



# CHITTENDEN COUNTY RPC

*Communities Planning Together*

## ***Planning Advisory Committee***

**Wednesday, May 10, 2017**

**2:30pm to 4:30pm**

**CCRPC Main Conference Room, 110 West Canal Street, Winooski**

WIFI Info: Network = CCRPC-Guest; Password = ccrpc\$guest

## **Agenda**

**2:30 Welcome and Introductions, Joss Besse**

**2:35 Approval of March 8, 2017 Minutes\***

**2:40 Bolton Town Plan - Final Review\*, Lee Krohn**

- a. Review Staff Summary (attached)
- b. Questions and Comments
- c. Recommendation to the CCRPC Board

*\*The Bolton Town Plan, Plan Maps and the Implementation Table, as adopted by the Selectboard, and the Data Profile, incorporated by reference, can be found at <ftp://ftp.ccrpcvt.org/Emily/BoltonTownPlan/>*

**2:55 Regional Energy Planning Update, Melanie Needle & Emily Nosse-Leirer**

At the end of April your municipality received energy data and maps from CCRPC. **You can find the profile sent to your municipality here:** <http://www.ccrpcvt.org/our-work/our-plans/regional-energy-plan/>. We'd like to take some time to walk through those materials and the requests for feedback. The feedback we are looking for includes:

1. Comments or questions regarding the Municipal Energy Data Guide and maps?
2. Identification of Preferred Sites?
3. ECOS Plan Policy for prohibiting energy generation in areas with state and local known constraints?
4. Local energy planning assistance from CCRPC in FY18 (CCRPC is already committed to assisting Colchester, Winooski and Shelburne)?

**3:20 Regional Act 250/Section 248 Projects on the Horizon, Committee Members**

**3:25 Other Business**

- a. Regina Mahony anticipates sharing useful resources and interesting projects from the APA conference in NYC.
- b. [Town Forest Recreation Planning Community Assistance Program](#) – Technical Assistance, due 6/1<sup>st</sup>.
- c. [2017 Bike and Ped Grant Program](#) – due July 14<sup>th</sup>.

**3:30 Update on State Residential and Commercial Building Codes and South Burlington's Experience, Steve Spatz, VEIC & Paul Conner, South Burlington**

Efficiency Vermont will provide an update on residential and commercial building codes (RBES and CBES), enabling legislation for municipal enhanced energy standards and a review of municipal responsibilities under Act 89. In addition, Paul Conner will share South Burlington's experience in establishing local energy codes. Please invite your Zoning Administrators!

**4:30 Adjourn**

\* = Attachment

NEXT MEETING: July 12, 2017 at 2:30pm to 4:30pm.

In accordance with provisions of the Americans with Disabilities Act (ADA) of 1990, the CCRPC will ensure public meeting sites are accessible to all people. Requests for free interpretive or translation services, assistive devices, or other requested accommodations, should be made to Emma Vaughn, CCRPC Title VI Coordinator, at 802-846-4490 ext 21 or [evaughn@ccrpcvt.org](mailto:evaughn@ccrpcvt.org), no later than 3 business days prior to the meeting for which services are requested.

CHITTENDEN COUNTY REGIONAL PLANNING COMMISSION  
PLANNING ADVISORY COMMITTEE - MINUTES

DATE: Wednesday, March 8, 2017  
TIME: 2:30 p.m. to 3:30 p.m.  
PLACE: CCRPC Offices, 110 West Canal Street, Suite 202, Winooski, VT

Members Present  
Joss Besse, Bolton  
Greg Duggan, Essex  
Jacob Hemmerick, Milton  
Andrew Strniste, Underhill  
Paul Conner, South Burlington  
Dana Hanley, Essex  
Alex Weinhausen, Hinesburg  
Everett Marshall, Huntington  
Dean Pierce, Shelburne (via phone)  
Sarah Hadd, Colchester

Clare Rock, Richmond  
David White, Burlington  
Ken Belliveau, Williston

Staff  
Regina Mahony, Planning Program Manager  
Charlie Baker, Executive Director  
Emily Nosse-Leirer, Planner  
Melanie Needle, Senior Planner  
Eleni Churchill, Transportation Program Manager

**1. Welcome and Introductions**

Joss Besse called the meeting to order at 2:35 p.m. Regina Mahony passed around a list of 'sharing skill sets' topic ideas to gauge interest.

**2. Approval of January 11, 2017 Minutes**

Everett Marshall made a motion, seconded by Paul Conner, to approve the January 11, 2017 minutes, with the following amendments: Farrell St. was spelled incorrectly. Further discussion: Regina Mahony stated that Clare Rock indicated via email following the last meeting that the development project at the creamery building in Richmond was described incorrectly. What's currently being proposed on the Creamery site is one building, footprint of 3,310 sq. ft. (4 floors: 2 floors commercial and 2 floor residential with 10 units). No further discussion. MOTION PASSED.

**3. Population, Employment & Household Forecasts**

Melanie Needle indicated that we just received the revised forecast about an hour ago. The forecast that was presented to the TAC this morning, is now updated with this revised forecast. Melanie Needle went over the comments that we received on the last forecast, indicating that we received answers to most of the questions. Though a few were still unclear including the jump in persons per household from 2040 to 2050. Melanie Needle stated that we need the number of households for the model and not the household size, so we may not need to worry about this if we can't get a clearer answer. Sarah Hadd asked that we at least get an answer on why that is the case.

In response to Ken Belliveau's question about the employment history, Melanie Needle showed a slide from the presentation to the CCRPC Board. The employment history is shown in a graph, in the same way the population forecast history was shown.

Melanie Needle provided some highlights from the revised forecast, taken from the EPR memo:

- With these population and employment forecasts, Chittenden County is expected to be the leader in Northwest Vermont and the State of Vermont in population and employment growth.
- Keep in mind: High confidence in the county forecasts, significant degree of error in the municipal forecasts given the level of granularity although have taken into account the town perspective and statistical reliability.
- Population

- The 2010 and 2015 population estimates correspond to the U.S. Census estimate and not the adjusted estimates.
- Normalized population growth in Bolton, Charlotte, Colchester, Hinesburg, Jericho, Richmond, St. George, and Underhill resulted in a decline, except Charlotte remained steady
- Burlington, South Burlington, Williston, Shelburne, Essex, and Milton received residual population. This reallocation accounted for some of the scale issues that we faced in the initial forecast, namely that Williston was increasing at levels that might have been unrealistic especially when compared to other areas like Burlington and South Burlington
- Households
  - Change in households in Burlington, to reconsider given the residential development plans
  - Household levels remain fixed for most of the municipalities in the revised forecast but allow the population living in households fluctuate
- Employment
  - In the initial forecast, Essex's share of employment was decreasing and not consistent with a recently GBIC study we fixed the share of Essex's employment at its 2015 level through 2050. This resulted in an increase of nearly 13,000 jobs from 2015 through 2050 for Essex when compared to the initial forecast.
  - Bolton, Charlotte, Colchester, Milton, Richmond, St. George, Underhill, Westford, and Williston decreased; Burlington, Colchester, Milton, South Burlington, and Williston increased; Hinesburg, Huntington, Jericho, and Winooski, remained steady.

PAC questions/comments included:

- Joss Besse asked if home occupations are included in the employment. Melanie Needle stated that total employment does include that.
- Ken Belliveau questioned the population numbers for Williston – the forecast indicates that they'll grow by 50% less people than we are growing now. Williston's growth hasn't seen a leveling off in 50 years, so a break in this long-term trend doesn't feel quite right, but maybe it is right. The differential in the five year just underscores the rest of the forecast. He expects more population growth between 2015 and 2020 and further out.
- Robin explained there is also quite a bit of housing units that are in the pipeline in the Junction and there is no indication that they aren't going to get built.
- Paul Conner added that EPR switched to 2010 which is a more accurate population count than the 2015 estimate. Therefore, he feels this is more accurate than the previous methodology, and doesn't share Ken's concern about the differences in the five-year intervals.
- Dana Hanley mentioned that sewer capacity is a constraint and they may not grow as forecasted, if additional infrastructure doesn't come to fruition.
- David White added that there is a whole host of things that could happen that could change things in the future. There is little risk in not getting this exactly right as we will review it every five years.
- Clare Rock asked how this differs from the ACCD forecast. The second revision brought the Chittenden County estimate much more in line with the ACCD forecast.

Alex Weinhausen made a motion, seconded by David White, to recommend that the CCRPC Board approve this forecast. Further discussion included: Sarah Hadd stated that this is fairly conservative based on where we've been and where we are going. In addition, the persons in households grow from 2040 to 2050 which seems opposite of the trend we are likely to see. Sarah Hadd thinks it would be great to have an answer to this question to understand why. Melanie Needle explained that it isn't a product of the forecast; you derive the household size rather than forecast it. Paul Conner added that unless we are trying to hit some mathematical number in 2050, there is little logic to this. In looking further at the graph of persons in households, there was more confusion on what the graph is actually saying. We will definitely need this clarified. Ken Belliveau added that despite his specific thoughts on Williston, the forecast is much better than the original one.

Alex Weinhausen amended the motion, seconded by David White, to recommend that the CCRPC Board approve this forecast, with a clarification on the number of persons in household. No further discussion. All voted in favor, with the exception of Sarah Hadd. MOTION PASSED.

#### **4. Building Homes Together – Housing Data**

Emily Nosse-Leirer explained the housing affordability by municipality data that she prepared using sales data, and median income per Town. The sales data was used rather than the assessor's data to get a sense of what housing costs a buyer is up against; as opposed to the affordability of the entire stock. Comments from the PAC included:

- Sales data could vary significantly from one year to the next. The data could also be skewed by very expensive homes. It may be helpful to remove the outliers.
- The purpose of the CLA is to ensure that the sales values don't get too far from the assessed value (if they do, you have to do another assessment). Though if the CLA is low the values will be off.
- PITI (principal interest tax insurance) are what should be included in homeownership costs, not utilities. Utilities are included in rental costs.
- Should look at rental as well.
- The standard measure is the median value, because if most of the sales are for new construction, those are almost always more expensive than existing housing stock.
- Clarifying the intent of the analysis would be helpful.
- Showing the actual sales prices could help because without that this data is a bit abstract.
- A similar analysis used the regional median income, rather than the municipal income because the housing market is regional. Though it depends on whether your municipal income is anywhere close to the regional income.
- Is everything fine in a town where the income is high and the prices are high? In Richmond everyone who is there can afford it, but others who may come in can't afford it – that is the more interesting analysis.
- Adding transportation cost might be helpful for a rural town.

Melanie Needle presented the number of household units built in 2016. We don't have data from all of the municipalities and this has not been QA/QC'd yet; so far the data shows 771 constructed housing units in 2016. Essex and Colchester look a little low.

Regina Mahony added that Melanie Needle and Emily Nosse-Leirer have been conducting developer interviews to get some information on whether housing units are lost in the process as we heard anecdotally during the Building Homes Together campaign. We don't have any information to share yet, but we are asking if they started the process at the maximum housing units allowed by zoning; if they lost or gained any throughout the process and if so, why; and whether they took advantage of density bonuses. The PAC suggested that we also ask some of the medium size developers as they might have a different experience than the larger developers: Brad Gardner, Tom Sheppard, Larkin, Peter Kahn, David Shank (So. Burlington/Milton). Cathedral Square may also be helpful, and the VT Developers Association listserve could work also.

#### **5. Legislative Updates**

As the legislature is in full swing, we'll have a brief discussion on some relevant bills, such as: S.99 Measured Expansion of TIF Districts, S.100 Housing Reform/Promotion and more generally water quality financing.

Regina Mahony quickly mentioned the following bills: S.99 Measured Expansion of TIF Districts; S.100 Housing Reform/Promotion; H.39 - An Act relating to the threshold for operational stormwater permits (this bill proposes to lower the threshold for requiring an operational stormwater permit from one acre to one-half acre of impervious surface); H.50 Telecom Facility Permitting Authority (the revised bill keeps telecom facility review in the hands of the Public Service Board until July 1, 2020 instead of reverting to municipal

review authority this year); and H.457 - An Act relating to the creation of a tax increment financing district in Shelburne.

Alex Weinhausen provided more specific detail on the following bills, and stated that the crossover date is 3/17th:

S.99 - Measured Expansion of TIF Districts - Would allow up to two new Tax Increment Finance (TIF) districts per county over the next seven years with a variety of caveats and conditions. There are a variety of TIF bills, and S. 99 seems like it has the most legs. Another bill that would allow for more districts doesn't seem like it is going anywhere. David White has been advocating to take the cap off entirely. Haven't seen any bills come close to that. S.99 might come the closest, but David will likely continue to testify to expand beyond 2 new TIF districts/county.

S.100 - Housing Reform/Promotion - Would promote affordable and sustainable housing through bonding for affordable housing development; through changes to State and municipal land use laws concerning affordable and priority housing projects; through education and outreach to municipalities concerning municipal authority on water and sewer connections; and through allowing captive insurance companies to participate in the tax credit for affordable housing. This is a much larger housing bill – some pros and cons to this bill. Permit Reform extravaganza, suite of permit reform bills. Changes definition of affordable housing to state median income which doesn't make any sense.

H.209 is probably the most relevant to municipal planners based on local development review process. The other bills are much more state based. On-the-record review by request. You'd have to do it even if you aren't prepared. Require 90 day complete application; and 180 days to make a decision. Charlie Baker explained that CCRPC prepared a 2014 permit reform policy statement that might help.

HNRC H.194 – ACCD priority housing projects would have an easier way through Act 250. Don't understand the interplay between this and S.100. Probably more legs than S.100, and less problematic. Charlie Baker indicated that he has been asked for testimony on this. Hoping this will likely not go anywhere, and instead push H.424, which would commission a study of Act 250 and hopefully make more comprehensive recommendations to meaningful/integrated permit reform. This bill deals with the issue of a cap on housing units in designated centers, and having a previous permit kick in Act 250 review.

There was some discussion regarding Clean Water Financing. At the moment, the proposal is to not address the long-term financing needs this session. The Governor has also stated that he is not in favor of new tax/fee increases.

## **6. Hinesburg Town Plan – Public Hearing and Review**

Joss Besse opened and closed the public hearing. Joss Besse asked Emily Nosse-Leirer to provide an overview of CCRPC's Staff summary. Emily reviewed the Plan in November before it went to the Planning Commission public hearing. One issue was reference to the Tactical Basin Plan. The PC also received other comments, and had five subsequent meetings to address the concerns. The Plan has now been submitted to the Selectboard and Emily conducted a final review. There are no issues, though Emily Nosse-Leirer did point out the recommendation for Hinesburg to work with Starksboro in the future if the Hinesburg industrial area moves forward to development.

Alex Weinhausen explained that this has been a multi-year effort and went on pretty long. He is happy to take suggestions. PAC questions/comments include:

- Robin Pierce suggested that they switch CCTA to GMT.
- Robin Pierce questioned the smaller lot sizes in rural areas and whether that is compatible with protection goals? Alex Weinhausen explained that they've disconnected density from the lot sizes (i.e. fixed area based density) so the small lots can be strategically placed and therefore protect larger unfragmented parcels.

- 1 • Robin Pierce suggested red spectrum lighting rather than blue spectrum to help eliminate interference
- 2 with the night sky.
- 3 • Robin Pierce suggested that transmission lines shouldn't be expanded; we should plan to move to
- 4 large batteries in industrial basements.
- 5 • Clare Rock asked if Hinesburg had any discussions about use of the word "encourage" in the
- 6 objectives. Alex Weinhausen stated that it was specifically used as an advisory word from the Town to
- 7 the Town. There was a lot of sensitivity particularly in the energy realm.
- 8 • Joss Besse asked if there has been any communication between Hinesburg and Starksboro on the
- 9 industrial area. Alex Weinhausen stated that there hasn't been so far.
- 10 • Ken Belliveau stated that he found the format to be a good user friendly format. Alex Weinhausen
- 11 gave the credit to Brattleboro as he used their format.
- 12 • Dean Pierce stated that the design of the Plan is great. He asked how they managed to take 4
- 13 community surveys over 5 years? Alex Weinhausen stated the surveys were web-based (survey
- 14 monkey); and he actually thinks they haven't done it enough. In public hearings we change what we
- 15 are doing based on the 25 people in the room, so his Chair really wanted to do more surveys to gain a
- 16 broader perspective. They hope to do similar surveying every one or two years to get a trend. 400
- 17 responses to first survey, 200 following, and 200-ish responses to the Lake Iroquois survey - not
- 18 statistically significant, but certainly much more than the 25 people who come to the meetings.
- 19

20 Paul Conner made a motion, seconded by Robin Pierce, that the PAC finds that the draft 2017  
21 Hinesburg Town Plan, as submitted, meets all statutory requirements for CCRPC approval, and that  
22 the municipality's planning process meets all statutory requirements for CCRPC confirmation. Upon  
23 notification that the Plan has been adopted by the municipality, CCRPC staff will review the plan,  
24 and any information relevant to the confirmation process, for changes. If staff determines that  
25 changes are substantive, those changes will be forwarded to the PAC for review. Otherwise the PAC  
26 recommends that the Plan, and the municipal planning process, should be forwarded to the CCRPC  
27 Board for approval. No further discussion. MOTION CARRIED.

#### 28 29 **7. Regional Act 250/Section 248 Projects in the Horizon**

- 30 • Colchester – minor amendments nothing work bringing up. Severance Corners potentially another 40
- 31 to 50 units.
- 32 • Essex – nothing
- 33 • Underhill – nothing
- 34 • Huntington – nothing
- 35 • Milton – race car outfitting facility in Catamount. Retrofit cars for Subaru. Trucking distribution
- 36 facility – 20 to 30,000 sq.ft. PSB – 38 acre solar array.
- 37 • Williston – assorted minor amendments.
- 38 • Hinesburg – nothing new
- 39 • Shelburne – nothing new
- 40 • Bolton – nothing new
- 41 • Essex Junction – hearing for the canopies at McGillicuddys.
- 42 • So. Burlington – dozen housing units on Swift St. 6 market street – 32-ish senior housing. Permit was
- 43 approved for fill at the airport. So. Burlington asked for a hearing because of truck traffic on City
- 44 roads associated with the fill. JAM Gulf – long awaited settlement includes a land swap that needs to
- 45 go to Act 250 because both properties have an existing permit.
- 46 • Burlington – Farrell Cambrian Rise - 700+ units. Awaiting ANR permits before goes to Act 250.
- 47

#### 48 **8. Other Business –**

- 49 a. Dean Pierce: Town/County Boundary Amendment for the CENSUS. CENSUS requests Town
- 50 boundary adjustments; and Shelburne's is inaccurate. He was talking with Pam Brangan about it and
- 51 they thought it would be helpful to see if there was any other interest at the PAC meeting. Williston

1 and Hinesburg think it is a good idea. The process will be easy until there is a dispute between two  
2 towns. Joss Besse asked for a show of hands, and most of the PAC were only semi-interested at best.  
3 Regina Mahony will circle back with Pam Brangan, but indicated that this won't be a priority for us if  
4 it isn't for the municipalities.  
5

6 **9. Adjourn**

7 The meeting adjourned at 4:38 p.m.  
8

9 Respectfully submitted, Regina Mahony

DRAFT

April 27, 2017

Lee Krohn, Senior Planner  
Chittenden County Regional Planning Commission  
110 West Canal Street  
Winooski, VT 05404

Dear Lee,

The Town of Bolton has spent several years updating its Town Plan, which was last adopted on May 21, 2012 and approved by the CCRPC shortly thereafter. This Plan is a significant overhaul of the 2012 Plan.

The Town submitted its plan to the Planning Commission's Planning Advisory Committee for an informal review on January 11, 2017 for an informal review of the Draft Town Plan. This review focused on consistency with the planning process in accordance with 24 VSA §4350. The information needed for plan review and confirmation as outlined in the CCRPC's "Guidelines and Standards for Confirmation of Municipal Planning Processes and Approval of Municipal Plans" is attached.

As you are aware, the Planning Commission held a number of community engagement events, starting with events in October 2015 and ending with the Planning Commission public hearing in February 9, 2017. The PC was recognized as the VPA Citizen Board of the Year for these efforts. The Planning Commission voted on March 23, 2017 to send the draft plan to the Bolton Selectboard. The Selectboard adopted the plan on April 26, 2017.

We respectfully request formal review by the Planning Advisory Committee at its May 10, 2017 meeting.

If you have any questions about the Plan or the documents I have provided for your review, please feel free to contact me.

Sincerely,



Carol Devlin  
Assistant Town Clerk and Treasurer  
Clerk, Bolton Planning Commission  
Town of Bolton  
3045 Theodore Roosevelt Hwy.  
Bolton, VT 05676  
(802) 434-3064 ext. 221



Town of Bolton Planning Funding, FY 2012-2017

	2012	2013	2014	2015	2016	2017
Planning Commission Operational Funding	0	0	\$4,000	\$3,000	\$3,000	\$3,000
Planning Commission Reserve Fund	0	0	0	\$4,000	\$4,000	\$4,000
Grant Funding and CCRPC UPWP (The Town of Bolton received a Municipal Planning Grant in 2016)	0	0		\$9,000 (CCRPC UPWP-- \$12,000 total with Town paying \$3,000)	MPG \$20,000 (dispersed over 18 months)	
<b>TOTAL</b>	0	0	\$4,000	\$16,000	\$27,000	\$7,000

**Appendix A – Municipal Plan Review Tool**

# Chittenden County Regional Planning Commission

## Guidelines and Standards for Confirmation of Municipal Planning Processes and Approval of Municipal Plans

This form addresses the statutory requirements of the State of Vermont for town plans, as cited in the Vermont Municipal and Regional Planning and Development Act, Title 24 V.S.A Chapter 117 (the Act). It includes the 12 required elements found in § 4382 of the Act; the four planning process goals found in § 4302(b), the 14 specific goals found in § 4302(c); and the standard of review found in § 4302(f), which covers consistency with goals and compatibility standards.

During the Regional approval and confirmation process, specified in § 4350 of the Act, the regional planning commission is required to assess town plans and the process whereby they are developed according to the criteria of the Act. Sections of relevant statute are quoted at each question.

	<b>Required Elements § 4382</b>	<b>Met</b>	<b>Not Met</b>
1	Statement of Objectives, Policies, Programs	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2	Land Use Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3	Transportation Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4	Utility and Facility Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5	Rare Natural Resources/Historic Resources	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6	Educational Facilities Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7	Implementation Program	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8	Development Trends	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9	Energy Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10	Housing Element	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11	Economic Development Element	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12	Flood Resiliency Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	<b>State Planning Goals § 4302</b>	<b>Met</b>	<b>Not Met</b>
1	Development Pattern	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2	Economy	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3	Education	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4	Transportation	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5	Natural and Historic Resources	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6	Quality of Resources	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7	Energy	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8	Recreation	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9	Agriculture and Forest Industries	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10	Use of Resources	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11	Housing	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12	Public Facilities	<input checked="" type="checkbox"/>	<input type="checkbox"/>
13	Child Care	<input checked="" type="checkbox"/>	<input type="checkbox"/>
14	Flood Resiliency	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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## TOWN PLAN REQUIRED ELEMENTS

### Title 24 Chapter 117: Municipal and Regional Planning and Development

#### **24 V.S.A. § 4382. The plan for a municipality**

(a) A plan for a municipality may be consistent with the goals established in section 4302 of this title and compatible with approved plans of other municipalities in the region and with the regional plan and shall include the following:

**(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.**

Comments:

Choose an item.

Pages: Chapter 4,  
"Implementation"

**(2) A land use plan, consisting of a map and statement of present and prospective land uses, that indicates those areas proposed for forests, recreation, agriculture (using the agricultural lands identification process established in 6 V.S.A. § 8), residence, commerce, industry, public and semi-public uses and open spaces, areas reserved reserved for flood plain, and areas identified by the State, the regional planning commission, or the municipality that require special consideration for aquifer protection; for wetland protection, for the maintenance of forest blocks, wildlife habitat, and habitat connectors; or for other conservation purposes; 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 service; identifies those areas, if any, proposed for designation under chapter 76A of this title, together with, for each area proposed for designation, an explanation of how the designation would further the plan's goals and the goals of § 4302 of this title, and how the area meets the requirements for the type of designation to be sought; 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.**

Comments:

Choose an item.

Pages: Chapter 3, "Place,"  
Section "Land Use"

MAPS

Present Land Use Plan      ✓

Prospective Land Use Plan    ☒

**(3) A transportation plan, consisting of a map and 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;**

Comments:

Choose an item.

Pages: Chapter 2,  
"Prosperity", Section  
"Transportation"

MAP

Transportation      ☒

(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 method of financing;

Comments:

Choose an item.

Pages: Chapter 2,  
Prosperity, Utilities and  
Facilities Section

MAP

Utility and Facility ☒

(5) A statement of policies on the preservation of rare and irreplaceable natural areas, scenic and historic features and resources;

Comments:

**Met**

Pages: Chapter 3, Place,  
Natural Resources Section  
and Historic Bolton section.

(6) An educational facilities plan consisting of a map and statement of present and projected uses and the local public school system;

Comments:

Choose an item.

Pages: Chapter 1, People  
Community Services Section,  
Education Subsection

MAP

Educational Facility ☒

(7) A recommended program for the implementation of the objectives of the development plan;

Comments:

**Met**

Pages: Chapter 4,  
Implementation

(8) A statement indicating how the plan relates to development trends and plans of adjacent municipalities, areas and the region developed under this title;

Comments:

**Met**

Pages:  
Appendix 3, Compatibility  
with Other Plans section

(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;

Comments:

**Met**

Pages: Chapter 2,  
Prosperity, Energy section

(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

**Met**

Pages: Chapter 2,

pursuant to subdivision 4348a(a)(9) of this title. The program should account for permitted accessory dwelling units, as defined in subdivision 4412(1)(E) of this title, which provide affordable housing.

Comments:

(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.

Comments:

**Met**

Pages: Chapter 2,  
Prosperity, Economy section

(12)(A) A flood resilience plan that:

(i) identifies flood hazard and fluvial erosion hazard areas, based on river corridor maps provided by the Secretary of Natural Resources pursuant to 10 V.S.A. § 1428(a) or maps recommended by the Secretary, 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

(ii) recommends policies and strategies to protect the areas identified and designated under subdivision (12)(A)(i) of this subsection and to mitigate risks to public safety, critical infrastructure, historic structures, and municipal investments.

(B) A flood resilience plan may reference an existing local hazard mitigation plan approved under 44 C.F.R. § 201.6.

Comments:

**Met**

Pages: Chapter 3, Place,  
Natural Hazards and  
Resilience section and Land  
Use section

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## GOALS AND STANDARDS OF REVIEW

### GOALS

#### 24 VSA § 4302

(a) General purposes . . .

(b) It is also the intent of the legislature that municipalities, regional planning commissions and state agencies shall engage in a continuing planning process that will further the following goals:

(1) To establish a coordinated, comprehensive planning process and policy framework to guide decisions by municipalities, regional planning commissions, and state agencies.

(2) To encourage citizen participation at all levels of the planning process, and to assure that decisions shall be made at the most local level possible commensurate with their impact.

(3) To consider the use of resources and the consequences of growth and development for the region and the state, as well as the community in which it takes place.

(4) To encourage and assist municipalities to work creatively together to develop and implement plans.

(c) In addition, this chapter shall be used to further the following specific goals:

#### Goal 1:

**To plan development so as to maintain the historic settlement pattern of compact village and urban centers separated by rural countryside.**

**(A) Intensive residential development should be encouraged primarily in areas related to community centers, and strip development along highways should be discouraged.**

**(B) Economic growth should be encouraged in locally designated growth areas, or employed to revitalize existing village and urban centers, or both.**

**(C) Public investments, including construction or expansion of infrastructure, should reinforce the general character and planned growth patterns of the area.**

**Consistent**

Pages:  
Land Use chapter

How has the Town Plan addressed this goal?: The Land Use section identifies the future land use in Bolton, with development concentrated around the Route 2 village area, Bolton Valley Resort and the proposed West Bolton Hamlet. Bolton's severe development constraints and large lot sizes elsewhere in the town will maintain this historic settlement pattern. The plan identifies that the town's largest infrastructure investments during the life of this plan will be on road maintenance and upgrades required by the Municipal Roads General Permit.

#### Goal 2:

**To provide a strong and diverse economy that provides satisfying and rewarding job opportunities and that maintains high environmental standards, and to expand economic opportunities in areas with high unemployment or low per capita incomes.**

**Consistent**

Pages:  
Economy section

How has the Town Plan addressed this goal: The Economy section discusses Bolton's limited economic base currently, and identifies strategies for increased economic growth in the town, particularly around Bolton Valley Resort.

If the goal is not relevant or attainable, how does the plan address why: The plan discusses economic development for the town as a whole, not based on areas of high unemployment or low per capita incomes, as these data are only available at the town level.

**Goal 3:**

**To broaden access to educational and vocational training opportunities sufficient to ensure the full realization of the abilities of all Vermonters.**

How has the Town Plan addressed this goal: The People chapter identifies educational opportunities that are available for Bolton residents of various ages and includes an action of increasing funding available for scholarships that are awarded annually to Bolton college students.

**Consistent**

Pages: Education section

**Goal 4:**

**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) Highways, air, rail and other means of transportation should be mutually supportive, balanced and integrated.**

How has the Town Plan addressed this goal: Bolton's road network and bridges, culverts and other infrastructure are discussed in the Transportation section of the plan. Residential transportation use, including public transit use, is discussed in that section as well. Resilience of these features and the impact of the new Municipal Roads General Permit is discussed in the Resilience section. The town's network of hiking trails and on-road bicycle and pedestrian routes are discussed in the Recreation section.

**Consistent**

Pages:  
Transportation section

**Goal 5:**

**To identify, protect and preserve important natural and historic features of the Vermont landscape including:**

- (A) significant natural and fragile areas;**
- (B) outstanding water resources, including lakes, rivers, aquifers, shorelands and wetlands;**
- (C) significant scenic roads, waterways and views;**
- (D) important historic structures, sites, or districts, archaeological sites and archaeologically sensitive areas**

How has the Town Plan addressed this goal: The Natural Resources section of the plan identifies natural and scenic resources in Bolton and offers strategies for their preservation. In addition, the plan incorporates the 2013 Science to Action report, a detailed inventory of all natural resources in Bolton, by reference. The Land Use chapter also establishes a Conservation district which protects many natural and scenic resources. The People chapter discusses historic features and strategies for their protection.

**Consistent**

Pages:  
Natural Resources section,  
Land Use chapter, People  
chapter

**Goal 6:**

**To maintain and improve the quality of air, water, wildlife, other land resources.**

How has the Town Plan addressed this goal: Natural resources identified in the Natural Resources section of the plan and for their protection and improvement are identified therein.

**Consistent**

Pages: Natural Resources  
section

**forests and  
are  
strategies**

**Goal 7:**

**To encourage the efficient use of energy and the development of renewable energy resources.**

How has the Town Plan addressed this goal: Energy issues are discussed in the Energy section of the plan, including strategies for increased efficiency throughout the town and increased renewable energy generation. Energy facilities can be seen on the Energy map. The plan also identifies the possible goal of revising the plan in the future to gain a Determination of Energy Compliance from CCRPC.

**Consistent**

Pages:  
Energy section

**Goal 8:**

**To maintain and enhance recreational opportunities for Vermont residents and visitors.**

- (A) Growth should not significantly diminish the value and availability of outdoor recreational activities.**
- (B) Public access to noncommercial outdoor recreational opportunities, such as lakes and hiking trails, should be identified, provided, and protected wherever appropriate.**

**Consistent**

Pages: Natural Resources section, Recreation section

How has the Town Plan addressed this goal: The town plan identifies recreation as the core of Bolton's economy and identifies a goal of increasing the financial stability of Bolton Valley Resort. The plan also discusses the need to ensure that recreational activities in the town do not negatively impact residents. Finally, Bolton's key recreational resources are almost all located on conserved land.

**Goal 9:**

**To encourage and strengthen agricultural and forest industries.**

- (A) Strategies to protect long-term viability of agricultural and forestlands should be encouraged and should include maintaining low overall density.**
- (B) The manufacture and marketing of value added agricultural and forest products should be encouraged.**
- (C) The use of locally-grown food products should be encouraged.**

**Consistent**

Pages:  
Natural Resources section,  
Economy section

- (D) Sound forest and agricultural management practices should be encouraged.**
- (E) Public investment should be planned so as to minimize development pressure on agricultural and forest land.**

How has the Town Plan addressed this goal: Forest industries are discussed in the Economy section of the town plan. Protections for core forest are discussed in the Natural Resources section, and the Land Use chapter includes discussion of a Forest district which limits most development. The natural resources section also discusses Bolton's limited prime agricultural soils and very few farms, and identifies strategies for their protection.

**Goal 10:**

**To provide for the wise and efficient use of Vermont's natural resources and to facilitate the appropriate extraction of earth resources and the proper restoration and preservation of the aesthetic qualities of the area.**

How has the Town Plan addressed this goal: The Natural Resources section identifies gravel and sand quarrying as important economic activities in the town and requires the submission of operation, stormwater

**Consistent**

Pages: Natural Resources section



management and erosion control and site reclamation plans for all operations. Quarrying operations can be seen on the Earth and Water Resources map.

**Goal 11:**

**To ensure the availability of safe and affordable housing for all Vermonters**

**Consistent**

Pages: Housing section

- (A) Housing should be encouraged to meet the needs of a diversity of social and income groups in each Vermont community, particularly for those citizens of low and moderate income.**
- (B) New and rehabilitated housing should be safe, sanitary, located conveniently to employment and commercial centers, and coordinated with the provision of necessary public facilities and utilities.**
- (C) Sites for multi-family and manufactured housing should readily available in locations similar to those generally used for single-family conventional dwellings.**
- (D) Accessory apartments within or attached to single family residences which provide affordable housing in close proximity to cost-effective care and supervision for relatives or disabled or elderly persons should be allowed**

How has the Town Plan addressed this goal: Housing needs analysis, discussion of the housing market and strategies for increasing housing affordability can be found in the Housing section of the plan. A variety of housing types is allowed everywhere development is permitted in the town. The town identifies strategies for increasing the safety of housing stock.

**Goal 12:**

**To plan for, finance and provide an efficient system of public facilities and services to meet future needs.**

**Consistent**

Pages: Utilities, Facilities and Services section

- (A) Public facilities and services should include fire and police protection, emergency medical services, schools, water supply and sewage and solid waste disposal.**
- (B) The rate of growth should not exceed the ability of the community and the area to provide facilities and services**

How has the Town Plan addressed this goal: The Utilities, Facilities and Services section discusses the utilities, facilities and services provided to residents, both those provided by the town and those provided by outside entities through contracts. The town is currently in the process of developing its first Capital Improvement Plan, a major step in ensuring that the town will be able to provide facilities and services to future residents at the town's identified rate of growth (around 11 residents per year).

**Goal 13:**

**To ensure the availability of safe and affordable child care and to integrate child care issues into the planning process, including child care financing, infrastructure, business assistance for child care providers, and child care work force development.**

**Consistent**

Pages: People chapter

How has the Town Plan addressed this goal: The People chapter identifies childcare available in the town and in neighboring areas, and discusses childcare needs by Bolton residents. The plan ensures that childcare related businesses can be established throughout Bolton, and the town budget helps fund childcare services in nearby towns that are accessible for residents.

**Goal 14:**

**To encourage flood resilient communities.**

**(A) New development in identified flood hazard, fluvial erosion, and river corridor protection areas should be avoided. If new development is to be built in such areas, it should not exacerbate flooding and fluvial erosion.**

**Consistent**

Pages: Resilience section,  
Natural Resources section,  
Land Use section

**(B) The protection and restoration of floodplains and upland forested areas that attenuate and moderate flooding and fluvial erosion should be encouraged.**

**(C) Flood emergency preparedness and response planning should be encouraged.**

How has the Town Plan addressed this goal: The Resilience section of the plan discusses resilience and emergency planning in Bolton, and incorporates both the Bolton All Hazards Mitigation Plan and the Local Emergency Operations Plan by reference. The Resilience section also identifies the degree to which Bolton is at risk from flooding and fluvial erosion. The Land Use section identifies strategies to ensure that future development in Bolton is not at risk from flood damage or fluvial erosion by identifying development constraints for two Flood Hazard Overlay Districts and in river corridors. The Natural Resources section ensures that uplands forests and wetlands are protected to reduce risk from flooding.

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## STANDARD OF REVIEW

### 24 V.S.A. § 4302(f)

(1) As used in this chapter, "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.

(2) As used in 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:

(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.

**Details of CCRPC's review process can be found in "Chittenden County Regional Planning Commission Guidelines and Standards for Confirmation of Municipal Planning Processes and Approval of Municipal Plans," as adopted October 19, 2016.**

**CCRPC Formal Staff & PAC Review – 2017 Bolton Town Plan**  
**May 10, 2017 PAC Meeting**

**Staff Review of the 2017 Bolton Town Plan**  
**Lee Krohn, AICP, CCRPC Senior Planner**  
**May 1, 2017**

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The Town of Bolton has asked, per 24 V.S.A §4350, that the Chittenden County Regional Planning Commission approve its 2017 Town Plan, and confirm its planning process.

This Town Plan is a major rewrite of the current document. It is a thoroughly researched, incredibly encyclopedic presentation of information about the community, and represents a significant and sustained public outreach and drafting effort by the Bolton Planning Commission and CCRPC staff. The foundation for this plan is based upon a foundational construct of “Maintain, Evolve, Transform” – describing those attributes or qualities that the community seeks to keep ‘as is’, modify, or change in one or more significant ways.

Following the Chittenden County Regional Planning Commission’s (CCRPC’s) *Guidelines and Standards for Confirmation of Municipal Planning Processes and Approval of Municipal Plans (2016)* and the statutory requirements of 24 V.S.A. Chapter 117, I have reviewed the draft 2017 Bolton Town Plan to determine whether it is:

- Consistent with the general goals of §4302;
- Consistent with the specific goals of §4302;
- Contains the required elements of §4382;
- Compatible with the 2013 Chittenden County Regional Plan, entitled the *2013 Chittenden County ECOS Plan* (per §4350); and
- Compatible with approved plans of other municipalities (per §4350).

Staff Review Findings and Comments:

1. The 2017 Bolton Town Plan appears consistent with all of the general goals of §4302.
2. The 2017 Bolton Town Plan appears consistent with the specific goals of §4302.
3. The 2017 Bolton Town Plan will include the required elements of §4382.
4. The 2017 Bolton Town Plan is generally compatible with the planning areas, goals and strategies of the 2013 Chittenden County Regional Plan, entitled the *2013 Chittenden County ECOS Plan*. A question has been raised whether increasing density in the West Bolton ‘hamlet’ area is consistent with the ECOS plan. Given circumstances described in the Town Plan, this likely makes good sense on the local level. Further, given the very small land area involved, this will be statistically insignificant at the county level; and given the physical constraints present, is unlikely to create or lead to incremental sprawl or unchecked development that would otherwise be inconsistent with rural planning areas as described in the ECOS plan and map.

**CCRPC Formal Staff & PAC Review – 2017 Bolton Town Plan**  
**May 10, 2017 PAC Meeting**

5. The 2017 Bolton Town Plan is compatible with the municipal plans for the adjacent Chittenden County towns of Huntington, Jericho, Richmond, and Underhill, as well as the adjoining Washington County towns of Duxbury, Stowe, and Waterbury. As described in Appendix 3, the land use plans for each are fundamentally similar on either side of these borders.

During the drafting of this Plan, a number of suggestions were made during a preliminary review as summarized below. These matters of structure or format would not affect this approval process, and most or all of these have been addressed in the document approved by the Planning Commission and warned for a Selectboard public hearing on April 26, 2017.

Questions related to structure and organization; whether certain goals or actions followed logically from the text in those sections; whether certain goals or actions were internally consistent; what specific actions the Town could take to collaborate with Bolton Valley Resort, and/or to help encourage its success as a four-season resort and major employer; clarity of certain phrases or sections of text; and whether the excellent concepts presented in the beginning (“maintain, evolve, transform”) might be carried through and add great value to the entire plan.

In conclusion, as noted at the beginning, this Plan is an incredibly, thoroughly researched document. It presents a comprehensive description of the history and current circumstances of the Town of Bolton, and follows in very detailed form the long list of required elements in statute and in the state’s planning manual.

The Plan also uses the helpful approach of incorporating by reference a variety of related municipal plans and documents, so that the background information in these documents is noted and linked, without having to actually include them into what would then become an impossibly long and unwieldy Town Plan.

Staff suggests that the PAC accept and affirm the 2017 Bolton Town Plan, and recommend approval by the CCRPC Board.

In addition, Staff suggests that the PAC confirm the Town of Bolton’s planning process. Although a small rural town with limited funds, Bolton’s Planning Commission clearly maintains a sustained planning effort. It meets on a regular basis. It applied for, and was awarded a Municipal Planning Grant from the State to support this major rewrite of the Town Plan, and understands that completing this work is a big step forward, but not the end, of its planning efforts. The Town has allocated funds for Planning Commission work over these past four years, as indicated in the budget summary submitted with its request for Plan approval and process confirmation.

Proposed Motion & Next Steps:

**PROPOSED MOTION:** The PAC finds that the 2017 Bolton Town Plan, as submitted and as adopted by the Bolton Selectboard on April 26, 2017, meets all statutory requirements for CCRPC approval, and that the municipality's planning process meets all statutory requirements for CCRPC confirmation. The PAC further recommends that the Plan, and the municipal planning process, be forwarded to the CCRPC Board for approval.