

FAIRLEE TOWN PLAN

**Approved
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Chapter 1 INTRODUCTION

Chapter 1 describes what a town plan is, states its purposes, and outlines what the law dictates a plan must contain. Chapter 2 lists the land use policies and recommended actions defined to meet the needs, wants and desires expressed by the town's people. Chapter 3 discusses resources of the town and provides the rationale, supporting data, and background information the Planning Commission used to formulate the policies and recommended actions. Chapter 4 describes how Fairlee's town plan relates to the plans of neighboring towns and the region. Chapter 5 describes ways Fairlee implements its town plan and other methods available for implementation. Seven Appendices provide summaries of Public Forums held in 2004 and 2005, the 2006 Community Survey, Roundtable Meetings in 2006, information on the Lake Morey Resource Conservation Project, a glossary, the Town History, and Town Plan maps.

A. What is a Town Plan?

In Vermont, a town plan serves as an official policy statement on the growth and development of a town. A town plan is prepared by a town's planning commission and expresses the values and vision of a town's residents regarding how their town's natural and human resources should be managed, town lands developed, and town services provided. A town plan briefly describes a town's past, identifies existing conditions, and, most importantly, states goals, objectives, policies, and recommended actions for the future.

A plan's purposes are to guide a town in its growth and in developing zoning and subdivision regulations that are meant to implement a town plan's goals and objectives. A town plan will also be used by the Vermont District Environmental Commission to review Act 250 applications for projects in a town. Towns that have a town plan adopted and approved by the regional planning commission are eligible for planning grants from the Vermont Agency of Commerce and Community Development and have improved legal standing to influence and integrate planning policies with proposed state actions affecting land use.

A town plan is a dynamic document to be periodically reviewed, amended, re-adopted, or replaced to reflect new conditions and needs. Under Section 4387 of the Vermont Municipal and Regional Planning and Development Act (Title 24 V.S.A., Chapter 117), a plan expires after five years. However, it can be amended or replaced before five years is up and then a new five-year period starts. While a town planning commission is legally responsible for

preparing a plan, any individual or organization in a town may request that their town plan be amended.

Section 4350(b) of Chapter 117 requires that a town plan be consistent with statewide planning goals, be compatible with the regional plan and other plans in the region, and contains all elements of a Plan as set forth in 24 V.S.A. Section 4382. A town plan is not a zoning document but a town's zoning regulations must conform to its plan. Furthermore, in no way does a town plan affect land use in existence prior to a plan's approval. It does not have the power of law designated to a zoning regulation and should not be confused with such.

B. How this Current Plan was Developed

The Town of Fairlee has had a planning program since the early 1970s when the Selectboard appointed a Planning Commission. One of the first tasks of that Commission was to develop a town plan and Fairlee has maintained a plan until June 2006 when the plan we adopted in June 2001 expired. Effective town planning that is appropriate for a town will reduce conflicts arising from change. Change stimulates the need for a community to re-examine its current conditions and to re-evaluate its prospects for the future. A well-grounded town plan prepared by the Fairlee Planning Commission (PC) with the involvement of its citizens is the foundation for ensuring appropriate management, development, and conservation of Fairlee's resources in light of the changes in town.

The plan is an update of the 2001 plan and contains all 10 elements required of a plan as per 24 V.S.A. Section 4382. Those elements are:

- 1) Statement of the objectives, policies and programs of the town,
- 2) Land use plan,
- 3) Transportation plan,
- 4) Utility and facility plan,
- 5) Statement of policies on the preservation of rare and irreplaceable natural areas, scenic and historic features and resources,
- 6) Educational facilities plan,
- 7) Recommended program for the implementation of the plan,
- 8) Statement on how the plan relates to plans and development trends of neighboring towns and the region,
- 9) Energy plan, and
- 10) Housing program.

Even though the law dictates that these 10 elements must be addressed in a town plan the Vermont League of Cities and Towns Municipal Assistance Center (Dominic Cloud and Brian Monaghan, "Essentials of Land Use Planning and Regulations) and the Two Rivers-Ottawaquechee Regional Commission (TRORC) have stated that a town has significant flexibility in determining the scope and content of its plan.

Section 4302 of Chapter 117 encourages citizen participation to assure that decisions shall be made at the most local level possible. Thus, the Fairlee PC with assistance from the TRORC collected resident and taxpayer concerns and opinions to develop a new town plan. This current plan represents the direction the town residents and taxpayers wish to see in future development and growth for Fairlee as they expressed in public forums held in 2004 and 2005 (Appendix A), in the 2006 Fairlee community survey (Appendix B), and the 2006 roundtable meetings (Appendix C). Through these means, participants provided valuable input on housing issues, the local economy, town services and facilities, land use, transportation, energy use, and the town's character. The PC considered all responses and input in developing this plan. In addition, the PC considered ideas about the preservation and protection of our lakes and their environs as summarized in the 2004 Lake Morey Resource Conservation Project report (Appendix D) and the pamphlet "Waters and Lands of Lake Morey." Fairlee's Planning Commission has genuinely considered and addressed the desires and needs of its town's people.

C. Goals of this Plan

1. To protect the constitutional right of the people to acquire, possess, and protect property (24 V.S.A. 4302(a));
2. To balance individual property rights with public interests;
3. To determine current and future land use needs;
4. To establish areas desirable and suitable for development;
5. To enable efficient use and expenditure of public funds to support local governmental services;
6. To serve as a standard for the evaluation and review of proposed developments;
7. To determine current and future land use needs for town-owned properties.

D. Using this Plan

The goals, policies, and recommended actions in this plan shall be applied reasonably and uniformly. They shall not be contrary to the public interest or inconsistent with the doctrine of private property rights. No specific goal or policy in this plan shall be applied in isolation from other goals and policies within it. Users of this plan must accept that interpretation of the plan involves close review of the facts as well as compromise and re-evaluation.

Chapter 2 LAND USE POLICIES AND RECOMMENDATIONS

A. Planning Rationale

A widespread desire of Fairlee's townspeople is to maintain the town's rural character that consists of relatively dense housing and businesses in villages, lakeside developments, forest, and agricultural areas with low- to medium-density housing, and large open spaces and forests without structures (see Map 1 in Appendix G). This settlement pattern is attractive to and desired by the community, has been beneficial to the community, and is what the town wants to keep. This pattern also maintains the opportunity for the land and its natural resources to be a source of employment for and enjoyment by significant numbers of town residents and visitors. Thus, this pattern must be appropriately managed, protected, and enhanced whenever possible. This is best accomplished by adopting as a policy the use of this pattern for guiding future development of the town. Consequently, the PC in formulating a future land use pattern followed this existing settlement pattern.

Accordingly, the PC strived to meet the following goals when defining the four future land use areas described later in this chapter:

1. Meet the needs, desires and interests expressed by the citizens of Fairlee;
2. Encourage the full use of existing growth areas;
3. Allow intensive development mainly in areas where public services are available now and where development already exists;
4. Maintain the economic viability of Fairlee's village areas;
5. Protect the environment by the wise management and use of natural resources;
6. Maintain the character of rural areas by avoiding scattered and incompatible developments; and
7. Channel public and private investments into existing settlement areas to avoid the costly effects of sprawl.

This Town Plan also recognizes that not all land is equally suited for all types and intensities of development. One of the basic premises of this Plan is that future land development should be sensitive to the physical limitations of a site. Further, it recognizes that in planning for the development of a parcel more than the market value of the property should be considered. Thus, the PC used the following key factors to determine future land use areas:

1. Characteristics and constraints imposed by topography, soils and surface water;
2. Relative ease of access to roads;
3. Availability of public services; and
4. Desirability of avoiding land use conflicts with adjacent parcels.

The PC thinks this Plan strikes a balance between these limitations and considerations and the broad purposes and goals of the Fairlee residents and the State's land use planning law.

B. Policies Applicable Town-wide

To accomplish the seven goals above and to guide development throughout the town, the following planning policies should apply to all the land in Town as it is currently used. These planning policies pertain to all of the Town's agricultural and forestland, scenic and historic features, steep slopes, and ridgelines. In addition, policy statements are provided on drinking water, air quality, and childcare.

1. Follow all state and federal laws, rules, and regulations governing wetlands, floodplains, sewage disposal, water and air quality, historic structures, and archeological sites and artifacts.
2. Protect groundwater and drinking water quality and quantity as much as practicable.
3. Encourage appropriate retail and small businesses and home occupations.
4. Encourage development of health-care services and/or facilities.
5. Support private sector efforts to provide quality childcare.
6. Encourage year-round dwellings and home-based businesses to locate on Class 1, 2 and 3 roads, not on Class 4 roads.
7. Preserve buildings and structures with historic and architectural merit as much as possible.
8. Use the following design guidelines for developments whenever possible:
 - design buildings or structures so that they are reasonably compatible with the traditional patterns, scale, and form of existing buildings or structures;
 - incorporate features to contribute to or enhance the aesthetic and historic values of an area;
 - consider locating buildings and structures away from highly visible ridgelines to a lower backdrop on a hillside;
 - consider partially screening structures by placing in wooded areas;
 - utilize common access drives and parking areas for larger projects to minimize visual impacts;
 - consider using ample landscaping or screening from off-site views, and locate the project on less scenic areas of the site; and
 - observe lighting levels and distribution for the proposed use of the site so it is compatible with the character of the neighborhood.
9. Support restoration and adaptive reuse of older, vacant, or historic buildings or sites only when such projects do not significantly diminish the distinguishing qualities of the buildings or sites.
10. Discourage unnecessary destruction or removal of recognized or documented historic buildings, structures, or archaeological sites.

11. Get planning and consultation assistance from local and state historic preservation officials to avoid public investments and improvements that would cause unnecessary degradation of historic places or archaeological sites.
12. Ensure that developments of multiple adjacent sites thoroughly evaluate and wherever possible use shared access drives and driveway accesses to minimize curb cuts onto public highways, shared parking, connecting roads between parcels, pedestrian sidewalks or crosswalks, street trees to act as buffers between traffic arteries and internal drives, and screening of visually objectionable features.
13. Support residential development at the current rate of growth.
14. Support creation and development of housing affordable to working families, assisted living for elderly people, and single-family houses on individual lots.
15. Encourage and strengthen agricultural and forest industries as per 24 V.S.A. 4302(c) (9).
16. Ensure the Town's subdivision regulations concerning proposed developments with multiple structures or uses on large land parcels require designs and construction that group or place buildings, structures, utilities and roads in the least sensitive areas of the site and that reserve open and forestlands for passive uses.
17. Development on steep slopes should be limited unless conditioned on the use of Best Management Practices for erosion control, maintaining water quality, and access by emergency vehicles.
18. Protect scenic areas by Town purchases of land, use of land trust agreements, land conservation easements and by encouraging developers to use aesthetically sensitive development procedures and Best Management Practices as defined in Appendix E.
19. Establish a fund to conserve open space and undeveloped land.
20. Support construction of telecommunication towers and related facilities on ridges with as minimum impact as possible on scenic value of ridge and when existing towers are used for multiple purposes.

As previously stated one of the goals of planning in Fairlee is to balance the rights of property owners with the rights of the town. With their rights property owners have certain legal responsibilities that come with owning property. One of these responsibilities is to avoid creating or allowing to be created nuisances on their property. The Vermont Secretary of State's report, "Municipal Authority to Regulate Use of Private Property," states that nuisances are those acts or uses of property that lower the value of neighboring property or lessen the ability of a person to use and enjoy their land. A nuisance does not necessarily prevent a person from actually possessing their property. Thus, nuisances can include creating loud noises, accumulating junk, or building inappropriate structures or buildings. Nuisances can be public if they affect a large portion of the community or they can be private if they affect only one or a few individuals.

The laws of nuisance acknowledge that the use of one individual's land can be restricted to protect the value of another's property. Courts have long recognized that an individual's right to use land can be limited when the use of that land has a negative impact on the ability of neighbors to use and enjoy their property or if it creates an undue risk to the health, safety, or welfare of others. A person who complains that a use of private property is creating a nuisance must show that the nuisance activity substantially reduces the use and value of the property and that a rational person in the area would believe that the activity is unreasonable. It is a Town policy to abate public nuisances by enforcing all state or local nuisance laws and regulations.

Another property rights issue has to do with the taking of land for a public need. An example is the use of zoning to prohibit the development of person's land to maintain a view or scenery. The Vermont Secretary of State report, "Municipal Authority to Regulate Use of Private Property," states that a town can only require a landowner to leave his or her land in its natural state (undeveloped) if there is a clear and compelling reason for requiring the land to remain open as when any development on the land would result in a health hazard or nuisance for the inhabitants or neighbors.

Fairlee's policy is "use" means "other than taking one's private property development rights to conserve land in an undeveloped state." If Fairlee wants to conserve land to maintain views of mountain slopes, tops, or ridgelines but not to avoid health hazards or nuisances the town can purchase the land or enter into covenants or easements with the landowner. This approach preserves individual property rights while allowing a town to conserve whatever it deems appropriate when neither public health is threatened nor nuisances created.

C. Future Land Use Areas

Fairlee's total land area is measured by the State of Vermont at 12,928 acres. The total acreage of private and public conserved lands in 1999 was 2,243, or 16.4% of the total acreage in town. There are no federally conserved lands in Fairlee; the State of Vermont owns 32 acres of conserved lands in Fairlee, the Fairlee Marsh Wildlife Management Area. The PC has delineated the following four land use areas that are shown on Map 2.

FAIRLEE VILLAGE AREA (FVA)

The FVA is the town “downtown.” It has intense mixed uses and maintains or enhances the village as a business and civic center for the Town. The FV area is densely settled with numerous historic buildings and structures, is scaled to the pedestrian, includes the traditional New England village town common, is somewhat linear in configuration and bisected by Route 5 that runs north/south through its center, is serviced by a public-water system, is dependent on individual on-site wastewater disposal systems, and has numerous buildings of historic and architectural merit that are included in the State Survey of Historic Sites and Structures and are eligible for inclusion in the National Register of Historic Places.

Development in this area should be at the highest possible density consistent with the village structure and function as the social and physical center for community services and interaction and the carrying capacity of the land for sewage disposal. Maintenance and expansion of municipal services and amenities should be encouraged, subject to available funding and investment.

This area is intended for traditional residential uses, schools, post office, town hall and offices, town library, churches, and commercial enterprises and retail establishments including shops, professional offices, banks, food stores, restaurants, gas stations, and inns. Utility and safety in this area require adequate off-street parking, minimization of traffic congestion and use of traffic-calming techniques. Pedestrian mobility is important in this area.

Policies:

1. Support a broad variety of housing types, densities, and needs.
2. Support redevelopment and expansion of appropriate businesses and housing.
3. Support development of sidewalks and other revitalization projects including reuse of the railroad station.

COMMERCIAL/RESIDENTIAL AREAS (C/R)

Commercial/Residential areas are located north and south of the FV area along Route 5 and at Ely Village on the south end of Town at Route 244 and at the Bradford town line to the north. The western boundary of the C/R zone heading to Bradford is a continuation of the 500' contour line and the eastern edge is the rail ROW. These areas are intended for mixed commercial and residential uses. These areas are not primary agricultural land; are mostly outside of the 100-year floodplain; currently have or exhibit potential for a single access roadway leading from Route 5, as opposed to multiple curb cuts which can interfere with the function of the road to carry traffic safely and efficiently. These areas also have reasonable potential to be screened from points along Route 5 when the use is deemed to be visually sensitive; would not be disruptive to historic buildings, sites, or places determined by the

community as being exceptional or significant; and do not conflict in a material way with existing residential or other uses.

There is a strong desire amongst many townspeople to increase commercial opportunities in town. The topography of Fairlee limits where commerce can expand without undue infringement on residential areas. The locations where commerce already exists are those where residences are now low density. Restricting commercial expansion to just the commercial areas contiguous to the FV area would not allow enough space for increased commerce some of which may be more appropriate further from the village center. Also, expecting the majority of people in Fairlee to walk up to even one mile is unrealistic especially with the aging of the Fairlee population as shown on page 25.

Finally, the PC is not “encouraging” growth in the northern C/R area we are just allowing commercial development.

These areas should provide for concentrated growth of a variety of commercial/light industrial uses particularly new uses consistent with these purposes. Development in these areas should be at the highest possible density, consistent with their structure and function and the carrying capacity of the land for sewage disposal. Utility and safety in these areas require adequate off-street parking, minimization of traffic congestion and use of traffic-calming techniques.

Policies:

1. Accommodate growth and provide land to enable expansion of commercial uses to improve the town’s economy.
2. Encourage commercial growth in these areas to avoid the typical problems associated with commercial development in outlying areas.

INDUSTRIAL AREA (I)

The Industrial zone is an area of land set aside for Industrial development. Fairlee’s Industrial area extends from Route 244 south to the Thetford town line taking in land on the east to the Connecticut River and west to Interstate 91.

These areas should provide for concentrated growth of a variety of Industrial, commercial and residential uses. Development in these areas should be at the highest possible density, consistent with their structure, function and carrying capacity of the land for sewage disposal. Utility and safety in these areas require adequate off street parking.

The idea of setting land aside is based on several concepts:

1. Located close to transport facilities especially where one or more transport modalities coincide-highways, railroads and navigable river.

2. Contributes to large numbers of local work pool enabling low and middle-income employees to work in their community.
3. Able to attract new business by providing an integrated infrastructure in one location.
4. To provide for localized environmental controls that are specific to the needs of an industrial area.

Expansion and growth in the area will require the use of 100-year flood plains; minimum FEMA regulations will apply in this area.

RURAL RESIDENTIAL AREAS (RR)

The purpose of the RR areas is to maintain the pattern of settlement that has been established in most of the town. This pattern continues the rural and natural character of the town that is what townspeople want. These areas currently have a mixed pattern of land uses including low to medium-density housing that includes work-force housing and home occupations, small-scale businesses, non-intensive land uses such as outdoor recreation, agriculture, forestry, and commercial enterprises related to agriculture and forestry. Intensive land uses that will not adversely affect the rural and predominantly natural quality of RR areas and where soils, slopes, and surface water conditions are not limitations should be allowed.

Development within these areas is limited by site conditions. Predominant physical characteristics of RR areas in Fairlee are large tracts of undeveloped forests, many slopes typically over 25% gradient, and remoteness from roads. Much of these lands are used for timber production, although some areas are so steep and rugged that they are limited even for timber harvesting. Areas relatively free of these limitations have been more actively utilized for residential development on lots of varying sizes and configurations. Land closer to town roads or state highways has experienced the greater amount of development due to the relative ease of access.

Given the steep grade and remoteness many locations are poorly suited for residential development except at a low density. In addition, the soils on many of the upland locations are generally extremely shallow and highly susceptible to erosion. The costs of siting buildings and constructing foundations, driveways, and septic systems are substantially higher where these conditions prevail. Thus, the economic feasibility of land development is often marginal at best and the cost of public services such as road maintenance is measurably higher.

The undeveloped nature of much of the RR areas benefits the citizens of Fairlee by providing a source of clean water to streams and extensive wildlife habitats, and exceptional recreational opportunities for hiking, cross-country skiing, snowmobiling, ATV's and hunting. These RR areas also contain non-agricultural open areas, wetlands, and bogs.

Policies:

1. Promote continued use of agricultural and forestry land for continued operation of farms and forestry activities.
2. Support development of non-residential uses that are relatively small in size or scale, are not the primary or dominant uses in an area, do not unduly conflict with existing residential, forestry or agricultural uses, and do not unduly detract from the rural character of the area.
3. Ensure that future residential development occurs where it is most appropriate.
4. Encourage the wise management of the town's agricultural lands to protect the town's rural character as much as possible.
5. Encourage the construction of utilities, roads or other infrastructure that skirts tracts of productive farmland or forests rather than fragment them.
6. Encourage farmers to implement Accepted Agricultural Practices (see Appendix E) in their operations to minimize non-point-source, water pollution.
7. Encourage diverse agricultural enterprises, including dairy, hay production, livestock production, produce stands, and specialty farms.
8. Encourage agricultural- and forestry-related uses of undeveloped land.
9. Support efforts to establish a regular farmer's market for sales of locally grown food and value-added agricultural products.
10. Identify ways to retain existing farms.
11. Work with area schools to use students to do community service on farms in Fairlee.
12. Discourage non-forestry uses on contiguous areas of high-value forests.
13. Support the use of public or private funds for purchase of development rights or fee purchase of forestland for conservation purposes.
14. Encourage loggers and foresters to use Acceptable Management Practices (see Glossary, Appendix E) in their operations to minimize non-point-source, water pollution.
15. Preserve and protect the Town's many special places as much as possible. See Appendix B for a listing.
16. Development in forests should be designed and sited to preserve contiguous areas of forested wildlife habitat and to maintain connecting links between such blocks of forest wherever possible.

PUBLIC FOREST AREAS

Several forest parcels in Fairlee are under public ownership, owned by the Town of Fairlee, Town of Bradford, and State of Vermont (see Map 2, Appendix G). The Town of Fairlee's Municipal Forest is approximately 1,600 acres. The original town forest was enlarged by the Lange Forest and State

of Vermont acquisitions, including the gravel pit and 0.97 acres of lakeshore adjacent to the State of Vermont Fishing Access. Most of this forest is managed as woodlands by the Orange County Forester in consultation with the Town and is open to the public for recreation. There are no immediate plans to change the areas of these properties. The purpose of PF areas is to maintain or enhance forest resources of certain natural areas that have been identified as relatively undisturbed, consisting of large tracts of quality timber.

These areas have natural characteristics similar to RR areas and are intended only for non-intensive land uses such as forestry, commercial enterprises related to forestry, and outdoor recreation. These areas are currently not serviced by roads and utilities. Only those land uses that will not adversely affect the natural quality of these areas should be allowed. Intensive land uses such as commercial and/or industrial development are not allowed.

Policies:

1. Encourage the conservation and wise use and management of town-owned forest resources.
2. Work cooperatively with neighboring towns in decision-making and program development for logging, restoration, hunting, trapping, and recreation.

Manage to maintain the diversity of ages of species of tree cover necessary for shelter and food supply for deer, black bear, and other large mammals as well as birds.

D. Locations Unsuitable to Development

WETLANDS

The State of Vermont defines a wetland as areas saturated or inundated by surface or ground water with a frequency or period sufficient to support significant vegetation or aquatic life that depend on saturated or seasonally saturated soil conditions for growth and reproduction. Such areas include marshes, swamps, fens, sloughs, river overflows, mud flats, bogs, and ponds. Vermont Wetlands Rules (10 V.S.A. Chapter 37) regulate land use activities affecting Class 1 and Class 2 Wetlands (see Glossary, Appendix E).

The primary goal in administering the State's wetland rules is to protect the values and functions of wetlands and to ensure that there is no net loss of wetlands and their function. Class 1 and 2 Wetlands have been mapped by the State of Vermont and maps are available from the Agency of Natural Resources or the Two Rivers-Ottawaquechee Regional Commission.

Policy:

1. Protect the inherent functions and values of Class 1 and 2 wetlands by prohibiting development within the wetlands; suggest maintaining an

undisturbed buffer strip of vegetation around the delineated edge of wetlands, and by preventing runoff and direct discharges into wetlands.

Recommended Action:

1. The PC should ensure that Zoning and Subdivision Regulations adequately protect wetlands as required by laws and regulations.

FLOOD PLAINS

There are portions of land adjacent to parts of Fairlee's rivers and streams that have been described by the Federal Emergency Management Agency as being subject to flooding. The floodplain is any land that is subject to a one-percent or greater chance of flooding in any given year. Floodplains are considered a natural part of the surface water course due to their important function of retaining excess amounts of water occurring during heavy rainfalls and spring thaws. Presence of a floodplain is one of the most critical factors when considering development. The Town of Fairlee Flood Hazard Bylaws adopted in 1991 contain the guidelines in these areas and is to be used in monitoring development.

Policy:

1. New construction of homes and businesses on the 100-year floodplain as determined by the Secretary of Natural Resources should be an inappropriate land use.

Recommended Action:

1. Update the Town's floodplain hazard bylaw so that it conforms to this plan and current federal laws and regulations.

E. Natural and Scenic Resources

LAKES AND RIVERS

Together with Lake Morey and Lake Fairlee, the Connecticut River and its associated tributaries comprise the major surface water bodies in Fairlee. Fairlee's lakes are threatened by invasive plants, most notably Eurasian water milfoil. In addition, although water quality standards are in most cases being attained, water quality is increasingly being degraded by pollutants such as phosphorus and sediment. These pollutants and other conditions pose a risk to human health, aesthetic, recreational opportunities, natural habitat, and the local economy. According to the Connecticut River Joint Commissions, bank erosion is the greatest threat to water quality, aquatic habitat, river recreation, and landowner satisfaction in the Connecticut River corridor.

The Agency of Natural Resources manages Vermont's water bodies and establishes water quality goals. The Connecticut River and Lakes Fairlee and

Morey are classified as Class B waters. Class B waters are managed for aesthetic values, recreation, public water supply with treatment, high quality habitat for biota, fish and wildlife, and agricultural uses.

It is in town's interest to manage land use activities within the watershed of the Connecticut River to maintain or enhance its own water quality objectives, consistent with state standards. Future land use decisions should consider the probable water quality impacts associated with major development proposals.

Policies:

1. Encourage the use of Best Management Practices (see Appendix E) to improve surface-water quality to enhance potable-water supplies, recreation and aquatic habitats.
2. Encourage passive outdoor recreation, agriculture, and accessory uses or structures related to these uses along lakeshores and riverbanks.

Recommended Actions:

1. Create a reporting form for forestry activities near water bodies to prevent increased sedimentation resulting from clear-cutting.
2. Support on-going monitoring and educational programs for improvement of surface-water quality and participate in activities to maintain or improve water quality.
3. Work to abate non-point-source pollution of surface waters.
4. Encourage the use of vegetated buffer strips along the Connecticut River and its tributaries to protect and maintain water quality and aquatic habitat.
5. Consider a sewer system for residences around Lakes Morey and Fairlee.
6. Update the town Health Ordinance to require that lakeshore residents test their septic systems yearly for leaks.
7. Require terracing, replanting of trees/vegetation in a buffer strip when developing or rebuilding around Lakes Fairlee and Morey.

GROUNDWATER

Groundwater and drinking water come from an aquifer, an underground bed, or layer yielding ground water for wells and springs.

The U.S. Environmental Protection Agency and the Vermont Agency of Natural Resources retain primary jurisdiction over developments or land use activities that pose a risk on groundwater resources. The Town, as part of its municipal planning and permitting process, is enabled under State law to regulate land use activities affecting water resources.

Policies:

1. Evaluate and monitor land use activities that may threaten groundwater quality to ensure that they are located, designed, and maintained to minimize the degradation of groundwater.

2. Protect Class One groundwater resources from pollution caused by faulty underground waste-disposal systems and storage tanks and by toxic wastes or similar hazardous materials.
3. Support the new State permitting requirements for sewage disposal systems and make information available about funds to replace failing septic systems.

MINERAL RESOURCES

Currently there is one open sand pit and no operating gravel pits in the Town of Fairlee, though until recently the State Gravel Pit was operating from the boat landing on the western shore of Lake Morey. There was also a gravel pit that was closed recently known as the Lange Pit at the end of Fairview Street. The sand pit is located on the Birch Meadow Farm south of the Fairlee Village.

It is in the interest of the Town of Fairlee to enable the utilization of earth and mineral resources, and to encourage the extraction and processing of the resource where such activities are appropriately managed and the public interest is clearly benefited.

Policy:

1. Mineral and earth resources extraction operations should be planned, constructed, and managed to avoid or minimize noise, dust, and other negative impacts on the character of the surrounding area, the access roads, air and water quality and wildlife habitats.

Recommended Action:

1. Restoration of an extraction site should be undertaken to include replacement of soil and vegetation cover, landscaping and reducing slopes in areas that are excessively steep.

F. Commerce, Housing, Municipal Services and Facilities, and Recreation

COMMERCE

Fairlee's landscape is its chief economic asset. Tourists come to the Connecticut River Valley and spend money here because they are attracted to its scenery and the values and qualities of rural life. Tourism is a growing industry in the Valley. Because of its economic benefits, this Plan establishes

design guidelines that, if reasonably followed, will enable new development to complement our historic, scenic, and cultural resources to encourage continued growth and tourism.

Policies:

1. Promote year-round businesses to increase the tax base and create a sustainable local economy.
2. Support development that promotes the economy of Fairlee's village and expansion areas.
3. Encourage a greater number of home-based businesses, perhaps by offering property tax incentives.
4. Encourage re-development consistent with the character of the Fairlee Village area.

Recommended Actions:

1. Strengthen the vitality of the village as the community center through work with business owners and seeking village designation status.
2. Investigate new areas suitable for high-density development that are close to existing infrastructure to maximize efficiency in transportation facilities.
3. Ensure that existing zoning regulations do not hinder business development and growth.
4. Consider a system of parking, sidewalks, and green space in Fairlee's village.

HOUSING

The major functions of housing planning in Fairlee are to ensure access to safe and affordable housing for its present and future population, and to enable a suitable density and distribution of housing throughout the community. Growth in housing affects the capacity to provide facilities and services. Housing built in the absence of adequate planning for schools, roads, and other public services can overburden the ability of the taxpayers to pay for these services.

Policies:

1. Encourage housing growth of no more than the current rate, 5-8 units per year.
2. Support private development of single and multi-family housing that is safe affordable and complements existing or planned employment patterns, travel times, and energy needs.
3. Support development of all types of housing including multi-family and manufactured homes.
4. Encourage affordable housing by planning for:
 - a. appropriately sized lots;
 - b. accessory apartments; and
 - c. clustered developments.

5. Encourage the provision of affordable senior and assisted-living housing, possibly in conjunction with neighboring towns.
6. Encourage cluster housing and in-village housing.

Recommended Actions:

1. Revise Zoning and Subdivision Regulations to conform to these housing policies.
2. Form a housing committee in cooperation with housing development and nonprofit groups to evaluate future housing needs including affordable housing and senior housing, their impacts on municipal services, and the options available to address them.
3. Work with developers toward strategies that promote mixed-income housing.

MUNICIPAL SERVICES AND FACILITIES

Included in this section are policies on education, community services, emergency services (fire, police, and ambulance), municipal land and buildings, water, sewage, solid waste, and recycling.

The largest part of funds collected for property taxes is allocated for education. The cost of education consumes about 80% of each property tax dollar paid by Fairlee residents (non-resident property owners pay a higher proportion for education). This money supports pre K-12 education for Fairlee residents in the Rivendell Interstate school system including vocational education.

Policies:

1. Maintain the public drinking-water system to meet current health standards and laws and implement aquifer protection measures.
2. Protect public and private water supplies from contamination and overuse.
3. Balance economic development objectives with the preservation of Fairlee's downtown, other built-up areas, or planned expansion areas; designs for new or improved facilities must be made to maintain the human scale of these areas.
4. Ensure availability of elementary and high schools.
5. Support full utilization of existing school facilities (see Map 4, Appendix G) for vocational programs for high school students and adults.
6. Maintain the Town's current highways, bridges, and related facilities as necessary to ensure the current level of service.
7. Before the Town accepts a new road, the property owners should be responsible for the cost of improving and/or building the road to Town specifications. Final decision regarding the nature of the improvement rests with the Selectboard.
8. Before undertaking any capital transportation projects, the Town should first analyze the project against reasonable alternatives and should consider the project's environmental, energy, social, and investment costs,

and the extent to which the project meets the goals and policies of this Plan.

9. If improvements are needed to accommodate increased traffic on Town roads, due consideration should be given to the relationship of the road to the surrounding features of the landscape.

Recommended Action:

1. Maintain accurate town records on approved septic systems and potable water supplies and their locations.

RECREATION

Fairlee has always had an active Recreation Council. When the Rivendell School District was formed, the Fairlee Recreation Council joined forces with the Community School Organization to support school athletics in the Rivendell School District. Policies and recommended actions are provided below relating to the Town's recreational resources including the Town Beach, the Town Forest, and trails.

Policies:

1. Support development of recreational programs for adults and children using existing facilities where possible and in cooperation with neighboring towns.
2. Encourage landowners to allow access to existing trails, open areas, and rivers and streams for passive recreational use.
3. Support the use of snowmobile, ATV and bicycle trails and promote tourism by trail users.
4. Encourage hunting and public access to private land for hunting.

Recommended Actions:

1. Identify and develop more trails for hiking.
2. Establish trail maintenance programs with state and local volunteer organizations.
3. Increase access to the Connecticut River.

G. Energy and Transportation

ENERGY

Vermont planning law requires that municipal plans include an energy program for the community. This energy plan is intended to promote efficient and economic utilization of energy to benefit residents, businesses, and ratepayers.

Policies:

1. Encourage proposed generation, transmission, and distribution facilities or service areas only where they complement the land use patterns in this Plan.
2. Encourage development of private renewable sources of energy.
3. Encourage conservation of energy in public, commercial, and private buildings.
4. Encourage a pattern of settlement and land use that uses energy efficiently including locating public buildings within or in close proximity to the village or primary highways.
5. Design plans for developments should work towards the goal of locating structures and buildings on sites that reflect sound energy conservation principles.
6. Encourage the development of energy efficient home occupations and small-scale, home businesses to reduce the demand for energy from commuter transportation.

Recommended Actions:

1. Review existing bylaws and consider enacting provisions that encourage innovation of energy conservation and concentrate development in or near villages.
2. Conduct an energy audit on all existing town buildings and implement conservation measures where feasible.

TRANSPORTATION

Land use trends in Fairlee have made more of us more dependent on driving our own cars, and less able to use walking, biking, bus, or rail as a practical means to get somewhere. Fairlee's planning policies and land use objectives can help change this trend in the future, giving its citizens more options about how they get around, and creating a more sustainable transportation system.

Policy:

1. Consider preserving Class 4 roads for recreational use or downgrading their status to a legal trail rather than a complete discontinuance thus retaining the public's interest in them, as long as they have public access.

Recommended Actions:

1. Continue participation in the Regional Transportation Planning Program.
2. Participate with neighboring communities and interest groups in planning and implementation of the Connecticut River Scenic Byway Corridor Plan.
3. Consider incorporating access management policies and standards into the Zoning and Subdivision Regulations to ensure better control over developments potentially affecting the function and character of Fairlee's roadways.
4. Promote carpool/vanpool activities, create a town park and ride lot with a bus stop, and improve regional public transportation services.

5. Improve safety for bikers and pedestrians.

Chapter 3 FAIRLEE RESOURCES

A. Natural Resources

AGRICULTURAL SOILS AND AGRICULTURE

There are approximately five active dairy farms in Fairlee. Most of the land used for agricultural purposes is located along Route 5 and the Connecticut River, with some located along some of the side roads. These dairy farms are very important to the community and the surrounding areas, as good agricultural land is becoming increasingly scarce due to the demand for undeveloped land for new homes and other uses.

Fairlee is fortunate to have some excellent soils that are in or available for agricultural uses. These soils are located in the low-lying areas adjacent to the Connecticut River. The U.S. Natural Resources Conservation Service has mapped Fairlee's agricultural soils and has ranked their potential for agriculture. Most of the active farmland along the River has been classified as primary or secondary agricultural soils. This means that these soils exhibit excellent or good potential for growing crops, are significantly well-drained to allow sowing and harvesting with mechanized equipment, are well-supplied with plant nutrients and are highly responsive to fertilizers. Average slope of the land ranges from slight to moderate.

WILDLIFE

Fairlee's forests, fields, and bodies of water are homes for a variety of species and vegetation. Every new development in town results in an incremental loss or change to wildlife habitats. While no single development will decimate the resource, the cumulative effect of many projects can over time.

There are areas in Fairlee that provide critical habitats for certain species including white tailed deer, birds, black bear, and bobcat. Sensitive land use planning can lessen or mitigate the impact on wildlife habitats. Planners and developers need to be mindful of the affects of development on ecological balance.

State biologists are available to work with landowners and developers interested in planning projects in ways that reduce the impact on critical wildlife habitats, rare and endangered species, and other critical natural communities.

LAKE MOREY AND LAKE FAIRLEE

Lake Morey and Lake Fairlee are Fairlee's predominant tourist attractions, support a large variety of wildlife, and are an essential part of Fairlee's landscape. Both Lake Morey and Lake Fairlee continue to be surrounded by forested hillsides. The lakes have served as a summer retreat for over a century and provide varied recreational opportunities for swimming, boating, fishing, and snowmobiling. Seasonal cottages, year-round residences, summer camps, boat landings, docks, inns, beaches, public roads, and other uses are located around the lakes.

An effective means for advocating for the conservation and preservation of the lakes and the types of land use activity has been the two lakes associations: the Lake Morey Protective Association (1907) and the Lake Fairlee Association (1941). These organizations have historically been very active in addressing such issues as lake use, water quality, land conservation, and lakeshore development.

In 1998, as part of the revision of the Town Plan, the PC conducted a community-wide survey of seasonal and year-around landowners in Fairlee. Respondents expressed a very strong preference for conserving the qualities and character of land use around the lakes, maintenance of water quality, scenic amenities, and recreational values. This sentiment was repeated by respondents to the Planning Commission's 2006 Community Survey. During the summer of 1999, the PC, as part of community forums on planning, hosted meetings with the "lake community" to give landowners an opportunity to provide input on how best to manage future growth around the lakes. In

addition, in August 1999, the Commission published a report titled "*Lakeshore Planning and Development - Fairlee, Vermont*," which included several findings and recommendations. All of these can be summarized as follows:

- planning should provide for limited new development around the lakes, but primarily encourage renovation and upgrading of properties;
- higher density development within the lakeshore is not recommended;
- conservation of Key Areas or Sites needs to be actively pursued;
- public access to the lakes needs to be improved; and
- any future development on the shoreline must take into account its visual impact.

Water quality of the lakes is dependent in part on the land use planning goals and policies articulated in this Plan and the commitment of the Town to implement them.

RIVERS AND STREAMS

The quality and character of surface waters in Fairlee are among the primary components of the quality of life deemed important to the Town, as expressed by respondents to the Planning Commission's 2006 Community Survey. High water quality attracts users of the river and thus provides a source of income for many town residents and businesses.

The Connecticut River and its tributaries in Fairlee are part of Basin 16, the Upper Connecticut River Basin. The Vermont Agency of Natural Resources and its municipal, regional, and watershed partners are preparing basin plans for each of Vermont's 17 basins. The overall goal of each plan is to establish strategies that will:

- maintain, improve, or restore the surface waters of the basin,
- ensure full support of uses of the waters, and
- engage the many diverse parties in a watershed who are needed to reduce or eliminated pollution and protect high quality waters.

At the time this Plan was written, no information was available on the Basin 16 Plan.

The Connecticut River Joint Commissions' is updating its 1997 River Corridor Management Plan, aided by two volunteers from the Town of Fairlee. The Plan cites bank erosion as the greatest threat to water quality, aquatic habitat, river recreation, and landowner happiness in the Connecticut River corridor. Siltation in the main stem of the river is caused not only by actions taking place on the main stem, but also in every tributary, including those in Fairlee. Bank erosion may increase as the use of the river increases.

Nonpoint source pollution occurs when water washes across the surface of the land or infiltrates to groundwater. Primary sources of non-point pollution

are agricultural runoff, stream bank erosion, removal of riparian vegetation, upstream impoundments, land development, and highway maintenance runoff.

WETLANDS AND FLOODPLAINS

Wetlands are vital components in maintaining the ecological integrity of land and water. They provide an array of functions and values that support environmental health, including flood and storm water storage, maintenance of surface and ground water quality, ecological research and educational opportunities, wildlife habitats, and recreational opportunities for fishing, hunting, and bird watching.

Undisturbed natural vegetation on and along the banks of streams, called a riparian buffer, provides erosion control and shade which enhances habitat value and water quality. Maintenance of a riparian buffer by private landowners is essential to minimizing flash flood damage on their property and land farther down stream.

Vermont experiences far more erosion flooding, or flash flooding, than inundation-related flooding. For this reason, the Vermont Department of Environmental Conservation (DEC) has established a program to identify and map erosion hazards for municipalities. The first step in this process is to conduct a stream geomorphic assessment, allowing the Town to understand the natural tendencies of a stream, its current condition, and what changes may be anticipated in the future. The assessment is invaluable to making sound protection, management, and restoration decisions.

DRINKING WATER AND GROUNDWATER

The primary water supply to the Town is, and will continue to be, groundwater from deep wells. Accordingly, protective and preventative measures to ensure the quality and sustainability of this resource are critical.

The quality of Fairlee's groundwater is generally excellent; however, there is a risk for groundwater contamination from a variety of sources. These include failing septic systems, old industrial waste sites, former landfills, industrial floor drains, poor agricultural practices, road salt, and leaking underground fuel tanks.

AIR QUALITY

The quality of the air in Fairlee is excellent. Sometimes taken for granted, clean air is a fundamental component to good health and the environment. Air quality laws administered by the Federal government and the State set minimum requirements for industry and the automobiles to follow. In Fairlee, the most likely threat to air quality is a result of industrial and mining operations outside of the Region and in other states to the west. However,

vehicular traffic contributes to a loss of air quality within the community, and emissions from wood burning stoves can degrade air quality.

Responsible local planning and development review can reduce the potential for threats to air quality affecting Fairlee.

MINERAL RESOURCES AND EXTRACTION

The use and management of Fairlee's earth and mineral resources are matters of public good. Maintenance of sustainable quantities of gravel, sand, rock, and other minerals are essential to development as well as for state and local highways.

Issues incidental to mineral extraction include creation of excessive dust and noise, increased truck traffic through residential neighborhoods, degradation of the site and loss of scenic character in the immediate area, and undue deterioration on state and town roads.

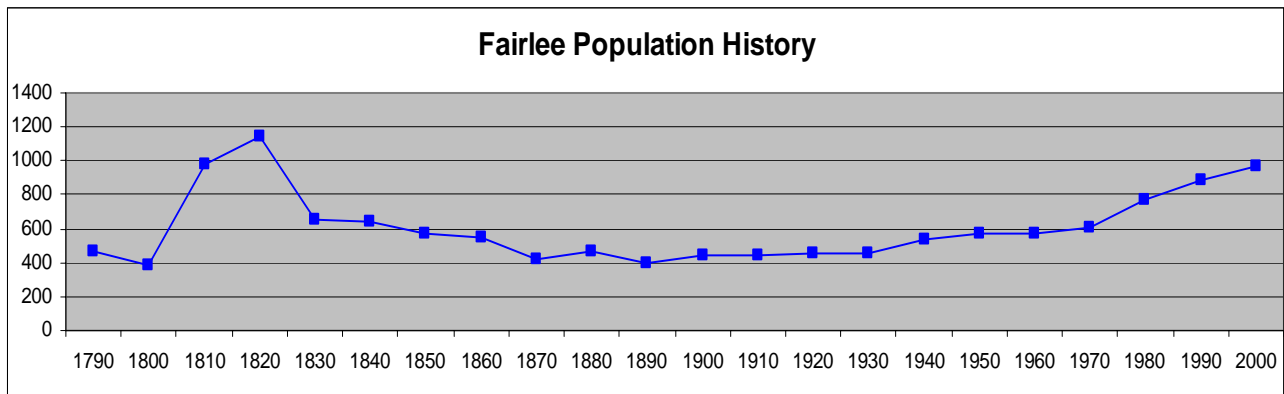
B. Human Resources

FAIRLEE'S POPULATION

Fairlee has undergone major economic and social changes over the past 40 years. It, like other communities in the Connecticut River Valley, is moving away from the traditional base of agriculture and forestry to one of service industries and tourism. These changes are fueled largely by population increases in the Region and increased access to the area due primarily by the completion of Interstate 91. The result has been more homes, the location of new or expansion of businesses, and a changing economy.

Fairlee's population experienced a sharp increase during the early 1800s, due to the influx of workers at the copper mines in the county. See Figure 1 below.

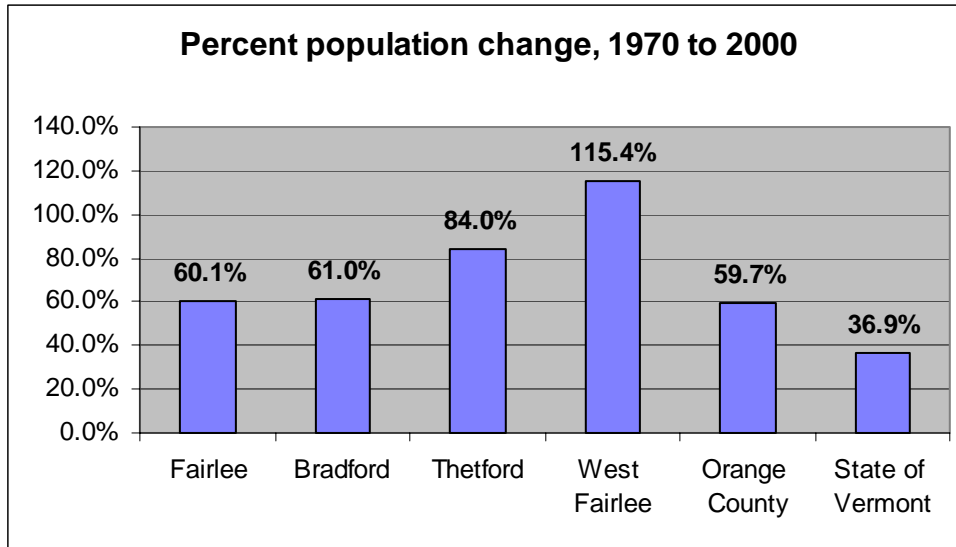
Figure 1



Source: US Census 2000

During the period from 1970 to 2000, Fairlee's population increased by about 60% from 604 to 967. This change was similar to that seen in some neighboring towns, as well as in Orange County, but was about 50 percent more growth than at the State level. It was far less, however, than the population change in Thetford and about half as much as the population growth in West Fairlee. The following figure illustrates this point.

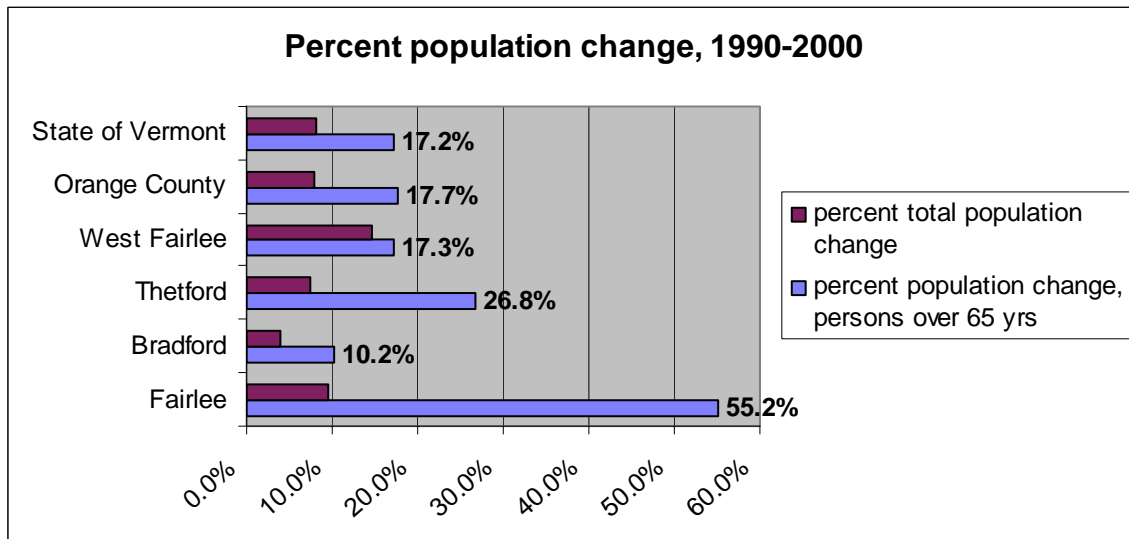
Figure 2



Source: TRORC calculation from US Census 2000 data

Of the Fairlee residents in 2000, 193 reported to the U.S. Census that they are native Vermonters. What is most striking about the available data, however, is the change in the segment of the population that is more than 65 years old, as shown in Figure 3.

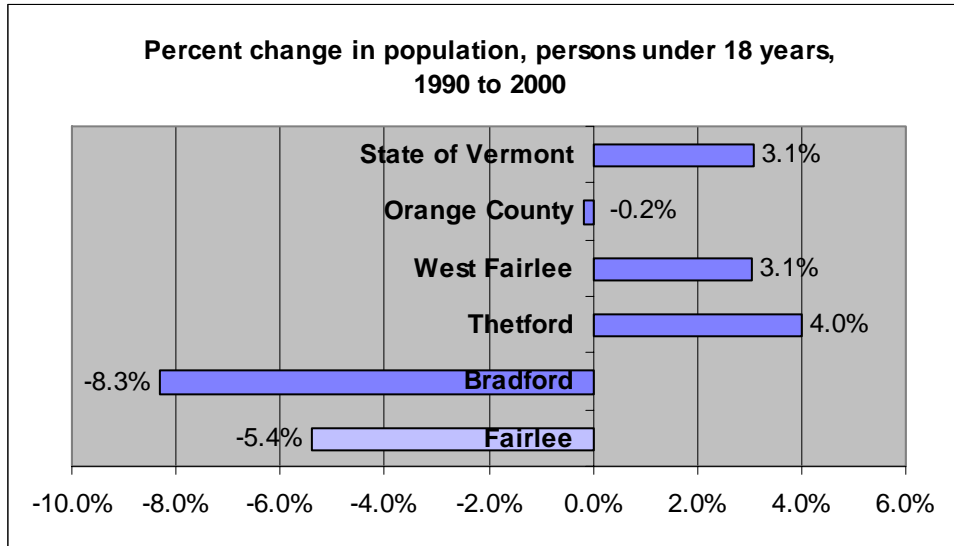
Figure 3



Source: TRORC calculation from US Census 2000 data

While the senior population seems to be swelling in Fairlee, the number of children is declining slightly, about 5% during the period 1990 to 2000. This change is shown, relative to other areas, in Figure 4 below.

Figure 4



Source: TRORC calculation from US Census 2000 data

With these facts in mind, decisions about public investments (such as schools or senior housing) should be made to provide an adequate level of service to these sub-populations.

ECONOMY AND EMPLOYMENT

Locations of Economic Activity

The primary retail, trade, and service center for Fairlee is the White River, Lebanon, and Hanover (Tri-Town) area. Growth in jobs, new technologies, and consumer patterns all gravitate to this area. The results of these developments have directly affected Fairlee's citizens. Numerous residents have initiated home occupations that appear to be compatible with their surrounding neighborhoods. This type of activity is encouraged as long as there is an opportunity to review the impact of these businesses on the immediate community.

Economic activity in Fairlee has seen moderate growth since the early 1990's. Fairlee is no longer the farm community that it was once. Farm population and acres in production have declined, following a statewide trend. Notwithstanding, the Upper Connecticut Valley continues to be recognized as an agricultural area. Other shifts or restructuring of the local economy have been a movement away from manufacturing type business to service industries, including travel and recreation.

Incomes

The Vermont Department of Taxes annually publishes Vermont Tax Statistics, which includes a summary of personal income tax returns filed with the State. According to these data, in 2005, 586 income tax returns were filed from residents in Fairlee, and 1,021 exemptions were claimed. Total adjusted personal income reported for all Fairlee residents was \$26.5 million. Sixty-eight percent reported incomes below \$50,000. About five percent of the town's residents have incomes at or below the poverty level. Distribution by income range for 2005 is outlined in Figure 5 below.

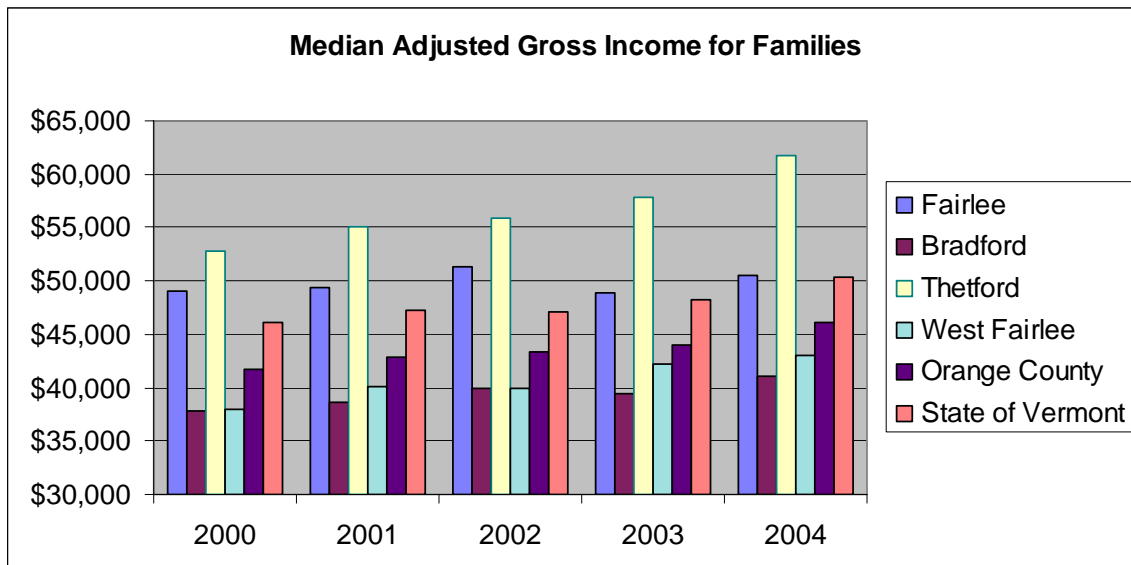
Figure 5
2005 Fairlee Personal Income Distribution

Income	Number	Percent
< \$15k	157	26.8%
\$15-25k	89	15.2%
\$25-35k	75	12.8%
\$35-50k	78	13.3%
\$50-75k	104	17.7%
\$75-100k	45	7.7%
\$100-150k	28	4.8%
\$150k +	10	1.7%
Total	586	100%

Source: TRORC calculation from VT Tax Department data

The following Figure shows that median adjusted gross incomes for families in Fairlee over the last several years compare favorably to that of families in the surrounding towns, the county, and the state.

Figure 6



Employment Patterns and Trends

About 30% of Fairlee’s employed people work in management and other professional fields, while about 32% are in sales and other office occupations. Sixteen percent are in service fields, and 13% work in construction and maintenance.

According to the State Labor Commissioner, job growth continues on a modest growth path, though there are recent downward trends in the labor force and employment that are alarming. Vermont’s unemployment rates are low, around 4% statewide and around 2% for the Hartford Labor Market Area. While new housing construction work is down dramatically over the past year, travel and tourism related work remains strong.

Figure 7 below shows the major employment centers for Fairlee workers. More workers now residing in Fairlee work outside of town than those who have jobs in town. This in turn affects commuting needs, with most workers driving alone to their jobs, as shown in Figure 8. The average time people spent commuting has increased slightly since 1980, to about 22 minutes.

Figure 7

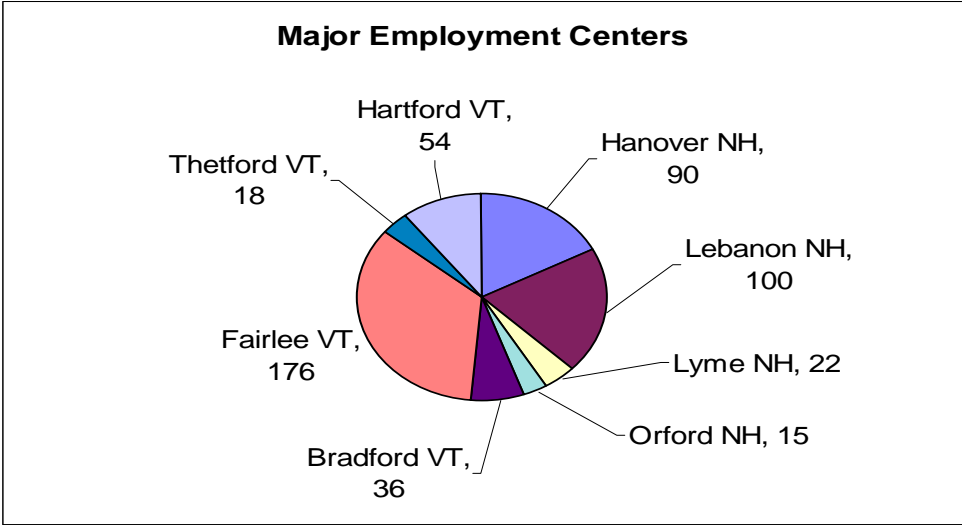
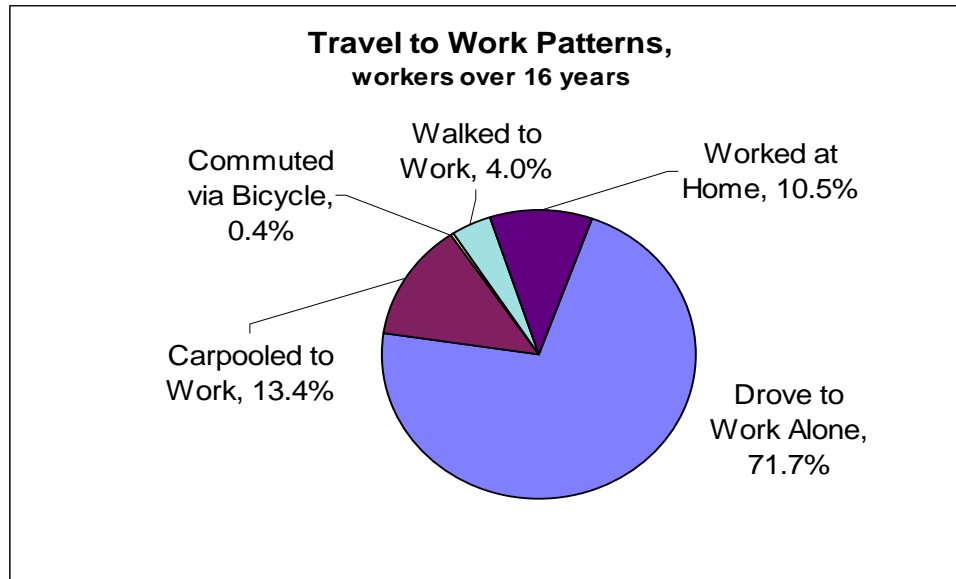


Figure 8



Source: TRORC calculation from US Census 2000 data

Fairlee, like the rest of Vermont is largely rural. There is a certain mystique about the people and the land that attracts visitors to the Upper Valley. The existence of a quality economic and cultural core in the Upper Valley, coupled with a superior natural environment, will continue to be a haven for individuals and families seeking this lifestyle.

Tourist activity should remain strong, while the service and technology sectors will be where growth in jobs throughout the Upper Valley occurs. Employers in Vermont and New Hampshire seeking to expand or to relocate to this area are finding it difficult to locate quality employees, primarily due to the lack of housing stock. This is an economic impediment, prompting industry to look to other areas where a labor force is readily available with skills necessary to support business.

Travel and tourism is an increasing business enterprise in the Upper Valley as well as the rest of Vermont. The reasons for this are its close proximity to major population centers in the Northeast, the wide range of amenities available to satisfy the tourist, and the area's varied and unique historic cultural and natural resources. The ability of Fairlee's planning programs to accommodate these special values and interests will positively influence the long-term quality of the recreation industry and hence the community's economic well-being.

Townsppeople also expressed the need to expand the number and diversify the types of businesses in town. The Survey (Appendix B, questions 3 and 6) lists the businesses respondents thought are needed. These include a health clinic, retail, daycare, small businesses, and home occupations. At the 2006 Roundtable discussions (Appendix C) people expressed the need for more

town support of business in general and of year-round business specifically. However, people wanted neither large businesses nor manufacturing/industrial businesses.

EDUCATION

The Rivendell Interstate School District was established by voters in 1998 to serve three towns in Vermont (Fairlee, Vershire, and West Fairlee) and one in New Hampshire (Orford). The Samuel Morey Elementary School provides education for grades K through 5. High school education for Fairlee students is provided at the Rivendell Academy in Orford, NH. Only 47.9% of survey respondents (Appendix B, question 4) find the school system good or excellent. Some participants at the Roundtable discussion expressed dissatisfaction with the school system (Appendix C).

Elementary Education

The Samuel Morey School currently serves approximately 135 students from the towns Orford, New Hampshire and Fairlee, Vermont. The school sits in a neighborhood with playground and sports fields. It became part of the Rivendell District in June 2000 and expansion of the facility was begun thereafter. Enrollment at the school has declined considerably over the last several years, from 148 in the 2002-2003 school year. As enrollment declines, many of the costs associated with the school building and infrastructure remain the same; however, therefore per pupil costs tend to rise, as shown below.

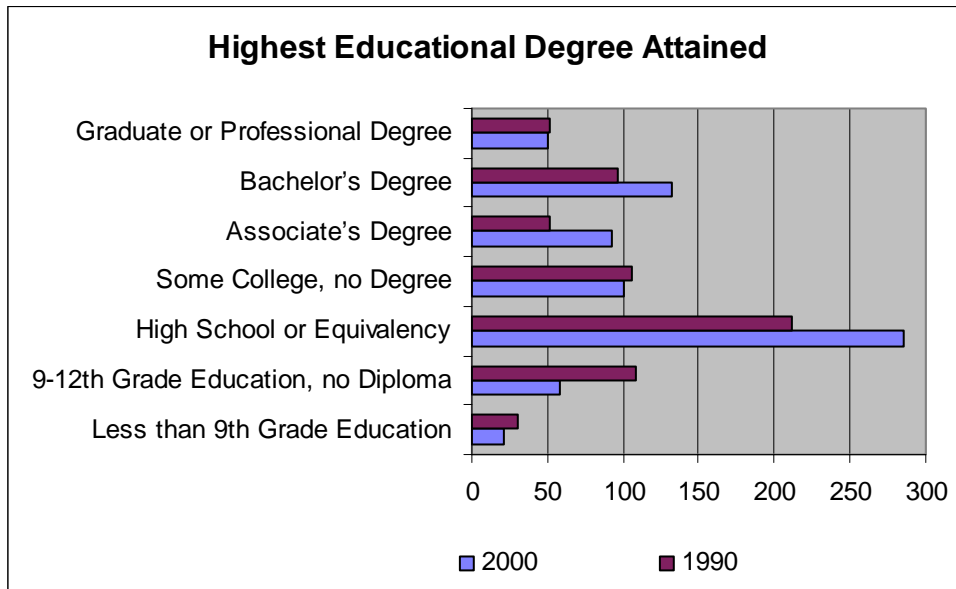
Fiscal Year 2003	Fiscal Year 2004	Fiscal Year 2005
\$10,043	\$11,498	\$12,802

Middle and High School Education

The Rivendell Academy offers middle school education for grades 6 through 8 and for high school students. It served a population of 313 students in the 2005-2006 school year. Enrollment has also declined, from a high of 324 during the 2002-2003 year.

Overall, in Fairlee, students are choosing to attain higher levels of education, which is a positive reflection on the community and its schools (see Figure 9).

Figure 9



Source: US Census 2000

Vocational and Technical

River Bend Career and Technical Center provides innovative technical education programs for students from seven area high schools and for adults. Located centrally on the Upper Plain in Bradford, Vermont, adjacent to the Oxbow High School campus, River Bend's facility includes a state-of-the-art automotive garage, heavy equipment training sites and shop, a complete building trades workshop, and an outstanding commercial kitchen with its own restaurant.

Child Care

As of Fall 2007, there is one licensed early childhood program, one licensed daycare and preschool center, and three registered day care homes in Fairlee (according to Vermont Child Care Information Services). Fairlee supports the private development of additional facilities to meet the childcare needs of its residents and may assist with seeking funding to develop these facilities.

ENERGY

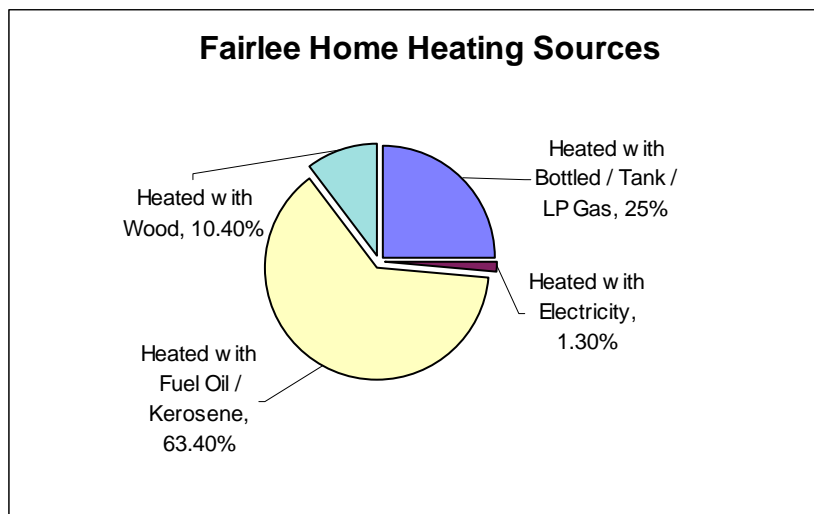
While it is recognized that energy supply and demands are directed largely by economic forces at the state, federal, and international levels, the manner in which the Town plans for future growth can have an impact on energy usage. For example, a highly dispersed and unplanned pattern of land use can waste both land and energy resources. By planning the locations of jobs, public services, and housing in close proximity to growth centers, the consumption of fuel and need for additional roads can be reduced. The siting and design of buildings and the selection of energy systems can influence the efficiency and conservation of energy.

The Vermont residential energy code, called the Residential Building Energy Standards was passed by the Vermont legislature in May 1997. The energy code is a minimum standard of energy efficiency that has applied to virtually all new residential construction in Vermont since July 1, 1998. It includes minimum standards for energy-efficient building components and construction practices, as well as a certification requirement for reporting compliance, but there is no state enforcement of the code. It is a self-certifying compliance program, placing the responsibility on the builder to understand the Energy Code, to build to the minimum technical efficiency standards, and to certify that the building complies with the law. This certification form must be posted in the home and filed at the town clerk's office.

Wood is a local renewable resource that can off-set some demand for expensive alternative sources. The Department of Public Service has estimated that the average wood burning household uses between 3 and 4 cords of wood each year during the heating season. Fairlee's forests could supply significantly more of this resource for home heating. Significant use of wood could contribute to increased air pollution, particularly in valley areas, but clean burning stoves can mitigate this problem.

According to the U.S. Census, Fairlee residents heat their homes primarily with oil (63%), followed by LPG and gas (25%), wood (10%), and electricity (1%). These data are shown in Figure 10 below. Like other New England states, Vermont relies heavily on fuel oil for home heating, accounting for more than 58 percent of home heating fuel use, followed by propane with a 14 percent share, according to the Department of Public Service. State energy officials estimate that simple conservation measures incorporated in new housing can result in a 20% to 30% reduction of energy usage.

Figure 10



Source: US Census 2000

About half of all energy used in Vermont is for transportation. Over 50% of this is used by residential users who use private cars. Public transportation in Fairlee is nearly non-existent and as a result, there are few alternatives, if any, to the automobile.

HISTORIC RESOURCES AND ARCHAEOLOGICAL AREAS

The goal of planning in Fairlee with respect to historic resources and archaeological areas is to preserve and enhance historic buildings and archaeological sites to benefit the public interest.

Since tourist activity in this region is so strong, businesses that support these activities, such as heritage tourism, would be likely to grow as well. If Fairlee's planning programs can accommodate these resources, it will positively influence the long-term quality of the tourism industry and our ability to preserve and enhance these features of our community.

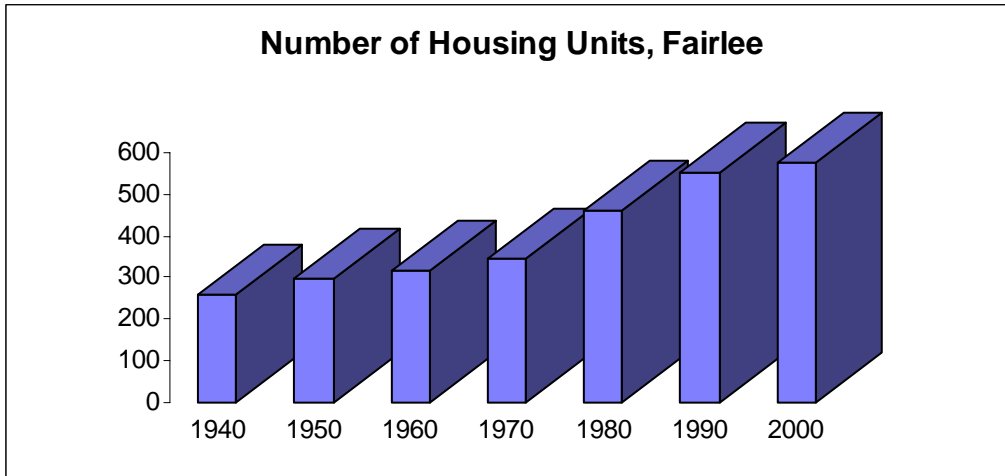
HOUSING

The Town encourages the retention of existing housing and construction of new housing that meets the natural population growth. Eighty-eight percent of the respondents to the 2006 survey (Appendix B, question 1) wanted less than or the same number of new homes to be built per year, about 5-8 homes. In addition, the Town encourages the preservation of historic structures in ways that appropriately serve the need for housing. Seventy six percent of the respondents agree that Fairlee should support single-family houses on individual lots, 76.2% support assisted-living housing for the elderly, and 70.5% support affordable housing (Appendix B, question 2).

Number of Housing Units

According to the U.S. Census Reports, there were 575 total housing units in Fairlee in 2000. This is broken down into 395 occupied year-round, 142 seasonal housing, and 38 other vacant units (those that no one was living in at the time of enumeration). The overall increase in the number of housing units since 1970 was 67% (see Figure 11).

Figure 11



Source: Vermont Housing data

According to Vermont Tax Department data in the year 2006 the number of parcels owned by Fairlee residents and non-residents, compared to those in the surrounding towns was as shown in Figure 12 below:

Figure 12

Town	Number of Homestead parcels	Percentage	Number of Non-resident parcels	Percentage
Bradford	711	55.72%	565	44.28%
Fairlee	289	45.02%	353	54.98%
Thetford	842	62.98%	495	37.02%
West Fairlee	207	49.05%	215	50.95%
Corinth	441	43.36%	576	56.64%
Vershire	213	44.28%	268	55.72%

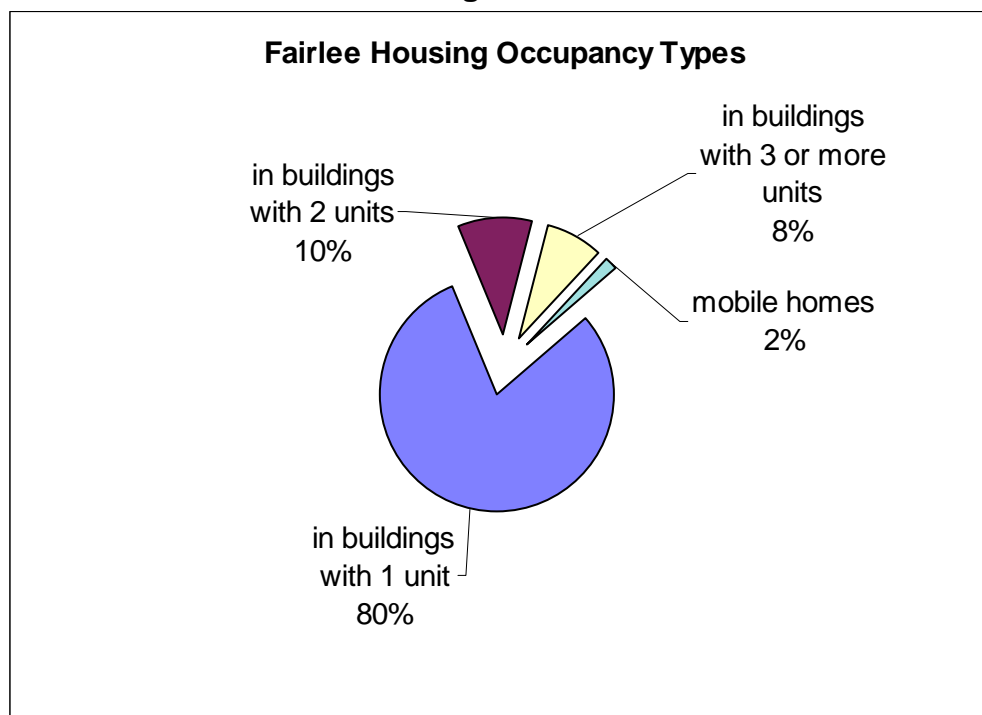
Source: Vermont Tax Department data

For 2006, approximately one-half of the Grand List aggregated property values were owned by town residents (down from 62% in 1997), while out of state residents owned 28%, Vermont residents owned about 9%, and corporations owned about 13%.

Housing Types

Data from the most recent U.S. Census for Fairlee indicated that 461 units or 80% of its housing consisted of single-family homes, a seven percent increase in this type of housing since the 1990 Census. This represented the largest component of the town's housing stock followed next by two family homes (60 at 10%). This information is shown in Figure 13.

Figure 13



Source: TRORC calculation from Vermont Housing Data

Fifty four percent of survey respondents did not support multi-family houses on individual lots and 49.5% did not support apartments or townhouses (Appendix B, question 2).

Affordability

Affordable housing is defined as housing that costs no more than 30% of the household's income. For homeowners, housing costs include payments for principal and interest on a mortgage, as well as taxes and other related expenses. For renters, housing costs include rent and utilities.

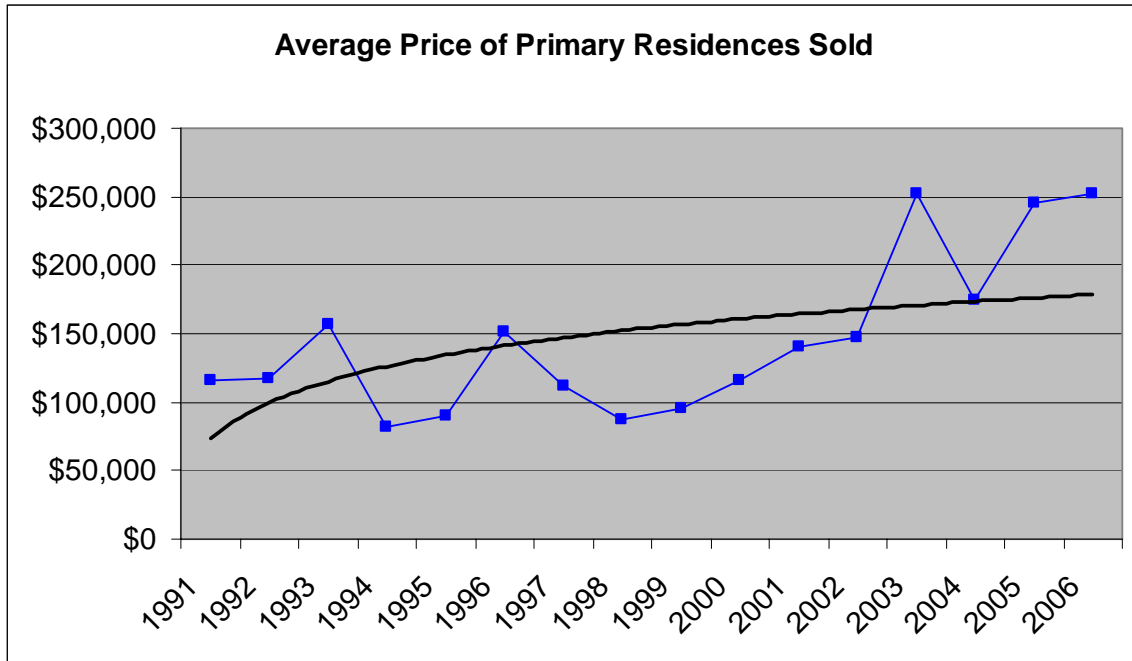
According to the Orange County 2005 Housing Needs Assessment, low-income Orange County residents have limited rental-housing options. This Assessment states,

“Households earning \$36,746 per year (80% of the estimated 2005 county median household income) can afford to pay about \$919 monthly for rent (including utilities). In 2005, an estimated 2,167 units are in the housing supply with rents ranging from \$1 to \$919 a month. However, more than half of these units are estimated to be occupied by upper income households and an additional five percent are assumed to be vacant at any given point in time, leaving only around 791 units for low-income households – an estimated shortage of 870 affordable rental units for low-income renters in Orange County.”

The median family adjusted gross income in Fairlee in 2005 was \$54,467. According to Vermont Housing Data's website, with an annual household

income of \$54,539, and cash at closing of \$11,588, a buyer could afford a home costing \$167,500. The average sales price of a single family primary residence in 2005, however, was just over \$245,000, and has been trending upward steadily for about the past decade as shown in Figure 14.

Figure 14



Source: Vermont Housing Data

Adding in the cost of taxes shown below, a complete picture of the problems of housing affordability for homeowners in Fairlee is shown.

Figure 15
Fairlee Taxes

	2005	2006	2007
Municipal tax rate	\$0.3500	\$0.3800	\$0.3570
Educational tax rate (for homesteads)	\$1.1328	\$1.4637	\$1.4273
Total Tax Rate	\$1.4828	\$1.8437	\$1.7843

Source: Vermont Department of Taxes

By comparing the data from the previous section on Economy and Employment, Fairlee has more households with low to moderate incomes than it has housing with low to moderate prices, regardless of whether a family wants to rent or buy a home. Planners must consider these facts as they work with builders and developers to meet the community's housing needs.

Under the Vermont Current Use Program, land is taxed based on its use value rather than its fair market value. As such, the relative tax burden to

landowners is reduced, enabling them to obtain a more reasonable rate of return on their timber investments. In tax year 2006, there were 42 parcels of land in Fairlee in the state Current Use Appraisal Program. A total of 1,179 acres in this program were owned by residents (homesteads), and 4,038 acres were owned by non-residents. The total tax reduction for homesteads was \$1,458,800, while non-residents enjoyed a \$4,465,100 total tax reduction.

MUNICIPAL UTILITIES AND FACILITIES

Community services

Fairlee's residents are served by many private, non-profit community service agencies that address problems such as poverty, access to health care, and mental illness and substance abuse. Services are offered particularly to seniors in the community, as well as mentally retarded citizens.

Fire, FAST Squad and Ambulance Services

The Fairlee Fire Department, FAST Squad, and Upper Valley Ambulance (the regional ambulance service) are housed in a building with a four-bay space for fire trucks, the ambulance, and the rescue truck. Inside are offices for the Fire Department and UVA, a large meeting room/classroom, a kitchen two bedrooms for the ambulance crew, and two bathrooms, one that is handicapped accessible. It provides an efficient and modern center for all emergency service activities. The building and related facilities are adequate for the current needs of the Town. A propane fueled emergency generator has been installed at the Town's emergency building and has been used during power outages.

The Fairlee Fire Department is comprised of about 25 volunteers who participate in training sessions on a regular basis. About 90% of survey respondents (Appendix B, question 4) find the fire department good or excellent.

The Fairlee FAST Squad consists of a dedicated group of trained volunteers. The Fast Squad members are the first to respond to emergency calls. Their efforts are supported by Upper Valley Ambulance, Inc.

Upper Valley Ambulance, Inc., a non-profit corporation, commenced operation in July 1990. By being located at the Fairlee Fire Department and Rescue Building, the ambulance service is centrally located to its eight member towns: Bradford, Fairlee, West Fairlee, Vershire, Strafford, and Thetford in Vermont and Piermont and Orford in New Hampshire. There are two ambulances staffed by a team of paid professional emergency medical technicians (EMTs) and area volunteers certified as ambulance care providers. About 92% of survey respondents find the emergency medical services good to excellent.

Municipal Land and Buildings

The Fairlee Town Hall houses the Town Offices and Town Records, the library, a grange room used for meetings and hearings, as well as a kitchen, some storage areas, and a large meeting hall with stage and balcony.

The Town Office staff consists of a Town Clerk, Treasurer and their assistants; and Administrative Assistant to the Board of Selectman; a Zoning Administrator; Listers; and a janitor. Town administration is good or excellent, according to 73.2% of survey respondents. Zoning, Planning, and the Historical Society files are temporarily in the Grange room for lack of adequate space. The Town is working to ensure handicap access to the second floor of the Town Hall as well as a handicap bathroom.

The Town owns a bandstand, located at the north end of the town common. The old fire station is located just off the town common adjacent to the Town Hall and is used by the Upper Valley Ambulance Service and the milfoil reduction plan for storage.

The Town now owns the Old Railroad Station building, which was retired years ago as a passenger depot station and is located on a 4.37 acre parcel extending from US 5 to the Connecticut River. Presently a variety of uses for the building are being considered, including a home for the Historical Society and a potential year round farmers market. Seventy seven percent of survey respondents favor finding a re-use for the station.

The town reservoir consisting of 1.7 acres is located on the Ninth Range Road (Pent Road) off Lake Morey West Road. It was built about 1972 when the new gravel-packed well was installed near US 5.

The Fairlee Public Library is located on the northwest corner of US Route 5 and School Street. Established in 1898, it provides informational, educational, recreational, and cultural resources to the community. Eighty three percent of survey respondents find the library good or excellent.

Fairlee has three cemeteries. The largest, a 4.9 acre cemetery, is located north of town on US 5 adjacent to Gray's Auction Field. A 0.88-acre cemetery lot is located at the end of Bragg Hill Road adjacent to I-91, and the 0.15-acre Brushwood Cemetery is located on Mill Pond Road. These cemeteries are adequate for the future needs of the community.

Police Services

One Constable provides police protection in Fairlee, with provisions for the appointment of additional constables. The constable uses his home for office space and patrols in a privately owned vehicle. The constable also owns most of the equipment used by Fairlee to provide police protection, except a mobile radio unit and radar unit. The constable's efforts are augmented by the County Sheriff's office in Chelsea and State Police coverage from the

Bradford barracks. Sixty seven percent of survey respondents find police services good or excellent, although some want better speed limit enforcement in town.

Sewage Facilities

The Town of Fairlee has no municipal sewage system. Disposal of effluent is handled on an individual basis, generally through the use of septic systems and leach fields. The silty sand soil characteristic of the village area along Route 5 is good soil for septic treatment of effluent. Septic suitability classes are shown on Map 5 (Appendix G). These classes are defined by the NRCS to prevent inappropriate uses of soils and are based on soil properties such as wetness, stability, and depth.

The Lake Morey area is continually being studied for alternative septic designs. More environmentally sound sewage disposal systems are necessary for this important watershed. As of July 2007, all private septic systems must receive a permit from the State of Vermont.

Solid Waste and Recycling

A four-acre parcel of land located approximately one-half mile south of the village and to the east of the railroad tracks, known as the "Town Dump," is currently serving as a certified waste transfer facility for Fairlee residents and businesses. Currently, the Town has an agreement with Casella Waste Management, Inc., to pick up and handle recyclables and solid waste to regional facilities. The Town has a Solid Waste Management Plan in cooperation with the Vermont Solid Waste Management Division. Sixty-one percent of survey respondents find solid waste management services good or excellent, and 68% of respondents had the same opinion of recycling services. Some would like the recycling center to be open more hours or days.

Water Facilities

Fairlee is served in part by a municipally owned water system that was completely rebuilt in 1946 and is updated from time to time. This system is completely self-financed on the proceeds from water usage fees. The source of water in the town well is a reservoir off Bald Top Road.

Thirty fire hydrants serve a significant part of the center of town and the south end of Lake Morey, and water is accessible for the pump truck from many locations throughout Fairlee. Residents enjoy the highest insurance rating possible short of having a full-time fire department. This enables relatively low costs for property fire insurance.

The Board of Selectmen serves as Water Commissioners. A Water Advisory Board has been appointed at times to act in an advisory capacity to the Commissioners. A Health Officer and Deputy Health Officer provide technical assistance to both the Water Department and the Zoning Administrator. A

Superintendent, who is certified and licensed, operates the water system on a daily basis.

The Water Commissioners are planning for a backup well to be used in case there is contamination of the primary well. Land should be acquired for a back-up well system. The private railroad crossing insurance premium is approximately \$6,500 per year. An alternative access to the well site should be investigated.

RECREATION

Sixty-seven percent of the survey respondents find recreation services good or excellent, although some respondents want more recreational opportunities including adult programs and an indoor gym. The Samuel Morey School gym is available for community use by making a request at the school.

Several activities are organized by the Community School Organization. Soccer and basketball programs are provided for girls and boys at three age levels in grades K through five. An alpine ski instruction program provides instruction during the winter months. Volunteers and coaches staff the programs. The soccer, basketball, and baseball coaches are paid a small stipend.

The Town Beach is the main facility provided for use by town taxpayers. The new Bath House has changing rooms, a bathroom facility, and storage. A roped-off swimming area and float are provided along with parking, swing sets, a basketball hoop, and a volleyball net. During summer months, a swimming program is offered for eight weeks, with instruction for Beginners through Advanced Lifesaving. The beach program and facility are staffed with two paid lifeguards and a maintenance person.

The Fairlee Town Forest area and the scenic vistas of Echo Mountain, Sawyer Mountain, and Morey Mountain offer hiking recreation. Members of the Lake Morey Foundation have been active in developing and marking trails connecting Lake Morey with surrounding ridgelines. Jogging, boating, fishing, snowmobiling, cross-country skiing, and hunting are other recreational activities available in the town.

Rivendell Trail Association (RTA) is a local, non-profit organization dedicated to maintenance of the Cross Rivendell Trail, community integration, and involvement in efforts on the CRT, and place-based education on the CRT. The Rivendell Trails Association promotes the CRT as new avenue for recreation in the four towns of the Rivendell Interstate School District. RTA members include students, Rivendell faculty, community members, and the general public.

TRANSPORTATION

Fairlee's land use pattern over the past five decades, similar to the rest of Vermont, has been a steady trend of dispersal into low-density rural areas. Many residents work and conduct much of their business outside of Fairlee in nearby towns. Fairlee residents are increasingly dependent on automobile travel and transportation has become more costly. Other conditions could result from this pattern of development, including:

- school bus transportation could increase;
- rural road maintenance costs could increase at a rate faster than increased tax revenues;
- residential development could consume important agricultural and forestland;
- air pollution will increase; and
- roadside scenery could deteriorate as new driveways and structures line back roads and state highways.

Due to Fairlee's expanding population and increased demand for mobility, development and maintenance of an effective transportation system is an integral part of the community's future growth, land use pattern, and economic well-being. Fairlee can advocate for high-density growth in or near existing growth centers (i.e. Fairlee Village). By identifying centers that have good potential for dense development, numerous land uses can be concentrated together, or be in walking distance from one another. Dependency on auto travel can be reduced. Additionally, rural development policies can create more incentives for cluster housing on smaller lots. However, survey respondents were nearly equally split in support or lack of support for cluster housing.

Highways

About 69% of survey respondents find town roads and road maintenance are good or excellent.

Presently, the Town of Fairlee highway system consists of approximately 22 miles of town roads, and 18 miles of State roads.

- Class 1 roads are the most heavily traveled town roads and are extensions of state highways.
- Class 2 roads are the major town highways and serve oftentimes to link towns and high traffic areas such as village settlements and state highways. For Fairlee there are 5.56 miles of Class 2 roads.
- Class 3 includes all town roads not Class 1 or 2 that can be driven under normal conditions all seasons of the year. They represent the "typical back road." Class 3 roads amount to a total of 11.47 miles.
- Class 4 roads represent the lowest order of importance to the Town. These roads are not generally maintained by the Town nor plowed in the winter. Some class 4 roads are legal trails available mainly for

pedestrians and recreational access. Fairlee has 5.26 miles of Class 4 road (increasing slightly from the amount in 2001).

The Town has a maintenance program for all town highways. This includes a paving schedule for Terry Hill and Lake Morey Road and other sections of road. To protect town roads, bridges, and culverts from the negative impacts of increased traffic and excessive weights, the Town administers a Town Highway Ordinance. This Ordinance provides standards for the acceptance, reclassification, and upgrading of town roads. In addition, the Town administers an Access Permit program. Permits are required from the Selectboard prior to connection of a private driveway or curb cut onto the town highway system. Both of these regulations should be updated as necessary.

The Town is not interested in expending tax dollars on improvements to Class 4 roads. These roads are usually in the poorest state and would require extensive reconstruction in order to bring them to Class 3 standards. Furthermore, these roads, in most cases are in remote areas where major development is not encouraged.

Rail Facilities

Fairlee is traversed by the single-track railroad which goes from White River Junction north to St. Johnsbury and beyond to points north and east. Regular rail traffic resumed again on the line in recent years, serving primarily freight traffic. However, interest has been expressed by several operators of conducting seasonal excursion passenger service for a portion of the line, including the section running through Fairlee. The nearest Amtrak passenger station is in White River Junction. Service to New York to the south and Essex Junction to north is available here. About 60% of respondents favor resumption of passenger rail service.

Pedestrian and Bicycle Travel

These modes historically have been given low priority in small towns like Fairlee. Pedestrian transportation occurs mainly in the village, where people are able to park in one location and visit several businesses within the downtown area, or walk from their residence. Pedestrian facilities are vitally important for those who do not drive, especially children and the elderly.

It should be possible to walk safely within Fairlee Village, and 56.1% of survey respondents favor sidewalks here. Sidewalks should be upgraded or planned in areas developing within the villages or new growth centers. This could mean setting aside rights-of-way for sidewalks for construction in the future when warranted. Private developers should be required to incorporate pedestrian facilities into their projects as part of Fairlee's local zoning or subdivision review process.

Bicycling is not considered a practical means of regular transportation due to Fairlee's cold climate and hilly terrain. Bicycling is an important form of recreational transportation and for short trips, especially by children. Where development density is high, such as in the village, planning for bicyclists should be considered. This could include bicycle paths, incorporating traffic calming techniques along the major roads or streets to make biking safer, and incorporating wide shoulders along some of the roads to make biking more "user friendly." Fairlee's downtown planning, including the Railroad Station restoration project, is an excellent local initiative in support of bicycle and pedestrian facilities.

Scenic Roads

Fairlee has numerous scenic roads, which exhibit special qualities worth preserving or enhancing. Fairlee residents and visitors enjoy their country roads. Where major modifications are being proposed to a state or town road, planning should incorporate the scenic attributes of the roadway and the public should have an opportunity to discuss the changes with the Agency of Transportation or the Town, as appropriate.

Public Transportation

Public transit service alternatives are needed by people without access to a car or the ability to drive. Public transportation services as an alternative to the car is limited in Fairlee and the immediate area. Stagecoach Transportation Services offers human services transportation to Fairlee residents (11 survey respondents report using this service). Vermont Transit Lines provides inter-city services in Fairlee with destinations to all major cities and towns throughout the Northeast.

Ridesharing informally occurs, as evidenced by the high usage of nearby park and ride lots and other parking areas. A statewide study of park and ride users indicates that people like the rideshare concept, especially for commuters working jobs in the Upper Valley area. One of the most important facilities to promote or maintain for Fairlee are well-marked, easy-to-find places to park and leave a vehicle for a day. Twenty-four survey respondents carpool and 20 use the parking lot at the Fire and Rescue Building as an unofficial park and ride lot.

Chapter 4 RELATION TO OTHER TOWNS

A. Plan Relevancy

The goals and policies for guiding future growth in Fairlee represent the values of the people of Fairlee. This Plan is intended to articulate a clear view of their vision for the future over the next five years, the life of this Plan. The public has a responsibility to remain involved in implementing this Plan. Most sections have included action items, which if followed, could improve the overall planning for the community. While we accept change and want to control it, the major forces affecting change are beyond our control and are dictated by very complex social and economic factors of a global nature.

In the development of this Plan, all of the goals set forth in Section 4302 of Chapter 117 have been incorporated and addressed. Where necessary or appropriate, the Planning Commission has adapted them to fit Fairlee.

B. Neighboring Town Planning Activities

Each Town Plan that is developed and approved at the local and regional levels is required to be compatible with other local plans of surrounding towns with common borders. The planning policies of Fairlee's neighbors match well with those expressed in this Plan. No conflicts exist in either general philosophy or specific development proposals along town borders.

Fairlee is bounded by three towns. They are the Towns of West Fairlee to the west, Bradford to north, and Thetford to the south. To the east are the Connecticut River and the historic town of Orford, New Hampshire. West Fairlee's Plan was adopted in August, 2005. The general intent to the Plan is to promote the existing settlement pattern of densely settled villages surrounded by low-density rural and agricultural areas. West Fairlee has no land use ordinances in effect. The Town shares a common border on Lake Fairlee along with Thetford. The Town of Thetford adopted a Plan in March, 2007. The Bradford Plan was adopted in February, 2003. Bradford is directly connected to Fairlee via Route 5 and interstate 91. Mixed use development south of the village area, extending to the Bradford/Fairlee Town Line has begun to occur particularly near the Route 25 and the I-91 Interchange.

C. Regional Planning

The Two Rivers-Ottauquechee Regional Plan adopted in 2007 is the regional plan that is in effect for The Town Of Fairlee. This Plan is generally compatible with the Two Rivers - Ottauquechee Regional Plan, though this will be confirmed by regional review of this plan following adoption by the town.

Fairlee is a member of the Two River-Ottauquechee Regional Commission. The Town is one of 30 municipalities that comprise the Region. The Region covers northern Windsor County, most of Orange County, the Town of Pittsfield in Rutland County, and the Towns of Hancock and Granville in Addison County. The Commission was chartered in 1970 by the acts of its constituent towns. All towns are members of the Commission, and town representatives govern its affairs. One of the Regional Commission's primary purposes is to provide technical services to town officials and to undertake a regional planning program. Fairlee is fortunate to have received the support of the Regional Commission in applying for and receiving Municipal Planning Grant funds for various projects during eight out of nine possible yearly funding cycles.

Based on the above, it is fair to conclude that the Fairlee Plan and the Regional Plan are compatible with one another.

Chapter 5 IMPLEMENTATION

A. Adoption of the Plan

This Plan is centered on existing conditions, probable trends, goals, and specific policies. Collectively, it represents a vision for the kind of community Fairlee desires for the future. Adoption of the Plan by Fairlee's registered voters is the first step in putting the Plan into action. By its adoption, the Town affirms that the principles set forth in the Plan represent the public interest and that it shall guide future growth and development decisions affecting Fairlee.

B. On-Going Planning

The Fairlee Plan is not a permanent document. Its life is limited by statute for a period of up to five years from date of adoption (24 V.S.A. Section 4387). Beyond this period, the Plan has no force or effect. The Planning Commission has the primary responsibility to maintain or update the Plan that means that within the next five years the Commission should evaluate the Plan in light of new conditions and needs. Any future amendments or readoption of the Plan will require notice, hearings, and a vote of the citizens of Fairlee. In addition to Plan adoption, the Selectboard can formally request the Two Rivers-Ottawaquechee Regional Commission to review and approve the Plan in accordance with 24 V.S.A. Section 4350(b). This provision requires that the Plan address basic planning goals, is compatible with the regional plan and other plans in the Region, and contains all elements of a Plan as set forth in 24 V.S.A. Section 4382. The most recent Plan for Fairlee was approved by the Regional Commission on September 19, 2001. Towns that have adopted and approved municipal plans are eligible for planning grants from the Vermont Agency of Commerce and Community Development and have improved legal standing to influence and integrate planning policies with proposed state actions affecting land use.

C. Plan Implementation Methods

REGULATORY METHODS

Zoning and Subdivision Regulations - Vermont law enables municipalities to implement plans through a variety of ways. Local regulation of land use development is accomplished in Fairlee through the Town's zoning bylaws (1998) and subdivision regulations (1992). They are written by the Planning Commission (an elected board) and administered by the Zoning Administrator

and the Development Review Board, both which are appointed by the Selectboard. Since the Vermont Planning and Development Act (24 V.S.A. Chapter 117) requires that these regulations conform to the policies of this Plan, it will be necessary to update these regulations when a new Town Plan is adopted and approved. In addition, the current zoning must be amended to conform to the changes to Chapter 117 passed in 2004.

Flood Hazard Bylaws - Federal and state law enable municipalities to regulate the use of land defined as a flood hazard area. Under these provisions, the Town can regulate development to ensure that the design and construction of buildings are done in a manner as to minimize the potential for flood damage in the event of a flood. As a prerequisite to enrollment in the National Flood Insurance Program, towns must have a bylaw in effect, approved by the Federal Emergency Management Administration (FEMA). Fairlee has been a participant in the Program since 1975. The flood hazard bylaws are included as part of the Zoning Regulations, and therefore are out of date. Permits are required prior to the commencement of construction in the flood hazard area.

Town Health Ordinance - The Town has in effect a sewer ordinance that regulates the design and development of on-site sewage systems in Fairlee. Beginning July 1, 2007, this regulation was superseded by a new State regulation under which every parcel of land, wastewater facility, private drinking water supply, and water treatment facility in the state will need a state permit for repairs, upgrades, and new construction. Given the importance of maintaining high water quality standards and the high dependence on sub-surface sewage disposal systems, it is very important that the Town continue to monitor and regulate all types of sewage disposal.

Highway Ordinance - The Town has in effect a road ordinance setting forth the standards and conditions for the maintenance, improvement, discontinuance, laying out, and acceptance of Town highways. In addition, the ordinance sets out the requirements for the reclassification of town roads. The Town also retains authority for access management or curb cuts onto town highways. The present law (19 V.S.A. Section 1111) requires permits for access to a highway. In the case of a town road, the Selectboard must find that the proposed access meets with the required safety standards and that it complies with the goals and policies of the town plan. Should the Town chose to update its access management goals and policies, it will expand control over the location and type of curb cuts on town roads, leading to a more desirable land use pattern for the Town.

Act 250 - Since 1970, Vermont has administered Act 250 (10 V.S.A. Chapter 151). This law sets in place a state review system for major developments and subdivisions of land. In Fairlee commercial or industrial projects on more than 10 acres of land; construction of 10 or more units of housing; subdivision of land into 10 or more lots; construction of a road over 800 feet in length or to serve as access to five or more lots, and development over 2500 feet

qualifies. Prior to any of these activities being commenced, a Land Use Permit must be granted by the District Environmental Commission.

In determining whether to grant a Permit, the Commission must evaluate the project in relation to ten criteria. These criteria relate to the environmental, economic, and social impacts of the proposed project on the community and the Region. The Town Selectboard and Planning Commission, along with the State and the Regional Commission, are parties to these proceedings and are afforded the opportunity to provide testimony regarding the appropriateness of the project. Criterion 10 specifically provides that the District Commission find that the project be in conformance with the Fairlee Town Plan and the Two Rivers-Ottawaquechee Regional Plan prior to granting a Permit. As such, Act 250 provides a powerful tool for the community to promote its values and to protect those types of resources considered important to its citizens.

NON REGULATORY METHODS

Capital Budget and Program - The Town has developed and adopted a capital budget and program (March, 1999) as a financial management tool for major expenditures. This greatly assists the Town in the selection, prioritization, and costing of capital projects. The budget and program has assisted the Town in implementation of this Plan because it makes it clear the extent to the town's legal obligations to finance future growth and the overall rate of development. The budget is updated annually and approved by the voters. Under the provisions of Act 250, before the District Commission or Environmental Board can grant a Permit for a major development or subdivision, it must be found that the project is in conformance with the Town's duly adopted capital budget and program. Accordingly, the capital budget provides a financial planning link to the policies and priorities set forth in the Plan.

Vermont Community Development Program - Since the mid-1970's, the Vermont Community Development Program has made grant funds available to town for community development projects. Historically, Fairlee has not accessed funds under the Program. Funding opportunities for economic and housing development projects are quite broad under the Program.

Transportation funding – The Vermont Agency of Transportation awarded the Town funding to redevelop the railroad depot. Although these funds were returned to the state, redevelopment of this historic transportation hub remains a high priority for many in Fairlee.

Village Center Designation – The Vermont Agency of Commerce and Community Development awarded Village Center Designation to Fairlee Village in 2004. Under this program, village centers are eligible for benefits including tax credits and priority consideration from other state programs and agencies. This designation lapsed, however, and can only be sought again with adoption of a new Town Plan.

Land Conservation Activities - Land conservation programs are an effective means of securing the long-term protection of valuable farm and forest land or significant natural resources. The community regards conservation of its natural resources and retention of its rural character as high priority goals. The conservation land trust offers a viable means, outside of the regulatory process, of bringing together the needs of property owners with public interests. Techniques available involve agreements between landowners and a conservation organization, including donation of conservation easements and limited development schemes. The Upper Valley Land Trust has been active in this area and has a proven track record for working with landowners and local officials in conserving key properties. The Nature Conservancy is a well-recognized organization, also. Creation of a Fairlee Conservation Commission would appear to be the best vehicle to identify and prioritize land conservation options for the community.

Public Participation and Involvement - Local officials, citizens, and businesses must understand the goals and policies that the Plan establishes for the future development of the town. Without public involvement and coordination between the various interest groups in the community, the Plan's purpose will be compromised. Education on the overall values of community planning needs to continue. This can be accomplished through a variety of means including, newsletters, community forums, and media announcements.

Appendix A Fairlee Public Forums

Four Public Forums were held in Fairlee during 2004 and 2005. On November 16, 2004, 40-50 citizens of Fairlee participated in an informational forum that focused on planning and zoning. On Wednesday, January 26, 2005, 35 citizens of Fairlee to discuss affordable housing and how it relates to Fairlee. On Thursday, February 24, 2005, 30 citizens of Fairlee participated in a discussion on Fairlee's Economy. And on March 31, 2005, 30 people attended the final meeting.

Summary of Breakout Group Comments

Economic Development

- Village Designation
- Encourage improvement by marketing
- Conduct a market study
- Encourage high-speed internet access
- Train station
- Town Common
- Sidewalks?
- Need elderly housing

Housing

- Determine what land is REALLY available for affordable housing.
- Senior housing – services must be close by
- There must be specific guidelines about where you can put it.
- The advantage to having such housing in the village is the access to municipal water and services.
- Can a private or town developer tap into Federal or State funding?
- There must be mixed sizes of housing in such developments.
- Will current zoning allow development at a sufficient density?
- It would be important to regulate how the property is maintained.
- Ensure that the affordable housing is kept at high quality.
- Would it be sensible to create a citizens group that would purchase existing housing to maintain as affordable housing?
- There must be a needs analysis, as well as a determination of what is available and how much it costs.
- To achieve affordable housing, must work with existing agencies. Properties available could be converted into multi-family units. Rehab

existing structures. Incentives are required to encourage owners to make housing affordable (density bonuses?).

Land Planning & Development

1. Protect resources
 - Pollution of lake
 - Watershed
 - Open Farm Land
 - Forest
 - River
 - Railroad
 - Palisades
 - Baldtop
2. Encourage compact growth
 - Sewer in village
 - Multi-family housing with higher densities
3. Tax on current use
4. Work with large land owners
5. Educate community
6. Implement regs
7. Consider cost of open land to purchase or maintain
8. Public participation in zoning process
9. Incentives for good development

Open Discussion – Final Comments

- Need to get more people involved.
- Plan for encouraging the vitality of Town.
- Good to see ideas coming out and discussed.
- Great level of participation.
- What is the next step? Summary of forums and the PC's actions with future planning efforts.
- Forums provided knowledge and information that they didn't have.
- Hearing the diverse ideas was great.
- It's important to make Fairlee a better town for the community, not just tourists.
- Would like to participate further. Create a survey? Strike while the iron is hot!
- Key to downtown is how they view their own property. If people would take better care of their property it would go a long way toward creating a better village.
- Keep the momentum going. PC must ask for help!
- Be sure that any improvements made don't alter the small town character of Fairlee.
- Follow up on this type of process is very important.

TRORC Observations

The largest amount of discussion at any one forum, was on affordable housing. It appears that affordable housing, as well as elderly housing, is very important to the group that attended these forums.

On the whole, the groups seemed to desire to improve the downtown, both from an aesthetical and economic standpoint. When surveyed, citizens overwhelmingly supported using sound economic development policies to existing goods and services and enhance the overall economic well-being of the community.

Given that the attendees at these forums did not represent a complete cross section of Fairlee, conducting a Town-wide survey based on the information collected in these forums might help town planners better understand the feelings of the town as a whole. Contact TRORC for information on conducting good surveys.

Recommendations

Housing

Fairlee should consider conducting a housing needs assessment, perhaps with funding from a Municipal Planning Grant through the Department of Housing and Community Affairs. TRORC could assist with the application, and possibly the assessment itself. Such an assessment should consider:

- Where to put affordable housing
- Who needs the affordable housing
- How much affordable housing is needed, both locally and regionally

If Fairlee wishes to move forward with an affordable housing, it will need to foster partnerships between both public and private entities. Any housing that is built needs to be of mixed values (to foster neighborhood diversity of income) but of uniform quality.

Land Use

Zoning should consider the need to strike a balance between the preservation and development of farmland. Consider offering incentives, such as density bonuses, that encourage farmers to cluster development in favor of preserving the greater quantity of open space. Design requirements that limit development in open spaces and encourage creative siting of developments may be a valuable part of creating the balance between open space and development. Always consider that a farmer's retirement is essentially tied up in his/her land. Farmers must be able to see a return for their long-term investment in open space.

Target large land owners and work with them to create incentives that are mutually beneficial for both the Town and the owner.

Economic Development

Focus economic development on the Downtown. Consider infill development and village enhancements. Encourage businesses to take advantage of the tax credit benefits offered by the Vermont Downtown Program for renovations and improvements in Fairlee's Designated Village.

As an effort to entice more businesses to the Village of Fairlee, the town may want to invest in improving access to high-speed internet technology. Consider conducting a study that assesses Town-wide interest in high speed internet access. If the interest exists, there are a number of companies working in Vermont to make broadband wireless accessible for all. The Center for Rural Studies has created a document called "wiring rural Vermont" that can help direct this process.

The full report on these Forums is available at the Fairlee Town Offices.

Appendix B Fairlee 2006 Community Survey Results

Total number of surveys sent: 980
 Total responses received: 294

HOUSING

1. About 5 to 8 new homes are built in Fairlee each year. Would you like to see Fairlee grow:

30% more slowly
 limits 58% the same 7.1% more quickly 4.9% without

2. Should Fairlee support the creation and development of:

Type	Strongly agree	Agree	No opinion	Disagree	Strongly disagree
Apartments or town houses	11.5%	19.3%	19.7%	32%	17.5%
Housing affordable* to working families	24.8%	45.7%	11%	12.1%	6.4%
Assisted living for elderly people	33.6%	42.6%	14.4%	4.3%	5.1%
Nursing home(s)	9.4%	22.3%	37%	22.6%	8.7%
Single-family houses on individual lots	24.5%	52.3%	10.8%	9%	3.2%
Cluster homes**	15.4%	26.6%	14.6%	24.7%	18.7%
Multi-family homes on individual lots	7.1%	18.8%	19.9%	35.7%	18.4%
Seasonal housing	11.2%	34.8%	19.5%	22.5%	12%

* Affordable housing is typically defined as housing that costs no more than 30% of the household income.

** Cluster homes are single-family houses on individual lots which are designed to be situated close to one another while preserving and sharing common open space.

LOCAL ECONOMY

3. What businesses are needed in the Village?

Business	Needed	Not Needed	No opinion
Pharmacy	41%	42.5%	16.4%
Dentist	36.2%	38.4%	25.4%
Doctor/Physician	45.4%	33.8%	20.8%
Restaurants	42.2%	43.7%	14.2%
Retail	51.9%	30%	18.1%
Daycare	43%	18.5%	38.5%

Comments:

Need a local health clinic
 Bakery
 Source for local groceries that is clean and offers fresh produce (market for local farm produce)

TOWN SERVICES

4. How do you feel about these town services?

Service	Excellent	Good	Needs improvement	No opinion
Ambulance / EMS	67.1%	24.8%	0.7%	7.3%
Fire	60%	29.8%	0.7%	9.5%
Police	23.9%	43.3%	22.5%	10.2%
Town administration	23.6%	49.6%	14.9%	12%
Schools	10.3%	37.6%	25.2%	27%
Library	37.2%	46.1%	5%	11.7%
Recreation	15.9%	51.6%	16.2%	16.2%
Solid waste management	8.1%	52.8%	19.4%	19.7%
Recycling	14.1%	53.9%	23.6%	8.5%
Town roads / maintenance	8.17%	60.1%	25.7%	5.4%

Comments: need to increase hours or number of days at the recycling center; need better speed limit enforcement; need increased recreation opportunities, such as an indoor gym and programs for adults

5. What is your opinion on the following projects?

Project	Favor	Do not favor	No opinion
Sidewalks in Fairlee Village	56.1%	29.6%	14.3%
Village revitalization	60.4%	18.5%	21.1%
Better parking in the village	33.2%	31.4%	35.4%
Traffic calming around Lake Morey	45.5%	24%	30.5%
One way traffic around Lake Morey	10.2%	73.7%	16.1%
Increasing access to the CT River	63.5%	13.7%	22.8%
Reuse of the RR Station	77.1%	8.5%	14.4%
Resumption of passenger rail service	59.6%	19.5%	20.9%
Sewage Treatment Facility for the Village and Lake District	34.4%	37.6%	28%

LAND USE

6. What types of land uses should be encouraged in Fairlee?

Type	Agree	Disagree	No opinion
Tourist oriented businesses	62.1%	19.5%	18.4%
Small businesses	93.3%	3.5%	3.2%
Retail stores	62.2%	24.8%	12.9%
Large businesses	12.4%	73.4%	14.2%
Agriculture / forestry	79.9%	10%	10%
Manufacturing / Industrial	20.6%	65.1%	14.3%
Home occupations	78.2%	4.4%	17.5%
Residential	78.5%	6.5%	15.1%

7. What type of development is appropriate for these areas of Fairlee?

Area	Residential	Commercial	Industrial
In or near the Village	179	221	14
North of the Village along Route 5	179	183	60
South of the Village along Route 5	184	175	59
Around Lake Morey or Lake Fairlee	252	17	1
In or near Ely	182	153	62
Along existing Class 3 roads (plowed by town)	239	51	18
Along existing Class 4 roads (not plowed by town)	197	17	9

8. Which areas of town should not be developed?

172 Forest lands	181 Ridgelines or scenic views
153 Farm lands	164 Recreation areas
116 Open fields/meadows	162 Lakeshore

9. Is too much land being changed or cleared in order to create residential housing?	Yes 26.5%	No 45.6%	No opinion 27.9%
10. Would you support a small tax (one cent or less – about \$10 or less per \$100,000 of your property's value) to establish a fund to conserve land in Fairlee for future generations?	Yes 61.1%	No 30.2%	No opinion 8.8%

TRANSPORTATION / INTERNET / ENERGY

11. Do you use any of these shared transportation services?	Car pool 24	Park & Ride lot 20	Stage Coach bus service 11
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12. What kind of public transportation would you use if it were available? Rail, Bus. Esp to Leb/Hanover/WRJ

13. Is speeding a problem in town? If so, where? Main Street, Route 5 North and South of town, around the Lakes	Yes 45.9%	No 37%	No opinion 17.1%
14. Is access to high speed Internet important to you?	Yes 66.1%	No 25.6%	No opinion 8.3%
15. Should the town do more to promote energy conservation and/or development of private renewable energy systems?	Yes 54.9%	No 25.7%	No opinion 19.4%

Comments:
wind turbines, hydroelectric, solar systems

TOWN CHARACTER

16. How important to you are the following "special places" in Fairlee?

Special Places in Fairlee	Very important	Important	Not important
Cross Rivendell Trail	26.4%	29.8%	33.7%
Hulbert Outdoor Center	29.6%	45%	25.4%
Glens Falls	35.3%	39.4%	25.3%
Town Beach	52.2%	37.4%	10.4%
Town Forest	46%	36.5%	17.5%
Fairlee Village Green	52%	41.5%	6.5%
Fairlee Marsh Wildlife Management Area	31.6%	44.2%	24.2%
Railroad Station	27.2%	49.4%	23.4%
Orford-Fairlee Bridge	50%	41.1%	8.9%
Fairlee Palisades / Cliffs	47.5%	40%	12.5%
Church	24.3%	52.9%	22.8%
Town Hall	39.9%	51.8%	8.3%

17. Fairlee has many different natural resources. Some feel they add to the quality of life in our town. How important are these resources to you?

Fairlee's Resources	Very important	Important	Not important
Hiking and skiing trails	46.6%	38.8%	14.6%
Open fields and meadows	47.2%	43.8%	9.1%
Agricultural lands	47.2%	44.9%	7.9%
Wetlands	40.7%	43%	16.3%
Unpaved roads	26.7%	43%	30.2%
Scenic views/roads	46%	44.9%	9.1%
Unbroken forests	49.4%	39.7%	10.9%
Wildlife areas	51.5%	42%	6.5%
Rare plants and animal habitat	45.7%	41.7%	12.6%
Streams	56.8%	39.4%	3.8%
Lake Morey	71.9%	24.9%	3.2%
Lake Fairlee	65.4%	30.9%	3.7%
ATV/snowmobile trails	9.5%	30.6%	59.9%
CT River shoreline	40.1%	46.5%	13.4%

INFORMATION ABOUT YOU

18. How would you describe yourself?
 70% Year-round Resident
 24.7% Seasonal Resident
 4.2% Non-resident Landowner
 1.1% Non-resident Business Owner

19. In which age-range are you?
 1.1% 25 years or younger
 9.1% 26-40 years
 31.6% 41-55 years
 38.6% 56-70 years
 19.6% older than 70 years

20. How many years have you lived or owned property in Fairlee?
 4.9% 2 years or less
 9.4% Between 2 and 5 years
 11.2% Between 6 and 10 years
 27.6% Between 11 and 25 years
 46.9% Longer than 25 years

21. Your commute to work or school is:
 14.2% under 5 miles
 18.4% 6 - 20 miles
 17% 21 - 35 miles
 4.6% 36 - 50 miles
 2.5% more than 51 miles
 43.3% this does not apply to me

22. Where do you live or own property?
 8.9% Village
 24.5% Residential
 29.4% Rural Residential
 33.7% Lakeshore
 3.5% Don't know

23. Your connection to Rivendell schools:
 14.2% child / children in school
 5.7% grandchild / grandchildren in school
 6.4% relative / relatives in school
 73.7% no relatives in school

SUMMARY QUESTIONS

24. What is the single most important issue for Fairlee?

Milfoil in the lakes: eroding quality of natural resources, basis of our local economy, future of the town

Taxes are too high! Especially school portion of tax bill

School quality at Rivendell is poor

Increase the tax base slowly, sustainable local economy

Slowing, planning and balancing development, esp. large homes around the lake

Leave the town as it is, small and scenic. Maintain town character and sense of community.

Affordable housing, esp. for seniors

Affordable living for seniors, full time residents, young families

Town beautification, revitalization

Property values, valuing land like money leads to exploitation

25. If there are other issues important to you but not covered in this survey, please list them below:

Zoning should be fair and appropriate, to slow growth and sprawl

Eliminate zoning: people should be able to do whatever they want with the land they own

Traffic control in front of Wings

Improving safety bikers for pedestrians

Need a good town plan that is executable and smart for our town, developed by town people

Fair, balanced, representative town governing that reflects needs and interests of all people who live and own land in town. Smaller government, less spending

Replace old signs around town

Town water tastes and smells awful

Fair taxes for nonresident landowners

More cultural events

ATVs should be able to use roads

Conservation, open space preservation, hunting

Appendix C Fairlee 2006 Roundtable Meeting Summary

Notes from November 5, 2006:

(9 attendees, plus 3 PC members)

- What is the schedule for getting a new Town Plan in place?
 - May 1, 2007 is the end of the current Municipal Planning Grant under which a Town Plan must be drafted.
 - An Australian Ballot vote is required on a new Town Plan, but initial hearing and adoption steps must take place first, which will take several months.
- What are the major issues involved in adopting a new Town Plan?
 - The Selectboard wants a less restrictive Town Plan.
 - The Selectboard is not concerned about not having a Town Plan.
- Process for adopting a new Town Plan:
 - Planning Commission (PC) holds one hearing and sends a proposed Plan to the Selectboard.
 - The Selectboard can make changes to the Plan, and then they must hold a hearing.
 - Must go to town wide vote (at Town Meeting in March or some other time).
- Some people feel the PC should start with the 2001 plan, remove what's not working, add in recent feedback and new state planning requirements and send it to the Selectboard for their vote.
- Attendees expressed dismay that we can't get an interim Plan in place for the sake of getting money for municipal projects to address senior housing needs and the milfoil/water quality problems.
- How can we move forward with a new Town Plan?
 - Call the Selectmen, ask for a Town Plan ASAP
 - Attend a Selectboard meeting, held Mondays at 5 pm
- Why was the 2006 zoning proposal voted down?
 - Too restrictive
 - Too much change in districts all at once
- Current zoning needs to be changed. There are many inconsistencies.
 - Cannot make changes to zoning without a Town Plan in place.
- The PC as currently established is a good cross section of the community.

- Milfoil:
 - PC should accept the new report regarding plant control.
 - PC should review milfoil control plan from about 10 years ago. Was it followed? Chemical treatments were prescribed (Garlon, Renovate)
 - The PC does not have a vote in this matter. The Selectboard needs to send to the town for a vote.
 - Allium treatment led to more milfoil.
- Use the 2004 Land Works report on water quality and the watershed, the lake community/view shed, and the milfoil problem, as an addendum to a revised Town Plan. This report is good because it talks about development that can occur along with land preservation.
- Services for elderly community members who chose to live at home should be included as goals and recommendations in a revised Town Plan.
- Dissatisfaction was expressed with the current interstate school system. Can we go back to town schools? Quality is very important!
- In the recent survey results report, separate the comments regarding low school quality and high school tax burden. They are not necessarily the same issue.

Notes from November 6, 2006:

(16 attendees, plus 5 PC members)

- Milfoil
 - What can be done? What is being done already?
 - ACT report recommends herbicide.
 - Greg McGrath, Byron Stone, John Larrabee, or any Selectboard member can hear comments, concerns, and answer questions.
 - Why not keep the work local? Use local divers
 - Barrier, harvesting by hand, divers have already been used.
 - North end of lake, 55 acres (out of 511 acres total) are infested. Problem is out of control!
 - Try using natural predators? Sterile carp. Worked in other states, but may not work here for several reasons.
 - Some homeowners are using lake water for drinking and are concerned about herbicide use in the lake and safety of drinking water. Bottled water will be delivered for these residents. Will there be other unintended consequences of chemical treatments? Herbicide vendors will not make any guarantees about performance.
 - These are waters of the State of Vermont. Only the state can regulate boating. Propellers cut and spread milfoil. The state does not seem to be doing anything with its regulatory powers to control the milfoil problem. The responsibility seems to have fallen to the town, which is not acceptable.

- The Selectboard just finished applying for a permit to apply herbicides in the lake. Is there a performance bond on the applicator? Application of the herbicide will need to be done yearly.
 - Are there any mechanical removal options?
 - Local landowners are already taking matters into their own hands, applying herbicides on their own lakefront properties. This is illegal and a big concern.
 - In 2005, there were 5 acres infested with milfoil. In 2006, 55 acres infested. Estimated that in 2007, more than 100 acres will be affected.
 - Vermont towns should get together and demand help and attention to this problem from the state. Fairlee would like some assistance in coordination and communication from TRORC. Could VLCT offer assistance? Other regional planning commissions should join together on behalf of the towns.
 - Weeds of various kinds have always been an issue in the lake. Before milfoil, it was allium.
 - Lake Morey Protective Association should be the point of contact for the community.
 - There are 62 lakes with milfoil problems in the state, affection more than 100 towns. (Editor's note: see TRORC website for list of these towns)
 - There should be a long term plan for managing this problem.
- Tourist businesses are only operable in the summer. We need other economic engines to bring money to the town on a year round basis. Like the Lake Morey Inn and Britton's Lumber.
 - Our town government needs to have a vision of how to support business development in town.
 - Cooperation among businesses is necessary – for instance, a cluster of mutually supportive businesses focused on hospitality and tourism.
 - Year round business is desirable
 - Big box stores and commercial strip development are not desirable.
 - Antique shops are closed, but many used to operate here.
 - If we are going to have seasonal businesses, it needs to be balanced with other source of money for the rest of the time.
 - We want to keep young people who are educated in Fairlee here so they can work here. Children are getting a good education here in Fairlee, and they need good jobs after they graduate.
- Zoning and other regulations should allow business to both survive and thrive, using local employees.
 - Zoning for various land uses (e.g., commercial) doesn't guarantee that these users will come. The town needs to make the business climate friendlier.
 - The Town Plan and Zoning ordinance should both reflect positive values and opportunities in this town.
 - We want flexible zoning, balanced with protections for what's important.

- 2006 proposed zoning was too restrictive for business growth.
- The town needs room for housing and business growth. Don't want uncontrolled growth. Should be balanced and reasonable. Remove barriers to balanced and reasonable growth.
- It is unclear who is dealing with economic development and community revitalization? The Selectboard is responsible for this.
- Equity in property should not be lost because of fear of change, fear of increases in property taxes.
- Thank you Planning Commission!!
- 8 of the 9 Planning Commission members are up for re-election this coming year.
- The RR station is undergoing restoration right now for library storage. The town's history is tied to the RR building and would like to see it used. Passenger train cars are coming. Where can they stop?
- Could the RR building be re-used for a community-wide purpose?
- Town Hall work is only partly done. \$750,000 needed; \$200,000 available.
- Historical Society-sponsored events are good opportunities for the community to come together.
- The Samuel Morey School is available for use for adult recreation, if permission is requested by the community.
- How can we get a clinic and a nursing home/assisted living home in town? The market will drive development.
- A traveling, mobile clinic would attract young families. Could there be a clinic at the Morey School?
- Child care is a good business opportunity for homeowners, churches, and is needed. State regulations apply, and may make this difficult for some people.
- What is the town's responsibility to encourage affordable housing?
- The needs for daycare, affordable homes, lower tax burden, and locally available jobs are all related.
- High speed internet access is important for young families and in-home businesses.
- What are the new Chapter 117 requirements for the Town Plan? A section on child care with goals, recommendations.
- New Town Plan should reflect community growth needs so new zoning will be tied to that value.
- There is interest in adopting a Town Plan for the interim. Unclear whether it's possible to do with the 2001 Plan. Some people feel the 2001 Plan was voted down conceptually along with the proposed zoning ordinance in 2006.

Appendix D Lake Morey Resource Conservation Project

Information about this Project, including a project report, is available at the Fairlee Town Offices and through John Larrabee of the Lake Morey Protective Association.

Appendix E Glossary of Terms

The following terms are used in this document and may provide further explanation for some readers.

Accepted Agricultural Practices – AAPs are the base level of management required for all farms in Vermont. They are designed to be easy to implement, low-cost solutions for addressing water resource concerns. In April 2006, a revised AAP Rule was adopted and is available through the Vermont Agency of Agriculture, Food and Markets.

Acceptable Management Practices – AMPs for Maintaining Water Quality on Logging Jobs in Vermont were developed and adopted as rules to Vermont's water quality statutes and became effective on August 15, 1987. The AMP's are intended and designed to prevent any mud, petroleum products and woody debris (logging slash) from entering waters of the state. They are scientifically proven methods for loggers and landowners to follow for maintaining water quality and minimizing erosion.

Act 250 – Vermont Land Use and Development Law 10 V.S.A.Ch 151; the state environmental review process conducted by a District Environmental Commission to consider a proposed development's impact using 10 established criteria.

Agricultural Land – tillable land, hayfields, and pastures currently used for farming. Also land that due to its soil type, slope, and location merits preservation for future farm use.

Assessed Value – the value assigned to real estate by the town's Listers, used to assess property taxes.

Best Management Practices – the site specific practices designed to reduce agricultural nonpoint source pollution on a specific farm. Best management practices are more restrictive than Accepted Agricultural Practices management practices, and are typically affordable only with governmental cost sharing. The state’s BMP regulations became effective in 1996 and are implemented through technical assistance by the Vermont Agency of Agriculture, Food and Markets.

Classification of Groundwater – state standards designed to protect groundwater. Class I and II groundwater are uniformly excellent and suitable for a public water supply. Class III groundwater is suitable as a source of water for individual water supply, irrigation, agricultural use, and general industrial and commercial use. Class IV groundwater is not suitable as a source of potable water but is suitable for some agricultural, industrial, and commercial uses.

Classification of Waters – numerical state standards that protect, maintain, and improve quality of bodies of water so they are compatible with habitat, aesthetic, swimming, boating, fishing, and public water supply uses. Class A waters are managed to achieve and maintain waters in a natural condition. Class B waters are managed to achieve and maintain a level of quality that fully supports certain uses.

Classification of Wetlands – state rules that protect wetlands that the Water Resources Panel determines are exceptional or irreplaceable in their contribution to Vermont’s natural heritage. Class 1 and 2 wetlands merit the highest level of protection under these rules. Class three wetlands are not protected under these rules but may be protected by other federal, state, or local regulations.

Cluster Development – grouping structures in one area of a parcel or a project thereby permitting the balance of the land to remain open and undeveloped.

Commercial – relating to the buying and selling of goods or services.

Conservation Easement – a permanent legal recorded agreement between a landowner and a conservation group, land trust, or government body, whereby certain uses of the land are restricted, generally the right to develop the land. Other uses such as agriculture, forestry, or recreation may be permitted.

Current Use Program – a State program originally designed to enable owners of working farms and managed woodlots of over 25 contiguous acres to pay property taxes that are based on the agricultural or forestry value of the land as opposed to the development value of the land.

Development – dividing a parcel of land; building any kind of structure on previously open land and forestland; the reconstruction, conversion, or enlargement of existing structures; and the change in use of a structure or parcel of land relative to any kind of commercial activity.

Development Rights – the right to develop a parcel of land (see development above). These rights may be transferred to another party independent from the underlying ownership of the land and, when transferred, should be recorded in the Town's land records.

Floodplain – land subject to a 1-percent or greater chance of flooding in any given year.

Forestland – an area with a high density of trees. Historically, a wooded area set aside for hunting.

Forestry – the art, science, and practice of studying and managing forests and related natural resources. Modern forestry generally concerns itself with assisting forests to provide timber as raw material for wood products; wildlife habitat; natural water quality regulation; recreation; landscape and community protection; employment; aesthetically appealing landscapes; and a 'sink' for atmospheric carbon dioxide.

Goals – long-range aspirations that establish a direction the town should take.

Home Occupation – commercial activities conducted within less than 50% of the floor area of a dwelling or accessory building, which is clearly secondary to the dwelling's use as living quarters, is customary in residential areas and does not have an undue adverse effect on the character of the neighborhood.

Infrastructure – public improvements such as roads, schools, municipal buildings, and sewer and water systems that support existing and future development in a community.

Industrial – fields of economic activity including agriculture, forestry, fishing, hunting, and trapping; mining; construction; manufacturing; transportation; communication, electric, gas, and sanitary services (including the disposal, reuse, recycling and management of solid waste and hazardous waste and any of its associated facilities); and wholesale trade.

Mixed-Use Development – the compact development of a tract of land, building, or structure with a variety of complementary and integrated uses, such as, but not limited to, residential, office, manufacturing, retail, public, or entertainment.

Multi-Family Dwelling – a building containing two or more dwelling units.

Objectives – measurable components of goals that are attainable within a set period.

Open Space – areas that are undeveloped which may include pastures, croplands, forestland, and transitional land that may be reverting from meadow to forestland.

Policies – frameworks for designing courses of action that will allow achievement of desired goals or objectives, and may be used to solve problems or avoid their recurrence.

Recommended Actions – courses of action designed to achieve objectives or carry out policies.

Village – the traditional center of a community typically comprised of a cohesive core of residential, civic, religious, and commercial buildings.

Wetlands – areas that are saturated with water for a sufficient period annually to support wetlands vegetation. Also known as swamps, marshes, sloughs, fens, bogs, or ponds.

Appendix F Fairlee Town History

The town of Fairlee (including the village of Ely), chartered September 9, 1761, lies along the Connecticut River, between Orford, New Hampshire, and the foothills of the Green Mountains. The Palisades, rocky ledges, tower over Main Street (Route 5) and I-91. For more than two hundred and forty-six years the rural character of the town, and Fairlee's scenic Lakes Morey and Fairlee have attracted visitors and businesses to the town.

In 1774, the first Town Meeting allotted land and planned roads. Rivalry between two major landowners caused the town to be partitioned in 1797, creating the town of West Fairlee.

The original boundaries of Fairlee date back to King George III. At first, the town was part of New York. New Hampshire and New York continued to claim Fairlee throughout the Revolutionary War. Vermont became an independent republic until it was admitted to the Union in 1791.

Farming was the livelihood of most of the first settlers. The earliest commercial business, a sawmill, was built near the outlet to Lake Morey. From 1800 to 1820, the population quadrupled. Following farm soil depletion and the opening of the Erie Canal in 1830, western expansion caused the population to halve.

Small family dairy farms and businesses grew up along the Connecticut River. A ferry, followed by two wooden bridges, then a metal structure connected Fairlee to Orford, New Hampshire. The present day bridge, built in 1937, was named for inventor and Fairlee and Orford resident, Samuel Morey, inventor of the first steamboat. The Meeting House, general and feed stores, tool manufacturing, charcoal production, creameries, stables, hotels, and an Opera House were built in the village near the bridge to Orford. The Meeting House, church, and Opera House were destroyed by fire in 1912, and rebuilt by 1914.

The railroad came to Fairlee in 1848, increasing access to the town and boosting development and businesses. Fairlee is one of the first lake communities in Vermont. In 1898 there were 40 cottages; today there are over one hundred twenty. In 1905, Aloha camp opened, followed by Lanakila in 1923. Three additional camps and an outdoor center are operated by the Aloha Foundation today. At one time there were several thriving inns on Lake Morey. Only the Lake Morey Inn is in operation today. The Aloha Foundation, Lake Morey Inn and Country Club and Britton Lumber Company are the largest businesses and employers in the town.

When Interstate 91 opened in 1971, it bisected the town of Fairlee, causing the disruption of business, and the removal or relocation of twenty homes, changing the landscape of the town forever.

Fairlee has several nationally significant historic buildings, including the Fairlee and Ely Depots and the Samuel Morey Bridge. In the spring of 2007, the historic downtown Colby Block was leveled by fire, destroying nine businesses and displacing eleven people.

Appendix G Fairlee 2008 Town Plan Maps

Map 1	Current Land Use
Map 2	Future Land Use
Map 3	Transportation
Map 4	Town Facilities
Map 5	Development Limitation

