



WAITSFIELD PLANNING COMMISSION AGENDA

September 3, 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

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Waitsfield, VT 05673
(802) 496-2218
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1. **CALL TO ORDER / ROLL CALL**
2. **REVISIONS TO AGENDA, IF ANY (5 +/- min)**
3. **PUBLIC FORUM (10 +/- min)**
4. **APPROVAL OF MINUTES – AUGUST 20, 2024 (10 +/- min)**
5. **ALICE UPDATE (20 +/- min)**
 - a. CVPRC
 - b. Climate Action Plan
 - c. LHMP
6. **VILLAGE MASTER PLANNING (45 +/- min) AnnMarie/JB/**
7. **GROUNDWATER PROTECTION OVERLAY DISTRICT (10 +/- min) JB**
 - a. PC Comments
 - b. 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 September 3, 2024 meeting**

6. Village Master Planning (MPG)

The next meeting of the Steering Committee is scheduled for September 24 at 10:30am. Since the last meeting on 8/20, the PZA and Joshua have collated past planning documents into a Google drive for SE Group to review. SE Group will present the Existing Conditions analysis at the 9/24 meeting. Thereafter, SE Group will join the first PC meeting in October to present the same.

On August 23, VMPSC member Sean Lawson emailed the committee expressing concerns over the phase 1 scope and final project deliverables. Sean would prefer that the inclusion of potential moderate development within the buffers of certain low-functioning wetlands be included in the scope of the project. On 8/27, Mrs. Harmon and Mr. Rood met with Sean via Zoom to discuss his concerns and the group thought it best to schedule another meeting with SE Group. That meeting will occur on 9/4 at 1pm.

Members should review Sean's email and talking points ahead of this meeting. The PC should be prepared to discuss his concerns and provide direction to the VMPSC on the scope of the PC project.

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. At last meeting it was agreed that commissioners should come prepared with any questions, as this is considered the final draft ahead of the adoption process.

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 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 in the first couple weeks of September. Approximately 85-90% of the nonbinding connection agreements have come in for priority parcel allocation. Soon, we will be drafting similar nonbinding agreements for those parcels not deemed priorities.

On 8/29, Mr. Morris and the PZA met with three of the four landowners whose property is currently designated for pump stations. The meetings went well and the proposed station locations remain on track for final design. The fourth location is being handled by Chach Curtis and we hope that will be completed upon his return from vacation in mid-September.

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 Engineering Services Agreement for final design has been executed between the Town and Dubois & King. This will unlock the door to the \$1 million in funding coming to the Town from CWSRF ARPA monies. This funding should allow for completion of final design, with likely monies left over to go toward initial construction.

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

9. 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, August 20, 2024
Draft

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

Staff Present: JB Weir, Planning and Zoning Administrator

Others Present: None

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.

Nobody was present requested time to address the PC.

4. Approval of Minutes

The minutes of July 16, 2024 were amended and approved.

4. Alice Update

LHMP – Alice reported that the Selectboard has adopted the updated Plan, after making an amendment to reinstate taking a look at the Shepard Brook area due to North Fayston Road homeowners’ requesting that something be done to address the repeated impacts to their properties due to flooding. She noted that the document has been sent to Vermont Emergency Management for review and comment; this ensures that Waitsfield’s ERAF reimbursement rate will raise to 17.5%. VEM will send it to FEMA for final approval.

JB also explained that a letter has been submitted on behalf of the North Fayston Road properties, to be evaluated by the Emergency Watershed Protection Program for potential funding of remediation/mitigation measures along the stream. Alice also indicated that she has located prior studies of the area, and is working to have appropriate parties provide some education for residents regarding options for their homes.

Climate Action Plan – Alice explained that a major focus of the Public Health Chapter she is working on will be communication and education, providing information for individuals about the tools and assistance available to them. She also indicated there will be work on increasing the availability of cooling centers and focus on topics such as heat related illness, smoke and air quality, the increase in water borne and vector borne illnesses due to the increase in wet weather, and the increasing number of ER visits related to these health impacts.

CVRPC – Work continues on the Regional Plan, with the initial review of the Natural Resources, Transportation, and Economy chapters completed. Alice noted that the Energy chapter will require

some effort, that she may be seeking some feedback regarding the Community Resources chapter being tied into the one for Infrastructure, that the Army Corps of Engineers will be deployed to states with frequent flooding to complete on-the-ground hydrologic studies, and that floodplain development restrictions will likely be a focus of much conversation.

6. Village Master Planning

JB had recorded the recent Steering Committee (SC) meeting, and will provide a link to PC members.

AnnMarie reported on the meeting, which was the SC's first working session with SE Group. She explained that a full hour had been devoted to a focus on wetlands, with the group learning that the Irasville wetlands are able to absorb as much as 5.8 million gallons of water, which is why that area does not flood. If any further wetlands are impacted by development, the area would be susceptible to flooding. Tucker (SE Group) also explained to the SC that there is potential for creation/enhancement of wetlands at the Couples' Field, something that would be part of Phase 2 of the project if it was decided to pursue this avenue, which would mean finding other locations for the various uses of that field. AnnMarie noted that there would need to be community conversation regarding this change.

For this phase of the work, the SC will be focusing on what is possible with the areas of Irasville that are developable, AnnMarie noted that the Arrowwood information has been very helpful and that those reports include assessments of even those properties for which access was not provided. Tucker has been communicating with ANR regarding these considerations, and ANR has been adamant that no more wetland encroachment will be allowed in Irasville. Tucker has provided a series of maps in overlays that presents the relevant information in a very digestible manner. JB noted that potential opportunities will be identified that may need to have some minimal mitigation measures associated with any development.

AnnMarie also pointed to a VR piece by Ira Shadis (Friends of the Mad River), recognizing that the most effective and affordable approach to solutions is in working with nature, and expressed that she believes this is reflected in the SC's overview.

The SC has been provided with examples of multiple Irasville master planning projects which have been produced in the past. AnnMarie noted that many of these call for a redirection of Route 100 in order to create a more 'Main Street' atmosphere.

Becca spoke of the community value of seeing children playing in public spaces such as the Couples' Club fields; Jonathan spoke of the Wellness Survey comments regarding the need for a community center and the importance of spaces for recreation and socialization; there was a discussion of the lack of local swimming lessons; it was agreed that upcoming community engagement should include questions related to these topics.

There was a discussion of engaging in future work focusing on a watershed approach, in conjunction with Fayston and to a degree Warren.

The SC meeting schedule was outlined, and AnnMarie indicated that the Existing Conditions Analysis will be provided to the SC on September 24, and likely presented to the full PC at their first October meeting.

Finally, she noted that an initial sketch of the website related to this project was presented to the SC at the meeting, demonstrating the content and interactive features that are being developed by SE Group.

7. Groundwater Protection Overlay District

JB offered a reminder of the goal to have this Overlay adopted by the end of the year; and the group reviewed the schedule of hearings needed, notification times required, etc. that will be suitable for having everything in place prior to the holiday season. Jonathan requested that PC members take the time to review the document and provide feedback for review at the next PC meeting.

8. Wastewater Planning Project Update

JB reported that the various teams are still meeting regularly; an ESA amendment was recently approved, setting things up for final design funding of \$1M; and highlighted other items from the report he had attached to the meeting packet. He also noted that he and Robin continue to receive agreements from landowners, the group is waiting to hear from Senator Sanders regarding the appropriation bill, and that the project has moved up in ranking on the Pollution Control list – cautioning that the funds distributed through that program can take up to several years to be disbursed. An environmental assessment will be conducted soon, and Bob noted that work related to the more technical aspects of the project are becoming more actively part of the conversations with Dubois and King, with pits for testing discharge rates of effluent planned for the fall.

9. Other Business

Jonathan reported that Sam Robinson of the PD is finalizing the results of the recent Community Wellness survey and provided some background on the survey and an overview of the responses which indicated larger changes in the attitudes of respondents. Sam will be presenting a full overview of the data to all the local Planning Commissions and Selectboards over the coming weeks. Jonathan explained that the information gleaned from the survey is useful in informing the work taken on by the PC.

Anmarie asked about progress on finding a new Town Administrator, and Jonathan and JB provided an update on the interviews taking place for both that position and the Treasurer vacancy.

10. Adjournment

The meeting adjourned at 8:47 pm.

Respectfully submitted,
Carol Chamberlin, Recording Secretary

From: [Sean Lawson](#)
To: [JB](#); [Mac Rood](#); [AnnMarie Harmon](#)
Cc: [AnnMarie Harmon](#); [Joshua Schwartz](#)
Subject: Waitsfield Master Plan - current status
Date: Friday, August 23, 2024 6:01:26 PM
Attachments: [Waitsfield Master Planning - talking points.docx](#)

Greetings,

I am writing to state my strong concerns about the current direction of the Waitsfield Master Planning Steering Committee and the hired planning contractor - SE Group.

I believe it's a huge mistake at the outset of this planning effort to declare that all classified wetlands are "off-limits", and that we should conduct our planning efforts around no impacts. This runs contrary to decades of planning efforts and community visioning that desires growth to occur in the center of our Valley in the commercial district of Irasville. It also will mean that the investment of tens of millions of dollars in municipal water and wastewater systems will never realize their full potential to support a dense, historically desired, compact village in the center of the Mad River Valley.

For the past 7 years, we've been told by Shannon Morrison at the wetlands division that no further incremental impacts (on a parcel by parcel basis) to the Irasville wetlands complex will be permitted, until the Town of Waitsfield has developed a master plan that identifies which areas will be developed and impacted, and which areas will be protected and restored. Now we are being told essentially that no further impacts will be permitted at all. I don't believe this is consistent with demonstrated support by the State of Vermont for development and planning efforts by Waitsfield and other communities in the Mad River Valley.

The village of Irasville was built in the wetlands before they were classified as wetlands. There have already been significant impacts, and there is the opportunity to restore function to degraded wetland areas as well as locating development within low functioning and low value wetland areas while mitigating flooding risks. We can do both.

It's time to think bigger and bolder about the future of Irasville in a way that's consistent with community desires. As I've stated from the outset, I believe that we need to bring these discussions beyond the wetland scientists in one division of the Department of Environmental Conservation to a higher level within the Agency of Natural Resources to discuss the context of the planning efforts, the history, and the implications of the current state position. I am confident that if needed or desired that we can arrange a meeting with Secretary of ANR, Julie Moore to discuss further.

I hope that the Steering Committee, and by extension the Town of Waitsfield, through the Planning Commission and Select Board will support a broader vision of what is possible.

I have attached my talking points here and look forward to discussing these further with the executive committee of the master planning group, as well as the group at large.

I suggest that a meeting is in order before the next monthly meeting with SE Group.

Thanks for your time and consideration,

Sean

Sean Lawson

Waitsfield Master Planning – Talking Points

- Historic development patterns have resulted in the village of Irasville functioning as the commercial center of the Mad River Valley – serving the surrounding communities of Waitsfield, Fayston, Warren, Moretown and beyond. Irasville provides the valley’s only grocery stores, banking, and has a density of shopping and restaurants.
- Development in Irasville largely took place before areas were identified and classified as wetlands, resulting in the village essential being located in a broad, flat wet area, now classified as wetlands.
- Many of these open flat areas are degraded wetlands with low functional value.
- These same areas have high development value. Concentrating development in Irasville will protect Vermont’s historic development pattern of compact villages with a density of both residential and commercial use – reducing development sprawl and habitat fragmentation throughout the Mad River Valley
- Decades of work and future visioning have all identified Irasville as a desired community center for future growth in the Mad River Valley
- Previous plans and current community desires support both residential and commercial development in the Irasville downtown district
- The Waitsfield Town Plan identifies Irasville as a designated growth center
- Affordable and market rate housing are desperately needed in Vermont
- Recent work by the Town of Waitsfield has set up the town and our communities to finally fulfill a future vision of a vibrant downtown in Waitsfield centered around Irasville that is supported by zoning laws to allow density, municipal water and wastewater to make the development possible, and a community mandate to locate the growth center here (*note that dates below may need correction*)
 - Municipal Water System (2012)
 - Updated Waitsfield Zoning Bylaws (2023)
 - Designated Neighborhood Development Area (2023-2024)
 - Municipal Wastewater System (2023-2026)
 - Waitsfield Master Planning (current-2025)
 - Previous master planning for Waitsfield (1970’s-2010’s)

- The town of Waitsfield is poised to realize decade of visioning work with a high degree of community support
- **The State of Vermont / DEC / Wetlands has taken the position that no further impacts to the Irasville wetland complex will be permitted unless mitigation takes place in the same sub-drainage**
- Almost no possibility of substantial mitigation in the same place exists
- This position will largely prevent any further development in the heart of the commercial district of Irasville – a designated growth zone
- Therefore, current Waitsfield Master Planning Steering Committee and Waitsfield’s hired contractor SE Group have reached the initial conclusion that most of Irasville is off-limits to development due to the position that VT DEC Wetlands Division has taken.
- **This is contrary to the well documented desires of the community and the planning efforts of the Town of Waitsfield.**
- Irasville is largely flat and has a significant amount of open and developable space, however most of the area is characterized by hydric soils and is classified as Class 2 Wetlands.
- There are a variety and wide degree of wetland functions – from degraded areas to low value/low function wetlands to high value/high function wetlands where water storage and flood mitigation occur.
- There exists the good possibility of restoring and enhancing wetland functions in portions of the Irasville flats – most importantly slowing and retaining waterflows during extreme precipitation events.
- The drainage area of the Irasville sub-watershed is small and adds a tiny amount of water to the Mad River (approx. 0.25 sq. mi.) The small unnamed drainage that flows from Irasville to the Mad River has no known history of flooding and damage associated with it.
- To reduce flooding in Waitsfield Village at Bridge Street, mitigation is needed upstream of Irasville.
- Historic flooding in the village of Waitsfield results from upstream flows in the Mad River that drain many, many square miles of steep mountainous terrain of the highest Green Mountains including many major tributaries to the Mad River, such as the Mill Brook, Clay Brook, Mad Bush Falls, Bradley Brook, Freeman Brook, Lincoln Brook, Stetson Brook, Mills Brook, and Austin Brook, all the way to the height of the land in Granville.

- The assertion that development in Irasville and impacts to low-functioning wetlands will exacerbate flooding in Waitsfield Village is not supported by existing data.
- Waitsfield will be missing a huge opportunity to create a more vibrant community center, thriving downtown, and the creation of housing (practically non-existent in the center of Irasville) if the initial master plan essentially adopts the idea that there can be NO impacts whatsoever to areas in Irasville classified as wetlands.
- This will be a massive setback to the future of our valley and will mean that new zoning regulations and the investment of \$15+ million in a municipal wastewater system will have little meaningful impact on the village of Irasville, beyond protecting water quality in the Mad River from failing septic systems and an extremely limited amount of new development outside classified wetland areas.
- Further discussions are needed with the Vermont Agency of Natural Resources – beyond the wetland scientists in DEC – to place this planning efforts in context of both history, the greater community, and the realities of the watershed at large.
- We can achieve BOTH further development in Irasville to support housing and commercial uses (with impacts to some wetlands) AND restoring degraded wetlands to improve their function while retaining and slowing run-off to the Mad River.
- Irasville represents an opportunity to build-out our community center in a location that is not flood prone.
- The Waitsfield Master Plan is an opportunity to think bigger and bolder – imagining what is possible, rather than starting with a broad mandate of what is not possible.

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

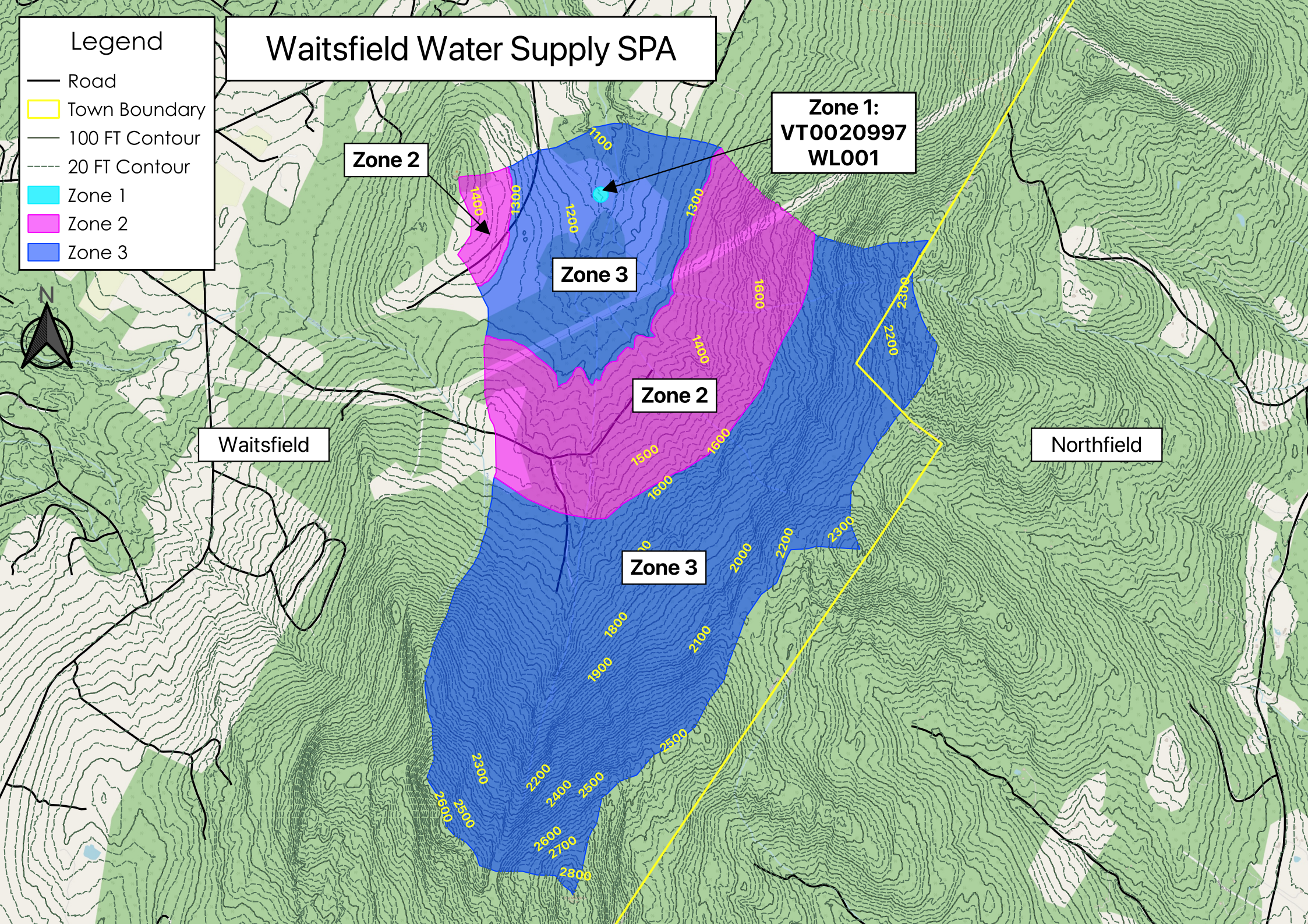
**Zone 1:
VT0020997
WL001**

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	