PUBLIC NOTICE OF HEARING Vermont Community Investment Board Agency of Commerce and Community Development Department of Housing & Community Development

To:

Executive Director, Chittenden County Regional Planning Commission

Planning Commission Chair, City of Winooski

Planning Commission Chair, Town of Milton

Planning Commission Chair, Town of Essex

Planning Commission Chair, City of Burlington

Planning Commission Chair, City of South Burlington

Executive Director, Vermont Natural Resources Council

Director of Policy and Planning Research, Vermont Agency of Transportation

Executive Director, Preservation Trust of Vermont

From:

Jacob Hemmerick, Planning and Policy Manager, Dept. of Housing &

Community Development

Copy:

Cathyann Larose, Planning Director, Town of Colchester

Date:

August 28, 2024

Re:

Hearing for Growth Center Designation 5-year Review

The Town of Colchester has submitted information to the Community Investment Board for the third required five-year review of the Growth Center designation granted in 2009. This review was due prior to July, after which Act 181 eliminated the requirement for renewals and check-ins – but delayed due to State and Town scheduling constraints. The City's submission is available online (here) with other documents related to Growth Center designation review (scroll to bottom of webpage: https://accd.vermont.gov/community-development/designation-programs/growth-centers).

The Board will review the designation at its meeting on Monday, September 23, 2024, between 1:00 and 4:00 p.m. An agenda for the meeting will be posted online two weeks in advance of the meeting (here).

Please direct any comments or questions to Jacob Hemmerick at the Department of Housing and Community Development: 802-828-5249, jacob.hemmerick@vermont.gov. Thank you.



www.colchestervt.gov

June 28, 2024

Jacob Hemmerick, Community Planning & Policy Manager Vermont Department of Housing and Community Development 1 National Life Drive, Davis Building, 6th Floor Montpelier, VT 05620

RE: Town of Colchester's Designated Growth Center

Dear Jacob:

I am pleased to provide you with an update on the status of Colchester's Designated Growth Center in advance of the formal submission to the full Downtown Development Board this summer.

The Town of Colchester received Growth Center designation from the Board in June, 2009. As per statute, the town has met with agency staff and the Board every five years to review this designation and provide an update on development within the geographic and economic boundaries of this area. The most recent check-in was in 2019. Alongside this process, the Town has been meeting its timely reporting requirements for its New Town Center. We are delighted to provide another update herein, within the framework of the submission checklist provided by the DHCD staff.

Colchester's Growth Center includes the four quadrants at the intersection of Routes 2 &7 with Blakely Road, and which serves the region north of Burlington and Winooski with connections to Milton and Essex. This area is one of the limited geographies in town served by both municipal sewer and water and includes multiple properties within the town's General Development 3 district, uniquely subject to carefully crafted form based codes that lend to a collaboration between form and function.

As outlined in the town's initial application, the area within the Growth Center has worked towards serving the role of a landmark community node which embraces walkable, sustainable growth patterns in its planning and development to date. The development to date has embraced a compact design of mixed-use buildings and lots which offer access to vital housing for the town and region.

Growth since 2019

Some quick statistics show that the Growth Center continues to produce residential housing for the region. In fact, housing production within the growth center has nearly doubled in in the past five years over the ten years preceding it.

Colchester Designated Growth Center					
	Residential Units Permitted	Commercial Square			
		Footage Permitted			
Since last check-in (2019-2023)	213	0			
, ,					
Since designation (2009-2023)	435*	Approx. 30,000			
Colchester Designated New Town Center					
	Residential Units Permitted	Commercial Square			
		Footage Permitted			
Since last check-in (2019-2023)	90	0			
Since designation (2009-2023)	312*	Approx. 30,000			
Colchester Town-Wide Development					
	Residential Units Permitted	Commercial Square			
		Footage Permitted			
Since last check-in (2019-2023)	464	207,489			
Since designation (2009-2023)	1054				
Growth Center as Percentage of Town Growth					
Since last check-in (2019-2023)	46%				
Since designation (2009-2023)	41%				

^{*}additional units were built within the NTC area prior to 2009 designation as either a GC or NTC which are not counted here.

Concentrated Growth

The growth statistics also demonstrate that residential housing growth is just about meeting the intention of the growth center program to which the town agreed to- that the majority of growth would occur within the growth center. While the southwest quadrant which is home to the New Town Center is more than 80% built-out, the other quadrants have only recently begun to realize their growth potential, modeling the compact, walkable, and context sensitive design intended for all. Several buildings in the southeast quadrant are currently under construction with several more having been permitted.

Governor Scott celebrated groundbreaking of an income restricted building which opened to residents last fall by Champlain Housing Trust. A proposal is currently being considered in the local development review process for the northeast quadrant; this proposal would provide more than 600 mixed-income, "missing middle" housing units, co-mingled with spaces for retail services, senior adult housing, and preschool education. These planned, smart growth projects, and their future residents, will be made possible by the benefits afforded to them under the growth center designation.

With several hundred more units approved as part of a master plan within the southeast quadrant but not counted herein as permitted and nearly 600 units well underway in the permitting process in the northeast quadrant, the percentage of growth should well exceed 50 or even 60% by the time of renewal in 2029. It is important to note that this concentration of growth is in an area of land which comprises a mere 1.2% of Colchester's total land area in acres.

Commercial growth has slowed within the Growth Center compared to the rest of the town's geography, predominantly because most of the growth has been in the industrial and manufacturing sectors- large footprint buildings with intense uses which are inappropriate for the Growth Center.

Infrastructure Planning

The Town of Colchester completed a wastewater capacity analysis in April, 2023 in support of the Severance Corners Growth Center. The analysis identified existing capacity within the sewer system as well as future capacity needs based upon current development projections for the growth center. The analysis concluded that capacity improvements to the system would be needed prior to full buildout of the growth center. With not all improvements being needed at the same time, an implementation schedule for these improvements was developed, along with the cost of each improvement adjusted to the planned construction year.

Following the capacity analysis, a financial plan was developed that would adequately fund the necessary improvements, would not impede reasonable development within the growth center, would not over burden the Town's sewer fund, and would treat all of the current and future developers within the growth center equitably. The financial plan required the establishment of a capital reserve fee to be assessed to current and future wastewater users within the growth center. In June, 2023, the Colchester Board of Sewer Commissioners approved the capital reserve fee under the authority of the Colchester Code of Ordinances, Chapter 10 Sewers, and 24 V.S.A Section 3616.

Also included in this submittal are preliminary materials including:

A narrative addressing the original (2009) findings of fact and order for the Growth Center with comments from 2024 (blue);

- ➤ Updated maps showing location of new development are being prepared and will be provided as part of the final submission;
- A copy of our current five-year capital plan that funds infrastructure improvements, many of which impact growth center development;

It is our sincerest intent and hope to utilize the benefits of this designation to continue to proudly serve as the community focal point and gateway, while laying the best path possible for the services, employment and housing that is so critically needed in the region.

Should you have any questions, concerns, or requests regarding this application please feel welcome to contact me using the information below. We look updating you and the Board on progress and plans for Colchester's designated Growth Center.

Sincerely,

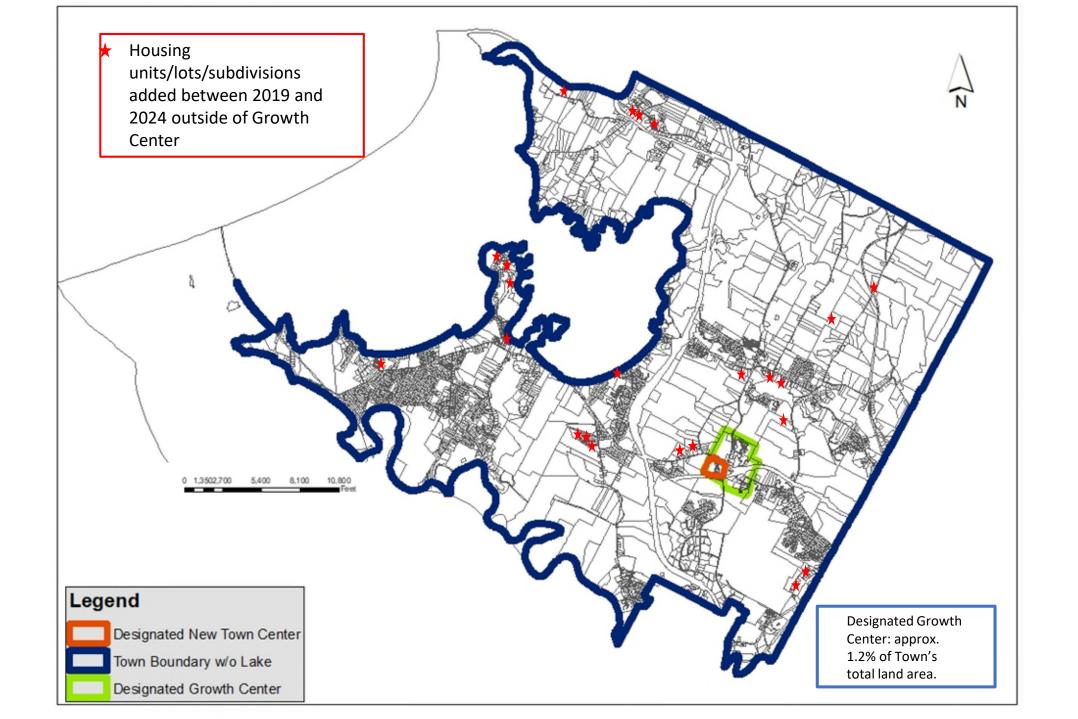
C# Lathi O'Reilly

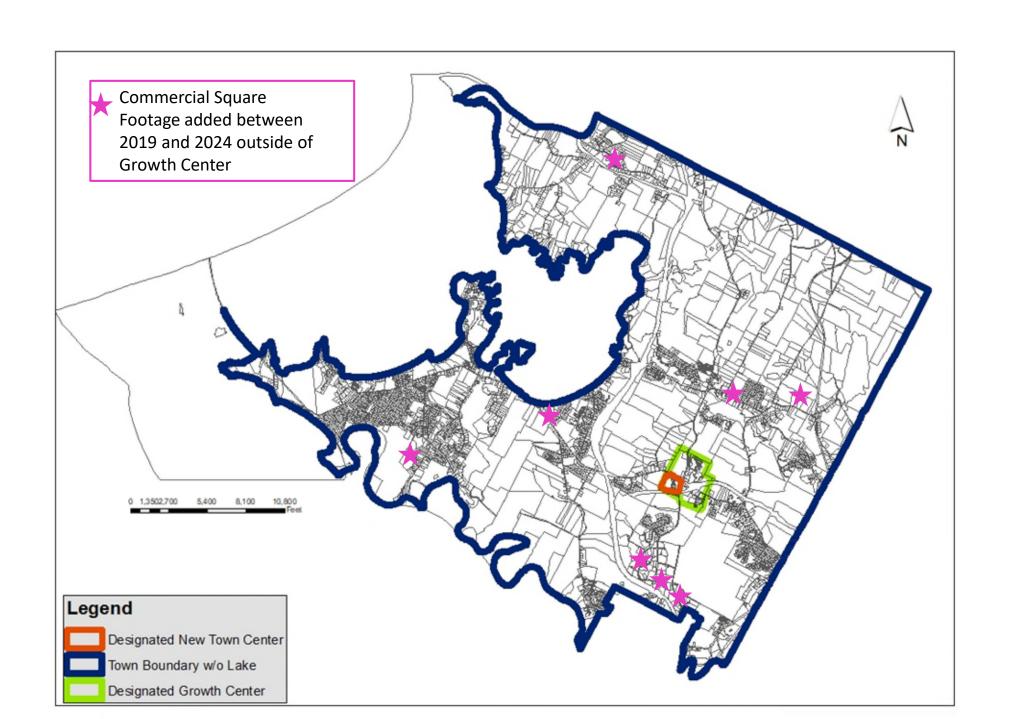
Cathyann LaRose, AICP Planning and Zoning Director

Kathi Walker O'Reilly Economic Development Director

Contact for Check-In Questions:

Cathyann LaRose
Director of Planning and Zoning
Town of Colchester
781 Blakely Rd
Colchester, VT 05446
802.264-5602
clarose@colchestervt.gov







www.colchestervt.gov

March 18, 2024

Jacob Hemmerick, Community Planning & Policy Manager Vermont Department of Housing and Community Development 1 National Life Drive, Davis Building, 6th Floor Montpelier, VT 05620

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Colchester Designated Growth Center					
	Residential Units Permitted		Commercial Square		
			Footage Permitted		
2019	29		To be filled in w final		
2020	61		submission v		
2021	36	- 1	1		
		- 1	7		
2022	42				
2023	45	-			
Since last check-in (2019-2023)	213		<i>'</i>		
Since designation (2009-2023)	435*	-	ı		
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- A copy of our current five-year capital plan that funds infrastructure improvements, many of which impact growth center development;

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Should you have any questions, concerns, or requests regarding this application please feel welcome to contact me using the information below. We look updating you and the Board on progress and plans for Colchester's designated Growth Center.

Sincerely,

Cathy La Rathi O'Reilly

Cathyann LaRose, AICP Planning and Zoning Director

Kathi Walker O'Reilly Economic Development Director

Contact for Check-In Questions:

Cathyann LaRose
Director of Planning and Zoning
Town of Colchester
781 Blakely Rd
Colchester, VT 05446
802.264-5602
clarose@colchestervt.gov

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

FINDINGS OF FACT. Through its projections, the town anticipates about 1,300 additional households and 2,300 additional jobs over the next 20 years. This translates to about 665 dwelling units and 478,550 SF of commercial space needing to be accommodated in the growth center. For the 10-acre New Town Center to accommodate this amount, or even 50% of this amount, the density would have to exceed the maximum density of 12 units per acre allowed under the current zoning. The current zoning density is enabled, not required. Higher densities would require a zoning change.

2024 STATUS. It remains accurate that the proposed growth center growth could not reasonably be achieved within Colchester's 10-acre New Town Center. The boundaries of both the New Town Center and the Growth Center remain as originally approved in 2007 and 2009, respectively. In 2013, Colchester replaced the zoning within the Severance Corners Growth Center with a form-based code (FBC) district. The FBC does not have a maximum density and will allow for future infill within the New Town Center.

To date, 435 units have been permitted with most of those constructed. More than 600 more are currently in the permitting process. Buildout projections continue to show that the initial projections are on track, with perhaps several hundred more possible if buildings begin to trend taller, and parking demands trend down. Updated regulations as part of the HOME act of 2023 do allow for additional story height for affordable housing and the Planning Commission is undertaking work this spring and summer to increase allowed story height throughout the growth center.

Unit numbers do not tell the entire picture- units within the Colchester Growth Center do trend larger, with 2 bedrooms being more common here than in most urban areas, and 3 bedroom family units provided for within the income-restricted buildings.

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

The proposed growth center will result in a settlement pattern that, at full build-out, is not characterized by development that is not serviced by municipal infrastructure or that requires the extension of municipal infrastructure across undeveloped lands in a manner that would extend service to lands located outside compact village and urban centers (24 V.S.A. § 2791(13)(1)(iv)).

The proposed growth center will result in a settlement pattern that, at full build-out, is not characterized by linear development along well-traveled roads and highways that lacks depth, as measured from the highway (24 V.S.A. § 2791(13)(1)(v)).

FINDINGS OF FACT. The proposed growth center is 273 acres. Only about 161 acres are developable. More than 50% of the projected growth can fit into these 161 acres, especially if they are built out to the maximum feasible extent according to the applicant.

Much of the area has been permitted at less than maximum feasible density permitted. It is not characterized by linear development. While the PUDs within the growth center are each planned at a higher density pattern, there was some concern that that these areas do not unify into one compact form. Future infill development could help diminish a scattered appearance between the developments. The area is currently served by water and sewer. Given the configuration of the growth center, and the growth projections over 20 years (even if there is a slowing in the growth over the next couple of years), the growth center is appropriately sized.

2024 STATUS. It remains accurate that the 273-acre Growth Center is appropriately sized to accommodate a majority of Colchester's projected growth over the 20-year planning period. Colchester adopted a form-based code for Severance Corners in 2013, which was intended to promote higher-density and infill development. There are no restrictions on unit density within the bylaws for the area within the growth center.

The state's 2011 decision to abandon plans for the Circumferential Highway, which would have bisected the Growth Center, is anticipated to create new opportunities for a better integrated and connected development pattern at Severance Corners than could have been achieved if the highway had been built as originally planned.

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

The proposed growth center is planned to develop compact mixed-use centers at a scale appropriate for the community and the region (24 V.S.A. § 2791(13)(8)).

FINDINGS OF FACT. The application includes an analysis of retail activity in Chittenden County. The scale and mix of commercial uses proposed for the growth center is not destination in nature and thus not proposing to compete with other major retail centers in Chittenden County, including Colchester's own Exit 16. There will be no big box retail stores, as no buildings greater than 10,000 square feet will be permitted within the proposed growth center. Only 25% of the proposed commercial space proposed in the growth center will be retail, and is projected to mainly serve the residents of Colchester, especially those living in the area. These limitations are key to minimizing the impact on other parts of Colchester and surrounding downtowns and village centers, including

Burlington, Essex Junction, Winooski, Williston and Jericho. The residential growth within the growth center is expected to reinforce the designated new town center of Colchester, especially if the town is successful in funneling a majority of their commercial and residential growth into the growth center.

2024 STATUS. It remains accurate that Severance Corners is not envisioned to become a major regional retail center. The Severance Corners form based code requires multistory buildings and incorporates architectural standards that will effectively prevent big box retail development and promote mixed use development. With contraction in the retail market, Severance Corners has maintained its status as a hub of small and medical professional offices, daycares, and restaurants.

New commercial construction has been relatively stagnant throughout the county and Colchester is no exception. The Allen, Brooks, and Minor June 2023 regional analysis of the commercial sector has noted that office space has an oversupply with 9.2% vacancy. In 2018 we knew that 10% of total sales were through ecommerce eating in to typical retail. Areas of commercial growth continue to be through food and service based retail and Colchester continues to follow the 2018 Market Analysis conducted by ADG, Inc., and prepared specifically for the town, which identified the need for smaller and more adaptive space for new businesses. Examples include co-working or shared business space. The space above the current restaurant in the New Town Center is a shared business space with multiple small offices.

It is anticipated that Colchester will continue to see incremental but positive growth during the remaining term of the growth center.

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

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

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

The proposed growth center will result in a settlement pattern that, at full build-out, is not characterized by scattered development located outside of compact urban and village centers that is excessively land consumptive (24 V.S.A. § 2791(13)(1)(i)).

The approved plan and the implementing bylaws further the goal of retaining a more rural character in the areas surrounding the growth center, to the extent that a more rural character exists (24 V.S.A. § 2793c(e)(1)(D)(iv)).

FINDINGS OF FACT. Colchester has an incentive approach to development in the growth center; they are trying to attract smart growth development to the growth center through incentives by making it a better option for the developer than

conventional development. Tools in place to achieve smart growth include: higher base density in the growth center than some (but not all) areas of the town, density bonuses, a fledgling Transfer of Development Rights (TDR) program that has the growth center as just one of the receiving areas though with additional bonus points, in-place infrastructure in the growth center, open space planning, Planned Unit Development (PUD), and design guidelines for compact mixed use GD3 zoning district.

The following concerns were raised during the designation review processes about the town's regulatory program (responses from the applicant shown in italics):

- The regulations allow low-density development including one-story buildings within the growth center. Higher densities are optional but the design guidelines for the district make multi-storied buildings more likely to be proposed and approved than low-density development.
- Integrating the four quadrants of the growth center into an interconnected whole rather than as four separate PUDs may be difficult given the layouts approved for three of the PUDs and the separation created by the Circ Highway right-of-way. The town has proposed connections through pedestrian and vehicular infrastructure and expects that the design guidelines for the district, over time and with infill development, will lead to a better-integrated pattern as envisioned in the concept drawing.
- It may be a challenge to direct 50% or more of the projected growth into the growth center, since there are other areas of the town where commercial, residential and industrial growth can and will occur. In particular, the growth center identified in the Town Plan for Exit 17 could detract from the designated growth center at Severance Comers. The town plan targets the Exit 17 area for growth only after the Severance Corners growth center is built out. There is no existing sewer service at Exit 17. A recent study indicated that provision of necessary sewer, water, and transportation networks to support the mixed-use compact growth that zoning defines for Exit 17 would be exorbitant and not likely to occur within the foreseeable future.
- If developers do not take advantage of density bonuses, the actual density may not be much higher in the growth center than in other parts of the town. Since the growth center is not the only receiving area in the TDR program, the incentive may be diluted. Furthermore the town's incentives in the growth center may be undermined by Act 250 requirements for off-site mitigation for any impacts to agricultural soils in the growth center regardless of any development rights that may have been purchased on farm land. Development in the growth center is eligible for double the bonus densities available in other receiving areas and with the other incentives available for development in the growth center will tip the balance to favoring use of the TDR bonuses in the growth center.

The incentive based tools - including TDRs and density bonuses - are still in the development stage, so their ability to direct smart growth development will not be known for some time. Understanding that Colchester has made the effort to lead at least 51% of development to the growth center over the next 20 years, but that the results of this effort is not certain, the Board believes that reporting on progress at less than the 5-

year renewal period is an appropriate way to move forward with the growth center designation.

2024 STATUS. It remains accurate that Colchester is actively working to promote smart growth development within the Growth Center and to protect rural character and development patterns in outlying areas of town. The town has closely monitored its regulatory tools and made adjustments as necessary in response to changing market conditions and feedback from various stakeholders, including the discussion and findings associated with the Growth Center planning and approval process.

The zoning at Severance Corners that was in place when the Growth Center was approved has been replaced in its entirety by a form based code (FBC). The FBC eliminated the maximum density, requires multi-story buildings, eliminates minimum parking requirements, and establishes architectural standards for new buildings and design standards for new parking lots.

The Transfer of Development Rights (TDR) program Colchester envisioned establishing when the Growth Center was approved has not been possible to implement given market conditions over the past 5 years. A viable TDR program would require a level of growth pressure that currently does not exist in Colchester. Seeing that TDRs were not going to be effective, the town rezoned the Agricultural Mixed Use district to incorporate fixed area based zoning, which requires new residential lots to be between ½ and 1 acre in area in order conserve open space and working lands. Additional work will begin soon to examine conservation subdivision design standards for the rural lands within Colchester.

The Exit 17 area, noted in previous plans as a future growth center, is now noted as a village area in the 2019 Town Plan. Priority in the Town Plan has been placed upon the Growth Center and infill development. The following is an excerpt from the 2019 Town Plan, Lands of Colchester Chapter:

"Severance Corners is located at the center of our vast town at the intersection of Roosevelt Highway and Blakely/Severance Roads. As the Town's designated growth center, Severance Corners is the focal point for the community's growth during the term of this plan and the long term. The area is served by both municipal fee based water and fee based sewer. Properties outside the growth center are low and rural density zoning districts. The Town adopted General Development Three, form-based-zoning for this area, to promote a dense, mixed use village type development pattern suited for its planned growth center future land use designation. The area is intended to contain pedestrian amenities and connectivity, community space, and access to public transportation."

With no sewer service to the Exit 17 area and no plans as of 2024, plans for growth will remain concentrated in the Severance Corners area.

Between 2009 and 2024, 46% of new housing growth took place within the designated Growth Center, demonstrating that close to the majority of growth occurs within the growth center. With several hundred more units approved as part of a master plan within the southeast quadrant but not yet counted herein as permitted and nearly 600 units well

underway in the permitting process in the northeast quadrant, the percentage of growth should well exceed 50 or even 60% by the time of renewal in 2029.

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

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

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

FINDINGS OF FACT. Residential units can range from single-family homes, to multifamily dwellings to boarding houses and temporary homes.

The application discusses the housing options that both the Town Plan and the regulations attract within the proposed growth center. These include density bonuses for affordable housing, senior housing and congregate housing. The dwelling units within the new town center-typical of what will be found throughout the growth centerare within a price range that meet the state's definition of affordable housing for Chittenden County (affordable to households earning between \$38,000 to \$87,000 per year).

2024 STATUS. It remains accurate that Colchester is actively working to promote mixed-use development, including affordable housing, within the Growth Center. The 2013 form-based code for Severance Corners expands the range of uses allowed in the Growth Center in conjunction with architectural standards to ensure compatibility. The housing constructed at Severance Corners during the past five years is a mix of rental apartments and ownership condominiums – the majority of which qualify as affordable housing under the state's definition.

This area has remained a mix of owned and rental units that are relatively affordable. These units have been smaller and more affordable than much of Colchester's existing housing stock and have had a substantial impact on making Colchester a more affordable community especially for work force housing.

Governor Scott celebrated groundbreaking of an income restricted building opened in 2023 by Champlain Housing Trust. A proposal is currently being considered in the local development review process for the northeast quadrant; this proposal would provide more than 600 mixed-income, "missing middle" housing units, co-mingled with spaces for retail services, senior adult housing, and preschool education. These planned, smart growth projects, and their future residents, will be made possible by the benefits afforded to them under the growth center designation.

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

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

FINDINGS OF FACT. The application includes Colchester's 2008-2010 Capital Improvement Plan, which focuses on transportation improvements, though none of those improvements are in the proposed growth center. This is not the only tool that the town uses for infrastructure improvements within the growth center. There is also the MOU between the town and the major developers of the properties within the growth center, signed in July 2007, covering specifically transportation improvements within the growth center. The MOU included in the application is general in its identification of responsibilities, but has been supplemented by a 4/7/09 memo by the town presenting an outline for how bike and pedestrian improvements will be implemented over the next 20 years.

The town also has an Official Map, but the level of detail is not sufficient to focus on planned public infrastructure within the growth center. The town plans on refining the MOU and using that as the main tool for future improvements, instead of revising the Official Map.

As stated above, public sewer and water is currently available within the growth center. The developers will pay for extensions and hook-ups. In terms of wastewater capacity, additional capacity needed by the growth center by 2011 will be supplied by expansion of South Burlington's treatment plant. The application stated that construction was expected to start in the spring of 2009. The applicant clarified and ANR concurred, that a fall 2009 or spring 2010 construction date was more likely, which still meets the town's needs for having the additional capacity by 2011. The applicant also explained at the PCG meeting that there is no prioritization for the new allocation between Exit 16 and the growth center, but since Exit 16 is mostly built out, in reality the growth center will receive most if not all of this allocation.

2024 STATUS. Colchester continues to maintain a current Capital Improvement Plan (CIP) and an Official Map. Plans for transportation improvements at Severance Corners have evolved considerably since designation.

The Severance Corners Intersection Improvement, a VTrans project, is noted in the current CIP (enclosed) as being completed in fiscal year 2022. This project will construct pedestrian crossings as well as sidewalks and multi-use paths around the intersection linking back to existing sidewalks within the Growth Center. As a condition of approval for the most recent building within the New Town Center, the developer must install cinder path trails along some of these corridors and maintain them until the State constructs the full improvements. The developer was originally responsible for the construction of these improvements however the VTrans project had relieved them of this liability and subsequently pushed back construction.

Capacity from the expanded wastewater treatment plant became available in 2013. The majority of the additional capacity (approximately 200,000 gallons per day) has been allocated to the growth center.

The Town of Colchester completed a wastewater capacity analysis in April, 2023 in support of the Severance Corners Growth Center. The analysis identified existing capacity within the sewer system as well as future capacity needs based upon current development projections for the growth center. The analysis concluded that capacity improvements to the system would be needed prior to full buildout of the growth center. With not all improvements being needed at the same time, an implementation schedule for these improvements was developed, along with the cost of each improvement adjusted to the planned construction year.

Following the capacity analysis, a financial plan was developed that would adequately fund the necessary improvements, would not impede reasonable development within the growth center, would not over burden the Town's sewer fund, and would treat all of the current and future developers within the growth center equitably. The financial plan required the establishment of a capital reserve fee to be assessed to current and future wastewater users within the growth center. In June, 2023, the Colchester Board of Sewer Commissioners approved the capital reserve fee under the authority of the Colchester Code of Ordinances, Chapter 10 Sewers, and 24 V.S.A Section 3616.

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

FINDINGS OF FACT. Most of the town's civic buildings are already located outside of the proposed growth center. Because of Colchester's traditional pattern of development over the years, growing in separate nodes of development including the Village, Malletts Bay area and Exit 16 off l-89, the town's civic functions and other public spaces are also scattered throughout the town. However, Colchester will also locate several civic functions within the growth center (a satellite library and office space for their economic development department and the local chamber of commerce). There will also be community spaces, such as public greens, gazebos, recreation pathways, play areas, and open air markets, incorporated into the three approved developments within the growth center.

2024 STATUS. The Town Center (southwest quadrant/NTC) now has two playgrounds, a public green, and a public gazebo. Multi-use paths, some paved and some cinder-pack, have been constructed within the Growth Center and more are planned to connect it to the Town's existing recreation path trunk line. The developments planned for the other quadrants will have significant recreational amenities and other public spaces.

As discussed, acknowledged and accepted via vote as part of the Town's Growth Center renewal in 2019, the public green with associated amenities, notably the gazebo, has continued to grow in its role as a community center with civic use. The town formally acquired the title to the green and gazebo in June 2019. The town has also signed an agreement with the area property owner for perpetual maintenance, repair and capital

facilities replacement. Pandemic restrictions and staff turnover initially delayed planned public use of the green and gazebo, but 2022 saw significant successes in community utilization of the space.

In 2022, Colchester's Burnham Memorial Library added another "Little Library" at Severance Corners to accommodate the growing need of residents and businesses looking to exchange or drop off library books at Severance Corners. For over five years, the library has also been partnering with the daycares at Severance Corner on various outreach including Storytime reading to their children, book collections and swaps and more.

Colchester emergency services departments held separate community events at the space which were well attended by area children. In the fall of 2022, the town hosted its first Colchester Corners Autumnal Market, which was an incredible success. Local vendors were given free spaces to share their talents and goods, while residents of the area and region shopped, played games, listened to music, participated in a community art project and explored the area. Some walked, drove cars, or arrived by bicycle. A second event in 2023 was even more successful, with more than 500 local visitors.

Holiday lights in the area are amongst the most prolific in the region and the property owner has partnered with the town's recreation department to visit afterschool programs. People from all over town stop by to walk the paths while admiring the lighted cement mixer on display for several winter months.

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

The proposed growth center will result in a settlement pattern that, at full build-out, is not characterized by linear development along well-traveled roads and highways that lacks depth, as measured from the highway (24 V.S.A. § 2791(13)(1)(v)).

FINDINGS OF FACT. There are several focal points within the growth center including central greens within the individual PUDs. Sunderland Corners PUD will include a clock tower, which will provide a visual focal point. All these areas are open to the general public. The proposed roundabout for the intersection of Route 7 with Blakely Road and Severance Road will provide a central focus that will help integrate the separate PUDs into a single growth center, especially if a compact streetscape around that intersection is built as planned. This central focus would help draw together the separate areas of the growth center, so this could be a key element. While VTrans has no plans at the moment to design or construct the roundabout, the town and developers are looking to include some local responsibility for it in their MOU, including financing mechanisms.

2024 STATUS. As described above, the first phase of development within the Growth Center was organized around a central green. The form-based code will make further infill development fronting on the intersection of Route 7, Blakely Road and Severance Road possible. As part of the visioning associated with development of the FBC, a 3D

model was developed illustrating that desired development pattern and that was used to help calibrate the code.

The Severance Corners green is a focal point of the New Town Center and Growth Center. With the Town gaining ownership of the green, there are now options for civic events and recreational programing. Plans under development on the other quadrants of the Growth Center also employ similar features. The Growth Center continues to have the highest levels of density within the community and will continue to evolve on the four quadrants surrounding the Severance Corners intersection.

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

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

The proposed growth center will result in a settlement pattern that, at full build-out, is not characterized by development that limits transportation options, especially for pedestrians (24 V.S.A. § 2791(13)(1)(ii)).

FINDINGS OF FACT. Several transportation-related issues were identified during the designation review process. One concerned proposed transit as described in the application (the plans for transit described in this section were terminated after the application was submitted). This plan was supplemented by a 4/7/09 memo from the town describing Colchester's efforts to date in bringing transit to the growth center. The memo outlines how it will approach joining with CCTA over the next five years, including a survey of town-wide demand, continued discussions with CCTA and a more energetic education effort to build public support.

Public transit is a requirement of growth center designation. Because the growth center is still under development the Board will condition designation approval on the town submitting a transit plan in keeping with PCG recommendations within 24 months of this approval. The PCG recommended submission of a plan and implementation timetable for establishing a meaningful public transit system serving the growth center that is interconnected with the regional system.

Another issue that came up was the proposed sidewalks/bike paths. Developers are financially responsible for sections within their developments, but public connections between developments will be covered under the evolving MOU that shares responsibility between the developers and the town. It was noted that the sidewalks and path alignments shown on the map on page 9-3 are conceptual (except those that are part of an approved development project), and the ones shown in state highway ROW (along Route 7 and the Circ) have not yet been agreed to by VTrans, which has recommended that the town to put these paths on developer land, not in state highway ROW. One of the challenges of this application is that the growth center is affiliated with a developing New Town Center and not an already developed downtown. Thus much of the infrastructure is not already in place. The applicant has provided a schedule for implementing these improvements in a 4/7/09 memo.

Because measures to implement the pedestrian and bicycle interconnections are dependent on development occurring in the area, the Board will condition designation approval on submission of an update report on progress in implementing the improvements described in the April 7, 2009 memo on Bike and Pedestrian Improvements. The report shall be submitted within 24 months of this approval.

2024 STATUS. Since approval of the growth center in 2009, Colchester and VTrans have selected a preferred alternative for the Route 7, Blakely Road and Severance Road intersection. A widening of the intersection with turning lanes and pedestrian facilities was ultimately selected (at the time of the growth center application, a roundabout was being considered). The intersection is now going to be fully funded as a Phase II Circ Alternative project.

The anticipated VTrans improvements to the intersection will include bus stops, formalized crossing, sidewalks and multiuse paths connecting the developments to each other. While these pedestrian improvements were originally the responsibility of the developers, the VTrans project has assumed responsibility for completion. This work is expected to begin after works is complete on two other state-funded and managed major transportation projects which are not immediately within the growth center, but which will service the area, including the Double Diamond Interchange (DDI) improvements at Exit 16, less than 2 miles away, and improvements at exit 17. Current estimates for timing could be as soon as 2027.

With respect to public transit and bus service, the Town of Colchester signed a seven year service agreement with Green Mountain Transit in 2020. The Town paid GMT for past capital investments since GMT's creation in the 1970's. Colchester contributes to GMT on the same basis as an urban member community The Town is contributing more funding annually than even some of GMT's highest paying urban communities. There are five round trips per day on the route that serves Colchester's growth center to Milton, Winooski, Burlington and other areas as noted here: https://ridegmt.com/56-milton-commuter/

The development within the New Town Center has built an internal sidewalk network. The sidewalk network has not yet been extended along Route 7, Blakely Road and Severance Road. The plans and MOU for pedestrian and bicycle facilities within the Growth Center remain in place, as do the conceptual plans to link the Growth Center with other areas of Colchester via the town's multi-use path system. It is currently envisioned that work on the sidewalk and path infrastructure around the main roads will commence with work on the intersection.

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

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

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

FINDINGS OF FACT. The application identifies natural resources within and outside the growth center. Most of the important resources within the growth center lie in the southwest quadrant, south of the Circ ROW. Responding to PCG concerns and specifically those of the Agency of Natural Resources about these sensitive natural areas within the Growth Center, the town submitted a revised growth center boundary entirely eliminating parcels 29 and 30 and including just a narrow portion at the northern line of parcel 13 closest to the Sunderland Comers development. By excluding those areas from the growth center, the Board's concerns about impacts on natural resources within the growth center are satisfied.

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

2024 STATUS. It remains accurate that Colchester has mechanisms in place to protect natural and historic resources outside the Growth Center. These have not changed significantly since 2009. As described above, Colchester has enacted fixed area zoning to maintain working farmland and open space within the Agricultural Mixed Use district.

Colchester has adopted additional environmental standards including stormwater regulations, State Shoreland Delegation in 2015, and in 2016 we received FEMA's highest CRS rating in the Vermont. We continue to maintain the CRS program each year through a rigorous annual reapproval process. In 2018 a unified development bylaw was adopted to more holistically look at planned unit developments by combining the zoning and subdivision bylaws. Substantial updates to the local hazard mitigation plan were finalized and approved in 2022.

The 2019 Town Plan calls for the revamping of the Town's Open Space Plan to reevaluate tools for conservation including forestry blocks and wildlife habitat. Stafflevel work and research, including mapping forest blocks and habitat connectors and working on addressing fragmentation in rural lands, has begun on the town's open space plan and outreach meetings should begin in late summer or early fall of 2024.

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

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

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

FINDINGS OF FACT. The application identifies 174 acres of primary agricultural soils within the growth center. Fifty of these acres have already been impacted or lie within the Circ ROW. Other portions of prime ag soil lie within lots 13, 29 and 30. The 174 acres represents less than 1.5% of the total acreage of primary agricultural soils in the town.

The application describes how the town plan and bylaws support protection of primary agricultural soils outside the proposed growth center and what primary agricultural soils have already been conserved. Mechanisms that the town employs to conserve agricultural lands include their Open Space Plan, their Agricultural Zoning District (minimum requirement of 25 acres per dwelling unit), their proposed TDR program (where farmland would be the sending areas) and partnering with the Vermont Land Trust. The Agency of Agriculture believes the Colchester application has adequately addressed agricultural soils as a resource.

2024 STATUS. It remains accurate that Colchester has mechanisms in place to protect agricultural soils and agricultural activities outside the Growth Center. These have not changed significantly since 2009. As described above, Colchester previously enacted fixed area zoning within the Agricultural Mixed Use district to minimize fragmentation of farmland.

The 2019 Town Plan also calls for the revamping of the Town's Open Space Plan to reevaluate tools for further conservation and sustaining the agricultural community. There are several large and active farms within the community, including Sam Mazza's Farm, Elm Hill Farm, Pine Island Farm, and the Thibeault Farm. Smaller urban farms are now more common. Several bee-keepers/honey-producers, maple-producers, vineyards, specialty compost facilities, and even a goat-eating-pine-tree farm exist within town. While Shadow Cross Farm no longer produces eggs, its historic barns still dot the landscape and stand guard over working fields.

As the business and face of farming evolves, the town is committed to working with local farms and participating in state and local legislation related to value-added agriculture, agricultural enterprise, and agritourism in order to best support our working lands and agricultural areas.

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

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

FINDINGS OF FACT. The Chittenden County Regional Planning Commission approved Colchester's 2007 municipal plan and planning process on June 25, 2007. The Plan contains provisions that support the growth center. The town's zoning bylaws were last amended in September 2008, and their subdivision regulations were last amended in July 2008 to conform to the Plan's land use policies and further implement the growth center. The town planning process and the growth center support the goals of 10 VSA Chapter 151 and the goals under 24 VSA § 4302.

2024 STATUS. Colchester has a currently adopted and regionally approved plan. The town plan was re-adopted in 2019. Work has already begun for select components of the 2027 Town Plan.