

**RE: TOWN OF HARTFORD, VERMONT  
PLAN REVIEW  
CASE # FY 20-1**

**BACKGROUND**

Pursuant to 24 V.S.A., Section 4350, the Town of Hartford, Vermont requested TRORC to review and approve the Hartford Town Plan adopted on June 4, 2019. The Plan encompasses all land in the Town of Hartford, and is referred to hereinafter as the Plan.

Section 4350 provides that prior to approving 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. TRORC scheduled and held a Public Hearing on this review on August 21, 2019 in Norwich, 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 2019 Hartford Town Plan is a comprehensive planning document to guide municipal decision-making that has been divided into 13 distinct chapters (including an Introduction) that are required under V.S.A. Title 24, Ch. 117, §4382. Required goals of the Plan are under V.S.A. Title 24, Ch. 117. §4302.

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

Yes. This Plan update was guided by a steering committee comprised of community representatives from Town boards, commissions, and Chamber of Commerce (p.2). The process was also informed by five public forums held during the summer of 2018 (p.2); a summary of forum outcomes is presented in Appendix A of the Plan. The Plan does not mention the public hearings held as part of the Plan's adoption process. It would have been beneficial to highlight those meetings and their outcomes as well.

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

Yes. The goals, strategies, and actions of the Land Use chapter support growth that is concentrated in already developed areas, respects community character and historical settlement patterns, does not outpace upgrades and expansion of water and wastewater infrastructure, and protects the Town's agricultural, natural, and scenic resources (pp.47-48). The other chapters of the Plan complement and elaborate upon these positions.

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

Yes. In the Land Use chapter, the following action is recommended in support of concentrating development in areas that already have municipal water and wastewater service: "Coordinate with the Two Rivers Ottawaquechee Regional Commission and other regional organizations and surrounding Towns to create a well-balanced region" (p.49). The Transportation chapter notes that the Town is a member of the Upper Valley Transportation Management Association and plans to continue using that forum to advance the Town's interests (p. 194).

### **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?**

Partially. Intensive residential development is encouraged in the following land use areas: Downtown Lands, Gateway Commercial Lands, Mixed-Use Lands, and Residential Lands. The Future Land Use Plan map (p. 51) indicates that these land use areas are

generally located in or near the Town's 5 core villages or Rural South hamlets. Most of the land acreage designated as supporting intensive residential development lies within or immediately adjacent to the state-designated Growth Center.

The Plan's Economic Development Vision calls for denser, pedestrian-oriented development patterns in already-developed areas "that minimize strip and sprawl-style development" (p.108). However, the Plan does not present specific policies to minimize strip development in any of the Plan's goals, strategies, or actions; it should do so in future iterations.

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

Yes. The Economic Development chapter includes strategies to revitalize White River Junction (p.109) and to strengthen village centers as community centers (p. 110). The villages of White River Junction, Wilder, and Hartford Village lie within a state-designated growth center. According to the Future Land Use Plan map (p. 51), land use area designations that would support commercial development are found within the state-designated growth center, and on adjacent lands along US-4, US-5, and I-91. Commercial development is also supported in land use areas delineated in or adjacent to the villages of West Hartford and Quechee. Land use area designations supporting commercial development are also found in several hamlets (Center of Town, Neal Road, and Centerville).

**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 Plan's Utilities Chapter includes the following relevant goals and strategy:

- "Goal: Encourage the extension of utilities to areas zoned for commercial/industrial development and dense residential and mixed-use development that have been identified by the Town for growth." (p. 168)
- "Strategy: Improve and expand water and wastewater system infrastructure within the present service area before considering expansion." (p.168)

Moreover, several chapters include goals, strategies, or actions that promote concentration of new development in already-developed areas that have existing infrastructure, while discouraging encroachment upon undeveloped land.

**d. Is development being undertaken in accordance with smart growth principles?**

Partially. Most of the smart growth principles identified in 24 V.S.A. § 2791(13) are addressed through the goals, strategies, or actions of the Plan's various chapters. However, the Plan does not include specific proposals to limit strip development. 24 V.S.A. § 2791(13) states that settlement patterns should not be characterized by "linear development along well-traveled roads and highways that lacks depth, as measured from

the highway.” Hartford’s Gateway Commercial Future Land Use Area may conflict with this statutory requirement and should be reviewed carefully during the next update to ensure RPC approvability.

**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 Economic Development chapter lists a number of goals, strategies, and recommendations that align with this goal (pp.108-113). The Economic Development goals include:

- “Attract new businesses and employers to Hartford that are environmentally friendly and provide high-paying jobs, emphasizing information and technology-based firms, consulting and management services, and health care-related activities;
- Improve the employment skills, earnings capacity, and incomes of Hartford residents with low-paying jobs;
- Expand the supply of affordable rental housing and workforce home ownership opportunities within Hartford and the Upper Valley Region.” (p.109)

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

Yes. The Economic Development chapter includes a strategy and various recommendations to “build a more accessible and effective workforce development system” (p.111), which includes access to higher education. The Community Facilities and Services chapter includes a goal that “students have access to quality vocational and workforce training opportunities to prepare them for future career opportunities” (p. 154). That goal is supported by 1 strategy and 1 action.

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

Yes. The Transportation chapter includes goals, strategies, and actions relating to safety, adequate parking, cost-efficiency, and the expansion of transportation options (with particular emphasis on less energy-intensive modes like public transit, bicycling, and walking). Additional goals, strategies, and actions relating to energy-efficient transportation are outlined in the Energy chapter.

The Transportation chapter lists multiple actions to integrate different modes of transportation. For example:

- “Prioritize park and ride investments in locations that would best serve public transit needs.” (p. 192).
- “Develop multi-modal connections to the street system within and between new developments. Use built roads, sidewalks, deeded rights-of-way, and other planning tools to develop transportation connections.” (p.192)
- “Support Amtrak passenger service and encourage a fuller integration of passenger rail with other transportation modes and related infrastructure.” (p.192)

**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 Historic Resources chapter lists important historic structures and districts and describes potential archaeological areas. The Natural Resources chapter identifies deer wintering areas, locations of threatened/endangered species and habitats, scenic byways, scenic areas, water resources, and priority forest blocks.

**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. The Natural Resources chapter contains a number of goals, strategies, and actions that promote the protection of air, water, wildlife habitat, forest land, and farmland (pp.224-228). The chapter also includes a goal, strategy, and actions to minimize negative impacts of extraction and processing of earth resources (p. 225).

- b. Is water quality being maintained and improved on according to the policies and actions set forth in the basin plans?**

No. The Plan does not reference the relevant basin plans prepared by the Agency of Natural Resources. They must be referenced in future iterations of the Plan.

- c. Are forestlands managed so as to maintain and improve forest blocks and habitat connectors?**

Yes. The Natural Resources chapter includes the following strategy: “Encourage preservation and restoration of wildlife corridors, wetlands, riparian areas, large intact

contiguous forest blocks and agricultural resources” (p. 224). This strategy is supported by several other goals and strategies in the chapter, along with many actions.

7. **Planning needs to make efficient use of energy, provide for the development of renewable energy resources, and reduce emissions of greenhouse gases.**
- a. **Are general strategies included for achieving these goals to include increasing energy efficiency of new and existing buildings; identifying areas suitable for renewable energy generation; encouraging the use and development of renewable or lower emission energy sources for electricity, heat, and transportation; and reducing transportation energy demand and single occupancy vehicle use?**

Yes. The Energy Chapter includes strategies and actions to reduce single occupancy vehicle trips by at least 20% by 2030, cap vehicle miles traveled at 2011 levels, support increased use of low-emissions vehicles, make existing buildings more energy efficient, make progress toward eventually requiring all new buildings to be net-zero, and increasing renewable energy production and consumption by Town residents and businesses. The chapter also lists preferred locations for commercial-scale renewable energy siting (p. 248).

- b. **Are specific strategies and recommendations for achieving these goals identified in the State energy plan included in the Plan?**

Yes. Appendix B of the Plan contains the Town’s energy goals as derived from the state’s energy plan. These goals are also presented in the Energy chapter, along with supporting strategies and actions.

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. The Land Use chapter includes the following goal: “Maintain and enhance open space and recreational ‘infrastructure’ important for long-term health and quality of life for Hartford residents” (p.48). The accompanying strategy (“Carefully plan and design new residential development in rural lands districts to protect important agricultural land and other scenic and natural resources”) is supported by several actions.

- 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 Community Facilities and Services chapter lists and describes recreational lands, parks, and facilities open to the public (p.124-129). It also presents a number of

goals, strategies, and actions (p. 149-152) to enhance existing recreational opportunities and create new access, as these actions illustrate:

- “Continue to explore the possibility of constructing a river trail from Downtown White River Junction to Ratcliffe Park with the Latham Works Community Group.
- Continue relationships with the Lebanon/Mascoma Trail Network to connect with White River Junction.” (p. 151)

**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 Land Use chapter (p. 48) and Natural Resources chapter (p.224, 226-228) includes strategies and many accompanying actions that aim to limit development on agricultural lands and forestlands.

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

Yes. The Natural Resources chapter includes the following actions:

- “Support the agricultural and forestry economy of Hartford. Explore opportunities for expanding the production of agricultural-based and value-added products.” (p. 227)
- “Work with the Hartford Area Chamber of Commerce and the Green Mountain Economic Development Corporation to promote and support local agricultural and forestry businesses.” (p.228)
- “Work with the Green Mountain Economic Development Corporation and other organizations to incentivize value-added agricultural and forest products.” (p.228)

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

No. The Natural Resources chapter narrative notes that “the Town encourages preservation of agricultural lands as well as locally grown foods” (p. 212), but there are no goals, strategies, or actions in the Plan dedicated to strengthening or leveraging local food networks. TRORC raised the same concern in its review of the 2014 Hartford Town Plan. This should be addressed in future iterations of the Plan.

**d. Are sound forest and agricultural management practices encouraged?**

Yes. The Natural Resources chapter narrative notes that the Town encourages adherence to state’s Required Acceptable Management Practices and Required Agricultural Practices (p.210,212). The chapter includes 2 relevant strategies:

- “Encourage the preservation of prime agricultural soils and viable tracts of productive farmland.” (p.228)
- “Encourage the conservation of working forestlands and the use of management practices that enhance forest health and long-term productivity.” (p.228)

The Land Use chapter also includes a relevant action: “Adopt standards to protect natural resources and fragile features: These areas include prime agricultural soils, wetlands, streams, steep slopes, scenic views, ridgelines and important wildlife habitat” (p.48).

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

Yes. Several chapters include goals, strategies, or actions that promote concentration of new development in already-developed areas that have existing infrastructure, while discouraging encroachment upon undeveloped land. Additionally, one of the actions in the Natural Resources chapter addresses development within rural areas: “Continue to encourage clustered development in the Hartford Zoning Regulations and Subdivision Regulations to avoid impacting agricultural and forestry resources” (p.227).

**10. Does the plan 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?**

Yes. One of the goals in the Natural Resources chapter reads: “Preserve and enhance Hartford’s natural resources and environmental features and protect these features from the impacts of development” (p.224). The Natural Resources chapter also presents a goal, strategy, and various actions that specify earth extraction projects should minimize environmental, community, and aesthetic impacts and sites should be reclaimed and re-vegetated following extraction (p. 225).

**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, these needs are addressed through the following actions in the Housing chapter (p.91):

- “Encourage the production of adequate amounts of new housing to meet the housing needs of residents at all socioeconomic levels.”
- “Encourage public and private mixed-income single-family and multi-family residential development within neighborhoods and village areas where there is Town water and sewer and that are located in close proximity to public transit and community facilities.”
- “Continue to support the development of housing for special-needs populations, including first-time home buyers, senior citizens, single-parent families, single persons, disabled persons, and the homeless.”
- “Continue to support the efforts of the Hartford Housing Authority and the White River Area Housing Development Corporation to administer rental assistance programs for low-income residents of Hartford and assistance to other special-needs populations.”



**b. 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 Housing chapter includes actions that call for upgrading substandard housing and promoting residential development “within neighborhoods and village areas where there is Town water and sewer and that are located in close proximity to public transit and community facilities” (p.91). The Energy chapter has a strategy and accompanying actions that promote mixed-use development near downtowns and village centers (p. 235).

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

Yes. Two of the actions in the Housing chapter promote equitable siting for multi-family and single-family housing:

- “Encourage public and private mixed-income single-family and multi-family residential development within neighborhoods and village areas where there is Town water and sewer and that are located in close proximity to public transit and community facilities” (p.91).
- “Create a residential zoning district that allows multi-family as a permitted use” (p. 92).

The Land Use chapter notes that several land use categories are suitable for both single-family and multi-family housing: Residential Lands, Gateway Commercial Lands, and Mixed-Use Lands.

Although the Plan doesn’t have any goals, strategies, or actions that specifically address manufactured housing (including, for example, mobile homes), the Housing chapter’s narrative does note: “State Statute requires that mobile homes, modular housing, or prefabricated housing to be treated the same as stick built housing. State Statute also prevents municipalities from prohibiting mobile home parks” (p. 89).

**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. The Land Use chapter includes the following action: “Promote the use of accessory apartments as a means of increasing the availability and affordability of housing” (p.49). The same action is repeated in the Housing chapter, along with the following relevant actions:

- “Streamline the permitting of accessory apartments” (p.92).
- “Continue to support the development of housing for special-needs populations, including first-time home buyers, senior citizens, single-parent families, single persons, disabled persons, and the homeless” (p.91).

**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, these services are addressed through a number of goals, strategies, and actions in the Community Facilities and Services chapter and in the Utilities chapter.

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

The Plan's Utilities Chapter includes the following relevant strategy and goal:

- “Strategy: Improve and expand water and wastewater system infrastructure within the present service area before considering expansion.” (p.168)
- “To encourage development in already developed and underdeveloped areas served by existing utilities.” (p. 168)

Moreover, several chapters include goals, strategies, or actions that promote concentration of new development in already-developed areas that have existing infrastructure, while discouraging encroachment upon undeveloped land.

**13. Does the plan 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?**

Partially. The Community Facilities and Services chapter includes a goal to “provide safe, affordable, accessible and high-quality child care” (p.156), which is in turn supported by a strategy to increase the number of child care facilities in the Town. One of the accompanying actions helps to integrate child care issues into the planning process: “consider making child care facilities a permitted use in some zoning districts” (p.156).

The Plan does not include any goals, strategies, or actions related to childcare financing, business assistance for child care providers, or child care work force development. Future iterations of the Plan should try to fully address these statutory requirements.

**14. Planning needs to encourage flood resilient communities.**

- a. Is new development in identified flood hazard, fluvial erosion, and river corridor protection areas avoided? If new development is to be built in such areas, it should not exacerbate flooding and fluvial erosion.**

Yes. The Flood Resilience chapter includes the following strategy: “Avoid new development in identified flood hazard areas, fluvial erosion areas and river corridors” (p.257). The strategy is accompanied by actions.

**b. Is the protection and restoration of floodplains and upland forested areas that attenuate and moderate flooding and fluvial erosion encouraged?**

Yes, the Flood Resilience chapter includes the following goal: “Encourage the protection and restoration of floodplains and upland forest areas to attenuate and moderate flooding and fluvial erosion” (p.256). This goal is supported by 1 strategy and a number of actions.

**c. Are flood emergency preparedness and response planning encouraged?**

Yes, the Flood Resilience chapter includes the following strategy: “Actively pursue flood emergency preparedness and response planning” (p.255). The strategy is supported by actions.

**B. Is the Municipal Plan Compatible with the Regional Plan?**

The Two Rivers-Ottawaquechee Regional Plan was adopted on July 26, 2017 and will remain in effect until August 31, 2025. The Regional Plan is currently being updated, and approval of the new document is expected in the fall of 2019.

The primary inconsistency between Hartford’s Future Land Use plan (p.51) and the Future Land Use Areas in the 2017 Regional Plan is Hartford’s delineation of “General Industrial/Commercial” areas running west along VT-14. This designation indicates that the Town expects more intensive development and different uses than what was envisioned by the 2017 Regional Plan’s “Rural Areas” designation along VT-14. This issue is expected to be resolved in the 2019 Regional Plan update with the proposed change from “Rural” to “Industrial.”

Overall, the Hartford 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.

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

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

Barnard, Bethel, Bradford, Braintree, Bridgewater, Brookfield, Chelsea, Fairlee, Hartland, Newbury, Pittsfield, Pomfret, Rochester, Royalton, Sharon, Stockbridge, Strafford, Tunbridge, Vershire, West Fairlee, and Woodstock.

These approval decisions and Plans have been reviewed in the context of the above question. Based on this, we find the Hartford 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.**

Yes. The Town Plan lists overarching "guiding principles" and goals for the Town Plan update process on p. 2-3. More specific goals, strategies, and actions relating to the aforementioned topics are included throughout the plan.

**2. A land use plan, consisting of a map and statement of 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; set 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; and indicates those areas that are important as forest blocks and habitat connectors and plans for land development in those areas to minimize forest fragmentation and promote the health, viability, and ecological function of forests.**

Yes. In the Land Use chapter of the Plan, current land use maps are provided on p. 30-36 and floodplains are mapped on p. 205. The future land use map is found on p. 51 and zoning districts are shown on p. 52-53, indicating the location of areas proposed for various uses. The future land use map specifically demarcates forest reserves and conserved/public/semi-public lands. These maps are accompanied by narrative descriptions of current land uses and uses (including amount, intensity, and character of uses) that are appropriate in each future land use category.

With regard to appropriate timing/sequence of development in relation to public facilities, the Plan specifies:

- “Continue to regularly evaluate the water and wastewater systems to ensure that improvements are planned and funded to accommodate anticipated growth for the foreseeable future” (Action, p.47)
- “Maintain gravel roads in their present condition unless daily traffic volumes warrant reconstruction and paving or if paving is justified for other reasons, such as public safety.” (Action, p.193)
- “Improve and expand water and wastewater system infrastructure within the present service area before considering expansion.” (Strategy, p.168)
- “To encourage development in already developed and underdeveloped areas served by existing utilities.” (Goal, p. 168)

The Natural Resources chapter includes maps of important wildlife habitat and forest blocks (p.214-215). The Future Land Use map (p. 51) shows that some of those priority areas are encompassed within the Town’s “Forest Reserve” land use category, which means that the Town intends to maintain very low density and minimize fragmentation of undeveloped land in those areas. Other priority areas are categorized as “conserved, public, or semi-public lands.” The remainder of the priority areas are offered protections through the Rural Lands Overlay District and the Wildlife Connector Overlay District, both of which restrict fragmentation and other adverse environmental impacts (p. 24-25,53).

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.**

Partially. The Transportation chapter includes a map of the present road network, railroads,

and trails (p.173) and a map of daily traffic volumes (p.176). However, parking facilities, transit routes, terminals, and bike paths and trails are not mapped. Mapping these facilities is required under statute.

The Transportation chapter discusses the current conditions and prospective needs or changes with regard to road network, airports, bicycle facilities, parking facilities, transit routes, terminals, railroads, and pedestrian infrastructure. Priority projects and estimated costs are presented on p.146.

- 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.**

Partially. The Communities and Facilities chapter includes a map (p.115) of present educational facilities, libraries, parks and trails, the VA medical center, the recycling center and landfill, and other municipal service facilities. In the Utilities chapter, there is a map of municipal water and sewer service in the Town (p. 165).

The Utilities chapter includes narrative descriptions of the present conditions and prospective needs of municipal water systems. A prioritized list of capital improvements for the Hartford water distribution system is provided, along with estimated costs (p.160-162). Methods of financing water system improvements are not discussed. The chapter also includes a discussion of the current conditions of the municipal wastewater systems. There is no discussion of whether capital improvements will be needed for wastewater systems in the near future.

The Community and Facilities chapter and Appendix D describe the current conditions of the Town Hall, libraries, solid waste facilities, transmission lines, and educational facilities, but the chapter does not address prospective capital improvement needs for those various facilities. The Transportation chapter and Community and Facilities chapter discuss current conditions, prospective needs, and the estimated cost of near-term priority capital improvement projects for fire/emergency response facilities, bridges and culverts, the public works facility, recreational facilities, and police facilities. However, there is very little discussion of methods of financing capital improvements for these facilities.

The Energy chapter and Appendices B and D address current conditions and future needs with regard to power generating infrastructure, but offer no information about priority of need, costs, or methods of financing.

The Plan does not provide any narrative description of hospital facilities in the Town.

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

Yes. The Plan includes the following policy statements:

- “Protect Hartford’s historic resources: Protect and restore Hartford’s historic buildings and facades, facilities, traditions and oral history.” (Goal, p.14)
- “Adopt standards to protect natural resources and fragile features: These areas include prime agricultural soils, wetlands, streams, steep slopes, scenic views, ridgelines and important wildlife habitat.” (Action, p.48)

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

Partially. The Communities and Facilities chapter includes a map (p.115) of present educational facilities. The chapter also presents a narrative description of the current conditions of those facilities, but does not address their prospective capital improvement needs.

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

No. The Plan does not discuss how the goals, strategies, and actions of this plan will be implemented. It would be helpful to identify responsible parties and a timeline for at least some of the actions in the Plan.

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

Yes. Chapter XII discusses the relationship of the Hartford Town Plan to the development trends and plans of surrounding Towns.

**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.**

Yes. The Energy chapter and Appendices B, C, and D present analysis of resources, needs, costs, and challenges and scarcities. The Energy chapter includes many goals, strategies, and actions that aim to improve energy efficiency and reduce overall energy use in transportation and buildings.

Renewable energy generation is addressed in the following goal: “By 2030 90% of Hartford residents and businesses are producers of renewable energy from sources including solar, wind, hydro, and biomass.” (p.245)

The Energy chapter addresses the relationship between land use and energy conservation through one of the strategies supporting the Town’s goal of capping vehicle miles traveled: “Support mixed-use development close to Town centers” (p.235).

**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.**

Yes. The Housing chapter presents an analysis of housing availability and needs for low- and moderate-income households in Hartford. Many of the chapter’s recommended actions address affordable housing, for example:

- “Encourage the production of adequate amounts of new housing to meet the housing needs of residents at all socioeconomic levels.” (p.91)
- “Continue to support the development of housing for special-needs populations, including first-time home buyers, senior citizens, single-parent families, single persons, disabled persons, and the homeless.” (p.91)
- “Continue to support the efforts of the Hartford Housing Authority and the White River Area Housing Development Corporation to administer rental assistance programs for low-income residents of Hartford and assistance to other special-needs populations.” (p.91)
- “Investigate the use of Town and State properties for the development of affordable housing.” (p.92)

**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.**

Yes. The Economic Development chapter describes present economic conditions and describes the locations and types of desired economic development. The Land Use chapter addresses scale of development in those target areas. The Economic Development chapter presents numerous goals, strategies, and recommended actions to foster economic growth.

**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.**

Yes. Flood hazard areas are mapped on p.205 of the Plan and fluvial erosion hazard areas are discussed on p.253. The Flood Resilience chapter includes the following policy statements:



- “Encourage the protection and restoration of floodplains and upland forest areas to attenuate and moderate flooding and fluvial erosion.” (Goal, p.256)
- “Mitigate impact of flooding in riverbanks, wetlands, riparian buffers, farm, forest and other open land through better management and protection of watersheds and sensitive natural resources in and around these areas.” (Strategy, p. 257)
- “Avoid new development in identified flood hazard areas, fluvial erosion areas and river corridors.” (Strategy, p.257)
- “Protect municipal infrastructure and buildings from the potential of flood damage.” (Goal, p. 257)

## CONCLUSION

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

## DISCUSSION

TRORC appreciates the opportunity to formally evaluate the Hartford 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 Hartford 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.”

The 2019 Hartford Town Plan is a definite improvement upon the 2014 Town Plan. The 2019 Plan more directly addresses manufacture and marketing of value-added agricultural and forest products, references agricultural and forestry management practices required by the state, provides some information about potential costs of capital improvement projects, greatly expands upon its Energy chapter. The Plan also includes a Flood Resilience element and forest block and habitat connector language, two new statutory requirements.

Comments and suggested improvements for the next iteration of the Hartford Town Plan:

Substantive revisions:

1. The Plan doesn't include any goals, strategies, or actions that specifically address the statutory requirement to minimize strip development; it should do so in future iterations. 24 V.S.A. § 2791(13) states that settlement patterns should not be characterized by "linear development along well-traveled roads and highways that lacks depth, as measured from the highway." Hartford's Gateway Commercial Future Land Use Area may conflict with this statutory requirement and should be reviewed carefully during the next update to ensure RPC approvability.
2. In its review of the 2014 Plan, TRORC noted a lack of information about potential costs and methods of financing capital improvement projects. The 2019 Plan has begun to address this issue. Future iterations of the plan would benefit from addressing the following information gaps:
  - a. Methods of financing for water system improvements.
  - b. Future capital improvement needs for wastewater systems, along with indications of priority of need, costs, and methods of financing.
  - c. Future capital improvement needs for the Town Hall, libraries, solid waste facilities, and educational facilities. These should be accompanied by indications of priority of need, costs, and methods of financing.
  - d. Methods of financing priority capital improvement projects for fire/emergency response facilities, bridges and culverts, the public works facility, recreational facilities, and police facilities.
  - e. Indications of priority of need, costs, and methods of financing for power generating infrastructure projects.
  - f. Narrative description of hospital facilities in the Town.

Additional needed improvements:

1. In addition to describing any community outreach done during the drafting process, we recommend that the Plan discuss the public hearings held as part of the Plan's adoption process, along with the outcomes of those hearings.
2. The Plan doesn't reference tactical basin plans. Per statutory requirements, future iterations of the Plan should reference the relevant basin plans and integrate their policies and actions into the Town's efforts to maintain and improve water quality.
3. The Plan doesn't include any goals, strategies, or actions that are specifically focused on strengthening or leveraging local food networks. Per statutory requirements, these should be added in future iterations of the Plan. TRORC made the same request in its 2014 town plan review.

4. The Plan appropriately acknowledges state requirements that manufactured housing (including mobile homes) be treated the same as stick-built housing with regard to siting decisions. In future iterations of the plan, consider developing goals, strategies, or actions that specifically address the availability of manufactured housing.
5. The Plan does not include any goals, strategies, or actions related to childcare financing, business assistance for child care providers, or child care work force development. Future iterations of the Plan should address these statutory requirements.
6. Parking facilities, transit routes, terminals, and bike paths and trails are not mapped. Mapping these facilities is required under statute, and should be done in future Plan iterations.
7. To meet statutory requirements, the Plan should include at least a brief discussion of how the goals, strategies, and actions of this plan will be implemented. It would also be helpful to identify responsible parties and a timeline for the actions in the Plan.

Dated this 21st day of August, 2019 at Woodstock, Vermont.

By: Peter G. Gregory  
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