

**RE: TOWN OF CORINTH, VERMONT  
PLAN REVIEW  
CASE # FY 20-5**

**BACKGROUND**

Pursuant to 24 V.S.A., Section 4350, the Town of Corinth, Vermont requested TRORC to review and approve the Corinth Town Plan adopted on October 21, 2019. The Plan encompasses all land in the Town of Corinth, 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 December 11, 2019 in Woodstock, Vermont. This matter is now ready for decision.

**Plans stand on their own and this review is based on the Plan as adopted.**

**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 Corinth Town Plan is a comprehensive planning document to guide municipal decision-making that has been divided into 14 distinct chapters 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?**

The Plan states on p. 1 that “citizen participation is encouraged at all levels of the Town Plan planning process,” and Town Survey data is included in Appendix C of the Plan. Adding a description of public participation in the planning process would be helpful.

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

Yes, this consideration is evident throughout the Plan.

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

Yes, on p.59 the Plan calls for ongoing communication, cooperation, and information sharing between Corinth and its neighboring towns, as well as continued participation in the Two Rivers-Ottawaquechee Regional Commission.

### **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.**

Yes, this is explicitly addressed in the Land Use chapter (Chapter 9).

**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, in the Land Use chapter (p.29) there are policies to “encourage the placement of any intensive residential development near villages and hamlets” and to “discourage strip development.”

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

Yes, on p. 29 is a policy to “encourage the location of new economic growth in concentrated village and hamlet areas.”

- 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, on p. 41 is a policy stating: "Major public investments, such as public recreational areas, and municipal facilities, as well as major commercial or residential developments need to be situated within or in close proximity to the village, hamlets, or designated growth districts, if any."

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

Yes, smart growth principles are reflected in goals, policies, and recommendations throughout the Plan.

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, these are addressed in the Economic Development chapter, and to a lesser extent, in the Current and Future Land Use chapter.

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

Yes, the Education chapter includes a goal of "increased early childhood educational and childcare opportunities," as well as a recommendation that school facility assessments should consider ways to meet the community's preschool and vocational education needs (p.21).

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.**

Yes, the Transportation chapter includes goals, policies, and recommendations that address safety, convenience, transit service, and bike/ped facilities. Supporting goal and policy language relating to cost effectiveness, energy efficiency, and environmental protection can be found in the Utilities and Facilities chapter.

- 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 recommendations that address park-and-rides as connections for carpooling and transit. Air and rail systems integration is not discussed because no such facilities are located within the Town.

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

Yes, important natural and historic features have been identified by the Town and are referenced in the Natural Resources chapter and on p. 31 of the Current and Future Land Use chapter. The Plan includes a variety of goals, policies, and recommendations that support the protection and preservation of such resources.

**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, partially. Historic sites are identified and discussed on p.31, but archaeological sites and archaeologically sensitive areas are not specifically discussed. Significant natural resources are mapped and discussed in the Natural Resources chapter.

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

Yes, maintenance and improvement of these resources is discussed throughout the plan, though most especially in the Natural Resources chapter.

**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 principles are addressed in various goals, policies, and recommendations found within the Natural Resources Chapter, Flood Resilience Chapter, Current and Future Land Use chapter, Energy chapter, and the Utilities and Facilities chapter.

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

Yes, the Natural Resources chapter includes the following policy: "Water quality should be maintained and improved according to the policies and actions developed in the Waits River Basin Plan (Basin 14)" (p. 46).

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

Yes, a number of policies in the Natural Resources chapter support this requirement.

**7. Planning needs to make efficient use of energy, provide for the development of renewable energy resources, and reduce emissions of greenhouse gases.**

Yes, this is supported by the following goals from the Energy chapter (p.41):

- “A continued pattern of settlement and land use that uses energy efficiently.”
- “Installation and use of energy efficiency measures that are cost-effective over their life and to encourage the use of renewable energy to meet the remaining demand.”
- “Responsible development of local, renewable energy sources and reduced dependence on “outside” energy sources imported from overseas or other, distant, domestic regions.”

- 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, these points are addressed in a number of policies and recommendations in the Energy and Transportation chapters.

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

Yes, the Energy chapter evaluates the Town’s progress in meeting state targets and presents goals, strategies, and recommendations for enhancing energy conservation and renewable energy generation.

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

Yes, this is addressed on p.30 of the Plan.

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

Yes, the Plan includes a number of policies and recommendations for the protection of natural resources and public access to those resources for recreation. See for example p. 30, 45, and 48.

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

Yes, existing recreational assets are identified on p.30 of the Plan. The following recommendations are also presented on p.30:

- “Land owners should be encouraged to allow access to existing trails, open areas, and rivers and streams for recreational use.”

- “The Conservation Commission should work to create a network of non-motorized recreational trails in the town that will be open to the public.”

**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 includes goals, policies, and recommendations to prevent fragmentation of forestlands and agricultural lands (see for example p.48) and to concentrate new development in already-established village and hamlet areas (see for example p. 29-30).

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

Yes, on p. 8 of the Plan is the following goal: “Support the manufacturing of locally produced products, particularly those that are agricultural or silvicultural in nature, and the related distribution of such products.”

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

Yes, one of the goals listed in the Economic Development chapter is the “creation of a food hub” (p.8).

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

Yes, as evidenced by two of the policies in the Natural Resources chapter:

- “Sound agricultural management practices are encouraged to increase water quality.” (p.46)
- “Encourage sound forest management practices.” (p.48)

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

Yes, one of the policies in the Natural Resources chapter states: “Public investments should be planned to minimize development pressure on agricultural and forest lands” (p.48).

**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. Wise and efficient use of natural resources is addressed throughout the Plan. Appropriate extraction of earth resources and associated impact mitigation are addressed in the policies on p.49.

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

Yes, one of the goals of the Housing chapter is "Housing that is safe, efficient, sanitary and affordable for all residents" (p.56).

**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, this is supported by a number of goals, policies, and recommendations in the Housing chapter.

**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, these requirements are met through various goals, policies, and recommendations in the Housing chapter, for example:

- Policy: "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)." (p.57)
- Policy: "Encourage the location of future housing so as to complement existing or planned employment patterns, travel times, and energy requirements." (p.57)
- Policy: "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." (p.57)

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

Yes, this requirement is met by the following policy language in the Housing chapter:

- Goal: "Encourage additional affordable rental properties, especially in village or hamlet settings, provided that they do not put an undue burden on Town services and facilities and provided that they are of a scale and design that respects existing character of villages and hamlets" (p. 57).
- Policy: "Allow multi-family, manufactured, and accessory dwelling units where all other housing is allowed provided it keeps with the character of the neighborhood." (p.57)

**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 Housing chapter includes the following policy: "Allow multi-family, manufactured, and accessory dwelling units where all other housing is allowed, provided it keeps with the character of the neighborhood" (p.57).

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

Yes, the Utilities and Facilities chapter includes the following goal: “Utilities and facilities meet the needs of residents in a cost effective and energy efficient manner” (p.17).

**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 discussed in the Education chapter, Utilities and Facilities chapter, and Emergency Services & Emergency Management chapter.

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

No. One of the policies in the Utilities and Facilities chapter states: “Growth and development shall not exceed the capacities of local facilities and services” (p.17).

**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?**

Partly. Safe learning environments are incorporated into the education-related goals on p.21, and there is a recommendation to “support new and existing childcare facilities when possible.” Child care issues are somewhat integrated into the planning process; there is a recommendation on p.21 that preschool needs be considered as part of the assessment of existing school facilities. There is no discussion of child care affordability, financing, business assistance, or work force development.

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

The Plan includes a chapter dedicated to flood resilience.

**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 policy: “Corinth prohibits all new fill and construction of buildings in mapped floodways, Special Flood Hazard Area, and River Corridor areas (Mapped areas, unless corrected by FEMA)” (p.13).



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

Yes, partly. The Flood Resilience chapter addresses protection and restoration of floodplains. With regard to upland forests, the Flood Resilience chapter includes the following policy: “Maintain Corinth’s upland forests and watersheds predominately in forest use to ensure high quality valley streams and to ensure that flood flows are reduced” (p.13). Restoration of upland forested areas is not addressed.

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

Yes. One of the recommendations in the Flood Resilience chapter is to “continue working to update hazard mitigation plans and emergency preparedness and recovery procedures” (p.14).

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

The Two Rivers-Ottawaquechee Regional Plan was adopted on July 26, 2017 and it will remain in effect until August 31, 2025.

The Corinth 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 Corinth Town Plan, the following municipalities have Plans approved by the Two Rivers-Ottawaquechee Regional Commission that are in effect:

Barnard, Bradford, Braintree, Bridgewater, Brookfield, Chelsea, Hartford, Hartland, Newbury, Pittsfield, Plymouth, Pomfret, Randolph, 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 Corinth 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. Objectives, policies and programs addressing each of the aforementioned topics are included throughout the Plan within the respective chapters.

**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; 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, partly. Many of these requirements are addressed by the maps or the text of the Current and Future Land Use chapter (Chapter IX). The Plan describes but does not map the locations of wetlands or the Town Forest.

**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.**

These requirements are met by the Transportation chapter and accompanying map. The Transportation map should be renamed "Current and Proposed Transportation."

- 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.**

These requirements are partly met. Present community facilities and public utilities are described in the Utilities and Facilities chapter, The Current and Future Land Use chapter, Emergency Services and Emergency Management chapter, and Transportation chapter. Most of the existing community facilities and utilities are shown on the Utilities, Facilities & Education map and the Town's energy maps. The title of the Utilities, Facilities & Education map should be preceded by the words "Current and Proposed," and the new location of the Town's waste transfer station should be indicated.

In most cases, there is very little discussion about future needs for community facilities/services. The Plan provides no information about prioritization, projected costs, or methods of financing for meeting identified future needs.

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

Yes, this policy language is found throughout the document, but especially in the Natural Resources chapter and in the Current and Future Land Use chapter.

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

Yes, this requirement is addressed; the Education chapter (chapter VII) notes that there are no educational facilities located within the Town of Corinth.

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

Yes, an implementation matrix is included as Appendix A.

**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, the Plan was compared to the plans of neighboring Towns, and no development conflicts were found. This is noted in Chapter XIII (Compatibility with Local and Regional Plans).

**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, all of these requirements are met by the Energy Chapter (Chapter X).

**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, this is addressed in the Housing Chapter (Chapter XII).

**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, these requirements are addressed in the Economic Development chapter (Chapter II).

**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, these requirements are addressed in the Flood Resilience chapter (Chapter V).

## **CONCLUSION**

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

## DISCUSSION

TRORC appreciates the opportunity to formally evaluate the Corinth 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 Corinth 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 Corinth Town Plan is an improvement from the 2012 Town Plan. The revised plan addresses the protection of forest blocks and explores energy planning considerations in detail, including local steps for working toward state-wide targets.

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

1. Add a description of public engagement/participation in the planning process.
2. Discuss known and potential archaeological sites or archaeologically sensitive areas.
3. Add a discussion of child care affordability, financing, business assistance, and work force development.
4. Address the restoration of upland forested areas.
5. Map the locations of wetlands and the Town Forest.
6. Add the words “Current and Proposed” to the title of the Transportation map and the title of the Utilities, Facilities & Education map.
7. The new location of the Town’s waste transfer station should be indicated on the Utilities, Facilities & Education map.
8. Discuss future needs for community facilities/services in greater detail. To the extent possible, the Plan should provide information about prioritization, projected costs, and methods of financing for meeting identified future needs.

Dated this 11<sup>th</sup> day of December, 2019 at Woodstock, Vermont.

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