

# Bennington County Regional Commission

July 2021



Shires Housing Project in Bennington

# Regional Housing Bylaw Survey



Municipal analyses and recommendations to  
enhance opportunities for housing development



Downtown Manchester

# About

The Bennington County Regional Commission (BCRC) surveyed existing housing regulations in downtown and village center areas of 17 member municipalities and recommended specific bylaw updates to help each community achieve goals for development of more quality, diverse housing. The study was undertaken in 2020-2021 with the support of a Municipal Planning Grant from the Vermont Department of Housing and Community Development.



## Introduction

Overview of strategies for supporting new housing development.



## Municipal Analyses

Municipal profile, assessment of current regulations, and ideas for regulatory and non-regulatory actions.

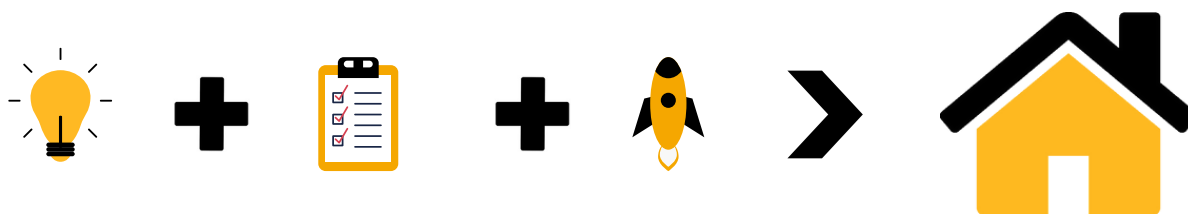


## Housing Statistics

Housing statistics tables summarizing state, regional, and municipal data referenced in this report.



# Introduction



**This report from the BCRC provides ideas and specific recommendations to improve housing opportunities in each member municipality. Towns and villages are well-positioned to translate these ideas to lower barriers and advocate locally for housing.**

## Background

The need to effectively plan for the development of new housing in support of the smart growth objectives laid out in both the Vermont Planning and Development Act (Title 24 VSA Chapter 117) and the Bennington County Regional Plan is apparent in light of recent demographic trends, workforce shortages, and a desire to maintain the vitality of historically important community assets. The population decline observed in many of the towns in the region can only be reversed if there is an adequate supply of quality housing to meet the needs of current and prospective future residents. The location of that housing is particularly important, because greater densities of residential development in and in close proximity to mixed-use downtowns and village centers supports local businesses, promotes healthy physical activity, reduces the cost of providing municipal services, and conserves energy, especially by reducing reliance on auto-centric travel.

Land use planning at the municipal level can help promote good new housing development and certainly shouldn't impede it. While both regulatory and non-regulatory actions can support good development, this report will focus primarily on municipal land use regulations. All of the towns and villages in the region have had comprehensive plans that include land use elements for at least 50 years and most have had zoning and other land use controls in place for nearly as long (some even longer). The age of some of those regulations may, in fact, present some challenges in light of current conditions and needs. The Vermont Agency of Commerce and Community Development



Peru Village Center

recently partnered with the Congress for New Urbanism to develop a report, *Enabling Better Places, A Zoning Guide for Vermont Neighborhoods*, that explores some of these issues and offers suggestions for modernizing regulations. This report uses that Zoning Guide to provide the basis for a review of municipal zoning districts and regulatory provisions affecting housing development in and around compact mixed-use centers.

The region’s municipalities first developed their land use plans and regulations, many with the support of the BCRC and a planning consultant who prepared a set of model bylaws for the purpose. Land use philosophy at that time was premised on the concept of “Euclidean zoning” that focused on the separation of dissimilar uses (i.e., keeping commercial, residential, and industrial uses separate in distinct “zones”). Moreover, with a lack of public water or wastewater systems in many communities (a situation that persists to this day) and a lack of effective state water quality regulation and oversight at the time, relatively low densities were recommended for many of these areas in an effort to indirectly protect public health through land use restrictions. Finally, early zoning standards tended to be relatively uniform, applying similar setbacks, building coverage, and parking requirements regardless of geographic context.



The review of each set of municipal land use plans/regulatory standards presented in this report is intended to offer observations and suggestions based on a general application of the modern zoning principles set forth in the Enabling Better Places Guide. Of course, all of the municipal bylaws have been updated since originally adopted, and several recent comprehensive rewrites, in particular, match or even exceed the Guide's efforts to promote innovative approaches for encouraging higher density housing and mixed-use development in community centers. Many of the local regulatory documents, however, having been updated only sporadically over the years, retain outdated standards and a number are either internally inconsistent or at odds with some of the planning goals expressed in their comprehensive plans. It also is important to note that some of the concepts for reform and specific amendment ideas are only realistically achievable when supported by nonregulatory actions such as improved infrastructure options.

The topics covered in the Enabling Better Places Guide cover the following topics: Dimensional Standards, Parking, Allowable Uses, Street Standards, Accessory Dwelling Units, and the Development Review Process. This report



begins with a brief overview of these topics and some of the common issues that present themselves in many of the municipal zoning regulations in our region. The main body of this report includes a short description of each town and village, their overall land use plan and zoning districts relevant to this discussion, and observations on regulatory and nonregulatory changes that may provide useful direction for local officials. While the report's recommendations are in no way prescriptive, they may serve as a way to begin discussions about future amendments or other actions that affect local housing development and related land use issues.

### **Dimensional Standards**

Dimensional standards pertain to the physical size and spacing of buildings and structures on a lot. An important first consideration is the consistency (or inconsistency) of the dimensional standards with the actual built environment of the subject zoning district. If there are significant variances between the regulations and existing buildings that reflect the predominant historical development pattern of the area, revisions to better align the standards are likely needed.

Another key consideration, and one that should be looked at in many local bylaws, is the way that permitted development density is handled. Minimum lot sizes should be assessed to determine if they are appropriate for a village or high-density residential neighborhood setting. In addition, many old zoning regulations required additional lot area for each principal use or dwelling unit (i.e., x square feet for each commercial unit and for each individual dwelling unit). For example, if this restrictive approach were applied, a single mixed-use building located in a village center (assuming a with a ¼ acre minimum lot size requirement) having a small retail store and a separate professional office on







the first floor, and two apartments on the second floor, would require two full acres of land. If the desired land use character involves buildings on  $\frac{1}{4}$  acre lots, it would be more appropriate to allow all of those uses in the building on that  $\frac{1}{4}$  acre lot, provided, of course, that state requirements/permits for water supply and wastewater disposal are obtained or connections to public systems are available.

In these areas, there also is rarely any cause to complicate the development process or to restrict development density by requiring consideration of constraints such as steep slopes or other “undevelopable” land. Removing those areas from density calculations or prohibiting site modifications in those areas can reduce the number of units that can be accommodated, restrict the provision of necessary site amenities such as parking and driveways, or even render an otherwise prime development site in a village center unusable. Reliance on engineering and construction practices to avoid or mitigate environmental damage is generally preferable to regulations that restrict development even when accepted site development practices are followed.

## Parking

In addition to being expensive to build and maintain, parking spaces occupy precious space in village centers and downtowns that could be used for more highly valued uses, such as active commercial space, housing, or green space. With an emphasis on “walkable” community centers, especially in some of the region’s larger villages and downtowns, fewer cars are needed or desired, so regulation should be reviewed to ensure that required numbers of parking spaces are not far in excess of actual parking demand. A BCRC study of parking areas in the center of Bennington, for example, found that paved parking covered more land than any other use and that, at any one time, the majority of parking spaces were vacant. (Bennington has amended its land use regulations to significantly relax on-site parking requirements!)

The location of required parking also is an important consideration in site planning and permitting. The availability of on-street parking and any public parking lots may be considered, subject to appropriate constraints, as meeting some of the requirements for a new development or redevelopment of an existing building. Requiring that on-site parking areas be located behind buildings not only improves the appearance of the streetscape, but also ensures that valuable street frontage is available for buildings and landscaped public spaces and sidewalks.

Regulations also can consider the fact that parking demand for different uses vary by time of day and week and can use that rationale for allowing more shared parking spaces (and thus fewer overall parking spaces). Some bylaws and development review boards have even made allowances for bicycle parking facilities to replace one or more vehicle parking spaces.



Downtown Bennington



## **Allowable Uses**

It is important to allow a variety of uses in compact community centers (i.e., “mixed-use” areas and developments). A useful first step in recognizing this fact is to consider renaming these land use and zoning districts as “village centers” and “downtowns” as opposed to “commercial” and “business districts,” which imply a focus on single type of use. Allowing a broad diversity of uses in these areas makes it easy for people who live there to access goods, services, and jobs by walking or biking, and simplifies deployment of public transit services. It also fosters a sense of community as people interact in a variety of ways over the course of a day.

A mix of uses should be allowed not just within the district, but also within an individual lot or building. Moreover, in central areas, there are opportunities to accommodate multiple residential units in a single building; many bylaws limit residential structures to one, two, or three families, but if the building size and appearance is consistent with the desired character of the area (and water and wastewater needs are met) there often is a good opportunity for allowing four or more residential units in a building.

## **Street Standards**

The design and maintenance of public streets and rights-of-way are largely the responsibilities of local and state governments, although there are times when good regulations can significantly impact the function of these spaces and their ability to support desirable development. Low-cost design alternatives available to municipalities include provision of on-street parking in village centers whenever possible, limiting lane widths and “turning radii” to promote safe and accessible walking routes, and generally creating a more people-oriented public space between buildings. Any new public transportation project or improvement should always adhere to “complete streets” principles, recognizing and respecting the needs of all users of the highway system.

Development regulations and site plan reviews should consider opportunities for creating connections between streets and between lots and parking areas. Carefully designed connections for vehicles and pedestrians can reduce vehicle traffic and congestion and reduce the amount and cost of infrastructure maintenance.



### **Accessory Dwelling Units**

For a number of years, Vermont has required that municipal zoning regulations allow accessory dwelling units (ADUs) anywhere that a single-family home is allowed. Most municipal zoning regulations now contain explicit provisions for ADUs, many using the minimum standards established in statute. It is important to ensure that either the owner of the property or a tenant can occupy the ADU – a particularly useful consideration for homeowners wanting to downsize and “age in place” while opening up attractive rental opportunities for younger residents and families needing more space. Regulations also can include dimensional standards less restrictive than the minimum statutory requirements, thereby allowing for greater flexibility and the potential to accommodate people with different space needs. Because many village center and downtown areas are expected to allow for multi-family dwellings, ADU provisions are likely to be most impactful in adjacent residential neighborhoods.

### **Development Review Process**

The development review process is important to ensuring that good development that advances municipal goals and is consistent with land use policies can proceed. The review process itself should be structured to be straightforward, minimize uncertainty, and avoid unnecessary cost. A first step is to ensure that uses that are allowed in a particular zoning district are clearly identified; it is not



necessary to be overly narrow in defining uses, but definitions should make clear the types of uses included in each general category.

In the past, many municipal land use regulations categorized a relatively large number of uses as being “conditionally permitted,” subject to meeting a range of general and specific criteria. Unfortunately, such designations lead to both uncertainty and to prolonged reviews and an increased potential for legal challenges. Whenever possible, bylaws should limit the number of uses designated as “conditional” and instead provide clear criteria for permitted uses to ensure that those developments meeting the standards can be permitted and developed in a more straightforward way.

Review procedures also should limit unnecessary steps such as preliminary site plan reviews by one board followed by conditional use approval by a separate board. Consolidating the reviews under one board with clear standards for site and building designs can save time and money. When standards are clearly enumerated, a preliminary review by the Zoning Administrator can usually provide enough certainty as to the completeness of the application while identifying issues that are most likely to be the subject of discussion at the board review. Lengthy architectural standards can also complicate and extend the review process. While it is important to provide for a preliminary review by an advisory board, such as a design review board, for projects in designated historic or design review districts, many projects should just be subject to review of the most essential elements of good design such as the placement of buildings on a lot, the location of entryways and parking areas, and the amount of glazing (transparent windows) facing public ways.

One way to streamline the review process while still ensuring that community objectives are realized by new developments is to adopt some level of “form based standards,” which emphasize the appearance of a building/site over the nature of the use. Clearly expressed, and ideally, illustrated, design standards can reduce uncertainty and streamline the review process while ensuring that new developments enhance the streetscape and relate well with nearby properties.

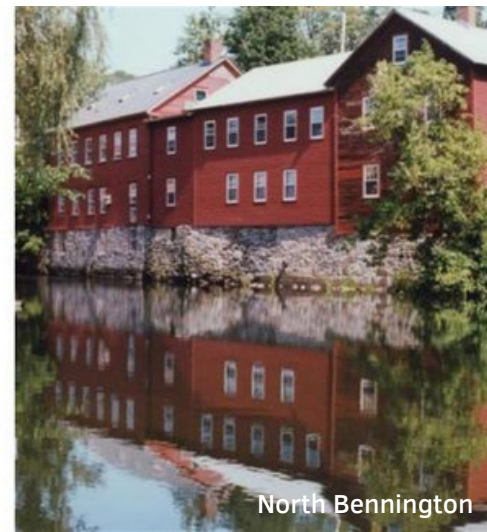


## Non-Regulatory Considerations

Certain programs and actions not involving regulations can expand the possibilities for mixed-use and higher density housing in village centers, downtowns, and surrounding neighborhoods. A key factor influencing development potential is the availability of a public water supply and, even more importantly, some type of public or shared wastewater system so that buildings and uses do not have to rely on on-site wells and septic systems. In village areas where such systems are not currently in place, local governments should seek state assistance for planning, design, and construction since they can be very costly. The Department of Environmental Conservation offers some innovative funding programs and recently announced grants to local governments through the federal American Rescue Plan (and potentially, subsequent state/federal grants specifically targeted to infrastructure) represent a unique opportunity for investments in water and wastewater systems that would yield benefits well into the future.

Additional opportunities are available through Vermont's formal programs for designating village centers, downtowns, and "neighborhood development areas." Such designations open opportunities for a variety of grants and loans, and may also facilitate permitting for certain types of projects. The BCRC can provide assistance with these designation applications and renewals.

Local governments also should communicate with the regional nonprofit housing developer, Shires Housing, which has experience and expertise in acquiring funds for the development of various types of housing that gives consideration to the need for housing in the community as well as the character of the mixed-use center or neighborhood where the development is to be located.





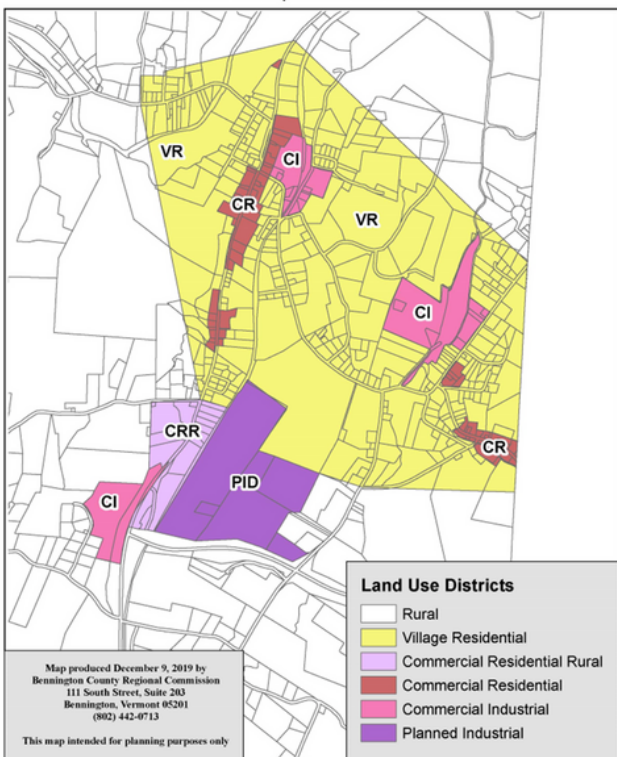
# Arlington

Arlington is a significant commercial and residential hub in the center of the Bennington County region. The town's population (2018 estimate) is 2,559, with just over half of that number living in the Arlington and East Arlington "village" areas. Approximately 75 percent of the 1,160 year-round housing units in the community are owner-occupied; in addition, there are over 200 seasonal/recreational or vacant units. The average price of a house in Arlington, \$215,000 in 2019, has consistently been higher than the county-wide mean, while median rent in the town is \$964.

Over the past couple of years, the town has been engaged, along with Sandgate and Sunderland, in the "Arlington Area Renewal Project," an initiative seeking to improve the local economy and quality of life for residents. One recent forum held as part of that effort focused specifically on housing in the area, as the need for additional housing, especially workforce housing, has been identified as a critical need. The town, along with adjacent areas in Sunderland, is an important employment center, particularly with successful businesses such as Mack Molding, but two-thirds of the 1,100+ people who work in Arlington (2019 Vermont DOL data) commute from another town, with many people traveling 30 minutes or more to get to work each day. The lack of a sufficient supply of workforce housing is seen as adversely affecting the local schools, childcare providers, and a sense of community.

Arlington and East Arlington each include state-designated village centers, with important historic districts and a number of small retail stores and professional and public/community buildings. The town has a municipal water system that serves most of these village areas and surrounding neighborhoods, but poor soils and a lack of a community or public wastewater system has been a major impediment to all types of growth, especially in East Arlington and along East Arlington Road. Promising recent private and public investment in both village areas are likely to require some type of wastewater solution to accommodate new growth, including new housing and mixed-use developments.

Map 16. Arlington Land and Zoning  
Urban Compact and Environs



## Zoning Provisions for Housing - Village Areas (VR, CR, CI Districts)

The Village Residential (VR) and Commercial-Residential (CR) districts each allow one and two family homes as permitted uses, as well as guest houses and accessory dwelling units (ADUs). Multifamily dwellings, with a maximum of six units per building, are conditionally permitted in both VR and CR. The CR district also allows most commercial uses as permitted uses. General zoning standards state that only one principal use is allowed on a lot, unless the Planning Commission approves a site plan with more than one per lot. Parking is required at 2 spaces per dwelling unit.

The minimum lot size in both the VR and CR districts is 1/2 acre, with the CR specifying: 1/2 acre per commercial use and 1/2 acre per dwelling unit (except as specified for multifamily dwellings). In both VR and CR, multifamily dwelling units require 3,500 square feet of lot area per bedroom. Building height is limited to 30 feet in VR and 35 feet in CR. Setbacks are 15 feet from the front, side, and rear lines in the VR and 25/15/15 (front/side/rear) in the CR. There are no building coverage limitations except for a 35% maximum for multifamily buildings in both VR and CR.

The Commercial-Industrial (CI) district, which includes the original Mack Molding plant and Miles Lumber, along with some nearby properties in the Arlington Village area, and the former Hale Furniture/HBH Prestain property and adjacent lots in East Arlington, allows for most commercial and manufacturing uses, but no residential uses. A one acre minimum lot size applies to the district.

# Potential Regulatory Changes and Non-Regulatory Actions to Support Housing Development

Arlington has attractive and historic village centers containing a mix of residential, commercial, and public land uses, adjacent residential neighborhoods, and good road and sidewalk network. Existing buildings and vacant land are available to accommodate higher density and infill housing. Although regulatory standards could be modified to permit and encourage such growth (possible amendments to the amendments are identified below), a major impediment to implementation of those amendments is the lack of wastewater infrastructure sufficient to allow higher density development in most village areas. The wastewater issue has been studied previously in Arlington; further recommendations are outlined here.

## Potential Amendments to the Land Use Regulations

- Expand the CR district to allow for additional mixed use development. Multiple uses within a single building, or building complex, may encourage redevelopment by supporting greater returns on investment. A ground floor commercial building with upper floor apartments is an efficient use of real estate, generates additional property tax revenue, and is consistent with village design objectives.
- Add a specific allowance for mixed use buildings to the CR, and potentially CI, districts. The current general restriction that allows more than one “principal use on a lot” only with Planning Commission approval could be relaxed to allow a mix of any uses permitted in the underlying district. The minimum lot size would apply to the principal building, rather than for each individual use or dwelling unit. As long as the minimum lot size and other dimensional requirements are satisfied, the interior use of the building(s) would be controlled by water supply and wastewater disposal standards and state permits.
- The lot area per bedroom standards for multifamily buildings in the VR and CR districts could be eliminated, while maintaining a maximum number of units per building to control overall density. The number of units would be limited by either the maximum prescribed in the bylaw or by wastewater capacity.
- Although the 1/2 acre minimum lot size is consistent with feasible density levels given the current lack of wastewater infrastructure, the minimum lot size could be reduced while maintaining village character. The reduced minimum might be applied near the historic village centers and along principal roads where relatively high density development patterns already exist. If a public sewer system is established, or if smaller innovative community systems are created to serve discrete areas within the villages, it would then be possible to efficiently develop more affordable housing.
- Reduce parking space requirements (currently 2.0/dwelling unit) for multifamily buildings in village center areas.
- Consider a zero foot front yard setback from the street right-of-way for buildings in the CR district (currently even greater than in VR).
- Allow for carefully planned residential/mixed use development in the CI district and reduce the (currently 75’) front yard requirement.

## Nonregulatory Actions

- The potential for new housing and mixed use development in Arlington’s village areas would be greatly enhanced if additional wastewater capacity could be provided. This situation is not unique to Arlington, and the state has created a Village Wastewater Solutions Initiative to address the issue. A first step would be to obtain a new Engineering Planning Advance to assess feasible solutions based on community housing and land use objectives.
- Work with Shires Housing to develop plans for additional affordable housing targeted specifically to meet the needs of the town’s existing and future workforce.

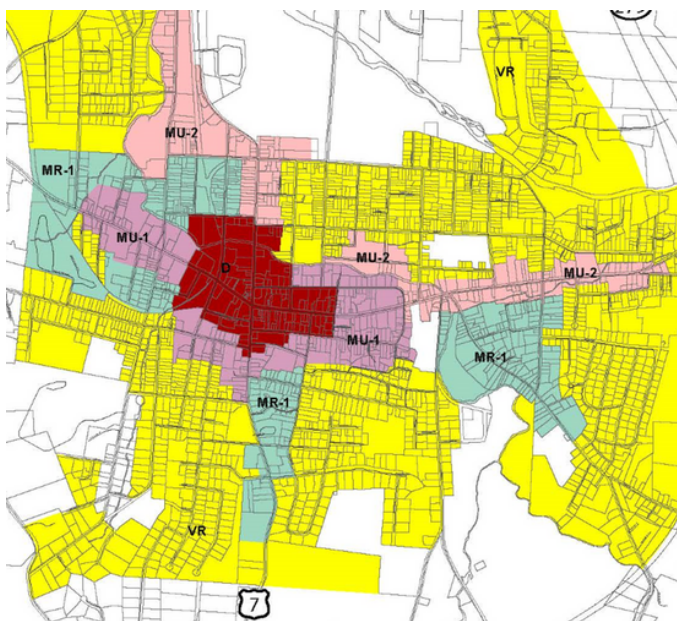


# Bennington

Bennington is the largest town in southern Vermont with a population of 15,179 and the greatest concentration of businesses and employment opportunities in the region. As such, Bennington serves as a regional service center for schooling, work, shopping, and recreation. The regional hospital, Southwestern Vermont Medical Center, is the town's single greatest employer. Several higher education institutions, including Vermont Technical College, Vermont Community College, and Bennington College, as well as the regional middle and high schools provide employment and attract diverse student bodies to the area. Additional service providers, professional offices, and retail stores provide a range of employment opportunities and material goods and services to local residents and to those living in neighboring towns and states.

The town's median household income is the lowest in the county at \$48,766. Homes in Bennington are considered affordable to own or rent compared to other towns in the region, though rentals are less affordable than purchased homes. The median single family home sale price is \$155,000 and median gross rent is \$833. A high percentage (39%) of homes are rented as opposed to owned in town. Bennington has arguably the most diverse existing housing stock in the region, with 57% single family homes, 10% duplexes, 13% 3-4 unit buildings, 12% 5+ unit buildings, and 8% mobile homes. A high proportion (72%) of Bennington's workforce lives in town. Existing homes are aging and in need of extensive weatherization improvements.

Future residential development will be concentrated mostly around the downtown and to a lesser extent along the town's commercial corridor of Northside Drive. Bennington has a state-designated downtown, a growth center, and municipal water and sewer systems. In 2021, Bennington adopted revised zoning for the town center that encourages residential infill, walkability, and mixed use development. The Town will apply for a neighborhood development area designation around the downtown to spur more housing development. The \$57 million Putnam Block Redevelopment Phase I project recently introduced 31 new housing units in the town center, and more residential units are planned in Phases II and III of the project. Bennington's two federal Opportunity Zones have attracted outside investment for the Putnam Hotel rehabilitation and other town center properties. Reuse studies are underway for the former Energizer Battery complex downtown and Everett campus (previously Southern Vermont College). Housing opportunities are a major focus of these planning studies.



## Zoning Provisions for Housing - Village Areas (D, MU-1, MU-2, MR-1, MR-2, PC, and VR Districts)

Bennington recently updated its land use regulations for the “town center” area around the historic downtown. Districts in and around the downtown that encourage dense residential development and mixed uses are D, MU-1, MU-2, and MR-1. Also in the town center is the VR district, which allows for village-scale single and two-family home development. This report focuses on housing development regulations in this area and in zones adjacent to Bennington's major commercial corridor, Northside Drive, see below.

### Town Center

D— The Downtown land use district and form-based-design area allows multi-unit (3+) dwellings, places no density cap on residential units, has no minimum parking requirements, and encourages mixed uses. There is no minimum lot size, 100% building coverage is permitted, and a 15' maximum front setback applies throughout with no minimum setbacks.

**Northside Drive Commercial Area:** To the northwest of the area shown, the PC and MR-2 districts along Northside Drive can accommodate some new, dense housing. This area is already home to a number of single family homes, mobile homes, and several affordable housing complexes. The area will be linked to downtown by a network of bike/ped paths in the coming years.

D—(continued) Innovative minimum lot frontages require that 100% of the front lot along the sidewalk be occupied with buildings on Main St. and 60% on side streets. Buildings must be at least two stories tall (to encourage mixed uses) and no taller than 60'. While ground floor residential units are not permitted to face main thoroughfares, they are permitted in the rear of those buildings.

MU-1— The Mixed-Use 1 district and mixed use form-based-design area allow a range of housing types and have no residential unit density cap. However, building density is controlled with a 10,000 sq. ft. minimum lot size, 80' minimum lot width, and 65% maximum building coverage. There is a 25' maximum front setback and otherwise 10' minimums. Buildings must be at least 2 stories and no taller than 40'. Residential developments require 1 parking spot per dwelling unit.

MU-2— This district differs from MU-1 by allowing 0' front setback, and permitting 1-story buildings with roof pitch standards.

MR-1— This district and residential form-based-design area allow the same range of housing types and mixed use as in the Mixed Use districts, but with residential unit density limitations of 6,000 minimum sq. ft. for the first dwelling unit and 2,000 sq. ft. for additional units. This translates to an allowed density of 17.78 dwelling units per acre. Minimum lot size is 8,000 sq. ft., minimum lot width is 50', and maximum building coverage is 30%. Notably in this district and in the VR, emphasis is placed on ADU infill and several applicable standards are reduced or waived. Buildings may be no taller than 35'.

VR— Dimensional and density standards are the same as in the MR-1 district, except that multi-unit (3+) dwellings are not permitted and mixed-use buildings are not appropriate since permitted uses are limited to single- and two-family homes and B&Bs.

Conversion to residential use: Throughout town center, adaptive reuse of existing buildings for residential use only requires administrative review as long as the building is not substantially expanded.

Parking: Bicycle parking, ideally covered, is now required for all multi-unit (3+) residential developments.

Provisions for planned residential developments and planned unit developments apply throughout the Growth Center and allow for creative site designs that cluster desired uses. Density bonuses incentivize affordable housing and conservation of open space.

#### Northside Drive Neighborhoods

PC— Single family homes and duplexes are not permitted. Mixed uses and multi-family dwellings are allowed conditionally. Min. lot size is 40,000 sq. ft., min. lot width is 150 feet, and allowed density is 17.78 dwelling units per acre. Buildings may be 35 feet.

MR-2— Single-, two-, and multi-family dwellings may be permitted with varying density caps and dimensional standards applying. Mixed uses are conditionally allowed. Minimum lot size is 12,000 sq. ft. and maximum building coverage is 25%.

## Potential Regulatory Changes and Non-Regulatory Actions to Support Housing Development

### Potential Amendments to the Land Use Regulations

- Develop additional density bonuses to incentivize energy efficiency, affordable or age-restricted housing, or desired amenities.
- Consider eliminating minor dimensional distinctions between MU-1 and MU-2 to further simplify and streamline regulations.
- Consider adding a provision enabling a waiver of parking requirements where an applicant can demonstrate no need.
- Review the downtown design review process and architectural standards to ensure that they do not impose undue barriers or excessive additional costs for desired housing development.
- Review housing and public realm standards in the North Side Drive area to see if it is possible to reduce dimensional standards and incorporate additional public realm requirements that would enhance walkability and the viability of future housing infill.

### Nonregulatory Actions

- Pursue the Neighborhood Development Area (NDA) designation through Vermont DHCD's designation program as an enhancement to the town's existing Downtown (D) designation. Support revisions to those programs so they better allow for reinvestment in historically settled areas where safe infill development with flood protection design may occur in flood areas.
- Engage in special planning studies for downtown infill development opportunities and redevelopment of key properties, such as the ongoing reuse planning projects in process for the properties previously owned by Energizer and SVC.
- Work with Shires Housing to develop plans for additional affordable housing targeted specifically to meet the needs of the town's existing and future workforce.
- Monitor the municipal water and wastewater systems to ensure adequate capacity for new development.
- Consider adopting a municipal building code to enforce Vermont's residential and commercial energy efficiency standards.



# Dorset

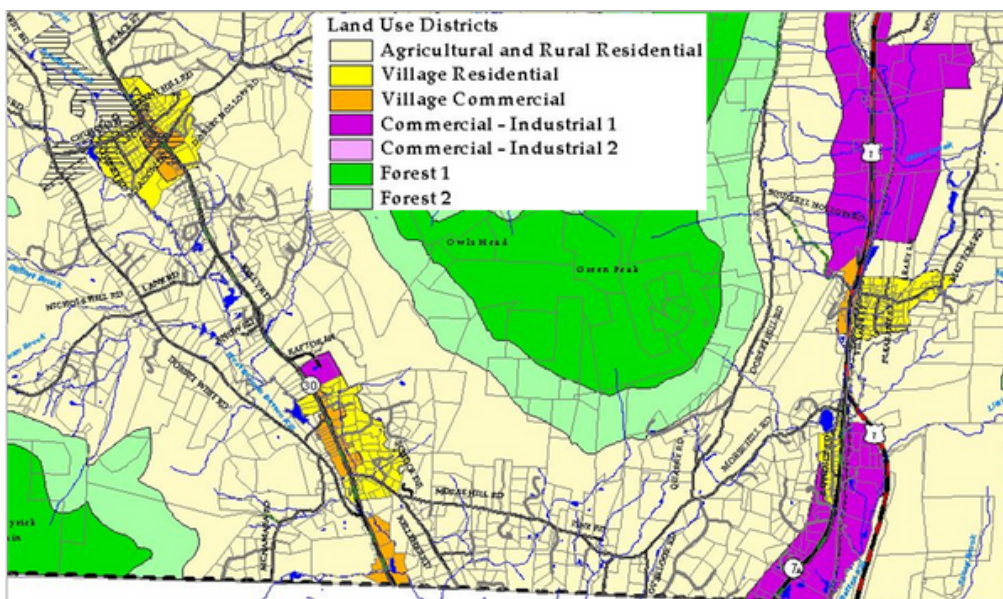
Dorset, population 1,918, is a rural town settled along two valleys in the northshire of Bennington County. Two primary scenic and historic villages, Dorset and East Dorset, host a concentration of businesses, homes, and civic buildings. Nodes of development extend along the town's main connective highways of Route 30 and Route 7, and an additional hamlet, South Village, lies at the intersection of Route 30 and Morse Hill Road. The Dorset School provides public K-8 education, and high school students usually attend Burr & Burton Academy in Manchester or the Long Trail School in Dorset. Town residents rely on the Town of Manchester for shopping, dining, and recreation, though unique assets such as the Dorset Playhouse, Owl's Head Town Forest, the Dorset Field Club, and several abandoned quarries provide opportunity to enjoy arts, restaurant fare, and outdoor recreation locally.

Dorset has 855 occupied households, the vast majority of which (91%) are single-family detached homes. These homes are expensive. Dorset has the second-highest median home price (\$385,000) in the region. Median household income in Dorset is only slightly higher than the rest of the region at \$54,158, leaving Dorset with one of the highest rates of housing unaffordability in the county. Roughly one in five residents pays 50% or more of their income on housing. Low incomes may be linked to an elevated share of retirees in the community since more than a third of Dorset's population is estimated to be over 60 years old. Rental housing costs, on the other hand, are more affordable and consistent with the county median at \$831. At the 2010 Census, about one in three housing units were being used seasonally or recreationally.

Public water systems serve portions of both villages, which are designated under the state's development incentives program. Lack of centralized wastewater systems in the villages has long been recognized as a primary barrier to infill housing development. Dorset residents are motivated to identify housing opportunities that will allow for aging-in-place and are increasingly interested in permitting home businesses and ADUs. Recent acquisition of the 308-acre Raptor Lane property by the municipality presents an opportunity for additional public and recreational amenity development together with clustered housing off of Route 30.

## Zoning Provisions for Housing - Village Areas (VR, VC Districts)

Municipal planning documents delineate two village-scale residential land use districts in the town, though the municipal zoning bylaws are currently being revised to update and streamline the town's regulatory approach and to implement policies to allow more diverse and affordable housing options. Both the Village Residential (VR) and Village Commercial (VC) districts are centered around Dorset, East



Dorset, and South Dorset Villages, where development patterns have historically attracted a mix of uses and a clustering of buildings.

Both districts allow single- and two-family homes by right. For both districts, minimum lot areas and dwelling unit densities are calculated from 'developable' land rather than total land area. Minimum developable lot area is 20,000 sq. ft. and unit density is 15,000 developable sq. ft. per unit. Front setbacks are 30' and side setbacks are 15' throughout these districts. Both allow conversion of single-unit homes to duplexes.

VC—Multi-family dwellings are not permitted, but standards provide a pathway to establish up to 4 dwelling units on a property through conversion of a two-unit accessory building with a duplex. Mixed uses are conditionally allowed. Buildings may be 30' tall.

VR— Simple conversions of single family homes to duplexes are permitted by right, but conversions require conditional review when the building footprint changes. Multi family dwellings up to 6 units are permitted as a conditional use. Mixed uses are allowed conditionally. Planned Residential Developments (PRDs) are an allowed use by right and provide no density bonus provisions. Buildings may be 35' tall.

## Potential Regulatory Changes and Non-Regulatory Actions to Support Housing Development

Dorset's scenic vistas, charming villages, and unique recreational assets make it a wonderful place to live. However, housing unaffordability and the town's aging population challenge the continued vibrancy of Dorset's historic centers and excellent school system. Town Plan policies recommend identifying opportunities for infill development in and around existing villages, and note that revisions to the development regulations are in order to allow for more mixed uses and multi-unit housing consistent with historic settlement patterns. Even if these regulatory goals are achieved, wastewater capacity must be expanded to accommodate reinvestment in the villages and other cluster development hubs. Recommendations follow:

### Potential Amendments to the Land Use Regulations

- Consider revising boundaries and standards for the VC and VR districts so that mixed uses and higher residential densities may be allowed in more areas that have historically seen dense, mixed development. Mixed uses with commercial below residential uses provide developers more revenue per investment as well as higher tax yields per acre to the municipality. Allowing higher residential densities in suitable locations lowers cost of living per unit and improves housing affordability for a range of income levels. Undesirable developments can be avoided with form-based design standards and overall building density limits.
- Consider allowing more mixed and clustered development outside of the principal village centers. Conservation efforts around the town's village areas have combined with natural resource constraints to preclude development in some locations adjacent to Dorset and East Dorset Villages. South Dorset Village currently offers room for infill development, but lacks public water facilities the other villages have.
- Incorporate density bonuses for housing developments that encourage more affordable and age-restricted units, energy-efficient buildings, and other desired amenities such as open space and shared parking areas.
- Simplify dimensional standards by removing 'developable land' stipulation for the calculation of minimum lot size and unit density metrics. In addition, revise current slope restrictions to apply generally over a tract of land so that the regulations do not unnecessarily exclude viable areas for desired housing development.
- In accordance with recent updates to enabling statute, make sure that multi-family residences, where permitted conditionally, are not denied permits solely due to adverse impacts to character of area criterium.

### Nonregulatory Actions

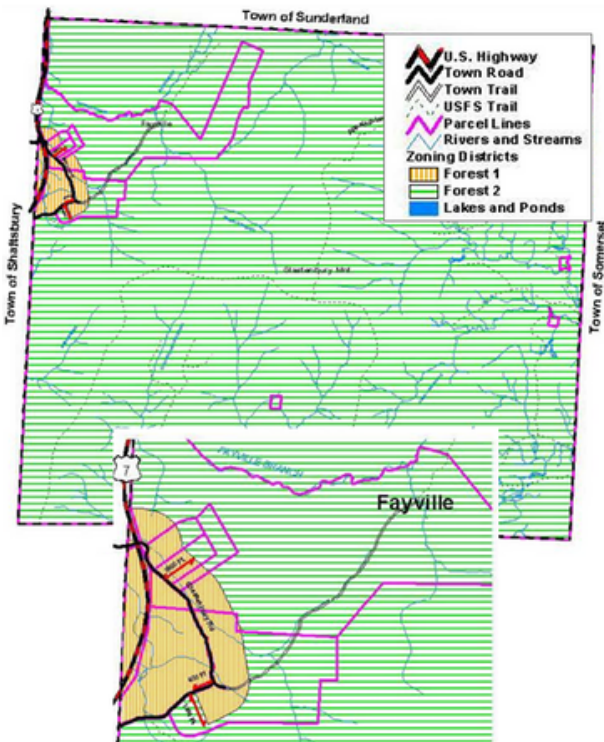
- Denser, more affordable development in the town will have to rely on new wastewater solutions. Previous investigations in the town suggest that innovative, soil-based community solutions may be a better investment than a conventional sewer system. Make use of technical support resources through the state's Village Wastewater Solutions Initiative to evaluate next steps, which may include an Engineering Planning Advance to weigh options and assess costs for a centralized solution. The Town Plan also notes that further development of existing public water systems in Dorset and East Dorset Villages may be in order.
- Reach out to Shires Housing for assistance in developing plans for specific proposals for affordable housing or for general planning for housing that will meet future workforce and aging population needs.
- Consider clustered housing that can welcome new town residents or help current residents age in place alongside complementary use proposals at the Raptor Lane municipal property.



# Glastenbury

Glastenbury is an unincorporated hill town in the Green Mountains in central Bennington County. Glastenbury has a rich history of sporadic human settlement and local “ghost town” lore. Today the town is defined by its tranquil and natural setting and small population. The Lye Brook Federal Wilderness Area provides undisturbed wildlife habitat, and the Long Trail traverses the town’s mountain crests. The vast majority of the town is conserved as part of the Green Mountain National Forest, leaving few areas suitable for residential development. Residents and visitors to Glastenbury access the town by way of East Road in Shaftsbury.

As of 2018, it is estimated that just 3 people reside in the town in 2 detached, single-family homes. A number of seasonal camps are scattered in upper elevations of the mountains and are ineligible for conversion to full-time residences. To the extent that new housing development will occur in Glastenbury, development should prevent adverse impacts to natural resources and wildlife habitat through clustering of homes and restrictions on uses incompatible with the preserved natural state of the National Forest and Wilderness Area.



## Zoning Provisions for Housing

The town has two zoning districts. The Forest #1 (F1) district allows residential uses, conditionally permitting both single-family and multi-family developments. Minimum lot size is 25 acres, and permitted dwelling unit density is one dwelling per 25 acres. Minimum 50' lot setbacks apply on all sides. Lots must be at least 300' wide, and buildings are limited to two stories. Accessory dwelling units (ADUs) are permitted subordinate to single-family dwellings.

The Forest #2 district, which covers most of Glastenbury, does not allow year-round residential development.

A cluster subdivision provision applies in the F1 to allow for flexible design of lots in subdivisions that conserves open space. Through cluster subdivision, single-family detached homes may be clustered on lots at least 2 acres in size and with minimum lot widths of 150'. At least 50% of subdivided land must be conserved open space.

No parking minimums are noted in the zoning bylaws.

## Potential Regulatory Changes and Non-Regulatory Actions to Support Housing Development

Glastenbury is and will undoubtedly remain a very remote area with limited permanent settlement. Ongoing and future residential uses will be concentrated in the northwest corner of the town along Glastenbury Road.

### Potential Amendments to the Land Use Regulations

- To better encourage clustered residential development, consider introducing maximum setbacks or standards for driveway lengths to limit the fragmentation of forest land and pull residences closer to public roadways and utility connections.

### Nonregulatory Actions

- Continue to cooperate with and support US Forest Service stewardship activities in National Forest lands. Support safe public access to the town’s natural assets in a way compatible with rural residential uses. Public access points with parking should be clustered to minimize impacts in settled areas of the town.

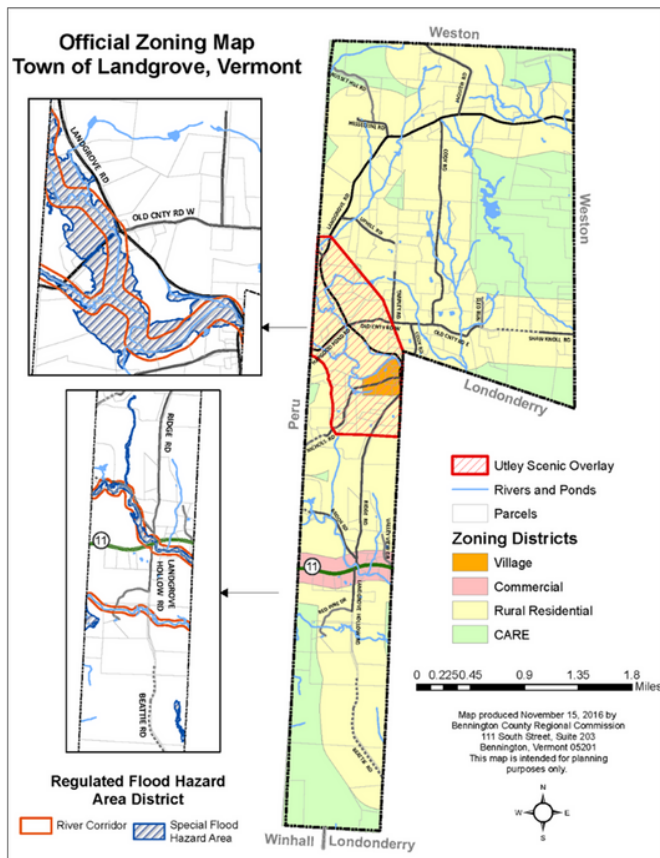
# Landgrove

Landgrove is a rural town nestled in the Green Mountains between Weston, Londonderry, and Peru. Small in both geographical extent and population, its current population (2018 estimate) is just 111, with 51 year-round housing units. All of those housing units are owner-occupied. Interestingly, the town has considerably more seasonal/vacation homes (84) than year-round homes. Nearly all of the homes are detached single-family structures, although there are a couple of two+ family buildings in town.

The town's natural beauty and location near larger towns (accessed via VT Route 11 that runs through the narrow, southern part of Landgrove), ski resorts, and the Green Mountain National Forest has made it particularly appealing for people seeking a rural lifestyle or a vacation home. The attractiveness of the area, and the limited availability of real estate, is reflected in the median home sale price of \$387,000, with many properties selling for much more than that in any given year. The housing market is a factor in dictating median household income of residents which, at over \$95,000, is well above the state median and nearly double the county median.

Landgrove residents treasure the peaceful rural character of their community, including the limited network of unpaved local roads and easy access to outdoor recreational opportunities. The town has no mixed use center; the last local store having closed many years ago. Commercial services are available in Peru, Londonderry, and, somewhat more distant towns like Manchester. Elementary education is available at the Flood Brook School, located along Route 11 just east of the Landgrove town line. Most high school students travel to Burr and Burton Academy in Manchester, further strengthening the connection with that larger community.

The highest density of housing in Landgrove is found in its village area, where historic homes are clustered relatively close together south of Utlely Brook and its scenic valley. An area along Route 11 is zoned to allow for a variety of land uses, and holds some potential for higher density housing and mixed use development; its location and proximity to Londonderry's village center increases the potential for development.



## Zoning Provisions for Housing

Landgrove is a decidedly rural community with very little infrastructure to support any kind of high-density development. Its limited local road system, protected natural areas, and public land ownership means that the vast majority of the town will continue to support relatively low-density residential development. The areas most suitable for some additional residential density are the Village and Commercial districts, although development in the Village area is also constrained by the desire to preserve the area's historic character and homes.

Zoning regulations in the small Village district allow one and two family dwellings as permitted uses, as well as accessory dwelling units (ADUs) within existing buildings. ADUs in a building other than the principal residence on a lot are allowed as conditional uses. The minimum lot size in the Village district is two acres per dwelling unit with a 25% building coverage maximum.

The Commercial district that bounds Route 11 has similar provisions for permitted one and two family dwellings and ADUs, while also allowing a number of commercial uses, and three-unit residential buildings as conditional uses. A special provision allows a single principal building to include a mix of uses, including up to three residences, without additional lot area beyond the minimum four acres required for the district.

Planned Unit Developments (PUDs) are authorized in both the Village and Commercial districts, opening up some additional development potential.



# Potential Regulatory Changes and Non-Regulatory Actions to Support Housing Development

The small size and population of Landgrove, combined with its distinctly rural character, limits the potential for mid to high density housing in the community, but the existing land use policies and regulations provide some guidance for how additional housing can be accommodated in parts of the town. In addition, minor modifications to the Village and Commercial district standards might allow for greater development density without adversely impact the surrounding areas. While major infrastructure investments in public infrastructure in Landgrove are not feasible, it is possible that new wastewater technologies available to private developers may make higher densities in individual parcels or planned unit developments feasible, if supported by the regulations. The town may find that it makes sense to cooperate with neighboring municipalities to ensure that sufficient housing is available in village centers close to Landgrove.

## Potential Amendments to the Land Use Regulations

- The minimum lot size in the Village district is two acres per dwelling unit, with one and two family dwellings permitted. The bylaw could be amended to allow a two family dwelling as a principal building, and eliminate the two acre per dwelling unit standard. Houses in the Village district would still be required to meet all setback, lot coverage, and water and wastewater permitting requirements, so it is unlikely that the character of the area would be changed appreciably.
- A new change to state statute requires that towns allow, as permitted uses (subject to the same review standards as a single family home), accessory dwelling units within or appurtenant to a single-family dwelling, and appears to remove the ability of towns to require conditional use review for ADUs in a new or expanded building, as is the case with the current Landgrove Bylaw. When the town removes the now pre-empted conditional use provision, it may want to revisit the maximum size allowances for ADUs, which are more generous than those required by statute.
- The bylaw provision stating that mixed-use and multi-family buildings may be treated as a single principal building in the Commercial district allows significantly higher density by removing the requirement of additional lot area for each use/dwelling unit. The town could consider reclassifying these multi-unit buildings as permitted uses, since many commercial uses are allowed as permitted uses, and with a four acre minimum lot size, careful application of site plan standards should prevent adverse impacts to the neighborhood.
- The statute change affecting accessory dwelling units referenced above also applies to the Commercial district, so a similar review of the current ADU standards for this district is warranted.
- The Planned Unit Development section of the bylaw authorizes the Planning Commission to grant a density increase of up to 25 percent for a project that advances Town Plan policies and the purpose of the zoning district in which it is located. The Zoning Administrator should make developers of residential or mixed use projects aware of this provision. A PUD project also must meet minimum open space and other specific standards, resulting in a developments that, while more dense, are likely to be more attractive and efficient for the community.

## Nonregulatory Actions

- The town should communicate with neighboring communities and regional nonprofit housing developers regarding the potential for locating new affordably priced housing in or near village centers. Support from the Town of Landgrove will help ensure that local residents seeking such housing options are aware of, and have access to, these opportunities.

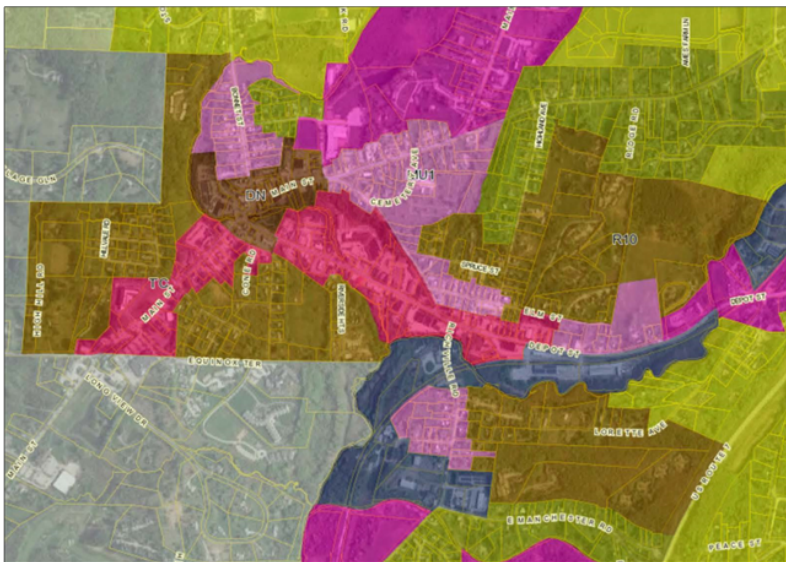
# Manchester

Manchester is the major population center and hub of commercial activity in northern Bennington County. Residents from around the county, as well as people living in the mountain towns to the east, southern Rutland County, and a number of communities in Washington County, New York travel to Manchester for employment, shopping, dining, recreation, entertainment, and services, including secondary education at Burr and Burton Academy. The town also has long been a major vacation destination and includes a large number of second homes and lodging facilities (about 31% seasonal use across all housing units).

The town's population (2018 estimate) is 4,273 and includes 1,963 households (1,403 of which are listed as owner-occupied). While a majority of housing units are single-family structures, over 800 (28%) are in two and multi-family buildings. The average household size of 2.16 is slightly less than the county or state means. The median household income for owner-occupied homes, \$71,974, is higher than the county and state median, while for renter-occupied homes the median household income is just \$32,917, much lower than the county or state level. Part of that disparity appears to be due to the relatively low income for one-person households, potentially representing some lower-wage service sector employees as well as some of the retiree population. Housing costs are relatively high relative to the county, particularly for home purchases (averaging \$283,000 for single family homes). Median gross rent is generally consistent with the region at \$823.

Manchester includes a state-designated village center, a neighborhood development area, and municipal water and sewer systems serving the center of the community. The town also recently updated its comprehensive plan and land use regulations, giving special attention to the need for housing serving a range of income levels. Town policies focus on the need for significant additional housing in and around the "town core" where commercial growth and previous restrictive regulations had made new residential development both challenging and expensive. Development in this area is seen as being particularly efficient, beneficial to the local workforce, and attractive for people seeking to live in a "walkable" center. The town's regulations can be considered a model for others to use; new initiatives may be more nonregulatory in nature.

## Zoning Provisions for Housing - DN, TC, MU 1, and R10 Districts + Special Standards for Housing Development



The town completed a comprehensive update to its land use regulations recently, establishing a "town core" with a clear focus on encouraging mixed use development, higher residential densities, and a human-scale and pedestrian friendly environment. A number of special housing-related regulations and incentives apply within that area, with additional standards applying to more rural parts of the town. This report will focus on the principal zoning districts in the core area, the Downtown (DN), Town Center (TC), Mixed Use 1 (MU1), and Residential 10 (R10) districts. The report also will point to several special provisions contained in a separate Housing section of the bylaw.

The DN district allows multi-family (3+) unit residential structures and mixed use buildings with a 3,000 square foot minimum lot size and no maximum density. Lot coverage of 100% is permitted and buildings must be at least two stories to encourage mixed uses (especially upper floor residential). Buildings may be up to 40 feet in height (as defined in the regulations).

Manchester includes a number of zoning districts that provide for high density housing and mixed use development: Downtown, Town Center, Mixed Use 1, and Residential 10. A number of surrounding districts also provide for relatively high density housing, with the center of the town benefiting from municipal water and sewer systems. In addition, the land use regulations include special standards focused on housing that allow for flexible design and higher density for provides certain amenities and meets documented community needs.



The TC district also allows for multi-family dwellings and mixed use buildings. The minimum lot size for the district is 15,000 square feet with no maximum residential density. (Density is controlled indirectly through standards for minimum dwelling unit size and restrictions on building size and mass.) Lot coverage can be up to 75% with building coverage capped at 40%. As in the DN district, buildings must have at least two stories and may be up to 40 feet in height.

The MU 1 district encourages a diversity of housing types, from single-family through multi-family, and incorporates required provisions for accessory dwelling units. The 4,000 square foot minimum lot size and allowable density of 4,000 sf/dwelling unit enables flexibility in site development with densities of about 10 units per acre. There is no maximum building coverage and 30 foot height limit, and, once again, buildings must be a minimum of two stories.

The R10 district allows the same range of housing types as in the MU 1 district, with an 8,000 square foot minimum lot size and densities of 4,000 square feet per dwelling unit. There is no maximum building coverage and a 30 foot height limit.

It is notable that conversions from single-family to two-family dwellings are allowed throughout the town core, regardless of density. Conversions of non-residential buildings to housing may exceed density standards as well, based on DRB approval.

Taken together, these development densities, mix of building types, and facilitation of innovative site design in and around the town's mixed use hub creates a regulatory environment highly favorable to relatively dense new residential development that can provide much needed housing and enhance the town's desired vibrant walkable center.

Manchester's land use regulations also include innovative provisions for planned residential and planned unit developments, as well as special standards for developments that are classified as affordable housing and workforce housing. These regulations allow for flexible density and design, with bonuses awarded for provision of various building, site, and energy efficiency amenities.

## Potential Actions to Support Housing Development

Taken together, Manchester's development densities, mix of building types, and facilitation of innovative site design in and around the town's mixed use hub creates a regulatory environment highly favorable to relatively dense new residential development that can provide needed housing and enhance the town's desired vibrant walkable center.

### Potential Amendments to the Land Use Regulations

- The town should promote and take full advantage of development incentives available through Vermont's Village Center (VC) and Neighborhood Development Area (NDA) programs. Currently, those designation programs, and in particular the NDA, exclude certain areas within river corridors, even when those areas are within, and often include, existing compact development. The town should support revisions to those programs so that they better reinforce historic development patterns and encourage dense development with appropriate flood protection systems.
- The Town Plan notes the importance of the municipal sewer system to support the desired development pattern, especially new residential growth and higher density in and around the town core. The system currently has excess capacity, but is closely monitored to assure it is able to accommodate new development. As noted in the Plan, the town may want to extend the sewer service area to allow connections, and thus higher development densities, in one or more areas adjacent to the existing town core. Any such extension should be done in conjunction with an analysis of existing system capacity/possible upgrades, and projected buildout of areas already planned for dense development which may require some of that capacity.

The benefits of state designation programs such as the NDA, noted above, should be carried over to areas served by such extension to the sewer system. Zoning district boundaries and dimensional standards should be studied and adjusted to ensure consistency with the Town Plan and other land use objectives.

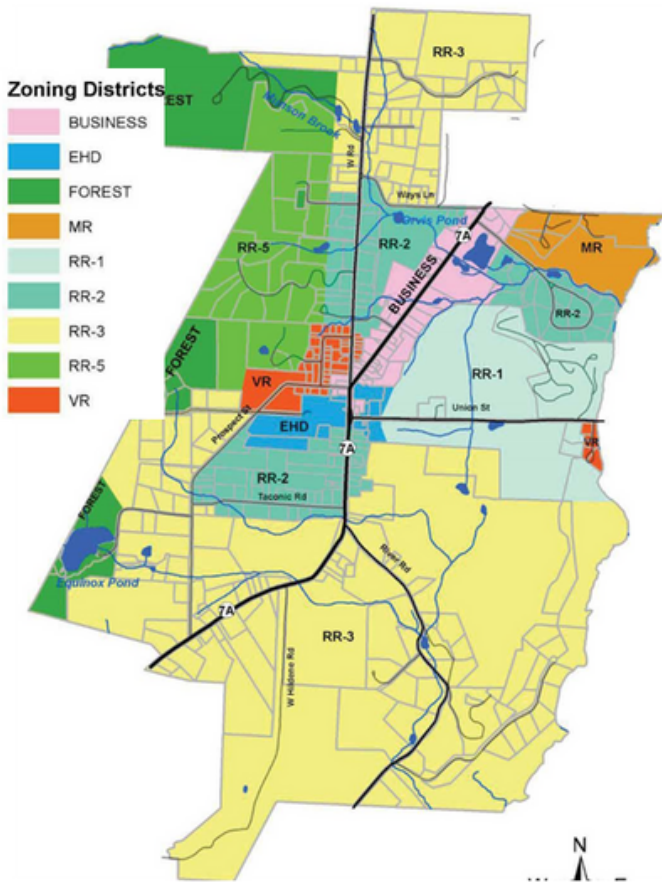
- Work with Shires Housing to develop plans for additional affordable housing targeted specifically to meet the needs of the town's existing and future workforce. Shires Housing is the regional nonprofit housing developer; the organization owns two multifamily (rental) developments in Manchester that have, in the past, been problematic in terms of vacancies and overall desirability for residents. Shires currently is investing in major renovations and upgrades to those properties to make them more attractive. In addition, Shires recently developed an ownership based project in Manchester consisting of multiple duplex units—a project that has been extremely successful. The town should proactively look for properties that may be suitable for new rental or ownership developments by Shires Housing.

# Manchester Village

The Village of Manchester is an independent municipality located within the boundary of the Town of Manchester, south of Manchester Center and at the foot of Mount Equinox. Several prominent hotels, restaurants, and recreation sites serve tourists alongside year-round and seasonal residents. The area is home to two regional landmarks, Burr and Burton Academy high school and the Southern Vermont Arts Center.

Manchester Village has 741 year-round residents and 437 occupied housing units. An estimated 38% of housing units are used seasonally. Several assisted living facilities and clusters of condominium homes accommodate elder residents and active retirees, and this population shapes the housing profile of the Village. For example, average household size is low at 1.7 residents per home. Also, though Manchester Village's median household income for homeowners is elevated for the region at \$78,021, renters have much lower incomes at a household median of \$17,885. The Village's existing housing stock is very diverse. Just 43% of housing units are single-family detached homes; 4% of existing housing units are single-family attached homes; 4% are duplexes, 13% are 3-4 unit homes, 21% are 5-9 unit homes; and 15% of existing housing units are in 10+ unit residences. It is estimated that one in five residents pays more than 50% of their income on housing.

Public water and wastewater serve central areas of the Village. Access to these systems currently dictates building and housing unit densities in most zoning districts. In 2018, the Village Center was designated through the Department of Housing and Community Development to incentivize reinvestment through tax credits and enhanced grant funding eligibility. A special planning study is now underway to evaluate reuse options at two underutilized sites and enhanced connectivity potential through the Village's central intersection.



## Zoning Provisions for Housing - Village Areas

The Village's development regulations group zoning districts into residential, business, and open space categories. Districts allowing somewhat dense residential development include the Village Residential (VR), Multiple Residential (MR), and Rural Residential districts #1 and #2. Mixing residential and commercial uses is not expressly encouraged, but may be allowed in some areas. Maximum building height is 35' throughout the residential districts.

VR—Allows one- and two-family homes and accessory uses by right. Dimensional standards for this district depend on access to public water and wastewater infrastructure. Minimum lot size ranges from 15,000 to 40,000 sq.ft.; maximum dwelling unit density ranges from one unit per 10,000 sq.ft. to one unit per 40,000 sq.ft. lot size; minimum lot width ranges from 100' to 150'; setbacks vary from 10' to 30'; and maximum building coverage ranges from 10% to 25%.

MR— Single -, two-, and multi-family residences are allowed, with multi-unit residential developments limited to 6 dwelling units. Minimum lot size is 20,000 sq.ft.; maximum dwelling unit density ranges from 10,000 sq. ft per unit for sites with public water and wastewater to 40,000 sq.ft. per unit for residences with onsite systems; Minimum lot width is 100'; setbacks range from 15' to 40'; and maximum building coverage is 20%.

The RR- 1 and RR-2 districts require 2-3 acre minimum lot sizes and dwelling unit densities, though there is opportunity for slightly higher densities adjacent to active golf course areas. The Village's business districts, B-1 and B-2, emphasize commercial and civic uses over dense residential uses.

A Planned Residential Overlay (PRD) applies to developments with five dwellings or more.

Cluster subdivisions are permitted in some Rural Residential districts. Lots must meet 18+ and 30+ acre minimums to be eligible. Planned Unit Developments (PUDs) are allowed in all zoning districts to enable flexible lot design and to conserve open space.



# Potential Regulatory Changes and Non-Regulatory Actions to Support Housing Development

The Village of Manchester is home to stunning landscapes and treasured historic assets as well as educational and cultural institutions of regional importance. Identifying opportunities for gentle infill and high-quality housing development to serve future housing and workforce needs of the community is important to retain the Village's vitality and support local businesses.

## Potential Amendments to the Land Use Regulations

- Expand allowances for mixed use development in the business districts and the VR and MR districts. Mixing residential and commercial uses in walkable areas can improve the success of small businesses and desirability of housing units.
- Update areas of the bylaw to comply with statutory changes intended to allow for housing infill. These modifications include (1) revise the definition of accessory dwelling units (ADUs) to clarify that ADUs are permitted as an accessory use to all single-family homes and increase allowable square footage for ADUs; and (2) assure that existing small lots connected to sewer and water may be developed. In addition, consider permitting an ADU to be occupied by the owner of the lot.
- Reduce minimum parking requirements from two spaces per dwelling unit to one space per dwelling unit. Consider adding a parking waiver for developers who can demonstrate no need for additional parking.
- Consider simplifying dimensional standards in the VR and allowing multi-unit housing in this walkable village district. State water and wastewater permits already limit dwelling unit and lot density. It is possible that the Village standards for various water connectivity scenarios limit density for development that may otherwise be able to acquire a water/wastewater permit. If multi-unit housing were to be permitted in the VR, a cap on dwelling units per lot size could keep overall use intensity low while allowing for infill.
- PUDs: Lower the minimum acre threshold for lots to be subdivided through PUD development (currently 18+ and 30+ acres) to make this option for flexible lot design possible in more areas where development is desired. In addition, consider lowering the minimum area conserved for open space (currently 35%) in districts that have denser existing development (thresholds are sometimes as low as 10% in village center areas). Finally, incorporate a density bonus provision or housing-specific standards to incentivize affordable, age-restricted (55+), energy-efficient buildings, or other desired site amenities.
- Generally, there are opportunities to simplify and streamline the development regulations. Currently, several zoning districts and cluster development standards have differing dimensional standards depending on water infrastructure access; the Planned Residential Overlay District applies to several types of development rather than to a geographic area; there are PUD provisions that apply to all zoning districts but also separate cluster subdivision standards apply in some districts. Clarifying the intent behind restrictions on development may illuminate ways to update the underlying zoning districts to achieve the Village's development goals. Comparing dimensional standards with existing development on-the-ground may reveal areas that can accommodate higher densities that are consistent with historic development patterns.

## Nonregulatory Actions

- Public water and wastewater systems currently serve portions of the Village. Maintaining and potentially expanding these systems will be critical to allow for new housing and mixed use development.
- Work with Shires Housing to discuss housing needs and opportunities to meet those needs in the future.
- To further energy conservation and efficiency goals and renewable energy targets outlined in the Village Plan, form a municipal energy committee to advance residential strategies for building weatherization, electrification of home heating and transportation sectors, and to improve walkability and biking locally.

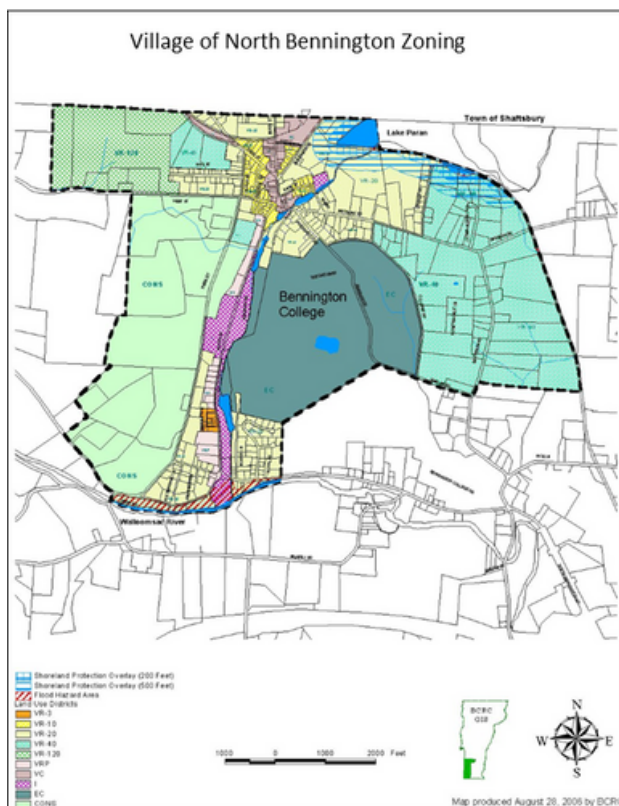
# North Bennington Village

North Bennington is a separately incorporated municipality located in the northwestern part of Bennington. The historic village center grew up along Paran Creek which offered water power for a variety of businesses. The population of the village (2018 estimate) is 1,709, with the highest density of housing in the village center and along Water Street, an area that also includes former mill buildings that have been converted to mixed and residential uses. A large part of the Bennington College campus lies within North Bennington.

A state-designated village center includes much of the North Bennington Village historic district, where a wide variety of uses are found. The municipal offices occupy a historic train depot in the center that is across the street from the post office. A public library, deli/general store, an inn, the local elementary school, and a mix of restaurants/pubs and other commercial professional uses are clustered in this area as well. The Nahanco company (supplier of equipment for retail stores) and Maple Brook Farm (cheese production) are located in industrial buildings just south of the village center. Residences in the village center are found in both single, two, and multifamily structures, as well as in mixed use commercial buildings.

A large manufacturing operation, located in a now-vacant building in the southern part of the Village, was the source of extensive environmental pollution (“PFOA”) that contaminated much of the soil and groundwater in North Bennington and nearby areas in Bennington. Negotiations between the responsible party and the State of Vermont resulted in extension of public water supply lines throughout the Village. Nearly all of the central portion of North Bennington also is served by the Town of Bennington’s municipal sewer system. Both the water and wastewater systems have adequate capacity to serve the existing population as well as any amount of new development that is contemplated by the North Bennington Village Plan.

North Bennington has expressed strong support for local economic development, especially given the availability of existing buildings well-suited for a variety of uses. Additional housing for families also is seen as something that would benefit the vitality of the village center while also ensuring the financial viability of the highly valued North Bennington Village School.



## Zoning Provisions for Housing - Village Areas (VR, VC, VRP, and I Districts)

The highest density residential and mixed use districts in North Bennington are the Village Residential (VR), Village Commercial (VC), Village Residential Professional (VRP) and Industrial (I) zones. There are several VR districts, with varying density levels, but the focus of this report will be on the higher density districts located near the village center and in the Paran Creek valley (VR –3/10/20).

The VR districts allow one and two family dwellings and accessory dwelling units as permitted uses; multifamily dwellings are conditionally permitted, with provisions for both new construction and conversions of existing houses to MF buildings; density allowances are greater (5,000 sf/dwelling unit) for conversions. The minimum lot area (3,000/ 10,000, 20,000 sf) is required per dwelling unit or principal use.

The VC district allows one and two family dwellings as permitted uses and accessory dwelling units as conditional uses. The minimum lot area is 10,000 square feet per dwelling unit or principal use, as in the VR, and the allowances for multifamily structures are similar to the VR as well.

The VRP district, located primarily on the west side of Water Street, includes one and two family dwellings and accessory dwelling units as permitted uses with multifamily buildings conditionally permitted. The minimum lot size for the district is 20,000 sf per dwelling unit or principal use.



The I district allows for mixed uses, in addition to various commercial/manufacturing uses. In structures considered historic industrial buildings, there is no minimum lot area requirement per dwelling unit. New two or multifamily buildings have a minimum lot area of 8,000 square feet per dwelling unit.

## Potential Regulatory Changes and Non-Regulatory Actions to Support Housing Development

North Bennington is an attractive residential community, with a mix of shops and restaurants, a library, school, playground/park, a small lake, stream and millponds, numerous trails, and an extensive sidewalk system for pedestrians. While the building density in the historic village center is quite high, there exists some potential to add full housing and accessory dwelling units (ADUs) within or, in some cases, adjacent to existing structures. Open land for infill and some higher density housing exists, as well, primarily in the VR-20 district. High density housing has been developed in recent years in historic industrial buildings and additional conversions of these spaces are possible.

### Potential Amendments to the Land Use Regulations

- Simplify and streamline the multifamily provisions in the VR districts, at least for VR-10 areas, to allow a multifamily building with up to six units on any sized lot that meets minimum zoning density requirements for a residential building or principal use (e.g., a MF building with up to six units on a lot of at least 10,000 square feet). Drop the provision related to conversions of existing 25+ year-old houses to multifamily (fold in with this new, more generous, MF standard).
- Change the requirement for minimum lot area per dwelling unit or principal use to a simple minimum lot area per principal building, without regard to the number of dwelling units or uses it contains. All other regulatory standards would still have to be met (i.e., maximum number of units/building, parking, connections to public water and sewer systems, etc.).
- Change the name of the Village Commercial district to the Village Center district to emphasize the mixed use nature of the area.
- Allow ADUs as permitted, as opposed to conditionally permitted, uses in the VC district.
- Allow multifamily dwellings as permitted uses, with site plan review, in the VC district and allow up to six units per multifamily building (as in the VR district proposal). Drop the separate density standard for conversion of existing houses to multifamily buildings.
- Change density requirement to minimum lot area per principal building, as opposed to per unit/use (same as with VR proposal, above).
- Clarify that ADUs are permitted, as opposed to conditionally permitted, in the VRP district.
- Maintain the provision that does not require additional lot area for a professional office located in a mixed use building, but expand it to state that 20,000 square feet is required per principal building, with no additional lot area required for additional dwelling units or professional uses (with a limit to the number of units within a building as in the VR and VC districts).
- Maintain the standards that allow for high density housing in historic industrial buildings. Consider liberalizing the 8,000 sf per dwelling unit standard for new construction.

### Nonregulatory Actions

- Improve residential parking area safety at the converted industrial buildings along Water Street and provide pedestrian amenities, such as crosswalks, to encourage people to walk between this area and the village center. Improve pedestrian facilities along Mechanic Street and Sage Street.
- Encourage Bennington College to continue to invest in additional student and staff housing in the village center. Housing units may be small apartment/collective housing as currently in one of the old factory buildings to expanded and upgraded multifamily apartments in existing buildings.

# Old Bennington Village

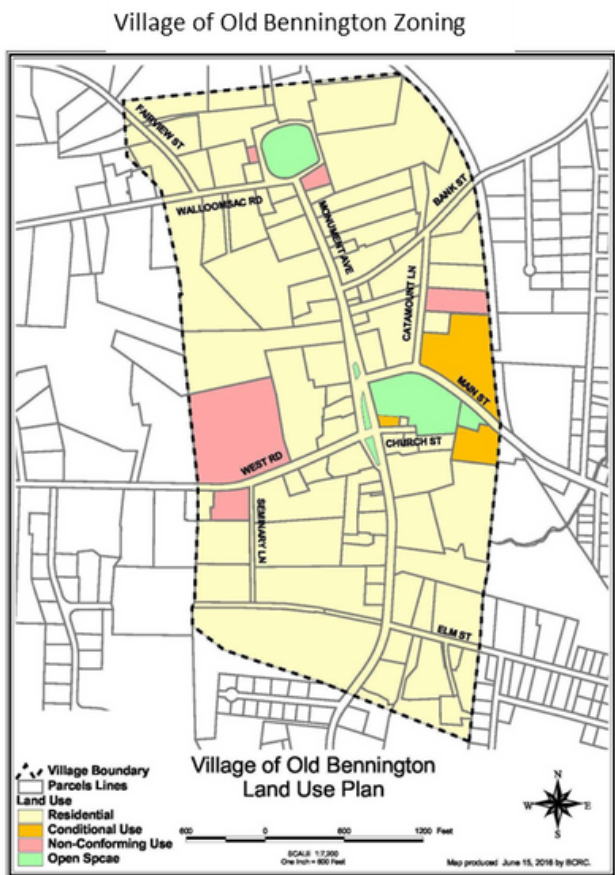
The Village of Old Bennington is a separately incorporated municipality located on the height of land west of downtown Bennington. Much of Bennington's earliest development occurred in this area prior to the industrialization of land along and near the streams and rivers in the center of what currently is the Town of Bennington. Many important historic structures remain in Old Bennington, including numerous stately homes, the Old First Church, and the iconic Bennington Battle Monument. The population of the Village (2018 data) is 178.

The community is decidedly residential in character, with exceptions noted on the Village's land use and zoning map, including the Battle Monument, the Old First Church (and the Church "Barn" on Monument Circle, the Bennington Museum, an historic cemetery, a public elementary school, a music school, and an inn. Of the 90 residential buildings in the Village, 87 are single-family structures, two are listed as two-family, and one as multi-family (VHFA housingdata.org website). The Old Bennington Village Plan clearly states that the community seeks to retain its historic single-family character.

Most homes in the Village are owner-occupied, with just three renter-occupied units identified (as well as ten homes noted as vacation properties). Many of the dwelling units are quite large, as over 60% have four or more bedrooms. And as would be expected in an historic area such as Old Bennington, most (77%) of the homes were built prior to 1940.

Old Bennington is a relatively wealthy community, with a median household income (owner-occupied households) of approximately \$123,000, well above the town, county, and statewide medians. Although data on current home sales is not available for the Village, a review of real estate listings in the community indicates that home values also are well-above those seen in most other parts of the town, county, and state.

While the Village maintains its own land use controls, oversees the maintenance of local roads, and has its own part-time police officer, it relies on the Town of Bennington for many services, including the public water and sewer systems.



## Zoning Provisions for Housing

The Village's zoning regulations allow single-family homes as permitted uses in its only (Residential) land use district. Accessory dwelling units are permitted, subject to size limitations, if within an existing building and are conditionally permitted if in a new structure or if the floor area of the existing house is expanded (affected by a recent change to state law—see Potential Amendments).

While the Village clearly indicates a preference for community character defined by single-family homes, consistent with state law, the zoning regulations allow for two and multi-family buildings as conditional uses, provided the involved structure is at least 25 years old. As noted above, the vast majority of homes in Old Bennington are relatively old so this provision applies to most residential structures in the Village. Another recent amendment to state law has placed some limits on the conditional use authority for multi-family buildings (see Potential Amendments).

The 80,000 square foot minimum lot size requirement throughout the Village is quite large, but is intended to preserve the community's unique historic character. Additional dwelling units on a lot under common ownership do not require extra acreage so this dimensional standard does not significantly limit potential housing density.

# Potential Regulatory Changes and Non-Regulatory Actions to Support Housing Development

The Village of Old Bennington is an historic area with little open land available for new development. Much of the undeveloped land exists as part of an existing residential property (i.e., large lots associated with an existing home), a public space unavailable for development, or contains significant environmental constraints. Nonetheless, there is some potential for subdivision and development of new residences, subject to the Village's land use (zoning and subdivision) regulations. An important part of those regulations is the design review standards, effecting all properties in the Village that apply to any new development or significant modifications to existing structures.

Given the historic character of the area and the large size of many of the existing homes, it is likely that the addition of new housing units in the Village likely will involve creation of accessory dwelling units and, potentially, the addition of one or more units to some large existing houses. The Village is expected to control the appearance of any such conversions or additions through application of its design standards, which provide state-authorized flexibility beyond regulations typically applicable to residential construction.

## Potential Amendments to the Land Use Regulations

- Once amendment to the Vermont Planning and Development Act (Title 24 V.S.A. Chapter 117) requires that all municipalities allow accessory dwelling units to be permitted uses whether within or appurtenant to a single-family dwelling. Moreover, an accessory dwelling unit may now occupy up to 900 square feet or an area equal to 30 percent of the primary dwelling unit, whichever is greater. These amendments take precedence over the existing Village zoning provisions applicable to accessory dwelling units, so the planning commission should consider how to best amend the existing bylaw to bring it into conformance with this new state requirement.
- Another recent amendment to Chapter 117 affects applications for proposals to build or convert a residential structure for two, three, or four dwelling units. While those uses still can be treated as conditionally permitted under the Village's zoning regulations, any such use cannot be denied a permit solely due to a determination that the two, three, or four unit building would have an adverse impact on the character of the area, one of the standards for review of any other conditional use. Again, this new state requirement overrides the municipal regulation, so the planning commission may want to consider a clarifying amendment to the Old Bennington land use regulations.
- The Village's zoning regulations require two parking spaces per dwelling unit. Although appropriate for single-family homes, if an accessory dwelling unit or multi-family building is created in Old Bennington, this requirement may lead to excessive and unnecessary paved or gravel parking areas (and may also limit the potential for such uses). Many land use regulations in village areas now require just 1 or 1.5 parking spaces per dwelling unit in a two or more family building (and one parking space for an accessory dwelling unit).

## Nonregulatory Actions

- Although there may be no existing opportunities, if a large old structure becomes available for purchase and redevelopment, partnership with an organization like Shires Housing, or some other housing developer, might open access to historic preservation tax credits and other financial resources. Such financing might make it possible to create an attractive and historically appropriate development in the Village that also could provide housing for people with a range of incomes.

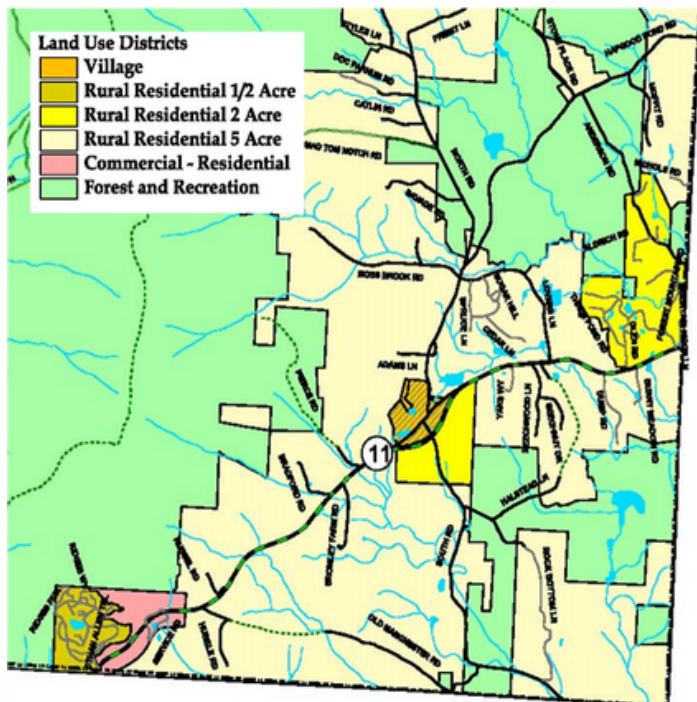


# Peru

Peru is a hill town in the Green Mountains of northeastern Bennington County. Almost three-quarters of Peru is under Forest Service ownership as the Green Mountain National Forest. The town's history is intertwined with its working landscape for timber production, farming, and—later—recreational tourism. Peru has about 324 year-round residents, but the majority of total housing stock in the community (75%) is for seasonal use. Peru's status as a tourist destination originated in the late nineteenth century when urbanites began retreating to Peru for the fresh mountain air and stunning natural features. Alpine ski tourism initiated in the 1930s at Bromley Mountain, where lodging, year-round recreational facilities, and condominium clusters exist today. Bromley Mountain Resort is the largest employer in Peru. Community life in the town centers on Peru Village, where the town offices and popular J.J. Hapgood General Store are located.

Peru's housing stock is very diverse for a rural town. While 54% of homes are single family detached houses scattered around Peru Village and remote areas of the town, another 8% of homes are single-family attached, 6% are duplexes, 20% are three- and four-unit homes, and 9% are five-plus-unit homes. Denser housing types are located within the Bromley Ski Area and Bromley Village, which are served by central water and wastewater facilities. A fair amount of recent residential development has occurred through subdivisions on backroads in the town, and overall housing stock is young relative to the region and the state (median year built 1979). Median household income is one of the highest in the region at \$68,750, and the cost of single-family homes is also high at \$375,000 median cost. About 12% of Peru residents pay more than 50% of their income on housing, which is just under the region's rate. Average household size among Peru's 158 occupied homes is one of the lowest regionally at 2.05 persons per household.

The Town Plan notes that high housing costs prevent most full-time and seasonal workers at Bromley Mountain and other local employers from living in town. Current Peru residents are aging and may wish to age in place in housing units that are more cost-effective and require less maintenance than their current homes.



## Zoning Provisions for Housing - Village Areas PV, RR—1/2 acre, CR Districts)

Peru has three zoning districts that allow for high-density residential development. The Peru Village (PV) district covers the historic village area north of Route 11. Most of this zone is included in the town's Historic Overlay District. The Rural Residential 1/2 Acre (RR-1/2 acre) and the Commercial-Residential (CR) districts are located at the base of Bromley Mountain. One and two-family homes are permitted by right throughout these districts. A maximum building height of 35' and maximum building coverage of 15% applies. Side and rear setbacks are 25', and front setbacks vary by district. A range of commercial and public uses are permitted in the PV and CR districts.

PV—Mixed uses are permitted by right in buildings up to 3,000 sq. ft. and conditionally permitted in buildings exceeding that size. Minimum lot size per dwelling unit or other use is 2 acres and lots must be at least 75' wide. Front setback is 30'. The Historic Overlay District restricts building heights to two-and-a-half stories maximum.

RR -1/2— Multi-unit dwellings are permitted at a density of one dwelling per 1/2 acre. Lots must be at least 50' wide and have a front setback of 50'. Commercial uses are not allowed in this district.

CR—Minimum lot size per dwelling unit or other use is 2 acres and lots must be at least 200' wide. Front setback is 75' generally and 100' from the Route 11 right-of-way. Special PUD/PRD provisions apply in the CR to allow multi-family and mixed use development by right. Allowed residential density in a CR PUD/PRD is 6 dwelling units per acre, with an additional 25% density bonus to incentivize workforce and affordable housing units.

Planned Unit Developments (PUDs) and Planned Residential Developments (PRDs) are only permitted in the CR District and the RR-5 acre district and have specified provisions for each area. PUDs and PRDs allow for the flexible design and layout of subdivided lots to preserve open space, incentivize desired affordable housing development, and incentivize transportation improvements along Route 11.

Parking regulations for residential uses require 1 space per two bedrooms in one- and two-family homes, and 3 spaces for every 2 units in multi-family dwellings, though these requirements may be reduced for mixed-use projects and PUDs/PRDs.

## **Potential Regulatory Changes and Non-Regulatory Actions to Support Housing Development**

Peru offers a bucolic setting, active year-round recreation opportunities, and quaint village center amenities to both full-time and seasonal residents. More housing opportunities are needed to support the town's workforce, and the Town Plan notes that additional small-scale retail shops and restaurants/cafes are desired in Peru Village. A mix of regulatory and non-regulatory approaches can further these goals:

### **Potential Amendments to the Land Use Regulations**

- Develop regulations specific to accessory dwelling units (ADUs), which have been identified statewide as a primary tool for introducing new housing units among existing development.
- Lower parking requirements to one space per dwelling unit, and considering adding a waiver option for cases where a developer can demonstrate that the parking requirements are not necessary.
- Consider allowing more density in the PV district. This can be done in one of two ways. The first is to introduce PUD/PRD provisions to the PV district. This would allow development to overcome the current density barrier of 2 acres per dwelling unit, the minimum lot frontage of 75', and the front setback of 30', which appears to be greater than much existing development in the village. Another approach would be to simply lower the minimum lot width and front setback to dimensions more consistent with existing development, and to eliminate the dwelling unit density cap, which is already controlled by water and wastewater capacity permits. Pursuing both of these regulatory revisions would work well too.
- Consider revising the maximum building story restriction in the Historic Overlay District to be consistent with the PV's height standard of 35' allowed building height.
- Since the RR-1/2 is served by water and wastewater infrastructure, consider raising the allowed residential unit density to allow for gradual infill development in this area.
- For PUD/PRDs, density bonus criteria could expand to encourage a mix of age-restricted (55+) dwelling units, energy-efficient building approaches, mixed use or other site amenities desired by the community.
- Introduce a waiver provision to allow for a reduction of dimensional standards in special circumstances where topography or other barriers necessitate a modification for desired development to be possible.
- Review standards to confirm that home businesses and home-based industries are possible throughout town.

### **Nonregulatory Actions**

- For future housing and mixed use development in Peru Village, additional wastewater capacity may be a good option to explore. The state has created a Village Wastewater Solutions Initiative to provide resources for municipalities exploring the possibility of investing in wastewater infrastructure.
- Work with Shires Housing to identify opportunities for additional workforce housing.

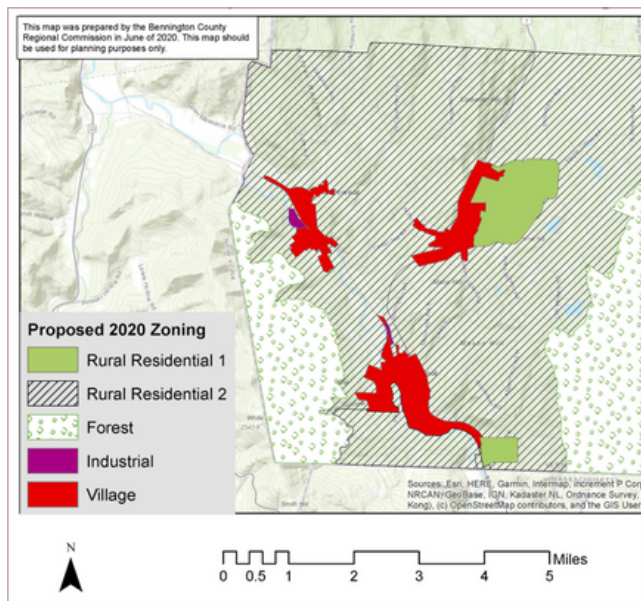
# Pownal

Pownal is located in the southwestern corner of Vermont, sharing a border with both New York and Massachusetts, and serving as a gateway to the state along US Route 7. The town's population (2108 estimate) is 3,431, with residences spread throughout much of the rural town, but with concentrations in and around the three state-designated village centers of Pownal, Pownal Center, and North Pownal. Its location between Bennington and Williamstown/North Adams, Massachusetts and scenic landscape have heightened its appeal as a residential community.

There are 1,347 year-round housing units in Pownal, with 1,110 being owner-occupied. Most of these units are single-family detached units, including over 300 mobile homes. Many of these mobile homes are located in parks, several of which have a number of vacant homes and empty lots. Approximately 80 units are located in two and multi-family buildings. Home sale prices in a recent year averaged \$148,000. While the median household income in Pownal is slightly above the county median, the median for households having three or more family members is significantly below both the county and state medians.

As of 2019, there were 203 jobs in Pownal and with a total resident workforce of 1,726, it is clear that most residents commute to work outside of the town. The most common commute time for residents is 15-29 minutes, suggesting the drives are likely to those larger towns to the north and south. The abandoned Pownal Racetrack has been the subject of periodic redevelopment interest, including housing projects, but its location in a flood hazard area along the Hoosic River likely limits its potential in that regard.

One of Pownal's most compelling community assets is its relatively new public sewer system that provides service to properties in each of the town's villages. The system has considerable capacity to accommodate additional growth. Public water systems are more limited, with most serving individual developments and residential communities, although the Pownal Fire Department system serves areas of Pownal and North Pownal along the Route 346 corridor. Options for that water system currently are being explored as it has been shown to have been contaminated with PFOA from a nearby, now closed, manufacturing operation.



## Zoning Provisions for Housing - Village Districts

The town recently completed a comprehensive update to its land use bylaw, incorporating both zoning and subdivision regulations. The revisions condensed the bylaws, simplifying the categories of uses and removing sections that were rarely used or which complicated the development review process. Many uses previously categorized as conditionally permitted were reclassified as permitted uses, some requiring site plan review by the DRB.

The existing Village districts were maintained, and combined with the previous Commercial districts in Pownal Center and Pownal (the uses, dimensional standards, and review processes for those districts being nearly identical). The result of all of those changes is that Pownal has three relatively large Village zoning districts, each of which is served by the municipal sewer system. These Village districts contain both developed land, with infill potential, as well as undeveloped areas. (Adjacent Rural Residential 1 district land provides some opportunities for relatively high density housing, but this review specifically references Village district standards.)

One and two family residences as well as accessory dwelling units (appurtenant to a one or two family home) are permitted with administrative approval. Multifamily buildings may contain up to eight units, with site plan approval. A variety of commercial and professional uses also are allowed with site plan approval. Mixed uses are allowed and no additional lot area is required for co-locating multiple units or uses within a principal building. The minimum lot area for a principal building connected to both public water and sewer systems is 0.25 acres; 0.5 acres if connected to public water or sewer (but not both), and 0.75 acres if not connected to either a public water or sewer system. Buildings can be up to 45 feet high and the lot coverage maximum for the Village district is 65%. The bylaw also allows for Planned Unit Developments in the Village and Rural Residential districts, enabling significant flexibility in site design.



# Potential Regulatory Changes and Non-Regulatory Actions to Support Housing Development

Pownal's location gives it a unique appeal as a residential community, and a growing population would encourage development of new local businesses. The town's strong base of infrastructure opens up opportunities for growth that many other rural communities in Vermont lack. The sewer system, in particular, makes the Village areas attractive areas for residential, commercial, and mixed use development. The sewer system was designed to support water quality improvement and new development in and around the village centers, but not in the intervening countryside, consistent with state land use policy. A related housing development opportunity exists with the potential for redevelopment at some of the mobile home parks, providing additional housing through infill and replacement of substandard/vacant units.

## Potential Amendments to the Land Use Regulations

- The Pownal Land Use Bylaw was recently updated and now provides greater clarity for residents and potential developers of housing. The review process also has been streamlined to allow development consistent with the Town Plan to advance more quickly and at lower cost. Implementation of the regulations should be monitored to identify any further improvements that may be necessary.

## Nonregulatory Actions

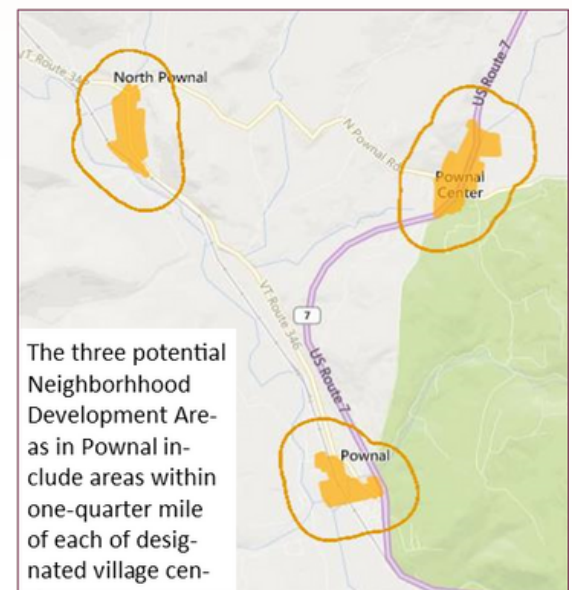
- Vermont's Neighborhood Development Area (NDA) program supports the state's land use policy of encouraging higher density housing and mixed use development in and around historic community centers by providing special permit and tax incentives for building mixed-income housing within and adjacent to state designated centers, including village centers like the ones in Pownal. The NDA designation facilitates the development of new and infill housing in areas within walking distance of village centers and incentivizes needed housing, also supporting commercial establishments in those areas. Areas eligible for designation must be within an area surrounding an existing state designated area, extending a 1/4 mile from village centers.

The benefits of Neighborhood Development Area designation 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.
- Helps meet the location requirement for tax increment finance (TIF) districts.

The BCRC can assist with the preparation of an NDA application—guidelines are at:

- <https://accd.vermont.gov/sites/accdnew/files/documents/CD/CP R/CPR-NDA-Application-Guidelines.pdf> .
- Work with an organization such as Shires Housing to acquire and redevelop a mobile home park with new high quality modular units such as the "Vermod" homes that were featured at last year's home and energy fair in Pownal.

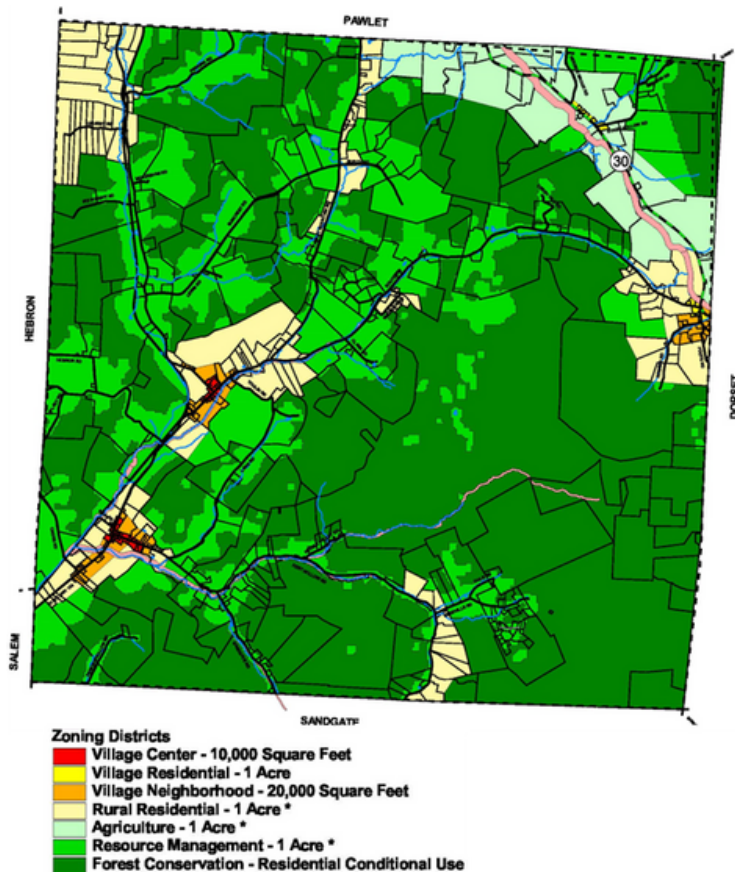


# Rupert

Rupert, a rural town anchoring the northwest corner of Bennington County, has a rich agricultural and rural business legacy. Three historic village areas traverse the town along Route 153/315: West, Center, and East Rupert Villages. The hamlet of North Rupert lies further up Route 30 in the northeastern corner of the town. West Rupert and Rupert Center Villages are designated under Vermont's development incentives program, and Rupert Village projects have made use of program benefits. Due to the Taconic Range bifurcating the town, much of Rupert is somewhat isolated from major transportation corridors and the rest of Bennington County. For example, Rupert schoolchildren attend elementary school in Pawlet, VT and secondary school in Salem, NY. Residents and visitors to Rupert enjoy the D&H Rail Trail and Merck Forest and Farmland Center.

The population of the town, today around 716 residents, has grown nearly 10% since 1990, a growth rate that outstrips the county as a whole, though this growth has tapered off in recent years. Households (293 total) are currently decreasing by 1% annually, a rate generally consistent with Bennington County as a whole. For median incomes and home prices, Rupert is slightly elevated above regional trends. Local household median income is \$57,054 and median home sale price is \$204,500. About 9% of local households pay more than 50% of their income on housing. Rupert reports one of the lowest median gross rents in the region (\$718). Rupert's average house is aging (median year built is 1964), which has implications for the quality, ongoing maintenance costs, and overall energy efficiency of existing residences. Interestingly, Rupert has the second highest concentration of duplexes in the county, with two-family homes comprising over 8% of total housing units. Seasonal use of housing units is high at 37% compared to the regional rate of 24%.

Rupert residents love their town and have organized initiatives since 2015 to invest in a town green, preserve a number of historic properties, develop a community center at the Sheldon General Store, and host a series of public events from the annual Old Home Days parade to a new Rupert Mountain Theatre Festival. A vibrant arts and music culture mixes with a rural agrarian sensibility to animate this unique community.



## Zoning Provisions for Housing - Village Areas (VC, VN, VR)

Future development will be concentrated in existing village areas, and in particular West Rupert and Rupert Center for the foreseeable future. The land use districts in these two villages west of the Taconic Range crest are the Village Center (VC) and Village Neighborhood (VN) Districts. An additional district, the Village Residential (VR), covers East Rupert Village at the intersection of Routes 315 and 30 and the North Rupert hamlet.

These three zoning districts allow detached single- and two-family uses by right and multi-family uses conditionally. Accessory apartments are allowed and mixed uses are reviewed as conditional uses. Distinct dimensional standards apply to accessory structures throughout. Attached single family homes are only permitted in the VN district in West Rupert and Rupert Center as conditional uses. There are no dwelling unit density caps.

VC—Minimum lot size is 10,000 sq. ft., minimum lot width is 50', and maximum lot coverage is 80%. Setbacks minimums are fairly low at 5' in the front and side and 25' in the rear yard. Maximum front setback is 40'. Buildings may be 3 stories, and must be a minimum of 2 stories if they contain a commercial use. Maximum building footprints keep overall density at the village-scale: 4,000 sq. ft. maximum for buildings with commercial use and 3,000 sq. ft. for residential.

VN—Minimum lot size is 20,000 sq. ft., minimum lot width is 75', and maximum lot coverage is 50%. Setbacks are compact, at a 15' front setback, 10' side setback, and 30' rear setback. The maximum front setback is 50'. Buildings may be 3 stories and are limited to a 3,000 sq. ft. footprint.

VR— Lots can be no smaller than one acre and must measure at least 100' at the road and 200' deep. No more than 50% of the lot may be covered. Consistent with existing development, setbacks are compact: 15' front setback, 10' side setback, and 25' rear setback. Buildings may be setback no further than 40' from the front lot line. Same maximum building height and footprint as in VN.

Rupert's waiver provision allows for modifications of dimensional standards. In the three village zoning districts, maximum footprints may be waived entirely for civic and public uses.

Planned Unit Development (PUD) standards allow for the flexible design and layout of subdivided lots to preserve open space. Standards for the three village districts note that a range of housing types are desired in these areas and they provide density bonuses and waive footprint standards for affordable, accessible, and age-restricted (55+) housing development and mixed uses.

## Potential Regulatory Changes and Non-Regulatory Actions to Support Housing Development

Rupert's land use regulations, which were comprehensively re-written in 2011, are strong in reflecting historic development patterns and in providing incentives and flexibility to accommodate the mixed uses and diverse housing types and densities the community seeks. Nonregulatory barriers such as reliance on private water and onsite wastewater systems in the villages currently place the greatest limitations on development potential. Strategies to address these barriers and others are detailed below.

### Potential Amendments to the Land Use Regulations

- To encourage infill housing in the village zones, lower residential minimum parking requirements from two spaces per dwelling unit to one. Developers of new properties can still provide additional parking if they wish, but will not be required to if they determine it is not necessary for a project to be successful.
- Review conditional use procedures to make sure that multi-family homes are not excluded solely due to adverse impact to character of area. New statutory language excludes this criterion as sole justification for rejecting a multi-unit residential use application. Regulations should also be reviewed for compliance with recently-mandated statutory standards for ADUs.
- Perhaps reduce the minimum area a PUDs in the VN must set aside as open space (currently 30%). Comparatively, the VC and VR require just 10% of the original parcel to be open space.

### Nonregulatory Actions

- As noted above, exclusive reliance on private wells and septic systems within village areas is a primary barrier to new development and redevelopment. The recent project to reopen the historic Sheldon General Store as a community center with office and residential uses adjacent has been possible due to the siting of a shared wastewater system on neighboring conserved property. Such small-scale solutions may be all that is needed to revitalize existing villages, but the Town could also consider the viability of investing in a community water or wastewater system village-wide to lower the costs required for new housing development. The state has created a Village Wastewater Solutions Initiative to share resources and technical assistance. A first step in researching a solution would be to obtain a new Engineering Planning Advance to assess feasible options based on community housing needs and objectives.
- Work with Shires Housing to develop plans for additional affordable housing targeted specifically to new residents, young families, and current residents who are growing older and looking to age-in-place.
- Continue to make strategic municipal investments in public spaces and pedestrian amenities in the villages. Development of the town green starting in 2015 helped confirm Rupert Village as the center point of the community, and since then numerous private projects and investments have been pursued. The Town's ongoing sidewalk project in Rupert Village will enhance walkability, safety, and interconnectedness of the village's assets. Through the coming years, the community should continue to identify such opportunities.



# Sandgate

Sandgate is a quiet retreat of a community nestled along the forested hollows and valleys of the Taconic Range in northwestern Bennington County. Historically, areas in Sandgate hosted small villages with mills, stores, churches, and schools, but today the town is known for its rural residential uses, stunning natural environment, working landscapes, secluded backcountry areas, and abundant wildlife. Economic activity is limited to a single inn, farming and forestry activities, and a number of home-based occupations. A Carthusian monastery is located in the eastern uplands. Residents, many of whom commute to work in other towns in the region, value the remote residential setting of Sandgate and are committed to preserving its undisturbed environment.

Sandgate's population is about 369, down from a 2010 peak level of 405 residents. Single-family detached homes dominate the municipal housing stock (96%). Households currently number 150 total, and the annual household count is decreasing at about twice the rate of the Bennington region as a whole. Sandgate homes (median year built 1975) are a bit newer than in the rest of the region. Median household income is \$58,750, which is above the regional median. Median single family home price is \$171,500, which is \$20,000 less than the regional median. With these elevated incomes and low housing costs, Sandgate residents enjoy a high rate of housing affordability with just 7% of households paying more than 50% of total income on housing. Regionally, about 14% of households are paying more than 50% of their incomes on their homes. 2010 Census data show that 2 out of every 5 homes is used seasonally for recreational purposes. Hunting and fishing are major attractions to the area and seasonal use cabins are scattered through the rural areas of Sandgate.

Trends indicate that Sandgate will remain a sparsely settled residential community into the foreseeable future. Home occupations and conversion of seasonal homes to full-time residences have been on the rise in the last two decades. Municipal regulations should accommodate these practices to make sure Sandgate remains an affordable and desirable place to live. The Town Plan indicates local interest in attracting new community facilities or other hamlet-scale development to the "town center" where the Town Hall is located.

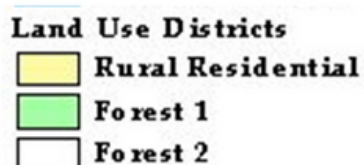
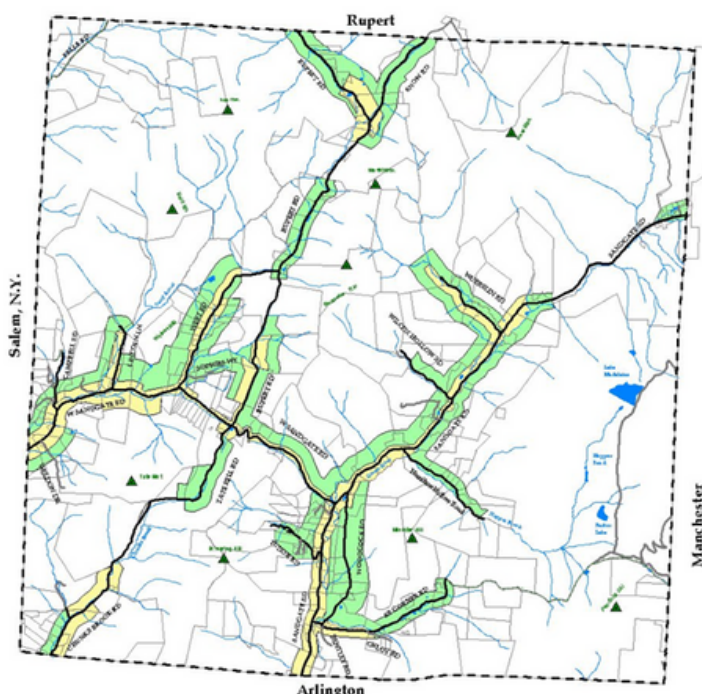
## Zoning Provisions for Housing - (RR & FI Districts)

Two land use districts in Sandgate allow for year-round residential uses that are consistent with the existing, low-density residential settlement pattern in Sandgate. The Rural Residential (RR) and Forest-1 (F1) Districts allow for single-family and two-family home development by right as well as accessory dwelling units (ADUs). Most future development in the town will occur in the RR district to limit impacts to open spaces and limit municipal infrastructure and service liabilities.

RR—This district permits multi-family homes by right with a two acre minimum lot size per dwelling unit. Minimum lot size is 2 acres and lot width is 300'. Front setback is 75' and side and rear setbacks are 50', and ADUs are granted reduced setbacks at 50' and 25', respectively. Mobile homes parks are conditionally allowed.

F1—Minimum lot size per principal use is 5 acres, with a 5 acre per dwelling unit applying to residential uses. Minimum lot width and all setbacks are the same as in the RR district.

Cluster subdivisions that allow for flexible design of lots and encourage open space preservation are permitted in both districts. Minimum lot size is 1 acre. Permitted housing types are determined by the underlying zoning district.



# Potential Regulatory Changes and Non-Regulatory Actions to Support Housing Development

Sandgate residents are enthusiastic about the traditional rural character of their town, but are simultaneously concerned about rising property values, a declining and aging resident population, and the possibility that young, working families will not be able to afford to live in the community in coming years. Opportunities exist for new residential development along existing roads. Current development regulations are open to various housing types, but dwelling unit density limits may be limiting new housing development. Public water and wastewater systems are not practical, but it is possible that cluster developments served by a private community wastewater system would introduce relatively affordable homes while preserving open space. A mix of potential regulatory and non-regulatory options to enable more housing development are outlined below.

## Potential Amendments to the Land Use Regulations

- Minimum lot size in the RR district is 2 acres and a density cap of 2 acres per dwelling unit applies. Though the RR allows duplexes and multi-family homes, the economic viability of constructing such homes is likely restricted by the dwelling unit per acre requirement. This cap could be eliminated, allowing minimum lot size to perpetuate a rural residential settlement pattern. In addition, a reduced minimum lot width and lower setbacks could be combined with a new maximum lot coverage to make housing development more economically feasible without altering overall character of roadside areas. If Sandgate pursues these changes, it would be worth revisiting multi-family residence provisions to consider limiting the total number of dwelling units per building.
- Review regulations for home occupations to incorporate the most recent best practices that minimize local adverse impacts while offering residents the opportunity to live and work in the community.
- Consider permitting some commercial uses in central hubs of the town, particularly in the planned village center. Despite commercial uses being limited in the town, encouraging developers and property owners to combine residential with suitable commercial uses may provide additional housing units and increase the financial benefits of a project for both developers (greater return on investment) and the town (higher tax revenues).
- Update ADU language to reflect recent statutory changes in how these units are to be permitted, used, and sited. Consider further lowering yard setbacks for ADUs to make them more viable as infill developments.
- Consider introducing density bonus incentives to cluster subdivisions that provide affordable housing units, meet high energy efficiency standards, or include other desired site amenities.

## Nonregulatory Actions

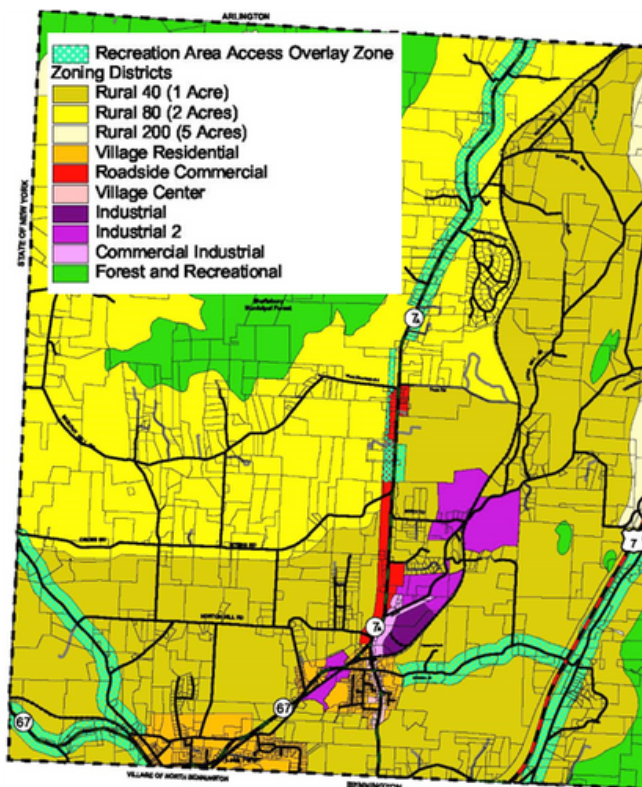
- Traditional, centralized sewer systems are not suitable for Sandgate's rural settlement pattern. However, small, private wastewater systems that serve single multi-unit housing developments or a cluster of homes could help make new housing more viable to develop and affordable to inhabit. The state has created a Village Wastewater Solutions Initiative that provides introductory information on innovative systems that private developers may consider. The town should be aware of these new wastewater solutions.
- Sandgate should communicate their housing need concerns with neighboring towns, particularly Arlington, as well as with Shires Housing to see if opportunities exist to attract affordably priced new housing to the town and bordering areas. Involvement of the municipality in such efforts raises the likelihood that residents will be aware of any resulting developments, which could be attractive for those looking to downsize their homes and age in place.
- Poor telecommunications infrastructure limits how Sandgate residents use and enjoy their homes. Fortunately, the regional Southern Vermont Communications Union and state funding are accelerating the rollout of broadband infrastructure to rural areas like Sandgate. The town should continue to participate in these efforts.

# Shaftsbury

Shaftsbury is a rural valley town with two villages and a rich history of agricultural and rural manufacturing enterprises. The town's larger businesses today reflect this commercial legacy and include manufacturers like T&M Enterprises, the Dailey Companies, and Bernstein Display and farm-related operations at Clear Brook Farm, Mighty Food Farm, and Poulin Grain. Shaftsbury is also home to the historic property and house of Robert Frost and an abutting trail network as well as the popular Lake Shaftsbury State Park, which offers swimming, kayaking, nature trails, and picnic areas to visitors. Shaftsbury Elementary offers K-6 education.

The town's population peaked in 2000 and has declined slightly to 3,472 as of 2018. Shaftsbury has a total of 1,341 households, which are decreasing each year at a rate three times that of the county as a whole. Household size is higher than average in Shaftsbury at 2.59 persons. Median home price in town is \$191,950, which is considered average for the region. Current Shaftsbury residents have the highest rating of housing affordability in the county, with only 6% of households paying more than 50% of income on housing costs; comparatively, the regional rate is 14%. However, equating this rating with overall housing affordability would be misleading since Shaftsbury's median household income is elevated above state and regional levels at \$67,254. Shaftsbury may be considered affordable for higher-income households, but a lower-wage working family or young professional may struggle to find affordable housing in the town. The town's housing stock is aging, which can also contribute to higher utility costs. Public water currently serves South Shaftsbury village.

The Town Plan notes challenges posed to the local economy by a shrinking and aging population, lack of workforce housing, and weak telecommunications infrastructure. The plan points to opportunities to attract young working families and increase housing for a range of incomes. The town's two designated village centers in South Shaftsbury and Center Shaftsbury support these goals by providing access to tax credits and other incentives for reinvestment in the village areas. Lake Paran Village, a 22-unit, mixed-income rental housing complex that opened in fall 2020 is an example of recent workforce housing development in the community.



**Shaftsbury, Vermont  
Zoning Map**

## Zoning Provisions for Housing - Village Areas (VC, VR, RC Districts)

The Village Commercial (VC) and Village Residential (VR) districts each allow one and two family homes as permitted uses, as well as accessory dwelling units (ADUs). Multifamily dwellings are permitted in both with varying levels of review and at varying densities. Both districts allow buildings up to 30' tall.

VC—Standards in the VC district are generally strong since this district received particular attention and revision during the most recent bylaw update in 2017. Minimum lot size is 10,000 sq. ft. and there is no density cap on residential units beyond what water and wastewater permitting will allow. Multi-family dwellings are subject to site plan review. Buildings may cover up to 70% of a lot. Minimum lot width is 50'. The VC has low setback minimums at 5' in the front and 10' for the side and rear yards. Mixed uses are permitted with conditional use approval.

VR—Multi-family dwellings are permitted with site plan review, and density is limited as follows: for multi-unit dwellings connected to public water, there is a minimum of 10,000 sq. ft. per dwelling unit and a 20,000 sq. ft. cap for dwellings not connected to public water. Density is also limited by maximum building coverages. A minimum lot width of 75' applies to residential uses. Setbacks vary by use. Mixed uses are not permitted.

RC—This district, located along 7A between South Shaftsbury and Shaftsbury Center, permits one- and two-family dwellings on 40,000 sq. ft. lots with a 50' front setback and 25' side and rear setbacks.



RC (continued) - Buildings may cover up to 15% of a lot, and all lots must be at least 200' wide. Multi-family dwellings are not permitted except through conversion of existing, older roadside motels. For motel conversions, there are no dwelling unit caps beyond what is supported by water and wastewater systems, and there is a minimum threshold of affordable units that must be included in a conversion project. There is also a provision to convert these buildings to rooming houses. This provision incentivizes bringing these buildings up to code and realizing minimum energy efficiency standards.

Rural Residential districts along Route 7A (R-40 and R-80) also allow for the conversion of motels to multi-unit dwellings.

Open space subdivisions that allow for flexible subdivision design are permitted in the VR and Rural Residential districts. They provide density bonuses for open space conservation. The regulations state that these subdivisions may permit multi-family dwellings where the underlying districts allow them; however, neither the VR nor the Rural Residential districts allow multi-unit homes.

## Potential Regulatory Changes and Non-Regulatory Actions to Support Housing Development

Shaftsbury is fortunate to have a public water system serving South Shaftsbury village. This system already allows for village-scale densities characteristic of historic places where people love to live in community. Preservation of the public water system and investment in wastewater solutions will be necessary to accommodate new infill housing and business development.

### Potential Amendments to the Land Use Regulations

- Update accessory dwelling unit (ADU) standards to comply with new statutory requirements.
- Consider making the allowance for mixed uses in the VC more evident in the regulations, such as by being listed as a conditional use under 6.3.3. Consider reducing the conditional use regulatory barrier for mixed uses if underlying uses are permitted-by-right in the VC. Explore introducing maximum setbacks in the VC to encourage new buildings to frame the street in the village.
- Consider allowing open space subdivisions in the VC district (this could make unique arrangements like cottage clusters easier to develop) and expanding the purpose of these cluster subdivisions to include density bonus incentives for desired housing development, energy efficient building practices, and other beneficial site amenities.
- Lot density requirements for multi-unit dwellings in the VR are likely tied to concerns for siting individual septic systems. While well-intentioned, these requirements might preclude innovative solutions for homes served by shared mound systems or other communal wastewater facilities. For example, the Lake Paran Village complex in the VR district adjacent to North Bennington was able to connect to Bennington's centralized wastewater system in 2020. Since wastewater disposal permitting already limits housing unit density, the town may consider eliminating additional density limits in this settled area, relying instead on wastewater capacity restrictions and inviting a reasonable degree of innovation in the local housing market.
- VR minimum lot width could be smaller than the current 75' standard. A 50' minimum and even a 100' maximum may be considered to incentivize a compact, walkable pattern of buildings. Introduction of a maximum front setback would pull new buildings to the front of lots, a layout that contributes to a more welcoming and sheltered built environment for pedestrians.
- The town may consider allowing by right the conversion of existing homes to 3- and 4-unit dwellings, especially where a wastewater solution is found and no significant change to building structure is required. Allowing such simple conversions can be a strategy to provide additional income to aging residents who wish to remain in their homes and to prevent large, historic homes from becoming dilapidated due to lack of use and investment.

### Nonregulatory Actions

- For many years, limited wastewater capacity has been a primary barrier to new housing and mixed use development in South Shaftsbury. The municipality's last dedicated study on village wastewater solutions was completed in 2007. Since then, technologies and funding mechanisms have evolved. 2021 ARPA municipal relief funds could be leveraged for matching dollars to fund a central wastewater system for the village. An Engineering Planning Advance identifies feasible solutions, and resources through Vermont's Village Wastewater Solutions Initiative provide information on the latest technologies and contacts that can provide technical assistance.
- Collaborate with Shires Housing, a local nonprofit housing organization that developed the 22-unit Lake Paran Village rental complex, to identify opportunities for additional housing developments that will serve the town's goals. In addition to the Lake Paran Village project, Shires Housing has successfully completed renovation of two historic buildings in the Brick Row of North Bennington. Shires has extensive experience with historic preservation and energy efficient building practices.
- Replace the aging concrete-asbestos water mains that serve the South Shaftsbury village water system.

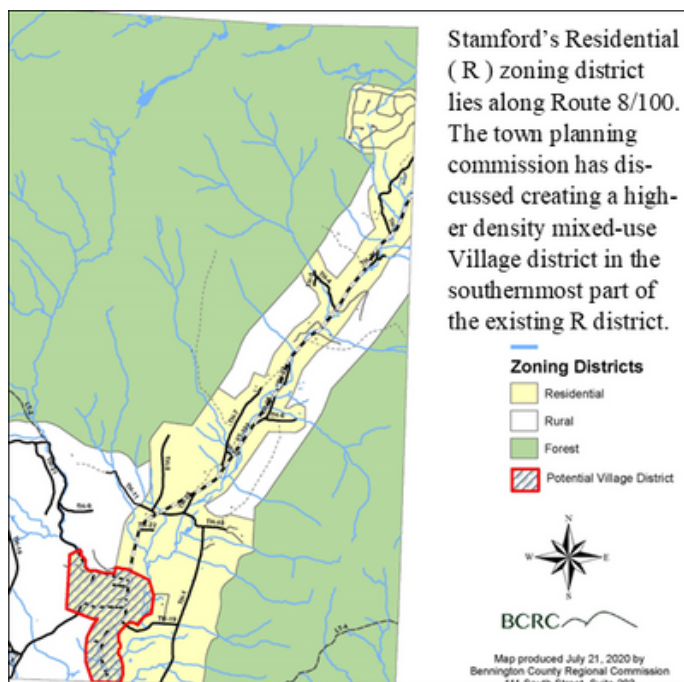
# Stamford

Stamford lies along a scenic valley traversed by VT Route 8/100, adjacent to the Massachusetts state line. Because of its geography, it has many connections to both Vermont and adjacent cities and towns in Massachusetts, particularly Clarksville, North Adams, Williamstown, and Pittsfield. A mid-sized town with a population of 964 (2018 estimate), it contains 381 households, 93 percent of which reside in owner-occupied homes. The average sale price of a house (2019 sales) is \$180,000 and the median rent is \$870. The town has a relatively high number of working professionals, many of whom commute to Bennington or those nearby communities across the border, a demographic that is reflected by a median household income of \$63,250 (2018) that is significantly higher than the county median.

Most residents who are in the workforce commute to work outside of Stamford as there are only 70 jobs located in the town (2019 VT DOL data). Approximately half of those workers commute between 15-29 minutes to work while one-third have a commute of over 30 minutes.

Despite its relatively remote location and limited local job market, Stamford is a cohesive community with its own unique identity, maintaining an elementary school, fire department, and other local institutions. The town has expressed, through its town plan, a desire to reinforce that sense of community with more local businesses, enterprises that would also create more local economic development and job opportunities. It also has been noted that people are not inclined to make a special trip to Stamford or to stop on their way through the community while driving along Route 8/100 because of a lack of any type or variety of commercial destination, other than one existing general store and a local golf course.

The town faces some significant development constraints, primarily due to the fact that there is no public water supply or wastewater disposal system, thus limiting the type and density of new growth. The floodplain of the North Branch of the Hoosic River and river corridor concerns along that river and adjacent streams somewhat limits the location of new development. Nonetheless, the convenient rural location and scenic beauty of the town has made it one of the few towns in the region that has seen an increase in population recently and the town would like to encourage more growth that is consistent with its stated values.



## Zoning Provisions for Housing - Residential District

Stamford includes just three regulatory land use districts. The Residential District includes much of the land in the valley along the state highway and the intersecting local road network. The highest density of current land use exists near the southern part of this district, where public, semi-public uses are found along with the town's one general store. Zoning throughout the Residential District requires a 2-acre minimum lot size (per principal building —said building can contain multiple units/uses, consistent with the use regulations, and a 30% building coverage limitation.

The Zoning Bylaw allows for one and two family dwellings, as well as accessory dwelling units, as permitted with administrative approval in the Residential District. Multifamily buildings (3-units per building) are allowed with site plan review, as are mixed use buildings containing allowed commercial uses.

The Bylaw also allows for Planned Unit Developments (PUDs) throughout the Residential District, with approval by the Zoning Board of Adjustment. The purpose of PUDs is to promote and encourage compact and pedestrian-oriented development consistent with the goals of the Town Plan. PUDs allow for buildings and supporting infrastructure to be sited in a way that supports

those objectives, varying most zoning dimensional standards, while not exceeding the overall density of buildings that would be allowed for the district.

The Residential District covers a large and relatively diverse area along Route 8/100. As noted above, the most compact and diverse existing development is located in the southernmost part of the district.

# Potential Regulatory Changes and Non-Regulatory Actions to Support Housing Development

Stamford is generally well-positioned to attract additional housing development, but it lacks certain key elements that would support desired growth. While some adjustments to existing land use regulations might well accommodate limited and scattered housing beyond what currently is possible, some type of community water and/or wastewater infrastructure is needed to allow for more broad-based growth. In addition, compatible commercial uses would provide the types of services and amenities that are likely to attract more people to the community. The most efficient and cost-effective way to provide for this growth is by designating a discrete geographic area for both regulatory change and infrastructure investment.

## Potential Amendments to the Land Use Regulations

- The number of units allowed in a multi-family building could be increased from three to four or more, subject to water supply and wastewater disposal site limitations and state permits. If a lot has adequate capacity, or capacity can be provided off-site or through a shared community well or septic system, the increased density could provide an option for creation of additional affordable housing units.
- A new “Village District” could be established in the area where higher density, mixed-use development could be most efficiently provided. Although many individual sites still would be limited by on-site water/wastewater capacity and permitting requirements, the minimum lot size could be reduced from two acres to one acre to allow for higher density where conditions allow. One conceptualization of the boundaries for such a district is shown (cross-hatched area) overlaid on the zoning map on the previous page; the actual boundary would need to be established through a study by the Planning Commission.
- The building coverage restriction (currently 30%) could be relaxed in a Village District, allowing for larger, or more, buildings on a lot in an area with (for Stamford) a relatively dense development pattern.
- The PUD regulations could be modified to allow for relaxation of density, as well as other dimensional standards, within an approved development.

## Nonregulatory Actions

- The potential for new housing and mixed use development in Stamford’s “village” area would be greatly enhanced if some type of public water and/or wastewater capacity could be provided. This situation is not unique to Stamford, and the state has created a Village Wastewater Solutions Initiative to address the issue. A first step would be to obtain a new Engineering Planning Advance to assess feasible solutions based on community housing and land use objectives.
- Establishment of a formal Village Center designation, under Vermont state guidelines, would be an effective first step in creating a more vibrant center that could include significantly more housing. The Vermont Village Center Designation Program supports local revitalization efforts across the state by providing technical assistance and state funding to help municipalities build strong communities. Once designated, properties within the area are eligible for tax credits and the town receives preferred status for a variety of grant and loan programs, including subsidies for water and wastewater infrastructure. Towns with a designated Village Center also can establish a Neighborhood Development Area that provides for exemptions from state regulations and related financial incentives to encourage new housing development.
- Various grant programs are available to encourage new small-scale commercial development. Again, these grants are preferentially directed toward established village centers and areas supported by formal state designations.
- Shires Housing can help leverage investment in housing development, particularly in projects that support affordable workforce housing or housing for seniors who want to remain in Stamford.

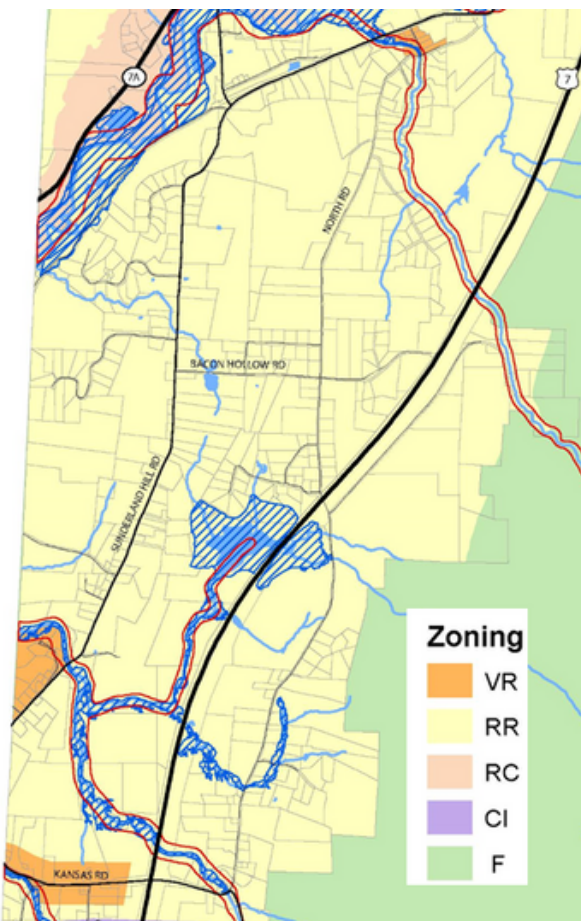


# Sunderland

Sunderland is a rural community of 927 residents. Steep terrain and National Forest land ownership preclude development in over 80% of the town, restricting future housing to the northwest valley of the municipality. Existing development is mostly residential, though several significant commercial operations include Orvis Retail, Green Mountain Power, and Casella Waste Management. The Hill Farm Inn serves residents and visitors alike with restaurant fare and lodging. Sunderland has a small local elementary school (K-6), and residents rely on neighboring towns of Manchester and Arlington for many municipal services such as public safety support and upper grade schooling. Neighboring towns provide shopping and employment opportunities.

The town has 427 occupied homes and a 1.73% annual increase rate in households. Housing stock is newer than the rest of the county with a median building year of 1981. Sunderland has far and away the highest rental costs in the county at \$1,250 median gross rent. Median housing purchase price (\$237,500) is above county median price, but less dramatically so than rental costs. Elevated housing costs may be linked to higher earnings per resident in Sunderland, or to demand for the town's remote setting and excellent school system options. Roughly 1 in 5 occupied housing units are used seasonally. Average household size is currently lower than the county as a whole at 2.17 residents per home.

The Town Plan notes that low density residential development is most appropriate in town, though more establishments for food and entertainment are desired. Sunderland has no centralized potable water or wastewater systems to guide development, although 34 homes access public water from a private system based in Arlington. The town is not likely to develop this infrastructure in the future due to existing decentralized settlement patterns. Though there has been some interest in exploring potential for a new mixed use center in town, lack of an historic village center complicates identification and viability of a future mixed use center.



## Zoning Provisions for Housing - (VR, RR, RCR, CI Districts)

In August of 2020, Sunderland adopted a rewrite of its zoning bylaws to incorporate important statutory changes and develop a unified bylaw document. The updated regulations outline two residential zones as described in the Town Plan: the Village Residential (VR) and Rural Residential (RR) districts. Both areas permit single- and two-family homes, ADUs, and residential care or group homes by right and do not allow multi-family homes. Multi-family homes may be conditionally permitted in two commercial-industrial zones: the Rural Commercial Residential (RCR) district and the Commercial-Industrial (CI) district. Though there is no explicit allowance for mixed use development, it may be understood that mixing of uses permitted in a given zone is allowed. Districts allowing for both residential and commercial uses are the VR, RCR, and CI districts.

VR— Density of one- and two-family homes is limited by a 1-acre minimum lot size and minimum of 25,000 sq. ft. per dwelling unit. This allowed density translates to slightly less than 2 dwelling units per acre. The VR allows 2 primary dwelling units per lot. Structures are limited to 30 ft. tall and there is no maximum lot coverage. 15 ft. minimum setbacks on all sides apply.

RR— Allowed density drops in the RR district, which requires 2 acres minimum per lot and at least 60,000 sq. ft. of lot area per dwelling unit. Only one primary residence is allowed per lot, and lot coverage is restricted to 20% of any lot's total area. Buildings may be 30 ft. tall and 30 foot setbacks apply on all sides of a lot.

RCR— This district is sited along Route 7A. Single- and two-family residences are allowed. See reverse side for more details. For the purposes of the RCR and the CI districts, multi-family housing is considered a high impact use and may be permitted conditionally.

RRCR (cont.)— Both the RCR and the CI districts require that all development, whether multi-family residential or commercial, comply with performance standards for lighting, parking and access, and landscaping, among other concerns. The RCR district allows the greatest building and unit density, with a 1/2 acre minimum lot size and minimum 15,000 sq. ft. per dwelling unit (nearly 3 units per acre density). Setbacks are 10' on all sides, and buildings may measure 50' tall. There is no lot coverage limit as well as no limit on number of primary residences per lot.

CI— Two areas in the town fall into the CI district: areas surrounding the intersection of Routes 7 and 313 and the area west of River Rd where Casella Waste Systems is located. Use and unit density restrictions are similar to those in RCR, but the CI district permits less overall density with a higher minimum lot size of 1.5 acres, higher lot setbacks, and a building height restriction to 40'.

Accessory Dwelling Units (ADUs), permitted throughout the VR, RR, RCR, and CI districts, allow an accessory apartment to measure as much as 50% of the primary dwelling's square footage, which is higher than the minimum threshold statutory requirement.

New development is restricted by a town policy to limit expansion of the road network as well as the extension of municipal services and capital improvements. Notably, the bylaw notes no minimum parking requirements.

Planned Residential Development (PRD) provisions allow for flexibility in the design of clustered subdivisions in the RCR and CI districts. For a subdivision to qualify for consideration as a PRD in the RCR district, the lot must be between 8 and 16 acres in size. In effect, this means that PRD provisions apply to a single existing lot. Provisions allow for single family and two family dwellings and one multi-family dwelling per development. No density bonuses are currently offered so underlying dwelling unit densities apply.

## Potential Regulatory Changes and Non-Regulatory Actions to Support Housing Development

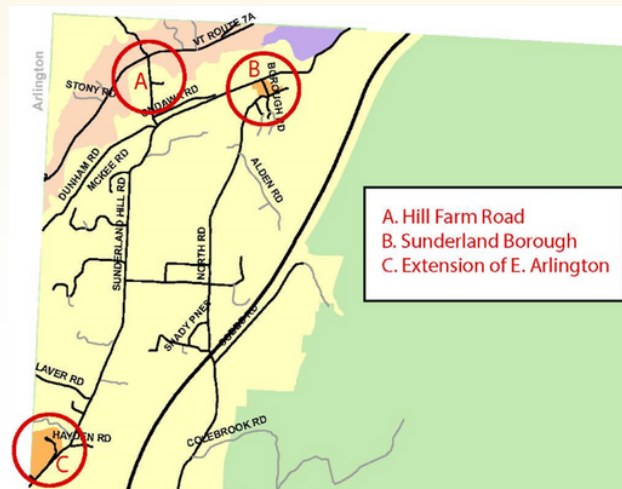
Sunderland residents value their town's qualities as a rural, low-density residential community. While there has been some exploration of future walkable, village-center-like development in the town, Sunderland is likely to remain a largely decentralized town with a modest population in the near future. Thanks to the recent update, the zoning bylaw is already clear and strong, but the following strategies may help Sunderland welcome new residents and homes.

### Potential Amendments to the Land Use Regulations

- Consider adding an explicit statement about if and where mixed uses are encouraged. The Town Plan states that mixed uses are desired in “pockets of more intense mixed use development” surrounded by rural, primarily residential areas (pg. 6). Making the town's desire for mixed uses in certain areas explicit in the regulations may encourage developers to deliver mixed use proposals.
- In areas suited to support denser housing development, consider incorporating inclusionary zoning incentives to encourage a mix of affordable housing units in the community as well as other incentives for open space conservation, energy efficient building, and desirable site design or other amenities.
- To comply with new statutory provisions, make sure that development review procedures are not excluding multi-unit residences of four-or-less units solely for undue adverse impact on character of the area. Additionally, update ADU regulations to reflect the minimum square footage allowance of 900 square feet in statute.

### Nonregulatory Actions

- Work with Shires Housing to develop plans for additional affordable housing to meet local needs.
- Support housing affordability by raising awareness of comprehensive, low-cost and subsidized weatherization programs and the benefits of electric and high-efficiency wood heating systems. Efficiency Vermont has great resources for municipalities to share with current and prospective residents and developers.
- Continue to explore community interest in and potential viability of a walkable, mixed use village center in the town, while recognizing that the town may never have a densely settled, traditional village center. Locations with the greatest potential for village-scale development are shown here:



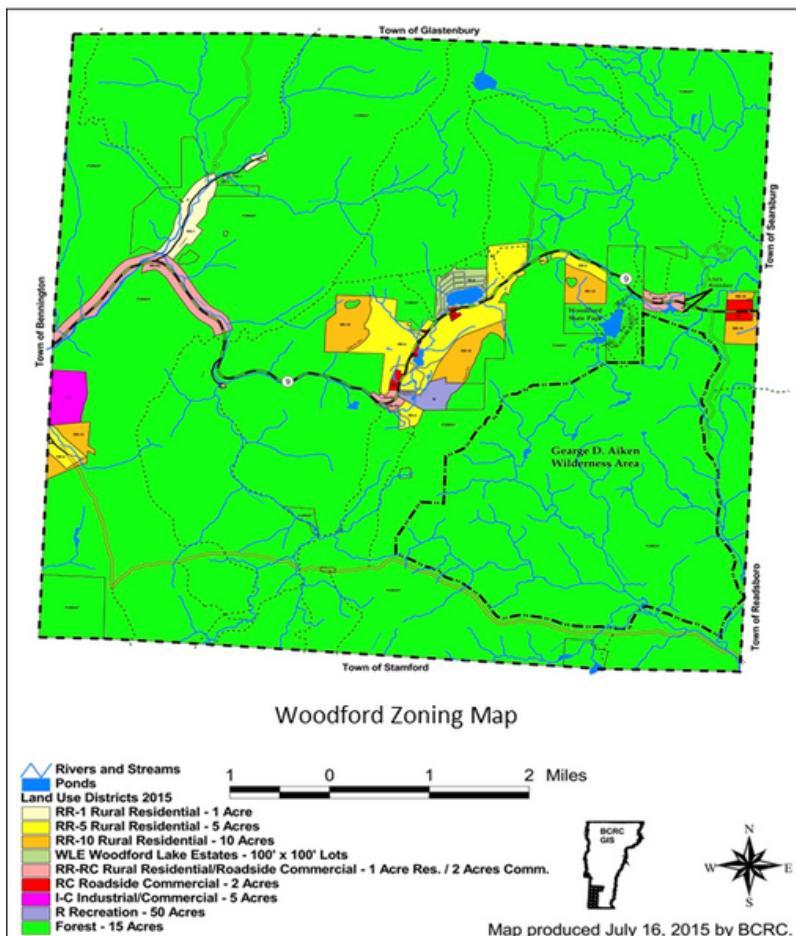
# Woodford

Woodford is a rural town located east of Bennington and bisected by VT Route 9. Nearly 90 percent of the town is owned by the US Forest Service as part of the Green Mountain National Forest, and includes the George D. Aiken Wilderness Area. Another sizable piece of land, owned by the State of Vermont, constitutes Woodford State Park, a popular high elevation recreation area. Most of the privately held land that is available for development lies along stretches of Route 9, one town road in Woodford Hollow (at the base of the mountains), and in the Woodford Lakes Estate development.

After slowly, but steadily rising since the 1930s, the town's population has declined in recent years, with an estimated 285 residents as of 2018. Those residents occupy 133 households, 118 being owner-occupied and 15 rented units. Of those housing units, 123 are single-family detached units (27 of those being mobile homes) and 10 are multifamily buildings with two to four units per building. With a limited number of home sales, it is difficult to gauge affordability, but in a recent year the median home sale price was \$177,500, while the median rent was \$919. The median household income of \$50,313 is slightly lower than the county or state medians. Using a standard metric for housing affordability, 27 percent of households in Woodford pay more than 30% of their income toward housing costs, an amount slightly lower than the county (32 percent) or state (29 percent) levels.

Despite its small size, Woodford retains a strong local identity and maintains a public elementary school in Woodford Hollow. Residents rely on nearby larger communities, especially Bennington, for secondary education, commerce, employment, and most services.

The rural quality of life and outdoor recreational opportunities appeal to residents and the expanding potential for telecommuting have the potential for attracting some additional development, but the small amount of private land, lack of infrastructure, and development challenges in the town's high elevation lands means that the type of compact high-density development seen in other towns is unlikely here.



## Zoning Provisions for Housing

The highest density of existing and planned development in Woodford exists in the Rural Residential and Rural Residential/Roadside Commercial districts in the Woodford Hollow area of town where one and two family buildings are allowed with a one acre minimum lot size. Accessory dwelling units also are allowed as permitted uses. Additional density is not required for the second dwelling unit or for the accessory dwelling unit as long as water and wastewater permits are obtained. Multifamily buildings are conditionally permitted in these districts, with up to three units allowed without requiring additional lot area. Similar use provisions are in effect in the RR-5 district, which is located in higher elevation areas and requires a five acre minimum lot size, thus limiting the potential for high density development.

The Roadside Commercial district is quite limited in extent, but allows one, two, and multifamily housing as permitted uses, but with two acres required for each dwelling unit.

The Woodford Lake Estates development area is a pre-existing subdivision with numerous 10,000 square foot lots, some of which remain to be developed. Physical conditions limit density beyond one-family dwellings on those lots, and the development has its own restrictive covenants.



# Potential Regulatory Changes and Non-Regulatory Actions to Support Housing Development

The extent of public conserved land in Woodford as well as the remoteness of the high elevation forests characteristic of much of the town limit the potential for higher density residential and mixed use development primarily to the Rural Residential 1 (RR-1) and Rural Residential / Roadside Commercial (RR/RC) districts along Route 9 and Harbour Road. It may be possible to enable additional development on existing lots in the already densely zoned Woodford Lake Estates district with shared or community water and wastewater systems. The town's small population and distance from larger developed areas similarly limits the potential for large commercial uses, but there may be opportunities to integrate residential uses with any newly planned commercial development.

## Potential Amendments to the Land Use Regulations

- While multifamily uses are conditionally permitted in the Rural Residential and Rural Residential / Roadside Commercial districts, it would be possible to make some multifamily uses permitted in those areas, subject only to site plan approval by the Planning Commission. Three and four family buildings, for example, could be allowed as permitted uses, reducing the time and complexity of the regulatory review.
- The RR and RR/RC districts currently allow up to three units on lots meeting the minimum lot size requirements for the district (i.e., one or five acres). That standard could be changed to correspond with the change noted above, so that a building with up to four units could be located on a parcel meeting the minimum lot size requirement. Such a provision would, of course, require submittal of approved water supply and wastewater permits. Additional units beyond that amount would be conditionally permitted and require the additional lot area prescribed for that district for each unit beyond the permitted number.
- For any district allowing both commercial and residential uses, but particularly in the RR/RC district, the Bylaw could be amended to make it clear that mixed use buildings are permitted and that additional lot area is not required for the first two (or three) residential units incorporated into a building containing one or more commercial uses. If such a change were implemented, the Bylaw should note that site plan reviews must include consideration of parking, vehicle and pedestrian access and safety, and other site features necessary and appropriate for both residential and commercial uses.
- The Roadside Commercial district density standard could be modified to permit a two, three, or four unit residential building, or a mixed use building with two or three residential units, on a two acre lot (no additional lot area required for the extra residential units), provided water and wastewater permits are obtained.

## Nonregulatory Actions

- A small mobile home park currently exists in Woodford Hollow, not far from the town hall and the local elementary school. Its location makes the property a good site for high density housing and it could be expanded, or redeveloped to include multifamily structures, if existing water supply and septic systems could be upgraded to accommodate the additional density. The property is located directly on Route 9, so whether it is expanded or not, some type of safe pathway for pedestrians and bicyclists should be constructed to provide connections to the town office and schools sites.
- As noted, additional development in Woodford Lake Estates is complicated by the small lot sizes and lack of infrastructure. Some lots have been combined over the years and the homeowners' association restricts uses and density, in addition to the town's land use regulations. Any growth in this area may be contingent upon development of shared water supply and/or wastewater systems, options that could be investigated with a planning grant supported by the town, if there is interest among the WLE property owners.

Housing Statistics Summary Tables - Source: 2018 ACS 5-Year Estimates and housingdata.org

Table 1: General Housing Statistics by Municipality  
 Table 2: Residential Building Types by Municipality

Municipality	Population (2018)	Total housing units	Occupied HHS	Housing units in seasonal use	% Seasonal	Ave HH size	% HH owned (vs. rented)	# Home-owners	# Renters	Ave annual increase in HHS	Median year home built	Med. HH Income - Owner	Med. HH Income - renter	SFH cost (med. primary home sale price)	Paying more than 50% income on housing	% Workforce that live in another town	Median Gross Rent
Vermont	624,977	332,963	259,589	54,367	16%	2.41	71%	10,948	3,979	0.25%	1974	\$ 60,076	\$ 72,439	\$ 35,759	15%	52%	\$972
County	35,920	21,139	14,927	5,149	24%	2.41	73%	10,948	3,979	-0.70%	1971	\$ 53,040	\$ 64,398	\$ 32,413	14%	52%	\$839
Arlington	2,559	1,408	1,051	265	19%	2.43	83%	869	182	1.04%	1968	\$ 57,563	\$ 63,403	\$ 48,488	10%	71%	\$865
Bennington	15,179	6,810	6,175	187	3%	2.46	61%	3,753	2,422	-0.23%	1961	\$ 48,766	\$ 63,607	\$ 30,671	16%	28%	\$833
Dorset	1,918	1,444	855	497	34%	2.24	84%	720	135	-0.96%	1968	\$ 54,158	\$ 66,842	\$ 33,403	20%	59%	\$831
Glastenbury	3	2	2	0	0%	1.50	100%	2	-	-	-	-	-	-	-	-	-
Landgrove	111	142	51	84	59%	2.18	100%	51	-	-6.22%	1982	\$ 95,750	\$ 95,750	\$ 387,000	16%	83%	-
Manchester	4,273	2,946	1,963	918	31%	2.18	71%	1,390	573	-0.82%	1977	\$ 50,801	\$ 71,974	\$ 32,917	15%	38%	\$823
Manchester Village	741	767	437	295	38%	1.70	45%	197	240	0.66%	1979	\$ 29,188	\$ 78,021	\$ 17,885	20%	26%	\$470
North Bennington	1,709	562	518	24	4%	3.30	63%	327	191	2.33%	-	\$ 52,895	\$ 77,303	\$ 20,069	9%	17%	\$919
Old Bennington	178	90	75	10	11%	2.37	96%	72	3	5.42%	-	\$ 114,375	\$ 123,000	-	9%	27%	-
Peru	324	697	158	523	75%	2.05	91%	143	15	-0.85%	1979	\$ 68,750	\$ 75,625	\$ 34,375	12%	49%	-
Pownal	3,431	1,502	1,267	91	6%	2.71	88%	1,110	157	-2.27%	1974	\$ 60,995	\$ 60,313	\$ 61,650	7%	88%	\$642
Rupert	716	497	293	185	37%	2.44	85%	249	44	-1.04%	1964	\$ 57,054	\$ 63,750	\$ 47,750	9%	69%	\$718
Sandgate	369	288	150	123	43%	2.46	85%	128	22	-1.48%	1975	\$ 58,750	\$ 68,125	\$ 52,500	7%	80%	\$1,025
Shaftsbury	3,472	1,576	1,341	218	14%	2.59	84%	1,123	218	-2.21%	1961	\$ 67,254	\$ 69,409	\$ 39,195	6%	79%	\$881
Stamford	964	461	381	69	15%	2.53	93%	356	25	2.81%	1968	\$ 63,250	\$ 65,357	\$ 180,000	12%	92%	\$870
Sunderland	927	576	427	105	18%	2.17	83%	356	71	1.73%	1981	\$ 58,988	\$ 61,250	\$ 57,083	14%	81%	\$1,250
Woodford	285	363	133	194	53%	2.14	89%	118	15	-5.22%	1969	\$ 50,313	\$ 51,750	\$ 35,625	13%	83%	\$919

Table 2

Municipality	Total housing stock	SFH detached	% SFH-a	SFH attached	% SFH-d	Duplex	% Duplex	Small Multi 3-plex	% Small Multi 3-plex	MID Multi 5-9plex	% MID Multi 5-9plex	Large Multi 10+plex	% Large Multi 10+plex	Mobile home	% Mobile home	Boat, RV	% Other
USA?																	
Vermont	332,963	221,521	66.5%	13,428	4.0%	19,162	5.8%	20,777	6.2%	15,575	4.7%	19,566	5.9%	22,820	6.9%	114	0.0%
County	21,139	15,161	71.7%	424	2.0%	1,344	6.4%	1,444	6.8%	659	3.1%	830	3.9%	1,277	6.0%	-	-
Arlington	1,408	1,211	86.0%	6	0.4%	42	3.0%	29	2.1%	23	1.6%	-	0.0%	97	6.9%	-	-
Bennington	6,810	3,742	54.9%	171	2.5%	677	9.9%	867	12.7%	191	2.8%	650	9.5%	512	7.5%	-	-
Dorset	1,444	1,318	91.3%	15	1.0%	5	0.3%	29	2.0%	15	1.0%	-	-	62	4.3%	-	-
Glastenbury	2	2	100%	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Landgrove	142	131	92.3%	-	-	3	2.1%	-	-	-	-	-	-	8	5.6%	-	-
Manchester	2,946	1,968	66.8%	89	3.0%	235	8.0%	184	6.2%	261	8.9%	148	5.0%	61	2.1%	-	-
Manchester Village	767	328	42.8%	34	4.4%	30	3.9%	100	13.0%	162	21.1%	113	14.7%	-	-	-	-
North Bennington	562	363	64.6%	5	0.9%	40	7.1%	99	17.6%	8	1.4%	26	4.6%	21	3.7%	-	-
Old Bennington	90	87	96.7%	2	2.2%	-	-	-	-	-	-	1	1.1%	-	-	-	-
Peru	697	373	53.5%	57	8.2%	40	5.7%	140	20.1%	56	8.0%	7	1.0%	24	3.4%	-	-
Pownal	1,502	1,095	72.9%	-	-	57	3.8%	24	1.6%	-	-	-	-	326	21.7%	-	-
Rupert	497	448	90.1%	5	1.0%	41	8.2%	-	-	-	-	-	-	3	0.6%	-	-
Sandgate	288	277	96.2%	-	-	2	0.7%	-	-	-	-	-	-	9	3.1%	-	-
Shaftsbury	1,576	1,425	90.4%	12	0.8%	84	5.3%	45	2.9%	10	0.6%	-	-	-	-	-	-
Stamford	461	404	87.6%	-	-	14	3.0%	9	2.0%	-	-	2	0.4%	32	6.9%	-	-
Sunderland	576	498	86.5%	6	1.0%	6	1.0%	-	-	4	0.7%	-	-	62	10.8%	-	-
Woodford	363	313	86.2%	4	1.1%	9	2.5%	2	0.6%	6	1.7%	-	-	29	8.0%	-	-