

Report Of The Planning Commission On The Proposed Mount Holly Town Plan

Pursuant to [24 V.S.A. § 4384](#), the Mount Holly Planning Commission unanimously voted at its meeting on November 29, 2023, to approve the proposed Mount Holly Town Plan and to submit it to the Mount Holly Select Board for further action in accordance with [24 V.S.A. § 4385](#) and to the Town Clerk for public display and review.

The Planning Commission's approval followed a public hearing held at 6:00 PM on November 15, 2023, at the Mount Holly Town Office and via Zoom. The Planning Commission received many comments on the proposed plan during the hearing, and in writing before and after the hearing. The Planning Commission then considered those comments and made changes to the proposed plan to address them; those changes were discussed and approved at the Planning Commission's meeting on November 29, 2023.

This report is prepared to address the extent to which the proposed plan is consistent with state planning goals as established in [24 V.S.A. § 4302](#).

Consistency with General State Planning Goals

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

Mount Holly has a well-established and statutorily compliant planning process, including regular revision and adoption of the town plan and land use and development bylaws. The town regularly engages in specialized planning projects and studies, such as the recently completed Belmont Master Plan, Local Hazard Mitigation Plan, and the Mount Holly Community Vision Survey. The town regularly seeks and attains funding from the Agency of Commerce and Community Development and other state agencies to pursue particular planning and infrastructure improvement projects. The town is engaged in regional planning efforts by the Rutland Regional Planning Commission (RRPC) and receives assistance from the RRPC for municipal planning efforts. The Planning Commission meets regularly to address various aspects of planning and development in Mount Holly with the involvement of staff and an engaged citizenry. This plan update reflects this established planning process.

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.

This plan update builds upon recently completed planning efforts such as the Mount Holly Community Vision Survey and Belmont Master Plan and is the result of three years of two meetings a month by the Planning Commission and engaged citizens. The intent of this update is to (1) establish enforceable, clear, specific, and consistent standards for the protection of natural resources in light of the 2008 'JAM Golf' Vermont Supreme Court decision (2) reorganize the plan to offer better logical flow, alignment with the statute, and an action-oriented format; (3) update the plan by incorporating new data and the results of recent public planning efforts, (4) improve the maps and other visual planning resources; (5) reflect public sentiment expressed throughout the comprehensive rezoning effort, and (5) meet statutory requirements for new sections on housing, flood resilience, and renewable energy resource planning. Since Mount Holly does not have Zoning, it is vital that the collective vision of the Mount Holly community be represented and enforced through the State's Act 250 regulatory process—and this is the primary goal for this update to the Plan.

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.

The entire Plan was comprehensively improved from the 2018 plan and offers strengthened policy statements and distinct actions to be undertaken to conserve and protect natural resources, including Mount Holly's scenic resources and rural character, which are seen as vital to community wellbeing and

Town of Mount Holly Planning Commission

the local economy. The plan reinforces the need for housing and improved infrastructure in the Village while protecting the rural character and working lands of the outlying areas.

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

As it has in the past, Mount Holly will continue to seek the cooperation of neighboring towns, the regional planning commission, and state agencies in realizing its planning goals. This update reflects an understanding that land use issues very often transcend municipal boundaries, and therefore cooperation and creativity are imperative to realize goals. This plan also recognizes that cooperation with other government entities is essential as well.

Consistency with Specific State Planning Goals

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

Mount Holly has a long-established goal to encourage denser development in Belmont Village and other hamlets while protecting the rural nature of outlying areas. This plan update reiterates that central 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.

This plan update includes an expanded economic development section. As already noted, the plan includes an enhanced natural resources section that reinforces the importance of environmental protection of Mount Holly's resources. The stated economic development mission is to create a vibrant economic environment that encourages people to live year-round in Mount Holly. Strategies designed to meet this mission include increasing the residential density of the village and surroundings; capitalizing on the universal access to high-bandwidth internet; enhancing the quality of life by protecting Mount Holly's natural beauty; and providing diverse and engaging recreational, entertainment, and cultural activities.

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

Mount Holly has an excellent town elementary school and encourages the development of private and public early education initiatives for the Town's children. The stated education mission in this plan update is to provide the highest quality education for children, encourage youth to pursue higher education and training, and promote lifelong learning for all residents. This is in line with the state goal and the plan recognizes and supports the efforts of the Mount Holly School in fulfilling this mission.

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.

This plan update promotes a safe and well-maintained road network, including efficient winter snow removal, and reiterates the continued importance of transforming the town's transportation system to accommodate all users, not just the automobile. In addition, standards for improving the safety and efficiency of the transportation network while protecting important natural resources are included in this plan update. The plan calls for improvements to Belmont Village pedestrian travel, and the creation of a Recreation and Trails Committee to plan, create, and maintain outdoor recreational trails in the town.

5. To identify, protect, and preserve important natural and historic features of the Vermont landscape.

Mount Holly has done an extensive review of its natural areas, resources, and features, and recognizes the importance of protecting these sites. This plan update reiterates the community's priority to protect its natural resources, especially its scenic ridgelines, core forests, habitat connectivity, and our nationally recognized wildlife corridor.

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

The Mount Holly community values its natural beauty and quality of life as essential. Consequently, all policies in the plan are aimed at seeking to maximize and enhance these assets. Policies articulated throughout the plan are aimed at protecting air and water quality, and others are aimed at protecting natural ecosystems and other land resources.

7. To make efficient use of energy, provide for the development of renewable energy resources, and reduce emissions of greenhouse gases.

This plan update reflects this goal and includes the following stated energy mission: encourage energy efficiency, energy conservation, and non-polluting renewable energy production.

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

The plan recognizes the importance of recreation opportunities in Mount Holly for both residents and visitors alike. Recreational opportunities for hiking, cross-country skiing, hunting, fishing, biking, canoeing, and swimming are abundant. Other recreation goals included in this update of the plan include the expansion of recreation paths, protection of existing trail networks and woodlands, and support for enhanced hiking and other non-motorized recreational opportunities. This plan calls for the creation of a Recreation and Trails Committee to plan, create, and maintain outdoor recreational facilities and trails in the town.

9. To encourage and strengthen agricultural and forest industries.

Recognizing the importance of healthy forest ecosystems and successful agricultural enterprise to the socioeconomic well-being of the Mount Holly community, new sections on agricultural and forest resources have been included in this plan update. Support for the expansion of local agricultural enterprises is identified as an important part of economic development goals, protection of agricultural soils is prioritized, and wooded lands (those outside of the designated forest and conservation areas) identified as providing irreplaceable ecological functions will be targeted for conservation.

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.

Careful use and protection of the town's natural resources is a theme running throughout the plan. Specific policies have been developed to address concerns (see Geologic and Mineral Resources).

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

This plan update reiterates a policy of cooperation with private sector and nonprofit organizations to ensure the availability of an adequate stock of housing of varying affordability in Mount Holly. Along with recommending the town pursue a housing needs assessment, this plan commits the town to encouraging mixed-use development including residential housing in the village, multifamily infill development in residential zones, and investigating the feasibility of a wastewater system to reduce barriers to the development of additional housing stock in the Village. The plan also commits the town to renewing our Village Center designation for Belmont, and improvements to pedestrian-oriented neighborhood housing around the designated Village Center.

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

This plan update recommits the town to maintaining and improving municipal services, particularly transportation infrastructure, wastewater services, emergency services, and recreation facilities. The town will pursue improvements to services in an efficient and fiscally sound manner. This plan includes comprehensive descriptions of existing infrastructure and services and policies for service delivery and infrastructure maintenance and expansion.

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.

Town of Mount Holly Planning Commission

To the extent that the town government can influence the provision of safe and affordable childcare in Mount Holly, this plan includes a commitment to ensuring that town policies do not impede the provision of childcare services.

14. To encourage flood-resilient communities.

A new section on flood resilience has been included in this plan update, committing the town to maintaining healthy watersheds and well-controlled development in flood-prone and riparian areas. Mount Holly recognizes that resilience extends beyond flood resilience and will pursue further articulation of risks, mitigation measures, and planning toward community resilience, particularly with updates to the town's standalone Local Hazard Mitigation Plan.

Land Area Designation Considerations

According to [24 V.S.A. § 4384](#), this report must also address alterations to land use designations of any land area within the town. The 2018 Town Plan land use map identified five land use areas: (1) Conservation lands; (2) Rural Residential lands; (3) Commercial lands; (4) Commercial / Industrial; and (5) Flood Hazard areas. The proposed map for this Plan identifies nine land use areas: (1) Forest and Conservation lands; (2) Agricultural lands; (3) Rural Residential lands; (4) Residential lands; (5) Mixed Use lands; (6) Village Center area; (7) Municipal areas; (8) Special Use lands; and (9) Wetland and Riparian lands.

The entire land area of the town is affected by these new designations. The changes are intended to both offer more opportunities for economic development and to protect vital natural resources. The majority of land in Mount Holly is envisioned to remain rural. The Forest and Conservation lands combine the 2018 Conservation category (updated to include new public and conserved lands), the 2018 Forests and Habitat Connectivity maps, and data and maps from the Mount Holly Natural Heritage Inventory and Assessment created by Arrowwood Environmental and funded by a Municipal Planning Grant. Agricultural lands are a new designation intended to recognize and perpetuate the town's rich agricultural history. Rural Residential areas are updated to more closely reflect areas that can sustain development while protecting the rural use and character of the landscape and natural resources. Residential areas are a new designation that is intended to reflect areas of existing higher-density development and to identify areas that can sustain higher-density development than a Rural Residential designation would allow. Mixed Use is a new designation that includes what in 2018 was classified as Commercial and parts of Commercial / Industrial. Since this designation also includes residential uses it more accurately reflects the existing land use in these areas and more closely reflects the community's desire for future growth. The Village Center area is a new designation that corrects an omission in the 2018 plan. This area is expanded slightly beyond the current Village Center Designation boundary to encourage growth. Municipal is a new designation that is intended to represent the existing municipal and civil land use and to identify areas that may be important for future use. The Special Use designation is new and is intended to reflect the lands leased by the State of Vermont for commercial recreation (Okemo Mountain Resort) and the associated commercial activity. Wetlands and Riparian is a new designation that is intended to represent areas that are unsuitable for development and represent a union of FEMA-mapped special flood hazard areas, state-mapped river corridors, and state-mapped wetlands.

The main focus of the mapping effort has been to recognize existing patterns of development and better reflect town plan goals of compact use and development of the core while protecting the rural use and character of the outlying areas.

Specific required land area designation considerations are each addressed below:

The 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 updated designations are designed to reflect existing development patterns and town plan goals for dense mixed-use development of the core and protection of rural character within the outlying areas. Therefore, these designations themselves will not result in significantly increased traffic and are designed to protect the prevailing pattern of land use.

The designation of mixed-use, which includes commercial, and industrial uses as well as residential, is limited to areas served by the State Highway system to limit the impact on the surrounding areas and

traffic. Efforts to concentrate new residential development in and around the existing Village Center are expected to have a positive impact on the overall pattern of land use and is consistent with the town's historic development pattern. Designations of 'rural countryside' uses are expected to have a positive impact on the overall pattern of land use and the rural character of the surrounding areas.

The long-term cost or benefit to the municipality, based upon consideration of the probable impact on the municipal tax base; and the need for public facilities.

The town's tax base will benefit from orderly growth that is consistent with the town's historic development pattern. Modest growth of small-scale commercial uses in the established village centers and along state highways will increase taxable value. Moderate growth of the numbers of year-round residences for low and moderate incomes is also expected to benefit the tax base.

Insofar as the land area designations reflect changes that would allow higher residential density within the core, while decreasing the allowable density of the outlying areas, these changes are likely to result in long-term efficiencies in the provision of services and an increase in the town's tax base.

The amount of vacant land which is already subject to the proposed new designation; and actually available for that purpose, and the need for additional land for that purpose.

Insofar as the new designation encourages infill development within the village and surrounding areas, vacant lands may experience new development in the coming years. Increased mixed-use designation may also result in the development of currently vacant lands. Vacant lands in areas designated as 'rural countryside' are expected to see minimal new development.

The suitability of the area in question for the proposed purpose, after consideration of appropriate alternative locations; alternative uses for the area under consideration; and the probable impact of the proposed change on other areas similarly designated.

The Planning Commission has carefully considered the suitability, alternatives, and impacts of areas receiving changes in designations. The land use area with the greatest impact, Mixed Use, is largely in the same locations that were formerly designated Commercial and Commercial / Industrial. These areas are close to state highways, are not disruptive to wildlife habitat connectivity and travel corridors, and are generally not disruptive to the rural character of the 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.

The new land use designations are comprehensive and are designed to reflect priorities for increased density and use of the village and surrounding areas, a modest increase in the availability of land for mixed-use commercial and residential, and protection of rural character and decreased density of the outlying areas. As indicated above, land suitability and existing development patterns were considered in devising new land area designation boundaries.



Town Plan Fact Sheet

The Town of Mount Holly Planning Commission is proposing to update the Town Plan. Copies of the proposed plan are available in the town office and on the town's website. A public hearing on the proposed plan is scheduled for 6:00 PM on November 15, 2023. See attached notice.

Why do we need a town plan?

A town plan is a vision for growth that reflects the collective values and goals of the town's residents. The purpose of the proposed plan is to provide clear, written standards for Mount Holly's orderly development, allowing for economic growth, the provision of community services, and recreational and cultural opportunities, while also preserving the town's distinctly rural character and appearance. It is intended to be used positively to guide the direction of growth and development in an economically feasible and environmentally appropriate way.

Town plans play an especially critical role in communities like ours that have no zoning. In the absence of zoning, the State has Act 250 jurisdiction over commercial development on any lot larger than one acre, and the town has no role in Act 250 proceedings if it has no town plan. In other words, the town plan allows the town to have a say in the State permitting process.

In addition, the State limits the authority of towns that do not plan. For example, towns without current plans may not adopt a capital improvement program or levy impact fees, nor may they adopt or amend any bylaws such as subdivision or other land use regulations.

The town plan also has a vital role in the town's success in obtaining funding through government and private grant programs. In fact, towns that do not have a plan are ineligible for certain State grant programs. Even if eligible, the town's success in obtaining grants, both public and private, is directly tied to whether the grant would further well-articulated goals identified in the town's plan. Because grant funding is critically necessary to meet Mount Holly's many infrastructure needs, a town plan is essential.

Finally, a town plan is required for Belmont to retain its Vermont Village Center Designation, which is due for renewal by April 2024. The benefits of the designation include priority consideration for State grants, eligibility for Neighborhood Development Areas, and a variety of tax credits for revitalization and improvements.

These incentives are an important factor in, among other things, attracting new businesses and vitality to the community, and meeting the land use goals.

Why is an update necessary?

In 2020, the Select Board identified the need to update the town plan and instructed the Planning Commission to begin the process. Several reasons were identified for this, but an important one was that the Rutland Regional Planning Commission had made clear that the current plan, adopted in 2018, did not actually comply with State requirements. That problem deepened with the State's adoption of Act 47 this year, which added new requirements for town plans.

Importantly, the 2018 plan also is too ambiguous, lacking both the specificity and clarity of purpose that courts have held are necessary for the town's interests to be taken into account in Act 250 proceedings. See *In re JAM Golf, L.L.C.*, 2008 VT 110, ¶ 14. The updated plan's strengthened policy statements will increase the likelihood that the State will take those interests into account when evaluating proposed commercial development on lands in excess of one acre. For example, policy statements that say X or Y "should" be done, as the 2018 plan says, are routinely disregarded by the State as too ambiguous and lacking in decisiveness. The State will pay attention to our policies only if they say X or Y "shall" be done.

In addition, we have been told by the State that the current plan is not sufficient to support renewal of Belmont's Village Center designation. In contrast, the State's Department of Housing and Community Development has informed us that the updated plan does meet all of the State's requirements.

Importantly, the updated plan includes an expanded economic development section. The plan seeks to encourage people to live year-round in Mount Holly by promoting a vibrant economic environment through increased housing, improved infrastructure, and diverse and engaging recreational, entertainment, and cultural activities. At the same time, the plan seeks to preserve that which makes the town special by protecting its natural beauty and rural character.

What is the plan based on?

This Plan was developed over the course of three years of twice monthly meetings by the Planning Commission with the participation of engaged citizens.

The Plan is informed by residents' responses to the town's 2022 Community Vision Survey, which among other things demonstrated overwhelming consensus among residents on the importance of preserving our rural character, working lands, and

natural environment. These attributes are seen as vital to community well-being and the local economy.

The Planning Commission also solicited input from those knowledgeable about and responsible for delivering vital services to the community, including the school, the volunteer fire department, the rescue squad, the library, and other organizations in the town.

Finally, the Planning Commission consulted with the Vermont League of Cities and Towns, the Rutland Regional Planning Commission, and various State agencies, to be sure that the updated plan meets all of the State's many requirements to be valid and effective.

How does the plan affect me?

The proposed town plan does not itself limit, control or otherwise regulate residents' property rights. It articulates goals for the future and specifically states a preference that those be achieved through voluntary, non-regulatory means. If the citizens of the town believe that additional regulations are needed to meet the town's goals, then that would require an entirely separate hearing and adoption process with many opportunities for public involvement. However, nothing in this plan requires the town to adopt any new regulations.

The proposed plan has these important potential benefits for our citizens:

- It enhances our ability to obtain government and private grants that help ensure the maintenance and improvement of critical infrastructure - such as septic, roads, and stormwater - that benefits us all while also keeping our taxes lower.
- It promotes orderly economic development that sustains and enhances town services, such as the school and emergency services, improving our lives and making our town a desirable and safe place to live.
- It minimizes the negative impacts that often accompany new development, and so protects the qualities of our community that we cherish - its natural beauty and rural character - that attract people to live and vacation here. In doing so, it also protects our property values.
- It helps to avoid incompatible uses or nuisances that could cause conflict among neighbors and within the town.
- It articulates needs identified by our citizens so they may be considered in the town's planning and budgeting processes.
- It improves the likelihood of funding for conservation projects, either by the town or by individual property owners if their land is identified as having conservation value.