



# WAITSFIELD PLANNING COMMISSION AGENDA

February 18, 2025 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**  
York Haverkamp

**Town Clerk**  
Jennifer Peterson

**Town Treasurer**  
Steve Lewis

**Waitsfield Town Office**  
4144 Main Street  
Waitsfield, VT 05673  
(802) 496-2218  
[www.waitsfieldvt.us](http://www.waitsfieldvt.us)

1. **CALL TO ORDER / ROLL CALL**
2. **REVISIONS TO AGENDA, IF ANY (5 +/- min)**
3. **PUBLIC FORUM (10 +/- min)**
4. **GROUNDWATER PROTECTION OVERLAY DISTRICT PUBLIC HEARING (30 +/- min)**
5. **APPROVAL OF MINUTES – JANUARY 21 (10 +/- min)**
6. **ALICE UPDATE (15 +/- min)**
7. **VILLAGE MASTER PLANNING (30 +/- min) AnnMarie/Jonathan/JB**
8. **WASTEWATER PLANNING PROJECT UPDATE (10 +/- min) JB/Bob**
9. **OTHER BUSINESS (10+/-min)**
10. **ADJOURNMENT**

**Waitsfield Planning and Zoning Administrators Report  
Planning Commission February 18, 2025 meeting**

**4. Groundwater Protection Overlay District (GPOD)**

This meeting constitutes the PC public hearing on the proposed Groundwater Protection Overlay District. Water Commissioner and Selectboard member, Brian Shupe, will be in attendance on behalf of the Water Commission. The public hearing will be from 7:00 – 7:30 p.m. The PZA has included in the packet the proposed overlay map, along with GPOD standards and specific definitions thereto.

Pending adoption after the hearing, the Board would then move to submit the GPOD to the Selectboard for warning and public hearing not less than 15 days nor more than 180 days since the date of this PC meeting. No comments from abutting municipalities, ACCD or CVRPC have been received.

***Suggested Motion:** Move to approve for adoption the Groundwater Protection Overlay District map, standards and pertinent definitions, and to send the amendments to the Selectboard for its own public hearing.*

**6. Alice Update**

Ms. Peal has included materials for discussion in the packet. Given the cancellation of last meeting, Brian Voigt's CVRPC update will be pushed out until March.

**7. Village Master Planning**

The VMPSA will meet on the morning of this meeting, February 18<sup>th</sup> at 10:30 a.m. This meeting will focus on revised conceptual plans, updated after feedback at the last steering committee meeting in January.

The committee will also discuss the next community event forum, set to be held on March 19<sup>th</sup> from 4:00 – 7:00 pm at the Village Meeting House. The cost to reserve the meeting rooms is \$37 for the entire event. The PZA has already secured childcare through staff at Neck of the Woods. Board members should discuss the following, allotting specific PC funds for the expenses:

- 1) # of childcare staff – 2 or 3 is recommended at a defined rate of \$35/hour
- 2) # and type of refreshments
- 3) what food to offer (dinner i.e., pizza? Snacks only?)

Planning Commissioners are encouraged to attend the steering committee meeting, and the PZA has included the meeting warning which notes the potential for a PC quorum. As done for the January steering committee meeting, the PZA will email the link to the meeting recording immediately after the meeting. NOTE: The committee will discuss changing the meeting dates to a different Tuesday of the month to allow commissioners more time to view the recording.

The project website has been updated to include an overview of the community event along with the dot board photos, as well as a comment/survey form. The website can be found [here](#). And is linked off the Town webpage [here](#).

## **8. Wastewater Planning Project Update**

The Engineering Technical Team (ETT) continues to meet every other Wednesday with Jon Ashley to review updated pump station locations and other final design work. At last meeting, Jon and Chuck Goodling (Dubois & King) presented the team with bidding documents pertaining to the purchase of the advanced treatment system. The Town is hoping to put manufacturing of the system out to bid this summer.

The PZA, in conjunction with Josh Schwartz and Jon Ashley, are preparing the CWSRF project priority list application for 2025. This application concerns access to pollution control monies for the project. The team is awaiting response from the Vermont Community Development Program concerning whether the Town's pre-application was satisfactory to apply for the final Community Development Block grant.

Initially among the federal funding freeze, the Northern Borders Regional Commission has not reopened the window for pre-applications for the Catalyst Program. Pre-applications are due March 7, with final invitees having a deadline on the full application this spring. The community wastewater project ranked #2 on the CVRPC/CVEDC regional project priority list (with the first not asking for \$ just recognition). This regional ranking puts our project in a great position for NBRC funding as the high ranking equates to additional points in the final application review.

The project team is still awaiting details on the final grant and loan numbers from USDA RD, which had been expected in late January. Sadly, former ACCD staffer Richard Amore, who was tapped to lead the Vermont division for USDA RD, was let go as part of the federal administration's reductions in employees. Richard is a sensational planner and was set to be a great resource for the Town given his long relationship with members of the team.

Once updated and complete, the PZA will include the revised funding stack for the project.

As of 1/16//25, the Town website page for the project has been updated and can be found [here](#).

## **10. Other Business**

Jonathan may have an update on the MRVPD.

Tuesday March 4<sup>th</sup> is Town Meeting Day. Commissioners should decide whether to hold its regular meeting that evening. TMD is 7:00am – 7:00pm. Over the past three years, the PC has *not* held on TMD.

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Upcoming trainings/webinars:

### **Grants & Funding Chat:**

This chat is a bi-monthly series to help members learn about specific funding opportunities as well as ways to make their funding applications competitive – and the advance work that is required when using someone else’s money.

Each meeting focuses on a different topic. After an eye-opening 15-minute presentation on the day’s topic, the format transitions to a participant Q&A, where attendees can ask questions of the presenter and each other. Bring your questions, share your challenges, and learn from other communities.

This series is presented by Bonnie Waninger, the Project & Funding Specialist on VLCT’s Municipal Operations Support Team.

#### Registration Information

Register once and attend all sessions! Once you register, your link to join will be the same for every 2025 Grants & Funding Chat. Zoom will send you an email with the link to join ahead of each chat.

#### Future Dates and Topics

Tuesday, March 11, 2025 – Climate Resilience

Tuesday, May 13, 2025 – Housing\*

Tuesday, July 8, 2025 – Transportation\*

Wednesday, November 12, 2025 – Community Economic Development

\* These two might switch dates due to timing of the legislative session.

#### Presenter

Bonnie Waninger, Project & Funding Specialist, VLCT

Website [here](#). Registration for February topic not available as of yet

### **Mad River Valley Wastewater Workshop:**

Date: Spring 2025

Location: TBD

The Friends of the Mad River, Central Vermont Regional Planning Commission and Department of Environmental Conservation are partnering to offer a Wastewater Workshop in the Mad River Valley in the Spring 2025. Discover how onsite wastewater treatment (septic) systems work and the various kinds of systems installed in Vermont. Learn why newer systems are no longer the septic systems of the past. Understand the regulatory framework for on-site wastewater systems and potable water supplies. Develop an understanding of how to maintain your onsite wastewater system to keep it functional in the years to come.

### **The Future of VT Land Use Regulation**

In this webinar, we will provide the audience with an understanding of H. 687 (Act 181) and how it affects the state, municipal and regional planning commission processes. From the Act 250 perspective, this workshop will provide an overview of the changes to the law, and then focus on the “nuts and bolts” of the interim exemptions that provide an on ramp to the “tiered” system of land use review. The Agency of Commerce and Community Development will discuss the incentive programs of the new Community Investment Board, and the RPC representative will discuss their roles in plan and map development for the new tiered system and designated areas.

Presenters:

Peter Gill

Jacob Hemmerick

Charlie Baker or Catherine Dimitruk

Repeat sessions of this webinar will be offered on the following two dates:

Thursday 3/27/25 2:00pm - 3:00pm [Register](#)

### **Vermont’s Land Conservation: Where do we go from here?**

Vermont has an incredible track record of protecting land for people and nature. Using the Conserved Lands Inventory developed by Vermont Housing & Conservation Board as part of

Vermont's 30x30 effort, we reflect on the distribution of permanently conserved lands around the state, and how those lands intersect our most ecologically important places seen in Vermont Conservation Design. By looking at these past patterns, we can celebrate the work by federal, state, town, and NGOs. We can also reflect on the types of lands and parts of the state that have been historically under-represented in our land conservation investments, and prioritize future places to work for both people and nature. Join us for this exciting webinar to learn how your town's efforts can contribute to making our conserved lands more diverse, equitable, and ecologically impactful.

Presenters:

Robert Zaino, Ecologist

Jens Hilke, Conservation Planner

Repeat sessions of this webinar will be offered on the following two dates:

Thursday February 20th 1:00- 2:00p.m [Register](#)

Tuesday, April 8th 2025 10:00a.m. - 11:00a.m. [Register](#)

### **Cold-Blooded Critters: Conserving Vermont's Reptiles and Amphibians**

Despite its cold winters, Vermont is home to surprising herpetological diversity with 19 confirmed species of reptiles, and 21 amphibians. Many of these species, like the gray treefrog, are small and cryptic, and more often seen than heard. And you could go your whole life without seeing a spring salamander if you don't know where to look! But unlike these common species, a growing number of Vermont's reptiles and amphibians are rare, threatened, or endangered within the state and need our care, attention, and protection to survive challenges such as climate change, habitat loss, habitat fragmentation, and poaching. Join VT Fish & Wildlife Herpetologist Luke Groff, and Conservation Planner Jens Hilke, to learn about iconic VT species of special conservation concern such as Timber Rattlesnake, Mudpuppy, North American Racer, Wood Turtle, Spiny Softshell Turtle, and more. We'll discuss their unique ecology and habitat requirements, learn about Fish & Wildlife conservation programs to support these species, and explore municipal land-use planning strategies that can help ensure thriving populations of reptiles and amphibians in Vermont for decades to come.

Presenters:

Luke Groff - Herpetologist

Jens Hilke - Conservation Planner

Repeat sessions of this webinar will be offered on the following two dates:

Friday, March 14, 2025 10:00a.m. - 11:00a.m. [Register](#)

**Seeing Success through Conservation Stories.**

How can Conservation Commissions across Vermont effectively collaborate over long distances of space and time? By sharing stories of successes, challenges faced, and lessons learned, conservation minded committees across the state can learn from each other's experiences, and stand on each other's shoulders. Please join us as we celebrate moments of success both large and small by Conservation Commissions from all over Vermont. We will glean lessons, highlight best practices, and together take a step forward towards building a more robust sense of statewide communication, collaboration, and institutional memory so that Vermonters from all corners of the state can contribute their energies to solving local challenges while simultaneously supporting their like-minded peers.

Presenters:

David Moroney

Jens Hilke

Repeat sessions of this webinar will be offered on the following two dates:

Monday March 10th, 2025 3:00p.m. - 4:00p.m. [Register](#)

Wednesday May 7th, 2025 11:00 a.m. - 12:00 p.m. [Register](#)

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Respectfully submitted,

J.B. Weir

**TOWN OF WAITSFIELD PLANNING COMMISSION  
NOTICE OF PUBLIC HEARING TO CONSIDER  
PROPOSED REVISIONS TO THE WAITSFIELD ZONING BYLAWS**

In accordance with state statute [24 V.S.A. Chapter 117 §4441], the Waitsfield Planning Commission will hold a public hearing on **Tuesday, February 18, 2025 at 7:00 p.m.** at the Waitsfield Town Offices to receive comments on proposed amendments to the Waitsfield Zoning Bylaw. This will be a hybrid meeting and the **public may attend in person at the Waitsfield Town Offices or remote via Zoom** with telephone and/or video access. 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**

The Planning Commission identified one primary focus area for revising zoning bylaws, supported by the goals and recommendations of the Waitsfield Town Plan: the protection of the Town's public water source.

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.

All of the proposed amendments and regulations are consistent with the Act, including the goals set forth in §4302, and are in conformance with, and are intended to implement, the Waitsfield Town Plan.

The full text of the proposed amendment can be found here:

[https://www.waitsfieldvt.gov/fileadmin/files/Boards/Planning Commission/Meetings/2025/01/Final\\_GPOD\\_for\\_adoption.pdf](https://www.waitsfieldvt.gov/fileadmin/files/Boards/Planning_Commission/Meetings/2025/01/Final_GPOD_for_adoption.pdf). Copies of the full text of the proposed amendments to the zoning bylaws and a report prepared in accordance with §4441 of the Act are available at the Waitsfield Town Offices during regular business hours. All interested persons are requested to attend and provide comments during the public hearing. Written comments may also be submitted to the Waitsfield Planning Commission via mail to 4144 Main St. Waitsfield, VT 05673 or via email to the Planning and Zoning Administrator at [pza@gmavt.net](mailto:pza@gmavt.net).



**Planning Commission Reporting Form  
For Municipal Bylaw Amendments  
Town of Waitsfield  
Groundwater Protection Overlay District**

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

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

*(A) Brief explanation of the proposed amendment and... include a statement of purpose as required for notice under §4444 of this title:*

The proposed amendment is to establish a Groundwater Protection Overlay District in order 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. The proposed zoning amendment for a source protection area intends to regulate particular uses of land and land development within a certain radius of the Town's aquifer.

*And shall include findings regarding how the proposal:*

- 1. Conforms with or furthers the goals and policies contained in the municipal plan, including the effect of the proposal on the availability of safe and affordable housing:*

As stated in the 2023 Waitsfield Town Plan, Source Protection Areas have been delineated as required by the state to protect public community water systems serving 15 or more service connections, or 25 or more users year-round (page 11-7). The Plan also states that within designated SPAs, special consideration must be given to prohibiting, or carefully managing, development and practices that could contaminate local groundwater supplies. These include poorly designed or failing septic systems, underground storage tanks, and the storage of hazardous materials and road salt (page 11-8). The Town of Waitsfield Community Water System currently serves the Irasville and Waitsfield Village growth center. This area has the highest density of residential development in the Town. The municipal water system provides these residents with a safe and cost-effective water supply, as it relieves residents of the risk of costly remediation wrought by contamination of private wells. The proposed Groundwater Protection Overlay District intends to protect the Town aquifer from potential contamination at its source.

The 2023 Waitsfield Town Plan includes the following goals:

- Land development within mapped water supply source protection areas should be designed to avoid groundwater contamination and discourage uses posing a high risk of contamination (11.L-52).
- 2. Is compatible with proposed future land uses and densities of the municipal plan:*

The proposed Groundwater Protection Overlay District supports future land uses and densities within the Town as identified within the 2023 Town Plan.

3. *Carries out, as applicable, any specific proposals for any planned community facilities:*

This proposed zoning amendment does not carry out any specific proposals for planned community facilities and it would not impact any plans for community facilities.

**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 standards currently imposed by existing provisions in the Zoning Bylaws for the applicable 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, the Forest Reserve District, and 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 allowed 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 of the GPOD 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.

## **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. Propane and/or heating fuel/oil for residential heating purposes are also 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

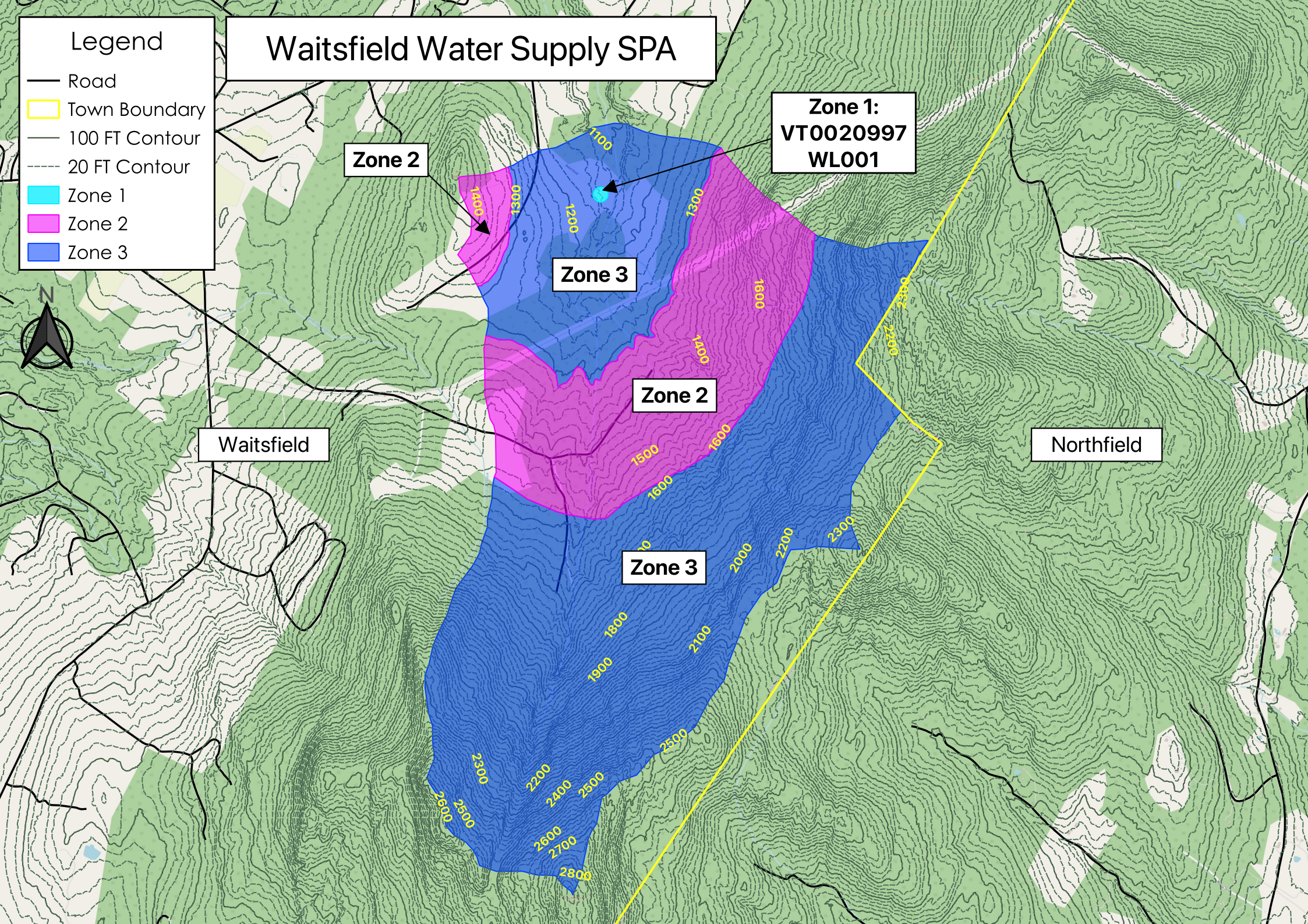
**Zone 1:  
VT0020997  
WL001**

**Zone 2**

**Zone 3**

**Zone 2**

**Zone 3**





**TOWN OF WAITSFIELD, VERMONT**  
**Planning Commission Meeting Minutes**  
**Tuesday, January 21, 2025**

Draft

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

**Members Absent:** Alice Peal

**Staff Present:** JB Weir, Planning and Zoning Administrator

**Others Present:**

## **II. Regular Business**

### **1. Call to Order**

The meeting was called to order at 7:04 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**

Alice was not present, so would not be providing updates. AnnMarie had a report to present during other business.

### **3. Public Forum**

No members of the public were present.

### **4. Approval of Minutes**

The Minutes of January 7, 2025 were approved.

### **5. Groundwater Protection Overlay**

JB provided an update, noting that there is no requirement for notification of individual adjacent property owners, and that all parties required to be notified have been sent a copy of the draft, with no comments having been received. The public hearing is scheduled for February 18.

JB also reported that Robin Morris is stepping down from his Water System and Wastewater Project roles, and that water connections/allocations will likely be going through the Zoning Office going forward.

### **6. Village Master Planning**

There was some discussion regarding adjusting the schedule of Steering Committee (SC) meetings, in order to provide the PC members with time to watch the recordings in advance of PC meetings. JB will look into this matter. Next discussed was how to ensure that the PC is up to speed prior to the upcoming public meeting on the project, which is being planned for March. A joint SC/PC meeting was proposed, but the timing and already planned upcoming agendas indicated that this is not likely to be possible until later in the Spring. The possibility of providing child care and food during the next public meeting was raised, and it was agreed to move forward with plans for this, including reaching out to Ira at Friends of the Mad River, who has indicated that some grant money may be available for this type of effort.

**MOTION:** *AnnMarie made a motion to appropriate up to \$500 of Planning Commission funds for the*

*purpose of providing child care and food at the upcoming public meeting that is part of the Village Master Planning Project, to be held in March 2025. The motion was seconded by Beth, and passed unanimously.*

AnnMarie then outlined the draft drawings which had been provided by SE Group, noting that the focus is on creating development along the Slow Road, which is proposed to be extended to the north onto property owned by Sean Lawson, with the access to Route 100 also moved northward. At the southern end, it is being suggested that the southern end of Slow Road and its connection to the shopping center also be reconfigured to provide a straighter access lanes between Route 100 and the Post Office as well as potentially extending the road to the south either through the green or along the existing service road.

Proposed along the current Slow Road area is development of housing/mixed use buildings, with parking located behind the buildings, partially to serve as a traffic route as the road itself will be designed to be closed to traffic for events such as the farmers' market. It was noted that there needs to be an evaluation of commercial demand, to determine if all the structures along the road can serve as mixed use, including housing.

PC members discussed that having buildings at the north end of the road would diminish the view of the wetland area, and there were points made regarding the best location along the road for potential inclusion of a green space/playground area. Alternatively, it was noted that keeping buildings along the roadway as depicted would provide more of a 'Main Street' feel.

The potential for locating a community center/pool here was discussed, with points made regarding associated parking needs and a center's likely interruption of a pedestrian-oriented space. It was noted that a pool in the Skatium area would be difficult to develop due to the soils there, and also that there may not be a large enough population to support a pool. The Fiddler's Green site was mentioned as a possible siting spot. JB spoke of the recent changes in St. Albans, including construction of a community center, which has in part been funded through establishment of a TIF District and a targeted LOT.

On the eastern side of Route 100, design plans include an expansion of parking into the green space that now houses a septic system, with a public picnic area planned for the northern end of the eastern line of buildings, where there is a great viewpoint. The demolition of the western strip of buildings, to be replaced with three new buildings having a greater presence on Route 100, is also part of the design for this area. The location of proposed crosswalks across Route 100 was noted.

PC discussion included mention of parking along Route 100 adjacent to the three new buildings that are proposed.

It was outlined that these plans provide for the development of over 100 new housing units, which is intentionally greater than the 70 requested due to the realization that not everything included in the draft plan will be developed immediately. This also provides for more flexibility as final plans are developed.

There was a discussion regarding the removal of the Brothers' building, PC members felt that this building is attractive and should not be taken down; it already provides housing, and there was no consensus regarding the need for straightening the entry road to that area.

Questions arose about what is planned for either side of the Shaw's building, as well as whether enough parking has been incorporated into the draft plan.

JB reported that he had been in discussions with Sean Lawson, who is amenable to the proposed change of the northern end of the Slow Road. They also considered some locations along Carroll Road that might support housing.

It was brought up that both the Baird and Parker properties have some potentially developable land along the roadway, and that this planning might provide an opportunity to reach out to both parties and determine their interest in participating.

Phasing possibilities were discussed, with it being noted that the proposed changes, while not as overwhelming as plans presented during previous Irasville planning work, are quite comprehensive. Additionally, the parcels included in the design are all privately owned and therefore development proposals will not come from the Town but from individual landowners.

The need to provide useful information for the general public to understand the concepts was noted as important; AnnMarie suggested the use of 3D renderings if possible. The messaging and context in which it is presented were discussed, as methods to ensure that the public input which is being sought will be relevant.

Jonathan pointed out that it is possible enough development takes place outside of Irasville that wastewater capacity is fully used, and all that is presented in the plans might not be feasible. JB noted that there is likely more capacity in the long run, but that this is a consideration to keep in mind.

It was confirmed that Fiddler's Green has not been included in the plans to date, and that Downstreet will be looking into increasing the number of housing units there.

Another core team meeting with Alex will aid in refining the plan in preparation for the public meeting/presentation in March.

## **7. Wastewater Planning Project Update**

JB highlighted some of the information he had included in the meeting packet, noting that a pre-application is being submitted for the Community Development Block Grant, the engineering team continues with design work, and that Greensboro needs to return 2.5 million dollars in ARPA funding, which will now be split between Montgomery and Waitsfield. He and Joshua Schwartz continue to explore potential funding sources.

## **8. Other Business**

Emergency Shelters – AnnMarie reported on her conversation with Fred Messer regarding the Elementary School serving as an official emergency shelter. It was agreed to invite Fred to attend the

PC meeting on April 1 in order to discuss ways to ensure that this becomes more common knowledge.

MRVPD – Jonathan reported that this group has reviewed and approved a work plan for the upcoming year, and that Joshua Schwartz had been able to have a conversation with UVM Medical Center staff, which indicated that there does not appear to be much room for discussion at this point regarding the closure of the MRV Health Center. Jonathan also indicated that the PD is planning to hold a celebration of its 40<sup>th</sup> anniversary, to reinvigorate public awareness/understanding of the District's efforts.

## **9. Adjournment**

The meeting adjourned at 8:59 pm.

Respectfully submitted,  
Carol Chamberlin, Recording Secretary

February 4, 2025

To: Waitsfield Planning Commission

From: Alice Peal

Webinar, Floodplains, CVRPC Survey, Meadow Road Bridge

I recommend this webinar by the UVM Water Resources Research and Floodplains Research Programs

The Potential of Vermont's Landscape to Attenuate Floods and Enhance Flood Resilience (With some discussion of inundation and erosion hazards) Rebecca Diehl Research Assistant Professor Department of Geography and Geosciences January 16, 2025

Slides here:

<https://floodready.vermont.gov/sites/floodready/files/documents/VT%20Floodplain%20Managers%20Jan%202025.pdf>

Recording also available

Flood Ready Vermont has drop-in session on the third Thursday of the month from 9 – 10 am.

<https://floodready.vermont.gov/news/thurs-116-9-am-locating-functioning-floodplains-vt-floodplain-management-drop-discussion>

<https://floodready.vermont.gov/news/online-water-resource-seminars-water-connects-2024>

CVRPC Regional Plan Committee News

Currently working on the Energy Chapter - topic for next meeting is renewable energy siting.

## Survey from CVRPC:

The Planning Commission will be receiving a survey from CVRPC. The purpose of the survey is to promote community awareness on the future land use map that will eventually become a useful planning tool for the region. The input we receive will help us update the new Regional Future Land Use Area Map and guide future projects and policies. The goal is to align our Regional Plan with community vision. The survey includes more detailed questions such as demographic input, use and services, types and potential areas of growth (residential, commercial, and industrial), and economic, land conservation and transport network priorities. We also want to include broader questions such as key regional challenges/opportunities and familiarity around land use practices.

## Meadow Road Bridge

I'm working with Keith Cubbon at CVRPC. We found a Federal Grant Program to fund the study and design for the failing Meadow Road Bridge. 100% funded. I presented this to the Selectboard, they gave the go ahead. Ten minutes later the new story about the Federal Grant and Loan freeze dropped in my email.

I talked with Keith Cubbon again and with all the new stories about this edict, we decided to move forward with the application for the grant, due on March 4. Hopefully this all might just mean a delay in distribution of the grant money.

(I'm asking the SB to rename the bridge the Alice Peal Memorial Bridge)





# Village Master Planning Steering Committee

**February 18, 2025 at 10:30 a.m.**

Join Zoom Meeting

<https://us02web.zoom.us/j/9190265312?omn=89606171801>

Meeting ID: 919 026 5312

**Planning Commission**

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

**Planning & Zoning Ad-  
ministrator**

J. B. Weir

**Town Administrator**

York Haverkamp

**Town Clerk**

Jennifer Peterson

**Town Treasurer**

Steve Lewis

**Waitsfield Town Office**

4144 Main Street  
Waitsfield, VT 05673  
(802) 496-2218  
[www.waitsfieldvt.us](http://www.waitsfieldvt.us)

\*\*A quorum of the Planning Commission may be present at the meeting. This item is intended to serve as a work session and no action will be taken by the Planning Commission at this meeting. Allowed pursuant to 1V.S.A.§310(3)(D)\*\*