

**RE: TOWN OF BRADFORD, VERMONT  
PLAN REVIEW  
CASE # 24-4**

**BACKGROUND**

Pursuant to 24 V.S.A., Section 4350, the Town of Bradford, Vermont requested TRORC to review and approve the Bradford Town Plan adopted on October 12, 2023. The Plan encompasses all land in the Town of Bradford and is referred to hereinafter as the Plan.

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

- A. Consistent (as defined in 24 V.S.A. Section 4302(f)(1)) with the planning goals in Section 4302 of Chapter 117;
- B. Compatible (as defined in 24 V.S.A. Section 4302(f)(2)) with the Regional Plan;
- C. Compatible (as defined in 24 V.S.A. Section 4302(f)(2)) 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.

**This review is based upon the Town Plan as adopted.**

Staff have reviewed this Plan and offers the following information and staff recommendations to the Board. TRORC scheduled and held a Public Hearing on this review on December 13, 2023, in Woodstock, Vermont. Based upon the hearing and the Board's action, this review will be finalized as a decision for approval or disapproval.

**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. The municipal determination of relevancy of a goal is itself subject to regional review.*

**General Goals**

**1. Is a coordinated, comprehensive planning process and policy framework established to guide decisions?**

Yes, the plan is a comprehensive document and has several overarching goals, see page 2. The plan's introduction also lays out the planning process well and how it relates to other efforts.

2. **Is citizen participation encouraged at all levels of the planning process?**  
Yes, this plan was developed with extensive local input, including several open meetings by the Planning Commission and Selectboard.
3. **Is consideration being given to the use of resources and the consequences of growth and development to the municipality, region, and state?**  
Yes, this is evident across chapters, especially in Natural Resources and Land Use.
4. **Is the municipality working creatively together with other municipalities to develop and implement plans?**  
Yes, the plan recommends “To encourage continued communication and cooperation between Bradford and its neighboring towns.) See page 93.

### Specific Goals

A plan for a municipality shall be found to be consistent with the goals established in 24 V.S.A. Section 4302, and consistent with the regional plan for regional approval.

1. **Is development planned to maintain the historic settlement pattern of compact village and urban centers separated by rural countryside?**  
Yes, the plan has a concentrated set of land use areas centered on the main village area and lower plain, as well as the smaller outlying village. and discourages heavier development outside these areas. An example is the goal on page 82 of, “To guide industrial and commercial development in a way that will provide for appropriate economic activities on a scale that largely maintains the Town's existing settlement patterns.”. The plan recognizes the importance of the designated village with a “policy of the Town to support and maintain Bradford’s Designated Village Center by dedicating resources to maintaining and improving infrastructure in the Designated Village Center.” Page 83.
  - 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. Bradford has focused growth on its village, and also has plenty of room to expand into its lower plain area. The Residential Service and Village Residential areas are focused on dense residential development next to the Central Business Area. See page 84.
  - b. **Is economic growth being encouraged in locally-designated and any state-designated growth areas, and/or employed to revitalize existing urban or village centers?**  
Yes, the main village area is planned as a compact mix of uses, though additional commercial space is limited in the designated village. More commercial space is planned for the upper part of the lower plain, but this does not extend too far south. The plan recognizes the concern that development outside of the designated area can detract from it, “Although a mix of uses, this area is intended to be primarily commercial in nature. Land use activities planned for this area should be of a type, scale and design that

complements rather than competes with the Central Business Area.”

**c. Do plans for public investments, including the construction or expansion of infrastructure, reinforce the general character and planned growth patterns of the area?**

Infrastructure has already been expanded to the lower plain and this is sufficient for many years.

**d. Does the plan support development being undertaken in accordance with smart growth principles (as defined in 24 V.S.A. Section 2791(13))?**

Yes, in that most development is planned for the village and then in immediate adjacent areas along main roads. Areas north and south of the village along US 5 and west along VT 25 are planned as Residential. ‘Rural sprawl’ in Residential areas outside of the Low Density area could still be better addressed in parts of town.

**2. Does the Plan support providing for a strong and diverse economy with 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, Bradford’s goals include, “To encourage a strong and diverse local economy that provides a diverse economic base which provides jobs and sustains the local economy”, “to support existing and new businesses”, to “support workforce development”, and to “encourage a strong and diverse local economy that provides satisfying and rewarding employment opportunities for residents while maintaining the community’s rural character.” Page 8.

**3. Does the Plan support broadened access to education and vocational training opportunities sufficient to realize the full potential of residents?**

Yes, the plan supports, “community-wide access to high-speed internet and cell coverage”, and “technical educational opportunities in Bradford.” Oxbow’s Riverbend Career and Technical Center is described in the plan. See page 22-3.

**4. Does the Plan support the provision of a 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 plan has strong policies on transit and bike/ped, see pages 72-74. The plan also addresses these in the Energy chapter, such as, “It is the policy of the Town to encourage transportation practices that promote energy efficiency, which include cycling, walking, non-fossil-fuel powered transport, public transportation, and ride-share programs to reduce the region’s dependency on single vehicle trips.” Page 41

**a. Does the Plan provide that highways, air, rail, and other means of transportation be mutually supportive, balanced and integrated? Yes, the Transportation chapter’s main goal is, “To provide and maintain a safe, energy efficient, and cost-effective transportation system integrating all modes of travel (auto, pedestrian, bicycle, and mass**

transit) and meeting the needs of the public in a manner consistent with the other goals, policies, and recommendations of this Town Plan.” The plan notes there is no air service or passenger rail in town, but that the freight rail line is vital. The plan also supports adding commuter rail (page 73).

**5. Does the Plan identify and support the protection and preservation of important natural and historic features of the community’s landscape, 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, these are all addressed in the Natural Resources chapter on pages 53-58, with a special emphasis on protecting water quality. The plan has strong statements on invasive species, references other studies they have done on their tree inventory, and supports the Conservation Commission’s work.

**6. Does the Plan seek 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 10 V.S.A section 6086(a) (Act 250))?**

Yes. Air quality is not a concern in town, but the plan notes that forests help maintain air quality. Mineral resources are well addressed on page 58, including, “It is the policy of the Town that existing and proposed mineral extraction and processing facilities shall be planned, constructed, and managed so as not to adversely impact existing or planned uses within the vicinity of the project site.”

**b. Is the maintenance and improvement of water quality supported in accordance with the policies and actions set forth in the basin plans?**

Yes, the plan addresses water well on pages 53-54, and has polices on stormwater, groundwater, ponds, rivers, and wetlands, including, “It is the policy of the Town to place high priority on the maintenance and enhancement of water resources for recreation, fisheries, wild-life habitats and quality aesthetics.”

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

Yes. Two areas are called out for low-density and the plan discourages fragmentation, see policies 3-6 on page 56. The plan recommends that the town, “Ensure that zoning and subdivision bylaw deter forest fragmentation. Consider expanding the Low Density Residential to include additional forest blocks.” Additional LDR areas connecting to other towns would be good to add in the future.

**7. Does the Plan support the development of renewable energy resources, efficient use of energy, and reduced emissions of greenhouse gases?**

Yes, these areas are called out in goals and policies in the Energy chapter on page 40.

- a. **Does the plan list any general strategies for achieving these goals, such as: 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 plan explicitly states that, “land use, energy, and transportation are related” and addresses energy use in building and vehicles. The plan includes policies that the town “reduce energy consumption in all municipal activities, including buildings, transportation, and Town services,” and “to encourage and support the use of solar power.” The plan also talks about areas for future power generation. See pages 40-51.

- b. **Does the plan list any specific strategies and recommendations for achieving these goals, such as those identified in the State energy plan?**

Yes, several actions are in the plan, including, encouraging Bradford Elementary School and Oxbow High School to include walking, cycling and other transportation alternatives, and considering using the RLF to fund energy investments.

8. **Does the Plan seek to maintain and enhance recreational opportunities for residents and visitors?**

Yes, recreation is addressed strongly in the plan, including in the Natural Resources, Land Use and Economic Development chapters, such as the goal on page 8, “To make outdoor recreation a strong part of the year-round local economy.”

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

Yes, this is well thought through in the plan. The Land Use chapter has a goal, “To safeguard natural resources and maintain/enhance open space and recreational infrastructure which is key to long term health and quality of life in the community.” Page 82.

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

Yes, this is addressed well, including actions to use town forests.

9. **Does the Plan encourage and strengthen agricultural and forest industries?**

- a. **Does the Plan encourage strategies to protect long-term viability of agriculture and forestlands, including maintaining low overall density?**

Yes, the plan addresses this on page 57 for agriculture and page 56 for forestry. The low-density land use area is reasonably protective of forests and most ag land is in the floodplain or residential area. The plan acknowledges more could be done there, including, “consider increasing the minimum lot size in the Residential Area and creating areas of varying density.” (page 85)

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

Yes. The plan hits this with, “It is the policy of the Town to support local marketing and value added agricultural and forest products” on page 57.

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

Yes, this is specifically addressed.

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

Yes, and these are tied to water quality and development goals.

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

Yes, in that there is plenty of land with good road, sewer, and water service for core development.

**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. “It is the policy of the Town to ensure reclamation and revegetation of sites following extraction.”

**11. Does the Plan 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, and the use of the lower plain for additional residential growth will help this.

**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 plan has good policies on pages 16-17, such as, “To promote sufficient safe, healthy, energy-efficient, and accessible housing that present and future Bradford residents can afford.”

**c. Does the Plan support sites for multi-family and manufactured housing that are readily available in similar locations to those generally used for single-family conventional dwellings?**

Yes, the village areas are planned for intense residential development. “It is the policy of the Town to promote mixed-income housing by encouraging the development of accessory dwelling units, multifamily housing, and manufactured housing (including mobile homes) in locations like where single-family housing is allowed.” “It is the policy of the Town to encourage multi-family housing within or adjacent to existing Village Center and Lower Plain and Upper Plain areas where municipal services are available.”

- d. **Does the plan allow 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, see page 16. “To encourage innovative planning, design, and construction of residential housing such as accessory dwelling units (ADUs) and tiny homes.”

12. **Does the Plan for the provision and financing of an efficient system of public facilities and services to meet future needs?**

Yes. The plan is realistic on the town needs and supports reserve funding.

- a. **Does the Plan include services as fire and police protection, emergency medical services, schools, water supply and sewage and solid waste disposal in its planning for facilities and services?**

Yes, emergency services and their relation to development is noted in several areas of the plan, including page 35.

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

No. There is plenty of area to grow given the current services.

13. **Does the plan work to ensure the availability of safe and affordable childcare and integrate childcare issues into the planning process, including childcare financing, infrastructure, business assistance for childcare providers, and childcare work force development?**

Yes. The plans addresses this better than most, especially as an economic development issue.

14. **Does the Plan 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, are polices in place to not exacerbate flooding and fluvial erosion?**

Yes, see pages 66-67. The plan calls for no net loss of flood areas and discourages all development.

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

Yes, and the plan does encourage the regulation of the river corridor and stream setbacks.

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

Yes, the plan specifically calls out working with VEM, and with TRORC and ANR on mitigation measures.

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

The Two Rivers-Ottawaquechee Regional Plan was adopted on July 15, 2020 and it will remain in effect until August 19, 2028.

The Bradford 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.

In particular, the issue of lower plain development has been an ongoing discussion between TRORC and Bradford. The “policy of the Town to prohibit principal retail (as defined by TRORC) south of VT-25 and west of US-5, except within 200 feet of Route 25 where Valley Floors and Pierson’s Market currently are located, as well as on the eastern side of US-5 south of where Tractor Supply is located” is compatible with the Regional Plan’s policy for that area.

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

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

Barnard, Bethel, Braintree, Bridgewater, Brookfield, Chelsea, Corinth, Fairlee, Granville, Hancock, Hartford, Hartland, Norwich, Pittsfield, Plymouth, Pomfret, Randolph, Rochester, Royalton, Sharon, Strafford, Thetford, Topsham, 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 Bradford 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 current and future land use plan and maps;



- (c) a current and future transportation plan and maps;
- (d) a current and future utility and facility plan and maps;
- (e) a statement of policies for "special resources";
- (f) a current and future education plan and maps;
- (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;
- (j) a housing plan;
- (k) an economic development plan; and
- (l) a flood resiliency plan

**1. Does the Plan include 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, this is done through overarching goals on page 2.

**2. Does the Plan include a land use plan, consisting of a map and statement of present and prospective land use, that:**

- a. indicates those areas proposed for forests, recreation, agriculture, (using 6 VSA Section 8), residence, commerce, industry, public and semi-public uses and open spaces; areas reserved for flood plain; and areas identified by the State, the regional planning commission, or the town that require special consideration for aquifer protections, for wetland protection, for the maintenance of forest blocks, wildlife habitat, and habitat connectors, or for other conservation purposes?**

Yes, the future land use areas and policies address the above resources.

- b. sets 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?**

Yes, the future land use areas show a progressive level of development based on services.

- c. identifies those areas, if any, proposed for designation under chapter 76A of Title 24, together with, for each areas proposed for designation, an explanation of how the designation would further the plan's goals and the goals of 24 V.S. A. section 4302, and how the areas sought meets the requirements?**

Yes. "It is the policy of the Town to continue to participate in the Village Designation program while investigating additional designations and tax districts to enable local businesses to take advantage of the program's benefits." And the areas are shown on the current land use map.

- d. 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, the low-density areas are a reasonable attempt at forest preservation, but could be expanded further.

- 3. Does the Plan include 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, the plan has the required map and a good narrative discussion. Emphasis is given to more transit and bike/ped friendly options.

- 4. Does the Plan include 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, the plan does this reasonably well, calling out the Academy building and its needs. Bradford's sewer and water systems are better than average.

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

Yes, this is done in the natural resources chapter. The preservation of natural areas is tied to ecosystem services and the support of the recreational and land-based economy. "These natural resources provide economic, recreational, and aesthetic benefits to both residents and visitors. Development that would compromise these benefits is inappropriate and inconsistent with the Town's vision and goals." (page 53)

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

Yes, there are no new facilities proposed.

- 7. Does the Plan include a recommended program for the implementation of the objectives of the development plan?**

Yes, this is done throughout the plan in recommendations and in the Implementation Chart in the Appendices.

- 8. Does the Plan include 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 on page 93. Bradford does not have built areas at the edge of town that connect to adjacent towns. However, additional work could be done in the future around forest and habitat connectors, especially with West Fairlee.

- 9. Does the Plan include 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, and a statement of policy on patterns and densities of land use likely to result in conservation of energy.**

Yes, the plan has a good energy chapter with the required information, policies, and actions, such as “Continue to support efforts to expand the Efficiency Vermont and related energy efficiency programs.” The land use pattern is conducive to energy conservation.

- 10. Does the Plan include a housing element that shall include a recommended program for public and private actions to address housing needs as identified by the regional planning commission pursuant to Section 4348a (a)(9) of Title 24. The program should use data on year-round and seasonal dwellings and include specific actions to address the housing needs of persons with low income and persons with moderate income and account for permitted residential development as described in section 4412 of this title.**

Yes. Though the RPC does not have town-specific targets, the overall goals and policies support needed housing, such as “To encourage the development of affordable senior and ADA compliant housing within the Town.” (Page 16)

- 11. Does the Plan include 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 plan has a good chapter on this subject, as well as integration of other areas such as agriculture and water quality with development.

- 12. Does the Plan include a flood resilience plan that:**

**identifies flood hazard and fluvial erosion hazard areas based on river corridor maps provided by VT ANR or other maps recommended by the Secretary of Natural Resources, 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?**

Yes, the plan shows the flood maps and discusses stream buffers. In the future river corridors should be added.

**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, the plan strongly discourages floodplain development, and “It is the policy of the Town to extend the limits of the flood hazard area in the Zoning Bylaw to areas identified as at risk to flood erosion.” (page 66)

## **CONCLUSION**

Based upon the above findings, it is the conclusion of TRORC that the Bradford 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**

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, where this Plan includes clear, unambiguous mandatory language regarding development that can be reviewed by these bodies as part of an Act 250 project application.

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

1. Put forward stronger language on protecting agricultural lands in the Residential land use area.
2. Look at ways to implement the vision of the lower plain area through road investments, tax increment financing, and state neighborhood designation.
3. Expand the Low-Density area to connect to neighboring towns, especially to the south.
4. Continue looking at facility and building needs and create a capital budget and program as recommended.
5. Expand on the recreational focus as a development strategy.
6. Include river corridor maps.

Dated this 13<sup>th</sup> day of December, 2023 at Woodstock, Vermont.

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