

**RE: TOWN OF PLYMOUTH, VERMONT  
PLAN REVIEW  
CASE # FY 20-4**

**BACKGROUND**

Pursuant to 24 V.S.A., Section 4350, the Town of Plymouth, Vermont requested TRORC to review and approve the Plymouth Town Plan adopted on September 10, 2019. The Plan encompasses all land in the Town of Plymouth, 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 October 30, 2019 in Woodstock, Vermont. This matter is now ready for decision.

**This review is based upon the Town 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 Plymouth 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?**

Yes. The Introduction chapter includes a planning policy to “welcome and encourage citizen participation at all levels of the planning process” (pg. 1).

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

Yes. The Land Use chapter defines Plymouth’s rural character and discusses the importance of maintaining a balance between village and residential development and the Town’s rural character. The chapter also discusses the limitations of high density development due to lack of public sewer and water and includes an overall policy that “development will not have any negative effects on public or private water supplies” (pg. 7).

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

Yes. In the Adjacent Municipalities and The Region chapter, it is a goal for the Town to “plan with neighboring towns to develop solutions to problems that transcend town borders.” The chapter also includes a recommendation to “exchange planning information and development trend data with neighboring communities” (pg. 72).

**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.**

The Land Use chapter states that “we continue to appreciate the beauty of clustered village houses, isolated farms, and scenic mountain vistas resulting from these traditional land uses, and this Plan seeks to maintain its rural character and this pattern of development” (pg. 5). The Plan also includes an overall land use policy to, “permit development in a way that sustains the town’s rural character” (pg. 7).

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

b. Yes. The Land Use chapter states that “high-density housing is encouraged in these villages [Plymouth Union and Tyson], both traditional single-family dwellings and multi-family units” (pg. 8). The chapter also asserts that “‘strip development’ along roadsides outside these village areas shall not be permitted” (pg. 5).

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

Yes. The Land Use chapter states that “commercial operations catering to the public and light commercial enterprises are planned for existing village areas only” and the Town “supports local employment and economic growth, particularly the growth of clean, small commercial uses in areas designated in this Plan” (pg. 5).

**d. 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, there is ample discussion on ensuring that planned growth patterns reinforce the general character of the town. For example, the Transportation chapter includes a standard that “1. Road improvements to local roads shall only be conducted on roads leading into areas where the town desires to encourage development. By keeping remote areas less conveniently accessed, the town is establishing a clear standard on where future residential development is more appropriate” (pg. 19).

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

Yes. It is not directly stated but the Plan does include goals and policies that align with smart growth principles. For example, the Land Use chapter includes an overall land use policy to “encourage both residential and non-residential development only in areas where adequate public services are available” (pg. 6). Additionally, the Economic Development chapter includes a policy that states, “Growth and development should not exceed the capacities of local facilities and services” (pg. 24).

**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, in part. Within the Economic Development chapter of the Plan, one of the first goals is to “encourage a strong and diverse local economy that provides satisfying and rewarding employment opportunities for residents while maintaining environmental standards” (pg. 24). The Plan also includes a discussion on future economic development as well as supporting data on past and current population income. It does not explicitly discuss the expansion of economic opportunities in areas with high unemployment or low per capita incomes. It does, however, state that Plymouth’s economy has greatly shifted away from agriculture in recent years and there are policies throughout the Plan to support agriculture and agriculture-related small business.

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

Yes. The Education chapter discusses the current educational and vocational opportunities in the surrounding region, as Plymouth joined the Windsor Central Unified Union School District in 2017. The chapter includes a goal to “provide access to Pre-K, educational and vocational training opportunities sufficient to ensure the full realization of the abilities of all Plymouth residents” (pg. 53).

**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 discusses both air and rail travel on a regional scale, as the Town does not currently have any rail lines or airports. This chapter also recognizes that driving is the most relevant means for transportation within the town and that safety is a top priority. A policy of this chapter states that “highways, air, rail, and other means of transportation should be mutually supportive, balanced and integrated” (pg. 19).

**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 Natural Resources, Scenic Resources, and Historic Resources chapter includes a clear and extensive list of scenic areas, conserved forests, and important historic areas that can be found within town boundaries.

**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, Scenic Resources, and Historic Resources chapter addresses the management of air quality, water quality, flood resiliency, wildlife, and earth resources and includes goals and policies that promote the development and use of these resources in alignment with Act 250. For example, the chapter includes overarching goals

to “provide for the long term management of the natural areas and wildlife described in this plan” and to “protect significant natural and fragile areas from environmental damage” (pg. 38).

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

Yes, in part. There is a policy stated in the Land Use chapter to “protect and improve water quality, wetlands, and watersheds according to policies set forth in the basin plans” but this policy is only included under the ‘10 Acre Rural Residential Areas (RR10)’ and not within other land use areas. Watersheds in Plymouth are not confined to this one particular land use area and therefore, it would be beneficial for the Plan to address basin planning within *overarching* land use policies and actions in the future.

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

Yes. The Natural Resources, Scenic Resources, and Historic Resources chapter includes policies that support the protection of critical forest blocks and habitat connectors. For example, a policy states that, “long-term protection of natural resources, natural communities, habitat, and lands identified in this Plan as critical forest blocks and habitat connectors through conservation easements, land purchases, leases and other incentives is encouraged.” Another policy states that, “the construction of utilities, roads, or other physical modifications in the priority areas identified in this plan as important forest blocks and habitat connectors is incompatible with this plan” (pg. 43).

**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 for efficient and renewable energy use through multiple policies and recommendations. Increasing energy efficiency is supported in the policy to “promote statewide programs designed to make energy efficiency improvements affordable and likely to be implemented. Town officials will support efforts to educate homeowners and businesses about available resources for energy efficiency improvements” (pg. 67). Renewable energy generation sites are discussed and identified on page 63 including considerations for preferred and prohibited locations as well as constraint areas. The Energy chapter also includes a policy to, “support the development and use of renewable energy resources including, but not limited to solar, biomass, micro-hydro and biofuels – at an appropriate scale; that enhances energy system capacity and security; that promotes cleaner and more affordable

energy technologies; that increases the locally available energy options; and that avoids undue adverse impacts of energy development on the local community and environment” (pg. 67). Lastly, the chapter supports the reduction of transportation energy demand through the policy to, “promote energy efficient travel by encouraging walking, biking, carpooling, the increased use of public transportation, electric vehicles, telecommuting and home businesses” (pg. 67).

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

Yes. The Energy chapter details the potential ways that the Town can achieve State energy targets through both energy efficiency and renewable energy generation. The chapter mentions the energy targets set by the State and includes both thermal efficiency and renewable energy targets that the Town would need to reach to achieve the goals set by the State (pg. 57 – 68).

**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. Although this is not stated directly, the Plan does include language that supports the preservation of outdoor recreational activities through smart growth principles. For example, a policy within the Transportation chapter states that, “Given the interest in and benefits from biking, hiking, snowmobiling, cross-country skiing, and similar outdoor recreational activities, it is the policy of the town that, as an alternative to complete discontinuance of a highway, full consideration be given to retaining Class 4 roads for recreational use, or downgrading their status to a legal trail, thus retaining the public's interest in them” (pg. 19).

**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 Utilities and Facilities chapter identifies a list of recreational facilities including those that are outdoor and non-commercial. This list also identifies who maintains and protects each of the facilities (pg. 26-27).

**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. An overarching goal of the Plan is to “protect and enhance the natural resources of the town for their best use for recreation, forestry, and agriculture” (pg. 1). The Economic

Development chapter includes a recommendation that, “the Town should continue to support agriculture and forestry as desirable businesses and consider these lands as natural, scenic, recreational, and tourism resources” (pg. 25). The Land Use chapter also includes a policy within the 5 Acre Rural Residential Area (RR5) to, “require that density and placement of new buildings in subdivisions be compatible with agricultural and silvicultural use and desired land use patterns” (pg. 13) as well as a policy within the Conservation Areas (CON25) to, “conserve contiguous forestland and wildlife habitat” (pg. 15). Lastly, the Natural Resources, Scenic Resources, and Historic Resources chapter includes a policy that states, “the town should protect the long-term viability of agricultural and forestry operations by maintaining a low housing density” (pg. 38).

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

Yes. A policy of the Economic Development chapter states that, “the manufacture and marketing of value added agricultural and forest products are encouraged” (pg. 25).

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

Yes. “It is a policy of the town to support the growth of agricultural businesses in Plymouth, such as the manufacture and marketing of agricultural products, and the use of locally-grown products” (pg. 38).

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

Yes. The Natural Resources, Scenic Resources, and Historic Resources chapter includes a policy to, “encourage the use of sound forest and agricultural management practices according to the Vermont Department of Forests, Parks, and Recreation” (pg. 43).

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

Yes. The Plan aims to minimize development pressure on agricultural and forest lands and directs denser development into existing villages. The Natural Resources, Scenic Resources, and Historic Resources chapter, a policy states that, “town’s zoning bylaw should continue to ensure that development avoids building in significant natural and fragile areas or outstanding natural communities” (pg. 39). The Land Use chapter also includes a policy to, “require that density and placement of new buildings in subdivisions be compatible with agricultural and silvicultural use and desired land use patterns” (pg. 13).

**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. The Natural Resources, Scenic Resources, and Historic Resources chapter includes various policies that support the wise and efficient use of natural resources. For example, “the town discourages the unsustainable extraction of earth resources, including sand and gravel, as well as timber” and “the extraction of earth resources, logging, and forestry activities are to be limited to operations that do not conflict with the other goals, policies, or objectives of this plan” (pg. 46). The chapter also states that, “when proper erosion control and reclamation techniques are used, extraction of gravel and other minerals can have minimal impact on the environment. The land can later be returned to other productive uses” (pg. 46).

**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. The Housing chapter includes a policy to, “encourage the provision of housing for low- and moderate-income residents” (pg. 70). There is also a recommendation that, “the town should work with other towns in the region and with community land trusts to develop housing that will meet the housing needs of low- and moderate-income residents” (pg. 70).

**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 a goal to “encourage safe, sanitary, adequate, and affordable shelter for present and future populations” (pg. 69) as well as a policy to “ensure that the timing and rate of new housing construction or rehabilitation does not exceed the community’s ability to provide adequate public facilities” (pg. 70). An additional policy states that, “new housing should be located near employment opportunities and coordinated with public facilities and utilities” (pg. 70).

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

Yes, in part. Both traditional single-family dwellings and multi-family units are encouraged in the village areas at a high-density (pg. 8). Manufactured housing is not mentioned in this iteration of the Plan aside from data included in the Land Use chapter on the number of mobile homes on rented and owned land.

**c. 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. In the Housing chapter, the town “encourages the creation of accessory dwelling units for providing additional affordable housing for the community” (pg. 69)



and separately encourages “the provision of housing for special needs population, such as the elderly and the physically handicapped” (pg. 70). The Plan does not, however, make a direct connection between accessory dwelling units being used for elderly persons or persons with a disability.

**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, in part. The Utilities and Facilities chapter address the following services: fire, emergency medical services, electrical facilities, and refuse disposal. It also mentions that due to the topography and geology of the Town, Plymouth does not at present have a public sewer system, charged public hydrant or public water system. Plans for schooling is discussed in the Education chapter. Police protection is not addressed within the Plan.

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

No. The Land Use chapter includes an overall recommendation to “allow future growth at a rate not greater than the town’s ability to assume additional costs brought on either directly or indirectly as a result of that growth...” (pg. 8) while the Housing chapter includes a policy to “ensure that the timing and rate of new housing construction and rehabilitation does not exceed the community’s ability to provide adequate public facilities (pg. 70). The Utilities and Facilities chapter also includes a policy to “ensure that the expansion or construction of new utilities and facilities do not impose an undue financial burden on town resources” (pg. 32).

**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?**

Yes. The Utilities and Facilities chapter mentions that there is one licensed daycare center in Plymouth but zero registered centers and therefore, “Plymouth supports the private development of additional facilities to meet the needs of its residents” (pg. 30). A goal of the chapter is to, “increase accessibility for safe and affordable child care” (pg. 31). The chapter also includes recommendation actions such as, “review zoning regulations and revise as necessary to address barriers to increasing child care capacity in Plymouth”, and “consider seeking grant funds to assist with the development of childcare infrastructure” (pg. 32).

**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. Within the Flood Resilience chapter, there is a policy that, “Plymouth prohibits all new net fill and construction of new principal buildings in mapped flood hazard areas and river corridors (Mapped areas, unless corrected by FEMA)” (pg. 51). There is also a policy to, “prohibit new commercial, industrial, and residential uses within ANR’s mapper river corridor areas outside of designated village areas. New development within designated village areas should not be closer than current structures” (pg. 51).

- 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 a policy to, “maintain Plymouth’s upland forest and watersheds predominantly in forest use to ensure high quality valley streams and to ensure that flood flows reduced” (pg. 52).

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

Yes. A recommendation within the Flood Resilience chapter states that, “Plymouth should continue working to update hazard mitigation plans and emergency preparedness and recovery procedures” (pg. 52). Additionally, this chapter includes a policy that, “after flood events, recovery and reconstruction within the river area should be managed according to the Vermont River Program’s best practices in order to avoid negative impacts downstream” (pg. 52).

## **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 Plymouth 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 Plymouth Town Plan, the following municipalities have Plans approved by the Two Rivers-Ottauquechee Regional Commission that are in effect:

Barnard, Bradford, Braintree, Bridgewater, Brookfield, Chelsea, Hartford, Hartland, Newbury, Norwich, Pittsfield, 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 Plymouth 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 Introduction chapter and subsequent 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. This is addressed in both the Land Use chapter as well as the Natural Resources, Scenic Resources, and Historic Resources chapter. In addition, this is illustrated on the Current Land Use (#1), Future Land Use (#2) and Significant Habitat (#5) maps.

- 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.**

Yes. This is addressed in the Transportation chapter.

- 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.**

Yes. This is addressed within the Utilities and Facilities chapter as well as in the Utilities, Facilities and Education map (#4).

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

Yes. This is addressed within the Natural Resources, Scenic Resources, and Historic Resources 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. The present and projected uses of educational facilities is addressed in the Education chapter. There are no public schools displayed on the Utilities, Facilities and Education map as the Town does not currently have a public school within its boundaries.

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

Yes. This is addressed within the Implementation chapter.

- 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. This is addressed in the Adjacent Municipalities and the Region chapter.

- 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. This is addressed in the Energy chapter.

- 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.

- 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. This is addressed in the Economic Development chapter.

- 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. This is addressed in the Flood Resilience chapter and is illustrated on the Future Land Use map (#2).

## **CONCLUSION**

Based upon the above findings, it is the conclusion of TRORC that the Plymouth 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 Plymouth 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 Plymouth 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 Plymouth Town Plan is an improvement from the 2012 Town Plan. The Plan now includes an Economic Development element which was missing in the last iteration. It also addresses energy efficiency and renewable energy generation, as well as a prioritization of town upgrades to utilities, facilities and services along with mechanisms for financing said upgrades. The areas of forestry and agriculture have also been strengthened and now include more detail regarding sustainable management practices for both industries.

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

1. Economic Development: Although the Plan discusses how Plymouth's economy has shifted in recent years, it does not explicitly discuss the expansion of economic opportunities with respect to high unemployment or low per capita incomes. Including this discussion in the next iteration of the Plan would be beneficial.
2. Natural Resources: The Plan discusses basin planning but only with respect to one particular land use, '10 Acre Rural Residential Areas (RR10).' Watersheds in Plymouth are not confined to one particular land use area and therefore, it would be beneficial for the Plan to address basin planning within *overarching* land use policies and actions.

3. Housing: Manufactured housing is not mentioned in the Plan, aside from data that is included regarding mobile homes on rented vs. owned land. The Housing chapter could benefit from added discussion on manufactured housing with respect to land use areas in the Town. This chapter could also be improved by making a direct connection between construction and use of accessory dwelling units particularly for elderly persons or persons with a disability.
4. Utilities & Facilities: The Plan should include a discussion on police services that are available to the Town, if any. If the Town does not contract police services, this should be stated as such.

Dated this 30<sup>th</sup> day of October, 2019 at Woodstock, Vermont.

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

