

**RE: TOWN OF ROYALTON, VERMONT
TOWN PLAN REVIEW
CASE # 15-4**

BACKGROUND

Pursuant to 24 V.S.A., Section 4350, the Town of Royalton, Vermont Selectboard requested this Commission to review and approve the Royalton Town Plan adopted on March 3, 2015 by the Town. The Plan encompasses land use for the Town of Royalton, and is referred to hereinafter as the Plan.

Section 4350 provides that prior to approving or disapproving a Plan, the Regional Commission find that the Plan meets four tests. These tests are that the Plan is:

- A. Consistent with the planning goals in Section 4302 of Chapter 117;
- B. Compatible with the Regional Plan;
- C. Compatible with the approved plans of other municipalities within the Region; and
- D. Inclusive of all elements required of a plan as set forth in 24 V.S.A., Section 4382.

Staff reviewed this Plan and offers the following information to the Board. The Regional Commission scheduled and held a Public Hearing on this review on April 22, 2015 in Woodstock, Vermont. This matter is now ready for decision.

FINDINGS

A. Is the Plan consistent with the planning goals?

NOTE: "Consistent with the goals" requires substantial progress toward attainment of the goals, unless the planning body determines that a particular goal is not relevant or attainable. If such a determination is made, the planning body shall identify the goal in the plan and describe the situation, explain why the goal is not relevant or attainable, and indicate what measures should be taken to mitigate any adverse effects of not making substantial progress toward that goal.

General Goals

1. Are municipal decisions guided by a coordinated, comprehensive planning process and policy framework?

Yes. The 2015 Royalton Town Plan is a comprehensive planning document that has been divided into sixteen distinct elements to meet the requirements set forth in 24 VSA § 4382.

2. Is citizen participation encouraged at all levels of the planning process?

Yes. This particular Plan was soundly adopted with citizen participation via an Australian ballot conducted on Town Meeting Day. Further, the Town mentions the routine engagement of residents through surveys, responses from which are leveraged to guide policy formulation throughout the Plan. Indeed, the Town Plan does state that “any individual or group may initiate changes” to the Plan at any time (p. 10).

3. Is consideration being given to the use of resources and the consequences of growth and development?

Yes. The Plan routinely makes references to the need to balance the needs of growth and resources, beginning with setting a policy to “[c]arefully review all development projects to ensure minimal negative impact on Royalton’s natural and historic resources” (p. 13).

4. Is the municipality working creatively together with other municipalities to develop and implement plans?

Yes. The Plan sets a goal to “work with neighboring towns and the region to encourage good land use and environmental policy that benefits the citizens of Royalton” (p. 102). This extends to policies encouraging continued communication and cooperation with neighboring municipalities as well as exchanging planning information and development data.

Specific Goals

A plan for a municipality may be consistent with the goals established in section 4302 of this title, which are:

1. Planning for development needs to be conducted so as to maintain the historic settlement pattern of compact village and urban centers separated by rural countryside.

a. Is intensive residential development being encouraged primarily in areas that are identified as community centers, and is strip development along highways being discouraged?

Yes. The Land Use element states that, as a policy, “[s]trip development is not supported” altogether (p. 78). Further, “[c]ommercial uses and higher density multi-family housing are encouraged in the Village Center Areas...[and d]ensely settled development should be encouraged, where practical [in the Foxville Hamlet future land use area]” (p. 83).

b. Is economic growth being encouraged in locally designated growth areas or being employed to revitalize existing urban or village centers, or both?

Economic growth is largely directed toward the existing village centers in the Town. Specifically, “[p]rimary retail establishments (excluding those retail establishments that

require substantial area for storage of materials, such as lumberyards and nurseries) must be located within the Village Center Areas or Foxville Hamlet Area” (p. 83). Along Route 107, the Plan states that development that is primarily service-oriented is permissible, and certain industrial uses may be permitted in both the Waterman Road Industrial Area and the Intermodal Industrial area.

c. Are public investments, including the construction or expansion of infrastructure, being made so as to reinforce the general character and planned growth patterns of the area?

Yes. The Town has established a goal to “plan for, finance, and provide an efficient system of community facilities and services to meet future needs,” while also stating that “[i]nfrastructure expansion should take place with a minimum impact on the aesthetic quality of the community” (p. 29).

2. Does the Plan provide for a strong and diverse economy; provide satisfying and rewarding job opportunities that maintain high environmental standards; and expand economic opportunities in areas with high unemployment or low per capita incomes?

Yes. The Plan directly addresses this by setting a goal to “encourage a strong and diverse local economy that provides satisfying and rewarding employment opportunities for residents while maintaining the community’s rural character” (p. 41).

3. Does the Plan broaden access to education and vocational training opportunities for residents identified in the Plan?

Yes. One of the Plan’s goals is to “encourage and broaden community access to educational and vocational training opportunities,” which dovetails with a recommendation to “encourage the use of the school for adult education and other community activities” (p. 67).

4. Planning needs to provide for safe, convenient, economic and energy efficient transportation systems that respect the integrity of the natural environment, including public transit options and paths for pedestrians and bicyclers.

a. Has the need for public transit been addressed?

Yes. The Town seeks to “minimize transportation energy consumption” while also mitigating “the negative impacts of transportation to our businesses, homes, and the greater environment” (p. 70). Additionally, the Plan has a number of objectives that would enhance public transit use in the Town, including actions to:

- “To provide alternatives to the heavy reliance on individual automobiles.” (p. 70)
- “To seek establishment of a regular Amtrak stop in South Royalton” (p. 71)
- “To support transportation for the elderly and disabled” (p. 71)

b. Does the Plan provide that highways, air, rail, and other means of transportation be mutually supportive, balanced and integrated?

Yes. It can be inferred that the Town's intent is toward this end through their policies, which state that, "[i]n considering major capital transportation projects, policy makers shall weigh reasonable alternatives focusing on environmental, energy, social and investment costs, and the extent to which each meets the goals and policies of [the] Plan" (p. 71). The Plan does discuss access to and use of alternative modes of travel (bicycles, pedestrianized roadways, public transportation, rail, and air travel) on pages 75 and 76.

5. Planning needs to identify, protect, and preserve important natural and historic features of the community's landscape.

a. Have special areas been identified, including significant natural and fragile areas; outstanding water resources, including lakes, rivers, aquifers, shorelands and wetlands; significant scenic roads, waterways, and views; and important historic structures, sites, or districts, archaeological sites and archaeologically sensitive areas?

Yes. The Plan identifies and details the needs of the following special areas within the "Natural, Scenic, and Historic Resources" chapter: primary agricultural land, productive forest soils/secondary agricultural soils, earth resources, groundwater, shorelands, wetlands, floodplains, flora, fauna, natural communities, natural areas, recreational lands, scenic areas, and historic resources (pp. 13-24).

6. Planning needs to maintain and improve the quality of air, water, wildlife and land resources.

a. Are air, water, wildlife, mineral and land resources being planned for development and use under the principles set forth in Act 250?

Yes. This is outlined throughout the "Natural, Scenic, and Historic Resources" chapter, and is most clearly borne out in the Town's objective to "[c]arefully review all development projects to ensure minimal negative impact on Royalton's natural and historic resources" (p. 13). Additionally, the Town aims to "[d]evelop regulations to protect natural and historic resources of outstanding value from adverse development that would impair their character or quality, and to encourage development that preserves our resources," as listed in the aforementioned chapter (p. 13).

7. Does the Plan encourage the efficient use of energy and the development of renewable energy resources?

Yes. The first outlined goal in the Plan's "Energy" element is to "promote the development of renewable energy resources and facilities in the town of Royalton to meet the energy needs of the community" (p. 49).

8. Planning needs to maintain and enhance recreational opportunities for residents and visitors.

a. Is growth being planned so as not to significantly diminish the value and availability of outdoor recreational activities?

Yes. It is Town policy that "planning for land development or subdivision should be sensitive to the economic, social, cultural, recreational, or other benefits to the public...and all feasible and reasonable means to prevent significant loss or imperilment of the resource should be employed" (p. 84).

b. Has public access to non-commercial outdoor recreational opportunities, such as lakes and hiking trails, been identified, provided, and protected wherever appropriate?

Yes. The Plan details the many recreational opportunities in the Town throughout the Plan, and most notably does so in the "Recreation Facilities" section of the "Community Facilities and Services" chapter (p. 34). It is Town policy to "maintain recreational land to encourage optimal use," and recommends the development of a "town recreational plan incorporating existing facilities and the newly developed Carpenter Land" (p. 29).

9. Planning needs to encourage and strengthen agricultural and forest industries.

a. Have strategies to protect long-term viability of agriculture and forestlands been encouraged, including maintaining low overall density?

Yes. The Plan encourages "the conservation, wise use, and management of the town's agricultural and forestry resources, to maintain its environmental integrity, and to protect its unique and fragile natural features" (p. 24). The Plan seeks to avoid fragmentation of these lands from development, encouraging clustered or peripheral development to protect the lands and prevent sprawling settlement patterns (p. 24).

b. Has the manufacture and marketing of value added agricultural and forest products been encouraged?

Yes. The Plan states that one of its policies is "to support the development of value-added farm and forestry products," encourages farm enterprises and agri-tourism, and supports the Royalton Farmers Market (p. 25).

d. Is the use of locally-grown food products encouraged?

Yes. The Plan “encourage[s] the use of locally grown products—particularly in schools” (p. 13).

e. Are sound forest and agricultural management practices encouraged?

Yes. It is Town policy that “farmers, loggers, and foresters should use Accepted Management Practices (AMP) and are encouraged to implement Best Management Practices (BMP) in their operations and to minimize point and non-point source pollution” (p. 24).

f. Are public investments planned so as to minimize development pressure on agricultural and forest land?

Yes. According to the Plan, “[a]ny expansion of infrastructure shall be made to support development in designated growth areas and to discourage strip development or sprawl” that would otherwise impinge upon more rural areas, agricultural, forested, or otherwise (p. 29).

10. Planning needs to provide for the wise and efficient use of natural resources and to facilitate the appropriate extraction of earth resources and the proper restoration and preservation of the aesthetics of the area.

a. Have strategies to facilitate the appropriate extraction of earth resources and the proper restoration and preservation of the aesthetic qualities been addressed?

Yes. The Plan recommends that the Town “[a]dopt regulations governing the extraction of earth resources,” and states that extraction operations “shall be conducted in such a manner as to be consistent with the goals of [the Natural, Scenic and Historic Resources] chapter and the requirements of Act 250” (pp 13-14).

11. Planning needs to ensure the availability of safe and affordable housing.

a. Is housing encouraged to meet the needs of a diversity of social and income groups, particularly for those citizens of low and moderate income?

Yes. It is the goal of the Town’s Housing chapter to “promote opportunities for Royalton residents to have access to safe and affordable housing at all income levels” (p. 62).

b. Are sites for multi-family and manufactured housing readily available in similar locations to those generally used for single-family conventional dwellings?

Yes. The Plan does not make specific reference to manufactured housing opportunities, but it is not categorically excluded either. However, the Plan’s policies do “consider affordable housing by structuring appropriately sized lots, accessory apartments, and

clustered developments” while also “providing housing for all segments of the community” (p. 63).

- c. Does the plan provide for new and rehabilitated housing to be safe, sanitary, located conveniently to employment and commercial centers, and coordinated with the provision of necessary public facilities and utilities?**

Yes. The Plan does make specific reference to “safe” housing needs, and directs growth primarily toward village and hamlet areas. It also does “ensure that any development of new dwelling units be compatible with existing neighborhoods” and encourages “the preservation of historic structures in ways that appropriately serve the need for housing” (p. 62).

- d. Does the plan provide for accessory apartments within or attached to single family residences allowing close proximity to cost-effective care and supervision for relatives or disabled or elderly persons?**

Yes, in part. The Plan calls out consideration of accessory apartments, but it does not specifically tout them as being suited as a housing opportunity for vulnerable communities. The Plan does not expressly state that any such housing should be for the benefit of disabled and elderly persons, nor does it state that such conversions or additions ought to be located in the Village Center or adjacent areas close to cost-effective care and services.

- 12. Planning needs to plan for, finance, and provide an efficient system of public facilities and services to meet future needs.**

- a. Do public facilities and services address plans for such services as fire and police protection, emergency medical services, schools, water supply and sewage and solid waste disposal?**

Yes. The Plan does address the needs for public facilities and services throughout both the “Community Facilities and Services” chapter and the “Health and Emergency Services” chapter (pp. 29-40).

- b. Does the rate of growth exceed the ability of the town and the area to provide facilities and services?**

No. The Plan expressly states that “growth and development should not exceed the capacities of local facilities and services” (p. 29).

- 13. Planning needs to ensure the availability of safe and affordable child care and integrate child care issues into the planning process, including childcare financing, infrastructure, business assistance for child care providers, and child care work force development.**

The Plan does outline the existing level of childcare service available in the community, noting that many families/parents opt to utilize other family members or childcare opportunities outside of the Town for their childcare needs. However, the discussion does not extend to any of the Plan's goals, policies, or recommendations to ensure the availability of safe and affordable child care, nor does it expressly integrate those needs into the planning process (p. 70).

B. Is the Municipal Plan Compatible With the Regional Plan?

The Two Rivers-Ottawaquechee Regional Plan was adopted on June 25, 2014 and it will remain in effect until July 25, 2022. Using the statutory definition of "compatible with," we find the Royalton Town Plan to be compatible with the Two Rivers-Ottawaquechee Regional Plan.

C. Is the Plan Compatible with Approved Plans of other Municipalities in the Region?

At the time of review of this Royalton Town Plan, the following municipalities have Plans approved by the Two Rivers-Ottawaquechee Regional Commission that are in effect:

Barnard, Bethel, Braintree, Bridgewater, Brookfield, Chelsea, Fairlee, Granville, Hancock, Hartford, Hartland, Norwich, Pittsfield, Plymouth, Randolph, Rochester, Stockbridge, Strafford, Topsham, Tunbridge, Vershire, West Fairlee, Woodstock.

These approval decisions and Plans have been reviewed in the context of the above question. Based on this, we find the Royalton Town Plan to be compatible with these Plans.

D. Municipal Plan Elements - Are They Included?

A plan for a municipality shall include the following required elements. These elements or components are, in summary:

- (a) a statement of overall objectives and policies;
- (b) a land use plan;
- (c) a transportation plan;
- (d) a utility and facility plan;
- (e) a statement of policies for "special resources";
- (f) an education plan;
- (g) an implementation program;
- (h) a statement on relationship of plan to trends and plans for adjacent towns and the region;
- (i) an energy plan; and
- (j) a housing plan.
- (k) an economic development plan
- (l) a flood resiliency plan

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

The Plan, in its totality, provides a series of statements of objectives, policies, and programs to guide future growth and development while also protecting the environment in each individual element. The Town Plan could, in the future, benefit from a standalone section within the Plan that condenses and analyzes this information further.

2. **A land use plan, consisting of a map and statement present and prospective land use, indicating those areas proposed for forests, recreation, agriculture, (using 6 VSA Section 8), residence, commerce, industry, public and semi-public uses and open spaces reserved for flood plain, wetland protection, or other conservation purposes; and setting forth the present and prospective location, amount, intensity and character of such land uses and the appropriate timing or sequence of land development activities in relation to the provision of necessary community facilities and services.**

The "Land Use" element serves as a land use plan (pp. 77-91). Future Land Use and Current Land Use maps can be found in the appendix.

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

The "Transportation" element serves as a transportation plan (pp. 70-77). It is accompanied by a Transportation Map that can be found in the appendix.

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

The "Community Facilities and Services" element in conjunction with the Health and Emergency Services element serves as a utility and facility plan (pp. 29-41). It is accompanied by a Utilities, Facilities, and Education map that can be found in the appendix.

- 5. A statement of policies on the preservation of rare and irreplaceable natural areas, scenic and historic features and resources.**

The “Natural, Scenic and Historic Resources” element serves as a statement of policies on the preservation of rare and irreplaceable natural areas, scenic, and historic features and resources in the Town (pp. 13-24). It is accompanied by a Natural Resources map that can be found in the appendix.

- 6. An educational facilities plan consisting of a map and a statement of present and projected uses and the local public school system.**

The “Education” element serves as an educational facilities plan (67-70). Its mapping needs are contained in the Utilities, Facilities, and Education map that can be found in the appendix.

- 7. A recommended program for the implementation of the objectives of the development plan.**

The “Town Plan Implementation” element serves as a recommended program for the implementation of the objectives of the development plan. As noted, this section can be expanded upon in future iterations to be a more comprehensive implementation program for the Town (pp. 102-107).

- 8. A statement indicating how the plan relates to development trends and plans for adjacent municipalities, areas and the region developed under Title 24.**

The “Relationship to Other Plans” element serves as a statement of how the plan relates to adjacent municipalities and the region as a whole (pp. 100-102).

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

The “Energy” element serves as an energy plan for the Town (pp. 49-62).

- 10. A housing element that shall include a recommended program for addressing low and moderate income persons' housing needs as identified by the regional planning commission pursuant to Section 4348a (a) (9) of Title 24.**

The “Housing” element addresses the Town’s needs for low- to moderate-income housing opportunities (pp. 62-67).

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

The "Economic Development" element describes Royalton's present and desired economic conditions along with the programs necessary to foster additional economic growth (pp. 41-49).

- 12. A flood resilience plan that identifies flood hazard and fluvial erosion hazard areas and designates those areas to be protected, including floodplains, river corridors, land adjacent to streams, wetlands, and upland forests, to reduce the risk of flood damage to infrastructure and improved property; and recommends policies and strategies to protect the areas identified and designated and to mitigate risks to public safety, critical infrastructure, historic structures, and municipal investments.**

The newly drafted "Flood Resilience" element serves as a flood resilience plan.

CONCLUSION

Based upon the above findings, it is the conclusion of the Regional Commission that the Royalton Town Plan be approved. This approval shall remain in effect until the date that the Plan expires, or until it is amended and reviewed pursuant to these provisions, whichever occurs first.

DISCUSSION

The Regional Commission appreciates the opportunity to formally evaluate the Royalton Town Plan. The Plan is all-inclusive, reflecting the community's planning capabilities and the import that they assign to issues around development.

Prior to issuing a Permit under Act 250, the District Environmental Commission or Environmental Court must find that the project is in conformance with the duly adopted Town Plan. This Plan includes clear, unambiguous language regarding current and proposed land use that can be reviewed by these bodies as part of an Act 250 project application. It is important that future Royalton Town Plans maintain their currency as Plans that have been found to be vague, unclear, or ambiguous do not carry much weight in Act 250 permit proceedings.

The 2004 Vermont State Legislature passed Act 115 that made significant amendments to the Vermont Municipal and Regional Planning and Development Act. The most notable changes, in the context of this review, are that Town Plan and Zoning Bylaws are now held to a higher standard of consistency. From 24 V.S.A. §4303 Definitions:

“ **‘Conformance with the Plan’** means a proposed implementation tool, including a bylaw or bylaw amendment that is in accord with the municipal plan in effect at the time of adoption, when the bylaw or bylaw amendment includes all the following:

- (a) Makes progress toward attaining, or at least does not interfere with, the goals and policies contained in the municipal plan.
- (b) Provides for proposed future land uses, densities, and intensities of development contained in the municipal plan.
- (c) Carries out, as applicable, any specific proposals for community facilities, or other proposed actions contained in the municipal plan.”

It is evident from a thorough examination of the 2015 Royalton Town Plan that great strides were taken to remedy the weaknesses of the 2010 Plan in addressing state planning goals, as were enumerated in the 2012 Enhanced Consultation process. However, while significant progress has been made to the vast majority of problematic elements (including direct references to density in land use areas, multi-modal transportation opportunities, utilities’ and facilities’ needs, energy consumption and use, and additional areas), issues remain with the Plan. Certain areas within the Plan would benefit from greater discussion or inclusion, and must be addressed in future iterations of the Plan, as noted below:

- While the Plan does address accessory apartments (accessory dwelling units/ADUs), it is superficial in scope. Any future iterations must have a more extensive discussion around the subject of ADUs as a means of providing affordable housing opportunities for low- to moderate-income residents as well as the elderly and disabled. Such housing should be allowed wherever residential housing is permitted, particularly within the Village Area, Foxville Hamlet, or anywhere in close proximity to town services and care facilities. Additionally, the Plan must include a discussion on mobile and manufactured homes in the Town, presenting them as a further affordable housing opportunity for residents.
- The Plan does discuss current childcare provisions in the Town, but this discussions does not extend to any of the Plan’s goals, policies, or recommendations that could otherwise ensure the availability of safe and affordable child care. These needs ought to be expressly integrated into the planning process going forward inasmuch as other educational opportunities for residents of all other ages.
- The Plan provides a series of statements of objectives, policies, and programs to guide future growth and development while also protecting the environment within each individual element. In the future, the Plan would benefit from a standalone section within the Plan that condenses and analyzes this information further.

With respect to the Land Use element of the Plan, there is much more clarity, overall, than was found in the 2010 Town Plan, but there is an issue of inconsistency around the TRORC Regional Plan maps and the Town Plan Future Land Use Map that demarcates Royalton and South Royalton Villages.

In TRORC’s determination, the new size of both of the village areas run counter to statewide planning goals that promote compact village centers. The existing “village” area of South Royalton Village, as noted in the 2014 Regional Plan, extends out along North Windsor to where

Vermont Law School's property ends to just beyond Caron Circle at the South Windsor side of the street. That area is all within roughly a half-mile of the Green, and has multi-modal transportation linkages to the rest of the downtown for easy access to shops and amenities. The Town Plan Future Land Use map, as presented, extends the village land use area well beyond either of these north-south ends of Windsor Street. This was noted as being a problem area in the 2012 Enhanced Consultation, but was not rectified in this latest version of the Plan. **The Town Plan and Regional Plan land use areas are inconsistent.**

A similar problem exists in Royalton Village, where the Town Plan's proposed Village Area is much larger than that of the Regional Plan. Royalton Village has a natural breaking point, as it were, where the railroad trestle crosses Route 14 by Gee Hill Road. There is currently no safe, accommodating area of passage from the point at which the Royalton Village boundary ends to the border of South Royalton Village other than by vehicle. As such, extending the Royalton Village future land use area south may have the effect of creating a disjointed, even fragmented village center. It also meets the Regional Plan-defined definition of sprawl by extending villages in creating "dispersed auto-dependent development [that occurs] outside of compact urban and village centers, along highways, and in rural countryside." **The Town Plan and Regional Plan land use areas are inconsistent.**

As stated above, the present maps and their indicated land uses *are not consistent* with the 2014 TRORC Regional Plan's Future Land Use Map. However, the Royalton Town Plan is found to be compatible with the Two Rivers-Ottawaquechee Regional Plan. As used in this review, the term "compatible with" has been defined (in Section 4302) as meaning: that the Plan in question, as implemented, will not significantly reduce the desired effect of the implementation of the other plan (emphasis added). If a Plan, as implemented, will significantly reduce the desired effect of the other Plan (in this case, the Regional Plan), the Plan may be considered compatible if it includes the following:

- (a) a statement that identifies the ways that it will significantly reduce the desired effect of the other Plan;
- (b) an explanation of why any incompatible portion of the Plan in question is essential to the desired effect of the Plan as a whole;
- (c) an explanation of why, with respect to any incompatible portion of the Plan in question, there is no reasonable alternative way to achieve the desired effect of the Plan; and
- (d) an explanation of how any incompatible portion of the Plan in question has been structured to mitigate its detrimental effects on the implementation of the other Plan.

As previously stated, the 2015 Town Plan has made significant progress toward conformity with the Regional Plan and state planning goals and elements. However, the inconsistencies in the mapping noted herein do not rise to the level of incompatibility.

It should be clearly noted that these land use area inconsistencies may result in permit application conflicts or difficulty. A retail development located in an area of inconsistency, for example, may be allowed under the new Town Plan, but, be in conflict with the TRORC Regional Plan

and **could be denied**. It is important that if such development is contemplated, that the Town makes any prospective applicant fully aware of this possibility prior to that applicant spending significant amounts of money.

Dated this 22nd day of April, 2015 at Woodstock, Vermont.

By: Peter G. Gregory
Peter G. Gregory, AICP, Executive Director