

The Purpose of Enhanced Consultation

The Two Rivers-Ottawaquechee Regional Commission's contract with the Department of Economic, Housing, and Community Development (Vermont Agency of Commerce and Community Development), and Vermont Statutes require the Commission to carry out consultation meetings with all of the towns in the region. The goals are to develop a more consistent and meaningful relationship between the RPC and the Municipality, and to improve the effectiveness of municipal and regional plans, and planning programs by achieving the goals of Title 24, §4302.

Outcome of Consultation

Through this consultation process we hope to better understand the needs of our communities and to have our communities understand how we can work together to advance better planning. Consultations will involve the discussion of important local and regional issues, local planning and training needs, new statutory requirements, planning programs and opportunities available through the TRORC, and importantly, consideration of how effectively the municipal plan addresses Vermont's statutory planning goals.

This consideration will include a qualitative review of the municipal plan, with suggestions as to how the plan might be improved to more effectively satisfy the statutory goals referenced above. Specific findings are reported on each of the following questions:

1. Which parts of the plan are particularly effective in implementing the statewide goals?
2. In which areas do we believe the plan falls short in advancing those statewide goals?
3. What specific opportunities exist to improve the town plan so that it more effectively addresses the statewide goals?

This consultation and plan review is separate and distinct from the formal municipal plan approval process carried out pursuant to 24 V.S.A. §4350, but it does contribute to the municipal confirmation action specified under that section of the Planning and Development Act.

Enhanced Consultation Agenda Items for Monday, November 12, 2012

- Important local & Regional issues
- Local planning and training needs
- New statutory requirements
- Planning programs and opportunities
- TRORC services
- Qualitative review of Municipal Plan

West Fairlee Town Plan Review

The West Fairlee Town Plan was adopted August 28, 2012. The Plan was drafted with assistance from the RPC in 2010-2011.

Required Elements

1. **Statement of Objectives, Policies, and Programs:** The Plan contains a list of Goals (Objectives), Policies and Recommendations (Programs). The intent and strength of policy statements have been clearly defined in narrative related to Act 250.
2. **Land Use Plan:** The West Fairlee Land Use Plan does a good job addressing land use and Act 250. However, in specific land use areas there is less guidance for development. The Plan does not clearly identify the location, amount, intensity and character of development as is indicated in state statute. Strip-development should be defined.
3. **Transportation Plan:** The Plan adequately addresses transportation.
4. **Utility and Facility Plan:** The Utility and Facility Plan is essentially a brief inventory of facilities and services. With the exception of roads, there is no discussion of priority of need, potential costs of needs or how needs might be funded with regard to infrastructure and facilities.
5. **Natural Areas, Scenic and Historic Features:** The Plan contains policies that intend to preserve natural, scenic and historic features, but (with the exception of wetland and floodplains) lacks any foundational information as to **how** the policies would be implemented. In order to guide land use regulations, there must be more detail, or at least an acknowledgement that a specific task must be done (such as conducting an inventory of historic structures or a specific resource) in order to collect information that will be included in the next plan.
6. **Educational Facilities Plan:** The Plan discusses education adequately.
7. **Implementation Plan:** While the Plan outlines the tools available for implementation of Plan policies, it does not appear to address how policies will be implemented and creates no program to do so.
8. **Relationship to adjacent towns and the region:** The relationship between the West Fairlee Plan and neighboring and Regional Plans is addressed very minimally and should be done so with greater attention toward any potential conflicts that may exist between land uses proposed in areas adjacent to West Fairlee. If there are none, it should be noted in the Plan.
9. **Energy Plan:** The West Fairlee Energy Plan minimally addresses available energy resources (omitting potential renewable energy resources) and does not discuss needs, scarcities or potential costs as is required by statute.
10. **Housing Element:** The Plan briefly discusses affordable housing, but not in great detail. Elderly housing is not addressed. More detail should be included with regard to affordable housing and how the community can help encourage its development.
11. **Economic Development Plan (new):** The Plan contains an Economic Development Plan that discusses the municipal economy. The location, general type and scale of commercial development is discussed in the context of Act 250 in the Land Use chapter, but is not specifically addressed in each land use area. More detail with regard to how commercial

development should occur when not covered under Act 250 should be included in Land Use chapter.

Statewide Planning Goals

1. **Land Use:** The Land Use chapter strives to maintain the historic pattern of development, which is defined by a dense village center surrounded by open countryside. The Plan discourages “strip-type development” which is clearly an attempt to discourage sprawl. But, the term “strip development” should be clearly defined. High density residential development is specifically encouraged in the Village Center area which is consistent with Statewide Planning Goals. In general, the town appears to intend that public investments are made in such a way that they reinforce the general character of the community.
2. **Economic Development:** The Plan recognizes the value of a healthy, mixed economy that recognizes the need to balance economic growth with the potential impacts of commercial development. Because the term “commercial” development can have such a broad meaning, more specificity should be given with regard to what types of commercial development are appropriate in each land use area.
3. **Education:** The education element discusses the availability of vocational training.
4. **Transportation:** Transportation is adequately addressed, but more consideration could be given to including multiple modes of transportation in future transportation infrastructure investments.
5. **Natural, Scenic, and Historic Resources:** Some natural resources are specifically identified (Lake Fairlee, Ompompanoosuc River, for example) but most are only discussed in very general terms. Although not specifically required by law, the Plan should include a natural resources map that identifies specific natural areas using statewide data. The Plan should identify scenic and historic areas more specifically.
6. **Air, Water, Wildlife, and Land Resources:** The general pattern of density appears to maintain and enhance these resources, but a the lack of specific details in the land use chapter with regard to intensity (density) of development makes it difficult to actually determine the potential impacts of future land use. For example, if the community proposes that rural areas should have roughly one house per every two acres, it would be easy to recognize that the proposed pattern would impact wildlife habitat due to high density.
7. **Energy:** The Plan briefly encourages efficient use of energy and the development of renewable energy resources.
8. **Recreation:** The Plan encourages recreational access and seeks to limit the impacts development might have on recreational resources.
9. **Agriculture and Forestry:** The Plan does a good job discussing agricultural and forestry, but the lack of specific detail regarding the density of development in rural areas makes it impossible to determine whether or not these industries would be negatively impacted by future development. The Plan encourages sound agriculture and forestry management practices and recognizes the value of locally grown and sold products.

10. **Efficient use of natural resources/extraction and restoration of earth resources:** Extraction of earth resources is discussed.
11. **Safe and affordable housing:** The Plan does not address affordable housing in great detail, but does provide for affordable housing opportunities by encouraging multi-family housing and accessory apartments.
12. **Community Facilities and Services:** The Plan seeks to provide quality facilities and services for the community, but does not provide specific details with regard to how it will do so.
13. **Child Care:** Childcare is addressed in the Plan.

Regional Plan

There do not appear to be any obvious conflicts between the West Fairlee Plan and the Two Rivers-Ottawaquechee Regional Plan. The only minor concern is the lack of detail with regard to the type of commercial development that is appropriate outside of the Village Area. The Regional Plan identifies the majority of West Fairlee as “Rural”. In the Regional Plan, those lands that are designated as rural are appropriate locations for residential, home enterprise, small-scale business, outdoor recreational, agricultural, forestry and natural resource uses. Primary retail development is explicitly located within village center areas. It is likely that the intent of the West Fairlee Plan is to encourage development in a similar pattern when compared to the Regional Plan, but more detail with regard to the type of commercial development allowed outside of the village will be needed to make this determination.

Summary

Strengths

- The Land Use chapter strives to maintain the historic pattern of development, which is defined by a dense village center surrounded by open countryside. The Plan discourages “strip-type development” which is clearly an attempt to discourage sprawl. High density residential development is specifically encouraged in the Village Center area which is consistent with Statewide Planning Goals.
- The Plan effectively recognizes the relationship between Act 250 and the Plan and provides the Act 250 Board with guidance on how to interpret the Plan’s language.
- The Plan recognizes the value of a healthy, mixed economy that recognizes the need to balance economic growth with the potential impacts of commercial development.

Weaknesses

- The Plan does not clearly identify the location, amount, intensity and character of development as is indicated in state statute.
- The Plan does not adequately address the priority of need, potential costs of needs or how needs might be funded with regard to infrastructure and facilities.
- The Plan does not discuss needs, scarcities or potential costs of energy as is required by statute.

Opportunities

- Clarify the types of uses allowed in each land use area, particularly commercial development. If the language regarding commercial development under Act 250 applies in each land use area, be sure to at least duplicate that language in each specific area. Retail development that is not related to a home occupation should not be allowed in rural areas.
- Work with the Selectboard to create a more accurate description of the future needs and costs of upkeep and improvement of existing facilities.
- Utilize the Regional Planning Commission's Energy Plan template to expand the content of the energy chapter in order to meet state requirements.