

**RE: TOWN AND VILLAGE OF WOODSTOCK, VERMONT
PLAN REVIEW
CASE # FY 23-2**

To be removed after decision: *Staff have reviewed this Plan and offers the following information and staff recommendations to the Board. TRORC has scheduled and will hold a Public Hearing on this review on May 24, 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.*

BACKGROUND

Pursuant to 24 V.S.A., Section 4350, the Town and Village of Woodstock, Vermont requested TRORC to review and approve the Woodstock Town and Village Plan adopted on xxx, xxx. The Plan encompasses all land in the Town and Village of Woodstock, 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 (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 warned for final hearing and is valid if that is the plan that is 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. 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 has overall goals and purpose statements in the Preface and Plan Purpose.

- 2. Is citizen participation encouraged at all levels of the planning process?**
Yes, this is discussed in the Preface.
- 3. Is consideration being given to the use of resources and the consequences of growth and development to the municipality, region, and state?**
Yes, the plan takes into account the planned growth and its effects - see Land Use, Natural Elements, and Community Facilities and Services chapters.
- 4. Is the municipality working creatively together with other municipalities to develop and implement plans?**
Yes, connections to neighboring towns is discussed in the Plan Compatibility chapter. See pages 131-2.

Specific Goals

A plan for a municipality may be consistent with the goals established in 24 V.S.A. Section 4302, but must be found to be consistent 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 Land Use chapter and Future Land Use map create a distinction between village edge and other areas.
 - 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, while residential development is allowed in many areas, intensive development is limited to in or near the villages. Large areas of highway have low development.
 - 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, commercial activities are primarily planned in the villages or near them.
 - c. Do plans for public investments, including the construction or expansion of infrastructure, reinforce the general character and planned growth patterns of the area?**
Yes, there are no major planned expansion of services that would affect land use. Expansion of sewer and water services to enable more housing is mentioned, but this is at a very preliminary phase. Future plans should identify these areas.
 - 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 growth is concentrated and not linear along all roads.

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, see Economic Development chapter.

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

Yes, see Goal 4 on page 39.

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, see Transportation chapter. Paths, trails, transit, and sidewalks are all discussed.

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

Yes, see Transportation chapter. As elsewhere in the plan, text that reads as policies is in the background narrative at times, such as the desired direction around US 4 expressed on pages 102-3. Future plan iterations should make policy language clearly policies.

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, see the Natural Elements and Historic Preservation and Visual Environment chapters.

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 is addressed in the overall Goal 3 in the Preface. Air quality is generally not a concern in the area, but more can be added on this in future plans. Water and wildlife are addressed well in the Natural Elements chapter. Mineral resources are addressed on pages 80-1, with policies in the text. Future revision should create formal goals and policies.

- b. **Is the maintenance and improvement of water quality supported in accordance with the policies and actions set forth in the basin plans?** Yes, see actions under Goal 1 on pages 85-88, which includes participating in the basin plan.

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

Forests are addressed in the Agriculture chapter (page 5), and the issue of forest blocks and habitat connectors are also addressed in the Natural Elements chapter (pages 77-79); Objective 2.3 and actions on habitat on page 89; and Goal 3 on pages 89-90 that focus on forests and fragmentation.

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

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, energy actions are contained in the Energy Chapter on pages 42-45 that address conservation, moving away from fossil fuels, and renewable generation.

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 for individual town buildings have actions called out in the text on pages 40-42, and these would be better listed as actions in the next plan.

8. Does the Plan seek 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?

Recreation is called out as important in many parts of the plan, including discussion of town lands and the national park. Planning for recreation on the rivers and in the woods is addressed in the Natural Elements chapter. The Recreation and Cultural Development chapter addresses recreation very well on pages 92-96 and in actions on pages 100-101.

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

Yes, these are specifically called out in Goal 3 and its actions on pages 100-101.

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

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

Yes, the plan supports agriculture and forestry, as well as the land base it needs. Agriculture as a business is supported in the Agriculture chapter's five goals and related actions (pages 6-8), and forestry is also covered in there. Forestry as part of the culture is addressed on pages 97-8 in places such as the national park, Billings Farm and Museum

and the King Farm. Overall goals (page 115) and the Forest Reserve future land use area support forestry, along with various policies in the Land Use chapter. However, the Residential Five-Acre area (R5) which covers most agricultural lands could be strengthened to more specifically address threats to conversion of ag lands. As in all future land use areas in the Land Use chapter, policies that are contained in the background text would be better listed as policies.

- a. **Has the manufacture and marketing of value added agricultural and forest products been encouraged? (*a simple policy to this effect suffices*)**
Yes, this is addressed in Action 3.1.1 on page 8 and more generally under Goals 2-4 on pages 7-8.
 - b. **Is the use of locally-grown food products encouraged?**
Yes, areas such as Action 2.1.3 on page 7 and Objective 4.1 on page 56 speak directly to the local production and use of food.
 - c. **Are sound forest and agricultural management practices encouraged?**
Yes, use of the AMPs for logging is called out in Action 1.1.13 on page 87 and AAPs for agriculture (now actually referred to as RAPs) is called out in Action 4.1.1 on page 8.
 - d. **Are public investments planned so as to minimize development pressure on agricultural and forest land?**
None are planned that would impact these areas.
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, pages 80-81 have recommendations on extraction and reclamation, however these would be better listed as policies rather than in the text.
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, the need for housing across income groups is directly called out on page 65 and several actions are called for under Goal 2 on page 68. As elsewhere in the plan, actions would be better if responsible entities (the actors) were listed as doing the actions.
 - 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, in particular Goals 1 and 4 on page 67-68 calls for more development in dense core areas and to consider expanding sewer/water service to serve more housing.

- 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, Goal 5 and its actions on pages 68-69 address this.

- 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?**

This goal has been somewhat superseded by state law requiring the permitting of ADUs, but the plan does address the need for housing for the elderly.

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

- 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, with the exception of schools, these are discussed in the Community Facilities and Services chapter (emergency services, pages 10-12; water, page 15; wastewater pages 17-18 and solid waste and recycling, pages 16-17). Goals and actions are later listed on pages 19-23. More detailed planning is likely needed to maintain the water system capacity and lines, as well as to reduce infiltration into the sewer lines.

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

No.

13. **Does the plan work to 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?**

Childcare is addressed in the after-school program at WES and briefly in its own section on pages 53-54. Childcare is no doubt a critical component for Woodstock's economic development and this element must be expanded in future revisions.

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?**

The plan contains a Flood Resilience chapter (pages 121-129) that calls for avoiding river corridors outside of the village areas and for no building in floodways. Policy statements on building in the flood zones are also contained in the text, and call for a one-foot elevation standard versus a prohibition on building. All building is discouraged.

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

Yes. The plan calls for upland areas to largely remain in forest, wetlands to be protected, and for no net fill in floodplains.

c. Are flood emergency preparedness and response planning encouraged?

Yes, in that continued participation in the LEPC (now REMC) is advised, however this language could be strengthened.

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

The current Two Rivers-Ottawaquechee Regional Plan became effective August 19, 2020.

The Woodstock Town and Village 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.

Of particular importance in compatibility is whether future land use areas and their policies run counter to those of the Regional Plan. Both the local and regional plans have many advisory policies, but where these plans are specific and mandatory bears careful scrutiny to ensure compatibility. The Regional Plan has a prohibition on 'principal retail' outside of limited areas. The local plan matches this prohibition and area coverage with the exception of a limited area on the eastern edge of the village. However, given the current development on these few sites, we do not anticipate additional projects that would trigger Act 250 in that area, and should they arise we do not anticipate that TRORC would oppose them. TRORC areas should be reviewed in the next Regional Plan update.

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

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

Barnard, Bethel, Bradford, Braintree, Bridgewater, Brookfield, Chelsea, Corinth, Fairlee, Granville, Hancock, Hartford, Hartland, Newbury, Norwich, Pittsfield, Plymouth, Pomfret, Randolph, Rochester, Royalton, Stockbridge, Strafford, Thetford, Tunbridge, Vershire, West Fairlee, and Woodstock.

These approval decisions and plans (especially those of neighboring towns) have been reviewed in the context of the above question. Based on this, we find the Woodstock Town and Village Plan to be compatible with these plans. Planned land use, impacts on surface waters, regional services, and connecting highways have no likely adverse effects on other towns.

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, the plan has overall goals and purpose statements in the Preface and Plan Purpose.

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

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 plan has both a current and future land use map, and a Land Use chapter (pages 114-121) with policies on development in respective land use areas. Most of the actual goals and policies are contained in the background text. This needs the most policy work

to make clear what are policies and to create associated actions. Related chapters, such as Housing and Flood Resilience also have land use policies. Forests are addressed in the Agriculture chapter (page 5), and the issue of forest blocks and habitat connectors are also addressed in the Natural Elements chapter (pages 77-79), Objective 2.3 and actions on habitat on page 89, and Goal 3 on pages 89-90 focus on forests and fragmentation. Given the Linking Lands effort that is called out, the Forest Reserve area is a minimal attempt at creating functional habitat and connections. Future plans should consider if the R5 land use area and policies contained through the plan meet conservation goals. The state Habitat Block maps are called out, but a link to this and forest block maps should be included in the plan if the data is not.

A. 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 plan has language for the future land use areas on uses and intensity and they match current services.

B. identifies those areas, if any, proposed for designation under chapter 76A of Title 24, together with, for each area 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?

The plan discusses the current designated village areas in Woodstock Village and has a map of that area on page 147. The plan also calls for an additional designated area for Taftsville Village.

C. 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 plan has two areas identified for the Forest Reserve future land use area that support forest blocks and connectors. The plan also has various policies in the Natural Elements, Agriculture and Land Use chapters that address forest fragmentation.

However, the proposed limits to the FR land use area are weak in terms of actual forested areas.

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, no new transportation facilities are planned and the current ones are shown on the Town Roads and Village Roads mapped. These should be relabeled to show they are both current and future facilities. Transportation is discussed well across modes in the Transportation chapter (pages 102-113). Specific concerns for US 4 are listed, the lack of transit called out, the scenic nature of backroads is a concern, and projects such as bike lanes from Woodstock to Bridgewater called out. The issue of parking in the CBD is called out in the Community

Facilities and Services chapter. Actions need actors assigned to them in future plans to make these more likely to occur.

- 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. (Since there are often none to a few proposed facilities, the current facilities and future ones can be on the same map. Note future ones. Remember the plan is not just supposed to be an inventory, but an assessment. If something is fine for the next 8 years, it should say so. If not. It should say so and how they will fix it and with what money, etc.)**

Yes, these are contained in maps labeled Current and Future Town Resources and Current and Future Village Resources. The many facilities and services that the town provides, as well as other agencies, is brief but adequate. In particular, upgrades to sewer lines, water lines, the town hall, and the Village garage are called out. The next planning period seeks to better define needs and how they will be addressed.

- 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, see the Natural Elements chapter.

- 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, these are contained in maps labeled Current and Future Town Resources and Current and Future Village Resources. The plan has a lengthy discussion on education in the Education chapter (pages 33-39), especially on the need for a new middle and high school. Actions in this chapter do have actors assigned.

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

Yes. Actions to implement the plan are spread throughout the plan. Of note, more work is needed in future plans to assign actors to tasks in order to better get them done.

- 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, connections to neighboring towns is discussed in the Plan Compatibility chapter. See pages 131-2. The plan notes the intermunicipal need to manage US 4, and habitat connections along the western edge of town and the Linking Lands effort. More could be added on watershed planning across towns.

- 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's Energy chapter (pages 39-45) does have policies on conservation and renewable energy development, a land use pattern that is likely to save energy, as well as relatively detailed actions for the town to take on buildings. The plan does include regionally supplied energy data, which includes projected needs. The plan minimally covers energy costs and scarcity issues.

10. Does the Plan include 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, including the permitting of accessory dwelling units?

The plans Housing chapter (pages 64-69) covers the problems faced around housing and puts forward actions to try to address these. These are not limited to regulatory reform, but also see the need for direct town action. TRORC has not generated local housing needs data. Woodstock's EDC's efforts on housing could be detailed better, and the data from the 2018 housing study at least mentioned.

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 Economic Development chapter (pages 23-32) that discusses the various parts of the local economy and actions to support it. Other chapters, such as Agriculture, contain goals or actions that relate to the local economy's place-based nature and the need to retain recreational assets and improve the ag and forestry sectors.

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?

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?

The plan does not have a river corridor map, but does show mapped flood areas. The plan contains a Flood Resilience chapter (pages 121-129) that calls for prohibiting development in river corridors outside of the village areas and for no building in floodways. The plan has several policy statements on avoiding building in the flood zones, but does not have a mandatory no-build policy. However, the plan's language on river corridors effectively bans development in flood zones as those are largely within corridors. The plan does call for stream setbacks, and upland forest and wetlands protection that help reduce flood flows. The

chapter does address infrastructure sizing to pass flood flows, river restoration, and locating critical facilities outside of flood areas.

CONCLUSION

Based upon the above findings, it is the conclusion of TRORC that the Woodstock Town and Village Plan is consistent with the state planning goals, contains the required plan elements, and is compatible with the Regional Plan and should 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

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

1. In general, the plan should make sure that actions have assigned parties to do them.
2. Many policies are contained in the background text, making it questionable if they are really policies. These should be rewritten as policies.
3. Big ticket items need more planning for capital improvements.
4. The lands designated for forests in the Forest Reserve area are minimal, and attention should be paid to the western edge of town and any outcome of the Linking Lands work.
5. The childcare section needs expansion.
6. Transit should be better addressed.

Dated this _____ day of _____ at xxxxx, Vermont.

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