



## **TOWN PLAN REVIEW COMMITTEE**

July 10, 2018 at 6:00pm

Central Vermont Chamber of Commerce (Lower Level Conference Room)

963 Paine Turnpike N., Berlin, Vermont 05602

### Pages

## **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 REGARDING REGIONAL APPROVAL OF THE TOWN OF EAST MONTPELIER  
MUNICIPAL PLAN AND CONFIRMATION OF THEIR PLANNING PROCESS**

The Town Plan Review Committee will open a public hearing to receive public comments regarding regional approval of the Town of East Montpelier Municipal Plan and confirmation of their planning process.

2-18 5. **REGIONAL CONSIDERATION OF THE TOWN OF EAST MONTPELIER**

East Montpelier requested the CVRPC evaluate their updated municipal plan for consistency with the Regional Plan and to confirm their planning process under 24 VSA §4350. The Town Plan Review Committee will consider a recommendation to the Board of Commissioners regarding regional approval and confirmation of the planning process.

19-21 6. **ELECTION OF OFFICERS**

As per the draft *Rules of Procedure* the Committee will consider electing a Chairperson and Vice-Chairperson at this first meeting following the annual appointment by the Board of Commissioners. If time allows the Committee may also review the draft Rules for formal adoption at a future meeting.

22-23 7. **APPROVAL OF MINUTES**

Draft minutes from the April 10, 2018 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: June 28, 2018

To: Town Plan Review Committee

From: Clare Rock, Senior Planner

Re: East Montpelier Town Plan Review

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**✉ ACTION REQUESTED: Make a recommendation to the Board of Commissioners regarding regional approval and confirmation of their planning process.**

On June 5, 2018, the Central Vermont Regional Planning Commission (CVRPC) received a request from the Town of East Montpelier to review and consider regional approval of their updated town plan and planning process. As per the statutory requirements under 24 VSA 117 Section §4350, the CVRPC shall review and approve the town plan if it finds the plan:

- Contains each of the required elements listed in 24 VSA 117 Section §4382
- Is consistent with the required goals established in 24 VSA 117 Section §4302
- Is compatible with the Regional Plan and the approved plans of other municipalities in the Region

The Town of East Montpelier's existing municipal plan was approved in 2013. That plan was updated and a new plan was adopted by the East Montpelier Selectboard on June 4, 2018. Approval of the 2018 municipal plan by the CVRPC would ensure the Town of East Montpelier remains eligible for grant funding and other municipal assistance provided by the state.

Overall, the Town of East Montpelier has undergone a concerted effort to complete their municipal plan update. The 2018 East Montpelier Town Plan includes all the statutory requirements that have been adopted by the Vermont Legislature since the plan was last adopted in 2013. This includes discussion of flood resiliency; inclusion of support to maintain their state designation of village center, specific information related to alternative energy sources, an implementation program that will extend the life of the plan from five years to eight years and lastly information to meet the State's new forestry integrity planning provision.

In general, the 2018 East Montpelier Town Plan supports the community's vision of having a vibrant village center surrounded by open countryside. This vision is supported throughout the plan's goals and

implementation strategies. Furthermore, the plan outlines common values that are shared by the community including protecting the lifestyles and traditions of East Montpelier; revitalizing the villages; preserving the rural character; improving the business climate; and protecting public health, safety, and welfare. These values are clearly reflected throughout the plan.

In order to ensure the statutory requirements of the 2018 East Montpelier Town Plan have been met, CVRPC staff completed a detailed analysis including page references to each of the required elements and statewide planning goals in the plan. This analysis is intended to assist the Town Plan Review Committee identify any comments they might want to discuss during their review. If the Town Plan Review Committee agrees that the 2018 Town Plan adequately addresses all the required plan components, a recommendation of approval should be forwarded to the full commission for their consideration.

As part of this review, CVRPC staff has identified strengths and opportunities in the plan update for consideration in future plan updates. Overall the 2018 Town Plan includes detailed information regarding the needs of the community. There is a comprehensive implementation chapter that identifies what needs to be done, and who is responsible for leading the effort. The plan also includes additional maps to illustrate the various conditions that exist within the Town of East Montpelier.

While the plan is consistent with statutory requirements, one area where the plan could be improved is a more robust recognition of its account of accessory dwelling units; and consideration of how these types of units maybe increased as a method to increase affordable units within the single-family housing stock (rather than within the context of multifamily housing development.) Overall however, the East Montpelier Town Plan is a document that outlines a clear path forward for the community to achieve its identified vision.

# Municipal Plan Review

This form addresses the statutory requirements of the State of Vermont for town plans, as cited in the Vermont Municipal and Regional Planning and Development Act, Title 24 V.S.A Chapter 117 (the Act). It includes the 12 required elements found in § 4382 of the Act; the four planning process goals found in § 4302(b), the 14 specific goals found in § 4302(c); and the standard of review found in § 4302(f), which covers consistency with goals and compatibility standards.

During the Regional approval and confirmation process, specified in § 4350 of the Act, the regional planning commission is required to assess town plans and the process whereby they are developed according to the criteria of the Act. Sections of relevant statute are quoted at each question.

	<b>Required Elements § 4382</b>	Met	Not Met
1	Statement of Objectives, Policies, Programs	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2	Land Use Plan and Map	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3	Transportation Plan and Map	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4	Utility and Facility Plan and Map	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5	Rare Natural Resources/Historic Resources	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6	Educational Facilities Plan and Map	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7	Implementation Program	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8	Compatibility Statement	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9	Energy Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10	Housing Element	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11	Economic Development Element	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12	Flood Resiliency Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	<b>State Planning Goals § 4302</b>	Met	Not Met
1	Compact village centers	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2	Economy	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3	Education	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4	Transportation	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5	Natural and Historic Resources	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6	Quality of air, water, wildlife, and land resources	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7	Efficient use of Energy and Renewable Energy Resources	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8	Recreation	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9	Agriculture and Forest Industries	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10	Use of Resources and Earth Extraction	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11	Safe and Affordable Housing	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12	Public Facilities and services	<input checked="" type="checkbox"/>	<input type="checkbox"/>
13	Child Care	<input checked="" type="checkbox"/>	<input type="checkbox"/>
14	Flood Resiliency	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## MUNICIPAL PLAN REQUIRED ELEMENTS

### Title 24 Chapter 117: Municipal and Regional Planning and Development

#### **24 V.S.A. § 4382. The plan for a municipality**

(a) A plan for a municipality may be consistent with the goals established in section 4302 of this title and compatible with approved plans of other municipalities in the region and with the regional plan and shall include the following:

**(1) A statement of objectives, policies and programs of the municipality to guide the future growth and development of land, public services and facilities, and to protect the environment.**

**Met**

Pages: 140-157

**Comments:** Each chapter (with the exception of Chapter 1) culminates with a list of associated Goals and Actions. Along with the chapter text, these Goals and Actions translate into a "Statement of objectives, policies and programs." The Goals and Actions are aggregated within Chapter 11, titled Implementation on pages 140-157.

The DHCD Planning Manual states that "it is helpful to think of goals, objectives, policies, and actions as a hierarchy with the broadest goals at the top, and each subsequent category having increasing levels of specificity, with actions being the most specific. Some plans label objectives as "strategies" and actions as "tactics," which is fine, so long as they clearly communicate the purpose and outcomes of the plan, and the terminology is used consistently throughout the plan." (Page 52) Into the future the Town of East Montpelier may consider adding either Objectives and/or Policies (along with the Goals and Actions) to provide increased clarity and municipal direction on a specified Goal. For example (from the DHCD Manual, page 52):

**Objectives** provide targets for the accomplishment of goals. They should be specific enough that the municipality can determine when the objectives have been met. Effective objectives are SMART: Specific, Measurable, Attainable, Relevant, and Time-bound. The time frame (long term, intermediate term, and short term) for the objective should be clear.

**Policies** are definite courses of action adopted to attain your objectives and intended to guide all relevant decision-making across municipal departments. For example, some municipalities have detailed policies on limiting sewer line extensions or policies to maintain clear lines of communication between all the local boards and commissions. Policies may be needed for some but not all goals and objectives.

**(2) A land use plan, which shall consist of a map and statement of present and prospective land uses, that:**

**(A) Indicates those areas proposed for forests, recreation, agriculture (using the agricultural lands identification process established in 6 V.S.A. § 8), residence, commerce, industry, public, and semi-public uses, and open spaces, areas reserved for flood plain, and areas identified by the State, the regional planning commission, or the municipality that require special consideration for aquifer protection; for wetland protection; for the maintenance of forest blocks, wildlife habitat, and habitat connectors; or for other conservation purposes.**

**(B) Sets forth the present and prospective location, amount, intensity, and character of such land uses and the appropriate timing or sequence of land development activities in relation to the provision of necessary community facilities and service.**

**Met**

Pages: 129-138

MAPS

Present Land Use Plan ☒

Prospective Land Use Plan ☒

(C) Identifies those areas, if any, proposed for designation under chapter 76A of this title, together with, for each area proposed for designation, an explanation of how the designation would further the plan's goals and the goals of section 4302 of this title, and how the area meets the requirements for the type of designation to be sought.

(D) Indicates those areas that are important as forest blocks and habitat connectors and plans for land development in those areas to minimize forest fragmentation and promote the health, viability, and ecological function of forests. A plan may include specific policies to encourage the active management of those areas for wildlife habitat, water quality, timber production, recreation, or other values or functions identified by the municipality.

**Comments:** Chapter 10 consists of a narrative which explains its present and prospective land uses. East Montpelier recognizes that the Town's "vision of future land use builds on the future land uses in the 2016 Central Vermont Regional Plan and the 2017 East Montpelier Village Master Plan." And that the "East Montpelier's current zoning districts do not, in all cases, reflect or support the future land use areas." (Page 130) Contained Goals and Actions focus on new development in the villages and growth areas and recognize the need to revise the zoning regulations in order to be in conformance with this new Plan.

The following Maps meet the land use plan requirements:

- Map 8 East Montpelier Housing Distribution
- Map 9 East Montpelier Agricultural and Forest Lands
- Map 10 East Montpelier Public and Protected Lands
- Map 11 East Montpelier Priority Forest Blocks and Habitat Connectors [requirement 2(A), (D)]
- Map 13 East Montpelier Current Land Use [requirement 2]
- Map 14 East Montpelier Future Land Use [requirement 2(A), (B), (D)]
- Map 15 East Montpelier Village Center Designation [requirement 2(C)]
- Map 16 East Montpelier Village Planning Areas [requirement 2(A), (B), (C)]
- Maps 17 & 18 East Montpelier Zoning Districts Overlay Districts [requirement 2]

(3) A transportation plan, consisting of a map and statement of present and prospective transportation and circulation facilities showing existing and proposed highways and streets by type and character of improvement, and where pertinent, parking facilities, transit routes, terminals, bicycle paths and trails, scenic roads, airports, railroads and port facilities, and other similar facilities or uses, with indications of priority of need;

**Met**

Pages: 62-71

MAP

Transportation ☒

**Comments:** The Transportation Element is contained within Chapter 6

Infrastructure. The plan recognizes that the private car is the predominate mode of transport and also recognizes the increasingly convenience of the regional bus service. The Town is planning new sidewalks and bike lanes within the village and notes that it's not feasible to expand these to the outlying rural area of town. It should be noted that there are no airports, railroads or port facilities within the Town. The old railroad bed is being used as the Cross Vermont Trail, a multiuse trail.

The following Maps meet the transportation requirement:

- Map 2 East Montpelier Trails
- Map 5 East Montpelier Transportation
- Map 6 East Montpelier Village Sidewalks

(4) A utility and facility plan, consisting of a map and statement of present and prospective community facilities and public utilities showing existing and proposed educational, recreational and other public sites, buildings and facilities, including hospitals, libraries, power generating plants and transmission lines, water supply, sewage disposal, refuse disposal, storm drainage and other similar facilities and activities, and recommendations to meet future needs for community facilities and services, with indications of priority of need, costs and method of financing;

**Met**

Pages: see references below

MAP

Utility and Facility ☒

**Comments:** The utility and facility plan is contained within the following chapters:

Chapter 3 Town Government (includes discussion on the town office building and the development of a Capital Improvement Plan - see pages 14, 17)

Chapter 4 Community Resources (includes sections C. Recreation, D. Trails, and E. Historic Resources – see pages 29-40)

Chapter 5 Public Services (includes sections on A. Education, C. Emergency Services – see pages 41-46, 50-54)

Chapter 6 Infrastructure (includes sections on B. Solid Waste Disposal, C. Wastewater Treatment, D. Water Supplies, and E. Energy and Energy Conservation – see pages 72-90)

One of the most significant utility needs identifying for the Town's future is the need to develop wastewater solutions for East Montpelier Village and North Montpelier.

The following maps meet the utilities and facility plan requirements:

Map 1 East Montpelier Facilities

Map 2 East Montpelier Trails

Map 3 East Montpelier Historic Sites

Map 7 East Montpelier Utilities

(5) A statement of policies on the preservation of rare and irreplaceable natural areas, scenic and historic features and resources;

**Met**

Pages: 40. 107-128

**Comments:** Chapter 4 Community Resources, includes section E. Historic Resources. Relevant Goals and Actions are listed on page 40. Chapter 9 Natural and Scenic Resources includes sections which discuss and identify a variety of rare and irreplaceable natural area and scenic resources. Relevant Goals and Actions are contained within Chapter 9 and the most significant areas are depicted on Map 12.

While not a plan requirement, additionally the plan additionally includes the following maps which identify the locations of historic sites and natural areas:

Map 3 East Montpelier Historic Sites

Map 12 East Montpelier Significant Natural and Scenic Areas

(6) An educational facilities plan consisting of a map and statement of present and projected uses and the local public school system;

**Met**

Pages: 40-46

**Comments:** Chapter 5 Public Services includes section A Education. The section presents enrollment data for the past 10-years which indicates an uptick in student enrollment in the last 2 years. The plan also explicitly states that "EMES has a Capital Improvement Plan. Following the completion of major school renovations, the roof was replaced in 2015. No further capital expenditures are planned for the next 5-8 years." Furthermore that plan recognizes that Act 46, the law intended to promote school district consolidation "has proven to be challenging and controversial for many school districts. The

MAP

Educational Facility ☒

districts in the Washington Central Supervisory Union have been unable to come up with a consolidation structure that all five municipal school districts can agree with. For now, it remains to be seen how Act 46 will play out for East Montpelier Elementary School and Washington Central Supervisory Union.”

The following Map meets the educational plan requirement:

Map 1 East Montpelier Facilities

(7) A recommended program for the implementation of the objectives of the development plan;

Met

Pages: 139-157

**Comments:** The plan includes a robust Implementation Chapter which lists all the plan’s Goals and Actions, and assigns a priority, responsibility and timeline for each Action. Chapter 11 also prioritizes the top 7 action items which are also re-iterated within the Executive Summary on page 1.

(8) A statement indicating how the plan relates to development trends and plans of adjacent municipalities, areas and the region developed under this title;

Met

Pages: 12-13

**Comments:** Within Chapter 2, section B. East Montpelier & the Region the plan touches upon the compatibility with other plans. It finds that “this town plan is compatible with the Regional Plan.” Regarding adjacent municipal plans, East Montpelier finds:

No major conflicts or adverse impacts were identified that would “significantly reduce the desired effect of the implementation of the other plan.” A draft copy of the 2018 East Montpelier Town Plan has been provided to the Planning Commissions of each of the adjacent communities to allow them an opportunity to review this plan and provide comments. Comments received from neighboring communities have been incorporated into this plan. (pages 12-13)

Yet the plan also notes that “As of this writing, four of the reviewed municipal plans have expired: Berlin, Marshfield, and Worcester, and Montpelier. Available draft plans from these towns were not reviewed for compatibility.” This is not correct, the City of Montpelier does have an adopted plan. While some adjoining towns may have expired plans, it is recommended the Town not discount their neighbors planning efforts and that a more robust discussing how or why there are “no major conflicts or adverse impacts...” This could be accomplished by reviewing the compatibility of adjoining Town’s land use areas with those presented by East Montpelier.

(9) An energy plan, including an analysis of energy resources, needs, scarcities, costs and problems within the municipality, a statement of policy on the conservation of energy, including programs, such as thermal integrity standards for buildings, to implement that policy, a statement of policy on the development of renewable energy resources, a statement of policy on patterns and densities of land use likely to result in conservation of energy;

Met

Pages: 82- 90

**Comments:** Chapter 6 contains section E. Energy and Energy Conservation. The section provides information on the towns current energy use, the value of energy efficiency and recognition that to meet the town’s renewable energy target the town must rely on the development of solar energy projects. Furthermore the section outlines preferred siting standards for renewable energy projects. The town also identifies the significant goal to concentrate future growth within the towns identified villages and growth areas. The section culminates in a handful of Goals and Actions which address the energy plan requirements.



(10) A housing element that shall include a recommended program for addressing low and moderate income persons' housing needs as identified by the regional planning commission pursuant to subdivision 4348a(a)(9) of this title. The program should account for permitted accessory dwelling units, as defined in subdivision 4412(1)(E) of this title, which provide affordable housing.

Met

Pages: 96-101

**Comments:** Chapter 8 Housing contains information about the Town's housing stock; the number and types of units; household size, housing cost and affordability. The Chapter recognizes that a household making the Town's median income could not afford a median priced home in East Montpelier. And that duplexes and multifamily housing options are limited. The text further identifies the wastewater constraint to increasing the number of multi-family units. The Chapter mentions the existence of Accessory Apartments within the context of the multi-family housing discussion. The Goals and Policies listed on page 101 express a willingness to increase the range of housing options including multi-family, affordable and senior housing.

While not a statutory municipal plan requirement, but a regional plan requirement, the plan addresses the regional housing distribution plan and notes that "based on current market forces it is unrealistic to believe that the goal will be met by 2020." The following map is also included:

Map 8 East Montpelier Housing Distribution

In the next iteration of the Plan, it is recommended the Town evaluate its account of accessory dwelling units and consider how these types of units maybe increased as a method to increase affordable units within the single-family housing stock (rather than within the context of multifamily housing development.)

(11) An economic development element that describes present economic conditions and the location, type, and scale of desired economic development, and identifies policies, projects, and programs necessary to foster economic growth.

Met

Pages: 91- 95

**Comments:** Chapter 7 Economic Development lists the names of many local business and includes data of employment and wages. The plan recognizes the towns "excellent position for attracting business" due to its proximity to Barre and Montpelier. The reference to the village master plan indicates the town's desire to direct future commercial growth to the village area and recognizes the need to ensure adequate water supply, but the lack of wastewater infrastructure may present an obstacle. Accompanying Goals and Policies put an emphasis on concentrating village-scale growth in the East Montpelier Village and in North Montpelier.

(12)(A) A flood resilience plan that: (i) identifies flood hazard and fluvial erosion hazard areas, based on river corridor maps provided by the Secretary of Natural Resources pursuant to 10 V.S.A. § 1428(a) or maps recommended by the Secretary, and designates those areas to be protected, including floodplains, river corridors, land adjacent to streams, wetlands, and upland forests, to reduce the risk of flood damage to infrastructure and improved property; and (ii) recommends policies and strategies to protect the areas identified and designated under subdivision (12)(A)(i) of this subsection and to mitigate risks to public safety, critical infrastructure, historic structures, and municipal investments.

(B) A flood resilience plan may reference an existing local hazard mitigation plan approved under 44 C.F.R. § 201.6.

Met

Pages: 55-61

MAP

Flood and fluvial ☒

**Comments:** Chapter 5 Public Services contains section D. Hazard Mitigation & Flood Resilience. The section recognizes the hazards of both flood inundation and fluvial erosion, and recognizes the benefits of hazard mitigation planning. The Town currently has a FEMA approved and locally adopted Hazard Mitigation Plan which is adopted by referenced into the town plan. The Hazard Mitigation Plan identifies worst threat hazards (dam failure, flood/flash flood/ fluvial erosion, hurricane/severe storm, and winter storm/ice storm/extreme cold with power failure). Both the Hazard Mitigation Plan and Chapter 5 include Goals and Actions which aim to protect and limit the damages to property and human life from the identified hazards.

The plan also includes the following map:

Map 4 East Montpelier Wetlands, Waterways and Flood Hazard Areas

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## GOALS AND STANDARDS OF REVIEW

### GOALS

#### 24 VSA § 4302

(a) General purposes . . .

(b) It is also the intent of the legislature that municipalities, regional planning commissions and state agencies shall engage in a continuing planning process that will further the following goals:

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

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

(3) To consider the use of resources and the consequences of growth and development for the region and the state, as well as the community in which it takes place.

(4) To encourage and assist municipalities to work creatively together to develop and implement plans.

(c) In addition, this chapter shall be used to further the following specific goals:

#### Goal 1:

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

(A) Intensive residential development should be encouraged primarily in areas related to community centers, and strip development along highways should be discouraged.

(B) Economic growth should be encouraged in locally designated growth areas, or employed to revitalize existing village and urban centers, or both.

(C) Public investments, including construction or expansion of infrastructure, should reinforce the general character and planned growth patterns of the area.

**Consistent**

Pages: 129-138

How has the Town Plan addressed this goal : The Land Use Chapter summarizes goals identified within the housing, economic development and utilities and facilities sections. The land use chapter states that

housing and commercial development should be directed toward the two villages and that infrastructure investments (specifically wastewater) needs to focused on the Village.

If the goal is not relevant or attainable, how does the plan address why : n/a

**Goal 2:**

To provide a strong and diverse economy that provides satisfying and rewarding job opportunities and that maintains high environmental standards, and to expand economic opportunities in areas with high unemployment or low per capita incomes.

**Consistent**

Pages: 91-95

How has the Town Plan addressed this goal : The Economic Development Chapter recognizes the towns “excellent position for attracting business.”

If the goal is not relevant or attainable, how does the plan address why : n/a

**Goal 3:**

To broaden access to educational and vocational training opportunities sufficient to ensure the full realization of the abilities of all Vermonters.

**Consistent**

Pages: 40-46

How has the Town Plan addressed this goal : One of the primary goals of the Education section is to “Provide for supportive and stimulating schools that promote learning.” The plan discusses the value of the local schools and lists the vocational training opportunities which are available in the surrounding areas.

If the goal is not relevant or attainable, how does the plan address why : n/a

**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.

**Consistent**

Pages: 62-71

(A) Highways, air, rail and other means of transportation should be mutually supportive, balanced and integrated.

How has the Town Plan addressed this goal : The Transportation Chapter outlines the value of the regional public transportation system and identifies the areas where sidewalks and bike paths will be built and planned in the future. Furthermore the Chapter includes for the following goal: Ensure that the road network provides safe and adequate transportation for all road users balanced with retaining the scenic and natural character of roadways.

If the goal is not relevant or attainable, how does the plan address why : There are no airports or operational rail facilities in the town.

**Goal 5:**

To identify, protect and preserve important natural and historic features of the Vermont landscape including:

- (A) significant natural and fragile areas;
- (B) outstanding water resources, including lakes, rivers, aquifers, shorelands and wetlands;
- (C) significant scenic roads, waterways and views;
- (D) important historic structures, sites, or districts, archaeological sites and archaeologically sensitive areas

**Consistent**

Pages:

How has the Town Plan addressed this goal : The plan includes recognition of Historic Resources and Natural and Scenic Resources. Relevant Goals and Actions which support the preservation of these areas are contained within Chapter 9 and the most significant areas are depicted on Map 12.

If the goal is not relevant or attainable, how does the plan address why : n/a

**Goal 6:**

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

**Consistent**

Pages: 101-123

How has the Town Plan addressed this goal : The Natural and Scenic Resources Chapter of the town plan supports efforts and action towards attainment of this State Planning Goal. The chapter includes section of Air Quality (and includes **Goal 9.1:** Promote local actions to maintain air quality); a section on Wetlands and Waterways (includes info on water quality); a section on Groundwater and Aquifers; a section on Earth Resources; a section on Forest Resources and Integrity; and a section on Agriculture. Each section includes relevant goals which demonstrate the town's commitment toward the state goal. One of the overarching statement contained within the plan is the following recognition "Forests act as sponges, allowing precipitation to infiltrate into the ground, reducing flash flooding and recharging our aquifers. Forest buffers along streams play a critical role in maintaining water quality by reducing soil erosion and flooding and protecting riparian and aquatic communities."

If the goal is not relevant or attainable, how does the plan address why : n/a

**Goal 7:**

**To encourage the efficient use of energy and the development of renewable energy resources.**

**Consistent**

Pages: 82-90

How has the Town Plan addressed this goal : As noted in the previous section, the plan states that to meet the town's renewable energy target the town must rely on the development of solar energy projects. Furthermore the section outlines preferred siting standards for renewable energy projects. Plus the section includes the following goal: **Goal 6.14:** Promote energy conservation and efficiency. Thus demonstrating it's work toward attainment of the state planning goal.

If the goal is not relevant or attainable, how does the plan address why : n/a

**Goal 8:**

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

**Consistent**

Pages: 29-36

- (A) Growth should not significantly diminish the value and availability of outdoor recreational activities.
- (B) Public access to noncommercial outdoor recreational opportunities, such as lakes and hiking trails, should be identified, provided, and protected wherever appropriate.

How has the Town Plan addressed this goal : The plan includes a section on Recreation and a section on Trails. Each section culminates in a handful of Goals and Actions which works toward the attainment of Goal 8. It should be noted the East Montpelier Trails group is a community supported network which continues to enhance and manage the local trails.

If the goal is not relevant or attainable, how does the plan address why : n/a

**Goal 9:**

To encourage and strengthen agricultural and forest industries.

(A) Strategies to protect long-term viability of agricultural and forest lands should be encouraged and should include maintaining low overall density.

(B) The manufacture and marketing of value added agricultural and forest products should be encouraged.

(C) The use of locally-grown food products should be encouraged.

(D) Sound forest and agricultural management practices should be encouraged.

(E) Public investment should be planned so as to minimize development pressure on agricultural and forest land.

**Consistent**

Pages:

How has the Town Plan addressed this goal : The Natural Resources Chapter of the plan contains many indications the town is working toward this goal. For example the town notes that "Forest resources contribute not only to the landscape but also to the economy..." and "Forest resources contribute not only to the landscape but also to the economy." Additionally "Harvesting of forest products is evident throughout town, both in terms of larger commercial operations and homeowner activities for domestic firewood and other uses. Other than firewood use, most of the timber cut in East Montpelier is processed outside of town. At one time there were several commercial sawmills operating in town. Presently, Fontaine's Sawmill on VT 14 North is the only local sawmill, producing lumber primarily for local trade use. There are several small-scale wood-using manufacturing businesses in town, but perhaps the largest users of forest products are the elementary and secondary schools which are heated primarily with wood chips." Furthermore the plan includes the following goals:

**Goal 9.8:** Ensure that existing forest areas are managed for long-term sustainability.

**Action 9.8.1:** Work with landowners and conservation partners to conserve the town's most valued forestland.

**Action 9.8.2:** Provide workshops on stewardship and management of forest lands.

**Action 9.8.3:** Provide education on invasive species and promote annual efforts to eradicate invasive plants.

**Action 9.8.4:** Encourage use of local forest resources in municipal construction and development.

If the goal is not relevant or attainable, how does the plan address why : n/a

**Goal 10:**

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

**Consistent**

Pages: 109

How has the Town Plan addressed this goal : The plan includes a section titled D. Earth Resources which states "According to a 1960s era state map, there are no known viable sources of sand and gravel in town. More recent surficial geologic mapping by the state indicates possible sand and gravel deposits in localized areas. No commercial sand and gravel operations currently exist in town." And that "Extraction of soil, sand, and gravel is allowed as a Conditional Use in all five current zoning districts," plus "Large-scale earth resource extraction is not encouraged within East Montpelier." The section also includes the following relevant goal:

**Goal 9.6:** Any new or expanded earth resources extraction operations will be developed to minimize impacts on the environment and community.

**Policy 9.6:** Earth resource extraction facilities shall not be located within villages or defined growth areas.

If the goal is not relevant or attainable, how does the plan address why : n/a

**Goal 11:**

To ensure the availability of safe and affordable housing for all Vermonters.

(A) Housing should be encouraged to meet the needs of a diversity of social and income groups in each Vermont community, particularly for those citizens of low and moderate income.

(B) New and rehabilitated housing should be safe, sanitary, located conveniently to employment and commercial centers, and coordinated with the provision of necessary public facilities and utilities.

(C) Sites for multi-family and manufactured housing should readily available in locations similar to those generally used for single-family conventional dwellings.

(D) Accessory apartments within or attached to single family residences which provide affordable housing in close proximity to cost-effective care and supervision for relatives or disabled or elderly persons should be allowed.

**Consistent**

Pages: 96-101

How has the Town Plan addressed this goal : The plan states that “East Montpelier does not have critical infrastructure, such as municipal water and wastewater treatment, that is typically necessary in order to achieve the density that makes affordable housing development viable. Market forces alone are unlikely to be sufficient to develop affordable housing units under existing conditions.” And that “Developing multi-family housing, like all uses, requires adequate wastewater treatment. The lack of a sewer system is a challenge for developing multi-family housing. However, multi-family housing developments planned with shared wastewater treatment systems are possible and are envisioned in the *East Montpelier Village Master Plan*.” With this recognition the town is working toward to overcoming some of its housing challenges by proposing the following:

**Goal 8.1:** Provide a range of housing opportunities including single-family, multi-family, mixed use, and affordable and senior housing.

**Action 8.1.4:** Consider conducting a housing needs assessment and developing a housing action plan for the town.

**Goal 8.2:** Concentrate new residential development in East Montpelier Village or an identified growth area.

This goal cuts across other areas. See action for Land Use (10.2.1, 10.2.3, 10.2.4).

As stated in the previous section, in the next iteration of the Plan, it is recommended the Town evaluate its account of accessory dwelling units and consider how these types of units maybe increased as a method to increase affordable units within the single-family housing stock (rather than within the context of multifamily housing development.) Undertaking a housing needs assessment will further assist the town in working toward attainment of the state planning goal for housing.

If the goal is not relevant or attainable, how does the plan address why : n/a

**Goal 12:**

To plan for, finance and provide an efficient system of public facilities and services to meet future needs.

**Consistent**

Pages: 20-23

Page 11 of 15



- (A) Public facilities and services should include fire and police protection, emergency medical services, schools, water supply and sewage and solid waste disposal.
- (B) The rate of growth should not exceed the ability of the community and the area to provide facilities and services.

How has the Town Plan addressed this goal : The Town Finance section of the plan describes its program of financing its public services and facilities, it states that the Capital Improvement Committee “inventories and evaluates the Town’s capital assets, including existing buildings, vehicles, heavy equipment and paved highways. This information is used to establish a schedule of the costs for major maintenance and/or replacement.” The plan also includes the following goals:

**Goal 3.4:** Maintain and improve core municipal facilities and services in a fiscally responsible and sustainable manner

**Goal 5.5:** Maintain adequate fire and emergency response capabilities.

**Action 3.4.1:** Utilize the capital plan and budget process to ensure that on-going and proposed capital projects are appropriately planned and financed.

If the goal is not relevant or attainable, how does the plan address why : n/a

**Goal 13:**

To ensure the availability of safe and affordable child care and to integrate child care issues into the planning process, including child care financing, infrastructure, business assistance for child care providers, and child care work force development.

**Consistent**

Pages: 48

How has the Town Plan addressed this goal : The plan recognizes the need for safe and affordable quality child-care services and identifies how a local zoning permit for these uses are easy to obtain.

If the goal is not relevant or attainable, how does the plan address why : n/a

**Goal 14:**

To encourage flood resilient communities.

(A) New development in identified flood hazard, fluvial erosion, and river corridor protection areas should be avoided. If new development is to be built in such areas, it should not exacerbate flooding and fluvial erosion.

(B) The protection and restoration of floodplains and upland forested areas that attenuate and moderate flooding and fluvial erosion should be encouraged.

(C) Flood emergency preparedness and response planning should be encouraged.

**Consistent**

Pages: 53-54, 55-61, 103, 112-113

How has the Town Plan addressed this goal : The plan recognized that “Limiting development in the 100-year floodplain reduces costly flood losses and increases public safety.” And “Limiting encroachment into the river corridor will prevent development that would increase overall erosion hazards and hinder a river’s natural tendency to adjust toward a more stable condition.” The discussion on natural resources also states that “Wetlands support exceptional diversity of plants and animals and play a critical role in flood resiliency” and that “the larger connectivity blocks allow wildlife to roam, to adapt to changes occurring in adjacent forested areas, and to changes in forest cover due to climate change.” The Town currently has a FEMA approved and locally adopted Hazard Mitigation Plan and both the Hazard Mitigation Plan and Chapter 5 include Goals and Actions which aim to protect and limit

the damages to property and human life from the identified hazards (which include flooding and fluvial erosion.)

Specific relevant goals also include:

**Goal 5.6:** Maintain an effective Local Emergency Operations Plan; and

**Goal 5.8:** Minimize potential damage from natural disasters and strengthen the community's ability to anticipate, respond to, and recover from natural disasters.

If the goal is not relevant or attainable, how does the plan address why : n/a

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## STANDARD OF REVIEW

### 24 V.S.A. § 4302(f)

(1) As used in this chapter, "consistent with the goals" requires substantial progress toward attainment of the goals established in this section, unless the planning body determines that a particular goal is not relevant or attainable. If such a determination is made, the planning body shall identify the goal in the plan and describe the situation, explain why the goal is not relevant or attainable, and indicate what measures should be taken to mitigate any adverse effects of not making substantial progress toward that goal. The determination of relevance or attainability shall be subject to review as part of a consistency determination under this chapter.

(2) As used in this chapter, for one plan to be "compatible with" another, the plan in question, as implemented, will not significantly reduce the desired effect of the implementation of the other plan. If a plan, as implemented, will significantly reduce the desired effect of the other plan, the plan may be considered compatible if it includes the following:

(A) a statement that identifies the ways that it will significantly reduce the desired effect of the other plan;

(B) an explanation of why any incompatible portion of the plan in question is essential to the desired effect of the plan as a whole;

(C) an explanation of why, with respect to any incompatible portion of the plan in question, there is no reasonable alternative way to achieve the desired effect of the plan, and

(D) an explanation of how any incompatible portion of the plan in question has been structured to mitigate its detrimental effects on the implementation of the other plan.

### 24 V.S.A. § 4350. Review and consultation regarding municipal planning effort

(a) A regional planning commission shall consult with its municipalities with respect to the municipalities' planning efforts, ascertaining the municipalities' needs as individual municipalities and as neighbors in a region, and identifying the assistance that ought to be provided by the regional planning commission. As a part of this consultation, the regional planning commission, after public notice, shall review the planning process of its member municipalities at least twice during an eight-



year period, or more frequently on request of the municipality, and shall so confirm when a municipality:

(1) 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

(2) is maintaining its efforts to provide local funds for municipal and regional planning purposes.

(b)(1) As part of the consultation process, the commission shall consider whether a municipality has adopted a plan. In order to obtain or retain confirmation of the planning process after January 1, 1996, a municipality must have an approved plan. A regional planning commission shall review and approve plans of its member municipalities, when approval is requested and warranted. Each review shall include a public hearing which is noticed at least 15 days in advance by posting in the office of the municipal clerk and at least one public place within the municipality and by publication in a newspaper or newspapers of general publication in the region affected. The commission shall approve a plan if it finds that the plan:

(A) is consistent with the goals established in section 4302 of this title;

(B) is compatible with its regional plan;

(C) is compatible with approved plans of other municipalities in the region; and

(D) contains all the elements included in subdivisions 4382(a)(1)-(10) of this title.

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The following are procedures for Regional Planning Commission review of town plans. The first procedure pertains to review of town plan re-adoptions and town plan amendments. The second is an alternate procedure for review of town plan amendments. For review of amendments, it is up to the discretion of the Regional Planning Commission as to which procedure will be used.

#### **Town Plan Review & Approval Process**

***The following may be used for town plan re-adoption reviews as well as town plan amendment reviews***

1. The regional planning commission (RPC) receives a request for town plan approval.
2. If the staff review reveals a flaw that would preclude RPC approval, the town will be notified. It is the town's option as to whether they want a final decision on the plan or if the plan should be withdrawn from the approval process.
3. Staff comments, including draft findings and recommendations, will be provided to the committee or board given responsibility by the RPC's bylaws for town plan approval.
4. The RPC's public hearing will be held before the RPC makes its final decision on the plan.
5. In all cases the RPC will take final action on the plan approval request within 60 days of its receipt.

#### **Town Plan Amendment Review Process**

***This is an alternative procedure for town plan amendment reviews***

1. The regional planning commission (RPC) receives a request to review an amendment to the town plan.

2. Staff comments, including draft findings and recommendations, will be provided to the committee or board given responsibility by the RPC's bylaws for town plan approval.
3. The town will be notified whether or not the amendment may be approved within the context of the current regional approval of the town plan, or if the amendment constitutes a material change to the plan that is beyond the scope of the current regional approval.
4. If the amendment constitutes a change to the plan that is beyond the scope of the current regional approval, the town will be given the option of submitting the amended plan for regional approval.



## **TOWN PLAN REVIEW COMMITTEE**

### ***RULES OF PROCEDURE***

September 26, 2017

**DRAFT v.1**

**PURPOSE:** The Town Plan Review Committee (TPRC) serves in an advisory capacity to the CVRPC Board of Commissioners for municipalities that are seeking regional approval of municipal development plans as noted in 24 VSA Chapter 117 §4350 (b)(2) of Vermont Statute. The primary purpose of the TPRC is to provide a recommendation to the Commissioners regarding a municipality's effort to comply with the statutory requirements regarding municipal planning as noted in 24 VSA Chapter 117 §4382 related to the elements of a municipal development plan, compliance with statutory planning goals as noted in 24 VSA Chapter 117 §4302, confirm that the municipality is actively supporting a planning process, and consistency of municipal planning efforts with the regional plan.

#### **GENERAL ACTIVITIES:**

- ◆ Evaluate municipal development plans and planning processes when requested to determine consistency with statutory requirements and the regional plan.
- ◆ Provide input and recommendations to the Board of Commissioners regarding municipal development plans that request regional approval.
- ◆ Solicit input from staff and municipalities as needed to gather information and provide a recommendation to the Board of Commissioners regarding consistency with state statute.
- ◆ Provide guidance to municipalities regarding future municipal plan updates and ways to strengthen their planning efforts.

**ADVISORY ROLE:** The TPRC shall be advisory to the Board of Commissioners. The TPRC will offer advice, input, and opinions to municipalities, consistent with plans, policies, positions or resolutions adopted by the Board of Commissioners. The advice, input, and opinions provided by the TPRC may be reviewed, confirmed or reversed by the CVRPC Board of Commissioners at the Board's discretion.

**MEMBERSHIP:** The TPRC shall consist of five (5) representatives of the Board of Commissioners who serve one year terms and are appointed annually.

**OFFICERS/ELECTIONS:** The TPRC will elect a Chairperson and Vice-Chairperson at the first meeting following the annual appointment by the Board of Commissioners. The Chair will be responsible for running meetings, setting agendas in conjunction with staff, and representing the TPRC at various meetings as needed. The Vice-Chair will provide support to the Chair as needed. If the Chair or Vice-Chair should resign before his/her term is expired, an interim election shall be held within two meetings.

**ATTENDANCE AND QUORUMS:** Members are encouraged to attend all regular meetings and special meetings as they arise. A quorum shall consist of a majority of the voting members.

**COMMUNICATION AND COORDINATION:**

- ◆ Meetings shall be noticed and held in accordance with Vermont Open Meeting Law.
- ◆ Draft policies and resolutions shall be forwarded to TPRC members and interested/affected parties for comment before a recommendation by the TPRC for final action/approval by the Board of Commissioners.
- ◆ Minutes of all regular and special meetings will be prepared by staff, distributed to TPRC members and interested parties, and made available to the public in accordance with open meeting and public records law described in 1 VSA.
- ◆ The TPRC will report on committee discussions or activities to the Board of Commissioners on a regular basis.
- ◆ TPRC members are encouraged to offer input on all matters before the TPRC, and are encouraged to bring up items of local or regional concern for TPRC consideration.

**CONFLICT OF INTEREST:** In the event any TPRC member has a personal or financial interest with any individual, partnership, firm or corporation seeking to contract with the CVRPC, or to provide materials or labor thereto, or has a personal or financial interest in any matter being considered by the TPRC, the member shall state on the record the nature of his or her interest. If the member is uncertain whether he/she should participate in the discussion or decision, the TPRC shall determine by vote whether the member should participate. The TPRC may also make a determination of conflict if the majority of voting TPRC members in attendance at the meeting determine a conflict of interest exists. A member of the TPRC with an identified conflict of interest shall not deliberate or vote with the TPRC but may participate in the open public discussion.

**ADOPTION OF ORGANIZATIONAL PROCEDURES:** The TPRC may, at any time, vote to amend these procedures, in accordance with quorum requirements noted above. Proposed amendments will be forwarded to TPRC members before consideration at a regular TPRC meeting. Amendments will then be forwarded to the Board of Commissioners for ratification.

The TPRC is a standing committee of the Regional Planning Commission, and is therefore subject to the Commission's bylaws. As such, these Rules of Procedure, combined with the Central

Vermont Regional Planning Commission's bylaws and Robert's Rules of Order, provide procedural and administrative guidance for the TPRC.

Adopted by the Board of Commissioners: \_\_\_\_\_ / \_\_\_\_\_ / 2017

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Julie Potter, Chair  
CVRPC Board of Commissioners

DRAFT

**CENTRAL VERMONT REGIONAL PLANNING COMMISSION  
TOWN PLAN REVIEW COMMITTEE  
April 10, 2018  
MINUTES**

The regular meeting of the Central Vermont Regional Planning Commission's Town Plan Review Committee was held on Tuesday, April 10, 2018 at the Central Vermont Regional Planning Commission, 29 Main Street, Suite #4, Montpelier, Vermont.

Committee Members Present:

Bill Arrand, Vice-Chair –	Town of Worcester
Ron Krauth –	Town of Middlesex
Janet Shatney, Chair –	Barre City

Committee Members Absent:

Jerry D'Amico –	Town of Roxbury
Ivan Shadis –	Town of Marshfield

Others Present:

Mike Miller, AICP –	City of Montpelier
Eric Vorwald, AICP –	CVRPC Senior Planner

**CALL TO ORDER**

The meeting was called to order by Ms. Shatney at 5:33pm.

**CHANGES TO THE AGENDA**

No changes were suggested.

**PUBLIC COMMENTS**

No members of the public were present for comments.

**PUBLIC HEARING ON REGIONAL APPROVAL AND CONFIRMATION OF THE CITY OF MONTPELIER MASTER PLAN**

Mr. Krauth made a motion to open a public hearing on the City of Montpelier Master Plan which was seconded by Mr. Arrand. The Committee voted 3 – 0 to open the hearing. The hearing was opened at 5:35pm and Ms. Shatney called for any comments from the public. No members of the public were present. It was decided to leave the hearing open for the general discussion of the Committee in case members of the public were to arrive and want to offer comments on the record.

**DISCUSSION OF THE WAITSFIELD MUNICIPAL DEVELOPMENT PLAN**

Mr. Vorwald provided an introduction to the City of Montpelier Master Plan and noted one specific item to discuss regarding consistency. He noted that the future land use map in the regional plan and the future land use map in the City's plan were not consistent in one specific area. He did however, indicate that the regional

map was a snapshot in time from 2015 and that the goals and policies in the regional plan supported what the City was depicting on their future land use map therefore the plans were consistent. The Committee discussed this and agreed with the staff assessment. Next, Mr. Miller provided an overview of the plan and the process noting that the majority of the update was related to data and the City would be undertaking a more comprehensive update in the near future. Mr. Miller also agreed with the staff assessment that the implementation could be strengthened in future updates.

The Committee asked several clarifying questions of Mr. Miller and staff including clarification on the additional maps that were added and the fact that the plan was written with a 100 year planning horizon. Mr. Miller also discussed the breakdown of neighborhood information in the plan indicating that the City has approximately 50 distinct neighborhoods. Additionally Mr. Miller noted that in future updates the City will keep the vision for the community which was developed with significant input from the community and focus on more strategic implementation actions.

Finally, Mr. Miller noted that this plan included discussion of forest integrity as outlined in Act 171. The City chose to include it in this version even though it was not required. They intend to build on this for future updates.

With no other questions or discussion from the Committee, Mr. Arrand made a motion to close the public hearing on the City of Montpelier Master Plan which was seconded by Mr. Krauth. The Committee voted 3 – 0 to close the hearing. The hearing was closed at 6:05pm.

With no additional comments or questions, Mr. Krauth made a motion to recommend regional approval of the City of Montpelier's Master Plan and confirm their planning process. This motion was seconded by Mr. Arrand. With no further discussion, the vote was 3 – 0 in favor of the motion.

## **APPROVAL OF MINUTES**

Ms. Shatney noted that minutes from the February 13, 2018 meeting were included in the packet and asked for any corrections, changes, or amendments. With none offered, Mr. Krauth made a motion to approve the minutes of the February 13, 2018 meeting, which was seconded by Mr. Arrand. With no other discussion, the vote was 3 – 0 in favor of the motion.

## **ADJOURNMENT**

With no additional business to discuss, Mr. Arrand made a motion to adjourn the meeting that was seconded by Mr. Krauth. All were in favor and the meeting was adjourned at 6:10pm.