



# TOWN OF WEATHERSFIELD

LAND USE ADMINISTRATOR'S OFFICE

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## Planning Commission Agenda

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

**Monday, March 25, 2024 – 6:30 PM**

- 
1. Call to Order
  2. Set meeting date and schedule
  3. Agenda Review
  4. Comments from the Chair and Land Use Administrator
  5. Comment from citizens regarding items not on the agenda
  6. Approval of Meeting Minutes – March 11, 2024 & December 12, 2023

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7. PUD Review Continued Discussion
  8. Dwellings over commercial/industrial business

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9. Discussion of items for future agendas
  10. Any other business that can be legally discussed
  11. Adjourn

The next regularly scheduled meeting of the Planning Commission will be **Monday, April 8 - 6:30 PM**, Martin Memorial Hall.

**Remote option** – Zoom link and instructions:

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

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

Planning Commission  
Martin Memorial Hall  
5259 Route 5, Ascutney VT  
Monday, March 11, 2024  
6:30 PM  
REGULAR MEETING  
Draft Minutes

**Members Present:** Joseph Bublat, Michael Todd, Hank Ainley,

Ryan Gumbart, Land Use Administrator  
Halle Abuayyash, Town Planner (Remote)

Others Present:

Brandon Gulnick	Remote	
Nicole Gagnon	Remote	

**1. Call to Order**

Mr. Bublat called the meeting to order at 6:31pm.

**2. Agenda Review**

A motion was made to table items 7 and 8 until Brian returns, with all agreeing to table without a formal motion. Discussion ensued about whether to talk about the Development Review Board, leading to a decision to discuss what could be discussed and add new items to the agenda as item 10, moving other items down.

**3. Comments from the Chair and Land Use Administrator**

The Chair expressed concern over not being included in the agenda preparation and requested that the agendas be prepared and shared earlier. The Land Use Administrator updated on upcoming hearings and clarified the board composition and appointments, especially concerning Howard's status. There was a discussion on the necessity of reappointing Howard to the Planning Commission due to administrative oversight.

**4. Comment from citizens regarding items not on the agenda**

The discussion touched upon Howard's membership status, the importance of confirming appointments, and the need for clarity on board members' terms.

**5. Approval of Meeting Minutes: December 11, 2023 & February 12, 2024**

It was decided to table the approval of December 12, 2023, minutes due to missing information. The February 12, 2024, minutes were approved with amendments suggested for accuracy, particularly naming the correct individuals for motions and correcting the date discrepancy.

**Motion:** Approved

**Made by:** Mr. Todd      **Second:** Mr. Ainley  
**Vote:** All in Favor

## **6. Reorganizational Meeting**

- **Meeting Dates**

The commission discussed at length the implications of changing meeting dates due to the Select Board's schedule changes. There was a debate on maintaining consistency for the public and the logistical challenges of scheduling.

- **Election of Officers**

Joe was nominated and elected as Chair; Brian was elected as Vice-Chair in absentia, and Hank was reluctantly elected as Clerk.

- **Meeting Minutes**

The discussion about meeting minutes revolved around their format and the efficiency of recording them.

## **7. Development Review Board Discussion**

This was tabled earlier in the meeting and discussed briefly regarding the necessity of having discussions even if decisions were not immediately forthcoming.

## **8. PUD Review Continued Discussion**

This item was tabled during the agenda review and moved to be discussed in a future meeting.

## **9. Dwellings Over Commercial/Industrial Business**

Similar to item 8, this topic was also tabled during the agenda review for discussion at a later date.

## **10. Discussion of Items for Future Agendas**

The Chair asked Ryan and Halle to share the list of projects

## **11. Any other business that can be legally discussed:**

The letter to the Select Board regarding meeting changes was discussed extensively, debating the impact of changing established meeting schedules on public participation and board members' schedules.

## **12. Adjourn**

**Motion:** To adjourn the meeting

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

**Vote:** All in favor

The meeting adjourned at 8:24 pm.

Respectfully submitted,

The next regularly scheduled meeting of the Planning Commission will be Monday, March 25, 2024 - 6:30 PM, Martin Memorial Hall.

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WEATHERSFIELD PLANNING COMMISSION

Joseph Bublat, Chairperson

\_\_\_\_\_  
Hank Ainley, Commissioner

\_\_\_\_\_  
Brian Bosenberg, Vice-Chairperson

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

\_\_\_\_\_  
Michael Todd, Commissioner

## **7. PUD Review Continued Discussion**

## **Key**

Black: Original remaining text

~~Red stricken: Original removed text~~

Green underlined: New added text

**Yellow highlighted: Changes since last revision**

**(Amendment will move 5.1.1 to 5.1, relocate 5.1.2 to nest within 5.2, and 5.1.3 to 5.6)**

# **Article 5: Development Review**

## **5.5 Flexible Development (PUD)**

In accordance with the provisions of 24 V.S.A § 4417, Flexible Subdivisions or Flexible Developments are encouraged to provide landowners with greater freedom in design and layout. The purpose of this provision is to alleviate the hardships associated with developing in strict accordance with district dimensional requirements and to approach development of a lot with a long range vision and a goal of better protecting the values of the given district.

### ***5.5.1 Review Process***

1. Applications for flexible development are submitted to the Administrative Officer.
2. Within 30 days the Administrative Officer shall act by scheduling a hearing with the Development Review Board (DRB).
3. The Development Review Board shall conduct the hearing in the following order which may be done in one meeting or may be continued as needed. If the hearing is continued to a time and date certain and the applicant seeks an extension to allow more time for preparations, the applicant shall attend the hearing on that date to provide a status update and propose a realistic completion date for the DRB to consider when continuing the hearing. One or more site visits may be called for by the DRB at any point during the review process.
  - a. Sketch Plan Review
  - b. Preliminary or Final Plat Review
  - c. Site Plan Review
  - d. Flood Hazard Review (if applicable)
  - e. Conditional Use Review
4. Following the completion of all necessary reviews the DRB will close the hearing and issue a decision in writing within 45 days in accordance with 24 V.S.A § 4464. The appeal period following issuance of a DRB decision is 30 days. Permits shall be effective on the 31<sup>st</sup> day.
5. The Final Plat shall be recorded by the Town Clerk within 180 days of the date of issuance of the DRB decision.

### ***5.5.2 Application Materials***

1. An application shall be made on a form provided by the Administrative Officer which is located on the Land Use page of the town website.
2. A survey of the entire property which delineates the proposed development area and lots within that development area. The survey shall be prepared in accordance with the Weathersfield Subdivision Regulations.

- a. In lieu of a survey, an applicant may submit a sketch plan in accordance with the Weathersfield Subdivision Regulations. A final plat survey will be required before the DRB issues a decision in favor of the applicant.
3. A Site Plan drawn in accordance with section 5.2 Site Plan Review.
4. Any other materials deemed necessary by the DRB inform their review which may result in a decision in favor of the applicant. Additional materials shall not be required for projects which cannot result in a decision in favor of the applicant.

### *5.5.3 General Standards*

1. The development is designed to closely align with the purposes of the applicable district.
2. All Subdivision Standards shall be met except that the Area, Land & Structural Requirements may be modified.
3. Flexible Development shall be the singular use attributed to the subject property. The property may be comprised of one or more tax parcels.
4. The development shall comply with all applicable local, State and Federal requirements.
5. The development shall not place undue burden on municipal services. Phasing may be required in coordination with municipal improvements prescribed by the Selectboard.
6. For lots with multiple districts the DRB shall make a determination as to which district standards are appropriate for the Flexible Development of the entire lot.

### *5.5.4 Conservation District Standards*

Beyond the overall purpose of Flexible Development described above, the purpose within the Conservation District is to perpetuate the use of large properties for agriculture, forestry, plant and wildlife habitat, and open space. The use of land for these purposes promotes the rural economy, enhances rural character, and protects the environment's natural process which all life depends on. Flexible Development in the Conservation district shall be designed to promote this vision.

Flexible Development shall be required for all subdivisions on lots greater than 28 acres within the Conservation District. Lots with less than 10 acres shall be ineligible for Flexible Development but may utilize an Accessory Dwelling Unit for additional residential development on the lot.

Area, Land, & Structural Requirements as they are required in section 2.2.5 shall apply to the overall property of the Flexible Development. A building envelope shall be delineated in accordance with siting standards below.

#### **Building Envelope Siting Standards:**

1. Up to 10% of the total lot area or 10 acres, whichever is less, may be included in the building envelope.
2. The building envelope shall be sited to cause a minimal impact to
  - a. Prime or Statewide agricultural soils and any other potential agricultural land.
  - b. Forestland which connects to forestland on surrounding properties.
  - c. Visual appeal of the rural character seen from the roads.
  - d. State mapped habitat identified as containing Rare, Threatened, or Endangered species, Significant Natural Communities, or Deer Wintering Areas.
  - e. Areas identified in the 1992 Biological Natural Areas of Weathersfield report by Elizabeth Thompson.
  - f. Streams, wetlands, vernal pools, ponds and other aquatic resources.
3. The building envelope may contain slopes in excess of 25% however no development

shall occur on such slopes.

4. The building envelope shall not contain land in FEMA mapped floodplains or floodways or land above 1,500 feet.

**Development within the Building Envelope:** shall allow for modifications to the Area, Land, & Structural Requirements

Basic dimensional requirements:



**8. Dwellings over commercial/industrial business**

## Industrial & Highway Commercial Landscape Standards

### 5.2.5 Landscaping and screening

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

All Landscaping, as installed, shall conform to and be in accordance with the landscaping plan approved and signed by the Board Chairperson, and shall include any and all landscaping changes required by the Board.

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

I: Landscaping plans shall emphasize the following:

a) The preservation of existing ground cover and trees, especially those that are mature or determined to be of special horticultural or landscape value.

b) The use of both deciduous, coniferous shade trees and ~~shrub masses in available yard area, especially the front, and side yards, and rear yards as deemed necessary,~~ and parking areas ~~to create landscape buffers, or as necessary.~~ Shade trees shall be placed to interrupt the facades of buildings, break-up expanses of parking, visually reduce the scale and bulk of large buildings, integrate the site with the surrounding landscape and enhance environmental quality (e.g. wildlife habitat, soil stabilization, stormwater retention, air quality, energy conservation).

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

d) ~~In combination with or in lieu of traditional grass lawns, a natural/native grassland meadows may be created, provided they are maintained on a rotating two-to-three-year mowing cycle to remove invasive species and ongoing spot removal other undesirable plant material from establishing in the meadows. A meadow maintenance plan shall be submitted with the landscape plan.~~

e) Preservation of existing individual trees.

1. All applications shall include a plan to preserve all existing trees in good health and an asset to the Town as determined by the Board, Conservation Commission, or designated representative.
2. All trees to be preserved within the limit of disturbance shall have tree protection snow fencing installed beyond the tree's drip line. (see diagram – to be inserted)
3. Trees with a six-inch or greater diameter at breast height (DBH) shall be saved whenever possible and shall be protected from damage to roots, trunks, and branches. Soil should not be added to the top of the

existing root zone(s). Tree wells are to be provided where necessary, and trees to remain within the improvement project limits are to be trimmed as directed by the Board, Conservation Commission, or other designated representative.

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

If the applicant applies for a certificate of occupancy during a non-planting season, the applicant may obtain a temporary certificate of occupancy without installation of the Landscaping but if and only if the applicant posts a performance bond in a form acceptable to the Town Attorney in an amount established by the Board shall be posted with the Town guaranteeing installation of the Landscaping during the next planting season and further guaranteeing the subsequent posting of a two (2) year maintenance bond as may be required by the Board.

## II: Design Standards:

### a) Purpose:

1. To protect existing woodland and encourage reforestation of nonagricultural land.
2. To prevent soil erosion and soil depletion and increase water retention and water quality.
3. To improve the appearance of off-street parking and vehicular use areas near public rights-of-way or adjoining uses.
4. To protect agricultural land use and historic areas from the impact of new development.
5. To screen development from public view.
6. To promote public health, welfare, and safety by reducing noise, air pollution, visual pollution, air temperature, and light glare.

**b) Conceptual landscape design considerations.** The site and surroundings should be thoroughly analyzed. The following items shall be reviewed to determine the design layout or plant material selection:

1. The shape and form of the land itself and its relationship to the existing and proposed buildings. Plantings shall give scale to the structures and other site elements.
2. The geology and soil characteristics.
3. The surface and subsurface water conditions.
4. Existing vegetation patterns. (The native vegetation found on and around the site usually indicates which vegetation types will perform well.)
5. Solar orientation and exposure, accounting for landforms, existing vegetation, and neighboring structures.
6. Local and regional climate (precipitation, temperature ranges, humidity, wind patterns, etc.) and air, noise, and water pollution.

7. Plantings adjacent to fire suppression access and utilities shall be done so as not to obstruct or hinder their operations in the event of an emergency.
8. Plantings shall also create human scale and space. Consider pedestrian safety and state of mind by providing appropriate lighting at pathways.

**c) Buffering of neighboring lands:**

1. All applications require a planted 50' perimeter buffer or as designated by the Board as part of the development and landscape design plan. The perimeter buffer shall be provided along existing streets and property lines adjacent to the subject property. The buffer shall consist of, for example, fencing, evergreens, canopy trees, and shrubs to provide an adequate buffer.
2. Buffers shall screen 60% of the view from November to April at a height of six feet within three years from installation.
3. Within said buffer zone, no principal or accessory structure, off-street parking, loading areas, or other uses shall be permitted. Utility easements may be permitted within said buffer zone.

**d) Buffer landscape design.**

1. Buffers separate and create an enclosure of particular uses and zones within the community. Landscaped buffers are crucial to maintaining the diversity within the Town.
2. All plans and installation of plant material are subject to review and inspection by the Board, Conservation Commission, or designated representative.
3. Where plant materials are placed in two or more rows, plantings shall be staggered from row to row.
4. The standard design buffer module measures 50 feet long by 50 feet wide and consists of 2,500 square feet. This module shall be repeated as many times as necessary to fulfill the requirements and be in addition to any other planting requirements. See Table #1 for buffer calculation methodology and Table # 2 for the buffer size requirements.
5. Each buffer module requires six canopy trees, ten under-story/evergreen trees, and 30 shrubs. Species selection should be based on an appropriate native or indigenous species.
6. Rather than specify a modular design for each design proposal, the following plant material density for a hypothetical fifty-foot-long by fifty-foot-wide module could be repeated as many times as necessary, both in length and width. The plant material requirements of these modules may be arranged to suit the specific landscape design objectives of the proposed plan.
7. Landscape buffers that are interrupted by specific site constraints relating to engineering components, such as septic, fire suppression, and sight triangle, shall relocate the materials slated for those areas to another area on site.
8. Within the Town, the linear, less formal hedgerow commonly bounding cropland, fields, and pastures is often a more suitable model for planting along lot lines, streets, and highways transversing such landscapes. In every effort to minimize disturbance and preserve the existing flora within these naturally occurring buffers, the applicant may utilize existing material slated to be preserved to meet the buffer requirements as deemed appropriate by the Board, Conservation Commission, or other designated



**d. Planting sizes.**

	<b>Canopy Trees</b>	<b>Ornamental and Evergreen Trees</b>	<b>Understory Trees</b>	<b>Shrubs</b>	<b>Branching Height</b>
General Material	3" to 3 1/2" caliper	7' to 8' height	5' height	18" to 24" height	N.A.
Buffer Material	1 1/2" to 1 3/4" caliper	7' to 8' height	5' height	36" minimum height	N.A.
Street Tree Material	3" to 3 1/2" caliper	N.A.	N.A.	N.A.	7' height

**Table # 2  
Plant Material Size Quick Reference Chart**

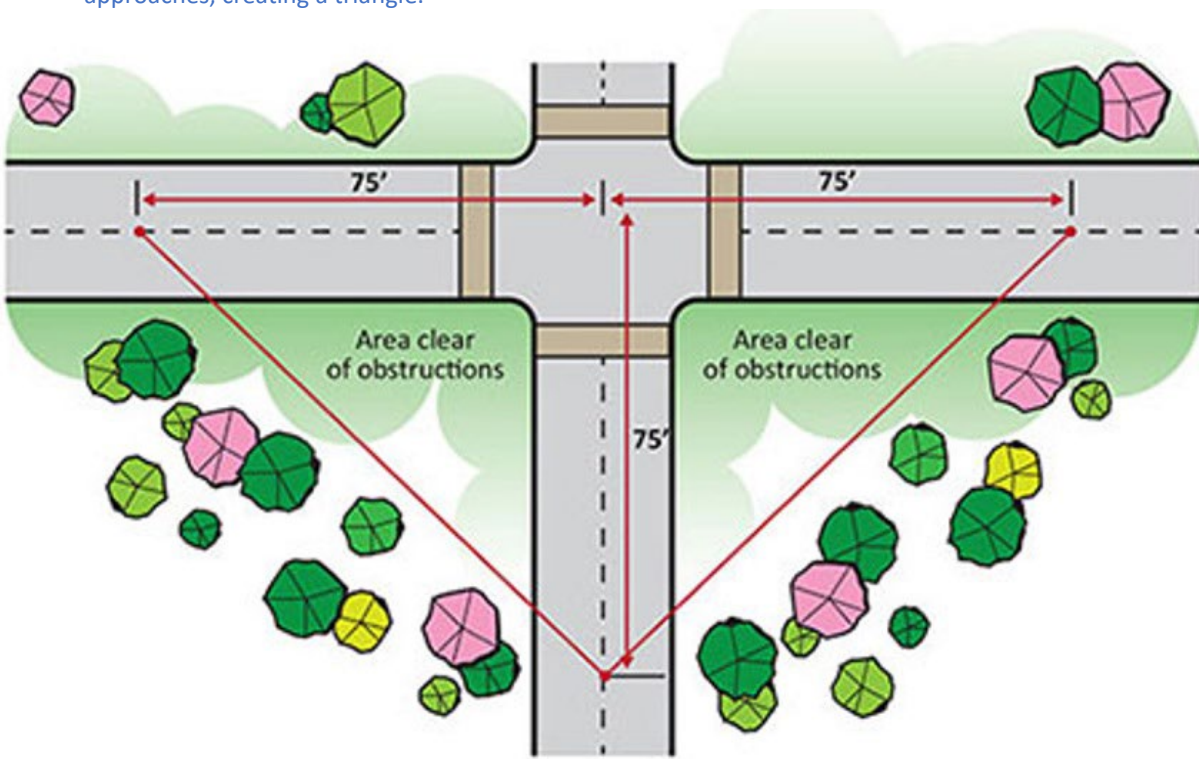
**e) Parking lot landscape design.**

1. Where parking is located in a front yard, the Board may require the construction of landscaped berms up to a height of five feet, with slopes at a ratio of not less than 3:1.
2. Where off-street parking and loading areas adjoin or face a residential zone, the approving authority may require the construction of a fence or stone wall not less than three feet nor more than six feet in height, maintained in good condition. Additionally, the approving authority may require the construction of planted berms up to a height of five feet, with slopes at a ratio of not less than 3:1.
3. The said buffer shall screen 60% of the automobile/parking lot from the road and pedestrian view from November to April within three years of installation.
4. Woody shrubs shall be set back from the curb five feet for vehicular overhang and snow removal.
5. Plantings shall not obstruct the visibility necessary for automobile and pedestrian circulation and safety within the facility.
6. All plant material shall be subject to review by the Board, Conservation Commission, or other designated representative.
7. Large expanses of pavement and long, unbroken rows of parking spaces shall be avoided. No row of parking spaces shall contain more than 15 spaces unless broken by shade tree-landscaped islands.
8. Landscape islands shall have a minimum width of 10 feet and a minimum depth of 18 feet.
9. At a minimum, landscape islands shall contain one canopy (shade) tree.
10. Adjoining rows of parking shall be separated by landscape islands having a width of at least 10 feet.
11. Canopy trees are required to reduce the heat island effect. At a minimum, one canopy tree for every four parking spaces for on-grade parking shall be planted at the perimeter or within said parking area.
12. Trash collection areas. Trash collection areas shall be enclosed by a fence masonry wall with a minimum height of six feet.

13. Masonry walls or fences shall consist of the same or complementary building materials used for the site's principal use.
14. An opaque gate shall provide access to the trash collection areas with a minimum height of six feet.
15. Gate materials shall be visually consistent with the appearance of the masonry walls or fence enclosing the trash collection area and the principal use on the site.
16. Loading zones. All loading zones shall contain a 60% evergreen plant material buffer.
- 18 The said buffer shall screen 60% of all loading areas from the road and pedestrian view from November to April within three years of installation.

**e) Sight triangle and site access:**

1. All sight triangles shall be indicated on the landscape site plan and comply with VT DOT sight distance requirements for driveway and intersection access. The sight distance varies greatly depending on the design speed of the road.
2. A Sight Triangle is similar to standard sight distance but is located at an intersection. The distance is defined as a triangle, as each leg of the intersection requires sufficient sight distance to the adjacent approaches, creating a triangle.



Example # 1. (Landscape illustration only, do not use as a design standard – see Vermont DOT standards)

3. Any shade trees located in a sight distance shall have a minimum branching height of 7'-0". All shrubs shall be maintained at a height no greater than 24". All landscape buffers shall be located outside of the sight triangle.

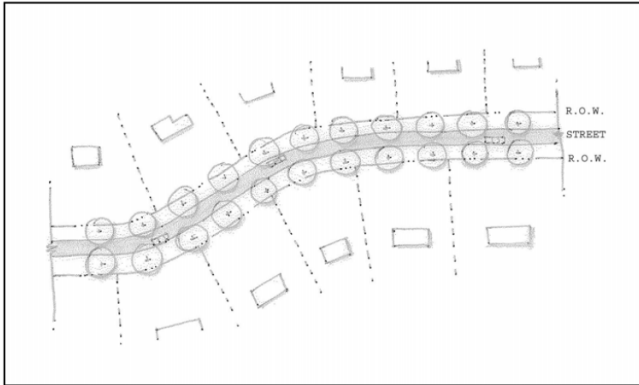
**f. Street and access road landscape design:**

1. Street trees shall be required on all public and private roads in the Town.
2. Species and tree placement shall be specific to the site design concept and site conditions and subject to approval by the approving authority.
3. The use of multiple species is required. Tree species shall alternate along the road to create a sequence through the space.
4. A specific standard design module for street and highway plantings will not be put forth here since each site (and its surroundings) has a unique character. A downtown street tree planting may only require a single species of canopy tree equally spaced in a geometric pattern. With the landscape forms most often found in Wethersfield, the use of a single species of trees in geometric patterns becomes less appropriate. The linear, less formal hedgerow seen commonly bounding cropland, fields, and pastures is often a more suitable model for plantings along lot lines and streets and highways traversing such landscapes.
5. All street trees in a formal street tree planting shall be located within the street right-of-way and in such a manner as not to interfere with sidewalks and/or utilities. All street trees shall have a minimum branching height of 7'-0".
6. Within formal street tree plantings, tree spacing shall correlate with road hierarchy and, in general, spacing shall range from a minimum of 30 feet on center to a maximum to 50 feet on center. At slower design speeds the spacing shall be closer together (i.e., 30 feet on center.)

<b>Road Design Speed</b>	<b>Tree Spacing</b>
+50	50 feet on center
35 to 49	40 feet on center
0 to 34	30 feet on center

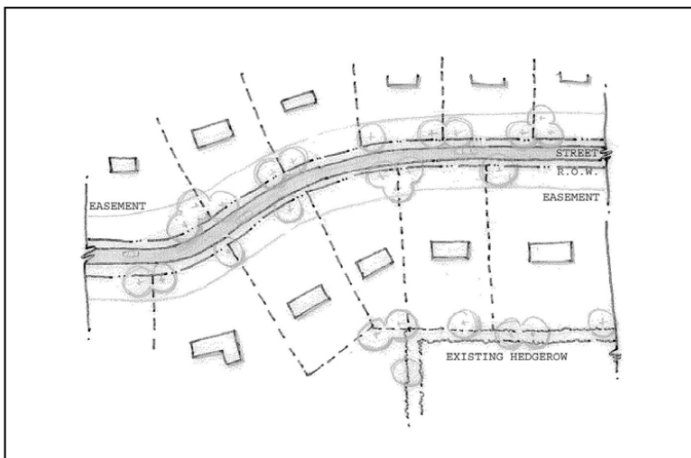
**Table # 6  
Formal Street Tree Plant Spacing**





**Diagram 165-77.4**  
**Formal Street Tree Planting.**

7. In order to preserve the rural character of a specific site, the board may request an informal street tree planting. Species shall be grouped / massed along roads in such a manner to fit appropriately within the site and shall be placed within a street tree easement. See Diagram 165-77.5.



**Diagram 165-77.5**  
**Informal Street Planting.**