



WAITSFIELD PLANNING COMMISSION AGENDA

January 16, 2024 at 7:00 p.m.

Planning Commission

Kevin Anderson, Vice-Chair
Beth Cook
Robert Cook
Emma Hanson
AnnMarie Harmon
Alice Peal, Chair
Jonathan Ursprung

THE PLANNING COMMISSION WILL BE HOLDING A HYBRID MEETING. THE PUBLIC MAY ATTEND IN PERSON AT WAITSFIELD TOWN HALL OR REMOTE VIA ZOOM WITH TELEPHONE AND/OR VIDEO ACCESS. THOSE PARTICIPATING MAY SPEAK DURING THE DESIGNATED PERIODS.

To join the meeting remotely, use this link:

<https://us02web.zoom.us/j/9190265312>

Meeting ID: 919 026 5312

Or call: 1 929 205 6099

Planning & Zoning Administrator

J. B. Weir

Town Administrator

Annie Decker-Dell'Isola

Town Clerk

Jennifer Peterson

Town Treasurer

Randy Brittingham

Waitsfield Town Office

4144 Main Street
Waitsfield, VT 05673
(802) 496-2218
www.waitsfieldvt.us

1. CALL TO ORDER / ROLL CALL
2. REVISIONS TO AGENDA, IF ANY (5 +/- min)
3. PUBLIC FORUM (10 +/- min)
4. UPDATE FROM CHAIR – BUDGET REQUEST TO SB (5 +/- min)
5. BYLAWS – APPROVAL FROM SB (5 +/- min) Kevin
6. WASTEWATER PLANNING PROJECT (60+/- min) (Josh, Chach)
7. NDA DESIGNATION (25 +/- min) JB, Sam, Josh
8. APPROVAL OF MINUTES – DECEMBER 19, 2023 (10 +/- min)
9. OTHER BUSINESS (10+/-min)
10. ADJOURNMENT

**Waitsfield Planning and Zoning Administrators Report
Planning Commission January 16, 2024 meeting**

4. PC 2024 Budget Request to Selectboard

Ms. Peal's request to the Selectboard for the 2024 PC budget is included in the packet.

5. Bylaws Approval from Selectboard

At the January 8, 2024 Selectboard meeting, the SB held its public hearing for the proposed 2024 Bylaws. The hearing was closed after some discussion and the Bylaws were adopted. The PZA is working to closeout the Bylaw Modernization grant with ACCD. The department requests the following materials for closeout: copy of the final adopted Bylaws, copy of the Bylaws in draft form as approved by after the PC hearing, all invoicing, and the Reporting Form.

6. Wastewater Planning Project Update

The latest update on the Waitsfield Wastewater Project, as provided by Josh Schwartz, is included in the packet. In addition, Josh has included a PER summary memorandum, as the final PER was submitted to DEC and an acceptance letter was then issued in December, along with a Phase II timeline.

Josh, along with Chach Curtis of the Selectboard and Robin Morris of the Water Commission (both of which are also on the Engineering Technical Team for the wastewater project) will be present to discuss the status of the project and impending community *engagement* campaign.

7. Neighborhood Development Area (NDA) Designation

MRVPD staff along with the PZA have been working on the draft application for the NDA designation for Irasville. The application guidelines can be found [here](#). The application checklist is included in the packet.

As referenced in the last meeting packet, receiving the designation for Irasville triggers allowable subsidy for the 60% design work for the Irasville portion of the wastewater project, likely occurring in the early summer. For the 30% design phase for Waitsfield's villages, the Village Center designation qualifies the Town for a CWSRF subsidy for wastewater design work within that designated boundary. A similar State designation is required for Irasville if the Town is to

receive a subsidy for the next phase concerning any design work done for that portion of Irasville within the Wastewater Service area.

However, there are additional benefits of obtaining the NDA designation for Irasville. Such benefits include: Qualified “mixed income” projects are exempt from Act 250 regulations; Act 250 projects not qualifying for the exemption receive a 50% discount on application fees; Agency of Natural Resources fees for wastewater review are capped at \$50.00 for projects that have received sewer allocation from an approved municipal system; Exemption from the land gains tax; Limitation on appeals of conditional use permits for residential development; Municipalities receive priority consideration for state grants; and Pilot Downtown & Village Center Tax Credits. For additional info click [here](#).

Included in the packet is a draft NDA application for PC review for the meeting. Once a draft application is approved by the PC, a pre-application meeting with ACCD is required – ideally occurring in early February. The final draft of the application should be submitted by the first Monday in March. Vermont’s Downtown Board meets the third Monday of each month to review applications along with other business. Having this designation in place by the spring is the goal.

Included in the packet is the preliminary mapping done by Sam Robinson of the MRVPD. The mapping shows various natural resources within potential NDA areas, along with one map which includes all the pertinent land features that cannot be included in a designated NDA. These include flood areas, steep slopes, river corridors, etc. *The PZA would like to thank MRVPD staff for their hard work in getting preliminary mapping done in addition to the draft NDA application!*

Upcoming trainings/webinars:

The Vermont River Conservancy continues it’s webinar series:
“[Flowing Forward: Post Flood Discussions](#)” Wednesdays 6:30 - 7:30PM
To Register: <https://vermontriverconservancy.org/news>

Respectfully submitted,

J.B. Weir

TOWN OF WAITSFIELD, VERMONT
Planning Commission Meeting Minutes
Tuesday, December 19, 2023

Draft

Members Present: Kevin Anderson, Beth Cook, Bob Cook, Emma Hanson, AnnMarie Harmon, Alice Peal, Jonathan Ursprung

Members Absent: None

Staff Present: JB Weir, Planning and Zoning Administrator

Others Present: Robin Morris

II. Regular Business.

1. Call to Order

The meeting was called to order at 7:00 pm by Alice. The meeting was held in person at the Town Offices and remotely via Zoom.

2. Review agenda for addition, removal, or adjustment of any items.

An MPG update was added to the agenda.

3. Public Forum.

Robin Morris – Water System update and Groundwater Protection Overlay intro

Robin went through a presentation he had created, giving an overview of the water system, and outlining topics that are currently the focus of the Water Commission. He explained the system's infrastructure, including storage, line route, and service area; and noted that the system is fully paid for by users, with fees having seen a reduction as the number of users has grown.

Next, Robin spoke of the three current work items being addressed by the Commission. The Ordinance is currently under review; such a review takes place every few years. There is also current focus on both the Source Protection Plan and seeking approval for a capacity increase for the system. The capacity increase is based upon the State's accepting prior test results indicating greater capacity as well as an engineering evaluation indicating that the increase proposed can be handled by the existing infrastructure. Robin indicated that both of these parameters have been met, and all applications are either submitted or being drafted for submission.

Robin then explained that currently the Source Protection Plan is distributed as an advisory document to relevant landowners; source protection is focused on keeping wastewater and other contaminants out of the water supply. He outlined two options which the Commission has decided not to pursue: entering into a covenant with each of the relevant landowners, or adding related language to the Ordinance. The Commission is proposing to put a Source Protection Overlay in place, a strategy they feel will provide more awareness and compliance with the need to protect the supply.

PC members expressed interest in learning more about this strategy, and Robin will attend a PC meeting in January or February in order to present a draft of a Source Protection Overlay.

Alice asked that Robin look into how the water line crosses the Mill Brook in the vicinity of The

Eagles, noting that the water rose dramatically there in the recent rain event, and wanting to ensure that the system's infrastructure will not be impacted by future flooding.

4. Approval of Minutes

The minutes of December 5, 2023 were approved.

5. Municipal Planning Grant (MPG)

AnnMarie shared that notification was just received that the MPG was awarded for the full amount requested. She outlined the next steps to be taken for acceptance, and the disbursement schedule. Alice will adjust the budget request to reflect the \$5000 match amount, and a request will be made for the Selectboard to approve accepting the grant. Work will begin on drafting an RFP, and there was some discussion of the makeup of the related steering committee. AnnMarie will meet with JB and Joshua Schwartz in early January to do further planning.

6. Bylaws – Selectboard Hearing Prep

Kevin will be present at the Selectboard Hearing in order to summarize the changes to the bylaws; the slides he created will be available if needed.

MOTION: Kevin made a motion to recommend to the Selectboard that they adopt the Zoning Bylaw amendments, including the Zoning Map change, that were the subject of the PC Public Hearing on December 5, 2023. The motion was seconded by Bob. All voted in favor.

The larger map version will be produced once approved, and a final grant report will be drafted for ACCD.

7. NDA Designation – Work Plan

JB reported that he has been working with Joshua Schwartz on some mapping and on preparing a working draft of the NDA application, which will be available for PC review in January. There will be a pre-application meeting with ACCD staff, and the complete application will be submitted for their review in March. Beth offered to represent the PC as part of the group working on the application.

Alice noted that the benefits of an NDA may change in accordance with upcoming Act 250 changes; it is unknown what the changes or timeline will be.

8. Wastewater Planning Project

JB highlighted some of the points made in his written report, and noted that the Project Committee is determining member roles for the three months that Joshua Schwartz will not be available in the spring of 2024. Much of the upcoming work will focus on public outreach, and Chach Curtis will be stepping into a more active role on the Committee. JB also noted that a bond vote is planned for November; a successful vote will make it possible to apply for USDA funding, which requires this concrete show of support.

JB also noted that the Town did not make the CVEDC Project Priority List due to not being able to quantify job creation to the necessary level. He confirmed for AnnMarie that the project does meet federal wetlands criteria, with the disposal site adjusted to be away from wetlands. He explained that landowner connection agreements will be part of the public outreach efforts, and that Joshua would explain more at the January 16 PC meeting.

9. Town Plan

CVRPC Approval Update – Alice reported that an approval had been received from Christian Meyer, which is in effect for four years rather than eight due to the need for inclusion of a better narrative regarding Waitsfield’s day care facilities. The RPC has also issued a new approval of the public planning process in Town, and indicated the Plan’s compliance with Act 74 Energy considerations.

10. Act 250 Legislative Updates

Alice reviewed some information she had sent to PC members, outlining that the proposed updates to Act 250 will be based upon development as it falls within a tiered structure, with one tier being town centers and growth areas, a second being rural areas, and a third being protection of natural resources. Kevin noted that this change might mean more Act 250 involvement for upper ridge development and less for downtown and village projects. It was explained that there will be new maps generated to align with the 3-tier structure.

11. January Meeting Schedule

It was agreed to meet on January 16 and January 23.

12. Other Business

LHMP Update

Alice noted that this work is continuing, and asked that any reports of flooding due to the recent rain event, particularly in unexpected areas, be provided.

12. Adjournment

The meeting adjourned at 7:57 pm.

Respectfully submitted,
Carol Chamberlin, Recording Secretary

From: [Alice Peal](#)
To: [JB](#)
Subject: Fwd: Budget Request for the Planning Commission
Date: Friday, January 12, 2024 11:54:15 AM

Please add to packet

Begin forwarded message:

From: Alice Peal <atpeal@gmavt.net>
Subject: Fwd: Budget Request for the Planning Commission
Date: January 12, 2024 at 11:46:09 AM EST
To: JB <pza@gmavt.net>

Could you put this in the packet for next week's PC meeting sil vous plait?

Begin forwarded message:

From: Alice Peal <atpeal@gmavt.net>
Subject: Budget Request for the Planning Commission
Date: January 4, 2024 at 1:45:46 PM EST
To: Waitsfield Town Administrator <townadmin@gmavt.net>, "Sullivan, Christine" <csullivan@gmavt.net>

To: Waitsfield Selectboard
From: Alice Peal, Planning Commission Chair

I have been asked to come to the Selectboard Meeting on Monday, January 8 to explain the budget request of \$12,000 for the Planning Commission. Below is a brief summary of the reasons for this request. I will elaborate more at the SB Meeting and answer questions.

As PC Chair I'm asking for \$12,000 for the Planning Commission in this budget cycle. I have two major reasons for this request.

1. Currently there is \$8000 in our budget line. We need \$5,000 for the required match for the Municipal Planning Grant. This amount is not due until the end of the MPG project, but we need to make sure we have this \$5,000. The \$3,000 left is not sufficient to address other initiatives by the Planning Commission. I anticipate needing money to hire a consultant to help with additions and corrections to our Town Plan. There could be additions and corrections needed to be in line with the new Regional Town Plan, perhaps a full review and changes.
2. As Planning Commission Chair, I am advocating for the

Planning Commission members. Most of our members work full time, have families and volunteer their time to do planning work for the Town. For the past number of years the PC has served Waitsfield and accomplished many tasks at no cost to the Town - the ByLaws Planning Grant, Act 171 and 174 work for the Town Plan, NDA (Neighborhood Development Area) application for Irasville, Request for Proposal documents, numerous Grant Applications and the new Municipal Planning Grant.

I believe it's time to recognize the long, hard and steady work by the Planning Commission for the Town, and provide the Commission with the necessary funding and support.

Waitsfield Wastewater Planning Project

Update #7

To: Waitsfield Selectboard
From: Joshua Schwartz, MRV Planning District
CC: Waitsfield Wastewater Planning Project Team Members
Annie Decker-Dell'Isola, Waitsfield Town Admin.
JB Weir, Waitsfield Planning & Zoning Admin.
Randy Brittingham, Waitsfield Town Treasurer/Grant Admin.
Bob Cook, Waitsfield Planning Commissioner
Chach Curtis, Waitsfield Selectboard Member
Robin Morris, Waitsfield Water Commissioner
Jon Ashley, DuBois & King
Date: December 15, 2023
Re: Waitsfield Wastewater Planning Project Update #7

This serves as the seventh update on the Waitsfield Wastewater Planning Project, a task I'm carrying out in my role as Planning Coordination Team Lead (as articulated in the *Memorandum of Understanding between the Town of Waitsfield and the Mad River Valley Planning District for the Waitsfield Wastewater Planning Project*). The purpose of these updates is to ensure the Waitsfield Selectboard and Waitsfield Wastewater Planning Project Team Members are abreast of project status and developments, summarizing activities over the preceding weeks. Other updates in this series: Update #1 (4.14.23), Update #2 (5.5.23), Update #3 (5.26.23), Update #4 (7.5.23), Update #5 (8.11.23), Update #6 (9.8.23).

Recent Activities

Project Coordination Team (PCT)

- Meetings: 9.11, 9.18, 9.25, 10.10, 10.24, 11.6, 11.13, 11.28, 12.4, & 12.11
- Activities
 - Meeting weekly to coordinate various project tasks and team activities.
 - The [FFY23/SFY24 CWSRF Intended Use Plan \(IUP\)](#) was finalized on 9.20.
 - Waitsfield scored 66 points on the Project Priority List (PList)
 - 10th place tie for the *SFY2024 Pollution Control Priority & Planning List*, outside of the fundable range.
 - 6th place ranking on the *SFY24 ARPA Waiting Town List*.
 - On 8.7 Waitsfield submitted public comment to the Draft IUP, which is directly addressed in section 14, Responsiveness Summary, of the final IUP.
 - On 11.21 submitted an application on behalf of the Waitsfield WW Infrastructure Project for the Central Vermont 2024 Regional Project Priority List. A committee made up of board members from the Central VT Regional Planning Commission and Central VT Economic Development Corporation will rank and score the projects based on Agency of Commerce and Community Development (ACCD) criteria, with the top ten ranked projects for ACCD to keep in mind as funding decisions are made throughout 2024.
 - Project Priority List (PList) applications for the SFY25 Clean Water State Revolving Fund (CWSRF) were released on 11.17. The PList is an integral part of the annual CWSRF Intended Use Plan (IUP), listing projects that have requested funding that year and are ranked according to the program's

priority system. To obtain CWSRF funding for all construction work (Step 3) and certain final design activities (Step 2), a project must be included on the PList. The PList is replaced annually. The PCT met with DEC staff on 9.28 to receive input and insight on PList elements. Joshua developed a draft application on 12.7 and sent it along to project engineer Jon Ashley for additional input. The draft application seeks to increase the town's ranking over the current year's PList, increasing eligibility for a variety of funding avenues. A final version will be submitted by the due date (1.16).

- At a 11.29 meeting with DEC staff, received news that Waitsfield's weighted average Median Household Income (MHI) calculation was accepted, resulting in the Town of Waitsfield being eligible for CWSRF subsidy for Step 2 funding. This answers a question originally submitted to DEC by Alice Peal, Waitsfield PC Chair, on 2.2 and rephrased in the *7.27 Waitsfield Water and Wastewater Project Funding Eligibility by Median Income | Follow-up* document, submitted by Christine Sullivan, SB Chair.
- On 10.19 a revised Engineering Services Agreement to undertake 30% of the design phase (Step 2) was submitted to DEC, totaling \$182,348. Based on DEC's recent MHI determination, the anticipated CWSRF subsidy for this work is \$153,674 (100% subsidy to \$125k, 50% subsidy above). The Town of Waitsfield anticipates Step 2 loan paperwork from DEC by the end of December 2023 to undertake 30% of the design phase, stipulating that 84% of its total cost will be subsidized through CWSRF. In sum, the Town of Waitsfield will have received \$353,092 in CWSRF subsidies to date to bring the Waitsfield Community Wastewater Project through 30% Final Design (Step 1: \$199,418 + Step 2 30%: \$153,674).
- PCT members have developed an updated project timeline that carries the project through Phase 2: Final Design and into Phase 3: Construction.

Engineering/Technical Team (ETT)

- Meetings: 9.20, 10.10, 10.11, 10.25, 11.2, 11.29, 12.4, & 12.13
- Activities
 - After extensive dialogue with DEC Water Investment Division Engineering Section staff, and resultant revisions to the "90% Draft," a "Final Draft" Preliminary Engineering Report (PER) was submitted to DEC on 12.4. A PER Acceptance Letter from DEC is expected momentarily.
 - The Final Draft PER was sent to Jon Harries, USDA RD State Engineer, on 12.6 for feedback and comments.
 - Joshua is developing a Waitsfield Wastewater Project PER summary document that provides context and highlights its findings.
 - The town received confirmation from VT Department of Historic Preservation's (VDHP) that their review of archeological and historic significance of the Munn Site found no concerns. Additional review will be required of the project's conveyance system, to take place as part of Step 2: Final Design.
 - The project's Environmental Information Document (EID) is being finalized, anticipated to be submitted by 12.22. DEC acceptance of the PER and EID marks the completion of the Waitsfield Wastewater Project's Step 1: Planning stage.
 - On 9.20 the ETT met with John Kiernan of RCAP Solutions to explore opportunities for an income survey. DEC's acceptance of Waitsfield's weighted average MHI calculation has removed the need to undertake an income survey.
 - A representative of VT Rural Wastewater Association reached out to offer technical assistance to the town.
 - ETT members have developed a strategy for utilizing its Salesforce subscription to assist tracking wastewater project info for properties within the wastewater service area.

Funding Team (FT)

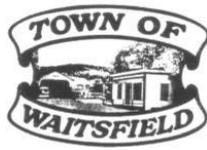
- Meetings: 9.28, 10.5, 12.11, & 12.15
- Activities
 - On 10.5 FT reviewed the *Town of Waitsfield Wastewater Project 2024 Funding Landscape* document with Bonnie Waninger, who serves as a Federal Funding Assistance Coordinator with the VT League of Cities & Towns. Bonnie provided feedback, insight, strategies, and additional options for project funding avenues.
 - Step 2 Funding: CWSRF - Final Design
 - Waitsfield submitted a revised Engineering Services Agreement ESA to undertake 30% of the design phase (Step 2) on 10.19, which replaced the original ESA submitted on 6.29. The revised ESA focuses the 30% work within Waitsfield's Designated Village and its .25 mile buffer, which is eligible for CWSRF subsidy. The result of this change, and DEC's recent MHI determination, is \$153,674 in anticipated subsidy.
 - VT Pollution Control Grant
 - On 9.28 FT members met with DEC staff to receive insight as to how it can bolster its 90% Draft PER and future Project Priority List application for the purpose of increasing eligibility for future Pollution Control Grants.
 - Neighborhood Development Area
 - Coordinating with the Planning Commission on its intent to submit an application for Neighborhood Development Area (NDA) Designation for Irasville. Amongst other benefits, an NDA designation would make Irasville eligible for CWSRF subsidy to undertake Step 2 60% Design (anticipated to commence in July 2024).
 - USDA RD
 - The PCT met with Misty Sinsigalli, Acting Community Program Director NH/VT, and Jonathan Harries, VT/NH State Engineer, of USDA RD on 10.12 to discuss funding options. Takeaways: Waitsfield's MHI appears to meet their program's 75% grant threshold. To be eligible, need to certify the town's MHI, meet federal wetlands criteria, landowner connection agreements, and a successful bond vote for the full cost prior to funding submission.
 - The Final Draft PER was sent to Jon Harries, USDA RD State Engineer, on 12.6 for feedback and comments.
 - Scheduling a meeting for late December to further explore timeline and funding eligibility.

Public Outreach Team (POT)

- Meetings: 12.11, 12.15
- Activity
 - <https://www.waitsfieldvt.us/waitsfeld-wastewater-planning-project/>
 - Developing a strategy to gauge project interest and collect relevant data from property owners within the proposed Wastewater Service Area. To interrelate with broader community outreach and communication.
 - Page to be updated and overhauled in January.
 - On 9.25 Joshua met with Melissa Manka, Town Planner with the Town of Westford. Melissa served as lead for Westford's wastewater infrastructure project, providing an understanding of the town's approach, outreach, etc. On 11.7 Westford's wastewater system bond vote failed by 44 votes.

Near-Term Activities

- PER Acceptance from DEC
- EID Submittal to DEC
- Finalizing Step 2 30% Design ESA
- Outreach Strategy
- Waitsfield Wastewater Planning Project Webpage Overhaul



Town of Waitsfield Village Water & Wastewater Project Preliminary Engineering Report (PER) Summary January 12, 2024

This document serves to provide a summary of the Town of Waitsfield Village Water & Wastewater Project Preliminary Engineering Report (PER), dated 12/1/23.

What is a Preliminary Engineering Report (PER)?

A PER is a planning document required by the State of Vermont and federal agencies (VT DEC, USDA, etc.) as part of the process of obtaining financial assistance for the development of drinking water, wastewater, solid waste, and stormwater projects. A PER describes a proposed project from an engineering perspective, analyzes alternatives to the proposal, defines project costs, and provides information critical to the underwriting process. Ultimately, a PER identifies a preferred option, referred to as the “preferred alternative,” undertaking an itemized cost estimate and life-cycle cost analysis.

How did Waitsfield create its 2023 PER?

The Town of Waitsfield, with the support of its Water & Wastewater Feasibility Study Committee, retained engineering consultant DuBois & King in 2022 to undertake a [Water and Wastewater Feasibility Study](#) to explore options for infrastructure improvements, wastewater solutions, and potential expansion of water service for Irasville and Waitsfield Village. Based on these results, the Waitsfield Selectboard authorized DuBois & King in January 2023 to undertake a PER that further studies specific scenarios identified in the Feasibility Study. The Feasibility Study served as the basis for the PER, which consists of 7 sections: Project Planning, Existing Facilities, Need for Project, Alternatives Considered, Selection of Alternative, Recommended Alternative, and Conclusions. The resultant final PER, entitled “[Preliminary Engineering Report for the Town of Waitsfield Village Water and Wastewater Project](#),” dated 12/1/23, was accepted by the VT Department of Environmental Conservation (DEC) on 12/20/23.

In addition to the PER, DuBois & King also developed an Environmental Information Document (EID) as part of this effort, which consists of an environmental assessment describing the environmental impacts of the preferred alternative, identifies mitigation measures, and highlights permitting considerations. Waitsfield’s EID was submitted to DEC on 1/12/24.

The Feasibility Study, PER, & EID, constituting Phase 1: Planning, received full funding from the VT Agency of Natural Resources, Dept. of Environmental Conservation, Clean Water State Revolving Fund Program. The Town of Waitsfield received full funding for these efforts at no cost to Waitsfield taxpayers.

What are the Waitsfield PER Takeaways?

Based on its needs assessment, the PER identified the following priorities for current and future wastewater capacity and connection to the proposed system:

- Existing properties with leachfields that are:
 - 40 or more years old;
 - located in a mapped floodplain;
 - located in the River Corridor;
 - Located within wellshields for existing private and public drinking water wells; and
- Future Capacity
 - Capacity to accommodate connections for future housing development and economic activity.

These priorities offer the most potential benefit in terms of water quality protection for the Mad River, other streams, and wetlands; drinking water and overall human health protection; offsetting the economic hardships of replacing failing and low-functioning septic systems; and addressing the community's need for future housing development and economic activity.

The analysis of how to address the community's wastewater needs considered a variety of potential alternatives. Based on several factors, the recommended alternative is for a wastewater collection system to serve Irasville & Waitsfield Village (consisting of the Irasville Commercial, Village Business, and Village Residential Zoning Districts). Wastewater treatment and disposal are recommended to take place south of Irasville at the municipally-owned and undeveloped Munn Site, located on the corner of VT Route 100 and Kingsbury Rd. To accommodate anticipated wastewater flows, a "tertiary" wastewater treatment facility is proposed to treat all wastewater and remove nitrogen and phosphorus.

The proposed wastewater project provides replacement wastewater treatment for 105 existing properties with leachfields greater than 40 years old and/or that appear to be located in a floodplain, in a River Corridor, or in a drinking water well isolation shield. These priority wastewater needs total an estimated 64,744 gallons per day (gpd). It has been determined that the Munn Site has a maximum wastewater treatment and disposal capacity of 95,040 gpd, with 6,041 gpd required for infiltration, providing approximately 24,255 gpd of additional capacity to support new housing, economic growth, and reserve capacity. Of the capacity available for connections, about 73% will go towards the environmental and water quality priorities described above (replacing aged existing systems and those within the floodplain/River Corridor) and about 27% is proposed to be available for new connections.

In addition to wastewater disposal, the PER also explores opportunities for connecting remaining properties with private wells in the Irasville and Waitsfield Village Districts to the water system. 46 potential village water service connections were identified.

The PER's Opinion of Total Project Capital Cost for the proposed wastewater project is \$15,005,518. Significant grants and subsidies are needed to provide affordable user rates. It is recommended that the Town pursue federal funding opportunities with the potential to provide grants and subsidies.

The PER's Opinion of Total Project Capital Cost for proposed village water connections is \$1,071,800. As there are limited opportunities for grant funding to finance the connections of properties, it is recommended that the Town investigate options to self-finance the remaining water system connections in the Water Service Area.

What's Next?

In January 2024, the Waitsfield Selectboard authorized the Village Water & Wastewater Project to commence with Phase 2: 30% Final Design for the proposed wastewater system's preferred alternative. To take place through the first half of 2024, consulting engineer DuBois & King will answer key project questions via the selection of a preferred tertiary wastewater treatment facility approach, design of the wastewater conveyance system, and design of connections within Waitsfield Village. In recognition that landowner input is necessary for furthering project design, the Waitsfield Wastewater Planning Project Team will undertake outreach to all property owners within the proposed wastewater service area (Irasville & Waitsfield Village) as well as town-wide community engagement efforts.

If you have questions or comments about the Waitsfield Wastewater Project, please contact Annie Decker-Sell'Isola, Town Administrator, at townadmin@gmavt.net or (802) 496-2218 ext. 5.

<https://www.waitsfieldvt.us/waitsfield-wastewater-planning-project/>

Milestones

Bond Vote
11/5/24





Neighborhood Development Area Designation Program

Application Guidelines



State Designation Programs
Community Planning + Revitalization
December 2022



Overview

Designating a neighborhood development area helps reduce the time and cost of state permitting in areas within easy walking distance of state designated centers — whether converting a barn or wing of a house into an apartment or developing an entirely new neighborhood. Municipalities or developers may use this designation to encourage the creation of new homes in development-ready locations near shops and services and to reduce pressure to develop on farm and forest land. Neighborhood development area designation goes to municipalities with an existing designation and with adopted plans, policies and regulations that support housing and compact development.

Eligibility and Benefits

Areas eligible for designation must be within a neighborhood planning area defined as an area surrounding an existing designated area, extending a 1/4 mile from village centers and new town centers, a 1/2 mile from downtowns and encompasses the areas contained within a designated growth centers). Extensions beyond the planning area boundary that meet certain criteria may be approved by the Downtown Board. Mapped neighborhood planning areas may be viewed at <http://maps.vermont.gov/ACCD/PlanningAtlas/index.html?viewer=PlanningAtlas>

Within the neighborhood planning areas, applicants may use these application guidelines to help identify areas most suitable for residential development (infill, redevelopment and new) —where approved areas will receive the following benefits:

- **Qualified** “mixed income” projects are exempt from Act 250 regulations.
- On properties with an existing Act 250 permit, no permit or amendment is required for a mixed income housing project that meets underlying permit conditions and jurisdictional thresholds.
- Act 250 projects not qualifying for the exemption receive a 50% discount on application fees.
- Agency of Natural Resources fees for wastewater review are capped at \$50.00 for projects that have received sewer allocation from an approved municipal system.
- Exemption from the land gains tax.
- A local conditional use decision, that a housing project meets the “character of the area” criteria, cannot be appealed.
- Pilot funding for downtown & village tax credits
- Municipalities receive priority consideration for state grants.
- Helps meet the location requirement for tax increment finance (TIF) districts.

Overview

Neighborhood planning areas encircle state designated centers depicted on the [Vermont Planning Atlas](#) and described below. This is generally intended to represent land within walking distance from commercial cores. Within these areas, using the guidance of this document, communities identify places most suitable for infill and new housing development.

Downtowns

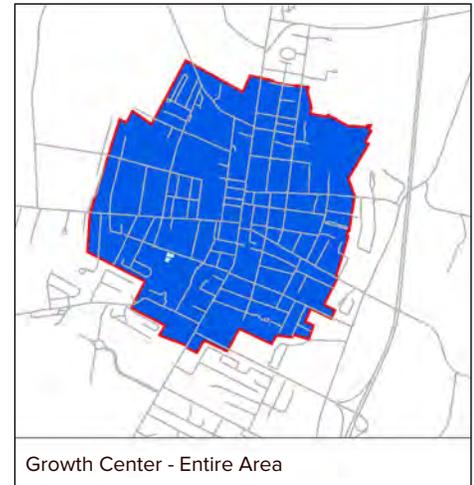
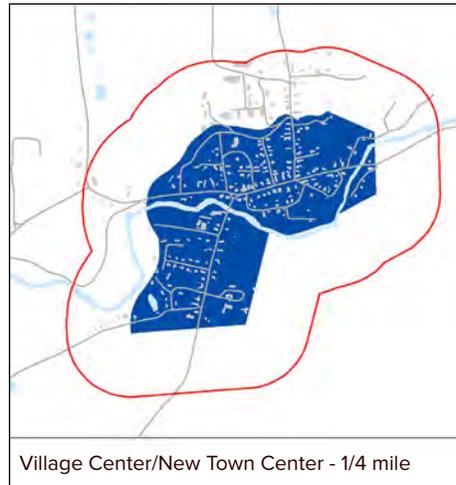
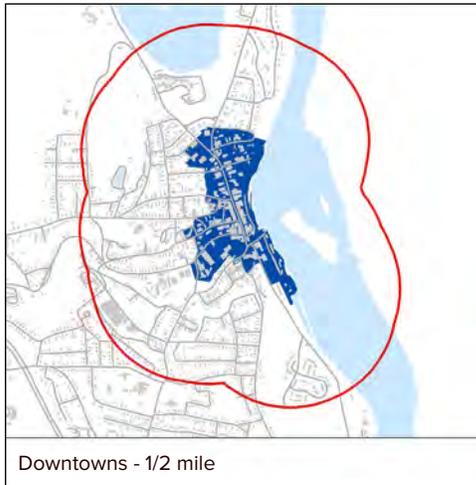
1/2 mile from designated boundary

Village Centers and New Town Centers

1/4 mile from designated boundary

Growth Centers

The Neighborhood Planning Area encompasses the areas contained within the growth center.



Extending the Eligibility Area

In certain circumstances, due to existing development and physical constraints, the availability of land for future development within the existing neighborhood planning area may be constrained. A neighborhood development area may include one or more areas of land extending beyond the delineated neighborhood planning area if the following conditions are met:

- A. Including the extended area beyond the neighborhood planning area is consistent with the statewide planning goals ([24 V.S.A. § 4302](#)).
- B. Residential development opportunities within the neighborhood planning area are limited due to natural constraints and existing development.
- C. The extended area represents a logical extension of an existing compact settlement pattern and is consistent with smart growth principles; and
- D. The extended area is adjacent to existing development.

In order to have a neighborhood development area designated beyond the delineated planning area, at least 80 percent but no fewer than seven of the members of the Downtown Board present find that all four of the above conditions are met.

Application Process

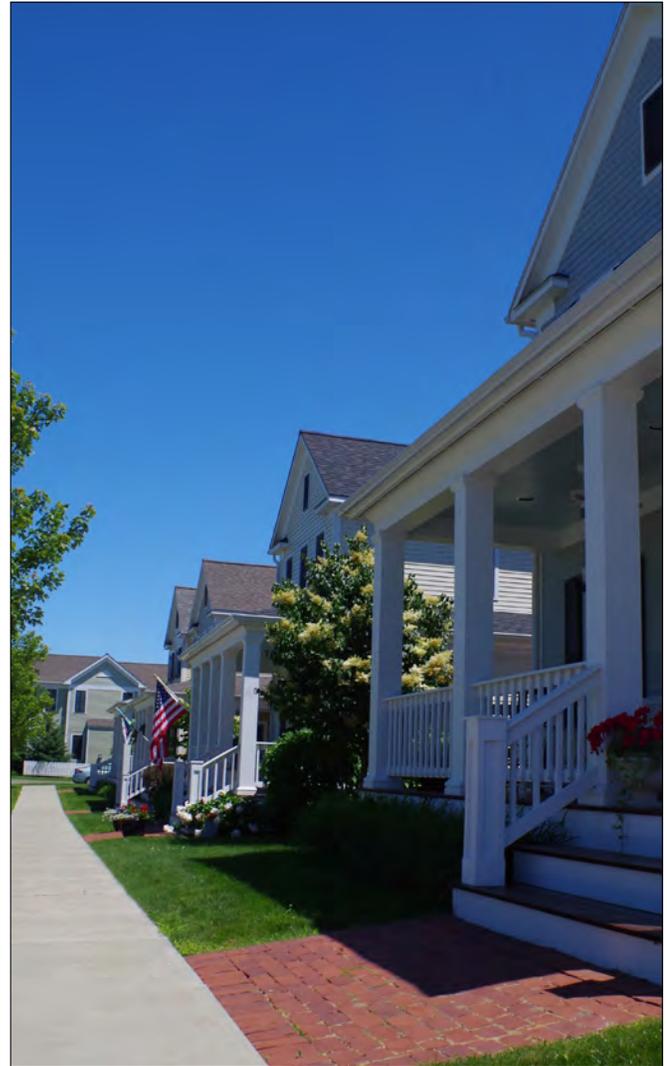
A municipality or land owner/developer with property within a neighborhood planning area may submit an application to have neighborhood development areas designated. If a municipality does not already have a designated center, it may apply for one simultaneously with a neighborhood development area application.

All applicants must contact DHCD in advance for a pre-application meeting to discuss the proposed application and clarify requirements. The applicant must fill out and submit the application checklist on [page 6](#) that lists the application requirements.

Application Requirements

A municipality should submit one electronic copy of the full application to DHCD via e-mail or by other electronic media. Maps and photos should be in color. The applications are due no later than 4:30 p.m. on the first Monday of any month in order to be considered for that month's meeting. Applications will be considered by the Vermont Downtown Board, which meets on the fourth Monday of each month. A neighborhood development area must receive its designation before any application for benefits may be accepted.

Representatives of the municipality must attend the Downtown Board meeting when their application is considered. A meeting agenda and a copy of the staff review will be sent to the contact person identified in the application a week before the Downtown Board meeting.



Application materials must be submitted to:

Division for Community Planning and Revitalization
Department of Housing and Community Development (DHCD)
One National Life Drive, 6th Floor
Montpelier, VT 05620

Applications are due on the first Monday of the month by 4:30 p.m. in electronic format.

Vermont Neighborhood Development Area Designation Program

Jacob Hemmerick

Phone: 802-828-5249

email: jacob.hemmerick@vermont.gov

1

Contact DHCD to discuss the program and application process.

2

Schedule a pre-application meeting with DHCD in your town to go over program requirements and identify areas that qualify for the NDA.

3

Gather application documents for the application. We strongly recommend you contact your Regional Planning Commission to assist you.

4

Complete application checklist and review the draft application with DHCD staff to ensure you have all the materials gathered.

5

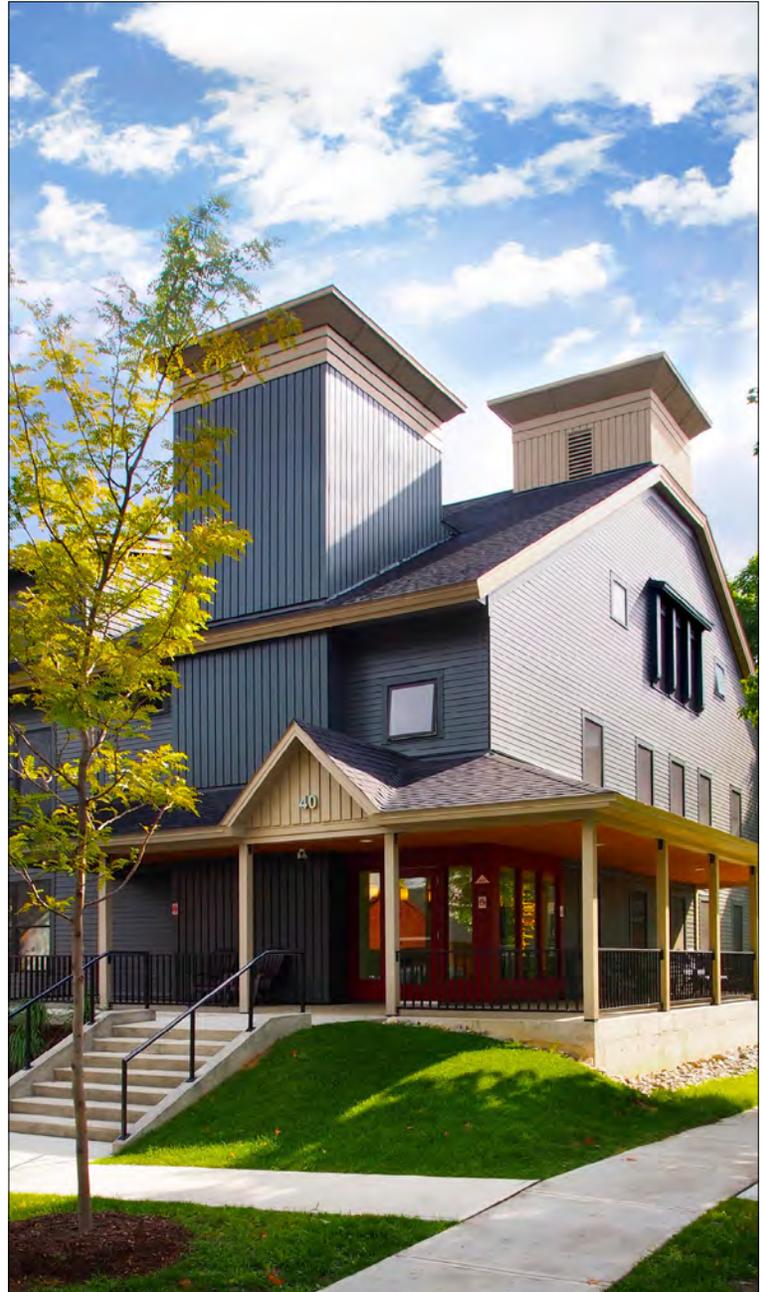
Submit documents and application checklist by e-mail by first Monday of the Month.

6

DHCD will call or email the local contact to discuss the application review process.

7

Attend the Downtown Board meeting on the fourth Monday of the month.



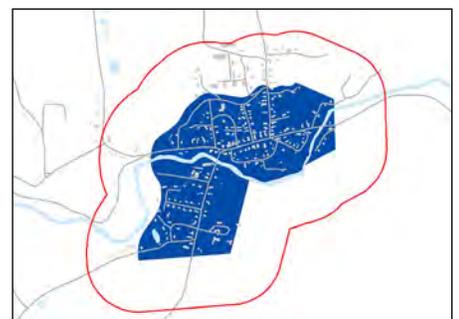
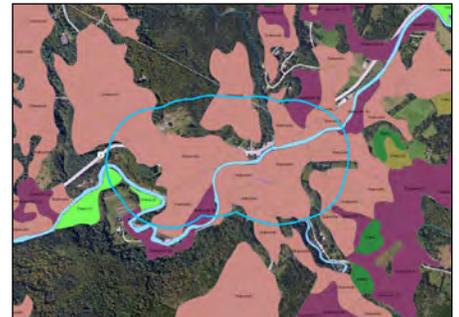
1. **Cover Letter, including:**
 - Name of the municipality.
 - Brief narrative of why you seek neighborhood development area designation.
 - Name, address, daytime phone number and email address of the primary contact person for application.
 - A list of documents included in the application.
2. **Notification to City/Town or Village Selectboard or Trustees (only for Property Owner Application)**
 - The application must include a copy of the letter/email to the municipality notifying them of the intent to apply.
3. **Confirmed Planning Process**
 - A letter from the municipality's regional planning commission must be included in the application, stating that its planning process is "confirmed" under 24 V.S.A. §4350 by the commission. Confirmation means that the adopted municipal land use plan and planning process have been reviewed and approved by that regional commission.
4. **Flood Hazard Areas**
 - Development area is not located in flood hazard or fluvial erosion hazard areas, unless local flood hazard and river corridor bylaws satisfactory to the Agency of Natural Resources have been adopted.
5. **Complete Streets**
 - Development area conforms to Complete Streets Statute [19 V.S.A. § 309d](#) and establishes pedestrian access to designated center.
6. **Neighborhood Development Area compatible with Historic Register Historic Districts**
 - Development Area is compatible with and reinforces the character of adjacent National Register Historic Districts, national or state register historic sites, and other significant cultural resources.
7. **Important Natural Resources**
 - Important natural resources are mapped and identified, and any anticipated disturbances described with reasons that the disturbance cannot be avoided or minimized.
8. **Mapping Requirements**
 - Met mapping requirements as stated in these application guidelines.
9. **Municipal Bylaw Requirements for NDA**
 - Municipal bylaws allow minimum net residential densities greater than or equal to four units per an acre for all allowed residential uses, exclusive of accessory dwelling units, or no fewer than the average existing density of the surrounding neighborhood, whichever is greater.
 - Bylaws and regulations do not prohibit energy saving devices.
 - Neighborhood Design Guidelines met for complete streets and building and lot patterns.



Mapping Requirements

The following list outlines the elements that must be mapped and included with the application. Including these maps will help provide the necessary context to assess the suitability of the proposed development areas. With the exception of a map depicting proposed neighborhood development areas, most of the required elements should be included in existing municipal plan maps, which may be submitted with the application. If an element is not included within an existing municipal town map, an applicant may use the [Vermont Planning Atlas](http://maps.vermont.gov/ACCD/PlanningAtlas/index.html?viewer=PlanningAtlas) to create maps. The Atlas contains all the map layers needed to produce an NDA application and may be found at: <http://maps.vermont.gov/ACCD/PlanningAtlas/index.html?viewer=PlanningAtlas>.

- Important natural resources as defined in 24 V.S.A. § 2791(14).
 - “Important natural resources” means headwaters, streams, shorelines, floodways, rare and irreplaceable natural areas, necessary wildlife habitat, wetlands, endangered species, productive forest lands, and primary agricultural soils, all of which are as defined in 10 V.S.A. Chapter 151.
- Existing slopes of 25% or steeper (note: available on the Vermont Planning Atlas).
- Existing public facilities including public buildings, public spaces, sewer or water services, roads, sidewalks, paths, transit, parking areas, parks and schools.
- Planned public facilities, roads or private development permitted.
- National Register Historic Districts, national or state register historic sites, and other significant cultural or natural resources.
- Designated village center, downtown, new town center or growth center boundaries.
- Proposed land delineated for residential development for a neighborhood development area.



Important Natural Resources Overview

In determining the suitability of proposed neighborhood development areas most suitable for new and infill housing, 24 V.S.A. § 2793e (c)(5) requires that a

- ...municipality shall balance local goals for future land use, the availability of land for housing within the neighborhood planning area, and the smart growth principles. Based on those considerations, the municipality shall select an area for neighborhood development area designation that:
- Avoids or that minimizes to the extent feasible the inclusion of “important natural resources” as defined in subdivision 2791(14) of this title. If an “important natural resource” is included within a proposed neighborhood development area, the applicant shall identify the resource, explain why the resource was included, describe any anticipated disturbance to such resource, and describe why the disturbance cannot be avoided or minimized.

This section of the application guidelines outlines what the important natural resources are and how to meet the above requirement for each resource. The important natural resources are divided into three categories

- 1.) Water
- 2.) Wildlife
- 3.) Working Lands

In addition to the Planning Atlas, the ANR Natural Resources Atlas contains a useful ‘New Neighborhood Planning’ theme that can assist an applicant in identifying whether or not any important natural resource is located within a neighborhood planning area at: <http://anrmaps.vermont.gov/websites/anra5/>.



Water

1.) Floodways, Streams, Shorelines and Headwaters

- Any mapped flood hazard or fluvial erosion hazard areas shall be excluded from any NDA.
- Any streams, shorelines and headwaters not included in the flood hazard or fluvial erosion hazard areas should be addressed by the municipal bylaw or excluded with an appropriate buffer.

2.) Wetlands

- Wetlands are regulated by the Agency of Natural Resources and the Army Corps of engineer. It is reasonable to include small wetlands identified in the VWSI inventory in NDAs as they may not be delineated and will be subject to the Agency of Natural Resource and Army Corps of Engineer rules.

Wildlife

3.) Endangered species and rare and irreplaceable natural areas

- Known or likely occurrences of rare, threatened, or endangered (RTE) plant and animal species are mapped as point features on ANR's natural resource atlas. Each occurrence is significantly buffered when mapped, so the point will appear larger than the actual location of the species. If a RTE species is mapped within the Neighborhood Planning Area, the applicant should contact DHCD to obtain more precise location information and to discuss the applicability of the mapped feature on the NDA. Known rare and irreplaceable natural areas (RINA) are identified on the Significant Natural Communities layer on [ANR's Natural Resource Atlas](#). Significant Natural Communities should be excluded from any NDA; however, if one is planned to be included within the NDA, the applicant should contact DHCD to discuss development options.

4.) Necessary wildlife habitat

- The areas currently considered necessary wildlife habitat include mapped deer wintering areas and mast production areas. For any mapped necessary wildlife habitat proposed to be included in a NDA, the applicant must show that the area cannot be avoided because 75% of all other land within the Neighborhood Planning Area is either developed or undevelopable due to physical constraints and the proposed boundaries represent the best location for growth that meet the smart growth principles. Alternatively, the applicant may include the area if, in the opinion of ANR, the included area is insignificant.

Working Lands

5.) Productive forest lands

- Because of location based criteria and consideration of adjacent land uses – productive forest lands are excluded from being within neighborhood planning areas.

6.) Primary agricultural soils

- For any undeveloped 'greenfield' areas that qualify as 'prime ag' proposed to be included in a NDA, the applicant must show that the area cannot be avoided because 75% of all other land within the Neighborhood Planning Area is either developed or undevelopable due to physical constraints and the proposed boundaries represent the best location for growth that meet the smart growth principles.

Residential Density Requirements

Higher residential densities are key components to successful walkable communities and traditional commercial centers. Municipal regulations for neighborhood development areas must allow minimum net neighborhood densities greater than or equal to four units per acre for all allowed residential uses, exclusive of accessory dwelling units, or no fewer than the average existing density of the surrounding neighborhood, whichever is greater. Regulations that adequately regulate the physical form and scale of development may be used to demonstrate compliance with this requirement.

Any development in the neighborhood development areas that is lower than the minimum net residential density required shall not qualify for the benefits of the program. The district coordinator shall determine whether development meets this minimum net residential density requirement when issuing a jurisdictional opinion.

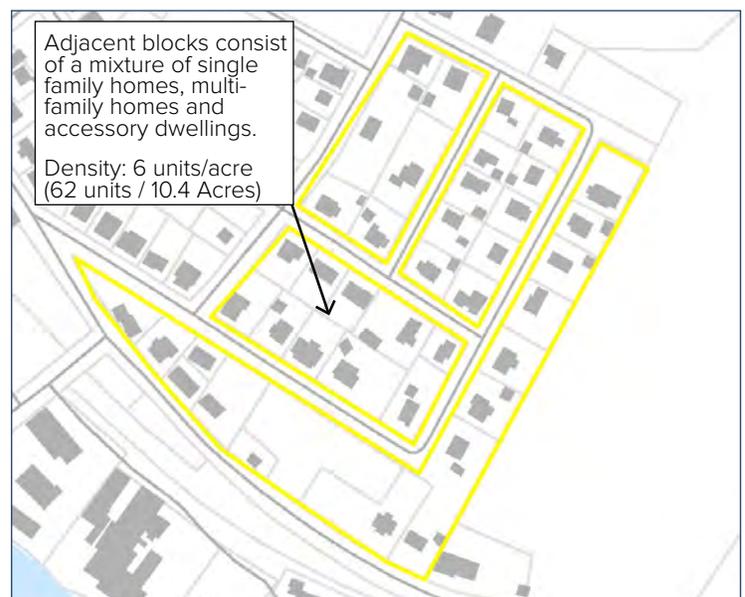
Methodology for Calculating Residential Density

Residential density is a number of units within a given area and there are many different ways to calculating it. For the purposes of meeting the designation requirements, a net neighborhood residential density approach is used. This approach only excludes land that is largely undevelopable from the base area used in the calculation. What is considered undevelopable for the purposes of calculating density includes: 1.) areas with slopes¹ greater than 25%, 2.) wetlands, floodways and streams, 3.) rare and irreplaceable natural areas (RINA). Land area included in the calculation includes: dwelling lots/yards, driveways, gardens, ancillary structures, new streets, resident parking.

Adjacent Neighborhood Density Calculations

In some more intensely developed areas, 4 residential units an acre may be insufficiently low as a minimum. Undeveloped sites proposed as neighborhood development areas should include density calculations for adjacent residential neighborhoods. The calculations should include residential blocks within 500 feet of the proposed area, using the net neighborhood density methodology outlined above.

¹ When determining the size of any area occupied by a slope of 25 percent or more, the methodology used to calculate slope shall be the same as the one used to generate the 'slope' layer in the Vermont Agency of Natural Resource's Natural Resource Atlas <http://anrmaps.vermont.gov/websites/anra/>.



Guidelines Overview

The neighborhood development area is intended to provide areas within the community where quality, moderate density, traditional neighborhoods can be developed. Within these areas, the objective is to create and maintain walkable neighborhoods that have a human scale, are pedestrian oriented, contain a mix of uses (both residential and nonresidential), accommodate but manage vehicular traffic, provide a variety of public spaces, have a sense of identity or place, and are connected to adjacent neighborhoods and the downtown/village core. In order to have a Neighborhood Development Area designated, the local bylaws, regulations and policies applicable to the area must substantially conform to the neighborhood design guidelines in this document. The guidelines are separated into two sections, 1) Complete Streets, and 2) Building and Lot Patterns. Meeting the specific criteria set out in these sections will qualify as compliance with the requirements of § 2793e(c)(8), specifying that policies:

- Ensure that all investments contribute to a built environment that enhances the existing neighborhood character and supports pedestrian use;
- Ensure sufficient residential density and building heights;
- Minimize the required lot sizes, setbacks, and parking and street widths; and
- Require conformance with “complete streets” principles as described under 19 V.S.A. § 309d, street and pedestrian connectivity, and street trees.

In order to ‘substantially conform’ to these guidelines, applicants must demonstrate that they meet the following number of criteria for each section.

1.) Complete Streets: 8 of 10.

2.) Building and Lot Patterns: 8 of 10.



Complete Streets

Complete streets is a philosophy and approach to planning, design, construction and maintenance of our roadway network to consider all users, including pedestrians, bicyclists and transit riders. Context and current or potential travel patterns need to be considered in determining the appropriate way to meet the needs of all modes of transportation. Complete Streets projects can provide diverse and widespread benefits, including the following:

- Streets that accommodate all users are safer for everyone, including automobile drivers and passengers.
- Complete streets can provide greater mobility and accessibility to those without a car. This can be particularly important to the quality of life for seniors and young people, allowing for greater opportunities to participate in constructive social and educational activities.
- Complete streets can offer a choice for less costly modes of transportation, which has economic benefit to individuals or families.
- Active travel (walking and bicycling) can improve health and provide needed daily exercise.

The Complete Streets Guide for Vermont Communities is available for download at: <http://vnrc.org/wp-content/uploads/2013/01/complete-streets-a-guide-for-vermont-communities-aarp-optimized.pdf>

The following check list will help you review existing bylaws and policies to see if the requirements for the design of streets and bike/pedestrian facilities are appropriate for walkable neighborhoods.



Checklist for Bylaws

Do the bylaws in the NDA:

- Require that provisions be made for the extension of the street and pedestrian network into existing streets and adjacent, undeveloped land?
- Have existing or planned pedestrian facilities (such as sidewalks/paths) servicing the proposed NDA?
- Require sidewalks or pedestrian facilities for new development?
- Have plans or regulations in place that include bike facilities (such as paths/lanes) where appropriate?
- Require street trees, lighting and appropriate landscaping for new developments?
- Require new streets to be as narrow as possible (such as having specifications for travel lanes that are eleven feet wide or narrower?)
- Require utilities to be placed underground in new developments?
- Prohibit cul de sacs/dead end streets and oversize block lengths? If not, is the length of cul-de-sacs regulated and minimized?
- Allow for on-street parking?
- Minimize any required off-street parking? (Requiring two or more off street parking spaces per residential unit is excessive.)

10
Min 8/10

Residential Lot Patterns

The type, design, and layout of structures within a neighborhood define its character. Lot sizes, building and lot dimensions, architectural details, and the form and type of buildings themselves can give dimensional form to a walkable neighborhood.

To be a “walkable” neighborhood, buildings should be reasonably close together, enclosing the street and making it comfortable to walk along. Large gaps between buildings can make streets less appealing to pedestrians. Lot frontages should be minimal, allowing for a narrow, visually rich and interesting neighborhood. At the same time, there should be diversity within the neighborhood. Duplexes, townhouses, accessory dwellings and apartments add variety and offer greater choice for those seeking to live in a walkable neighborhood. Designed to a similar scale, and using the same architectural features as surrounding structures, they can fit easily and comfortably into the mix of housing offered.

Building Patterns

In the walkable neighborhoods the pattern of buildings and orientation is set primarily by the historic grid of streets as well relationship of residential units within the existing neighborhood. The orientation and placement of buildings along the street help to reinforce the public realm by enhancing the pedestrian environment through creating a sense of enclosure. New or redeveloped and renovated homes should reflect the siting and character of a neighbourhood and follow a consistent setback and pattern. In addition, the mass and scale of new buildings should maintain the scale of the surrounding homes, while providing an architectural diversity that makes our neighborhoods unique and interesting.

The following check list will help you review existing bylaws and policies to see if the requirements for the design and layout of residential lot and building patterns are appropriate for walkable neighborhoods.

Checklist for Bylaws

10
Min 8/10

Do the bylaws in the NDA:

- Allow for a mix of housing opportunities (multi-family, duplex, and single-family, etc.) throughout the NDA?
- Allow for small minimum lot sizes, similar to existing small lot sizes in the area?
- Have dimensional requirements or form based code standards, that make it possible to convert existing single family dwellings into multi-family dwellings?
- Minimize dimensional requirements (whether traditional: lot size, frontage, lot coverage, etc. or form based: building form standards, frontage type standards, etc.) allowing for infill development?
- Allow for building heights that are sufficiently high enough to allow for diverse housing options (at least 3 story building)?
- Reduce front setbacks to conform to existing building lines or add a maximum requirement to prevent new development from being set back “too far” from the street?
- Include provisions that ensure garage doors are not the dominant element of a front façade? An example of this would be prohibiting the garage door from facing the street or requiring it to be setback from the front wall of the building.
- Require that new developments be designed to accommodate safe and convenient pedestrian circulation.
- Include provisions that encourage primary building facades to be oriented to the street (such as requiring front doors to face the street)?
- Have provisions that minimize curb cuts and reduce their frequency, or other access management provisions?

Renewal Process for Neighborhood Development Area Designation

Renewal for a Neighborhood Development Area occurs when the underlying Downtown, Village Center or New Town Center is renewed. The Neighborhood Development Area designation will terminate if the underlying designation expires or is otherwise terminated.

To maintain Neighborhood Development Area designation, the municipality or the party that received designation must submit a separate letter together with the underlying designation renewal application, requesting renewal of the Neighborhood Development Area designation. Review of the Neighborhood Development Area will focus on whether any of the facts relating to the designation requirements have changed since Neighborhood Development Area approval was granted. The following information must accompany a request for Neighborhood Development Area renewal:

- any zoning or other regulatory changes adopted since designation that affect residential density and the design of development in the NDA, including those that address complete streets, residential lot patterns and building patterns;
- any changes in providing sewer service to the Neighborhood Development Area; and
- any housing projects built or permitted in the Neighborhood Development Area since designation, including any NDA benefits that were received (to the extent that you are aware)

Timeline and Process

The Department of Housing and Community Development (DHCD) sends a reminder memo for the Neighborhood Development Area renewal date, six months prior to the time the underlying designation renewal is due. The municipality must submit the renewal application for the underlying designation prior to their renewal date and include the letter requesting renewal for the Neighborhood Development Area with the required update information. Renewal applications are due the first Monday of the renewal month and the Downtown Board will meet and review applications on the fourth Monday of each month. Municipalities must submit one electronic copy of the application and all supporting documents. If the file is too large to email – applications may be submitted on a CD or uploaded to a file sharing service such as Dropbox.

Late Submissions

If the renewal date is missed, the designation continues for 6 months with the program benefits suspended. If no renewal application is received after the 6 month suspension the Downtown Board will withdraw designation. Once designation is withdrawn, a community may submit a new application for designation at any time.

Amendments to the Boundary

Requests to amend a boundary must be submitted by the first Monday of any month the Board meets. Requests for amendments are reviewed using the same procedures as for a new application.

Application materials must be submitted to:

Division for Community Planning and Revitalization
Department of Housing and Community Development (DHCD)
One National Life Drive, 6th Floor
Montpelier, VT 05620

Applications are due on the first Monday of the month by 4:30 p.m. in electronic format.

Vermont Neighborhood Development Area Designation Program

Jacob Hemmerick Phone: 802-828-5249 email: jacob.hemmerick@vermont.gov

Application for Neighborhood Development Area (NDA) Designation

Vermont Downtown Development Act
24 V.S.A. Chapter 76A § 2793e

Municipality/Municipalities:

Application Preparer(s):
Date of Draft Application:
Date of Final Application:

	Application Overview (see Application Guidelines)
	Cover Letter ATTACHED
	(Property Owner Application Only) Notification to Municipality of Intent to Apply ATTACHED
	Responses to Application Requirements below

Please complete the following form, checking the items that are completed and using a different type style or **color** to respond to the instructions provided in CAPS. Staff findings (the shaded column) are in draft form and will be finalized when reviewing the completed application.

Application/ Designation Requirements & Applicant Responses	DHCD Staff Findings
<p>1. Confirmed planning process. Municipalities/municipality has 1) a duly adopted and unexpired plan, 2) a planning process that is confirmed in accordance with section 4350 of this title, and 3) adopted bylaws and regulations in accordance with sections 4414, 4418, and 4442 of Title 24 V.S.A. ATTACH RPC CONFIRMATION LETTER.</p>	<p>The applicant included a letter from RPC on confirmation status dated ___ and current regulations are on-file with DHCD.</p>
<p>2. Preapplication meeting. Applicant met with Department staff to review the program requirements, review a draft application completed by the applicant, and to discuss the proposed boundaries of the neighborhood development area on DATE:</p>	<p>A preapplication meeting with DHCD staff took place.</p>

3. NDA location. The proposed NDA is mapped within a neighborhood planning area or a designated growth center. **ATTACH MAP.**

AND IF NOT

One or more areas of land extending beyond the delineated neighborhood planning area may be approved if:

(A) including the extended area beyond the neighborhood planning area is consistent with the statewide planning goals (24 V.S.A. section 4302). **EXPLAIN:**

The inclusion of the Irasville Village District (IVD) in the proposed Neighborhood Development Application (NDA) aligns directly with Waitsfield's town plan. The plan specifically notes the following about the IVD:

"The **purpose** of the Irasville Village District is to function as the Mad River Valley's primary commercial center and the town's growth center to enable coordinated expansion of residential development, shopping facilities, and other commercial uses that minimize traffic impacts, and which concentrate development into a more compact village setting. Development shall enhance traditional Vermont village patterns and Vermont vernacular design, and maintain continuity with Waitsfield Village. The traditional village pattern shifts away from automobile-oriented development in favor of a denser, more pedestrian-oriented pattern."

The Neighborhood Development Area designation will augment several recent initiatives in Waitsfield regarding smart growth, infrastructure development, bylaw modernization, and land use planning that will help enact the vision for the IVD that is laid out in the Waitsfield Town Plan.

In 2020, a collaboration between the Mad River Valley Planning District (MRVPD), Doug Kennedy Advisors (DKA), and the towns of Waitsfield, Fayston, and Warren resulted in the *2020 Mad River Valley Housing Demand & Market Analysis* (Market Analysis). This analysis provided a detailed assessment of the current and future unmet housing demands, considering specific supply and demand factors of the Mad River Valley, and built off of the existing data within the 2017 Mad River Valley Housing Study and the Mad River Valley Annual Data Report. It offered community leaders essential insights for shaping MRV-specific housing policy alternatives, guiding development initiatives, and setting priorities. The Market Analysis identified an immediate market-wide housing need for approximately 365 households, with an additional future need of

The proposed NDA and neighborhood planning area are identified on map and the NDA is limited to the neighborhood planning area (growth center) boundary, which extends 0.25 miles from the exterior perimeter of the designated New Town or Village Center, 0.5 miles from the exterior perimeter of the designated Downtown or is within a designated growth center.

AND IF NOT

At least 80% and no fewer than 7 members of the Downtown Board reviewing the NDA agree that boundary meets criteria (A)-(D).

roughly 85 households, representing a total of 450 households. Much of this immediate and future need would be anticipated in the IVD, as laid out in the Waitsfield's Town Plan.

Beginning in November 2022, the Waitsfield Planning Commission (PC) undertook a process to review and revise Town zoning bylaws, with a specific focus on Waitsfield Village and Irasville. This project was a key step to ensuring that a significant amount of the unmet housing need previously identified could be accommodated in Waitsfield's Irasville Village District, its chosen growth center.

To assist in this process, the PC secured the services of SE Group, a consultancy based in Burlington, VT, using funds from a Bylaw Modernization Grant through the Department of Housing and Community Development. Early on in the process, the PC identified three primary focus areas for revising zoning bylaws, supported by the goals and recommendations of the Waitsfield Town Plan:

- To address a local shortage of housing
- To promote "vibrant villages" with a lively, neighborhood feel
- To create walkable development in village areas

The zoning bylaw revisions in Waitsfield were accepted by the selectboard during the 1/8/24 Waitsfield Selectboard Meeting. Key changes included raising the threshold for conditional approval of small residential developments to five units, reclassifying low-impact commercial activities to permitted uses, and adding cottage court-style dwellings as a conditional use. Dimensional standards were adjusted to reduce minimum lot sizes to $\frac{1}{5}$ of an acre, supporting denser village-style development and aligning with S.100 provisions. Additional changes will improve neighborhood aesthetics and walkability, such as repositioning parking areas and modifying building facades and entrance orientations. These adjustments, coupled with minor updates to the zoning map, are tailored to fulfill the Irasville Village District's vision and the broader objectives of the Neighborhood Development Area Application.

The final piece to enabling this higher concentration of development within the Irasville Village District is the creation of a municipal wastewater system, which the Town of Waitsfield is presently engaged in.

During 2022, Waitsfield conducted a Wastewater and Water Feasibility Study which explored options for infrastructure improvements, wastewater solutions, and potential expansion of water service connections for Irasville and Waitsfield Village. As a next step, during the 12/5/22 Selectboard Meeting, Waitsfield accepted the recommendation of its hired consultant, Dubois & King (D&K), to proceed with a Preliminary Engineering Report (PER) for the Feasibility Study scenarios 5B (development of wastewater

treatment and disposal) and 2 (connection of remaining individual wells in Waitsfield Village to the municipal water system).

Through a collaboration between the Town of Waitsfield, D&K, engaged community members, and Mad River Valley Planning District, the final PER was submitted to the Vermont Department of Environmental Conservation (DEC) on 12/1/23. The project is currently on schedule, with the next phase of the project to include the 30% design phase which will develop design drawings of the future municipal wastewater system.

The designation of the IVD as an NDA is in strategic alignment with Waitsfield's town plan, which recognizes the IVD as the primary commercial and growth center in the Mad River Valley. This move is supported by extensive planning efforts, such as the 2020 Mad River Valley Housing Demand & Market Analysis, the recent modernization of Waitsfield's zoning bylaws, as well as the advancement of a municipal wastewater system. These coordinated efforts highlight the IVD's suitability for the NDA, ensuring it meets the needs of the community while adhering to the State's vision for sustainable and focused development.

(B) residential development opportunities within the neighborhood planning area are limited due to natural constraints and existing development. **EXPLAIN:**

(C) the extended area represents a logical extension of an existing compact settlement pattern and is consistent with smart growth principles. **EXPLAIN:**

(D) the extended area is adjacent to existing development. **EXPLAIN:**

<p>4. Walking distance. The proposed NDA consists of those portions of the neighborhood planning area that are generally within walking distance from the municipality's downtown, village center, or new town center designated under this chapter or from locations within the municipality's growth center designated under this chapter that are planned for higher density development.</p> <p>EXPLAIN:</p>	<p>The proposed NDA is within a <u>10</u> minute walk of the <u>designated center</u> and planned for higher density development.</p>
<p>5. Flood hazards. The proposed NDA consists of those portions of the neighborhood planning area that are appropriate for new and infill housing, excluding identified flood hazard and fluvial erosion areas, except those areas containing preexisting development in areas suitable for infill development as defined in §29-201 of the Vermont Flood Hazard Area and River Corridor Rule. IF the proposed NDA includes flood hazard areas or river corridors, the local bylaws contain provisions consistent with Agency of Natural Resources rules, required under 10VSA754(a) to ensure that new infill development within a neighborhood development area occurs outside the floodway and will not cause or contribute to fluvial erosion hazards within the river corridors, local bylaws shall also contain provisions to protect river corridors outside the neighborhood development area. EXPLAIN AND MAP (IF APPLICABLE)</p>	<p>River corridor, flood hazard and fluvial erosion are identified on map and excluded from the NDA.</p> <p>AND IF NOT</p> <p>The areas included contain pre-existing development, and the municipality has ANR's review and approval of the local bylaws, which protect river corridors throughout the municipality outside the NDA.</p>

<p>6. Natural resources. The proposed NDA balances local goals for future land use, the availability of land for housing within the neighborhood planning area, and smart growth principals to determine areas most suitable for infill housing by avoiding or minimizing to the extent feasible the inclusion of "important natural resources" as defined in 24 V.S.A. § 2791(14). If an "important natural resource" is included within a proposed NDA, the applicant shall identify the resource, explain why the resource was included, describe any anticipated disturbance to such resource, and describe why the disturbance cannot be avoided or minimized.</p> <p>EXPLAIN AND MAP (IF APPLICABLE)</p>	<p>Important natural resources present in the proposed NDA are identified on map and include: _____. and the NDA boundary feasibly avoids and minimizes disturbance to the resources.</p>
<p>7. Complete streets. (B) The proposed NDA is served by planned or existing transportation infrastructure that conforms with "complete streets" principles as described under 19 V.S.A. § 309d and establishes pedestrian access directly to the downtown, village center, or new town center. EXPLAIN AND/OR MAP:</p>	<p>The proposed NDA is served by an (existing/planned) <u>sidewalk network</u>. (For more detail see Complete Streets Checklist below)</p>
<p>8. Historic resources. (C) The proposed NDA is compatible with and will reinforce the character of adjacent National Register Historic Districts, national or State register historic sites, and other significant cultural and natural resources identified by local or State government. EXPLAIN AND MAP (IF APPLICABLE)</p>	<p>Historic resources within the proposed NDA are identified on the application's map and the municipal plan includes a statement of policy on the preservation of historic resources.</p>

9. Residential densities. The municipal bylaws allow minimum net residential densities (densities allowed through the base zoning, not through bonuses or PUD-only [planned unit development] density calculations) within the NDA greater than or equal to four dwelling units per acre for all identified residential uses or residential building types, exclusive of accessory dwelling units, or not fewer than the average existing density of the surrounding neighborhood, whichever is greater. See the methodology for calculating density on page 10 of the [NDA Application Guide](#). Regulations that adequately regulate the physical form and scale of development may be used to demonstrate compliance with this requirement.

EXPLAIN AND PROVIDE ZONING MAP WITH PROPOSED BOUNDARIES SHOWN, AND ATTACH OR COMPLETE CHART BELOW FOR ALL ZONING DISTRICTS INCLUDED IN THE PROPOSED NDA AND EXPLAIN HOW THESE ARE EQUAL TO OR GREATER THAN THE EXISTING NEIGHBORHOOD DENSITIES.

Residential densities allowed by the bylaws in the proposed NDA range from ___ to ___ units/acre.

NAME ZONING DISTRICT(S) & RESIDENTIAL DENSITY ALLOWED

	dwelling units per acre	
	dwelling units per acre	
	dwelling units per acre	

<p>10. Energy conservation. Residents hold a right to utilize household energy conserving devices (such as clotheslines). EXPLAIN if the municipality imposes prohibitions.</p>	<p>Municipality's regulations do not prohibit energy saving devices.</p>
<p>11. Design guidelines. Local bylaws, regulations, and policies applicable to the NDA substantially conform to the neighborhood design guidelines developed by the Department. COMPLETE CHECKLIST BELOW AND REPORT ON SCORES (8 of 10 criteria in each category must be met to qualify for NDA):</p> <p>Complete Streets: ____ of 10 Building and Lot Patterns: ____ of 10</p>	<p>____ of 10 complete street policies and ____ of 10 pattern policies ensure that all investments contribute to a built environment that enhances the existing neighborhood character and supports pedestrian use; ensure sufficient residential density and building heights; minimize the required lot sizes, setbacks, and parking and street widths; and require conformance with "complete streets" principles, street and pedestrian connectivity, and street trees.</p>
<p>12. Maps. The application includes ATTACHED map or maps that, at a minimum, identify: (A) "important natural resources" as defined in 24 V.S.A. § 2791(14);</p>	<p>Maps identifying the proposed NDA boundary and each element are attached.</p>
<p>(B) existing slopes of 25 percent or steeper;</p>	

<p>(C) public facilities, including public buildings, public spaces, sewer or water services, roads, sidewalks, paths, transit, parking areas, parks, and schools;</p>	
<p>(D) planned public facilities, roads, or private development that is permitted but not built;</p>	
<p>(E) National Register Historic Districts, national or State register historic sites, and other significant cultural and natural resources identified by local or State government;</p>	
<p>(F) designated downtown, village center, new town center, or growth center boundaries as approved under this chapter and their associated neighborhood planning area in accordance with this section; and</p>	
<p>(G) delineated areas of land appropriate for residential development and redevelopment under the requirements of this section.</p>	
<p>13. Completeness. The application includes the information and analysis required by the Application Guide.</p>	<p>The application is complete and includes the information required by the guidelines.</p>

Neighborhood Design Checklists

Please fill in the right column with information about the municipal plans, policies and regulations that address the 10 guidelines for promoting good neighborhood design in each of the two required checklists. DHCD will total the number of positive (Y) responses for the score at the bottom of the checklist.

<p>Complete Streets Guidelines</p>	<p>Provisions Adopted by the Municipality?</p>
---	---

	Y/N	Cite and link to local plan, regulation, or policy. Note how regulations apply (e.g. all development, district-specific, site plan, and/or subdivision).
1. Require that provisions be made for the extension of the street and pedestrian network into existing streets and adjacent, undeveloped land.		
2. Existing or planned pedestrian facilities (such as sidewalks/paths) service the proposed NDA. Planned facilities are identified in the municipal plan, official map, other planning document or the capital budget and program.		
3. Require sidewalks or pedestrian facilities for new development, both connecting to buildings on-site and to off-site pedestrian facilities.		
4. Have plans or regulations in place that address the need for bike facilities (such as bike paths and lanes or multi-use paths) where appropriate.		
5. Require street trees, lighting and green strips along streets for new developments.		
6. Require new streets to be as narrow as possible (such as having specifications for travel lanes that are 11 feet wide or narrower).		
7. Regulate and minimize (1,000 feet or less) the length of cul-de-sacs or blocks		

8. Require utilities to be placed underground in new developments.		
9. Minimize the required off-street parking spaces. (Requiring two or more off street parking spaces per residential unit is excessive.)		
10. Allow for on-street parking.		
TOTAL SCORE (Min 8/10)		Number of YES responses (completed by DHCD staff)

Building and Lot Patterns Guidelines	Provision Adopted by Municipality?	
	Y/N	Cite and link to local plan, regulation, or policy. Note how regulations apply (e.g. all development, district-specific, site plan, and/or subdivision).
1. Allow for a mix of housing opportunities (multi-family, duplex, and single-family, etc.) throughout the NDA.		
2. Allow for small minimum lot sizes, requiring no more than ¼ acre per lot, or sizes similar to the existing small lot sizes in the area if less than ¼ acre.		
3. Allow for the adaptive re-use of single family residential buildings to multi-family units		
4. Allow for infill development by minimizing dimensional requirements (whether traditional: lot size, frontage, lot coverage, etc. or form based: building form standards, frontage type standards, etc.).		

5. Allow for building heights that enable diverse housing options (at least 3 functional floors).

6. Require traditional neighborhood design by minimizing building setbacks (conforming to existing building lines if appropriate) or establishing maximum setbacks to prevent new development from being disconnected from the street.

7. Include provisions that ensure vehicles are not the dominant element facing a street, such as garages that are set back from the front wall of houses, multi-car parking or structured parking entrances that are setback or to the side or rear of buildings.

8. Building design and landscaping requirements for building and landscape design that create spaces for pedestrians, such as buildings and trees lining a sidewalk or a green surrounded by buildings.

9. Include provisions that encourage primary building facades to be oriented to the street (such as requiring primary entrances face the street).

10. Have provisions that minimize curb cuts and reduce their frequency, or other access management provisions that favor pedestrians.

TOTAL SCORE (Min 8/10)

Number of YES responses (completed by
DHCD staff)

Legend

- Town Line
- Village Business District
- Village Residential District
- Irasville Village District
- Designated Village Center
- Proposed Wastewater Service Area
- Neighborhood Planning Area

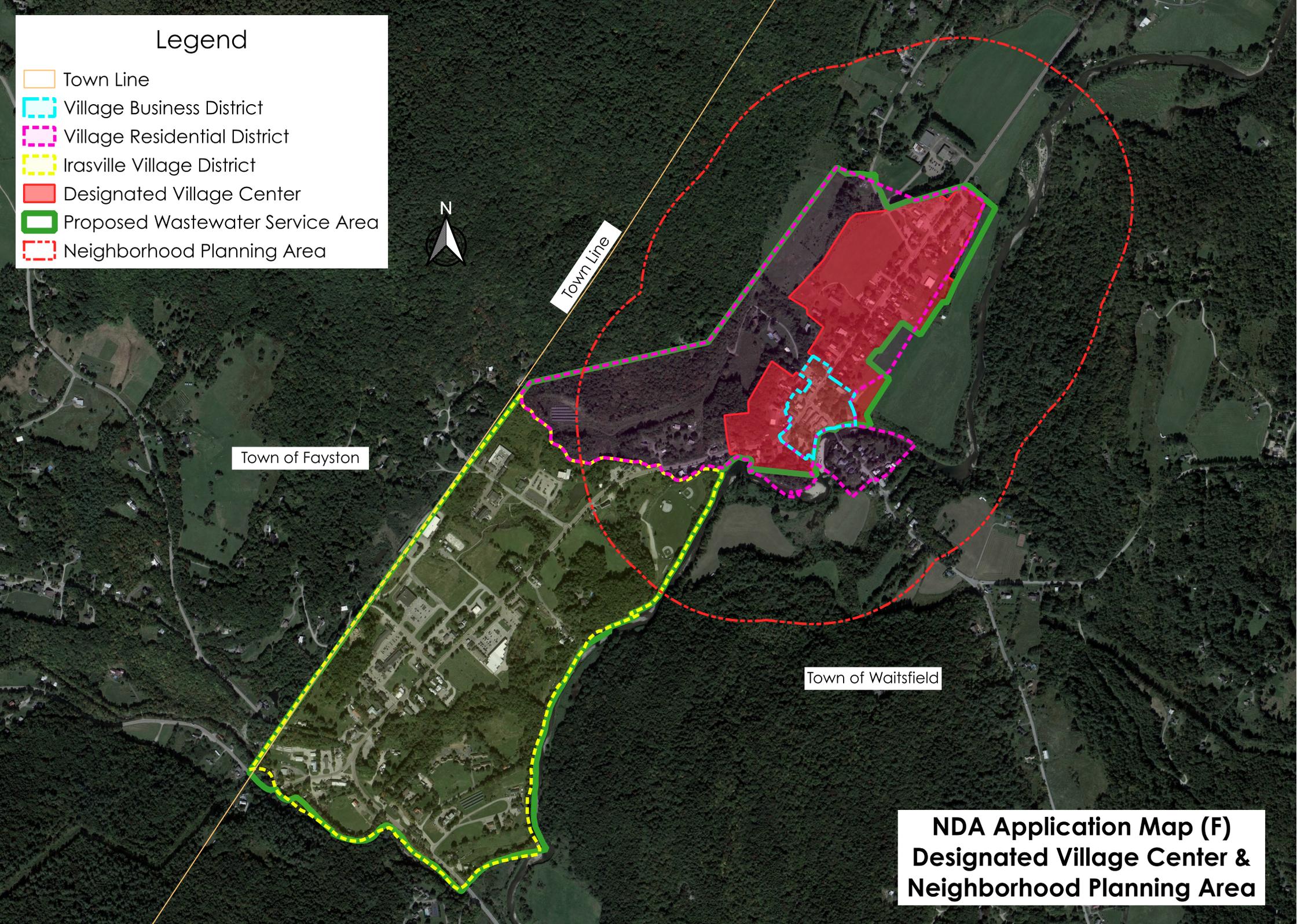


Town Line

Town of Fayston

Town of Waitsfield

**NDA Application Map (F)
Designated Village Center &
Neighborhood Planning Area**



Legend

- Wastewater Service Preferred Alignment
- Sidewalks
- Multi-Use Trails
- Existing Roads
- Town Line
- Building Footprints
- Village Business District
- Village Residential District
- Irasville Village District
- Proposed Wastewater Service Area
- Designated Village Center
- Neighborhood Planning Area



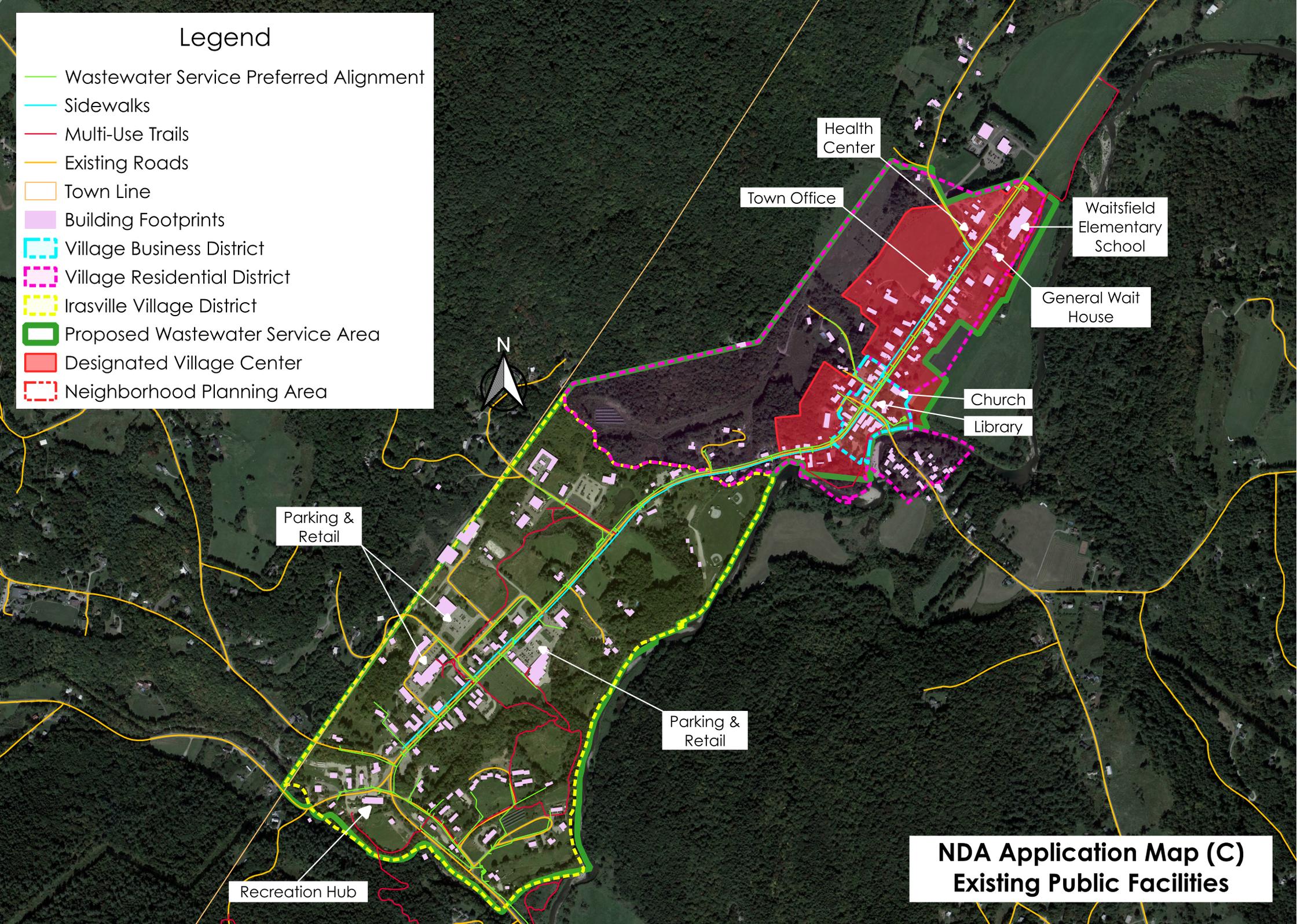
Health Center
Town Office
Waitsfield Elementary School
General Wait House
Church
Library

Parking & Retail

Parking & Retail

Recreation Hub

**NDA Application Map (C)
Existing Public Facilities**



Legend

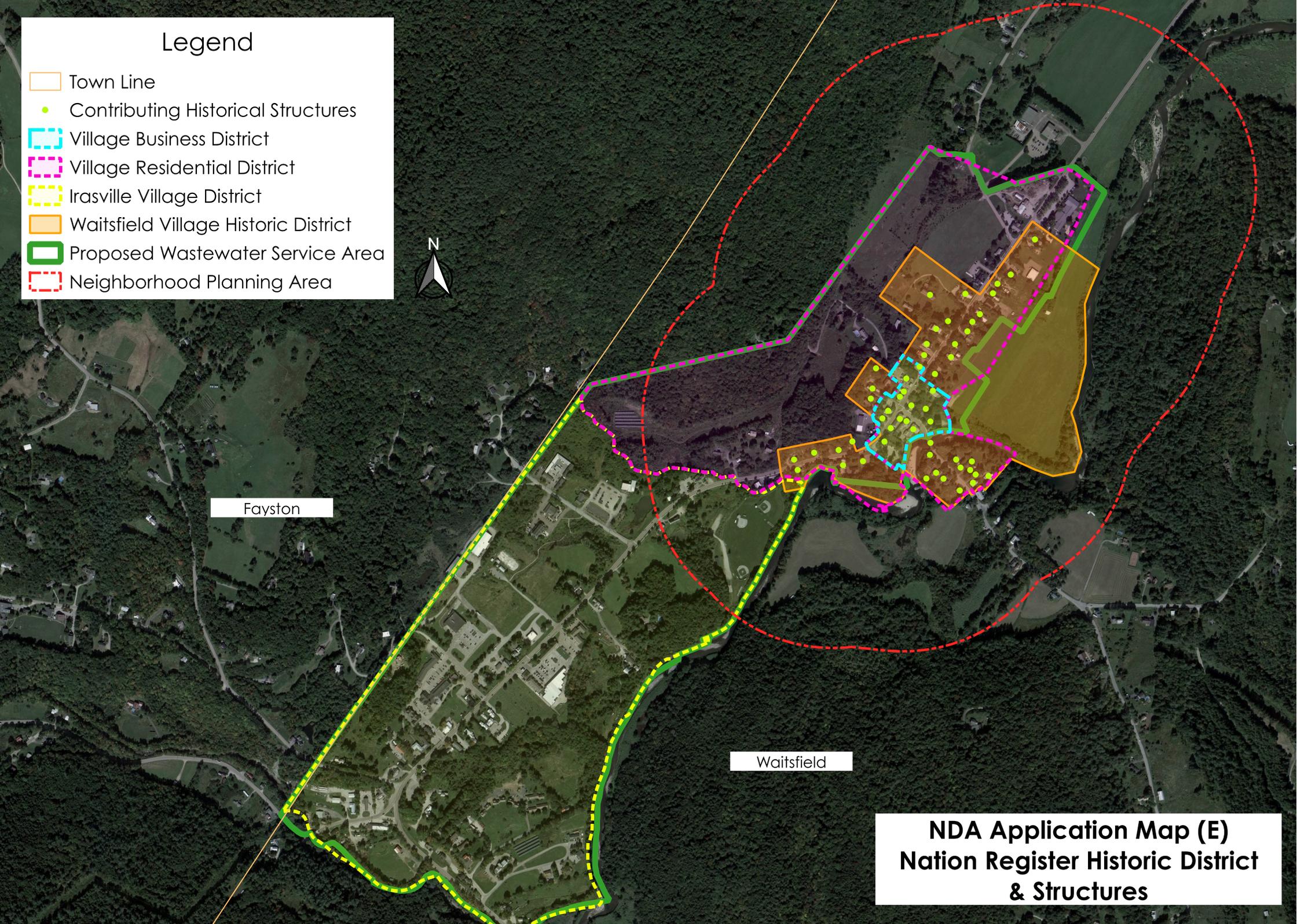
- Town Line
- Contributing Historical Structures
- Village Business District
- Village Residential District
- Irasville Village District
- Waitsfield Village Historic District
- Proposed Wastewater Service Area
- Neighborhood Planning Area



Fayston

Waitsfield

**NDA Application Map (E)
Nation Register Historic District
& Structures**

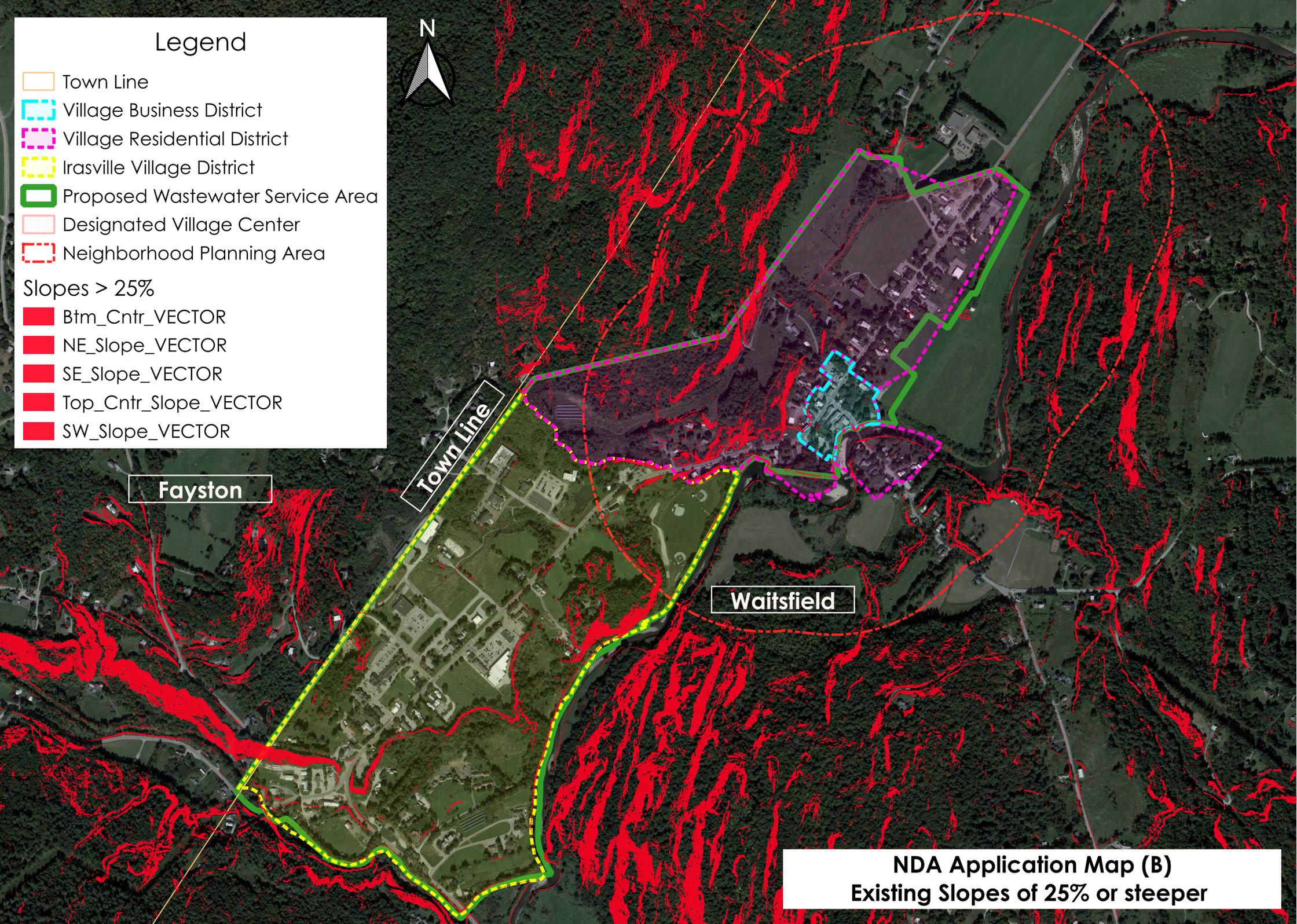


Legend

- Town Line
- Village Business District
- Village Residential District
- Irasville Village District
- Proposed Wastewater Service Area
- Designated Village Center
- Neighborhood Planning Area

Slopes > 25%

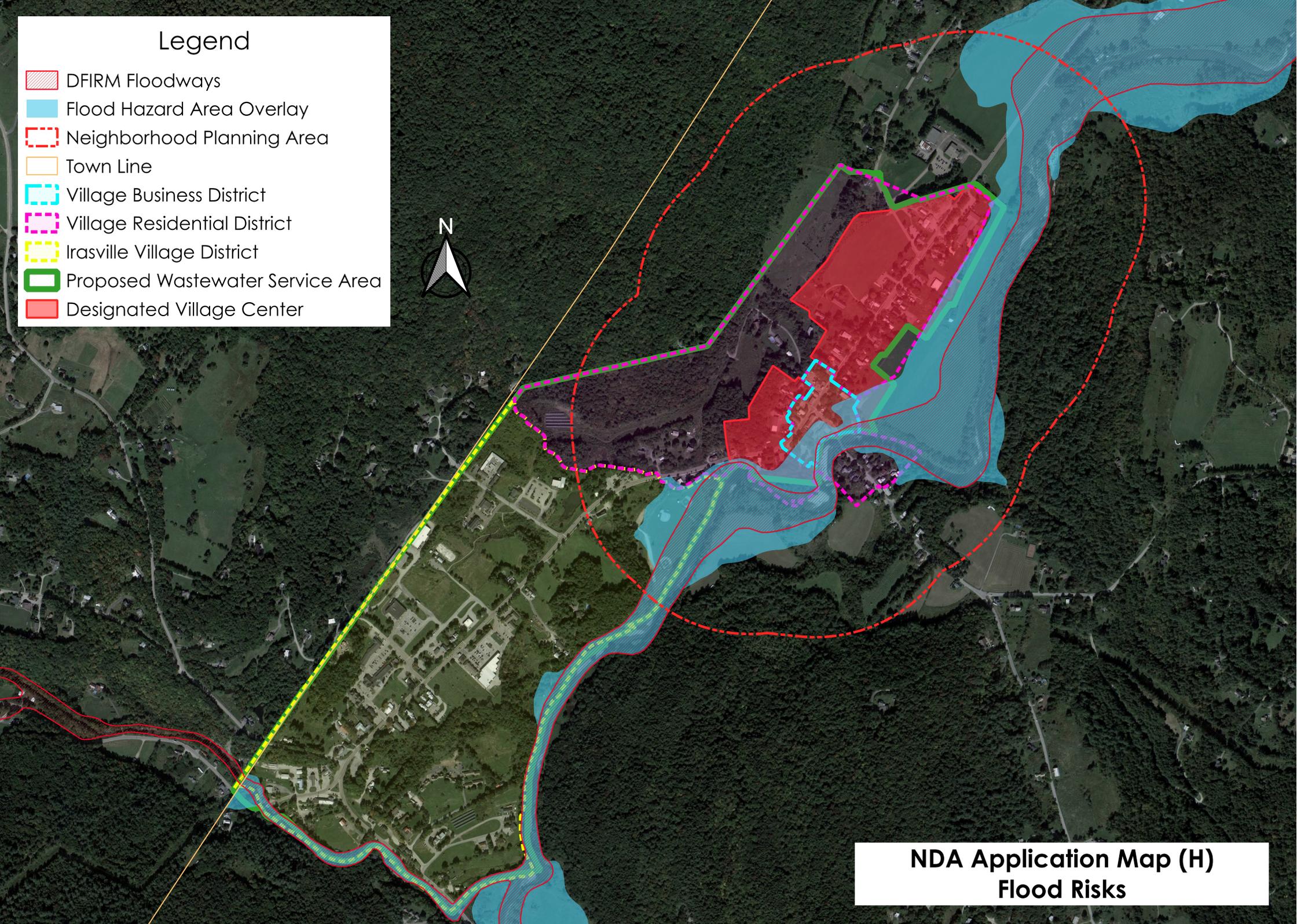
- Btm_Cntr_VECTOR
- NE_Slope_VECTOR
- SE_Slope_VECTOR
- Top_Cntr_Slope_VECTOR
- SW_Slope_VECTOR



NDA Application Map (B)
Existing Slopes of 25% or steeper

Legend

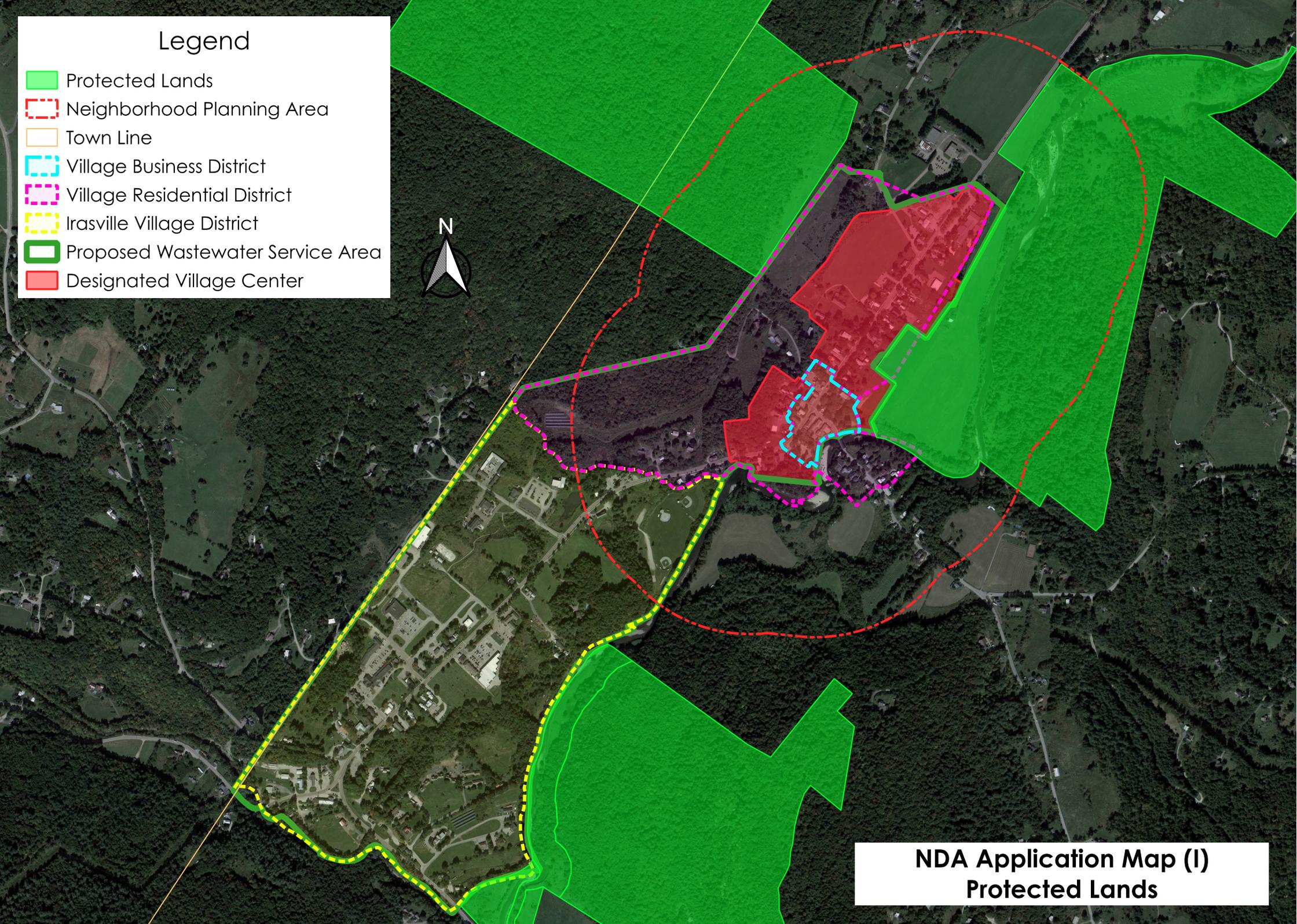
- DFIRM Floodways
- Flood Hazard Area Overlay
- Neighborhood Planning Area
- Town Line
- Village Business District
- Village Residential District
- Irasville Village District
- Proposed Wastewater Service Area
- Designated Village Center



**NDA Application Map (H)
Flood Risks**

Legend

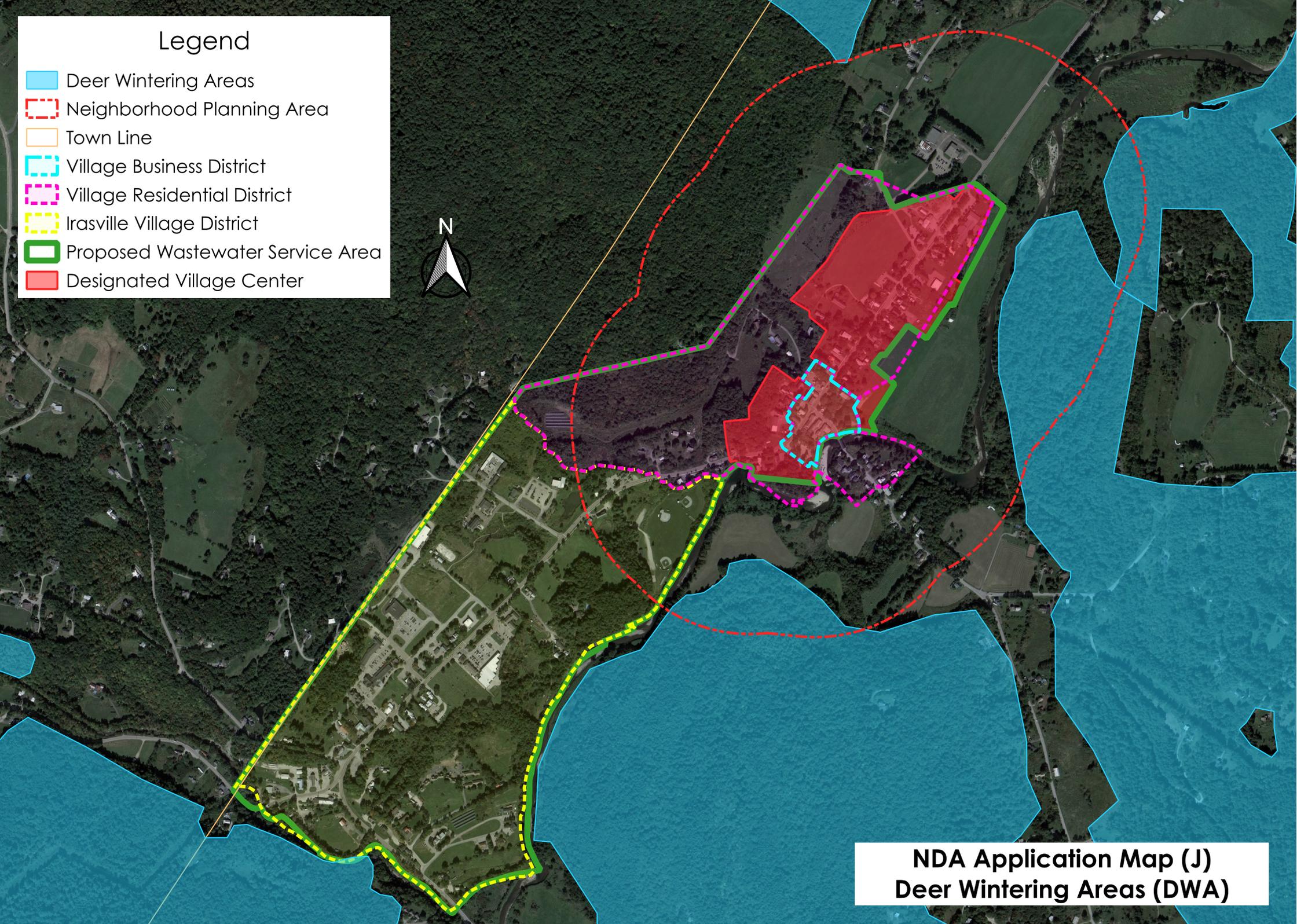
- Protected Lands
- Neighborhood Planning Area
- Town Line
- Village Business District
- Village Residential District
- Irasville Village District
- Proposed Wastewater Service Area
- Designated Village Center



**NDA Application Map (I)
Protected Lands**

Legend

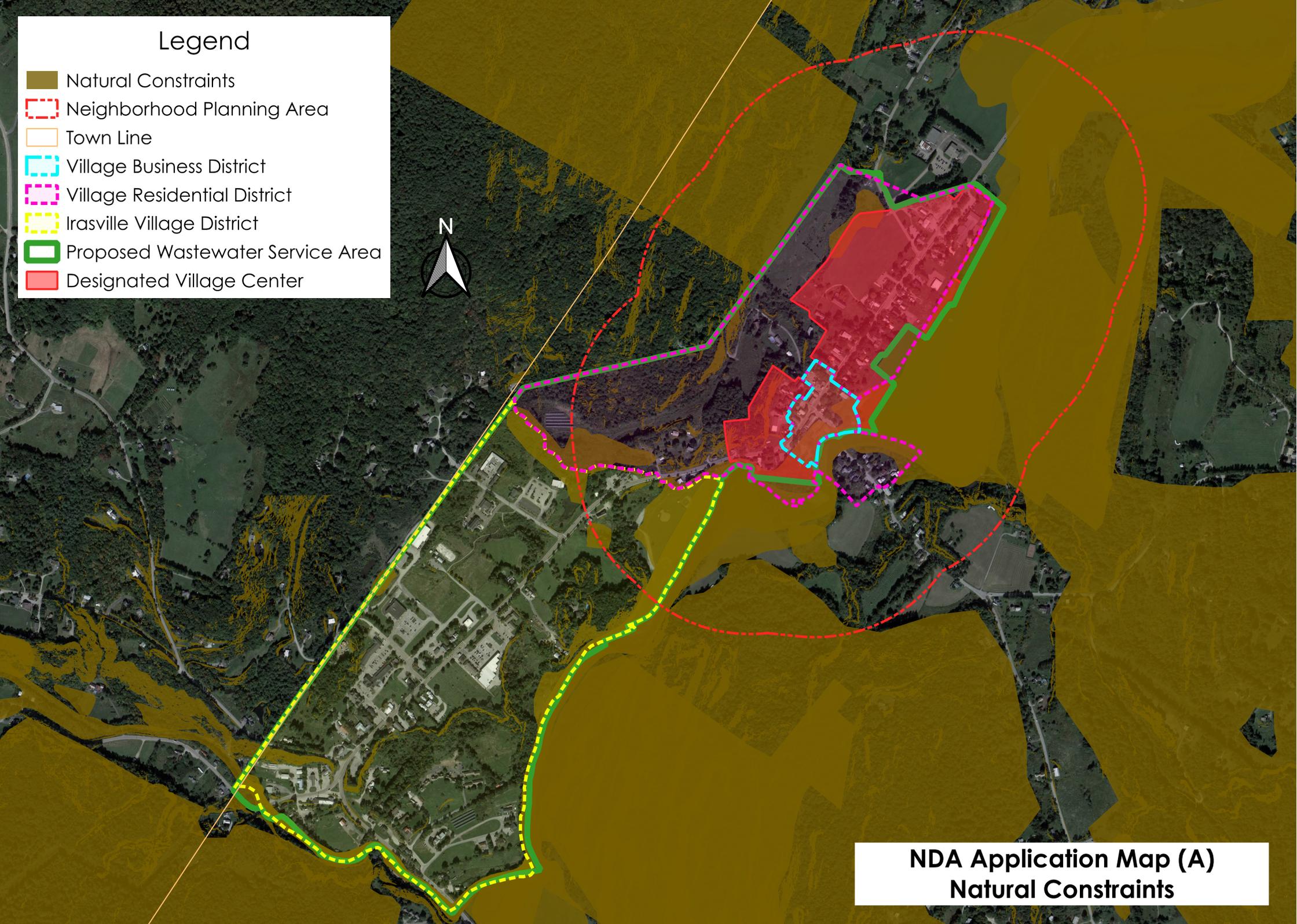
- Deer Wintering Areas
- Neighborhood Planning Area
- Town Line
- Village Business District
- Village Residential District
- Irasville Village District
- Proposed Wastewater Service Area
- Designated Village Center



**NDA Application Map (J)
Deer Wintering Areas (DWA)**

Legend

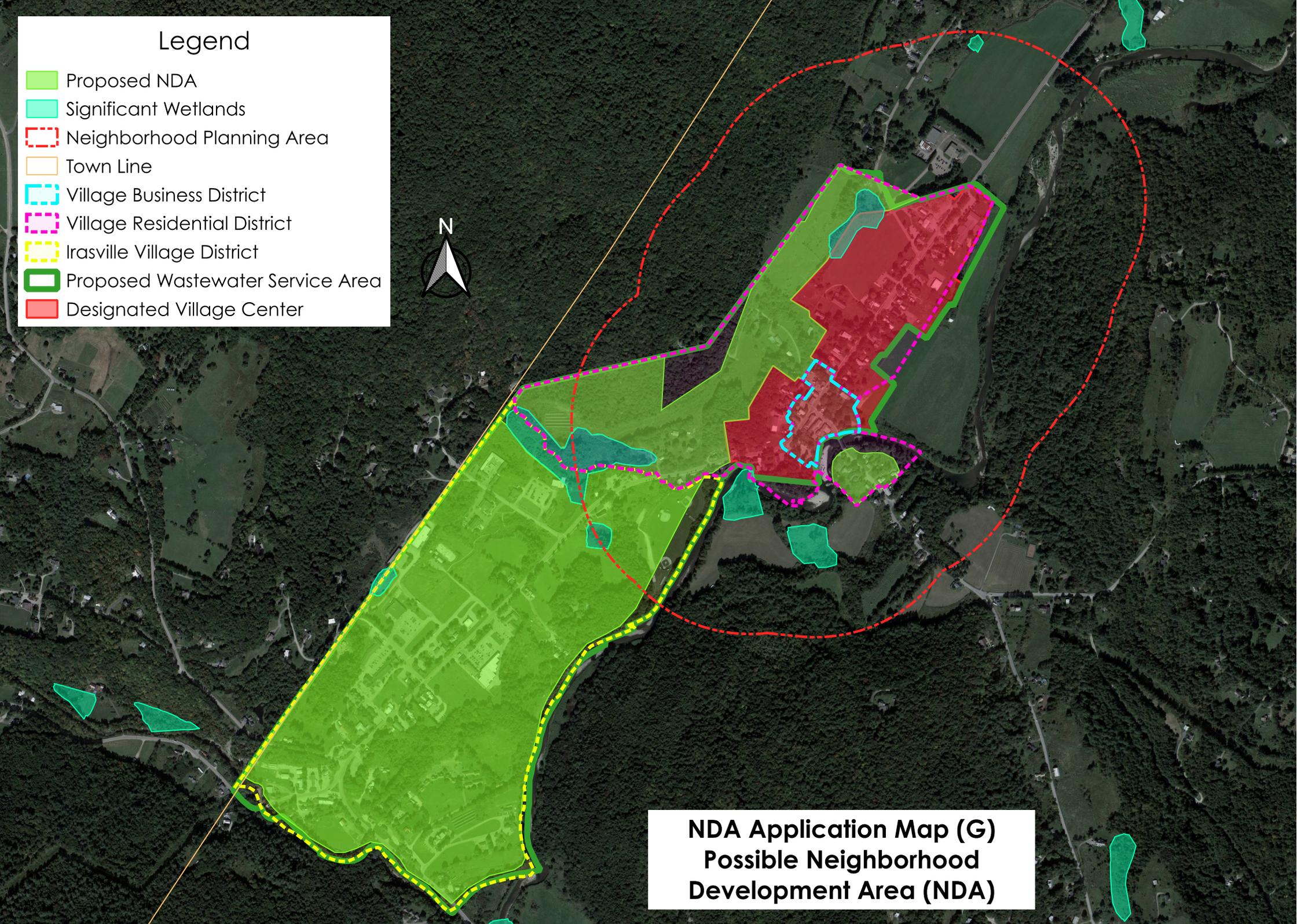
- Natural Constraints
- Neighborhood Planning Area
- Town Line
- Village Business District
- Village Residential District
- Irasville Village District
- Proposed Wastewater Service Area
- Designated Village Center



**NDA Application Map (A)
Natural Constraints**

Legend

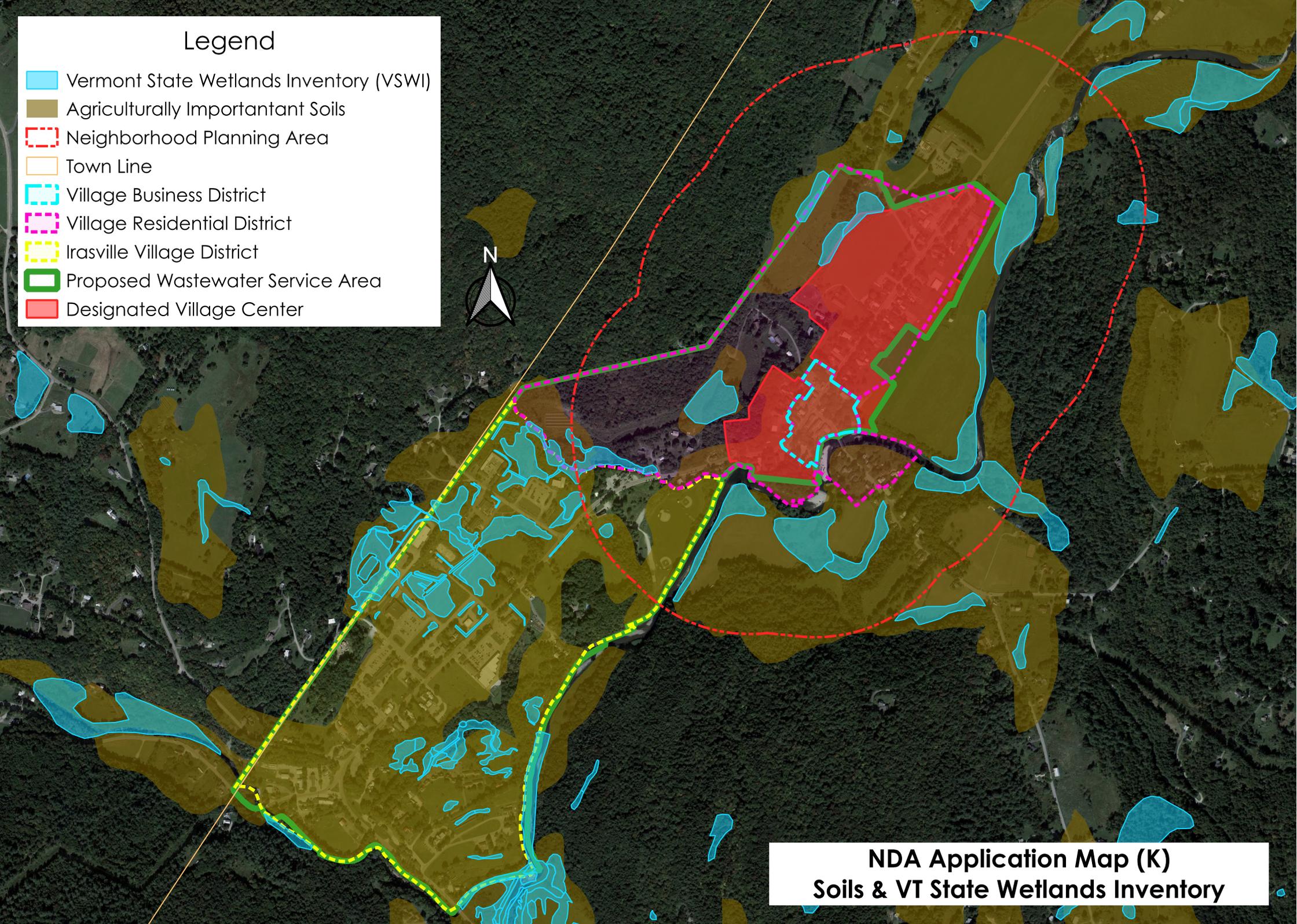
- Proposed NDA
- Significant Wetlands
- Neighborhood Planning Area
- Town Line
- Village Business District
- Village Residential District
- Irasville Village District
- Proposed Wastewater Service Area
- Designated Village Center



**NDA Application Map (G)
Possible Neighborhood
Development Area (NDA)**

Legend

-  Vermont State Wetlands Inventory (VSWI)
-  Agriculturally Important Soils
-  Neighborhood Planning Area
-  Town Line
-  Village Business District
-  Village Residential District
-  Irasville Village District
-  Proposed Wastewater Service Area
-  Designated Village Center



**NDA Application Map (K)
Soils & VT State Wetlands Inventory**