



WAITSFIELD PLANNING COMMISSION AGENDA

August 20, 2024 at 7:00 p.m.

Planning Commission

Beth Cook
Robert Cook
Emma Hanson
AnnMarie Harmon, Vice-Chair
Becca Newhall
Alice Peal
Jonathan Ursprung, Chair

THE PLANNING COMMISSION WILL BE HOLDING A HYBRID MEETING. THE PUBLIC MAY ATTEND IN PERSON AT WAITSFIELD TOWN HALL OR REMOTE VIA ZOOM WITH TELEPHONE AND/OR VIDEO ACCESS. THOSE PARTICIPATING MAY SPEAK DURING THE DESIGNATED PERIODS.

To join the meeting remotely, use this link:

<https://us02web.zoom.us/j/9190265312>

Meeting ID: 919 026 5312

Or call: 1 929 205 6099

Planning & Zoning Administrator

J. B. Weir

Town Administrator

Vacant

Town Clerk

Jennifer Peterson

Town Treasurer

Vacant

Waitsfield Town Office

4144 Main Street
Waitsfield, VT 05673
(802) 496-2218
www.waitsfieldvt.us

1. **CALL TO ORDER / ROLL CALL**
2. **REVISIONS TO AGENDA, IF ANY (5 +/- min)**
3. **PUBLIC FORUM (10 +/- min)**
4. **APPROVAL OF MINUTES – JULY 16, 2024 (10 +/- min)**
5. **VILLAGE MASTER PLANNING (50 +/- min) AnnMarie/JB/Alex**
6. **ALICE UPDATE (15 +/- min)**
 - a. CVPRC
 - b. Climate Action Plan
 - c. LHMP
7. **GROUNDWATER PROTECTION OVERLAY DISTRICT (10 +/- min) JB**
 - a. Adoption Timeline
8. **WASTEWATER PLANNING PROJECT UPDATE (10 +/- min) JB/Bob**
9. **OTHER BUSINESS (10+/-min)**
10. **ADJOURNMENT**

Waitsfield Planning and Zoning Administrators Report
Planning Commission August 20, 2024 meeting

5. Village Master Planning (MPG)

The Steering Committee will meet the morning before this meeting – on August 20th at 11am. On August 12th, Mrs. Harmon, Mr. Rood, Alex Belensz, and the PZA met to get an update from SE Group on initial master planning work. Alex presented an initial wetland and flood constraint map, with a focus on potential mitigation areas of which there was little opportunity. Discussion was had as to potential site-specific stormwater mitigation efforts (i.e. retention ponds, raingardens, etc.) which could offset wetland impacts wrought by infill development in Irasville. Alex also displayed a website generated for Montpelier master planning efforts which he intends to propose as a possible deliverable as opposed to a static document. That link can be found [here](#). The PZA has been tasked with compiling a list of landowners in Irasville who have either expressed an interest in further developing their properties or whose property has development potential based on the updated bylaws and wastewater service. The goal is to include these landowners in the discussion early and often in the master planning process.

There will be no materials to present thus far with regard to the master planning project, although members can anticipate plenty in the future. Mrs. Harmon and the PZA will review with the Board what comes out of the Steering Committee meeting that morning. In the meantime, members should review the link above for the Montpelier housing plan project to get familiar with this type of deliverable.

Dave Sellars and Jim Sanford have been hosting weekly community meetings over the past year in order to generate a fresh look at the future of Irasville. Their initial sketch is included in the packet. They are hoping to be involved with the process as best they can over the coming year.

6. Alice Update

The LHMP update went in front of the Selectboard for public hearing on August 12th. The link to the document is [here](#). Per Ms. Peal, the LHMP was approved pending addition of potential mitigation strategies for North Fayston Road/Shepherds Brook in the aftermath of the July 10 flood event.

Several properties along North Fayston Road were damaged in that storm as the brook erodes closer and closer to the existing homes there. The PZA has included each of these properties for site visits pursuant to the Emergency Watershed Protection Program. Program funding is used to respond to emergencies created by natural disasters. The NRCS funding will cover 100% of the cost for engineering design and 75% of the cost for construction. The remaining 25% is expected

to be paid by the town or the property owner. Individuals are not able to apply for funding directly. Instead, they are represented by a project sponsor (who needs to be a legal subdivision of the state, e.g. a municipality).

7. Groundwater Protection Overlay District

Included in the packet is the final set of standards for the GPOD, along with a set of definitions and the overlay map. The Water Commission is hoping that the PC can put these up for adoption this fall.

Members should discuss and agree on an adoption timeline for the GPOD. The Planning Commission public hearing must be noticed 30 days in advance, and notifications go out to abutting municipalities and various State agencies. The PZA recommends the Board consider setting October 1 or October 15 as the PC public hearing date for the GPOD. The Selectboard could then hold its own public hearing at a regularly-scheduled meeting in November after 15 days' notice.

8. Wastewater Planning Project Update

The PCT and ETT continue to meet on a weekly basis as the project pushes toward final design. DEC has completed review of the most recent ESA amendment for final design funding and the underwriting is in process. Mr. Morris and the PZA will be meeting to draft connection easements next week. Approximately 75-80% of the nonbinding connection agreements have come in for priority parcel allocation. The PZA is following back up with those have not submitted them yet. Soon, we will be drafting similar nonbinding agreements for those parcels not deemed priorities.

As mentioned in the last meeting packet, the Town was awarded \$1 million for final design from the 2024 ARPA monies. In a subsequent email from the CWSRF, the Town was asked to update the current Project Cost Summary, as there is potential for another \$3 million in ARPA funding, likely available due to other projects not being as far along in addition to State needing to get these monies out before they are lost to other programs. Lastly, per the draft Intended Use Plan (CWSRF), the project was included on the 2025 Pollution Control list for \$5.2 million!

Dubois & King is currently working to submit an Environmental Assessment for the USDA RD grant and loan applications. This is the last step in submittal.

The Town website page for the project has been updated and can be found [here](#).

10. Other Business

The PZA has included in the packet the 2024 work plan. Jonathan may have an update on the MRVPD.

Upcoming trainings/webinars: *None at this time.*

Respectfully submitted,

J.B. Weir

TOWN OF WAITSFIELD, VERMONT
Planning Commission Meeting Minutes
Tuesday, July 16, 2024
Draft

Members Present: Bob Cook, Emma Hanson, AnnMarie Harmon, Becca Newhall, Alice Peal, Jonathan Ursprung

Members Absent: Beth Cook

Staff Present: JB Weir, Planning and Zoning Administrator

Others Present: Cindy Carr, Dara Torre

II. Regular Business.

1. Call to Order

The meeting was called to order at 7:00 pm by Jonathan Ursprung. The meeting was held in person at the Town Offices and remotely via Zoom.

2. Review agenda for addition, removal, or adjustment of any items.

The order of items to be addressed was rearranged.

3. Public Forum.

Dara Torre and Cindy Carr introduced the concept of providing for a public pool as part of the Master Planning work. There was some discussion of past efforts toward a pool, and mention of other local residents who are also interested in this topic.

4. Approval of Minutes

The minutes of June 18, 2024 were approved.

4. Alice Update

CVRPC – Alice reported that the update to the Natural Resources chapter of the Regional Plan is close to completed, and that the Energy chapter is now under review. Two new updates to Energy chapter requirements need to be taken into consideration, and Eli Toohey of the RPC is available to present to the PC what needs to be included in their upcoming Town Plan update. Alice indicated that there has been some discussion regarding whether to have separate chapter(s) for flood recovery and climate change topics, or to have related information woven through the entire document.

Climate Action Plan – Alice reported that the five-year update process beginning, with a subcommittee having been formed for each individual chapter review; Alice is working on the Rural Resources and Resilience chapter, which has tracks for infrastructure, community planning, and public health.

LHMP – The final draft is under review, and Alice indicated that the document will go before the Selectboard for a public hearing in August. She noted that a bit of information has been added to this iteration, and that the updated document will include a presentation of measures the Town should undertake for resilience/mitigation.

Potential for repairs to the Meadow Road bridge was discussed, due to both the bridge being flooded at times as well as the extensive use it sees when other roadways out of the Valley are not usable.

Alice explained that she will send some important points related to legislative bills that were passed/vetoed/overridden, and that she will provide a report on these at the next PC meeting.

6. Village Master Planning

AnnMarie reported that she was present at the July 8 Selectboard meeting and able to answer questions; the Board approved the contract with SE Group at that meeting. She then reported on the initial Steering Committee (SC) with SE Group, where Alyx provided a review of the project's scope and the role of the SC was outlined. A meeting has been scheduled for the third Tuesday of every month, and the SC will be seeking to get other community organizations in attendance at some of those meetings. A 'walking' meeting of the area is also likely to be scheduled in the coming months.

AnnMarie indicated that at the initial meeting, the SC members each outlined their hopes and concerns about the project, which provided helpful input for the group. Some of the topics raised were planning for more vibrancy in the village areas, housing needs, pedestrian friendly configurations, and the need for incremental changes to be implemented.

Inclusion of transportation/bus service needs was discussed by the PC as another important aspect of the upcoming work, as was the importance of economic stability. JB explained that local residents will be brought into discussions related to these and other aspects of the project, some of these discussions may be held at PC rather than SC meetings. He also noted that he is providing SE Group with various documents from past Town work related to the same issues that the project will be addressing. Alyx will likely report to the full PC at a September meeting.

In relation to discussion around housing increases, it was agreed that STR regulation is in the purview of the Selectboard.

7. Wastewater Planning Project Update

JB highlighted some of the funding information he had included in the meeting packet, noting that the Town has been allocated an additional million dollars of State ARPA funds for use in completing the final design work for the system. He also reported that the latest Intended Use Plan (IUP) rankings have been published, and that Waitsfield has a score of 88 points and it eligible for \$5.2 million in pollution control money, or more if other towns are dropped from the IUP list. Additionally, Emily Hackett (DEC) has requested an estimated project cost summary, as more ARPA funds may be available for construction of the system.

JB also noted that it is possible that the project may need to go through Act 250 review; it is still being determined if a large enough area of impact is included in the project plans and would thus make Act 250 necessary.

The PER should be wrapped up soon, and communication is ongoing with priority properties, although many responses have been received from those landowners.

8. Other Business

No other business was taken up.

9. Adjournment

The meeting adjourned at 9:00 pm.

Respectfully submitted,
Carol Chamberlin, Recording Secretary



- OPEN SPACE
- NEW HOUSING
- NEW COMMERCIAL
- P PARKING
- A SECTION AREA
- B TOWN



EMERGENCY WATERSHED PROTECTION PROGRAM

Overview

The U.S. Department of Agriculture's Natural Resources Conservation Service (NRCS) administers the Emergency Watershed Protection Program (EWPP) which responds to emergencies created by natural disasters. It is not necessary for a national emergency to be declared for an area to be eligible for assistance.

The EWP Program is a recovery effort aimed at relieving imminent hazards to life and property caused by floods, fires, windstorms, and other natural disasters. All projects must have a project sponsor.

NRCS may bear up to 75 percent of the eligible construction cost of emergency measures (90 percent within limited-resource areas as identified by the U.S. Census data). The remaining costs must come from local sources and can be in the form of cash or in-kind services.

Type of Work Authorized

EWP is designed for installation of recovery measures to safeguard life and property as a result of a natural disaster. Threats that the EWP Program addresses are termed watershed impairments. These include, but are not limited to:

- debris-clogged waterways,
- unstable streambanks,
- severe erosion jeopardizing public infrastructure,
- wind-borne debris removal, and
- damaged upland sites stripped of protective vegetation by fire or drought.

The program can include purchasing floodplain easements. These easements restore, protect, maintain, and enhance the functions and values of the floodplain, including associated wetlands and riparian areas. They also conserve natural values including fish and wildlife habitat, water quality, flood water retention and ground water recharge, as well as safeguard lives and property from floods, and the results of erosion.

EWP work is not limited to any one set of prescribed measures. NRCS completes a Damage Survey Report which provides a site-by-site investigation of the work and measures necessary to protect life and property from additional flooding and soil erosion. NRCS will only provide funding for work that is necessary to reduce applicable threats. Should sponsors want to increase the level of protection, the sponsor will be responsible for paying 100 percent of the costs of the upgrade and additional work.



Due to extreme rainfall on October 31, 2019, Lewis Creek in the Town of Bristol, Vermont, had extensive flood flows which caused bank erosion that endangered a two garage and residence.

Eligibility

Public and private landowners are eligible for assistance, but must be represented by a project sponsor.

Sponsors include legal subdivisions of the State, such as a city, county, general improvement district, conservation district, or any Native American tribe or tribal organization.

Sponsor's Obligations

Sponsors are responsible for:

- providing land rights to implement repair work
- securing all necessary permits
- furnishing the local cost share
- accomplishing required works of improvement to remove the imminent threat to life and property
- performing any necessary operation and maintenance



After EWP repairs, the streambank has been stabilized to prevent further bank erosion and danger to the buildings.

Criteria for Assistance

All EWP works of improvement must reduce threat to life and property; be economically, environmentally, and socially defensible; and be technically sound.

Property is defined as any artificial structure permanently affixed to the land such as, but not limited to: houses, buildings, roads, utilities, structures, dams. Standing timber, orchards, growing crops, other agronomic crops are not considered property under the EWP Program.

How Do I Obtain Assistance?

If your land has suffered severe damage that may qualify for the EWP Program, you should contact your local NRCS office and request assistance. City, county, state governments, flood and water control districts, and soil and water conservation districts are the most common sponsors of EWP projects. More information is available from NRCS offices throughout the United States and the Caribbean and Pacific Islands areas.

Emergency Watershed Protection Cost Share

The NRCS contribution toward the implementation of emergency measures may not exceed 75 percent of the construction cost, including work done to offset or mitigate adverse impacts as a result of the emergency measures.

However, if NRCS determines that an area qualifies as a limited resource area, the Federal contribution toward the implementation of emergency measures may not exceed 90 percent of the construction cost of such emergency measures.

NRCS may provide technical assistance as services and/ or funds to plan, design, and contract the emergency measures, subject to an agreement between NRCS and the Sponsor.

Purpose	Installation / Construction	Engineering / Technical Assistance	Real Property Rights
Emergency Watershed Protection	Not to exceed 75 percent, or 90 percent for limited resource areas	Not to exceed 100 percent	\$0

More Information

This fact sheet is for informational purposes only; other restrictions may apply. For more information contact:

Michel Lapointe
 Vermont EWP Program Manager
 Natural Resources Conservation Service
 94 Harvest Lane, STE 203
 Williston, VT 05495-8997
 michel.lapointe@usda.gov
 802-497-5977

**Table 2.12
Groundwater Protection Overlay (GPO) District**

A. **Purpose:** The Town of Waitsfield recognizes that many residents rely on groundwater for their safe drinking water supply, and that certain land uses have the potential to contaminate groundwater, particularly in shallow/surficial aquifers, or when contaminants can get into a bedrock aquifer. To ensure the protection of these drinking water supplies, this bylaw establishes a zoning overlay district to be known as the Groundwater Protection Overlay District (“GPOD”).

The purpose of the GPOD is to protect public health, safety and welfare by minimizing the potential for contamination of vulnerable aquifers and source protection areas as authorized under 24 V.S.A. §4414(2), as well as preserving and protecting existing and potential sources of drinking water supplies. It is the intent of the Town of Waitsfield to accomplish this through the adoption of this GPOD, which provides standards to regulate particular uses of land and land development with the foregoing purpose in mind, in addition to those currently imposed by existing zoning districts or other state and federal regulations. It is intended that public education and cooperation will complement this effort.

The GPOD is superimposed on the Agricultural-Residential District and Forest Reserve District or other zoning districts within the area of the mapped GPOD and shall apply to all land development within the GPOD.

Land development authorized or allowed in a portion of one of the underlying zoning districts that falls within the GPOD must additionally comply with the requirements of the GPOD. Uses or structures prohibited in the underlying zoning districts shall not be permitted in the GPOD.

B. ZONES WITHIN THE GROUNDWATER PROTECTION OVERLAY DISTRICT

1. Establishment of District Boundaries

The Groundwater Protection Overlay District (“GPOD”) is defined as being the areas shown on the Waitsfield Water Supply SPA Map as within wellhead/aquifer protection areas. The Groundwater Protection Overlay District consists of the wellhead/aquifer protection locations from the Vermont Agency of Natural Resources Water Supply Division digital data. The Groundwater Protection Overlay District is an overlay district, which imposes additional requirements and restrictions to those in the underlying zoning district. In all cases, the more restrictive requirement(s) shall apply.

2. Lots Divided by the Overlay District

Where the boundary of the Groundwater Protection Overlay District divides a lot of record such that part of the lot falls within the Groundwater Protection Overlay District and part of the lot is outside of it, the provisions of this Article shall only apply to that portion of the lot within the boundary of the Groundwater Protection Overlay District.

3. Zones 1 and 2: Drinking Water Critical Impact Zones

Zone 1 is the protective isolation zone, a 200 feet radius circle centered on the public water source. Zone 2 is the primary recharge area contributing water to the source.

- a. **Permitted Uses:** Zone 1 is restricted to the following permitted uses alone (there are no conditional uses). Permitted land uses in Zone 1 will be restricted to:
- i. source operation and maintenance
 - ii. outdoor recreation facilities, except no structures, including accessory structures, constructed for or associated with such regulation may be located within Zone 1.
 - iii. agricultural and forestry uses, provided that fertilizers, pesticides, manure and other leachable wastes are used according to the Accepted Agricultural Practices as prescribed by Vermont Agency of Agriculture, Food and Markets as applicable and are not applied within 200 feet of the water source. All said leachable wastes must be stored under shelter away from precipitation and should be designed and used with secondary containment measures, as applicable.
- b. **Conditional Uses:** All proposed development in Zone 2 is subject to Conditional Use review by the Development Review Board. Development is restricted to the Permitted or Conditional uses as allowed in the underlying Zoning District except for prohibited uses in subsection (B)(3)(c), below. All uses must:
- i. Meet the Performance Standards as outlined for the GPOD in subsection (B)(5)
 - ii. If new wastewater is required, satisfy the standards of subsection (B)(3)(d), below, with regard to Two-Year Time-of-Travel Distance
- c. **Prohibited Uses:** Uses prohibited in the underlying zoning districts shall not be allowed in the GPOD. To the extent allowed in the underlying districts, the following uses are prohibited in the GPOD:
- i. On-site disposal, bulk storage, processing or recycling of toxic or hazardous materials or wastes
 - ii. Underground storage tanks, except septic tanks as regulated and approved by the Vermont Department of Environmental Conservation, Wastewater Management Division that meet the standards of subsection (B)(3)(d) (Two-Year Time-of-Travel)
 - iii. Industrial uses which discharge contact-type process waters on-site
 - iv. Unenclosed storage of road salt
 - v. Dumping of snow carried from off-site
 - vi. Automotive-related uses: Automobile Repair, Automobile Repair Service, automobile service stations, repair garages, carwashes, junkyards, and truck stops
 - vii. The siting or operation of a wastewater lagoon
 - viii. Automobile Sales, and storage, lease or rental of used and new cars, all-terrain vehicles or other motorized vehicles, including but not limited to lawnmowers, snowmobiles or sidewalk plow vehicles, motorcycles, and dirt bikes
 - ix. Laundry and dry-cleaning establishments

- x. Salvage yards, landfills, recycling depots
- xi. Cemetery
- xii. Commercial Water Extraction for purposes other than supplying the public water system associated with the protection area, including geothermal systems.
- xiii. Extraction of Earth Resources
- xiv. Battery storage systems

- d. **Two-Year Time-of-Travel:** Approval of land development proposing use of in-ground wastewater disposal system within the two-year time-of-travel boundary is prohibited unless it can be certified by a licensed hydrologist with experience in wastewater system design that the discharge from the wastewater disposal site is not hydraulically connected to the drinking water aquifer below the GPOD, or that additional information is presented to document that a two-year time-of-travel is met or exceeded to the existing or potential water supply source within the GPOD.

4. Zone 3: Drinking Water Potential Impact Zone

Zone 3 is established as the remainder of the GPOD not included in Zones 1 and 2 as identified in the Waitsfield Water Supply SPA as mapped by the Vermont Agency of Natural Resources Department of Environmental Conservation, but deemed necessary to ensure adequate protection of public drinking water supplies.

- a. **Permitted Uses:** All uses allowed in the underlying zoning districts provided that they can meet the Performance Standards as outlined in subsection (B)(5), below, for the GPOD.
- b. **Conditional uses:** All conditional uses permitted in underlying districts provided they can meet performance standards outlined in subsection (B)(5), below, for the GPOD.

5. Performance Standards

The following permitting standards shall apply to all uses and land development in Zones 1, 2 and 3 of the GPOD:

- a. Any conditionally permitted facility involving the collection, handling, manufacture, use, storage, transfer or disposal of hazardous material or hazardous wastes must have a secondary containment system that is easily inspected and maintained, whose purpose is to intercept any leak or release from the primary containment vessel or structure. At a minimum, the secondary containment system must be designed and constructed so it is capable of handling at least 110% of the primary containment vessel or structure. Underground tanks or buried pipes carrying such materials must at a minimum have double walls, cathodic protection and inspectable sumps.
- b. Open liquid waste ponds containing hazardous material or hazardous wastes will not be allowed without a secondary containment system and shall not be located within Zone 1.

- c. Storage of petroleum products in quantities exceeding 300 gallons at one locality in one tank or series of tanks must be in elevated or above-ground tanks; such tanks must have a secondary containment system as noted in subsection (B)(5)(a), above. Storage of petroleum products in any quantity is prohibited within Zone 1.
- d. All permitted facilities must adhere to appropriate federal and state standards for storage, handling and disposal of any hazardous material or hazardous waste.
 - i. All conditionally permitted facilities must be designed to include, and operate pursuant to, an acceptable contingency plan for preventing hazardous materials and/or hazardous wastes from contaminating the shallow/surficial aquifer should floods, fire, or other natural catastrophes, equipment failure, or releases occur:
 - (a) All conditionally permitted underground facilities shall include, but not be limited to a monitoring system and secondary standpipe above the 100-year flood control level, for monitoring and recovery. For above-ground conditionally permitted facilities, an impervious dike, above the 100-year flood level and capable of containing 110 percent of the largest volume of storage, will be provided with an overflow recovery catchment area (sump).
 - (b) All conditionally permitted facilities shall include firefighting plans and procedures, a fire retarding system, and provide for dealing safely with any other health and technical hazards that may be encountered by disaster control personnel in combating fire. Hazards to be considered are pipes, hazardous materials, hazardous wastes, or open flames in the immediate vicinity.
 - (c) For equipment failures, plans for conditionally permitted facilities that use, maintain, store, process or produce hazardous materials and/or hazardous wastes shall include, but not be limited to, below-ground level, removal and replacement of leaking parts, a leak detection system with monitoring, and an overfill protection system; and above-ground level, liquid and leaching monitoring of primary containment systems, the replacement or repair and cleanup and/or repair of the impervious surface.
 - (d) For any other release occurring, the owner and/or operator shall report all incidents involving liquid or chemical material to the Waste Management Division of the Vermont Agency of Natural Resources in accordance with applicable laws and shall simultaneously notify the Town of Waitsfield Zoning Administrator, Town Administrator, or Selectboard Chair

immediately, and no later than two hours, after notice is given to the Vermont Agency of Natural Resources.

- ii. Since it is known that improperly abandoned water wells can become a direct conduit for contamination of groundwater by surface water, all abandoned wells within the GPOD shall be properly plugged according to State regulations.

DRAFT

Section 7.04 Groundwater Protection Area Regulation Definitions

AQUIFER. A geological formation, group of formations or part of a formation either composed of unconsolidated rock, sand, gravel, or other unconsolidated soils, or composed of bedrock, with an interconnected series of crevasses, fractures, joints, faults, cleavages, bedding planes, porosity, or other geologic features that allows groundwater to move in the subsurface environment and is capable of storing and yielding groundwater to wells and springs.

CONTAMINATION. An impairment of water quality by chemicals, biologic organisms, or other impurity or extraneous matter regardless of whether it affects the potential or intended beneficial use of drinking water.

FACILITY. All contiguous land, structures, other appurtenances, and improvements on the land that is built, installed, or established for a particular purpose. A Facility may consist of several operational units.

GRAY WATER. All domestic wastewater except water discharged from a toilet or similar facility for excrement of human waste.

GROUNDWATER. Water below the land surface in a zone of saturation.

GROUNDWATER PROTECTION OVERLAY DISTRICT. A zoning district that is superimposed on all underlying zoning districts in the Town of Waitsfield. It includes all lands that are included in the definitions of Zones 1, 2 and 3 of the GPOD, and is included in the Official Map of the Town of Waitsfield. This district may include specifically designated recharge areas that collect precipitation or surface water and carry it to aquifers.

HAZARDOUS MATERIAL means all petroleum and toxic, corrosive or other chemicals and related sludge included in any of the following:

- (A) any substance defined in section 101(14) of the federal Comprehensive Environmental Response, Compensation and Liability Act of 1980;
- (B) petroleum, including crude oil or any fraction thereof; or
- (C) "Hazardous Waste," as defined below, by 10 V.S.A. § 6602(4) or any Vermont Agency of Natural Resources regulation governing the use of hazardous wastes, and including but not limited to nuclear, source, or by-product material as defined by the Atomic Energy Act of 1954 as subsequently amended and codified in 42 U.S.C. § 2014;
- (D) "Hazardous material" does not include herbicides and pesticides when applied consistent with good practice and conducted in conformity with federal, state and local laws and regulations and according to manufacturer's instructions.
- (E) "Hazardous material" does not include livestock wastes.

HAZARDOUS WASTE. Any waste or combination of wastes of a solid, liquid, contained gaseous, or semi-solid form, including, but not limited to those which are toxic, corrosive, ignitable, reactive, strong sensitizers, or which generate pressure through decomposition, heat or other means, which in the judgment of the Secretary of the Vermont Agency of Natural Resources may cause, or contribute to, an increase in mortality or an increase in serious irreversible or incapacitating reversible illness, taking into account the toxicity of such waste, its persistence and degradability in nature, and its potential for assimilation, or concentration in tissue, and other factors that may otherwise cause or contribute to adverse acute or chronic effects on the health of persons or other living organisms, or any matter which

may have an unusually destructive effect on water quality if discharged to ground or surface waters of the state. The storage and handling of livestock wastes and by-products are specifically excluded from this definition.

LAND DEVELOPMENT. The construction, reconstruction, expansion, conversion, structural alteration, relocation or enlargement of any building or other structure, or of any mining, excavation or landfill, and any change in the use of any building or other structure, or land, or extension of use of land. The subdivision of land, including the division of a parcel into two or more parcels, is included in the definition of “Land Development” for the purposes of these Zoning Bylaws, although the subdivision of land is regulated under the Town of Waitsfield Subdivision Regulations, as most recently amended.

PRIMARY CONTAINMENT FACILITY. A tank, pit, container, pipe or vessel of first containment of a liquid or chemical, excluding the storage and handling of livestock wastes and by-products.

PUBLIC WATER SUPPLY. Any system(s) or combination of systems owned or controlled by a person, that provides drinking water through pipes or other constructed conveyances to the public and that has at least 15 service connections or serves an average of at least 25 individuals daily for at least 60 days out of the year. Such term includes all collection, treatment, storage and distribution facilities under the control of the water supplier and used primarily in connection with such system, and any collection or pretreatment storage facilities not under such control that are used primarily in connection with such system. In addition, this includes any water supply system with ten or more residential connections. Public Water System shall also mean any part of a system which does not provide drinking water, if use of such part could affect the quality or quantity of the drinking water supplied by such system.

RELEASE. Any intentional or unintentional action or omission resulting in the discharge, leak, pumping, pouring, emitting, emptying, dumping, disposal or spill of a potential contaminant including a hazardous material and/or hazardous waste, excluding the storage and handling of livestock wastes and by-products, onto the lands of the Town or into waters within the boundaries of the Town.

SECONDARY CONTAINMENT FACILITY. A second tank, catchment pit, pipe, or vessel that limits and contains a hazardous material or hazardous waste leaking or leaching from a primary containment area; monitoring and recovery are required excluding the storage and handling of livestock wastes and by-products.

SPILL RESPONSE PLANS. Detailed plans for control, re-containment, recovery and clean up of hazardous material and/or hazardous waste releases, such as during fires or equipment failures.

STORMWATER TREATMENT PRACTICE (STP). A man-made drainage structure, conveyance, catch basin, and any other appurtenant device or structure where stormwater is collected, transported, pumped, treated, or disposed of.

STORMWATER RUNOFF. Excess water from rainfall and snow melt that does not evaporate or penetrate into the ground, which flows overland and is collected and transported to the waters of the State of Vermont or the United States, including material dissolved or suspended in it, but does not include discharges from undisturbed natural terrain or wastes from combined sewer overflows.

TIME-OF-TRAVEL DISTANCE. The distance that groundwater will travel in a specified time. This distance is generally a function of the permeability and/or slope of the aquifer.

Waitsfield Water Supply SPA

Legend

- Road
- Town Boundary
- 100 FT Contour
- 20 FT Contour
- Zone 1
- Zone 2
- Zone 3



Waitsfield

Northfield

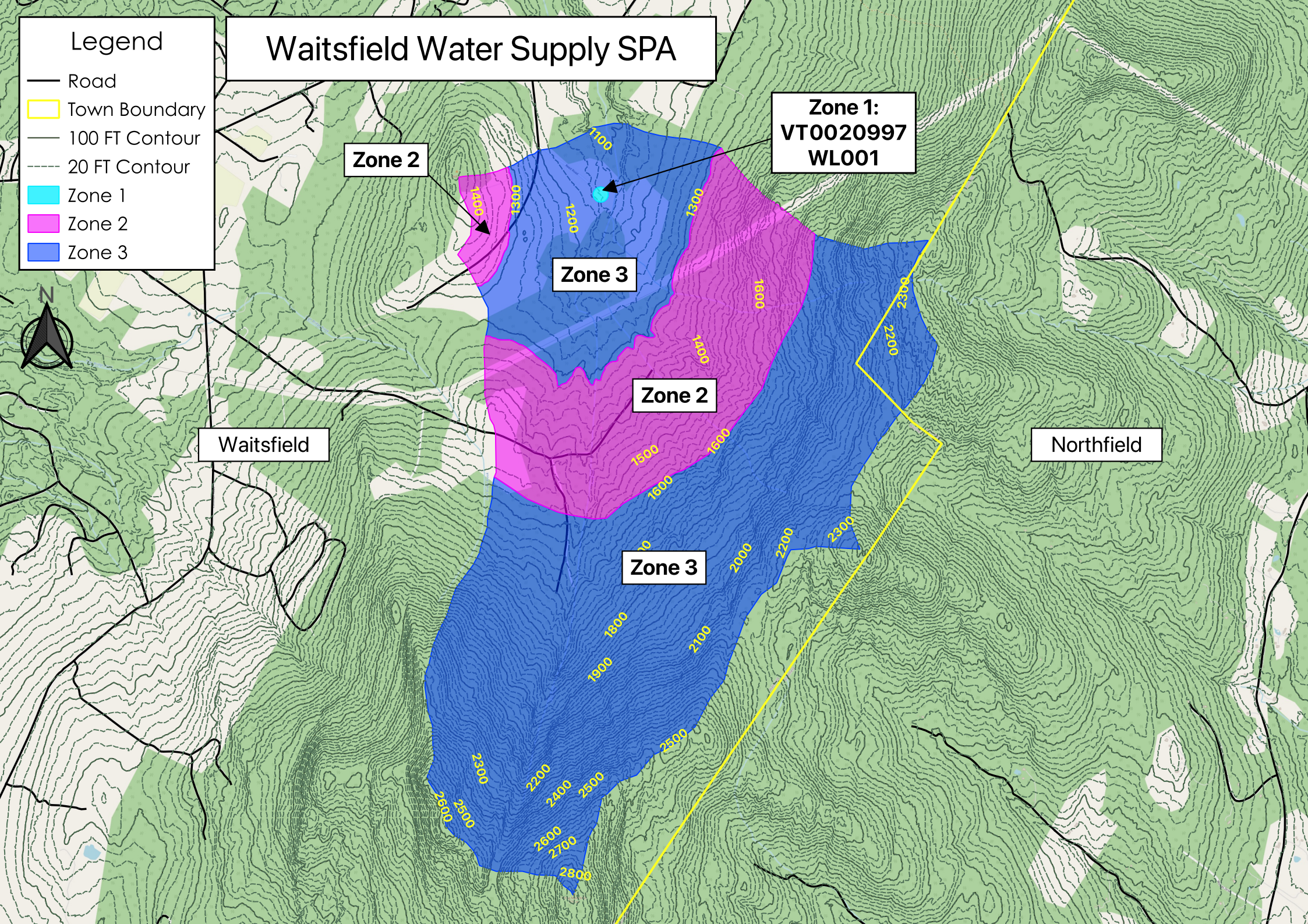
**Zone 1:
VT0020997
WL001**

Zone 2

Zone 3

Zone 2

Zone 3



2024 Waitsfield Planning Commission Work Plan			
	Tasks	Project	Timeline
		VILLAGE MASTER PLANNING	
1	Irasville Master Planning	This project will incorporate the updated wetland maps and include a review of the history of planning in Irasville. Segue from the By-Laws Modernization Grant work and Wastewater project.	Begins May 8
		Zoning and By-Laws	
1	GPOD	Groundwater Protection Overlay District to be adopted to protect certain land radii around the Town aquifer off Reed Road. This is being done at the behest of the Water Commission. The PZA has drafted the ordinance for the overlay and it is currently under review by the Town attorneys.	Summer 2024 - in process
2	Cannabis Land Use	Land use regulation related to Act 164 (Cannabis Tax & Regulation). Cannabis cultivation, testing, warehousing, and distribution which are NOT opt-in and are also not regulated by the state as agriculture. Become familiar with the Cannabis Control Board regulations and how they affect towns.	<i>PZA recommends holding off</i>
3	Limited Business District	Reviewing standards and purpose. Numerous people have approached the PZA with regard to developing housing in this area. As it stands, residential development is deterred in this area. However, given the proximity to the Town's future disposal field, future phasing of the wastewater system could allow for	
4	Additional Zoning Bylaws Amendments	These should be guided by the most recent legislative updates as well as topics that have come up over the past few months that staff has been tracking (temporary ADUs, updates to the sign standards, definition of story, etc.). Short term rentals should be a part of this discussion. Tasks in Chapter 4 of Town Plan - Housing	
		Town Plan	
1	Establish Framework for next Plan update	What must be updated for next iteration? What should be updated? Do we hire a planning consultant?	
2	Childcare	Satisfy statutory requirements with regard to support of childcare	
3	Energy Plan	Satisfy requirements of updated Energy Plan standards	