

Downtown Board Growth Center Findings Related to Natural Resources and Five Year Reviews

April 9, 2014

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1 – Williston Growth Center

Downtown Board Growth Center Findings Related to Natural Resources

year period, with no specific mechanisms in place to make sure that the infrastructure will keep pace with the growth. He stated he could not support an application that doesn't meet the minimum requirements.

Natural and Historic Resources

10. *The applicant has identified important natural resources and historic resources within the proposed growth center, anticipated impacts on those resources and has proposed mitigation (24 V.S.A. § 2793c(e)(1)(B)).*

The approved plan and the implementing bylaws provide reasonable protection for important natural resources and historic resources located outside the proposed growth center (24 V.S.A. § 2793c(e)(1)(D)(iv)).

The proposed growth center is planned to protect the state's important environmental, natural and historic features, including natural areas, water quality, scenic resources, and historic sites and districts (24 V.S.A. § 2791(13)(D)).

The application identifies both natural resources and historic structures, both within and outside the growth center.

FOR NATURAL RESOURCES, SEE MAPS 3 AND 4 IN THE APPLICATION, AND FOR HISTORIC STRUCTURES, SEE THE ON THE UNNUMBERED MAPS THAT WERE PROVIDED AS A SUPPLEMENT TO THE ORIGINAL APPLICATION).

The Town has both regulatory and non-regulatory tools in place to help protect these resources, including open space development regulations, the town's competitive growth management system, design review, town acquisition (using the town's Environment Reserve Fund), and Planned Residential Development tools (PRD's).

The Town addressed potential impacts on archeological resources. While most of the land proposed for development in the growth center is already under Act 250 jurisdiction (SEE ACT 250 MAP IN THE PACKET SUBMITTED AT THE END OF AUGUST), Chapter 117 of Title 24 does not require towns to address archeological resources in "approved" town plans or implementing ordinances. Therefore, whatever is required for growth centers probably represents the first time towns have been asked to address archeological concerns. Since most of the land in the growth center has already been subject to some level of archeological study through the Act 250 process, a compilation of that data and any restrictions

or conditions imposed through that process should prove to be an excellent way to determine how potential problems could be addressed at the town level.

The Town of Williston has proposed adding a policy calling for the identification and protection of archaeological resources to the town plan and the Board will make this a requirement of growth center approval. Such policy must be added within five years following formal designation to coincide with the first five year review by the Board.

Agriculture

11. *The most recently adopted guidelines of the Secretary of Agriculture, Food and Markets have been used to identify areas proposed for agriculture and the proposed growth center has been designed to avoid the conversion of primary agricultural soils, wherever possible (24 V.S.A. § 2793c(e)(1)(C)).*

The proposed growth center serves to strengthen agricultural and forest industries and is planned to minimize conflicts of development with these industries (24 V.S.A. § 2791(13)(E)).

The proposed growth center will result in a settlement pattern that, at full build-out, is not characterized by the fragmentation of farm and forest land (24 V.S.A. § 2791(13)(I)(iii)).

Williston's growth center has been planned to avoid conflicts with agriculture and impacts on agricultural soils to the maximum extent practicable. However, it is inevitable that much of the new development within the growth center will occur on primary agricultural soils. Act 183 has addressed the potential of undue adverse impacts on primary agricultural soils within designated growth centers and provides for automatic offsite mitigation for those impacts. This mitigation occurs through a mitigation payment to the Vermont Housing and Conservation Board (VHCB) based upon the number of acres of impacted soils and the prevailing cost of purchasing development rights with the geographical area. Since Williston has been granted the interim agricultural benefits under Section 6093 of Title 10 (fixed ratio of 1:1), there are several projects within Williston's proposed growth center that are currently taking advantage of offsite mitigation which will allow the full development of those properties on primary agricultural soils.

The town also protects agricultural soils outside the growth center. Almost 90% of Williston's remaining farmland is in the Agricultural/Rural Residential Zoning District, where there is substantial regulatory protection from conversion to non-farm use.

2 – St. Albans City Growth Center

Downtown Board Growth Center Findings Related to Natural Resources

6. Natural and Historic Resources Outside the Growth Center

the approved plan and the implementing bylaws further the goal of retaining a more rural character in the areas surrounding the growth center, to the extent that a more rural character exists, and provide reasonable protection for "important natural resources" and historic resources located outside the proposed growth center. 24 V.S.A. § 2793c(e)(1)(D)(iv).

St. Albans City contains no rural land within its boundaries. Rural lands outside the boundaries of the Growth Center are under the jurisdiction of St. Albans Town and municipalities adjoining it. A high proportion of the agricultural land surrounding St. Albans City is conserved as shown on Map 9. The City intends to maintain the rural character of the lands it owns in rural locations outside the Growth Center (such as water supply areas) as shown on Map 10 and to support regional planning efforts in the area as described on page 42.

The St. Albans Municipal Plan includes numerous recommendations for facilitating development within the city which is expected to relieve pressure for development outside the Growth Center. (See findings under Section 3 above.) The provision of incentives through Growth Center Designation is also expected to draw development towards higher density sites within the city and away from greenfields in surrounding towns.

7. Infrastructure and Capital Planning

the applicant has adopted a capital budget and program in accordance with section 4426 [4430] of this title, and that existing and planned infrastructure is adequate to implement the growth center. 24 V.S.A. § 2793c(e)(1)(E).

St. Albans City's Capital Improvement Program (CIP) was adopted on February 8, 2010. Improvements needed to support the Growth Center are discussed on pages 48-54 of the application.

The water supply system has a capacity to produce six million gallons per day (GPD) with a little over one third of that capacity currently in use. Planned improvements to the system are addressed in the CIP to address deferred maintenance. Sufficient capacity exists to support the 20 year growth projections.

The wastewater treatment facility has a hydraulic design capacity of 8 million GPD but is currently permitted by ANR to process 4 million GPD. 3,657 GPD reserved for downtown development and more will be available if needed. A total of 253,500 GPD are committed, including 100,000 GPD available by agreement to the City of St. Albans Town to serve the area around the city shown on Map 5 (page 26). An average of 2,350,000 GPD of wastewater is processed today from both the city and town. Up to 1,396,500 GPD in hydraulic capacity is available to meet the 20 year growth projections. (See July 2, 2010 memo by Wayne Elliott, PE for further detail on capacity.)

3 – Montpelier Growth Center

Downtown Board Growth Center Findings Related to Natural Resources

2791(13)(C)).

The proposed growth center will result in a settlement pattern that, at full build-out, is not characterized by development that limits transportation options, especially for pedestrians (24 V.S.A. § 2791(13)(I)(ii)).

Existing pedestrian infrastructure is well-developed in Montpelier and measures to further improve and extend sidewalks, bikepaths and transit facilities are described on pages 65-69 of the application. Approximately \$60,000 is allocated in the capital budget to sidewalk reconstruction and resurfacing, mostly in the designated downtown. Improvements proposed to relieve traffic congestion and improve safety of roads are described on subsequent pages.

The size of Montpelier's growth center, especially considering that the distance from Toy Town to the Civic center (several miles) is too large to be easily walk-able from boundary to boundary. Some of the more remote areas, such as Toy Town to the west lack a pedestrian or bicycle path connection to the downtown.

Green Mountain Transit provides regular transit service within Montpelier, serving some of the more remote parts of the growth center on Route 2 going west, Berlin Street going south and east towards Barre city. No bus service is available on roads going north from downtown. GREEN MOUNTAIN TRANSIT WEBSITE.

Concern was expressed that the city's efforts to build sidewalks and bikepaths to outlying areas, such as the current construction of a bike path on Route 302, detracts from its ability to maintain the facilities that already exist. Furthermore, while the city is making an effort to provide pedestrian connections to River Street, it was noted that due to the number of curb cuts and the high traffic levels along at road, an inviting pedestrian environment will not be possible until the area is redeveloped to smart growth standards. As of yet, no plans for the redevelopment of this area have been prepared.

As noted above, the growth center is served by sewer and water infrastructure with capacity to support projected development in the growth center. There are no policies in place regarding priorities for sewer and water line extensions and no designated sewer service areas.

10. Natural and Historic Resources

The applicant has identified important natural resources and historic resources within the proposed growth center, anticipated impacts on those resources and has proposed mitigation (24 V.S.A. § 2793c(e)(1)(B)).

The approved plan and the implementing bylaws provide reasonable protection for important natural resources and historic resources located outside the proposed growth center (24 V.S.A. § 2793c(e)(1)(D)(iv)).

The proposed growth center is planned to protect the state's important environmental, natural and historic features, including natural areas, water quality, scenic resources, and historic sites and districts (24 V.S.A. § 2791(13)(D)).

Montpelier's natural resources are described on pages 78-97 of the application along with maps of the major features.

Montpelier has recently undertaken a Natural Communities Inventory that provides detailed information on the plant and animal habit within and without the growth center. While most of the plants listed on the state inventory of rare, threatened and endangered species were not found at the time of the city's inventory, new rare and uncommon plans were found and the state non-game and natural heritage program was notified

A deeryard area on the west side of the growth center was identified by the Fish and Wildlife division as land that potentially should be removed from the Growth Center or if included, mitigation provided outside the growth center. City staff noted that much of the deeryard is on steep slopes, unlikely to be impacted by development and cited provisions in Section 715 of the Zoning and Subdivision Regulations that require site plans "to make appropriate provision" for the protection of wildlife habitat and other natural and cultural resources. These standards apply to all development subject to Site Plan Review (all development except single and two family residences).

Because Montpelier's downtown is located at the confluence of the Winooski and North Branch Rivers, protection of water resources and hazard mitigation are a critical part of any planning for growth. All of the designated downtown is within the floodplain, the city is taking an active role in floodplain regulation. APPLICATION PAGE 92.

Historic and cultural resource preservation has long been a priority of the city as is evidenced by the establishment of a Historic District on the National Register, a Historic Preservation Commission, Certified Local Government status, and a Design Control District in the zoning regulations. Various potential archeological sites have been identified through studies conducted for federally funded projects. APPLICATION PAGES 97-104

The city has adopted a wide range of regulatory tools intended to protect cultural and environmentally sensitive areas that applied to all parts of the city regardless of whether they occur in the urban or rural parts of the municipality. These include the following provisions in the Zoning and Subdivision Regulations:

- 305. Design Review District (for places with architectural, urban design and cultural significance and includes provisions for removal of historic buildings)
- 713E. Density Bonuses for Cluster Development (provides incentives for residential development that protects sensitive resources)
- 715. Site Protection and Design Standards (applied as part of Site Plan Review with protection specified for a wide range of natural and cultural resources including archeological)

- 715. Flood Plain Development (for all Flood Hazard Areas)
- 723. Storm Drainage (including provisions that encourage natural drainage systems)

11. Agriculture

The most recently adopted guidelines of the Secretary of Agriculture, Food and Markets have been used to identify areas proposed for agriculture and the proposed growth center has been designed to avoid the conversion of primary agricultural soils, wherever possible (24 V.S.A. § 2793c(e)(1)(C)).

The proposed growth center serves to strengthen agricultural and forest industries and is planned to minimize conflicts of development with these industries (24 V.S.A. § 2791(13)(E)).

The proposed growth center will result in a settlement pattern that, at full build-out, is not characterized by the fragmentation of farm and forest land (24 V.S.A. § 2791(13)(1)(iii)).

About a third of the city's agricultural soils are located within the growth center boundaries, but most have already been developed. A notable exception is the Two Rivers Center for Sustainability that is located within the proposed growth center, on prime agricultural soils in the Industrial District between Route 2 and the Winooski River. (This land is shown as an excluded area on the Build Out map and although it is shown to be within the growth center, it is the only farm identified on the "Green Zone" map.)

Two other farms are identified on the Appendix 10 map of agricultural soils. One is within an area of prime agricultural soils outside the growth center on Towne Hill Road and the other on the southern city boundary in a location not indicated to include prime agricultural soils. Most of the undeveloped primary agricultural soils are located outside the Growth Center in the Towne Hill Road area.

The regulatory and non-regulatory measures discussed above for protecting significant resources apply to agricultural lands and primary agricultural soils.

12. Planning Process

The applicant has a regionally confirmed planning process and an approved municipal plan. The approved plan contains provisions that are appropriate to implement the designated growth center proposal. The applicant has adopted bylaws in conformance with the municipal plan that implement the provisions in the plan that pertain to the designated growth center (24 V.S.A. § 2793c(e)(1)(D)).

4 – Hartford Growth Center

Downtown Board Growth Center Findings Related to Natural Resources

sections provided on pages 13, 21, 35 and 40. These bylaws conform to the Plan and are found to be adequate to implement the growth center provisions in the plan.

Of particular note are the provisions adopted to promote higher density in villages and the downtown and to increase lot coverage and density requirements outside of these areas but within the proposed Growth Center, in keeping with statutory requirements for growth center designation. The scaling-back of the commercial and industrial zoning districts that until recently, spanned the entire length of Route 5 from the interchange south to the boundary with Hartford, is also recognized to be a major achievement.

6. Natural and Historic Resources Outside the Growth Center

the approved plan and the implementing bylaws further the goal of retaining a more rural character in the areas surrounding the growth center, to the extent that a more rural character exists, and provide reasonable protection for "important natural resources" and historic resources located outside the proposed growth center. 24 V.S.A. § 2793c(e)(1)(D)(iv).

Hartford's Master Plan includes specific recommendations for retaining rural character and important natural resource protection outside the Growth Center including a substantial down-zoning of rural land in the town from 5 to 10 units per acre in the recent bylaw revisions, and creating overlay zones with specific provisions to protect scenic and important natural resources in identified locations. These Master Plan provisions are described and referenced on pages 28-29 of the application and the pertinent bylaw changes recommended in the Plan were implemented in the 2008 zoning bylaw amendment, and are found to be adequate to satisfy this requirement.

7. Infrastructure and Capital Planning

the applicant has adopted a capital budget and program in accordance with section 4426 [4430] of this title, and that existing and planned infrastructure is adequate to implement the growth center. 24 V.S.A. § 2793c(e)(1)(E).

Hartford's 2010 – 2015 Capital Improvement Program was adopted in March, 2009 and the town is currently drafting its annual update to the budget and program to be adopted in March 2010 for the next six years. An overview of the improvements needed to support the Growth Center is provided on pages 36-40 of the application.

The town is currently upgrading the White River Junction wastewater treatment plant which serves the growth center and will have sufficient capacity to accommodate the anticipated growth over the next 20 years. PAGE 9 OF THE APPLICATION, AND WASTEWATER PROJECTIONS ON PAGE 64 IN APPENDIX B.

The applicant noted at the PCG meeting that hook ups outside the Growth Center and the Planned Growth Areas shown on the map on page 3 and the Sewer/Water Service Area on page 15, will not be allowed except where already approved.

Transportation facilities are discussed on Pages 9 - 11 and 37 – 40. From the perspective of the Agency of Transportation (AOT), it is difficult to ascertain whether "existing and planned

5 – Colchester Growth Center

Downtown Board Growth Center Findings Related to Natural Resources

Natural and Historic Resources

10. The applicant has identified important natural resources and historic resources within the proposed growth center, anticipated impacts on those resources and has proposed mitigation (24 V.S.A. § 2793c(e)(1)(B)).

The approved plan and the implementing bylaws provide reasonable protection for important natural resources and historic resources located outside the proposed growth center (24 V.S.A. § 2793c(e)(1)(D)(iv)).

The proposed growth center is planned to protect the state's important environmental, natural and historic features, including natural areas, water quality, scenic resources, and historic sites and districts (24 V.S.A. § 2791(13)(D)).

The application identifies natural resources within and outside the growth center SEE FIGURES 10-1 THROUGH 10-3 IN THE APPLICATION. Most of the important resources within the growth center lie in the southwest quadrant, south of the Circ ROW (lots 13, 29 and 30 as shown on the Ecological Resources Map, Figure 10-3). Responding to PCG concerns and specifically those of the Agency of Natural Resources about these sensitive natural areas within the Growth Center, the town submitted a revised growth center boundary entirely eliminating parcels 29 and 30 and including just a narrow portion at the northern line of parcel 13 closest to the Sunderland Corners development. By excluding those areas from the growth center, the Board's concerns about impacts on natural resources within the growth center are satisfied.

The Town has mechanisms in place to help protect resources outside the growth center. Colchester's Open Space Plan includes specific recommendations for natural resource protection. SEE ATTACHMENT A-7. The town's regulations also help protect important resources through applying site plan, conditional use, PUD and subdivision standards as well as through designated sending areas in the new TDR program. Colchester has a Historic Preservation overlay district to help protect historic resources.

Agriculture

11. The most recently adopted guidelines of the Secretary of Agriculture, Food and Markets have been used to identify areas proposed for agriculture and the proposed growth center has been designed to avoid the conversion of primary agricultural soils, wherever possible (24 V.S.A. §

6 – Bennington Growth Center

Downtown Board Growth Center Findings Related to Natural Resources

The proposed growth center is planned to enable choice in modes of transportation (24 V.S.A. § 2791(13)(C)).

The proposed growth center will result in a settlement pattern that, at full build-out, is not characterized by development that limits transportation options, especially for pedestrians (24 V.S.A. § 2791(13)(I)(ii)).

The Town has a transit system that already serves much of the area within the growth center. A fixed route bus system provides service to major destinations, including the downtown, shopping centers, state offices, hospital, schools, a park, and a park & ride. There is also door-to-door on-call transit for those without auto access. The Town and Green Mountain Community Network continually seek opportunities to improve transit routes.

In terms of pedestrian facilities, the growth center is currently serviced by about 40 miles of sidewalks, as well as some other pathways (including the River Walkway). The Town has plans for extending sidewalks, in relation to transportation improvement projects, and developing more pathways, including a rail-trail that runs into the downtown from the west. Bicycling is also recognized as an important transportation option, and all roadway improvement projects are evaluated for bicyclist safety.

No new roadways are planned for the growth center, except for local/private roads that will serve new development at the edges. A number of roadway improvement projects have been identified (SEE TABLE 6 IN THE APPLICATION), but the existing system can accommodate projected traffic increase from growth over the next 20 years. The Town evaluates traffic impacts of major developments and requires mitigation.

The Board discussed potential impacts of the Bennington Bypass on the designated downtown and concluded that any potential impacts are irrelevant to designation of the Town's growth center.

Natural and Historic Resources

10. *The applicant has identified important natural resources and historic resources within the proposed growth center, anticipated impacts on those resources and has proposed mitigation (24 V.S.A. § 2793c(e)(1)(B)).*

The approved plan and the implementing bylaws provide reasonable protection for important natural resources and historic resources located outside the proposed growth

center (24 V.S.A. § 2793c(e)(1)(D)(iv)).

The proposed growth center is planned to protect the state's important environmental, natural and historic features, including natural areas, water quality, scenic resources, and historic sites and districts (24 V.S.A. § 2791(13)(D)).

The application identifies important natural resources, both within and outside the growth center (SEE MAP 20 IN THE APPLICATION). The Town has tools in place to help protect these resources, including scenic resource protection standards, and PUDs. No permanent development is allowed in the expansive Forest districts. SEE CHAPTER 3 OF THE TOWN PLAN FOR SPECIFIC POLICIES THAT THE TOWN EMPLOYS FOR RURAL DISTRICTS. The Town also cooperates with area non-profits to protect resources on key parcels, and is in the process of developing an open space plan. Bennington is fortunate to have large natural areas permanently protected as federal or state lands.

The Town has mechanisms in place to identify and help protect historic resources, including an inventory of historic sites and structures, historic preservation guidelines for building owners and development review, and historic review as part of the development review process. The Historic Preservation Commission is required to review all development projects within the downtown, but also is given the opportunity to review all other projects that go through the Development Review Board (DRB). In terms of identification and protection of archaeological resources, there is a section in the subdivision regulations that allows the DRB to address these resources as they review each proposed project. There is an archaeology specialist on the Historic Preservation Commission.

Agriculture

11. *The most recently adopted guidelines of the Secretary of Agriculture, Food and Markets have been used to identify areas proposed for agriculture and the proposed growth center has been designed to avoid the conversion of primary agricultural soils, wherever possible (24 V.S.A. § 2793c(e)(1)(C)).*

The proposed growth center serves to strengthen agricultural and forest industries and is planned to minimize conflicts of development with these industries (24 V.S.A. § 2791(13)(E)).

The proposed growth center will result in a settlement pattern that, at full build-out, is not characterized by the fragmentation of farm and forest land (24 V.S.A. § 2791(13)(I)(iii)).

7 – Williston Five Year Review

Town of Williston, Vermont

5-Year Review

of

Growth Center Designation

1. Overview

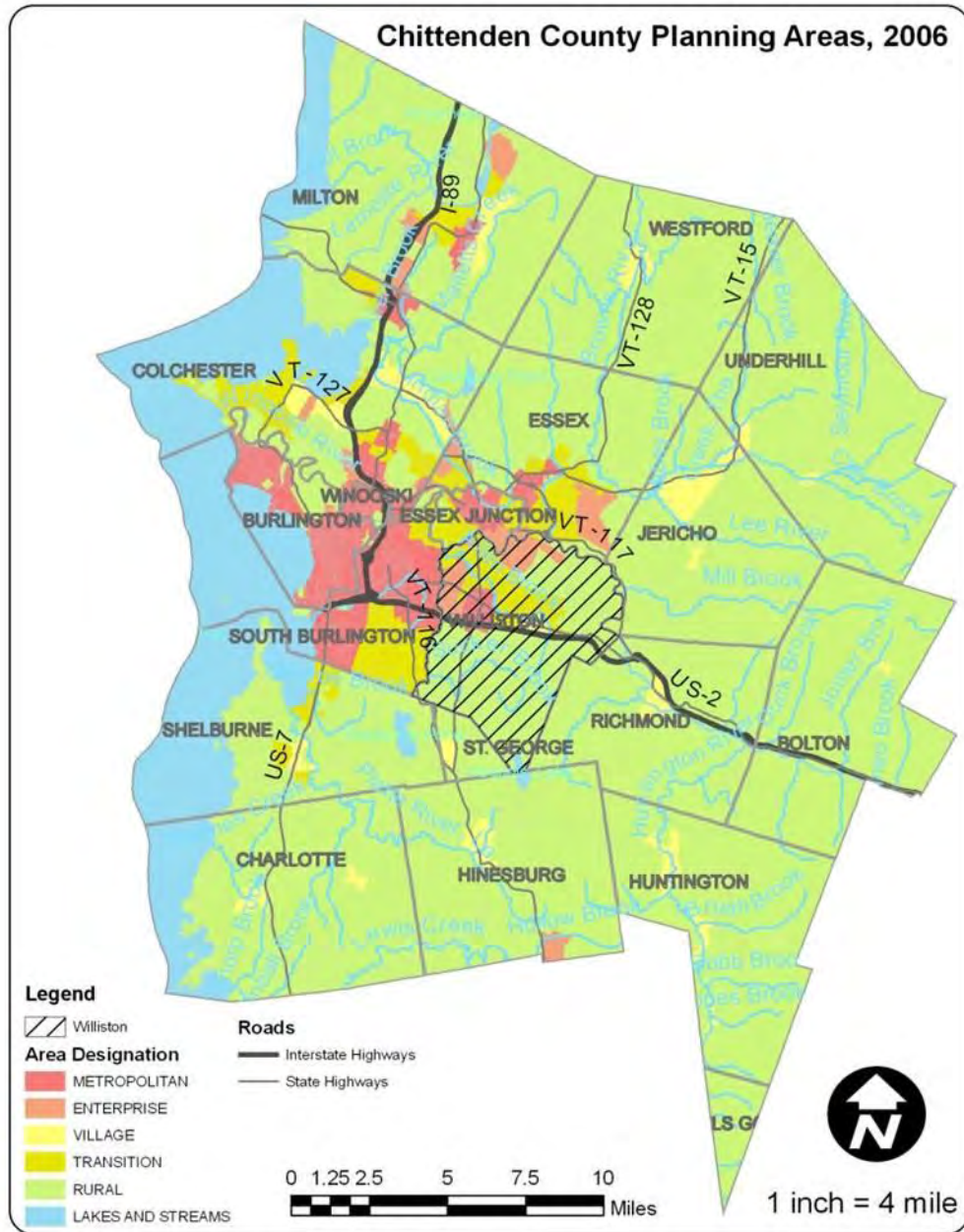
The Town of Williston was granted Growth Center Designation by the Vermont Expanded Downtown Board as provided by 24 V.S.A. § 2791 on October 22, 2007. In making its determination, the board noted that the town has been working towards developing a land use pattern of compact development within its growth center with an aim of accommodating the majority of the Town’s new growth over the next 20 years. The Downtown Board conditioned the approval of the Growth Center Designation on the town accomplishing a number of measured in service of implementing the full intent and goals of the state’s growth center program, and required the Town to report on progress in implementing the growth center vision within five years from the date of the Growth Center Designation. The purpose of this report is to document and comment upon the Town’s implantation progress over the past five years as specified under 24 V.S.A. § 2793c(e).

2. Town of Williston in Context

Williston is located in the heart of Chittenden County, in the northwest portion of Vermont. The Town is located approximately 6 miles to the east of the City of Burlington, the state’s largest city (see Map 1). Chittenden County which contains the Greater Burlington region is the largest and the fastest growing county in the state, and the largest center of economic activity in Vermont. Over the years, Williston has become an important part of the regional economy, and represents an important part of the region’s growth.

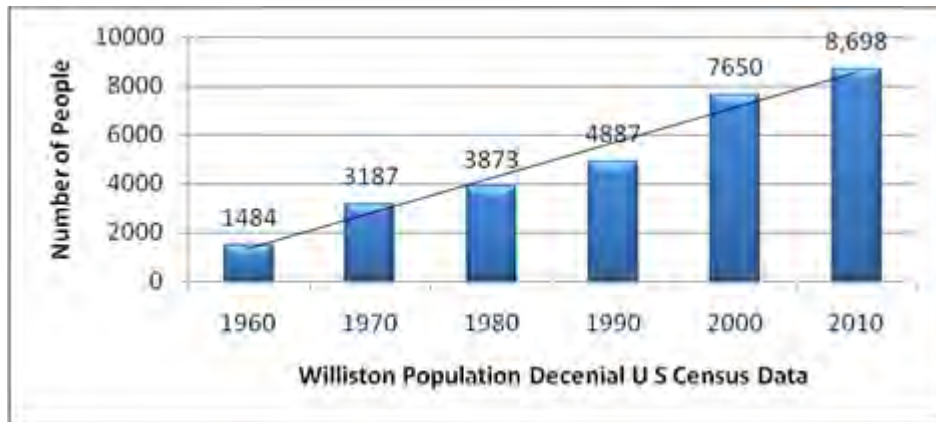
Williston is tied to the region by several important state highways which run through major portions of the Town; including I-89 with an interchange in Williston (Exit 12), VT 2A and U.S. 2. The Burlington International Airport in located just to the west on the Town’s border with the city of South Burlington. The Town’s proximity to Burlington, the regional airport, and its location on some of the state’s major roadways have all factored into the Town’s growth and development, especially over the past 20 years.

Map 1: Williston in the Region



Williston has experienced several decades of significant and persistent growth pressure. According to the 2010 U.S. Census, Williston had a population of 8,698 people, representing a four-fold increase in the population of the Town in the past 50 years (see Figure 1). Since 1990, the Town’s population has grown by approximately 72%, compared to the region’s growth of 16% and an increase of 10% for the State of Vermont (see Table 1).

Figure 1: Population of Williston, 1960-2010



The most recent data from the U.S. Census indicates that Williston’s population continues to grow. As shown in Table 2.A, between 2000 and 2010, the town’s population increased by more than 1,000 people. This was significantly less than the pace of growth observed during the 1980s and 1990s, however population growth in Williston outpaces the growth rates of Vermont as a whole and Chittenden County, which is the fastest growing county in Vermont between 2000 and 2010.

Table 1 – Population and Population Growth of Williston Since 1960

	1960	1970	1980	1990	2000	2010	1990-2010
Williston	1,484	3,187	3,873	4,887	7,650	8,698	
10 year rate of change		115%	22%	26%	57%	13.7%	72%
Chittenden	74,425	99,121	115,534	131,761	146,571	156,545	
10 year rate of change		33%	17%	14%	11%	6.8%	16%
Vermont	389,811	444,732	511,456	562,758	608,827	625,741	
10 year rate of change		14%	15%	10%	8%	2.8%	10%

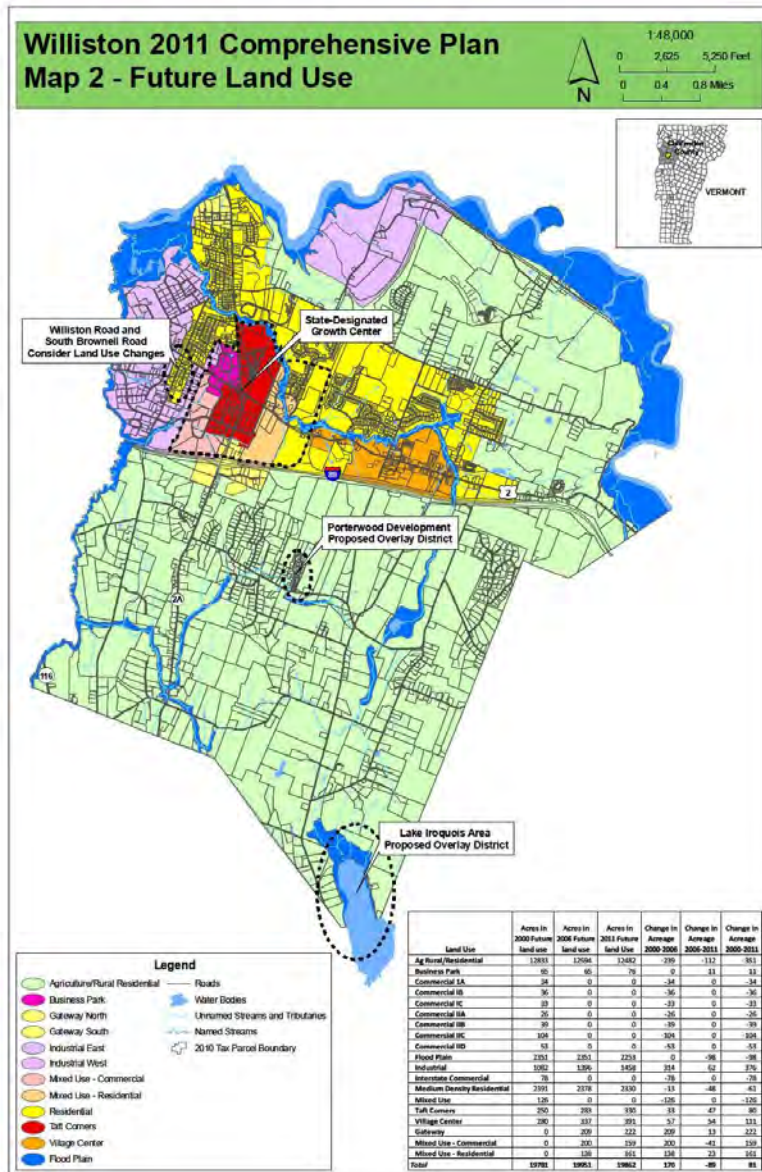
Source: Bureau of the Census.

3. Williston Growth Center and the Williston Planning Effort

Williston has a land area of approximately 19,862 acres, of which approximately 63% has been designated for agricultural and rural residential uses (see Map 2). The Town’s designated growth center is located in what is known as the Taft Corners area, centered on the intersection of VT 2A and U.S. 2, and extending northward from I-89 and Exit 12. The Town’s growth center

comprises 987 acres, or approximately 5% of the Town’s land area. This area contains a number of large retail commercial developments, including a regional shopping center (Maple Tree Place) and several “big box” national retail stores. While the growth center makes up only a fraction of the Town’s land area, it is the hub of commercial and development activity in Williston and the focus of much of the town’s planning emphasis.

The growth center concept is an integral component of the Town’ overall planning program. As stated in the *Williston 2011-2016 Comprehensive Plan*, the Town envisions “...a design-conscious, pedestrian-friendly, mixed-use development and redevelopment pattern...” within the growth center. The Town’s development standards for the growth center call for compact, mixed use development tied together by an emerging network of pedestrian, bicycle, and public transit systems. At the same time, only low density development and agricultural uses are allowed in the vast majority of the Town’s land area.



4. Managing Growth in Williston

As a town which has wrestled with the demands of dealing with rapid growth and development pressure, Williston has developed and employed a number of measures over the years aimed at helping the town regulate the type, intensity, and pace of new development. These include the following:

- **Paying for Growth**

- Development Impact Fees
- Local Option sales Tax
- Capital Improvement Plan and Budget
- **Regulating Development**
 - Zoning and Subdivision Regulations
 - Design Review
 - Caps or limits on the construction of new dwellings
 - Limiting where municipal water and sewer service will be provided
 - Residential Growth Management
 - Purchasing land and/or development rights

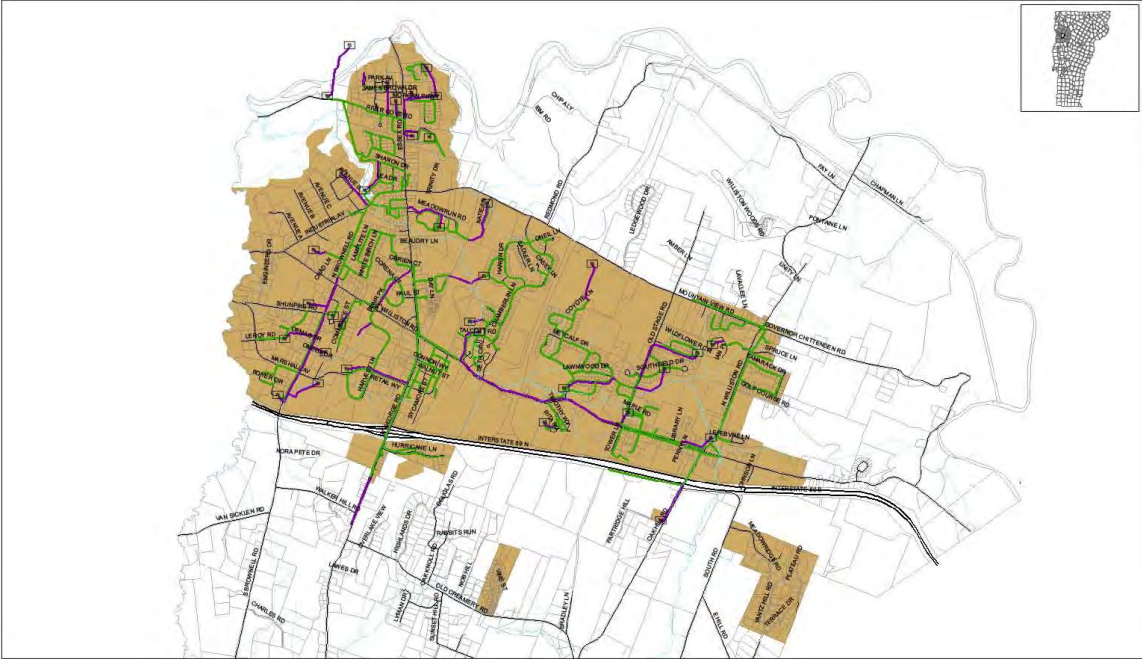
The first group of techniques is most directly related to the funding and provision of municipal services. The second group, however, is tied directly to shaping how and where new development occurs.

Sewer Service

One technique the town has employed in shaping the location and intensity of new development is by limiting in which portions of town municipal water and sewer service will be available. A component of the Town's *Comprehensive Plan*, is a map that defined where municipal sewer service will be available, identified as Map 7 from the *Williston 2011-2016 Comprehensive Plan*. The area included in the Town's sewer service area corresponds to zoning districts where higher intensity development is allowed. Areas zoned as Agricultural rural Residential are not generally included in the sewer service area with only a few exceptions granted for pollution abatement purposes.

Limiting the availability of municipal sewer service has also been a practical necessity for Williston; the Town has a limited amount of sewer capacity available. The town shares the wastewater treatment capacity of the Essex Junction Wastewater Treatment Facility with Essex Junction and the Town of Essex, and capacity at the plant is limited.

**Williston 2011 Comprehensive Plan
Map 7 -Sewer Service Area**



In the mid-2000s when growth pressures in Williston were intense, it was apparent to the Town that allocating the capacity of the plant available to the town was imperative in order to insure that some capacity would continue to be available for future needs. In 2007 when the Town received its growth center designation, the Town had approximately 980,000 gallons per day (GPD) of wastewater treatment capacity reserved at the Essex Junction treatment plant. During the previous calendar year (2006), the average daily flow of waste water from Williston into the plant was over 700,000 GPD, or 72% of available capacity, with no end to the rate of utilization in sight (see Figure 2 and Table 2).

Since 2007 two notable things have happened affecting the amount of wastewater capacity available for future use in Williston:

1. The Town has begun purchasing an additional 50,000 GPD of the plant's capacity from the Village of Essex Junction (Table 2), and,
2. The pace of capacity utilization has decreased (Figure 3).

Figure 2: Average Daily Flow of Wastewater 1996-2006

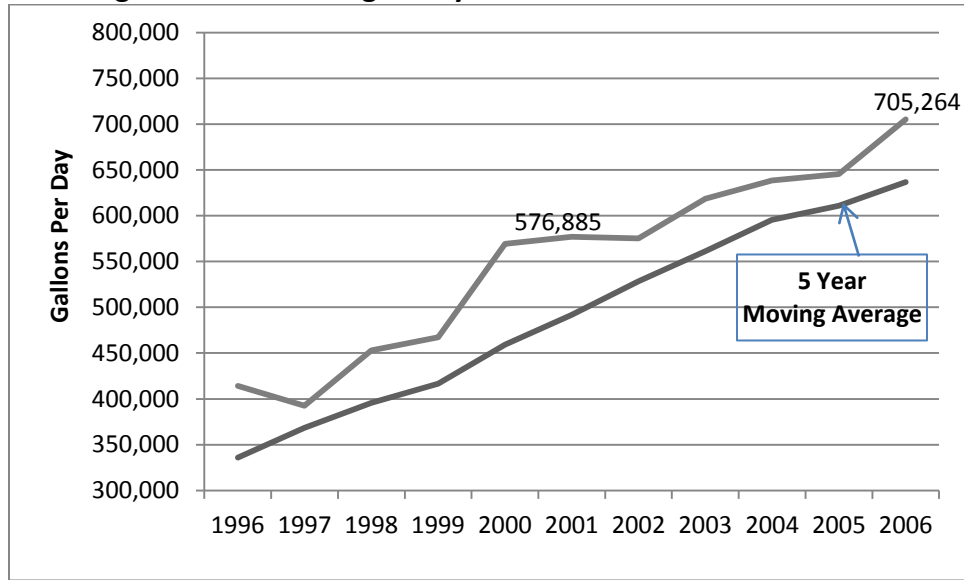


Figure 3: Average Daily Flow of Wastewater 2001-2011

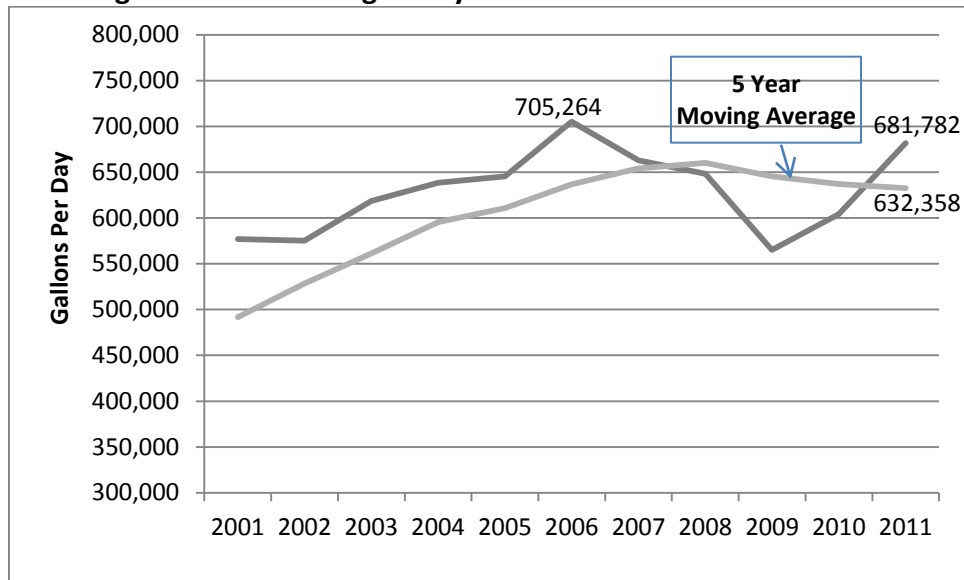


Table 2: Wastewater Treatment Capacity Utilization, 2007 and 2011

	2006		2011	
	Capacity	Percent	Capacity	Percent
Total Capacity	980,000	100	1,030,000	100
Average Flows	705,264	72	681,782	66
Remaining Capacity	274,736	28	348,218	34

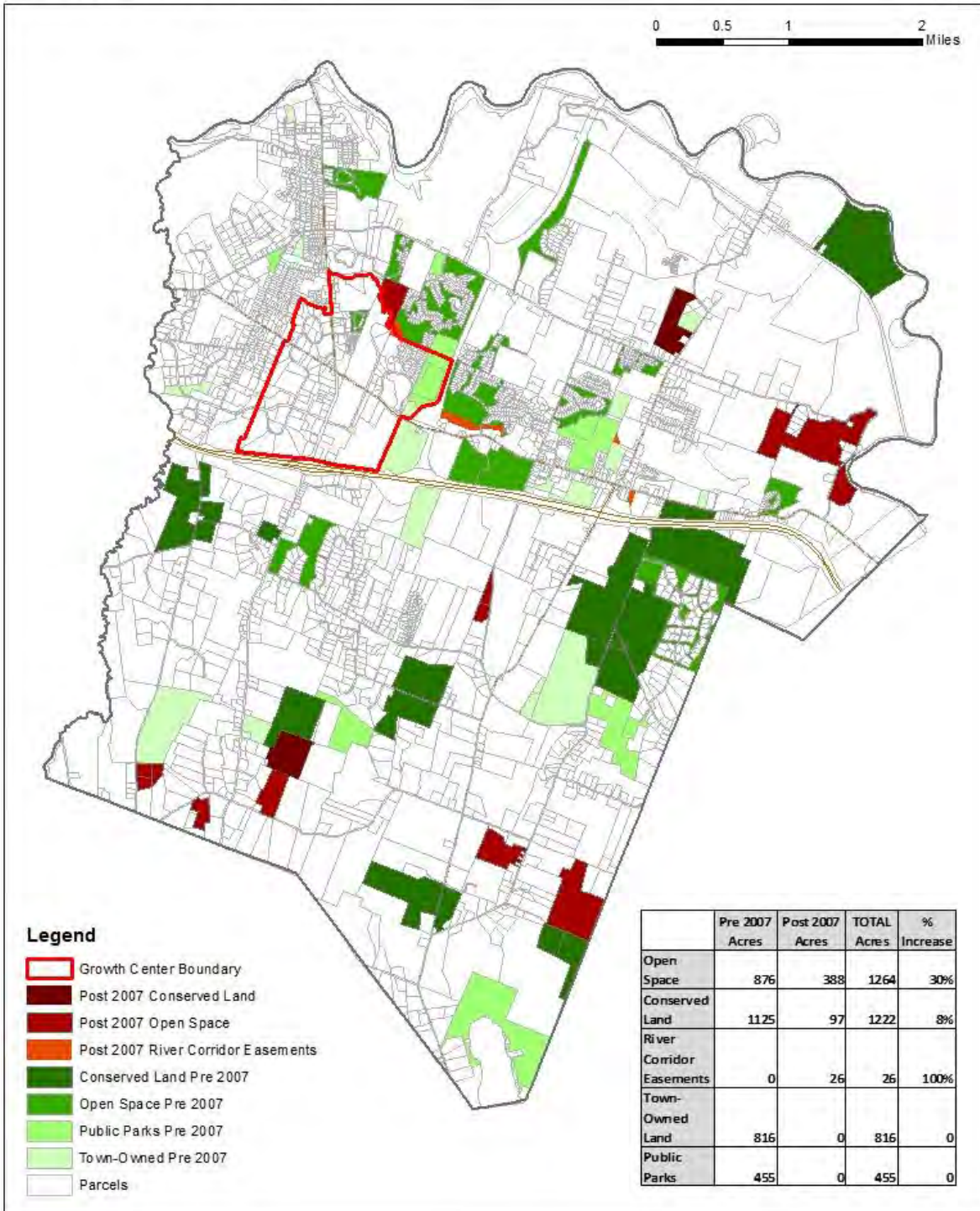
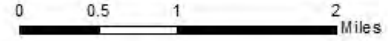
Open Space Preservation

The Town’s Land Use Plan calls for most new development to take the form of compact, design conscious form and a mixed use pattern dominating the Town’s growth center. Higher intensity development in other parts of the Town is limited and discouraged through zoning and the availability of infrastructure, such as municipal sewer service. In the rural parts of Williston, land parcels of 10.5 acres or greater seeking subdivision approval for residential development must designate a minimum of 75% of parcel as permanently protected open space. In addition, the town also purchases land and/or the development rights of land when appropriate.

Limiting the future development of land through the purchase of the land itself or its development rights in Williston has been an ongoing effort for some time, and these efforts continued over the past five years. Map 4 displays parcels of land that have some form of development restriction, either because of town ownership and designation as park land or some other open space designation, conservation easement, or regulated open space designation. Those land areas that have been protected since 2007 are displayed in the red-orange color shades. Over 500 additional acres of land have been permanently protected in various ways since 2007, all outside of the Town’s designated growth center.

Map 4

Conserved & Protected Open Space Lands, Williston, VT
Pre and Post October, 2007



Residential Growth Management

The Town has developed and utilized a growth management system regulating the number of dwellings that may be issued permits on an annual basis. The current version designed to run from FY 2005-FY 2015 places limits on the number of new dwellings that may be authorized through the subdivision approval process based on designated allocation areas. The Town's growth management system is integrated into the subdivision approval process. Under the current system, the limits are as follows:

Table 3: Residential Growth Management Allocation of Dwelling Units

Allocation Area	Number of Dwellings	Percent of Total
Growth Center	56	70
Other Sewer Service Area	12	15
Outside Sewer Service Area	12	15
Total	80	100

As can be seen from the table above, the Town's designated growth center in a central aspect of how the town regulates the pace and number of new residential units. New residential development is clearly limited, both by zoning as well as by growth management. All new residential developments and subdivisions in Williston must receive allocation for any newly proposed dwelling units. The allocation process is competitive, with newly proposed developments evaluated and compared against other developments from the same growth management allocation area.

The steps in the subdivision approval process are as follows:

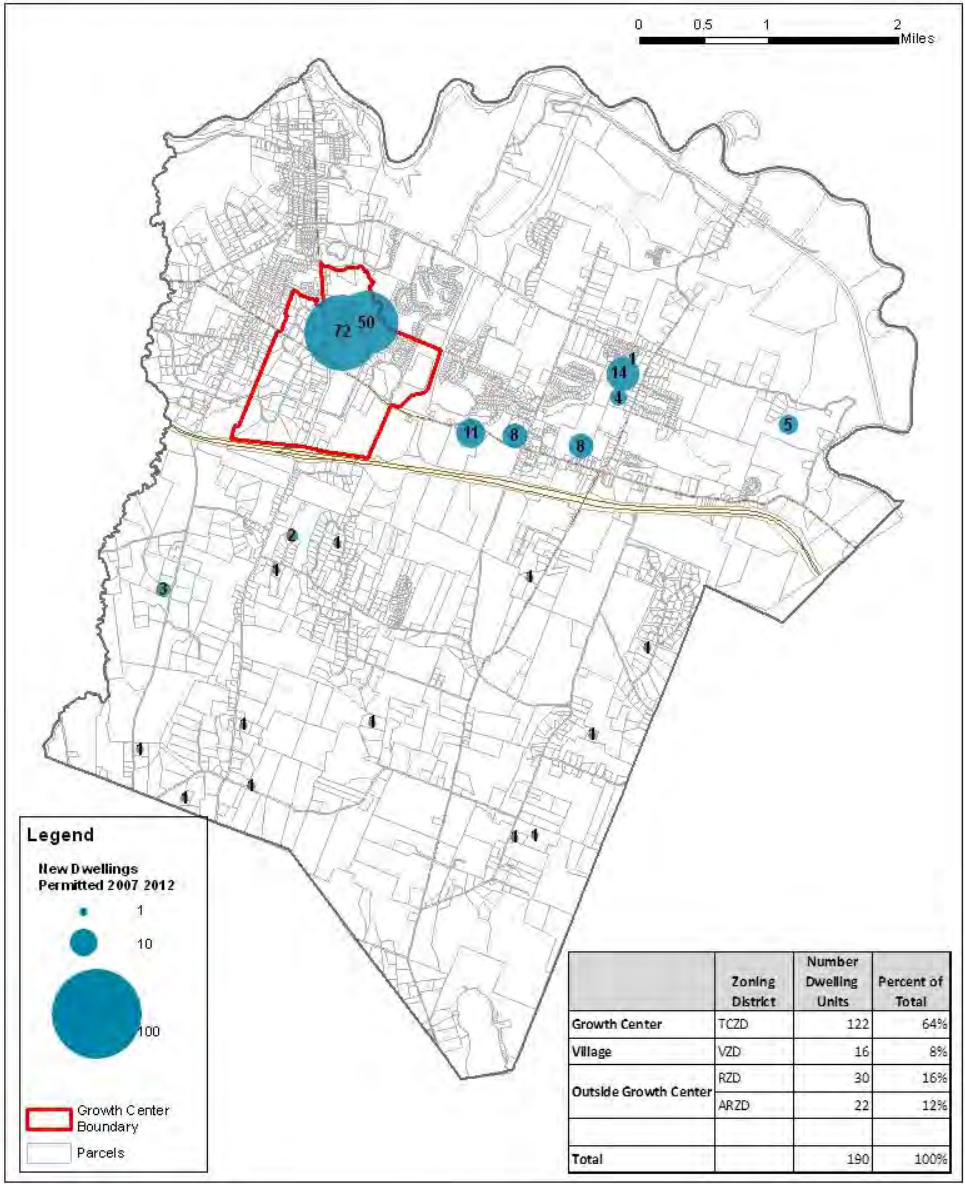
- **Pre-Application.** Similar to sketch plan in other municipalities. The project is reviewed in concept, and development options are explored and discussed. The DRB votes to allow a proposal to move forward to growth management review or repeat pre-application.
- **Growth Management.** All proposed residential development determined to move forward by the DRB from Pre-application are reviewed and scored in comparison to other developments within the same growth management allocation area.
- **Discretionary Permit.** Proposed developments receiving growth management allocation are reviewed in detail against bylaw requirements and standards. Projects are approved (or denied) with conditions of approval defined.

- **Final Plans.** Plans reviewed for compliance with conditions of Discretionary Permit approval

5. Permit Activity, 2007-2012

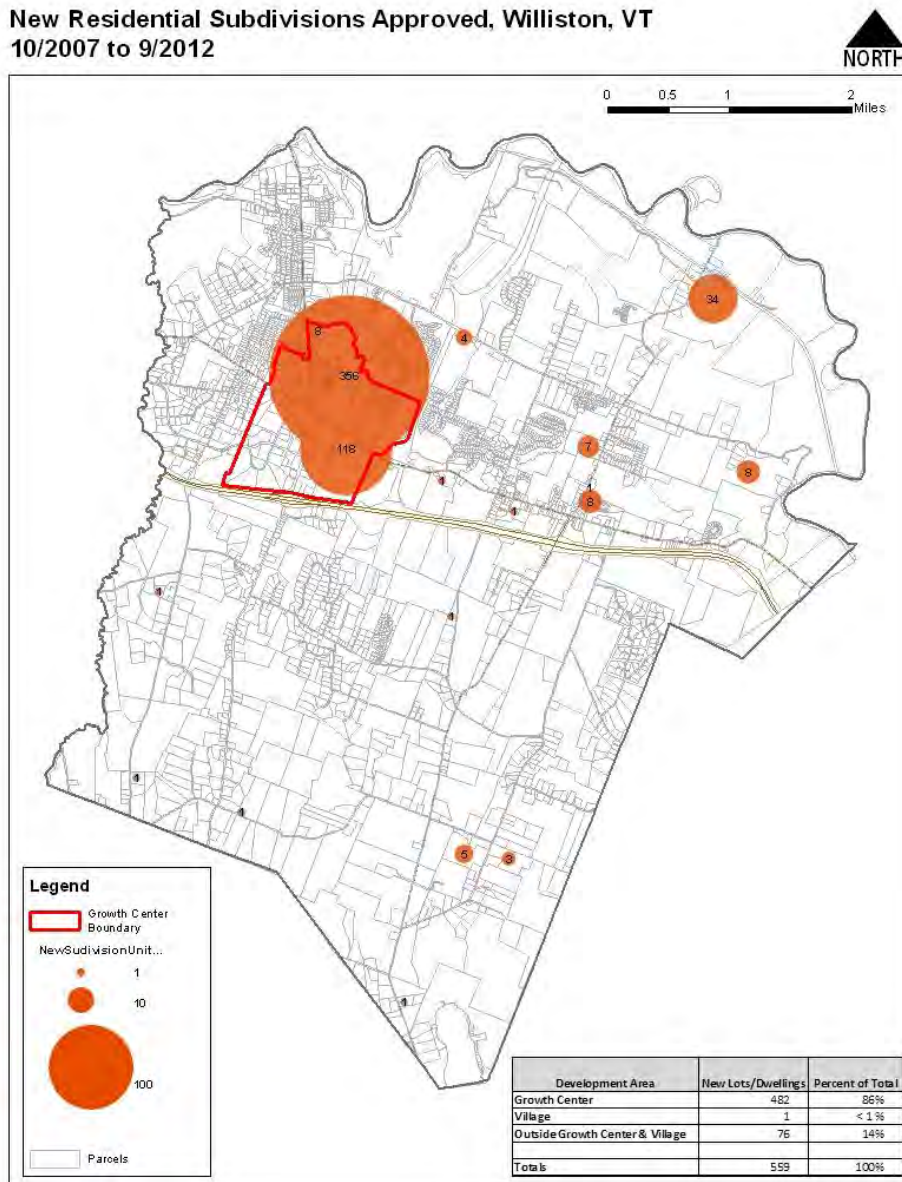
In the five-year period since the approval of Williston’s growth center designation, the town has issued permits for 190 new dwelling units. These 190 new units do not include permits issued for dwellings replacing an already existing dwelling on a property; rather this only represents the number of new additional dwellings built in Williston between October 2007 and September 2012. Of the 190 new dwellings issued permits, 122 or 64 percent were in the designated growth center, and 16 or 9 percent were in the Town’s Village Zoning District (VZD). Permit activity is summarized and depicted visually in Map 5.

New Dwelling Units Permitted, Williston, VT, 10/2007 to 9/2012



Subdivision Activity

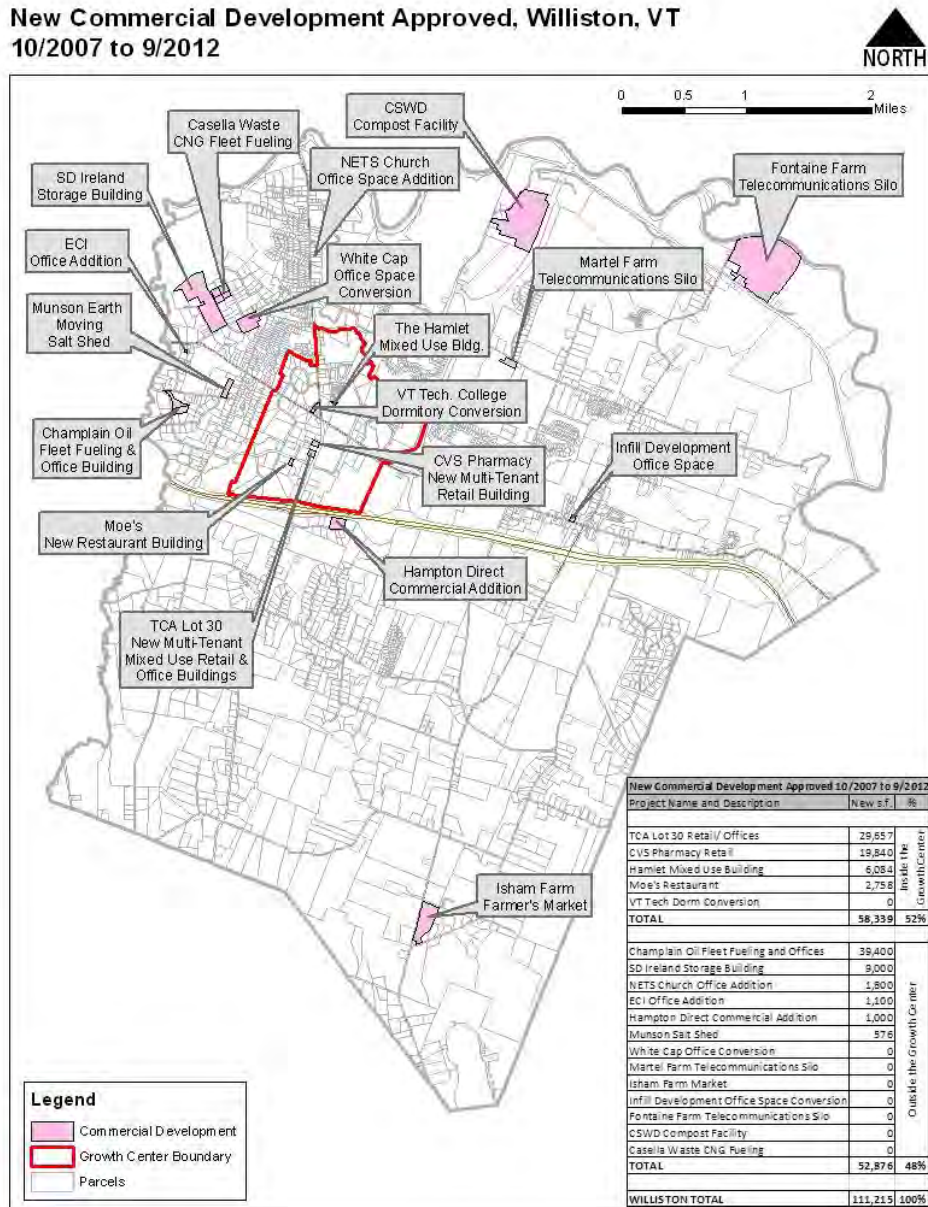
Over the past five years since Williston received its growth center designation, there were a total of 559 new lots or potential new dwellings approved by the Town's Development Review Board (DRB) through the subdivision process. Of these, 482 or 96 percent of the total approved were located in the growth center. Only one new lot was approved in the VZD. The remaining 76 additional lots or dwellings were on properties either in the Town's Agricultural Rural Residential Zoning District (ARZD), or in the Residential Zoning District (RZD). These are summarized and depicted in Map 6.



Commercial Development

Describing the extent and nature of commercial and industrial development over the past five years is more difficult than describing residential development. There has been a great deal of permitting activity since October 2007, but only a small number of new buildings accounting for most of the new development, coupled with several significant remodels of existing buildings and spaces. In the past five years, there was approximately 111,000 sq. ft. of new commercial space constructed in Williston, of which 52% was in the growth center.

**New Commercial Development Approved, Williston, VT
10/2007 to 9/2012**



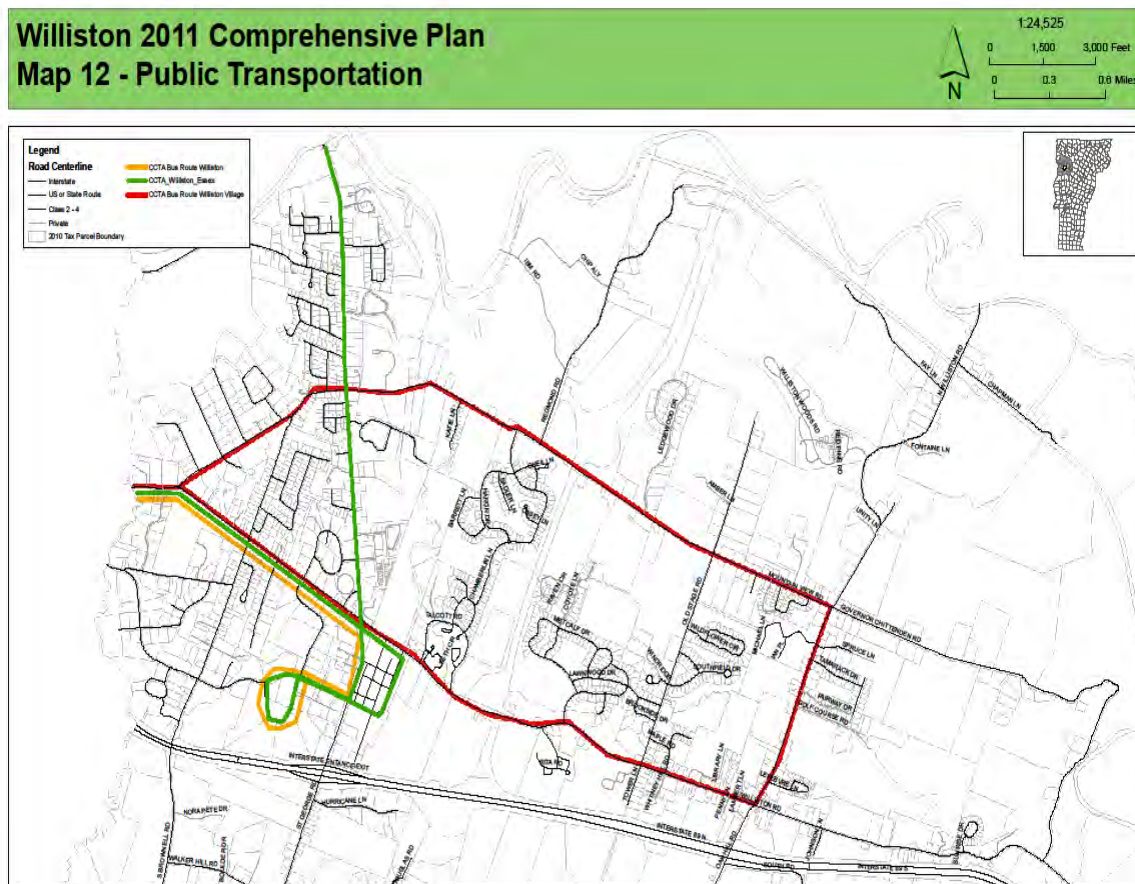
6. Other Developments

There were several transportation issues that were discussed as part of the consideration of Williston's growth center designation. These included a condition that Williston become a member of the Chittenden County Transportation Authority (CCTA), and that the Town work with VTrans to find solutions to some of the traffic congestion problems along the VT 2A corridor.

CCTA

The Town joined CCTA in 2008, and there are now three separate lines of transit service available in Williston. These include the following:

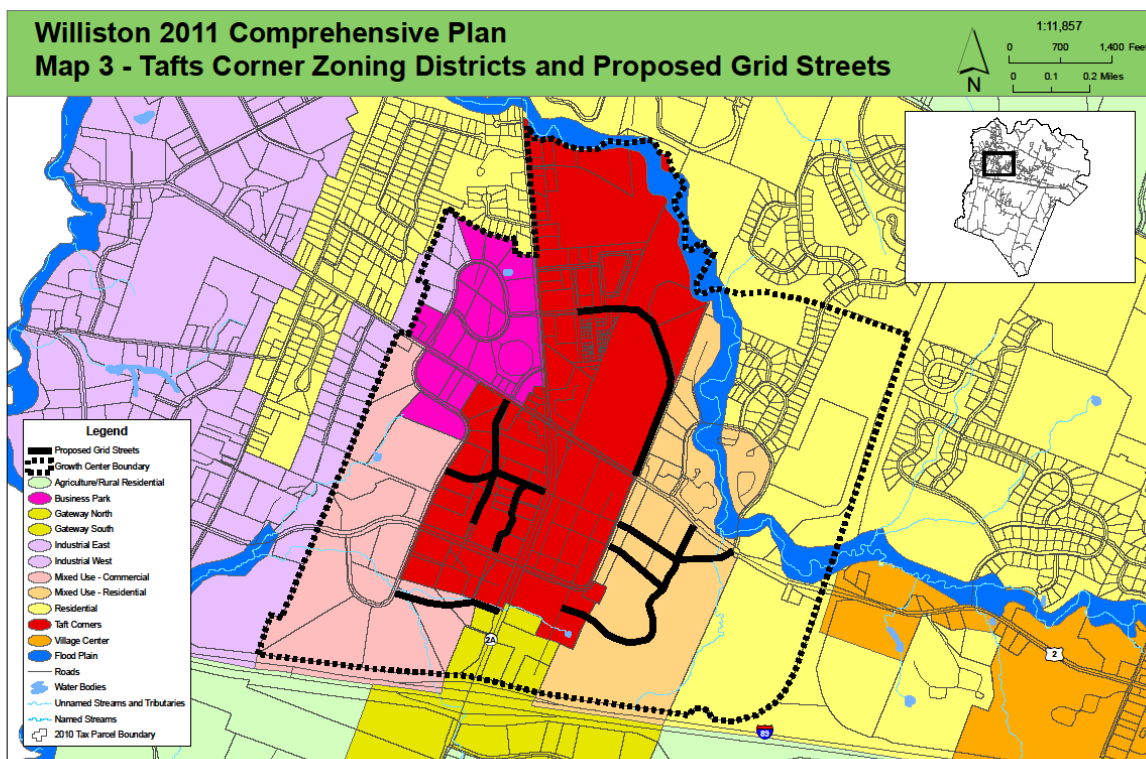
1. Regular service linking the Williston Growth Center to Essex and Burlington
2. Regular service from the Williston growth center and Burlington
3. M-F morning and evening commuter service between the Williston Village and Burlington



Grid Streets

For many years, the Town has been working towards the development of a network of grid streets in the Taft Corners area which lies in the heart of the Town's growth center. Some of the congestion that exists in the area can be attributed to the lack of meaningful alternatives for motorists, coupled with the broken up land use development. Together, this network of streets has been envisioned to provide a more complete and robust transportation system in the area by distributing traffic over additional streets, providing important connects, and facilitating a more compact development pattern.

In 2012, the town issued permits for the first sections of the grid street network to be built. This includes the grid street running parallel to VT 2A between Marshall Avenue on the south and Wright Avenue on the north, as well as a small portion of Zephyr Road as part of the Finney Crossing development north of Williston Road.



Other Traffic Congestion

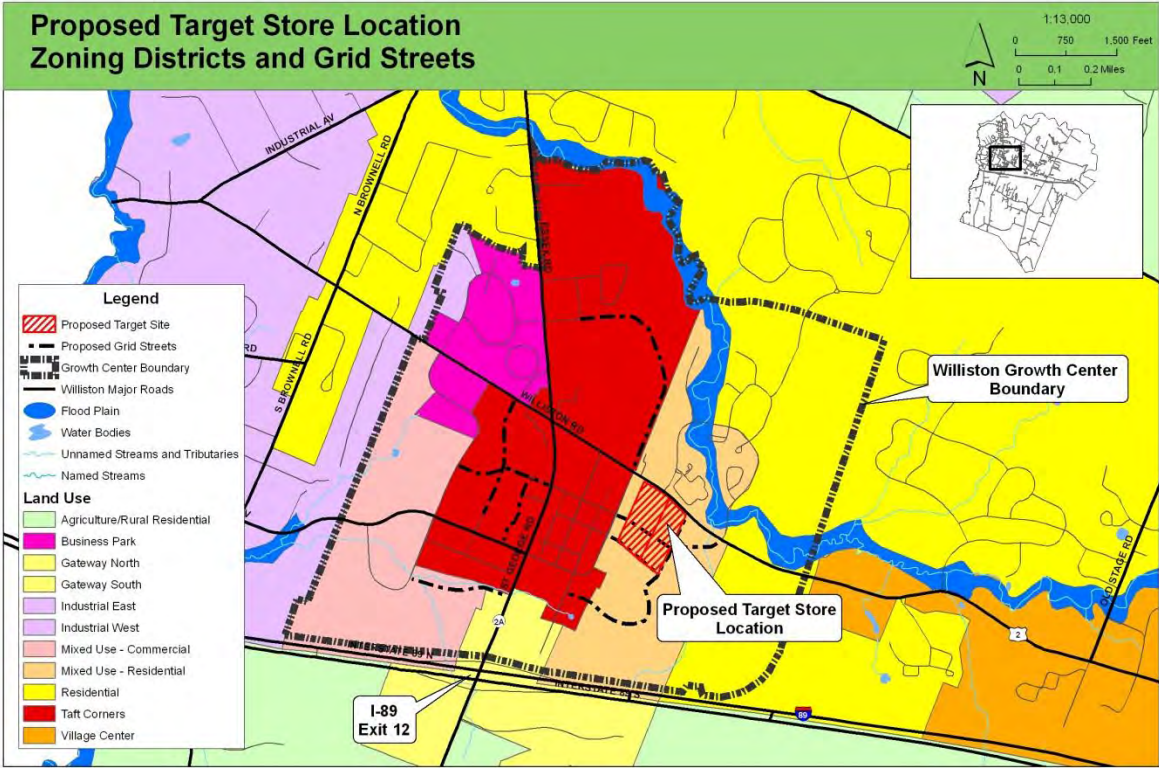
In May 2011, Governor Shumlin announced that the state would no longer be pursuing the completion of the long anticipated Circumferential Highway (the Circ). The Circ as it was envisioned was to link I-89 in Williston northward across the Winooski River to the existing segment of the Circ in Essex that terminates at VT 117. It had been hoped that this new road would provide significant traffic congestion relief to the VT 2A corridor. The Governor instead asked the Chittenden County Regional Planning Commission (CCRPC) to head up a task force of the affected Circ communities of Williston, Essex, Essex Junction, and Colchester to look for some alternative measures to address some of the transportation and congestion issues along the corridor. Williston has been actively participating on this task force and is hoping that some meaning transportation strategies and improvements will come from this effort.

Target

One of the most frequently asked questions of the planning office in Williston is about the prospects of Target building a store in Williston. In the spring of 2011, the Town was approached by representatives from the Target Corporation about the idea of building a 136,500 sq. ft. store in Williston on a property located on the south side of Williston Road to the east of Maple Tree Place. To be successful in this pursuit, the zoning on the proposed site would have to be changed (it is currently zoned Mixed Use Residential).

The public planning commission held an informal public meeting with the Target representatives and the general public in January 2012. To date, there has not been an application submitted for this proposal and the company has been non-committal with the town about whether it plans to move forward.

For the purposes of this report, it is worth noting that the location that Target has identified is in the Town's growth center, but clearly there would be many, many issues to discuss and consider should an application for this proposal actually be submitted.



8 - Bennington Five Year Review



TOWN OF BENNINGTON

September 17, 2013

Faith Ingulsrud, Planning Coordinator
Vermont Department of Economic, Housing & Community Development
National Life Building, 6th Floor
One National Life Drive
Montpelier, VT 05620

Re: Bennington Growth Center Designation – Five Year Review

Dear Faith:

With this letter, the Town of Bennington is submitting to the Vermont Downtown Board the information DEHCD staff has requested in order for the Board to conduct the required five year review of Bennington's Growth Center Designation. The information submitted includes: this cover letter which provides an overview of the changes in the growth center over the last five years; a copy of the Board's written decision regarding Bennington's Growth Center annotated with comments on the Findings of Fact; and multiple maps and tables and supporting documentation describing new development inside Bennington's Designated Downtown and inside and outside Bennington's Growth Center.

As you know, the Town's Growth Center Designation was approved with the condition that the draft Bennington Capital Budget and Program submitted to the Downtown Board be adopted by the Bennington Select Board prior to the Growth Center designation becoming effective. This was accomplished prior to formal notification of the Town of the Board's approval of the Growth Center (see attached letter from DEHCD). Therefore, Bennington did not have any conditions to meet after notification of designation.

No material change in circumstances that would impact the Findings of Fact in the Designation Decision has occurred in the last five years. Only one change in the boundaries impacting the Growth Center has occurred in the last five years. In May of 2012 the Downtown Board approved (approval letter attached) a modification of Bennington's Designated Downtown boundary to include the former Catamount School (a former public elementary school). A portion of the school now houses the Vermont Soccer Academy and renovations of the rest of the school property are ongoing. The owner was recently awarded historic preservation tax credits to facilitate the continued re-development of the property. Additional recent development activity and recently adopted planning policies and regulations that may be of interest to the Downtown Board are noted in the attached annotated Growth Center Designation Decision.

The Town of Bennington has issued over 1,400 building and/or zoning permits between 2008 and 2013. These permits include everything from decks and sheds to multi-million dollar commercial projects. In accordance with the guidance for the Five Year Review Process, the attached maps and tables only address permits for new dwellings, new lots and new development that resulted in new space or structures or involved the renovation of persistently vacant space. Substantial investment has also been made to renovate occupied or recently occupied existing structures and space over the last five years, but this investment is not reflected in the attached tables and maps.

The attached tables, maps and additional supporting documentation indicate the following.

Subdivisions

From 2008 to 2013 the Town issued subdivision permits for 36 new lots (traditional and PRD/PUD). 10 of these lots are located in an industrial park. 24 (66.7%) of the lots are located in the Growth Center. 12 (33.3%) of the lots are located outside the Growth Center.

Dwellings

62 dwelling units were permitted and constructed between 2008 and 2013 in Bennington. 8 (12.9% of the total) dwellings were constructed in the Designated Downtown. 37 (59.7% of the total) dwellings were constructed in the Growth Center (but outside of the Designated Downtown). 17 (27.4% of the total) dwellings were constructed outside the Growth Center. The attached supporting documentation indicates the location as well as the types (single family, duplex, apartment, condo) of dwellings constructed. It is worth noting that 14 of the dwelling units constructed were new affordable housing units (7 duplexes).

Commercial/Industrial/Institutional Development

35 permits for 279,771 s.f. of new commercial/industrial/institutional space were issued between 2008 and 2013. Construction has commenced or been completed on all of the permits issued. 32.7% of the square footage is located within the Designated Downtown. 51% of the square footage is located within the Growth Center (but not within the Designated Downtown). 16.3% of the square footage is located outside of the Growth Center.

Please let me know if you have any questions regarding the information submitted, or if you need additional information to facilitate the Downtown Board's five year review of Bennington's Growth Center Designation.

Respectfully,



Daniel W. Monks
Planning Director

Enclosures



State of Vermont
 Department of Housing and Community Affairs
 National Life Building, Drawer 20
 Montpelier, VT 05620-0501
 www.dhca.state.vt.us

[phone] 802-828-3211
 [Department fax] 802-828-2928
 [Historic Preservation fax] 802-828-3206

Agency of Commerce &
 Community Development

February 3, 2009

Stuart Hurd, Town Manager
 Town of Bennington
 205 South Street
 Bennington, VT 05201

Dear Mr. Hurd:

As you know, at it's meeting on October 27th, 2008, the Expanded Downtown Development Board approved Bennington's request for Growth Center Designation under 24 V.S.A. Chapter 76A, subject to one condition, which was:

Designation is conditioned on the Town of Bennington adopting the Capital Budget and Program that was included in the application, with no substantial changes. Designation will not become effective until said Capital Budget and Program is adopted and submitted to the Board.

On January 21, 2009 we received documentation that the Bennington Selectboard adopted the Capital Budget and Program on January 12th, along with a copy of the adopted Program. My staff has determined that no substantial changes were made to this document. Having fulfilled the condition of designation, I am pleased to provide this formal notification that Bennington is now an official Designated Growth Center as of January 21, 2009. This approval includes the entire district as mapped in the Town's application. Enclosed with this letter is a copy of the Expanded Board Decision.

We applaud Bennington for the commitment you all are making toward growth center planning in support of your downtown. The designated area will be eligible for all benefits available to a designated growth centers for the next five years. At the end of that five-year period, in January 2014, the Town will need to request renewal of designation.

Congratulations again, and on behalf of both the Vermont Growth Centers Program and the Vermont Downtown Development Board, we look forward to working with you.

Sincerely,

Kevin Dorn, Secretary
 Agency of Commerce and Community Development

Cc: Dan Monks, Town of Bennington Planning Director
 Jim Sullivan, Assistant Director, Bennington County Regional Planning Commission

Enclosure



5 YEAR REVIEW COMMENTS

The Town of Bennington's Growth Center Designation has been annotated with comments by Town of Bennington staff to facilitate the Vermont Downtown Board's 5 year review of the designation. Comments are set forth below in underlined red text.

TOWN OF BENNINGTON APPLICATION FOR GROWTH CENTER DESIGNATION

Formal Approval Growth Center Designation

**Expanded Downtown Board
October 27, 2008**

5 Year Review Comments – September 2013

Introduction

The Planning Coordination Group (PCG) met on July 22nd to review, discuss and deliberate on the Town of Bennington's application for Growth Center Designation, and then again on August 26, 2008, to vote on their recommendation to the Expanded Downtown Development Board. On September 22, 2008 at their warned public meeting, the Expanded Board voted 7-1 to formally approve Bennington's application and award growth center designation, based upon their review of the application materials, the PCG's recommendation, and the statutory designation criteria (24 V.S.A. §2791). Below is a summary of the Board's finds and conclusions, with attached condition.

The following comments are provided to the Vermont Downtown Board to facilitate the Five Year Review of Bennington's Growth Center. The Vermont Downtown Board staff has requested that Bennington provide "Comments on Each of the Findings of Fact in the Designation Decision, noting any circumstances that have changed."

No material change in circumstances that would impact the Findings of Fact in the original Designation Decision have occurred in the last five years. Minor changes and items of possible interest to the Vermont Downtown Board are noted below.

Proposed Growth Center includes or is adjacent to a Designated Downtown, Village Center or New Town Center

The Growth Center includes Bennington's Designated Downtown, which acts as the central core of the downtown. MAP 1 IN THE APPLICATION SHOWS THE RELATIONSHIP BETWEEN THE DOWNTOWN AND THE GROWTH CENTER.

On May 21, 2012 the Vermont Downtown Board approved a minor change in the boundary of Bennington's Designated Downtown to include the former Catamount public school that is being redeveloped as a mixed use facility, including a Soccer Academy. The project was recently awarded Historic Preservation Tax Credits to facilitate the continued re-development of the property.

A copy of the notification of the Board's decision and a map indicating the boundary change is attached to these annotated findings.

Rationale for Growth Center

- 1. The proposed growth center growth cannot reasonably be achieved within an existing designated downtown, village center, or new town center located within the applicant municipality (24 V.S.A. § 2793c(e)(1)(G)(ii)).*

Based on the municipality's 20-year projections for population, housing and commercial growth (SEE DETAILS IN APPENDIX A IN THE APPLICATION), a majority of the projected growth cannot reasonably occur within the existing designated downtown within the municipality. There is capacity for the downtown to absorb more residential and commercial growth, but not 50% of that projected by 2030. For example, the need for 500 residential units is projected by 2030, with a capacity for only about 120 in the CBD. The applicant also demonstrates that the downtown does not have the capacity to absorb much of the proposed institutional and industrial growth. Even if maximum densities and building heights were encouraged, the amount of growth would still be less than 50%.

This Finding remains accurate.

Size and Configuration of Growth Center

-
2. *The proposed growth center is of an appropriate size sufficient to accommodate a majority of the projected population and development over a 20-year planning period. The proposed growth center does not encompass an excessive area of land that would involve the unnecessary extension of infrastructure to service low-density development or result in a scattered or low-density pattern of development at the conclusion of the 20-year period (24 V.S.A. § 2793c(e)(1)(F)).*

The proposed growth center will result in a settlement pattern that, at full build-out, is not characterized by development that is not serviced by municipal infrastructure or that requires the extension of municipal infrastructure across undeveloped lands in a manner that would extend service to lands located outside compact village and urban centers (24 V.S.A. § 2791(13)(l)(iv)).

The proposed growth center will result in a settlement pattern that, at full build-out, is not characterized by linear development along well-traveled roads and highways that lacks depth, as measured from the highway (24 V.S.A. § 2791(13)(l)(v)).

Table 3 in the application indicates the amount of growth that can be accommodated both town-wide and within the growth center over the next 20 years, as well as full build-out based on the regulations and constraints. With 534 acres of land available for development or redevelopment within the growth center, there is no question that it is large enough to accommodate a majority of the projected growth. It is also clear that with Bennington's regulatory review process, the Town is encouraging a majority of development to occur within the growth center in order to discourage scattered development outside along highways and in sensitive areas.

The size of the growth center encompasses excessive amount of land that could potentially result in a scattered or low-density pattern of development over the first 20-year period, especially in the industrial and planned commercial districts (PCD). The growth center statute establishes a minimum standard for size so that the designated areas can accommodate a majority of growth in a community over a 20 year planning period. The statute also stipulates that there will be no "*unnecessary extension of infrastructure to service low-density development or result in a scattered or low-density pattern of development at the conclusion of the 20-year period.*"

The Board finds that Bennington has expended substantial effort in protecting its historic downtown and should be entrusted to prevent competing development in the PCD and industrial districts. The bylaws and design guidance encourage dense, multi-story, mixed use in these outer areas. The Board concluded that the Town has been doing a good job in planning for the Town's growth within a defined center, appropriately distinguishing the types of development that should and will occur both inside and outside of the boundaries.

The Town has demonstrated through their municipal plan, land use bylaws, and other implementation tools, that whatever development takes place within the Growth Center will be of higher density than in surrounding areas. It was also understood that the entire area had municipal sewer and water supply. A majority of the Board members agreed with the Town that that the industrial and PCD areas are already developed and that any new development or redevelopment would be infill in character. New development will increase the density within existing developments, and the proposed boundary is a logical proposal given the current situation. This may not necessarily be the case with other applications that show a growth center boundary larger than what is needed for a 20-year period of growth.

This Finding remains accurate. The Town's regulatory and policy framework implementing the Growth Center remains in place. The only changes to the Town's Land Use Regulations involved the adoption in 2009 of a Fluvial Erosion Hazard Zone restricting development along the Roaring Branch and the adoption in 2012 of revised Floodplain regulations to satisfy FEMA requirements. Policy documents recently adopted by the Town reinforce the Growth Center designation. These policy documents include an updated Bennington Town Plan (2010), a Park and Open Space Plan (2009), Economic Development Plan (2013) and Municipal Energy Plan (2012). These documents are available online at <http://www.benningtonplanningandpermits.com/planning-policy-documents/>.

Appropriateness of Growth Center

- The proposed growth center will support and reinforce any existing designated downtown, village center, or new town center located in the municipality or adjacent municipality by accommodating concentrated residential neighborhoods and a mix and scale of commercial, civic, and industrial uses consistent with the anticipated demand for those uses within the municipality and region (24 V.S.A. § 2793c(e)(1)(G)(i)).*

The proposed growth center is planned to develop compact mixed-use centers at a scale appropriate for the community and the region (24 V.S.A. § 2791(13)(B)).

The downtown serves as the core to the growth center, and most of the areas surrounding the downtown are well integrated at an appropriate scale. While there was some concern about the large scale of the industrial and planned commercial areas and the more scattered nature of the existing development in these areas, it was noted that new development within these two areas will be infill in nature, resulting in a more compact pattern of development. These areas are also planned to become more pedestrian oriented and will gradually be of a scale more in character with surrounding areas.

Some concern was expressed about potential impacts on the downtown businesses by the

Planned Commercial District (PCD), located on Northside Drive and that development in the PCD may limit the downtown from realizing its potential build-out. Town officials stated that they are working hard to encourage continued commercial development in the downtown. The downtown has an active downtown organization, Better Bennington Corporation (BBC), which may be able to better address market share issues between the two areas. Town officials perceive these two areas as having different kinds of commercial activity that are not in competition with each other. They described an economic impact analysis that had been conducted by the group opposing expansion of the WalMart. The applicant stated this report concluded that the economic impact to the downtown would not be significant. In the end the Board agreed with the Town that including the PCD in the Growth Center in itself did not appear to unduly impact the downtown.

This Finding remains accurate. The proposed expansion of the WalMart in Bennington that is referenced in this Finding has not, yet, been constructed. A court settlement was recently reached between the WalMart developer and a local citizens group opposed to the WalMart expansion. As part of the settlement, the WalMart developer will make a cash payment that will be used to offset possible negative impacts to the downtown.

Development Pattern

4. *The proposed growth center promotes densities of land development that are significantly greater than existing and allowable densities in parts of the municipality that are outside a designated downtown, village center, growth center, or new town center, or, in the case of municipalities characterized predominately by areas of existing dense urban settlement, it encourages infill development and redevelopment of historically developed land (24 V.S.A. § 2791(12)(B)(iv)).*

The proposed growth center results in compact concentrated areas of land development that are served by existing or planned infrastructure and are separated by rural countryside or working landscape (24 V.S.A. § 2791(12)(B)(vi)).

The proposed growth center is planned to maintain the historic development pattern of compact village and urban centers separated by rural countryside (24 V.S.A. § 2791(13)(A)).

The proposed growth center will result in a settlement pattern that, at full build-out, is not characterized by scattered development located outside of compact urban and village centers that is excessively land consumptive (24 V.S.A. § 2791(13)(I)(i)).

The approved plan and the implementing bylaws further the goal of retaining a more rural character in the areas surrounding the growth center, to the extent that a more rural

character exists (24 V.S.A. § 2793c(e)(1)(D)(iv)).

Densities within the growth center are higher than the surrounding areas. SEE MAP 3 IN THE APPLICATION. The downtown provides the highest density. The mixed use and residential districts within the growth center surrounding the downtown generally have ¼ acre lots, with residential densities allowing up to 10 units per acre or more, depending on the district. The planned commercial area allows for residential densities of up to 20 units per acre, as well as for relatively dense commercial development. In comparison, the residential density of the districts outside the growth center varies from 1 acre to 25 acres per lot. SEE TABLE 4 ON PAGE 44 IN APPLICATION TO SEE ZONING OUTSIDE THE GROWTH CENTER.

While the bylaws have maximum density requirements rather than minimum, the town has several mechanisms to encourage higher densities, including density bonuses, as well as a minimum two-story requirement within the downtown. The developers generally take advantage of the maximum densities since it is more efficient (and thus less costly) for them to develop. The Town states that the Development Review Board does not discourage higher densities in spite of occasional public pressure. They do, however, discourage higher densities in the rural areas. The rural residential areas allow 1-acre zoning, but there are additional requirements for conservation of resources, as well as application of the PRD standards, allowing for a distinction in how districts are zoned within the growth center versus outside.

This Finding remains accurate.

Diversity of Development

5. *The proposed growth center incorporates a mix of uses that typically include or have the potential to include the following: retail, office, services, and other commercial, civic, recreational, industrial, and residential uses, including affordable housing and new residential neighborhoods, within a densely developed, compact area (24 V.S.A. § 2791(12)(B)(i)).*

The proposed growth center is planned to support a diversity of viable businesses in downtowns and villages (24 V.S.A. § 2791(13)(G)).

The proposed growth center is planned to provide for housing that meets the needs of a diversity of social and income groups in each community (24 V.S.A. § 2791(13)(H)).

The application demonstrates that there is and will continue to will be a variety of uses located within the growth center, including residential, commercial, industrial, institutional, and parks and other open space. SEE MAP 5 IN THE APPLICATION. While some

of the uses are segregated within a district (such as the industrial areas, some of the commercial areas, and the medical institutional area), there is pedestrian access to office and commercial uses from all residential areas. And most neighborhoods contain small grocery and food and beverage stores. Redevelopment of the planned commercial area (PCD) could encourage more mixed uses and not be strictly commercial. Bennington's downtown is currently vibrant with a diversity of businesses and residential units, and the Town is committed to maintaining that diversity.

Bennington has the tools in place that will encourage the provision of more housing choices, including housing that is more affordable for residents and the workforce. Housing choices range from conventional single-family houses and duplexes, to condominiums in upper floors of the downtown, as well as a multitude of rental housing. The Town notes that they have worked closely with the area affordable housing developer in providing lower cost housing and are continuing to do so. They also provide a density bonus to developers who include affordable housing in their proposals.

This Finding remains accurate. The regulatory and policy framework encouraging a diversity of housing remains in place.

The local affordable housing organization, Shires Housing (formerly RAHC), recently completed, with financial support from the Town, 14 new housing units located on North Branch Street within the Growth Center. The project consisted of 7 very attractive duplexes on in infill parcel in an established residential neighborhood. The project has been very well received.

The Town has also begun work on a Housing Study (funded by a MPG) that will document existing needs and develop suggested actions to create housing to address existing needs and to address the Town's desire to retain and attract professionals to Bennington.

Capital Budget and Program

6. *The applicant has adopted a capital budget and program in accordance with 24 V.S.A. § 4426 and the existing and planned infrastructure is adequate to implement the growth center (24 V.S.A. § 2793c(e)(1)(E)).*

The proposed growth center is planned to balance growth with the availability of economic and efficient public utilities and services (24 V.S.A. § 2791(13)(F)).

The application includes a Capital Budget and Program that lists the town's proposed improvements to existing infrastructure, much of which will support the growth center, including a local road network, water and sewer improvements, and other facilities. There are no planned expansions, and the Board finds that there will be sufficient

capacity within the existing systems to accommodate proposed growth (especially with improvements and upgrades).

Much of the proposed improvements will be paid for by both tax-based funds (General and Highway Funds) and user-fee based funds (Water and Sewer Funds). In addition, the town uses grant funds to pay for some improvements, such as for pathway development or transportation-related improvements.

SEE THE CAPITAL BUDGET AND PROGRAM, APPENDIX C, AND THE RECOMMENDATION FROM THE PLANNING COORDINATION GROUP (PCG) THAT DETAILS THE AMOUNT OF NEEDED SEWER CAPACITY OVER 20 YEARS COMPARED TO EXISTING CAPACITY.

The Capital Budget and Program within the application was not adopted at the time of this decision and the Board's approval of this Growth Center is conditional upon adoption by the Town of the document, as presented in the Application, with no substantial changes.

The Town adopted a Capital Budget and Program before final approval of the Growth Center Designation was issued to the Town. Please see the attached approval letter from the Downtown Board staff acknowledging the Town's adoption of the required Capital Budget and Program. Therefore, the Town's Growth Center designation was issued without conditions.

The Town continues to implement the Capital Budget and Program and it is updated by Town staff and approved by the Select Board every year as part of the annual budget process.

The Town continues to implement a policy of maintenance of existing roads (no expansion) and the maintenance and expansion of bicycle and pedestrian infrastructure. The Town continues to have sufficient water and sewer capacity to serve expected growth.

Public Spaces

-
7. *The proposed growth center incorporates existing or planned public spaces that promote social interaction, such as public parks, civic buildings (e.g., post office, municipal offices), community gardens, and other formal and informal places to gather (24 V.S.A. § 2791(12)(B)(ii)).*
-

Nearly all of the town's civic buildings are located within the growth center, with the exception of the middle school (which is located immediately adjacent to the growth center) and those facilities that are in the Village of North Bennington. The growth center also includes a number of parks and recreational facilities. SEE MAP 15 IN THE APPLICATION.

This Finding remains accurate. Improvements to the Town's public parks continue to be implemented.

Spatial Pattern

8. *The proposed growth center is organized around one or more central places or focal points, such as prominent buildings of civic, cultural, or spiritual significance or a village green, common, or square (24 V.S.A. § 2791(12)(B)(iii)).*

The proposed growth center will result in a settlement pattern that, at full build-out, is not characterized by linear development along well-traveled roads and highways that lacks depth, as measured from the highway (24 V.S.A. § 2791(13)(l)(v)).

The central focal point for the growth center is appropriately the designated downtown. Areas surrounding the downtown have subsets of focal points, such as schools, recreational facilities, the Veteran's Home and the hospital.

This Finding remains accurate.

Transportation and Other Infrastructure

9. *The proposed growth center is supported by existing or planned investments in infrastructure and encompasses a circulation system that is conducive to pedestrian and other non-vehicular traffic and that incorporates, accommodates and supports the use of public transit systems (24 V.S.A. § 2791(12)(B)(v)).*

The proposed growth center is planned to enable choice in modes of transportation (24 V.S.A. § 2791(13)(C)).

The proposed growth center will result in a settlement pattern that, at full build-out, is not characterized by development that limits transportation options, especially for pedestrians (24 V.S.A. § 2791(13)(l)(ii)).

The Town has a transit system that already serves much of the area within the growth center. A fixed route bus system provides service to major destinations, including the downtown, shopping centers, state offices, hospital, schools, a park, and a park & ride. There is also door-to-door on-call transit for those without auto access. The Town and

Green Mountain Community Network continually seek opportunities to improve transit routes.

In terms of pedestrian facilities, the growth center is currently serviced by about 40 miles of sidewalks, as well as some other pathways (including the River Walkway). The Town has plans for extending sidewalks, in relation to transportation improvement projects, and developing more pathways, including a rail-trail that runs into the downtown from the west. Bicycling is also recognized as an important transportation option, and all roadway improvement projects are evaluated for bicyclist safety.

No new roadways are planned for the growth center, except for local/private roads that will serve new development at the edges. A number of roadway improvement projects have been identified (SEE TABLE 6 IN THE APPLICATION), but the existing system can accommodate projected traffic increase from growth over the next 20 years. The Town evaluates traffic impacts of major developments and requires mitigation.

The Board discussed potential impacts of the Bennington Bypass on the designated downtown and concluded that any potential impacts are irrelevant to designation of the Town's growth center.

This Finding remains accurate.

The Bennington Economic Development Partners (a coalition of several local organizations, including the Town, BBC, BCRC and the Chamber) is currently working with the local colleges and Green Mountain Community Network to provide expanded bus service during the evenings.

Several new bike/ped initiatives are underway, including a pathway from downtown Bennington to North Bennington spearheaded by the Chamber of Commerce and supported by the Town. The projects are outlined in the attached excerpts from BCRC's Active Transportation Guide. In addition, the Town has expanded its sidewalk network and will be developing a comprehensive Sidewalk Plan.

Natural and Historic Resources

10. *The applicant has identified important natural resources and historic resources within the proposed growth center, anticipated impacts on those resources and has proposed mitigation (24 V.S.A. § 2793c(e)(1)(B)).*

The approved plan and the implementing bylaws provide reasonable protection for important natural resources and historic resources located outside the proposed growth center (24 V.S.A. § 2793c(e)(1)(D)(iv)).

The proposed growth center is planned to protect the state's important environmental,

natural and historic features, including natural areas, water quality, scenic resources, and historic sites and districts (24 V.S.A. § 2791(13)(D)).

The application identifies important natural resources, both within and outside the growth center (SEE MAP 20 IN THE APPLICATION). The Town has tools in place to help protect these resources, including scenic resource protection standards, and PUDs. No permanent development is allowed in the expansive Forest districts. SEE CHAPTER 3 OF THE TOWN PLAN FOR SPECIFIC POLICIES THAT THE TOWN EMPLOYS FOR RURAL DISTRICTS. The Town also cooperates with area non-profits to protect resources on key parcels, and is in the process of developing an open space plan. Bennington is fortunate to have large natural areas permanently protected as federal or state lands.

The Town has mechanisms in place to identify and help protect historic resources, including an inventory of historic sites and structures, historic preservation guidelines for building owners and development review, and historic review as part of the development review process. The Historic Preservation Commission is required to review all development projects within the downtown, but also is given the opportunity to review all other projects that go through the Development Review Board (DRB). In terms of identification and protection of archaeological resources, there is a section in the subdivision regulations that allows the DRB to address these resources as they review each proposed project. There is an archaeology specialist on the Historic Preservation Commission.

This Finding remains accurate. The Town adopted a Park and Open Space Plan in 2009. The Town also adopted Fluvial Erosion Hazard regulations in 2009 that restrict development in areas adjacent to the Roaring Branch. The Town is currently working with the Vermont Land Trust and a local group, Friends of the Morgan Street Wetlands, to conserve a 124 acre parcel of land adjacent to the Growth center and proximate to downtown. The parcel, a mix of uplands, wetlands and watercourses represents a unique recreational and natural resource for recreationalists, naturalists, anglers, floaters, hikers, school children, bicyclists, and other residents of and visitors to the community.

Agriculture

11. *The most recently adopted guidelines of the Secretary of Agriculture, Food and Markets have been used to identify areas proposed for agriculture and the proposed growth center has been designed to avoid the conversion of primary agricultural soils, wherever possible (24 V.S.A. § 2793c(e)(1)(C)).*

The proposed growth center serves to strengthen agricultural and forest industries and is

planned to minimize conflicts of development with these industries (24 V.S.A. § 2791(13)(E)).

The proposed growth center will result in a settlement pattern that, at full build-out, is not characterized by the fragmentation of farm and forest land (24 V.S.A. § 2791(13)(I)(iii)).

While Bennington's downtown and surrounding neighborhoods are developed on some of the best agricultural soils, these areas have been out of active agricultural use for a long time. Thus the primary agricultural soils within the growth center have been previously impacted and are not used for agricultural purposes. Most of the remaining areas within the growth center targeted for development do not contain primary agricultural soils.

The Town does have important agricultural soils in areas outside the growth center, including to the west and south of the growth center, and has policies and land use regulations that support the protection of these lands. SEE MAP 23 IN APPLICATION FOR IDENTIFICATION OF AGRICULTURAL SOILS, APPENDIX D IN THE TOWN PLAN FOR SPECIFIC POLICY LANGUAGE SUPPORTING THE PRESERVATION OF RURAL OPEN LAND AND AGRICULTURAL AND FOREST SOILS, INCLUDING PROGRAMS AND FUNDING SOURCES TO ASSIST LANDOWNERS. The land use regulations include provisions that restrict use, density, and location of new density in the rural areas, as well as applying PUD standards, limiting the possibility of fragmenting these lands. Even single-family development in the Rural Conservation District must be sited in a manner that avoids loss of farmland.

This Finding remains accurate.

Planning Process

12. *The applicant has a regionally confirmed planning process and an approved municipal plan. The approved plan contains provisions that are appropriate to implement the designated growth center proposal. The applicant has adopted bylaws in conformance with the municipal plan that implement the provisions in the plan that pertain to the designated growth center (24 V.S.A. § 2793c(e)(1)(D)).*

The proposed growth center is planned to reinforce the purposes of 10 V.S.A. Chapter 151. The proposed growth center is planned in accordance with the planning and development goals under 24 V.S.A. § 4302 (24 V.S.A. § 2791(12)(B)(vii) and (viii)).

The Bennington Regional Planning Commission approved Bennington's municipal plan and planning process on May 18, 2006. The Plan contains provisions that support the

growth center, and the land use regulations were last amended in June, 2006, to conform to the Plan's land use policies and further implement the growth center. The town planning process and the growth center support the goals of 10 VSA Chapter 151 and the goals under 24 VSA § 4302.

The Town's regulatory and policy framework implementing the Growth Center remains in place. The only changes to the Town's Land Use Regulations involved the adoption in 2009 of a Fluvial Erosion Hazard Zone restricting development along the Roaring Branch and the adoption in 2012 of revised Floodplain regulations to satisfy FEMA requirements. Policy documents recently adopted by the Town reinforce the Growth Center designation. These policy documents include an updated Bennington Town Plan (2010) (approved by BCRC soon after), a Park and Open Space Plan (2009), an Economic Development Plan (2013) and a Municipal Energy Plan (2012). These documents are available online at <http://www.benningtonplanningandpermits.com/planning-policy-documents/>

Expanded Board Approval

The Board concludes that Bennington has successfully demonstrated that its growth center meets the statutory criteria for growth center designation as discussed herein, except for the adoption of the proposed Capital Budget and Program. The applicant has demonstrated that it has concentrated compact development within the growth center which will easily accommodate a majority of the Town's growth over the next 20 years. Bennington has also adequately demonstrated that they have adequate tools in place to protect important resource lands outside of the growth center. The Board hereby approves Bennington's application on a vote of 7-1, based on these findings and conclusions. Designation is conditioned on the Town of Bennington adopting the Capital Budget and Program that was included in the application, with no substantial changes. Designation will not become effective until said Capital Budget and Program is adopted and submitted to the Board. If substantial changes have been made to the adopted Capital Budget and Program from the one submitted in the Town's Growth Center Application, the Board will need to review and approve it before designation can become final.

The Town adopted a Capital Budget and Program before final approval of the Growth Center Designation was issued to the Town. Please see the attached approval letter from the Downtown Board staff acknowledging the Town's adoption of the required Capital Budget and Program. Therefore, the Town's Growth Center designation was issued without conditions.

Kevin Dorn, Chair
Expanded Downtown Board

Date

State of Vermont
Department of Economic, Housing and Community Development
One National Life Drive
Montpelier, VT 05620-0501
www.development.vermont.gov

Agency of Commerce and
Community Development

July 2, 2012

Daniel Monks, Planning Director
Town of Bennington
PO Box 469
Bennington, VT 05201

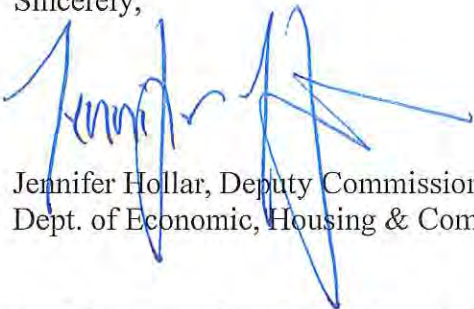
Dear Mr. Monks,

I am pleased to provide this formal notification that, at its meeting on May 21, 2012, the Downtown Development Board approved an extension to Bennington's designated downtown boundary to include the Catamount School property that will be redeveloped.

Please send us a copy of your revised board approved map as we will be posting it on our website.

We applaud Bennington for the commitment they are making toward the downtown, and look forward to assisting you in this effort.

Sincerely,



Jennifer Hollar, Deputy Commissioner
Dept. of Economic, Housing & Community Development

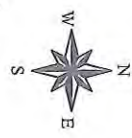
cc: John Shannahan, Better Bennington Corp.



Town of Bennington, Vermont Downtown Improvement District

 Downtown Improvement District (DID)

The Downtown Improvement District was amended on May 21, 2012. This map was produced by BCRC on May 22, 2012.



Active Transportation Project Guide

UPDATED FEBRUARY 2013



Children crossing the US7/Kocher Drive intersection in Bennington

Active Transportation Project Guide

WINTER 2013

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Active Transportation Project Guide

WINTER 2013

Introduction:

This project guide is a catalog of active transportation projects and needs in the Bennington County Region. It is updated periodically to reflect stakeholder feedback, project progression and new project ideas.



Walking in Old Bennington

Bennington: Applegate to Willow Brook Path

PATH PROJECT

What is the project?

The project is a new 480-foot gravel path and boardwalk that will span a wetland and stream to connect two affordable housing complexes, Applegate Housing (104 units) and Willow Brook Apartments (75 units).

Why is this project needed?

Applegate residents have no safe pedestrian access to the outside world. The new path will connect them to Willow Brook Apartments. From there they can safely walk to schools, jobs and grocery stores.



Bennington: Applegate to Willow Brook Path

PATH PROJECT



Orchard Road's steep embankments make sidewalk construction unfeasible.



Applegate residents walking on Orchard Road. Guardrail and embankments force pedestrians to walk in the travel lane.

Children from Applegate are bussed to the Molly Stark School less than half a mile away, because Orchard Road, which connects Applegate to the school, is unsafe to walk on. Children from Applegate have a high rate of absenteeism. When they miss the bus they often miss school.

Orchard Road lacks sidewalks. Guardrails and steep embankments force pedestrians close to the vehicle travel lane. The steep embankments make sidewalk construction prohibitively expensive. The only feasible way to create a safe walking route from Applegate to the Molly Stark School is to build a path through the wetland to Willow Brook.

What will this project accomplish?

Creates a safe route to school

- Gives the 107 children from Applegate mobility, independence and a healthy alternative way to get to school and to the larger community.

- Reduces absenteeism at the Molly Stark Elementary School because children who miss the bus will have a safe walking route.
- Makes it easier for children to walk or bike to Bennington's middle school, high school and to the Grace Christian School.

Improves public health

- Encourages physical activity to help reduce childhood obesity and type 2 diabetes. Eight percent of Bennington County residents have type 2 diabetes.
- According to a recent study by the Robert Wood Johnson Foundation, every \$1 spent on building walking paths and biking trails in Vermont could save approximately \$3 in obesity-related medical expenses.

Bennington: Applegate to Willow Brook Path

PATH PROJECT



Many residents already walk between the two housing complexes. The new pathway will follow a “path of desire.” This bridge made from a shopping cart and a board shows residents’ desire to walk between the two complexes.

Follows a “path of desire”

- Children hop the fence and walk between the two developments now—there is a well-worn “path of desire” and an improvised bridge made from boards and abandoned shopping carts. The existing path is not usable as a route to school because it crosses private property, disturbs a wetland, crosses a stream, and has steep slopes on either end. The new path will be more level, a boardwalk will span the wetland and stream, and a lot line adjustment will make it legal.
- Applegate residents can use the path to safely walk to jobs, grocery stores and other destinations. Twenty-nine Applegate households and twenty-five Willow Brook households do not own a vehicle.



The boardwalk sections of the path will be similar to the Paran Path in North Bennington. The Applegate to Willowbrook path will be wider and will have railings.

Bennington: Applegate to Willow Brook Path

PATH PROJECT



The new path will have scenic views of Mount Anthony and the Bennington Monument.

Creates a valuable public amenity

- The path will give access to a beautiful natural area with a stream and views of the Bennington Monument and Mt. Anthony. It will have a boardwalk, landings, benches and lighting.
- Willow Brook and Applegate residents, especially the 245 children under the age of 18 who live in the two complexes, will have a beautiful path to use in their backyard.

Fosters connections between Applegate and Willow Brook

- The path will make it easier for residents to get services and attend events at both developments.

Serves an economically disadvantaged population

- Residents of Applegate Housing have an average household income of just \$15,750. The state median household income is \$52,776 (American Community Survey 2011).
- Residents of Willow Brook Apartments have an average household income of just \$19,351.



The 245 children who live in Applegate and Willow Brook will benefit from the new path.

Project Status

The Bennington County Regional Commission has produced a Feasibility Study that includes a preliminary design by MSK Engineering. The boards of Applegate Housing and the Bennington Housing Authority (owners of Willowbrook) have tentatively approved the project pending resolution of a maintenance agreement. The project is not yet funded.

Cost Estimate

\$88,000 (MSK Engineering)

Bennington-North Bennington: Ninja Trail

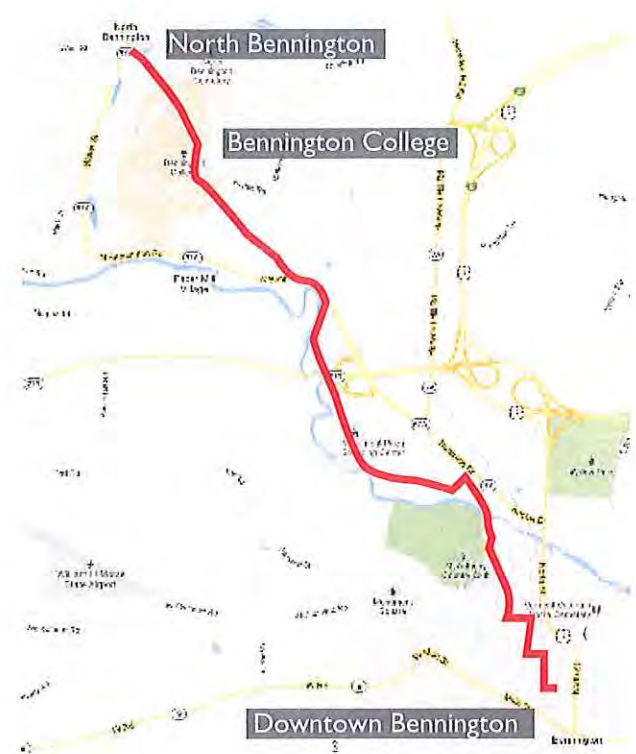
MULTI-USE PATH PROJECT

What is the Project?

The Ninja Trail is a multi-use path that will connect Bennington and North Bennington. It is being planned and built by volunteers with the assistance of the Bennington Chamber of Commerce and the Bennington County Regional Commission.

Why is the Project Needed?

There is no safe or inviting walking or bicycling route between Bennington and North Bennington. The sole connecting road, Northside Drive/VT 67A is a congested commercial corridor with many turning vehicles and parking lot entrances, many of which are excessively wide. The mile-long western end of the road (VT 67A) is a multi-lane highway with typical traffic speeds between 40 and 50 mph and only two short sections of disconnected sidewalk.



Volunteers built the first section of the Ninja Trail last fall.



Bennington-North Bennington: Ninja Trail

MULTI-USE PATH PROJECT



The Ninja Trail will offer an alternative to the Northside Drive/VT67A corridor.



Volunteers clearing the Ninja Trail.

What will the project accomplish?

The Ninja Trail will:

- Create a safe and appealing walking, bicycling, running and cross-country skiing route between Bennington and North Bennington
- Improve mobility for children in an area that lacks a local street network
- Encourage active transportation in a county with an eight percent rate of type 2 diabetes
- Provide public access to the beautiful natural environment along the Walloomsac River
- Create a recreational amenity in an area that lacks recreational amenities
- Give Bennington College students a safe bicycle access to downtown Bennington and stores on Northside Drive

A cleared section of trail awaiting gravel.



Bennington-North Bennington: Ninja Trail

MULTI-USE PATH PROJECT



The trail will cross under this VT267 overpass.

Project Status:

Last fall, the volunteers cleared and graded the southeastern section of the path between Hicks Avenue and Morse Road. A topping of gravel, improved drainage and other improvements are planned for the spring.

The Ninja group is now asking Morse Road landowners for permission to construct the path along the rear property boundaries. The Bennington County Regional Commission is working with VTrans to allow the path to cross under a VT 267 overpass and across State Right-of-Way that buffers the highway. The Ninja group will apply for an I III Permit this spring.

Estimated Cost

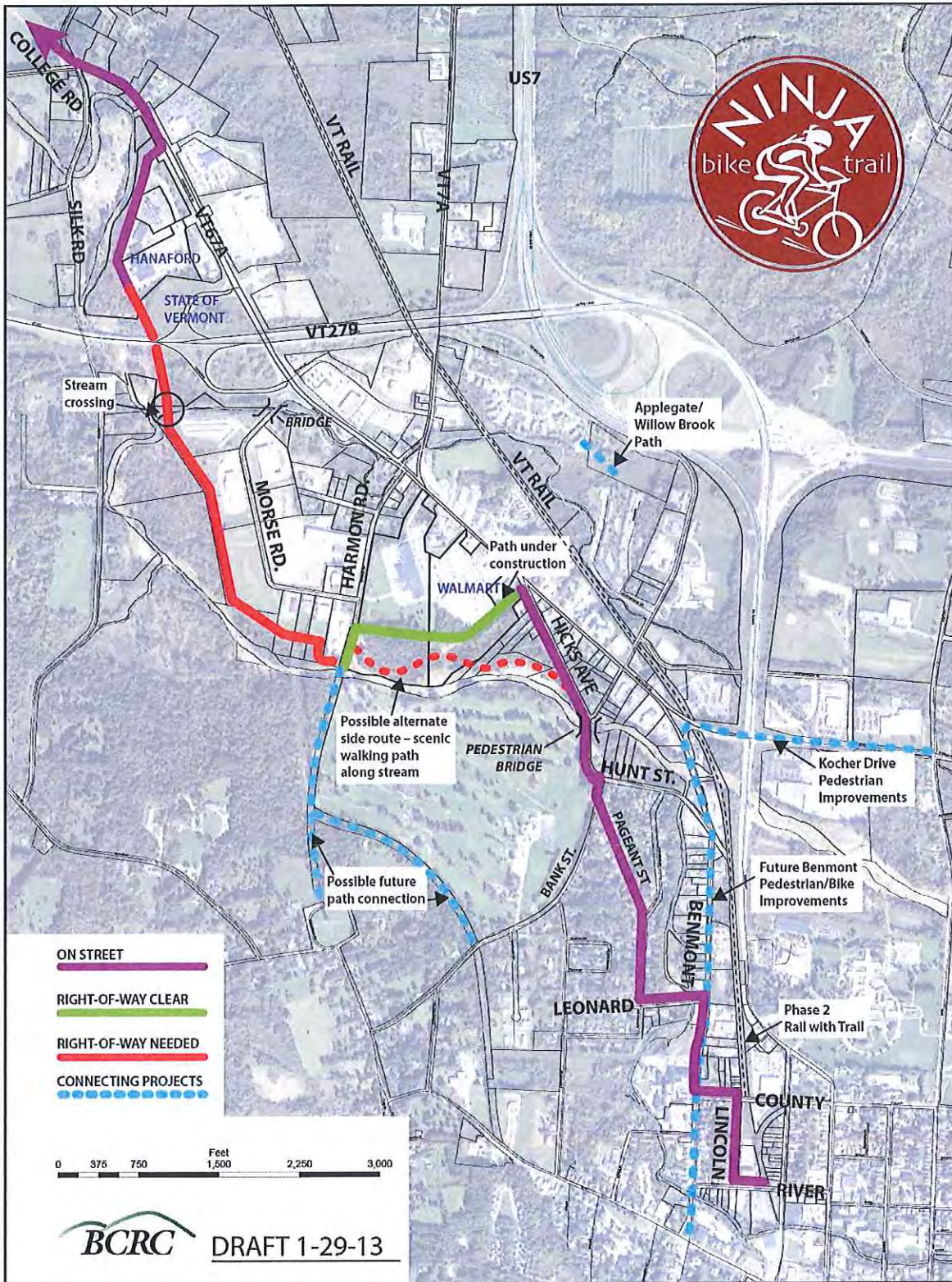
So far, all labor and materials have been donated.

The Trail will provide access to this Walloomsac River “beach.”



Bennington-North Bennington: Ninja Trail

MULTI-USE PATH PROJECT



Bennington Pathway STP BIKE (26)S

RAIL TRAIL PROJECT

What is the Project?

The project is to convert an unused rail spur into a recreational path. The path will extend a short, existing pathway in downtown Bennington to the Molly Stark School 1.5 miles to the north.

The recreational path is envisioned as the first phase of a longer path that will link downtown Bennington, the Northside Drive commercial corridor, and North Bennington.

The pathway will transform derelict infrastructure into a valuable amenity.



Bennington Pathway STP BIKE (26)S

RAIL TRAIL PROJECT



The Ashuwillticook Rail Trail in nearby Berkshire County often gets more than 1,500 users per day on summer weekends.

The Bennington rail spur has not been used in decades.

What will the project accomplish?

The project will:

- Provide a direct and safe bicycle and pedestrian route along a busy and important corridor
- Transform derelict infrastructure into a valuable amenity
- Improve transportation options for children
- Promote physical activity

Project Status:

- The project was stalled because Vermont Railway, as a condition of a rail-to-trail conversion, insists that the Town pay for a run-around track to a vacant industrial site. The initial cost estimate for the runaround track was approximately \$1,000,000. Recently, the Town, working with its consultant, has identified a runaround



Bennington Pathway STP BIKE (26)S

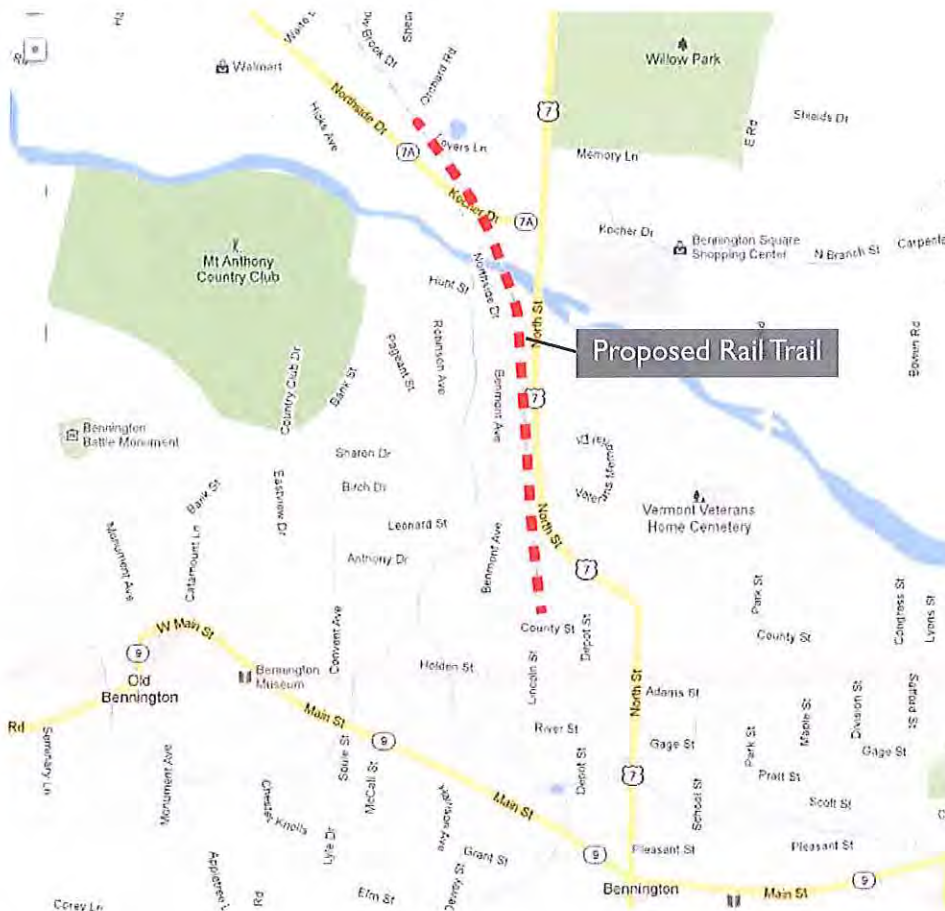
RAIL TRAIL PROJECT

track design that may reduce the cost to \$300,000. Discussions with Vermont Railway are ongoing. The State legislature has granted the Town authority to ask the Surface Transportation Board for a rail-to-trail conversion.

- A group of local residents has recently organized to advocate for the Bennington Pathway project.
- The Iron Horse Preservation Society has agreed to remove the rails and create a cinder path at no cost.

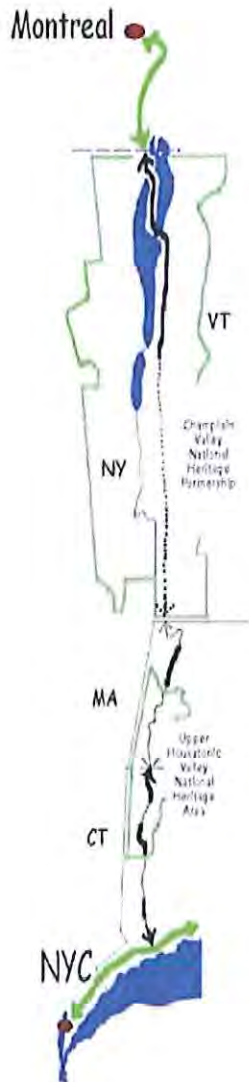
Estimated Cost

- Rail removal and path construction: no cost (cinder path) to \$200,000 (paved path)
- Traffic and pedestrian signals at VT 7A: \$20,000 to \$30,000
- Runaround track: \$300,000
- Bridge Improvements: \$40,000 to \$60,000
- Total cost: \$400,000 to \$650,000



Western New England Greenway

GREENWAY PROJECT



The Western New England Greenway will go from New York City to Montreal via Bennington County.

What is the project?

The Western New England Greenway is an initiative to create a traffic-free path from New York City to Montreal. Planners envision that it will utilize the existing East Coast Greenway in Connecticut, pass through Berkshire County in Massachusetts and up the west side of Vermont, passing through Bennington County.

What will the project accomplish?

The Greenway will be a valuable tourism and marketing tool and an amenity for residents.

Project status

There is a multi-regional initiative to create the Greenway, although there is no formal group yet. The Upper Housatonic Valley Heritage Area organized a conference in November 2012, in Bennington.

The envisioned first phase is to establish a complete route on quiet, low-speed roads with the goal of transitioning to fully separated (Class I) facilities where feasible. There are several complete segments in Connecticut, Berkshire County, Northern Vermont and Quebec.

BCRC will coordinate with the regional commissions in Berkshire and Rutland counties to identify possible routes.

Estimated cost

Unknown



The 2500-mile East Coast Greenway is the model for the Western New England Greenway.

Bennington Bicycle Lane Network

BICYCLE PROJECT



A cyclist on Kocher Drive in Bennington. Many of Bennington's most important streets are not bicycle-friendly.



Elm Street in Bennington is a suitable local street for cycling. There are not enough quiet local streets to form a good cycling network.

Many destinations are within easy cycling distance in Bennington.

Why is this project needed?

Bennington has excellent potential for cycling. It is densely populated, relatively flat, and has low traffic volume, yet cycling accounts for only a tiny percentage of short trips. Many potential cyclists may be discouraged by lack of facilities. The town has no bike lanes and only one short recreational path, and the design of many important intersections and streets, such as Benmont Avenue and Northside Drive, are intimidating for beginner cyclists.

- Bennington has the population density to support a bike network. Nearly 14,000 people, more than one-third of region's population, live within a three-mile radius.
- A bike network will encourage physical activity. Lack of physical activity is linked to type 2 diabetes. 8% of Bennington County residents have type 2 diabetes.
- Bennington has a 15.5% poverty rate. A bike network will give residents an affordable transportation option.
- Many of Bennington's important destinations are a little too far for most people to comfortably walk, but are within easy cycling distance. For example, Walmart, Home Depot and the area's only two major grocery stores are two miles northwest of downtown.



Bennington Bicycle Lane Network

BICYCLE PROJECT



This bike lane in Vancouver invites cycling.



New York City has installed a network of bicycle lanes and cycling has increased dramatically.



On-street bike lanes are cost effective and relatively easy to instal.This green bike lane is made with paint and thermoplastic pavement markings on an existing Right of Way.

What will this project accomplish?

The network of on-street bicycle lanes in Bennington will make cycling more appealing and more people will use bicycles for short trips within Bennington.

- High quality on-street networks have lead to dramatic increases in cycling in many places including Cambridge, Massachusetts and New York City.
- Studies show that cyclists prefer streets with bike lanes to streets without bicycle lanes.
- An increase in cycling is shown to improve cycling safety by creating “safety in numbers.”
- On-street bike lanes can be implemented quickly and at little cost, compared to fully separated Class I pathways.
- On-street bike-lanes will compliment planned separated pathways.
- Bicycle lanes calm traffic by visually narrowing the roadway, which improves safety for cyclists, pedestrians and drivers.
- Bicycle lanes are a valuable amenity that could help attract more young people and businesses to Bennington.

Estimated cost

Unknown

Project Status

RPC identified need

Bicycle Parking

BICYCLE PROJECT



Unlocked bike in Bennington



Simple bicycle parking in Durham, North Carolina



Broken Bicycle rack outside of the Bennington Public Library

Why the project is needed

Bicycle parking is a low-cost way to encourage cycling, yet most important destinations in Bennington County do not have bicycle racks.

- Cyclists need a safe and secure place to lock their bikes when they reach their destination.
- Fear of theft is a deterrent to bike use. An estimated 1.5 million bicycles are stolen in the US each year. It is easy to steal an unlocked bike—it is a perfect get-away vehicle.
- Bike parking is needed to compliment planned bike lanes and bike paths.

What the project will accomplish?

The project will install safe and secure bicycle racks at important destinations in the region. Possible locations include: schools, libraries, town offices, state offices, stores, cafes, large employers, shopping malls and athletic facilities.

- Will encourage cycling by providing a place to lock up and by sending a message that bicycles are an accepted form of transportation.



Unlocked bikes outside Price Chopper in Bennington

Bennington County Bicycle Parking

PEDESTRIAN PROJECT



Much land in downtown Bennington is used for parking lots—an unproductive land-use

- Will provide low-cost parking. Bike racks fit two bikes and cost \$150--\$300. A surface parking space for a car costs up to \$2,200.
- Will provide spatially efficient parking. 10-12 bikes can be parked in one car space. Much land in downtown Bennington is used for parking lots—an unproductive land-use.
- To be well used, the racks must be properly designed, sited and installed.

Project Status

In 2012 The VTrans Bicycle Program gave Bennington and North Bennington bicycle racks for several key locations. More bike parking is needed.

Bikes locked to stanchions outside the South Street Cafe in Bennington



Bennington: Downtown Signal Retiming

PEDESTRIAN PROJECT



It's often a long wait to cross the street at the main intersection in Bennington.



The majority of pedestrians give up waiting and cross during the "no walk" phase.



Crossing against the light.



Why is the project needed?

The intersection of US 7 and VT 9 in downtown Bennington is the busiest pedestrian crossing in the region. The downtown commercial district depends on pedestrian traffic, and it is crucial that poor signal timing not discourage pedestrian circulation. Unfortunately, the traffic signal progression makes crossing difficult. In fact, the majority of people waiting to cross give up and cross against the light.

- The signal timing forces pedestrians to wait a long time—up to 90 seconds to cross the street. 80 seconds is the generally accepted maximum.
- An informal study showed that 59% of pedestrians gave up waiting for a pedestrian signal and crossed against the light. (In a 45-minute period, 47 out of 80 pedestrians crossed against the light.)
- Pedestrians must “apply to cross” by pressing a walk button. Many out of town visitors wait for a significant amount of time before realizing they must push a button to cross.
- Often, by the time the pedestrian phase starts, the pedestrians have already crossed and vehicles have to wait for no reason.
- The red flashing pedestrian warning signal does not inform pedestrians how long they have to cross.
- The new leg of VT 279 will divert traffic from downtown and will provide an opportunity to retime the signals to encourage walking.

What will the project accomplish?

- A simultaneous walk and green traffic signal will significantly reduce pedestrian waiting time and will improve traffic operations.
- A three-second Leading Pedestrian Interval (LPI) will give pedestrians a head start to reduce crashes.
- Countdown pedestrian signals will tell pedestrians how many seconds they have to cross the street.

Bennington: Downtown Signal Retiming

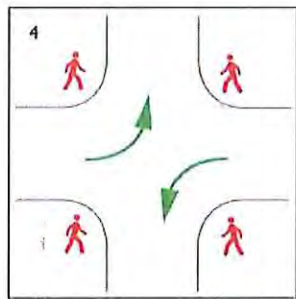
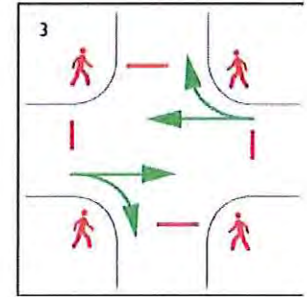
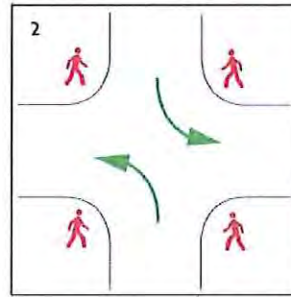
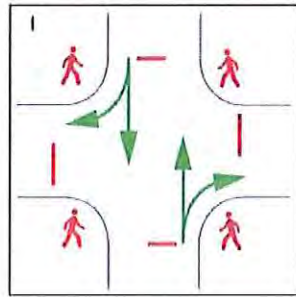
PEDESTRIAN PROJECT

Project Status

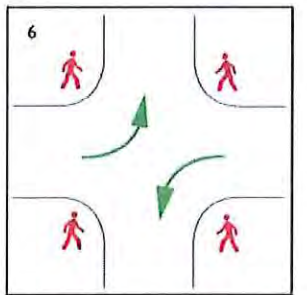
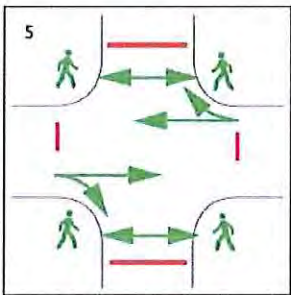
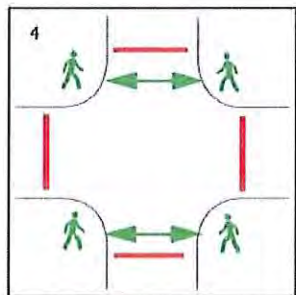
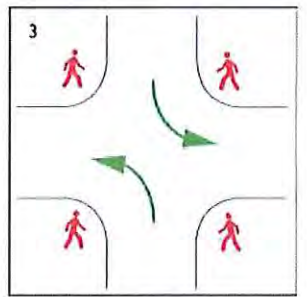
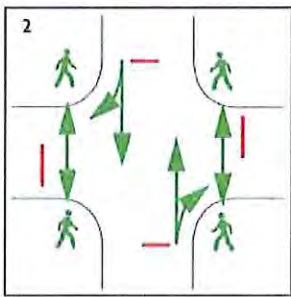
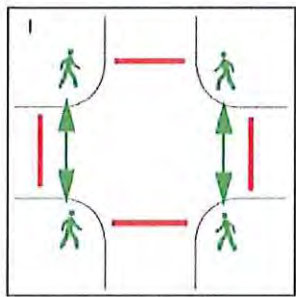
- RPC identified need
- The Town of Bennington supports the project.

Project Cost

- Unknown



Current Signal Progression: Pedestrians must “apply to cross” by pushing a button and often have wait for up to four signal phases before crossing.



Proposed Signal Progression: Pedestrians and vehicles get a concurrent green signal. Pedestrians get a 3-second head start (leading pedestrian interval) to prevent being hit by right-turning vehicles.

Bennington Streetscape Improvement STP SDWK(12)

Bennington County Regional Commission



Children crossing US 7 at Kocher Drive

Why is this project needed?

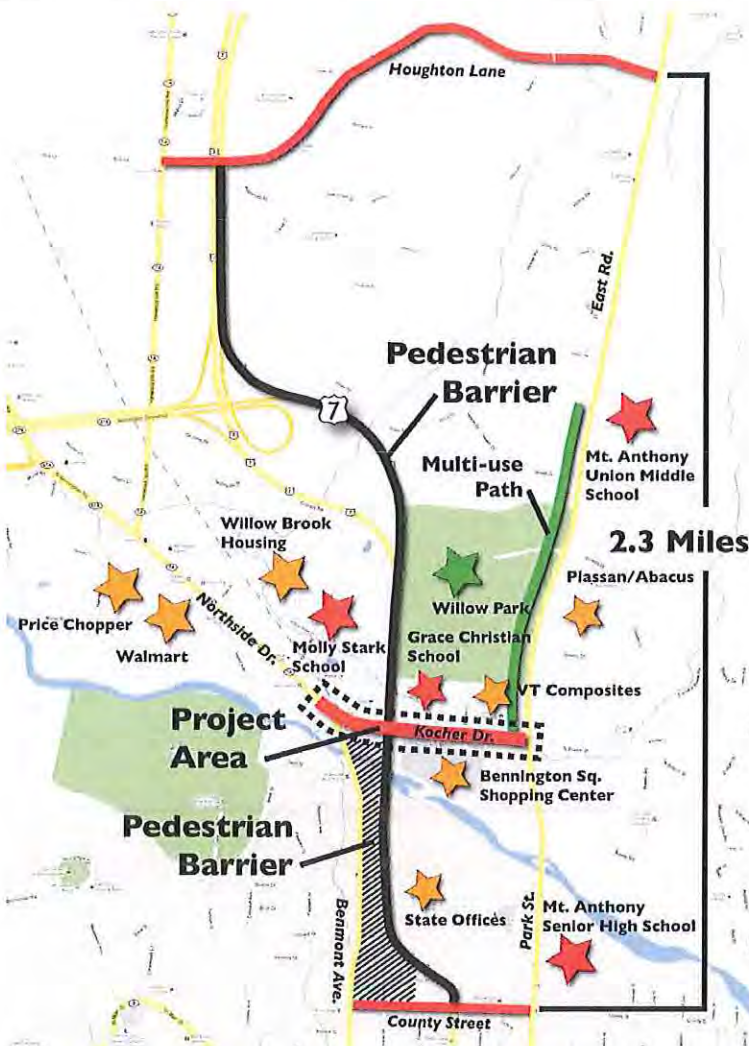
The project area has high traffic volume but no facilities for pedestrians or cyclists who must tolerate unsafe conditions to use the roadway. Kocher Drive/Northside Drive is the only east-west passage for 2.3 miles between Houghton Lane and County Street and is a key link in the local transportation network.

There is no safe way to cross US 7 for 2.3 miles

The route is a developed commercial “strip” with large retail stores, offices, and industrial parks. Route US 7 is a six-lane wide limited-access highway immediately north of the Kocher Drive/US 7 intersection, which has the highest traffic volume in the region. These roadways and intersections are a deterrent, discouraging pedestrian travel between the region’s most populous residential neighborhood to the south and the commercial uses to the north and west.

Mount Anthony Union Middle School, Mount Anthony Union High School, Grace Christian School and Molly Stark Elementary School are all nearby, and many children walk along the edge of the roadway and cross the Kocher Drive/US 7 intersection. There is a wide multi-use path used by many students which extends to the eastern edge of the project area, yet does not connect west through the project area to the neighborhoods to the west. It is likely that many other children choose not to walk to school because of the lack of safe and appealing pedestrian facilities. There is growing evidence that infrastructure that promotes driving over “active transportation” have contributed to the public health epidemics of childhood obesity and type 2 diabetes.

Many additional concerns and deficiencies with the project area’s intersections and roadways support the purpose including:



Bennington Streetscape Improvement

Bennington County Regional Commission



Children crossing US 7 and walking on Kocher Drive

- Despite the numerous pedestrians and cyclists who use the roadway, there are no sidewalks (except on Northside Drive west of Benmont Avenue) crosswalks, pedestrian signals, bike lanes, and only limited paved roadway shoulders.
- The lack of pedestrian facilities encourages driving even for short trips and limits transportation options.
- The project area is a High Crash Location (HCL).
- The bridge on Kocher Drive is too narrow to safely accommodate pedestrians, cyclists and motor vehicles.
- Roadway hardware (guardrail, signal mast poles and drainage structures) adjacent to the roadway push pedestrians close to motor vehicle traffic.
- Steep slopes at the roadway's edge limit space for pedestrians.
- The lack of street trees or landscaping makes walking less appealing.
- Inadequate lighting makes it difficult to see pedestrians and cyclists at night.

What will this project accomplish?

The purpose of the project is to create safe and appealing pedestrian access, with accommodations for bicycles where possible, along the Northside Drive/Kocher Drive near the intersection with US Route 7.

Project Status

Bennington received a \$490,000 earmark for pedestrian improvements at the intersection. Improvements recommended in a 2002 scoping study were never built because the recommended improvements would have cost more than the available funds. The project is now progressing after a decade of delay. URS and Behen Planning and Design were hired last fall to conduct a new scoping study. BCRC is the Municipal Project Manager.

Bennington: Benmont Avenue Active Transportation Corridor

PEDESTRIAN PROJECT



Pedestrians on Benmont on Avenue

What is the Project?

The project is to create a safe and inviting travel corridor for pedestrians and bicyclists on Benmont Avenue between the Holden-Leonard Mill and the Hunt Street Bridge.

Why is the project needed?

Many pedestrians and bicyclists use Benmont Avenue to travel between downtown Bennington and Northside Drive's businesses and housing complexes.

There are no sidewalks between the Holden-Leonard Mill and the Hunt Street Bridge, and it is common to see pedestrians, often in groups, using the wide western shoulder as a refuge from the road's heavy traffic volume. Pedestrians must also contend with a succession of broad driveway accesses, which expose them to turning vehicles and create a blighted streetscape of excessive pavement.



Bennington: Benmont Avenue Active Transportation Corridor

PEDESTRIAN PROJECT

What will the project accomplish?

- Improve safety along a heavily travelled pedestrian corridor
- Encourage active transportation in a county with an eight percent type 2 diabetes rate
- Improve mobility for children
- Improve access management and aesthetics along a blighted corridor
- Improve access to the Ninja Trail and the pedestrian bridge on Hicks Avenue

Project Status:

BCRC is assisting the Town of Bennington design short-term improvements.

Estimated Cost

Unknown



Subdivision Activity 2008 – 2013

Development Area	New Lots	% of Total
Designated Downtown	0	0%
Growth Center (Not in Downtown)	24 10 Industrial	66.7%
Outside Growth Center & Downtown	12	33.3%
Totals	36	100%

Subdivision Activity 2008-2013

Development in Growth Center (not in Downtown)

<u>#</u>	<u>Applicant/Address/# of Lots</u>	<u>Permit #</u>
1	Bennington County Industrial Corp. Shields Drive 10 Lot Subdivision in Industrial Park	10-004
2	RAHC 399 North Branch Street 14 Unit PRD – Affordable Housing	10-215

Development Outside of Growth Center

<u>#</u>	<u>Applicant/Address/# of Lots</u>	<u>Permit #</u>
3	Roy & Eleanor Girasa 807 Overlea Road 2 Lot Subdivision	10-165
4	Oak Ridge Properties 1213 Gore Road 5 Lot Subdivision	10-166
5	Scott & Andrea Malinowski 518 Sugar Maple Lane 3 Lot Subdivision	12-026
6	Lawrence & Mary Ann Cole 13.5 East Street 2 Lot Subdivision	13-057

New Dwellings 2008 – 2013

Development Area	New Dwellings	% of Total
Designated Downtown	8	12.9%
Growth Center (Not in Downtown)	37	59.7%
Outside Growth Center & Downtown	17	27.4%
Totals	62	100%

New Dwellings 2008-2013

Dwellings in Designated Downtown

<u>#</u>	<u>Permit #</u>	<u>Applicant/Address/Dwelling Type</u>	<u>Estimated Cost</u>
1	10-013	Timothy & Lisa Smith 522 Main Street Apartments – convert storage space to 4 dwelling units	\$ 90,000.00
2	10-103	Duane Greenawalt 411 Main Street Apartment - 3 rd Floor Apartment in commercial building	\$ 50,000.00
3	10-146	Claudia Dole 332 Main Street Apartment - 3 rd Floor Apartment in commercial building	\$ 50,000.00
4	12-197	Thomas Bogdan 104 Pleasant Street Duplex - convert single family to duplex	\$ 10,000.00
5	12-132	Charles & Linda Putney 106 School Street Apartment – convert office space to apartment	\$ 20,000.00

Dwellings in Growth Center (outside of Downtown)

<u>#</u>	<u>Permit #</u>	<u>Applicant/Address/Dwelling Type</u>	<u>Estimated Cost</u>
6	10-012	Jerad Smith 99 John Street Single Family Dwelling	\$ 83,000.00
7	10-053	Bennington Area Habitat for Humanity 310 Silver Street Single Family Dwelling	\$ 90,000.00
8	10-065	Hex Design Inc. 215 Benmont Avenue Apartments - convert storage space to 2 dwelling units	\$ 35,000.00
9	10-109	Brijesh Patel etal 924 Main Street 7 Apartment Units	\$ 150,000.00

10	10-215	Regional Affordable Housing 399 North Branch Street 7 Duplexes - 14 Unit PRD	\$2,500,000.00
11	10-234	Sunjit Chawla 254 Union Street Duplex - Convert single family into 2 family	\$ 50,000.00
12	10-238	Laura Harwood 11 Robinson Avenue Accessory Dwelling - convert garage into apartment	\$ 25,000.00
13	10-241	Janet Groom 322 Weeks Street Duplex - convert single family into 2 family	\$ 20,000.00
14	12-016	AVS Properties Inc. Liza Sparta 248 North Street Apartment - convert office into apartment	\$ 1,950.00
15	12-130	Keith & Francine Jelley 100 Reed Drive Single Family Dwelling	\$ 55,000.00
16	13-056	Hex Design Inc. 215 Benmont Avenue Apartments - convert office space into 2 apartments	\$ 8,000.00
17	13-074	Carpenter & Sons LLC 309 Jenningsbrook Drive 1 Condo Unit of 3	\$ 168,000.00
18	13-075	Carpenter & Sons LLC John Carpenter 310 Jenningsbrook Drive 1 Condo Unit of 3	\$ 168,000.00
19	13-076	Carpenter & Sons LLC 311 Jenningsbrook Drive 1 Condo Unit of 3	\$ 168,000.00
20	13-117	Harry & Nancy Briggs 136 Quiet Acres Road Single Family Dwelling	\$ 60,000.00
21	13-139	Michael Nigro 125 Hillside Street	\$ 34,000.00

Singe Family Dwelling - convert church into dwelling

Dwellings Outside Growth Center

#	<u>Permit #</u>	<u>Applicant/Address/Dwelling Type</u>	<u>Estimated Cost</u>
22	08-232	John David Piester 96 Jayne Lane Single Family Dwelling	\$ 78,000.00
23	09-035	Larry & Della Mears 1125 Woodford Road Single Family Dwelling	\$ 180,000.00
24	09-159	Michael and Barbara McKamey 818 Silk Road Single Family Dwelling	\$ 245,322.56
25	09-209	Morton & Judith Cohen 274 Bard Road Single Family Dwelling	\$ 250,000.00
26	09-210	Mark & Joan Spencer 921 US Route 7 South Single Family Dwelling	\$ 60,000.00
27	10-054	William & Lucinda Thomson 159 Garbrook Drive Single Family Dwelling	\$ 150,000.00
28	10-080	Matthew & Jodi Beaudoin 801 Rocky Lane Single Family Dwelling	\$ 109,000.00
29	10-088	Melissa Breese 2 East Street Accessory Dwelling - Basement Apartment	\$ 30,000.00
30	10-164	Roy & Eleanor Girasa 807 Overlea Road Single Family Dwelling	\$ 90,000.00
31	11-060	Donald & Charlene Foster 563 Willow Road Single Family Dwelling	\$ 80,000.00
32	11-161	Michael Shultz 609 Austin Hill Road	\$ 150,000.00

		Single Family Dwelling	
33	12-150	Kristen Dykes 361 Rice Lane Single Family Dwelling	\$ 60,000.00
34	12-177	Pamela Jean Farr 1292 East Road Single Family Dwelling	\$ 141,118.00
35	13-013	Adam Cohen 688 Rice Lane Single Family Dwelling	\$ 325,000.00
36	13-067	Lucinda Thomson 294 Hickory Hill Single Family Dwelling	\$ 149,000.00
37	13-071	Lawrence & Mary Ann Cole 13.5 East Street Single Family Dwelling	\$ 200,000.00
38	13-137	James & Diane Probola 444 Fox Hill Road Single Family Dwelling	\$ 250,000.00

Commercial/Industrial/Institutional Development 2008 – 2013*

Development Area	# of Permits	# of Total Permits	Sq.Ft. of Space	% of Total Sq.Ft.
Designated Downtown	11	31.4	91,522 s.f.	32.7%
Growth Center (Not In Downtown)	18	51.4%	142,769 s.f.	51%
Outside Growth Center & Downtown	6	17.2%	45,480 s.f.	16.3%
Totals	35	100%	279,771 s.f.	100%

* Only permits for new space/structures or renovations of persistently vacant space are included.

Land Use Permits Issued for New Commercial/Industrial/Institutional Development 2008 – 2013*

*Only permits for new space/structures or renovations/conversions of persistent vacant space are included. Substantial investment has been made in existing structures/space that has resulted in improved space and/or conversions from one type of business to another type of business, but permits for these improvements are not included in this table.

Development in Designated Downtown

<u>#</u>	<u>Permit #</u>	<u>Applicant/Address Type of Development</u>	<u>Estimated Cost</u>
1	09-239	Anytime Fitness 120 Depot Street New Fitness Facility 8,580 s.f.	\$ 60,000.00
2	09-251	Vermont DMV 120 Depot Street Office Space Renovations 3,172 s.f.	\$ 35,000.00
3	10-030	Berkshire Dance Studio 457 Main Street Dance Studio 3,927 s.f.	\$ 25,000.00
4	10-048	Green Mountain Community Network 215 Pleasant Street Multi-Modal Center 37,012 s.f.	\$ 500,000.00
5	10-161	Kirby Wright 204 South Street Office Building 1,293 s.f.	\$ 20,000.00
6	10-208	Nancy Woltman 530 Main Street New Office Space Renovations 1,972 s.f.	\$ 80,000.00
7	11-148	VT Soccer Academy Catamount School	\$ 50,000.00

		230 School Street Interior Renovations - Soccer Facility 11,262 s.f.	
8	12-148	Vermont Technical College 210 South Street Renovations for Nursing Program 6,492 s.f.	\$ 140,548.00
9	12-168	Old Castle Theatre 331 Main Street New Theater 6,752 s.f.	\$ 75,000.00
10	12-230	BCRC 113 South Street New Office Space 1,960 s.f.	\$ 13,320.00
11	13-083	Dollar General 262 Main Street New Commercial Building 130x70 9,100 s.f.	\$1,500,000.00

Development in Growth Center (outside of Downtown)

<u>#</u>	<u>Permit #</u>	<u>Property Owner/Applicant/Address</u> <u>Type of Development</u>	<u>Estimated Cost</u>
12	09-116	Bennington Elementary School 128 Park Street Classroom Addition 4,402 s.f.	\$ 400,000.00
13	09-249	Bennington Rescue Squad 120 McKinley Street 3-Bay Garage Addition 1,152 s.f.	\$ 615,000.00
14	09-250	Plasan USA Inc. 139 Shields Drive Dock Addition & 2 Exit Doors 157 s.f.	\$ 37,400.00
15	10-003	Bennington Pool & Spa 126 Hicks Avenue New Retail Store 1,744 s.f.	\$ 77,000.00

16	10-011	Plasan North America Inc. 78 Bowen Road Office Addition 4500 s.f.	\$ 800,000.00
17	10-028	State Office Building 250-275 Veterans Memorial Drive New Office Building & Courthouse 66,622 s.f.	\$13,650,000.00
18	10-111	Plasan North America Inc. 78 Bowen Road Haz-Mat Storage Unit 112 s.f.	\$ 41,000.00
19	11-043	NSK Steering Systems Inc. 110 Shields Drive Industrial Addition 4200 s.f.	\$ 375,000.00
20	11-044	Mountain Mozzarella LLC 453 East Road Cooler Building 247 s.f.	\$ 12,000.00
21	11-059	Elm Street Market 251 Elm Street Renovations 3,540 s.f.	\$ 100,000.00
22	11-166	Applegate Housing 89 Applegate Drive Resident Center 1,456 s.f.	\$ 250,000.00
23	11-181	Southwestern Vermont Health Care 1128 Monument Avenue Office Building 3,100 s.f.	\$ 185,406.00
24	10-178	Southern Vermont College 180 Benmont Avenue Educational Facility Renovations – Nursing School 4,000 s.f.	\$ 120,000.00
25	12-145	Northeastern Baptist College 104 Kocher Drive	\$ 422,000.00

		Renovate 3 rd & 4 th Floors for Classroom Space 22,420 s.f.	
26	12-153	Northeastern Baptist College 141 Main Street Library & Office Space Renovations 11,614 s.f.	\$ 36,000.00
27	12-157	United Counseling Service 314 Dewey Street Offices/Clinical Space 5,056 s.f.	\$ 900,000.00
28	13-008	John and Sandra Redding 722 Main Street Renovations - Convert SF to BB w/Lounge 5,222 s.f.	\$ 25,000.00
29	13-016	Merchants Bank 210 Northside Drive Conversion to Bank Building 3,225 s.f.	\$ 500,000.00

Development Outside of Growth Center

<u>#</u>	<u>Permit #</u>	<u>Property Owner/Applicant/Address</u> <u>Type of Development</u>	<u>Estimated Cost</u>
30	08-163	Carbone Auto Dealership 897 North Bennington Road New Car Dealership 17,694 s.f.	\$ 4,000,000.00
31	09-040	Village at Filmore Pond 300 Village Lane Alzheimer Unit Addition 9,953 s.f.	\$ 1,500,000.00
32	10-005	Bank of Bennington 32 Phyllis Land New Commercial Building (Bank) 3,306 s.f.	\$ 800,000.00
33	10-131	Southern Vermont College 982 Mansion Drive Maintenance and Storage Garage 1,536 s.f.	\$ 100,000.00

34	11-058	VT Welcome Center 100 US Route 7 South New Welcome Center 5,383 s.f.	\$ 5,250,000.00
35	12-015	LaFlamme's Inc. 50 Harwood Hill Interior Renovations – Furniture Store 7,608 s.f.	\$ 75,000.00

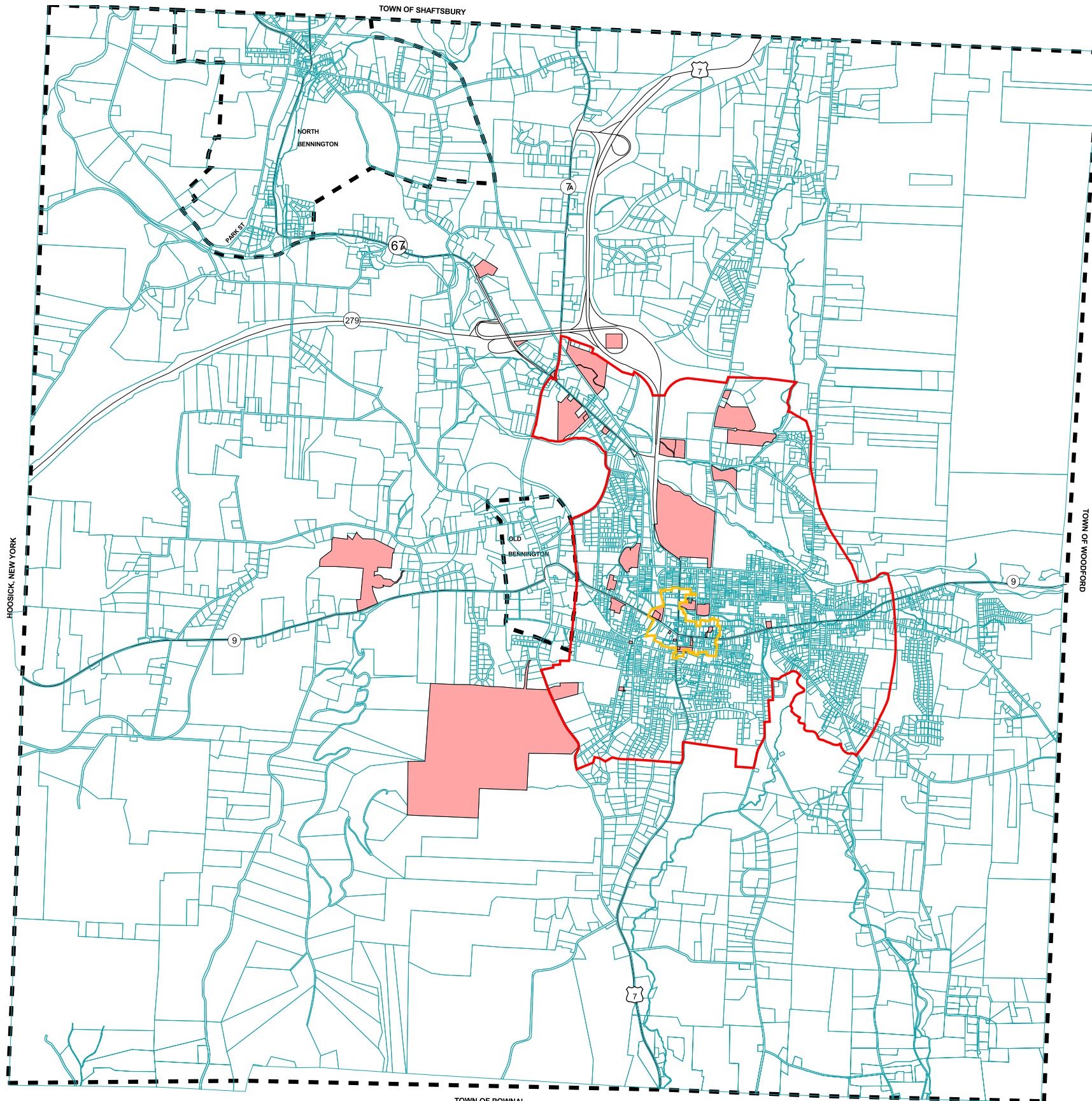
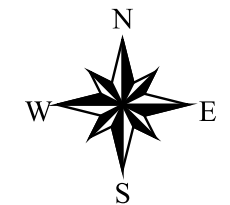
Town of Bennington, Vermont Permits Issued for New Commercial/Industrial/Institutional Development 2008 - 2013

- Growth Center
- Designated Downtown
- New Commercial/Industrial/Institutional Development
- Parcels

Commercial/Industrial/Institutional Development 2008 – 2013*

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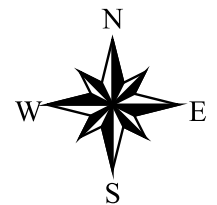
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111 South Street, Suite 203
Bennington, Vermont 05201

Town of Bennington, Vermont New Dwelling Units Permitted 2008 - 2013

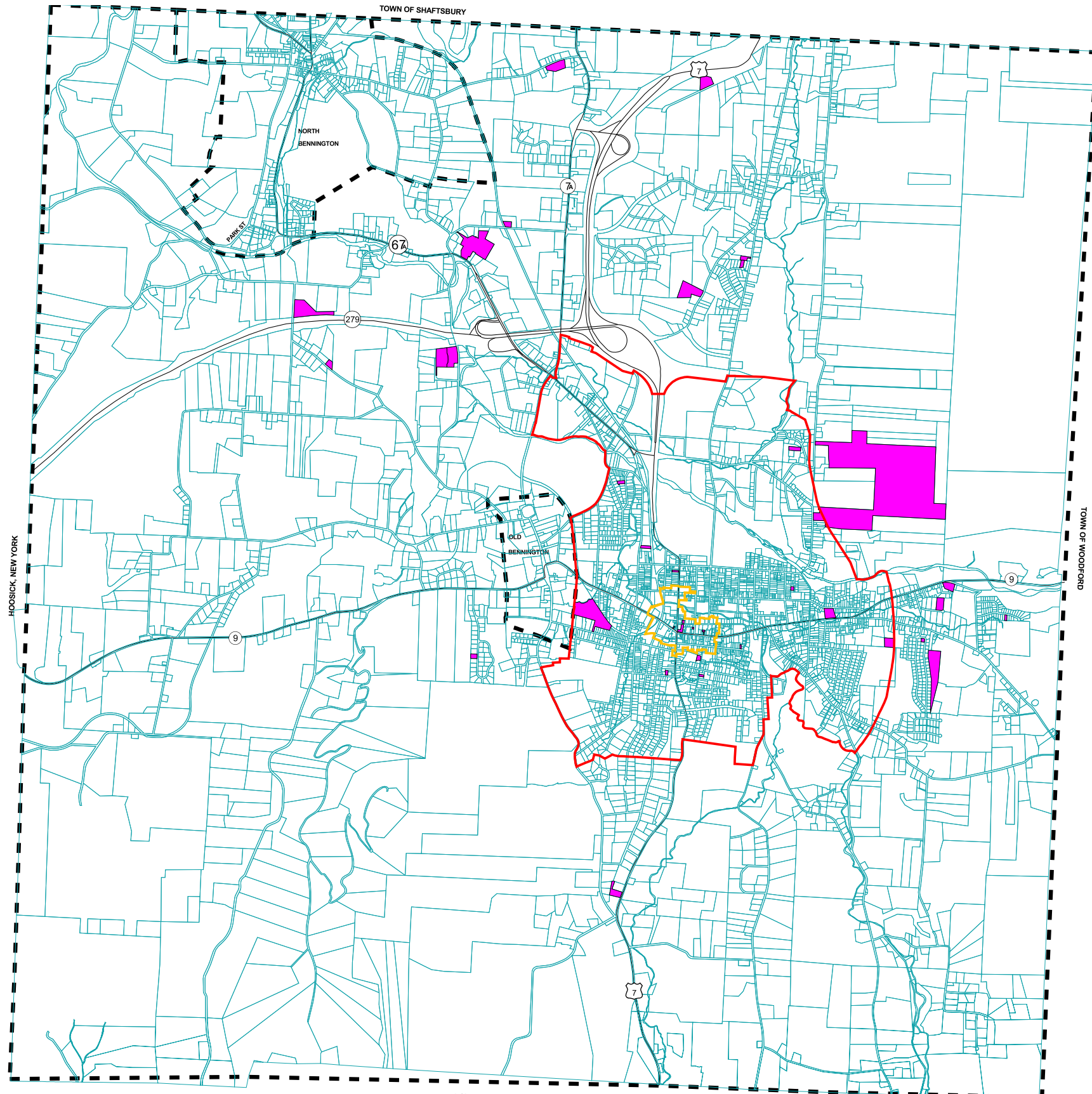
- Growth Center
- Designated Downtown
- New Dwellings Permitted 2008-2013
- Parcels

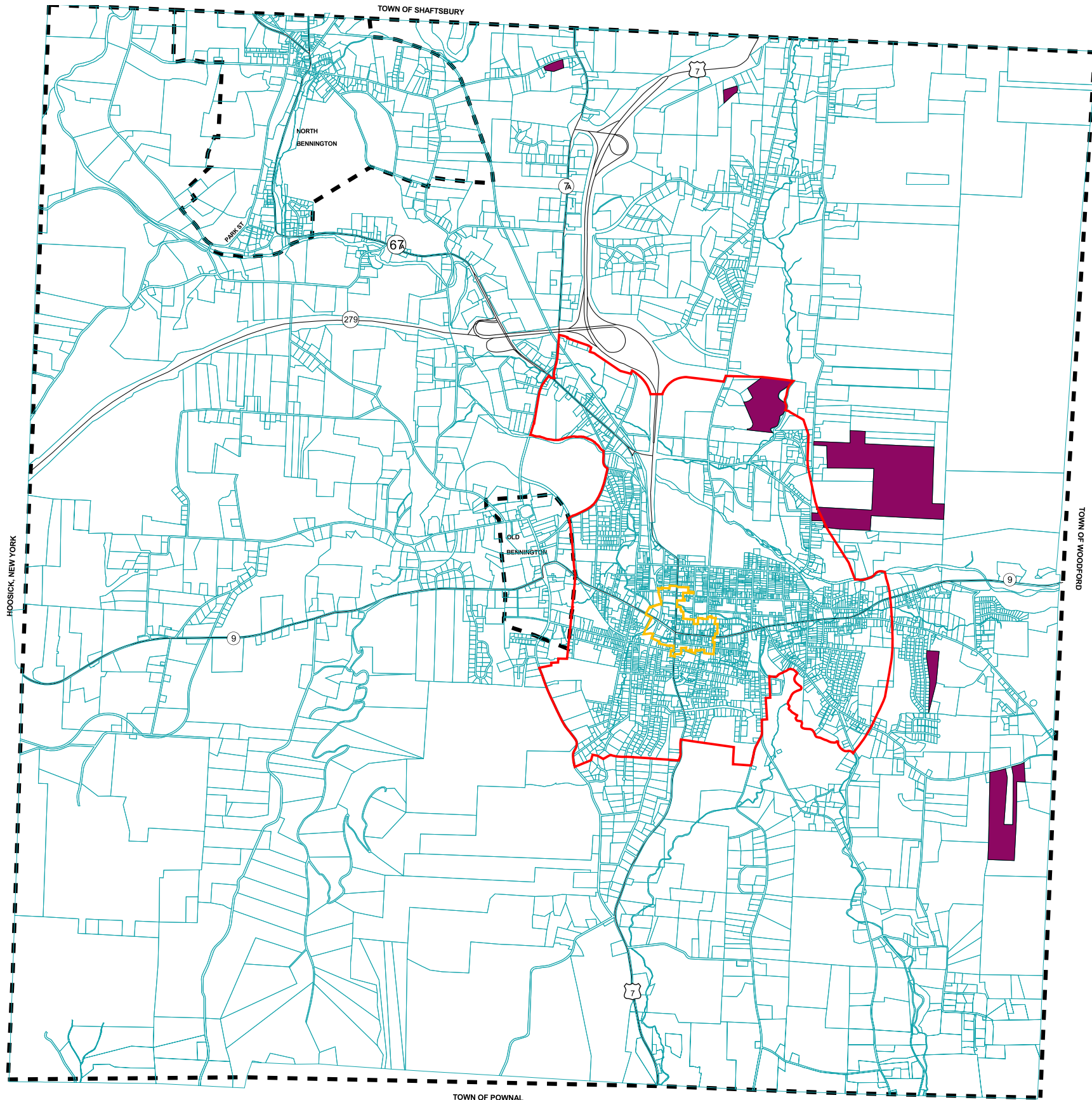
New Dwellings 2008 - 2013

Development Area	New Dwellings	% of Total
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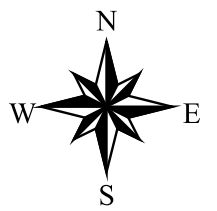
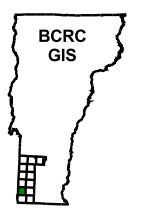


Town of Bennington, Vermont Subdivision Activity 2008 - 2013

- Growth Center
- Designated Downtown
- Subdivision Activity 2008-2013
- Parcels

**Subdivision Activity
2008 – 2013**

Development Area	New Lots	% of Total
Designated Downtown	0	0%
Growth Center (Not in Downtown)	24 10 Industrial	66.7%
Outside Growth Center & Downtown	12	33.3%
Totals	36	100%



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