

# PUBLIC HEARING

Zoning Bylaw Amendment – Private Airstrips and Helipads

March 18, 2024 @ 6:30pm

Item 1: Public Hearing Notice

Item 2: Bylaw Adoption Checklist

Item 3: Bylaw Amendment Public Hearing Checklist

Item 4: Newspaper Ad Tearsheet

Item 5: DHCD Confirmation of Receipt

Item 6: MARC Confirmation of Receipt

Item 7: Certified Mailings Receipts

Item 8: Bylaw Amendment – Proposed Changes

Item 9: Bylaw Reporting Form

Item 10: Letter from VT Transportation Board



# TOWN OF WEATHERSFIELD

LAND USE ADMINISTRATOR'S OFFICE

(802)674-2626

P.O. BOX 550 ASCUTNEY, VT 05030

landuse@weathersfield.org

## Selectboard

### NOTICE OF PUBLIC HEARING

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

**Remote option – Zoom details below**

**Monday, March 18, 2024 – 6:30 PM**

---

A public hearing before the Weathersfield Selectboard will be held at the Town Office in Ascutney on Monday, March 18, 2024, at 6:30 PM to consider the following amendments to the Zoning Bylaws:

#### **Statement of Purpose**

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

#### **Geographic Areas Affected**

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

#### **Sections Headings**

Article 2: Zoning Districts and District Standards

Article 7: Definitions

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

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

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

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

BLANK

**CERTIFICATE OF MUNICIPAL BYLAW**  
**\_\_\_ADOPTION \_\_\_AMENDMENT \_\_\_REPEAL**

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

Signed: \_\_\_\_\_  
Date: \_\_\_\_\_

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

**I PLANNING COMMISSION HEARING(S), SUBMITTALS**

---

**A) Transmittal of Proposed Plan/Amendment/Repeal**

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

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

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

To:

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

---

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

**Initialed:** \_\_\_\_\_

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

**B) Hearing Notice**

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

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

The planning commission has two options under §4444:

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

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

**AND, either:**

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

**OR**

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

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

**C) Planning Commission Hearing**

**Deadline for action:** 15 days after notice publication

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

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

**On file:** board minutes; comments submitted

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

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

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

**Statutory reference(s):** §4441(g)

**Filing Date:** \_\_\_\_\_

**Initialed:** \_\_\_\_\_

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

**II. LEGISLATIVE HEARING(s)**

---

**A) Changes to proposed bylaw/amendment/repeal**

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

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

**Statutory reference(s):** §§4442

**Filing Date:** \_\_\_\_\_ **Initialed:** \_\_\_\_\_

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

**B) Hearing Notice**

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

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

The legislative body has two options under §4444

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

**Statutory reference(s):** §§4442 and 4444

**Posting Dates:** \_\_\_\_\_ *Version Warned* \_\_\_\_\_

Municipality (2 locations minimum) \_\_\_\_\_

Municipal Clerk's Office \_\_\_\_\_

**Newspaper:** \_\_\_\_\_ **Publication Date** \_\_\_\_\_

**AND, either:**

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

**OR**

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

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

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

**C) Legislative Body Hearing(s).**

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

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

**Statutory reference(s):** §§4442 and 4444

**Hearing Date(s):** \_\_\_\_\_

**Locations:** \_\_\_\_\_

**Initialed:** \_\_\_\_\_

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

**III. ADOPTION OF MUNICIPAL BYLAW/AMENDMENT/REPEAL**

---

**A) Legislative Body Adoption.**

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

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

**Statutory reference(s):** §4442(c)

**Date of Meeting/Vote:** \_\_\_\_\_

**Action:** Adopted  Rejected  **Initialed:** \_\_\_\_\_

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

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

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

**Deadlines for action:** petition filed within 20 days of vote

**Date petition filed:** \_\_\_\_\_

**Within 20 days:** Yes  No

**Validity confirmed by:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Date of Meeting/Vote:** \_\_\_\_\_

**Posting Date:** \_\_\_\_\_ NA

**Publication Date:** \_\_\_\_\_ NA

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

**Action:** Adopted \_\_\_\_\_ Rejected \_\_\_\_\_ **Initialed:** \_\_\_\_\_

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

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

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

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



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

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

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

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

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

**D. Exceptions to routine adoptions**  
***Petition for action past one-year deadline***

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

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

**Date petition filed:** \_\_\_\_\_  
**Within 60 days:** Yes  No

**Validity confirmed by:** \_\_\_\_\_  
**Date:** \_\_\_\_\_

**Date of Meeting/Vote:** \_\_\_\_\_  
**Posting Date:** \_\_\_\_\_ NA   
**Publication Date:** \_\_\_\_\_ NA

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

**Action:** Adopted  Rejected  **Initialed:** \_\_\_\_\_

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

## Planning Commission Reporting Form for Municipal Bylaw Amendments

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

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

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

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

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

### **Please Note:**

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

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

BLANK

## Bylaw Amendment Checklist for Warning a Public Hearing

- See Bylaw Adoption Checklist in Checklist folder

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

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

Hi Syd,

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

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

Thank you,

Ryan Gumbart  
Land Use  
Weathersfield, VT

### **NOTICE OF PUBLIC HEARING**

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

#### **Statement of Purpose**

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

#### **Geographic Areas Affected**

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

#### **Sections Headings**

Article 2: Zoning Districts and District Standards

Article 7: Definitions

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

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

BLANK



**R.E. Hinkley Company**

Heating Oil, Kerosene,  
Diesel Fuel, and Propane

Heating, Air Conditioning, Plumbing  
& Electrical ~ Installation & Service

8 Lane Ridge Rd, Claremont, NH 03743  
603.543.3571  
Fully Insured

**READ ALL ABOUT IT!**

Printing:  
Tuesdays,  
Thursdays,  
& Saturdays

Local News!  
Local People!  
Local Everything!

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

**SUBSCRIBE TODAY!**

# MARKETPLACE

800-545-0347 | 603-543-3100 | [classi@eagletimes.com](mailto:classi@eagletimes.com) *Your daily shopping resource* JOBS | AUTOS | REAL ESTATE

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

**NOTE DIFFERENT DAY OF MEETING**

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

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

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

Richard Wahrlich, Chair

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

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

**ADVERTISE WITH US**

Place Your:

- Yard Sale
- Garage Sale
- Church Sale

Ad In *Your* Eagle Times

Contact Sydney McAllister at [Sydney.McAllister@EagleTimes.com](mailto:Sydney.McAllister@EagleTimes.com)



**ADVERTISE TODAY!!!**

**Index 0000**

**5 EASY WAYS TO REACH US**

1. Call us at: 603-543-3100
2. The Best Way is to E-mail us at: [Sydney.mcallister@eagletimes.com](mailto:Sydney.mcallister@eagletimes.com) (Please make sure to include your ad copy and payment info)
3. Fax us at: 603-504-3199
4. Mail your ad to: Eagle Times, 27 Pleasant St., Claremont, NH 03743
5. Or drop off at: 27 Pleasant St., Claremont, NH

The Eagle Times accepts cancellations, but no copy changes allowed while advertisement is running. Please make any typographical error changes the first week your ad is inserted.

**IMPORTANT ANNOUNCEMENT**

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

**Index 0000**

**TIME FOR A CHANGE?**

There's no time like the present to find a job you love. Check out the Eagle Times classifieds!

**Legals 1010**

**NOTICE OF PUBLIC HEARING**

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

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

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

**Sections Headings**  
Article 2: Zoning Districts and District Standards  
Article 7: Definitions  
The above amendment and Reporting Form are available for inspection at the Town Office in Acutney. Persons wishing to be heard and participate in the hearing may do so in person or be represented by an agent or attorney. Communications about the above amendments may be filed in writing with the Land Use Administrator or at the hearing.

**Services 1500**

**CASH PAID**

- Antique Furniture
- Collectibles
- Sterling Silver
- Gold Jewelry
- Artwork
- Art Pottery
- Firearms
- Tools
- Fine Dishware and
- Glassware,
- Books
- Anything Unique

Call or text Greg 603-903-3069

**Services 1500**

**CLAREMONT RECONDITIONING CARS & TRUCKS DETAILING**

Spotless inside and out: waxing, shampooing, etc.

**30 years in business**

- Free pick up & delivery
- Insured

Mon.-Fri., 8 am - 4 pm  
216 Main St., Claremont  
[claremontreconditioning.com](http://claremontreconditioning.com)  
603-543-3010

**COLEMAN'S PLUMBING & HEATING**

Complete Boiler & Furnace Replacement  
**\*Plus\***  
Heat pump installations  
Free Estimates!!  
802-875-3644

**EAGLE TIMES SUBSCRIPTIONS**

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

Call 603-543-3100

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

- Attics
- Basements
- Garages
- Out buildings

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

Phone or text Greg 603-903-3069

**Buy It In The Classifieds!**



**Services 1500**

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

**FULTON'S SITE SERVICES, LLC "Earthworks"**

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

761 US Rte. 10  
Lempster, NH 03605

603-558-0250  
email: [jasfulton@yahoo.com](mailto:jasfulton@yahoo.com)

**\*\*GARAGE DOOR\*\* SERVICES\*\***

**NORTH COUNTRY OVERHEAD DOORS**

Garage Door Repairs  
Electric Openers  
Installations

Charlestown, NH  
603-826-3014

**Professional Services 1530**

**WSM Washington Street Mobil**

*Servicing Claremont and surrounding areas since 1981*

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

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

Major Credit Cards Accepted

**SELECT-A-SERVICE BUSINESS & SERVICE DIRECTORY**

**CONSTRUCTION**

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

761 US Route 10  
Lempster, NH 03605  
603-558-0250  
email: [jasfulton@yahoo.com](mailto:jasfulton@yahoo.com)



Imagine your ad here!

**PLUMBING & HEATING**

**Coleman Plumbing & Heating**



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

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



BLANK

**RE: Weathersfield proposed zoning bylaw - hearing date?**

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

Mon 11/27/2023 3:59 PM

To: Land Use <Landuse@weathersfield.org>

Dear Ryan,

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

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

Best,  
Alice

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

---

**From:** Land Use <Landuse@weathersfield.org>

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

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

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

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

Hi Alice,

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

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

Thanks,  
Ryan

---

**From:** Dodge, Alice <[Alice.Dodge@vermont.gov](mailto:Alice.Dodge@vermont.gov)>

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

**To:** Land Use <[Landuse@weathersfield.org](mailto:Landuse@weathersfield.org)>

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

Hi Ryan,

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

Thank you!

Alice

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

BLANK

## RE: Weathersfield Zoning Bylaw Amendment

Jason Rasmussen <jrasmussen@marcvt.org>

Mon 11/27/2023 11:06 AM

To: Land Use <Landuse@weathersfield.org>

Hi Ryan,

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

Jason

---

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

Hi Jason,

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

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

Thanks,  
Ryan

BLANK



COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Cathy R. Archibald*  Agent  Addressee

B. Received by (Printed Name) *Cathy R. Archibald* C. Date of Delivery

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

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

Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

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

1. Article Addressed to:  
*Town of Windsor  
PO Box 47  
Windsor VT 05089*



9590 9402 6991 1225 9382 70

2. Article Number (Transfer from service label)  
*7020 1810 0000 7250 0766*

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

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Douletk*  Agent  Addressee

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

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

*29 Union St  
Windsor, VT  
05089*

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

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Debbie Bean*  Agent  Addressee

B. Received by (Printed Name) *Debbie Bean* C. Date of Delivery *12/18/2023*

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

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

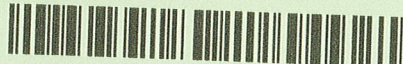
3. Service Type
- Adult Signature
  - Adult Signature Restricted Delivery
  - Certified Mail®
  - Certified Mail Restricted Delivery
  - Collect on Delivery
  - Collect on Delivery Restricted Delivery
  - Insured Mail
  - Insured Mail Restricted Delivery (over \$500)
  - Priority Mail Express®
  - Registered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

Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

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

1. Article Addressed to:  
*Town of Reading  
PO Box 72  
Reading VT 05062*



9590 9402 6991 1225 9381 95

2. Article Number (Transfer from service label)  
*7020 1810 0000 7250 0704*

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

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Calista Brunner*  Agent  Addressee

B. Received by (Printed Name) C. Date of Delivery *11/30/23*

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



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

Domestic Return Receipt



**SENDER: COMPLETE THIS SECTION**

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

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

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

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

**COMPLETE THIS SECTION ON DELIVERY**

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

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

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

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

Domestic Return Receipt

**SENDER: COMPLETE THIS SECTION**

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

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

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

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

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
 X *A. Hedrick*  Agent  Addressee

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

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

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

Domestic Return Receipt

**SENDER: COMPLETE THIS SECTION**

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

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

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

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

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
 X *Shanne Worner*  Agent  Addressee

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

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

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

Domestic Return Receipt



BLANK

### 2.5.1 Village (v)

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

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

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

#### Permitted Principal Uses:

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

#### Permitted Accessory Uses:

- Accessory dwelling unit<sup>2</sup>, Section 4.1
- Accessory use or structure
- Adult day care service<sup>2</sup>, Section 4.2.2
- Residential athletic courts
- Bed and breakfast (up to 3 bedrooms for transient boarders/tourists)
- Family child care home<sup>2</sup>, Section 4.2.1
- Home-based business - level 1<sup>2</sup>, Section 4.5.3
- Non-agricultural ponds, Section 3.2.5
- Seasonal roadside stand, Section 4.12
- Signs, Section 3.8 (some exemptions apply)
- Residential swimming pool (in ground or aboveground)

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

#### Conditional Principal Uses:

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

- Semi-public <sup>1,3</sup> (primarily nonprofit: church, museum, library, private club, YMCA, YWCA, mortuary, etc.)
- Residential, Two-family (new construction)
- Other uses<sup>1,2,3</sup> (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<sup>1,2</sup>, Section 4.5.4
- Wireless communication facilities<sup>2,3</sup>, Section 4.19

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

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

**AREA, LAND & STRUCTURAL REQUIREMENTS:**

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

**Lot area minimum:** 1 acre

**Lot frontage and setbacks:**

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

**Building Height:**

Maximum Building Height: 35 feet

**Notes:**

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

## 2.5.2 Hamlet (H)

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

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

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

### Permitted Principal Uses:

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

### Permitted Accessory Uses:

- Accessory dwelling unit<sup>2</sup>, Section 4.1
- Accessory use or structure
- Adult day care service<sup>2</sup>, Section 4.2.2
- Residential athletic courts
- Bed and breakfast (up to 3 bedrooms for transient boarders/tourists)
- Family child care home<sup>2</sup>, Section 4.2.1
- Home-based Business - level 1<sup>2</sup>, Section 4.5.3
- Non-agricultural ponds, Section 3.2.5
- Seasonal roadside stand, Section 4.12
- Signs, Section 3.8 (some exemptions apply)
- Residential swimming pool (in ground or aboveground)

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

### Conditional Principal Uses:

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

- Other uses<sup>1,2,3</sup> (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<sup>1,2</sup>, Section 4.5.4
- Wireless communication facilities<sup>2,3</sup>, Section 4.19

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

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

**Area, Land, & Structural Requirements:**

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

**Lot Area Minimum:** 1 acre

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

**Lot Frontage and Setbacks:**

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

**Building Height:**

Maximum building height: 35 feet

**Notes:**

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

### 2.5.3 Rural Residential (RR-1)

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

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

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

#### Permitted Principal Uses:

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

#### Permitted Accessory Uses:

- Accessory dwelling unit<sup>2</sup>, Section 4.1
- Accessory use or structure
- Adult day care service<sup>2</sup>, Section 4.2.2
- Residential athletic courts
- Bed and breakfast (up to 3 bedrooms for transient boarders/tourists)
- Family child care home<sup>2</sup>, Section 4.2.1
- Home-based business - level 1<sup>2</sup>, Section 4.5.3
- Non-agricultural ponds, Section 3.2.5
- Seasonal roadside stand, Section 4.12
- Signs, Section 3.8 (some exemptions apply)
- Residential swimming pool (in ground or aboveground)

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

#### Conditional Principal Uses:

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

- School<sup>1,3</sup>
- Semi-public<sup>1,3</sup> (primarily nonprofit: church, museum, library, private club, YMCA, YWCA, mortuary, etc.)
- Other uses<sup>1,2,3</sup> (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<sup>1,2</sup>, Section 4.5.4
- Wireless communication facilities<sup>2,3</sup>, Section 4.19

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

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

**Area, Land, & Structural Requirements:**

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

**Lot Area Minimum:** 1 acre

**Lot Frontage and Setbacks:**

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

**Building Heights:**

Maximum Building Height: 35 feet

**Notes:**

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

#### *2.5.4 Rural Residential Reserve (RRR 3-5)*

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

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

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

##### **Permitted Principal Uses:**

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

##### **Permitted Accessory Uses:**

- Accessory dwelling unit<sup>2</sup>, Section 4.1
- Accessory use or structure
- Adult day care service<sup>2</sup>, Section 4.2.2
- Residential athletic courts
- Bed and breakfast (up to 3 bedrooms for transient boarders/tourists)
- Family child care home<sup>2</sup>, Section 4.2.1
- Home-based business - level 1<sup>2</sup>, Section 4.5.3
- Non-agricultural ponds
- Seasonal roadside stand, Section 4.12
- Signs, Section 3.8 (some exemptions apply)
- Residential swimming pool (in ground or aboveground)

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

##### **Conditional Principal Uses:**

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



- Public water, sewage treatment plant<sup>1,3</sup>
- School<sup>1,3</sup>
- Semi-public<sup>1,2,3</sup> (primarily nonprofit: church, museum, library, private club, YMCA, YWCA, mortuary, etc.)
- Other uses<sup>1,2,3</sup> (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<sup>1,2</sup>, Section 4.5.4
- Wireless communication facilities<sup>2,3</sup>, Section 4.19

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

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

**Area, Land, & Structural Requirements:**

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

**Lot Area Minimum:** 3 acres

**Lot Frontage and Setbacks:**

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

**Building Heights:**

Maximum building height: 35 feet

**Notes:**

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

### 2.5.5 Conservation (C-10)

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

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

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

#### Permitted Principal Uses:

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

#### Permitted Accessory Uses:

- Accessory dwelling unit<sup>2</sup>, Section 4.1
- Accessory use or structure
- Adult day care service<sup>2</sup>, Section 4.2.2
- Residential athletic courts
- Bed and breakfast (up to 3 bedrooms for transient boarders/tourists)
- Family child care home<sup>2</sup>, Section 4.2.1
- Home-based business - level 1<sup>2</sup>, Section 4.5.3
- Non-agricultural ponds
- Seasonal roadside stand, Section 4.12
- Signs, Section 3.8 (some exemptions apply)
- Residential swimming pool (in ground or aboveground)

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

#### Conditional Principal Uses:

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

- Public water, sewage treatment plant<sup>1,3</sup>
- School<sup>1,3</sup>
- Semi-public<sup>1,3</sup> (primarily nonprofit: church, museum, library, private club, YMCA, YWCA, mortuary, etc.)
- Other uses<sup>1,2,3</sup> (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<sup>1,2</sup>, Section 4.5.4
- Wireless communication facilities<sup>2,3</sup>, Section 4.19

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

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

**Area, Land, & Structural Requirements:**

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

**Lot Area Minimum:** 10 acres

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

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

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

**Building Height:**

Maximum building height: 35 feet

**Notes:**

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

## 2.5.6 Highway Commercial (HC)

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

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

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

### Permitted Principal Uses:

- Highway commercial<sup>1,3</sup>
- Light industry<sup>1,3</sup>
- Self-storage facility  $\leq 10,000$  sq ft of gross floor area<sup>1,3</sup>

### Permitted Accessory Uses:

- Accessory use or structure (Includes athletic courts incidental to allowed principal uses)
- Adult day care service<sup>2</sup>, Section 4.2.2
- Bed and breakfast (up to 3 bedrooms for transient boarders/tourists)
- Family child care home<sup>2</sup>, Section 4.2.1
- Non-agricultural ponds
- Seasonal roadside stand, Section 4.12
- Self-Storage Facility  $\leq 10,000$  sq ft of gross floor area<sup>1,3</sup>
- Signs, Section 3.8 (some exemptions apply)
- Residential swimming pool (in ground or aboveground)

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

### Conditional Principal Uses:

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

- Residential, Two-family (altered from pre-existing single-family dwelling, if no enlargement of structure; no new construction)
- Other uses<sup>1,2,3</sup> (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 1<sup>2</sup>, Section 4.5.3
- Home-based business - level 2<sup>1,2</sup>, Section 4.5.4
- Residential athletic courts
- Wireless communication facilities<sup>2,3</sup>

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

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

**Area, Land, & Structural Requirements:**

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

**Lot Area Minimum:** 1 acre

\*Residential, Single-family: 3 acres

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

**Lot Frontage and Setbacks:**

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

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

**Building Height:**

Maximum building height: 35 feet

**Notes:**

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

### 2.5.7 Industrial (I)

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

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

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

#### **Permitted Principal Uses:**

- Public water, sewage treatment plant<sup>1,3</sup>
- Self-Storage Facility<sup>1,3</sup>
- Small office

#### **Permitted Accessory Uses:**

- Accessory use or structure (Includes athletic courts incidental to allowed principal uses)
- Adult day care service<sup>2</sup>, Section 4.2.2
- Bed and breakfast (in existing home only; up to 3 bedrooms for transient boarders/tourists)
- Family child care home<sup>2</sup>, Section 4.2.1
- Non-agricultural ponds
- Seasonal roadside stand, Section 4.12
- Self-Storage Facility<sup>1,3</sup>
- Signs, Section 3.8 (some exemptions apply)

#### **Conditional Uses:**

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

#### **Conditional Principal Uses:**

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

#### **Conditional Accessory Uses:**

- Wireless communication facilities<sup>2,3</sup>



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

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

**Area, Land, & Structural Requirements:**

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

**Lot Area Minimum:** 1 acre

**Lot Frontage and Setbacks:**

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

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

**Building Height: 35 feet**

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

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

**Notes:**

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

## Article 7: Definitions

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

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

BLANK

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

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

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

**Published June 30, 2023**

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

## Why is this form required?

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

## Vermont Municipal Bylaw Reporting Form

### How does a municipality submit the form?

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

### Type of Bylaw Filing

*Select all that apply.*

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

*Explain multiple selections.*

### Type of Bylaw(s)

*Select all that apply.*

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

## Vermont Municipal Bylaw Reporting Form

### Date of Hearing(s)

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

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

### Date of Adoption

*Skip this section if the bylaw is proposed for hearing.*

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

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

### Bylaw Summary & Statement of Purpose

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

### Findings on Municipal Plan Furtherance

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

## Vermont Municipal Bylaw Reporting Form

### Findings on Safe & Affordable Housing

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

### Findings on Required Provisions & Prohibited Effects

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

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

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

## Vermont Municipal Bylaw Reporting Form

### Findings on Limitations on Municipal Bylaws

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

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

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



## Vermont Municipal Bylaw Reporting Form

### Findings on Permissible Types of Regulation

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

*Select all regulations adopted by the municipality:*

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

*List overlays:*

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

## Vermont Municipal Bylaw Reporting Form

### Municipal Plan Future Land Uses & Density Compatibility

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

### Planned Community Facilities

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

### Municipal Planning Implementation Information

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

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

## Vermont Municipal Bylaw Reporting Form

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

*List*

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

*Primary website URL:*

BLANK



February 10, 2021

**Re: Permitting Helipads and Airstrips**

Dear Municipal Manager & Planning Commissioner:

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

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

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

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

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



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

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

## MUNICIPAL PLANS

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

## ZONING BYLAWS & ORDINANCES

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

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

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

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



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

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

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

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

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

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

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

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

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

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





# Transportation Board

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

## STAND-ALONE MUNICIPAL BYLAW

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

## QUESTIONS

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

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

Sincerely,

John B. Zicconi

Executive Secretary, Vermont Transportation Board