

Report on Proposed Amendments to the Land Use Chapter of the Weathersfield Town Plan

The enclosed text and map represent a rewrite of the Land Use chapter of the Weathersfield Town Plan. This chapter, as amended, provides a comprehensive framework to guide future land use decisions by this municipality as well as regional and state entities.

On September 17, 2009, the Town re-adopted the Plan that had been rewritten in 2004 and amended in 2005. Immediately following the 2009 re-adoption, the Planning Commission began a 5-year project to completely update the town plan. At this writing, the transportation chapter has been amended; the energy chapter awaits its public hearings before the Select Board; and the economic development chapter is in its final drafting stage.

This report is intended to satisfy the requirements of V.S.A. Title 24, Chapter 117, §4384(c) with regard to proposals to amend a Town Plan.

General Goals of 24 V.S.A. §4302(b):

1) *To establish a coordinated, comprehensive planning process and policy framework to guide decisions by municipalities, regional planning commissions, and state agencies.*

Weathersfield has a well-established planning process and policy framework, which is supported with the help of the Select Board, the Planning Commission, the Conservation Commission, other municipal boards and commissions, Town staff, and committed community members.

2) *To encourage citizen participation at all levels of the planning process, and to assure that decisions shall be made at the most local level possible commensurate with their impact.*

This Plan amendment is the direct result of substantial community participation. The Planning Commission sought community input early in the Plan revision process through a town-wide mail survey to all residents. The Planning Commission also held a series of five public outreach meetings in the four “corners” and the “center” of the community to seek additional input to the Plan. In addition, regular monthly meetings were open to the public.

Specific Goals of 24 V.S.A. §4302(c):

- 1) *To plan development so as to maintain the historic settlement pattern of compact village and urban centers separated by rural countryside.*

The land use plan seeks to preserve the existing historic settlement pattern of dense mixed uses within its existing villages (Perkinsville and Ascutney) surrounded by larger areas of lesser density. Future Land Use categories have been updated to better address state planning goals and natural constraints. The update also includes modifications to address existing and desired settlement patterns in Downer's Corners, the interstate interchange corridor, and suitable areas for light industrial growth.

- 2) *To identify, protect and preserve important natural and historic features of the Vermont landscape.*

Weathersfield residents place a high value on the importance of protecting and preserving the scenic beauty, rural character, and historic features that define the Town. The Land Use chapter calls attention to areas of special consideration that include source protection areas and scenic resources and calls for appropriate measures to protect these special areas.

- 3) *To maintain and improve the quality of air, water, wildlife and land resources.*

The Land Use chapter calls attention to areas of special consideration that include source protection areas and scenic resources and calls for appropriate measures to protect these special areas including modifying where future growth is desirable in order to protect these important resources.

- 4) *To maintain and enhance recreational opportunities for Vermont residents and visitors.*

The Future Land Use map identifies conservation areas to be valued for outdoor recreation.

- 5) *To encourage and strengthen agricultural and forest industries.*

The "Open and Agriculture" land use category identifies open and agricultural land areas to be valued for farming and food supplies. The "Conservation" and "Rural" lands are identified for forest lands.

- 6) *To provide for the wise and efficient use of Vermont's natural resources and to facilitate the appropriate extraction of earth resources and the proper restoration and preservation of aesthetic qualities of the area.*

Zoning bylaws will guide land uses in those areas identified on the Future Land Use map as "Conservation", "Open and Agricultural" and "Rural".

Land Area Considerations:

The Future Land Use Map has been revised to show closer alignment with state planning goals by showing high density development in tight “village” centers surrounded by less densely developed lands. These changes have been made to preserve the historical settlement pattern of the town. Significant changes to note are:

1. Lands east of Route 5 in Ascutney between Turner Place and the CT River have been changed from “Mixed Use (Growth Center District)” to Forest/Rural. This change would remove approximately 90 acres of land from high density mixed use to a lower density, rural working landscape. The purpose of the change was to protect the primary agricultural soils in that area from high density development.
2. Industrial land has been added on Stoughton Pond Road (TH 6). This change more accurately reflects development that already exists there (Sheehan Lumber, VT Soapstone and the Town Highway Garage). This area was formerly designated as Mixed Use (Growth Center).
3. Industrial land has been added along Route 5 south of Ascutney to incorporate the development that is already there (Daniels Construction, Velco substation, and Hodgdon Brothers Salvage Yard). This area was formerly designated as “Forest”.
4. A new category, “Mixed Use - Interchange”, has been added along the Route 131 corridor between Goulden Ridge Road (TH 46) and the CT River. This corridor is identified so as to incorporate the “I-91 Exit 8 Interchange Master Plan” of 2008.
5. “Mixed Use - Downer’s Corners” is shown as a separate land area and modified from its earlier designation as a “Growth Center District”. Its boundaries reflect the development that is already present there and removes other parcels that are not appropriate for this type of development due to steep slopes and wetlands.
6. Weathersfield Bow and Amsden are both identified as “Hamlet”.
7. The revised Future Land Use Map continues to show that most of the Town’s land area is dedicated to Conservation, Open/Agriculture, and Forest/Rural.

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

The changes in future land use designations should not result in any negative impacts on the areas surrounding them. In fact, many of the changes are intended to focus the high intensity uses where they are most appropriate and to reduce negative impacts.

2) *The long-term cost or benefit to the municipality, based upon consideration of the probable impact on:*

(A) *the municipal tax base* – Due to the structure and mechanics of Act 68, it is difficult to make a determination of the probable impact on the municipal tax base.

(B) *the need for public facilities* – There will be no significant increase in the current infrastructure and services.

3) *The amount of vacant land which is:*

(A) *already subject to the proposed new designation* – When the 2009 Future Land Use map is compared with the updated Future Land Use map, it appears that the land areas involved have not changed significantly.

(B) *actually available for that purpose, and the need for additional land for that purpose* – existing available land appears to be adequate.

4) *The suitability of the area in question for the proposed purpose, after consideration of:*

(A) *appropriate alternative locations;*

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

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

These areas have not changed significantly from the 2009 Plan, but have been better defined and more thoroughly identified in the update with the addition of Future Land Use Categories. Most specifically, the categories of Mixed Use - Interchange and Mixed Use - Downers Corners help to explain the kinds of uses to be allowed in the interchange corridor and Downers Corners.

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

The size and boundaries of the areas involved are compatible with the uses.

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(2) A land use plan, consisting of a map and statement of present and prospective land uses, indicating those areas proposed for forests, recreation, agriculture (using the agricultural lands identification process established in 6 V.S.A. § 8), residence, commerce, industry, public and semi-public uses and open spaces reserved for flood plain, wetland protection, or other conservation purposes; and setting forth the present and prospective location, amount, intensity and character of such land uses and the appropriate timing or sequence of land development activities in relation to the provision of necessary community facilities and service;
(24 VSA §4382)

LAND USE

I. Map of present and prospective land uses in Weathersfield

See the Current Land Use Map and Future Land Use Map in the Appendix.

II. Statement of Present Land Uses

The array of land uses present in Weathersfield today represents the typical evolution of countless towns across New England. In its earliest days, Weathersfield consisted of widely scattered farms interspersed with the services they needed to survive (churches, tanneries, blacksmiths, and mills). Centers grew up in Ascutney on the Connecticut River and Perkinsville on the Black River. These centers functioned as typical New England villages with churches, schools, and businesses. Perkinsville was particularly robust with industries taking advantage of the water power from the Black River. The Town also had thirteen separate school districts, each with their own associated neighborhoods.

The lack of a centrally located “center” for the town became an issue in the 1800’s. Residents of Perkinsville resented having to travel the long distance and rough terrain to Ascutney to attend town meetings in much the same manner as residents of the town of Windsor, our immediate neighbor to the north. While Windsor ultimately solved their division by literally dividing the town into two separate municipalities, Weathersfield made an attempt to create a town center at the height of the land on Weathersfield Center Road at almost the exact geographical center of the community. However, this didn’t last and development continued to concentrate in Perkinsville and Ascutney. Town government has been located in both centers over time, with it currently seated in Ascutney.

The early 1960’s brought huge changes to both centers. Perkinsville was literally reduced by a half as a result of the US Army Corps of Engineers’ flood control project. Lower Perkinsville was completely dismantled to allow for storage of flood waters from the Black River to protect communities downstream along the Connecticut River. Ascutney was forever altered by the construction of Interstate 91. When Exit 8 was constructed, the interstate and interchange adversely impacted both the historic and scenic characteristics of Ascutney village by bisecting the existing community. In this case, the new interchange development and subsequent upgrade of VT 131 was inconsistent with the traditional New England land use pattern of compact village centers surrounded by rural countryside, which the pre-interstate Ascutney village typified. ¹ The Town’s zoning bylaws should strive to reflect historic development patterns in its setback requirements and minimum lot sizes. Zoning should also provide the tools with which to preserve the existing historic settlement pattern of dense mixed uses within existing villages (Perkinsville and Ascutney) surrounded by areas of lesser density. A two-family home is a small scale form of cluster development. Allowing two-family homes in appropriate areas can provide additional housing at reduced cost and

reduced burden on the land without changing the character of the town.

Many farms that once dominated the landscape have disappeared as the various forms of farming became less and less profitable. Farm lands have been subdivided and developed as residences (for the most part) and the Town has become primarily a bedroom community. Commercial and industrial activities are small scale and tend to be located along the Town's major highways in the Ascutney area and at Downers 4 Corners. Perkinsville no longer supports the commerce and industry of its past and is primarily a concentration of residences.

Home businesses are common in Weathersfield. Bounded by larger towns, most residents are employed and shop in surrounding communities (Springfield, Windsor, Claremont, and the Upper Valley).

Weathersfield's landscape is predominantly forested. These lands provide habitat for a variety of species such as deer, bear, moose, and a multitude of birds. Forested land provides employment, recreational and economic opportunities as well.

Agricultural use of land is scattered throughout the Town along river valleys and other areas where the best soils and flat ground are found. For the purposes of this chapter, "agricultural lands" are defined as those areas that are used as active farms or that have the potential to support future farming activities generally demonstrated by the Natural Resource Conservation Service important farmland soil units with a rating of prime agricultural soil or soils of statewide significance.

Active earth resource extraction operations are located in Amsden, Weathersfield Bow and Perkinsville.

III. Statement of Prospective Land Uses

Weathersfield is a rural community, with forestlands and agricultural fields surrounding small villages and hamlets. Weathersfield's Zoning Bylaws allow for home occupations and/or home businesses in all districts, and allow larger-scale commercial and industrial uses in certain designated areas in Town as described below. Start-up businesses may begin as a home occupation or home business, and relocate to another area in Town if they continue to grow and prosper. The Town should consider using performance standards in its zoning bylaws in place of lists of specific uses.

The following future land use categories are intended to provide guidance on future growth in accordance with 24 V.S.A. § 4382. As such, these future land use categories set forth the present and prospective location, amount, intensity and character of such land uses and the appropriate timing or sequence of land development activities in relation to the provision of necessary community facilities and service. However, the physical characteristics of certain individual properties may be such that engineering or environmental considerations will further limit development. Therefore, the descriptions of appropriate land uses and densities should be interpreted generally – individual properties may have additional limitations.

Village

A. Values:

- a. The "Village" land use category has been given to those areas of town that are already "traditional village centers" (i.e. Ascutney and Perkinsville).
- b. These are areas where there is already the highest density of development and where the town wishes to not only continue that density, but to encourage it.
- c. These are areas where development is best suited to a scale that is pedestrian-oriented.
- d. These are areas that provide a "sense of community" to the Town because of the land uses that are located within them that provide services to the outlying areas of the Town.

B. Desired uses:

a. Primary location of:

- i. public uses (including, but not limited to, recreation, post office, town and school offices),
- ii. semi-public uses (including, but not limited to, churches),
- iii. economic growth (e.g. small-scale retail)

- b. High-density residential development as both primary and secondary land uses
- c. These are areas that already provide a compatible mixture of a wide variety of land uses. The Town wishes to encourage further such compatible development in these areas.

Hamlet

A. Values:

- a. The "Hamlet" land use category has been given to those areas of town that are already "traditional hamlets" (i.e. Amsden and Weathersfield Bow).
- b. These are areas where there is already a high density of development within a small geographical area and where the town wishes to not only continue that density, but to encourage it.
- c. These are areas where historically there was a mixture of public and private land uses (e.g. residential mixed with taverns, mills, lime kilns, etc.) Today the residential land uses predominate, but the Town would like to see public uses that serve the needs of the immediate hamlet encouraged to locate

B. Desired uses:

- a. A mix of residential, civic and small-scale commercial uses at a density that matches the current density in each of the existing hamlets

Mixed Uses - Downer's Corners

A. Values:

- a. Downers Corners is located at the intersection of two highly traveled state highways (Routes 131 and 106). Therefore it is a location that is highly accessible to a large number of passers-by. These are desirable attributes for commercial and business development.
- b. The Downers Corners area is limited in size due to topography and the presence of the Black River and wetlands. However, with sufficient density

there is enough land to allow enough development to provide a modest number of jobs.

- c. Being at the intersection of two highways, Downers Corners is an excellent location to provide for travelers' services.

B. Desired uses:

- a. The existing mix and scale of commercial uses at its existing density is desirable (gas station, small retail store, insurance company, engineering company, water-testing lab, post office, auto repair business, self-storage facility, restaurant).
- b. Encourage new development and re-development that mimics the existing mix, scale and density.
- c. Public uses (e.g. park and ride)

Mixed Uses – Interchange (I-91 Exit 8)

A. Values:

- a. The Interchange area is, like Downers Corners, a location that is highly accessible to a large number of passers-by. These are desirable attributes for commercial and business development.
- b. The Interchange Corridor, however, should also recognize its connection to Ascutney village and provide a transition from the high-speed motorized vehicle environment in the interchange area to the slower speed, pedestrian oriented village environment along Route 5 in Ascutney
- c. (See Vision Statement in the side bar)

B. Desired uses:

- a. A higher value of land development and redevelopment which utilizes progressive design features related to building design, parking, stormwater management, landscaping, signage, and lighting in the overall site design.
- b. Specifically a mixture of small businesses and offices with second floor residential uses at a moderate density

Interchange Area Vision Statement

The Town of Weathersfield, Vermont believes that the future land use in the Exit 8 Interchange Area should embrace access management, pedestrian friendly, and traffic calming principles in order to encourage a higher value of land development and redevelopment which utilizes progressive design features related to building design, parking, stormwater management, landscaping, signage, and lighting in the overall site design. The future land use along VT 131 should strengthen connections with Ascutney Village and the expanded Park and Ride facility. Achieving this vision will enable the Town and Ascutney Village to grow in a quality manner and add value to the Town and to provide for an attractive, safe, and efficient transportation system. (from: *I-91 Exit 8 Interchange Master Plan*, 2008)

Light Industrial

A. Values:

- a. These are areas centered around existing clusters of industrial uses (e.g. Hodgdon Brothers Salvage yard, Sheehan Lumber, Vermont Soapstone)

B. Desired uses:

- a. Industrial uses at a scale that is appropriate for Weathersfield, including, but not limited to, light manufacturing, sawmills, warehousing.

Residential

A. Values:

- a. These are areas that surround the village centers that are valued as areas for affordable housing, recreation, and walkable residential neighborhoods because of their proximity to the village centers and because this facilitates the traditional New England pattern of development

B. Desired uses:

- a. Residential uses with compatible civic and small-scale commercial uses (i.e. churches, general stores, home businesses) at a moderate density

Rural

A. Values:

- a. These are areas between the village centers that provide the town its rural character, its recreation areas, its working landscapes and forestlands

B. Desired uses:

- a. Primarily detached residential, agricultural, forest and home businesses at a density and scale that will maintain the rural character of the town

Open and Agriculture

A. Values:

- a. Lands that are best suited for
 - i. farming because of their quality soils and suitable topography
 - ii. preservation of the town's cultural heritage and rural character

B. Desired uses:

- a. Farming of all types
- b. Low-density detached residential
- c. Home businesses

Conservation

A. Values:

- a. Lands best suited for:
 - i. wildlife habitat,
 - ii. outdoor recreation,
 - iii. education,
 - iv. preservation of fragile natural areas,
 - v. forestlands,
 - vi. flood control management areas,
 - vii. scenic beauty

B. Desired uses:

- a. Outdoor recreation
- b. Open space
- c. Un-fragmented wildlife habitat
- d. Very-low density residential and home business uses that is especially mindful of possible negative impacts to the land

Special Considerations

There are several important considerations within any of the land use categories above that merit special attention. These special considerations include:

- A. **Source Protection Areas:** There are currently two private wellhead protection areas (Country Estates, old Elementary School building) mapped within the Town of Weathersfield. These areas represent the locations most susceptible to water contamination, and are required as part of the permitting process for potable water wells by the Vermont Water Supply Division. No Town-adopted regulatory controls to protect these water sources are in effect at this time. However, property owners located within these source protection areas are encouraged to minimize land uses and activities that might contaminate these wells.
- B. **Scenic Resources:** Important scenic resources include views of Mt. Ascutney, Center Church and Memorial Grove, as well as views from Weathersfield Center Road and Skyline Drive as discussed in the Natural, Scenic and Historic Resources Chapter of the *Town Plan*. These scenic resources are incorporated into the Conservation future land use category. Development in these areas shall take precautions to minimize undue adverse impacts on these highly valued scenic resources.
- C. **Flood and Erosion Hazards:** All development within FEMA-designated flood hazard areas is subject to the Flood Hazard Area provisions within the *Town of Weathersfield Zoning Bylaws* in order to mitigate inundation-related flood damage. However, the damage sustained in western Weathersfield in 2011 during Tropical Storm Irene was largely caused by erosion of the river banks, not inundation. The *Black River Corridor Plan* developed by the Southern Windsor County Regional Planning Commission identifies erosion hazard areas and potential ways to address erosion threats to property. Future development must be directed away from locations that are prone to damages from both inundation and erosion.

IV. Timing of Development

Weathersfield is a rural community which has in the past twenty years experienced a relatively slow rate of growth.

The general state of the economy appears to be the primary control on the town's growth rate. The better the economy, the greater rate of development as people look to build newer, bigger homes; homes with more land; second homes; and businesses look for places to expand. However when the economy has a downturn, the rate of development slows considerably.

Development can also be constrained by the lack of infrastructure as in the case of Perkinsville. Ascutney's privately owned Water Company has been purchased by the newly formed Ascutney Fire District #2. The Fire District has plans to update the infrastructure which may make it possible to increase the density of development within the Fire District.

Controlling the rate of development during good economic times becomes a necessity when its rate threatens to overwhelm the town's ability to provide services and maintain its infrastructure.

Residents wish to continue the same steady and well-paced pattern of growth that it has experienced over the past twenty years, and to the extent possible, prevent sudden large increases in population which would place undue stress on Town facilities and services.

V. Land Use Goals, Policies and Recommendations

Goals

1. The town shall preserve its traditional historic New England development pattern of compact, high-density, mixed use villages separated by rural countryside.
2. The town shall preserve its rural character.
3. The Town shall preserve the character of its villages and hamlets.
4. The rate of development shall be limited to that which will not overwhelm the town's highway department, waste disposal facility, school, fire suppression services, or police department.

Policies

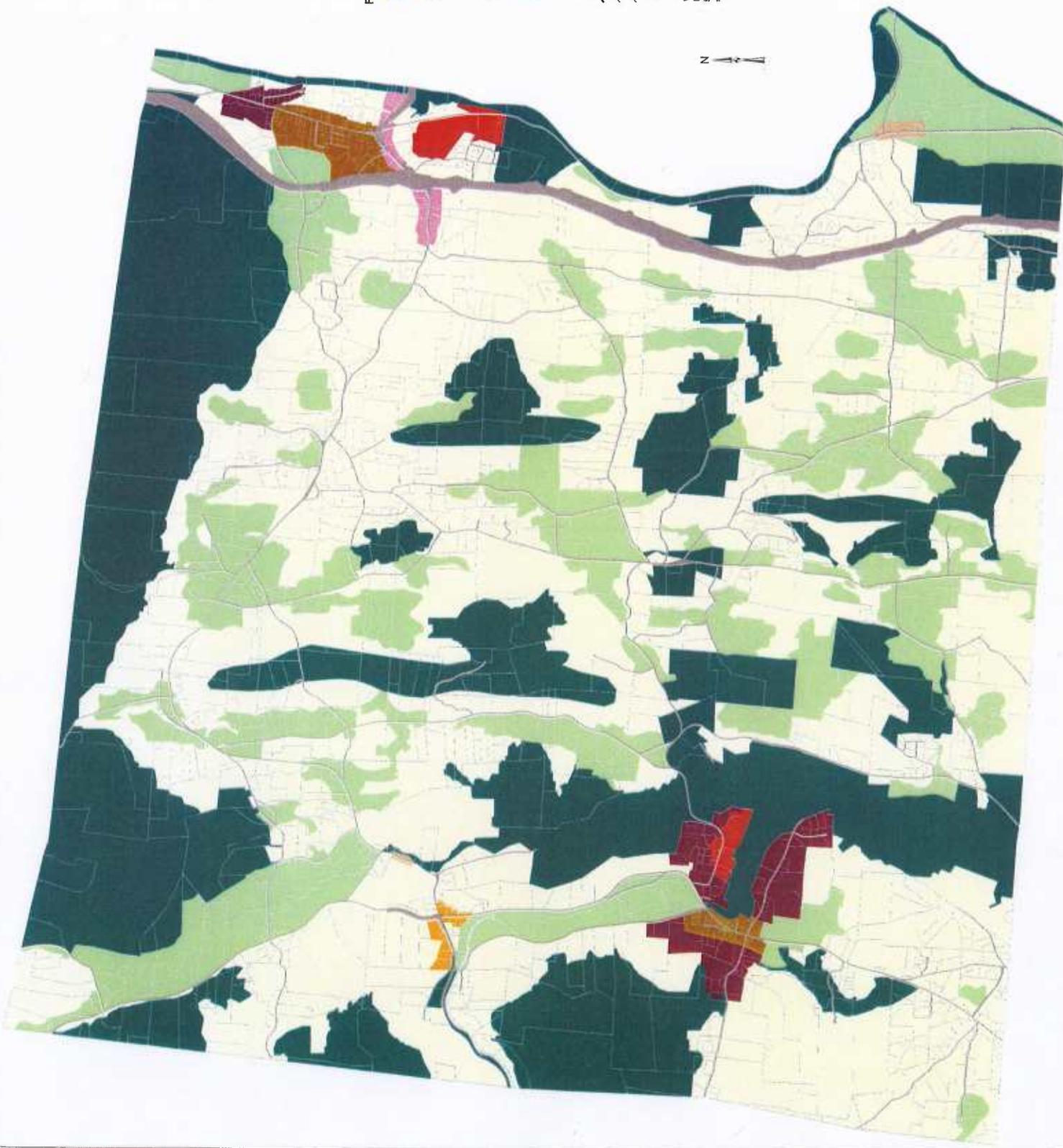
1. Development shall be directed in accordance with the Future Land Use Map.
2. Development shall not result in undue adverse impacts on the character of the Town's villages and hamlets. "Character" of the villages and hamlets is defined by:
 - a. Small lot sizes and setbacks
 - b. Development at a scale that is pedestrian-oriented
 - c. Traffic patterns and access management strategies that are not "pedestrian hostile"
 - d. A wide variety or mixture of uses that include public and semi-public uses, residential development as both primary and secondary uses of the land, home businesses and small scale retail uses
 - e. The obvious presence of historic buildings
 - f. A style of development that focuses foremost on buildings and people and less so on automobiles
 - g. A place where people in the community desire and are able to gather
 - h. A place people identify as the heart of their community
3. Development shall not result in undue adverse impacts on the "rural character" of our community. The "rural character" of the community is defined by:
 - a. Dirt roads that are lined with mature trees
 - b. Tree canopies over dirt roads
 - c. Stone walls that line the edge of road rights-of-way
 - d. Low traffic volume
 - e. Minimal traffic signage or lighting
 - f. Limited commercial development that is small in scale and footprint
 - g. Home Businesses
 - h. Dark night sky
 - i. Quiet
 - j. Agricultural activities
 - k. Forests
4. Zoning and subdivision regulations shall be the primary tools for directing, guiding and/or regulating development within the town.
5. Development shall not have an undue adverse impact on the town's most significant natural, scenic or historic resources. The Conservation Commission shall be charged with advising applicants, the zoning board, and the planning commission when development is proposed that may have an impact on the town's significant natural, scenic and historic resources.
6. The town shall carefully guide development that may be proposed on land areas of special consideration:

- a. Source Protection Areas
- b. Scenic Resources
- c. Flood and Fluvial Erosion Hazard Area

Recommendations

1. Plan for water and sewer infrastructure that will:
 - a. allow increased density of development in and near the village centers; and
 - b. support existing densities in the village centers.
2. Identify erosion-prone areas and develop appropriate strategies to minimize risk from erosion hazards.
3. The Conservation Commission is charged with the following activities:
 - a. inventorying the Town's significant natural, scenic and historic resources
 - b. developing plans and strategies for protection, preservation, and/or conservation of the town's significant natural, scenic and historic resources
4. The town shall adopt NFIP standards to regulate development that is proposed for flood-prone areas so that damages from inundation can be minimized and so that property owners are eligible for flood insurance.
5. The town shall develop fluvial erosion hazard mitigation strategies to:
 - a. regulate development that is proposed in areas prone to damage from fluvial erosion;
 - b. protect town-owned infrastructure from fluvial erosion damages.
6. The town shall adopt "conservation style" subdivision regulations.
7. The town shall adopt lighting standards that preserve the dark night sky.

**Future Land Use Map
Town of Weathersfield
DRAFT May 22, 2013**



Future Land Use Categories (May 2013)

- Village
- Hamlet
- Light Industrial
- Mixed Use:**
- Downer's Corners
- Interchange
- Residential
- Rural
- Open and Agriculture
- Conservation
- ROW
- Water
- Interstate, US and State Hwy
- Town Hwy (Class 2, 3 and 4)
- Legal Trl, State Forest Rd and Prvt Rd
- 2011 Parcels

VT State Plane, Meters, NAD 83
Data depicted on this map are for planning purposes only and are based on best available information. Some of the data - for example, road lines and parcels - do not line up.



For planning purposes only
Not for regulatory interpretation
DRAFT Drawn May 22, 2013

