

**Testimony before the Senate Committee on Natural Resources and Energy
on H. 367 - An act relating to miscellaneous revisions to the municipal plan adoption,
amendment, and update process**

April 18, 2016

My name is Rod Francis, I am the Planning Director for the Town of Brattleboro. Prior to joining the Town in 2008 I was a regional planner at the Windham Regional Commission (WRC). I am a member of the Vermont Planners Association (VPA) Executive Committee. I have been involved in community outreach, drafting, selectboard adoption and regional planning commission review and approval of more than seven Vermont municipal plans as a town planning commissioner, regional planning commissioner, and regional planning commission staff, and finally as director. I have successfully obtained Municipal Planning Grants (MPG) funds and overseen consultant contracts as part of municipal plan development.

Brattleboro maintains a downtown and a village center designation (approved and reviewed by the Downtown Board). We are a member of the National Flood Insurance Program (NFIP) and are one of the few communities in the state to belong to the NFIP Community Rating System (CRS). Finally we have a Hazard Mitigation Plan (HMP) approved by FEMA. Together we maintain five (5) separate plans each with its own public notice, warning, duration, and implementation or performance criteria. Each of these plan documents are prepared by staff, reviewed and approved by the Planning Commission and adopted by the Selectboard. Conforming to warning requirements, undertaking meaningful civic engagement and attending to adoption requirements is a major commitment of limited resources. We find ourselves fitting implementation in around the constant obligations of plan maintenance.

The best municipal plans have clear implementation chapters that document cumulative progress towards long-standing (i.e. two or three 5 year plans – 10 to 15 year planning horizons) goals such as downtown revitalization, curbing sprawl or creating affordable housing opportunities. Given that much of this implementation work is itself supported through competitive grants the persistent need to reaffirm community direction and edit slow-moving demographic and socio-economic data has the unintended consequence of slowing implementation and distracting citizen planners from their goals.

As stated elsewhere in testimony the five year plan cycle gives at best a three year window for implementation. For many communities this is not long enough to gain funding support to complete detailed studies, attract funds and commence a project as straightforward as preserving a significant downtown building, improving bike/pedestrian facilities, or even draft new land use regulations.

Brattleboro spent from 2010 to 2013 on a complete plan rewrite (interrupted by TS Irene), then developed completely new land use regulations (adopted 2015). After just two years with a new plan AND new land use regulations we will need to turn our attention to re-adopting the plan. We could be spending this time focusing on neighborhood level implementation projects and attracting resources to turn the vision of the plan (embodied in the new land use regulations) into physical projects. It should be remembered that we have local staffing resources to work constantly on plan maintenance and

implementation. Many smaller communities are dependent on regional planning commission staff or other resource availability which rations available time even further.

There is an understandable concern that lengthening the plan cycle will lead to town planning commissions and the communities they work for drifting and losing focus – that the discipline of a five year adoption cycle is effective.

I have observed something else. Despite the significant time, community energy and resources devoted to plan adoption/approval there is frequently little meaningful change in the goals and policies of a municipal plan. Communities and their regional planning commissions attend to the plan adoption/approval because that is how we access implementation resources and programs (e.g. historic tax credits, ERAF etc.). Community energy is a scarce resource that is renewed and grown through physical change (implementation).

But how many communities access the grant support for *writing* the plan and never get around to obtaining the necessary support to *implement* the plan? We don't have a meaningful measure for gauging the success of plan implementation and arguably don't give enough resources or attention to assure that implementation (carry through) is successful. I would encourage thought being given to ensuring that there is time and resources dedicated to making plans *living documents* because they are successfully implemented. This could do more to spur energetic, meaningful planning than simply ensuring compliance on a very short time horizon (five years).

Based on my sixteen years of experience planning in Vermont I believe the proposed revisions to H.367 are an effective method for enhancing plan implementation and reducing unnecessary review. I urge you to support these changes.

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