Planning Commission Report

24 V.S.A. § 4384(c) requires that the Planning Commission prepare a written report on any amendments to a Plan. The report must address the extent to which the plan is consistent with the goals of §4302 of Title 24 and, if any land use designation is altered, the report needs to cover additional points (see below).

Consistency with State Planning Goals (§ 4302)

Vermont law requires town plans to be updated and readopted every five years. The Brookfield Town Plan has been revised with a goal of ensuring the Plan's consistency with state statute. In 2013, the Two Rivers-Ottauquechee Regional Commission (TRORC) analyzed the Brookfield Town Plan to determine areas that needed improvement to ensure consistency with state planning goals. Using this analysis, the Planning Commission has revised the plan.

The draft plan continues the goals and policies of prior town plans and provides more detail, analysis, and support for its objectives and policy statements. While the entire plan was edited to make the language more direct, the chapters on natural resources, communications, and energy received the most attention. These changes, if adopted, provide clarity to those who reference the plan, such as the Board of Adjustment, and in limited circumstances, some state agencies. Even so, the role of the plan in local and state proceedings remains unchanged from prior years.

The economic development and flood resiliency elements meet new requirements of state law and hence are new additions to the plan. The economic development element states a goal to encourage appropriately scaled small-scale businesses that are compatible with the character of the community, with such commercial development locating in or adjacent to existing villages and hamlets. The flood resiliency element addresses issues related to flood risk and damage mitigation. To meet these goals the draft plan encourages the town to adopt river corridor protections and to prohibit development in the flood hazard area. The town will receive additional Emergency Relief Assistance funding if such protections are implemented.

Changes in Land Use Designation

The proposed plan revisions do not change the boundaries of any land use areas (see Map #2: Future Land Use). Suggested purpose, uses and densities remain consistent with previous plans and Brookfield's Development Bylaw.

As mentioned above, this draft plan encourages the adoption of river corridor protections and a prohibition on development in the flood hazard area. River corridor areas, as designated by the State of Vermont, are the areas that a stream or river needs to maintain equilibrium. Often these areas experience a great deal of damage during flooding disasters, primarily due to erosion. By prohibiting new development in these areas (as proposed), Brookfield would reduce the potential for property

damage in these areas outside of the flood hazard area. Additionally, the community would have access to greater emergency relief funding in the event of a natural disaster.

Because these proposals represent a change in "land use area designation," the Planning Commission must answer the following questions as part of this report:

"What is probable impact on the surrounding area, including the effect of any resulting increase in traffic, and the probable impact on the overall pattern of land use?"

The proposed restrictions on flood hazard and river corridor areas will not result in an increase in traffic. Impact on the overall pattern of land use will be minimal as increases in flood insurance premiums through the National Flood Insurance Program are making development in the flood Hazard area significantly more expensive. Additionally, the state's rules on river corridor protections require a 50 foot buffer from all unmapped streams – Brookfield's development bylaw already requires a 75-foot setback from streams.

"The long-term cost or benefit to the municipality, based consideration of the probable impact on:

- *The municipal tax base*
- *The need for public facilities"*

As previously mentioned, increasing flood insurance premiums are making development within the flood hazard area cost prohibitive and therefore a decrease in new development in these areas is likely regardless of whether or not the proposed changes are implemented. If the proposed river corridor protections are implemented, the community will benefit from incentives offered by the state by increased disaster relief funding. In the event of severe damage from a federally declared disaster, the benefit could save the community hundreds of thousands of dollars. However, these proposed changes would mean that the town could not locate a new public building in the flood hazard or river corridor areas.

"The amount of vacant land which is:

- *Already subject to the proposed new designation*
- *Actually available for that purpose, and the need for additional land for that purpose."*

There is no new land included in the flood hazard area. The river corridor areas do cover new lands; however development is already limited in much of those lands by the 75 foot setback requirement in the development bylaw.

"The suitability of the area in question for the proposed purpose, after consideration of:

- *appropriate alternative locations*
- *alternative uses for the area under consideration*
- *the probable impact of the proposed change on other areas similarly designated"*

Flood hazard and river corridor areas are determined by topography, geology and hydrology. There are no "alternative locations" for these areas. The continued development of new structures in these areas puts life and property at risk. In the event that properties are lost during a severe flooding event, tax dollars are used to either rebuild or buy out the project. Prohibiting new development in these areas reduces this impact to the whole community.

"The appropriateness of the size and boundaries of the area proposed for change, with respect to the area required for the proposed use, land capability and existing development in the area."

There are no changes in the boundaries. (See above.)

Conclusion

The Planning Commission, with help from TRORC, worked over a year on these revisions. Many of those months saw multiple meetings. We look forward to comments in this effort to produce a clear and meaningful plan for the Town of Brookfield.