

Amendments to Fayston Town Plan
Planning Commission Report for Municipal Plan Amendment
April 2016

The Fayston Town Plan was last updated in 2014. The Fayston Planning Commission (PC) is now proposing an amendment to Chapter 8 ‘Community Facilities – Schools, Services, and Energy’ of the 2014 Plan in order to better support the Public Service Board in Section 258 proceedings. The municipal Planning Manual (updated January 2016 by the Vermont Agency of Commerce and Community Development), states that in order for municipal plans to be given any consideration in Section 248 proceedings, “*plan policies and standards must be clear, consistent, unambiguous and mandatory (i.e. “shall” protect). The plan policies and standards must apply to specific resources within the proposed project area. Plan policies will not be considered if they are vague, contradictory, permissive (e.g., “should” protect) or generally apply to resources town wide; or if they have the effect of completely excluding all facility development.*” The proposed amendment in effect accomplishes this recommendation.

Specifically, the amended sections note that Fayston is a rural town and development must be consistent with the rural character and sited to avoid or minimize any adverse impacts, including visual impacts to documented areas of scenic and rural character. The revised section (8.5.5) includes prescriptive language such as “shall” and “must” and list specific local vantage points, scenic areas, and natural resource areas of particular local importance. It’s noted that “*new facilities sited within or viewed from these areas shall not create a significant physical, visual, or audible incongruous or incompatible intrusion.*”

This report is in accordance with 24 V.S.A. § 4384(c), which states:

(c) When considering an amendment to a plan, the planning commission shall prepare a written report on the proposal. The report shall address the extent to which the plan, as amended, is consistent with the goals established in section 4302 of this title. If the proposal would alter the designation of any land area, the report should cover the following points:

(1) The probable impact on the surrounding area, including the effect of any resulting increase in traffic, and the probable impact on the overall pattern of land use.

(2) The long-term cost or benefit to the municipality, based upon consideration of the probable impact on:

(A) the municipal tax base; and

(B) the need for public facilities.

(3) The amount of vacant land which is:

(A) already subject to the proposed new designation; and

(B) actually available for that purpose, and the need for additional land for that

purpose.

(4) The suitability of the area in question for the proposed purpose, after consideration of:

(A) appropriate alternative locations;

(B) alternative uses for the area under consideration; and

(C) the probable impact of the proposed change on other areas similarly designated.

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

The 2014 Town Plan was confirmed by the Central Vermont Regional Planning Commission as being consistent with the Section 4302 planning goals. The proposed amendment does not change the plan's approach to development patterns (Goal 1), as well as to the other goals. In addition, the Central Vermont Regional Planning Commission has found that the proposed amendment is consistent with the goals and policies of the 2008 Central Vermont Regional Plan (as amended October 13, 2015) and promote sound land development practices, natural resource protection, and energy conservation. In addition, the proposed amendment does not call for substantial changes to the zoning districts or zoning map, nor do they alter the designation of any land area.