

Montgomery Planning Commission Agenda

Special Meeting

Public Safety Building

October 12th, 2023, 6:00 p.m.

Present: Peter Locher, Barry Kade, Alissa Hardy, Joe Sherman & Gwen S.

Meeting called to order at 6:06pm

1. Additions / Deletions to the Agenda

None

2. Approval of the October 3rd 2023 Meeting Minutes

Alissa motioned to approve as written, Joe 2nd - All in favor, Approved 4-0

3. Continue Discussion of Town plan update

a. Review policies & goals for chapters 2-9 & 11

- i. See attachment A - for draft policies & goals.
- ii. General note for change: PC would like to add numbers to policies & goals. Numbers added to attachment and referenced below for clarity.
 1. Over all goals & policies summary - good
 2. Archaeological, historic and scenic resources - policies:
 - a. Change second policy point "Densely settled villages" to "villages and hamlets" and add "where appropriate for current environmental conditions"
 - b. Add "and waterways" to end of policy point #4.
 - c. Add to policies lists, implementation items ie. #5 pg.7
Typical of any implementation items as discussed in the last meeting, move to policies as needed.

3. Natural Resources - goals: #3 Change “to loss that results from flood events”
4. Natural Resource - policies: #6 wording could be made more clear
5. Housing - goals:
 - a. PC would like to add a goal & would like Emily to review for wording: New goal along the lines of “Preserve existing housing stock from being converted from traditional long-term housing into STRs”
 - b. #4 change to “conserve, restore and protect the vitality and quality of existing & previously existing neighborhoods & hamlets”
 - c. #9 change “village” to “community”
6. Economy - goal: Edit goal to add after new “environmentally sensitive” ones
7. Economy - Policies - good
8. Land use - goal: Change wording, replace “wise” with “sustainable”
9. Land use - policies:
 - a. #2 - PC would like to ask Emily if “directly adjacent to the Villages” is of significance or if we can modify the wording to include other areas in town that were once “existing neighboring or hamlets.” PC also asks if “allow” can or should be changed to “explore”
 - b. Add New Policy: inventory undeveloped scenic ridges that should be protected
10. Transportation - Goal: Change “to ensure the development of” to “to develop”
11. Community facilities and services - goals:

- a. #2 Joe proposed a change to read “to provide municipal services to meet the needs of local residents of all ages, with our undue or sudden impacts on local property taxes.” Peter motioned to approve Joe’s proposed language, Alissa 2nd - vote passed 3-0 in favor. Barry - abstained
- b. #4 change to read “provide tools”

12. Energy - goals & policies to be reviewed later

b. Review Appendix A

- i. Refer to Attachment A.
- ii. Add: Montgomery Cares for our Seniors. They offer a monthly community luncheon & bring in guest speakers
- iii. Remove: Montgomery Area Community Alliance, no longer active
- iv. Rest of Appendix to be reviewed further

c. Collection of scenic areas to list within plan (7:00pm - 7:30pm)

- i. Tabled for Next Meeting

d. Discuss future development area(s)

- i. Tabled for Next Meeting

4. Outline areas of future interest within existing By-Laws

- Alissa found the old list of by-law notes, nothing significant to add to list
- PC reviewed By Law Modernization Grant Application - Attachment B & Attachment C. Very similar to previous by-law grant application, PC believes grant will be very helpful. Alissa made a motion to submit grant application and have Peter sign & process as needed with the Select Board. Joe 2nd, all in favor. Motion passed 4-0.
- PC received an email from Winooski housing director. Winooski is working on an ordinance to regulate short term rentals. They saw Montgomery’s draft ordinance and sent thanks as they referenced it as an example to work from. PC suggested response email to Winooski housing director should note that the ordinance was shot down, and that the PC is currently upgrading the town plan to be followed by by-law changes, however PC would like to learn & stay informed of Winooski’s efforts.

5. Public comment

None

6. Other Business

None

7. Items for next meeting agenda

Meeting October 24th - agenda items:

- Review of grant applications due Nov. 1st 2023
- Discuss warning schedule for new town plan
- Review of Final draft of updated town plan
 - Energy - goals & Policies review
 - Appendix A
 - Collection of scenic areas to list within plan
 - Discuss future development area(s)

Motion to adjourn,

8:39pm Peter motion to adjourn Joe 2nd - All in favor 4-0

Meeting adjourned.

Attachments:

1. Attachment A: Chapter Goals, Policies and Appendix A
2. Attachment B: Montgomery Bylaw Mod Summary
3. Attachment C: Program-Description

CHAPTER 3. Summary of Goals and Policies

Goals and Policies

One of the most important steps in developing a Town Plan is how the recommendations in the Plan are to be implemented: goals, policies and actions to implement the plan are listed below.

When combined together, the goals, policies and actions should support the "Visions for the Future of Montgomery" set forth by the Plan in the beginning. The Town Plan should also be compatible with other plans in the surrounding communities.

Planning to address future needs and improvements can be facilitated by the development of a municipal capital plan to guide decisions typically over a five-year period. These plans can cover various topics such as detailing community-wide needs and assigning a priority to address them to the scheduling of maintenance and improvements as well as equipment replacement. Considerable expected capital expenditures are outlined in this plan. Capital funds have been established to address these expected costs; however, other creative solutions should be pursued in order to keep the local tax rate from sudden significant increases.

Planning is an ongoing process that will require the efforts of many different people. The Plan will change over time and these changes should be taken into account on how they will affect the needs of the community in the years to come. The Town should continue to encourage the involvement and input of residents addressing these goals, policies and actions.

Implementation Plan

ARCHAEOLOGICAL, HISTORIC, AND SCENIC RESOURCES

GOAL: TO RECOGNIZE THE ROLE OF MONTGOMERY'S ARCHAEOLOGICAL, HISTORIC, AND SCENIC RESOURCES IN SHAPING THE TOWN'S PRESENT QUALITY OF LIFE AND FUTURE OPPORTUNITIES

Policies

- #1 • Protect sites of potential archaeological and/or historical significance
- #2 • Promote community growth that maintains the land use pattern developed throughout the Town's history – densely settled villages separated by open agricultural and forest land
- #3 • Promote the use of historic buildings for public purposes whenever feasible
- #4 • Preserve the scenic beauty and rural character of Montgomery's ridgelines, forests, open lands, and roads

NATURAL RESOURCES

- #1 **GOAL: TO PROVIDE FOR THE LOCAL GROWTH THAT IS COMPATIBLE WITH THE TOWN'S NATURAL FEATURES INCLUDING SOILS, LANDSCAPE, WATER RESOURCES & WILDLIFE**

Deleted: Goals and policies were established for the following chapters of this Plan: ¶

- ¶ Chapter 5: Archaeological, Historic, and Scenic Resources¶
- ¶ Chapter 6: Community Facilities¶
- ¶ Chapter 7: Community Services¶
- ¶ Chapter 8: Community Utilities¶
- ¶ Chapter 9: Economy¶
- ¶ Chapter 10: Energy¶
- ¶ Chapter 11: Transportation¶
- ¶ Chapter 12: Education¶
- ¶ Chapter 13: Housing¶
- ¶ Chapter 14: Natural Features¶
- ¶ Chapter 15: Flood Resiliency¶
- ¶ Chapter 16: Land Use

Deleted: and

Deleted: It should be noted that some of the goals set forth by the Plan may take a substantial amount of time to complete. The goals may also require funding which may take time to acquire. ¶

#2 GOAL: ENCOURAGE AND FOSTER A FLOOD RESILIENT COMMUNITY

#3 GOAL: MITIGATE THE RISK FOR LOSS OF LIFE AND INJURIES THAT RESULT FROM FLOOD EVENTS

#4 GOAL: REDUCE DAMAGES TO PUBLIC INFRASTRUCTURE RESULTING FROM FLOOD EVENTS THROUGH HAZARD MITIGATION PLANNING AND PROJECT IMPLEMENTATION

Policies

- 1 • Limit development in areas where soils have limited capacity to support structures or filter wastes and in areas where the slope is greater than 15%
- 2 • Maintain natural vegetative cover to the greatest extent possible where development occurs in Conservation Districts (Conservation I and II)
- 3 • Guide development away from productive agricultural or forest soils
- 4 • Protect the water quality of the Trout River and its tributary streams by preventing erosion along their banks and encouraging reduction of stormwater and agricultural runoff and non-point source pollution
- 5 • Protect groundwater quality by regulating uses that could introduce contaminants into the ground in the source water protection areas
- 6 • Limit the loss or degradation of wildlife habitat by maintaining significant features, including wildlife corridors and unique sensitive areas or natural communities, and protecting such areas from development that would demonstrably reduce the ecological function of habitat on the landscape scale
- 7 • Development shall be designed and sited in a manner to limit the fragmentation of large blocks of contiguous forest to the greatest degree possible
- 8 • Prohibit land development resulting in the loss of wetland and floodplain storage capacity
- 9 • Recognize the collective value in preserving natural resources throughout the town and encourage good land stewardship practices among private landowners in matters of soil health, biodiversity, and water quality
- 10 • Ensure the conservation and proper stewardship of significant natural communities and forestland
- 11 • Avoid development and other encroachments – including fill, dredging, new structures, parking areas, infrastructure and utilities – within mapped river corridors
- 12 • Protect headwaters and the ecosystems they sustain from risk of degradation; to ensure high water quality, these areas shall be principally maintained for forestry and recreational uses
- 13 • Incorporate vegetated buffers from streams, rivers and ponds into Montgomery's zoning bylaws in order to better protect water quality
- 14 • Encourage flood emergency preparedness and response planning
- 15 • Where development already exists in vulnerable areas, measures shall be taken to protect people, buildings and facilities to reduce future flooding risk
- 16 • New development shall be planned for and encouraged in areas that are less vulnerable to future flooding events

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- 17 • Discourage new development in the Special Flood Hazard Area and river corridors; in areas where new development is allowed, it should not exacerbate flooding and fluvial erosion
- 18 • Encourage the protection and restoration of floodplains and upland forested areas that attenuate and moderate flooding and fluvial erosion; where feasible floodplain restoration and conserved land in vulnerable areas should be encouraged

HOUSING

GOAL: TO PROVIDE SUITABLE LAND AREAS FOR RESIDENTIAL DEVELOPMENT THAT WILL SERVE THE NEEDS OF MONTGOMERY'S CURRENT AND FUTURE RESIDENTS

Policies

- #1 • Ensure adequate housing options for people of all income levels, ages, household types, and preferences
- #2 • Ensure that households and individuals with special housing needs, including the elderly, disabled, and low-income households are able to attain suitable and affordable housing
- #3 • Allow only low-density residential housing in areas without municipal services, while promoting higher densities in parts of town with existing services or close to existing service boundaries
- #4 • Conserve and protect the vitality and quality of existing neighborhoods
- #5 • Allow for innovative housing to promote low-cost, low-impact, consolidated, and resource efficient options.
- #6 • Accessory apartments are encouraged, as they provide needed income for the homeowner and needed small apartments for residents living alone
- #7 • Affordable housing should minimize long-term living costs through high quality design, efficient construction, energy efficiency, and proximity to employment
- #8 • Encourage land use patterns which are inherently more affordable by nature of cost of efficiencies associated with construction (e.g. shorter access roads, smaller lots, proximity to utilities)
- #9 • Existing housing in the floodplain should be flood-proofed for the safety of the residents and the Village as a whole

Deleted: Promote

Deleted: and

ECONOMY

GOAL: TO FOSTER A DIVERSE AND STABLE ECONOMY BY SUPPORTING EXISTING ECONOMIC ACTIVITIES AND PROVIDING OPPORTUNITIES FOR NEW ONES

Deleted: HELPING TO ENSURE THE SUCCESSFUL OPERATION OF EXISTING ECONOMIC ACTIVITIES AND

Policies

- #1 • Support and encourage sustainable and diversified businesses that supply local and regional food needs
- #2 • Encourage businesses that complement recreation opportunities within the town
- #3 • Protect the vitality and importance of the villages as a community and regional asset
- #4 • Encourage commercial development that supplies local needs for retail, business, and

Deleted: activities to

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- personal services
- #5 • Encourage and develop resources for home occupations
- #6 • Encourage Montgomery's growing arts community
- #7 • Encourage businesses and industries that use the skills of the local labor force
- #8 • Create an attractive, safe and friendly village environment that invites and supports safe pedestrian use, community events and an active lifestyle

LAND USE

GOAL: TO MAINTAIN MONTGOMERY'S RURAL CHARACTER AND SCENIC RESOURCES BY ENCOURAGING DEVELOPMENT TO FOLLOW WISE LAND USE PRACTICES

Policies

- #1 • Maintain the character of existing neighborhoods and avoid potential conflicts between incompatible land uses
- #2 • Allow for a greater density of development in and directly adjacent to the Villages.
- #3 • Limit development on slopes greater than 15% and maintain natural vegetation on slopes
- #4 • Protect scenic ridges by limiting development above 1,600 ft. in elevation
- #5 • Steer development away from areas where soils will not support it due to shallow depth to bedrock, instability, or high water table
- #6 • Protect public health, welfare, and safety by limiting development in the flood plain
- #7 • Protect water quality by limiting development in Wellhead Protection Areas, wetlands, and along stream banks
- #8 • Conserve productive lands by accommodating development in areas apart from most farming activity
- #9 • Recognizing the community's susceptibility to flooding, new development shall conform strictly to floodplain regulations
- #10 • Promote new development in areas of existing infrastructure, such as roads, power, and water.
- #11 • Encourage sustainable agricultural and silvicultural practices to both protect the use of land and water resources, and keep a working rural landscape based on a practice of stewardship
- #12 • Avoid fragmentation of large forest blocks of contiguous forests that provide both economic opportunities for landowners as well as ecological and cultural benefits to the community, including wildlife habitat, water quality maintenance and recreation
- #13 • Promote anti-sprawl initiatives as a measure to maintain the appropriate use of our land resources
- #14 • Promote the enrollment of productive farm and forestland in the current use value appraisal program.

TRANSPORTATION

GOAL: TO ENSURE THE DEVELOPMENT OF A FUNCTIONAL AND CONNECTED TRANSPORTATION NETWORK.

Policies

- #1 • Protect the health, safety, and welfare of the traveling public
- #2 • Promote safe, convenient, economic, and energy efficient transportation systems including public transit options and paths for pedestrians and bicycles
- #3 • Promote transportation activities that respect the natural environment
- #4 • Maintain the scenic character of the Town's rural byways
- #5 • Support public transit efforts of the Green Mountain Transit Agency to increase mobility and access of Town residents
- #6 • Provide appropriate provisions for bicycle and pedestrian use on designated routes, including sidewalks, paths, widen shoulders, proper signage and pavement improvements.
- #7 • Maintain good quality, safe local roads and streets, sidewalks, bridges, and equipment needed for their maintenance.
- #8 • Recognize the link between land use and transportation and coordinate transportation improvements to facilitate and complement the desired type, location, density, and timing of local development.

COMMUNITY FACILITIES AND SERVICES

- #1 **GOAL: TO LOOK AHEAD AND PREDICT FUTURE NEEDS FOR PUBLIC FACILITIES BASED UPON COMMUNITY GROWTH AND CHANGE**
- #2 **GOALS: TO PROVIDE MUNICIPAL SERVICES, OR ENABLE OTHER ENTITIES TO MEET THE NEEDS OF LOCAL RESIDENTS OF ALL AGES WITHOUT UNDUE OR SUDDEN IMPACTS UPON LOCAL PROPERTY TAXES**
- #3 **GOAL: TO PROVIDE PUBLIC UTILITIES TO SUPPORT CONCENTRATED COMMERCIAL, AND LIGHT INDUSTRIAL DEVELOPMENT.**
- #4 **GOAL: TO CREATE A LEARNING COMMUNITY THAT WILL PROVIDE OUR STUDENTS WITH THE TOOLS FOR LIFELONG SUCCESS**

Policies

- #1 • Promote efficient and functional use of existing municipal buildings and facilities
- #2 • Provide sufficient space and facilities to carry out essential municipal functions
- #3 • Provide a gathering place for the local population to address town business
- #4 • Conserve Montgomery's recreational resources, discourage incompatible land uses, and protect the scenic qualities that contribute to recreation
- #5 • Promote recreational areas and facilities in convenient and reasonable locations for the use and enjoyment of all residents and visitors
- #6 • Promote the protection and maintenance of public recreation trails within the town on private land, including the Catamount Trail, a cross-country ski trail that runs the length of Vermont
- #7 • Provide space for gatherings, functions, and events to provide educational, social, and civic opportunities to enhance community involvement and identity
- #8 • Provide emergency services to protect the health, safety, and property of local residents

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- #9 • Provide library services to enable Montgomery residents access to information, resources, and opportunities for personal and community enrichment
- #10 • Encourage safe and affordable childcare facilities in the community
- #11 • Protect the public water supply by restricting inappropriate development in the source protection area
- #12 • Operate the Montgomery Water System in an economic manner, while providing an adequate source of good potable water for the needs of the Village and Center
- #13 • Promote the expansion of telecommunications and electric facilities provided that infrastructure to develop these opportunities shall be located in appropriate areas; respecting the integrity of residential areas, aesthetic concerns, and natural resource issues
- #14 • Provide appropriate facilities and infrastructure for a variety of academic, athletic, social, cultural and community activities
- #15 • Broaden access to educational and vocational training opportunities for all ages
- #16 • Ensure that both motorized and pedestrian access to school is safe and convenient
- #17 • Support use of town lands, facilities, and resources for broad-based educational experiences

ENERGY

GOAL: PLAN FOR INCREASED ELECTRIC DEMAND WITH THE SUPPORT OF EFFICIENCY VERMONT AND LOCAL ELECTRIC UTILITIES.

GOAL: REDUCE ANNUAL FUEL NEEDS AND FUEL COSTS FOR HEATING STRUCTURES, TO FOSTER THE TRANSITION FROM NON-RENEWABLE FUEL SOURCES TO RENEWABLE FUEL SOURCES, AND TO MAXIMIZE THE WEATHERIZATION OF RESIDENTIAL HOUSEHOLDS AND COMMERCIAL ESTABLISHMENTS.

GOAL: HOLD VEHICLE MILES TRAVELED PER CAPITA TO 2011 LEVELS OR LESS BY REDUCING THE NUMBER OF SINGLE OCCUPANCY (SOV) TRIPS, INCREASING THE NUMBER OF PEDESTRIAN AND BICYCLE TRIPS, PROMOTING FORMAL AND INFORMAL RIDESHARING AND PUBLIC TRANSIT RIDERSHIP.

GOAL: FOCUS GROWTH WITHIN AND ADJACENT TO THE VILLAGES.

Policies

- Montgomery supports energy conservation efforts and the efficient use of energy across all sectors.
- Montgomery supports the reduction of transportation energy demand, reduction of single-occupancy vehicle use, and the transition to renewable and lower-emission energy sources for transportation.
- Montgomery supports patterns and densities of concentrated development that result in the conservation of energy. This includes support of public transit connections from

Appendix A: Volunteer Community Groups

Montgomery has long been known for its strong sense of community. Its residents join together for many purposes. The following organizations are currently active in community life:

Churches

St. Isidore Church (Catholic)

Services 9:30 a.m. Sunday

Wednesday Eve Rosary 7:00 p.m., Mass 7:15 p.m.

Montgomery United Methodist Church, Inc.

Services 9:30 a.m. Sunday

Sunday School during service

Grateful Treads Mountain Bike Club

The Grateful Treads is a mountain bike and trails advocacy group based in the villages of Montgomery, Jay and Westfield, sixty members strong, and growing. TGT is busy building new trails, maintaining existing trail networks, and working with local officials and landowners to develop new opportunities for riding.

Hazen's Notch Association (HNA)

The Hazen's Notch Association is a non-profit, member-supported, conservation organization located in Montgomery. From its office at the HNA Welcome Center on Vermont Route 58, the Hazen's Notch Road, the Association serves 40 communities in northern Vermont.

The HNA was founded in 1994 to promote and engage in:

- Conservation of Forest and Agricultural Lands and Recreational Trails
- Environmental Education Programs for Schools and the Public
- Recreational Trails for Hiking, Snowshoeing, and Cross-Country Skiing
- Stewardship of Natural and Historic Cultural Resources
- Research of the Environment

The cross country ski touring center at Hazen's Notch is blessed with a topography that is ideally suited to Nordic skiing - rolling meadows, soft hills, our own 2,800' mountain and views of mountains in all directions. Forty miles of groomed and marked trails pass through 2,500 acres of mixed maple, birch and evergreen forest and across gentle, open meadows.

As a conservation land trust and environmental education center, HNA designs and manages its x-c ski trails to be in harmony with the landscape. Monthly moonlight snowshoe walks are also offered during the winter months.

The Hazen's Notch Association maintains a network of 15 miles of trails and woods roads for

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hiking in summer and fall. The trails pass through a variety of interesting habitats that include meadows, forests, orchards, and beaver ponds. Trails range from restored woods roads that have gentle to moderate grades to narrow footpaths with steep climbs.

Summer Day Camp is offered for ages 6-12, and Overnight Camp for ages 10-14 are offered in the summer. The Hazen's Notch Summer Camp has gained a reputation for excellence in developing in children an awareness and respect for the environment, outdoor skills, self-confidence, cooperation and leadership. Summer Camp programs provide healthy outdoor recreational activities designed to stimulate inquiring minds, develop friendships, and create lasting positive memories of each child's summer camp experience.

Missisquoi River Basin Association

The **Missisquoi River Basin Association** (MRBA) is an active non-profit group of volunteers dedicated to the restoration of the river, its tributaries, and Missisquoi Bay, and to the clean, healthy state they once enjoyed. We bring together diverse interest groups within the community – teachers, farmers, summer residents, loggers, business owners, environmental experts, and outdoor enthusiasts; municipal officers, woodland owners, and concerned citizens. MRBA members sit on the current Upper Missisquoi and Trout River Wild and Scenic Study Committee, that also includes appointed representatives from Montgomery and other surrounding towns.

Our activities are many and varied – from fieldwork to stabilize stream banks, and planting trees in buffer areas, to assessing stream bank conditions. We clean up trash along the banks, cost-share with farmers in a nutrient management program, lend educational tools to local teachers, and are launching a volunteer-led water sampling program.

Montgomery Area Community Alliance (MACA)

Formed in 2009, MACA is a non-profit corporation that encourages business, economic development and employment in the Montgomery / Jay Peak area. In the first few months of operation, MACA was instrumental in getting the Montgomery area registered as a major focal point for persons utilizing the Northern Forest Canoe Trail.

This group is currently inactive. For more information please call 802-326-4306.

Montgomery Conservation Commission

The Montgomery Conservation Commission's mission is to "To promote land as a community to which we belong". The Commission has five principal functions as described below.

- **Inventories** - The Commission may prepare and maintain an inventory of the natural resources of the Municipality.
- **Land Acquisition** - The Commission may, on the basis of the inventories or other appropriate study, recommend to the legislative body the purchase of, or the receipt of as a gift, specific land and/or property rights (including easements) or other property for the purposes set forth in Article II of the Commission's bylaws.
- **Land Management** - The Commission shall exercise stewardship responsibility for properties and/or rights acquired by the Municipality for conservation purposes.
- **Public Presentation** - To the extent permitted by law, the Commission may represent the

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public interest in any matter which it determines may have a significant impact on the natural or social resources of the Municipality.

- **Education and Information** - The Commission shall be responsible for the conduct of educational activities pertaining to local natural and social resources.

Montgomery Covered Bridges Garden Club

The Covered Bridges Garden Club is organized for charitable and educational purposes to further our knowledge of all aspects of gardening and use our knowledge and industry in our homes and community, and to encourage an interest in gardening and good environmental practices.

Community projects include maintaining the Historic Garden at the Montgomery Village Green and the Town Library Garden, planting the Flower Barrels and Bridge Flower Boxes in the Village and the Center, supporting the Junior Gardeners Program at Montgomery Elementary and sponsoring the August Harvest Fest.

The Covered Bridges Garden Club is a member of the Federated Garden Club of Vermont and the National Garden Clubs.

Montgomery Historical Society

The Society is located in Pratt Hall, a former Episcopal church (built in 1835), which houses its collections of photographs, albums, tools, and items of local interest. The Society's mission is to:

- Preserve Pratt Hall, artifacts, structures and memorabilia of historical interest
- Provide a venue for local exhibits and artisans to share their talents
- Sponsor programs that assist in preserving town history and cultural events
- Award scholarships to students on an annual basis

The Society maintains and preserves the church which is used for a variety of community programs. Activities include historical speakers, programs, summer concerts, art shows, exhibits, an annual Christmas carol, and a scholarship program. Pratt Hall is renowned for its stained glass windows and is also made available to the community for wedding ceremonies and memorial services. The society was formed in 1974 and is open to all upon payment of the annual dues.

Montgomery Town Association

The mission of the MTA is to work toward preserving the former First Baptist Church building while simultaneously moving toward having the Church property converted to the general use and benefit of the community at large.

Montgomery Quilting Circle

Everything about quilts for quilt lovers of all ages, beginners to expert. Meet at the Public Safety Building Conference Room. Meet every second Thursday of the month at 6:30 p.m. Small fee per meeting.

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Riverwalk Community Garden

In the spring of 2010, at the request of community members, the Town Selectboard agreed to dedicate a portion of land at the bottom of West Hill to a community garden.

Several volunteers agreed to serve on the initial board and as of this writing plans are underway to develop 12 plots for local residents who wish to grow fresh vegetables. The plan is to be as organic as practicable.

Bylaw Modernization Grant

The average home purchase price in Montgomery has more than doubled in the last four years. At the same time, there has also been increasing awareness that much of Montgomery's existing housing stock is located in or adjacent to floodplains and river corridors, making it at risk in future flood events. In the midst of these events, there has been significant work to expand public wastewater service to the Villages, a project that could result in more housing growth. There is a need to complete an in-depth review of Montgomery's bylaws around housing to ensure that the bylaws are supporting needed growth. This project proposes to review and update the zoning bylaws to support housing choice and affordability.

The proposed project has two main focus areas, identifying areas to expand the village zoning districts and clarifying regulations around short-term rentals. The first step of the project will be to conduct a constraints analysis of existing development constraints in and adjacent to the Village Districts. Based on this analysis and desired build-out pattern, the consultant and Planning Commission will work to determine what additional area, if any, is necessary to permit further housing growth in Montgomery's Villages while preserving natural resources. The municipalized housing target developed by the Northwest Regional Planning Commission will be used to guide decisions on the appropriate amount of developable area. Draft changes to the regulations will further address housing dimensional standards and short-term rentals to reduce barriers to housing affordability. A public workshop will be held to receive public input and feedback on these zoning changes.

The goal of this project is to support additional housing growth and prepare for the potential development that a public wastewater system may allow. This project will expand upon the Town's work as part of the bylaw modernization consortium in identifying possible changes to dimensional standards, as well as the goals and policies identified as part of the major Town Plan update currently being completed.

Option- Neighborhood Designation Area (NDA): Neighborhood designation areas are an additional state designation that can be applied to selected land within ¼ mile of an existing Village Center designation. An NDA designation requires certain standards be met, including that zoning must allow for four unit per acre, Complete Streets standards, and building siting standards. Areas with NDA designation have certain Act 250 exemption, reduction in certain development fees/taxes, and priority consideration for state grants. NDA designation is more complex than Village Center designation and involves significant mapping effort. If the Town is interested in NDA designation, included is an additional workplan step that could be added to the grant. NDA designation would likely make the most sense if there is potential for wastewater infrastructure to extend beyond the Village Center designation boundaries.

	Task Name	Task Description	Hours	Rate	Total
1	Village Constraints Analysis	Conduct an analysis of existing constraints to development in and adjacent to the Village 1 and Village 2 districts, with particular focus on flooding risk and agricultural soils.	70	78	5460
2	Update Zoning Districts	Consider appropriate areas to expand Village Districts to support additional housing growth, including a consideration of sufficient development area to meet the municipalized housing target developed by the Regional Planning Commission.	20	78	1560
3	Public Outreach	Hold a public workshop to review potential changes to the zoning districts and zoning changes to support housing.	20	78	1560
4	Update Zoning Bylaws	Update zoning bylaws with a focus on barriers to housing in the Villages including dimensional standards & regulation of short-term rentals.	100	78	7800
			210		\$ 16,380.00

NDA Designation Option

	Task Name	Task Description	Hours	Rate	Total
	Neighborhood Development Area Designation Application	Complete application and mapping requirements associated with Neighborhood Development Area designation application.	30	78	\$2,340

FY2024

Bylaw Modernization Grant

Program Description & Guide



Community Planning + Revitalization
Vermont Department of Housing and
Community Development
August 2023

Program Overview

In fiscal year 2024 (July 1, 2023– June 30, 2024)¹, the Vermont Department of Housing and Community Development (DHCD) has funding to grant to municipalities for land use, development, and zoning bylaw updates in support of a pedestrian-oriented development pattern that increase housing choice, affordability, and opportunity in areas planned in accordance with Vermont’s smart growth principles ([24 V.S.A. §2791](#)). This funding is intended to help municipalities confront the State’s housing shortage and ready areas for new housing investments.

Eligible Municipalities

For the purposes of the Bylaw Modernization Grant, a municipality is defined by [24 V.S.A. §4303\(12\)](#). Under this definition an incorporated village is not considered a separate municipality unless the village adopts its own plan and one or more bylaws either before, concurrently with, or subsequent to such action by the town.

Municipalities may submit an individual application for a maximum of \$25,000 or apply with other municipalities as part of a multi-town application. Regional planning commissions may submit multi-town grant applications as an agent for and on behalf of member municipalities. Multi-town applications are eligible for grants up to a maximum of \$60,000 based on a minimum number of participating towns (see details below). All successful applicants are required to provide a minimum cash match of 10%, which will be forgiven for all bylaw modernization projects where bylaw amendments are adopted prior to grant closeout.

A municipality may apply for Bylaw Modernization Grant funding in addition to a recent or fiscal year 2024 [Municipal Planning Grant](#), if there is demonstrated capacity to complete both projects. Municipal Planning Grant applications are also due November 1, 2023.

Grant funds will be available statewide. Geographic and regional balance will be strongly factored into awards. Funding decisions will be made by the DHCD Commissioner based on the criteria listed later in this guide.

Grant Timeline

Bylaw Modernization Grant projects must be completed within 24 months. The grant term will be January 1, 2024 – December 31, 2025. No time extensions will be granted.

- September 30, 2023: deadline for RPC-confirmed planning process
- **November 1, 2023: application deadline, 6 p.m.**
- December 2023: award decisions
- January 1, 2024: grant term begins
- January 1, 2025: mid-project report due
- December 31, 2025: project completion and all funds spent
- January 31, 2026: final report and products submitted

Eligible Applicants

Single Municipality

Individual municipalities with a confirmed local planning process by the regional planning commission (RPC), including an unexpired Municipal Plan, on or before September 30, 2023, are eligible to apply. To be confirmed, a locally adopted plan must be approved by

¹ Act 182§28 <https://legislature.vermont.gov/Documents/2022/Docs/ACTS/ACT182/ACT182%20As%20Enacted.pdf>

the regional planning commission, and the municipality must maintain efforts to provide local funds for municipal and regional planning purposes as required by [24 V.S.A. §4350](#). Applicants can verify the plan date on the [municipal planning data center](#).

All applications require approval of the municipal governing body and planning commission by resolution. Municipalities may not receive funding if they are suspended or debarred by the Federal or State Government; delinquent in submitting their subrecipient annual reports; or delinquent in submitting their single audit reports (if required).

Multi-Town Application

Two or more municipalities may apply jointly, with one lead municipality serving as the grant's fiscal agent and grantee. RPCs may submit the grant application as an agent of and on behalf of eligible member municipalities as part of a multi-town grant application (see agent status under consultant selection below). Multi-town applications are eligible for the maximum funding amounts as shown below. The multi-town application must recommend a common project approach that supports efficiencies across municipalities.

Minimum Number of Participating Towns	Maximum Multi-Town Grant Amount
2	\$35,000
3	\$40,000
4	\$45,000
5	\$50,000
6	\$55,000
7	\$60,000

All municipalities in the multi-town application must have a confirmed planning process, and each municipality must submit a separate resolution form in support of the project. No member of a multi-town application may apply for an individual bylaw modernization grant the same year.

Funding Amounts & Match

This grant requires a 10% cash match with an identified source of funds in the application.

The minimum required cash match will be forgiven for all municipalities whose bylaw amendments are adopted prior to grant close out.

Individual Municipality Application

Single municipalities may apply for a grant of any amount between \$2,500 and \$25,000 with a minimum local cash match requirement of 10%, based on the total project cost.

Multi-Town Application

A group of municipalities may apply for a multi-town grant of any amount between \$2,500 and \$60,000 with a minimum local cash match of 10%, based on the total project cost. The minimum required match will be proportionally and evenly forgiven for all bylaw

modernization projects adopted prior to grant closeout, based on the number of participating municipalities (see example below).

Match Forgiveness

Below are examples showing how the required cash match and match forgiveness work.

Application Type	Grant Award	Town Matching Contribution (10%)	Total Project Cost	Total Reimbursement Paid to Municipality at Closeout	
				Bylaw is adopted by closeout (Grant + Match)	Bylaw is not adopted by closeout (Grant only)
Single Municipality	\$25,000	\$2,778	\$27,778	\$27,778	\$25,000
Multi-Town (7-town example)	\$60,000	\$6,667	\$66,667	\$66,667	\$60,000
<i>Total Reimbursed if 5 out of the 7 towns adopt bylaws by closeout: (Grant + 5/7th of the Total Matching Contribution)</i>				\$64,734	

Municipalities whose bylaws **ARE NOT** adopted prior to closeout will NOT have the required 10% cash match reimbursed at grant closeout.

Matching Funds

Any source of **cash** match funds may be used: federal, other state grants, municipal, private, non-profit, or regional planning commission. Projects that demonstrate financial partnership with outside organizations or propose a local match that exceeds the minimum required match amounts are considered to have higher levels of community need in the competitive criteria (shown below).

In-kind contributions or contributions of staff or others' time cannot be offered as a match. Documentation of total project expenditures, and proof of payment by the municipality, including grant and match funds, is required at the close out of the grant. If a project is completed with less than the total project cost expended, the grant award and required match funds will be proportionately reduced.

Application Type	Min. Grant	Max. Grant	Min. Match
Single Municipality	\$2,500	\$25,000	10% of total project cost
Multi-Town	\$2,500	\$35,000 - 60,000	10% of total project cost

Municipalities seeking funds for large, multi-year projects are encouraged to separate projects into related, stand-alone phases, each with a defined product. You may apply for subsequent grants through the Municipal Planning Grant Program to complete later phases (See *Single Project Scope Requirement* below).

DHCD reserves the right to award less than the amount requested, based on the availability of funds or scope of work.

Eligible Activities

Funds *may* be used to:

- Underwrite expenses for public meetings and hearings, informational workshops, citizen surveys, outreach, and notification costs.
- Provide accommodations and incentives for under-represented and lower-resourced people impacted by the project to participate in surveys, focus groups, or events; these could include accommodations like event childcare, translation services, or transportation reimbursement.
- Support research, data collection, capacity studies, inventories, and mapping.
- Pay consultants, interns, regional planning commission staff, or legal fees associated with the project.
- Purchase materials needed to produce a bylaw or implement or administer the project -- like writing supplies, maps, and copies.
- Conduct other non-prohibited activities.

Funds *may not* be used to:

- Support political activities.
- Support projects incompatible with the Regional Plan.
- Pay regional planning commission dues.
- Reimburse expenses incurred before the grant is awarded.
- Subsidize tax mapping (see *Mapping Requirements* below).
- Pay municipal officials or municipal staff.
- Capitalize a “reserve” fund for use beyond the grant period.
- Purchase computer hardware, software licenses or subscriptions, or other equipment not related to a specific grant funded planning event.
- Pay for the cost of administering the grant (such as municipal or regional staff time for documenting grant expenditures and submitting the progress report and close-out).
- Support plans, bylaws, and policies that violate the State or Federal Fair Housing Act. Fair housing training is available to all grantees and is encouraged for projects relating to housing and/or revisions to zoning bylaws. Please contact Shaun Gilpin, Housing Policy Specialist at shaun.gilpin@vermont.gov if you are interested in training opportunities.

Mapping Requirement

- All GIS mapping must follow applicable [VCGI data guidelines or standards](#).
- Parcel mapping projects may not be funded through this program.
- Any new GIS data layers created as a result of the project will need to be submitted via the [GIS Data Submission Online Intake Form](#) at closeout.

Single Project Scope Requirement

These grants are limited to projects with a singular and well-defined focus, even if the proposal is part of a larger project. If multiple products or separate consultant projects are proposed for these funds, the application *may* not meet the single project scope requirement. This finding will result in a lower score and only one of the projects will be funded if a grant is awarded. Applications for parts of larger projects must identify this in the application and explain any funding or sequencing dependencies.

Coordination with State Agencies

Some local regulatory projects require coordination with State agencies that have planning and regulatory authority. For projects where State authority can be anticipated (such as projects that regulate setbacks from State highways or plan community septic systems), applicants must identify the relevant agencies as project partners and stakeholders and include a task for coordinating with that agency in the work plan. Applicants are also encouraged to review the work plan with any such agency and include comments from the agency as an attachment to the application.

Project Eligibility

All grant-funded projects must:

- ☐ Increase housing choice, affordability, and opportunity in areas planned for pedestrian-oriented smart growth, which may include areas within and adjacent to [State designated areas](#).
- ☐ Consult Vermont Housing Finance Agency's [community housing profile](#) and [housing-ready toolbox](#).
- ☐ Consult the [Enabling Better Places: A Zoning Guide for Vermont Neighborhoods](#).
- ☐ Consult the [Neighborhood Development Area](#) designation checklists as a model for pedestrian-oriented smart growth neighborhoods, as appropriate.
- ☐ Identify municipal water and wastewater disposal infrastructure, municipal water and sewer service areas, and the constraints on that infrastructure based on the best available data;
- ☐ Increase allowed housing types and uses, which may include duplexes, to the same extent as single-family homes;
- ☐ Include parking waiver provisions in areas planned for smart growth consistent with smart growth principles [as defined in section 2791 of this title](#) and as appropriate;
- ☐ Review and modify street standards that implement the complete streets principles as described in [19 V.S.A. § 309d](#) and that are oriented to pedestrians
- ☐ Reduce nonconformities by making the allowed standards principally conform to the existing settlement within any area designated under chapter 76A of this title and increase allowed lot, building, and dwelling unit density by adopting dimensional, use, parking, and other standards that allow compact neighborhood form and support walkable lot and dwelling unit density, which may be achieved with a standard allowing at least four units per acre or allowing the receipt of a State or municipal water and wastewater permit to determine allowable density or by other means established in guidelines issued by the Department;
- ☐ Restrict development of and minimize impact to important natural resources, including new development in flood hazard areas, undeveloped floodplains, and river corridor areas, unless lawfully allowed for infill development in §29-201 of the [Vermont Flood Hazard Area and River Corridor Rule](#);
- ☐ Update the municipal plan's housing element, if needed and as provided in subdivision [4382\(a\)\(10\)](#) of this title related to addressing lower- and moderate-income housing needs, and implement that element of the plan through the bylaw amendments; and

- ❑ Comply with State and Federal Fair Housing Act, including the fair housing provisions of Vermont's Planning and Development Act.

Vermont's Smart Growth Principles

(13) "Smart growth principles" means growth that:

(A) Maintains the historic development pattern of compact village and urban centers separated by rural countryside.

(B) Develops compact mixed-use centers at a scale appropriate for the community and the region.

(C) Enables choice in modes of transportation.

(D) Protects the State's important environmental, natural, and historic features, including natural areas, water quality, scenic resources, and historic sites and districts.

(E) Serves to strengthen agricultural and forest industries and minimizes conflicts of development with these industries.

(F) Balances growth with the availability of economic and efficient public utilities and services.

(G) Supports a diversity of viable businesses in downtowns and villages.

(H) Provides for housing that meets the needs of a diversity of social and income groups in each community.

(I) Reflects a settlement pattern that, at full build-out, is not characterized by:

(i) scattered development located outside compact urban and village centers that is excessively land consumptive;

(ii) development that limits transportation options, especially for pedestrians;

(iii) the fragmentation of farmland and forestland;

(iv) development that is not serviced by municipal infrastructure or that requires the extension of municipal infrastructure across undeveloped lands in a manner that would extend service to lands located outside compact village and urban centers;

(v) linear development along well-traveled roads and highways that lacks depth, as measured from the highway.

Competitive Criteria

DHCD will use a set of competitive criteria to score and rank applications meeting the eligibility requirements. Grants are awarded based on the application score, the amount of grant funds available, and geographic equity. Applications scoring at or below 50 points will not be funded. The DHCD Commissioner reserves the sole right and responsibility to allocate grant funding.

Competitive Criteria Scoring Summary	Points
Community Need	25
Project Approach & Budget	25
Priority Locations	25
Public Outreach	25
TOTAL	100

Community Need

Projects that identify a clear commitment to meet the project eligibility requirements and thoroughly explain the community's housing goals, need, and urgency will be most competitive. Refer to the community profile on housingdata.org.

Project Approach & Budget

Successful applications and projects focus on the work plan and budget. Competitive approaches will demonstrate that the project is realistic for a 24-month period, effectively sequenced, and reflects proactive public outreach.

Priority Locations

As a location-based grant, applications that target bylaw modernization in the following eligible smart growth areas will be most competitive.

- ✓ High-demand housing markets with limited affordability and cost-burdened households
- ✓ Projects that relate to state designated areas in accordance with [24 V.S.A. Chapter 76A](#)
- ✓ Redevelopment-ready and infill-ready areas served by unconstrained water and wastewater
- ✓ Projects that relate to areas likely to result in near-term housing development
- ✓ Projects that relate to areas eligible for [Neighborhood Development Area \(NDA\)](#) designation (also known as 'neighborhood planning' areas mappable on [Vermont's Planning Atlas](#))
- ✓ Municipalities that will use this funding to prepare for and pursue [NDA designation](#)

Public Outreach & Project Partnership

Planning projects are more successful when:

- There is sustained public outreach throughout a project;
- There is clear community support at the outset; and
- They are done in partnership with organizations outside the municipal government.

Competitive applications will demonstrate how the project's design and process will outreach to the broader public and stakeholders. This includes any necessary coordination with relevant State agencies *as well as* underserved, historically discriminated against, under-represented, cost-burdened, and lower-resourced populations in the community. The most competitive applications will include effective

ways to integrate the participation of and meet the needs of diverse stakeholders impacted by the project.

Zoning can have the effect of excluding and segregating populations. Equity-oriented projects that measure and consider ways to overcome disparities, income segregation, cost-burdens, or unfair impacts to certain populations will be more competitive.

Application

The fillable PDF application is available on the [Bylaw Modernization Grant](#) webpage. Applications will be submitted by email.

Grant Awards and Administration

Applicants will be notified of award decisions via email in December.

In the event of partial funding, applicants are asked to submit a modified work plan and budget. Grant agreements and requisition invoice forms will be sent to each successful applicant after awards are announced. Completion and submittal of these requisition forms will be required for payment.

Granting term – January 1, 2024 – December 31, 2025.

Grant payments and reporting requirements are as follows:

- **First Payment** – Upon execution of the grant agreement, a requisition may be submitted for an advance payment of 40% of the award amount.
- **Second Payment** – Mid-project progress reports are due January 1, 2025. Requisition for 30% of the award may be submitted along with a progress report, including specific reporting requirements.
- **Third, or Final Reimbursement** – Up to 30% of the award is made on a *reimbursement basis*, after a successful grant closeout.
- **Close out Documentation Requirements** – The reimbursement is made when the following information is submitted, reviewed, and approved by the Department.
 - **Final Project Report** – the report shall be written on a form provided by the Department.
 - **Final Product** – copies of any final products, as detailed in Attachment A of the Grant Agreement. The final product must include evidence that the Bylaw Modernization Grant program, administered by the Department of Housing and Community Development, is credited for funding on the product itself.
 - **Financial documentation** – including a summary ledger to accurately maintain financial records throughout the grant period, and
 - Copies of all invoices and receipts for all project expenditures, including match funds, and one of the following:
 - Copies of all canceled checks, or
 - A detailed transaction report which includes: date, recipient, check number, and amount. The report must be signed and certified by the Treasurer as true and accurate.

- Canceled checks or detailed transaction reports **must** demonstrate that all invoices have been paid by the municipality.
- **GIS Work** – If GIS work was done with grant funds, and if new data layers were created, please confer with the consultant and have them submit the new data layers via the [GIS Data Submission Online Intake Form](#).

While grant activities, and all costs associated with the project, must be completed by December 31, 2025, grantees have up to one month after that date to assemble a final report. Final reports must be submitted no later than January 31, 2026.

Purchase of goods and services through the grant must conform with the procurement requirements defined in [Attachment D to the Grant Agreement](#). In most cases, consultants must be selected through a competitive process.

All final products and public communication must acknowledge funding from the Bylaw Modernization Grant Program, administered by the Vermont Department of Housing and Community Development.

Amendments

Minor alterations to the work plan or the approved budget may be allowed but only upon request and approval from DHCD. Substantial alterations are not allowed, and the final product must remain the same.

No time extensions are offered. Projects that cannot be completed within the grant period under the terms of the grant agreement will be rescinded.

Consultant Selection

The rules for consultant selection are detailed in the grant agreement's procurement provisions (see [Attachment D of the Grant Agreement](#)).

Pre-Application Process

Consultants may be selected before the application is submitted. If a municipality engaged in a competitive procurement process while developing the grant application and selected a contractor at that time, there is no requirement to re-open the selection process if the grant is awarded, provided the scope of work remains substantially similar to what was in the contractor's proposal.

Simplified Bid Process

For contracts up to and including \$10,000, the grantee is required to obtain price or rate quotations from a reasonable number of sources, but no less than two, and maintain a record of the same in its files.

Competitive Bid Process

For contracts more than \$10,000, the grantee is required to use a competitive selection method, soliciting from an adequate number of sources. A Request for Proposals (RFP) or

Regional Planning Commission as Agent

For rural towns with a population of less than 2,500 as defined in [24 V.S.A. §4303\(25\)](#), the regional planning commission may serve as an agent of the town for the Bylaw Modernization Grant.

The agent is expected to prepare the application, support grant administration and will be exempt from competitive selection if serving as a project consultant, but the municipality must remain the financial administrator.

RPCs may also serve as the agent for any multi-town group, including rural and non-rural towns.

Request for Qualifications (RFQ) should be broadly publicized to permit reasonable competition. The grantee must maintain records in its grant file to document how the decision was made.

Exceptions to Bid Process

If the grantee is a “[rural town](#)” or a multi-town group (which may include rural and non-rural towns) and has identified the regional planning commission as its agent in the application, the simplified bid and competitive processes for hiring the regional planning commission are not required.

Consultants working on an earlier phase of a multi-phase project may be re-selected for the project phase funded by the Bylaw Modernization Grant to maintain continuity between phases with approval by DHCD.

Information

<https://accd.vermont.gov/content/bylaw-modernization-grants>

Program Staff

Jenni Lavoie

DHCD Grant Specialist

802-828-1948

jennifer.lavoie@vermont.gov

Jacob Hemmerick

Planning & Policy Manager

802-828-5249

jacob.hemmerick@vermont.gov