

Municipal Plan Review Tool Town of Franklin – Final Review

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.

Required Elements § 4382		Met	Not Met
1	Statement of Objectives, Policies, Programs	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2	Land Use Plan and Map	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3	Transportation Plan and Map	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4	Utility and Facility Plan and Map	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5	Rare Natural Resources/Historic Resources	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6	Educational Facilities Plan and Map	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7	Implementation Program	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8	Compatibility Statement	<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"/>
 State Planning Goals § 4302		 Met	 Not Met
1	Compact village centers	<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 air, water, wildlife, forests, and other land resources	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7	Efficient use of Energy and Renewable Energy Resources	<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 and Earth Extraction	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11	Safe and Affordable Housing	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12	Public Facilities and Services	<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"/>
15	Environmental Justice	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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.

Met

Pages: 1-3, 4-14

Comments: Pages 1-3 details the vision, purpose and authority. Chapter 2 details goals and objectives of the plan.

(2) A land use plan, consisting of a map and statement of present and prospective land uses, that:

Met

Pages: 10-14, 31-32, 52-62, 63-68

(A) 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 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.

MAPS

Present Land Use Plan ✓
Prospective Land Use Plan ☒

(B) 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.

(C) Identifies those areas, if any, proposed for designation under chapter 76A of this title and for status under 10 V.S.A. §§ 6033 and 6034, 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.

(D) 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: The land use chapter identifies current and proposed land use. The natural resources chapter addresses forest blocks, wildlife habitat, forest blocks and connectors. The plan includes a

Town of Franklin Final Plan Review

description of the new state designation program and, to the extent information is currently available, describes the Town’s goals for expanding this area.

(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;

Met Pages: 9-10, 42-45
MAP Transportation <input checked="" type="checkbox"/>

Comments: Plan includes a map and discussion of roads, sidewalks, bike infrastructure, air and rail services.

(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;

Met Pages: 7-9. 34-40
MAP Utility and Facility <input checked="" type="checkbox"/>

Comments: Plan includes discussion and map of all community facilities and utilities. Consider adding additional information on future town building needs.

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

Met Pages: 5, 13, 24-28,56-57

Comments: Pages 5 and 13 includes policies on the preservation of these resources, with additional information in chapters 4 and 12.

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

Met Pages: 10, 36, 47-48
MAP Educational Facility <input checked="" type="checkbox"/>

Comments: Chapter 11 includes information on education facilities and educational facilities are included on the community facilities map.

Town of Franklin Final Plan Review

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

Met
Pages: 72-75

Comments: Chapter 15 includes an implementation plan and table.

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

Met
Pages: 70-71

Comments: Chapter 14 notes compatibility with neighboring towns and the region.

(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;

Met
Pages: 8-9, 40, 76-100

Comments: The plan includes an enhanced energy plan that meets the requirements above.

(10) A housing element that shall include a recommended program of public and private actions to address housing needs and targets as identified by the regional planning commission pursuant to subdivision 4348a(a)(9) of this title. The program shall use data on year-round and seasonal dwellings and include specific actions to address the housing needs of persons with low income and persons with moderate income and account for permitted residential development as described in section 4412 of this title.

Met
Pages: 4-5, 17-19

Comments: The plan includes recommended actions to meet housing needs, data on year round and seasonal housing and actions to address affordable housing needs. The plan includes a discussion of housing targets, although as noted in the plan an exact housing target is not yet available.

(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.

Met
Pages: 6, 19-23, 29-32

Comments: Chapter 2 includes information on employment and income. Chapter 5 discusses current business and desired economic development.

(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

Met
Pages:14, 53-55, 58, 61-63

(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: Flood resiliency is addressed in the land use chapter. Wetlands and streams are addressed in the natural resource chapters.

GOALS AND STANDARDS OF REVIEW

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.

Consistent
Pages: 10-14, 64-69

(A) Intensive residential development should be encouraged primarily in areas related to downtown centers, village centers, planned growth areas, and village areas as described in section 4348a of this title, and strip development along highways

Town of Franklin Final Plan Review

should be avoided. These areas should be planned so as to accommodate a substantial majority of housing needed to reach the housing targets developed for each region pursuant to subdivision 4348a(a)(9) of this title.

(B) Economic growth should be encouraged in locally and regionally 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 planned growth patterns of the area.

(D) Development should be undertaken in accordance with smart growth principles as defined in subdivision 2791(13) of this title.

How has the Town Plan addressed this goal: Plan’s proposed land use areas encourage higher intensities of development in the centers while protecting agricultural land and natural resources.

If the goal is not relevant or attainable, how does the plan address why:

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: 6, 19-23, 29-32

How has the Town Plan addressed this goal: The plan includes goals, policies and information on employment, income and economic development opportunities.

If the goal is not relevant or attainable, how does the plan address why:

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

Consistent
Pages: 10, 3, 47-48

How has the Town Plan addressed this goal: The plan addresses educational and vocational opportunities for youth and adult learners.

If the goal is not relevant or attainable, how does the plan address why:

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.

Consistent
Pages: 9-10, 42-45

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

Town of Franklin Final Plan Review

How has the Town Plan addressed this goal: Plan supports complete streets and includes discussion of public transit, sidewalks and bicycle infrastructure.

If the goal is not relevant or attainable, how does the plan address why:

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

Consistent

Pages: 24-29, 52-59, 5, 10-14

How has the Town Plan addressed this goal: Chapter 12 addresses natural areas and water resources. Chapter 4 addresses scenic views, historic district and archeological resources

If the goal is not relevant or attainable, how does the plan address why:

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

- (A) Vermont's air, water, wildlife, mineral, and land resources should be planned for use and development according to the principles set forth in 10 V.S.A. § 6086(a).
- (B) Vermont's water quality should be maintained and improved according to the policies and actions developed in the basin plans established by the Secretary of Natural Resources under 10 V.S.A. § 1253. No. 181 Page 60 of 171 2024 VT LEG #377893 v.1
- (C) Vermont's forestlands should be managed so as to maintain and improve forest blocks and habitat connectors.

Consistent

Pages: 49-63

How has the Town Plan addressed this goal: Plan addresses air, water, wildlife, forest, earth resources and other land resources. Habitat blocks and wildlife habitat are discussed with an associated map.

If the goal is not relevant or attainable, how does the plan address why:

Goal 7: To encourage the efficient use of energy and the development of renewable energy resources.

Consistent

Pages: 8-10, 41, 76-100

Town of Franklin Final Plan Review

How has the Town Plan addressed this goal: The plan includes an enhanced energy plan that addresses energy efficiency and renewable energy development.

If the goal is not relevant or attainable, how does the plan address why: The plan includes goals and policies that promote efficiency and renewable energy resources as part of the enhanced energy plan.

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.

How has the Town Plan addressed this goal: The plan addresses recreational needs, promotes the maintenance and protection of existing facilities and resources, and requires the provision of new facilities when development occurs.

If the goal is not relevant or attainable, how does the plan address why:

Goal 9: To encourage and strengthen agricultural and forest industries.

(A) Strategies to protect long-term viability of agricultural and forest lands 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.

(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: Chapter 5 includes a discussion of the agricultural economy with associated policies encouraging value-added products in Chapter 2. Chapter 12 includes a discussion of potential negative impact of development on forest habitats and policies on protection of forest soils and minimizing fragmentation. Chapter 13 and its associated goals and policies address protection of farming activities and land.

If the goal is not relevant or attainable, how does the plan address why:

Consistent

Pages: 7, 34-35

Consistent

Pages: 6, 11-12, 13-14, 29, 59-63, 64-69

Town of Franklin Final Plan Review

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.

Consistent

Pages: 10-14, 49-63

How has the Town Plan addressed this goal: Chapter 12 addresses natural resources with associated goals and policies in Chapter 2. There is a specific policy addressing extraction of earth resources.

If the goal is not relevant or attainable, how does the plan address why:

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

Consistent

Pages: 4-5, 16-17, 19

(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, and consistent with housing targets provided for in subdivision 4348a(a)(9) of this title.

(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 multifamily and manufactured housing should readily available in locations similar to those generally used for single-family conventional dwellings.

(D) Accessory dwelling units within or attached to single family residences that 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: The plan addresses the housing targets which are under development and discusses how the actions currently in the plan work towards the potential target. The plan otherwise meets the goal, including goals and policies addressing affordable housing, ADUs, multi-family and manufactured homes.

If the goal is not relevant or attainable, how does the plan address why:

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

Consistent

Pages: 7-9, 34-40

(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.

Town of Franklin Final Plan Review

How has the Town Plan addressed this goal: Chapters 6-8 and their associated goals and policies in Chapter 2 address public facilities and services and address the need to coordinate growth with facilities and services.

If the goal is not relevant or attainable, how does the plan address why:

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: 10, 48

How has the Town Plan addressed this goal: The plan includes goals and policies promoting childcare.

If the goal is not relevant or attainable, how does the plan address why:

Goal 14: To encourage flood resilient communities.

(A) New development in identified flood hazard 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: 14, 53-55, 57-58, 61-63

(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 plan includes goals and policies that discourage development in the floodplain and river corridor, encourage protection and restoration of upland areas and encourage flood emergency preparedness.

If the goal is not relevant or attainable, how does the plan address why:

Goal 15: To equitably distribute environmental benefits and burdens as described in 3 V.S.A. chapter 72.

Consistent

Pages: 93

How has the Town Plan addressed this goal: The enhanced energy plan specifically addresses environmental benefits and burdens. The plan could be strengthened by addressing environmental benefits and burdens in the introduction chapter.

If the goal is not relevant or attainable, how does the plan address why:

Regional Plan and Adjacent Community Plan Compatibility

Regional Plan

Does the municipal plan propose any changes to future land use districts when compared with the existing zoning map (or previous municipal plan if no zoning exists)?

Comments: Yes, changes to the Conservation District to better reflect natural resource mapping.

Is the municipal plan compatible with its regional plan?

Comments: Yes, the plan identifies two small Village Districts which are consistent with points mapped as a village and hamlet on the regional map. The remainder of land is designated as rural, conservation or shoreland which is consistent with the Regional future land use map.

Adjacent Municipalities

Is the municipal plan compatible with approved plans of other municipalities in the region?

Comments: Yes. The majority of the adjacent land is designated for rural and agricultural uses. There is one area where the Village District aligns with a Rural District in Berkshire, however the current Berkshire plan does not note any compatibility issues. This should continue to be monitored regionally.

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.

Town of Franklin Final Plan Review

(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.

24 V.S.A. § 4350. Review and consultation regarding municipal planning effort

(a) A regional planning commission shall consult with its municipalities with respect to the municipalities' planning efforts, ascertaining the municipalities' needs as individual municipalities and as neighbors in a region, and identifying the assistance that ought to be provided by the regional planning commission. As a part of this consultation, the regional planning commission, after public notice, shall review the planning process of its member municipalities at least twice during an eight-year period, or more frequently on request of the municipality, and shall so confirm when a municipality:

- (1) is engaged in a continuing planning process that, within a reasonable time, will result in a plan which is consistent with the goals contained in section 4302 of this title; and
- (2) is maintaining its efforts to provide local funds for municipal and regional planning purposes.

(b)(1) As part of the consultation process, the commission shall consider whether a municipality has adopted a plan. In order to obtain or retain confirmation of the planning process after January 1, 1996, a municipality must have an approved plan. A regional planning commission shall review and approve plans of its member municipalities, when approval is requested and warranted. Each review shall include a public hearing which is noticed at least 15 days in advance by posting in the office of the municipal clerk and at least one public place within the municipality and by publication in a newspaper or newspapers of general publication in the region affected. The commission shall approve a plan if it finds that the plan:

- (A) is consistent with the goals established in section 4302 of this title;

Town of Franklin Final Plan Review

(B) is compatible with its regional plan;

(C) is compatible with approved plans of other municipalities in the region; and

(D) contains all the elements included in subdivisions 4382(a)(1)-(10) of this title.

Town of Franklin Final Plan Review