



# TOWN OF WEATHERSFIELD

## ZONING BOARD OF ADJUSTMENT

(802)674-2626

P.O. BOX 550 ASCUTNEY, VT 05030

landuse@weathersfield.org

### Town of Weathersfield Vermont

### Zoning Board of Adjustment

### Application for Site Plan and Conditional Use Review

### Findings and Decision

Permit Application No.: #23.04.26.ZBA.2  
Applicant Name: Matthew Lewis  
Landowner Name: Carl Wyman  
Project Location: Harvest Park Road, 20 Harvest Park Rd, Lot 3  
Parcel ID#: 5A-01-41

### **INTRODUCTION AND PROCEDURAL HISTORY**

1. This proceeding involves review of an application for a zoning permit for Site Plan Review and Conditional Use Review submitted by Matthew Lewis under the Town of Weathersfield Zoning Bylaws.
2. The application was received by Land Use Administrator, Ryan Gumbart. The signed application is dated February 16, 2023. Application fee was received March 07, 2023. A copy of the application is available at the Weathersfield Town Office.
3. Notice of the public hearing was posted at the following places:
  - a. Eagle Times Newspaper in issue dated May 6-7, 2023
  - b. Town of Weathersfield, VT Office at Martin Memorial Hall
  - c. Ascutney Post Office
  - d. Perkinsville Post Office
4. A copy of the notice of a public hearing was mailed to the Applicant.
5. A copy of the notice of public hearing was mailed to the owners of properties adjoining the property that is the subject of the application.
6. The Zoning Board conducted a Site Visit at 6:00 PM on May 23, 2023 prior to the hearing. Present were Todd Hindinger, Joseph Bublat, Matthew Lewis.
7. The application was considered by the Zoning Board of Adjustment at a public hearing at approximately 6:30 PM on May 23, 2023. The hearing was closed at 8:02 PM on the same night.
8. The Zoning Board of Adjustment reviewed the application under the Town of Weathersfield Zoning Bylaw, adopted by the voters on March 5, 1974 and including all subsequent amendments through July 1, 2022 (the Zoning Bylaw).
9. Present at the site hearing were the following members of the Zoning Board of Adjustment:
  - a. David (Todd) Hindinger, Chair;
  - b. Joseph Bublat, Vice-Chair;



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- c. Grace Knight.
10. Also present at the hearings were:
  - a. Matthew Lewis, Applicant;
  - b. Carl Wyman (via remote access), Landowner;
  - c. Ryan Gumbart, Land Use Administrator;
  - d. Mike Todd;
  - e. Paul Tillman;
  - f. Scott Rogers
11. At the outset of the hearing, the Zoning Board of Adjustment afforded those persons wishing to achieve status as an interested person an opportunity under 24 V.S.A. § 4465(b) to demonstrate that the criteria set forth in that statute could be met. The Zoning Board determined that the following met the definition of interested persons and were granted interested persons status:
  - a. Matthew Lewis, Applicant;
  - b. Carl Wyman, Landowner.
12. At the outset of the hearing, the Zoning Board of Adjustment asked if there were any persons present who wished to give evidence or testimony during the hearing. The following were sworn in by the Chair:
  - a. Matthew Lewis;
  - b. Carl Wyman;
  - c. Mike Todd.
13. Board members were asked to disclose any potential conflicts of interest. All were disclosed and indicated that the Applicant would be treated fairly without any conflicts. Neither the Applicant nor any member of the Zoning Board expressed concern about conflicts of interest.
14. Board members and the applicant were asked to disclose any potential ex parte communications. No one attending the hearing expressed concerns about ex parte communications.
15. During the course of the hearing the following exhibits were submitted to the Zoning Board of Adjustment:
  - a. Exhibit #1 – Notice of Public Hearing
  - b. Exhibit #2 – Certification of Posting
  - c. Exhibit #3 – Newspaper Tear Sheet
  - d. Exhibit #4 – Application and Fees
  - e. Exhibit #5 – Site Plan dated March 22, 2023
  - f. Exhibit #6 – Accessory Maps
  - g. Exhibit #7 – Letter from Carl Wyman dated April 17, 2023
  - h. Exhibit #8 – DEC Project Review Sheet
  - i. Exhibit #9 – Water/Wastewater Permit
  - j. Exhibit #10 – Septic Design dated September 16, 2019
  - k. Exhibit #11 – Subdivision Decision dated July 3, 2019
  - l. Exhibit #12 – Highway Access Permit Application
  - m. Exhibit #13 – Water Capacity Allocation Letter



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- n. Exhibit #14 – NRB Act 250 Abandonment Order
  - o. Exhibit #15 – Letter from Brandon Gulnick regarding water line installation
  - p. Exhibit #16 – Community Facilities Sign Off Sheet
16. This application was reviewed under the following sections of the Weathersfield

**Zoning Bylaws:**

- a. Section 2.5.6 – Highway Commercial (HC)
- b. Section 3.2.8 – Streambank Conservation
- c. Section 3.5 – Off-Street Parking
- d. Section 3.5.2 – Specific Standards
- e. Section 3.6 – Outdoor Lighting
- f. Section 3.7 – Performance Standards
- g. Section 3.8.6 – Signs
- h. Section 5.1.2 – Site Plan Review – Application Items
- i. Section 5.2 – Site Plan Review
- j. Section 5.2.1 – Compatibility with Surrounding Development
- k. Section 5.2.2 – Traffic
- l. Section 5.2.3 – Protection of Natural Resources
- m. Section 5.2.4 – Stormwater Management
- n. Section 5.2.5 – Landscaping and Screening
- o. Section 5.3 – Conditional Use Review

### **FINDINGS OF FACT**

The following findings of facts are deemed relevant to the Board's decision on this application. These facts are compiled from the application project documents including the written application, the items listed in the exhibits, testimony and evidence provided by the Applicant and other parties present at the hearing.

- F1. Parcel# 5A-01-41.2 is located at the end of Harvest Park Road, a private road off of Cemetery Road. It has not been given a 911 address as the lot is currently under common ownership with abutting parcels. Its size is 1.16 acres.
- F2. The property is owned by Carl Wyman who owns various adjacent lots to the south and east.
- F3. The property is located in a Highway Commercial Zoning District.
- F4. Contractor's Storage is a Conditional Use in the Highway Commercial District. Site Plan Review is required. Conditional Use Review is required. Certificate of Occupancy is a potential Condition the Zoning Board can include for a Conditional Use.
- F5. The property is currently vacant with no existing infrastructure on the lot.
- F6. Access to the property is via Harvest Park Road, a private road off of Cemetery Road.
- F7. The Applicant proposes to complete the following major items:
  - 1. Construct a 60'x30' open air pole barn for equipment and material storage.
  - 2. Construct a 60'x80' heated shop building for equipment maintenance.
  - 3. Construct a parking and turnaround area for trucks serving both buildings.



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- F8. The project will be arranged on the property as shown on the Site Plan – Exhibit #5 dated March 22, 2023.
- F9. Section 2.5.6 Highway Commercial (HC): Relevant sections of this section were reviewed. The Front setback required is 40ft, Side/Rear setbacks required are 20ft. The applicant represented that the project meets these setbacks.
- F10. Section 3.2.8 – Streambank Conservation was discussed at the hearing. A stream was found to exist on the property that meets the definition of a “protected stream” and requires protection. Section 3.2.8 requires that a naturally vegetated buffer strip be maintained on the banks of protected stream. The width of the buffer strip, measured from the regular high water mark, is to the top of the stream bank or 25 feet, whichever is less. The buffer strip is measured as the tape lies.
1. No new development or manipulation of the buffer vegetation, other than approved management practices shall occur within the buffer strip.
  2. No structure that requires a zoning permit shall be placed within 50 feet of the buffer strip. The proposed 30’x60’ storage building, as shown on the site plan, appears to be very close to or within this distance. The applicant indicated that he has accurate surveying equipment and will use it during final layout. The Board finds that it is highly likely that the building(s) will need to be moved away from the stream to accommodate this buffer. The Board found that they would allow the buildings to be adjusted in size and location from those shown in order to meet this bylaw. The applicant is advised that the 50ft setback is measured from the outside of the buffer strip, so is in addition to the 25ft buffer strip, resulting in a potential setback of 75ft from the regular high water mark.
- F11. Section 3.7 – Performance Standards was discussed at the hearing. The Interested Persons, the Public and the Zoning Board were given the opportunity to express any concerns specific to the ongoing use of the property and the proposed changes to the property. There was no evidence provided that the proposed use would exceed the Performance Standards for the district.
- F12. Section 3.5 Off-Street Parking. Relevant sections of this section were reviewed.
1. Section 3.5.1.1: Off-street parking spaces shall be provided when any use is established or enlarged and shall adequately accommodate the proposed development. Such accommodation shall include all owners, occupants, employees, customers, delivery vehicles, and/or other persons expected to be on the premises. The applicant testified that there is adequate space for parking by employees within the improved area as shown on the Site Plan and that the property is not open to the public so no formal parking need be provided.
  2. Section 3.5.1.2: All standard parking spaces shall have a minimum width of ten (10) feet and a minimum length of twenty (20) feet. The parking spaces will not be marked as it is unnecessary for the proposed use.
  3. Section 3.5.1.3: Nonresidential parking lot shall be effectively landscaped in accordance with Section 5.2.5 of these Bylaws (site plan review). See relevant findings below regarding landscaping.



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4. Section 3.5.1.4: Handicap parking spaces shall be provided in a size and number in accordance with current ADA requirements. None will be provided as it is unnecessary for the proposed use.
5. Section 3.5.2.2: Commercial or industrial parking lots adjacent to residential uses shall be set back a minimum of thirty (30) feet. A four (4) foot high, solid fence may be used in lieu of a 30-foot setback. Effective landscaping and plantings may be used in lieu of the 30-foot setback and shall be evaluated by the Land Use Administrator or the Zoning Board of Adjustment. The Site Plan demonstrates compliance with this requirement.
- F13. Section 6.7 – Certificate of Occupancy. A Certificate of Occupancy is found to be required as part of the Conditional Use Review process.
- F14. Section 5.1.2 – Site Plan Review – Application Items. The Board reviewed the exhibits and testimony and did not require submittal of any additional items.
- F15. Section 5.2 - Site Plan Review.
  1. Section 5.2.1 Compatibility with Surrounding Development – The proposed use as Contractor’s Storage is consistent with the established trends and patterns in the surrounding area. No building plans were submitted, but the applicant described the buildings as: One story. Less than 35ft tall. The 60’x30’ pole barn will be a three side open storage structure. The 60’x80’ shop building will be a plain steel framed building with metal siding. The style of the proposed buildings offers no architectural elements of interest that can be reviewed. The abutters offered no comments in opposition to the buildings. The architecture, height and material are compatible with other similar simple commercial structures. Abutting land uses include:
    - a. Wyman Insurance building;
    - b. Proposed veterinary clinic;
    - c. Residential, single-family
  2. The applicant testified that the material and equipment associated with the Contractor’s Storage use will be stored inside the buildings. No portion of the open area on the lot (outside the buildings) is proposed for long term exterior material or equipment storage, except for the time ordinarily required to use, move and maintain the materials and equipment of the Contractor during the work day.
  3. Section 5.2.2 Traffic Access and Circulation. The Zoning Board of Adjustment, the Applicant and Interested Persons, discussed traffic access and circulation. The proposed project will add 1 access point to Harvest Park Road and is the only access point to the property. The traffic circulation within the project site is simple and will be confined within the area shown on the Site Plan. Traffic to and from the property will be minimal, with only several trips per day, during normal daytime business hours.
  4. Section 5.2.3 - Protection of Natural Resources. Besides the Protected Stream and related findings regarding Section 3.2.8 – Streambank Conservation, there were no other significant natural resources identified on the lot that require the Zoning Board of Adjustment to adjust the development layout so as to avoid negative impacts.
  5. 5.2.4 Storm Water Management and Drainage. The current site plan proposes discharging stormwater without passing through or over a stormwater treatment system, other than a generic detail that showed what “check dams” look like. The Board is





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concerned that stormwater from the parking lot surfaces and roof surfaces can leave the site without treatment and could degrade the adjacent protected stream. The Site Plan does not show a stormwater management system. Section 5.2.4 of the Weathersfield Zoning Bylaws state, "Adequate provisions shall be made for the management of erosion, sedimentation and storm water runoff. For all projects undergoing Site Plan Review, except one- or two-family dwellings, appropriate storm water management measures shall be incorporated into the final site design to ensure that no additional storm water runoff is generated beyond the boundaries of the property and that existing drainage patterns are not altered in a manner which impacts neighboring properties, town highways or surface waters." The Board finds that the stormwater management plan does not meet the bylaw requirement. The Board also reviewed the original subdivision site plan, Exhibit #18 specific to stormwater. That plan includes item 5 "State of Vermont Stormwater Runoff and Construction General (Erosion Control) Permits will be obtained as the lots are developed." The Applicant is to verify with the State that the new impervious areas created by this portion of the project do not trigger a state permit as part of the common development.

6. 5.2.5 Landscaping and screening. The site is open grass with an existing tree line to the north and a forested stream corridor to the west. The Site Plan shows the following plantings: Plantings on the north boundary, 3-4 foot balsam fir alternating with deciduous plants of same size 20' on center. There is a note on the plan that states the south and east boundary plantings to be minimal with low lying plantings as requested from adjacent owners. Section 5.2.5 of the Weathersfield Zoning Bylaws state "Landscaping shall enhance the features and conditions unique to each site and shall include a combination of shade and street trees, shrubs, planting beds, well-kept grasses and ground covers. Landscaping is required in front and side yards, adjacent to parking areas, where rear yards abut residential properties or public roads, and as otherwise necessary to provide adequate screening and without compromising vehicular and pedestrian safety by blocking visibility and site lines. Landscaping plans shall emphasize the following:
  - a) The preservation of existing ground cover and trees, especially those that are mature or determined to be of special horticultural or landscape value.
  - b) The use of both deciduous and coniferous shade trees in available yard area, especially front and side yards and parking areas. Shade trees shall be placed to interrupt the facades of buildings, break-up expanses of parking, visually reduce the scale and bulk of large buildings, integrate the site with the surrounding landscape and to enhance environmental quality (e.g. wildlife habitat, soil stabilization, storm water retention, air quality, energy conservation).
  - c) The use of street trees along well-traveled roads. Street trees should be planted where site conditions make such planting practical. Such trees shall be planted along the edge of the road right-of-way to create a canopy effect and shall be indigenous, deciduous species tolerant of road- salt, soil compaction and drought.

A three-year plan for all proposed landscaping shall be prepared and bonding or other surety may be required to ensure installation and maintenance. The Zoning Board of



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Adjustment may require a professional landscape architect to prepare a plan on a case-by-case basis.”

The Board finds that the landscaping plan does not meet the meet the bylaw requirement.

The Board finds that the landscaping proposed in the original site plan, Exhibit 18, Item 3 “An assortment of 2-3” deciduous trees will be planted about 30-50 feet apart along both sides of Harvest Park Road” has not yet been planted. While none of these would necessarily be planted on Lot 3, the Applicant is encouraged to coordinate with the other owners to assure this work is complete.

7. Specific to the Site Plan, the Board found that the buildings were shown very close to the property setbacks and close to or having the potential to encroach on the setback of the protected stream buffer. It is critical that the actual constructed locations of these structures meet these setbacks. The applicant indicated that he could assure this distance was met with his surveying equipment during final layout. The Board finds that it is highly likely that the building(s) will need to be moved away from the protected stream to accommodate the buffer strip and its associated setback. The Board found that they would allow the buildings to be adjusted in size and location from those show to meet this bylaw.
  8. The existing State water/wastewater permit does not match the proposed project. The applicant testified that he is aware of this and that the existing water/wastewater plans and permit will be amended to match the project. Documents and testimony during the hearing indicate that the Fire District is aware of the project and that sufficient potable water supply exists to serve the project.
  9. The State Stormwater Management Program was not asked about this project, as part of the common development, regarding whether or not a permit was required.
- F16. 3.8.6 Signs in the HC district: The Board did not have exhibits provided regarding proposed signs. The check box for “Sign” in the “Permit Type” section was selected but no information about a proposed sign was provided. The applicant stated that the Landowner has applied for a shared sign. The Board makes no findings in regard to signs.
- F17. Section 3.6 - Outdoor Lighting. The Board did not have exhibits provided regarding proposed lighting. The applicant testified that no exterior lights were proposed but later upon further discussion decided that there could lights installed at the personnel door(s).
- F18. During the Conditional Use Review Process the Board will base its decision on whether the proposed use will result in an undue adverse effect on: the capacity of existing or planned community facilities; the character of the area; and/or traffic; as well as whether all applicable general and special provisions of the Bylaws are met. The Board may attach certain additional requirements or conditions to a permit. The Board found that Conditions were needed. A performance bond or other surety may be required by the Zoning Board of Adjustment for a conditional use permit. The amount, term and conditions of forfeiture shall be stated in the decision which requires the surety and shall be reflected in the surety



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contract. The surety contract shall be satisfactory to the Administrative Officer as to form, sufficiency and manner of execution, and shall be filed with the Town Clerk. The Board found that a performance bond was not required.

- F19. Community Facility Project Review Sheet and Sign-Off, Exhibit #16. Prior to the hearing all department heads were given the opportunity to review the application and indicate whether or not the proposed project would have an adverse impact on their department. With the exception of the fire department, the department heads indicated the project would not have an adverse impact. The Fire Chief of the Ascutney Village Fire Department did not provide comments within the review period. The Board finds that it will accept and support the comments it did receive. The Board finds that the State of Vermont Division of Fire Safety has jurisdiction over most of the fire safety regulations and compliance with their permit process is necessary.

### CONCLUSIONS OF LAW

It is not the aim or duty of the Zoning Board of Adjustment to favor one individual over another, nor to approve or disapprove any specific activity. Rather, it is to interpret the above findings of facts which *“shall explicitly and concisely restate the underlying facts that support the decision, based exclusively on evidence of the record. Conclusions should be based on the findings of fact.”* (Bylaws 6.3.3). Based on the Findings of Fact, the Zoning Board of Adjustment makes the following Conclusions of Law regarding the proposed project, as conditioned.

- CL1. Section 2.5.6 Highway Commercial (HC) Zoning District was reviewed. Within the HC district a Contractor’s Storage use was determined by the Board to require Site Plan Review. Site Plan Review was completed. As conditioned, the Zoning Board concludes that the proposed use is consistent with the HC district and that the applicable reviews have been completed.
- CL2. Section 3.2.8 – Streambank Conservation was reviewed. The Zoning Board concludes that a stream exists on the property that meets the definition of a “protected stream” and requires protection. Section 3.2.8 requires that a naturally vegetated buffer strip shall be maintained on the banks of the protected stream. The width of the buffer strip, measured from the regular high water mark, is to the top of the stream bank or 25 feet, whichever is less. As conditioned, the Zoning Board concludes the property can be developed with structures outside this buffer, so long as the structures are placed outside the 50 feet of the buffer strip. The Zoning Board concluded that it is highly likely that the building(s) will need to be moved away from the stream to accommodate this buffer and that their sizes may need to be updated. The Board concluded that they would allow the buildings to be adjusted in size and location from those shown in order to meet this bylaw.
- CL3. Section 3.5 – Off-Street Parking was reviewed. No specific parking areas are identified. There will be no visitation by the public and only one or two employees on site at any given





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time. The area of the gravel surface provided for the use of the buildings is sufficient to provide areas to park within the proposed project. The Zoning Board concludes that the Off-Street Parking area shown on the Site Plan is sufficient in size to satisfy the bylaws.

- CL4. Section 3.6 Outdoor Lighting. The exhibits and initial testimony from the applicant indicated that no exterior lighting would be installed. It was clarified during the hearing that one light at the personnel door could be installed at some time in the future. This light is approved. No additional exterior lighting was reviewed or approved. The Zoning Board concludes that the lighting, when installed and operational must be field checked by the Land Use Administrator to verify that it complies with the bylaws.
- CL5. Section 3.7 Performance Standards was reviewed. The Interested Persons, the Public and the Zoning Board were given the opportunity to express any concerns specific to the ongoing use of the property and the proposed changes to the property. The Zoning Board concludes that the project can be completed such that the Performance Standards of section 3.7 are upheld.
- CL6. Section 3.8.6 Signs – There were no proposed signs to review. The Zoning Board concludes that all signs must be submitted for review and approval by the Land Use Administrator prior to installation.
- CL7. Section 5.2 - Site Plan Review. The Site Plan review process was completed in detail. As conditioned, the Zoning Board concludes that the Site Plan can satisfy the bylaws.
- CL8. Section 5.2.4 – Stormwater Management. The Site Plan and narrative provided by the applicant were reviewed in detail. The plan does not adequately assure the stormwater provisions of the bylaws are met. The Board concludes that sufficient requirements can be included as conditions, such that as conditioned, the Zoning Board can conclude that the Stormwater Management system can satisfy the bylaws. Stormwater management measures are to be incorporated into the final site design to ensure that no additional storm water runoff is generated beyond the boundaries of the property and so that the storm water cannot impact neighboring properties, town highways or surface waters.
- CL9. Section 5.2.5 – Landscaping and Screening. The Site Plan and narrative provided by the applicant were reviewed in detail. The plan does not adequately assure the landscaping provisions of the bylaws are met. The Board concludes that sufficient requirements can be included as conditions, such that as conditioned, the Zoning Board can conclude that the landscaping can satisfy the bylaws.
- CL10. Section 5.3 – Conditional Use Review was reviewed. Within the HC district a Contractor's Storage is a Conditional Use. During the Conditional Use Review Process the Board concluded that the proposed use will not result in an undue adverse effect on: the capacity of existing or planned community facilities; the character of the area; and/or traffic; as well as whether all applicable general and special provisions of the Bylaws so long as a Certificate of Occupancy provision is included to assure compliance with this Decision. As conditioned, the Zoning Board concludes that the proposed project use will not result in an adverse impact on the stated criteria and that the applicable reviews have been completed.

### **DECISION AND CONDITIONS**



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On May 30th, 2023, at a deliberative session all three of the deliberating members of the Zoning Board of Adjustment voted unanimously to Approve the application for Site Plan Review and Conditional Use Review with the following conditions:

- C1. Any deviation from the application documents, facts and Revised Site Plan without prior written approval of the Zoning Board of Adjustment shall constitute a violation of the Weathersfield Zoning Bylaws and the Administrative Officer shall be required to take appropriate enforcement action.
- C2. Construction shall begin within one year of approval. The permit is valid for 5 years to complete construction if the project has been started but not completed, unless renewed as required by section 6.2.7 of the Bylaws.
- C3. Comply with State of Vermont permitting requirements of the Department of Public Safety, Division of Fire Safety.
- C4. Prior to construction the protected stream buffer strip and the 50ft setback from this buffer strip is to be marked at the site. No structure that requires a zoning permit shall be placed within 50 feet of the buffer strip. The building(s) is to be adjusted in size and location from those shown on the site plan to meet this bylaw. The applicant is advised that the 50ft setback is measured from the outside of the buffer strip, so is in addition to the 25ft buffer strip, resulting in a potential setback of 75ft from the regular high water mark. The applicant is to arrange for a site visit from the Land Use Administrator to verify that this Bylaw provision is met prior to commencing construction.
- C5. Comply with State of Vermont permitting requirements of the Department of Environmental Conservation. The existing water/wastewater permit is to be amended to match the project. The State Stormwater Management Program is to be consulted to assure that this project, as part of the common development, does not require a permit.
- C6. The direct discharge of the stormwater to the protected stream buffer as currently shown on the Site Plan is prohibited. Stormwater management measures are to be incorporated into the final site design to ensure that: All storm water generated on the site is made free of sediment and pollutants before leaving the site. Storm water may not impact neighboring properties, town highways and the adjacent protected stream. No sediment laden stormwater may leave the site or accumulate with adjacent property flows with sufficient velocity to scour the Town Roads (or their ditches) and the adjacent protected stream corridor. The Applicant is encouraged to retain an engineer licensed in VT to create a plan to assure this condition is met. The Land Use Administrator is to verify conformance with this condition as part of the Certificate of Occupancy process.
- C7. The landscaping is to include the plantings shown on the plan. In addition, the parking lot is to be screened along Harvest Park Road and Lot 3 using the same or greater density and species as proposed along the Northerly and Easterly Boundaries. The landscaping scope for this parcel is to include the relevant plantings referenced on the original site plan, Exhibit 18, Item 3 "An assortment of 2-3" deciduous trees will be planted about 30-50 feet apart along both sides of Harvest Park Road." The Land Use Administrator is to verify conformance with this condition as part of the Certificate of Occupancy process.



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- C8. Lights at any of the personnel doors accessing either building are approved so long as the fixtures and installation locations conform to section 3.6 of the bylaws. The Land Use Administrator is to verify conformance with section 3.6 as part of the Certificate of Occupancy process.
- C9. Except for the time ordinarily required to use, move and maintain the materials and equipment of the Contractor during the work day, the material and equipment associated with the Contractor's Storage use will be stored inside the buildings. No portion of the open area on the lot (outside the buildings) is approved for long term exterior material or equipment storage.
- C10. A Certificate of Occupancy is required for the project. The applicant/landowner is to contact the Land Use Administrator (Administrative Officer) for a site visit to review the completed project and to confirm that each condition is met. No use or occupancy of the items subject to this permit is allowed until a Certificate of Occupancy is issued by the Administrative Officer and recorded in the Land Records for the property.

Dated at Weathersfield, Vermont, this 7th day of July, 2023.

BY:

David (Todd) Hindinger, Chair

Members participating in the site visit, hearing, and deliberations:

David (Todd) Hindinger, Chair  
Joseph Bublat, Vice-Chair;  
Grace Knight.

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

Copies of this decision will be distributed to:

Applicant (via certified mail)

Landowner

Every person or body appearing and having been heard at the hearing

Administrative Officer

Town Clerk