



01 | Introduction

Bethel | © John Knox

A. TRORC and This Plan

This Regional Plan has been created by the Two Rivers-Ottawquechee Regional Commission ([TRORC](#)¹), which is a regional planning commission covering thirty municipalities in east-central Vermont ([the Region](#)²). This Plan is a condensed understanding of conditions of the people and place in this area of Vermont, the context that connects our Region to surrounding areas and the greater world, a vision for what we want to achieve in the next eight years, and a set of policies and actions that move us toward that vision. It is not a static or inflexible document. TRORC, with the involvement and participation of

the public, will periodically review and update this Plan to reflect new conditions and needs.

TRORC is governed by [a board of representatives](#)³, each appointed by the respective selectboards from each of our member towns. This Plan has been adopted by that board after a series of informal working sessions, State agency reviews, public hearings and Board meetings. TRORC has a set of [statutory duties](#)⁴, but the simplest way to think of TRORC is that we help towns and the state achieve desired outcomes. The first step of that process, and one of our major statutory duties is creating this Plan.

B. Plan Format

TRORC is required by [State law](#)⁵ to prepare and adopt the Regional Plan.

All regional plans (and town plans) are required to be consistent with the [state planning goals](#)⁶. These goals don't cover *how* Vermont will achieve them, but rather what it wants to achieve. Vermont wants to have strong community core areas, protect fields and forests, keep waters clean, have a strong economy (with specific emphasis on farming and forestry), improve public health, keep infrastructure in good shape, enable multiple ways to travel (from walking to trains), use energy more



wisely and with less impact, provide housing for all safely and affordably, and other several other desires.

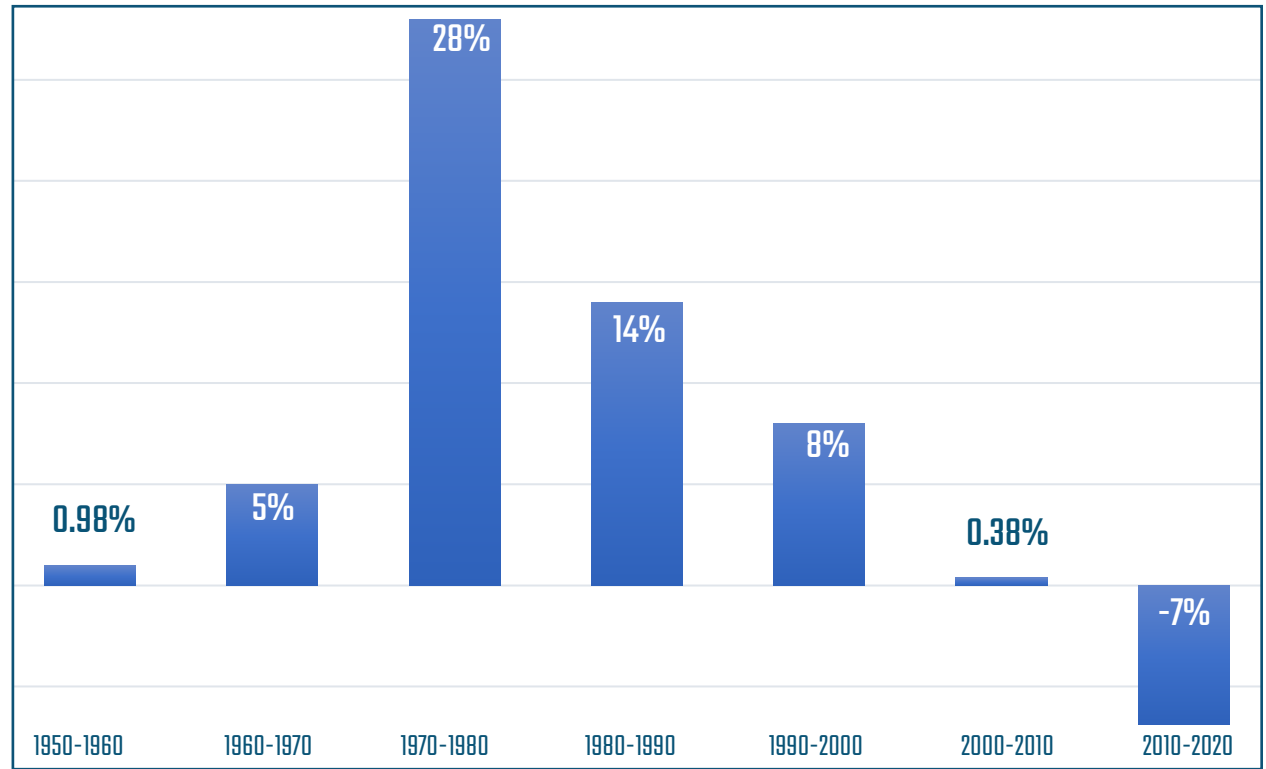
Regional and local planning must take place within the outlines of these goals, and tend to get progressively more detailed moving from the regional to the local level. This Plan must contain at a minimum [certain elements](#)⁷ or sections dealing with land use, transportation, housing, economic development, energy, utilities and facilities, natural resources, flood resiliency, and implementation measures. Furthermore, the Plan must address how it relates to the development trends, needs, plans, and regional plans of adjacent municipalities and regions. The Regional Plan’s maps are also integral to this Plan.

In general, each of the required elements is addressed in a chapter of the Plan. There are two large topic areas that this Plan does not cover as a separate chapter, but that are addressed in parts woven throughout the plan – climate change and demographics.

The ever-growing calamity of climate change is upon us and must be planned for, but not as a single thing. It comes in heat waves, or floods, or species’ habitat shifting. Therefore, this Plan primarily deals with climate change in its chapters on emergency management and flood resiliency. Actions to avoid furthering even worse climate change are really actions to use energy and generate it differently, and so that shows up in our transportation, energy, and housing chapters.

The other huge driver of change in the Region is

Figure 1-1: Rate of Population Change in Two Rivers-Ottauquechee (TRO) Towns



our demographics – as a Region and state we are unusually old and getting older. Less kids result in school closings. An aging workforce threatens the viability of employers, and those same aging people place demands on our services and need different kinds of homes in different places. We are also overwhelmingly white in a nation that is less and less so. Lacking diversity threatens our economy. These issues play out in our policies in our chapters on health, education, economic development, and housing.

This Plan, by its nature, is broken down

into subject chapters, but these overlap. A recommendation on insulating homes is both a housing and energy solution. Sidewalks are transportation facilities and a precursor to healthy living. Preserving stretches of forest serves both economic interests in tourism and forest products, and natural resource needs for species and aquifer recharge.

The final chapter of the Plan discusses the various means and methods available to TRORC to implement goals and policies. Rough priorities, times, and costs for all actions are in the



implementation matrix. Additional funding for implementing Plan policies for all areas of the Plan is necessary.

C. Plan Development and Adoption

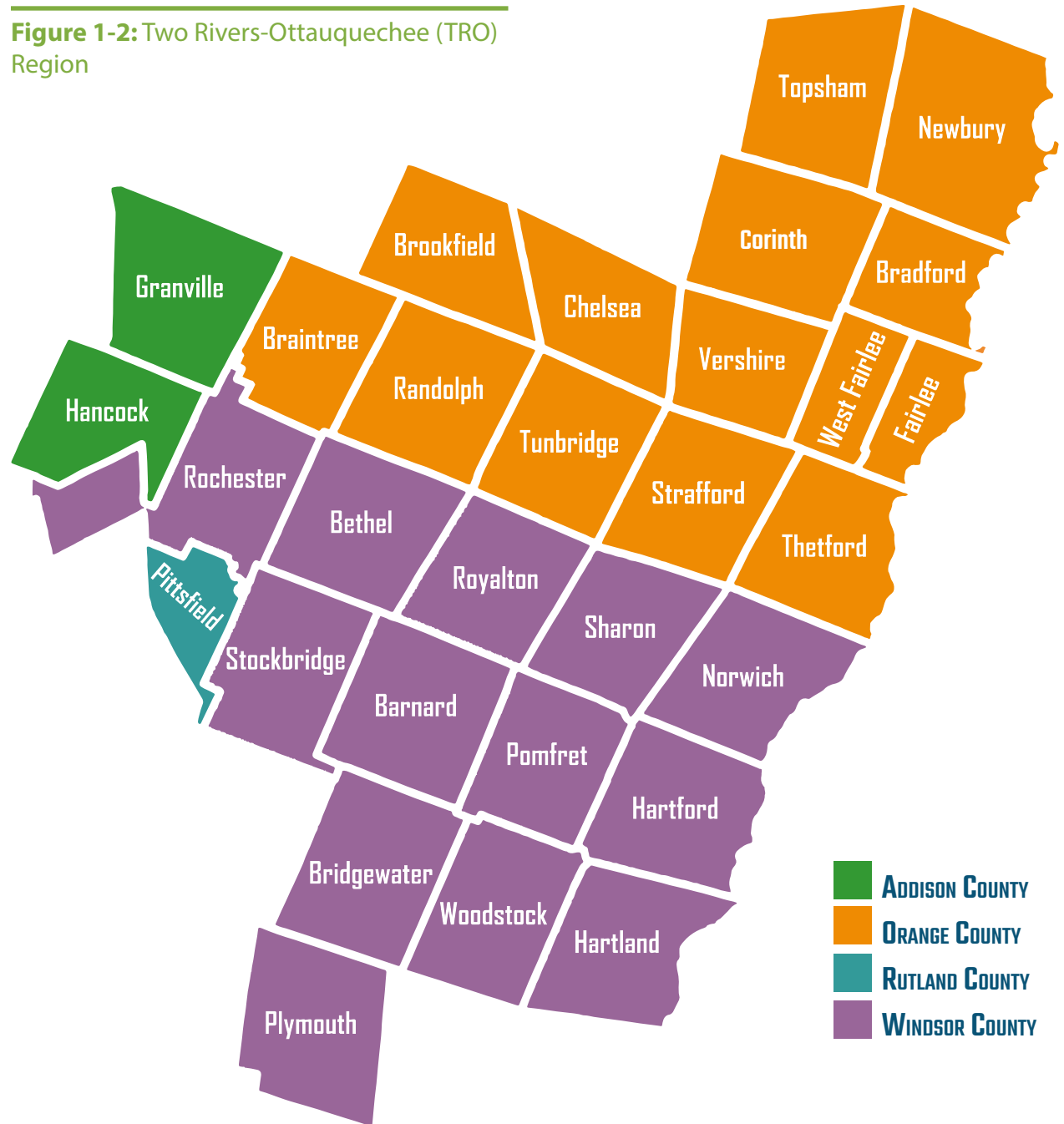
The Plan went through a lengthy [public process](#)⁸ before adoption, including hearings, mailings to all member towns, and discussion at our Board meetings. This Regional Plan will expire eight years from its effective date in order for it to reflect changes going on in the world. However, TRORC's practice has been to amend plans every three years or so to more quickly address emerging issues and trends.

D. Use of the Plan

This Plan has many uses, most of them non-binding, because it is a *plan*. The Plan has goals, policies, and recommendations for action. A **goal** represents the desired future state of affairs that this Plan is intended to achieve, or a current state to maintain. A **policy** is an expression of how to meet a goal. A **recommendation** is a means by which to implement a policy through an action by a person or group. Actions for TRORC to do provide us guidance in structuring our work program. Actions for others are advisory.

The policies of the Plan and descriptions of future land use areas are generally *permissive*. For example, if the Plan states that warehouses are appropriate in an area, one can, but does not have to, build warehouses. Like most plans, this Plan is advisory, an idea of where we want to go, and consequently it uses advisory words such as

Figure 1-2: Two Rivers-Ottauquechee (TRO) Region

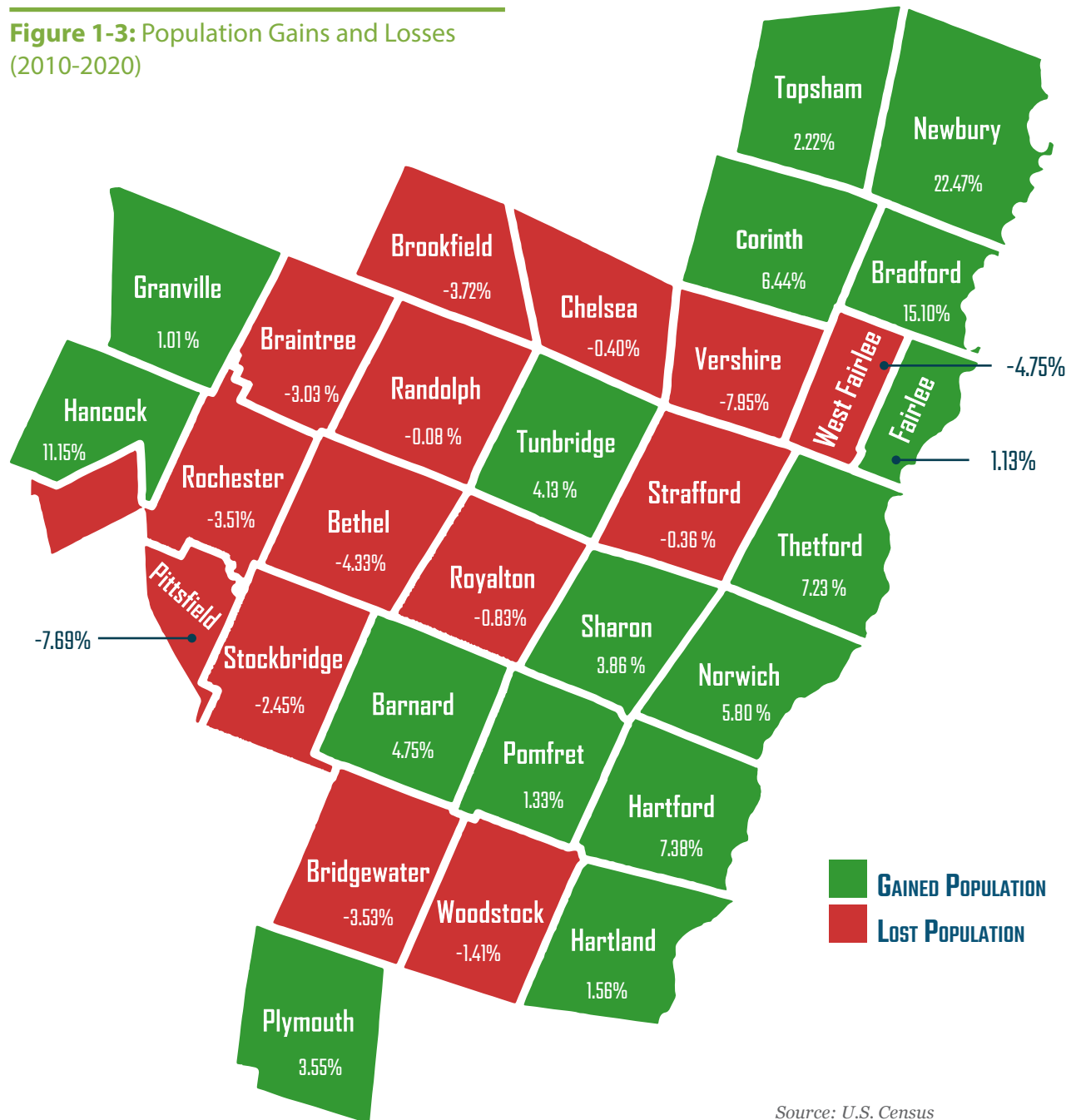


“should” and “encourage.” Where this Plan intends to be *prescriptive*, creating a mandatory limitation, it strives to be very clear on what is required by using words such as “shall” or “must.” All goals, policies, and recommendations of the Plan are clearly titled as such, while background materials lay the foundation for these but are not meant to be construed as policies. The policies contained in this Plan are advisory unless stated as mandatory. Even when this Plan uses mandatory language, conformance is only required in very limited cases, primarily Act 250.

The Plan contains many recommendations to ourselves about TRORC actions, serving as a reminder that focuses our projects. It also has recommendations about what towns, the state, and even the federal government *should* do that would bring the goals of this Plan to fruition. It is a regional policy document that exists on its own, but is also meant to inform local and state policy. This Plan has several maps that accompany the text, and the Future Land Use Map is the most important, as it is both a regional voice at what kinds of development should (and in a few cases must) go where, and a guide for more refined local planning. Lacking county government, it can take the place of what might be a county comprehensive plan, in other parts of the country, and can be used in federal planning efforts such as management of national forests or in federal dam relicensing.

Regional planning takes place above the town level for the same reason that town planning takes place above individual lands: because lands, roads, economies, waters and many other systems are connected. They simply do not function solely at

Figure 1-3: Population Gains and Losses (2010-2020)



Source: U.S. Census



a town level. What a town does next to a highway affects all the users of that highway, not just those that live in the town. What a town does that affects a river plays out upstream and downstream. If farms are developed, regional abilities to grow food change. If a forest is cut down species that range over many towns are affected.

No specific goal in the Plan shall be construed or applied in isolation from the other goals of the Plan. Each mandatory policy, however, does stand alone and must be followed in regulatory proceedings. Also, it should be recognized that there can be both redundancy and contradictions between goals. This does not reflect a failure to consider the full implications of each, but simply acknowledges the fact that the articulation of regional goals inevitably involves competing interests and compromise.

E. Use of the Plan in Regulatory Proceedings

Act 250

Act 250 permits are required for all major subdivision and development projects in Vermont. Prior to granting approval, a [District Environmental Commission](#)⁹ must find that the proposed subdivision or development satisfies certain criteria or thresholds including water and air quality, erosion control, public services, wildlife habitats, aesthetics, public investments, historical preservation, and traffic.

In all cases, the District Environmental Commission is required to make findings that

the proposed development is in conformance with the goals and policies of town plans and this Plan before such a development can move forward. Though TRORC may participate in Act 250 cases, this Plan speaks for itself. It is not fair to developers to make up rules on the spot, and so decisions about what the state, region, or town want have to be made in advance. That is the essence of planning.

While the intent of this Plan is to be coordinated and reasonably consistent with local plans and vice versa, situations may arise where relevant goals or policies of the Plan and a town plan are in conflict. In Act 250 proceedings, the Environmental Court or District Environmental Commission is faced with determining which portions of a local or Regional Plan apply, and municipal conformance will override regional conformance in such cases, except for when projects defined by the TRORC are found by the District Environmental Commission as having “substantial regional impact”, in which case, the project must be in accord with the Regional Plan (see chapter 13 for definition of substantial regional impact). For more information about checking the compatibility between municipal and regional plans, please refer to our webpage on what it means for a town plan to be approved by a Regional Planning Commission ([link here](#)¹⁰).

Act 250 is entirely separate from any local zoning processes. Getting an Act 250 permit does not mean a project will get a local zoning permit, or vice versa, and the conditions for these separate permits are not required to be compatible. A proposed project with a valid local permit may

Statutory definition from Title 24 Section 4302

All town plans and regional plans are required to be “consistent” with the state planning goals. Towns seeking regional approval must also have plans that are “compatible” with the regional plan. The law defines these two terms as follows:

- “Consistent with the goals” requires substantial progress toward attainment of the goals established in this section, 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 determination of relevance or attainability shall be subject to review as part of a consistency determination under this chapter.
- For one plan to be “compatible with” another, the plan in question, as implemented, will not significantly reduce the desired effect of the implementation of the other plan. If a plan, as implemented, will significantly reduce the desired effect of the other plan, the plan may be considered compatible if it includes the following:



Statutory definition from Title 24 Section 4302 (continued)

- a statement that identifies the ways that it will significantly reduce the desired effect of the other plan;
- an explanation of why any incompatible portion of the plan in question is essential to the desired effect of the plan as a whole;
- 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
- 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.

fail to get an Act 250 permit due to a policy in the Regional Plan, just like a project with an Act 250 permit may fail to get a local permit. These are distinct processes with their own set of standards. The use of this Plan in Act 250 does not, nor could it, require that a town change its zoning. In no case can the Regional Plan invalidate local zoning.

Section 248 and 248a

The [Vermont Public Utility Commission \(PUC\)](#)¹¹ is the body that permits new electrical or gas transmission or generation facilities in the State ([30 VSA §248](#)¹²) as well as telecommunication facilities ([30 VSA §248a](#)¹³), through the issuance of Certificates of Public Good. Such proposals are

exempt from municipal zoning bylaws and Act 250, so it is important to reflect in municipal plans the interests of the municipality, and this Plan does so for the Region.

Prior to granting the Certificate, the PUC must find that the project meets specific criteria. One criterion establishes that the facility must be planned to not unduly interfere with the “orderly development of the Region” ([30 VSA §248b](#)¹⁴). These criteria also require that the PUC give “due consideration” to the recommendations of both municipal and regional planning commissions and their related plans, such as this Plan. For energy projects, where local and regional plans have been issued a Determination of Energy Compliance (this Plan has been written to garner such a determination), projects are held to a higher standard where such plans are given “substantial deference.” Thus, this Plan can have strong input into these proceedings, but is not as mandatory as in Act 250 proceedings.

It is the intent of TRORC, where necessary or appropriate, to appear as a party in an Act 250 or 248/248a proceeding affecting the Region and provide evidence concerning matters relevant to the Regional Plan. Furthermore, it is the intent of TRORC to coordinate its review of proposed developments with local officials.

F. Ongoing Planning Activities

The basic assumption made in establishing the goals and policies of the Plan is that change and growth in the Region will continue. The reason for this is clear – the Region offers a quality of life that

is unparalleled in many parts of the nation. Despite continued pressures from urbanized areas, central Vermont contains natural resources of high quality within easy a day’s drive for over 40 million people. Finally, the urbanization of the Lebanon, Hanover, and Hartford area, with its availability of goods and services, makes the Region a major market and population center in Vermont.

G. Plan Amendment

As stated above, the Plan is a dynamic document and represents a process just as much as it does a product. The nature of growth and change in the Region will require this Plan to be re-evaluated, as necessary. As member towns in the Region refine their plans and as new data or trends are identified, it will be necessary for TRORC to incorporate relevant goals and policies into its planning process. Furthermore, it should be emphasized that while TRORC is legally responsible for the preparation and adoption of the Plan, any individual or organization may request that TRORC modify or amend the Plan.



Placey Farm, Newbury | © John Knox



Introduction Endnotes

- 1 <https://www.trorc.org/member-towns/>
- 2 <https://www.trorc.org/member-towns/>
- 3 <https://www.trorc.org/about/board-of-directors/>
- 4 <https://legislature.vermont.gov/statutes/section/24/117/04345a>
- 5 <https://legislature.vermont.gov/statutes/section/24/117/04345a>
- 6 <https://accd.vermont.gov/community-development/resources-rules/planning>
- 7 <https://legislature.vermont.gov/statutes/section/24/117/04348a>
- 8 <https://legislature.vermont.gov/statutes/section/24/117/04348>
- 9 <https://www.trorc.org/act-250-and-other-permitting/>
- 10 <https://www.trorc.org/member-towns/town-plan-approvals/>
- 11 <https://puc.vermont.gov/>
- 12 <https://legislature.vermont.gov/statutes/section/30/005/00248>
- 13 <https://legislature.vermont.gov/statutes/section/30/005/00248a>
- 14 <https://legislature.vermont.gov/statutes/section/30/005/00248b>

