



TOWN OF WEATHERSFIELD

LAND USE ADMINISTRATOR'S OFFICE

(802)674-2626

P.O. BOX 550 ASCUTNEY, VT 05030

landuse@weathersfield.org

Planning Commission Agenda

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

Remote option – Zoom details below

Monday, February 27, 2023 – 6:30 PM

-
1. Call to Order
 2. Agenda Review
 3. Comments from the Chair and Land Use Administrator
 4. Comment from citizens regarding items not on the agenda
 5. Approval of Meeting Minutes – February 13, 2023

Old Business

6. **PUBLIC HEARING – Town Plan Amendment – Energy Section:** Review draft 2/15/2023
7. **PUBLIC HEARING – Final Plat Review – Arrison:** Continued from January 9, 2023
8. **Sketch Plan Review – Hodgdon:** Continued from January 9, 2023
9. **Sketch Plan Review – Fairbrother:** Continued from January 9, 2023
10. **Bylaws – PUD Review:** No changes since February 13, 2023
11. **Bylaws – Table of Districts and Uses:** Amendments discussion (Rev. 3 – 2023.01.18)

New Business

12. None
-
13. Discussion of items for future agendas
 14. Any other business that can be legally discussed
 15. Adjourn

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

Due to public demand and COVID-19; the Town has changed its public meeting platform from GoToMeeting to Zoom. For computer access, please go to this website, where you will find instructions and links to the meeting: <https://www.weathersfieldvt.org/home/news/public-meetings-zoom>

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

AGENDA ITEM

5

Planning Commission
Martin Memorial Hall
5459 Rte 5 Ascutney, VT
Planning Commission Meeting
DRAFT Monday, February 13, 2023 6:30 PM

Planning Commission Members Present:

Paul Tillman
Howard Beach
Michael Todd

Ryan Gumbart, Land Use Administrator (Online)

Attendees: Ken Blum, Brian Bosenberg, David Ainley, Beth Hunton, Rika Henderson

Online Attendees:

1. Call to Order made by Paul Tillman, Chair at 6:30 pm.
2. Agenda Review
None
3. Comments from the Chair and Land Use Administrator
Paul Tillman let the Planning Commission know that the Selectboard decided to go with contracted services for the Land Use Administrator. Ryan Gumbart said that was going well.
4. Comments from Citizens regarding items not on the agenda.
None
5. Approval of Meeting Minutes – January 9, 2023

Michael Todd made a motion to approve the minutes from 1-9-23.

Howard Beach – 2nd

Discussion:

Michael Todd noted that there were two “d”s in Todd Hindinger’s name.

Vote – unanimous

6. Public Hearing – Town Plan Amendment – Energy Section

Planning Commission
NOTICE OF PUBLIC HEARING
Martin Memorial Hall – 5259 Route 5, Ascutney, Vermont 05030
Remote option – Zoom details below
Monday, February 13, 2023– 6:30 PM

A public hearing before the Weathersfield Planning Commission will be held at the Town Office in Ascutney on Monday, February 13, 2023, at 6:30 PM to consider the adoption of the following proposed amendments to the Weathersfield Town Plan:

Statement of Purpose

The purpose of these amendments is to clarify and expand upon the existing Energy Section of the Weathersfield Town Plan to guide the Public Utilities Commission when ruling on proposed energy projects and to update the Town's goals.

Geographic Areas Affected

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

Sections Headings

Section 7: Energy

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

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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.

The Land Use Administrator received an email from David Hindinger for the hearing tonight as follows:

From: David Hindinger <heritageengineering@tds.net>

Sent: Monday, February 13, 2023 5:25 PM

To: Land Use <Landuse@weathersfield.org>

Subject: Planning Commission Meeting 02-13-2023

Hello Ryan,

Can you please pass along these comments for me at the meeting tonight. I have a hearing in Ludlow so cannot attend.

For the Energy section of the Town Plan.

- 1) For Solar there are Siting Standards 7.8.6, Community Standards 7.8.7.1, Siting Criteria 7.8.7.2, however there are no similar Standard sections for all the other energy development types. I strongly suggest there be a General Standards section for all of the Renewable Energy types. I would have almost all the same ones as listed in solar, with a few more items like noise, emissions, traffic, etc as relevant for higher impact energy types like biomass, wind and geothermal. It reads to me like we only want these standards for solar, which is not the case.

- 2) The Decommissioning section is similarly only in the solar section, 7.8.7.1. Again, this should be a general standard for all of the energy types. For example, after the biomass plant closes down, or the wind turbine is retired, or the geothermal wells are abandoned.
- 3) I am underwhelmed by what the Energy Plan actual Does in the written body of it, relative to what it states that it seeks to do per 7.1.1. The Energy Goals of 7.7 includes only one item. The Energy Policies section does not include a Policy for the Town should Do besides encouraging and supporting, which is not very compelling. I think we should have SOMETHING in this section that is goal and policy for Us as a Town. Here are example of two concepts, by no means intended to be adopted as is, just so everyone understands what I mean.
 - a. For every capital improvement to an existing building and for all new building over 250,000 dollars in cost, the Town shall assure that the equipment purchased for heating and cooling do not use fossil fuel unless it is proven conclusively that doing so would cost twice as much over a 30-year period.
 - b. For new vehicle purchases the Town shall not purchase vehicles that use fossil fuels unless it is determined conclusively that doing so would cost twice as much over a 15-year period or that the alternative vehicle cannot serve the function required.

I would also suggest you include deForest's comments from earlier.

Todd,

I agree with your findings that the energy chapter lacked any concrete or substantive goals for the Town in pursuit of energy-reduction. I do not believe there is enough in the chapter to provide protection from ridgeline development for wind projects or to address the possible negative impacts of biofuel development.

Regarding the Bylaws and PUDs I hope you will pass along the comments and discussions we have had at the ZBA meetings of late.

Gotta go, thank you,

Todd

ENERGY

7.1 Introduction

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

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

7.1.1 This plan seeks to:

- 7.1.1.1 Help the town identify ways to conserve energy,
- 7.1.1.2 Encourage renewable or lower-emission energy sources for electricity, heat and transportation,
- 7.1.1.3 Encourage a pattern of development that likely results in the conservation of energy,
- 7.1.1.4 Encourage development of appropriately scaled renewable energy resources,
- 7.1.1.5 Reduce greenhouse gas emissions, and
- 7.1.1.6 Reduce transportation energy demand and single-occupant vehicle use.

7.2 Analysis of Renewable Energy Resources in Weathersfield

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

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

7.2.1.1 Bio-diesel: Bio-diesel is a type of fuel made from vegetable oils, animal fats, or waste cooking oil. It may be used in its purest form or combined with petroleum diesel. It is biodegradable, nontoxic, far less polluting than fossil fuels and may be used in ordinary diesel engines with little or no modification. Bio-diesel may also be produced from waste cooking oil. There are several restaurants in Weathersfield that could provide small amounts of waste

cooking oil for conversion to bio-diesel. Any biodiesel use in Weathersfield is by private users; no figures are readily available.

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

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

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

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

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

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

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

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

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

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

7.2.6 Summary of Renewable Resources: In summary, it appears that there are several ways that Weathersfield residents and the town government could reduce their non-renewable, imported energy dependencies through the development and use of locally produced, renewable energy fuels.

7.2.7 All development of renewable energy in Weathersfield should be consistent with land use, conservation, and other goals described elsewhere in this plan.

7.3 Analysis of Non-Renewable Energy Resources in Weathersfield

Fuel oil and propane for home heating, cooking, and hot water are delivered to Weathersfield residents from commercial sources outside the Town. The only reserves for home heating fuel in the Town are the storage tanks on municipal and private properties.

Transportation is fueled primarily with gasoline or diesel fuel that is likewise imported to the Town by various distributors in the area. The only storage facilities in Town for any of these energy resources are the gasoline storage tanks at the gas stations in Town, the storage tanks at the Town Highway Garage, and some at commercial and residential locations.

Electricity is brought to the majority of Weathersfield homes and businesses via the "grid." The electricity traveling in the grid is produced from both renewable and non-renewable sources. The Town is crisscrossed by numerous distribution and transmission lines belonging to both Vermont Electric Power Company (VELCO) and GMP. The substation in

Ascutney was upgraded to a newer design that will be more reliable than the previous design.

7.4 Analysis of Energy Scarcity and Needs in Weathersfield

7.4.1 Scarcity

Weathersfield does not have any local sources of non-renewable energy. The scarcity or abundance of non-renewable sources is entirely dependent on factors beyond the town.

Weathersfield has a variety of local sources of renewable energy, as discussed in detail in Section 1.2 above. The potential of renewable energy at each specific site will depend on site conditions (e.g. solar access). Factors, such as droughts, may limit micro-hydro opportunities.

7.4.2 Needs

Weathersfield residents, like many Vermonters, are highly dependent on non-renewable energy, although each year residents and business owners invest in more renewable systems. Many are encouraged to do so with existing incentives through Efficiency Vermont or Green Mountain Power. Additional incentives are needed to encourage more residents to invest in energy efficiency improvements and renewable energy systems, especially for retirees and lower-income residents.

7.5 Analysis of Energy Costs in Weathersfield

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

Cost savings may be realized from:

7.5.1 Weatherization of buildings

7.5.2 Energy efficient lighting

7.5.3 Heating and air conditioning changes to more efficient

7.5.4 mechanisms, such as air-source cold climate heat pumps

7.5.5 Conservation measures (reduction in use)

7.5.6 Fuel-efficient vehicles

7.5.7 Analysis of town vehicle operations

7.6 Analysis of Energy Problems in Weathersfield

The primary energy problems in Weathersfield are less efficient older homes and dependence on energy from outside the Town.

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

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

7.7 Energy Goals

- 7.7.1 To make efficient use of energy, provide for the development of renewable energy resources, encourage weatherization, reduce emissions of greenhouse gases, prioritize energy efficient forms of transportation, and promote land use policies that are likely to result in energy conservation

7.8 Energy Policies

- 7.8.1 Weathersfield has limited potential for utility-scale wind energy development, as areas with sufficient access to consistent wind are generally small in size and more than a mile away from three-phase power lines. The prime wind sites (e.g. Weathersfield Center, Butterfield Hill, Pikes Peak) are relatively close to established residences and/or specifically identified scenic, historic or natural resources in the Town Plan and/or Biologic Natural Areas of Weathersfield. The secondary wind sites (e.g. Skyline Drive, Hawks Mountain, Little Ascutney, Pierson Peak, Mount Ascutney) are largely in scenic or natural resources areas also specifically identified in the Town Plan and/or Biologic Natural Areas of Weathersfield. Development in these areas would have a profoundly negative impact on critical viewsheds throughout the community, as the natural profile of the mountain forms an iconic backdrop from both in-town and rural valley locations. Because no other locations in Weathersfield have suitable wind resource, infrastructure availability, or are free from significant environmental constraints (Figure 6), no utility-scale (100 KW capacity or greater) wind energy facilities should be located in the town. Smaller scale wind projects, including residential-scale

turbines (generally less than 10 KW) and turbines installed at farms, residences or small businesses, up to 100 KW, are encouraged as long as noise from the turbines does not adversely affect neighboring residential properties and as long as they are not prominently visible from any town-identified historic district.

- 7.8.2 The Town particularly encourages solar energy development, of any scale, on building rooftops as well as other types of renewables including methane digesters and micro-hydro.
- 7.8.3 The Town strongly supports the development of residential-scale (up to 15 KW capacity ground-mounted) electricity generation from solar energy at homes, businesses, schools, and other institutions.
- 7.8.4 The Town also supports solar projects (between 15 KW and 150KW in size) provided they are located on sites identified as having high potential for electricity generation based on solar resource availability and avoid “prohibited areas” as identified below. Moreover, any community solar project located on a site that is not a prohibited/exclusion area shall be considered as being located on a “preferred site” and eligible for all of the regulatory and financial incentives associated with larger scale solar energy installations pursuant to Public Utility Commission Rule 5.100 and 30 V.S.A. Section 248.
- 7.8.5 Any larger scale solar development (greater than 150 kW capacity) shall be subject to the following policies and standards.
- 7.8.6 **Solar Electricity Facility Siting Standards**

The term “solar facility” shall have the following meaning: a solar electricity generation and transmission facility with a 150kW (AC) or greater capacity, including all on-site and offsite improvements necessary for the development and operation, and on-going maintenance of the facility.

The Town of Weathersfield has developed standards for the development of solar facilities for reference and use by facility developers and local property owners and for consideration in Section 248 proceedings (30 VSA §248). These standards are set forth below.

7.8.7.1 Community Standards

The following community standards are to be considered in undertaking municipal solar electricity projects and programs, in updating Weathersfield’s Zoning Bylaws to address solar facilities subject to local regulation, and in the review of any new or upgraded solar facilities in excess of 15 kW capacity, by the Town of

Weathersfield and the Public Utility Commission (Section 248 review).

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

7.8.7.2 Solar Facility Siting Criteria

Weathersfield supports development of solar energy generation facilities consistent with the policies and guidelines set forth in this plan. It recognizes that financial considerations require projects to be located in close proximity to electric power lines capable of distributing the load proposed to be generated and to have

convenient access from major transportation networks for construction. However, the Town desires to maintain the open landscape and scenic views important to Weathersfield's sense of place, tourism economy, and rural cultural aesthetic. Not all solar facilities proposed can meet this standard. Projects must meet the following criteria in order to be supported by this Town Plan:

- a) **Siting Requirements:** New solar facilities shall be sited in locations that do not adversely impact the community's traditional and planned patterns of growth of compact village centers surrounded by a rural countryside, including working farms and forest land. Solar facilities shall, therefore, not be sited in locations that adversely impact scenic views, roads, or other areas identified in the Scenic Resources Section of this Plan, nor shall solar facilities be sited in locations that adversely impact any of the following scenic attributes identified in the Plan including: views across open fields, especially when those fields form an important foreground; prominent ridgelines or hillsides that can be seen from many public vantage points and thus form a natural backdrop for many landscapes; historic buildings and districts and gateways to historic districts; and, scenes that include important contrasting elements such as water. The impact on prime and statewide agricultural soils shall be minimized during project design.
- b) **Preferred Areas:** The following areas are identified as preferred areas for solar facilities, and they must also meet the Town's Preferred Siting Checklist:
- Roof-mounted systems;
 - Parking lot canopies;
 - Systems located in proximity to existing large scale, commercial or industrial buildings;
 - Proximity to existing hedgerows or other topographical features that naturally screen the entire proposed array;
 - Reuse of former brownfields;
 - Facilities that are sited in previously disturbed areas, such as gravel pits, closed landfills, or former quarries;
- c) **Prohibited (Exclusion) Areas:** In addition to those areas that do not meet the siting requirements set forth above, development of solar generating facilities shall be excluded from (prohibited within), and shall not be supported by the Town, in the following locations:
- Floodways shown on Flood Insurance Rate Maps (FIRMs);
 - Class I or II wetlands;

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- Riparian buffers and setbacks as defined in Weathersfield's Zoning Bylaws:
 - Rare, threatened, or endangered species habitat or communities as mapped or identified through site investigation, and core habitat areas, migratory routes and travel corridors:
 - Elevations of 1,500 feet in elevation or higher:
 - Steep slopes (>25%):
 - Habitat blocks of 500 acres or greater in size:
 - A site in proximity to and interfering with a significant viewshed identified in the Scenic Resources sections of the Town Plan (see Section 7.6 and Section 5.3):
 - A site that causes adverse impacts to historical or cultural resources, including state or federal designated historic districts, sites and structures, and locally significant cultural resources identified in the municipal plan. Prohibited impacts to historical and cultural resources include:
 - Removal or demolition:
 - Physical or structural damage, significant visual intrusion, or threat to the use:
 - Significant intrusion in a rural historic district or historic landscape with a high degree of integrity:
 - Significant visual intrusion into a hillside that serves as a backdrop to a historic site or structure:
 - Creating a focal point that would disrupt or distract from elements of a historic landscape:
 - A significant intrusion in a rural historic district or historic landscape that has a high degree of integrity:
 - Impairing a vista or viewshed from a historic resource that is a significant component of its historic character and history of use:
 - Visually overwhelming a historic setting, such as by being dramatically out of scale:
 - Isolating a historic resource from its historic setting, or introducing incongruous or incompatible uses, or new visual, audible or atmospheric elements.
- d) **Mass and Scale:** Except for projects located on preferred sites, solar facilities larger than 10 acres, individually or cumulatively, cannot be adequately screened or mitigated to blend into the municipality's landscape and are, therefore, explicitly prohibited.

- 7.8.8 Energy audits should be conducted prior to undertaking major improvements to Town-owned buildings, and the Town should invest in priority energy efficiency upgrades as called for in energy audit.
- 7.8.9 All applicable new and renovated buildings are subject to the Vermont Residential Building Energy Standards or Vermont Commercial Building Energy Standards.
- 7.8.10 The Town encourages other methods to exceed the state energy code, such as through passive solar building orientation to take advantage of heating from the sun, landscaping to shade buildings and reduce summer temperatures, or using the “Energy Star” building performance rating system.
- 7.8.11 The current land use pattern requires people to drive to work and other amenities; encourage new housing, businesses, and other amenities in walkable/centralized areas. The reduction of sprawl and low-density development not only reduces energy consumption, but also can improve the local and regional economy. Refer to Future Land Use Map.

7.9 Energy Recommendations

- 7.9.1 Consider adopting a freestanding solar screening bylaw under 24 V.S.A. §4414 (15).
- 7.9.2 The Town of Weathersfield may participate in the Public Utility Commission’s review of new and expanded generation facilities to ensure that local energy, resource conservation, and development objectives are identified and considered in proposed utility development. This may include joint participation and collaboration with other affected municipalities and the Mount Ascutney Regional Commission for projects that may have significant regional impact. It is acknowledged that the PUC’s primary focus is on administering state public policy and regulating actions that are directed at ensuring that utility services promote the general good of the state.
- 7.9.3 The Planning Commission, in consultation with the Select Board, should develop guidelines to direct local participation in Section 248 proceedings related to solar facilities located in Weathersfield or in neighboring communities which may affect the town. The guidelines should reflect levels of participation or formal intervention in relation to the type, location, scale, operation, and magnitude of a proposed project, and its potential benefits, detriments to, and impacts on the community.

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

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

Michael Todd made a motion to continue the hearing to February 27, 2023 @ 6:30 pm
Howard Beach – 2nd
No further Discussion
Vote - unanimous

7. Bylaws - PUD Review: Review changes (Rev. 4 – 2023.01.18)

Key

Black: Original remaining text

~~Red stricken: Original removed text~~ Green

underlined: New added text

Yellow highlighted: Changes since last revision

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.

5.1.3 PUD Review Application

Applications for PUDs shall include the following, in addition to the information required for subdivisions:

- 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:** A site plan shall meet all of the requirements of Section 5.1.2(b) of these bylaws.
- c) **Project Narrative:** A description of the proposed project shall be required as part of a

complete application. Also required is a narrative that is clear and succinct and includes:

1. SUMMARY: A brief summary of the project and how it meets the PUD standards in this section;
 2. EXCEPTIONS: A statement describing all proposed modifications, changes, or supplements to requirements in the Zoning Bylaws. Any such modification approved under this section shall be specifically set forth in terms of standards and criteria for the design, bulk and spacing of buildings and the sizes of lots and open spaces which shall be required and these shall be noted or appended to the plat;
 3. MANAGEMENT: A sound proposal for the financing and membership of the management organization which will maintain and operate the property in common ownership, such as community facilities, private roads, and/or open spaces; and,
 4. PHASING PLAN: Projects that will take more than 24 months to complete must present a description and clear plan for the project's phasing, including the area, uses, and timing of each phase. In any case, the sketch plan shall show the complete project.
 5. Additional information required by the Planning Commission to determine whether the proposed mix of uses, density and scale and intensity of uses will meet the standards set forth in these Zoning Bylaws.
- d) Application Fees: All applicable fees must be paid as part of a complete application.
- e) PUD applications may involve single or multiple parcels and one owner or multiple owners under a common application.
- f) PUD applications are subject to approval by the Planning Commission in accordance with the requirements of Section 5.4 in these Bylaws.

5.45 Planned Unit Development

~~An applicant for PUD approval applies to the Administrative Officer, who in turn notifies the Planning Commission. The Commission has up to sixty days to hold a public hearing, and sixty after that to approve, approve with conditions, or disapprove the application based on Standards of Review in these Bylaws. Failure to act within sixty (60) days of the hearing shall be deemed approval. Prior to filing a formal application, the applicant is encouraged to meet with the Commission to discuss the project. Notice for a combined review hearing shall be made in accordance with 24 V.S.A. §4464(a)(1).~~

~~The hearing notice shall include a statement that the hearing will be a combined review of the proposed project and list each review process that will be conducted at the hearing. As applicable, the combined review process shall be conducted in the following order:~~

- ~~a) Site Plan Review~~
- ~~b) Access by right of way~~
- ~~c) Requests for Waivers~~
- ~~d) Requests for Variances~~
- ~~e) PUD Review~~
- ~~f) Subdivision Review (preliminary and final)~~
- ~~g) Conditional Use Review~~

~~All hearing and decision requirements and all deadlines applicable to each review process shall apply. Separate written decisions may be issued for each review conducted as part of the combined review, but shall be coordinated where appropriate.~~

In accordance with the provisions set forth in Section 4417 of The Act, Planned Unit Developments (PUDs) are allowed to permit flexibility in the application of the Zoning Bylaws for the purposes of Section 4302 of The Act and in conformance with the Weathersfield Town Plan.

5.4.1 Purpose

- a) To allow for multiple principal uses on a single parcel of land.
- b) To encourage compact, pedestrian-oriented development and redevelopment, and to promote a mix of residential uses or nonresidential uses, or both, especially in downtowns, village centers, new town centers, and associated neighborhoods.
- c) To implement the policies of the municipal plan, such as the provision of affordable housing.
- d) To encourage any development in the countryside to be compatible with the use and character of surrounding rural lands.
- e) To provide for flexibility in site and lot layout, building design, placement and clustering of buildings, use of open areas, provision of circulation facilities, including pedestrian facilities and parking, and related site and design considerations that will best achieve the goals for the area as articulated in the municipal plan and bylaws within the particular character of the site and its surroundings.
- f) To provide for the conservation of open space features recognized as worthy of conservation in the municipal plan and bylaws, such as the preservation of agricultural land, forest land, trails, and other recreational resources, critical and sensitive natural areas, scenic resources, and protection from natural hazards.
- g) To provide for efficient use of public facilities and infrastructure.
- h) To encourage and preserve opportunities for energy-efficient development and redevelopment.

5.4.2 Applicability

- a) The PUD provisions may be applied to any land development in any zoning district within the Town of Weathersfield at the request of the applicant.
- b) Uses shall be limited to those permitted and conditional uses within the district in which the PUD is proposed.

5.4.3 PUD Review Procedures

- a) Complete applications for PUDs must include the information specified in Section 5.1.
- b) PUD applications shall be reviewed under the Subdivision Application Procedures set forth in Weathersfield's Subdivision Regulations, as most recently amended.
- c) Approval granted under this section for a PUD that involves the development of one or more uses requiring approval under conditional use review (Section 5.3) does not exempt the proposed development from both review processes, although various reviews by the ZBA for PUDs may be reviewed separately or concurrently.
- d) The order of PUD review will be:
 - 1. Planning Commission – Sketch Plan Review
 - 2. Zoning Board of Adjustment – Site Plan Review, Conditional Use Review, other reviews administered by the ZBA
 - 3. Planning Commission – Preliminary Review (if required by PC)
 - 4. Planning Commission – Final Plat Review

5.4.5.4 General Standards

In addition to the standards set forth in Weathersfield's Subdivision Regulations, the following general standards must be met in order for the Planning Commission to approve a PUD application:

- a) PUD is consistent with Town Plan.
- b) All Site Plan Review requirements in Section 5.2~~3~~ have been met.
- c) The PUD is an appropriate and **unified-singular** treatment for the proposed development.
- d) The development is designed so as to be compatible with the character of the area. Particular attention will focus on the aural and visual impacts.
- ~~d~~ e) State and local standards for fire and safety regulations by local fire and police officials are in compliance.
- e)f) Adequate water supply and sewage disposal facilities are provided.
- f)g) The development will not place an undue burden on municipal services.

5.4.5 Standards for Non-residential PUDs

- a) **DENSITY:** The density requirements do not exceed the number of units permitted if the land were subdivided in accordance with district regulations.
 - 1. **For PUDs not requiring a subdivision, the number of uses or units of the same use will be equal to the number of subdividable lots pursuant to 5.4.5(a) of these bylaws.**

- b) USE: All compatible uses allowed in the sites district are allowed as part of a non-residential PUD. The ZBA may determine if any proposed uses are not compatible. A non-residential PUD may include residential dwelling units.
- c) OPEN SPACE: At least 1 acre of open space shall be dedicated for the use of the residents, owners or employees.

5.4.6 Standards for Residential PUDs

- a) DENSITY: The total number of dwelling units in any Residential PUD must not exceed 125% of the number of lots into which the parcel could be legally subdivided and developed based upon minimum lot size requirements and all other applicable bylaws.
- b) USE: Only residential and residential accessory uses shall be permitted within a Residential PUD.
- c) DEVELOPMENT: Of the land left open within the Residential PUD for common usage or ownership, no more than 25% shall be developed for community facilities (excluding subsurface installations), access road, parking areas, or recreational structures.
- d) OPEN SPACE: A minimum of 33% of the total applicable property shall be designated for open space or community facilities.
 - 1. Open space shall be designated as private (for the benefit of the residents of the PUD), or public (for the benefit of the municipality and its citizens).
 - 2. Land set aside as open space shall be of a size, type and location to meet its intended use.
 - 3. Open space should be contiguous to other existing or potential open space areas.
 - 4. Ownership of open space should be consistent with the best means of maintaining the resources on site.

5.5.2 Modification of Zoning Regulations

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

- a) Setbacks, including provision for zero lot lines;
- b) Height, Bulk and Spacing of Buildings;
- c) Type of Building, including ~~a mix of residential and commercial uses in one building,~~ a variety of residential structures (one, two, and multi-family structures).
- d) Location of buildings; and
- e) Size of lots.

Any modification of the Bylaws for the proposed PUD granted by the Planning Commission shall be noted on the subdivision plat

8. Bylaws – Table of Districts and Uses: Amendments discussion (Rev. 3 – 2023.01.18) Tabled for a future meeting.

9. Discussion of items for future agendas

- Energy Plan Hearing continuation
- Bylaws Table of Districts and Uses

10. Any other business that can be legally discussed.

11. Adjourn

Michael Todd made a motion to adjourn at 8:21 pm

Howard Beach – 2nd

No discussion

Vote – unanimous

Next Planning Commission Meeting is scheduled for Monday, February 27, 2023, at 6:30 pm at Martin Memorial Hall.

Respectfully,
Chauncie Tillman
Recording Secretary

Planning Commission

Howard Beach, Vice - Chair

Joseph Bublath, Clerk

Tyler Harwell, Chairperson

Paul Tillman, Chair

Michael Todd, Chairperson

AGENDA ITEM

6

PUBLIC HEARING

Town Plan Amendment – Energy Chapter

February 13, 2023

Item 1: Notice of Public Hearing

Item 2: Town Plan Amendment Reporting Form

Item 3: Weathersfield Town Plan - Energy Chapter 2/15/2023

HEARING ITEM

1



TOWN OF WEATHERSFIELD

LAND USE ADMINISTRATOR'S OFFICE

(802)674-2626

P.O. BOX 550 ASCUTNEY, VT 05030

landuse@weathersfield.org

Planning Commission

NOTICE OF PUBLIC HEARING

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

Remote option – Zoom details below

Monday, February 13, 2023– 6:30 PM

A public hearing before the Weathersfield Planning Commission will be held at the Town Office in Ascutney on Monday, February 13, 2023, at 6:30 PM to consider the adoption of the following proposed amendments to the Weathersfield Town Plan:

Statement of Purpose

The purpose of these amendments is to clarify and expand upon the existing Energy Section of the Weathersfield Town Plan to guide the Public Utilities Commission when ruling on proposed energy projects and to update the Town's goals.

Geographic Areas Affected

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

Sections Headings

Section 7: Energy

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

Due to public demand and COVID-19; the Town has changed its public meeting platform from GoToMeeting to Zoom. For computer access, please go to this website, where you will find instructions and links to the meeting:

<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

Planning Commission Reporting Form for Municipal Plan Amendments

This report is in accordance with 24 V.S.A. §4384(c) which states:

*“When considering an amendment to a plan, the planning commission shall prepare a written report on the proposal. **The report shall address the extent to which the plan, as amended, is consistent with the goals established in §4302 of this title.**”*

If the proposal would alter the designation of any land area, the report should cover the following points:

- 1. The probable impact on the surrounding area, including the effect of any resulting increase in traffic, and the probable impact on the overall pattern of land use.*

The proposed amendments do not alter the designation of any land area. The proposed amendments address concerns related to protection of the Town’s natural, scenic, and historic resources by establishing energy policies and facility siting standards and criteria. The amendments are proposed to encourage the traditional Vermont land use pattern of mixed-use villages and concentrated development surrounded by rural lands in between.

- 2. The long-term cost or benefit to the municipality, based upon consideration of the probable impact on:*
 - (A) the municipal tax base; and*

The proposed amendments support the development of renewable energy generation facilities while protecting the values of private lands and scenic areas. Balancing these resources will have a beneficial effect on the municipal tax base by allowing for appropriate economic development without spoiling the resources that add value to the Town and State.

- (B) the need for public facilities;*

The proposed amendments are not expected to significantly impact the need for public facilities and services. The amendments are not expected to affect the rate of population growth nor the complexity of administering the current municipal services.

- 3. The amount of vacant land which is:*
 - (A) already subject to the proposed new designation; and*

The proposed amendments would not affect land that is already designated for energy generation facilities.

- (B) actually available for that purpose, and the need for additional land for that purpose.*

The proposed amendments would affect certain vacant land pursuing the establishment of energy generation facilities. The amendment is designed to guide the Public Utilities Commission in their review of energy generation facilities. The proposed amendments identify conditions where such facilities are not in compliance with the broader Town Plan.

4. *The suitability of the area in question for the proposed purpose, after consideration of:*
(A) *appropriate alternative locations;*

The proposed amendments do not identify appropriate locations for energy generation facilities. The amendments identify circumstances, resources, and values that must be considered when granting approval for energy generation facilities.

- (B) *alternative uses for the area under consideration; and*

The proposed amendments do identify alternative land uses that must be considered when granting approval for energy facilities. Specifically, intact forests, active agricultural land, scenic vistas, and other significant natural resources are valued alternative uses to energy generation facilities. However, due to the impermanent nature of renewable energy facilities (specifically solar) conversion to such use is not seen as detrimental to these alternative uses when applied in appropriate locations.

- (C) *the probable impact of the proposed change on other areas similarly designated*

Areas adjacent to energy generation facilities are subject to the greatest impacts. Whether adjoining lands are used for things like public roads or private residences, the proposed amendments attempt to protect the Town and its residents from undue adverse impacts from energy generation facilities while allowing appropriate development of such facilities in balance to meet the local and broader energy needs and desires.

5. *The appropriateness of the size and boundaries of the area proposed for change, with respect to the area required for the proposed use, land capability and existing development in the area.”*

The proposed amendments necessarily apply to the whole town. No specific areas are proposed for a change in land use designation. Rather, a series of conditions and standards have been outlined for review on a case-by-case basis.

Please Note:

- ❖ The planning commission must hold at least one public hearing within the municipality after public notice on any proposed plan or amendment.
- ❖ At least **30** days prior to the first hearing, a copy of the proposed plan or amendment and the written report must be delivered with proof of the receipt, or mailed by certified mail, return receipt requested, to each of the following:
 1. the chairperson of the planning commission of each abutting municipality, or in the absence of any planning commission in an abutting municipality, to the clerk of that municipality;
 2. the executive director of the regional planning commission of the area in which the municipality is located;

3. the Department of Economics, Housing and Community Development within the Agency of Commerce and Community Development; and
 4. business, conservation, low income advocacy and other community or interest groups or organizations that have requested notice in writing prior to the date the hearing is warned.
- ❖ The planning commission may make revisions to the proposed plan or amendment and to any written report, and must thereafter submit the proposed plan or amendment and any written report to the legislative body of the municipality.
 - ❖ If the legislative body changes any part of the proposed plan, the planning commission must submit to the legislative body, at or prior to the public hearing, a report that analyzes the extent to which the changed proposal, when taken together with the rest of the plan, is consistent with the legislative goals established in 24 V.S.A. §4302.
 - ❖ Simultaneously with the submission, the planning commission must file with the clerk of the municipality a copy of the proposed plan or amendment, and any written report, for public review.

HEARING ITEM

3

Weathersfield Planning Commission
Amendment to the Weathersfield Town Plan

ENERGY

7.1 Introduction

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

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

Community: The primary energy problems in Weathersfield are less efficient older homes and dependence on energy from outside the Town. [\(Section 7.6 in draft 12/14/2022\)](#)

Government: To provide a complete or accurate analysis of Town energy costs, the town government must establish a baseline of energy costs from municipal buildings, vehicles, and operations and diligently maintain the database to determine where energy costs may be stabilized or reduced. [\(Section 7.5 in draft 12/14/2022\)](#)

7.1.1 This plan seeks to:

- 7.1.1.1 Help the town identify ways to conserve energy,
- 7.1.1.2 Encourage renewable or lower-emission energy sources for electricity, heat and transportation,
- 7.1.1.3 Encourage a pattern of development that likely results in the conservation of energy,
- 7.1.1.4 Encourage development of appropriately scaled renewable energy resources,
- 7.1.1.5 Reduce greenhouse gas emissions, and
- 7.1.1.6 Reduce transportation energy demand and single-occupant vehicle use.

7.2 Non-Renewable Energy Usage in Weathersfield

7.2.1 Weathersfield does not have any local sources of non-renewable energy. The scarcity or abundance of non-renewable sources is entirely dependent on factors beyond the town. [\(Section 7.4.1 in draft 12/14/2022\)](#).

- 7.2.2 Fuel oil and propane for home heating, cooking, and hot water are delivered to Weathersfield residents from commercial sources outside the Town. The only reserves for home heating fuel in the Town are the storage tanks on municipal and private properties. (Section 7.3 in draft 12/14/2022).
- 7.2.3 Transportation is fueled primarily with gasoline or diesel fuel that is likewise imported to the Town by various distributors in the area. The only storage facilities in Town for any of these energy resources are the ~~gasoline~~-storage tanks at the gas stations in Town, the storage tanks at the Town Highway Garage, and some at commercial and residential locations. (Section 7.3 in draft 12/14/2022).
- 7.2.4 Electricity is brought to the majority of Weathersfield homes and businesses via the “grid.” The electricity traveling in the grid is produced from both renewable and non-renewable sources. The Town is crisscrossed by numerous distribution and transmission lines belonging to both Vermont Electric Power Company (VELCO) and Green Mountain Power (GMP). The substation in Ascutney was upgraded to a newer design in 2013 that will be more reliable than the previous design. (Section 7.3 in draft 12/14/2022).
- 7.2.5 Weathersfield residents, like many Vermonters, are highly dependent on non-renewable energy, although each year residents and business owners invest in more renewable systems. Many are encouraged to do so with existing incentives through Efficiency Vermont or Green Mountain Power. Additional incentives are needed to encourage more residents to invest in energy efficiency improvements and renewable energy systems, especially for retirees and lower-income residents. (Section 7.4.2 in draft 12/14/2022).

7.3 Renewable Energy Usage in Weathersfield

- 7.3.1 ~~In summary, it appears that t~~There are several ways that Weathersfield residents and the town government could reduce their non-renewable, imported energy dependencies through the development and use of locally produced, renewable energy fuels. (Section 7.2.6 in draft 12/14/2022). All development of renewable energy in Weathersfield should be consistent with land use, conservation, and other goals described elsewhere in this plan. (Section 7.2.7 in draft 12/14/2022). Weathersfield has a variety of local sources of renewable energy, ~~as discussed in detail in Section 1.2 above~~. The potential of renewable energy at each specific site will depend on site conditions (e.g. solar access) and other. ~~Environmental~~ factors, such as droughts, which may limit micro-hydro opportunities. (Section 7.4.1 in draft 12/14/2022).

~~Weathersfield has significant potential to generate additional renewable energy from biomass, geothermal, hydro, solar, and wind sources. (Section 7.2 in draft 12/14/2022)~~

7.3.2 Solar: Solar energy may be used to generate electricity or thermal heat. It may be stored on-site using batteries or sent to the grid via net-metering. Solar hot water does not require batteries or net-metering. There are an increasing number of net-metering sites in Weathersfield. (Section 7.2.4 in draft 12/14/2022).

7.3.3 Wind: State wind resource data was analyzed, and it shows only limited potential for utility-scale (70 meters or 230 feet tall at the hub) or commercial-scale (50 meters or 164 feet tall) wind power in town. Residential-scale (30 meters or 98 feet tall) wind appears to be the only reasonable option given prevailing wind speeds, land ownership, and proximity to three phase power lines. (Section 7.2.5 in draft 12/14/2022).

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

With the abundance of streams in Weathersfield, micro hydro-power (run-of-river) is another alternative that should be considered. Micro hydro-power generation requires as little as two gallons per minute of stream flow and does not require the usual reservoir associated with standard hydro-power projects. Peak power production is in the winter when electricity demands are high. Installation costs and maintenance fees are relatively small in comparison to other technologies. (Section 7.2.3 in draft 12/14/2022).

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

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

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

7.3.5.3 *Woody Biomass*: Wood is used in a variety of forms to provide heat or to generate electricity. In the simplest form, wood from trees is split and ~~sold~~ used for firewood for wood- burning stoves and furnaces in home heating.

The Weathersfield School uses wood chips to heat the school. Wood pellets are also a popular way to provide home heating.

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

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

7.3.5.5 *Methane Digesters:* With Cow Power, ~~a~~ According to Green Mountain Power (GMP), ~~Cow Power,~~ “one cow can produce about 30 gallons of manure a day which, in turn, can generate enough electricity to power two 100-watt incandescent light bulbs for 24 hours. The waste from 4-6 cows will generate about 1 kw of electricity” (VT Renewable Energy Atlas). Weathersfield has a number of various types of livestock in town, but no working dairy farms. There are currently no methane digesters in town. (Section 7.2.1 in draft 12/14/2022).

7.3.6 Geothermal: Geothermal, or ground source heating, is the direct use of energy absorbed from the sun at the earth’s surface, and supplemented from the earth’s core. Modern geothermal heating and cooling systems rely on the stable temperature of the earth (55 degrees Fahrenheit), or groundwater in a well, along with an electric heat pump. This technology is not currently financially feasible in Weathersfield. (Section 7.2.2 in draft 12/14/2022).

7.4 Energy Concerns

7.4.1 Problems could arise in the future as a result of energy projects, such as funding for decommissioning of solar projects. The Town should promote future energy projects, but also carefully review the current and potential impacts of energy projects on costs, aesthetics, natural resources, and the environment. (Section 7.6 in draft 12/14/2022).

7.4.2 There are specific areas where the Town’s residents would not like to see overhead transmission lines or energy projects (other than roof-mounted solar) that have an undue adverse impact on important scenic resources. They are listed in the Scenic Resources section in the Town Plan. (Section 7.6 in draft 12/14/2022).

7.5 Energy Goals

- 7.5.1 To make efficient use of energy the Town seeks to:
- 7.5.1.1 Provide for the development of renewable energy resources,
 - 7.5.1.2 Encourage weatherization,
 - 7.5.1.3 Reduce emissions of greenhouse gases,
 - 7.5.1.4 Prioritize energy efficient forms of transportation, and
 - 7.5.1.5 Promote land use policies that are likely to result in energy conservation.
(Section 7.7.1 in draft 12/14/2022)

7.6 Energy Policies

- 7.6.1 Weathersfield has limited potential for utility-scale wind energy development, as areas with sufficient access to consistent wind are generally small in size and more than a mile away from three-phase power lines. The prime wind sites (e.g. Weathersfield Center, Butterfield Hill, Pikes Peak) are relatively close to established residences and/or specifically identified scenic, historic or natural resources in the Town Plan and/or Biological Natural Areas of Weathersfield. The secondary wind sites (e.g. Skyline Drive, Hawks Mountain, Little Ascutney, Pierson Peak, Mount Ascutney) are largely in scenic or natural resources areas also specifically identified in the Town Plan and/or Biological Natural Areas of Weathersfield. Development in these areas would have a profoundly negative impact on critical viewsheds throughout the community, as the natural profile of the mountain forms an iconic backdrop from both in-town and rural valley locations. Because no other locations in Weathersfield have suitable wind resource, infrastructure availability, or are free from significant environmental constraints (~~Figure 6~~), no utility-scale (100 KW capacity or greater) wind energy facilities should be located in the town. Smaller scale wind projects, including residential-scale turbines (generally less than 10 KW) and turbines installed at farms, residences or small businesses, up to 100 KW, are encouraged as long as noise from the turbines does not adversely affect neighboring residential properties and as long as they are not prominently visible from any town-identified historic district or scenic resource.
- 7.6.2 The Town particularly encourages solar energy development, of any scale, on building rooftops as well as other types of renewables including methane digesters and micro-hydro.
- 7.6.3 The Town strongly supports the development of residential-scale (up to 15 KW capacity ground-mounted) electricity generation from solar energy at homes, businesses, schools, and other institutions.
- 7.6.4 The Town also supports solar projects (between 15 KW and 150KW in size) provided they are located on sites identified as having high potential for electricity generation based on solar resource availability and avoid “prohibited areas” as identified below. Moreover, any ~~community~~ solar project located on a site that is not a prohibited/exclusion area shall be considered as being located on a “preferred

site” and eligible for all of the regulatory and financial incentives associated with larger scale solar energy installations pursuant to Public Utility Commission Rule 5.100 and 30 V.S.A. Section 248.

7.6.5 Any larger scale solar development (greater than 150 kW capacity) shall be subject to the following policies and standards.

7.6.6 **Solar Electricity Facility Siting Standards**

The term “solar facility” shall have the following meaning: a solar electricity generation and transmission facility with a 150kW (AC) or greater capacity, including all on-site and offsite improvements necessary for the development and operation, and on-going maintenance of the facility.

The Town of Weathersfield has developed standards for the development of solar facilities for reference and use by facility developers and local property owners and for consideration in Section 248 proceedings (30 VSA §248). These standards are set forth below.

7.6.6.1 **Community Standards**

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

- a) **Plan Conformance:** New solar facilities and proposed system upgrades should be consistent with the Vermont Comprehensive Energy Plan, the Vermont Long-Range Transmission Plan, and utilities Integrated Resource Planning (IRP).
- b) **Benefits:** A demonstrated statewide public need that outweighs adverse impacts to local residents and resources must be documented for municipal support of new solar facilities located within or which may otherwise affect Weathersfield. Facility development must benefit Town of Weathersfield and State residents, businesses, and property owners in direct proportion to the impacts of the proposed development.
- c) **Impacts:** New solar facilities must be evaluated for consistency with community and regional development objectives and shall avoid undue adverse impacts to significant cultural, natural, and scenic resources and aesthetic values identified by the community in the Weathersfield Town Plan and the Scenic Resources Inventory. When evaluating impacts of a proposed solar facility under the criteria set forth in this Town Plan, the cumulative impact of existing solar facilities, approved pending solar facilities, and the

proposed solar facility shall be considered. It is explicitly understood that a proposed solar facility which by itself may not have an adverse impact may be deemed to have an adverse impact when considered in light of the cumulative impacts of the proposed solar facility and existing solar facilities and pending already approved solar facilities.

- d) **Decommissioning:** All facility certificates shall specify conditions for system decommissioning, including required sureties (bonds) for facility removal and site restoration to a safe, useful, and environmentally stable condition. All hazardous materials and all structures, including foundations, pads, and accessory structures must be removed from the site and safely disposed of in accordance with regulations and best practices current at the time of decommissioning.

7.6.6.2 Solar Facility Siting Criteria

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

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

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

- A significant intrusion in a rural historic district or historic landscape that has a high degree of integrity;
- Impairing a vista or viewshed from a historic resource that is a significant component of its historic character and history of use;
- Visually overwhelming a historic setting, such as by being dramatically out of scale;
- Isolating a historic resource from its historic setting, or introducing incongruous or incompatible uses, or new visual, audible or atmospheric elements.

d) **Mass and Scale:** Except for projects located on preferred sites, solar facilities larger than 10 acres, individually or cumulatively, cannot be adequately screened or mitigated to blend into the municipality's landscape and are, therefore, explicitly prohibited.

- 7.6.7 Energy audits should be conducted prior to undertaking major improvements to Town-owned buildings, and the Town should invest in priority energy efficiency upgrades as called for in energy audit.
- 7.6.8 All applicable new and renovated buildings are subject to the Vermont Residential Building Energy Standards or Vermont Commercial Building Energy Standards.
- 7.6.9 The Town encourages other methods to exceed the state energy code, such as through passive solar building orientation to take advantage of heating from the sun, landscaping to shade buildings and reduce summer temperatures, or using the “Energy Star” building performance rating system.
- 7.6.10 The current land use pattern requires people to drive to work and to other amenities. The Town encourages new housing, businesses, and other amenities in walkable/centralized areas. The reduction of sprawl and low-density development not only reduces energy consumption, but also can improve the local and regional economy. Refer to Future Land Use Map.

7.7 Energy Recommendations

7.7.1 Broadly, ~~C~~cost savings may be realized from:

7.7.1.1 Weatherization of buildings

7.7.1.2 Energy efficient lighting

7.7.1.3 Heating and air conditioning changes to more efficient mechanisms, such as air-source cold climate heat pumps

7.7.1.4 Reduction in use ~~Conservation measures (reduction in use)~~

7.7.1.5 Fuel-efficient vehicles

7.7.1.6 Analysis of town vehicle operations. (Section 7.5 in draft 12/14/2022).

WEATHERSFIELD TOWN PLAN

- 7.7.2 Consider adopting a freestanding solar screening bylaw under 24 V.S.A. §4414 (15).
- 7.7.3 The Town of Weathersfield may participate in the Public Utility Commission's review of new and expanded generation facilities to ensure that local energy, resource conservation, and development objectives are identified and considered in proposed utility development. This may include joint participation and collaboration with other affected municipalities and the Mount Ascutney Regional Commission for projects that may have significant regional impact. It is acknowledged that the PUC's primary focus is on administering state public policy and regulating actions that are directed at ensuring that utility services promote the general good of the state.
- 7.7.4 The Planning Commission, in consultation with the Select Board, should develop guidelines to direct local participation in Section 248 proceedings related to solar facilities located in Weathersfield or in neighboring communities which may affect the town. The guidelines should reflect levels of participation or formal intervention in relation to the type, location, scale, operation, and magnitude of a proposed project, and its potential benefits, detriments to, and impacts on the community.
- 7.7.5 Inform residents about Efficiency Excellence Network (EEN) contractors by providing links to EEN information through a municipal website or through other means.
- 7.7.6 Participating in the Safe Routes to School program will help reduce reliance on vehicle transport.
- 7.7.7 Inform residents and business owners about existing energy efficiency programs and incentives, especially weatherization services and financing options for low-to-moderate income household.
- 7.7.8 Appoint an Energy Coordinator or establish an Energy Committee to help implement recommendations in this Chapter.
- 7.7.9 Hold an information forum such as Button Up, and invite residents to speak about the energy improvements that they have made to their homes. Provide data that demonstrates why these improvements make sense for residents.
- 7.7.10 Assess the life cycle costs of potential energy improvements during design and construction planning. For example, investment in a new, efficient heating system may be more expensive up front, but more economical to operate over time.
- 7.7.11 Promote the use of cold climate heat pumps (aka air-source heat pumps, mini-splits or ductless heat pumps) as a highly efficient source of heat and air conditioning with education/presentations in coordination with the EEU's/electric utilities. These systems are a good option to retrofit existing houses, and can be used to supplement

the existing heating system. They also provide air conditioning during the warmer months. Ground source (geothermal) heat pumps may also be suitable option. Heat pump water heaters are also an energy efficient option.

- 7.7.12 Promote the Go Vermont webpage, which provides rideshare, vanpool, public transit and park-and-ride options.
- 7.7.13 Seek grants and partnerships to fund the installation of electric vehicle -charging infrastructure at the park and ride lot, school or other town-owned properties.
- 7.7.14 Coordinate with MARC and Local Motion to promote the planned electric-bicycle lending library to help promote e-bikes as a viable form of travel.
- 7.7.15 Continue to financially support The Moover public transportation services, such as the commuter bus that serves the I-91 Exit 8 park and ride lot, to provide access to jobs for residents and encourage less single-occupant vehicle use.
- 7.7.16 The Town should work with electric and utility contractors to assist homeowners with switching to alternative heating systems such as wood pellet stove and air source heat pumps. Woody biomass can be sourced locally.
- 7.7.17 If renewable energy systems are not practicable, encourage homeowners to replace old furnaces or boilers with a high-efficiency model.
- 7.7.18 Promote wood stove change-out programs that take older non-EPA certified stoves out of service and replace them with more efficient and lower emitting cordwood or pellet stove.

WEATHERSFIELD TOWN PLAN

The foregoing amendments shall be effective immediately upon signing.

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

Paul Tillman, Chairperson

Howard Beach, Vice-Chairperson

Joseph Bublat, Board Clerk

Mike Todd, Board Member

ATTEST:

Received at the Town of Weathersfield

this ___ day of March, 2023.

Flora Ann Dango, Town Clerk

AGENDA ITEM

8

CHARTERED BY
NEW HAMPSHIRE
AUGUST 20, 1761

Town of Weathersfield

POST OFFICE BOX 550
ASCUTNEY, VERMONT 05030-0550

CHARTERED BY
NEW YORK
APRIL 8, 1772

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

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

Planning and Zoning

APPLICATION FOR SKETCH PLAN REVIEW

Application # _____

Applicant Name Colby Hodgdon
Address (Mailing) One Meadow Lake Windsor, VT 05089
Telephone # 802 991 1289 Email Address Chodgdon76@gmail.com

Landowner Name Darcy Hodgdon Jr + Diane Hodgdon
Address (Mailing) PO Box 179 Ascutney VT 05030
Telephone # 674 5375 Email Address Dawddservices@yahoo.com

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

Name of Project Hodgdon House
Tax Map/Parcel Number 05-03-40
Location of Subdivision Ascutney

Written description of proposed development plans, including number and size of lots, and the general timing of development.
Subdivide out a single 5-7 acre lot for a house - primary Residence
Construction to start August/Sept '22 - Aug/Sept '23

Sketch should clearly indicate existing and proposed lot lines, dimensions and lot numbers.
The Planning Commission may require additional information depending upon the scope and location of the proposed project.

Darcy Hodgdon Jr
Landowner Signature

3/30/22
Date

(See checklist on reverse side)

- Submit two (2) copies of this application to the Land Use Administrator at least twenty-one (21) days prior to a regular meeting of the Planning Commission.
- Submit nine (9) copies of your sketch plan with this application.
- Pay the fee of _____ at the time of application.
- The subdivider or duly authorized representative shall attend the Planning Commission meeting to discuss the sketch plan and requirements of the Subdivision Regulations.
- Completed Impact Statement

WARNING – State permits may be required for this project. Call 802-_____ to speak to the State Permit Specialist before beginning construction.

Meeting date at which you should be present: 4/11/2022

FOR OFFICE USE

Date Received 3/30/2022 Fee Paid \$100.00
 Date presented to the Planning Commission _____

Application No. 22.03.30.1 Date of Notice _____
 Date received by AO 3/30/2022 Date of Hearing _____
 Fee Paid \$ 100.00 Date of Decision _____
 Date Paid 4/7/2022 Appeal granted _____ denied _____

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

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RR

2B A

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1.0A

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Driveway

LAWRENCE
FARM ROAD

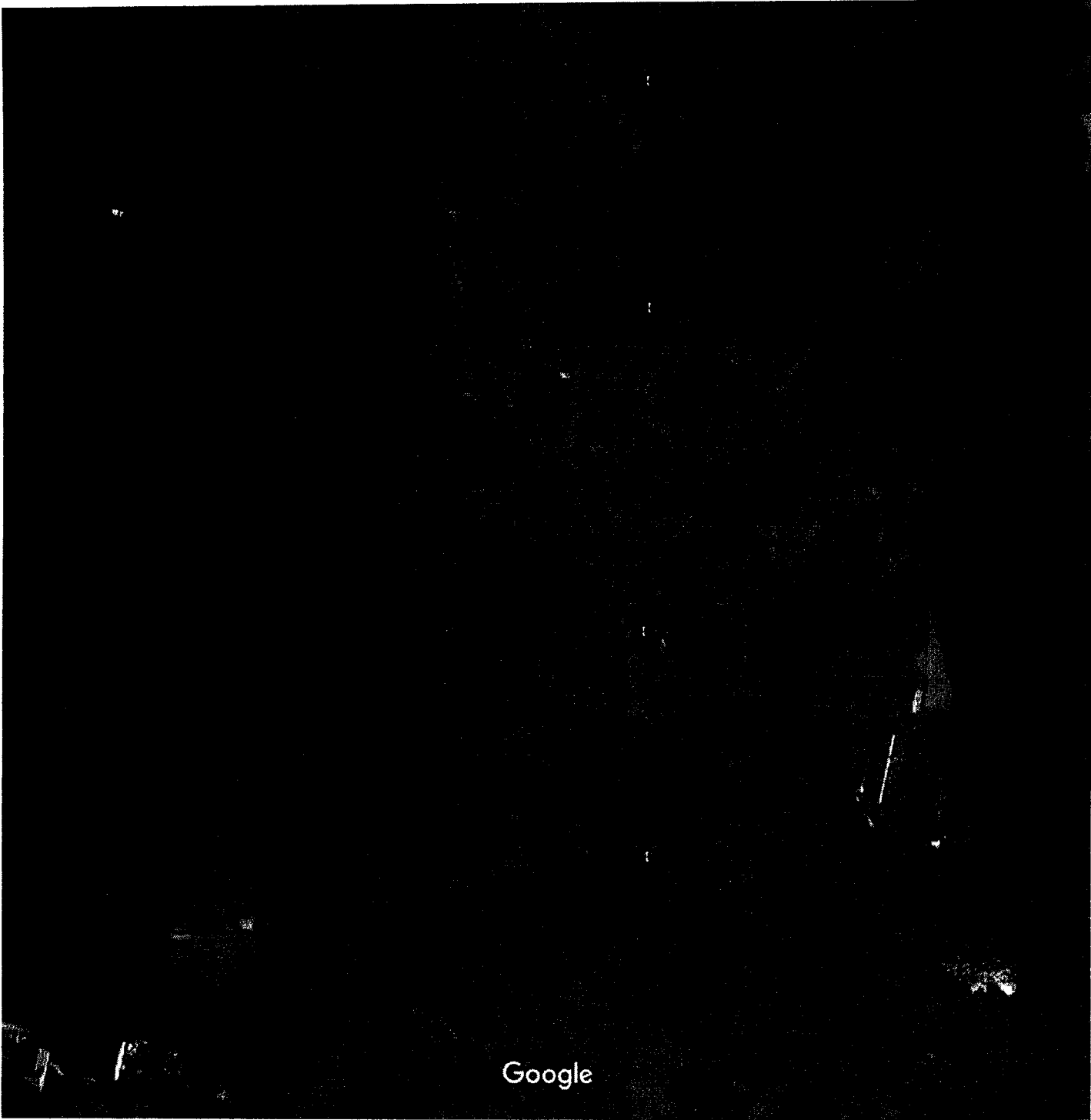
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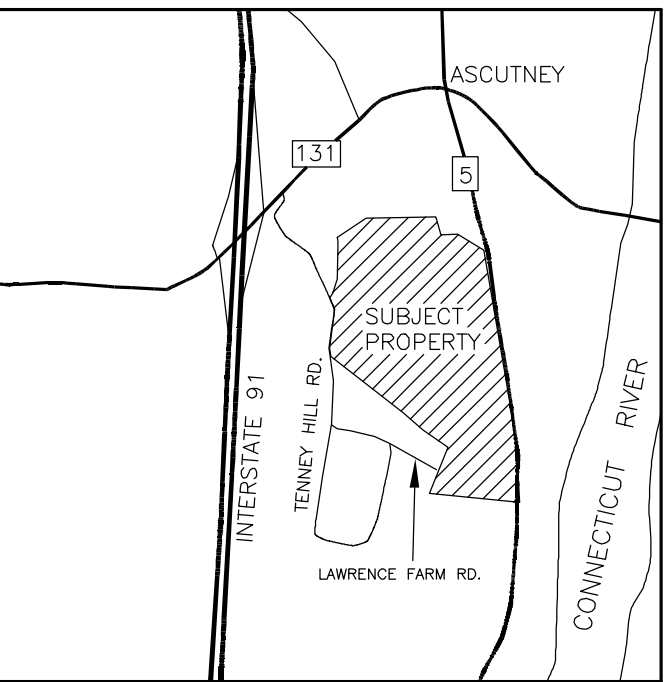
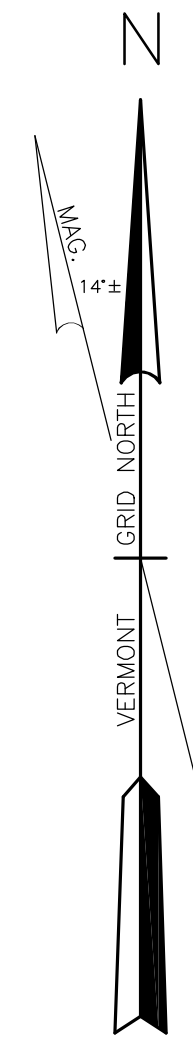
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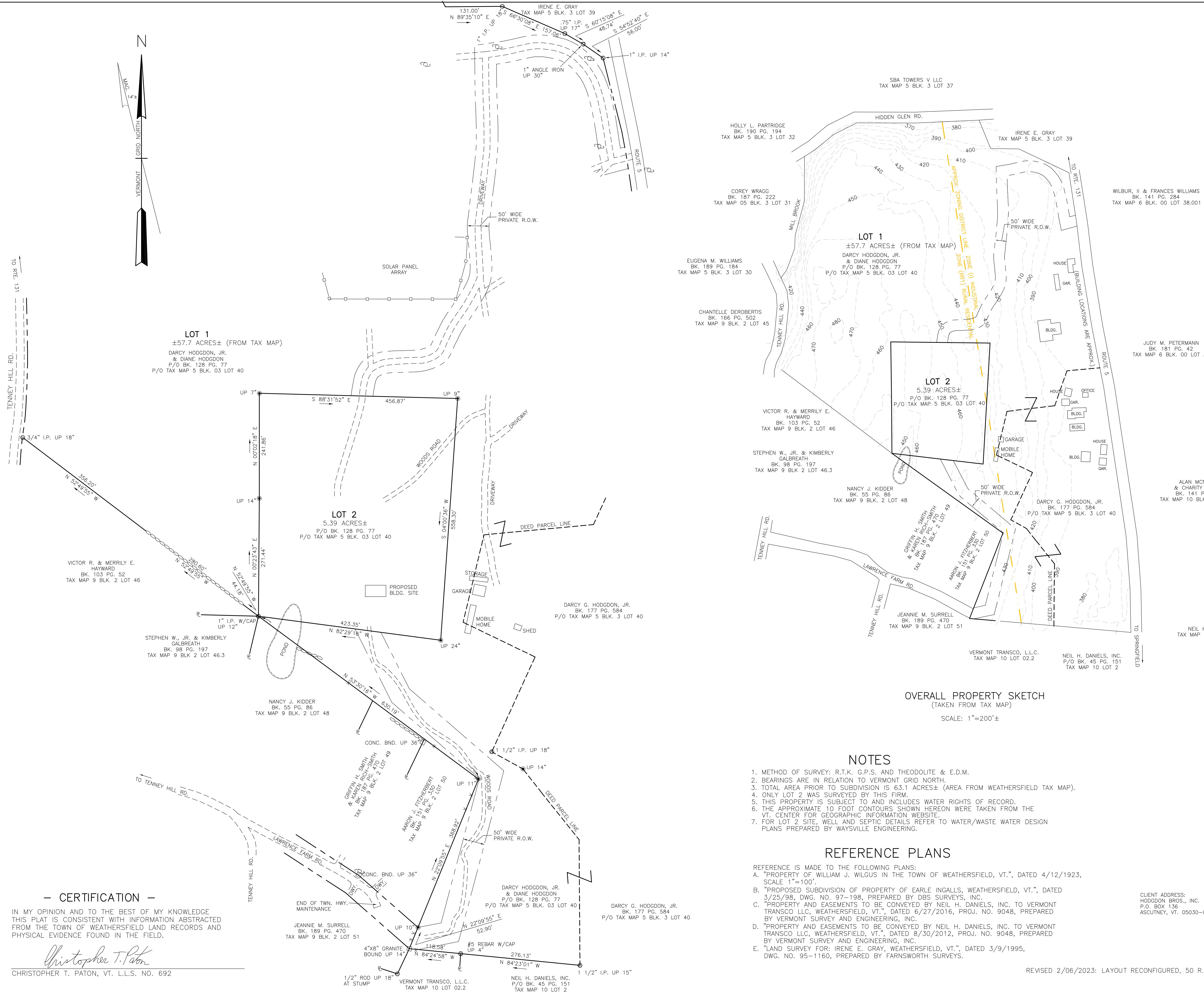
- LOCATION MAP -

DIMENSIONAL STANDARDS FOR ZONE (RR1) RURAL RESIDENTIAL

Lot Area Minimum: 1 acre
Lot Frontage and Setbacks:
Frontage 150 feet
Front Setback 40 feet
Rear Setback 25 feet
Side Setback 25 feet
Maximum Building Height: 35 feet

DIMENSIONAL STANDARDS FOR ZONE (I) INDUSTRIAL

Lot Area Minimum: 1 acre
Lot Frontage and Setbacks:
Frontage 200 feet
Front Setback 40 feet
Rear Setback 25 feet
Side Setback 25 feet



OVERALL PROPERTY SKETCH
(TAKEN FROM TAX MAP)
SCALE: 1"=200'±

NOTES

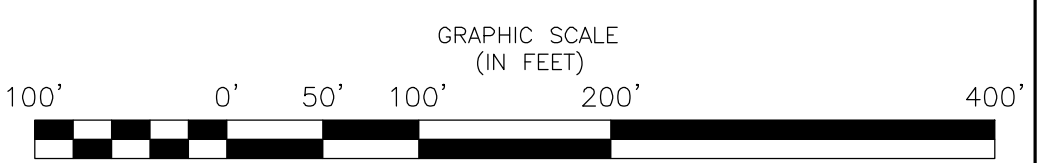
- 1. METHOD OF SURVEY: R.T.K. G.P.S. AND THEODOLITE & E.D.M.
- 2. BEARINGS ARE IN RELATION TO VERMONT GRID NORTH.
- 3. TOTAL AREA PRIOR TO SUBDIVISION IS 63.1 ACRES± (AREA FROM WEATHERSFIELD TAX MAP).
- 4. ONLY LOT 2 WAS SURVEYED BY THIS FIRM.
- 5. THIS PROPERTY IS SUBJECT TO AND INCLUDES WATER RIGHTS OF RECORD.
- 6. THE APPROXIMATE 10 FOOT CONTOURS SHOWN HEREON WERE TAKEN FROM THE VT. CENTER FOR GEOGRAPHIC INFORMATION WEBSITE.
- 7. FOR LOT 2 SITE, WELL AND SEPTIC DETAILS REFER TO WATER/WASTE WATER DESIGN PLANS PREPARED BY WAYSVILLE ENGINEERING.

REFERENCE PLANS

- REFERENCE IS MADE TO THE FOLLOWING PLANS:
A. "PROPERTY OF WILLIAM J. WILGUS IN THE TOWN OF WEATHERSFIELD, VT.", DATED 4/12/1923, SCALE 1"=100'.
B. "PROPOSED SUBDIVISION OF PROPERTY OF EARLE INGALLS, WEATHERSFIELD, VT.", DATED 3/25/98, DWG. NO. 97-198, PREPARED BY DBS SURVEYS, INC.
C. "PROPERTY AND EASEMENTS TO BE CONVEYED BY NEIL H. DANIELS, INC. TO VERMONT TRANSCO LLC, WEATHERSFIELD, VT.", DATED 6/27/2016, PROJ. NO. 9048, PREPARED BY VERMONT SURVEY AND ENGINEERING, INC.
D. "PROPERTY AND EASEMENTS TO BE CONVEYED BY NEIL H. DANIELS, INC. TO VERMONT TRANSCO LLC, WEATHERSFIELD, VT.", DATED 8/30/2012, PROJ. NO. 9048, PREPARED BY VERMONT SURVEY AND ENGINEERING, INC.
E. "LAND SURVEY FOR: IRENE E. GRAY, WEATHERSFIELD, VT.", DATED 3/9/1995, DWG. NO. 95-1160, PREPARED BY FARNSWORTH SURVEYS.

LEGEND

●	REBAR SET
○	IRON PIN FOUND
⊕	UTILITY POLE
x	WIRE FENCE REMAINS
—	STONE WALL
---	HIGHWAY R.O.W. LIMITS
---	PROPERTY LINE
---	BK. 128 PG. 77 DEED REFERENCE
---	PROPERTY LINE
□	GRANITE BOUND
P/O	PART OF
□	CONCRETE BOUND



- CERTIFICATION -

IN MY OPINION AND TO THE BEST OF MY KNOWLEDGE THIS PLAT IS CONSISTENT WITH INFORMATION ABSTRACTED FROM THE TOWN OF WEATHERSFIELD LAND RECORDS AND PHYSICAL EVIDENCE FOUND IN THE FIELD.

Christopher T. Paton
CHRISTOPHER T. PATON, VT. L.L.S. NO. 692

PROPOSED SUBDIVISION OF PROPERTY OF
**DARCY HODGDON, JR.
& DIANE HODGDON**
LOT 2 TO BE CONVEYED TO
COLBY HODGDON

WEATHERSFIELD, VERMONT

PREPARED BY
PATON LAND SURVEYING
P.O. BOX 581 SPRINGFIELD, VT 05156
(802) 885-6674

DATE: 8/19/2022 SCALE: 1"=100'
DRAWN BY JWC CK'D BY CTP
SURVEYED BY CP, JC, JM
PROJ. NO. 2021-294-43

CLIENT ADDRESS:
HODGDON BROS., INC.
P.O. BOX 136
ASCUTNEY, VT. 05030-0136

REVISED 2/06/2023: LAYOUT RECONFIGURED, 50 R.O.W.

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Application # 22.03.30, 1

Applicant Name Colby Hodgdon

Community Facility Project Review and Sign-Off Sheet

Please present this sheet to each of the department heads listed below. Explain your project fully to each department and request their signature on the appropriate line(s). Return it to the Zoning Administrator as part of your application. Contact information is on the last page.

Highway Department

- I certify that the proposed project will not have an undue adverse impact on the:
 - town's roads or
 - the transfer station.

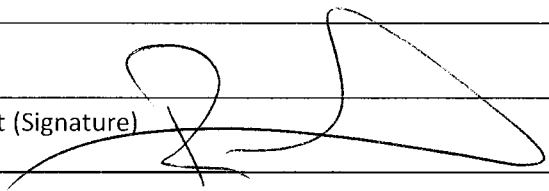
The proposed project will have an undue adverse impact on the:

- town's roads
- the transfer station.

The impact will be _____

I recommend the following condition(s) to mitigate the impact: _____

Highway Superintendent (Signature)



Date

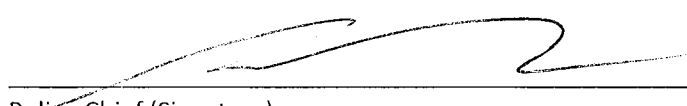
10/4/22

Police Department

- I certify that the proposed project will not have an undue adverse impact on the Weathersfield Police Department.
- I find that the proposed project will have an undue adverse impact on the Weathersfield Police Department. The impact will be _____

I recommend the following condition(s) to mitigate the impact: _____

Police Chief (Signature)



10/5/22
Date

Ascutney/West Weathersfield Volunteer Fire Department

- I certify that the proposed project will not have an undue adverse impact on the Ascutney/West Weathersfield Volunteer Fire Department.

I find that the proposed project will have and undue adverse impact. The impact will be _____

I recommend the following condition(s) to mitigate the impact(s): _____

Chief Darrin R. Frankly
Chief (Signature) 10/5/22
Date

School Services

I certify that the proposed project will not have an undue adverse impact on the Weathersfield School.
 I find that the proposed project will have and undue adverse impact on the Weathersfield School. The impact(s) will be _____

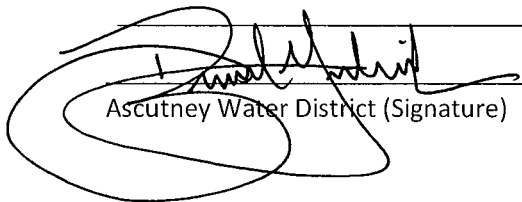
I recommend the following condition(s) to mitigate the impact(s): _____

Weathersfield School Official (Signature) Date

Ascutney Water District (Community Water System)

I certify that the proposed project will not have an undue adverse impact on the Ascutney Water District.
 I find that the proposed project will have and undue adverse impact on the Ascutney Water District. The impact(s) will be _____

I recommend the following condition(s) to mitigate the impact(s): _____


Ascutney Water District (Signature) 10/5/22
Date

I find that the proposed project will have and undue adverse impact. The impact will be _____

I recommend the following condition(s) to mitigate the impact(s): _____

Chief Darrin R. Frankel
Chief (Signature) 10/5/22
Date

School Services

I certify that the proposed project will not have an undue adverse impact on the Weathersfield School.

I find that the proposed project will have and undue adverse impact on the Weathersfield School. The impact(s) will be _____

I recommend the following condition(s) to mitigate the impact(s): _____

[Signature]
Weathersfield School Official (Signature) 10/6/2022
Date

Ascutney Water District (Community Water System)

I certify that the proposed project will not have an undue adverse impact on the Ascutney Water District.

I find that the proposed project will have and undue adverse impact on the Ascutney Water District. The impact(s) will be _____

I recommend the following condition(s) to mitigate the impact(s): _____

[Signature]
Ascutney Water District (Signature) 10/5/22
Date

Contact names and numbers for Department Heads

Department	Contact Person	Contact Information
Highway Department	Ray Stapleton	263-5272 (Highway Garage) highway@weathersfield.org
Police Department	William Daniels (Chief)	674-2185 (State Police Dispatch) William.daniels@state.vt.us
Ascutney Volunteer Fire Association	Darrin Spaulding (Chief)	802-296-1888 (cell) M_d_electric@yahoo.com
West Weathersfield Volunteer Fire Department	Josh Dauphin (Chief)	802-356-0623 (cell) jashdauphin@comcast.net
Weathersfield School	BJ Esty	674-5400 (School) bjesty@wsesu.net
Ascutney Water District	Brandon Gulnick (Manager)	674-2626 (Town office) 802-230-6262 (cell) townmanager@weathersfield.org

T:\Departments\Land Use and Zoning\CHECKLISTS\Conditional Use Worksheets\Community Facility Sign_Off.docx

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Estate of Darcy G. Hodgdon TO Darcy G. Hodgdon, Jr.
Diane C. Hodgdon, Co-Executor
Darcy G. Hodgdon, Jr., Co-Executor

STATE OF VERMONT

SUPERIOR COURT
WINDSOR UNIT

PROBATE DIVISION
DOCKET NO. 14329

IN RE ESTATE OF DARCY G. HODGDON

FINAL DECREE OF DISTRIBUTION - REAL PROPERTY

Diane C. Hodgdon and Darcy G. Hodgdon, Jr., Co-Executors, have submitted a final account and Motion for Decree of Final Distribution. The Court finds that:

1. Due notice has been given to the interested persons pursuant to statutes and the rules of probate procedures.
2. Debts and funeral charges of the decedent, taxes, and expenses of administration have been paid.

Therefore, the Court **DECREES** that the remaining property be distributed as follows:

TO: DARCY G. HODGDON, JR.

Meaning and intending to convey any and all right, title and interest that Darcy Hodgdon, Sr. may have in and to all property located in the Town of Weathersfield.

Being Darcy Hodgdon Sr's. one-third interest in and to all and the same lands as were conveyed to Darcy Hodgdon, Porter Hodgdon and Albert Hodgdon, d/b/a Hodgdon Brothers by Warranty Deed of Norman G. Fair and Sigrid E. Fair, dated August 1, 1973 and recorded in the Weathersfield Land Records at Book 50 Page 120-22 and in said deed described as follows:

"Being a portion of the premises conveyed to Leon M. and Anne K. Cleveland by warranty deed from William J. Wilgus, dated June 7, 1946 and recorded in Book 31, Pages 135-7 of the Weathersfield Land Records and more particularly described as follows:

"Beginning at an iron pin on the westerly edge of U.S. Route #5, which point is approximately 100' southerly of a stone monument at the base of a 12" maple tree also on the westerly edge; thence N 50 degrees 26' W approximately 87' more or less to an iron pin; thence N 79 degrees 40' W approximately 292' more or less, to an iron pin; thence S 60 degrees 57' W approximately 842.8' more or less, to an iron pin; thence S 81 degrees E approximately 392', more or less, to an iron pin, which line is approximately 5' parallel to a cluster of pines; thence northerly along the westerly edge of Route #5 to the place of beginning.

"This conveyance is made subject to the following restrictions and limitation, which shall run with the land, that there shall be no commercial development of the above described premises, no trailers, no mobile homes nor tarpaper shacks permitted on the above described premises. However, this shall not prohibit the operation of an antique shop or similar "home businesses".

"The within grantors agree, as further consideration for this transfer, not to cut the northerly row of pines on the boundary of premises now or formerly of Hodgdon.

"In the event of the within grantees, their heirs or assigns shall receive a bona fide offer to purchase said premises and such offer of purchase shall be satisfactory to the grantees, their heirs and assigns, then the grantees, their heirs and assigns agree to give the within grantor, his heirs and assigns the privilege of purchasing the premises and on the terms of the offer so made. Said privilege is to be given by a notice sent to the within grantor at his Ascutney address, requiring him to accept it in writing and to sign a suitable form of contract of purchase within a period of 15 days after the mailing of such notice.

"In the event of the failure of the within grantor to accept such offer or sign such contract of purchase within said period of time, then and in that event, the privilege of the within grantor shall be thereupon null and void, and the grantees, their heirs and assigns shall be at liberty to sell the premises to another.

"As further consideration, the within Grantors agree to give the within grantees the right of first refusal over the following described parcel, subject to the terms and conditions recited above.

"Being all and the same land and premises conveyed to Leon M. and Anne K. Cleveland by Allen C. Young, administrator of the Naomi H. Ingalls Estate dated April 4, 1969 and recorded in Book 45, Page 33 of the Weathersfield Land Records.

"As further consideration, the within Grantors agree to give the within grantees the right of first refusal over the remainder of the premises conveyed to Leon M. and Anne K. Cleveland by William J. Wilgus subject to the terms and conditions recited above.

"The within grantors also mean to convey their rights to take water from the reservoir on premises now or formerly of Donner Carr subject to the terms and conditions of the agreement between the within grantors and Carr.

"The above described conveyance is subject to highway rights in the State of Vermont.

"Being the same land and premises received from Leon M. C. Cleveland and Anne K. Cleveland by warranty deed dated September 21, 1971, recorded in Book 47, pages 353-55 in the Weathersfield Land Records.

Being Darcy Hodgdon Sr's. one-third interest in and to all and the same lands as were conveyed to Darcy Hodgdon, Porter Hodgdon and Albert Hodgdon by Warranty Deed of Clarence B. Croft and Nellie Croft, dated October 2, 1967 and recorded in the Weathersfield Land Records at Book 42, Page 292, and in said deed described as follows:

"Beginning at a stone post set on the westerly side of the River Road in Ascutney and running thence North Eighty-seven and one-fourth (87 1/4) degrees West eight (8) rods to a stone bound; thence South Thirty-Eight and one-half (38 1/2) degrees West turning an angle on the left of One Hundred Twenty-Five (125) degrees Forty (40') feet with the last mentioned line Ten (10) rods to a stone

bound; thence North Eighty-one and one-half (81 1/2) degrees West turning an angle on the right of One Hundred Twenty-Nine (129) degrees Thirty-One (31') feet Thirteen (13) rods Twenty (20) links to a stone bound; thence South Thirty (30) degrees West Twelve and one-half (12 1/2) rods to a yellow birch tree in a fence corner; thence South Fifty-two and three eighths (52 3/8) degrees East along an old stump fence ten (10) rods to a stone bound; thence Northerly Eight (8) rods to a stone bound; thence South Eighty-two and three-fourths (82 3/4) degrees East Twenty and one-half (20 1/2) rods to a stone bound on the Westerly side of the above-mentioned River Road; thence Northerly along said road Eighteen (18) rods to the point of beginning. Being part of the William Lewis Farm, so-called.

"Being all of the same land and premises as conveyed to Frank W. Plumb by Clarence H. Martin by his Warranty Deed dated October 2, 1918, recorded in Volume 25, Page 354 of the Town of Weathersfield Land Records, to which deed and the deeds and records therein mentioned reference is hereby made.'

"Parcel #2

"Bounded on the North by other land of Frank Plumb Estate; on the East by the highway known as the "River Road"; on the South by land of Orville Ingalls, land on the West by land of Leon M. Cleveland.'

"Being all of the same land and premises as was conveyed to Frank W. Plumb by Clarence H. Martin, by his Warranty Deed, dated December 6, 1920, recorded in Volume 26, Page 237, of the Town of Weathersfield Land Records, to which Deed and the Deeds and Records therein, reference is hereby made."

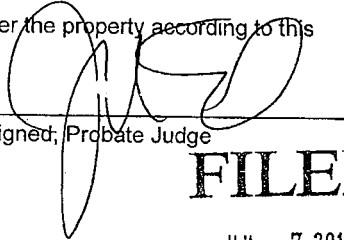
TO HAVE AND TO HOLD the same to him, his heirs, successors and assigns forever.

The Fiduciary is ordered to pay over and deliver the property according to this decree.

Dated

7/6/15

Signed, Probate Judge



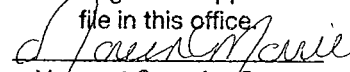
FILED

JUL 7 2015

VERMONT SUPERIOR COURT
WINDSOR UNIT

Date July 7, 2015

Certified to be a true copy
of the original as appears on
file in this office


Vermont Superior Court
Windsor Unit

Weathersfield, Vermont Town Clerk's Office, July 21, A.D. 2015 at 1:00 PM
received Decree of Distribution of which the foregoing is a true record.

Attest:  Assistant Town Clerk

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WASTEWATER SYSTEM AND POTABLE WATER SUPPLY PERMIT
LAWS/REGULATIONS INVOLVED

 10 V.S.A. Chapter 64, Potable Water Supply and Wastewater System Permit
 Wastewater System and Potable Water Supply Rules, Effective April 12, 2019

Permittee(s): Darcy & Dianne Hodgdon
PO Box 79
Ascutney, VT 05030
Permit Number: WW-2-6163-1

This permit affects the following properties in Weathersfield, Vermont:

Lot	Parcel	SPAN	Acres	Book(s)/Page(s)#
1 (existing)	05-03-40.0A	705-224-10721	57.02 ^{+/-}	Book:177 Page(s):584-586
1 (proposed)			52.02 ^{+/-}	
3 (proposed)			5.00 ^{+/-}	

This application consisting of a 2-lot “re-subdivision” of the previously subdivided parcel located at 4792 US Route 5 in Weathersfield, Vermont is hereby approved under the requirements of the regulations named above subject to the following conditions. Any person aggrieved by this permit may appeal to the Environmental Court within 30 days of the date of issuance of this permit in accordance with 10 V.S.A. Chapter 220 and the Vermont Rules of Environmental Court Proceedings.

1. GENERAL

- 1.1 The permittee is responsible to record this permit in the Weathersfield Land Records within 30 days of issuance of this permit and prior to the conveyance of any lot subject to the jurisdiction of this permit.
- 1.2 The permittee is responsible to record the design and installation certifications and other documents that are required to be filed under these Rules or under a permit condition in the Weathersfield Land Records.
- 1.3 Each assign or successor in interest shall be shown a copy of the Wastewater System and Potable Water Supply Permit and the stamped plan(s) prior to the conveyance of a lot.
- 1.4 By acceptance of this permit, the permittee agrees to allow representatives of the State of Vermont access to the property covered by the permit, at reasonable times, for the purpose of ascertaining compliance with the Vermont environmental and health statutes and regulations, and permit conditions.
- 1.5 This permit does not relieve the landowner from obtaining all other approvals and permits from other State Agencies or Departments, or local officials prior to construction.
- 1.6 The Drinking Water and Groundwater Protection Division relied in part, upon the Vermont Licensed Designer’s certification that the design-related information submitted is true and correct and complies with the Wastewater System and Potable Water Supply Rules. This permit may be revoked if it is determined the design of the wastewater system or potable water supply does not comply with these rules.
- 1.7 *All conditions set forth in **WW-2-6263** shall remain in effect except as amended or modified herein.*

2. SUBDIVISION AND CONSTRUCTION

- 2.1 Subdivision and construction shall be completed as shown on the plans and/or documents prepared by Jason E Waysville, with the stamped plans listed as follows:

Title	Sheet #	Plan Date	Revision



Hodgdon Subdivision	L3	11/20/2020
----------------------------	----	------------

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

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

3. INSPECTIONS

3.1 No permit issued by the Secretary shall be valid for a substantially completed potable water supply and wastewater system until the Secretary receives a signed and dated certification from a qualified Vermont Licensed Designer (or where allowed, the installer) on a Secretary-approved form that states:

“I hereby certify that, in the exercise of my reasonable professional judgment, the installation-related information submitted is true and correct and the potable water supply and wastewater system were installed in accordance with the permitted design and all permit conditions, were inspected, were properly tested, and have successfully met those performance tests”

or which satisfies the requirements of §1-311 of the referenced rules.

3.2 Prior to the use of the potable water supply, the permittee shall test the water for Arsenic, Escherichia coli (E. coli), Fluoride, Lead, Manganese, Nitrate as N, Nitrite as N, Total Coliform Bacteria, Uranium, Adjusted Gross Alpha Particle Activity, Chloride, Sodium, Iron, Odor and pH. All water quality tests shall be conducted at a laboratory certified by the Vermont Department of Health (a list of which can be found on the VDH website). Results of the water tests shall be submitted to the Vermont Department of Health prior to use.

4. DESIGN FLOW

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

Lot	Building	Building Use / Design Flow Basis	Wastewater	Water
3	Residence	4-bedroom single family residence/7-person maximum occupancy	490	490

5. WASTEWATER SYSTEM

5.1 Prior to construction or site work, a designer shall flag the proposed leachfield, and the owner shall maintain the flags until commencement of construction of the system.

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


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

6. POTABLE WATER SUPPLY

6.1 Prior to construction or site work, a designer shall flag the center of the proposed potable water source and the owner shall maintain the flag until commencement of construction of the source.

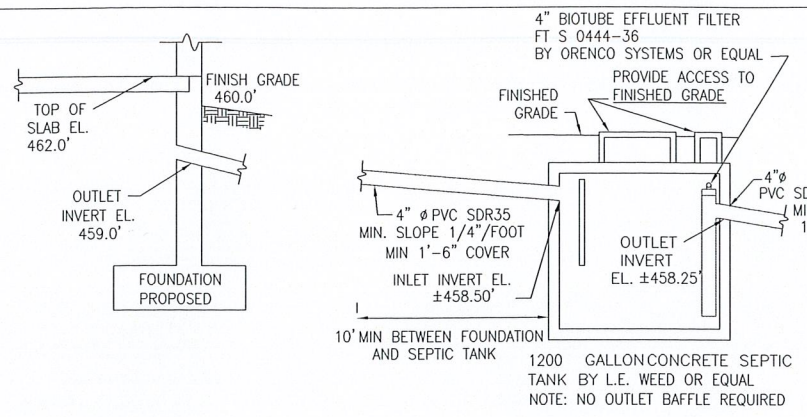
6.2 Should the potable water supply fail and not qualify as a minor repair or for an exemption, the landowner shall engage a qualified Licensed Designer to evaluate the cause of the failure and submit an application to the Drinking Water and Groundwater Protection Division, and obtain approval thereof,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

Peter Walke, Commissioner
Department of Environmental Conservation

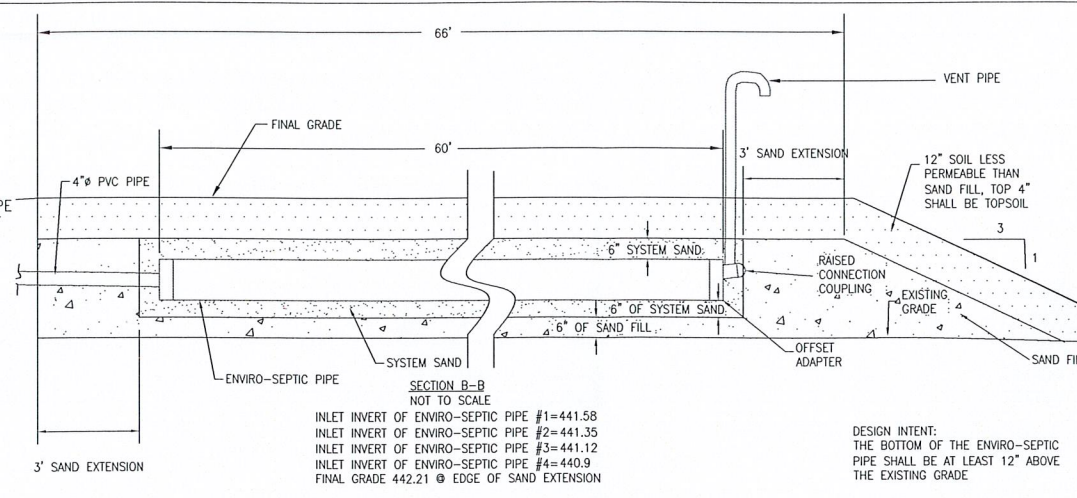
By 
Terry Shearer
Environmental Analyst VI
Springfield Regional Office
Drinking Water and Groundwater Protection Division

Dated May 27, 2021

cc: Jason E Waysville
Weathersfield Planning Commission

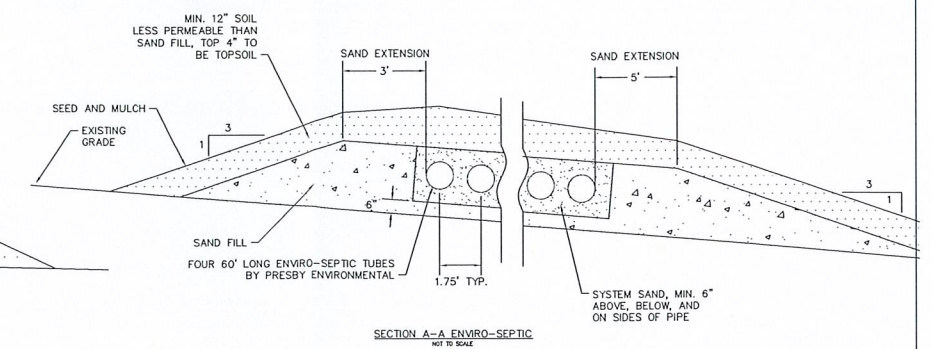


PARTIAL SYSTEM PROFILE
NOT TO SCALE



SECTION B-B
NOT TO SCALE
INLET INVERT OF ENVIRO-SEPTIC PIPE #1=441.58
INLET INVERT OF ENVIRO-SEPTIC PIPE #2=441.35
INLET INVERT OF ENVIRO-SEPTIC PIPE #3=441.12
INLET INVERT OF ENVIRO-SEPTIC PIPE #4=440.9
FINAL GRADE 442.21 @ EDGE OF SAND EXTENSION

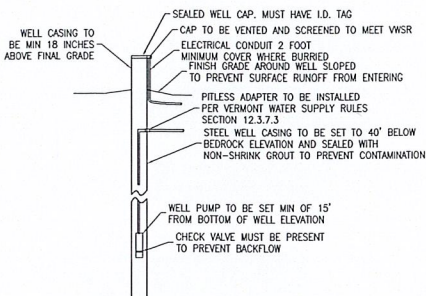
DESIGN INTENT:
THE BOTTOM OF THE ENVIRO-SEPTIC PIPE SHALL BE AT LEAST 12" ABOVE THE EXISTING GRADE



SECTION A-A ENVIRO-SEPTIC
NOT TO SCALE

DESIGN CRITERIA:

SIZE OF LEACHFIELD: PERFORMANCE BASED APPROACH
4 BEDROOMS @ (70 GPD x 2 PERSONS x 3 BEDROOMS) + 1 BEDROOM x 70 GPD x 1 PERSON = 490 GPD
FOR PRESBY ENVIRO-SEPTIC
PERCOLATION RATE = 12 MIN/IN
220 FT ENVIRO-SEPTIC PIPE REQUIRED
SLOPE LESS THEN 13%
MINIMUM CENTER-TO-CENTER SPACING = 1.75'
PIPE LENGTH REQUIRED = 60 FT PER PIPE
4 LINES OF PIPE REQUIRED
SYSTEM WIDTH = 6.25 FT OUTER PIPE SURFACE
MINIMUM SAND AREA REQUIRED = 451 SFT
ACTUAL SAND AREA = (6.25+6) x (60+6) = 808.5 SFT
808.5 SFT > (50% OF 451 SFT), THEREFORE OK
1000 GALLON SEPTIC TANK REQUIRED
1000 GALLON SEPTIC TANK PROVIDED
THIS SYSTEM IS NOT DESIGNED FOR OVERSIZED BATH TUBS OR GARBAGE DISPOSALS



EXISTING DRILLED WELL DETAIL
N.T.S.
WELL PUMP TO BE GOULD MODEL 356S 50 OR EQUAL

GENERAL PROJECT NOTES:

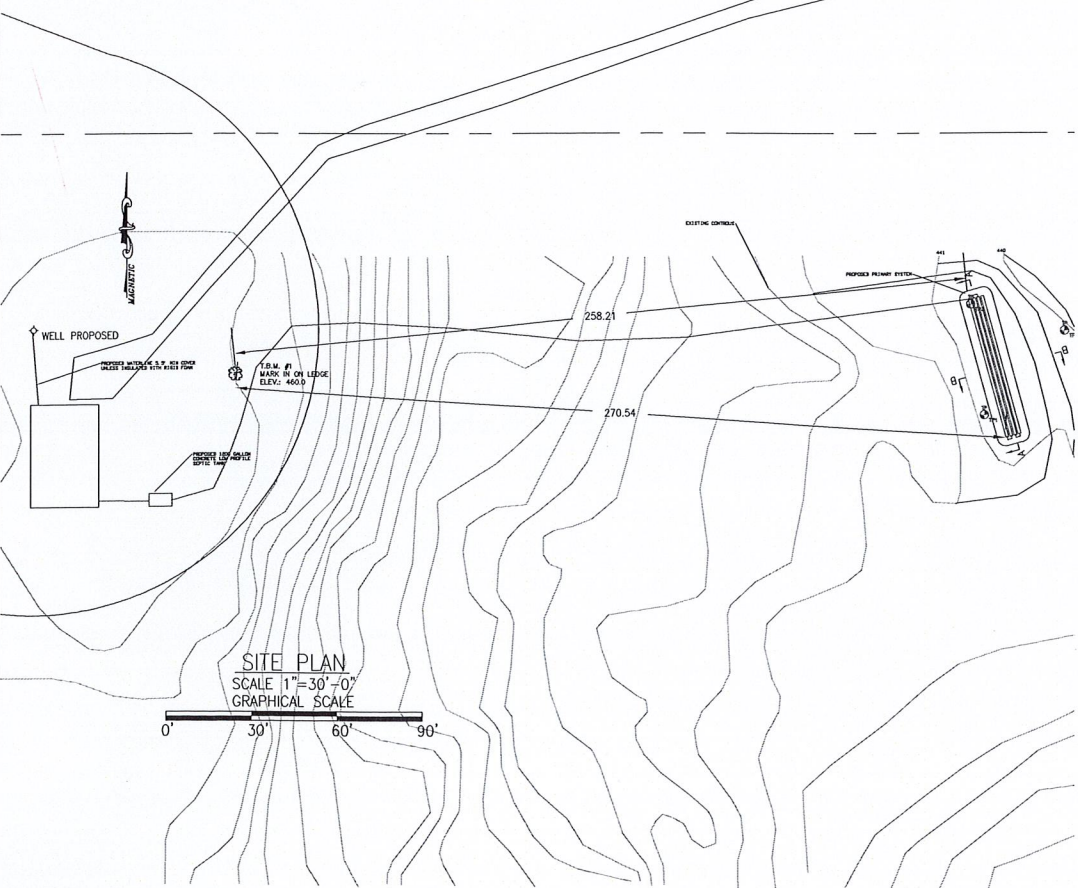
- 1) TEMPORARY BENCH MARK ELEVATIONS ARE ASSUMED.
- 2) REFERENCE TAX MAP FOR LOT INFORMATION AND SITE LOCUS.
- 3) CONTOURS SHOWN FOR WELL ISOLATION ZONES ARE INTERPOLATED FROM USGS MAP.
- 4) THE PROPERTY LINES, EASEMENTS, AND OTHER REAL PROPERTY DESCRIPTIONS PROVIDED IN THIS PERMIT APPLICATION ARE FOR THE USE OF THE ANR ONLY. THEY DO NOT DEFINE LEGAL RIGHTS OR MEET LEGAL REQUIREMENTS FOR A LAND SURVEY AS DESCRIBED IN 26 V.S.A. SECTION 2502(4), AND SHALL NOT BE USED IN LIEU OF A SURVEY AS THE BASIS OF ANY LAND TRANSFER OR ESTABLISHMENT OF ANY PROPERTY RIGHT.
- 5) DJG SAFE SHALL BE CONTACTED BEFORE EXCAVATING IN ANY PUBLICLY OWNED LANDS.
- 6) WATER SAMPLES SHALL BE TAKEN UPON COMPLETION OF THE WELL AND SHALL MEET ALL OF VERMONT DRINKING WATER QUALITY STANDARDS.

SOILS INFORMATION

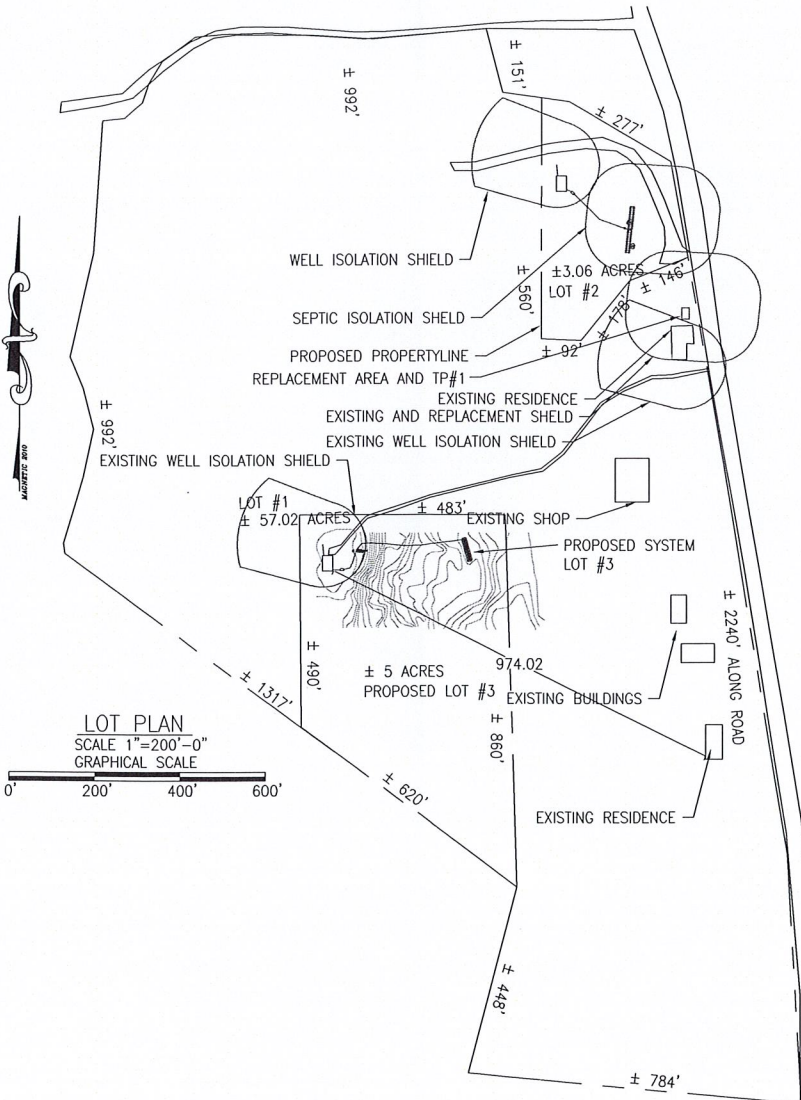
TP#2 EXCAVATED ON 9-15-2020 BY WAYSVILLE ENGINEERING

0"-3"	10YR 2/1 LOAMY, VERY FRIABLE, WEAK SUBANGULAR BLOCKY
3"-26"	7.5YR 4/6 FINE SANDY LOAM, FRIABLE, WEAK FINE GRANULAR
26"-48"	2.5Y 4/3 FINE SANDY LOAM, FIRM, MED FINE GRANULAR

TP#1, TP#3 SIMILAR
TP#1 48" BEDROCK ENCOUNTERED
ESTIMATED SEASONAL HIGH WATER TABLE @ 26" TP#2
ESHW @ 27" IN TP#1 @ 26" IN TP#3



SITE PLAN
SCALE 1"=30'-0"
GRAPHICAL SCALE



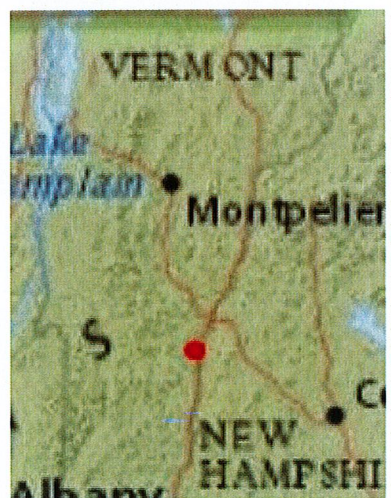
LOT PLAN
SCALE 1"=200'-0"
GRAPHICAL SCALE

ENVIRO-SEPTIC CONSTRUCTION NOTES:

- 1) PRESBY ENVIRONMENTAL, INC. REQUIRES ALL INSTALLERS TO BE CERTIFIED. CERTIFICATION IS OBTAINED BY ATTENDING THE "ENVIRO-SEPTIC DESIGNER AND INSTALLER CERTIFICATION COURSE" PRESENTED BY PRESBY ENVIRONMENTAL, INC.
- 2) ALL TREES AND SHRUBS SHALL BE CUT FLUSH WITH GROUND IN LEACHFIELD AREA AND WITHIN TEN FEET OF THE TOE OF THE LEACHFIELD.
- 3) ANY SURFACE STONES LARGER THAN 12" SHALL BE REMOVED FROM LEACHFIELD AREA.
- 4) PRIOR TO PLOWING, THE FORCE MAIN SHALL BE INSTALLED.
- 5) THE LEACHFIELD AREA SHALL BE PLOWED, PARALLEL TO CONTOURS, THROWING SOIL UP HILL. ONCE PLOWED, NO EQUIPMENT SHALL BE ALLOWED TO COMPACT NATIVE SOIL.
- 6) SAND FILL SHALL BE INSTALLED IN 12" LEVEL LIFTS, UNTIL THE TOP OF BED IS REACHED.
- 7) THE AREA OF SYSTEM SAND SHALL BE EXCAVATED OUT OF THE SAND FILL AND 6" OF SYSTEM SAND SHALL BE PLACED.
- 8) 4" PVC PIPE AND ENVIRO-SEPTIC PIPE SHALL BE INSTALLED, ENVIRO-SEPTIC PIPE SHALL BE LEVEL.
- 9) SYSTEM SAND SHALL BE PLACED BETWEEN ENVIRO-SEPTIC PIPE, THEN A MINIMUM OF 6" OF SYSTEM SAND SHALL BE PLACED ON TOP OF ENVIRO-SEPTIC PIPE.
- 10) NO HEAVY EQUIPMENT SHALL BE ALLOWED ON FIELD AFTER PIPES ARE INSTALLED.
- 11) ALL PIPE PENETRATIONS WITHOUT MANUFACTURED RUBBER BOOT SHALL BE SEALED WITH NON-SHRINK GROUT.
- 12) THE AREA SURROUNDING THE LEACHFIELD SHALL BE GRADED TO PROVIDE DIVERSION OF SURFACE WATER.
- 13) ALL DISTURBED AREAS SHALL BE SEEDED AND MULCHED, THIS GRASS COVER SHALL BE MAINTAINED AND MOWED AT LEAST ANNUALLY.
- 14) INSPECT THE SEPTIC TANK YEARLY, PUMP AS REQUIRED.
- 15) EACH TIME THE SEPTIC TANK IS PUMPED, THE BIOTUBE FILTER SHOULD BE WASHED OFF WITH A GARDEN HOSE.
- 16) LEAK TEST OF ALL TANKAGE REQUIRED AFTER ALL DISTRIBUTION PIPES ARE IN PLACE. LEAK TEST TO TOP OF TANK, NO LEAKAGE IS ACCEPTABLE.
- 17) ALL JOINTS AND CONNECTIONS SHALL BE SOLVENT WELDED UNLESS USED FOR ACCESS.
- 18) ALL RISERS SHALL BE TIGHT FITTING AND FASTENED TO PREVENT ENTRY BY CHILDREN.
- 19) ALL UNUSED ACCESSES SHALL BE SEALED TO PREVENT GROUNDWATER INFILTRATION.
- 20) INSTALLERS OF ENVIRO-SEPTIC SYSTEMS MUST PROVIDE PRESBY ENVIRONMENTAL WITH A COPY OF A COMPLETED "SYSTEM INSTALLATION FORM" FOR EACH NEW OR REPLACEMENT SYSTEM INSTALLED.
- 21) THERE SHALL BE NO DISTURBANCE WITHIN TWENTY-FIVE FEET OF THE LEACHFIELD TOE, EXCEPT CUTTING TREES FLUSH WITH GROUND SURFACE WITHIN TEN FEET OF THE TOE.

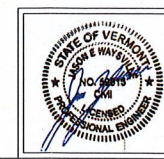
INSPECTION REQUIREMENTS

- 1) THE DESIGNER SHALL BE INFORMED IN A TIMELY MANNER TO SCHEDULE REQUIRED INSPECTIONS THROUGHOUT THE CRITICAL STAGES OF CONSTRUCTION.
- 2) UPON COMPLETION OF EXCAVATION OF THE TRENCHES AND PRIOR TO PLACING OF BED MATERIAL THE ENGINEER SHALL BE CONTACTED TO INSPECT GROUND PREPARATION.
- 3) UPON COMPLETION OF THE DISTRIBUTION SYSTEM AND BEFORE THE LATERALS ARE COVERED THE ENGINEER SHALL BE CONTACTED TO INSPECT THE PERFORMANCE OF THE DISTRIBUTION SYSTEM.



SITE LOCATION MAP

DESIGN CERTIFICATION:
I HEREBY CERTIFY THAT THE DESIGN-RELATED INFORMATION SUBMITTED WITH THIS APPLICATION IS TRUE AND CORRECT, AND THAT, IN THE EXERCISE OF MY REASONABLE PROFESSIONAL JUDGEMENT, THE DESIGN INCLUDED IN THIS APPLICATION FOR A PERMIT COMPLIES WITH THE VERMONT WASTEWATER SYSTEM AND POTABLE WATER SUPPLY RULES AND THE VERMONT WATER SUPPLY RULES.



PROJECT: JN#0022-2020 PROPOSED SUBDIVISION PLAN LOT #3 PREPARED FOR HODGDON FAMILY US ROUTE 5	
ASCUTNEY VERMONT	VERMONT
WAYSVILLE ENGINEERING 222 BARLOW RD SPRINGFIELD, VT 05156	
DATE 11-11-20	REVISIONS:
SCALE: AS NOTED	DWG. NO L3
DR. BY: JW	REV. 0
CHECKED BY: RAR	



State of Vermont
Department of Environmental Conservation

Documents for

Original

Agency
Drinking Water and Groundwater

WASTEWATER SYSTEM AND POTABLE WATER SUPPLY PERMIT

LAWS/REGULATIONS INVOLVED

10 V.S.A. Chapter 64, Potable Water Supply and Wastewater System Permit
Wastewater System and Potable Water Supply Rules, Effective April 12, 2019

**Permittee(s): Darcy & Diane Hodgdon
PO Box 79
Ascutney, VT 05030**

Permit Number: WW-2-6163

This permit affects the following properties in Weathersfield, Vermont:

Lot	Parcel	SPAN	Acres	Book(s)/Page(s)#
1 (existing)	05-03-40.00	705-224-10719	60.02	
1 (proposed)			57.02	
2			3.06	

This application consisting of a 2-lot subdivision, located at 4678 US Route 5, Ascutney VT in Weathersfield, Vermont is hereby approved under the requirements of the regulations named above subject to the following conditions. Any person aggrieved by this permit may appeal to the Environmental Court within 30 days of the date of issuance of this permit in accordance with 10 V.S.A. Chapter 220 and the Vermont Rules of Environmental Court Proceedings.

1. GENERAL

- 1.1 The permittee is responsible to record this permit in the Weathersfield Land Records within 30 days of issuance of this permit and prior to the conveyance of any lot subject to the jurisdiction of this permit.
- 1.2 The permittee is responsible to record the design and installation certifications and other documents that are required to be filed under these Rules or under a permit condition in the Weathersfield Land Records.
- 1.3 Each assign or successor in interest shall be shown a copy of the Wastewater System and Potable Water Supply Permit and the stamped plan(s) prior to the conveyance of a lot.
- 1.4 By acceptance of this permit, the permittee agrees to allow representatives of the State of Vermont access to the property covered by the permit, at reasonable times, for the purpose of ascertaining compliance with the Vermont environmental and health statutes and regulations, and permit conditions.
- 1.5 This permit does not relieve the landowner from obtaining all other approvals and permits from other State Agencies or Departments, or local officials prior to construction.
- 1.6 The Drinking Water and Groundwater Protection Division relied upon the Vermont Licensed Designer's certification that the design-related information submitted is true and correct and complies with the Wastewater System and Potable Water Supply Rules. This permit may be revoked if it is determined the design of the wastewater system or potable water supply does not comply with these rules.

2. SUBDIVISION AND CONSTRUCTION

- 2.1 Subdivision and construction shall be completed as shown on the plans and/or documents prepared by Jason E Waysville, with the stamped plans listed as follows:

Title	Sheet #	Plan Date	Revision
Hodgen Subdivision	S1	07/10/2020	



- 2.2 Construction of wastewater systems or potable water supplies, or buildings or structures (as defined by the Wastewater System and Potable Water Supply Rules), or campgrounds, not depicted on the stamped plans, or identified in this permit, is not allowed without prior approval by the Drinking Water and Groundwater Protection Division.
- 2.3 No buildings, roads, water pipes, sewer services, earthwork, re-grading, excavation, or other construction that might interfere with the operation of a wastewater system or a potable water supply are allowed on or near the site-specific wastewater system, wastewater replacement area, or potable water supply depicted on the stamped plans. Adherence to all isolation distances that are set forth in the Wastewater System and Potable Water Supply Rules is required.

3. INSPECTIONS

- 3.1 No permit issued by the Secretary shall be valid for a substantially completed potable water supply and wastewater system until the Secretary receives a signed and dated certification from a qualified Vermont Licensed Designer (or where allowed, the installer) on a Secretary-approved form that states:

"I hereby certify that, in the exercise of my reasonable professional judgment, the installation-related information submitted is true and correct and the potable water supply and wastewater system were installed in accordance with the permitted design and all permit conditions, were inspected, were properly tested, and have successfully met those performance tests"

or which satisfies the requirements of §1-311 of the referenced rules.

- 3.2 Prior to the use of the potable water supply, the permittee shall test the water for Arsenic, Escherichia coli (E. coli), Fluoride, Lead, Manganese, Nitrate as N, Nitrite as N, Total Coliform Bacteria, Uranium, Adjusted Gross Alpha Particle Activity, Chloride, Sodium, Iron, Odor and pH. All water quality tests shall be conducted at a laboratory certified by the Vermont Department of Health (a list of which can be found on the VDH website). Results of the water tests shall be submitted to the Vermont Department of Health prior to use.

4. DESIGN FLOW

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

Lot	Building	Building Use / Design Flow Basis	Wastewater	Water
1	Existing residence 1	4-bedroom single family residence/7-person maximum occupancy	490	490
	Existing Shop	No associated design flow	0	0
	Existing residence 2	3-bedroom single family residence/6-person maximum occupancy	420	420
2	Proposed residence	3-bedroom single family residence/6-person maximum occupancy	420	420

5. WASTEWATER SYSTEM

- 5.1 Prior to construction or site work, a designer shall flag the proposed leachfield, and the owner shall maintain the flags until commencement of construction of the system.
- 5.1 This project includes the approval of a designated replacement area(s) on lot #2. The Licensed Designer shall accurately flag/stake-out the corners of designated replacement area(s) prior to construction with the flagging/staking being maintained until construction is complete. A future replacement wastewater area is identified on the stamped plan(s) & lot #1. There shall be no construction or other activities that will affect the suitability of this area for the design and construction of a wastewater system.


5.2

- 5.3 Should the wastewater system fail and not qualify as a minor repair or for an exemption, the landowner shall engage a qualified Licensed Designer to evaluate the cause of the failure and submit an application to the Drinking Water and Groundwater Protection Division, and obtain approval thereof, prior to correcting the failure.
- 5.4 This permit does not relieve the permittee of the obligations of Title 10, Chapter 48, Subchapter 4, for the protection of groundwater.

6. POTABLE WATER SUPPLY

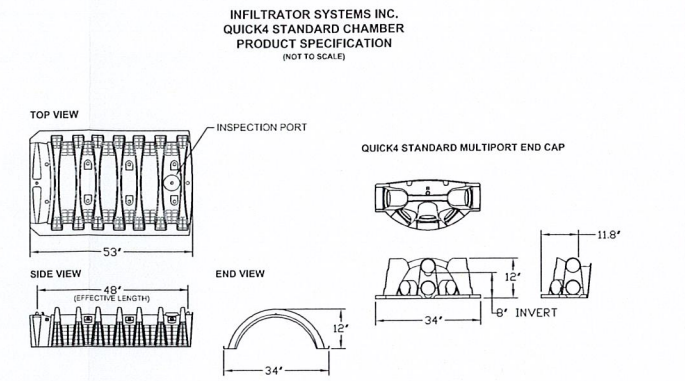
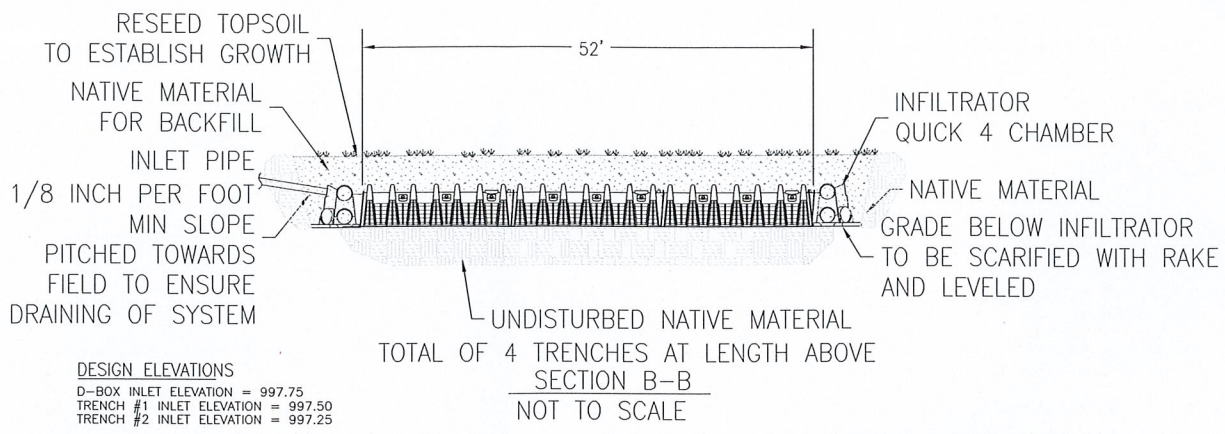
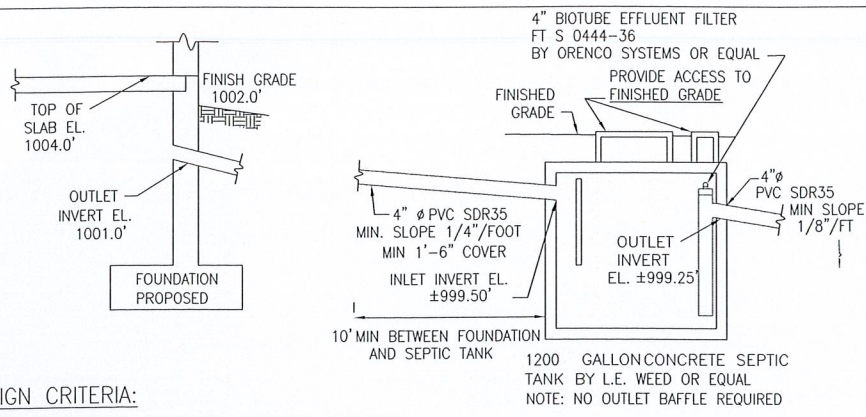
- 6.1 Prior to construction or site work, a designer shall flag the center of the proposed potable water source and the owner shall maintain the flag until commencement of construction of the source.
- 6.2 Should the potable water supply fail and not qualify as a minor repair or for an exemption, the landowner shall engage a qualified Licensed Designer to evaluate the cause of the failure and submit an application to the Drinking Water and Groundwater Protection Division, and obtain approval thereof, prior to correcting the failure.

Peter Walke, Commissioner
Department of Environmental Conservation

By 
Terry Shearer
Environmental Analyst VI
Springfield Regional Office
Drinking Water and Groundwater Protection Division

Dated August 24, 2020

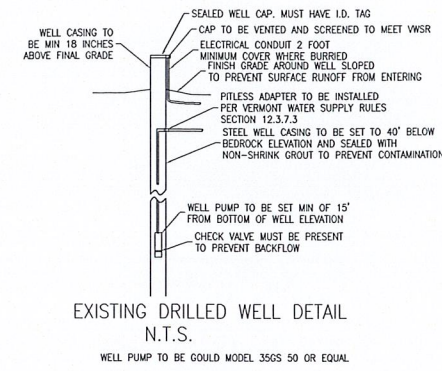
cc: Jason E. Waysville
Weathersfield Planning Commission



DESIGN CRITERIA:

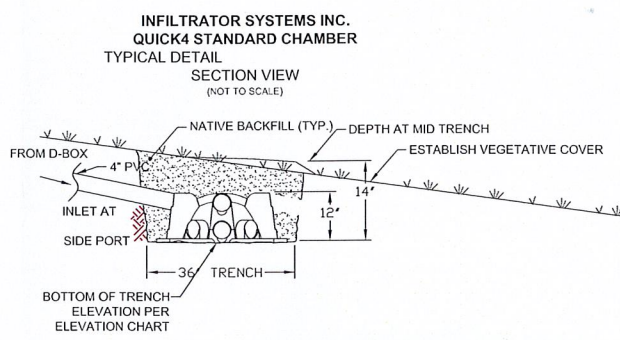
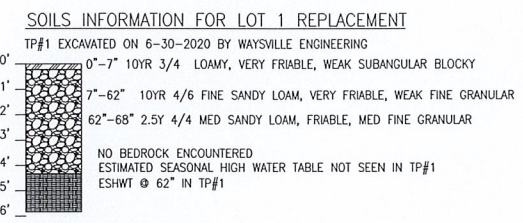
SIZE OF LEACHFIELD: PRESCRIPTIVE BASED APPROACH
PREVIOUSLY DETERMINED AND PERMITTED FLOW
= 420 GPD
LOAMY SAND PER TABLE 9-3 = 1.0 GPD/SFT
420 GPD / 1.00 (GPD/SFT) = 420 SFT
420 SFT / 4.54 (SFT/LF) = 92 LF
PER DESIGN MANUAL 25 CHAMBERS REQUIRED
100 LF / 52FT/RUN = 2 RUNS
SYSTEM WIDTH = 12 FT OUTER SYSTEM SURFACE
SYSTEM SIZING CHART 25 CHAMBERS @ 4' PER CHAMBER
VERY FINE SAND SG USED FOR CHART
PROVIDED 26 CHAMBERS > 25 REQUIRED

PARTIAL SYSTEM PROFILE
NOT TO SCALE



GENERAL PROJECT NOTES:

- 1) TEMPORARY BENCH MARK ELEVATIONS ARE ASSUMED.
- 2) REFERENCE TAX MAP FOR LOT INFORMATION AND SITE LOCUS.
- 3) CONTOURS SHOWN FOR WELL ISOLATION ZONES ARE INTERPOLATED FROM USGS MAP.
- 4) THE PROPERTY LINES, EASEMENTS, AND OTHER REAL PROPERTY DESCRIPTIONS PROVIDED IN THIS PERMIT APPLICATION ARE FOR THE USE OF THE ANR ONLY. THEY DO NOT DEFINE LEGAL RIGHTS OR MEET LEGAL REQUIREMENTS FOR A LAND SURVEY AS DESCRIBED IN 26 V.S.A. SECTION 2502(4), AND SHALL NOT BE USED IN LIEU OF A SURVEY AS THE BASIS OF ANY LAND TRANSFER OR ESTABLISHMENT OF ANY PROPERTY RIGHT.
- 5) DIG SAFE SHALL BE CONTACTED BEFORE EXCAVATING IN ANY PUBLICLY OWNED LANDS.
- 6) WATER SAMPLES SHALL BE TAKEN UPON COMPLETION OF THE WELL AND SHALL MEET ALL OF VERMONT DRINKING WATER QUALITY STANDARDS.

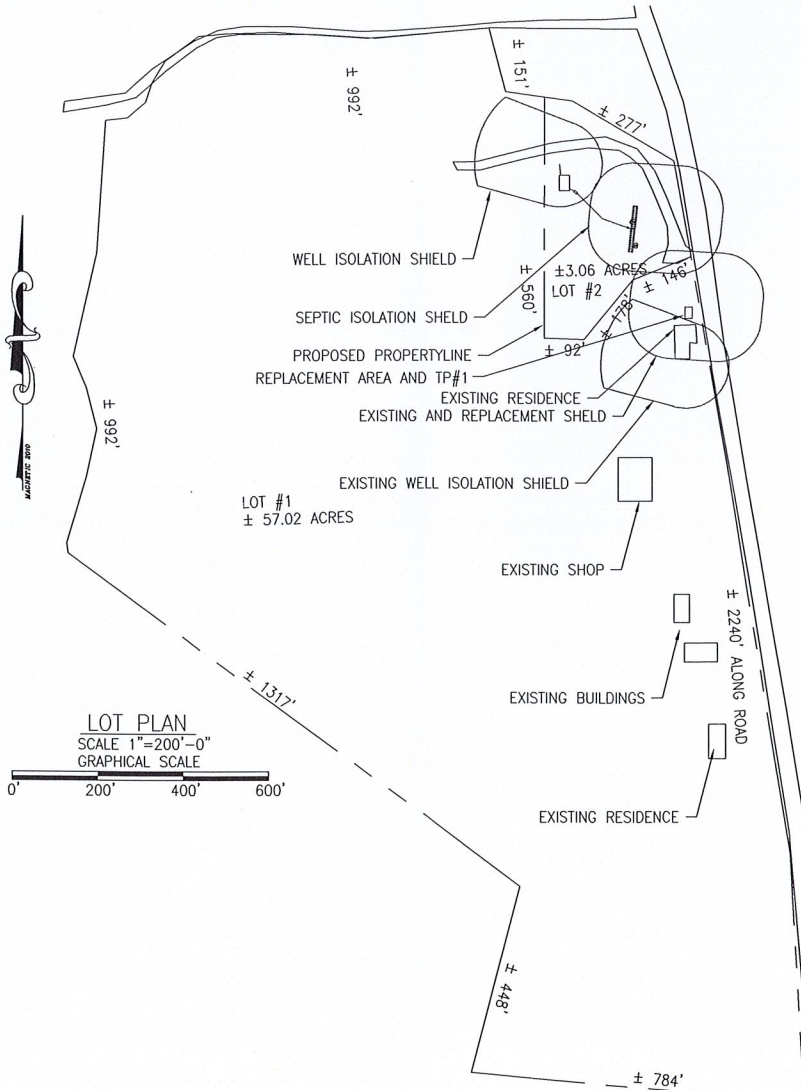
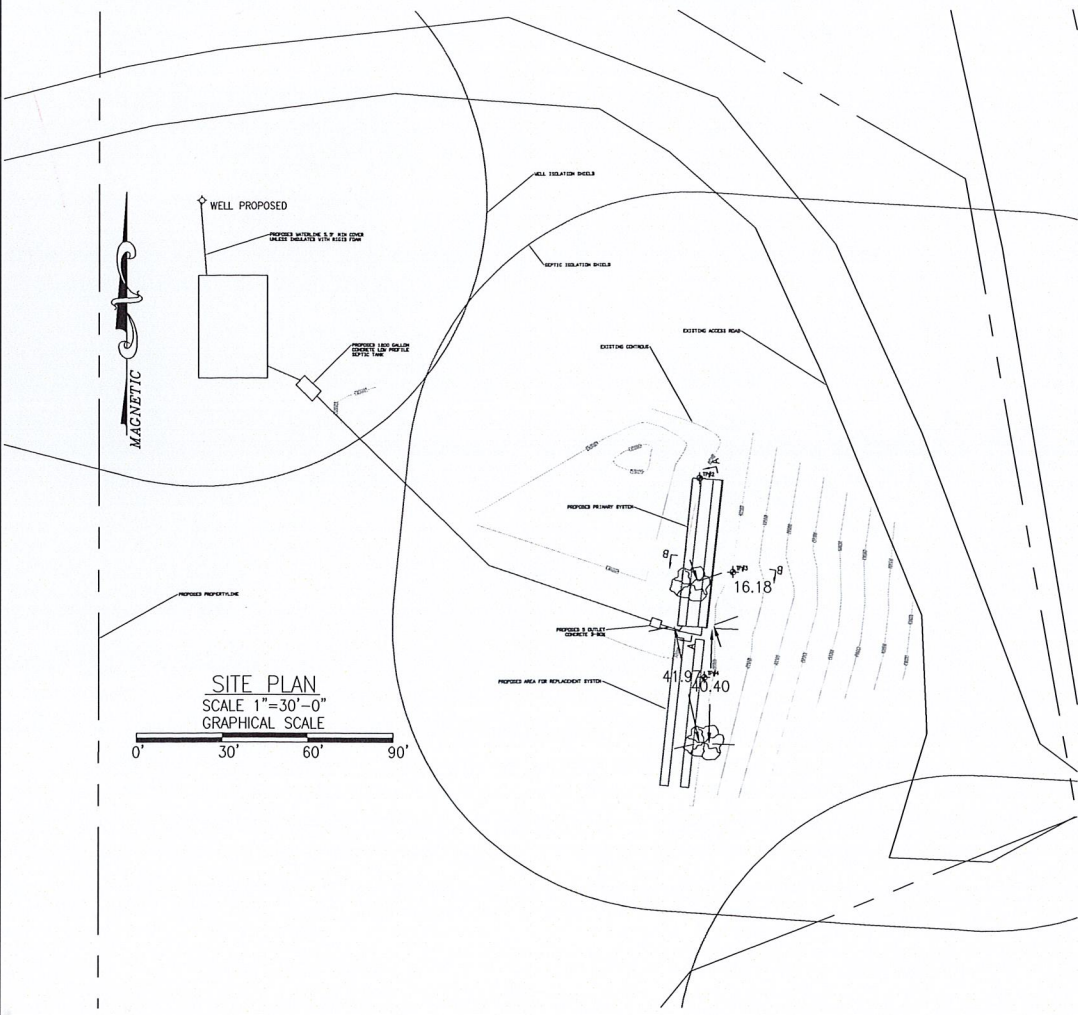


SOILS INFORMATION

FAILED SYSTEM TEST PIT INFORMATION
TP#2 EXCAVATED ON 6-30-2020 BY WAYSVILLE ENGINEERING

0'	0'-2" 10YR 2/1 LOAMY, VERY FRIBLE, WEAK SUBANGULAR BLOCKY
1'	2'-64" 10YR 4/4 FINE SANDY LOAM, FRIBLE, WEAK FINE GRANULAR
2'	64'-78" 10YR 4/3 FINE SANDY LOAM, FIRM, MED FINE GRANULAR
3'	TP#1, TP#3, SIMILAR

NO BEDROCK ENCOUNTERED
ESTIMATED SEASONAL HIGH WATER TABLE @ 64" TP#2
ESHWT @ 68" IN TP#4, @ 69" IN TP#3

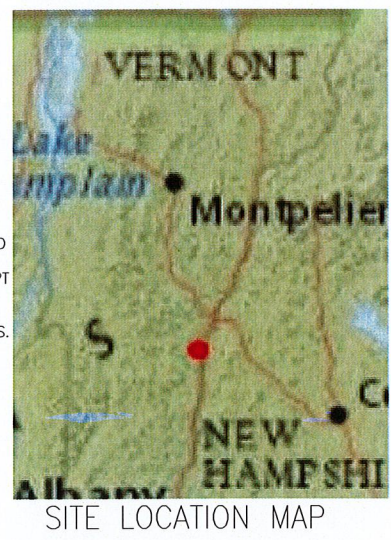


CONSTRUCTION NOTES:

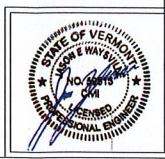
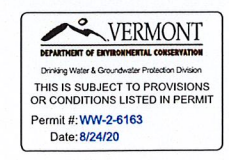
- 1) STRIP AND STOCKPILE TOPSOIL
- 2) RUBBER Tired EQUIPMENT SHALL NOT BE ALLOWED ON LEACHFIELD.
- 3) LEVEL BOTTOM OF LEACHFIELD AND SCARIFY PRIOR TO INSTALLING THE CRUSHED STONE. INSTALL PERFORATED PIPES LEVEL AND CONNECT AT ENDS. CAREFULLY COVER PERFORATED PIPES UNTIL 2" OF STONE IS OVER PIPE CROWN.
- 4) INSTALL DISTRIBUTION BOX LEVEL.
- 5) ALL PIPE JOINTS SHALL BE TIGHT. ALL PIPE PENETRATIONS WHERE A MANUFACTURED RUBBER BOOT IS NOT PRESENT SHALL BE SEALED WITH NON-SHRINK GROUT.
- 6) CONSTRUCTION EQUIPMENT NOT NEEDED TO CONSTRUCT THE SYSTEM SHALL BE KEPT OFF THE AREA USED FOR THE ABSORPTION FIELD.
- 7) NO HEAVY EQUIPMENT ALLOWED ON SYSTEM AFTER THE PIPES HAVE BEEN LAID.
- 8) NO PART OF THIS SEPTIC SYSTEM SHALL BE UNDER ANY ROADS OR PARKING AREAS.
- 9) THE LEACHFIELD SHALL NOT BE CLOSER THAN 100' TO ANY DRILLED WELL, NOR CLOSER THAN 150' TO ANY SHALLOW WATER SUPPLY.
- 10) THE SEPTIC TANK SHALL NOT BE CLOSER THAN 50' TO ANY DRINKING WELL. NO LEAKAGE IS ACCEPTABLE.
- 11) SEED AND MULCH ALL DISTURBED AREAS.
- 12) INSPECT SEPTIC TANK YEARLY, PUMP AS REQUIRED. WHEN SEPTIC TANK IS PUMPED, WASH BIOTUBE FILTER OFF WITH GARDEN HOSE.
- 13) CRUSHED SEPTIC STONE SHALL BE CLEAN, DURABLE AND SHALL BE NO SMALLER THAN 3/4" OR LARGER THAN 1 1/2" DIAMETER.
- 14) THIS SYSTEM IS NOT DESIGNED FOR OVERSIZED BATHTUBS OR GARBAGE DISPOSALS

INSPECTION REQUIREMENTS

- 1) THE DESIGNER SHALL BE INFORMED IN A TIMELY MANNER TO SCHEDULE REQUIRED INSPECTIONS THROUGHOUT THE CRITICAL STAGES OF CONSTRUCTION.
- 2) UPON COMPLETION OF EXCAVATION OF THE TRENCHES AND PRIOR TO PLACING OF BED MATERIAL THE ENGINEER SHALL BE CONTACTED TO INSPECT GROUND PREPARATION.
- 3) UPON COMPLETION OF THE DISTRIBUTION SYSTEM AND BEFORE THE LATERALS ARE COVERED THE ENGINEER SHALL BE CONTACTED TO INSPECT THE PERFORMANCE OF THE DISTRIBUTION SYSTEM.



DESIGN CERTIFICATION:
I HEREBY CERTIFY THAT THE DESIGN-RELATED INFORMATION SUBMITTED WITH THIS APPLICATION IS TRUE AND CORRECT, AND THAT, IN THE EXERCISE OF MY REASONABLE PROFESSIONAL JUDGEMENT, THE DESIGN INCLUDED IN THIS APPLICATION FOR A PERMIT COMPLIES WITH THE VERMONT WASTEWATER SYSTEM AND POTABLE WATER SUPPLY RULES AND THE VERMONT WATER SUPPLY RULES.



PROJECT: JN#0022-2020 PROPOSED SUBDIVISION PLAN PREPARED FOR HODGEN FAMILY US ROUTE 5		
ASCUTNEY VERMONT		
WAYSVILLE ENGINEERING 222 BARLOW RD SPRINGFIELD, VT 05156		
DATE 7-11-20	REVISIONS:	DWG. NO
SCALE: AS NOTED		S1
DR. BY: JW		
CHECKED BY: RAR		REV. 0

AGENDA ITEM

11

Key

Black: Original remaining text

~~Red stricken: Original text removed~~

Green underlined: New added text

Yellow highlighted: Changes since last revision

Article 2: Zoning Districts and District Standards

2.1 Introduction and Table of Districts and Uses

The tables on pages 7 through 20 are a major part of these Bylaws and illustrate the following information:

- a) The seven types of zoning districts located in the Town of Weathersfield.
- ~~b) For district locations, refer to the official Zoning Districts Map and aerial photographs located at the Town Office.~~
- e)b) _____ Brief description and purpose of each district.
- c) Which uses may be permitted in each district type under certain conditions and with what additional requirements.
- ~~d) Basic minimum requirements in each district.~~
- ~~e) All uses permitted within the Town of Weathersfield.~~
- ~~f) Which uses may be permitted in each district type under certain conditions and with what additional requirements.~~

For district locations, refer to the official Zoning Districts Map and aerial photographs located at the Town Office.

~~In addition, a~~All uses must comply with any applicable General Provisions (Article 3) and Special Provisions-Specific Use Standards (Article 4)~~as listed in Sections 6 and 7 of this document.~~

After holding a public hearing, the Zoning Board of Adjustment may deem other uses similar in nature to those listed in the Definitions section.

Definitions of words and terms used in these Bylaws appear in ~~Section 8~~Article 7~~after the section regarding Special Provisions.~~

2.2 Zoning Map and Interpretation

The locations and boundaries of zoning districts are established as shown on the Official Zoning Districts Map located in the Town Office.

The Official Zoning Districts Map is hereby made a part of these regulations and a part of all future amendments to these regulations.

The Conservation District boundaries shown on the map are necessarily approximate. Actual conditions of the land shall prevail over any markings on the map.

If uncertainty exists with respect to the boundary of any zoning district on the Official Zoning Districts Map, the Zoning Board of Adjustment shall have the authority to determine the exact location of such boundary, after consultation with the Planning Commission.

2.3 Lot in Two Districts

Where a zoning district boundary line divides a lot of record in single ownership at the time of the adoption of the district line, permitted uses for each of the divided parts shall be as required within the district in which the land is located with the following exception:

- a) **Exception:** When the result of the adopted district boundary line produces an area of land within each district insufficient to meet the requirements for that district, the Board of Adjustment may grant a conditional use permit to extend the regulations for the less restricted part of such a lot into the more restricted part.

2.4 Expansion of Minimum Lot Size

- a) For a Conditional Use: The Board of Adjustment may expand the lot size requirements for resorts, bed and breakfasts, hotels, other paying guest or multi-family complexes by one acre per guest room or per family above the minimum lot size.
- b) For a Permitted Use: When the physical characteristics of the lot and/or the nature of the proposed use are such that larger lots are advisable, all parties are encouraged to consider lot sizes larger than the minimum.

2.5 Table of Districts and Uses

For the purpose of these Bylaws, the following Zoning Districts are hereby established for the Town of Weathersfield:

<u>District Type</u>	<u>District Designations</u>
Village	(V)
Hamlet	(H)
Rural Residential	(RR 1)
Rural Residential Reserve	(RRR 3-5)
Conservation	(C)
Highway Commercial	(HC)
Industrial	(I)

Description and Purpose of Each District

Village (V):

- Established dense residential centers for sociability, convenient shopping and other public and private community services compatible with a rural village setting;
- intensive land use with some multi-family housing;
- efficient location for a limited number of compatible commercial activities.
- The Village District can absorb growth without greatly increasing demand for roads and school bus services.
- Central water and possibly sewer services may need to be provided to accommodate growth.

Hamlet (H):

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

Rural Residential (RR 1):

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

Rural Residential Reserve (RRR 3-5):

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

Conservation (C10):

- Areas in which sparse development is wise for one or more of the following reasons:
- Remote from roads or utility services;
- Location of scarce mineral resources;
- Prime agricultural or forested land;
- Significant or irreplaceable natural, historic, recreational or scenic resources;
- Slope elevations exceeding 25%;
- Land over 1,500 feet in elevation;
- Severe soil limitations;
- Risk of flooding or floodways need.

Highway Commercial (HC):

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

Industrial (I):

- Areas suitable in terrain and proximity to transportation facilities to be desirable by industry and those commercial activities that do not depend on highway traffic for customers.
- Provides employment for local residents and
- Broadens the Town tax base.

- Currently located in areas partially so developed and considered to be appropriate for such use.

Use Requirements by District Type

The following information describes how uses are permitted and the area, land and structural requirements for each District.

2.5.1 Village (v)

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

USES THAT DO NOT REQUIRE A ZONING PERMIT: For land uses that are exempt from the zoning permit requirement see section 6.2.2. These uses may still require written notification and compliance with district setback requirements, as well as other specific regulations. ~~The following uses are permitted without a Zoning Permit, provided that these uses are in compliance with these Bylaws:~~

- ~~▪ Agriculture/Forestry~~
- ~~▪ Baby sitting services~~
- ~~▪ Minor structures~~
- Temporary signs

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

Permitted Principal Uses:

- Public cCemetery (private cemeteries refer to...)
- ~~▪ Group homes~~
- Residential, Single-family dwelling
- Small enterprise^{1,2,3} (in keeping with the Village residential/commercial mix)
- Residential, Two-family dwelling (altered from pre-existing single-family dwelling, if no enlargement of structure; not new construction)

Permitted Accessory Uses:

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

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

Conditional Principal Uses:

- Adult day care facility^{1,2,3}, Section 4.2.2^{4,3}
- Family child care facility^{1,2,3}, Section 4.2.1^{4,3}
- Indoor or outdoor recreation facility^{1,3}
- Inn/small hotel ^{1,3}
- Medical facility^{1,2,3}
- Residential, Multi-family ~~dwelling~~^{1,2,3} (three to six units)
- Public water, sewage treatment plant ^{1,2,3}
- ~~Residential care home~~
- School^{1,2,3}
- Semi-public ^{1,2,3} (primarily nonprofit: church, museum, library, private club, YMCA, YWCA, mortuary, etc.)
- Residential, Two-family ~~dwelling~~ (new construction)
- Other uses^{1,2,3} (as determined after public hearing, by the Board of Adjustment, to be of a similar type and character as those listed above and meeting the purposes of this District.)

Conditional Accessory Uses:

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

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

- Campground, resort, children's camp
- Contractor's storage yard (of materials, machinery, heavy equip.)
- Gasoline/service station
- Highway commercial
- Industry ~~ial~~
- Junkyard, landfill, recycling facility (privately owned)
- Extraction of earth resources, Section 4.3
- Mobile home park, Section 4.9
- Non-highway commercial
- Self-storage facility (~~effective July 9, 2012~~)

AREA, LAND & STRUCTURAL REQUIREMENTS:

1. Only one principal use is allowed per parcel of land.
- ~~2. Each principal use requires at least the minimum lot area and minimum required frontage specified for the district in which it is located.~~
- ~~3.2.~~ Establishment of multiple principal uses on a single parcel of land requires a subdivision PUD permit.
- ~~4.3.~~ Soil or terrain conditions may require larger lot sizes to satisfy Town or State public health regulations; the burden of proof of soil suitability and terrain is on the applicant. Standards for soil suitability are available from the Soil Conservation Service.

Lot area minimum: 1 acre

Lot frontage and setbacks:

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

Building Height:

Maximum Building Height: 35 feet (~~Amended 6/11/2012~~)

Notes:

- 1 Site Plan Review required, [Article 5](#)
- 2 ~~General/Special Provisions~~ [Specific Use Standards](#) apply, [Article 4](#)
- 3 Certificate of Occupancy required, [Section 6.7](#)

2.5.2 Hamlet (H)

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

Uses that do not require a Zoning Permit: For land uses that are exempt from the zoning permit requirement see section 6.2.2. These uses may still require written notification and compliance with district setback requirements, as well as other specific regulations. ~~The following uses are permitted without a Zoning Permit, provided that these uses are in compliance with these Bylaws:~~

- ~~▪ Agriculture/Forestry~~
- ~~▪ Baby sitting service~~
- ~~▪ Minor structures~~
- Temporary signs

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

Permitted Principal Uses:

- Public Cemetery (private cemeteries refer to...)
- ~~▪ Group home~~
- Residential, Single-family dwelling
- Small enterprise^{1,2,3} (in keeping with the character of the hamlet of a neighborhood trade character; may include one apartment)
- Residential, Two-family dwelling (altered from pre-existing single-family dwelling, if no enlargement of structure; not new construction)

Permitted Accessory Uses:

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

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

Conditional Principal Uses:

- Adult day care facility^{1,2,3}, Section 4.2.2^{1,3}
- Family child care facility^{1,2,3}, Section 4.2.1^{1,3}
- Indoor or outdoor recreation facility^{1,2,3}
- Inn/small hotel^{1,3}
- Medical facility^{1,2,3}
- Public water, sewage treatment plant^{1,2,3}
- School^{1,2,3}
- Semi-public^{1,3} (primarily nonprofit: church, museum, library, private club, YMCA, YWCA, mortuary, etc.)
- ~~Single family PRD^{1,3}~~
- Other uses^{1,2,3} (as determined after public hearing, by the Board of Adjustment, to be of a similar type and character as those listed above and meeting the purposes of this District.)

Conditional Accessory Uses:

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

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

- Campground, resort, children's camp
- Contractor's storage yard (materials, machinery, heavy equipment)
- Gasoline/service station
- Highway commercial
- Industry ial
- Junkyard, landfill, recycling facility (privately owned)
- Extraction of earth resources, Section 4.3
- Mobile home park, Section 4.9
- Residential, Multi-family ~~dwelling~~
- Non-highway commercial
- Self-Storage facility ~~(effective July 9, 2012)~~

Area, Land, & Structural Requirements:

1. Only one principal use is allowed per parcel of land.
- ~~2. Each principal use requires at least the minimum lot area and minimum required frontage specified for the district in which it is located.~~
- ~~3.2.~~ Establishment of multiple principal uses on a single parcel of land requires a subdivision PUD permit.
- ~~4.3.~~ Soil or terrain conditions may require larger lot sizes to satisfy Town or State public health regulations; the burden of proof of soil suitability and terrain is on the applicant. Standards for soil suitability are available from the Soil Conservation Service.

Lot Area Minimum: ~~Basic minimum~~ 1 acre

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

Lot Frontage and Setbacks:

Frontage 150 feet

Front Setback 40 feet

Rear Setback 25 feet

Side Setback 25 feet

Building Height:

Maximum building height: 35 feet ~~(Amended 6/11/2012)~~

Notes:

1 Site Plan Review required, [Article 5](#)

2 ~~General/Special Provisions~~ [Specific Use Standards](#) apply, [Article 4](#)

3 Certificate of Occupancy required, [Section 6.7](#)

2.5.3 Rural Residential (RR-1)

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

Uses that do not require a Zoning Permit: For land uses that are exempt from the zoning permit requirement see section 6.2.2. These uses may still require written notification and compliance with district setback requirements, as well as other specific regulations. ~~The following uses are permitted without a Zoning Permit, provided that these uses are in compliance with these Bylaws:~~

- ~~▪ Agriculture/Forestry~~
- ~~▪ Baby sitting service~~
- ~~▪ Minor structures~~
- Temporary signs

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

Permitted Principal Uses:

- Public Cemetery (private cemeteries refer to...)
- ~~▪ Group home~~
- Residential, Single-family dwelling
- Residential, Two-family dwelling (altered from pre-existing single-family dwelling, if no enlargement of structure; no new construction)

Permitted Accessory Uses:

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

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

Conditional Principal Uses:

- Adult day care facility^{1,2,3}, Section 4.2.2-

- Campground, resort, children's camp^{1,3}
- ~~Church (see Semi-Public)~~
- Family child care facility^{1,2,3} - Section 4.2.1
- Indoor or outdoor recreation facility^{1,2,3}
- Inn/small hotel^{1,3}
- Medical facility^{1,2,3}
- Extraction of earth resources^{1,2,3}, Section 4.3
- Mobile Home Park^{1,2}, Section 4.9-
- Public water, sewage treatment plant^{1,2,3}
- School^{1,2,3}
- Semi-public^{1,2,3} (primarily nonprofit: church, museum, library, private club, YMCA, YWCA, mortuary, etc.)
- ~~Single family PRD^{1,2,3}~~
- Other uses^{1,2,3} (as determined after public hearing, by the Board of Adjustment, to be of a similar type and character as those listed above and meeting the purposes of this District)

Conditional Accessory Uses:

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

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

- Contractor's storage yard (of materials, machinery, heavy equip.)
- Gasoline/service station
- Highway commercial
- Industry ial
- Junkyard, landfill, recycling facility (privately owned)
- Residential, Multi-family ~~dwelling or PRD~~
- Residential, Two-family ~~dwelling~~ (new construction)
- Non-highway commercial
- Small enterprise
- Self-storage facility ~~(effective July 9, 2012)~~

Area, Land, & Structural Requirements:

1. Only one principal use is allowed per parcel of land.
- ~~2. Each principal use requires at least the minimum lot area and minimum required frontage specified for the district in which it is located.~~
- ~~3.2.~~ Establishment of multiple principal uses ~~on a single parcel of land~~ requires a PUD permit subdivision.
- ~~4.3.~~ Soil or terrain conditions may require larger lot sizes to satisfy Town or State public

health regulations; the burden of proof of soil suitability and terrain is on the applicant. Standards for soil suitability are available from the Soil Conservation Service.

Lot Area Minimum: 1 acre

Lot Frontage and Setbacks:

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

Building Heights:

Maximum Building Height: 35 feet ~~(Amended 6/11/2012)~~

Notes:

- 1 Site Plan Review required, [Article 5](#)
- 2 ~~General/Special Provisions~~ [Specific Use Standards](#) apply, [Article 4](#)
- 3 Certificate of Occupancy required, [Section 6.7](#)

2.5.4 Rural Residential Reserve (RRR 3-5)

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

Uses that do not require a Zoning Permit: For land uses that are exempt from the zoning permit requirement see section 6.2.2. These uses may still require written notification and compliance with district setback requirements, as well as other specific regulations. ~~The following uses are permitted without a Zoning Permit, provided that these uses are in compliance with these Bylaws:~~

- ~~▪ Agriculture/Forestry~~
- ~~▪ Baby sitting service~~
- ~~▪ Minor structures~~
- Temporary signs

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

Permitted Principal Uses:

- Public Cemetery (private cemeteries refer to...)
- ~~▪ Group home~~
- Residential, Single-family dwelling
- Residential, Two-family dwelling (altered from pre-existing single-family dwelling, if no enlargement of structure; no new construction)

Permitted Accessory Uses:

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

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

Conditional Principal Uses:

- Adult day care facility^{1,2,3-}, Section 4.2.2

- Campground, resort, children's camp^{1,3}
- ~~Church (see Semi-Public)^{superscript?}~~
- Contractor's storage yard^{1,3} (of materials, machinery heavy equipment)
- Family child care facility^{1,2,3}, Section 4.2.1
- Indoor or outdoor recreation facility^{1,2,3}
- Inn/small hotel^{1,3}
- Medical facility^{1,2,3}
- Extraction of earth resources^{1,2,3}, Section 4.3
- Mobile home park^{1,2}, Section 4.9
- Public water, sewage treatment plant^{1,2,3}
- School^{1,2,3}
- Semi-public^{1,2,3} (primarily nonprofit: church, museum, library, private club, YMCA, YWCA, mortuary, etc.)
- ~~Single family PRD^{1,2,3}~~
- **Other uses^{1,2,3} (as determined after public hearing, by the Board of Adjustment, to be of a similar type and character as those listed above and meeting the purposes of this District)**

Conditional Accessory Uses:

- Dock (for water access)
- **Home-based business - level 2^{1,2}, Section 4.5.4**
- ~~Home Industry~~
- Wireless Communication Facilities^{2,3}, Section 4.19

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

- Gasoline/service station
- Highway Commercial
- Industry~~ial~~
- Junkyard, landfill, recycling facility (privately owned)
- Residential, Multi-family ~~dwelling or PRD~~
- Non-highway Commercial
- Small enterprise
- Self-Storage Facility ~~(effective July 9, 2012)~~

Area, Land, & Structural Requirements:

1. Only one principal use is allowed per parcel of land.
- ~~2. Each principal use requires at least the minimum lot area and minimum required frontage specified for the district in which it is located.~~
- ~~3.2.~~ 3.2. Establishment of multiple principal uses ~~on a single parcel of land~~ requires a subdivision PUD permit.
- ~~4.3.~~ 4.3. Soil or terrain conditions may require larger lot sizes to satisfy Town or State public health regulations; the burden of proof of soil suitability and terrain is on the applicant.

Standards for soil suitability are available from the Soil Conservation Service.

Lot Area Minimum: 3 acres

Lot Frontage and Setbacks:

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

Building Heights:

Maximum building height: 35 feet ~~(Amended 6/11/2012)~~

Notes:

- 1 Site Plan Review required, [Article 5](#)
- 2 ~~General/Special Provisions~~ [Specific Use Standards](#) apply, [Article 4](#)
- 3 Certificate of Occupancy required, [Section 6.7](#)

2.5.5 Conservation (C-10)

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

Uses that do not require a Zoning Permit: For land uses that are exempt from the zoning permit requirement see section 6.2.2. These uses may still require written notification and compliance with district setback requirements, as well as other specific regulations. ~~The following uses are permitted without a Zoning Permit, provided that these uses are in compliance with these Bylaws:~~

- ~~▪ Agriculture/Forestry~~
- ~~▪ Baby sitting service~~
- ~~▪ Minor structures~~
- Temporary signs

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

Permitted Principal Uses:

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

Permitted Accessory Uses:

- Accessory dwelling unit², Section 4.1-
- Accessory use or structure
- Adult day care service², Section 4.2.2-
- Residential, ~~A~~athletic ~~structures~~ courts
- Bed and ~~B~~reakfast (up to 3 bedrooms for transient boarders/tourists)
- Family child care home², Section 4.2.1-
- ~~▪ Home occupations~~
- Home-based business - level 1², Section 4.5.3
- Non-agricultural ~~P~~onds
- ~~▪ Seasonal roadside stand~~
- Signs, ~~permanent~~ Section 3.8 (some exemptions apply)
- Residential ~~S~~wimming pool (in ground or aboveground)

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

Conditional Principal Uses:

- Adult day care facility^{1,2,3}, Section 4.2.2
- Campground, resort, children's camp^{1,3}

- Public Cemetery (private cemeteries refer to...)
- ~~Church (see Semi-Public)~~^{superscript?}
- Contractor's storage yard^{1,3} (materials, machinery, heavy equipment)
- Family child care facility^{1,2,3}, Section 4.2.1
- Inn/small hotel^{1,3} (must not defeat purpose of the District)
- Medical facility^{1,2,3}
- Extraction of earth resources^{1,2,3}, Section 4.3
- Outdoor recreation facility^{1,2,3} (must not defeat the purpose of the District)
- Public water, sewage treatment plant^{1,2,3}
- School^{1,2,3}
- Semi-public^{1,2,3} (primarily nonprofit: church, museum, library, private club, YMCA, YWCA, mortuary, etc.)
- Other uses^{1,2,3} (as determined after public hearing, by the Board of Adjustment, to be of a similar type and character as those listed above and meeting the purposes of this District)

Conditional Accessory Uses:

- Dock (for water access)
- Home-based business - level 2^{1,2}, Section 4.5.4
- ~~Home Industry~~
- Wireless Communication Facilities^{2,3}, Section 4.19
- ~~Single family PRD~~^{1,2,3}

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

- Gasoline/service station
- Highway Commercial
- Indoor recreational facility
- Industrial
- Junkyard, landfill, recycling facility (privately owned)
- Mobile home park, Section 4.9
- Residential, Two-family dwelling (new construction)
- Residential, Multi-family dwelling or PRD
- Non-highway Commercial
- Small enterprise
- Self-Storage Facility (~~effective July 9, 2012~~)

Area, Land, & Structural Requirements:

1. Only one principal use is allowed per parcel of land.
- ~~2. Each principal use requires at least the minimum lot area and minimum required frontage specified for the district in which it is located.~~
- ~~3.2.~~ Establishment of multiple principal uses on a single parcel of land requires a PUD permit subdivision.

4.3. _____ Soil or terrain conditions may require larger lot sizes to satisfy Town or State public health regulations; the burden of proof of soil suitability and terrain is on the applicant. Standards for soil suitability are available from the Soil Conservation Service.

Lot Area Minimum: 10 acres

~~Basic District Requirement: 10 acres~~ *(The owner(s) of record prior to January 4, 1994, of a lot containing at least 6 acres and less than 20 acres and which lot, under the prior bylaws was in RRR 3-5 District, shall be permitted to subdivide said lot into 2 lots, provided both lots meet the town subdivision and zoning requirements.)

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

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

Building Height:

Maximum building height: 35 feet ~~(Amended 6/11/2012)~~

Notes:

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

2.5.6 Highway Commercial (HC)

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

Uses that do not require a Zoning Permit: For land uses that are exempt from the zoning permit requirement see section 6.2.2. These uses may still require written notification and compliance with district setback requirements, as well as other specific regulations. ~~The following uses are permitted without a Zoning Permit, provided that these uses are in compliance with these Bylaws:~~

- ~~▪ Agriculture/Forestry~~
- ~~▪ Baby sitting service~~
- ~~▪ Minor structures~~
- Temporary signs

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

Permitted Principal Uses:

- Highway ~~C~~ommercial^{1,2,3}
- Light industrial^{1,3}
- Self-~~S~~storage ~~F~~acility ≤10,000 sq ft of gross floor area^{1,2,3,4}

Permitted Accessory Uses:

- Accessory use or structure (Includes athletic courts incidental to allowed principal uses)
- Adult day care service², Section 4.2.2-
- ~~▪ Athletic courts~~
- Bed and ~~B~~reakfast (up to 3 bedrooms for transient boarders/tourists)
- Family child care home², Section 4.2.1-
- ~~▪ Home occupations~~
- Non-agricultural Ponds
- ~~▪ Seasonal roadside stand~~
- Self-Storage Facility ≤10,000 sq ft of gross floor area **1,2,3,4**
- Signs, ~~permanent~~Section 3.8 (some exemptions apply)
- Residential Swimming pool (in ground or aboveground)

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

Conditional Principal Uses:

- Adult day care facility^{1,2,3}, Section 4.2.2-
- ~~▪ Church (see Semi-Public)^{superscript?}~~
- Contractor's storage yard^{1,3} (materials, machinery, heavy equip.)

- Family child care facility^{1,2,3}, Section 4.2.1
- Gasoline/service station^{1,2,3}
- ~~Group home~~
- Indoor or outdoor recreational facility^{1,3}
- Inn/small hotel^{1,3}
- ~~Outdoor recreation facility^{1,2,3}~~
- Public water, sewage treatment plant^{1,2,3}
- Semi-public^{1,2,3} (primarily nonprofit: church, museum, library, private club, YMCA, YWCA, mortuary, etc.)
- Self-Storage Facility >10,000 sq ft of gross floor area^{1,2,3,4}
- Residential, Single-family ~~dwelling~~
- Residential, Two-family ~~dwelling~~ (altered from pre-existing single family dwelling, if no enlargement of structure; no new construction)
- Other uses^{1,2,3} (as determined after public hearing, by the Board of Adjustment, to be of a similar type and character as those listed above and meeting the purposes of this District)

Conditional Accessory Uses:

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

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

- Campground, resort, children's camp
- Public Cemetery (private cemeteries refer to...)
- Industrial
- Junkyard, landfill, recycling facility (privately owned)
- Medical facility (~~see definitions~~)
- ~~Mineral e~~Extraction of earth resources, Section 4.3
- Mobile home park, Section 4.9
- Residential, Multi-family ~~dwelling or PRD~~
- Non-highway Commercial
- School
- ~~Single family PRD~~
- Planned Unit Development, Residential

Area, Land, & Structural Requirements:

1. Only one principal use is allowed per parcel of land.
- ~~2. Each principal use requires at least the minimum lot area and minimum required frontage specified for the district in which it is located.~~
- ~~3.2. Establishment of multiple principal uses on a single parcel of land requires a PUD permit subdivision.~~
- ~~4.3. Soil or terrain conditions may require larger lot sizes to satisfy Town or State public health regulations; the burden of proof of soil suitability and terrain is on the applicant. Standards for soil suitability are available from the Soil Conservation Service.~~

Lot Area Minimum: 1 acre

~~Basic District Requirement: 1 acre~~

~~*Residential, Single-Family Dwelling: 3 acres Must meet "Area, Land and Structural Requirements" of RRR 3-5 Zone.~~

~~*Residential, Two-Family Dwelling (altered from pre-existing single family dwelling): 3 acres Must meet "Area, Land and Structural Requirements" of RRR 3-5 Zone.~~

Lot Frontage and Setbacks:

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

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

Building Height:

Maximum building height: 35 feet ~~(Amended 6/11/2012)~~

Notes:

- 1 Site Plan Review required, Article 5
- 2 ~~General/Special Provisions~~ Specific Use Standards apply, Article 4
- 3 Certificate of Occupancy required, Section 6.7
- ~~4 Expires 8/5/2012 as an interim bylaw; effective 7/9/2012 as a permanent bylaw~~

2.5.7 Industrial (I)

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

Uses that do not require a Zoning Permit: For land uses that are exempt from the zoning permit requirement see section 6.2.2. These uses may still require written notification and compliance with district setback requirements, as well as other specific regulations. ~~The following uses are permitted without a Zoning Permit, provided that these uses are in compliance with these Bylaws:~~

- ~~▪ Agriculture/Forestry~~
- ~~▪ Baby sitting service~~
- ~~▪ Minor structures~~
- Temporary signs

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

Permitted Principal Uses:

- Public water, sewage treatment plant^{1,2,3}
- Self-Storage Facility^{1,2,3,4}
- Small office ~~space~~

Permitted Accessory Uses:

- Accessory use or structure (Includes athletic courts incidental to allowed principal uses)
- Adult day care service², Section 4.2.2
- ~~▪ Athletic Courts~~
- Bed and ~~B~~breakfast (in existing home only; up to 3 bedrooms for transient boarders/tourists)
- Family child care home², Section 4.2.1
- ~~▪ Home occupations~~
- Non-agricultural Pponds
- ~~▪ Seasonal roadside stand~~
- Self-Storage Facility^{1,2,3,4}
- Signs, ~~permanent~~ Section 3.8 (some exemptions apply)

Conditional Uses:

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

Conditional Principal Uses:

- Contractor's storage yard^{1,3} (materials, machinery, heavy equip)
- Extraction of earth resources^{1,2,3}, Section 4.3
- Family ~~day~~child care facility^{1,2,3}, Section 4.2.1

- Highway ~~C~~commercial
- ~~Home Industry~~
- Junkyard, landfill, recycling facility (privately owned)^{1,2,3}
- Industrial^{1,2,3}
- Non-highway ~~C~~commercial^{1,2,3}
- ~~Outdoor recreation facility (only as facilities for use by employees during lunch, etc. on same basis as primary industrial commercial facility)~~
- Other uses^{1,2,3} (as determined after public hearing, by the Board of Adjustment, to be of a similar type and character as those listed above and meeting the purposes of this District)

Conditional Accessory Uses:

- Wireless ~~C~~ommunication ~~F~~acilities^{2,3}

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

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

Area, Land, & Structural Requirements:

1. Only one principal use is allowed per parcel of land.
- ~~2. Each principal use requires at least the minimum lot area and minimum required frontage specified for the district in which it is located.~~
- ~~3.2.~~ Establishment of multiple principal uses ~~on a single parcel of land~~ requires a subdivision PUD permit.
- ~~4.3.~~ Soil or terrain conditions may require larger lot sizes to satisfy Town or State public health regulations; the burden of proof of soil suitability and terrain is on the applicant. Standards for soil suitability are available from the Soil Conservation Service.

Lot Area Minimum: 1 acre

~~Basic District requirement: 1 acre~~

Lot Frontage and Setbacks:

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

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

Building Height: 35 feet

~~Maximum building height: 35 feet with the following exception:~~ *In this District, proposed structures exceeding 35 feet may be allowed with a conditional use permit.

Unless increased by the ~~Planning Commission~~ Zoning Board of Adjustment during Site Plan Review, a minimum of 50' buffer with natural screening is required between industrial and residential zones. ~~(Amended 6/11/2012)~~

Notes:

- 1 Site Plan Review required, Article 5
- 2 ~~General/Special Provisions~~ Specific Use Standards apply, Article 4
- 3 Certificate of Occupancy required, Section 6.7
- 4 ~~Expires 8/5/2012 as an interim bylaw; effective 7/9/2012 as a permanent bylaw~~

AGENDA ITEM

12

Vermont Planners Association (VPA) Legislative Report – February 21, 2023

As crossover looms, committees are wrapping up initial work on bills and moving them to other committees. See below for reporting by Alex Weinhagen, Kati Gallagher, and Kerry Brosnan.

Senate Bills

Reported by Alex Weinhagen, Kati Gallagher and Kerry Brosnan

New bills introduced

S. 83 - Project-Based TIF – Would establish a TIF project development program, administered by the VEPC, to allow a municipality to apply to use statewide education property tax and municipal property tax increment to pay for infrastructure projects.

Updates on planning bills

S.5 – Affordable Heating Act (known as the Clean Heat Standard last session) – Discussed and revised throughout the week, the Senate Natural Resources and Energy Committee voted on it positively on Friday (2/17). We shall see what Senate committee it lands in next, before it heads to the Senate floor for a vote. Additional equity provisions may be inserted by the Senate Natural Resources and Energy Committee prior to or when it gets to the Senate floor.

DR-0091 – Omnibus Housing (not yet) Bill – see summary under House Updates on Planning Bills.

House Bills

Reported by Alex Weinhagen and Kerry Brosnan

Updates on planning bills

Omnibus Housing Bill – Senate Economic Development, Housing, and General Affairs – Discussion of the omnibus housing bill ([DR 23-0091](#)) continued in this Senate committee. A new draft of the bill (draft 7.2, 2/13/23) was released and discussed by the committee throughout the week. You can find the new draft by following the bill link above – yellow highlighting shows changes from the previous draft. Another draft is expected Tuesday 2/21/23 with a vote planned for Wednesday.

The Committee is making an effort to address feedback received, including VPA's comments, but there is still room for improvement as evidenced by disagreements amongst committee members about various sections of the bill. Senator Cummings continues to raise concern about requiring higher density residential in all municipal water and sewer areas. She is concerned about sprawl implications. Senator Harrison and Senator Clarkson advocated for additional language in the bill to clearly define that the goal is to have growth be focused in the designated growth areas with water and sewer. Senator Brock has expressed concerns with nearly every section of the bill. With 4 of 5 committee members pushing for more targeted minimum residential density requirements, hopefully we will see another draft of the bill that better addresses this issue. The chairperson is trying to have the committee wrap up its work and vote on the bill this week, but it appears more work and more compromise may be necessary.

Here is Alex Weinhagen's take on how draft 7.2 does or does not address the issues raised in VPA's testimony:

- **General - Convene a commission or stakeholder group to make recommendations for 2024 legislation – Not addressed**
- **Section 1 – Parking – Not addressed.** No revisions made.
- **Section 2 – Building height bonus for affordable housing projects – Addressed.** Removed from the bill.
- **Section 2 – Density bonus for affordable housing projects – Addressed.** Density bonus reduced from 40% to 20%.
- **Section 2 – Residential density allowance (5 units/acre) in areas served by municipal water/sewer – Partially addressed, but needs further work.** A lengthy section was added to define and caveat what “served by municipal water and sewer infrastructure” means. The new language specifies that residential connections/expansions are available, and not prohibited by: 1) State regulations or permits; 2) Identified capacity constraints, or; 3) municipally and capacity agreements, or; 4) certain areas identified in a municipal ordinance or bylaw (with a long list of types of areas that can be identified). This list constitutes a good attempt to identify the many permutations of when a 5 units/per acre residential density requirement could be problematic. It doesn't cover all of them, and doesn't address the fundamental flaw in using municipal water/sewer service areas as a surrogate for actual smart growth planning.

**FYI – new sections were added to address required housing elements of regional (section 11) and municipal plans (section 12)

- **Section 4 – Duplex Definition – Partially addressed.** The definition was simplified to eliminate a separate definition within municipal water/sewer service areas that allowed for each duplex unit to have an ADU. The term duplex is still being used, rather than our suggestion to use two-unit dwelling.
- **Section 5 – Bylaw Reporting – Not addressed.** No revisions made.
- **Section 7&8 – Administrative Subdivision Review – Addressed.** Nicely done! Extraneous minor/major subdivision distinction removed. Municipalities given ability to enable administrative review of subdivisions, and to decide when a public hearing is needed prior to approving a subdivision plat.
- **Section 9 – Appeals – Not addressed.** No revisions made.
- **Section 11 – Regional Plan Housing Element **NEW SECTION**** Requires that regional plans assess housing need and estimate needed housing investments in terms of price, quality, unit size or type, zoning district. Requires that any regional housing targets or ranges be disaggregated by municipality. Requires a set of recommended action items to address housing needs.
- **Section 12 – Municipal Plan Housing Element ** NEW SECTION**** Requires that the municipal plan be consistent with the goals of section 4302 (changes “may be” to “shall be”). Requires that municipal plans include a program for public and private actions to address housing needs as identified in the regional plan.
- **Section 13 – Energy Codes **NEW SECTION**** The issue VPA raised with the corresponding section of H.68 was not addressed. The language introduces an odd allowance for municipalities to

enact more stringent building energy codes for homes larger than 1800 square feet, if the municipality receives approval from the VT Department of Public Service.

- **Section 14 – Appropriation, Municipal and Regional Planning Fund (MRPF) – Addressed.** Appropriation increased from \$500,000 to \$750,000.

Changes also made to later sections of the bill dealing with Act 250 jurisdictional trigger and funding for various housing programs. The Act 250 trigger for housing projects is currently 10 or more units. The earlier draft increased this to 20 units. The current draft increases it to 25 units. The current trigger for subdivisions is 10 or more lots. The current draft would increase that trigger to 15 lots within a designated area. Same language in this draft as the last with regard to exempting all priority housing projects in designation areas from Act 250 review – including designated village centers with permanent zoning and subdivision bylaws.

House Bills

Reported by Alex Weinhagen and Kerry Brosnan

H.126 – Biodiversity Protection & Land Conservation – The House Environment and Energy Committee discussed and marked up this bill to establish conservation goals (30% of VT conserved by 2030, 50% of VT conserved by 2050) and to require a conservation plan by 2024 to outline how to achieve the goals. Expect to the conversation to continue, along with a revised draft of the bill.

New bills introduced

H.241 – Recovery Residences – Planning nexus – would require municipalities permit recovery residences as a single-family dwelling, similar to residential care homes and group homes. Full description... This bill proposes to (1) provide certain residential rental agreement exclusions to recovery residences; (2) require that recovery residences have certain policies and procedures pertaining to residential agreements, temporary removal, separation, and drug testing; (3) require a municipality to treat a recovery residence as a single-family residential home under its land use bylaws; (4) require the Department of Corrections to submit a report to the General Assembly pertaining to the number of individuals on furlough who reside in recovery residences; and (5) establish the Recovery Stabilization Study Committee

H.242 – Thermal Energy Networks - This bill proposes to give the Public Utility Commission (PUC) jurisdiction over the construction and operation of utility model thermal energy networks. Similar provisions to H.56, which was introduced by the same Legislator (Rep. Cordes, Addison-4 district). Presumably anticipating district heating of the sort potentially happening in [BTV](#).

H.248 – Climate Infrastructure Fund - This bill proposes to create a new Vermont Climate Infrastructure Fund to be administered by the State Treasurer's Office, with an administrator and advisory board to provide strategic planning, operational support, and organizational support for the Fund. The Fund will coordinate financing of and strategic planning for climate investments, in collaboration with existing financing entities, including the Vermont Economic Development Authority, the Vermont Bond Bank, and the Vermont Housing Finance Agency, to reduce greenhouse gas emissions and perform related ecosystems services aligned with Vermont State climate goals and State needs for resilience improvements. The Fund will make investments in projects and programs that reduce Vermont's greenhouse gas emissions, increase climate change mitigation, increase climate resilience and

adaptation, improve watershed health, and enhance sequestration and other ecosystem services of forest and agricultural land. Just an excerpt of the lengthy purpose statement. No details as this is a “short-form” bill – a bit of a placeholder bill to be fleshed out later.

H.269 - Rural Electric Vehicle Supply Equipment Grant - This bill proposes to create the Rural Electric Vehicle Supply Equipment Grant Program. Emphasis on “rural” – targets underserved, rural communities for funding to install EV chargers.

H.276 – Rental Registry - This bill proposes to create a registration requirement and registry for rental housing in this State. Resurrected from last session, this very straightforward bill would provide statewide data on rental housing – both long term and short term rentals. Opposed by the Governor in the last go around, perhaps this year it is possible – either with the Governor changing his tune, or with the Legislature overriding a veto.

H.289 – Renewable Energy Standard - This bill proposes to increase the amount of total renewable energy required pursuant to the Renewable Energy Standard – i.e., for electricity sold in Vermont, the percentage that comes from renewable sources. 2023 63% renewable, and increasing 10.6% every two years to reach 100% by 2030. Current statute indicates 55% for 2023 and requires 75% by 2032.

Online Resources

[Bill, Act and Resolution search page](#), past [VPA Legislative Reports](#), upcoming [House / Senate Committee Meetings](#), and the weekly [VLCT legislative report](#).