



TOWN PLAN REVIEW COMMITTEE

April 25, 2019 at 5:00pm

Steele Community Room at the Waterbury Municipal Center
28 North Main Street, Waterbury, Vermont.

AGENDA

1. **CALL TO ORDER**

The meeting will be called to order and may include introductions.

2. **CHANGES TO THE AGENDA**

The Committee may identify and discuss any changes to the agenda.

3. **PUBLIC COMMENTS**

Time will be provided for members of the public to speak about items not on the agenda.

4. **PUBLIC HEARING: APPROVAL OF THE TOWN OF WATERBURY MUNICIPAL PLAN AND CONFIRMATION OF THE LOCAL PLANNING PROCESS**

As requested by the Town of Waterbury, the Town Plan Review Committee will open a public hearing to receive public comments on the Waterbury Municipal Plan and confirmation of the local planning process.

5. **RECOMMENDATIONS TO THE CVRPC BOARD OF COMMISSIONERS:**

a. CONFIRMATION OF THE TOWN OF WATERBURY MUNICIPAL PLANNING PROCESS

b. APPROVAL OF THE TOWN OF WATERBURY MUNICIPAL PLAN

c. DETERMINATION OF ENERGY COMPLIANCE

At the close of the public hearing, the Town Plan Review Committee will consider a three recommendations to the Board of Commissioners: a) confirmation of the planning process under 24 VSA §4350(a); and b) approval of the municipal plan per 24 V.S.A. § 4350(b); and c) issuance of a determination of energy compliance as per 24 V.S.A. §4352.

7. **APPROVAL OF MINUTES**

Draft minutes from the March 27, 2019 Town Plan Review Committee are included for consideration of approval.

8. **ADJOURNMENT**

If there is no additional business the Committee should consider a motion to adjourn.



MEMO

Date: April 22, 2019
To: Town Plan Review Committee
CC: Steve Lotspeich, Waterbury Community Planner
From: Clare Rock, Senior Planner
Re: Waterbury Town Plan Review

☒ **ACTION REQUESTED:** At the meeting the Committee will hold a public hearing on the Town of Waterbury Municipal Plan. Following the hearing the Committee will be tasked with making **three** recommendations to the Board of Commissioners:

- a) confirmation of the planning process under 24 VSA §4350(a);
- b) approval of the municipal plan per 24 V.S.A. § 4350(b); and
- c) issuance of a determination of energy compliance as per 24 V.S.A. §4352.

CVRPC Board of Commissioners meeting will take place on Tuesday, May 14, 2019.

Meeting Location and Directions

Date & Time: April 25, 2019 at 5:00pm

Location: Steele Community Room at the Waterbury Municipal Center, 28 North Main Street, Waterbury, Vermont.

Background

The 2018 Waterbury Municipal Plan is an update of the 2013 Plan. In 2014 CVRPC reviewed the 2013 Waterbury Municipal Plan under the provisions and standards of Chapter 117, Section 4350, wherein it is stated “a regional planning commission shall review and approve plans of its member municipalities, when approval is requested and warranted.”

The 2013 plan was a rewrite of the previous version and was a product of broad-based citizen participation. In 2014 CVRPC staff found that “The Waterbury Municipal Plan contains the essential elements of a municipal plan and makes progress towards attainment of the statutory goals. Staff encourages the Review Committee to recommend “approval” of the Waterbury Municipal Plan under the standards of Chapter 117 before the full Regional Commission.” Much of the 2014 CVRPC staff review is applicable to 2018 plan.

In 2017 CVRPC conducted a Municipal Consultation with the Town of Waterbury. During the Consultation process the 2013 was review and strengthens, weaknesses and opportunities were identified.

As per statutory requirements, CVRPC received a copy of the Waterbury Planning Commission's draft Municipal Plan dated July 9, 2018. Staff reviewed a copy of the July 9, 2018 draft Waterbury Municipal Plan and provided comments via track changes. Staff found not substantial statutory deficiencies. The majority of comments were regarding updating information and accounting for changes in current conditions, such as the merger of the Town and Village and the establishment of the Edward Farrer Utility District.

The Waterbury PC held their first hearing on August 13, 2018. The Waterbury Selectboard held a hearing on December 3, 2018 and subsequently adopted the plan. The Town contacted the RPC and officially requested approval of the municipal plan, confirmation of its planning process, plus requested Enhanced Municipal Planning Certification for their Energy Plan on March 15, 2019.

As part of the PC's hearing process the PC is required to prepare a report that is in accordance with §4384(c) which states: "When considering an amendment to a plan, the planning commission shall prepare a written report on the proposal. The report shall address the extent to which the plan, as amended, is consistent with the goals established in §4302 of this title." The report states:

This is an update to the 2013 Municipal Plan that was approved on December 9, 2013. That Plan was a major re-write that incorporate the results of the 2010 U.S. Census and other available statistics. At that time the consultant firm, Place Sense, also assisted with a Community Survey that was mailed to a statistical sample of approximately 20% of the Town Voter Checklist (658 individuals) and was made available to any other residents to fill out and submit. The numerical results in the survey results are separated into these two groups of respondents. The Report of the Survey Results is attached to this Draft Plan as Appendix A.

This report concludes that the Municipal Plan, as amended, is consistent with the goals established in 24 V.S.A. §4302. The proposed Plan will not alter the designation of any land area. The Future Land Use Plan that is part of the draft Municipal Plan does not lead directly to a proposal to re-zone any particular areas of the Town or Village of Waterbury. However, the draft Municipal Plan does recommend that the community re-examine our two designated Growth Centers of the Village of Waterbury and Waterbury Center village and explore way that we can utilize zoning and other available tools to promote higher density and more affordable housing in the appropriate locations.

The Plan recommends that the community examine our commercial and industrial zoning district boundaries and requirements to explore ways that we can promote the economic development and re-development of our existing commercial and industrial areas. The Plan also recommends that the community explore ways that our Zoning Regulations and other tools can promote the voluntary conservation of land, especially in the areas where significant natural resources exist.

And that:

This plan is intended to reflect the common goals of Waterbury's individual, business, and government residents. This 2018 plan is an update to the 2013 Municipal Plan with a focus on the following chapters:

4. *Local Economy: Text and recent statistics have been added reflecting the recovery from Tropical Storm Irene. Revitalizing Waterbury's role with its Economic Development Director and the creation of the Economic Development Strategic Plan is also discussed.*

6. *Natural Resources: Text has been added addressing forest fragmentation as required in the state's Act 171. The new Forest Resources and Connectivity Map 2-7 is referenced.*

7. *Energy: This chapter has been completely re-written with assistance from CVRPC staff to summarize and reflect the new Energy Plan that is attached to this plan as Appendix B. This chapter and the Energy Plan are intended to address the standards in the state's Act 174.*

9. *Facilities and Services: Text has been added reflecting the fact that the Village of Waterbury no longer exists as a municipality and the creation of the Edward Farrar Utility District that has assumed ownership of all the former Village's assets including the public water and sewer systems. The chapter also addresses the creation of a town-wide police department.*

10. *Local Government: This chapter has been re-written with assistance from William Shepeluk, the Municipal Manager, to reflect the fact that the Village of Waterbury no longer exists as a municipality. The statistics in this chapter have also been updated.*

11. *Land Use: Text has been added addressing forest fragmentation and the implications for land development, especially in the Forest Area as shown on the revised Land Use Maps.*

The other chapters and the majority of the statistics in the plan remain primarily as they were drafted and adopted in 2013.

Staff Review

CVRPC staff reviewed the Municipal Plan for following items:

a) confirmation of the planning process under 24 VSA §4350(a);

- is engaged in a continuing planning process that, within a reasonable time, will result in a plan which is consistent with the goals contained in section 4302 of this title; and
- is maintaining its efforts to provide local funds for municipal and regional planning purposes.
Staff findings and recommendations: staff finds the Town of Waterbury to be engaged in a continuing planning process and is maintaining its efforts to provided funds for planning purposes.

b) approval of the municipal plan per 24 V.S.A. § 4350(b);

- consistency with the State goals established in section §4302
Staff findings and recommendations: staff finds the plan to be consistent with the State Goals and provides the following recommendations for the next update:
 - *State Goal 1: to plan development so as to maintain the historic settlement pattern of compact village and urban centers separated by rural countryside.* Staff recommends in the next rendition of the plan, demonstration of how the Town is activity working to address the increasing development pressures along Route 100 should be documented and identification of any policy change that would help curb the low-density growth in the rural areas.
 - *State Goal 4: To provide for safe, convenient, economic and energy efficient transportation systems that respect the integrity of the natural environment, including public transit options and paths for pedestrians and bicyclers...* Staff recommends the plan would benefit from increased integration of specific actions/projects as outlined in the referenced studies:

- 2006 Bike and Ped Master Plan for Colbyville and 2017 Colbyville Pedestrian/Bicycle Scoping Study – to address safety and ped amenities
- Vermont Agency of Transportation 2018 VT-100 / VT-108 Corridor Management Plan – for congestion of route 100
- 2014 – 2015 Planning Study for Bike Trails – to promote economic activity and integration into a regional trail system
- *State Goal 5: To protect and preserve important natural and historic features of the Vermont landscape including: (C) significant scenic roads, waterways and views.* Staff recommends identification of the scenic views and vistas along RT 100 will be integral to their preservation. This was noted in the 2014 review.
- *State Goal 6: To maintain and improve the quality of air, water, wildlife and land resources. (C) Vermont's forestlands should be managed so as to maintain and improve forest blocks and habitat connectors.* Staff recommends the plan meets new statutory provisions for forest integrity, and presents some specific policies for limiting development in these areas. Implementing regulatory strategies for the Shutesville Hill area will be beneficial for the maintenance of the important regional wildlife crossing. Documenting what actions have been undertaken in the next update is recommended.
- *State Goal 11: To ensure the availability of safe and affordable housing for all Vermonters. (D) Accessory apartments within or attached to single family residences which provide affordable housing...* Staff recommends recognition of accessory apartments in this context should be strengthened. This was also noted in the Consultation.

compatibly with its regional plan

Staff findings: staff finds the plan to be compatible with the regional plan.

compatibly with approved plans of other municipalities in the region

Staff findings and recommendation: staff finds the plan to be compatible with approved plans of other municipalities and recommends documenting how Waterbury has working with Stowe with the RT 100 and Shuteville Hill area as this appears to be a priority in the near future, plus working collaboratively with Moretown regarding the RT 2 gateway.

containing all the elements included in section § 4382

Staff findings and recommendation: staff finds the plan to contain all the required elements and provides the following recommendations for the next plan update:

- Municipal plan requirement (a) 7) *A recommended program for the implementation of the objectives of the development plan.* Staff recommends inclusion of a more detailed implementation plan/program (such as the example presented in the State municipal planning manual) will be needed in the next rendition of the plan to help guide priorities and to demonstrate progress toward attainment of the plan goals. This recommendation was noted in the 2014 CVRPC review and within the Consultation.
- Municipal plan requirement (c) *Where appropriate, and to further the purposes of subsection 4302(b) of this title, a municipal plan shall be based upon inventories, studies, and analyses of current trends and shall consider the probable social and economic consequences of the proposed plan. Such studies may consider or contain, but not be limited to:*
 - *population characteristics and distribution, including income and employment;*
 - *the existing and projected housing needs by amount, type, and location for all economic groups within the municipality and the region;*
 - *existing and estimated patterns and rates of growth in the various land use classifications,*

and desired patterns and rates of growth in terms of the community's ability to finance and provide public facilities and services.

Staff recommends that since the plan is an update of the 2013 plan much of the data relies on the 2010 census. Some sections have included updated data such as the Economic Development Chapter, yet others have not such as the wastewater capacity figures are from 2012. The next rendition of the plan should ensure all data is updated to the most recent figures.

c) issuance of a determination of energy compliance as per 24 V.S.A. §4352.

- The plan includes an energy element that has the same components as described in 24 V.S.A. §4348a(a)(3)
- The energy plan is consistent with following State goals:
 - Vermont's greenhouse gas reduction goals under 10 V.S.A. § 578(a);
 - Vermont's 25 by 25 goal for renewable energy under 10 V.S.A. § 580;
 - Vermont's building efficiency goals under 10 V.S.A. § 581;
 - State energy policy under 30 V.S.A. § 202a and the recommendations for regional and municipal energy planning pertaining to the efficient use of energy and the siting and development of renewable energy resources contained in the State energy plans adopted pursuant to 30 V.S.A. §§ 202 and 202b (State energy plans); and
- The distributed renewable generation and energy transformation categories of resources to meet the requirements of the Renewable Energy Standard under 30 V.S.A. §§ 8004 and 8005.
- Meets the standards for issuing a determination of energy compliance included in the State energy plans as developed by the Vermont Department of Public Service.

Staff findings and recommendation: staff finds the plan meets the above listed requirements.

References:

To view the Central Vermont Regional Plan visit: <http://centralvtplanning.org/wp-content/uploads/2012/03/2016-Central-Vermont-Regional-Plan-ADOPTED-06.12.2018-Reduced.pdf>

To view Title 24 Chapter 117: Municipal and Regional Planning and Development statutory requirements in their entirety check out: <https://legislature.vermont.gov/statutes/title/24>

For a copy of the completed Municipal Plan Review Tool (checklist), completed on April 18, 2019 or for a completed Energy Planning Standards for Municipal Plans (checklist) completed in April 4, 2019 please contact Clare Rock.