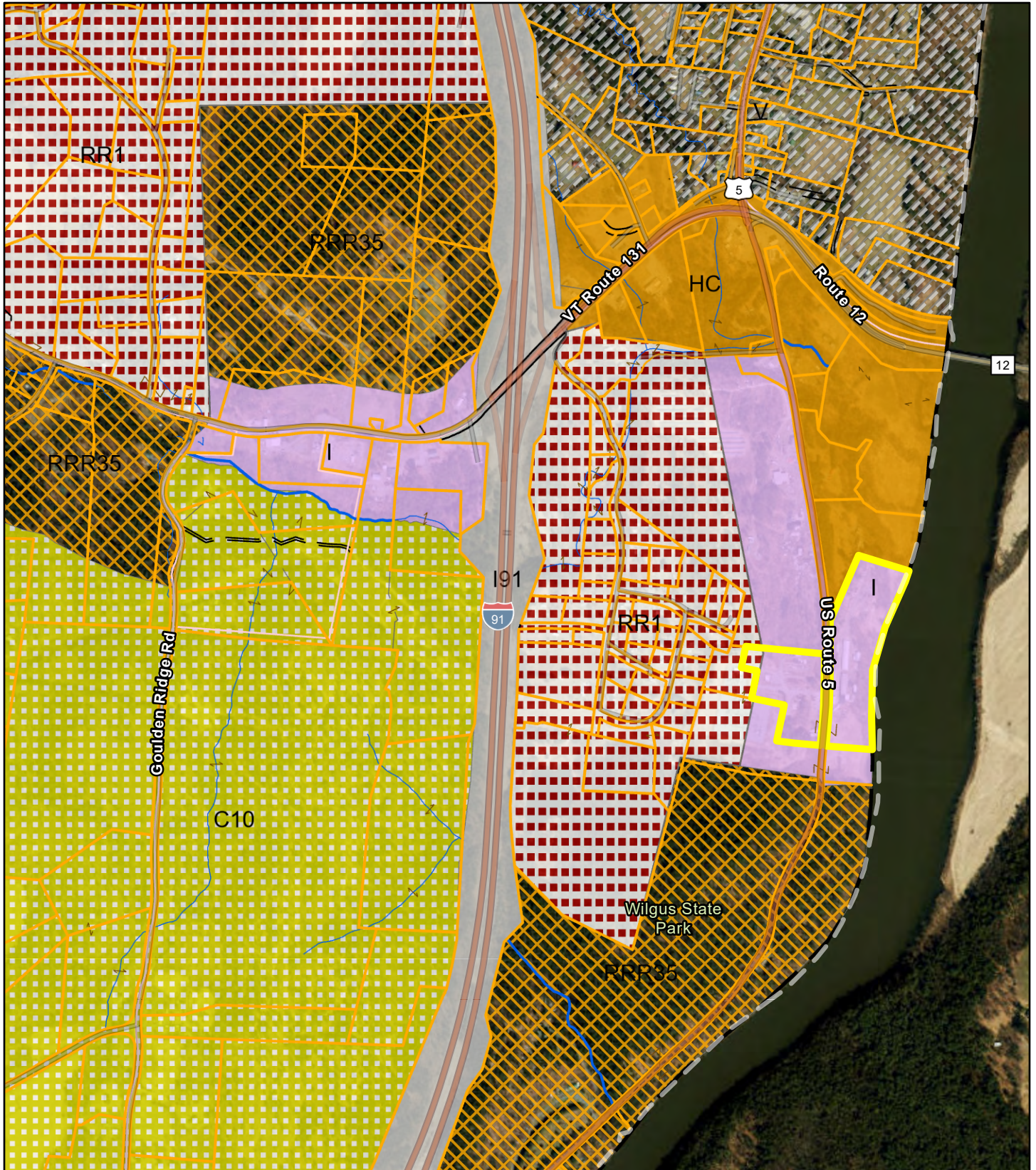
Weathersfield, VT

1 inch = 1096 Feet



www.cai-tech.com

February 7, 2024



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

Site Number: 9
Site Name: Cooks Pond
USGS Quad: Mount Ascutney and Springfield
Orthophoto: 156096

Features of significance:

Other features: natural pond

State significance: Moderate

Local Significance: High

Description:

Cooks Pond is a natural pond, with very little disturbance of its shoreline. One house overlooks the pond, and some of the land around the pond has been pastured, but these disturbances are minimal. Natural ponds of any size are very unusual in southeast Vermont, and this attractive area deserves protection from development.

In some areas there is a narrow wetland border, with cattails, three-way sedge, and bur-reed.

Site Number: 10 (expanded)
Site Name: Connecticut River
USGS Quad: Mount Ascutney, Springfield
Orthophoto: 160092, 156092, 160096, 156096, 160100

Features of significance:

Natural community: natural open rivershore

Globally rare animal: dwarf wedge mussel (*Alasmidonta heterodon*)

Rare plants: False dragonhead (*Physostegia virginiana*), great St. Johnswort (*Hypericum pyramidatum*), hare figwort (*Scrophularia lanceolata*). Uncommon plant: meadow horsetail (*Equisetum pratense*).

State significance: High

Local Significance: High

Description:

The Connecticut River is one of the most prominent and important natural features in Vermont and New Hampshire. It is our largest river, and shows geomorphological and biological features that only a major river can show. The section of river that passes Weathersfield is more or less free flowing; that is, it is not dammed and it is only little altered by water manipulations upstream (water levels fluctuate some based upon power generation at Wilder Dam). For the most part, the river processes are natural: the river floods in spring and ice scours the banks, keeping them clear of woody vegetation and providing habitat for rare plants that are adapted to the flooding regime and openness.

Much of the Connecticut River has been severely altered by major flooding for power generation, so this section is especially rare and important as a natural area.

The entire shore is included in this natural area, because it is all potentially important and management anywhere on the shore influences conditions elsewhere. There are, however, specific sites where rare plants are known, and these are indicated on the maps that accompany this report.

The dwarf wedge mussel, a species that is protected by the federal Endangered Species Law, is known to occur in this stretch of river. The area near the old cemetery on Route 5 has been monitored for the mussel, but it should not be considered the only site where the mussel occurs. Suitable habitat exists all the way from the border of Windsor south to Weathersfield bow. This entire stretch should be treated as mussel habitat. Although the mussel habitat is mostly technically in New Hampshire, activities on the Weathersfield shore will obviously impact upon the populations, so stewardship must be a joint responsibility. See the recommendations for management in the introductory section.

Site Number: 13
Site Name: Hawks Mountain
USGS Quad: Chester
Orthophoto: 148096

Features of significance:

Natural communities: mature forest; cliff

State significance: Moderate

Local Significance: High

Description:

The south slope of the east end of Hawks Mountain is very steep, with open cliff as well as steep

HEARING ITEM

6

PB-2-0453



State of Vermont

LAND USE PERMIT

CASE No. PB-2-0453
APPLICANT NEIL H. DANIELS, INC.
ADDRESS POST OFFICE BOX 246
ASCUTNEY, VERMONT 05030

LAWS/REGULATIONS INVOLVED

Vermont State Board of Health
Regulations, Chapter 5,
Sanitary Engineering,
Subchapter 1, Public Building
and Subchapter 15, Plumbing.

This project, consisting of a replacement wastewater disposal system and
relocated bathroom located in Ascutney, Town of Weathersfield, Vermont is
hereby approved under the requirements of the regulations named above
subject to the following conditions:

- 1. The project must be completed as shown on the plans prepared by Neil
Daniels, P.E. and which have been stamped APPROVED by the Division of
Protection. No alteration of these plans shall be allowed except
where written application has been made to the Agency of Environmental
Conservation and approval obtained.
2. A copy of the approved plans and the Land Use Permit shall remain on
the project during all phases of construction and, upon request, shall
be made available for inspection by State or local personnel.
3. No alterations to the existing building which would change or affect the
interior waste plumbing, water supply, or wastewater disposal shall be
allowed without prior review and approval from the Agency of Environ-
mental Conservation.
4. The project is approved for the existing water supply.
5. The project is approved for the on-site subsurface disposal of waste-
water within the soil boring and percolation testing area indicated on
the certified plans. No buildings, roads, water lines, or other
construction that might interfere with the installation or operation of
the sewage disposal field is permitted on or near the continuous area.
All isolation distances as set forth in Appendix C of the Vermont Heal
Regulations, Chapter 5, Subchapter 10, Part III shall be adhered to.
6. The wastewater disposal system shall be constructed as shown on the
approved plan and shall be operated at all times in a manner that will
not permit the discharge of effluent onto the surface of the ground or
into the waters of the State.
7. When underground, the water supply lines must meet National Plumbing
Code isolation distances.
8. The installation of the septic system must be supervised by a register
engineer and certified in writing PRIOR to use to be in accordance with
the approved plans.

FOR THE DIVISION OF PROTECTION

Roger Thompson DATE: 12/15/80
ROGER THOMPSON, JR.
ASSISTANT TO THE REGIONAL ENGINEER

RTJ/cc

12-9-80

PB.2.0453

APPLICATION NUMBER
(Leave Blank)

PUBLIC BUILDING APPLICATION

1. Name, address and phone number of applicant, and applicant's offices in Vermont, if any.

NEIL H. DANIELS, INC 603-674-6323
P.O. BOX 246
ASSETNEY VT. 05030

2. Name, address and phone number of landowner.

AS ABOVE

3. Name, address and phone number of architect, engineer, contractor or plumber. (If known)

AS ABOVE

4. What town is the project located in? WEATHERSFIELD VT

5. Size of parcel. 38 ACRES

6. Briefly describe the project.

ADDITION OF SEPTIC SYSTEM for
existing maintenance building -- for 1
bathroom.

7. Financing: Excluding the cost of the land, what is the total cost of the project? 500.00 Applicants should NOT include the cost of plant equipment, etc. Building and construction costs only.

Neil H. Daniels, Inc
SIGNATURE OF LANDOWNER, OR HIS ATTORNEY

Neil H. Daniels, Pres.
SIGNATURE OF APPLICANT

The application will not be considered complete unless we receive two complete sets of plans (preferably folded to 8½" x 11'), a highway location map and an application fee made payable to the STATE OF VERMONT, based upon \$1.00 per \$1,000.00 estimated construction cost, or a minimum of \$5.00, whichever is GREATER.

SEPTIC SYSTEM DESIGN
 NEIL H. DANIELS, INC
 ASCUTNEY VERMONT

DESIGN FLOW

10 EMPLOYEES X 1 SHIFT X 15 GPPD = 150 GAL

LEACH FIELD SIZING

AVERAGE PERC. RATE = 12 MIN/IN

APPLICATION RATE = $\frac{3}{11} = \frac{3}{11} = .87 \text{ GAL/FT}^2 \text{ / DAY}$

FIELD SIZE $150 \text{ GPD} \div .87 \text{ GAL/FT}^2 \text{ / DAY} = 172 \text{ FT}^2$

USE 12 FT X 15 FT = 180 FT²

APPROVED:

PIPING RISER DIAGRAM

DIVISION OF PROTECTION

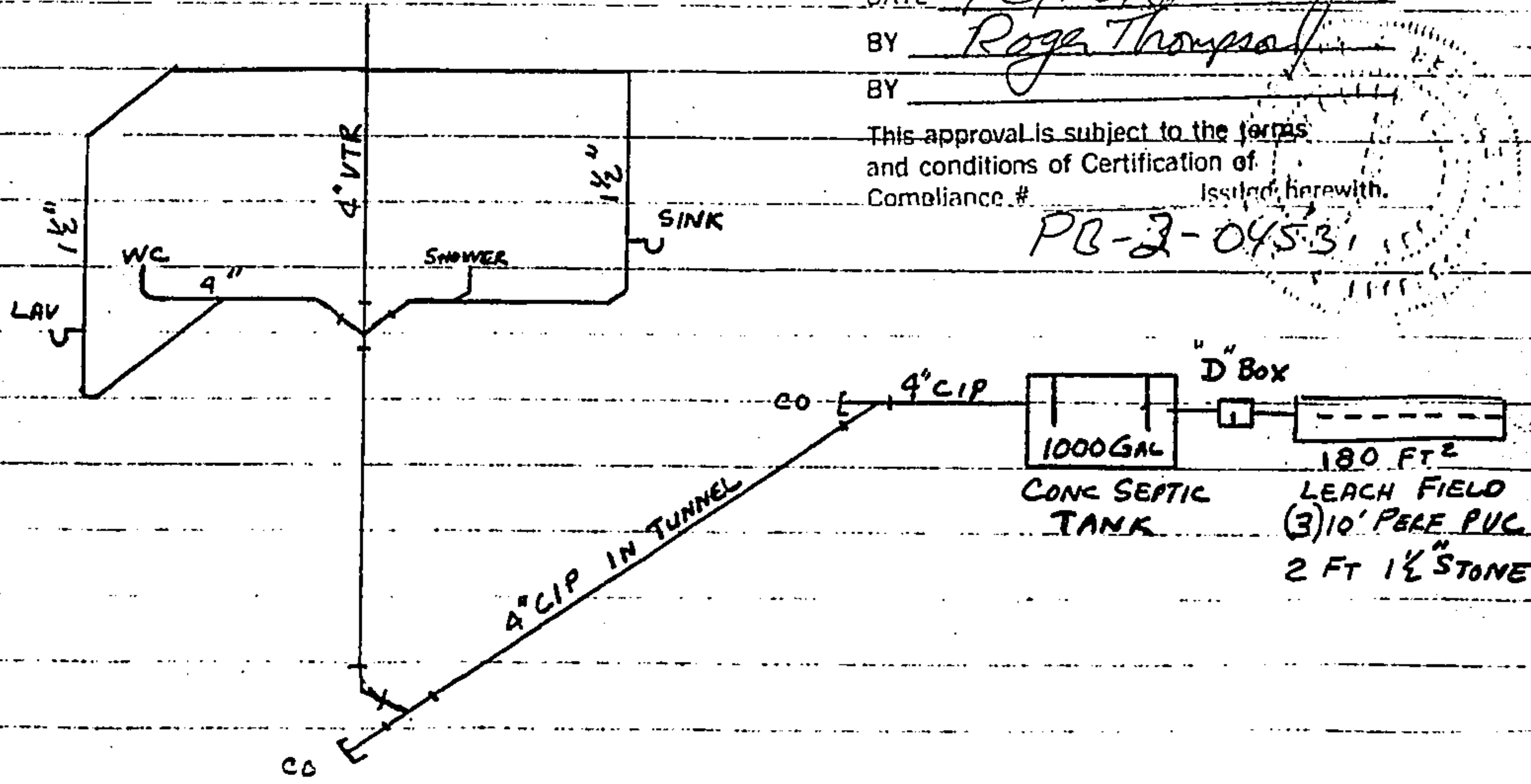
DATE 12/12/80

BY Roger Thompson

BY

This approval is subject to the terms and conditions of Certification of Compliance # Issued herewith.

PB-2-04531



16x20
BOILER ROOM

FROM SHOP
4" CIP IN TUNNEL

1000
GAL
SEPTIC TANK

4"
CIP
D
BOX

POLE
BUILDING

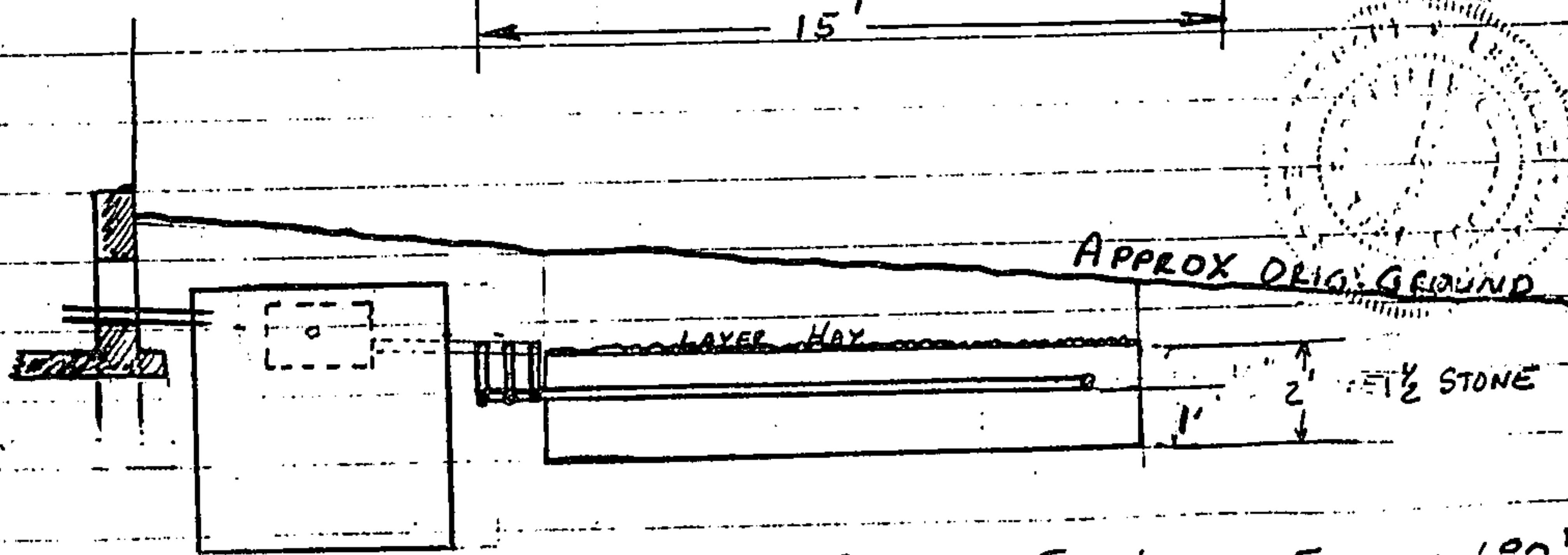
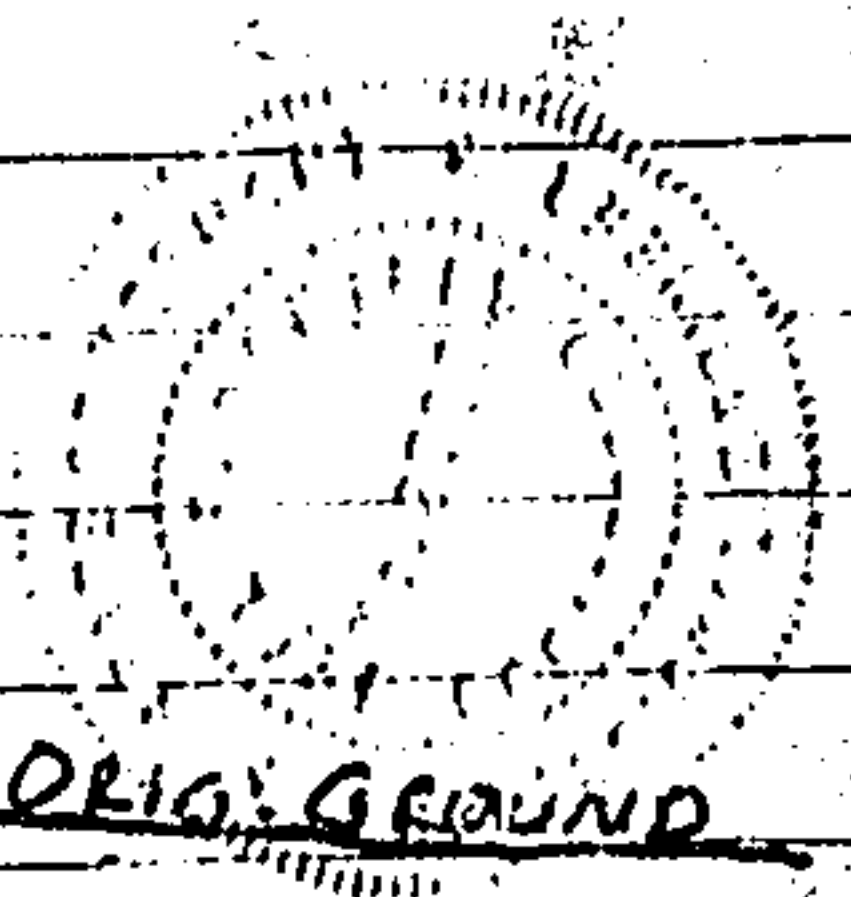
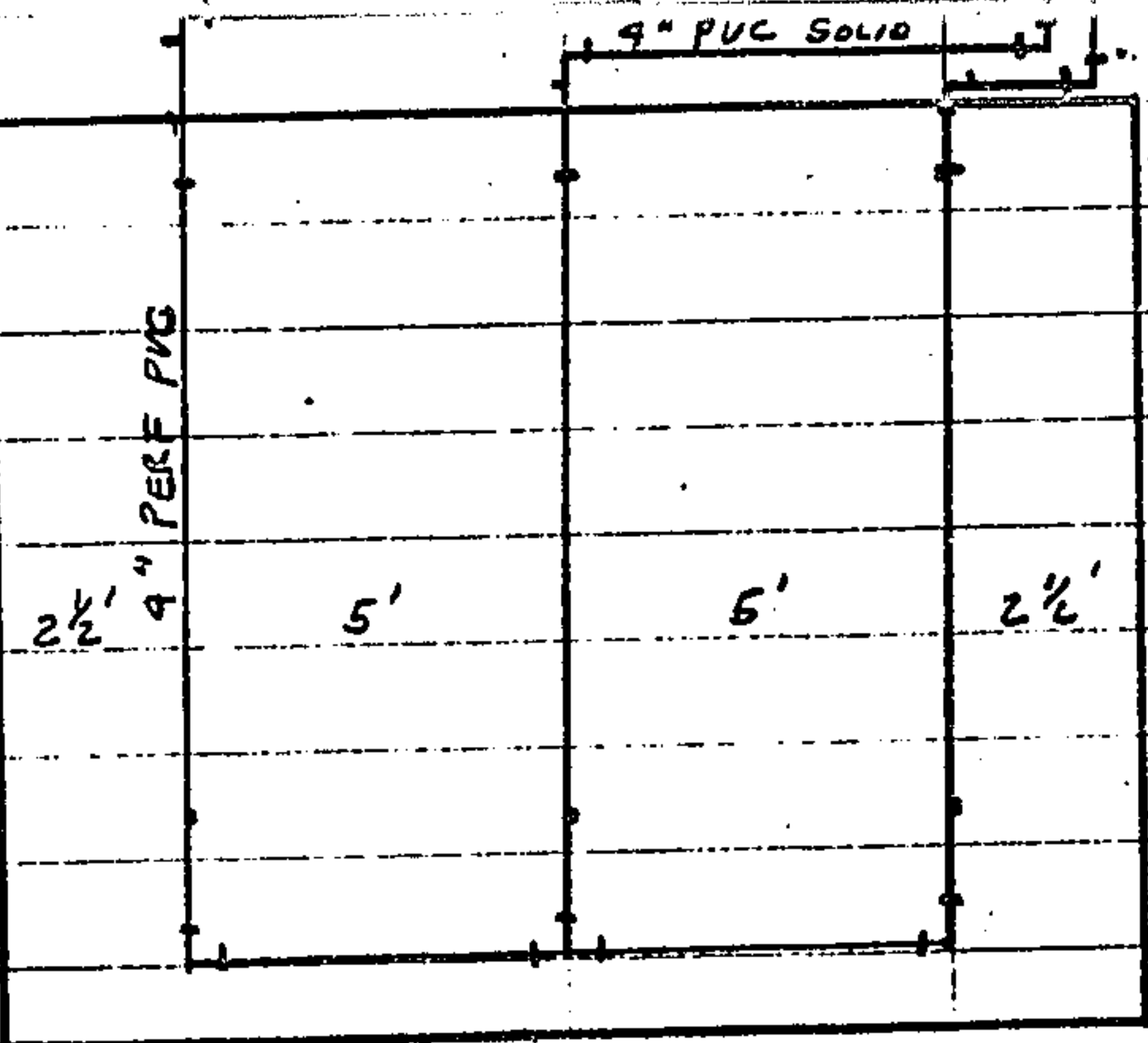


This approval is subject to the terms
and conditions of Certificate of
Compliance #
PB-2-04153
Issued herewith

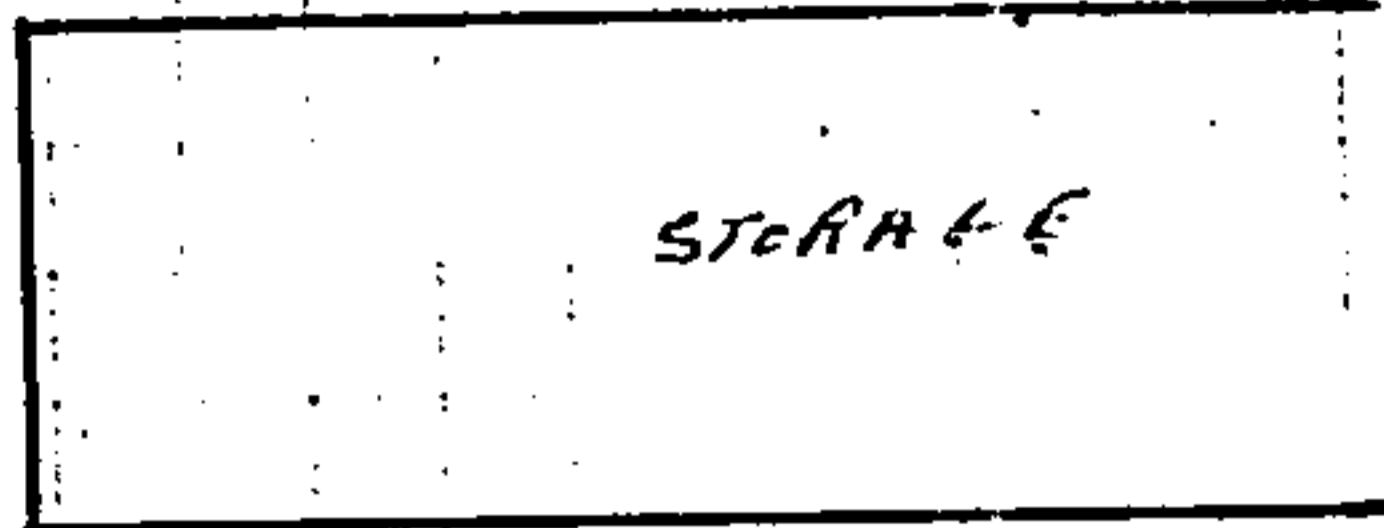
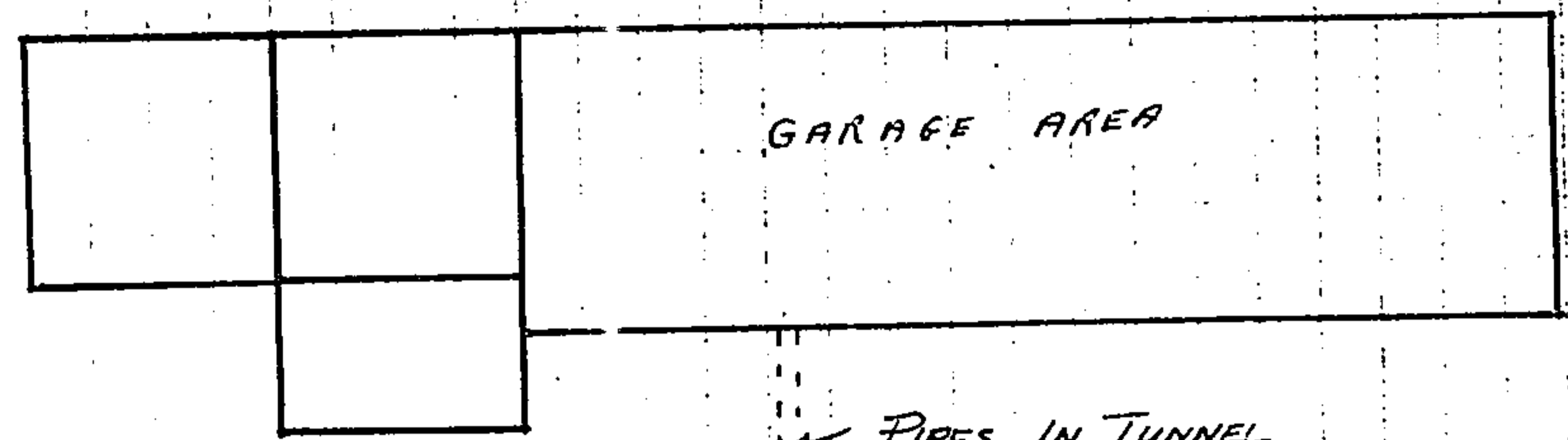
BY
BY
DATE
12/12/83
Roper Thompson

DIVISION OF PROTECTION

APPROVED



TOTAL SQUARE FT LEACH FIELD = 180 #

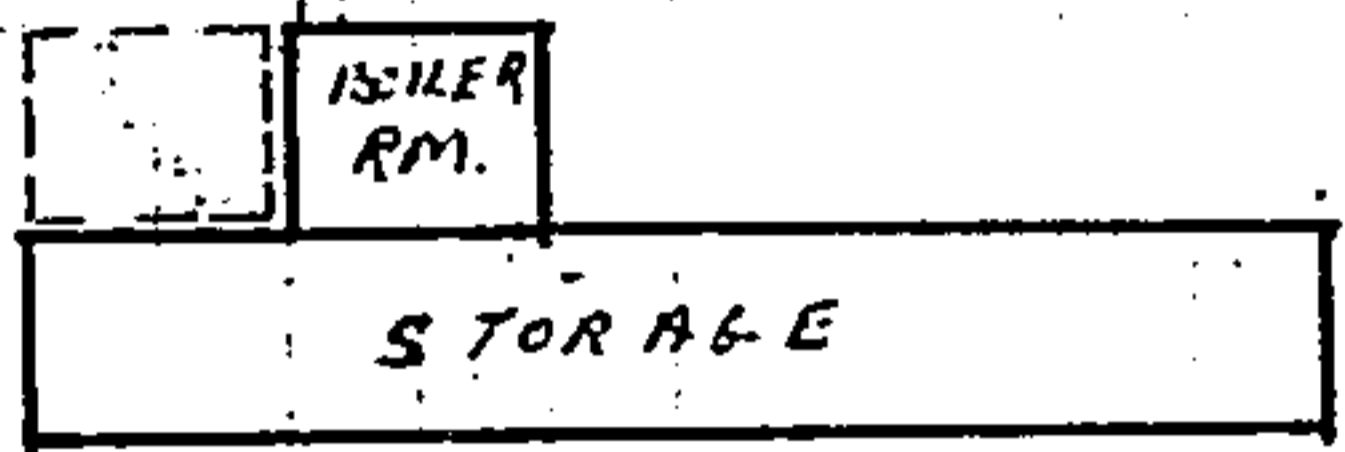


GARAGE AREA

STORAGE

← PIPES IN TUNNEL

SEE ENLARGED PLAN



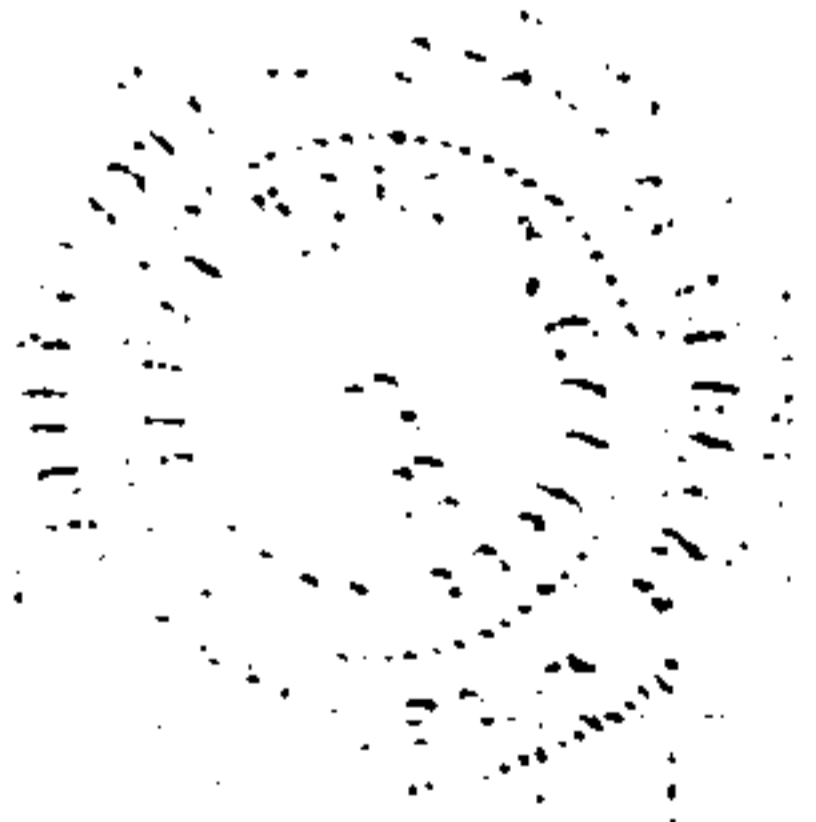
ISILER RM.

STORAGE

APPROX. 400 FT TO WELL

SCALE: 1" = 40'

← CONN. RIVER



SITE PLAN PROPOSED SEPTIC SYSTEM, NEIL H. DANIEL'S INC. ASCUTNEY, VT.

A1

STATE OF VERMONT

#PB-2-0453

District Commission # 2

PROJECT REVIEW

WEATHERSFIELD

On December 9, 1980 I reviewed information concerning a project on a tract or tracts of land of 38+ acres, proposed by Neil H. Daniels, Inc. of Ascutney, Vermont. The project will be on lands owned by Neil H. Daniels, Esq. in Ascutney, Vermont, is generally described as:

Installation of septic system for existing maintenance building for 1 bathroom.

This project is required to obtain a permit under the following permit programs which I have checked: Act 250; Deferral of Subdivision; Subdivision; Public Building; Tent and Travel Trailer; Mobile Home Park Law; Stream Alteration Law. WJ

THIS IS AN ADVISORY OPINION AND, AS SUCH, MAY BE APPEALED. IF ANY PARTY DISAGREES WITH THIS OPINION, THE MATTER, UPON WRITTEN REQUEST, WILL BE REFERRED TO THE ENVIRONMENTAL BOARD OR AGENCY OF ENVIRONMENTAL CONSERVATION, AS APPROPRIATE, FOR REVIEW. ANY SUCH REQUEST SHOULD BE MADE THROUGH MY OFFICE BY _____, 197__.

I also recommend that you contact the agencies I have checked below because their programs may also apply to your project.

1. DEPARTMENT OF LABOR AND INDUSTRY, Montpelier, Vt. 05602 - Tel. 828-2286
 - Electrical Wiring Approval
 - Fire Prevention
 - _____ Storage of Flammable Liquids
 - _____ Tramways and Ski Facilities
2. AGENCY OF TRANSPORTATION, Montpelier, Vt. 05602 - Tel. 828-2823
 - _____ Airports and Landing Strips
 - _____ Signs (Travel and Information Council) 828-2651
 - _____ Junk Yards
3. AGENCY OF ENVIRONMENTAL CONSERVATION, Montpelier, Vt. 05602 - Tel. 828-3357
 - _____ Air Pollution Control
 - _____ Dams
 - _____ Lands Underlying Public Waters
 - _____ Discharge or Temporary Pollution Permit
 - _____ Sanitary Landfills
 - _____ Use of Chemicals in State Waters
 - _____ Extension of Sewer Lines
4. DISTRICT HIGHWAY ENGINEER (Consult the telephone directory under VERMONT, STATE OF, Highways)
 - _____ Access to State Highways
 - _____ Development with 500' of a limited access highway
5. DEPARTMENT OF AGRICULTURE, Montpelier, Vt. 05602 - Tel. 828-2413
 - _____ Use of Pesticides
 - _____ Slaughter Houses
 - _____ Milk facilities
6. DEPARTMENT OF HEALTH, Burlington, Vt. 05401 - Tel. 862-5701
 - _____ Food, lodging, bakeries, and children's camps
 - _____ Nursing homes, hospitals, and homes for the aged
 - _____ Public water systems (10 or more connections to single water source)
 - _____ Extensions of water lines over 500'
7. LOCAL PERMITS - Contact your town officials

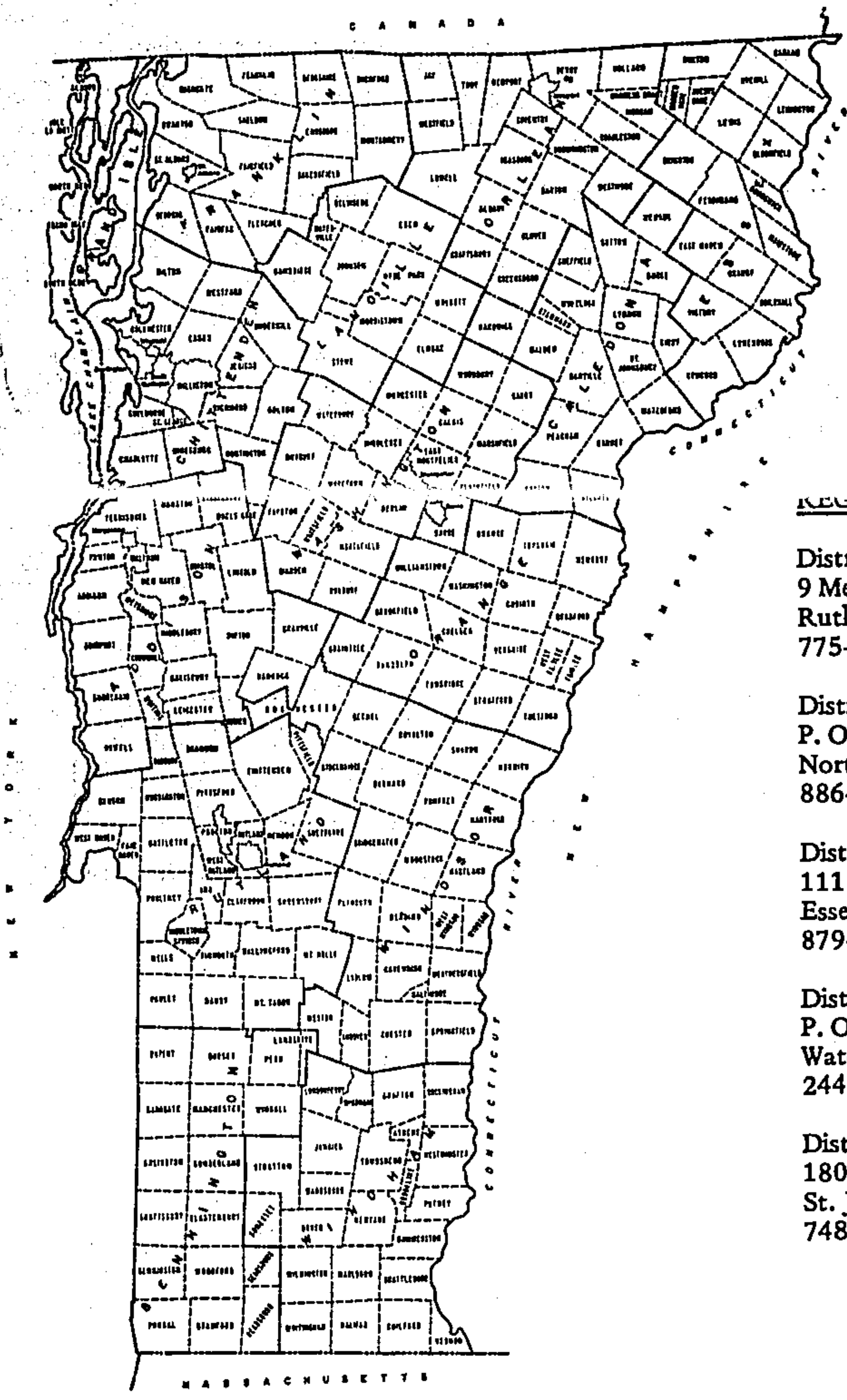
By Crystal Crowninshield

RFD
North Springfield, VT 05150
(Address)

Sent to 6084 parties: no
White copy - Applicant

Yellow copy - File

Pink copy - Protection Division



REGIONAL ENVIRONMENTAL OFFICES

Districts #1 and #8
 9 Merchants Row
 Rutland, Vermont
 775-2548

Districts #2 and #3
 P. O. Box 3
 North Springfield, Vermont
 886-2215

Districts #4 and #9
 111 West Street
 Essex Junction, Vermont
 879-6563

Districts #5 and #6
 P. O. Box 586
 Waterbury, Vermont
 244-5181 Ext. 419

District #7
 180 Portland Street
 St. Johnsbury, Vermont
 748-8787

State employees are available at each Regional Office to help you with Act 250 and other permits and to provide technical assistance on questions about many of Vermont's natural resources. Feel free to ask for assistance on such matters as forestry, fish and game, Act 250, subdivisions, public buildings, mobile home parks, camp grounds, or stream alterations. The Regional Office is there to serve you.

HEARING ITEM

7



State of Vermont

WATER SUPPLY/WASTEWATER DISPOSAL PERMIT

WW-2 -1144
(PIN# NS00-0063)

LAWS/REGULATIONS INVOLVED:

Environmental Protection Rules
Chapter 1 and Chapter 21, Appendix A, Part 11

LANDOWNER: NEIL H. DANIELS, INC.
ADDRESS: P O BOX 246
ASCUTNEY, VT 05030

This project, consisting of the replacement of a failed wastewater disposal system for an existing 5 person office located off Route 5 in Ascutney, Vermont, is hereby approved under the requirements of the regulations named above subject to the following conditions:

1. The project shall be completed as shown on the plan prepared by Robert S. Harrington, P.E., titled: "Replacement Septic System For Office Building" dated 4/26/99, which has been stamped APPROVED by the Wastewater Management Division. No changes shall be made to the approved plan without prior written approval from the Wastewater Management Division.
2. A copy of the approved plan and this permit shall remain on the project during all phases of construction and, upon request, shall be made available for inspection by State or local personnel.
3. This project is approved for the following uses and maximum design wastewater flows. No changes to these uses and design sewage flows are allowed without prior written approval from the Division of Wastewater Management.

<u>use</u>	<u>flow (gpd)</u>
Office with 5 employees @ 15 gpd/employee	75

4. This permit does not relieve you, as applicant, from obtaining all applicable approvals that may be required from the Act 250 District Environmental Commission, the Department of Labor and Industry, the Department of Health, other State Agencies or the Town prior to construction.
5. This permit shall in no way relieve you of the obligations of Title 10 Chapter 48, Subchapter 4, for the protection of groundwater.
6. In the event of a transfer of ownership (partial or whole) of this project, the transferee shall become permittee and subject to compliance with the terms and conditions of this permit.

7. By acceptance of this permit the permittee agrees to allow representatives of the State of Vermont access to the property covered by the permit, at reasonable times, for the purpose of ascertaining compliance with Vermont environmental and health statutes and regulations and with the permit.
8. The wastewater disposal system (s) shall be constructed as shown on the APPROVED plan(s) and shall be operated at all times in a manner that will not permit the discharge of effluent onto the surface of the ground or into the waters of the State. No construction (buildings, roads, water lines, etc.) that might interfere with the installation or operation of the sewage disposal field or its replacement area is permitted. All isolation distances as set forth in Environmental Protection Rules shall be adhered to.
9. **The installation of the wastewater disposal system (s) shall be inspected by a Vermont registered professional engineer who shall report in writing to the Division of Wastewater Management prior to use, or occupancy, that the work has been done in accordance with the approved plans and the permit.**

CANUTE DALMASSE, COMMISSIONER
DEPARTMENT OF ENVIRONMENTAL
CONSERVATION

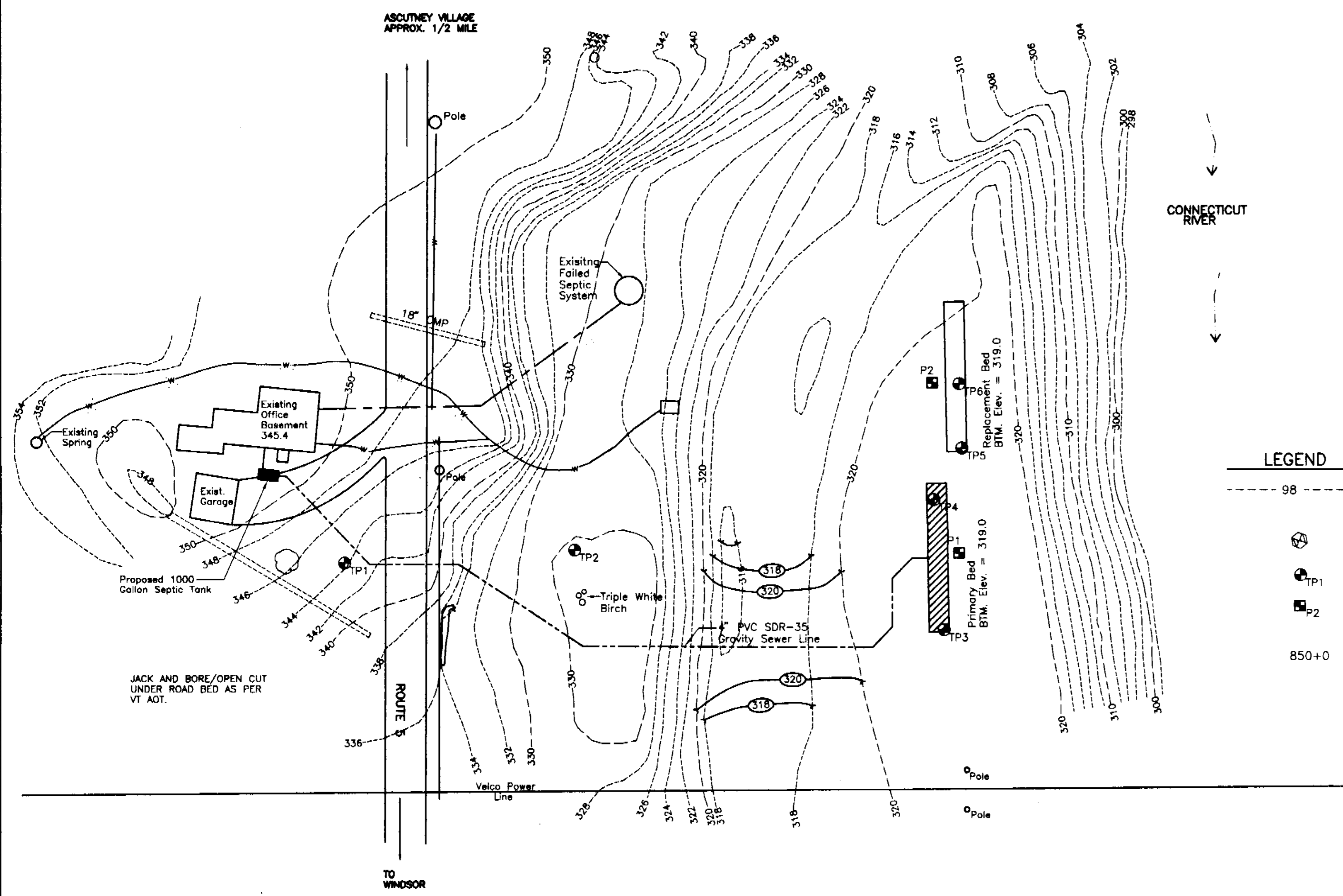
DATE: May 4, 1999

BY 
DOLORES L. KUHN
ASSISTANT REGIONAL ENGINEER

/dk

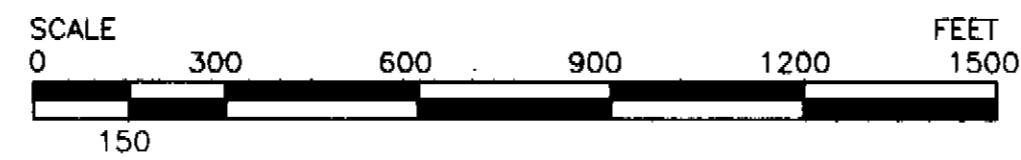
Copies: Weathersfield Town Planning & Board of Selectmen
Roger Thompson, Jr., Engineering Manager
Robert S. Harrington, P.E.

SITE PLAN
SCALE: 1" = 40'

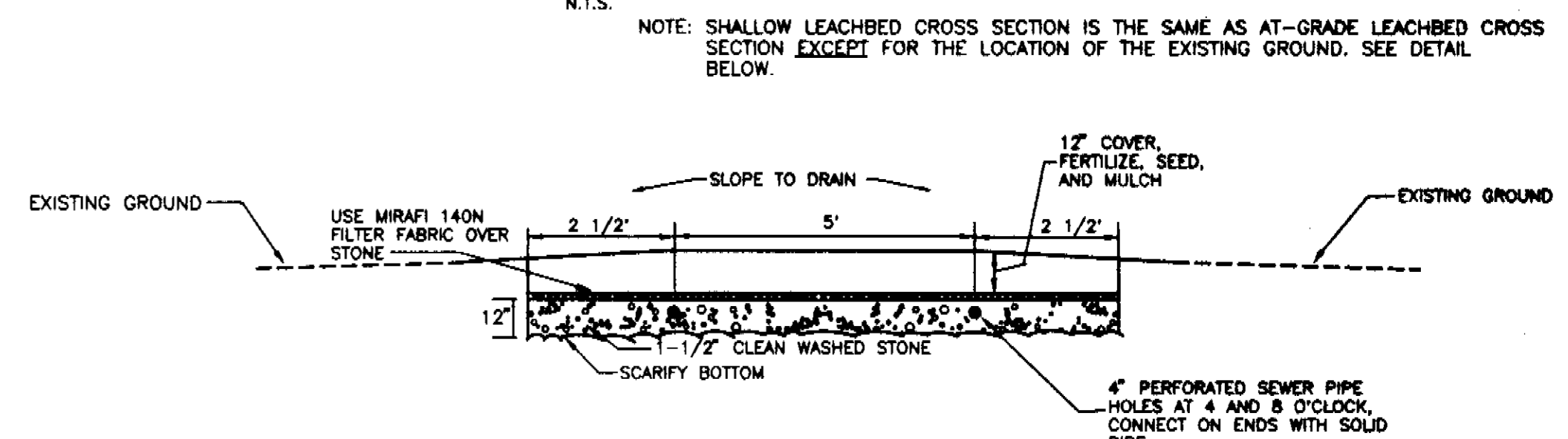


LEGEND

- 98 --- EXISTING CONTOUR
- ⊙ DRILLED WELL
- ⊙ TP1 TEST PIT
- ⊙ P2 PERCOLATION TEST
- 850+0 SPOT ELEVATION



SHALLOW/AT-GRADE LEACHBED CROSS SECTION
N.T.S.



GENERAL NOTES AND SPECIFICATIONS

- Existing Shallow Well (Spring) Serves**
- Daniels Office - 5 Employees
 - Daniels Shop - 5 Employees
 - Jane Carr House - 1 Person
 - Cleveland House - 2 People
 - 13 People Total
1. ALL CONSTRUCTION TO BE DONE BY NEIL H. DANIELS CONSTRUCTION. CONTRACTOR RESPONSIBLE FOR CONSTRUCTING ROUTE 5 CROSSING IN ACCORDANCE WITH VT AOT PERMIT.
 2. CONTACT ENGINEER PRIOR TO CONSTRUCTION FOR PRE-CONSTRUCTION MEETING AT SITE WITH CONTRACTOR. THIS IS TO STAKE OUT LOCATION OF SEPTIC SYSTEM COMPONENTS, DISCUSS CONSTRUCTION PROCEDURES AND REQUIRED INSPECTION SERVICES. THIS IS IMPORTANT SO THE SYSTEM CAN BE CERTIFIED WHEN COMPLETED.
 3. MAINTAIN 10' HORIZONTAL SEPARATION BETWEEN ALL WATER AND SEWER LINES.
 4. LAY ALL SEWER LINES AT 1/8" TO 1/4" PER FOOT GRADE MINIMUM.
 5. PROVIDE ENGINEER WITH AS-BUILT LOCATION, TIES AND DETAILS OF ALL UTILITIES.
 6. FERTILIZE, SEED, AND MULCH ALL DISTURBED AREAS WITH SCS MIX, PLUS WINTER RYE IF CONSTRUCTION IS PERFORMED IN FALL BEYOND SEPTEMBER 15th. CHECK IN SPRING, RESEED IF NECESSARY TO ESTABLISH GROWTH.
 7. USE MIRAFI 140N FILTER FABRIC OVER STONE IN LEACH TRENCHES OR LEACHBED.
 8. USE STANDARD 1000 GALLON SEPTIC TANK AS PER DAILEYS OR EQUAL WITH PRECAST CONCRETE BAFFLES ON INLET AND OUTLET. CONNECT TO PUMP STATION WITH 4" PVC SEWER PIPE, SDR-35 OR SCH-40 MAINTAINING 1/4" PER FOOT SLOPE. USE DUCTILE IRON PIPE OR PVC SCH-40 FROM HOUSE TO SEPTIC TANK.
 9. INQUIRE WITH ENGINEER FOR INFORMATION REGARDING YOUR SEPTIC SYSTEM MAINTENANCE. GARBAGE GRINDERS ARE DISCOURAGED. PUMP TANK FREQUENTLY. WE WILL SEND YOU INFORMATION UPON REQUEST.

DESIGN CRITERIA & RECOMMENDATIONS

- EMPLOYEES 5 x 15 GPD = 75 GPD
- PERC = 15 MIN/INCH, USE .6 GPD/SF
- OWNER DESIRES TO MAKE BED LARGE ENOUGH FOR 3 BEDROOM HOUSE
- MAKE BED 450 GPD / .6 = 10' X 75' = 750 SF
- PRIMARY LEACHBED:
BTM. ELEV. = 319.0
SIZE: 10' X 75'
USE: HOLE D-BOX, PERFORATED PIPE, O.C.,
CONNECT ON ENDS. PLACE 2" BLUE STYROFOAM
AND 2" COVER OVER D-BOX. CONTACT ENGINEER
BEFORE CONSTRUCTION FOR STAKE OUT,
CONSTRUCTION ASSISTANCE, AND INSPECTION.
- NO INCREASE IN USAGE AT THIS TIME, PROVIDE SEPTIC SIZE FOR POTENTIAL FUTURE GROWTH OR CONVERSION OF OFFICE TO 3 BEDROOM RESIDENCE

ISOLATION DISTANCES FOR LEACHFIELDS

MAINTAIN THE FOLLOWING DISTANCES FROM THE EDGE OF ALL LEACHFIELDS TO THE INDICATED ITEMS.

- DRILLED WELL: 100' MINIMUM UPHILL OF LEACHFIELD
- PROPERTY LINE: 25' ON ALL SIDES
- SLOPE OVER 30%: 25' ON DOWNHILL SIDE (RIVERBANK)
- 200' MINIMUM DOWNHILL OF LEACHFIELD

TEST PIT RESULTS

TEST PIT 1	TEST PIT 2	TEST PIT 3
0 - 58" LIGHT BROWN SANDY SILTY LOAM, OLD FILL BRICK @ 50" ROOTS TO 54"	0 - 8" DARK BROWN TOPSOIL 8" - 40" LAYERS SAND & SILTY SAND 45" ORANGE STAINING SHWT	0 - 58" LAYERS SAND & SILT LOOSE 58" - 8" SILTY FINE SAND 8' - 11" MEDIUM SAND NO EVIDENCE TO SHWT
58" - 8-1/2" MEDIUM WELL GRADED SAND, NO MOTTLES, NO WATER TABLE.	40" - 8" LAYERS OF SILTS AND SANDS - VERY LOOSE MOIST @ 7"	
TEST PIT 4	TEST PIT 5	TEST PIT 6
0 - 8" TOPSOIL 8" - 5" LAYERS FINE SANDY SILT 5' - 8" SILTY SAND NO MOTTLES	SAME AS TEST PIT #4	0 - 10" TOPSOIL 10" - 5-1/2" LAYERS SILTY FINE SAND 5-1/2' - 9' FINE TO MEDIUM SAND

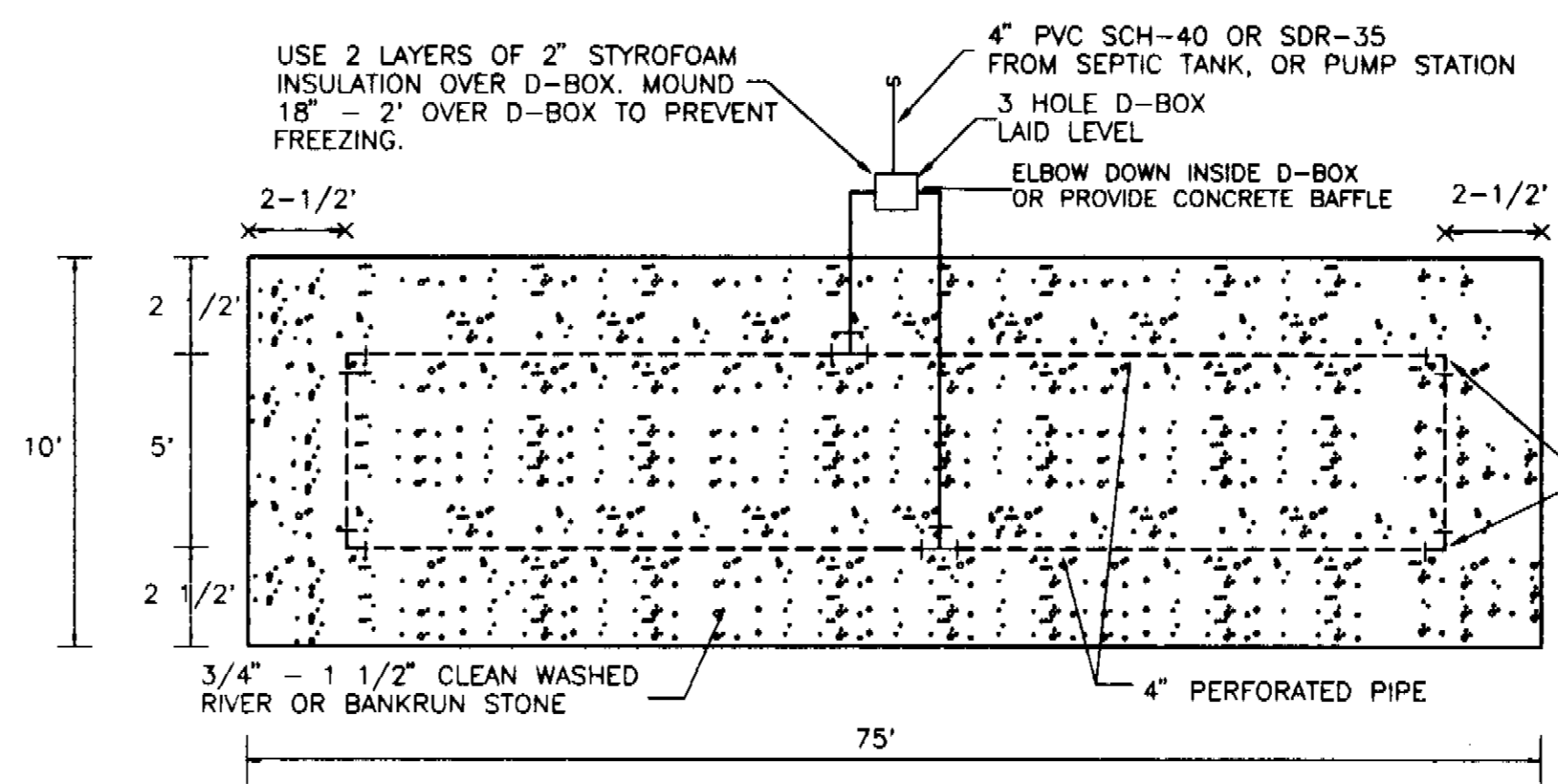
NOTES, TEST PITS, & PERCOLATION TESTS

1. TEST PITS WERE ACCOMPLISHED BY HEI ON 4/13/99.
2. PERCOLATION TESTS WERE ACCOMPLISHED ON 4/13/99 BY HEI.
3. SURVEY WAS DONE BY DANIELS CONSTRUCTION INC.

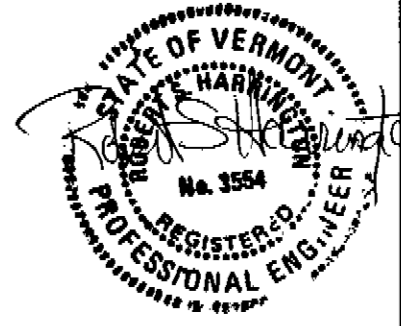
PERCOLATION TEST

NO.	MIN./INCH	DEPTH (IN.)
1	12	35
2	15	30

LEACH BED PLAN
N.T.S.



APPROVED *[Signature]*
DATE 5/4/99
BY *[Signature]*
This approval is subject to the terms and conditions of Land Use Permit # 2002-1144 issued herewith.



NO.	DATE	REVISION	BY
SHEET TITLE: REPLACEMENT SEPTIC SYSTEM FOR OFFICE BUILDING			
PROJECT: NEIL H. DANIELS, INC.			
DRAWN BY: TRH CHECKED BY: RSH			
PROJECT NO.: HARRINGTON ENGINEERING, INC.			
Civil • Environmental • Development NORTH POMFRET, VT 05053 (802) 457-3151			

HEARING ITEM

8

AGENCY OF NATURAL RESOURCES (ANR) AND NATURAL RESOURCES BOARD

<http://www.anr.state.vt.us/dec/eao/pa/index.htm> / <http://www.nrb.state.vt.us/>

PROJECT REVIEW SHEET ONLY
THIS IS NOT A PERMIT

TOWN OF
MAY 21 2012
WEATHERSFIELD

TOTAL # OF DEC PERMITS:
RESPONSE DATE:
DISTRICT: 2

Town: Weathersfield

PRE-APPLICATION REVIEW:
PENDING APPLICATION #: WW-2-1144-1
PIN#: NS99-0063

OWNER OF PROJECT SITE: Neil H Daniels, Inc PO Box 246 Ascutney, VT 05030 Mark Thompson 802.674.6323 mthompson@neilhdaniels.com	VT Transco, LLC 366 Pinnacle Ridge Road Rutland, VT 05701 Brian Connaughton 802.770.6227 bconnaughton@velco.com	APPLICANT OR REPRESENTATIVE: Donald Marsh don@marshengineering.com
Project Name: VT Transco Ascutney Substation		

Based on an oral or written request or information provided by WW Permit application received on 3/29/12 a project was reviewed on a tract/tracts of land of 33 acres, located on 3150 US Route 5. Project is generally described as:
Divide a 33 acres parcel into Lot 1 (28.2 acres) with an existing office building and storage yard (substantially completed in 1950's) and Lot A (4.8 acres) with a proposed substation control building with up to 6 employees.

Prior permits from this office: WW-2-1144 (replace failed wastewater system for office building)

**PERMITS NEEDED FROM THE DISTRICT ENVIRONMENTAL OFFICE
PRIOR TO COMMENCEMENT OF CONSTRUCTION**

X I hereby request a jurisdictional opinion from the District Coordinator or Assistant District Coordinator regarding the jurisdiction of 10 V.S.A. Chapter 151 (Act 250) over the project described above. **Jacqueline Carr**
 Landowner/Agent Permit Specialist Other Person

ACT 250: THIS IS A JURISDICTIONAL OPINION BASED UPON AVAILABLE INFORMATION, AND A WRITTEN REQUEST FROM THE ANR PERMIT SPECIALIST, THE LANDOWNER/AGENT, OR OTHER PERSON. ANY NOTIFIED PERSON OR ENTITY WILL BE BOUND BY THIS OPINION UNLESS THAT PERSON OR ENTITY FILES A REQUEST FOR RECONSIDERATION WITH THE DISTRICT COORDINATOR (10 V.S.A. § 6007 (c) AND ACT 250 RULE 3 (b) OR AN APPEAL WITH THE ENVIRONMENTAL COURT WITHIN 30 DAYS OF THE ISSUANCE OF THIS OPINION (10 V.S.A. Chapter 220). (#47)

Project: Commercial Residential Municipal
 Has the landowner subdivided before? Yes No When/where: _____ # of lots: _____
AN ACT 250 PERMIT IS REQUIRED: Yes No* Copies sent to: Owner ; Applicant or Representative ;
 Statutory Parties ; VT Transco LLC ; Other: (Attach certificate of service if necessary.)

BASIS FOR DECISION: The subdivision does not require an Act 250 permit because Mr. Daniels has created fewer than 10 lots in a 5 year period. 10 V.S.A. section 6001(19). *Provided VT Transco will own the 4.8 acre parcel upon which they propose to construct the control building, and they will own the property before any construction occurs, and provided the "involved land" is less than 10 acres – Act 250 is not triggered. Construction of improvements for commercial purpose on less than ten acres in Weathersfield does not trigger Act 250. 10 V.S.A. section 6001(3)(A)(i).

SIGNATURE: Linda Matteson DATE: May 17, 2012
 Linda Matteson, District 3 Coordinator, for April Hensel, D2 Coordinator Telephone: 802-885-8844
 ADDRESS: District #2 Environmental Commission, 100 Mineral Street, Suite 305, Springfield, VT 05156-3168

1. **WASTEWATER MANAGEMENT DIVISION REGIONAL OFFICE**
 Wastewater System Potable Water Supply Permit (#1 & 32) Notice of Permit Requirements (#2) (deferral language)
 Floor drains (#1.2) Campgrounds (#3) Extension of sewer lines #5

REGIONAL ENGINEER ASSIGNED: Jeff Svec

X Waste Water Permit issued DATE: 4/24/12
 Wastewater Management Division, Telephone: 802-885-8849
 Dept. of Environmental Conservation, 100 Mineral Street, Suite 303, Springfield, VT 05156-3168

****Note: Numbers in Parentheses () refer to Permit Information Sheets in the Vermont Permit Handbook**
http://www.anr.state.vt.us/dec/permit_hb/index.htm

THIS IS A PRELIMINARY, NON-BINDING DETERMINATION REGARDING THE FOLLOWING PERMITS WHICH YOU MAY NEED

PRIOR TO COMMENCEMENT OF CONSTRUCTION. PLEASE CONTACT THE DEPARTMENTS INDICATED BELOW.

2. **WASTEWATER MANAGEMENT DIVISION, ANR (802-241-3822)** **Contact:** _____
___ Discharge Permit; pretreatment permits; industrial, municipal (#7.1, 7.2 & 8) ___ Indirect Discharge Permits (#9 & 9.1) ___ Residuals Management (10)
3. **AIR POLLUTION CONTROL DIVISION, ANR (888-520-4879)** **Contact:** _____
___ Construction/modification of source (#14) ___ Open Burning (#18) ___ Wood Chip Burners (>90 HP) (#14)
___ Furnace Boiler Conversion/Installation (#14) ___ Industrial Process Air Emissions (#14) ___ Diesel Engines (>450 bHP) (#14)
4. **WATER SUPPLY DIVISION, ANR 800-823-8500 (in VT) 802-241-3400**
___ New Hydrants(#22) ___ >500' waterline construction (#22) ___ Community Water System (CWS) ___ Bottled Water (#20) ___ Operating permit (#21)
___ Transient Non-Community water system (TNC) (#21) Capacity Review for Non-transient non-community water systems (NTNC) (#21)
5. **WATER QUALITY DIVISION, ANR** **STORMWATER PERMITS 802-338-4876**
___ River Management (241-3770) (Ponds) (#32,1) ___ Construction General Permits >1AC of disturbance (#6.1)
___ Shoreland Encroachment (241-3777) (#28) ___ Stormwater from new development or redevelopment sites (#6.2 & 6.3)
___ Wetlands 802-885-8851 (#29) **→** Multi-Sector General Permit (MSGP) industrial activities with exposure (#6.4)
___ Stream Alteration / Section 401 Water Quality Certificate / Stream Crossing Structures 802-786-5921 (#27 & 32)
___ Floodplains Management 802-241-4597
6. **WASTE MANAGEMENT DIVISION, ANR** **Contact:** _____
___ Notification of Regulated Waste Activity (241-3888) (#36) ___ Underground Storage Tanks (241-3888) (33)
___ Lined landfills; transfer stations, recycling facilities drop off (241-3444) (#37, 39, 40) ___ Asbestos Disposal (241-3444)
___ Disposal of inert waste, untreated wood & stumps (241-3444) (#41 & 44) ___ Composting Facilities (241-3444) (#43)
___ Waste oil burning (241-3888) ___ Waste transporter permit (#35) ___ Used septic system components/stone (#41)
7. **FACILITIES ENGINEERING DIVISION, ANR** **Contact:** _____
___ Dam operations (greater than 500,000 cu. ft.) (241-3451) (#45)
___ State-funded municipal water/sewer extensions/upgrades and Pollution Control Systems (241-3750)
8. **POLLUTION PREVENTION & MERCURY DISPOSAL HOTLINE (1-800-974-9559)** **Contact:** Judy Mirro or John Daly
SMALL BUSINESS & MUNICIPAL COMPLIANCE ASSISTANCE (800-974-9559)
RECYCLING HOTLINE (1-800-932-7100)
9. **FISH & WILDLIFE DEPARTMENT (802-241-3700)**
___ Nongame & Natural Heritage Program (Threatened & Endangered Species)(#47.4) ___ Stream Obstruction Approval (#47.5)
10. **DEPARTMENT OF PUBLIC SAFETY District Office Contact: 802-885-8883**
→ Construction Permit fire prevention, electrical, plumbing, accessibility (#49, 50, 50.1, 50.2) (Americans with Disabilities Act)
___ Storage of flammable liquids, explosives ___ LP Gas Storage ___ Hazardous Chemical Use/Tier II Reporting (800-347-0488)
___ Plumbing in residences served by public water/sewer with 10 or more customers (#50.2) ___ Boilers and pressure vessels (#50.3)
11. **DEPARTMENT OF HEALTH**
___ Food, lodging, bakeries, food processors (#51, 5.1, 52, 53, 53,1) **802-296-5562 802-447-6412 802-786-5853**
___ Program for asbestos control & lead certification (#54, 55, 55.1) **800-439-8550(in VT) or 802-863-7220**
___ Laboratory **800-660-9997 (in VT) 802-863-7336**
12. **AGENCY OF HUMAN SERVICES** **Contact:** _____
___ Child care facilities (1-800-649-2642 or 802-241-2159) (#57) ___ Residential care homes (241-2345) (Dept. of Aging & Disabilities) (#59)
___ Nursing Homes (241-2345) (#59) ___ Assisted Living & Therapeutic Community Residence (241-2345) (#59)
13. **AGENCY OF TRANSPORTATION** **Contact:** _____
→ Access to state highways (residential, commercial (828-2653) (#66) ___ Junkyards (828-2053) (#62)
___ Signs (Travel Information Council) (828-2651) (#63) ___ Railroad crossings (828-2710) (#64)
___ Development within 500' of a limited access highway (828-2653) (#61) ___ Airports and landing strips (828-2833) (#65)
___ Construction within state highway right-of-way (Utilities, Grading, etc.) (828-2653) (#66) ___ Motor vehicle dealer license (828-2067) (#68)
14. **DEPARTMENT OF AGRICULTURE (800-675-9873 or 802-828-3429)** **Contact:** _____
___ Use/sale of Pesticides (828-3429) (#72, 73, 74, 75, 76, 77, 78) ___ Slaughter houses, poultry processing (828-3429) (#81)
___ Milk Processing Facilities (828-3429) (#83, 83.1, 85, 87) ___ Animal shelters/pet merchant/livestock dealers (828-3429) (#89, 89.1)
___ Golf Courses (828-2431) (#71) ___ Weights and measures, Gas Pumps, Scales (828-2436) (#88)
___ Green Houses/Nurseries (828-2431) (#79) ___ Retail Sales/Milk/Meat/Poultry/Frozen Dessert/Class "C" Pesticides (828-3429) (#79.1, 80)
___ Medium and Large Farm Operations (828-2431)
15. **→ PUBLIC SERVICE DEPARTMENT Energy Efficiency Div. (888-373-2255) _ VT Building Energy Standards(#47.2)**
16. **DIVISION FOR HISTORIC PRESERVATION (802-828-3213)** ___ Historic Buildings (#47.1 & 101) ___ Archeological Sites (47.1 & 101)
17. **DEPARTMENT OF LIQUOR CONTROL (1-800-832-2339)** ___ Liquor Licenses (#90) ___ General Info (1-800-642-3134)
18. **SECRETARY OF STATE (1-802-828-2386)** ___ Business Registration (#90.1) ___ Professional Boards (1-800-439-8683) (#90.2)
19. **DEPARTMENT OF TAXES (802-828-2551 & 828-5787)** ___ Business Taxes (sales & rooms, amusement machines) (#91.92, 93, 94, 95, 96)
20. **DEPARTMENT OF MOTOR VEHICLES (802-828-2070)** ___ Fuel Taxes; Commercial Vehicle (#69-70)
21. **→ LOCAL PERMITS (SEE YOUR TOWN CLERK, ZONING ADMINISTRATOR, PLANNING COMMISSION, OR PUBLIC WORKS)**
22. **FEDERAL PERMITS U.S. ARMY CORPS OF ENG, 8 Carmichael St., Ste. 205, Essex Jct., VT 05452 (802) 872-2893 (#97, 98,99)**
23. **→ OTHER: ?? Vermont Public Service Board**

Sections #3-#24 above have been completed by Permit Specialist Jacqueline Carr  Date: 5/16/12

HEARING ITEM

9

**TOWN OF WEATHERSFIELD
APPLICATION FOR ZONING PERMIT**

The undersigned hereby request(s) a zoning permit for the following project, to be issued on the basis of representations contained on this form. The permit (if issued) will be voided if there is any misrepresentation on this application or if the project is not undertaken within one year of the date of approval.

Location of property (911 address) 4409 Route 5 Ascutney, VT 05030

Parcel ID # 100002 Deed recorded at Volume # _____ Page # _____

Landowner Name Neil H. Daniels, Inc. Phone # 674-6323

Landowner Mailing Address PO Box 246 Ascutney, VT 05030

Applicant Name Neil H. Daniels, Inc. Phone # 674-6323

Applicant Mailing Address PO Box 246 Ascutney, VT 05030

Describe your project: Construction of 3-sided open shed
Storage of Hay & equipment

Lot size 35 +/- (acres or sq. ft.) Frontage on public road 1,000 +/- ft.

If you do not have frontage on a public road, has your access been approved by the Zoning Board or Planning Commission? _____ no _____ yes (date of approval _____) _____ pre-existing

For new construction: Building length 64 ft. Width 25 ft. Height 22 ft.
Total square footage of proposed new construction 1600 roof / 988 interior

Setback (i.e. distance) of new construction from:
Road right-of-way 40 ft. Rear lot line 250 ft. Side lot line 200 ft. Side lot line 750 ft.

Stream N/A ft. Connecticut River 250 ft.

Please draw a sketch plan on the attached sheet showing the proposed project location and all applicable setback distances. Use the sample sketch plan on the back of the first page as a guide.

Landowner signature [Signature] Date 1/20/12

Applicant signature SAME Date _____

WARNING

It is the obligation of the applicant to identify and obtain any permits required by the State of Vermont BEFORE beginning construction or commencement of a new or changed use. Please contact the State of Vermont Permit Specialist at 802-885-8850 for more information.

NOTE: Incomplete applications will not be accepted for review.

Application # _____

PLEASE DRAW YOUR SKETCH PLAN HERE (*please use the Sample Sketch Plan as a guide*):

* 988 x 0.05 = \$79.40

FOR USE BY ADMINISTRATIVE OFFICER ONLY

Application # 01.2312 Initial Site Visit (Date) _____
Application Fee \$ 79.40* Received on (Date) 1/23/2012 Check # 14144
Recording Fee (\$10) Received on (Date) _____ Check # _____

Zoning Administrator's Findings:

1. Property is located in the Industrial zoning district
2. The proposed project is categorized as: accessory structure
3. The proposed project requires:
 - Site Plan Review from the Zoning Board of Adjustment.
 - A Variance of _____ (feet) from the setback (front/side/rear) or other(name) _____ requirements of the _____ zoning district.
 - Conditional Use Approval from the Zoning Board of Adjustment in accordance with section _____ of the Weathersfield Zoning Bylaws.
 - Other (e.g. sect. 6.7- access approval; waiver from setbacks from Dept. of Agriculture, Flood Hazard Review; etc.)
Specify Prime Ag + Statewide Significant soils - below threshold
see Impact Rating

Zoning Administrator's Conclusions:

- A Zoning permit cannot be granted for the proposed project until the site plan for this project is approved by the Zoning Board of Adjustment.

ADMINISTRATIVE OFFICER DATE

- A Zoning permit cannot be granted for the proposed project until the required variance for this project has been approved by the Zoning Board of Adjustment.

ADMINISTRATIVE OFFICER DATE

- A Zoning permit cannot be granted for the proposed project until conditional use approval has been received from the Zoning Board of Adjustment.

ADMINISTRATIVE OFFICER DATE

- The proposed project is an agricultural structure (as per sect. 6.10.8 of the Weathersfield Zoning Bylaws) and is exempt from local zoning.

ADMINISTRATIVE OFFICER DATE

- The proposed project complies with the Weathersfield Zoning Bylaws as presented in this application and is hereby approved. Yes No

Reason for denial _____

deForest Bearse _____
ADMINISTRATIVE OFFICER DATE 2-8-2012

Any aggrieved person may appeal a decision by the administrative officer within 15 days of the date of such decision. This permit shall not take effect until the time for such appeal has passed.

- Site plan approval for this project was granted by the Zoning Board on (date) _____ and the zoning permit is hereby issued.

ADMINISTRATIVE OFFICER

DATE

- The variance required for this project was granted by the Zoning Board on (date) _____ and the zoning permit is hereby issued.

ADMINISTRATIVE OFFICER

DATE

- Conditional use approval for this project was granted by the Zoning Board on (date) _____ and the zoning permit is hereby issued.

ADMINISTRATIVE OFFICER

DATE

- Other requirements for this project have been satisfied and the zoning permit is hereby issued.

ADMINISTRATIVE OFFICER

DATE

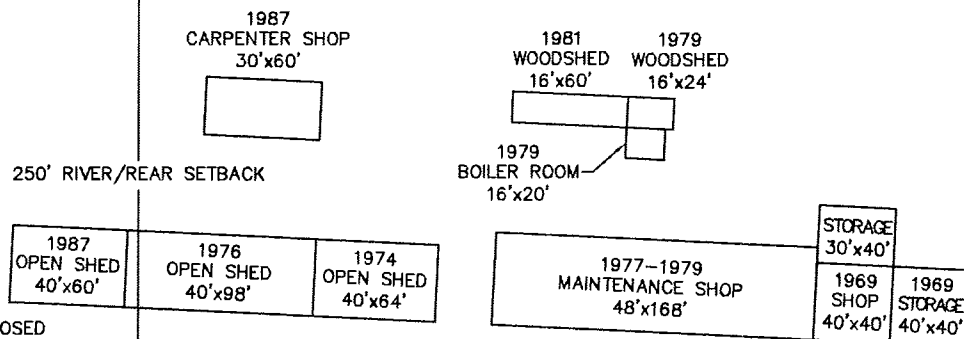
- A Certificate of Occupancy is required prior to occupancy. _____ Yes _____ No



CONNECTICUT RIVER

NEIL H. DANIELS, INC.

WILGUS STATE PARK



PROPOSED 25'x64' OPEN SHED

R. OVERHANG EXIST. BARN 60'x24'

ALAN McNABB

200' +/- SIDE SETBACK

40' FRONT SETBACK

750' +/- SIDE SETBACK

R.O.W. (3 ROD)

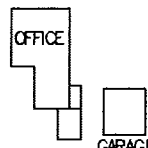
DRIVE

US ROUTE 5

R.O.W. (3 ROD)

HODGDON BROTHERS

SHED TO BE DEMOLISHED AS PART OF VELCO SUBDIVISION PLAN



VELCO TRANSMISSION

VELCO TRANSMISSION

CVPS TRANSMISSION

NEIL H. DANIELS, INC.

4409 ROUTE 5 PROPERTY
 TOWN OF WEATHERSFIELD
 STATE OF VERMONT

PROPOSED 3-SIDED SHED	
SCALE	AS NOTED
DATE	JANUARY 20, 2012
JOB NUMBER	12XX
FILE	DANIELS SHED.dwg
SHEET	1 OF 2
DRAWING NUMBER	DET-1



PLAN
 SCALE: 1" = 100'-0"

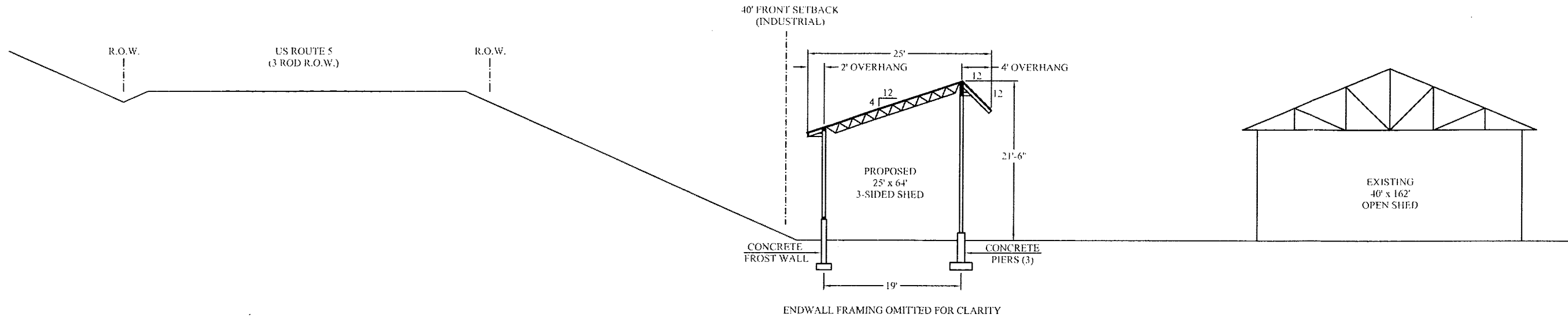
#01.2312

DRAFTED BY

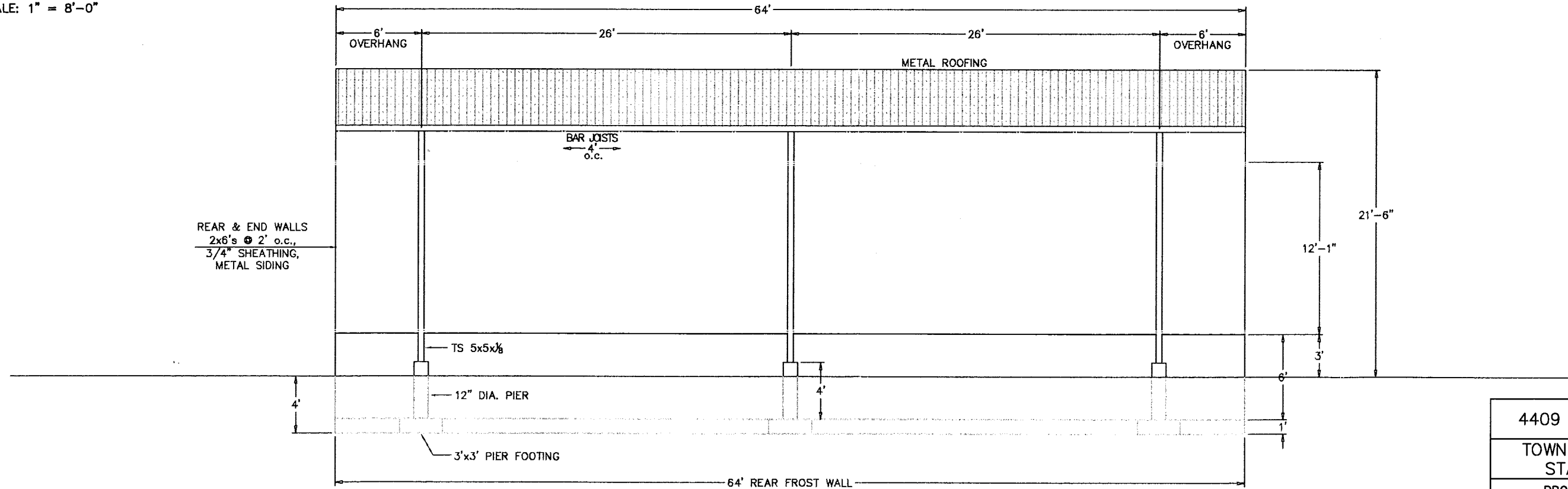
CHECKED BY

DESIGNED BY

SOUTHERN ELEVATION
SCALE: 1" = 15'-0"



EASTERN ELEVATION
SCALE: 1" = 8'-0"



DESIGNED BY _____ CHECKED BY _____ DRAFTED BY _____

#01.2312

4409 ROUTE 5 PROPERTY	
TOWN OF WEATHERSFIELD STATE OF VERMONT	
PROPOSED 3-SIDED SHED	
SCALE	AS NOTED
DATE	JANUARY 20, 2012
JOB NUMBER	12XX
FILE	DANIELS SHED.dwg
SHEET	2 OF 2
DRAWING NUMBER	DET-2



Town of Weathersfield

ZONING PERMIT

PERMIT # 01.2312

PARCEL # 10-00-02

PERMITTEE Neil H. Daniels, Inc.

LOCATION 4409 Route 5

DESCRIPTION

64' x 25' x 22' 3-sided open shed
for storage of hay & equipment

Provided that the project to which this permit applies conforms in every respect to the terms of the application filed conditions of approval, and to the applicable provisions of Vermont statutes and the Weathersfield Zoning Bylaws Approval valid 15 days from date signed unless an appeal is filed with the Secretary of the Zoning Board of Adjustment during that period.

APPEAL BY 2-23-2012

deForest Bearse

2-8-2012

ADMINISTRATIVE OFFICER

DATE ISSUED

POST IN A CONSPICUOUS PLACE ON THE PREMISES WHERE IT IS VISIBLE FROM THE ROAD THROUGHOUT APPEAL PERIOD AND THROUGHOUT ALL CONSTRUCTION ACTIVITIES

RECEIVED

FEB 08 2012

WEATHERSFIELD, VT
TOWN CLERK

WEATHERSFIELD, VT

Town Clerk's Office
Received for record

February 8, A D 20 12
At 10 o'clock 30 minutes A M
and recorded in Book Parcel # Page —
Attest Mary Baker ASST. Town Clerk

HEARING ITEM

10

10-00-02

**WASTEWATER SYSTEM AND POTABLE WATER SUPPLY PERMIT
WW-2-1144-1**LAWS/REGULATIONS INVOLVED:

Environmental Protection Rules Chapter 1 and Chapter 21



LANDOWNER(s): Neil H Daniels, Inc
c/o Mark Thompson
ADDRESS: P.O. Box 246
Ascutney, VT 05030-0246

VT Transco, LLC
c/o Brian Connaughton
366 Pinnacle Ridge Road
Rutland, VT 05701

This project, a proposed substation control building with up to 6 employees on 4.8 +/- Acres from a previously permitted commercial lot with an existing construction office building, located on Route 5 in Weathersfield, Vermont is hereby approved under the requirements of the regulations named above subject to the following conditions:

1. **All previous permits and Certifications of Compliance issued by the Division shall remain in full effect except where specifically modified or amended herein.**
2. The project shall be completed as shown on plans by Donald R. Marsh, P.E.:
 - A. "Substation Sanitary Septic System and Water Source / Connection" dated 1/5/12;
 - B. "Water Supply and Wastewater Disposal Details" dated 1/5/12;which have been stamped by the Division. No changes shall be made to the approved plans without prior written approval from the Wastewater Management Division.
3. This project is approved for the following uses and maximum design flows. No changes to these uses and design flows are allowed without prior written approval from the Division.

<u>use</u>	<u>flow</u>
Proposed substation control building with up to 6 employees	81 gpd
4. The project is approved for construction of the on-site water supply(s) from a drilled or percussion well(s) provided that the well(s) is located as shown on the plans. The well(s) shall be installed and properly sealed into bedrock. All isolation distances and construction standards as set forth in Environmental Protection Rules, Chapter 21, part 11 (Small Scale Water Systems), effective September 24, 1992, revised April 25, 2005, shall be adhered to.
5. The wastewater disposal system shall be constructed as shown on the plan and shall be operated at all times in a manner that will not permit the discharge of effluent onto the surface of the ground or into the waters of the State. No construction (buildings, roads, water lines, etc.) that might interfere with the installation or operation of the sewage disposal field is permitted. All isolation distances as set forth in Environmental Protection Rules shall be adhered to.
6. **No permit issued by the Secretary shall be valid, for a substantially completed water and wastewater system, until the Secretary receives a certification from a designer, or the installer if the system is not a site modification, signed and dated, that states: "I hereby certify that, in the exercise of my reasonable professional judgment, the installation-related information submitted is true and correct and the water and wastewater systems were installed in accordance with the permitted design and all permit conditions, were inspected, were properly tested, and have successfully met those performance tests." The water and wastewater systems inspection certification(s) shall be completed and submitted to the Springfield Regional Office, and to the municipality, for filing within 30 days of the final inspection.**
7. **The water supply shall be sampled and tested by a state approved laboratory for primary contaminants (total coliform bacteria, arsenic, nitrate, nitrate and uranium) and secondary contaminants (chloride, sodium, iron, manganese, pH & odor) according to the Environmental Protection Rules, Chapter 21**



standards for drinking water and shall be found to be in accordance with those standards. Results of the water tests shall be submitted to the Division of Wastewater Management at the Springfield Regional Office prior to use for this project. The water system shall be operated at all times in a manner that keeps the water supply free from contamination.

8. This permit affects property referenced in a deed recorded in Book 45 Page(s) 151 of the Weathersfield, Vermont land records. The conditions of this permit shall run with the land and will be binding upon and enforceable against the permittee and all assigns and successors in interest. **The permittee shall be responsible for recording this permit in the Weathersfield Land Records within 30 days of receipt of this permit and prior to the conveyance of any lot subject to the jurisdiction of this permit.**
9. Construction of additional buildings, including public buildings, single-family residences, duplexes and condominium units, is not allowed without prior review and approval by the Division, and such approval will not be granted unless the proposal conforms to the applicable laws and regulations.
10. Any person aggrieved by this permit may appeal to the Environmental Court within 30 days of the date of issuance of this permit in accordance with 10 V.S.A. Chapter 220 and the Vermont Rules of Environmental Court Proceedings.
11. By acceptance of this permit, the landowner agrees to allow representatives of the State of Vermont access to the property subject to this permit, at reasonable times, for the purpose of ascertaining compliance with Vermont environmental/health statutes, regulations, and permit conditions, including performing an inspection of the wastewater disposal and water supply systems serving each structure.
12. A copy of the approved plans and this permit shall remain on the project during all phases of construction and, upon request, shall be made available for inspection by State or local personnel. If a wastewater or water system serving a project fails, a revised permit shall be obtained from the Division prior to installing any replacement system.
13. Each prospective purchaser of any portion of the approved project shall be shown a copy of the approved plan and the Wastewater System and Potable Water Supply Permit before any written contract of sale is entered into. In the event of a transfer of ownership (partial or whole) of this project, the transferee shall become permittee and subject to compliance with the terms and conditions of this permit.
14. This permit does not relieve you, as applicant, from obtaining all applicable approvals that may be required from the Act 250 District Environmental Commission, the Department of Public Safety, the Department of Health, the State Wetlands Program and other State Agencies or the Town prior to construction. This permit shall in no way relieve you of the obligations of Title 10 Chapter 48, Subchapter 4, for the protection of groundwater.
15. The Division's issuance of this Permit relies upon the data, designs, judgment and other information supplied by the applicant, his or her professional consultants and other experts who have participated in preparation of the application. The Division makes no assurance that the approved system(s) will meet performance objectives of the applicant and no warranties or guarantees are given or implied.

DAVID K. MEARS, COMMISSIONER
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

BY  DATE: APRIL 24, 2012
JEFF SVBC, ASSISTANT REGIONAL ENGINEER

Copies: Weathersfield Town Planning & Select Board
Don Marsh, P.E.

HEARING ITEM

11



Vermont Department of Environmental Conservation

Watershed Management Division

1 National Life Drive

Main Building, 2nd Floor

Montpelier, VT 05620-3522

Agency of Natural Resources

March 5, 2018

VT Transco, LLC
VT Electric Power Company, Inc dba Velco
366 Pinnacle Ridge Rd
Rutland, VT 05701

Neil H. Daniels Construction, Inc.
Barry Sleath
4409 Rte. 5
Ascutney, VT 05030

GE Grid Solutions LLC
Samit Shah
2 International Plaza, Ste. 325
Philadelphia, PA 19113

Re: Stormwater Construction Permit 6710-9020 – Notice of Termination

Dear Mr. McMillan,

In regard to your Notice of Termination of previously issued Stormwater construction 3-9020 Permit 6710-9020, for the Connecticut River Valley Project for an addition of a new bay located on State Route 5 in Weathersfield, Vermont. As stated in your notice the project was completed and final stabilization was done.

A Stormwater District Reviewer completed a site visit and confirmed the site was stabilized. Based on our findings the Stormwater Program has authorized the termination of your VT Stormwater Permit.

If you have any questions please contact your district reviewer Matt Destino at matt.destino@vermont.gov or 802-490-6906.

Sincerely,

A handwritten signature in black ink, appearing to read "Megan McIntyre".

Megan McIntyre
Environmental Technician
Stormwater Management Section
802-490-6110 | megan.mcintyre@vermont.gov

cc: Linda Matteson, Act 250 District Coordinator, Addison County
Flo-Ann Dango, Town of Lincoln

HEARING ITEM

12

APR 11 2018



#5

**Vermont Department of Environmental Conservation
Drinking Water and Groundwater Protection Division**

Agency of Natural Resources

One National Life Drive - Main 2 [phone] 802-828-1535
Montpelier, VT 05620-3521 [fax] 802-828-1541
<http://dec.vermont.gov/water>

April 10, 2018

Neil H. Daniels, Inc
Attn: Mark Thompson
PO Box 246
Ascutney, VT 05030

Re: C-2917-17.1 Permit to Construct Amendment, Daniels Construction Water System, Non-Transient Non-Community Water System, Weathersfield, VT, WSID #21396

Dear Mr. Thompson:

The attached permit #C-2917-17.1 replaces permit #C-2917-17.0 dated October 25, 2017. Permit #C-2917-17.0 inaccurately identified the Water System classification as Transient Non-Community. The Water System is a Non-Transient Non-Community Water System.

Permit #C-2917-17.1 corrects the error with amendments to the heading; paragraphs #2, #3, and #5; Condition A.1.; Condition A.10.; and the cc list

Please contact Willie Nickerson, Division Engineer at William.nickerson@vermont.gov, 802-505-8757 with any questions

Sincerely,

A handwritten signature in cursive script that reads "William A. Nickerson".

Enc. Construction Permit #C-2917-17.1

THIS WATER SYSTEM HAS JUST BEEN
DESIGNED AND WILL SOON BE UNDER CONSTRUCTION
AND WILL BE COMPLETED BY 9/1/2018.

THE CURRENT WATER SYSTEM IS A
SPRING FED SURFACE WELL.

MARIL THOMPSON, PRESIDENT



#5

**Vermont Department of Environmental Conservation
Drinking Water and Groundwater Protection Division**

Agency of Natural Resources

One National Life Drive - Main 2 [phone] 802-828-1535
Montpelier, VT 05620-3521 [fax] 802-828-1541
<http://dec.vermont.gov/water>

**PUBLIC WATER SYSTEM CONSTRUCTION PERMIT
Non-Transient Non-Community**

PROJECT #C-2917-17.1
WATER SYSTEM: Daniels Construction Water System

PIN #NS99-0063
WSID #VT0021396

PERMITTEE: Neil H. Daniels, Inc.
ADDRESS: P.O. Box 246
Ascutney, VT 05030-0246

PROJECT NAME: Daniels Construction Water System
TOWN LOCATION: Weathersfield, Vermont

This permit is issued by the Vermont Department of Environmental Conservation, Drinking Water and Groundwater Protection Division (the Division), under the authority of 10 V.S.A., Chapter 56, to be constructed in accordance with the technical standards specified under the Environmental Protection Rules, Chapter 21, Water Supply Rule (Rule), last revised December 1, 2010.

As described in the application, applicant proposes to construct the Daniels Construction Water System (Water System) including the disconnection of the existing spring; the connection of bedrock well WL001, the installation of sodium hypochlorite disinfection capability, a source meter, cation exchange for iron removal, atmospheric storage, and submersible booster pump located in the storage tank with variable frequency drive and hydropneumatic tank pressure control.

This project requires a construction permit because it involves the modification of a Non-Transient Non-Community Water System through the connection of WL001 permitted under Source Permit N-2917-12.0 with associated treatment, storage, and pressurization system and the disconnection of the existing spring source.

Subject to the conditions included herein, Neil H. Daniels, Inc. (Permittee) is authorized to install a 1 horse power well pump in WL001 with pressure switch and hydropneumatic tank control; approximately 157 linear feet (LF) of buried 1.5-inch high density polyethylene transmission water tubing; a water treatment and storage building; a water meter; sodium hypochlorite disinfection system using atmospheric storage to meet CT requirements; cation ion exchange units for iron removal; a sediment filter; a 5 gpm flow restrictor to control well pump flow rate; dual atmospheric storage tanks with 630 gallons effective volume, piped together in series with low and high water alarms and control for booster pump operation and solenoid fill valve operation, variable frequency drive and hydropneumatic tank controlled submersible booster pump located in the storage tank, sample taps, valves, and appurtenances.

This permit does not authorize operation of the Project and the Water System must complete Capacity Review through the Capacity Program, including apply for a Permit to Operate, with

INLET AND OUTLET. CONNECT TO PUMP STATION WITH 4" PVC SEWER PIPE, SDR-35 OR SCH-40
1/4" PER FOOT SLOPE. USE DUCTILE IRON PIPE OR PVC SCH-40 FROM HOUSE TO SEPTIC TANK.

ENGINEER FOR INFORMATION REGARDING YOUR SEPTIC SYSTEM MAINTENANCE. GARBAGE GRINDERS ARE
PUMP TANK FREQUENTLY. WE WILL SEND YOU INFORMATION UPON REQUEST.

DESIGN CRITERIA & RECOMMENDATIONS

- EMPLOYEES $5 \times 15 \text{ GPD} = 75 \text{ GPD}$
- PERC = 15 MIN/INCH, USE .6 GPD/SF
- OWNER DESIRES TO MAKE BED LARGE
ENOUGH FOR 3 BEDROOM HOUSE
- MAKE BED $450 \text{ GPD} / .6 = 10' \times 75' = 750 \text{ SF}$
- PRIMARY LEACHBED:
BTM. ELEV. = 319.0
SIZE: 10' X 75'
USE HOLE D-BOX, PERFORATED PIPE ' O.C.,
CONNECT ON ENDS. PLACE 2" BLUE STYROFOAM
AND 2' COVER OVER D-BOX. CONTACT ENGINEER
BEFORE CONSTRUCTION FOR STAKE OUT,
CONSTRUCTION ASSISTANCE, AND INSPECTION.
- NO INCREASE IN USAGE AT THIS TIME, PROVIDE SEPTIC
SIZE FOR POTENTIAL FUTURE GROWTH OR CONVERSION OF
OFFICE TO 3 BEDROOM RESIDENCE

ISOLATION DISTANCES FOR LEACHFIELDS

MAINTAIN THE FOLLOWING DISTANCES FROM THE
EDGE OF ALL LEACHFIELDS TO THE INDICATED



WATER SUPPLY/WASTEWATER DISPOSAL PERMIT
WW-2 -1144
(PIN# NS00-0063)

LAWS/REGULATIONS INVOLVED:

Environmental Protection Rules
Chapter 1 and Chapter 21, Appendix A, Part 11

LANDOWNER: NEIL H. DANIELS, INC.
ADDRESS: P O BOX 246
ASCUTNEY, VT 05030

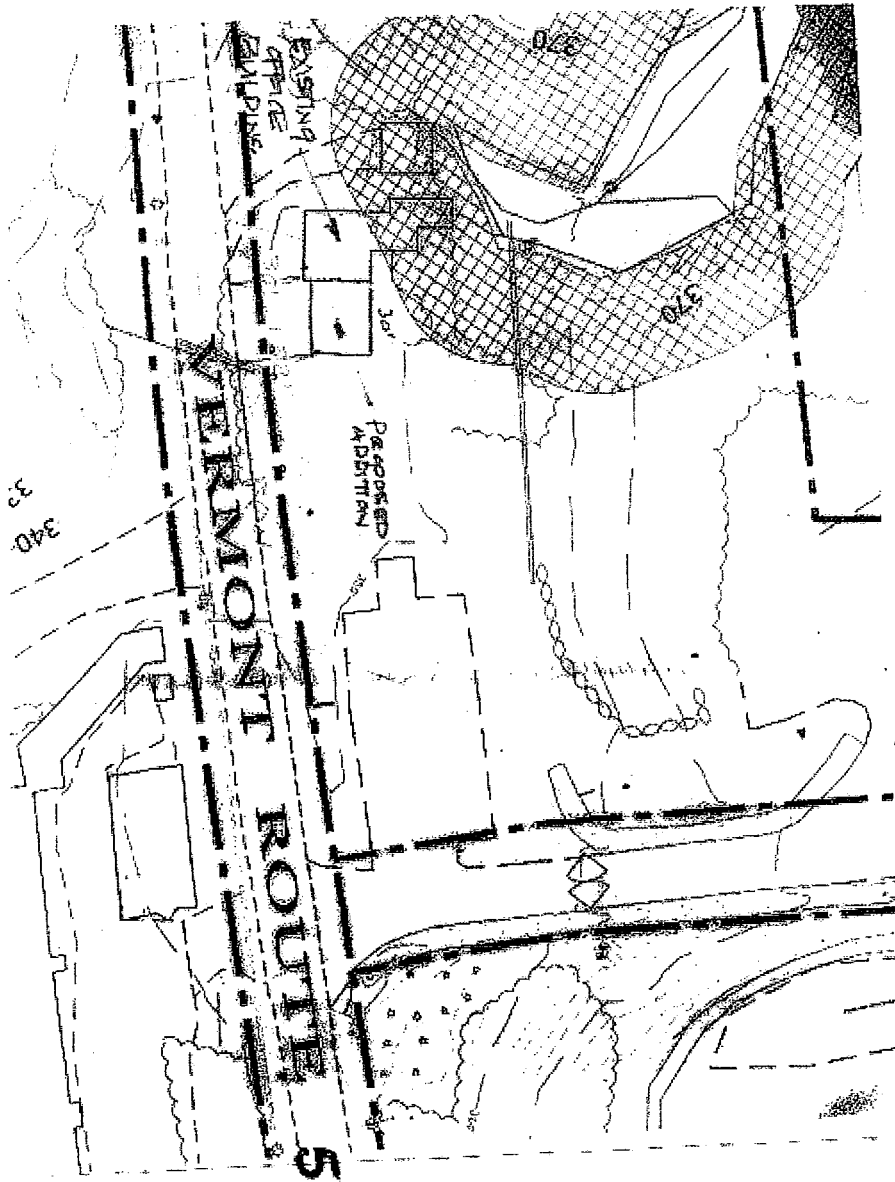
This project, consisting of the replacement of a failed wastewater disposal system for an existing 5 person office located off Route 5 in Ascutney, Vermont, is hereby approved under the requirements of the regulations named above subject to the following conditions:

1. The project shall be completed as shown on the plan prepared by Robert S. Harrington, P.E., titled: "Replacement Septic System For Office Building" dated 4/26/99, which has been stamped APPROVED by the Wastewater Management Division. No changes shall be made to the approved plan without prior written approval from the Wastewater Management Division.
2. A copy of the approved plan and this permit shall remain on the project during all phases of construction and, upon request, shall be made available for inspection by State or local personnel.
3. This project is approved for the following uses and maximum design wastewater flows. No changes to these uses and design sewage flows are allowed without prior written approval from the Division of Wastewater Management.

<u>use</u>	<u>flow (gpd)</u>
Office with 5 employees @ 15 gpd/employee	75

4. This permit does not relieve you, as applicant, from obtaining all applicable approvals that may be required from the Act 250 District Environmental Commission, the Department of Labor and Industry, the Department of Health, other State Agencies or the Town prior to construction.
5. This permit shall in no way relieve you of the obligations of Title 10 Chapter 48, Subchapter 4, for the protection of groundwater.
6. In the event of a transfer of ownership (partial or whole) of this project, the transferee shall become permittee and subject to compliance with the terms and conditions of this permit.

#2



Thank you, Hal

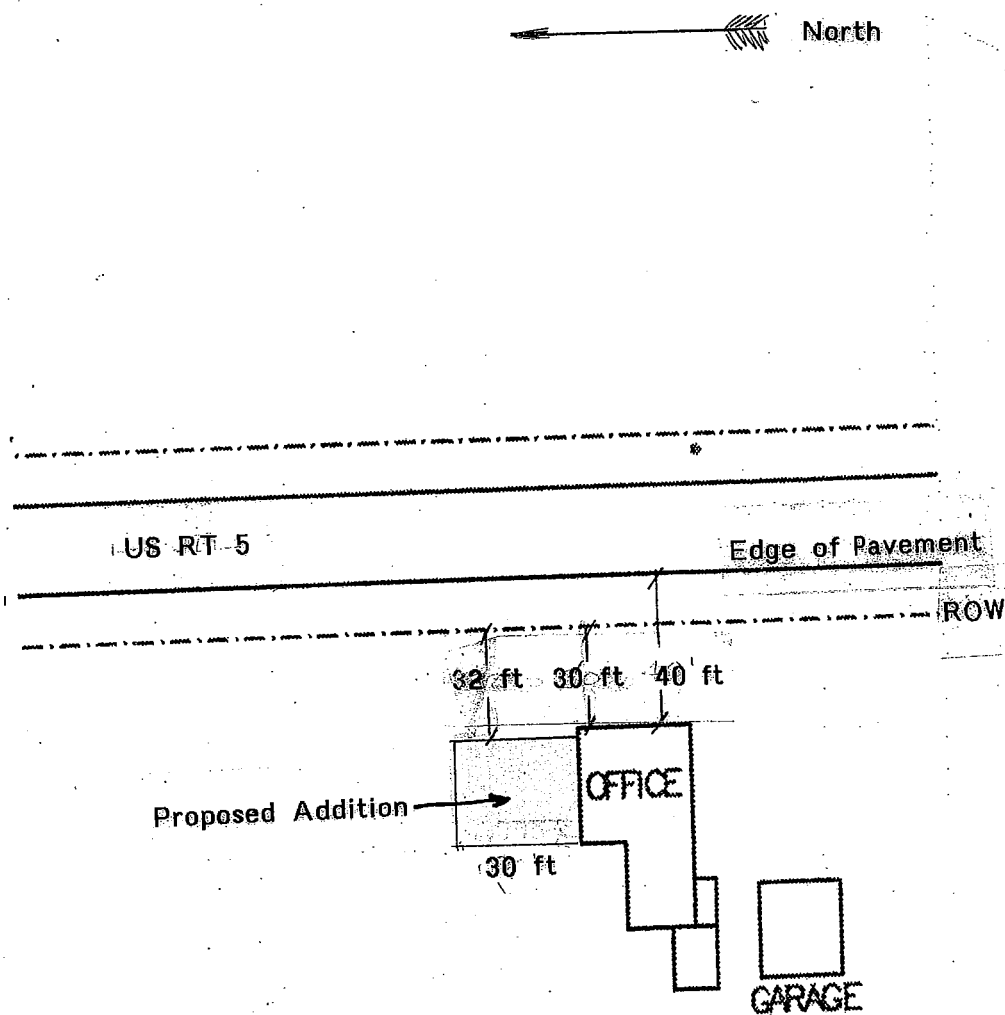
Hal Wilkins
Ramsey, McLaren - Planning + Engineering
7038 Windham Hill Road
Windham, VT 05359
802.254.0808 (cell)
802.875.7578
wilkins2200@gmail.com
m

Town of Weathersfield - Request for Variance
Daniels Construction, Inc.
Property ID # 10 00 02

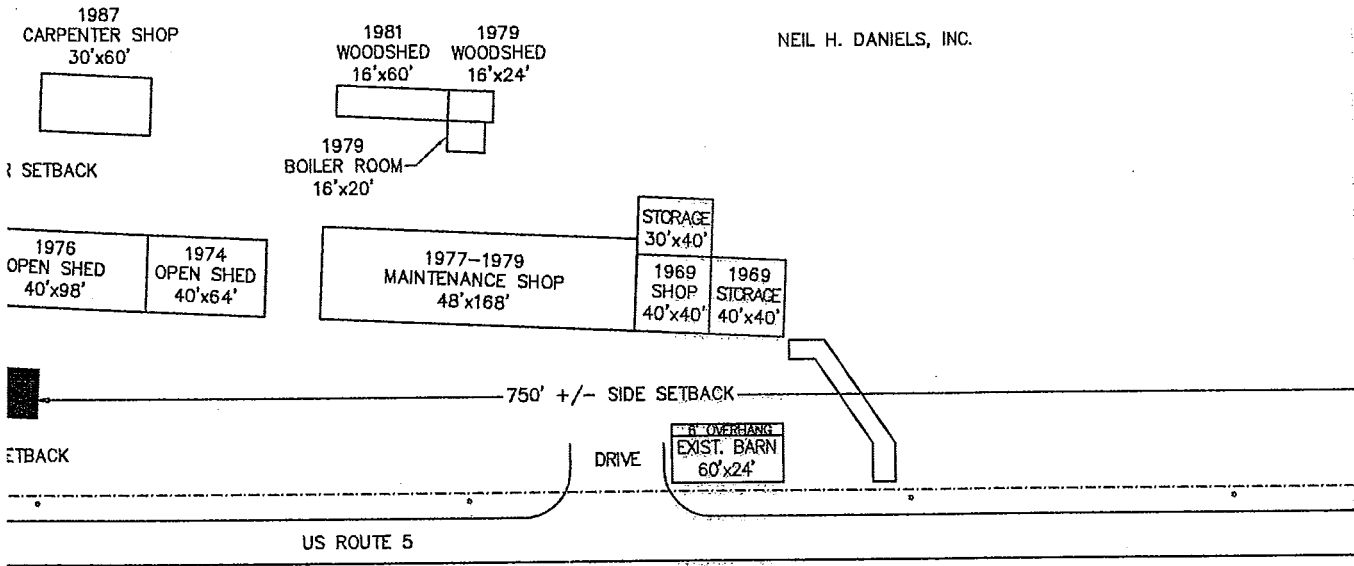
This sketch below depicts the front setbacks at the Daniels Construction, Inc. office building on 4344 US Route 5.

The present office building is approximately 30' from the nearest edge of the Right-of-Way and 40' from the nearest edge of pavement.

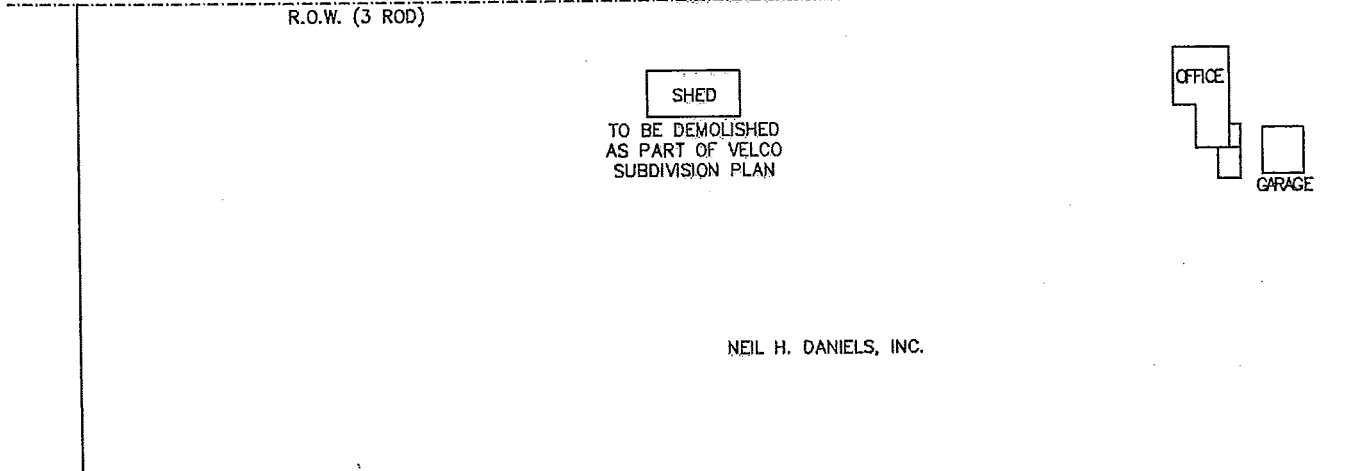
The proposed addition to the present office building will be approximately 32' from the nearest edge of the Right-of-Way, will not impact the line of mature trees along US Route 5, and will not be an increase in the current frontage non-conformance.



MUT RIVER



NEIL H. DANIELS, INC.



NEIL H. DANIELS, INC.

#01.2312

PLAN
SCALE: 1" = 100'-0"

HEARING ITEM

13



Town of Weathersfield, Vermont

Zoning Board of Adjustment, P.O. BOX 550, ASCUTNEY, VT 05030
Martin Memorial Hall, 5259 US Route 5
Telephone:(802) 674-2626 Fax: (802)674-2117
Email: zoning@weathersfield.org
Website: <http://www.weathersfield.org>

Zoning Board of Adjustment NOTICE OF DECISION

Application for a Variance

May 2nd, 2018

Application No.: #18-04-09C
Applicant: Neil H Daniels Inc, represented by Mark Thompson
Landowner(s): Neil H Daniels Inc
Project Location: 4344 Route 5, Ascutney VT
Parcel(s) Involved: 10.00.02

INTRODUCTION AND PROCEDURAL HISTORY

1. This proceeding involves review of an application for an 8 foot Front Setback Variance submitted by Daniels Construction under the Town of Weathersfield, Vermont Zoning Bylaws.
2. A copy of the application is available at Weathersfield Town Office.
3. Notice of a public hearing was published in the Valley News.
4. Notice of a public hearing was posted at the following places:
 - a. The municipal clerk's office.
 - b. Town of Weathersfield VT Website
 - c. Proctor Library web site and bulletin board
 - d. Ascutney and Downers Post Offices
5. A copy of the notice of a public hearing was mailed to abutting property owners.
6. The application was considered by the Zoning Board of Adjustment at a public hearing on April 25th, 2018. The Zoning Board of Adjustment reviewed the application under the Town of Weathersfield Zoning Bylaws, as amended October 21st, 2013
7. The following members of the Zoning Board of Adjustment were present at the public hearing:
 - Willis Wood
 - Dave Gulbrandsen
 - Ethan McNaughton

8. At the outset of the hearing, the Zoning Board of Adjustment afforded an opportunity for persons wishing to achieve status as an interested person under 24 V.S.A. § 4465(b) to demonstrate that the criteria set forth in that subsection are met. The Zoning Board of Adjustment granted interested person status to the following persons:
- Mark Thompson

All interested parties were sworn in by the Zoning Board Chair at the beginning of the public hearing.

Persons present not wishing to achieve status as an interested person:

- Allison Thompson
- Hal Wilkins

9. During the course of the hearing the following exhibits were submitted to the Zoning Board of Adjustment:
1. Exhibit #1: Application #18-04-09C
 2. Exhibit #2: Revised Site Plan as presented by the applicant during the hearing
 3. Exhibit #3: Design criteria of existing septic; 2 pages
 4. Exhibit #4: Photograph of existing office

These exhibits are available for review at the Weathersfield Town Office.

10. A site visit was conducted by the Zoning Board on April 25th, 2018 at 6:45 pm with the following people present:
- Mark Thompson
 - Ed Morris, Acting Land Use Administrator
 - Hal Wilkins
 - Willis Wood
 - Ethan McNaughton
 - David Gulbrandsen

FINDINGS

Based on the application, testimony, exhibits, and other evidence the Zoning Board of Adjustment makes the following findings:

1. According to the acting Land Use Administrator and the Weathersfield Zoning Bylaws, the application requires review under the following sections of the Town of Weathersfield Zoning Bylaw:
 - Section 4.3.2(g) Industrial District (I)
 - Section 9.4 Variance
 - Section 9.6 Public Hearings
2. The applicant seeks a Variance for the construction of a 30ft x 30ft addition to the South side of the existing business office at 4344 VT Route 5. The property that the business office resides on consists of an estimated +/- 8 acres in the Industrial (I) Zoning District, tax map parcel No. 10.00.02, and is located on the West side of Route 5. There also exists additional property associated with the business that is located on the East side of Route 5

3. Town of Weathersfield Zoning By Laws currently in effect require a 40 foot front setback from the road right of way, 25 foot side and 25 foot rear setback in the Industrial (I) district
4. Small office space is a permitted use in the Industrial (I) district
5. The existing office was constructed as residence in 1810 prior to adoption of the Weathersfield Zoning By Laws. The existing office currently exists as a non-conforming structure on the grounds that the structure does not comply with the front setback.
6. Exhibit #2 delineates the location and 50 foot setback boundaries of the existing wetlands.
7. The applicant presented Exhibit #3 which defines the capacity of the existing Waste Water system.
8. The proposed addition would not result in any additional non-conformance to (East) front setback.
9. The applicant seeks the proposed addition for the growth of the business which includes the employment of additional office based personnel.
10. The proposed addition will allow for additional office space, conference room, break room and restroom.
11. The applicant testified that the appearance of the proposed addition will match that of the existing office. In that similar window style, roof pitch and exterior appearance will be utilized
12. The applicant testified the proposed addition includes an employee entrance to the rear (West). There will not be an additional front (East) entrance to the proposed addition
13. The applicant testified that ADA compliant handicap access will be addressed during the construction of the proposed addition.
14. An addition to the rear (West) of the pre-existing structure would encroach on the 50 foot wetland setback.
15. An addition to the left (South) of the pre-existing structure would encroach on the septic and the wetlands setback.

CONCLUSIONS

In conformance to the Town of Weathersfield Zoning By Laws in effect on this date, Section 9.4.1, in order to grant a variance, the Board shall find that five specific facts are found to exist. In summary, these five criteria are as follows:

Variance Criteria 1:

That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or physical condition peculiar to the particular property, and that unnecessary hardship is due to the conditions and not the circumstances or conditions generally created by the provisions of these regulations in the neighborhood or district in which the property is located;

Conclusion 1: Parcel #10.00.02 is a pre-existing lot. There is a spring, stream and wetland located in close proximity to the rear (West) of the existing office, which navigates around the left (South) of the existing office. The waste water management system is located to the left (South) of the existing office.

Variance Criteria 2:

Because of the physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of these regulations and that the authorization of a variance is necessary to enable reasonable use of the property

Conclusion 2: The development is needed to enable the reasonable use of the property as an Industrial Use as prescribed within Section 4.3.2(g) Industrial District (I): Areas suitable in terrain and proximity to transportation facilities and house 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.

Variance Criteria 3:

The unnecessary hardship was not created by the applicant

Conclusion 3: The office pre-exists as a non-conforming structure prior to the adoption of the Town of Weathersfield By Laws. The Board concluded that the Appellant is free of any responsibility in regards to the creation of the condition

Variance Criteria 4:

The variance, if authorized, shall not alter the essential character of the neighborhood or district in which the property is located, substantially or permanently impair the appropriate use or development of adjacent property, reduce access to the renewable energy resources, or to be detrimental to the public welfare

Conclusion 4. The Board concluded that the proposed project will not have an undue adverse effect on the character of the area as defined by specifically stated policies and standards of the municipal plan. The applicant also testified that the proposed addition would be of similar style to the existing historic building with attempts to

match the architecture, style and aesthetics as closely as reasonably possible There exist Industrial Use properties to the North of the site

Variance Criteria 5:

The variance, if authorized will represent the minimum that will afford relief and will represent the least deviation possible from the regulations and from the plan

Conclusion 5: The Board has concluded that Exhibit #2 defines the minimum variance required to enable the reasonable use of the property as an Industrial Use. The proposed addition will adjoin the existing office front and mid rear boundary walls. Deviation from the existing architecture would alter the character of the proposed addition, to the detriment of the site and the neighborhood.

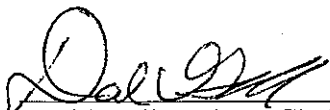
Further, it is the Boards finding that attempts to develop the site to enable its reasonable use as an Industrial Site which more strictly conformed with the front setback requirements would alter the essential character of the site and thereby the neighborhood in violation to Criterion 4.

DECISION AND CONDITIONS

On April 25th, 2018, at a deliberative session, and based on the foregoing Findings of Fact and Conclusion of Law, the Zoning Board of Adjustment by unanimous vote of the deliberating members approve the application No. 18-04-09C subject to the following conditions:

- 1) The project shall be completed as shown on application No. 18-04-09C
- 2) Upon completion, architectural plans of the proposed addition to be filed with the Town of Weathersfield.
- 3) A Certificate of Occupancy must be obtained before the proposed addition can be occupied
- 4) Any deviation from the permit as presented in the Facts of the Decsion shall constitute a violation of the permit and the Land Use Administrator will be required to take enforcement action to correct the violation.

Dated at the Town of Weathersfield, Vermont, this 2nd day of May, 2018



David Gulbrandsen, Chair

Zoning board members participating in this decision:

- Dave Gulbrandsen
- Willis Wood
- Ethan McNaughton

NOTICE: This decision may be appealed to the Vermont Environmental Court by an interested person who participated in the proceeding(s) before the [planning commission/Zoning Board of Adjustment/development review board]. Such appeal must be taken within 30 days of the date of this decision, pursuant to 24 V.S.A. § 4471 and Rule 5(b) of the Vermont Rules for Environmental Court Proceedings.