



# PLANNING COMMISSION MEETING

Tuesday, November 14, 2023 at 6:30 PM

Chris Letourneau Meeting Room and via Zoom

**AGENDA**

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## Zoom Details:

**<https://us02web.zoom.us/j/6165843896?pwd=STduU2JzTmpiVmE1MXZSaWZWLzVadz09>**

**Meeting ID:** 616 584 3896 | **Passcode:** 5243524

**Dial by your Location:** 1 929 205 6099 (New York)

1. **CALL TO ORDER - 6:30 PM**
2. **ADDITIONS, DELETIONS, OR CHANGES TO THE AGENDA**
3. **DISCUSSION**
  - A.** Follow-up discussion from Town Plan public event October 24, 2023
  - B.** Impact Fee Discussion
4. **APPROVAL OF MINUTES**
  - A.** Planning Meeting Minutes October 10, 2023
5. **PLAN NEXT MEETING AGENDA**
  - A.** Planning Meeting November 28, 2024
6. **OTHER BUSINESS**
7. **DELIBERATIONS**
8. **ADJOURN**

Posted to the Town website, four designated places within the Town of Georgia (Town Clerk's Office, Georgia Public Library, Maplefields & Georgia Market), and e-mailed to the local media.

Signed: Douglas Bergstrom, Zoning Administrator, Planning Coordinator

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# MEMO

Georgia Vermont Town Plan Update

Public Meeting Notes **DRAFT**  
Open House Input Summary  
October 24, 2023 1:00pm - 5:00pm Georgia Fire & Rescue



**Introduction:**

An Open House was held at the Georgia Fire & Rescue Meeting Room to collect public comments and ideas related to the Town Plan Update. Attendees were provided a series of boards with questions where they could attach notes and comments. The following represents a transcript of the written notes provided, as well as notes taken from verbal conversations with the public. In cases where the written comments are unclear, a [?] follows the word(s) which are uncertain. Photographs of the comment boards have been provided on the project webpage.

**OCTOBER 24TH OPEN HOUSE - PUBLIC COMMENTS**

**BOARD 3 - What do you think are the most important issues in the Town of Georgia today?**

- How quickly Georgia is growing and the infrastructure to support it.
- The maintenance of existing roads and safety
- Appropriate and quality growth of Georgia
- Child care
- Senior activities
- No more building in wet/swampy areas, lots of homes being built on very wet land (may not technically be “wetlands”)
- Community events
- Community organizations
- Activities for older citizens
- Safety, lack of police presence
- Affordability for our fixed income residents
- Transportation
- Sidewalks along Ballard Road
- Safe bike lanes
- Preserving natural areas
- Lack of effective law enforcement
- Constant 4-wheeler races on Georgia roads
- Loud trucks doing burnouts on residential roads
- Unsightly cluster housing developments diminishing rural countryside
- Wetland area protection vs development
- Remembering small town is OK
- Affordable housing - rebirth of smaller housing developments

- A better way to alert the public about Town information “A Sign Board”
- Community events, engagement
- Community spaces
- Too much sprawling growth
- Holding businesses accountable for property maintenance (i.e. Dollar General)
- More recreation programs, for adults as well as kids
- Needed businesses in Georgia, including pharmacy and convenient restaurant
- Lack of child care
- Housing - need more services in town before expanding low income housing
- Police presence (more needed)
- Community events + spaces/reasons to come together
- There have been rumors about new town hall new town library etc. What is the succession plan(?) on old building if this is true, Ex. Town garage old and new
- The present form of taxation is not working
- Housing in general needs restructuring - landlords need control over tenant behavior
- Lake quality
- Keep the rural feel
- Appropriately sized and placed growth
- Walkability
- Not paying for SV WW - limited benefit for a majority of residents
- Uncontrolled development ruined my small hometown I grew up in. Flood plains were built on causing home flooding
- Redistricting areas to allow for subdivision / more affordable housing
- Preserve landscape farmland open space
- Keep town historic small town feel
- Better road maintenance (i.e. should complete paving a road instead of sporadic parts)
- Developments/Growth that are a typical to a small historic town
- It would be nice to see a Homestead Act in place where certain areas have min. Of 5 acres example
- Consider providing for more environmental responsible transportation i.e. electric car power restoring
- Need to preserve the environmental sustainability of landscape and Lake Champlain
- More safety
- Keep zoning acreage
- Quality of education
- Housing
- Transportation
- Air & Water Quality
- Green Energy!

**BOARD 4 - What would you like to see CHANGE in the Town of Georgia?**

- More sidewalks
- Limitations on local gov't positions
- A restaurant
- A more central park
- Making sure new town building fit the environment they will be in Ex. town garage (again)
- More areas restricted from major development
- Local places to eat/gather still WITHOUT drive-throughs
- Creating a town that is one town, and not parts of another (Fairfax, Milton and St Albans)
- New Library centered with municipal or small business - similar to Milton or Shelburne
- Also - keep new bldgs looking like New England architecture
- Cell phone coverage
- Designation of South Village (State Designation Program)
- Our own Post Office
- Youth group volunteers - for needy citizens, for town projects
- More responsible oversight of lakeshore protection and improved stormwater infiltration on town owned property - roadsides, Town Beach
- Limit development
- A plan to increase tourism and agri-tourism
- An increase of social media coverage of what is happening with the Town
- No more cluster housing visible from roads
- Less development
- Strong law enforcement presence
- Enforce laws w/ 4-wheelers racing on roads, truck burnouts, trespassing
- Return of quality education at GEMS
- A more diverse selectboard
  - ^ agreed!
- Walkable town space, increased business in high density area
- A revaluation of a noise ordinance policy
  - ^ yes!
- Municipal WS/WW in SV and ex. Town Hall area
- Speed limit on Rte 7 35 mph to the highway
- Better law enforcement coverage
- Easier Accessory Dwelling Unit approval/regs.
- A tool for affordable housing
- More community based activities
- More support for local businesses
- To be able to have drive thrus
- Better law enforcement and first responder coverage
- More development in Center, less in village
- Value Agriculture and small business over industrial development

- Bring back the Parade!
- Continue Town Green gatherings
- Plan should have some focus on Equity
- Like to see more emphasis on small town and open space
- New library & town office in the South Village
- Better community communications
- Less sprawl more cluster housing
- Adding a Town Manager that way the Selectboard could spend time forward thinking!
- Develop Library as multi-age community center with resources, services, supports
- Promote Universal Accessibility
- More focus on climate change & support for green energy
- Road improvement fund to pave some dirt roads
- Better contracted police services. NO Police force!
- Landlords who rent out rooms or apartments are often victimized by tenants. In frustration they refuse to rent again. With housing at such a premium, we NEED more places for people to rent.
- Increase cell phone coverage.

**BOARD 5 - What would you like to see STAY THE SAME in the Town of Georgia?**

- Rural quaint town / farming community
- Open space
- Rural nature / not Chittenden Co.
- Small safe village
- Don't turn it into Winooski
- Space + natural areas clustered business area
- Keeping Georgia a small town! Not a suburb
- Keeping the individual sections of town - Georgia Center, West Georgia, Georgia Plains, East Plains, South Village
- Keep the same rural nature of the town
- Limit residential development - now a constant flow of contractor vehicles, residential traffic is rapidly increasing
- Small town Ex. Stafford, VT
- Agriculture
- Keep Ag areas while building up/welcoming more businesses + affordable housing in high density areas (i.e. by the highway)
- Agricultural, support farms and open areas
- Leave Georgia agriculture including South Village
- Celebrate the history - both human and natural - of this area, i.e. appropriate road names - don't leave it up to developers
- Small town character!
- It is great to welcome residents to town committees and activities

**BOARD 6 - Do you have any suggestions for specific places in the Town of Georgia?**

- Focus development in already developed + congested areas (South Village)
- Keep rural areas open
- Traffic signal needed at Rt 89 intersection
  - ^ agree!
  - ^ Yes!
- Transfer of Development Rights for South end and south village
- Strip mall for food/clothes places for example, dunkin donuts or a pizza place
- Possibility of a trail system around Arrow Lake
- Better traffic flow 104A/Rt 7/189
- Keep Industrial development in South Village
- Better traffic flow at Rt 7 and 104A intersection
  - ^ YES
- Sharp curve sign for Polly Hubbard Rd
- Widen Road along Georgia Shore or put in a bike path
- Better traffic control around Exit 18

**BOARD 7 - Do you have any suggestions for the HAMLETS in the Town of Georgia?**

MELVILLE LANDING

- Walking path at the Beach.
- Additional land purchase for the Beach/Park

GEORGIA CENTER

- Historical signage on the Town Common
- Georgia Center should be made the 'Center' of Georgia
- Geo Center - Need to consider alternatives to stormwater management that is responsible for excessive sediment loading in ditches on Town Common

GEORGIA PLAINS

- Enforcement of speed limits
- Keep growth on 89 side

SOUTH VILLAGE

- Drive thru coffee shop
  - ^ Yes!
  - ^ Yes!
- Needed businesses: services - pharmacy, take-out restaurant, etc.
- Restaurant - Not a CHAIN

- Remove the stipulations / change restrictions for the housing along 104A between Route 7 and Georgia Health Center
- Town NOT pay for sewer that only serves to benefit a very select few but will be a tax burden for everyone
- Better/SAFER traffic flow BEFORE any new housing or businesses
- Don't make the South Village a ghetto should be mix
- Safe walking/bike path or sidewalk along Ballard Rd, Rt 7, in business areas
- Walkable/bikeable connections of developments in south side
- Better traffic flow especially at 5pm
- A park/playground ballfield walkable distance from the big developments in the south end

EAST GEORGIA

- Additional land + trails for recreation

OTHER

- Where is the hamlet of North Georgia??

**BOARD 8 - What words might you use to describe your future vision for the Town of Georgia?**

- How about a local newspaper!
- Keep small town character we already have!
- Develop more in Center
- Agriculture
- More traffic control along Exit 18 area
- Better law enforcement/first responder coverage
- Hamlet
- Village
- Agriculture
- Small community
- Historical
- Quiet
- Stable
- Green/open space
- Keep it rural and taxes low by limiting costly residential development
- Responsible, limited growth in already developed areas (South Village)
- Keep rural areas open + protected from development
- Growth will happen but keep it a quality town
- Seeing the Town take care of its properties/maintain them. Keep the historical presence
- A real town center there/where events would occur for gatherings
- Small town community feel while adapting to the growing world
- Georgia is already a bedroom comm'y
- Conduct Quarterly "listening" meetings like this to increase resident participation and trust

- LOCAL PROJECTS for towns people to work together on

**BOARD 9 - Are there any questions you would like to see us ask in the upcoming town-wide survey?**

- What % of the budget will be allocated to our road maintenance
- Town government changes: A qualified Town manager
- What kind of percentage of new comm/residential do we want to see in town (inc. SV)

**OPEN HOUSE - OTHER VERBAL NOTES AND COMMENTS**

- Learned about this event on Facebook, but think it would be good if you also advertised on other social media platforms, perhaps put up more posters?
- Concern about development proposals in South Village - developers don't maintain properties, code enforcement issues
- Don't like some of the new stuff being developed down in Williston - large buildings chopped up into different color blocks, it should blend into the surroundings
- Town Beach Recreation Area - a pavilion was gifted to the town, but eventually couldn't be agreed on so offer was eventually withdrawn, problems with design, concern about it blocking view of lake
- Beach could use a more modern snack bar and better restroom facilities
- Fall Fest held at recreation area - should encourage more uses and activities like this
- Recreation area largely used by sports programs but it has many other potential uses and possibilities, it shouldn't be only one thing. No passive recreation opportunities, can't walk dog, fly kite, etc. It is supposed to be a community space. Look to make it more inclusive of the wider community.
- Recreation area has issues with drainage on fields sometimes
- Looking at statistics and demographic data - Franklin County data is not always a good measure of local conditions in Georgia, Chittenden County is a closer comparison
- See Milton Independent article - Georgia Beach project
- Wetland areas and flooding in the South Village area - these wet areas could be used as flood water storage or flood mitigation potentially, but we don't know yet, should be careful how we use them, could be used to our advantage
- Search for potential municipal sewer system locations, need to find what areas might be appropriate, however two potential spots already taken
- Having the Library and Town Offices located in South Village as part of new development would be nice
- Overall water quality protection should be incorporated into town plan
- People can no longer afford the taxes in many communities, people who have lived here for generations often can't afford to stay
- Want to protect the viewshed looking west across town over lake, but we need to catalog what the viewshed is first. Property on one side of Ethan Allen height capped to protect view
- Should keep the local road names tied to actual local history, not just made up
- South Village - why do housing above commercial, it is noisy, you have 104A there
- Georgia Center - should be more concentrated
- Land along Mill River Road - need this for housing, would like to see more flexibility w/ subdivision regs, currently is 5 acre zone now
- "HULA" style flexible incubator space, similar to what they are doing in Burlington, potential for South Village, or something similar to Taylor Park in St Albans



- May be useful to inquire in the survey about how long each resident has lived here for, and where they moved from.

[\* \* END MEETING 5:00 pm \* \*]

**Written comments collected via the project online comment form (to date) are copied below:**

- Would like to see PUDs allowed in the L1 District.
- The ban on first floor housing within the South Village does not make housing more affordable, yet this is a stated goal of the Town Plan.
- State designation program for south village district (and municipal water and sewer)
- Build the sidewalks that have been in the town plan for years. (Ballard Rd, Rte 7) It's probably the cheapest thing we could do to increase activity in the town.

# MEMO

Georgia Vermont Town Plan Update

Public Meeting Notes **DRAFT**  
Public Workshop Summary  
October 24, 2023 6:00pm Georgia Fire & Rescue



**Introduction:**

A public meeting was held at the Georgia Fire & Rescue Meeting Room to collect public comments and ideas related to the Town Plan Update. Michael Allen from Regrowth Planning began the meeting with a brief presentation about the Town Plan update, including the goals, steps and projected schedule of the effort. This presentation was followed by an open discussion period, where comments and questions were taken from the audience. The notes from this discussion are provided below. This is not intended to be an actual transcript of the conversation. A copy of the presentation slides have been provided on the project webpage for reference, as well as a link to a video of the meeting.

**WORKSHOP NOTES**

Comment: Wanted to clarify that we don't have a Recreation Center, and we don't have plans to have a Rec Center. It's a Recreation Area.

Comment: Concerned about traffic flow in the 104/Route 7/I-89 corridor - it gets backed up at certain times of the day, there are no signal systems, trying to get off from 104A onto Route 7 is a problem. Having the bank driveway directly opposite makes it harder.

Comment: Just getting off the interstate is a problem. If you are heading north, you have to sit there for a long time.

Comment: For it to work we need to change the interstate offramp from a single lane to two lanes, people create two lanes. That area needs work, especially if that area is going to grow like our town plan envisions.

Comment: There is a transportation study for that area, but there have been studies for many years, though not much has been done.

Comment: We are always trying to find solutions for cars, but we shouldn't forget other modes of transportation such as bicycling and walking. I run on Route 7 and that can be harrowing. I know several of us who run or jog in the area, but unless we get in our cars there is not really a place for us to run. As we are thinking about changes to improve vehicle travel, we should also think about bicycles and pedestrians too. Not just "Complete Streets", but also thinking about open space and parks where we could have dedicated off-road paths. This could really help grow the appeal of the town. We have land right now that could be designed for this, get the bikes off the road, connect some of these resources. Would be good to plan for this now before things get built up too much.

Question: What are some of the other communities where you have done this work?

*Moderator: Have been a practicing professional planner for about 20 years now, more recently worked with Chatham NY, Woodstock NY, Williston VT, Mount Holly VT, Pawlet VT, Warrensburgh NY, Schroepfel NY, and others.*

Question: Are you aware that there is a Georgia South Village Transportation Master Plan.

Comment: I don't know how much there is we can do with Route 7 and 104A being state routes, state jurisdiction with VTrans, they have the final say in any of those decisions.

*Moderator: Correct, they do, however having these recommendations in an adopted town plan will give us more leverage than if they are not addressed in the plan.*

Comment: We need to put more thought into the Energy portion of our town plan. All of these towns are going to be going through a huge energy transition over the next 10-20 years, I don't think we have put enough thought into it as we probably need to. Also not sure if our current plan meets state standards with regard to energy. Need to address energy use, as well as supply.

Comment: Solar "farm" development is happening in the area, although it isn't happening in a negative way, people don't really have concerns about it, but we want to do it in a planned way to provide some guidance. Although the state has the final say in these matters, if towns have an adopted plan with the right energy strategies, they have more say than if they don't.

*Moderator: Can you clarify if you are looking to set goals for more specific fossil fuel reductions, or more general policies?*

Comment: Personally I think we do need to have demand-side reductions, weatherization of town buildings as well as individual buildings. The automotive side will probably happen independently of us, but we can start thinking of what we want to have happen when some of the gas stations begin to close.

Comment: One of the reasons we are looking to update the town plan has been to look at what do we do for new public water and sewer, what opportunities. It is something which limits our growth potential.

Comment: I'd like to see a Transfer of Development Rights (TDR) policy, where you can get more density in one area in order to conserve more space elsewhere, so you aren't just growing everywhere.

Comment: Our town plan currently calls for protecting prime Ag and forest land, but other than asking people to leave that as their open space when they do a PUD (Planned Unit Development), we don't have much recourse for them to work with that, we don't have a way for them to swap with another piece of property, we don't have other options.

Comment: Because some of the farms are going out of business, but their fields are still available, you have farm equipment which travels very long distances to go serve other fields and then has to travel back to where it is needed next, we end up with large tractors needing to be on the roads which adds to our transportation issues. Can get stuck behind a tractor at all different hours of the day. It adds to the congestion and wear and tear on the roads.

Comment: Concerned about quality and consistency of cellular coverage, from a connectivity standpoint, connectivity with future technology, commuting families. Route 7 could benefit from better cell coverage.

*Moderator: What about broadband internet?*

Comment: Not good coverage, there are still a lot of places that don't have it.

Comment: Broadband is a very popular topic right now and there are a lot of people working on it, but people seem to have forgotten that we still need to be able to use our phones.

*Moderator: Is there a bigger priority between improving cellular coverage or broadband?*

Comment: Depends if you already have broadband or not. Some of the new cellular service with 5G is better. One or the other needs to come in with better coverage.

Comment: It is important to coordinate with adjacent town and municipalities with some of these goals, such as coordinating the north end of town with St. Albans in terms of roadway and pedestrian infrastructure. The south end of town with Milton. Would be good to customize or coordinate infrastructure with these other communities. St Albans Bay area with the Georgia north shore area. Would be helpful if there was better collaboration.

Comment: The town is bringing sidewalks out to about a ¼ mile from where Georgia town line starts, so there is going to be a gap.

Comment: At the end of the day, all of our suggestions are going to involve costs to the municipality, so we should be mindful of affordability of these ideas.

*Moderator: Would like the town plan update to really focus on identifying what the major priorities are that we should be focusing our efforts.*

Comment: Regarding costs, I don't want to be paying for sewer in the South Village, which is going to be benefitting very few people but potentially costing everyone, even with grants. There has already been pushback where they want to develop more housing, but there is less interest in brick and mortar businesses, when that is the reason we would provide the sewer, so it seems like we are getting pulled two different ways. I don't want to see my taxes paying for a service like that. Same with the town center designation - why are we pursuing this if it only benefits a select few. I don't want to be paying for someone else's sewer when, if my septic system goes, i'm on the hook for the 30-40k. Vast majority of the town is not going to be able to hookup to it.

Comment: Ditto.

Comment: That's why I say we need to keep our mind on affordability. If we are talking about water and sewer there, what is the plan for making it support itself?

Comment: At the same time, for a reasonable cost, if we can save more green space by having more density there instead of houses out in the farm areas, and it becomes more self-sustaining down there, perhaps with a shared system with Milton. Then maybe it does make it worthwhile.

Comment: Milton has a sewer district, but it doesn't come up to the Georgia town line.

Comment: It would be nice to have the town plan address the lake and water quality. It is a huge asset to the town, people are buying \$400-600k camps, would be nice to keep the water nice. Even though that topic is a statewide issue, it would be good for us to address it also, and I don't think the town really does that much right now on this issue.

Comment: This is a planning issue, like when you have a couple of fallow fields there that got turned into developments, they have no sewer there. So you have a field where there are now 12 new septic systems right on the lake, does the town have a say in how that is developed. It would be nice to give that more thought.

Comment: Having the town address this issue is a good way to open potential funding opportunities, which can leverage grants.

Comment: Moved to Georgia shore 33 years ago, every one in front of us was all little camps. They were grandfathered in years ago. Now they are all brand new homes now. Very few camps anymore, mostly year round homes on postage-stamp lots. They have to park in the road just to take their groceries into the house. Camp is right on the water and they have no land, no idea where they put their septic system.

Comment: Some properties have their septic on the other side of the road.

Comment: One of the conflicts with the conversation about South Village and housing, it has been argued that housing affordability could be addressed by providing more smaller units in South Village with a denser population center. We don't know if that will prove itself out. But that is a problem we have with the cost of housing right now. Rental units are practically non-existent.

Comment: Short-term rentals are also causing some complaints, at least out by the lake, where the guests are sometimes being a nuisance to adjacent property owners. How do we deal with that as a town?

*Moderator: Are you experiencing a lot of problems with short-term rentals, or just a few?*

Comment: There are a few, we are hearing from property owners that they are concerned.

Comment: In Georgia, there are few places that are full year-round short-term rental properties. This is more of a summer season issue, which is the time when short-term rentals here are more popular. As was stated you have a few camps along the water, those are more likely to be rented out as a short term rental, and they have conflicts with the houses near them. That is really more of the issue here, it's not really a loss of housing stock. A lot of communities experience a loss of housing stock from the popularity of short-term rentals, but that is not really what we are experiencing here. It's mostly summer residences on the lake being rented out.

Comment: We should take a good look at how Accessory Dwelling Units (ADU's) can be utilized to improve housing costs in this area. This is being done at a state-wide level as well.

Comment: Wondering about the 70 acres on the other side of South Village, I know there were plans to try and develop that, but there were issues with the infrastructure that was needed to do it. Is there an update to this?

*Moderator: I think that is still being looked at, though we should be asking ourselves what sort of development would we like to see in South Village, if we could choose? What is needed here?*

Comment: A Restaurant.

Comment: The Library would have been a great place for a nice restaurant.

Comment: Pharmacy, Hardware. All of these things used to be here but they aren't anymore.

Comment: There is a bunch of stuff in the South Village area, and then there is St. Albans. So there is half of us who just go north to St. Albans to do things. We can get what we need up there, so we need better connections up there to get to it. Route 7 is basically a highway now, which i'm not excited about, but if we could think about improved connections there like biking paths or something that would be good.

Comment: Restaurants, food, pharmacy, coffee - these are things that people will still go to locally and is an opportunity to socialize. Also a lot of people are working from home. It would be good to have some of these places locally so you don't have to go to the next town to get them. I would rather have these things here in town. Georgia Market is busy.

Comment: We are very fortunate to have Georgia Market. They have reduced hours now but still nice to have.

Comment: We do not want to lose the one market we have in town.

Comment: This town plan will go into effect and be valid for about 8 years, so we need to think about the next 8 years or so, but while that is happening we will have new people move to the area and have more demand.

Comment: Appropriate scale mixed uses, like a Georgia-scale version of Maple Tree Place where it doesn't feel like big box stores but some of the businesses are complementary to each other and are what the community needs. Physical proximity. Think about kids and teenagers before they can drive, what do they need or want, how do they get there? What about a Fieldhouse or something where kids can go without having to drive down

to Essex or a small movie theater. Some of that could be supported by the growing population and more density. Recreation, fitness, entertainment.

*Moderator: Where do people socialize locally?*

Comment: Schools mostly. School events, sports.

Comment: It is the school activities, but it ends at each grade. But the community breaks apart when each family follows their kids to where they choose to go to high school.

Comment: And not everyone has school age kids, or kids at all.

Comment: One of the issues is, this meeting room here at the Firehouse is one of the biggest community gathering spaces we have available. To actually have a community event, it becomes an issue.

Comment: I've always felt like there is the School, and then there is the Town. There is not a lot of universal use of the school facilities. I have suggested that during the summer when kids are out of school they could move the books from the School library to the town library so they could be used by everyone, but this didn't happen. As a town resident I pay for these amenities but I can't use them, and it is that way with a lot of things. The school has these facilities and amenities, but as a resident you don't really have access to them. They have the largest buildings in town, publicly owned, but aren't really accessible. We aren't taking full advantage of the resources we have. The school fields could be used for summer sports instead of the Town Beach.

Comment: We can't get access to school property because the school is maxed out. We are one of the few growing school districts in the state, which is fortunate, but we are also bursting at the seams. Basketball practice goes until 8 or 9 at night because they have to stack the different teams. St Albans has gone through some expansions, but there is only so much money to go around. We should take a look at what we have as a community, and what other communities have as a whole. Some of what we have is underutilized. We can't afford another pool, but we have one nearby in St. Albans. Should take an inventory of all these things and coordinate, join them so these become shared resources and we aren't building something new which is already provided next door.

Comment: It's hard to be a destination town when there is so much already provided on both sides of us.

Comment: What can we offer that they don't already offer. We are one of the few that has a great beach area, we could extend it out and link to other beach areas? Between Georgia, St. Albans, Milton - none of us are that big, we should work together where we can. See what they have and what they don't have, and work together to share resources. They are already talking about expanding basketball courts, a great indoor space, or an ice hockey rink. Is there a way to get our kids up there without having to drive on Route 7, otherwise kids get isolated.

Comment: The town does have a center, owned by the Church, Georgia Plains Baptist, Jimmy Center. Would it be possible to reach out to them and ask if there are ways to open this up as more of a community center? I think the church would be open to having more visitors, something for the seniors, something for the youth, could the town rent space for some of these things?

Comment: As far as I know that is open to the community for a lot of the activities they do there, though its not that big.

Comment: Would like to see a little bit more interaction with the churches. A lot of churches are underutilized these days, and would love the interaction. If we could put it into the plan to recognize these assets of the community it would help remind everyone they are here and support them more, regardless of individual religion. Should be acknowledged as part of the community.

Comment: I'm involved with the "Bone Builders" group at the Catholic Church twice a week, and have really enjoyed it, for people who have osteoporosis or help building up muscles as you get older. Has been a great social event, we need more of those types of events or activities to keep contact with your community members.

Comment: We had a hard time finding a space large enough, and we spoke to some other churches who said they only used their space for our members. Its great that we have these churches but they may not be willing to always share space with outside groups.

*Moderator: What about a traveling event which takes turns at the different churches?*

Comment: Maybe if the town approached the churches with this idea to ask it might be received better.

Comment: Some churches have reservations about hosting different things perhaps because of their insurance requirements or something, but perhaps there is a way to work through that.

Comment: There used to be a dance company, they would also do Zoomba there, but they had to move out after rent got raised. Same with day care, they had to move out. The economics of this need to be somehow addressed where we are not forcing out local amenities or services, it is harder for these small locally-owned operations to compete against larger companies.

Comment: We had a gym here locally, but that didn't last long. The pizza shop. We had these things but they all left or shut down for whatever reason. What is preventing these businesses that we want from staying.

Comment: We are not a "go-to" location, we are more of a "be-from" location. Everyone goes to St. Albans or Chittenden, most people unless you work from home go outside of the town to go to work and then pick up the shopping they need there on the way home. Having Milton and St. Albans on either side of us - do we want to try and duplicate what they already have because I don't see that as being economically feasible. We would be in competition with them. We need to be strategic with our growth in a way that it doesn't overload our capacity.

Comment: Since you will be putting out a survey, many of us work from home, I would like to understand how much of the population here works from home now, and how often? A lot has changed in the past few years.

Comment: My concern is some of the big apartment complexes that people have talked about putting up in town. Concerned how that would affect our town, how it would impact our schools, the demographics of the people who would come. In St. Albans I watch how the people with vouchers go from apartment complex to apartment complex because they are kicked out, going from Swanton to Albert to Richford to St. Albans to Milton and bringing their kids to each school along the way, which impacts the schools. Everyone needs housing but we need to be cautious how that affects us.

Comment: I am curious what the demographics are here in town right now, how many seniors we have vs. younger families, etc. The seniors won't be around forever, and when they are gone their houses would be open for younger families to live in. If we put too many houses in now, will we really need them?

Comment: Would like to see more senior housing, since most of us would want to still live in the town, but wouldn't want to take care of a large house. That would open the older house for the next generation to have it, but we wouldn't have to move to the Carolinas or Florida. A senior community, one floor.

Comment: Not a lot of condos, I don't want to live in a condo.

Comment: 2 bedroom ranches.

Comment: That comes down to density, the ability to walk to things.

*Moderator: Well for walkability it would want to be somewhere like South Village where you have amenities nearby you can walk to, transportation, water and sewer etc.*

Comment: Senior housing mixes great with local businesses in a mixed use environment.

*Moderator: The mixed use model does not work as well for senior housing if the housing is on the 2nd or 3rd floor of the mixed use development, because that housing wants to be at ground level, so instead you may need it mixed use but horizontally, not vertically.*

Comment: So much commercial property in St. Albans is empty, with people buying things online now, people aren't opening businesses, they are consolidating offices. The plan now has that first floor commercial office space but I don't think it will work, it will sit empty.

Comment: The old campground behind Dollar General, had heard that had been purchased to become senior housing, is that still happening?

Comment: They had purchased the property, but there is no formal plan yet, they have had sketch plan review but nothing set in stone yet. But it will probably be multiple uses, not just one thing. They are looking to use the entire property.

*Moderator: We have heard from some people that there are concerns about the track record of some of the developers who sometimes don't take care of their properties and they are left in disrepair. There may be something we can implement at the local town code level which could address that concern.*

Comment: That works both ways, as a property owner I have a hard time getting contractors nowadays to do normal repairs, a developer with many properties probably has same difficulty getting maintenance done. Been waiting on one guy for 3 years.

Comment: For South Village do we want more space for businesses, or do we want to move away from more space for businesses, because first floor commercial isn't as viable? We have discussed getting water and sewer to enable more business there, maybe we need to pick a lane. As a community we need to decide. What is the right proportion of commercial vs residential. Multistory would be more efficient, but would it actually work.

*Moderator: Finding the right mix of commercial and residential will be important, but we don't have full control of the private sector. Generally speaking, commercial development is usually more profitable for the tax base than residential. I'm not imagining senior housing taking up all of South Village.*

Comment: But a 60 or 45 unit senior housing is already planned there.

Comment: It is planned, but lots of things have been planned there.

Comment: How would this work with the existing traffic problem which we already have there? Isn't that going to compound the problem?

Comment: The traffic problem is already terrible. If you add more people it would get worse.

*Moderator: Some of the traffic problems are because of the existing roadway configurations. The question becomes, if we agree that South Village is the area we want to promote some more growth, then how much growth do we actually want there, within the limits of what we can handle.*

Comment: Some discussions with VTrans are needed, if we had a ramp to go south and another ramp to go north that would take care of quite a bit of that congestion, at least for the interstate.



*Moderator: Has there been any discussion of a wider market feasibility study of what is already available in the area and what would be needed or successful here locally?*

Comment: Fairfax is a small community and they have a really good restaurant and hardware store, post office, grocery stores etc is a small community but they somehow seem to get all those things.

Comment: If a feasibility study was recommended in the plan that would increase funding chances for it.

Comment: You could control what you had in South Village if there was enough desire for it, if it is a desirable enough location you can put whatever stipulations on it you want and they will still come. The problem is there isn't a lot of desire for businesses to be there, so you don't have that level of control.

Comment: And the thought was with more residential there it would increase the desirability of walkable commercial, but it becomes the cart before the horse.

Comment: There are 2 things missing to draw businesses into the South Village. A dense population base, and public sewer/water. The developers get incentives for building where there is sewer and water and that helps them on the financials.

Comment: You said you would be updating the demographic data as part of this update, it seems like that data is something we need up front to be able to use as part of this discussion. It may help inform this debate. When will that data be available?

*Moderator: It was going to be updated over the course of this effort, but that is a good point we may want some of this information earlier and so I can prioritize that earlier. There is an issue with some of the data however since the US Census data right now isn't very up to date and also seems to have some irregularities so not sure how much we can rely on it. May have to look for other sources.*

Comment: How can we incentivize the community to respond to the community survey? Have you had success in getting good feedback?

*Moderator: Depends how the survey is implemented. Due to cost constraints we are not currently planning to direct mail it to every household because that is expensive. Have done direct mailing in the past, which can get better Moderator rate around 30-35% which is very good. Not sure how to incentivize it. Planning to make it available for pick up but also available online.*

Comment: What about a partnership with the school to help distribute the survey?

*Moderator: Have done that in the past, would be good to help get some younger respondents also, so we can look into that option.*

Comment: We sometimes make the mistake of assuming 100% of the people want to respond, when in reality the 35% who respond may be everyone, while the rest of the population believes that their elected and appointed government representatives will just make the correct decisions for them.

*Moderator: Survey may be opportunity to get a better handle on current demographics since census data appears questionable.*

Comment: Census data may be the best data we can get right now.

*Moderator: Possibly, but concerned a lot changed during covid that was not accurately captured. I think census data missed a lot. A lot of people moving up from downstate and buying real estate, moving to rural areas.*

Comment: A lot of that was not actual data, it was more an impression that people had that people were moving in from out of state, but where were they moving to? We don't have a lot of real estate in Georgia to buy, unless someone moves out, and people weren't moving out during the pandemic.

Comment: We do tend to lose a lot of families when their kids get to high school, they move out to follow the school, many to Essex.

*Moderator: What are the issues that make young people or families to leave the area, what is missing here, what can we do to help retain them?*

Comment: One of the things that makes Fairfax unique is they have a K-12 school system, when families settle there they stay. Our kids either go to St. Albans or Essex or Milton, Fairfax and it splits everything.

Comment: It's not even the school system, it is the extracurricular activities that pulls people away. Our neighbors had high schoolers which were involved 5 days a week in different after school activities, so they were away more than they were home. Why stay here, might as well move to where their activities are. Love the fact that we have school choice, but it comes with a drawback.

Comment: That is something unique we need to consider in local planning.

Comment: Our town plan needs to address equity one way or another. Either say that we are very equitable and that is great, or aspire to be more equitable. Should either affirm or aspire, in terms of inclusion and diversity, etc. That plays a role in affordability and transportation and many issues. Northwest Regional Plan addresses equity in each of their chapters and could be used as a model.

Comment: Perhaps in the survey a question about the willingness of the community to invest in itself, take on more responsibility. For example, the state would be happy to give up responsibility of Route 7, even just from Milton town line to Interstate. The town does not have the stomach for taking that over, however it would open up a lot of possibilities for planning and redesign of that corridor, sidewalks, speed limits, etc. We would gain control of it, however we would have to pay for it. This is an important question if we want to see something change there.

*Moderator: Has there been any discussion of a phased transition of responsibility?*

Comment: No that wouldn't work.

Comment: We are already asking way too much of the part time volunteers of the local boards and selectboard. Another question is do we have the stomach for more community engagement committees, handled by the selectboard, to find other volunteers needed to get some of these things done in the community. Special task force committees, transportation, housing, energy, trails etc. Need more volunteerism.

Comment: People ask why don't we have a parade anymore. We don't have a parade anymore because no one stepped up to keep it organized and going. Summer activities. These things happen because someone stepped up to volunteer to make it happen.

Comment: Many would agree it is harder to learn what is going on in town, unless you have kids in the school system, how do you get involved in things, learn what is going on.

Comment: One of the comments on the boards was about having more community events to get involved in, a group effort day, we do very well with Green Up Day, recently an issue was brought up about the Veterans Cemetery lacking maintenance and all of the sudden there was a crowd that went up and took care of it. The community could do more of this.

Comment: Like the trails thing, I did not know there was an opportunity for this.

Comment: There was a request to look into connecting the 4-wheeler trails in Milton and St Albans or Fairfax through town, but it is illegal to ride them on local roads. Did not get much support.

*Moderator: Reminder to everyone to check the project webpage for materials, copies of this presentation, and they can use the comment form to submit ideas and concerns.*

[\*\* END MEETING 5:00 pm\*\*]

# MEMO

Georgia Vermont Town Plan Update

Public Meeting Notes - Sorted By Category  
October 24, 2023



**Introduction:**

The following is a summary of notes and public comments collected on October 24th for the Georgia Town Plan, re-organized where possible by topic, and sorted by the number of comments they received to get a rough sense of more popular issues. Rough results are as follows:

Comments	Topic
63	GENERAL CHARACTER / GROWTH & DEVELOPMENT
45	SOUTH VILLAGE
38	COMMUNITY RECREATION & ACTIVITIES
28	LOCAL SHOPS & SERVICES
21	TRANSPORTATION & ROADS
20	HOUSING
17	GOVERNMENT FUNCTION & COMMUNICATION
13	POLICE & ENFORCEMENT
12	PRESERVATION OF OPEN SPACE & RESOURCES
7	GEORGIA CENTER
6	SCHOOLS
6	CELLULAR / INTERNET SERVICE
6	TOWN WIDE SURVEY
5	ENERGY & SUSTAINABILITY
3	CODE ENFORCEMENT
3	EQUITY AND DIVERSITY
3	OTHER

**GENERAL CHARACTER / GROWTH & DEVELOPMENT**

1. How quickly Georgia is growing and the infrastructure to support it.
2. Appropriate and quality growth of Georgia
3. No more building in wet/swampy areas, lots of homes being built on very wet land (may not technically be "wetlands")
4. Unsightly cluster housing developments diminishing rural countryside
5. Wetland area protection vs development
6. Remembering small town is OK
7. Too much sprawling growth
8. Keep the rural feel
9. Appropriately sized and placed growth
10. Uncontrolled development ruined my small hometown I grew up in. Flood plains were built on causing home flooding
11. Redistricting areas to allow for subdivision / more affordable housing
12. Keep town historic small town feel
13. Developments/Growth that are a typical to a small historic town
14. It would be nice to see a Homestead Act in place where certain areas have min. of 5 acres example
15. Keep zoning acreage
16. More areas restricted from major development
17. Also - keep new bldgs looking like New England architecture
18. Limit development
19. No more cluster housing visible from roads
20. Less development
21. Value Agriculture and small business over industrial development
22. Making sure new town building fit the environment they will be in Ex. town garage (again)
23. Like to see more emphasis on small town and open space
24. Less sprawl more cluster housing
25. Rural quaint town / farming community
26. Rural nature / not Chittenden Co.
27. Small safe village
28. Don't turn it into Winooski
29. Space + natural areas clustered business area
30. Keeping Georgia a small town! Not a suburb
31. Keeping the individual sections of town - Georgia Center, West Georgia, Georgia Plains, East Plains, South Village
32. Keep the same rural nature of the town
33. Limit residential development - now a constant flow of contractor vehicles, residential traffic is rapidly increasing
34. Small town Ex. Stafford, VT
35. Agriculture
36. Keep Ag areas while building up/welcoming more businesses + affordable housing in high density areas (i.e. by the highway)

- 37. Agricultural, support farms and open areas
- 38. Leave Georgia agriculture including South Village
- 39. Celebrate the history - both human and natural - of this area, i.e. appropriate road names - don't leave it up to developers
- 40. Small town character!
- 41. Keep rural areas open
- 42. Keep growth on 89 side
- 43. Keep small town character we already have!
- 44. Agriculture
- 45. Hamlet
- 46. Village
- 47. Agriculture
- 48. Small community
- 49. Historical
- 50. Quiet
- 51. Stable
- 52. Green/open space
- 53. Keep it rural and taxes low by limiting costly residential[?] development
- 54. Keep rural areas open + protected from development
- 55. Growth will happen but keep it a quality[?] town
- 56. Small town community feel while adapting to the growing world
- 57. Georgia is already a bedroom comm'y
- 58. What kind of percentage of new comm/residential do we want to see in town (inc. SV)
- 59. Would like to see PUDs allowed in the L1 District.
- 60. **One of the reasons we are looking to update the town plan has been to look at what do we do for new public water and sewer, what opportunities. It is something which limits our growth potential.**
- 61. **I'd like to see a Transfer of Development Rights (TDR) policy, where you can get more density in one area in order to conserve more space elsewhere, so you aren't just growing everywhere.**
- 62. **Our town plan currently calls for protecting prime Ag and forest land, but other than asking people to leave that as their open space when they do a PUD (Planned Unit Development), we don't have much recourse for them to work with that, we don't have a way for them to swap with another piece of property, we don't have other options.**
- 63. **Moved to Georgia shore 33 years ago, every one in front of us was all little camps. They were grandfathered in years ago. Now they are all brand new homes now. Very few camps anymore, mostly year round homes on postage-stamp lots. They have to park in the road just to take their groceries into the house. Camp is right on the water and they have no land, no idea where they put their septic system. Some properties have their septic on the other side of the road.**

**SOUTH VILLAGE**

1. Not paying for SV WW - limited benefit for a majority of residents
2. Designation of South Village (State Designation Program)
3. Municipal WS/WW in SV and ex. Town Hall area (listed in Georgia Center topic also)
4. New library & town office in the South Village
5. Focus development in already developed + congested areas (South Village)
6. Transfer of Development Rights for South end and south village
7. Better traffic flow 104A/Rt 7/189
8. Keep Industrial development in South Village
9. Better traffic flow at Rt 7 and 104A intersection (x2 people)
10. Better traffic control around Exit 18
11. Remove the stipulations / change restrictions for the housing along 104A between Route 7 and Georgia[?] Health Center
12. Town NOT pay for sewer that only serves to benefit a very select few but will be a tax burden for everyone
13. Better/SAFER traffic flow BEFORE any new housing or businesses
14. Don't make the South Village a ghetto should be mix
15. Safe walking/bike path or sidewalk along Ballard Rd, Rt 7, in business areas
16. Walkable/bikeable connections[?] of developments in south side
17. Better traffic flow especially at 5pm
18. More traffic control along Exit 18 area
19. Responsible, limited growth in already developed areas (South Village)
20. The ban on first floor housing within the South Village does not make housing more affordable, yet this is a stated goal of the Town Plan.
21. State designation program for south village district (and municipal water and sewer)
22. Concern about development proposals in South Village - developers don't maintain properties, code enforcement issues
23. Wetland areas and flooding in the South Village area - these wet areas could be used as flood water storage or flood mitigation potentially, but we don't know yet, should be careful how we use them, could be used to our advantage
24. Search for potential municipal sewer system locations, need to find what areas might be appropriate, however two potential spots already taken
25. Having the Library and Town Offices located in South Village as part of new development would be nice
26. South Village - why do housing above commercial, it is noisy, you have 104A there
27. Walkable town space, increased business in high density area
28. **Concerned about traffic flow in the 104/Route 7/I-89 corridor** - it gets backed up at certain times of the day, there are no signal systems, trying to get off from 104A onto Route 7 is a problem. Having the bank driveway directly opposite makes it harder.
29. **Just getting off the interstate is a problem.** If you are heading north, you have to sit there for a long time.
30. For it to work **we need to change the interstate offramp from a single lane to two lanes**, people create two lanes. That area needs work, especially if that area is going to grow like our town plan envisions.

31. **There is a transportation study for that area**, but there have been studies for many years, though not much has been done.
32. We are always trying to find solutions for cars, but **we shouldn't forget other modes of transportation such as bicycling and walking**. I run on Route 7 and that can be harrowing. I know several of us who run or jog in the area, but unless we get in our cars there is not really a place for us to run. As we are thinking about changes to improve vehicle travel, we should also **think about bicycles and pedestrians too**. Not just "Complete Streets", but also **thinking about open space and parks were we could have dedicated off-road paths**. This could really help grow the appeal of the town. We have land right now that could be designed for this, get the bikes off the road, connect some of these resources. Would be good to plan for this now before things get built up too much.
33. **I don't know how much there is we can do with Route 7 and 104A being state routes**, state jurisdiction with VTrans, they have the final say in any of those decisions.
34. Regarding costs, **I don't want to be paying for sewer in the South Village**, which is going to be benefitting very few people but potentially costing everyone, even with grants. There has already been pushback where they want to develop more housing, but there is less interest in brick and mortar businesses, when that is the reason we would provide the sewer, so it seems like we are getting pulled two different ways. **I don't want to see my taxes paying for a service like that**. Same with the town center designation - why are we pursuing this **if it only benefits a select few**. I don't want to be paying for someone else's sewer when, if my septic system goes, i'm on the hook for the 30-40k. Vast majority of the town is not going to be able to hookup to it.
35. That's why I say we need to keep our mind on affordability. **If we are talking about water and sewer there, what is the plan for making it support itself?**
36. At the same time, for a reasonable cost, **if we can save more green space by having more density there instead of houses out in the farm areas**, and it becomes more self-sustaining down there, **perhaps with a shared system with Milton**. Then maybe it does make it worthwhile.
37. **Milton has a sewer district**, but it doesn't come up to the Georgia town line.
38. One of the conflicts with the conversation about **South Village and housing, it has been argued that housing affordability could be addressed by providing more smaller units in South Village** with a denser population center. **We don't know if that will prove itself out**.
39. **Wondering about the 70 acres on the other side of South Village**, I know there were plans to try and develop that, but there were issues with the infrastructure that was needed to do it. Is there an update to this?
40. For South Village **do we want more space for businesses, or do we want to move away from more space for businesses, because first floor commercial isn't as viable?** We have discussed getting water and sewer to enable more business there, maybe we need to **pick a lane**. As a community we need to decide. **What is the right proportion of commercial vs residential**. Multistory would be more efficient, but would it actually work.
41. How would this [development plan] work with the **existing traffic problem** which we already have there? **Isn't that going to compound the problem?**
42. Some **discussions with VTrans are needed**, if we had a ramp to go south and another ramp to go north that would take care of quite a bit of that congestion, at least for the interstate.
43. You could control what you had in South Village if there was enough desire for it, **if it is a desirable enough location you can put whatever stipulations on it you want** and they will still come. **The problem is there isn't a lot of desire for businesses to be there**, so you don't have that level of control.
44. And the thought was **with more residential there it would increase the desirability of walkable commercial**, but it becomes the cart before the horse.



45. **There are 2 things missing to draw businesses into the South Village.** A dense **population** base, and public **sewer/water**. The developers get incentives for building where there is sewer and water and that helps them on the financials.

### COMMUNITY RECREATION & ACTIVITIES

1. Senior activities
2. Community events
3. Community organizations
4. Activities for older citizens
5. Community events, engagement
6. Community spaces
7. More recreation programs, for adults as well as kids
8. Community events + spaces/reasons to come together
9. A more central park
10. New Library centered with municipal or small business - similar to Milton or Shelburne
11. Youth group volunteers - for needy citizens, for town projects
12. More community based activities
13. Bring back the Parade!
14. Continue Town Green gatherings
15. Develop Library as multi-age community center with resources, services, supports
16. It is great to welcome residents to town committees and activities
17. Possibility of a trail system around Arrow Lake
18. A park/playground ballfield walkable distance from the big developments in the south end
19. Walking path at the Beach.
20. Additional land purchase for the Beach/Park
21. Additional land + trails for recreation
22. A real town center there/where[?] events would occur for gatherings
23. How about a local newspaper!
24. LOCAL PROJECTS for towns people to work together on
25. Town Beach Recreation Area - a pavilion was gifted to the town, but eventually couldn't be agreed on so offer was eventually withdrawn, problems with design, concern about it blocking view of lake
26. Beach could use a more modern snack bar and better restroom facilities
27. Fall Fest held at recreation area - should encourage more uses and activities like this
28. Recreation area largely used by sports programs but it has many other potential uses and possibilities, it shouldn't be only one thing. No passive recreation opportunities, can't walk dog, fly kite, etc. It is supposed to be a community space. Look to make it more inclusive of the wider community.
29. Recreation area has issues with drainage on fields sometimes
30. See Milton Independent article - Georgia Beach project
31. **It is the school activities [where people socialize], but it ends at each grade. But the community breaks apart when each family follows their kids to where they choose to go to high school. [But] not everyone has school age kids, or kids at all.**

- 32. One of the issues is, **this meeting room here at the Firehouse is one of the biggest community gathering spaces we have** available. To actually have a community event, it becomes an issue.
- 33. I've always felt like there is the School, and then there is the Town. **There is not a lot of universal use of the school facilities.** I have suggested that during the summer when kids are out of school they could move the books from the School library to the town library so they could be used by everyone, but this didn't happen. As a town resident I pay for these amenities but I can't use them, and it is that way with a lot of things. **The school has these facilities and amenities, but as a resident you don't really have access to them.** They have the largest buildings in town, publicly owned, but aren't really accessible. **We aren't taking full advantage of the resources we have.** The school fields could be used for summer sports instead of the Town Beach.
- 34. The town does have a center, owned by the Church, **Georgia Plains Baptist, Jimmy Center. Would it be possible to reach out to them and ask if there are ways to open this up as more of a community center?** I think the church would be open to having more visitors, something for the seniors, something for the youth, **could the town rent space for some of these things?**
- 35. Would like to see a little bit more interaction with the churches. **A lot of churches are underutilized** these days, and would love the interaction. If we could **put it into the plan to recognize these assets** of the community it would help remind everyone they are here and support them more, regardless of individual religion. Should be acknowledged as part of the community.
- 36. I'm involved with the "Bone Builders" group at the Catholic Church twice a week, and have really enjoyed it, for people who have osteoporosis or help building up muscles as you get older. Has been a great social event, **we need more of those types of events or activities** to keep contact with your community members.
- 37. We **had a hard time finding a space large enough**, and we spoke to some other churches who said they **only used their space for our members.** Its great that we have these churches but they may not be willing to always share space with outside groups.... Maybe if the town approached the churches with this idea to ask it might be received better... Some churches have reservations about hosting different things perhaps because of their insurance requirements or something, but **perhaps there is a way to work through that.**
- 38. People ask **why don't we have a parade anymore.** We don't have a parade anymore because no one stepped up to keep it organized and going. Summer activities. **These things happen because someone stepped up to volunteer** to make it happen.

**LOCAL SHOPS AND SERVICES**

- 1. Child care
- 2. Needed businesses in Georgia, including pharmacy and convenient restaurant
- 3. Lack of child care
- 4. A restaurant
- 5. Local places to eat/gather still WITHOUT drive-throughs
- 6. More support for local businesses
- 7. To be able to have drive thru
- 8. Strip mall for food/clothes places for example, dunkin donuts or a pizza place
- 9. Needed businesses: services - pharmacy, take-out restaurant, etc.
- 10. Drive thru coffee shop (x3 people)
- 11. Restaurant - Not a CHAIN
- 12. "HULA" style flexible incubator space, similar to what they are doing in Burlington, potential for South Village, or something similar to Taylor Park in St Albans

13. A **Restaurant**.
14. The Library would have been a great place for a nice **restaurant**.
15. **Pharmacy, Hardware**. All of these things used to be here but they aren't anymore.
16. There is a bunch of stuff in the South Village area, and then there is St. Albans. **So there is half of us who just go north to St. Albans to do [shopping]**. We can get what we need up there...
17. **Restaurants, food, pharmacy, coffee** - these are things that people will still go to locally and is an opportunity to socialize. Also a lot of people are working from home. **It would be good to have some of these places locally** so you don't have to go to the next town to get them. I would rather have these things here in town. Georgia Market is busy.
18. We are **very fortunate to have Georgia Market**. They have reduced hours now but still nice to have.
19. We do not want to lose the one market we have in town.
20. This town plan will go into effect and be valid for about 8 years, so we need to think about the next 8 years or so, but while that is happening we will have new people move to the area and have more demand.
21. **Appropriate scale mixed uses**, like a Georgia-scale version of **Maple Tree Place** where it doesn't feel like big box stores but some of the businesses are complementary to each other and are what the community needs. Physical proximity. **Think about kids and teenagers before they can drive**, what do they need or want, **how do they get there?** What about a **Fieldhouse** or something where kids can go without having to drive down to Essex or a **small movie theater**. Some of that could be supported by the growing population and more density. **Recreation, fitness, entertainment**.
22. It's hard to be a destination town when **there is so much already provided on both sides of us**.
23. What can we offer that they don't already offer. **We are one of the few that has a great beach area**, we could extend it out and link to other beach areas? Between Georgia, St. Albans, Milton - none of us are that big, **we should work together where we can. See what they have and what they don't have, and work together to share resources**. They are already talking about expanding basketball courts, a great indoor space, or an ice hockey rink. Is there a way to get our kids up there without having to drive on Route 7, otherwise kids get isolated.
24. There used to be a **dance company**, they would also do Zoomba there, but **they had to move out after rent got raised**. Same with day care, they had to move out. The economics of this need to be somehow addressed **where we are not forcing out local amenities or services**, it is harder for these small locally-owned operations to compete against larger companies.
25. We had a gym here locally, but that didn't last long. The pizza shop. We had these things but they all left or shut down for whatever reason. **What is preventing these businesses that we want from staying**.
26. We are not a "go-to" location, we are more of a "be-from" location. **Everyone goes to St. Albans or Chittenden**, most people unless you work from home go outside of the town to go to work and then pick up the shopping they need there on the way home. Having Milton and St. Albans on either side of us - **do we want to try and duplicate what they already have because I don't see that as being economically feasible**. We would be in competition with them. **We need to be strategic with our growth** in a way that it doesn't overload our capacity.
27. So much commercial property in St. Albans is empty, **with people buying things online now, people aren't opening businesses**, they are consolidating offices. The plan now has that first floor commercial office space but I don't think it will work, **it will sit empty**.
28. Fairfax is a small community and **they have a really good restaurant and hardware store, post office, grocery stores** etc is a small community but they somehow seem to get all those things.

**TRANSPORTATION & ROADS**

1. The maintenance of existing roads and safety
2. Transportation
3. Sidewalks along Ballard Road
4. Safe bike lanes
5. Walkability
6. Better road maintenance (i.e. should complete paving a road instead of sporadic parts)
7. Consider providing for more environmental responsible transportation i.e. electric car power restoring
8. Transportation
9. More sidewalks
10. Speed limit on Rte 7 35 mph to the highway
11. Road improvement fund to pave some dirt roads
12. Traffic signal needed at Rt 89 intersection (x3 people)
13. Sharp curve sign for Polly Hubbard Rd
14. Widen Road along Georgia Shore or put in a bike path
15. What % of the budget will be allocated to our road maintenance
16. Build the sidewalks that have been in the town plan for years. (Ballard Rd, Rte 7) It's probably the cheapest thing we could do to increase activity in the town.
17. Should keep the local road names tied to actual local history, not just made up
18. *Because some of the farms are going out of business, but their fields are still available, **you have farm equipment which travels very long distances** to go serve other fields and then has to travel back to where it is needed next, we end up with **large tractors needing to be on the roads which adds to our transportation issues**. Can get stuck behind a tractor at all different hours of the day. **It adds to the congestion and wear and tear on the roads.***
19. **It is important to coordinate with adjacent town and municipalities** with some of these goals, such as coordinating the north end of town with St. Albans **in terms of roadway and pedestrian infrastructure**. The south end of town with Milton. Would be good to customize or coordinate infrastructure with these other communities. St Albans Bay area with the Georgia north shore area. Would be helpful if there was better collaboration.
20. **The town is bringing sidewalks out to about a ¼ mile from where Georgia town line starts, so there is going to be a gap.**
21. **[W]e need better connections up [to St. Albans] to get to it.** Route 7 is basically a highway now, which i'm not excited about, but if we could **think about improved connections there like biking paths or something** that would be good.

**HOUSING**

1. Affordability for our fixed income residents
2. Affordable housing - rebirth of smaller housing developments
3. Housing - need more services in town before expanding low income housing
4. Housing in general needs restructuring - landlords need control over tenant behavior
5. Housing
6. Easier Accessory Dwelling Unit approval/regs.

7. A tool for affordable housing
8. Landlords who rent out rooms or apartments are often victimized by tenants. In frustration they refuse to rent again. With housing at such a premium, we NEED more places for people to rent.
9. Land along Mill River Road - need this for housing, would like to see more flexibility w/ subdivision regs, currently is 5 acre zone now
10. People can no longer afford the taxes in many communities, people who have lived here for generations often can't afford to stay
11. **But that is a problem we have with the cost of housing right now.** Rental units are practically non-existent.
12. **Short-term rentals are also causing some complaints, at least out by the lake,** where the guests are sometimes being a nuisance to adjacent property owners. How do we deal with that as a town?
13. **There are a few [short-term rental complaints],** we are hearing from property owners that they are concerned.
14. **In Georgia, there are few places that are full year-round short-term rental properties. This is more of a summer season issue,** which is the time when short-term rentals here are more popular. As was stated you have a few camps along the water, those are more likely to be rented out as a short term rental, and they have conflicts with the houses near them. That is really more of the issue here, **it's not really a loss of housing stock.** A lot of **communities experience a loss of housing stock from the popularity of short-term rentals, but that is not really what we are experiencing here.** It's mostly summer residences on the lake being rented out.
15. **We should take a good look at how Accessory Dwelling Units (ADU's) can be utilized to improve housing** costs in this area. This is being done at a state-wide level as well.
16. My concern is some of the **big apartment complexes that people have talked about** putting up in town. **Concerned how that would affect our town,** how it would impact our schools, the demographics of the people who would come. In St. Albans I watch how the people with vouchers go from apartment complex to apartment complex because they are kicked out, going from Swanton to Albert to Richford to St. Albans to Milton and bringing their kids to each school along the way, which impacts the schools. Everyone needs housing but **we need to be cautious how that affects us.**
17. I am **curious what the demographics are here in town right now,** how many seniors we have vs. younger families, etc. The seniors won't be around forever, and when they are gone their houses would be open for younger families to live in. **If we put too many houses in now, will we really need them?**
18. **Would like to see more senior housing,** since most of us would want to still live in the town, but wouldn't want to take care of a large house. That would open the older house for the next generation to have it, but we wouldn't have to move to the Carolinas or Florida. **A senior community, one floor....2 bedroom ranches...**Not a lot of condos, **I don't want to live in a condo.**
19. **Senior housing** mixes great with local businesses in a mixed use environment.
20. A lot of that was **not actual data, it was more an impression** that people had that **people were moving in from out of state [during Covid],** but where were they moving to? **We don't have a lot of real estate in Georgia to buy, unless someone moves out,** and people weren't moving out during the pandemic.

**GOVERNMENT FUNCTION & COMMUNICATION**

- 1. A better way to alert the public about Town information “A Sign Board”
- 2. There have been rumors about new town hall new town library etc. What is the succession plan(?) on old building if this is true, Ex. Town garage old and new
- 3. The present form of taxation is not working
- 4. Limitations on local gov’t positions
- 5. Creating a town that is one town, and not parts of another (Fairfax, Milton and St Albans)
- 6. Our own Post Office
- 7. An increase of social media coverage of what is happening with the Town
- 8. A more diverse selectboard (x2)
- 9. A revaluation of a noise ordinance policy (x2)
- 10. Better community communications
- 11. Adding a Town Manager that way the Selectboard could spend time forward thinking!
- 12. Conduct Quarterly “listening” meetings like this to increase resident participation and trust
- 13. Town government changes: A qualified Town manager
- 14. *At the end of the day, **all of our suggestions are going to involve costs to the municipality, so we should be mindful of affordability** of these ideas.*
- 15. *We are **already asking way too much of the part time volunteers of the local boards and selectboard**. Another question is **do we have the stomach for more community engagement committees**, handled by the selectboard, to find other volunteers needed to get some of these things done in the community. **Special task force committees, transportation, housing, energy, trails etc.** Need more volunteerism.*
- 16. *Many would agree **it is harder to learn what is going on in town**, unless you have kids in the school system, **how do you get involved in things, learn what is going on.***
- 17. *One of the comments on the boards was about **having more community events to get involved in**, a group effort day, we do very well with Green Up Day, recently an issue was brought up about the Veterans Cemetery lacking maintenance and all of the sudden there was a crowd that went up and took care of it. **The community could do more of this.***

**POLICE & ENFORCEMENT**

- 1. Safety, lack of police presence
- 2. Lack of effective law enforcement
- 3. Constant 4-wheeler races on Georgia roads
- 4. Loud trucks doing burnouts on residential roads
- 5. Police presence (more needed)
- 6. More safety
- 7. Strong law enforcement presence
- 8. Enforce laws w/ 4-wheelers racing on roads, truck burnouts, trespassing
- 9. Better law enforcement coverage
- 10. Better law enforcement and first responder coverage
- 11. Better contracted police services. NO Police force!
- 12. Enforcement of speed limits

13. Better law enforcement/first responder coverage

**PRESERVATION OF OPEN SPACE & RESOURCES**

1. Preserving natural areas
2. Preserve landscape farmland open space
3. Need to preserve the environmental sustainability of landscape and Lake Champlain
4. Air & Water Quality
5. More responsible oversight of lakeshore protection and improved stormwater infiltration on town owned property - roadsides, Town Beach
6. Open space
7. Lake quality
8. Overall water quality protection should be incorporated into town plan
9. Want to protect the viewshed looking west across town over lake, but we need to catalog what the viewshed is first. Property on one side of Ethan Allen height capped to protect view
10. *It would be nice to have the town plan **address the lake and water quality**. It is a **huge asset to the town**, people are buying \$400-600k camps, would be nice to keep the water nice. Even though that topic is a statewide issue, it would be good for us to address it also, and I don't think the town really does that much right now on this issue.*
11. *This is a planning issue, like when you have a couple of fallow fields there that got turned into developments, they have no sewer there. **So you have a field where there are now 12 new septic systems right on the lake**, does the town have a say in how that is developed. It would be nice to give that more thought.*
12. **Having the town address this [water quality] issue is a good way to open potential funding opportunities, which can leverage grants.**

**GEORGIA CENTER**

1. Municipal WS/WW in SV and ex. Town Hall area (duplicated)
2. More development in Center, less in village
3. Historical signage on the Town Common
4. Georgia Center should be made the 'Center' of Georgia
5. Geo Center - Need to consider alternatives to stormwater management that is responsible for excessive sediment loading in ditches on Town Common
6. Develop more in Center
7. Georgia Center - should be more concentrated

**SCHOOLS**

1. Quality of education
2. Return of quality education at GEMS
3. *We can't get access to school property because **the school is maxed out**. We are one of the few growing school districts in the state, which is fortunate, but **we are also bursting at the seams**.*

Basketball practice goes until 8 or 9 at night because they have to stack the different teams. St Albans has gone through some expansions, but there is only so much money to go around. **We should take a look at what we have as a community, and what other communities have as a whole.** Some of what we have is underutilized. We can't afford another pool, but we have one nearby in St. Albans. **Should take an inventory of all these things and coordinate, join them so these become shared resources** and we aren't building something new which is already provided next door.

- 4. **We do tend to lose a lot of families when their kids get to high school,** they move out to follow the school, many to Essex.
- 5. One of the things that makes Fairfax unique is **they have a K-12 school system, when families settle there they stay.** Our kids either go to St. Albans or Essex or Milton, Fairfax and it splits everything.
- 6. It's not even the school system, **it is the extracurricular activities that pulls people away.** Our neighbors had high schoolers which were involved 5 days a week in different after school activities, so they were away more than they were home. Why stay here, might as well move to where their activities are. Love the fact that **we have school choice, but it comes with a drawback.**

**CELLULAR / INTERNET SERVICE**

- 1. Cell phone coverage
- 2. Increase cell phone coverage.
- 3. **Concerned about quality and consistency of cellular coverage,** from a connectivity standpoint, connectivity with future technology, commuting families. Route 7 could benefit from better cell coverage.
- 4. **Not good [broadband internet] coverage,** there are still a lot of places that don't have it.
- 5. Broadband is a very popular topic right now and there are a lot of people working on it, but **people seem to have forgotten that we still need to be able to use our phones.**
- 6. Depends if you already have broadband or not. Some of the new cellular service with 5G is better. **One or the other needs to come in with better coverage.**

**TOWN WIDE SURVEY**

- 1. Since you will be putting out a survey, many of us work from home, **I would like to understand how much of the population here works from home now,** and how often? A lot has changed in the past few years.
- 2. **How can we incentivize the community to respond to the community survey?** Have you had success in getting good feedback?
- 3. **What about a partnership with the school** to help distribute the survey?
- 4. We sometimes **make the mistake of assuming 100% of the people want to respond,** when in reality the 35% who respond may be everyone, while the rest of the population believes that their elected and appointed government representatives will just make the correct decisions for them.
- 5. Perhaps in the survey **a question about the willingness of the community to invest in itself,** take on more responsibility. For example, **the state would be happy to give up responsibility of Route 7,** even just from Milton town line to Interstate. The town does not have the stomach for taking that over, however it would open up a lot of possibilities for planning and redesign of that corridor,



sidewalks, speed limits, etc. **We would gain control of it, however we would have to pay for it.**  
This is an important question if we want to see something change there.

- 6. May be useful to inquire about **how long each resident has lived here for**, and where they moved from.

**ENERGY & SUSTAINABILITY**

- 1. Green Energy!
- 2. More focus on climate change & support for green energy
- 3. **We need to put more thought into the Energy portion of our town plan.** All of these towns are going to be going through a huge energy transition over the next 10-20 years, I don't think we have put enough thought into it as we probably need to. Also not sure if our current plan meets state standards with regard to energy. **Need to address energy use, as well as supply.**
- 4. **Solar “farm” development is happening in the area**, although it isn't happening in a negative way, people don't really have concerns about it, but **we want to do it in a planned way to provide some guidance.** Although the state has the final say in these matters, if towns have an adopted plan with the right energy strategies, they have more say than if they don't.
- 5. **I think we do need to have demand-side [energy] reductions**, weatherization of town buildings as well as individual buildings. The automotive side will probably happen independently of us, but we can start thinking of what we want to have happen when some of the gas stations begin to close.

**EQUITY & DIVERSITY**

- 1. Plan should have some focus on Equity
- 2. Promote Universal Accessibility
- 3. Our **town plan needs to address equity** one way or another. Either say that we are very equitable and that is great, or aspire to be more equitable. **Should either affirm or aspire**, in terms of inclusion and diversity, etc. That plays a role in affordability and transportation and many issues. Northwest Regional Plan addresses equity in each of their chapters and could be used as a model.

**CODE ENFORCEMENT**

- 1. Holding businesses accountable for property maintenance (i.e. Dollar General)
- 2. Seeing the Town take care of its properties/maintain them. Keep the historical presence
- 3. That works both ways, **as a property owner I have a hard time getting contractors nowadays to do normal repairs**, a developer with many properties probably has same difficulty getting maintenance done. Been waiting on one guy for 3 years.

**OTHER / UNCLASSIFIED?**

- 1. A plan to increase tourism and agri-tourism
- 2. Don't like some of the new stuff being developed down in Williston - large buildings chopped up into different color blocks, it should blend into the surroundings
- 3. Looking at statistics and demographic data - Franklin County data is not always a good measure of local conditions in Georgia, Chittenden County is a closer comparison



**Statutory Authorization:** 24 V.S.A., §4412(4) / **Type:** REGULATORY

Section 3. Item #B.

**Related Topic Areas:** Community & Economic Development; Design Review; Land Use & Development Regulations; Open Space & Resource Protection Programs; Open Space & Resource Protection Regulations; Transportation Demand Management; Zoning Regulations

# Impact Fees

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## Overview

When a community is growing—especially when it’s growing rapidly—public facilities and services are often operating at or near capacity. In this situation, the community faces the challenge of servicing new development without degrading the services it provides to existing residents and businesses. Meeting this challenge may require the construction of new facilities, such as schools and parks, or the purchase of additional equipment, including fire trucks and road equipment. These types of capital investments are usually financed directly from local tax revenues, or by a bond or other loan obligation that’s paid off with tax revenues. When this happens, all taxpayers in the community carry the burden of financing a new facility, even though it’s needed only to accommodate new growth and development. It can be argued that this represents an unfair burden to existing residents and taxpayers.

The use of impact fees is one way of mitigating at least a part of this burden. An impact fee is a fee levied on new development to help mitigate its fiscal impacts on the community. Under state law (24 V.S.A., §§5200, et.



**Fast-growing municipalities can require that new development share in the cost of constructing parks, roads, and other public facilities. Impact fees may only be used for capital investments that will accommodate new growth and cannot be used to cover operations and maintenance costs.**

seq.), the purpose of authorizing impact fees is “to enable municipalities to require the beneficiaries of new development to pay their proportionate share of the cost of municipal and school capital projects which benefit them and to require them to pay for or mitigate the negative effects of construction.”

## Application

A municipality is authorized to enact an impact fee ordinance and levy fees if:

- It has an adopted municipal plan in effect that has been approved by the regional planning commission.
- Its planning process has been confirmed by the regional planning commission in accordance with Chapter 117 (§4350).
- It has an adopted capital budget and program in effect. (See topic paper,

Capital Improvement Program.)

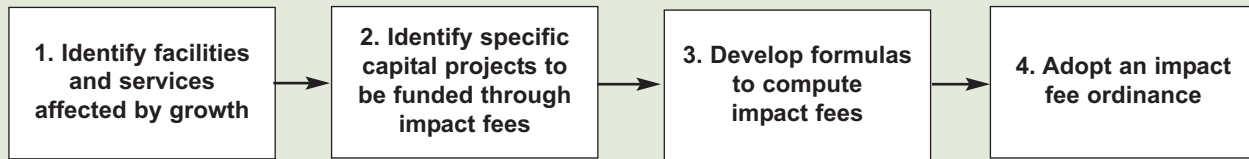
Impact fees are especially useful in municipalities experiencing significant new development that stresses their ability to provide adequate facilities and services. Smaller, rural communities may not have enough growth, capital needs, or capacity constraints to justify the use of impact fees. A municipality with a declining population or employment base may also find it difficult to levy fees; if excess capacity exists, impact fees may not be legally justified and could discourage new development.

It’s also important to remember that, while additional staff may be needed to manage new or expanded facilities, impact fee revenues cannot be used to cover operation and maintenance costs, including staff salaries. Impact fee revenues must be used only for capital projects.

**Warning about School Impact Fees**

Despite the common practice of adopting school impact fees, there is concern that municipalities are no longer authorized to levy impact fees for school construction projects. At the time of this publication, Act 68, Vermont’s education funding law, appears to restrict a municipality’s ability to impose impact fees for schools. Contact your town attorney for guidance.

### Steps for Developing Impact Fees



**1. Identify Facilities.** Development of an impact fee program begins with the identification of municipal services that are being stressed by continuous growth. Any services that require capital facility improvements or expansions to maintain acceptable levels and qualities of service are candidates for funding through impact fees. Possible examples include the need for additional

park space, school buildings, road capacity, or transit facilities to sustain existing levels of service for more users.

**2. Identify Capital Projects.** The second step is to identify those capital projects needed to provide and maintain desired levels of service as anticipated growth occurs. Ideally, these will be capital projects that are included in the municipal-

ity's capital budget and program. Capital projects that are needed, solely or in part, to support anticipated development are candidates for impact fees. This is an important distinction. Impact fees cannot be used to cover operation or maintenance costs, nor to address existing deficiencies—for example, to replace or renovate facilities that serve the existing population. Only

### Steps for Developing Formulas

**1. Calculate the capital cost per unit of capacity.** For example, cost is usually calculated in the form of the cost per person served or per peak hour trip, and so on. Each service will require its own analysis to determine associated costs, units of capacity, and the total capacity of a particular project. The cost of a capital project often can be taken directly from the capital budget and program. It's necessary, however, to consider only the municipality's cost: contributions from outside sources such as state and federal grants must be deducted. If the project is to be financed by a bond or loan, the interest on the bond or loan should be included in the project cost. Ultimately, the formula should be based on the total municipal cost of the capital project.

Typically, the level of service or capacity is specified as part of the project design, such as a school for 200 students or a library for 5,000 residents. In other cases, there are commonly used service level standards, such as five acres of devel-

oped recreation land per 1,000 persons or two tennis courts per 1,000 persons. In a few cases, more information may be needed. For example, a fairly detailed traffic study may be required to determine the total volume of traffic that can be accommodated by a community's roadway system during afternoon rush hours.

**2. Link units of development to the demand for services being analyzed.** For services intended for local residents, such as recreation facilities and libraries, development is usually measured in dwelling units, sometimes differentiated by type (single family, multiple family) or size (number of bedrooms). The relevant ratios are the number of persons—for example, the number of school-age children—per dwelling unit. For non-residential development, ratios often relate demand to floor area, such as 1,000 square feet of floor space.

**3. Multiply the capital cost per unit of capacity by the demand per unit of development.** For instance, the basic impact fee on a dwelling unit for recreation facilities would be the cost

of needed recreation facilities per person, multiplied by the number of persons per dwelling unit. The basic transportation impact fee for each 1,000 square feet of nonresidential floor area could be calculated as the cost per afternoon peak hour trip multiplied by the number of afternoon peak hour trips generated by each 1,000 square feet of new floor space.

**4. Estimate the credits against the impact fee to offset any double payments.** For example, a residential development that provides land for a park or school should be credited for that capital investment. Similarly, a nonresidential development that constructs needed road improvements should be credited. A more complicated, but common, situation exists when the municipality's annual expenditures for capital facilities exceed impact fee revenues, and the balance is paid from general tax revenues. When this happens, tax revenues are generated from properties for which impact fees also have been paid, resulting in double payments. In these situations, credits are used to offset other taxes or fees paid by the developer.

capital projects that add to existing capacity—through the purchase of additional land or equipment, the expansion of an existing facility, or the construction of a new facility—may be funded through impact fees.

**3. Develop Formulas.** The next required step is to establish a formula that sets the fees (§5203[b]). The formula must carefully link the capital costs of new facility capacity to the demand for that capacity generated by each “unit” of new development. This creates the “rational nexus” that serves as the logical and legal foundation for levying impact fees. Studies are usually needed to develop and document impact fee formulae and to support adopted fee schedules. These studies often rely on available information, including U.S. Census data, but in some cases require more specific community or facility research and analyses. See previous page for steps in developing a formula.

**4. Adopt Impact Fee Regulations.** The formulae and procedures for levying impact fees may be adopted as an ordinance (under 24 V.S.A.

Chapter 59) or as part of a bylaw (under Chapter 117). Chapter 117 requires impact fees to be levied as a condition of the issuance of a zoning permit or subdivision approval—though fees may be collected prior to the issuance of permits and approvals, along with other application fees. The municipality must maintain a record of the source and amount of each fee collected and the capital project(s) that were funded with the fee.

The municipality is also required to provide an annual accounting of its impact fee revenues. Under state law, impact fee revenues must be expended for designated capital projects within six years of the date they are collected, or be refunded at the request of the property owner. If a project costs less than the fees collected, the unexpended portion must be refunded to property owners within one year of the date that construction is completed.

Vermont’s impact fee statute allows municipalities to accept off-site mitigation in lieu of an impact fee or as compensation for impacts to impor-

tant land (for example, wildlife habitat) and also to waive all or part of impact fees levied on developments that fulfill clearly stated municipal plan objectives. The waiver provision, for example, allows communities to waive impact fees as an incentive for qualifying affordable housing projects.

### Acceptable Standards

24 V.S.A. §5203(a)(2)

Chapter 117 requires that levels of service be determined from existing levels of service, accepted state or federal standards, or a standard adopted as part of the municipal plan or capital budget. for guidance.

The Vermont Department of Education can provide assistance on questions of school capacity, and the State Department of Libraries has many references on library design. National standards or services levels, such as recreation service levels published by the National Recreation and Park Association, are intended only for general guidance, and must be adjusted to reflect local needs.



# Town of Georgia Impact Fee Ordinance

Approved 11 November 2019

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**1 Section One: Legislative Findings**

- 1.1.1 The Selectboard of the Town of Georgia finds, determines and declares that:
  - 1.1.1.1 The Town must expand its capital projects in each of six cost centers: Fire and Public Safety, Road Department, General Government and Administration, Library, Parks and Recreation Department, and the Town School District in order to maintain the current services standards for each cost center if new development is to be accommodated without decreasing the current service standards for each cost center. This must be done in order to promote and protect the public health, safety and welfare;
  - 1.1.1.2 The imposition of impact fees is one of the preferred methods ensuring that development bears a proportionate share of the cost of capital facilities necessary to accommodate such development. This must be done in order to promote and protect the public health, safety and welfare;
  - 1.1.1.3 Each of the types of land development described in Section Seven hereof will create demand for the acquisition of equipment, the expansion of related capital facilities and the construction of capital facilities for each of the cost centers;
  - 1.1.1.4 The fees established by Section Seven are derived from, are based upon, and do not exceed the costs of providing the proportionate share of the cost of equipment, the expansion of related facilities and the construction of additional capital projects necessitated by the new land developments for which the fees are levied;
  - 1.1.1.5 The report entitled, "Capital Program & Budget 2019-2024", dated October 14, 2019, sets forth a reasonable methodology and analyses for the determination of the impact of new development on the need for and costs of additional equipment and facilities for each of the cost centers in the Town.

**2 Section Two: Short Title, Authority and Applicability**

- 2.1.1 This ordinance shall be known and may be cited as the "Town of Georgia Impact Fee Ordinance."
- 2.1.2 This ordinance is enacted pursuant to the specific authority granted municipalities to establish impact fees contained in 24 V.S.A. Chapters 117 and 131, and the authority granted to municipalities to enact ordinances in 24 V.S.A. Chapter 59. This ordinance is designated as a civil ordinance under 24 V.S.A. § 1971(b).

**3 Section Three: Intents and Purposes**

- 3.1.1 This ordinance is intended to assist in the implementation of the "Town of Georgia: Town Plan" and the "Town of Georgia: Capital Budget and Program 2013-2018" and the "Georgia School Five-Year Spending Plan for Impact Fees."
- 3.1.2 It is the intent of this chapter to enable municipalities to require the beneficiaries of new development to pay their proportionate share of the cost of municipal and school capital projects which benefit them and to require them to pay for or mitigate the negative effects of construction." 24 V.S.A. § 5200.

**4 Section Five: Definitions**



- 4.1.1 "Capital Project" means any physical betterment or improvement including furnishings, machinery, apparatus or equipment for such physical betterment or improvement; any preliminary studies and surveys relating to any physical betterment or improvement; land or rights in land; or any combination of these." 24 V.S.A. § 5201(2).
- 4.1.2 A "Dwelling Unit (DU)" is any structure utilized for or designed for or intended to be utilized for human habitation whether seasonal or year-round, including lodging establishments, nursing homes, residential lodging and tourist homes as those terms are defined or applied in the Town Zoning Bylaws and Subdivisions Regulations or as those terms are used and commonly applied in practice in the Town.
- 4.1.3 A "Feepayer" is a person applying for the issuance of a Municipal Land Use Permit
- 4.1.4 "Impact Fee" means a fee levied as a condition of issuance of a zoning or subdivision permit which will be used to cover any portion of these costs of an existing or planned capital project that will benefit or it attributable to the users of the development or to compensate the Town for any expenses it incurs as a result of construction. The fee may be levied for recoupment of costs for previously expended capital outlay for a capital project that will benefit the users of the development.
- 4.1.5 "Mission Specific Equipment" is equipment necessary to the ability of each of the cost centers to provide those public services for which they are responsible including, but not limited to: "Fire Protection" meaning the prevention and extinguishment of fire, the protection of life and property from fire, and the enforcement of town, county and state fire codes; "Rescue" meaning what commonly is called "rescue", a service which generally includes the provision of basic life support, and the extrication of accident victims from entrapment; the meaning shall extend to support assistance in service in other agencies or authorities engaged in "rescue", but excludes maintenance and operations; "Road Equipment" meaning the acquisition of equipment including, but not limited to: equipment for plowing roads; equipment for sanding roads; equipment for grading roads; equipment for maintaining ditches, culverts, and drainage facilities; equipment for mowing; and equipment for maintaining easements, medians, shoulders, curbing and rights-of-way, but excludes maintenance and operations; "General Government Equipment" meaning, computers and related equipment and software; copiers, ledgers, binding and storage for municipal records, and other necessary office equipment, but excludes maintenance and operations; "Educational Equipment" meaning furnishing, fixtures, computers, related computer equipment, software, tele-communications equipment, audio and visual assistance equipment, copiers and other office equipment but excludes maintenance and operations; "Library Equipment" meaning books in the traditional form as bound 'volumes', and in modern terms as provided for by a variety of media such as auditory books, microfilm, and audio-visual tape media, and the equipment necessary to store, retrieve and 'read' books in any form, but excludes maintenance and operations; "Park and Recreation Equipment" meaning docks, shelters, athletic fields, beaches, picnic facilities, bike paths, playground equipment, and equipment required for maintaining park and recreation facilities and equipment, but excludes maintenance and operations.
- 4.1.6 "Municipal Land Use Permit" means a zoning, subdivision, site plan, or building permit or approval, any of which relate to land development that has received final approval from the applicable board, commission, or officer of the Town; final official minutes of a meeting that relate to a permit or approval described in this section that serve as the sole evidence of that permit or approval; and a certificate of occupancy, certificate of compliance, or similar certificate that relates to the permits or approvals described this section.

4.1.7 A "Seasonal Dwelling Unit" is any structure, as defined in Section S(C) above, which is not occupied for more than seven (7) months in a calendar year.

**5 Section Six: Imposition of impact Fees**

- 5.1.1 Any person who, after the effective date of this Ordinance, seeks to develop land within the Town by applying for: a Municipal Land Use Permit; or an improvement to land or building which may reasonably be expected to increase the demand for the public services provided by the cost centers is hereby required to pay impact fees for each cost center in the manner and amount set forth in this ordinance.
- 5.1.2 No new Municipal Land Use Permit for any activity requiring payment of an impact fee pursuant to Section Seven of this ordinance shall be issued unless and until all impact fees hereby required have been paid.
- 5.1.3 No extension of a Municipal Land Use Permit issued prior to the effective date of this ordinance for any activity requiring payment of an impact fee pursuant to Section Seven of this ordinance shall be granted unless and until all impact fees hereby required have been paid.

**6 Section Seven: Computation of the Amount of the Impact Fee for Each of the Cost Centers**

6.1.1 The amount of the impact fee for each cost center shall be determined by the following fee schedule.

**6.2 FEE SCHEDULE YEAR-ROUND DWELLING UNITS**

LAND USE TYPE (UNIT)	RATE	TOTAL FEE
<b>RESIDENTIAL PER DWELLING UNIT</b>		
<b>FIRE AND PUBLIC SAFETY</b>		
SINGLE FAMILY DWELLING	\$ 1,735.00	\$ 1,735.00
MULTI-FAMILY DWELLING	\$ 1,735.00	\$ 1,735.00 *#DUs
MOBILE HOME DWELLING	\$ 1,735.00	\$ 1,735.00
<b>COHABITATIONAL AND</b>		
<b>INSTITUTIONAL DWELLINGS</b>		
(NURSING HOME, YOUTH HOME, ETC.)	\$ 473.65	\$ 473.65 *ZAO
<b>TOURIST DWELLING (GUEST HOMES,</b>		
<b>BED &amp; BREAKFAST, ETC.)</b>	<b>\$ 473.65</b>	<b>\$ 473.65 *ZAO</b>
<b>RESIDENTIAL PER DWELLING UNIT</b>		
<b>ROAD DEPARTMENT</b>		
SINGLE FAMILY DWELLING	\$ 495.00	\$ 495.00
MULTI-FAMILY DWELLING	\$ 495.00	\$ 495.00 *#DUs
MOBILE HOME DWELLING	\$ 495.00	\$ 495.00
<b>COHABITATIONAL AND</b>		
<b>INSTITUTIONAL DWELLINGS</b>		
(NURSING HOME, YOUTH HOME, ETC.)	\$ 135.13	\$ 135.13 *ZAO
<b>TOURIST DWELLING (GUEST HOMES,</b>		
<b>BED &amp; BREAKFAST, ETC.)</b>	<b>\$ 135.13</b>	<b>\$ 135.13 *ZAO</b>

LAND USE TYPE (UNIT)	RATE	TOTAL FEE
<b>RESIDENTIAL PER DWELLING UNIT</b>		
<b>PUBLIC ADMINISTRATION AND GENERAL GOVERNMENT FACILITIES</b>		
RESIDENTIAL PER DWELLING UNIT		
SINGLE FAMILY DWELLING	\$ 670.00	\$ 670.00
MULTI-FAMILY DWELLING	\$ 670.00	\$ 670.00 *#DUs
MOBILE HOME DWELLING	\$ 670.00	\$ 670.00
COHABITATIONAL AND		
INSTITUTIONAL DWELLINGS		
(NURSING HOME, YOUTH HOME, ETC.)	\$ 182.91	\$ 182.91 *ZAO
TOURIST DWELLING (GUEST HOMES, BED & BREAKFAST, ETC.)		
	\$ 182.91	\$ 182.91 *ZAO
<b>RESIDENTIAL PER DWELLING UNIT</b>		
<b>LIBRARY</b>		
SINGLE FAMILY DWELLING	\$ 85.00	\$ 85.00
MULTI-FAMILY DWELLING	\$ 85.00	\$ 85.00 *#DUs
MOBILE HOME DWELLING	\$ 85.00	\$ 85.00
COHABITATIONAL AND		
INSTITUTIONAL DWELLINGS		
(NURSING HOME, YOUTH HOME, ETC.)	\$ 23.20	\$ 23.20 *ZAO
TOURIST DWELLING (GUEST HOMES, BED & BREAKFAST, ETC.)		
	\$ 23.20	\$ 23.20 *ZAO
<b>RESIDENTIAL PER DWELLING UNIT</b>		
<b>PARKS AND RECREATION</b>		
SINGLE FAMILY DWELLING	\$ 340.00	\$ 340.00
MULTI-FAMILY DWELLING	\$ 340.00	\$ 340.00 *#DUs
MOBILE HOME DWELLING	\$ 340.00	\$ 340.00
COHABITATIONAL AND		
INSTITUTIONAL DWELLINGS		
(NURSING HOME, YOUTH HOME, ETC.)	\$ 92.82	\$ 92.82 *ZAO
TOURIST DWELLING (GUEST HOMES, BED & BREAKFAST, ETC.)		
	\$ 92.82	\$ 92.82 *ZAO
<b>RESIDENTIAL PER DWELLING UNIT</b>		
<b>FIRST RESPONSE</b>		
SINGLE FAMILY DWELLING	\$ 10.00	\$ 10.00
MULTI-FAMILY DWELLING	\$ 10.00	\$ 10.00 *#DUs
MOBILE HOME DWELLING	\$ 10.00	\$ 10.00
COHABITATIONAL AND		
INSTITUTIONAL DWELLINGS		
(NURSING HOME, YOUTH HOME, ETC.)	\$ 2.73	\$ 2.73 *ZAO
TOURIST DWELLING (GUEST HOMES, BED & BREAKFAST, ETC.)		
	\$ 2.73	\$ 2.73 *ZAO

LAND USE TYPE (UNIT)	RATE	TOTAL FEE
RESIDENTIAL PER DWELLING UNIT		
<b>EDUCATION</b>		
SINGLE FAMILY DWELLING	\$1,165.00	\$1,165.00
MULTI-FAMILY DWELLING	\$1,165.00	\$1,165.00 *#DUs
MOBILE HOME DWELLING	\$1,165.00	\$1,165.00
COHABITATIONAL AND		
INSTITUTIONAL DWELLINGS (YOUTH HOME, ETC.)	\$ 318.04	\$ 318.04*ZAO
TOURIST DWELLING (GUEST HOMES, BED & BREAKFAST, ETC.)		
	\$ 318.04	\$ 318.04 *ZAO
(NURSING HOME, YOUTH HOME, ETC.)	\$ 86.54	\$ 86.54 *ZAO

**6.3 FEE SCHEDULE SEASONAL DWELLING UNITS**

LAND USE TYPE (UNIT)	RATE	TOTAL FEE
RESIDENTIAL PER DWELLING UNIT		
<b>FIRE AND PUBLIC SAFETY</b>		
SINGLE FAMILY DWELLING	\$ 863.00	\$ 863.00
MULTI-FAMILY DWELLING	\$ 863.00	\$ 863.00 *#DUs
MOBILE HOME DWELLING	\$ 863.00	\$ 863.00
COHABITATIONAL AND		
INSTITUTIONAL DWELLINGS (NURSING HOME, YOUTH HOME, ETC.)	\$ 235.59	\$ 235.59 *ZAO
TOURIST DWELLING (GUEST HOMES, BED & BREAKFAST, ETC.)		
	\$ 235.59	\$ 235.59 *ZAO
RESIDENTIAL PER DWELLING UNIT		
<b>ROAD DEPARTMENT</b>		
SINGLE FAMILY DWELLING	\$ 317.00	\$ 317.00
MULTI-FAMILY DWELLING	\$ 317.00	\$ 317.00 *#DUs
MOBILE HOME DWELLING	\$ 317.00	\$ 317.00
COHABITATIONAL AND		
INSTITUTIONAL DWELLINGS (NURSING HOME, YOUTH HOME, ETC.)	\$ 86.54	\$ 86.54 *ZAO
TOURIST DWELLING (GUEST HOMES, BED & BREAKFAST, ETC.)		
	\$ 86.54	\$ 86.54 *ZAO
RESIDENTIAL PER DWELLING UNIT		
<b>PUBLIC ADMINISTRATION AND GENERAL GOVERNMENT FACILITIES</b>		
RESIDENTIAL PER DWELLING UNIT		
SINGLE FAMILY DWELLING	\$ 670.00	\$ 670.00
MULTI-FAMILY DWELLING	\$ 670.00	\$ 670.00 *#DUs
MOBILE HOME DWELLING	\$ 670.00	\$ 670.00
COHABITATIONAL AND		
INSTITUTIONAL DWELLINGS		

LAND USE TYPE (UNIT)	RATE	TOTAL FEE
(NURSING HOME, YOUTH HOME, ETC.)	\$ 182.91	\$ 182.91*ZAO
TOURIST DWELLING (GUEST HOMES, BED & BREAKFAST, ETC.)	\$ 182.91	\$ 182.91*ZAO
<b>RESIDENTIAL PER DWELLING UNIT</b>		
<b>LIBRARY</b>		
SINGLE FAMILY DWELLING	\$ 85.00	\$ 85.00
MULTI-FAMILY DWELLING	\$ 85.00	\$ 85.00 *#DUs
MOBILE HOME DWELLING	\$ 85.00	\$ 85.00
<b>COHABITATIONAL AND</b>		
<b>INSTITUTIONAL DWELLINGS</b>		
(NURSING HOME, YOUTH HOME, ETC.)	\$ 23.20	\$ 23.20 *ZAO
TOURIST DWELLING (GUEST HOMES, BED & BREAKFAST, ETC.)	\$ 23.20	\$ 23.20 *ZAO
<b>RESIDENTIAL PER DWELLING UNIT</b>		
<b>PARKS AND RECREATION</b>		
SINGLE FAMILY DWELLING	\$ 340.00	\$ 340.00
MULTI-FAMILY DWELLING	\$ 340.00	\$ 340.00 *#DUs
MOBILE HOME DWELLING	\$ 340.00	\$ 340.00
<b>COHABITATIONAL AND</b>		
<b>INSTITUTIONAL DWELLINGS</b>		
(NURSING HOME, YOUTH HOME, ETC.)	\$ 92.82	\$ 92.82 *ZAO
TOURIST DWELLING (GUEST HOMES, BED & BREAKFAST, ETC.)	\$ 92.82	\$ 92.82 *ZAO
<b>RESIDENTIAL PER DWELLING UNIT</b>		
<b>FIRST RESPONSE</b>		
SINGLE FAMILY DWELLING	\$ 10.00	\$ 10.00
MULTI-FAMILY DWELLING	\$ 10.00	\$ 10.00 *#DUs
MOBILE HOME DWELLING	\$ 10.00	\$ 10.00
<b>COHABITATIONAL AND</b>		
<b>INSTITUTIONAL DWELLINGS</b>		
(NURSING HOME, YOUTH HOME, ETC.)	\$ 2.73	\$ 2.73 *ZAO
TOURIST DWELLING (GUEST HOMES, BED & BREAKFAST, ETC.)	\$ 2.73	\$ 2.73 *ZAO
LAND USE TYPE (UNIT)	RATE	TOTAL FEE
<b>RESIDENTIAL PER DWELLING UNIT</b>		
<b>EDUCATION</b>		
SINGLE FAMILY DWELLING	\$1,165.00	\$1,165.00
MULTI-FAMILY DWELLING	\$1,165.00	\$1,165.00 *#DUs
DWELLING	\$1,165.00	\$1,165.00

LAND USE TYPE (UNIT)	RATE	TOTAL FEE
MOBILE HOME COHABITATIONAL AND INSTITUTIONAL DWELLINGS (YOUTH HOME, ETC.)	\$ 318.04	\$ 318.04*ZAO
TOURIST DWELLING (GUEST HOMES, BED & BREAKFAST, ETC.)	\$ 318.04	\$ 318.04 *ZAO

NOTES:  
DUs = Dwelling Units  
ZAO = Zoning Allowable Occupants  
\* = Multiply

- 6.3.1 If a Municipal Land Use Permit is requested for mixed uses, then the fee shall be determined through using the applicable schedule by apportioning the space committed to uses specified on the applicable schedule.
- 6.3.2 For applications for an extension of a Municipal Land Use Permit or an extension of a Municipal Land
- 6.3.3 Use Permit, the amount of the fee is the difference between that fee then applicable and any amount already paid pursuant to previous impact fee ordinances and/or decisions.
- 6.3.4 If the type of development activity that a Municipal Land Use Permit is applied for is not specified on the applicable fee schedule, the Town's Administrator shall use the fee applicable to the most nearly comparable type of land use on the fee schedule. If the Town's Administrator determines that there is no comparable
- 6.3.5 type of land use on the applicable fee schedule then the Town's Administrator shall determine the fee by applying the appropriate formula set forth in Section Seven (C) hereof.
- 6.3.6 In the case of change of use, redevelopment, or expansion or modification of an existing use which requires the issuance of a Municipal Land Use Permit, the impact fee shall be based upon the net positive increase of the impact of the new use as compared to the previous use.
- 6.3.7 Upon acceptance of an independent fee calculation study, the following formula shall be used by the Town's Administrator as appropriate to determine the impact fee per use of development:

[Number of Occupants Allowable by Zoning Ordinance per Living Unit] \* [Per Capita Fee]

Or

[Number of Dwelling Units] \* [Fee Per Dwelling Unit] Note: A \* means multiply.

**7 Section Eight: Payment of Fee**

- 7.1.1 The feepayer shall pay all of the impact fees required by this ordinance to the Town Treasurer prior to the issuance of a Municipal Land Use Permit. No Municipal Land Use Permit will be issued without first receiving proof of payment of any required associated impact fee(s) from the Town Treasurer. Payment shall be in two checks: one payable to the town impact fees and one payable to the School District for school impact fees.

- 7.1.2 All town impact fees collected shall be properly identified as impact fees and promptly transferred for deposit in the appropriate Impact Fee Trust Fund to be accounted for separately for each cost center as determined in Section Nine of this ordinance and used solely for the purposes specified in this ordinance.
- 7.1.3 All impact fees intended for the Town School District will go to the Town School District directly to avoid conflict with 16 V.S.A. §4029(b).

**8 Section Nine: Impact Fee Trust Funds Established for Town Impact Fees**

- 8.1.1 There is hereby established an Impact Fee Trust Fund for Town Impact Fees.
- 8.1.2 There are hereby established five (5) separate accounts within the Impact Fee Trust Fund, one account for each of the town's cost centers as identified in Section One of this Ordinance.
- 8.1.3 At least once each fiscal year the Town's Administrator and/or Treasurer shall report to the Capital Budget Committee and/or the Selectboard the fund balance for each of the accounts in the Impact Fee Trust Fund, including any accrued interest.
- 8.1.4 Funds withdrawn from these accounts must be used in accordance with the provisions of Section Ten of this Ordinance.
- 8.1.5 Impact fees collected pursuant to this ordinance shall be placed by the Town Treasurer in separate interest-bearing accounts for each type of impact fee established.
- 8.1.6 The Town Treasurer shall maintain a register for each account indicating the date of payment of each fee, the amount paid, and the name of the fee payer.
- 8.1.7 The Town Treasurer shall prepare an annual accounting of all fees paid into and withdrawn from each account, showing the source and amounts collected, and the amounts expended and the projects for which such expenditures were made.

**9 Section Ten: Use of Funds**

- 9.1.1 The Selectboard hereby agrees to ensure proper use of the funds collected pursuant to this ordinance.
- 9.1.2 At least once each fiscal period each of the cost centers, through the Capital Budget Committee and/or the Town's Administrator, shall present to the Selectboard proposed capital improvements for the cost center, assigning funds, including any accrued interest, from the appropriate account within the Impact Fee Trust Fund for specific capital improvement projects. Monies, including any accrued interest, not assigned in any fiscal period shall be retained in the appropriate account in the Impact Fee Trust Fund until the next fiscal period except as provided by the refund provisions of this ordinance.
- 9.1.3 Impact fees collected for each of the cost centers shall be used solely for the purpose of acquiring and/or making capital improvements to capital projects owned and/or controlled by the Town.
- 9.1.4 Funds shall be used exclusively for acquisitions, expansions, or capital improvements as defined in Section Five for each of the respective cost centers, identified in Section One, for which the funds were collected. Funds shall be expended in the order in which they are collected.

- 9.1.5 In the event that bonds or similar debt instruments are or have been issued for advanced provision of capital facilities or equipment for which impact fees may be expended, impact fees may be used to pay debt service on such bonds or similar debt instruments to the extent that the facilities provided are of the type described in paragraphs C and D above.
- 9.1.6 Funds may be used to provide refunds as described in Section Eleven.

## 10 Section Eleven: Refund of Fees Paid

- 10.1.1 If a Municipal Land Use Permit expires without commencement of construction, then the feepayer shall be entitled to a refund without interest, of the impact fee paid as a condition for its issuance. Any accrued interest will be retained by the Town to offset administrative costs. The feepayer must apply for such a refund with a receipt for payment of impact fees to the Town Administrator and Treasurer of the Town within thirty (30) days of the expiration of the permit. A feepayer who receives a refund under this provision shall not commence construction of the land development for which the refund was made without having again paying the required impact fee and obtaining a new Municipal Land Use Permit.
- 10.1.2 If the Town does not expend an impact fee within six (6) years of the date it is paid then the owner of the property at the expiration of the six-year (6) period for which the fee was paid may receive a refund of the fee with any interest that has accrued and minus any associated administrative costs, provided that such application is made to the Treasurer of the Town within one (1) year of the expiration of the six year period.
- 10.1.3 A refund shall be granted under Section (A) or Section (B) above upon written request. The original receipt issued by the Town for the fees paid shall be presumptive proof of entitlement to the refund under the above provisions.

## 11 Section Twelve: Exemptions, Credits and Discounts

### 11.1 Exemptions

- 11.1.1 The following shall be exempted from payment of one or all impact fees as appropriate:
  - 11.1.1.1 Alterations or expansion of an existing building where no additional residential units are created and where the use is not changed.
  - 11.1.1.2 The replacement of a destroyed or partially destroyed building or structure, as defined by this ordinance, with a new building or structure of the same size and use so long as such improvement takes place within twelve (12) months of its destruction, abandonment, or disuse.
  - 11.1.1.3 The installation of a replacement mobile home on a lot or other such site when impact fees for such mobile home site has previously been paid pursuant to this ordinance or where a mobile home legally existed on such a site on or prior to the effective date of this ordinance.
  - 11.1.1.4 The construction of any non-residential building or structure or the installation of a non-residential mobile home.
- 11.1.2 Any claim of exemption must be made no later than the time of application for a Municipal Land Use Permit. Any claim not so made shall be deemed waived.

### 11.2 Credits:



- 11.2.1 Land and/or capital improvements for any cost center may be offered by the feepayer as total or partial payment of the required impact fee for that cost center. The offer must specifically request or provide for an impact fee credit for each and every cost center for which the feepayer proposes to provide improvements. If the Town's Administrator receives such offers and the offer(s) is (are) approved by the Selectboard such offer(s) whether the acceptance is before or after the effective date of this ordinance, the credit shall be determined and provided in the following manner:
- 11.2.1.1 Credit for the dedication of land shall be valued at: (i) 100% of the most recent assessed value by the Town Assessor or Listers, or (ii) by such other appropriate method as the Selectboard of the Town may have accepted prior to the effective date of this ordinance for the particular cost center(s) in question(s), or (iii) by fair market value established by private appraisers acceptable to the Town. Credit for the dedication of land shall be provided when the property has been conveyed at no charge to, and accepted by, the Town in a manner satisfactory to the Selectboard of the Town.
  - 11.2.1.2 Applicants for credit for construction of facilities or improvements to existing facilities for a cost center shall submit acceptable engineering drawings and specifications, and construction cost estimates to the Town's Administrator. The Town's Administrator shall determine credit for construction based upon either these costs estimates or upon alternative engineering criteria and construction cost estimates if the Town's Administrator determines that such estimates submitted by the applicants are either unreliable or inaccurate. The Town's Administrator shall upon the approval of the Selectboard provide the applicant with a letter or certificate setting forth the dollar amount of the credit, the reason for the credit, and the legal description for the credit, and the legal description or other adequate description of the project or development to which the credit may be applied. The applicant must sign and date a duplicate copy of such letters or certificate indicating his/her agreement to the terms of the letter or certificate and return such signed document to the Town's Administrator before credit will be given. The failures of the applicant to sign, date, and return such document within sixty (60) days shall nullify the credit.
  - 11.2.1.3 Applicants for credit for non-site-related equipment and/or associated facilities and improvements to facilities shall provide model specifications, cost estimates and any other identifying information to the Town's Administrator. The Town's Administrator shall determine credit for each cost center's equipment and/or associated facilities and improvements to facilities based upon either these cost estimates or upon alternative cost estimates if the Town's Administrator determines that such estimates submitted by the applicant are either unreliable or inaccurate. The Town's Administrator shall provide the applicant with a letter or certificate setting forth the dollar amount of the credit, reasons for the credit, and the legal description or other adequate description of the equipment or facilities. The applicant must sign and date a duplicate copy of such letter or certificate indicating his/her agreement to the terms of the letter or certificate and return such signed document to the Town's Administrator before credit will be given. The failure of the applicant to sign, date and return such document within sixty (60) days shall nullify the credit.

- 11.2.1.4 Except as provided in subparagraph (e), credit against impact fees otherwise due will not be provided until: (i) the construction is completed and accepted by the Town, or (ii) a title, deed, or other appropriate document of ownership is properly conveyed to the Town, or (iii) a suitable maintenance and warranty bond is received and approved by the Selectboard when applicable.
- 11.2.1.5 Credit may be provided before completion of specified capital project if adequate assurances are given by the applicant that the standards set out in Subparagraph (c) will be met and if the feepayer security as provided below for the costs of such capital project. Security in the form of a performance bond, irrevocable letter of credit or escrow agreement shall be posted with and approved by the Clerk of the Courts of Franklin County in an amount determined by the Town's Administrator. If the capital project will not be constructed within one year of the acceptance of the offer by the Town's Administrator, the amount of security shall be increased by ten percent (10 %) compounded, for each year of the life of the security. The security shall be reviewed and approved by the Selectboard prior to acceptance of the security by the Clerk. If the capital project is not to be completed within the year of the date of the feepayer's offer, the Selectboard must approve the capital project and its scheduled completion date prior to the acceptance of the offer by the Town's Administrator.
- 11.2.2 Any claim for credit must be made no later than the time of application for a Municipal Land Use Permit. Any claims not so made shall be deemed waived.
- 11.2.3 Credits shall not be transferable from one project or development to another without the approval of the Selectboard.
- 11.2.4 There shall be no credit given for improvements or construction outside of the Town against fees due hereunder.

### 11.3 Discounts

- 11.3.1 Special Provision Permitting the Discounting of Impact Fees for Affordable Housing:
  - 11.3.1.1 Special Provision Permitting The Discounting of Impact Fees For Affordable Housing: (1) Pursuant to 24 V.S.A. § 4302(b)(1) and 24 V.S.A. § 5205, the Selectboard may grant a partial or total discount of the impact fee(s) to a new development provided the developer:
    - 11.3.1.2 makes a specific request for such a discount subject to the provisions contained in Subsection B, Paragraphs 2, 3, and 4 of this Section.
    - 11.3.1.3 Provides evidence that new development shall not exceed the eligibility criteria established by the Vermont Housing Finance Agency for affordability of housing in Franklin County.
    - 11.3.1.4 Provides a written guarantee that any and all new development granted a discount of the impact fees shall be offered in the market such that it meets all eligibility criteria established by the Vermont Housing Finance Agency for affordability of housing in Franklin County.

## 12 Section Thirteen: Conversions and Accessory Dwelling Units

- 12.1.1 The impact fee for a dwelling unit upon conversion from seasonal to year-round shall be imposed in the amount of the difference between the year-round dwelling fee and the seasonal dwelling unit fee.
- 12.1.2 The impact fee for an accessory dwelling unit shall be imposed in the amount of one-third of the year-round dwelling unit fee.

**13 Section Fourteen: Appeals**

13.1.1 Any individual or entity required to pay an impact fee under this ordinance may challenge the imposition of such fee, or the amount of the fee, by filing a written notice of appeal with the Town Clerk, which appeal shall not be filed later than thirty (30) days after written notification of the impact fee imposed on the development. Said notice of appeal shall state the basis of the appellant's challenge to the fee. Within sixty (60) days of the filing of a notice of appeal, the Selectboard shall hold a public hearing to receive oral and written evidence and argument from the appellant and Town representatives. Within forty- five (45) days after the conclusion of the hearing, the Selectboard shall notify the appellant of its decision in writing.

**14 Section Fifteen: Violations**

- 14.1.1 A violation of this ordinance shall be a civil matter enforced in the Vermont Judicial Bureau or in the Vermont Superior Court by the Town's Administrator in accordance with the provisions of 24 V.S.A. §§ 1974a and 1977, et seq.
- 14.1.2 A civil penalty of not more than \$800.00 per violation may be imposed for violation of this ordinance. Each day that the violation continues shall constitute a separate violation of this ordinance.
- 14.1.3 Violations enforced in the Judicial Bureau shall be in accordance with the provisions of 24 V.S.A. §§ 1974a and 1977, et seq. For purposes of enforcement in the Judicial Bureau, the Town's Administrator shall be the designated enforcement officer(s). The Town's Administrator shall issue tickets and may be the appearing officer at any hearing.
- 14.1.4 Violations enforced in the Superior Court shall be in accordance with the Vermont Rules of Civil Procedure. The Town may pursue all appropriate injunctive relief.

**15 Section Sixteen: Severability**

15.1.1 If any section, phrase, sentence or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**16 Section Seventeen: Other Laws**

16.1.1 This ordinance is in addition to all other ordinances of the Town and all applicable laws of the State of Vermont. The ordinance adopted herein replaces all prior ordinances and/or decisions relating to impact fees adopted or imposed by the Town or other growth regulations as of the effective date per Section Nineteen.

**17 Section Eighteen: Effective Date**

17.1.1 This ordinance shall become effective sixty (60) days after its adoption by the Selectboard. If a petition is filed under 24 V.S.A. § 1973, that statute shall govern the taking effect of this ordinance.

Amended this \_\_\_ day of \_\_\_\_\_, 20\_\_.

SIGNATURES OF GOVERNING BODY

\_\_\_\_\_  
Matt Crawford – Chair

\_\_\_\_\_  
Steve Lamos – Vice Chair

\_\_\_\_\_  
Tara Wright – Board Member

\_\_\_\_\_  
Jason Burt – Board Member

\_\_\_\_\_  
Scott St. Onge

17.2 Adoption History

- 17.2.1 Agenda item at regular selectboard meeting held on October 28, 2019.
- 17.2.2 Read and approved at selectboard meeting on October 28, 2019 and entered in the minutes of that meeting which were approved on \_\_\_\_\_.
- 17.2.3 Posted in public places on \_\_\_\_\_, 20\_\_.
- 17.2.4 Notice of adoption published in the \_\_\_\_\_ newspaper on \_\_\_\_\_, 20\_\_ with a notice of the right to petition.
- 17.2.5 Other actions [petitions, etc.]