

TOPSHAM

TOWN PLAN

Adopted January 24, 2005

Prepared By the Topsham Planning Commission

William MacDonald, Chair
Carl Maxwell
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With Assistance From the
Two Rivers-Ottawquechee Regional Commission

Dear Reader,

A few words on the intent of this document:

It is the intent of the Topsham Planning Commission that this Town Plan be used as a guide for the future of Topsham. It is our hope that the Topsham Town Plan will aide our local government in making decisions that effect our community and its facilities, equipment, and services.

It is NOT the intent of the Topsham Planning Commission that this Town Plan be used to impose regulations or controls on our residents, with the exception of those that protect public health and safety.

While a Town Plan *can* be the basis of land use regulations such as zoning in a town, **it is not our intent, nor is it perceived as the intent of the people of Topsham**, to enact zoning or any such land use regulation at this time.

If, in the future, a majority of our citizens feel otherwise, such concepts may be considered with appropriate discussion and debate. But until such time, it is the position of this Planning Commission that this document only be a vision for the future of our Town and that it be simply a guide for our local officials, not the rule of law.

Signed this ___ day of _____, 2004

Topsham Planning Commission

Commission Members

Signature

William MacDonald, Chair

Carl Maxwell

Polly Stryker

Robert Sullivan

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I. Introduction

A. Town History

The Town of Topsham got its name from Topsham, Maine. The original grant was given by King George III on August 17, 1763. The grant consisted of 23,040 acres (6 square miles). Later in 1803, the Town of Newbury was compelled by legislature to relinquish to Topsham a piece of land known as “Topsham Gore”. This was a tract: equal to 6105 acres and was one mile wide lying just to the east of the eastern edge of the Town. First voting in the Town was held on the first day of November 1792.

Topsham grew as Pioneers seeking new land after the Revolutionary War moved into Vermont. In 1791, there were 162 people. The population reached its peak of 1,745 residents in 1840. After the Civil War, the opening of the west brought on a movement of people westward to better farming lands and opportunities. This affected most of Vermont and Topsham was not immune to the departures. The small farms, mills and blacksmith shops that made up much of the Town were gradually phased out. Since its peak, the population of Topsham has been slowly rebounding; however, it has never made it back to the population that it once held.

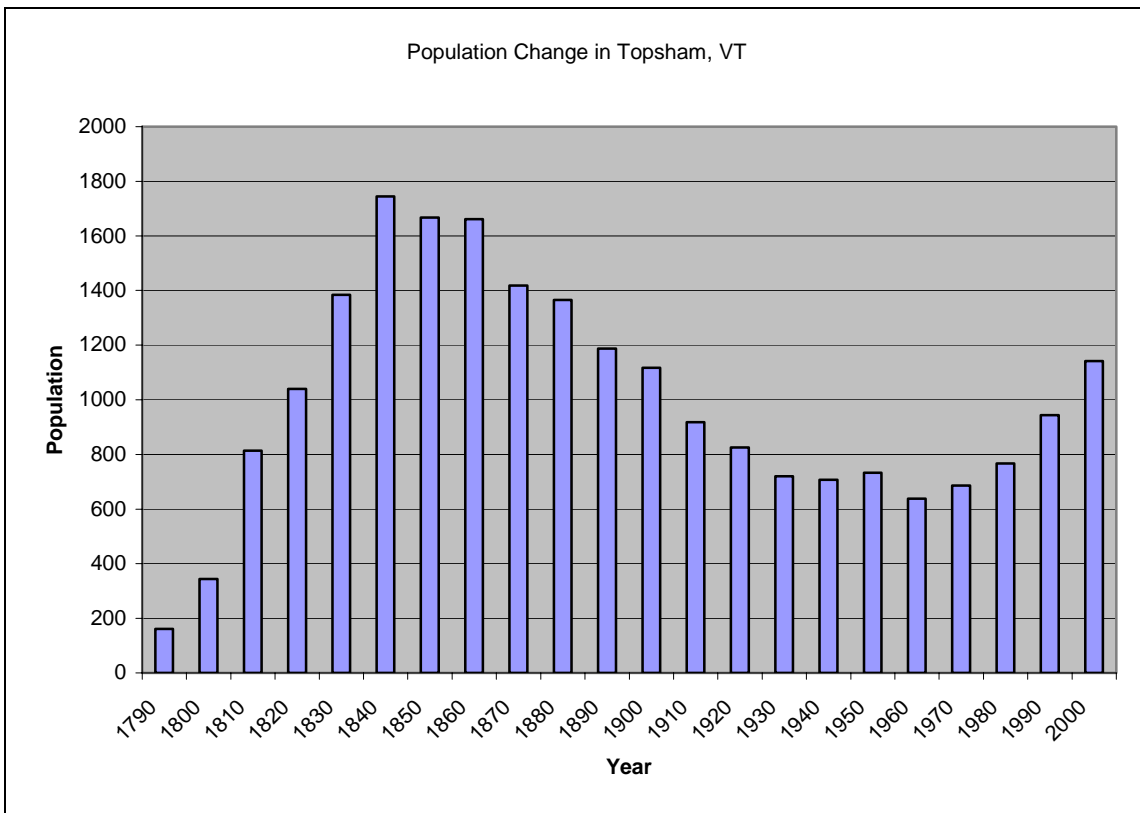


Figure 1: Population Change in Topsham, VT

At present, Topsham has been only lightly touched by the changes that are taking place in the State of Vermont. During the past four decades, Vermont has been a location of choice for many newcomers. At the same time, there has been a natural increase of the

population, resulting from more births than deaths. Altogether, Vermont's population grew from 414,000 in 1966 to 608,000 in 2000. This increased population has put greater pressures on towns throughout Vermont.

B. The Need for Planning

At first glance, Topsham is a small, rural town that has remained relatively untouched by the changes that have occurred in surrounding towns. Topsham has not yet suffered from the stresses that a growing population can put on public utilities and services. However, Topsham is close to growth centers, such as Hanover and Barre. Our ease of access, and our favorable tax rate, makes the Town of Topsham prime consideration for growth, and as a result, our population is growing. In the decades between 1980-1990 and 1990-2000 Topsham has experienced a 20% increase in population. Continued population expansion will greatly affect the character of our Town. The influx of people will involve schools for their children, expanded and improved road systems and most certainly put a higher burden on our other town services. The face of Vermont is changing, as will the face of our Town.

Change stimulates the need for our community to examine its current condition and to evaluate its prospects for the future. Change can be beneficial, but in order to ascertain this, people must understand the problems and opportunities facing the community and identify goals for the future. Communities with little or no planning are more likely to experience problems of over development, high property taxes and increased demands for community services. We, like every town, have choices in the way we provide for orderly growth and in the way we balance our natural and built environments.

C. Purpose of this Plan

A well-grounded municipal plan, prepared by the town with the involvement of its citizens, is the foundation for ensuring appropriate development in the future. A municipal plan with a defined set of goals and policies can reduce conflicts that may otherwise arise in connection with development, especially in towns like Topsham that have no zoning bylaws. The primary purpose of this plan is to help our citizens direct the future growth of the town. The Topsham Town Plan includes a comprehensive analysis of Topsham's residents, jobs, economy, schools, roads, housing, natural resources, and land use. This analysis of current conditions in the context of goals for our community, leads to policies and recommendations that can help our community make wise choices and provide direction for the patterns of its future growth.

D. General Goals

The residents of the Town seem to prefer the present character of the Town. With the above in mind and the results of the attitude survey taken in February of 1974, it becomes clear that the following goals are important to the townspeople.

1. Strive toward sensible development and orderly growth to maintain the rural characteristics of the Town.
2. Maintain the continuance of agricultural activities in our Town.
3. Maintain conservation and proper management of our natural resources.

4. Promote a healthful environment for our citizens and to insure adequate and clean waters and air.
5. Supply adequate community facilities within an expressed plan at a minimum cost, i.e., roads, fire protection and police protection.
6. Provide recreational opportunities for townspeople to more fully enjoy their leisure time.
7. Help provide adequate employment opportunities and affordable housing within the region.

E. Ongoing Planning

Planning for change is a continual process for the Town and will require the involvement of the Planning Commission and the public to ensure that the goals and policies of the Plan are integrated into the decisions affecting land use, taxation, and public investments in Topsham.

The Topsham Town Plan is not a permanent document on community desires or values. Its life is limited by statute (24 V.S.A., Section 4387) to a maximum of 5 years. The Planning Commission is responsible for the maintenance and amendment of the Plan. Within the next five years following adoption of the Plan, the Planning Commission will need to evaluate the Plan in light of new conditions and needs. Readoption of an updated Plan will require notice to the townspeople and finally action by the Selectboard.

II. Population

A. Population Patterns

Population, when considered in terms of past, present, and future statistics, represents an important factor in the overall development of Topsham. Rapid and unanticipated population increases can create a demand for new and expanded municipal services and can strain the financial ability of a town to provide public services economically. This is especially true in instances where new residents are of public school age and the public schools are at or near capacity. Through wise planning and programming for population change, the services and facilities that a growing population will demand can be delivered more efficiently and equitably.

Shown below are population statistics for the Town of Topsham taken from the U.S. Census Bureau. According to the US Census, Topsham's year 2000 population was 1,142, compared to a population of 944 in 1990, resulting in a 1990s growth rate of 20.9%. Topsham's growth rate of 20.9% was higher than the 8% rate of growth achieved by the State of Vermont and the Two Rivers-Ottawaquechee Region. The primary factor influencing population growth was new residents moving into Topsham, rather than unusual rates of birth or death.

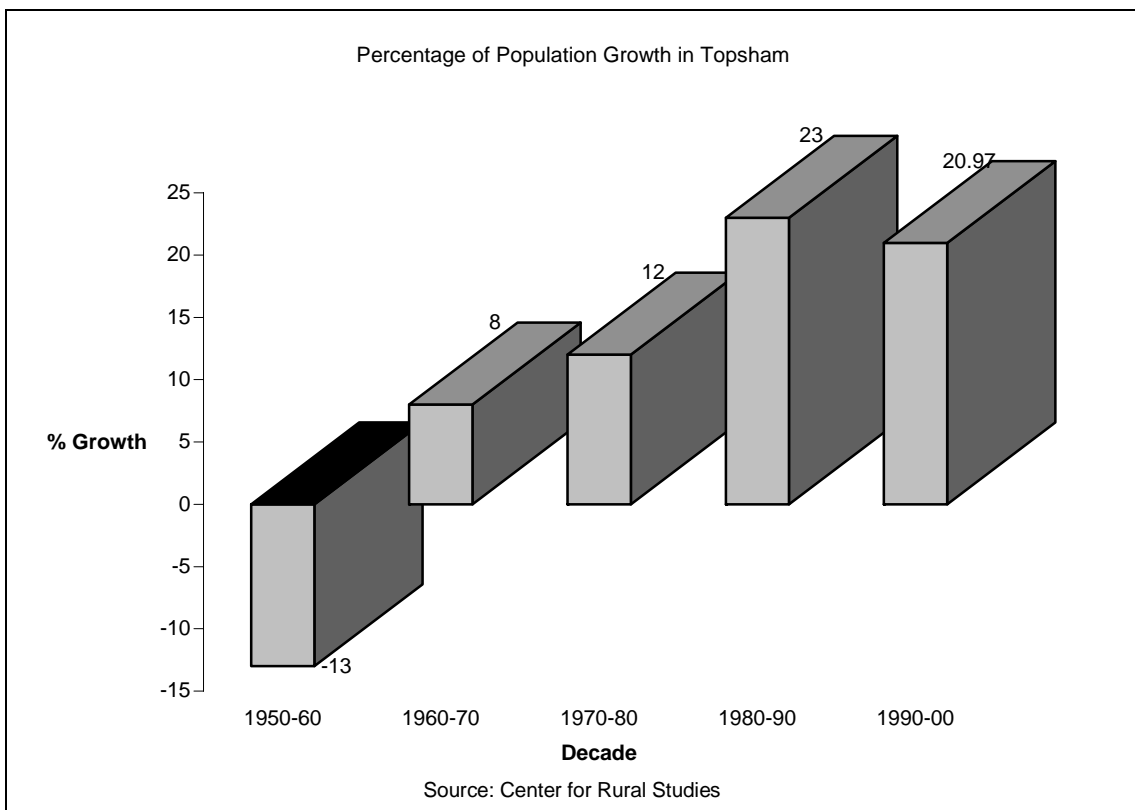


Figure 2: Percentage of Population Growth in Topsham

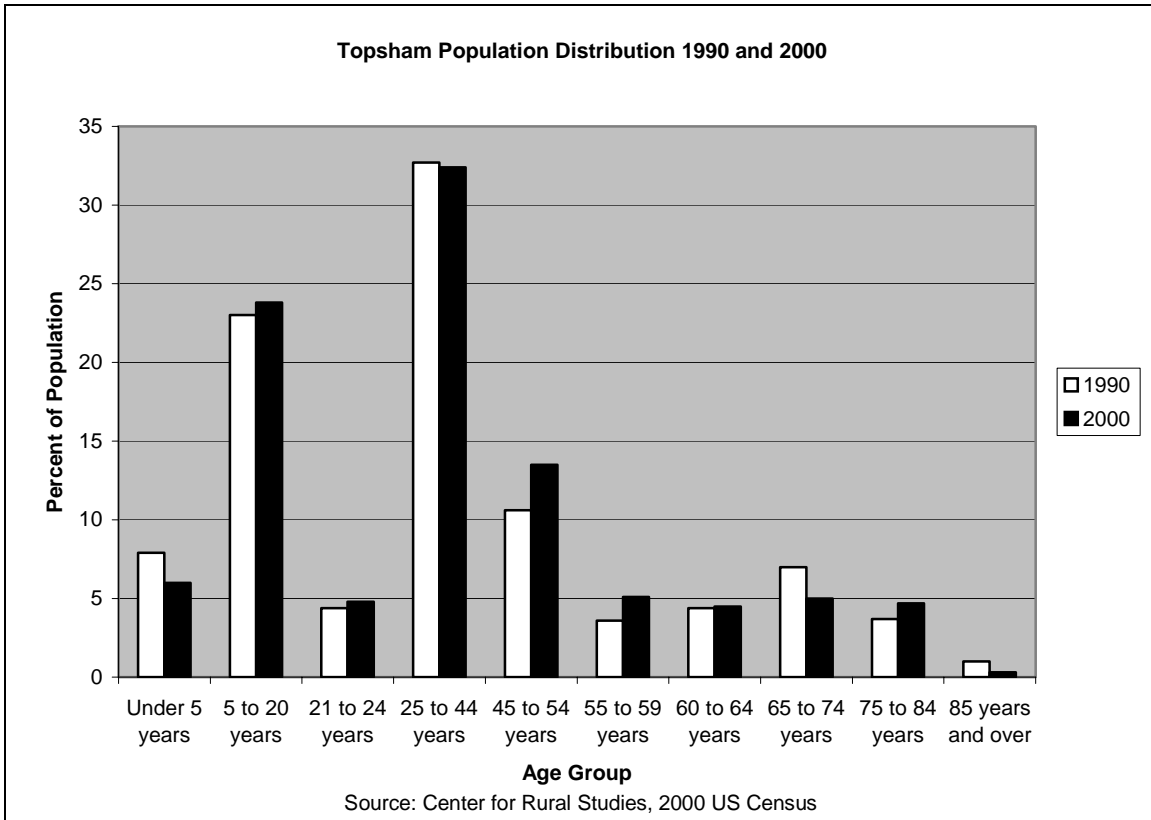


Figure 3: Topsham Population Distribution 1990 and 2000

B. Age of Population

Between 1990 and 2000, population increases have occurred primarily in the 45-59 year old range. This reflects the ongoing effect of the baby boomers. Overall for Vermont, the number of residents 25-44 years of age dropped 5% as baby boomers continued to move into their late 40’s and early 50’s. However, since 1990, Topsham has continued to lead the state in population aged 25-44. Based on this, it is likely that most of the new residents in Topsham between 1990 and 2000 are in the 25-44 range.

C. Income of Population

The Vermont Department of Taxes annually publishes *Vermont Tax Statistics* which includes a summary of personal income tax returns filed with the State. In 2000, 493 personal income tax returns were filed from residents in Topsham. Nine hundred eighty-six (986) exemptions were claimed. Total adjusted gross personal income reported for Topsham residents was \$14,364,673.

For 2000, 27.9% of the total personal income generated in Topsham was by filers earning \$40,000 or more and 35.9% were earning less than \$20,000.

It should be noted that since the 9/11 attacks on the World Trade Center in NYC Topsham, as well as other towns in Vermont, have experienced an increase in people from out of state buying residences in Town. Much of this incoming population has a higher personal income than those who currently reside in Topsham. It is expected that this pattern will continue.

III. ECONOMIC BASE

Topsham's historic economic base was centered around agriculture and textiles. Since the Civil War, the Town has not been home to large industrial developments, but rather small home-based businesses.

Presently, Residents have a number of home occupations including, but not limited to:

- Artisans
- Farmers
- Bed & Breakfast
- Truckers
- Furniture & Cabinet making
- Wood products
- Construction
- Publishing

Topsham does not serve as an economic hub for commercial and industrial activity. Residents go to the Towns of Bradford, Barre, or Wells River for banking, professional and related services. Many use East Corinth for minor medical services. Ninety-six percent (561) of Topsham's resident work force 16 years and older reported their occupations as part of the 2000 Census.

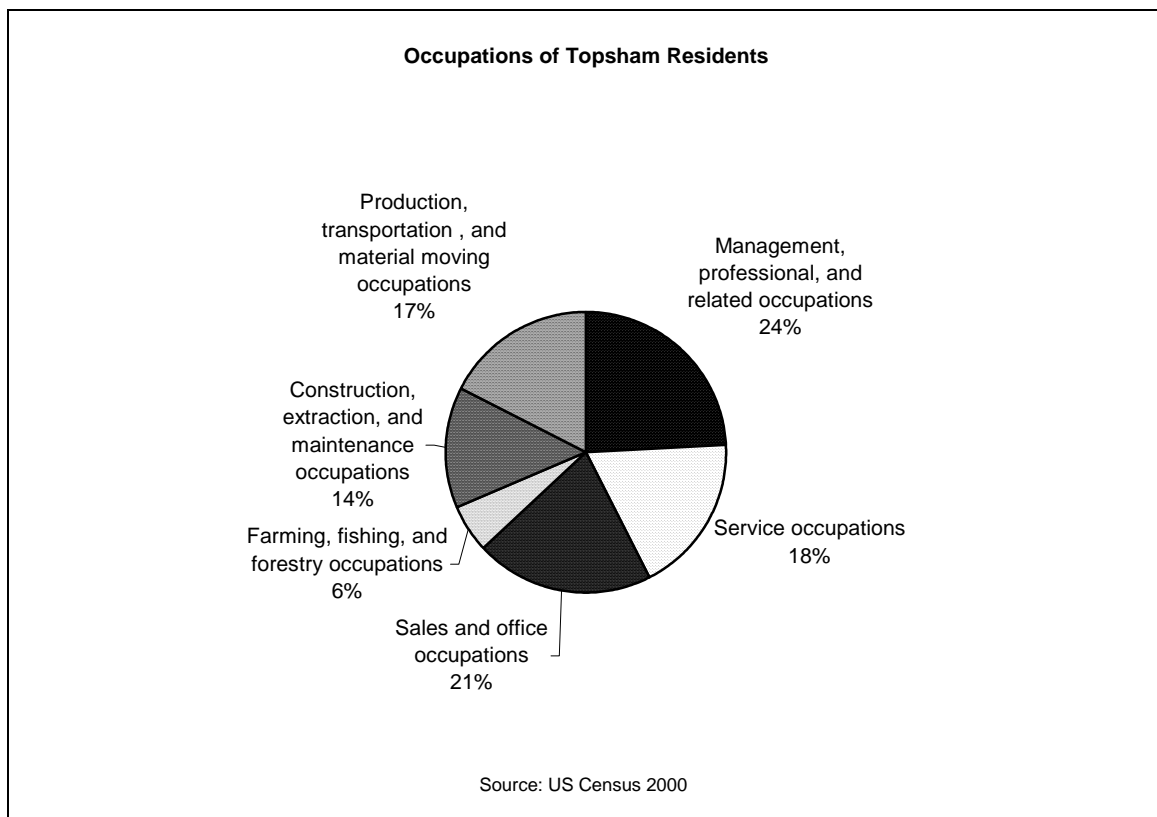


Figure 4: Occupations of Topsham Residents

Many of the occupations listed in Figure 4 are not based in Town, requiring residents to commute. In general, residents drive east to Interstate 91 and commute to locations like Hanover and Lebanon, NH. The topographical barrier posed by the ridge known as “Orange Heights” limits commuting west, but a number of residents do work in Barre and Montpelier as well. Average Annual Daily Traffic estimates for Route 25 show approximately 1,400 cars utilizing the road.

Goal

1. Encourage the availability of locally based jobs while maintaining the rural character of Topsham.

Planning Principles

1. It is the policy of the Town to cooperate with neighboring towns, regional planning commissions and economic development groups, to plan for and maintain a balance between the type and number of jobs created and natural population growth in the region.
2. It is the policy of the Town to support the development of local enterprises that create markets for locally produced goods and services. It is the policy of the Town to encourage new business development in appropriate locations where services such as roads, fire protections and power supply are available or planned.
3. It is the policy of the Town to encourage conversion of structures and older buildings to enable new and more economical uses of property and to avoid obsolescence.
4. Residents are encouraged to conduct an occupation in their homes provided that the nature of the occupation is legal, customary or appropriate in rural residential areas.

IV. Housing

A. Introduction

A major function of local housing planning is to meet two community objectives - first, safe and affordable housing for its present and future population and second, suitable density and distribution of housing throughout the community. Growth in housing affects the Town’s capacity to provide facilities and services to our Town and the character of the area. Housing built without adequate planning for schools, roads, and other public services can overburden the ability of the taxpayers to pay for these services, and also can lower adjacent property values and negatively affect the rural character of the Town.

This section discusses the amount, type, location, and affordability of existing housing and the needs for future housing. Other sections of this Plan also include information on housing. The data presented in this section are extracted from two sources - U.S. Census and Town Grand List Records (Form 411). Data collected from these sources do not match exactly due to variations in record-keeping and classifications. Notwithstanding, they are considered relevant and reliable data sets for analysis.

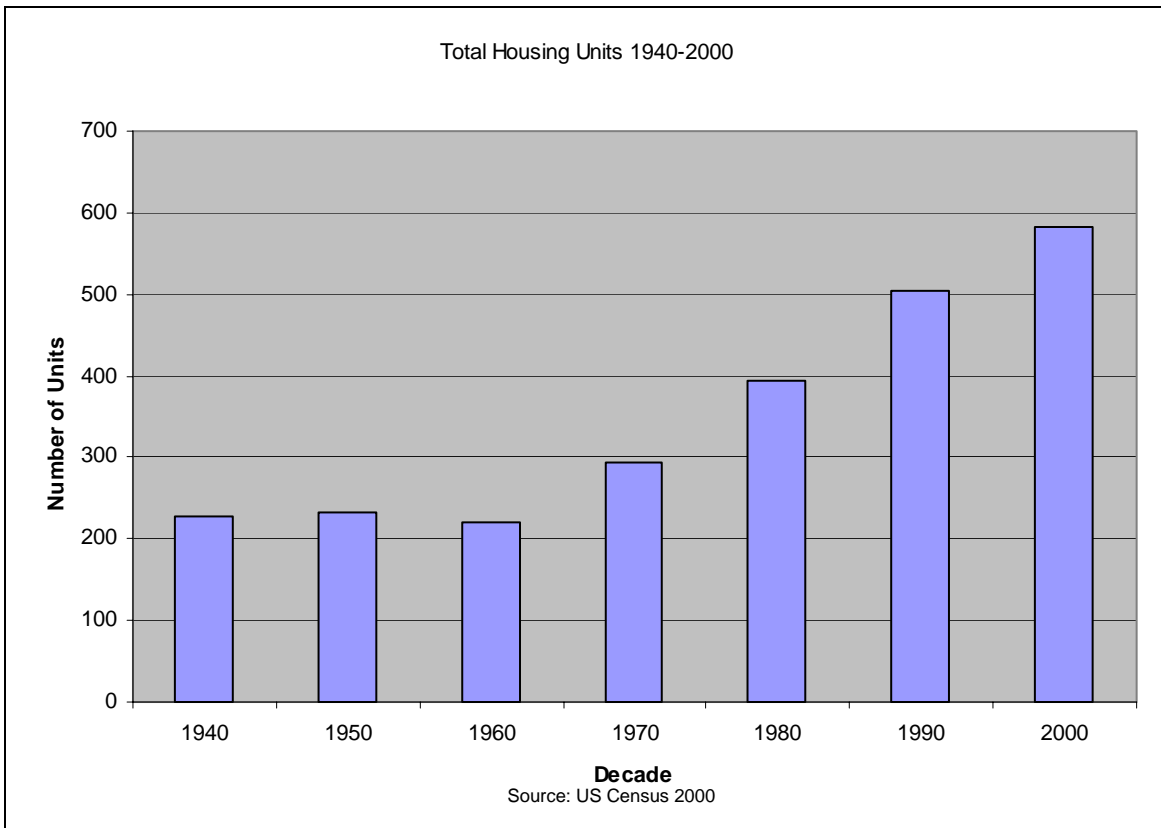


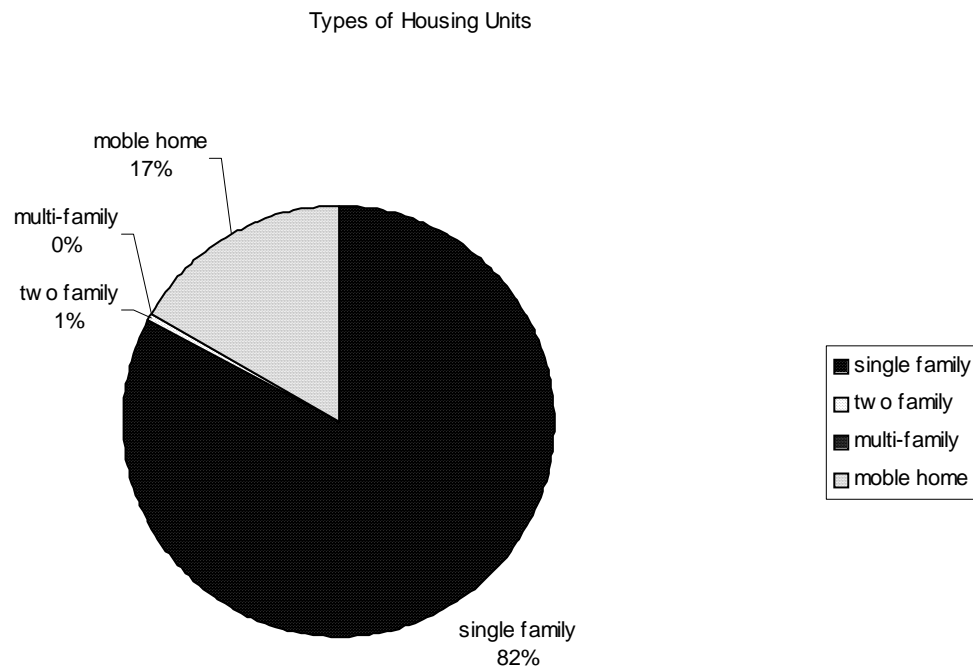
Figure 5: Total Housing Units 1940-2000

B. Number of Housing Units

There were 582 housing units in Topsham in 2000 according to the Census; in 1990 there were 504, yielding a growth rate of 15.4%. None of the housing stocks, (the State's, the Region's, or the Town's), grew at the rates experienced over the 1980s.

C. Type of Housing and Ownership Characteristics

The U.S. Census defines a “housing unit” to include: conventional houses, apartments, mobile homes, and rooms for occupancy. The 2000 Census reports that more than three-quarters of the housing units in Topsham were single-family residences (82%); the second largest percentage of housing units were mobile homes (16.7%).



Source: US Census 2000

Figure 6: Types of Housing Units, Topsham, VT

Of the housing units that were occupied in Topsham in 2000, 86% were owner-occupied and 13% were renter-occupied. Of the total number of homes in Topsham, approximately 27% were vacant, unoccupied. Most of these vacant units are for seasonal or recreational use (24%) and if you subtract those units from the total supply of vacant units, Topsham is left with a 3% vacancy rate. Vacancy rates below 5% are considered to be “functional zeros”; the units that are available are usually uninhabited for reasons like sub-standard conditions.

D. Household Characteristics

Topsham, like many communities in Vermont and the nation, has experienced a trend towards a smaller household size. This trend, coupled with the increase in population generally, results in an increased demand for housing and will also affect the number and type of unit demanded. Several special population/household groups, such as the elderly and female heads of household can be identified as having particular housing needs.

E. Affordable Housing

Affordable housing is defined as that which a household making the county's median income could afford if no more than 30% of its income were spent on housing costs. For homeowners, housing costs include payments for principal and interest on a mortgage, taxes, etc. For renters, housing costs include rent and utilities.

Residents have noted a shortage of rental property within Town. A lack of such property can decrease the inflow of younger families into Town. Additionally, service industries that move into Town may have difficulty hiring because of a lack of affordable rental housing.

F. Elderly Housing

Topsham lacks adequate options for elderly care and housing. Given the aging population, the need for such housing will only increase. Currently, there are no assisted living facilities within Topsham.

G. Childcare

Topsham has few options for childcare. Residents currently arrange for care with relatives, or take their children to childcare facilities beyond the borders of Topsham. It has been acknowledged by residents that this is a major need for the Town.

Goals

1. To provide the opportunity for Topsham residents to have access to decent and affordable housing.
2. To encourage the retention of existing housing and construction of new housing which meets the natural population growth.
3. To encourage the preservation of historic structures in ways that appropriately serve the need for housing.
4. To encourage the creation of additional rental properties throughout Town, provided that they do not put an undue burden on Town services and facilities.
5. To encourage the development of affordable senior housing within the Town.
6. To encourage the creation of affordable childcare facilities within Topsham.

Planning Principles

1. It is the policy of the Town to ensure that the timing and rate of new housing construction or rehabilitation does not exceed the community's ability to provide adequate public facilities (e.g. schools and municipal services).
2. It is the policy of the Town to keep housing affordable by planning for:
 - Appropriately sized lots;
 - Accessory apartments; and
 - Clustered developments.
3. It is the policy of the Town to encourage the location of future housing so as to complement existing or planned employment patterns, travel times, and energy requirements.
4. It is the policy of the Town that the location of housing, related amenities and land uses should be planned with due regard to the physical limitations of the site and location to current or planned public and private services such as roads and commercial/service centers.

V. Utilities & Facilities

A. Town Offices

The Town Clerk's office is located under the Town Hall on Harts Rd. in the middle of the East Topsham Village. It was added to the Town Hall in 1974 and is designed to provide office and record storage space. The office does contain a vault where records are kept.

The office is undersized and is not currently meeting the Town's needs. Needs include:

- The installation of vault heat to properly protect documents
- New lighting fixtures w/ emergency lighting
- Additional parking as well as handicap parking access
- Smoke detectors
- Additional work area for listers.

At present, the office is open full time and the Selectboard and Planning Commission hold meetings there.

B. Library

Topsham does not have a library of its own. Residents are currently using the Blake Memorial Library in East Corinth. The library offers sufficient services to be meeting the needs of Topsham residents. In addition to books and reference materials, the Blake Memorial Library is well connected to the internet. Through a recent grant, the library purchased 4 computers in 2002 and 2003.

Topsham makes annual donations to help support the Library. This arrangement is meeting the Town's needs, therefore there are no plans to build a library in Topsham.

C. Town Hall

The Town Hall is a large, wooden structure located on Harts Road in the middle of Town. Anecdotal records indicate that it was built in the early 1800's. Town Hall was built 1806. Because of its age, it does not have many of the improvements (such as handicap accessibility) found in a public town facility. It has the following needs:

- The building needs handicap parking and accessibility.
- The exterior needs painting including roof.
- Improved lighting w/ emergency lighting.
- Needs smoke detectors.
- Wood floors are deteriorating due to wear, and in need of refinishing.
- A septic system upgrade is needed.

The Town rents the hall for various events, such as weddings and parties. The building does not offer kitchen facilities. It should be noted that because the Town Clerk's office

is located below the Town Hall, the conditions (such as a lack of smoke detectors and septic issues) that negatively affect the Town Hall affect the Town Clerk's office as well.

D. West Topsham Community Hall

The West Topsham Community Hall is located on Route 25 in the village of West Topsham. It was built in 1953. It is not a Town-owned facility, but is controlled by the West Topsham Community Hall Association.

Like the Town Hall, the Community Hall is rented for functions and in the past has been a location that offered voting to townspeople. The Hall has a kitchen, but it is small and needs upgrading. Additionally, the facility needs an improved parking lot, handicapped accessibility and new bathrooms.

E. Solid Waste Management

The Town has no Solid Waste Implementation Plan (SWIP). Trash removal is currently being handled by Cassella Waste Management Systems, Inc. There is a transfer station located on the Topsham-Corinth Rd. & Lime Kiln Rd. Solid waste is trucked from the transfer station to a landfill in Bethlehem, NH.

All Vermont municipalities, either individually or as part of a solid waste district or an inter-municipal association are required to adopt a SWIP. The Agency of Natural Resources has established statewide solid waste management goals, which are contained in the Vermont Solid Waste Management Plan.

The lack of a solid waste plan could potentially have a negative impact on the Town. Because there is no Topsham SWIP and they are not part of a Solid Waste Alliance, trash can ONLY be shipped out of State. In the event that the Bethlehem Solid Waste facility was to close or cease taking out-of-state trash, Topsham would be unable to use an in state facility, unless a SWIP was immediately written.

There are grants available to assist towns with the writing of SWIP's. Cassella will assist towns with this process as well, for a fee.

The Town offers a metal disposition container throughout the summer.

F. Water Supply and Wastewater Treatment Facilities

The Town of Topsham does not own or operate any public water supply or wastewater disposal systems. All residences and non-residential uses are dependent on individual on-site water supply and disposal facilities.

The Town does not plan to engineer or construct either of these facilities in the next five years.

G. Cemeteries

According to the State of Vermont, The Town of Topsham has 7 cemeteries, 3 are active and 4 are inactive. The Town recently purchased a two-acre parcel on Welch Rd. to create a new cemetery. Because of the costs of upkeep and maintenance, the Town has had some difficulty keeping their cemeteries in good shape.

VI. Emergency Services Section

A. Fire Protection Services

Fire protection services are provided by the Tri Village Fire Department. With 10 firefighters in each of the Topsham stations, this all- volunteer department provides twenty-four hour coverage for the Town and surrounding areas. Neighboring communities' fire departments are called on in large fires requiring outside resources. The Fire Department is part of formal mutual aide agreements that cover 28 towns, going as far north as Stowe.

The East Topsham and West Topsham Fire departments are owned and operated by the Tri-Village Fire Department (which includes the Orange Volunteer Fire Department as well). It is a private organization, and is not run by the Town.

Fire Stations

EAST TOPSHAM STATION

The East Topsham Fire Station is located in the center of the East Topsham Village on Powder Spring Rd. The facility was built in 1976. It is a three-bay structure that serves as an operations center for 10 firefighters and the associated equipment and vehicles. It is in good condition and is meeting the needs of the Tri-Village Fire department. However, the facility does not have a source of water of its own. There is currently a useable well in the vacant plating factory adjacent to the East Topsham Station, but it is not accessible due to complications regarding onsite contamination. If this situation is ever rectified, and the Town were to come into possession of the property, it would be optimal for the Fire Station to make use of this well.

WEST TOPSHAM STATION

The West Topsham station is located on VT Route 25 in the village of West Topsham. The facility was built in the 1950's. Like the East Topsham station, it is a three-bay building that serves 10 firefighters. It is in good condition and is currently meeting the needs of the Tri-Village Fire department.

Vehicles

The vehicles located at the East Topsham facility are:

- 1964 Ford Tanker
- 1976 GMC Tanker
- 1957 International Pumper

The vehicles located at the West Topsham facility are:

- 1970-1980 GMC Tanker
- 1976 International Pumper
- 1970 Dodge brush truck (out of service)

With the exception of the brush truck, these vehicles are very old and in poor condition. Their age is a major concern to the Town. In the past, these vehicles have broken down or had accidents on the way to a fire due to mechanical malfunctions. If grant opportunities were to allow for the purchase of new vehicles without putting an undue burden on the townspeople, it should be considered.

The fire department gets water for fire suppression from the Waits River and connecting streams. The Town has at least 7 dry hydrants and is applying for funding to build additional locations for water storage.

Capabilities

Topsham's fire department is suited to working within the Town of Topsham. In the event of a wildfire or HAZMAT spill, however, the Tri-Village Fire Department would be short-handed and under-equipped. Firemen should receive training in how to handle a forest fire or HAZMAT incident, and the proper personal protective equipment and tools for such an event should be purchased, through grant funds if possible.

Funding

The department is funded by the assessment of yearly dues paid by the Town. In 2003 the dues were \$8000. Capital investments for equipment, such as new vehicles, and any additional expenses are covered through fund-raising and grants.

B. Police Protection Services

The Town of Topsham does not maintain a police force. Any issues or incidents requiring Police action fall to the Vermont State Police. The Orange County Sheriff's department does offer coverage in the Topsham area but is not under contract with the Town, and therefore does not handle enforcement here.

It is the feeling throughout Topsham that current Police coverage is not meeting the needs of the Town. Topsham's distance from the Bradford State Police barracks and its rural nature makes timely response to a police emergency difficult at best.

In the future, we will need to consider Police protection alternatives available to the Town. As the population increases, it is likely that our need for greater protection will increase as well.

C. Emergency Medical Services

The Topsham-Corinth Fast Squad is the first response to medical emergencies. They are trained to handle situations until responders from the Barre Town EMS squad can arrive. The closest hospital is Central Vermont Hospital in Berlin. Medivac services are available by the DHART helicopter when necessary. There is a DHART landing zone at the Waits River Valley School. The Town has appointed a Public Health Officer that is empowered, along with the Selectboard, to protect public health in Town.

Goals

1. To provide residents with a safe and healthy place to live.
2. To enable the best opportunity to protect Town health and safety at the most equitable cost to the Town's taxpayers.

Planning Principle

1. Town support for improvements or enhancements to emergency services should be planned as to not place an undue financial burden on the capacity of Town to provide such services.

VII. Education

The Waits River Valley School (WRVS) is located on Route 25 East of the Waits River Hamlet. The building was originally built in 1972. A major renovation, including the addition of a second floor and gym was undertaken in 1988, more than doubling the size of the facility. The school handles grades K-8.

The Total staff consists of 60 employees, 20 of which are full-time teachers.

Vermont State Public School Approval has been awarded to the school. The school is handicapped accessible.

A. Student Enrollment

Enrollments of the Waits River Valley School are reported annually to the Vermont Department of Education. Based upon annual student resident counts from the Department, average daily membership (ADM) at the school for grades (K-8) in recent years has been as follows:

1999	360
2000	341
2001	319
2002	294
2003	282

For this five-year period, enrollment has been generally stable. Given current trends and a leveling off of the childbearing age group, student enrollments for the elementary age group are not likely to increase dramatically over the next five years.

Students in grades 9-12 are tuitioned to 9 different schools in the area surrounding Topsham on a per pupil basis.

B. School Building & Services

The Waits River Valley School is in fair to good condition. The School is currently building new athletic fields and converting the old athletic field to parking. Future repair projects will include replacing the Gym roof and replacing older carpet within the building. The playground needs major improvement.

Computer technology at the School is on par with, or ahead of, State averages. Through an arrangement with Topsham Telephone, WRVS was used as a testing for DSL service. All classrooms have computers and access to this high-speed internet connection. The WRVS computer lab was recently outfitted with 22 2004 Dell PC's.

Goals

1. To provide a safe and secure learning environment where quality educational opportunities are provided to all students.

2. To enable the best opportunity to educate our students at the most equitable cost to the Town's taxpayers.

Planning Principles

1. Land development that is likely to result in large numbers of school children should be phased or planned as to not place an undue financial burden on the capacity of Town to provide educational services.
2. It is the policy of the Town to provide sufficient and appropriate physical space to meet current and projected enrollments.

VIII. Transportation

A. Introduction

Topsham's transportation system is principally a system of town roads, with the automobile as the primary means of transport. Topsham has no airports or rail services in town. Local residents and tourists utilize town and state roads for walking, biking and horseback riding but use in some areas is limited due to a lack of adequate shoulders or bike lanes.

B. Town Roads

According to the Vermont Agency of Transportation, the Town of Topsham owns and maintains 84 miles of roads (Class 2, 3 & 4 Town Highways). The State of Vermont controls 6.4 miles of roads (VT Route 25) within the Town. Ninety-three percent (93%) of all highway mileage in Topsham is part of the local road system, which is more than most rural communities. In the 30 Town TRORC Region, Topsham ranks 12th in road mileage.

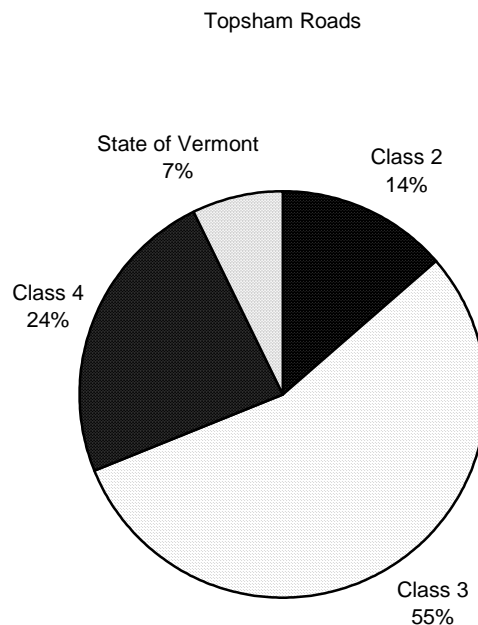


Figure 7 – Source: Vermont Agency of Transportation

Approximately 12-18 miles of Topsham's roads have paved surfaces and the balance of them are gravel. Conditions for these local roads range from good to poor.

Changes in traffic volumes are dependent on a number of factors, but primarily by the type, size, and location of various land uses. Actions to improve and increase the carrying

capacity of a road typically include building new roads and improving existing roads (e.g. resurfacing and widening). Depending on the extent of the improvements and the method of financing, such actions can be costly and place an undue financial burden on the taxpayers of the Town.

To avoid conflicts between the use of highways and future development, the Town has established policies to evaluate and control how growth affects town roads. These include concentrating future development into areas where major roads already exist, limiting multiple access drives onto town roads, and working cooperatively with the Vermont Agency of Transportation (VTrans) and neighboring towns to improve regional land use and transportation planning.

The State uses four classification formulas to distribute financial aid to towns for road repair and maintenance. Classifications are jointly determined by the Vermont Agency of Transportation and the Selectboard. Criteria used for the classifications include traffic volumes, road conditions, and function. State-aid to the Town decreases on a per mile basis from Class 1 to Class 3. No state aid is available for Class 4 roads. Total aid, therefore, depends on the number of miles of road a town has in each class. In 2003, Topsham received \$117,329.50 from the State for all roads.

C. Town Highway Classifications

Class 1 includes the most heavily traveled town roads and are usually located in densely settled areas. Class 1 are extensions of State Highways and are usually assigned a State number. There are no Class 1 roads in Topsham.

Class 2 includes those major town highways selected as the most important highways in town. Class 2 roads serve the purpose of linking towns and high traffic areas such as village settlements and State Highways. Class 2 roads are generally paved. Topsham has 12 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 by a standard car. In Topsham, Class 3 roads make up the majority of all town roads. Class 3 roads amount to a total of 50 miles.

Class 4 highways represent the lowest order of importance to the town. Public use is limited and as such the town receives no financial aid from the State. Approximately 21 miles of Class 4 roads exist in Topsham.

The Town is not interested in expending tax dollars in improvements to Class 4 roads. These roads are usually in the poorest state and would require expensive reconstruction to their surfaces, base, drainage and width to bring them to Class 3 standards. Because of the great expense and relatively small public benefit accruing from Class 4 roads, current policy in Topsham is that few tax dollars be expended on Class 4 roads.

D. Transportation Facilities & Services

The Town of Topsham's garage was built around 1900. It is a small building located on Schoolhouse Rd. The condition of the Town Garage would be considered poor. It is in generally ill repair and is not up to state and federal codes. Material storage, such as gravel and salt, is difficult because of the size of the lot the building is located on. The Town maintains the following road equipment:

- 2002 Mack Dump Truck w/ plow and sander
- 2001 Caterpillar backhoe/loader
- 1987 Mack Dump Truck w/ plow and sander
- 1986 John Deere grader

The two vehicles that were purchased during the 1980's are showing wear and will need replacing.

The Town handles snow removal, but sometimes hires additional equipment in the event of a major snowstorm. The Topsham road crew has been handling the snow removal for the past three years and this appears to be working well for the Town.

The Town uses 3,500-4,000 yards of winter sand per year. 2,500 yards of this sand is stockpiled at the garage site, directly on the side of the garage, which pushes against the building. The additional sand needed during the winter is screened and hauled later in the winter season when the locally stored material runs low. This method creates an additional expense to the Town because there is an extra charge for having to open up the sand pit and screening the material during the winter due to the difficulty of extraction when the ground is frozen.

Materials are extracted from a privately-owned gravel pit located approximately 5 miles away from the Town Garage. Screening and hauling of sand is sub-contracted by the Town. Gravel is not stockpiled; it is picked up from the pit as needed. The Town has had difficulty locating crushed gravel on a regular basis. The Town needs to investigate alternatives to buying their materials from private entities.

E. Access Management

Regulatory authority for access management rests with the Vermont Agency of Transportation (VTrans) for state highways, which are 25 and 302 in Topsham, and with the Town Selectboard for town highways.

Historically, the law on access permits limited the scope of review (19 V.S.A. Section 1111). It provided that reasonable access in no case should be denied, safety being the test for reasonableness. In 1998, the law was amended, expanding the state's and the Town's ability to control access. In addition to the reasonable access test, the law now includes a criterion of compliance with local ordinances and regulations related to highways and land use. Permits for access must protect the public investment in roads and must maintain reasonable levels of service and safety on existing highways. Access management decisions shall also consider whether or not the proposed access is compatible with the Town Plan and with regional and state agency plans.

Access management planning for major land uses or traffic generators means more than merely obtaining a “curb cut” for access to a public road, one driveway at a time. In a broader context, access management is concerned with preserving the function of the highways, including safety, and with preventing congestion and hazardous situations. This type of access management strategy links transportation access with the overall land use patterns recommended in the Plan.

Access management planning by the Town and the State can prevent costly repairs to roads and bridges, promote desirable land use patterns, and improve the safety of all residents. Accident data show a direct relationship between curb cuts and accidents: the greater the number of access points onto a highway, the higher the number of accidents. Access management techniques can minimize curb cuts, improve sight distances, and reduce vehicular congestion and conflicts with bicycles and pedestrians.

Currently, Topsham requires that anyone who intends to access a town road for any alteration or development in a town right-of-way must apply for a permit. The purpose of this ordinance is to ensure that the design of a new driveway will not cause damage to the town road or create a public hazard.

F. Public Transportation

The Town of Topsham does not provide any public transportation, but limited services are offered by Stagecoach.

Goals

1. To maintain a transportation system that is safe, efficient and complements the other goals and policies of this Plan.
2. To ensure that future development does not unnecessarily or unreasonably endanger the public investment in Town and regional transportation systems or facilities, including highways, bikeways, trails and rail.
3. To support local, regional and statewide efforts to provide transportation systems that meet the needs of all population segments and not just those who use automobiles.
4. To minimize transportation energy consumption.
5. To provide pedestrians with safe areas to travel within the Topsham & Waits River villages.
6. To provide regular maintenance and upgrades to transportation equipment and facilities provided that the costs of which do not put an undo burden on the people of Topsham.

Planning Principles

1. Prior to a final decision to proceed with a major capital transportation project, policy makers should first analyze the project against reasonable alternatives. In examining the alternatives, investigation should focus on the environmental,

- energy, social and investment costs and the extent to which each meets the goals and policies of this Plan.
2. It is in the public interest to maintain the Town's current highways, bridges, and related facilities, as it is necessary to ensure the current level of service.
 3. The Town as written in V.S.A. Title 19 Section 310 does not maintain Class IV Highways, excepting bridges and culverts. The policy of the Selectboard is that before the Town would consider adopting a new road or upgrading an existing highway, the abutting property owners shall 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.
 4. Given the interest in and benefits from biking, hiking, snowmobiling, cross-country skiing, and similar outdoor recreational activities, the Town should, as an alternative to complete discontinuance of a highway, give full consideration to preserving Class 4 roads for recreational use by downgrading their status to a legal trail and thus retaining the public's interest in them.
 5. An integral scenic element of the rural countryside is the network of back roads comprising the town's highway system. These byways are both visually and economically important to the Town. If improvements are needed to accommodate increased traffic, it is important to consider the relationship of the road to the surrounding features of the landscape.
 6. Strip development is not encouraged as a land use pattern. Such development occurs in a linear path along a right-of-way which often restricts visual and physical access to interior lands.
 7. It is the policy of the Town to minimize curb cuts to insure the proper function and performance of a town highway.
 8. It is the policy of the Town that the design of access roads and related facilities provide for proper alignment of new or relocated driveways along a roadway.

IX. Current and Future Land Uses

Introduction

This section of the Plan describes the types and patterns of Topsham's current land use and discusses how the people of Topsham would prefer to see land used in the future. As more and more people discover the pleasures of living in rural Vermont, Topsham's rural character will be threatened. Topsham's population has been steadily growing and that trend will most likely continue. Since the terrorist attack on the World Trade Center on September 11th, 2001, there has been an increase in the number of families from out-of-state who have moved to Vermont. This trend, coupled with the population boom and housing shortage in the Upper Valley, will inevitably cause an increase in the population of Topsham. These changes underscore the need to identify and develop effective growth and land use development policies that will serve the long-term interests of our community and help Topsham remain a small rural Vermont town.

It is not the intent of this section of the Topsham Town Plan to lead to the creation of a Zoning ordinance. With the exception of individual ordinances designed to protect the health and safety of our citizens (such as septic and access management ordinances), many residents of Topsham have clearly voiced their desire to remain free of the restrictions imposed by such land use regulations. If the will of the people has changed when this plan is next reviewed and updated, this document can be amended to reflect such a change. Topsham needs to consider the potential impacts of future development.

The “rural character” of Topsham is reflected in its farms, small villages, open spaces and the diverse occupations held by the citizens of Topsham. Topsham is not adverse to changes that might occur in town, but it is the hope that we can maintain the quiet, country lifestyle that has been the norm for decades. Efforts to maintain the rural character of Topsham should not keep residents from making a living, provided that their occupation does not create great change to or overburden the Town.

Strip development, large-scale commercial development and such endeavors that would dramatically increase traffic flow or use up valuable agricultural land with no regard for the natural appearance of Topsham are generally unwanted in Town. However, small industries, businesses and developments that can coexist within an area as rural and remote as Topsham, are not only welcome, but encouraged.

A. Overall Land Use Goals

As the Town looks at the use of our land in Topsham, a land use pattern that complements the existing settlement pattern of the three Topsham village areas (Waits River, East Topsham and West Topsham), surrounding low-density rural and agricultural areas, and large open spaces and forests needs to be considered. This type of land use pattern is considered to be attractive, desired, and understood by the residents of Topsham. This is the style and character of land use that the community-at-large wishes to promote in the future.

Goals

1. To maintain an identity for Topsham as a distinct community.
2. To retain clear evidence of the community's history while giving consideration for future needs.
3. To respect the community's identity and share qualities of scale and form with existing development.
4. To be adaptable to change which inevitably must occur if the community is to be vital.
5. To not deprive a landowner from realizing a reasonable and customary return from his or her land.
6. To balance the rights of landowners against the overall vision for the Town.

B. Current Land Use

The Town of Topsham is a small, rural town with a population of 1142. Because of the dominance of steep slopes throughout Topsham, most development has occurred on the valley floors, along VT Route 25 and Powder Spring Rd.

Topsham has three Villages - Waits River, East Topsham and West Topsham. These Village Centers are the focal points of the community, where its residents can conduct their civic, economic, and social interaction. The mixed uses present in the Topsham villages provide for the pleasant experience of visiting with a neighbor at the stores, Post Offices, the Town Office, Town Halls, Churches and the School.

Due to topography, Topsham's working landscape (agriculture, etc.) is fairly limited. Most active farming takes place on the valley floors along Route 25, Powder Spring/Corinth Topsham Rd.

C. Proposed Land Use

The Town Plan recognizes that not all land is equally suited for all types and intensities of development. It is the basic premise of this Plan that future land uses be sensitive to the physical limitations of a site and that in planning for the development of a parcel, more than market value of property be recognized. Accordingly, separate geographical areas have been defined in this section and the physical boundaries of each are defined (for planning purposes, only) on a proposed Land Use Map. For each area below, the purpose is stated and policies are offered in terms of the compatible types of development, intensity of use, and the conservation of natural resources.

Furthermore, while it is recognized that existing use of land and structures may not be entirely consistent with these proposals, it is the goal of this Plan that all future land development be in conformance with these policies.

D. Village Centers

Background and Purpose

Many towns in Vermont no longer have functional villages due to changes in highways, establishment of competing commercial centers or poorly conceived community planning. Our Town cannot consider itself immune to these types of influences. It is a fundamental premise of the Plan to make every reasonable effort to ensure the continued use and enjoyment of the Village Centers as a dynamic community center.

WAITS RIVER

The Village of Waits River is located along Route 25. It is the location of the Waits River School district, The New Hope Methodist Church and the Waits River General Store.

WEST TOPSHAM

West Topsham is located on Route 25, near the western border of Topsham and Orange. This village offers residents' access to the West Topsham Community Hall, West Topsham Country Store, West Topsham Community Church and the West Topsham Post Office. It is also the location of the West Topsham branch of the Tri-Village Fire Department.

EAST TOPSHAM

East Topsham is located on the eastern side of Topsham. The Topsham Town Office is located here. Important buildings include the Town Hall, Town Garage, the United Presbyterian Church and the East Topsham branch of the Tri-Village Fire Department. There is currently no store in East Topsham.

Goal

1. It is a goal of the Town to maintain a viable village center through good planning and development.

Planning Principles

1. The density of development in this area should reflect existing settlement patterns, land capability, and the availability of utilities for expansion.
2. Shops and services, tourist businesses, lodging and public facilities, at a scale and design appropriate to the existing characteristics, are encouraged.
3. Conversion of structures and older buildings of historic merit is encouraged to enable new and more economical uses of property and to avoid obsolescence.
4. Where new development is being planned, efforts should be directed to ensure that such development is reasonably complementary and compatible to the configuration of existing buildings and streetscape, and respects traditional scales, proportions, and shapes of the surrounding neighborhoods.
5. Major public investments, such as improvements to Route 25 and Powder Spring/Topsham-Corinth Rd., should be encouraged and endorsed only on finding

that they will not unreasonably or unnecessarily jeopardize or endanger the character of the Village Center. Planners are encouraged, prior to the commencement of plans, to consult with the Town and affected property owners regarding these types of activities.

6. The Plan supports pedestrian enhancements that will promote safety, provided that they do not put an undo financial burden on the Town.

E. Agricultural Valley Areas

Background and Purpose

Agriculture has long been part of the cultural heritage of Topsham. Although farming has declined in Topsham, like the rest of Vermont, it is still viewed as important to the residents of Topsham.

The steep topography of Topsham makes the valley floors along Route 25 and Powder Spring Rd. most ideal for agricultural uses. According to the Vermont Soil Conservation Service, this area is the primary location of soils that have been designated as “prime agricultural” soils.

Given that act 250 restricts large-scale developments on prime-ag soils, the best use of these valley floors should continue to be agricultural.

Goals

1. It is a goal of the Town to encourage agriculture of all varieties throughout Topsham.
2. It is a goal of the Town to support new agricultural developments provided that they continue to maintain the rural character of the Town and do not put an undue burden on Town resources.

Planning Principles

1. Maintenance of a working landscape is the primary goal for the Agricultural Valley Area. Projects which adversely affect the rural setting and conflict with existing working landscape should not be located in this area.
2. Agricultural and residential uses are to be the primary and dominant land uses in the Agricultural Valley Area. Commercial or industrial projects in this area should be designed so as to not affect the rural character of the Town.

F. Rural Residential Area

Background and Purpose

In this area, as in all locations in Topsham, future development will depend heavily on the availability of land to support on-site wastewater disposal systems and private water supply systems. Despite these technical limitations, as demand for new building sites

increases, new technologies for innovative systems will emerge, making rural land once considered undevelopable desirable for residential subdivision.

Areas relatively free from site limitations (such as poor soils, steep slopes, and high elevations) are more often used for residential and agricultural uses. The less desirable areas have remained as or reverted back to forests. Land adjacent to Town and state highways has been subjected to more active land use changes due to the relative ease of access. The more remote areas, being those distant from the Town's primary services and main roads, have developed more slowly due to the relatively higher cost of development (e.g. power, telephone and driveways).

We believe that favorable conditions for construction of buildings and wastewater disposal facilities should not be the sole determinant for development in Rural Residential Areas. New development needs to occur at a reasonable rate of growth so as not to unduly burden the ability of the Town to provide services. Special or unique resources, including critical wildlife habitats (e.g. deer wintering areas), historic sites, archeological sites and wetlands should be evaluated and planned for when developing projects in the Rural Residential Area.

Goal

1. To ensure that the development of housing does not adversely affect the rural character of our Town.

Planning Principles

1. Maintenance of a rural living environment is the primary goal for the Rural Residential Area. Projects which adversely affect the rural setting and conflict with existing rural land uses should not be located in this area.
2. Residential and agricultural uses are to be the primary and dominant land uses in the Rural Residential Area. Commercial or industrial projects are considered less desirable in this area.
3. The establishment and operation of small entrepreneurial enterprises are consistent with the general purpose of this area provided that their size, type, appearance, and setting do not significantly or unnecessarily detract from the overall rural character. These enterprises should not cause an undue burden on the ability of the Town to provide services, such as highways and fire protection.
4. Residents are free to conduct an occupation in their homes provided that the nature of the occupation is customary or appropriate in rural residential areas.
5. The use of planned residential development or the cluster development concept, where intensive settlement is balanced by compensating land for open space, is encouraged. It is a means of providing an environment more amenable to the land use goals of this Plan.

G. Transportation and Land Use Planning

Vermont planning law provides a mechanism to address the inherent problems posed by transportation in relation to land use. Public investment priorities for state and town roads can be managed to minimize land use impacts that are not in accord with policies set forth in this plan. The Town of Topsham is rural, with compact villages, whose residents value and cherish its small-town appeal. The Town has limited public transportation which is provided by Stagecoach.

Goals

1. Support land use policies and development projects which complement existing transportation investments;
2. Only projects of a size and scale which do not materially interfere with the function, safety, and efficiency of town and state highways should be permitted;
3. Increases in traffic should not create unreasonable congestion or unsafe conditions; developments which generate considerable round-trip truck or automobile travel should be limited.
4. Developments which would increase traffic through the villages merit special scrutiny.

X. Natural Resources

A. Wetlands

Background

Wetlands are ecologically fragile areas and how these lands are managed have a direct bearing on the quality and quantity of water resources.

The Vermont Water Resources Board estimates that wetlands comprise less than 5 percent of the surface area of Vermont. In addition to being Vermont's most productive ecosystem, wetlands serve a wide variety of functions beneficial to the health, safety and welfare of the general public, including the following:

- Retaining storm water run-off, reducing flood peaks and thereby reducing flooding;
- Improving surface water quality through storage of organic materials, chemical decomposition and filtration of sediments and other matter from surface water;
- Providing spawning, feeding and general habitat for fish;
- Providing habitat for a wide diversity of wildlife and rare, threatened or endangered plants; and
- Contributing to the open space character and the overall beauty of the rural landscape.

In 1986, Vermont adopted legislation for the protection and management of wetlands (10 V.S.A., Chapter 37). Determination of whether a wetland merits protection is based on an evaluation of the extent to which it serves the general functions outlined in the bulleted list above.

Under the Rules, if land development can be expected to impact a protected wetland, such activity cannot commence unless the Vermont Agency of Natural Resources first grants a Conditional Use Determination (CUD). A CUD will be granted when it is determined that the proposed use will not have an undue adverse impact on the function of the wetland. In many cases, such approvals are granted with conditions to mitigate impacts and to more readily serve the purposes of wetlands protection.

For Topsham, as well as the State, the most significant wetlands have been mapped and are included as part of the National Wetlands Inventory (NWI) prepared by the U.S. Fish and Wildlife Service. These wetlands have been delineated on USGS topographic maps, and by reference are made a part of this Plan. Other smaller wetlands often do not show on these maps, so a field determination by a qualified biologist is needed for most activities that involve state permits.

In those towns that have zoning or subdivision regulations, final approvals cannot be granted for projects involving wetlands unless the Agency of Natural Resources first has had an opportunity to evaluate the effect of the project on the wetland (24 V.S.A., Section

4409). It is important to note that future investigations of wetlands within Topsham may result in additional areas being determined as significant or important for conservation.

Goal

1. To identify and encourage land use development practices that avoid or mitigate adverse impacts on significant wetlands.

Planning Principles

1. Structural development or intensive land uses are discouraged from locating in significant wetlands or within buffer zones to significant wetlands.
2. Developments adjacent to wetlands should be planned so as not to result in undue disturbance to wetland areas or their function. Mitigating measures to protect the function of a wetland are an acceptable measure.

B. Flood Hazard Areas and Floodplains

Background

Floods are inevitable and uncontrollable natural events which occur sporadically and affect lands adjacent to watercourses. It is therefore in the public interest to plan for floods, and to implement land use strategies which will protect these areas and minimize the risks to public health, safety, and property.

Floodplains, lands adjacent to watercourses, are periodically inundated by heavy rains or during spring thaws. They are porous and can absorb considerable water before reaching flood stage. Floodplains make excellent agricultural land but are poorly suited for development, both because of their propensity for flooding and because of their proximity to watercourses, which creates the potential for pollution.

Vermont has experienced thirteen statewide and regional floods since 1973. All but one of these were declared federal disasters, and economic losses were significant. Damage was not limited to designated floodplains, but often occurred along unstable river systems and steep streams. In some cases, recovery costs to the public sector alone amounted to several million dollars per flooding event. Public interest dictates that every reasonable attempt should be made to avoid or reduce exposure to flood damage.

National Flood Insurance Program

Under the provisions of the National Flood Insurance Act (1968), the Federal Emergency Management Agency (FEMA) has conducted a series of evaluations and hydrologic engineering studies to determine the limits of flood hazard areas along streams, rivers, lakes, and ponds expected to be inundated during the 100-year base flood, meaning that the flood level has a 1% chance of being equaled or exceeded in any given year. The calculations do not take into account the impact of ice dams or debris, and may, therefore, actually underestimate the areas which are subject to flooding damage.

FEMA has prepared a Flood Hazard Boundary Map (FHBM) for the Town of Topsham,

which includes flood hazard areas for the Waits River and for major streams and ponds. This map is on file at the Town Office.

FEMA also administers the National Flood Insurance Program, which provides flood hazard insurance at subsidized rates for property owners in affected areas. In order to qualify for federal insurance, towns must adopt and retain a by-law to control land development within these areas. Minimum standards must be included and approved by FEMA.

The Town of Topsham adopted a permanent Flood Hazard Bylaw in 1979, and it is recognized as a participating community in the National Flood Insurance Program. Coverage remains available to any landowner in town as long as the Town continues to participate. Pursuant to the Bylaw, permits from the Town are required prior to any substantial improvement to an existing structure, or to any new construction in the designated floodplain. In granting approval, the Town must find that the proposal meets or exceeds minimum development standards for flood hazard areas.

Two Rivers-Ottawaquechee Regional Commission has determined that approximately fifteen buildings in Topsham are presently located within the mapped flood hazard areas. Mortgage lending institutions now require as a prerequisite to financing that flood insurance be purchased on property subject to flooding.

The Town believes that it is a realistic goal to re-evaluate the present Flood Hazard Bylaw and to develop new provisions prohibiting construction of permanent buildings or structures within the flood hazard areas. By amending the Bylaw to reflect this general principle, flood losses will be reduced, the natural functions of the watercourses will be protected, and costly flood recovery programs will be minimized.

Goals

1. To enhance and maintain wise use of flood hazard areas as open space, greenways, non-commercial recreation and/or agricultural land.
2. To ensure no net loss of flood storage capacity in order to minimize the loss of life and property, disruption of commerce, and demand for extraordinary public services and expenditures which result from flood damage.
3. To retain the Town's eligibility for and participation in the National Flood Insurance Program.
4. To maintain maps which reflect as accurately as possible the flood hazard areas, to assist in appropriate land use decisions.
5. To recognize that upland areas adjacent to unstable rivers and to steep streams may be at risk of erosion during floods.

Planning Principles

1. It is the policy of the Town that the preferred uses for flood hazard areas shall be for open space, greenbelts, and non-commercial recreational or agricultural uses.

2. Any land use activity (filling, or removal of earth or rock) within flood hazard areas which would result in net loss of flood storage or increased or diverted flood levels or increased risk to adjacent areas should be prohibited.
3. Utilities or facilities serving existing development (e.g. water lines, electrical service, waste disposal systems, roads, and bridges) may be located within these areas only when off-site options are not feasible and provided that their placement is deemed to be relatively protected from flooding damage.
4. Flood hazard regulations should be extended to areas identified as at risk to flood erosion.

C. Water Resources

Background

Topsham's water resources include aquifers (groundwater) and surface waters. Sustainable yields of quality water is necessary for the lives and livelihood of citizens of Topsham.

The Vermont Agency of Natural Resources, in cooperation with federal and other state agencies, has evaluated aquifer recharge areas serving systems involving 10 or more connections or 25 or more people. These recharge areas are acknowledged and are recognized as important for protection. Land developments that are potential threats to water quality and significant aquifers are discouraged from locating in these areas.

In recent years, underground fuel storage tanks have been identified as major threats to water quality. Studies conducted by the U.S. Environmental Protection Agency have shown that the average fuel tank is likely to leak within 15 years from installation. To lessen the risk of contamination, the Vermont Agency of Natural Resources has promulgated rules to monitor underground tanks with a capacity of 1,100 gallons or more. Tanks in excess of this capacity must be registered with the Town. In addition, replacement of underground tanks are subject to rigid standards.

Goals

1. To maintain or enhance the quality and quantity of drinking quality groundwater resources.
2. To allow use of groundwater resources by new development in such a manner to protect the public right to adequate quality and quantity of the resource.
3. To consider surface water and groundwater impacts and effects related to proposed or existing uses of land.
4. To maintain or improve surface water quality and quantity.

Planning Principles

1. Water withdrawal from underground sources should ensure that existing groundwater users are not adversely affected.

2. Aquifers and surface waters should not be significantly depleted and water should be properly allocated between actual and potential uses.
3. Land use activities which potentially threaten groundwater quality should be carefully reviewed and monitored to prevent undue loss of quality to groundwater.
4. Maintenance or enhancement of water resources for recreation, fisheries, necessary wildlife habitats and quality aesthetics are high priorities. Water resource policy and practices should protect these uses.
5. The location, sizing and density of on-site sewage disposal facilities should be determined by the capacity of the soil, the natural limitations of the site, and underlying substrata conditions, such as depth to bedrock and seasonal high water tables.
6. Preservation of the natural state of streams should be encouraged by:
 - Protection of adjacent wetlands and natural areas;
 - Protection of natural scenic qualities; and
 - Maintenance of existing stream bank and buffer vegetation including trees, together with wildlife habitat.

D. Wildlife Resources

Background

Wildlife is one of the primary attractions to the area and provides many citizens of Topsham with direct and indirect livelihoods from sports, tourism and direct harvest of wildlife.

Wildlife management requires management of human activities around animals as much as management of animals around human activities. Managing for specific species is not as desirable as managing for the entire ecosystem supporting the species

Nearly all open space provides habitat for game and non-game species. There are, however, some areas in Topsham which provide critical habitat that should remain intact. These areas include wetlands, deer wintering areas, bear mast stands, and edge (the transition zone between two cover types, such as field and forest). Development or logging in or adjacent to these areas should consider wildlife implications during the planning process.

Wintering areas are an important habitat requirement for deer during the critical winter months when snow depth and climate are limiting factors to survival. Typically these areas consist of mature softwood stands, at low elevations or along stream beds, which provide cover and limit snow depths. Southerly facing slopes are also beneficial due to good sun exposure and may be utilized even in areas of limited softwood cover. More specific factors, such as percent canopy closure, species of softwoods, and stand age, also figure into the quality of the wintering area.

Goals

1. To maintain or enhance the natural diversity and population of wildlife, including natural predators in proper balance.
2. To restore stable populations of endangered or threatened wildlife in appropriate habitat areas.
3. To maintain or improve the natural diversity, population, and migratory routes of fish.
4. To allow sport and subsistence hunting of ecologically sound intensities to provide continued success of the species.

Planning Principles

1. Wildlife populations and natural diversity should be maintained or enhanced.
2. Long-term protection of major habitats through conservation easements, land purchases, leases and other incentives is encouraged.
3. It is the policy of the Town to protect deer wintering areas from developments and other uses that adversely impact the resources.

E. Mineral Resources**Background**

The use and management of Topsham's earth and mineral resources are matters of public good. Maintenance of sustainable quantities of gravel, sand, crushed rock, and other materials are essential for the development industry as well as state and local highways. In spite of this, public and private interests are oftentimes in conflict over utilization of the resource. It is in the interest of the Topsham business owners and residents to enable utilization of these resources when such uses do not significantly inhibit or conflict with other existing or planned land uses, or are in conflict with other stated goals in this plan.

Goals

1. To enable appropriate utilization of mineral resources.
2. To encourage extraction and processing of the resource where such activities are appropriately managed and the public interest is clearly benefited thereby.

Planning Principles

1. Existing and proposed mineral extraction and processing facilities should be planned, constructed, and managed:
 - So as not to adversely impact existing or planned uses within the vicinity of the project site;
 - To not significantly interfere with the function and safety of existing road systems serving the project site; and

- To minimize any adverse effects on water quality, fish and wildlife habitats, and adjacent land uses.
- To reclaim and re-vegetate sites after their useful life.

XI. Energy

A. Background

Practical energy planning and implementation results in positive environmental and economic returns to the community and energy providers. Conservation of energy lessens the demand for expensive new sources. Utilities are able to postpone capital investments necessary to provide for additional capacity. This has benefits for residents, businesses, and ratepayers.

While it is recognized that energy supply and demand 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. For example, a highly dispersed and unplanned pattern of land use can waste both land and energy resources. By planning the location of jobs, public services and housing in close proximity to growth centers, the consumption of fuel and needs 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.

B. Energy Demands

According to the 2000 US Census, the major fuels consumed in Vermont are oil (58%), electric (5%), wood (9%) and LPG and gas (14%). Per capita energy consumption for residential and transportation purposes is about the same as in the northeast. About 76% of all energy used is for these purposes. Almost 80% of residential energy is dedicated to space heating and domestic hot water. State energy officials estimate that simple conservation measures incorporated in new housing can result in a 20% to 30% reduction of energy usage.

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

C. Renewable Energy

The 2000 Census reports that 27% of Topsham's households use wood as a fuel source for heating, 56% use fuel oil, and 14% use LP gas. The Vermont Department of Public Service estimates that the average household burns between 3 to 4 cords of wood each year during the heating season. Given that the total number of homes in Topsham heating with wood was 115, it is estimated that between 345 and 460 cords of wood were burned in 2000.

Increased reliance on wood as a heating source can offset some demand for expensive alternative sources. The downside to this is, however, that significant use of wood could contribute to increased air pollution. Modern catalytic converters installed on wood burning stoves could be a partial solution.

Goals

1. To encourage a pattern of settlement and land use that uses energy efficiently.
2. To promote the design and construction of buildings and structures that are energy efficient and postpone the need for costly sources of energy.
3. To encourage the development of local renewable energy sources and to reduce dependence on outside foreign energy sources.
4. To increase public awareness and use of energy conservation practices through educational efforts.

Planning Principles

1. Major public investments, such as schools, public recreational areas, and municipal facilities need to be situated within or in close proximity to the villages of Topsham;
2. The rehabilitation or the development of new buildings and equipment should use proven design principles and practices with the lowest life cycle costs;
 - a. Where land development or subdivisions are proposed, design plans should work towards the goal of locating structures and buildings on the site which reflect sound energy conservation principles, such as solar and slope orientation and protective wind barriers. Use of the cluster planning concept, where buildings are concentrated in one area of a site with a complementing off-set of open space, is an approach that encourages energy conservation and efficiency; and
 - b. Visual effects of electrical generation, transmission, and distribution facilities should be minimized whenever feasible.
3. Where generation, transmission, and distribution facilities or service areas are proposed, such facilities or areas should be encouraged only when they complement the recommended land use patterns set forth in this plan.
4. To promote alternatives to the automobile, the acquisition of land or rights to land by the Town or other qualified entities for the future development of bikeways and footpaths is encouraged in the village areas or other areas of concentrated settlement, provided that they do not put an undue financial burden on the Town. To reduce the demand for commuter transportation facilities and energy, the development of broadband services, energy efficient home occupations and small-scale home business is encouraged.
5. To promote energy efficient commuting, the community supports state and regional transportation programs serving Topsham.

XII. RELATIONSHIP TO OTHER PLANS

Topsham is bounded by four towns. The four principal adjacent towns are Groton, Newbury, Corinth and Orange.

Orange's Town Plan expired in 1998, and has not been updated. Groton's Town Plan is up-to-date. It was readopted in 2000. The Town of Newbury's Plan was adopted in 1999 and they are currently in the process of updating it. Corinth has a Town Plan that was adopted in 2001. Newbury & Corinth's Town Plans have been approved by the Two Rivers-Ottauquechee Regional Commission.

Topsham shares numerous activities and services with surrounding towns, including school services, rescue squad and fire protection. The Town is also a member of the Two Rivers-Ottauquechee Regional Commission (TRORC), which serves Newbury and Corinth as well.

TRORC's regional plan covers 30 towns including Topsham. Since the preparation of the Topsham Town Plan was done with the assistance of the Regional Commission, no conflicts between the two have arisen. In fact, the two Plans have similar policy statements regarding the need for development that does not overburden services. In addition, no specific development goals in this plan conflict with any regional goals.

The neighboring plans have been read in the context of the proposed Topsham Town Plan. Once again, no conflicts exist in either general philosophy or specific development proposals along town borders.

Recommendations

1. To encourage continued communication and cooperation between Topsham and its neighboring towns;
2. To continue participation in the Two Rivers-Ottauquechee Regional Commission.
3. To exchange planning information and development data with neighboring communities.

XIII. Implementation

A. Putting the Plan Into Action

The character of Topsham, its people, and landscape has been created over the years through the individual and collective decisions of its citizens and public officials. The efficiency, attractiveness, and well-being of the community is determined, in part, by the ability of the Town to plan for its needs and to find a mechanism to put planning goals into action.

Previous elements of this Plan have been centered on existing conditions, probable trends and policy development which, when combined, represent a vision for the kind of town Topsham desires for the future. One thing is certain - the community will change. The opportunity is that citizens and town officials together can direct this change consistent with their desires, using a variety of mechanisms.

The following sections describe the tools and techniques that could be used to implement the Topsham Town Plan.

B. Adoption of the Plan

Adoption of the Topsham Town Plan by the Selectboard, in accordance with the procedures outlined in the Vermont Planning and Development Act (24 V.S.A., Chapter 117), is the first step in putting this Plan into action. Through its adoption, the Town accepts the principles and policies as set forth in this Plan as in the public interest and as a guide for the future growth and development decision affecting Topsham.

C. Ongoing Planning

Planning for change is a continual process for the Town and will require the involvement of the Planning Commission and the public to ensure that the goals and policies of the Plan are integrated into the decisions affecting land use, taxation, and public investments in Topsham.

The Topsham Town Plan is not a permanent document on community desires or values. Its life is limited to 5 years by statute (24 V.S.A., Section 4387). The Planning Commission is responsible for the maintenance and amendment of the plan. Within the next five years following adoption of the plan, the Planning Commission will need to evaluate the plan in light of new conditions and needs. Re-adoption of an updated plan will require notice to the townspeople and finally action by the Selectboard.

At any time following adoption of the plan, the Selectboard may request the Regional Commission to approve the Plan or amendments to a plan. Before approving a plan, the Regional Commission shall find that the plan meets four basic tests [24 V.S.A., Section 4350(b)].

Approval of the plan provides an improved legal standing for the Town to influence and integrate its planning policies with State agency planning affecting land use. After

January 1991, State agency plans will need to be adjusted to the policies and priorities of this plan to the extent feasible.

D. Implementation Tools

Vermont law enables the town to implement the adopted Topsham Town Plan through a variety of ways. Regulation of land use and development through rules adopted by the voters is one possible method. Because these regulations are susceptible to legal challenge and must clearly benefit the public, discretion must be used. Well-recognized and utilized means include zoning bylaws and subdivision regulations. Examples of potential implementation tools include:

Zoning Bylaws - Zoning bylaws are a commonly used method for guiding development at the local level. Zoning may regulate:

- Uses of land
- The placement of buildings on lots
- The relationship of buildings to open space, and
- The provision of parking, signs, landscaping and open space

Zoning generally involves partitioning the town into districts or zones that have a different set of uses, densities, and other standards for development. Zoning districts must be reasonably consistent with the Town Plan. As an alternative to conventional methods, the Town may opt to implement a set of measurable performance standards for specific uses as opposed to dividing the Town into districts. This technique, referred to as "performance zoning", is designed to be more flexible and to recognize the specific conditions of each site proposed for development.

Given that zoning bylaws are oftentimes controversial and difficult to administer, the Town should give due consideration to this implementation technique prior to taking the time necessary to develop a proposal for the Topsham voters.

Subdivision Regulations - The Town does not currently have subdivision regulations. These regulations, if adopted, would be administered by the Planning Commission. Such regulations govern the division of parcels of land and the creation of roads and other public improvements. Furthermore, subdivision regulations can ensure that land development reflects land capability, that critical open spaces and resources are protected from poor design or layout.

Flood Hazard Bylaws - Under Vermont law (24 V.S.A., Section 4412), the Town of Topsham may regulate the use of land in a defined flood hazard area adjacent to streams and ponds. These bylaws can be established to ensure that design and construction activities within the limits of the 100 Year Flood Plain are designed so as to minimize potential for flood damage and to maintain use of agricultural land in flood-prone areas. As noted in the Natural Resources section of this Plan, property owners are eligible for federal flood insurance on buildings and structures at relatively low federally subsidized premium rates. However, such insurance cannot be obtained for properties in Topsham unless the Town has in effect a Flood Hazard Bylaw. A Flood Hazard Bylaw

was adopted in July 1991 by the Selectboard. This bylaw should be reviewed to make sure that it adequately protects the floodplain from unwise development.

Sewage Ordinance - In addition to zoning, subdivision, and flood hazard bylaws, the Town may, through its Selectboard, adopt an ordinance to regulate the design and installation of on-site sewage systems. Under this ordinance, prior to the installation or replacement of a system, the landowner would first need a permit from the Topsham Board of Health (Select Board and Town Health Officer). However, this ordinance may be redundant as the state will regulate all new septic installations.

Highway Ordinances - The Town has in effect a Highway Ordinance setting forth the standards and conditions for the maintenance, improvement, discontinuance, laying out and acceptance of Town highways. In addition, the ordinance includes provisions related to the reclassification of town highways (Classes 2, 3 and 4).

Lastly, the Town does have, through its Selectboard, the ability to regulate private access to municipal roads through the issuance of "curb cut" permits to landowners. "Curb cuts" are places where a private driveway or road connects to a town highway. In granting a cut onto town roads, the Selectboard can give consideration to safety issues such as adequacy of sight distance and proximity to intersections as well as conformance with this plan.

Capital Budget - A capital budget and program is a financing approach that benefits the town greatly in the selection, prioritization and costing of capital projects. Under the capital budget, a project is selected (i.e. bridge refurbishment), a funding source determined (i.e. general taxes, and general obligation bond) and priority year given for each activity (i.e. construction in 2004). Collectively these capital projects make clear when public facilities will be placed to accommodate projected growth. When used in conjunction with the Town Plan and local bylaws, it can be a powerful mechanism for limiting the rate of growth in accordance with the fiscal capacity of taxpayers and other funding sources.

In addition, it is noted that under Vermont's Act 250 law, in granting a Land Use Permit for a major development or subdivision, the District Environmental Commission must first find that the project is in conformance with the town's capital budget. [See 10 V.S.A., Section 6086(a)(10).] Accordingly, this mechanism gives the town an indirect method of implementing its policies and priorities as set forth in the plan.

While both the Town and school district have an informal system of capital programming, it is recommended that a Capital Budget Committee be established to work with the Select Board and School Directors in the development of a list of capital needs and expenditures and to formally present a Capital Budget and Program for adoption.

Vermont Community Development Program - Since the mid-1970's, the Vermont Community Development Program (VCDP) has made grant funds available to towns for community projects. Historically, the major focus of the program has been on housing rehabilitation and affordable housing projects benefiting low and moderate-income families.

The Town should investigate the Vermont Community Development Program and its potential to assist the community in addressing its housing needs. The Regional Commission and the Vermont Agency of Commerce and Community Development are resources available to assist. (PH: 802-828-3217).

Act 250 - Since 1970, Vermont has had in place a statewide review system for major developments and subdivisions of land. Exactly what constitutes a "development" or "subdivision" is subject to a rather large and involved set of definitions. However, generally, commercial and industrial projects on more than one acre of land; construction of 10 or more units of housing; subdivision of land into 6 or more lots; construction of a telecommunication tower over 20 feet in height; and development over 2,500 feet in elevation qualifies.

Prior to these activities being commenced, a permit must first be granted by the District Environmental Commission. In determining whether or not to grant a permit, the Commission shall evaluate the project in relation to ten specific review criteria.

These criteria relate to the environmental, economic, and social impacts of the proposed project on the community and region. Parties to Act 250 proceedings include the Town, through the Planning Commission and Selectboard, the State, and the Regional Commission. One criterion that needs to be addressed is whether the project is in conformance with the Topsham Town Plan. If a project were determined not to be in conformance with the plan, the District Environmental Commission would have a basis to deny a permit. As such, Act 250 reviews can take into consideration protection of those types of resources considered important to the well-being of the community. Accordingly, it is in the interest of the Town to evaluate Act 250 projects affecting Topsham and to offer testimony, as appropriate.

Coordination of Private Actions - Citizens and private enterprise have a vested interest in the well being of the Town. The actions of the private sector being the construction of homes and businesses, land conservation, and the use of land for recreation and agriculture should relate positively to the goals and policies as set forth in this Plan.

It is in the interest of the Town, through the Planning Commission and Selectboard, to develop a cooperative relationship with private investment activities that may have a significant impact on the community values and policies set forth in the plan. By working together in a cooperative venture early in the process of planning for a project, an adversarial relationship can be avoided.

Contacts that should be maintained include:

- Green Mountain Economic Development Corporation
- Vermont Land Trust and Upper Valley Land Trust
- Twin State Housing Trust
- Owners of significant properties of high resource or development value, and
- Major employers in Topsham

Conservation Activities - Conservation programs are an effective means of securing protection of valuable farm and forestland or significant natural resources. The community-wide survey conducted as part of this Plan update requested public input regarding the appropriateness of private conservation efforts. The response was overwhelmingly positive.

Techniques available involve voluntary direct work between non-profit conservation organizations and affected landowners such as donation of conservation easements, bargain-sales of land, and limited development schemes.

The land trust movement has grown immensely during the past twenty years, particularly in Vermont. Land trusts offer viable means of bringing together the needs of property owners with the community interests. The Vermont Land Trust and the Nature Conservancy are particularly well-recognized organizations. Several organizations are also involved in water quality protection. It is the intent of this Plan to implement its policies through coordination and the involvement of these organizations and others dedicated to public purposes.

E. Guidelines for Growth

The following guidelines are intended to help town officials, residents and developers work together to plan and design developments consistent with the goals and policies of this plan. These guidelines are suggested ways to implement the plan. They are not mandatory and are not intended to be strictly adhered to in every case. They are offered to give landowners and officials a common, but flexible framework for preparing plans and making decisions.

Siting New Development - New development should be sited to:

1. Be compatible with the historic settlement pattern;
2. Maintain functional integrity of deer wintering areas;
3. Be cost efficient for municipal services; and
4. Conserve the agricultural potential of primary agricultural soils by:
 - Keeping primary agricultural soils available for agricultural production unless the only economically viable use of the land would be from incompatible uses;
 - And utilizing creative planning and design to minimize the reduction of agricultural potential.

Designing New Development - Landowners should design and phase new development, particularly large residential development to:

1. Avoid overloading public facilities and services;
2. Protect and promote the harmonious balance between buildings and useful, well-defined open space, and a human-scaled character of structures and settlements;
3. Be compatible with desired habitat conditions, public outdoor recreation;
4. Take advantage of opportunities to enhance and/or restore habitats by establishing native vegetative diversity or provide other wildlife benefits;
5. Mitigate the effects of proposed actions on identified archeological sites;
6. Be compatible with the qualities that make historic areas, structures or sites significant;
7. Protect the community trail system from activities which would unduly compromise desired trail experiences and uses; and
8. Incorporate the following visual elements:
 - Unobtrusive heights of buildings;
 - Vegetative screening;
 - Preservation of native vegetation;
 - Unobtrusive location of utilities; and
 - Minimal alterations to topography.

Public Facilities and Services - Major new developments should pay a proportionate fair share of the increased cost of providing public facilities or services to the development.

Roads - New roads, private or public, should be designed and constructed to:

- Minimize impacts to large woodlands and wildlife corridors (if roads and trails are desired, locate them along the outer edge of the areas and limit trail use to low-impact activities compatible with the habitat objectives);
- Meet town road standards; and
- Minimize impacts on desired habitat conditions, water quality and other ecological functions.

Landowners requesting upgrades of Class 4 roads to Class 3 should pay the costs of the necessary improvements. (19 V.S.A., Section 711).

New private development roads should remain the responsibility of the residents. If stream crossings are necessary for new development, efforts should be made to minimize their impacts on aquatic life.

Water and Sewer Systems - Prospective developers should demonstrate the ability to provide an adequate supply of potable water for their developments without impairing the quality or quantity of existing water supplies.

Developers should protect the quality and yield of groundwater by limiting land use activities within recharge areas.

Vegetation Management - Timber harvesting should be consistent with the Vermont Forest, Parks and Recreation's Acceptable Management Practices.

Deer wintering areas should be managed according to the Vermont Department of Fish and Wildlife's *Management Guide for Deer Wintering Areas in Vermont*, (1990).

When managing timber along streams designated as important wildlife corridors, avoid harvesting trees within 100 feet of a stream.

Energy - New development should reduce energy used for transportation by:

- Minimizing unnecessary lengths and widths of new roads in order to reduce energy used for trips, materials, construction, and maintenance;
- Laying out new roads to allow clustering of structures, unit orientation for optimum solar gain, and location of structures in wind shadows;
- Locating development to facilitate creation of public and pooled transportation and promote pedestrian access to activities and facilities within and among settlements;
- Using local materials and labor in construction to reduce transportation energy costs; and
- Providing appropriate opportunities for jobs, retail goods and services within villages and neighborhoods in order to reduce the need for travel.

Involvement with the Regional Economy - Ideally, a new or expanding business affecting Topsham should:

- Create community pride and have a positive effect on the community's image;
- Strengthen and preserve the community's assets, particularly those identified in the Town Plan as important;
- Provide fiscal revenues that exceed direct and indirect costs;
- Invest in the community (e.g., sponsor groups and activities, allow community use of land and buildings, build affordable housing, provide day care);
- Help keep money circulating in the community (e.g., be owned by local residents; hire local people; use local resources or products; provide services or products presently obtained from outside community);
- Produce products or services that meet community needs and will benefit the community;
- Add value to a local renewable resource or product (e.g., dairy, cheese factory, furniture manufacturer);
- Be committed to reducing negative environmental impacts; and
- Minimize traffic impacts.