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## Memorandum

**TO:** Vermont House Natural Resources and Energy Committee,  
2015-16 Legislative Session

**FROM:** Ken Belliveau, AICP, Director of Planning and Zoning,  
Town of Williston, VT

**RE:** H. 367 - Land use; natural resources; municipal and regional  
planning and development; municipal plans; review, consultation,  
and amendments

**Date:** March 18, 2015

Good morning Chairman Klein, Vice-Chair Ellis, honorable members of the committee. Thank you for giving me an opportunity to address you this morning concerning House Bill 367 which proposes to amend the state's planning enabling legislation.

My name is Ken Belliveau and I am the Director of Planning and Zoning for the Town of Williston, VT, a position I've held for the past 6 ½ years. Williston is and has been for some time, one of the fastest growing communities in the state, with a population that seems to double every 20 years or so. The town is also an important employment center and shopping center, and represents a major component of the Chittenden County regional economy. Williston's planning program has received numerous planning awards over the years, most recently the 2010 Governor's Award for Environmental Excellence for its Smart Growth Program, and the town received the state's first growth center designation in 2007. I am also currently a member of the Waterbury Planning Commission and have been a member for approximately 3 years. I have been a practicing planner for approximately 25 years. In addition to my experiences here in Vermont, I offer the perspective of someone who has worked as a planner and developed municipal plans in several other parts of the country, including California, Georgia and Tennessee prior to coming to Vermont.

I would like to thank Representative Ellis for sponsoring this legislation. It's always a source of pride when one of your local representatives in the legislature is taking a leadership role and advancing a position that you feel is vitally important to the state and communities and that you care deeply about. I applaud your efforts on this legislation.

I am here to speak in favor of the proposed legislation and encourage this committee to support its passage into law by the General Assembly. To that end, I offer the following points:

Town Manager  
878-0919

Town Clerk / Treasurer  
878-5121

Planning / Zoning  
878-6704

Lister / Assessor  
878-1091

Public Works  
878-1239

Recreation  
878-1239

Police  
878-6611

Fire  
878-5622

Dorothy Alling  
Memorial Library  
878-4918

Williston Central  
School  
878-2762

### **Five Years is Too Frequent for Comprehensive Plans**

Like my other colleagues here this morning, I am a professional planner working for a municipality in Vermont, and I have first-hand experience working with local communities developing comprehensive plans both in Williston where I'm employed and in Waterbury where I am a citizen volunteer. Based on my experiences in both of those communities I can say that the current five year renewal requirement for municipal plans is nothing short of a torrid pace. Developing a plan for a city or town, if done properly, requires a tremendous amount of preparation, thought, and resources as measured in human and financial capital. Data must be assembled, research compiled, meetings must be organized, publicized and held all culminating in a set of concisely written policies, goals and objectives that the local citizenry and officials can strive to reach consensus around. Done properly, a municipal plan often takes 2 years or more from start to finish to develop, produce, obtain the necessary approvals, and then make available for use. Once a municipality has finished the process of updating their plan; they have at best 3 years or so to try to implement that plan. Of course, some of the activities that make up plan implementation are ongoing and take place on a regular basis year over year. However, the time and resources need to develop and obtain approval of a comprehensive plan update every five years distracts from a community's ability to work toward actually implementing the plan. What often ends up happening in many communities is when the five year renewal period starts to approach; many communities opt for re-adopting their existing plans in a wholesale fashion, satisfying some minimal standard of the legislation but never even approaching accomplishing the actual intent of the statute. Or in other cases, the efforts at implementing the plan are forced to be cut short as the plan update cycle comes around once more. In either case, five years renewals of comprehensive plans does not result in better planning.

### **What Makes a Good Plan**

When we engage in planning with our communities our goal should be to produce a document and a set of goals and strategies to effectively guide the community as it makes decisions about its future. What constitutes a good municipal plan?

1. The plan should be comprehensive. We should be taking into consideration as many relevant factors as we can identify. Assembling and processing good data and information takes time and careful consideration, and a community needs to prepare for the effort required to approve or renew a comprehensive plan. The state's current enabling legislation promotes a comprehensive approach.
2. The plan should have a long range time horizon. Five years is not a long range time frame. Ten years is better. Ideally a community should be thinking forward 20 years or more, and then developing strategies aimed towards achieving that vision, strategies that can be refined and implemented over a five or ten year period. Towns should not be changing the course of their municipal plans every five years. If the vision is long range, the vision of the plan will exhibit a consistency over time. A good plan will evolve and

become refined over time, it should not constantly be changed in its overall intent or direction. To that end, a ten year time frame may be too short sighted – a 20 year horizon would be better, with plans updated every ten years. The main point being that the plan should always be looking forward even as it nears its time for renewal.

3. The plan should include implementation measures that can be undertaken in the immediate future to achieve the long term objectives contained within the long range plan. These are the actions of a five years plan, and updating five year action or implementation plans rather than comprehensive plans makes much more sense.

### **Plans Must Be Implemented**

Comprehensive plans are often composed of any number of more limited and focused planning studies. In some cases, these more focused studies help form the substance of the comprehensive plan; in other instances they are part of the effort to implement the larger community plan. In either event, development of these more focused studies takes time and resources. A community that is faced with constantly updating its comprehensive plan will inevitably be distracted from other things such as these types of studies.

In addition, communities must develop regulatory tools and techniques for implementing their plans. Zoning and subdivision regulations, and capital improvement and infrastructure plans fall in this category. These techniques should all be consistent with the goals and objectives of the comprehensive plan. Like the comprehensive plans themselves, these take time and energy to develop, and communities must be given the time and space necessary to develop these strategies if they are to be truly successful.