

Planning Commission Reporting Form for Municipal Plan Amendments

This report is in accordance with 24 V.S.A. §4384(c) which states:

“When considering an amendment to a plan, the planning commission shall prepare a written report on the proposal. The report shall address the extent to which the plan, as amended, is consistent with the goals established in section 4302 of this title.

The Town of Orange’s compliance with the goals set out in Title 24 Section 4302 is set out in the attached proposed Plan.

If the proposal would alter the designation of any land area, the report should cover the following points:

1. The probable impact on the surrounding area, including the effect of any resulting increase in traffic, and the probable impact on the overall pattern of land use.

N/A

2. The long-term cost or benefit to the municipality, based consideration of the probable impact on:

(A) the municipal tax base; and

N/A

(B) the need for public facilities;

N/A

3. The amount of vacant land which is:

(A) already subject to the proposed new designation; and

N/A

(B) actually available for that purpose, and the need for additional land for that purpose.

N/A

4. The suitability of the area in question for the proposed purpose, after consideration of:
- (A) appropriate alternative locations;
 - (B) alternative uses for the area under consideration; and
 - (C) the probable impact of the proposed change on other areas similarly designated

N/A

5. The appropriateness of the size and boundaries of the area proposed for change, with respect to the area required for the proposed use, land capability and existing development in the area.”

N/A

Please Note:

- ❖ The planning commission must hold at least one public hearing within the municipality after public notice on any proposed plan or amendment.

- ❖ At least **30** days prior to the first hearing, a copy of the proposed plan or amendment and the written report must be delivered with proof of the receipt, or mailed by certified mail, return receipt requested, to each of the following:
 1. the chairperson of the planning commission of each abutting municipality, or in the absence of any planning commission in an abutting municipality, to the clerk of that municipality;
 2. the executive director of the regional planning commission of the area in which the municipality is located;
 3. the department of housing and community affairs within the agency of commerce and community development; and
 4. business, conservation, low income advocacy and other community or interest groups or organizations that have requested notice in writing prior to the date the hearing is warned.

- ❖ The planning commission may make revisions to the proposed plan or amendment and to any written report, and must thereafter submit the proposed plan or amendment and any written report to the legislative body of the municipality.

- ❖ If the legislative body changes any part of the proposed plan, the planning commission must submit to the legislative body at or prior to the public hearing a report that analyzes the extent to which the changed proposal, when taken together with the rest of the plan, is consistent with the legislative goals established in 24 V.S.A. §4302.

- ❖ Simultaneously with the submission, the planning commission must file with the clerk of the municipality a copy of the proposed plan or amendment, and any written report, for public review.

Planning Commission Reporting Form for Municipal Bylaw Amendments

This report is in accordance with 24 V.S.A. §4441 (c) which states:

“When considering an amendment to a bylaw, the planning commission shall prepare and approve a written report on the proposal. A single report may be prepared so as to satisfy the requirements of this subsection concerning bylaw amendments and subsection 4384(c) of this title concerning plan amendments..... The report shall provide(:

(A) brief explanation of the proposed bylaw, amendment, or repeal and ...include a statement of purpose as required for notice under section §4444 of this title,

N/A

(A)nd shall include findings regarding how the proposal:

1. Conforms with or furthers the goals and policies contained in the municipal plan, including the effect of the proposal on the availability of safe and affordable housing:

N/A

2. Is compatible with the proposed future land uses and densities of the municipal plan:

N/A

3. Carries out, as applicable, any specific proposals for any planned community facilities.”

N/A

Please Note:

- ❖ The planning commission shall hold at least one public hearing within the municipality after public notice on any proposed bylaw, amendment or repeal and;
- ❖ At least **15** days prior to the first hearing, a copy of the proposed plan or amendment and the written report shall be delivered with proof of the receipt, or mailed by certified mail, return receipt requested, to each of the following:
 1. the chairperson of the planning commission of each abutting municipality, or in the absence of any planning commission in an abutting municipality, to the clerk of that abutting municipality;
 2. the executive director of the regional planning commission of the area in which the municipality is located;
 3. the department of housing and community affairs within the agency of commerce and community development.
- ❖ The planning commission may make revisions to the proposed bylaw, amendment, or repeal and to the written report, and shall then submit the proposed bylaw, amendment or repeal and the written report to the legislative body of the municipality.
- ❖ Simultaneously, with the submission, the planning commission shall file with the clerk of the municipality a copy of the proposed bylaw, amendment, or repeal, and the written report for public review.

DHCA
6/04

PROPOSED REVISED ORANGE TOWN PLAN

Planning Commission Public Hearing

December 19, 2012

7:00 P.M. Orange Town Hall

Prepared by the Orange Planning Commission with the assistance and input from the following State agencies and departments, Town boards, Regional commissions, Town committees, Town officers, and Town residents:

School Board – Matt Smith and Susette Bollard

Recreation Committee – Brent Kidder

Health Officer - Eileen Wheeler

Town Clerk – Kathie Felch

Assistant Town Clerk – Rita Bisson

Economic Development Representative – George Malek

AHS/DCF/Economic Services Division – Karolyn White

VT Fish and Wildlife Department – Jens Hilke

Central VT Regional Planning Commission – Jen Mojo

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Orange Planning Commission

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SECTION 1: INTRODUCTION TO ORANGE TOWN PLAN

PREFACE

The following document shall be known as the Orange Town Plan, as enabled by the authority of Title 24 of the Vermont Statutes Annotated, Chapter 117 (The Vermont Municipal and Regional Planning Act). The Orange Town Plan shall serve as the legal foundation for any bylaws duly adopted by the Town of Orange. In conformity with the Act, approval by a majority of the Town's Board of Selectmen is required to adopt the Plan and to adopt any amendments thereto. Such adoption must be preceded by a properly executed public hearing as set forth in state law.

PURPOSE

The Orange Town Plan attempts to provide a clear picture of Orange; its past, its present, and guidelines for future growth and development. It exists to provide guidance regarding the development of land, the provision of public utilities, transportation, and the conservation of natural resources in the Town of Orange. As such, the Orange Town Plan shall serve as an information base; an educational resource for all interested parties; and the basis for the town's control of its future development, growth, and Act 250 (or other regulatory) participation.

An Orange Planning Commission determination with the Orange Town Selectmen's concurrence shall provide the definitive interpretation of the town's wishes as expressed in this Plan. Such joint concurrence favoring, opposing or conditioning a proposed development shall represent the Town's position on such development.

HAZARD MITIGATION PLAN

The Orange Local Hazard Mitigation Plan Update of December 2011 as adopted and all subsequent adopted hazard mitigation plans are and shall be incorporated by reference and shall become a part of the Orange Town Plan.

DISTRIBUTION

Upon adoption of the Plan, the Plan shall be readily available on the Town's website. Each prospective purchaser of property and each person conducting a title search on property in the Town shall be informed that the Plan is available on the Town's website; given the web address; and advised that it is in their interest to read it.

SECTION 2: ORANGE PLANNING GOALS

OVERALL GOALS AND OBJECTIVES

The people of Orange desire to maintain the rural character of the community as much as possible while encouraging the economic well-being of its residents. The rural character is exemplified by the many attributes of the Town, such as the vast amount of wooded and undeveloped areas, streams, ponds, and abundant wildlife; the absence of bright lights in the outer reaches of the town; the low volume of traffic; and the lack of objectionable noise. The Town's character is exemplified by a mixture of residential, agricultural, and small business uses. As development and population pressures increasingly impact the Town, it is vital that the unique characteristics of Town be preserved. The typical suburban pattern does not conform to the goal of maintaining the rural atmosphere. This includes incompatible uses, visually obtrusive manmade elements, and excessive artificial lighting levels.

Most residents live in Orange by choice, thereby indicating a preference for this rural character rather than an urban or suburban community. They want growth to occur at a pace and in a manner that does not destroy our rural character or result in rising taxes. Growth that is good for the Town enhances the social, environmental, cultural, and economic values of our rural community. Growth and development shall not create a burden on the taxpayers' ability to support the Town. The following goals and objectives provide a general overview of the direction in which the residents of Orange desire to see development occur in the town. Most sections of the Plan provide specific objectives and recommendations, or action steps, to achieve these objectives.

Goal 1: To ensure development that maintains the rural atmosphere of the community and historic settlement pattern of compact village centers separated by rural countryside.

Objectives:

1. Intensive development shall be encouraged only in and around the immediate area of Orange Center and of East Orange.
2. There shall be no strip development in the Town of Orange.
3. Development that occurs in rural areas shall not have a negative impact to natural, cultural, and aesthetic resources.
4. Business and industrial growth shall occur in areas adjacent to where business and industry now exist and/or where Town water and sewer are available or become available.
5. Public investments, including the construction or expansion of the infrastructure, shall reinforce the general character and planned growth patterns of the area.
6. Development shall be consistent with the existing density pattern of the area and consistent with a reasoned pace of growth.
7. Growth and development shall occur at a rate that shall not burden the taxpayers. The town shall develop ordinances to assist in implementing these goals.

Goal 2: To promote a strong and diverse economy that provides satisfying and rewarding job opportunities; maintains high environmental standards; and promotes economic opportunities.

Objectives:

1. Economic growth shall occur at a rate that does not undermine the ability of the taxpayers to support the Town.
2. Economic growth shall occur in Orange Center and East Orange and in areas so designated and shall be employed to revitalize and rehabilitate Orange Center and East Orange.
3. Seek out ways to create incentives for economic growth within Orange Center and East Orange.
4. Home occupations shall be supported as long as they are appropriate to adjoining land uses, and do not adversely affect air, water, or scenic resources or cause noise that is offensive to surrounding neighbors. Home occupations are customarily conducted within a residence and are clearly incidental to the use of the building as a residence.
5. Businesses shall employ sound environmental practices.

Goal 3: To maintain and broaden access to educational, vocational, and cultural opportunities for all Town residents.

Objectives:

1. Include maintenance and expansion of school facilities in a capital program to ensure that facilities have the capacity to serve the desired level of growth in student population.
2. Encourage development of educational and cultural opportunities for all residents.
3. Support community-wide cultural events and activities. It is important to the town to have a community elementary and middle school.

Goal 4: Promote and maintain a safe, convenient, economic, and energy-efficient transportation network that respects the integrity of the natural environment, as well as the historical and esthetic value of the existing roads.

Objectives:

1. Improvement or expansion of public utilities and transportation shall occur in existing corridors to encourage desired development patterns.
2. Alternative forms of transportation, such as walking, bicycling and public transportation shall be encouraged.
3. Promote use of esthetically compatible options for guard rails, which shall be in compliance with any State highway standards.

4. Maintain the tree canopies and stone walls on the existing roads.

Goal 5: To protect important natural and historic features of the Orange landscape, including woodland, wetlands, scenic sites, significant architecture, villages, wildlife habitats, view sheds, and agricultural land.

Objectives:

1. Identify and include additional important resource areas on the (to be created) Future Land Use Map and develop a conservation plan to protect and preserve those features.

2. Encourage the renovation and preservation of historic buildings and structures.

3. Develop additional policies and plans for the long-term protection of significant scenic roads and highways, waterways, and views; cultural and historic resources; and important resources and recreation lands.

4. Development shall be prevented within floodplains that will cause damage to natural or manmade resources.

5. Inventory and update the resources.

Goal 6: To maintain and improve the quality of air, water, wildlife, and land resources.

Objectives:

1. Insure that development in areas of natural, cultural, and scenic significance is not detrimental to the resources of the town.

2. Protect and improve the water quality of the Town's rivers, lakes, ponds, streams, groundwater, and drinking water supplies.

3. Establish conservation measures for critical wildlife habitat.

4. Encourage the use of transportation systems that have minimal impacts on air quality.

Goal 7: To promote the efficient use of energy through conservation and encourage the use of renewable energy resources, such as solar, wind, hydro and biomass.

Objectives:

1. Promote use of public transportation, ridesharing, non-motorized vehicles, and pedestrian traffic. Emphasize connections between schools, stores, work, and home.

2. Ensure that the design, location, and maintenance of existing and future transportation systems are consistent with the land use patterns recommended in this Plan.
3. Promote alternative and energy efficient resources with residential development.
4. Encourage the concentration of energy-intensive facilities, housing, and other uses to avoid the expense of distributing energy over large geographic areas.
5. Promote the location of community service structures, retail sites, public utilities, day care centers, town offices, and other frequently visited sites within walking distance of residential areas

Goal 8: To maintain and enhance recreational opportunities.

Objectives:

1. Develop and maintain recreation facilities and infrastructure to provide recreation opportunities for all residents.
2. Ensure the preservation of and access to important natural and scenic resource areas for recreational use.

Goal 9: To strengthen agricultural and forest industries.

Objectives:

1. Support the Current Use Program for agricultural and forest lands.
2. Develop additional conservation plans to ensure that primary agricultural soils are devoted to farming or to such uses which shall maintain the potential for agricultural use.
3. Forest and agricultural lands shall be considered for their forest and agricultural productivity prior to any non-forest or agricultural uses.
4. Encourage businesses and industries that add value to locally produced agricultural or forestry products.

Goal 10: To promote the wise and efficient use of the Town's natural resources and to facilitate the appropriate extraction of earth resources and proper restoration and preservation of the aesthetic qualities of the Town.

Objectives:

1. Extraction of earth minerals and resources shall ensure that land and water resources are minimally impacted and restored after extraction.

Goal 11: To plan for, finance, and provide an efficient system of public facilities and services to meet present and future needs.

Objectives:

1. Analyze current facilities and assess future needs to determine potential demands of infrastructure.
2. Enact a Capital Program and Budget Plan for public utilities and facilities.

Goal 12: To encourage availability of safe and adequate housing for anyone choosing to live in the town of Orange.

Objectives:

1. Housing shall meet the needs of diverse social and income groups.
2. New and rehabilitated housing shall be safe, sanitary, and coordinated with the provision of necessary public facilities and utilities.
3. The development of diverse and appropriate housing shall be encouraged in the Town of Orange Plan Implementation.

Successful implementation of the goals, policies and recommendations outlined in this Plan depends on the combined efforts of Town residents and local officials, as well as the resources of the Central Vermont Regional Planning Commission, and other regional, state, federal and private entities involved in land use planning activities.

At the state and federal levels, the Plan can be used to justify and prioritize the use of federal funds for community development, transportation improvements, natural resource protection and management, hazard mitigation, and other investments. In addition, Act 250 requires that developers shall show that projects conform to local and regional plans.

At the regional level, the Regional Planning Commission can review the Town Plan for compliance with the requirements of Act 200. Act 200 approval makes the Town eligible to apply for implementation funding from the State in the form of Municipal Planning Grants.

SECTION 3: INTERPRETATION OF THE TOWN PLAN

The Orange Planning Commission recognizes that the Town Plan has regulatory effect only for projects which require an Act 250 permit (commercial or industrial projects on more than an acre, subdivisions of six or more lots, ten or more housing units, local state or municipal projects which disturb 10 or more acres of land, oil and gas drilling, and development over 2,500 feet in elevation). For purposes of Act 250 review, plan language that contains the words “shall,” “must,” “will,” “ensure,” “protect,” “insure,” “maintain,” “improve,” and “preserve” is mandatory language. The Town Plan maps are an integral part of the Town Plan.

At the local level, the Town has the following opportunities with respect to implementing the goals, objectives, and policies of the Plan:

1. Develop land use regulations that are based on the goals, policies and recommendations outlined in the Town Plan.
2. Develop specific ordinances to implement the goals, policies and recommendations outlined in the Town Plan.
3. Inform the community about opportunities to preserve Orange’s rural character. Solicit community feedback through workshops and surveys.
4. Refer to the Town Plan when planning additions and improvements to local infrastructure such as local roads, public buildings, and public utilities. Such additions or improvements should be used to plan for appropriate growth and development.
5. Work with public and private entities to help them design development or resource management plans in ways that will further the goals of this Plan.
6. Work with area land trusts to develop a plan for conservation of important resource lands.
7. Work with the Department of Forests, Parks, and Recreation to update forest management plans for State forest lands in Orange.
8. Participate in Act 250 hearings to present evidence on the conformance or nonconformance of projects to the objectives, and policies of the specific sections of the plan.
9. Enhance and improve communication and interaction between the Planning Commission and the community. Enhance the Planning Commission’s page in the Town’s website and for the Planning Commission to be on the distribution listing for on-site wastewater permits, access permits, building permits, and property transfers.

SECTION 4: THE TOWN

HISTORICAL OVERVIEW

The charter for the Town of Orange was granted by the State as of the date of August 11, 1781. The original charter is framed under glass, and in safekeeping at the Orange Town Clerk's office.

According to the account of "Orange" written in 1868 by Carlos Carpenter, a native of Orange but living in Barre at that time, the first settlement in the Town was made by Ensign Joseph

Williams in September 1793 on the South line of the Town. Prior to this time only hunters, trappers, soldiers, and captives had passed through this land, which was then a wilderness and uninhabited by permanent settlers. However, following the first settlement, in the next two or three years there were others who arrived, including Major Joseph Thayer, Christopher Carey, Humphrey and Ephraim Hunt, Gould Camp, John and Matthew Sloane, Ezra Paine, Ezra Goodale, Abel Skinner, Jabez Rodgers, and Porter Lord. The Town was organized as of March 9, 1796 at a meeting, warned by Abel Skinner, Justice of the Peace, and "held at the house of Joseph Williams." The first check list of voters who took the freeman's oath was made on September 2, 1800 and contained 30 names of men living in the Town.

The early records of the Town show that all the governing or overseeing of land grants and changes were decided by the proprietors of the Township evidently before many people had even settled in the area. The first hundred acre divisions for land grants in the Town consisted of 67 original rights and were recorded in the accounts from the proprietors' Records of Orange, found in the first book of the Property Records of Orange. These were all dated at Thetford as of January 5, 1785. Included were grants for College Right, Grammar School Number 1, English School, Minister Right, and Parsonage.

The second hundred-acre division included 65 individual rights with five additional for College, Grammar School, English School, Minister, and Parsonage Rights. These rights were all dated at Hartford, Windsor County, as of March 6, 1786. All grants were made for 100 acres of land with five percent allowance for highway. The entire Township was chartered to "Contain (or comprehend) the Contents Six Miles Square (6 Miles Square)."

In the book "Vermont Place Names" by Esther Munroe Swift, she describes Orange as "largely a farming town," that the top population was reached in 1830 with about 1,000 people and over 5,000 sheep grazing on the hillsides. Also, "located almost in the middle of town, the village of Orange had a post office from 1823 until 1921. East Orange, in the extreme southern corner, had a post office from 1850 until 1908." She also states in her book that according to U.S. Coast and Geodetic Survey Maps the tallest peaks in town are Knox Mountain and Butterfield Mountain both over 3,000 feet tall.

According to Census Bureau figures, the population in Orange was 348 in 1800, so there was an influx of people up until 1830. The population dropped more or less continuously from 1860 to 1960. It then began to climb upward to 752 in 1980 and 915 in 1990, 965 in 2000, and an estimated 1101 in 2010. Currently there is a great deal of activity in the sale of real estate. New homes are being built continually, but the school population has dropped every year. Interestingly the overall current population is not growing at the same rate, as new home construction would suggest.

It seems that one reason for the decline in population was that the western United States was made more accessible by means of rivers, roads and railroads, and with open land available for grazing or farming, many people from the east left the hilly farmland, such as in Vermont, for more prolific opportunities in the west.

In Perry Merrill's book, Vermont Under Four Flags, he states that by 1840 about 4,000,000 acres of land had been cleared for agricultural use in this state. However, from that date until the present time, the forest area has been increasing, and the picture reversed, as there are about 4,000,000 acres of forestland in Vermont with much less open land for farming purposes. The

situation is apparent in the Town of Orange, as there are only three working dairy farms remaining as of 2012.

Much of the land, which formerly made up the acreage for operating a farm, has been sold off in smaller pieces for building of private homes.

According to Town records, the meetings of the town people took place in private homes or at a schoolhouse until 1824 when the meeting was held at "the meeting house in Orange." The records indicate that a meetinghouse was built by the religious Society sometime between 1800 and 1824, and that it was used as a common town meeting house for public meetings for several years. This was located on the village green, which was in the area near where the Orange Center Cemetery is situated. It was purchased by the Town in 1861 and moved to the Market Road (now Route 302), where it has been located ever since. It was, however, moved further back from the highway in 1981 and an addition was built in 2005 to accommodate the space needed resulting from the town's increased population.

In the early years of the Town, schoolhouses were built in different districts of the town and families could be changed from one district to another in order to keep enrollments at a more comparable level. In 1820 there were seven districts with an enrollment of 312 pupils. The enrollment in 1844 was up to "409 scholars in 13 districts," and the report lists 165 heads of families at that time. In 1905-06, school enrollment is listed as 122. Consolidation and closing of schools occurred throughout the 1900s, and by 1959, all students were enrolled in a single Orange Center school, which had to be expanded in 1989 to its present size and configuration.

In 1990 the elementary school enrollment was 125 pupils and the high school enrollment was 54 students, (a total of 179) from the town. In 1995, there were 131 elementary school students and 55 high school students, (a total for 186) from the town. As of 2012 there are 90 elementary school students and 55 high school students, (a total of 145) from the town.

The first meetings for the worship of God were held in the homes of some of the town residents. In March of 1801 "at a Stated Place for holding public meetings" it was "voted to form into a religious Society for the purpose of settling a minister and for supporting the Gospel." The Town Records indicate that a Meeting House had been built prior to 1824 (reportedly built 1801-1803), and it seems logical that this is the same one where town meetings were held and eventually purchased by the town, then moved to Market Road.

The Orange Alliance Church in Orange Center was built in 1848 and dedicated in 1849 as a Union Church which meant any Christian denomination could use it. However, it was mainly the Congregationalists who used it until World War II when it was closed. Following the war, it was opened and used by various groups until 1958 when the Christian and Missionary Alliance organized there.

Electricity was installed in 1948 and in 1976 a major excavation was done under the church making room for a kitchen, meeting room, library and classrooms. A well was drilled and modern plumbing installed. In 1997 new windows were installed. In 1999 the church had new siding and new shutters installed. Though the renovations to the church have made it more energy efficient, it retained its original look.

Records indicate that another union church was organized for East Orange in 1823, the first building being erected in 1825 and occupied alternately by Free Will Baptists and Methodists. This building burned and another church was built on the same ground in 1850. This church

building burned in December 1887. Construction began in June 1888 on a new church building, which was completed and dedicated in 1890. Worship services continue to be held in the East Orange Church which is noted for the beauty of its design and appearance.

There are seven cemeteries in the Town, the newest one being "Brook Haven" which is located near the town hall and clerk's office on Route 302 in the center of town.

After the first settlers came to Orange, there were several sawmills and grist mills established where dams were made in the waterways to provide water power. As a result of clearing trees from the land for farming purposes, the industries of making potash, pearl ash, and lye came about. These products were sold or bartered as needed. In the past, lumbering, local sawmills, a shingle mill and a tannery were important industries in Orange.

The raising of the sheep was a flourishing agricultural business from about 1810-1850, but declined rapidly when sheep herding in the western states became too competitive.

From 1850-1900 many dairy farms turned to producing butter, eggs, and cheese. Each family was more or less self-supporting with their means of producing dairy foods, vegetables, to last the year round, and poultry to supply further means of food. Later on, the sale of fluid milk and cream became the chief sources of income for the family. With the introduction of motor transportation the Town has gradually become a bedroom town where the majority of workers commute to places of employment outside Town boundaries.

Other industries, which were active in the past, were a tannery and shoe cobbler, around 1850; a wheelwright shop and shingle mill, around 1900; a cabinet and furniture shop, around 1850-1900, and general stores in Orange Center and East Orange.

Economic activity today includes: a used car sales business, firewood and maple sugar sales, three dairy farms, several livestock and/or vegetable farms, construction contractors, a machine shop, a legal services practice, several finish carpenters, furniture makers, several truckers, a used vehicle storage facility, and several motor vehicle mechanics. The vast majority of the employed town residents commute daily to and from their work places.

Several social organizations and clubs have been active in the Town and continue to provide opportunities for social interaction, if desired. These include the Friendly Circle Home Demonstration Club, the Parent Teacher Association, Orange Little League Baseball, and a Youth Group of the Orange Alliance Church. The Town Recreation Committee also plans many recreational activities during each year. A new recreation field was created in 1992 with the help of the Vermont National Guard.

An annual Heritage Day was initiated in 1982 to commemorate the bicentennial of the town's charter date on the first Saturday in August and was held annually from 1982 through 2003.

HISTORIC SITES AND STRUCTURES

Several sites and structures within Orange are recognized as demonstrating unique and/or significant historical characteristics. Historic sites and structures within the Town are valuable educational resources linking the people of today with the Town's forbearers and their activities.

The following is a list of sites and structures. The list was compiled by the Orange Planning Commission after consulting the properties listed by the Vermont Division for Historic Preservation. The list does not intend to imply or strive toward regulation of such property, rather it serves as an information base:

Strong Family House

Location; North on Town Highway #7

Significance: built in the mid-1800s, this structure is the only brick house extant to the Town of Orange, the Walling Map of 1858 and the Beer's Map of 1877 list C. Cutler as the original owner.

The Jeffries Barn

Location South on Town Highway # 21, approximately 1.5 miles east of Route 302.

Significance: This structure is one of the oldest houses existing in Orange. It was built in 1825. The Walling Map of 1858 and the Beer's Map of 1877 list D.R. Sargent as the original owner.

Fishpond Farm (owned by Robert and Bernadette Leonard)

Location: Town Highway #30, some 1.5 miles north of East Orange.

Significance: This cape was built in 1810 and is one of the oldest structures in Orange. Pegged joints and hand hewn beams indicate that both barns were likely constructed prior to the Civil War. The Walling Map of 1858 and the Beer's Map of 1877 list J.B. Hurdown and A.E. Dickey as residents.

The Colby Farm (Emily Missner Raviola)

Location: East Orange Village, turn North past church, cross bridge, first left.

Significance: The Walling and Beer's Map list E.E. Colby as owner, until recently generations of the Colby family continued to live at the site. The structure is aesthetically renowned and well photographed. It was built in 1855.

East Orange Church

Location: East Orange Village

Significance: Built in 1890, the church displays what is known as the "Queen Anne Style." A visit to this site will attest to the architectural complexity.

Wayne and Beverly Hatch Place

Location: North side of East Orange Road, first house west of church;

Significance: The house was constructed around 1860 while the barns appear to have been built between 1890 and 1900. The Beer's Map of 1877 lists D. Sanborn as owner.

Kenneth Morris House

Location: North side of Rte. 302, .5 mile east of Orange Center.

Significance: This house was built in 1840. The Walling Map lists J.P. Lord as owner.

Meadow View Farm

Location: South on Town Highway # 2, first farm on left after junction with Town Highway #4.

Significance: The structure is "an unusually large classic cottage." it was probably built in 1864.

James and Hannah Avery Farm

Location West side of Route 110, north of intersection with TH #2.

Significance: built in 1864 with solid walls of two by fours laid up on top of one another, the Board house is a fine historic structure. This is the second house on this farm. The oldest part of the barn was probably built between 1810 and 1820. The barn was originally across the road from where it now sits. It was moved around 1900. The Walling Map of 1858 lists N. Waterman living on this site, and Beer's Map of 1877 lists N.S. Waterman. The Town Clerk's Office moved to this house in 1935 and was there until 1973.

Patrick and Margaret Doyle House

Location: east side of Rte. 110, one mile north of intersection with TH. # 2.

Significance: Originally built as a one story home in 1845, a second story was added probably around 1890. The Walling Map lists N.A. Sanborn as owner in 1858, and Beer's lists W. Hayward in 1877.

Phillip and Jean Zeller House

Location: North side of Route 302, located 0.75 miles east of Riddle Pond.

Significance: This post and beam structure was built in 1840 and boasts a doorway as its most unique feature.

Orange Alliance Church

Location: Center of Orange Village, north side of Rte. 302

Significance: This structure was built in 1848 as a union church after the Village moved to its present location from the original settlement site.

David Newhall House

Location: South side of TH. # 24, first farm after turning left past Orange Center cemetery.

Significance: This structure was constructed in 1830. The Walling Map lists G. Camp as owner in 1858, and Beer's Map of 1877 lists H. Goodrich.

Jason and Nichole Fahey House

Location: South side of TH. # 24, approximately 1 mile after turning left past Orange cemetery.

Significance: Built between 1820 and 1830, this house is listed on the Walling Map of 1858 and Beer's Map of 1877 as owned by M. Waterman.

Elsie Beard's House

Location: Center of Orange Village, south side of Rte. 302.

Significance: This structure was built prior to 1860 and served for many years as the Town Clerk's Office and Town Library as well as a home.

Orange Town Hall

Location: Center of Orange Village, south side of Rte. 302.

Significance: Constructed between 1801 and 1803, this building served as the first church in Orange. It was moved from its original site on the Orange Green in 1861 to its present site in order to serve as Town Hall. It is undoubtedly the oldest building in the town.

Douglas Riddel

Location: Southwest corner of the intersection of Rte. 302 and TH. # 21.

Significance: This structure was built around 1870.

SECTION 5: TOWN PROFILE

COMMUNITY IN TRANSITION

The Town of Orange consisting of 38.77 square miles finds itself at the junction of two landscapes. At once it is both traditional rural Vermont and the frontier of an expanding suburban front. It is a place where residents gaining their livelihood from the land are neighbor to those who make a significant commute to work each day. Positioned at the southern boundary of the 25,645-acre Groton State Forest and adjacent to Central Vermont's largest job centers, Orange remains a community in transition. A consideration of the population density of surrounding towns illustrates the point well.

The three towns at Orange's northwest border (Barre Town, Barre City and Plainfield) constitute a 2010 population density of more than 300 persons per square mile. To the northeast, east, and south, Orange's four bordering towns (Corinth, Groton, Topsham, and Washington) sum to a population density of more than 20 persons per square mile. The 2010 revealed an eleven percent (11%) increase in population from 2000, i.e., an increase from 965 to 1072. Orange's population density increased from 24 persons per square mile in 2000 to 28 persons per square mile in 2010. So, while Orange shares the rural characteristics of neighboring towns to the northeast, east, and south, it is clearly subject to the forces of change, which have impacted its more suburban neighbors to the north and west.

Development pressures in Orange are largely a result of influences from the Town's northern and western neighbors. The planning goals set forth in the Orange Town Plan shall help minimize any adverse impacts of these pressures on neighboring municipalities to the east and south.

The Orange Town Plan appears quite compatible with the plans of its neighbors. The Orange Town Plan seeks to address the mounting pressures for housing growth caused by the

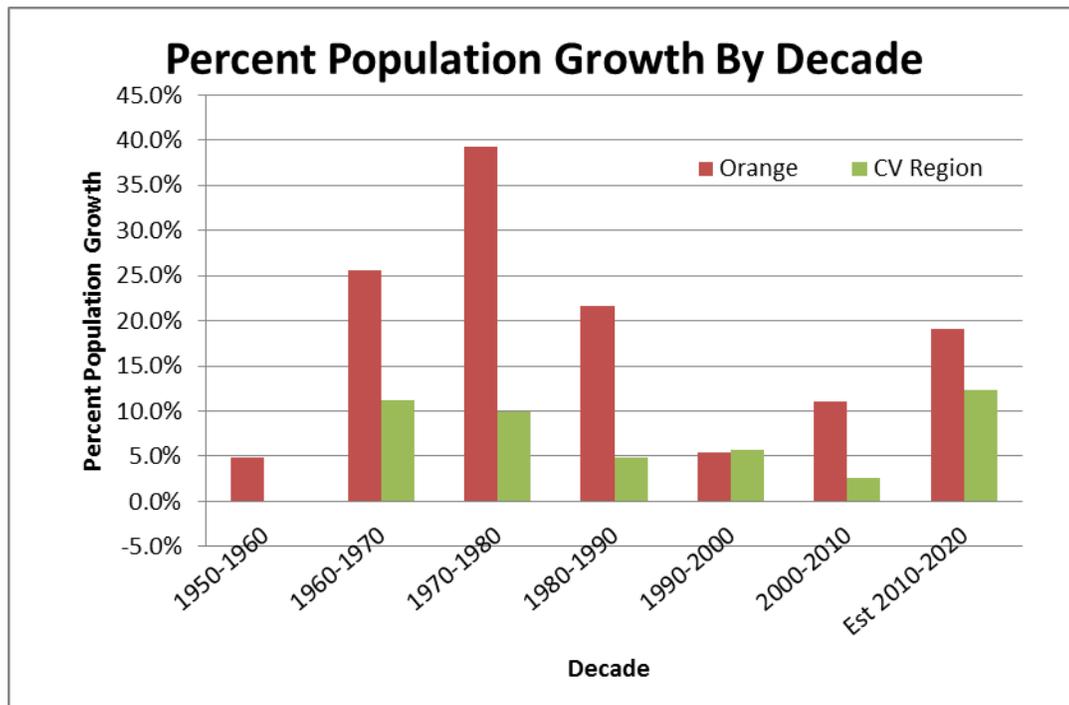
nearby more urban areas, while seeking to remain as much as possible like its more rural neighbors. Because Barre Town and Barre City are planning for and undertaking expanded commercial, industrial and residential growth, the location of their respective growth centers presents a potential direct conflict with current and anticipated land uses in the Town of Orange.

Dwellings are scattered sparsely throughout Orange. Two village centers exist, i.e., East Orange at the southeastern corner of Town, and Orange Center at the west and central edge of Town. Route 302 is the Town's major thoroughfare, providing a transportation route that bisects the Town on an east-west axis and hosts a number of residential and commercial structures.

POPULATION

The population of Orange had declined steadily from more than 1,000 residents in the early to mid-1800s until 1960. In 1960, 430 people resided in Orange. Orange then grew significantly from 1960 to 1990, more than doubling its population. Growth during those 30 years was three times the regional rate.

From 1990 to 2000, growth slowed to slightly less than the regional average; however between 2000 and 2010, the growth rate in Orange was roughly 425% greater than that of the Central Vermont Region. According to a 2001 forecast put together by the Regional Planning Commission, Orange's growth between 2010 and 2020 is expected to remain higher than the Region's.



This is not surprising given Orange's proximity to regional job centers (i.e., Barre City, Barre Town and Montpelier) and relatively low land costs.

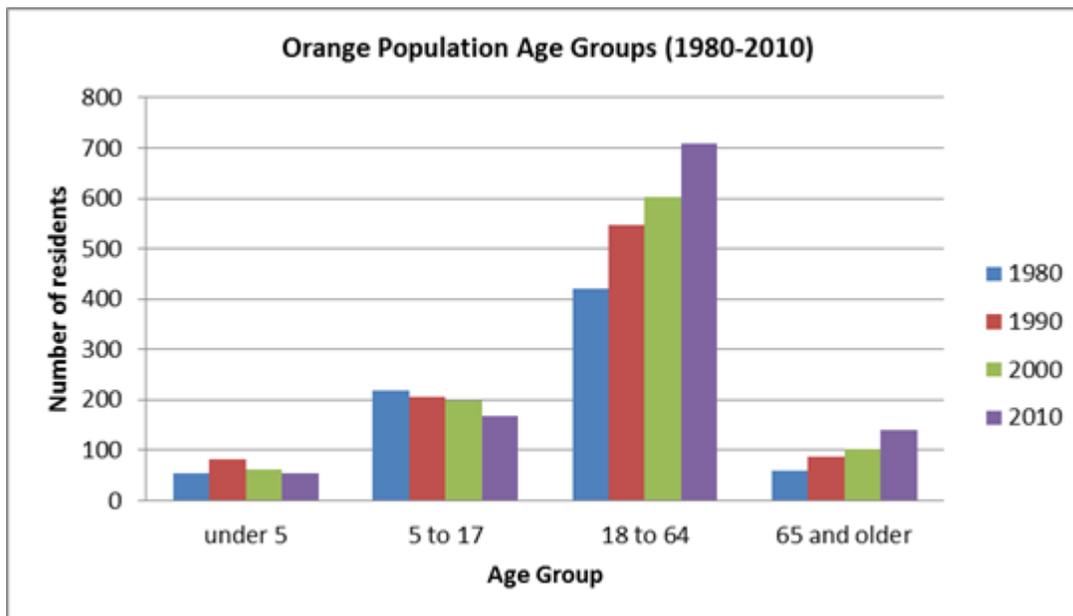
It is in the Town's interests to facilitate growth that is beneficial to the community. The number of adults between the ages of 18 to 64 in Orange has increased steadily in recent decades and has now surpassed 600. While the number of working aged adults has increased, the total employment (other than self-employed) in the town is less than 50, and more than half is public employment (the majority at Orange Center School).

Orange has a critical need to generate local employment. Although it supports increased private sector employment through an existing stabilization ordinance, lack of infrastructure is an impediment. The town should seek additional steps to facilitate and nurture employment.

An understanding of the changing population is essential to planning for the future of the community.

Orange is aging – rapidly.

The median age of the Town residents is increasing rapidly. According to the US Census, between 2000 and 2010 the median age of Orange residents increased from 38.1 to 44.8. In 1980 the median age was 27.3. The population under age 5 fell by 20 percent between 1990 and 2000 and 12.1 percent between 2000 and 2010. The population ages 5 to 17 fell 3.4% between 1990 and 2000 and 14.6% between 2000 and 2010. Meanwhile the working ages grew by 17.8% from 2000 and those age 65 and older jumped 36.3% from 2000.



Town of Orange Growth

	1970	1980	1990	2000	2010	Projected 2020
Population	540	752	915	965	1072	1276
Households	139	241	312	362	425	556
Household Size	3.88	3.12	2.93	2.67	2.52	2.29
Change in:						
Population		212	163	50	107	204
Households		102	71	50	63	131

Source: US Census 1970-2010/ CVRPC EPR Forecasts

Changing Age Demographics

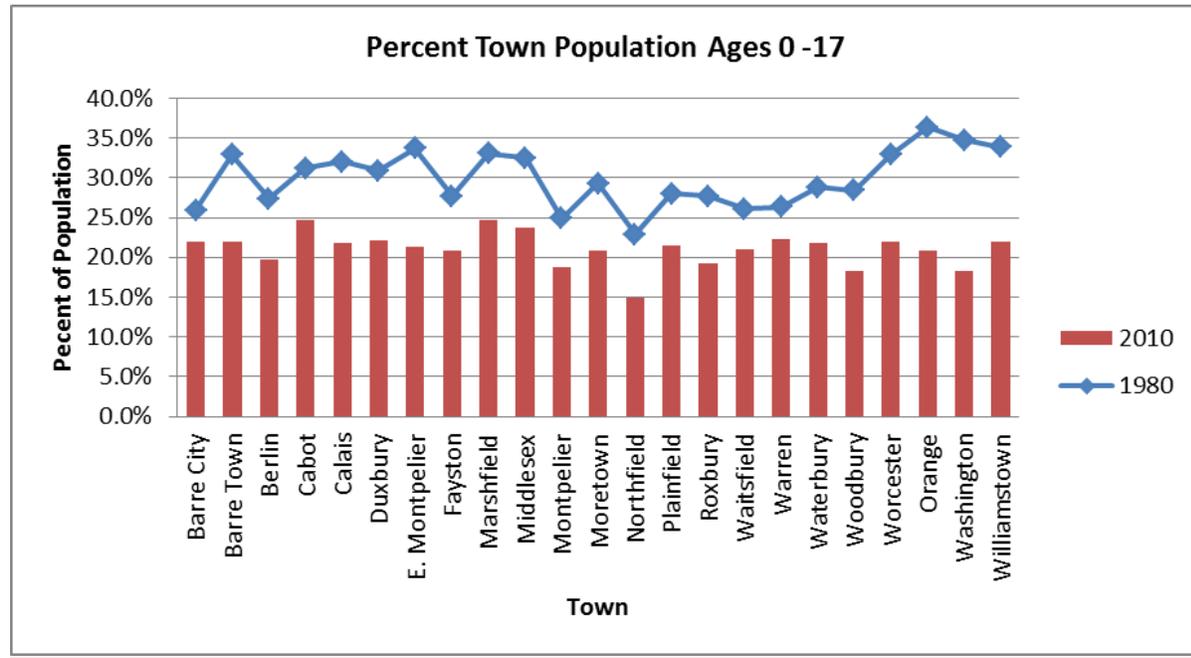
Year	Under 5	5-17 Years	18-64 Years	65+ Years	Total
1990					
Number	81	209	543	82	915
Percent	8.9%	22.8%	59.3%	9.0%	100%
2000					
Number	63	198	602	102	965
Percent	6.5%	20.5%	62.4%	10.6%	100%
2010					
Number	55	169	709	139	1072
Percent	5.1%	15.8%	66.1%	13.0%	100%

Source: US Census 1990-2010

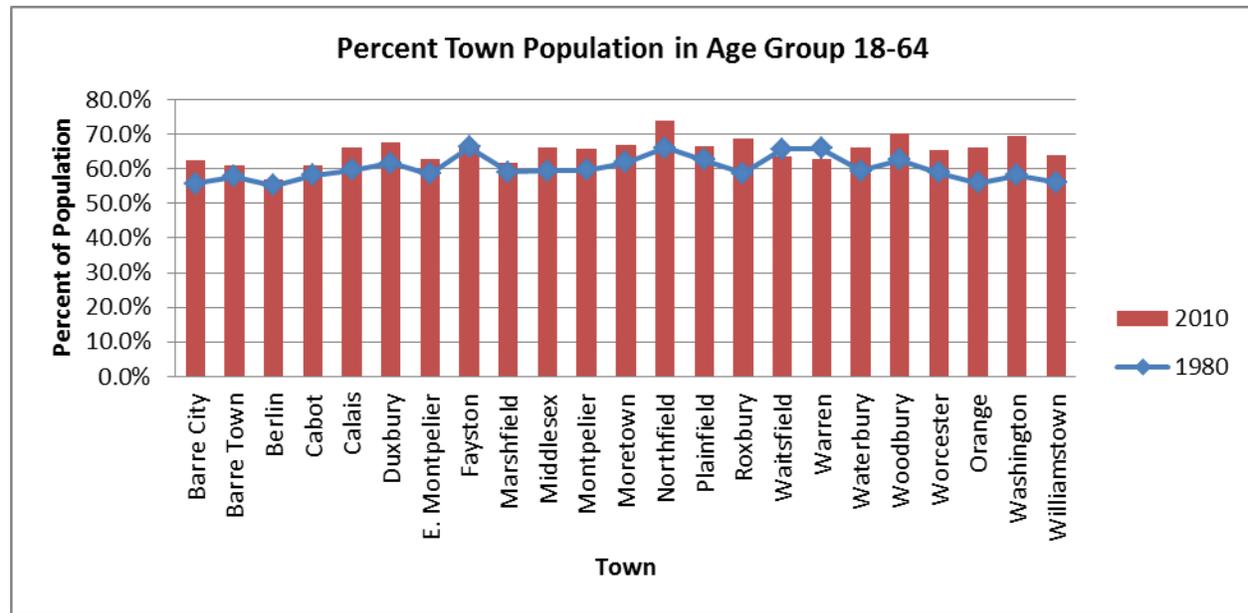
As illustrated in the charts on the next page, the aging of Central Vermont's towns is not unusual, but in Orange the change is more pronounced than most.

Historic Age Disbursement By Town

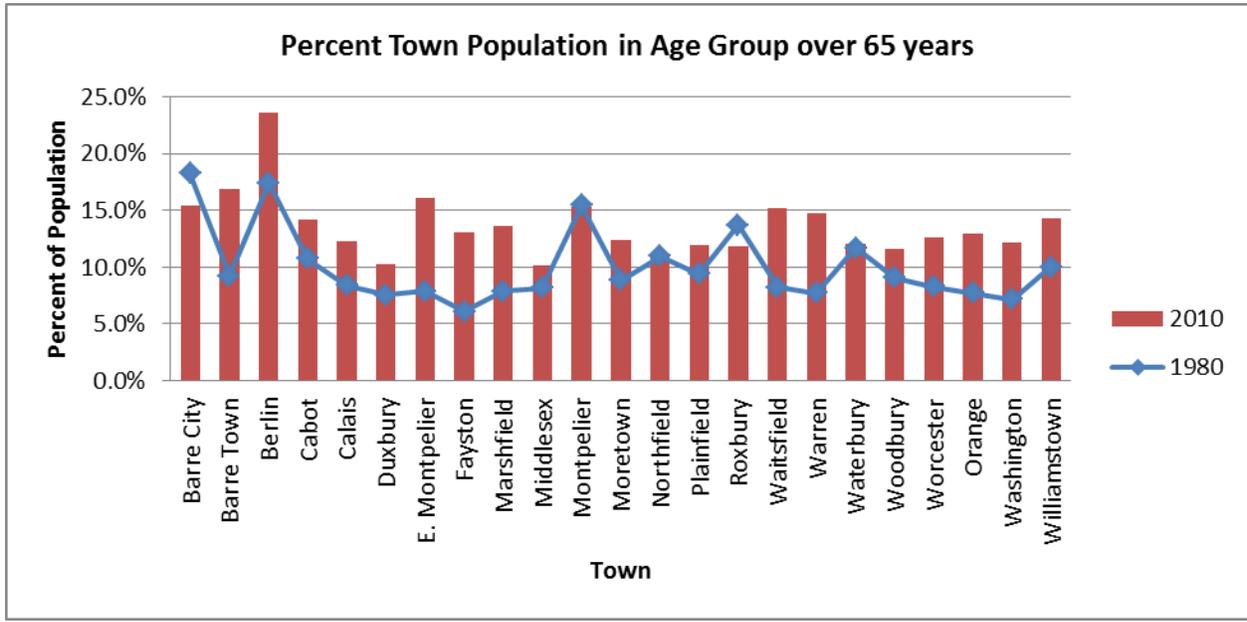
The percentage of residents in the age group 0-17 declined significantly in every Central Vermont town between 1970 and 2000. In Orange, the percentage declined from 42 to 27 percent.



The percentage of residents in the working ages (18-65) increased in each Central Vermont town between 1970 and 2000. In Orange, the increase was from 50 percent to 62 percent.



The change in percentage of residents over age 65 varies substantially from town to town. In Orange, the percentage has increased from 8 percent to 11 percent.



Population Estimates

In 2001, the Central Vermont Regional Planning Commission – in conjunction with the Central Vermont Economic Development Corporation and Central Vermont Chamber of Commerce – commissioned an estimate of future population and housing.

Below are the actual census figures from 1960 to 2010, and the projected populations for Central Vermont towns to 2020.

Central Vermont Population Growth By Town							
	1960	1970	1980	1990	2000	2010	2020
	Census	Census	Census	Census	Census	Census	Projected
Barre City	10387	10209	9824	9482	9291	9052	8626
Barre Town	4580	6509	7090	7411	7602	7924	8747
Berlin	1306	2050	2454	2561	2864	2887	3515
Cabot	763	663	958	1043	1213	1433	1453
Calais	684	749	1207	1521	1529	1607	2052
Duxbury	546	621	877	976	1289	1337	1820
E. Montpelier	1200	1597	2205	2239	2578	2576	3151
Fayston	158	292	657	846	1141	1353	1766
Marshfield	891	1033	1267	1331	1496	1588	1821
Middlesex	770	857	1235	1514	1729	1731	2460
Montpelier	8782	8609	8241	8247	8035	7855	7780
Moretown	788	904	1221	1415	1653	1658	2301
Northfield	4511	4870	5435	5610	5791	6207	6311
Plainfield	966	1399	1249	1302	1286	1243	1306
Roxbury	364	354	452	575	576	691	703
Waitsfield	658	837	1300	1422	1659	1719	2250
Warren	469	588	956	1172	1681	1705	2421
Waterbury	4303	4614	4465	4589	4915	5064	5579
Woodbury	317	399	573	766	809	906	1098
Worcester	417	505	727	906	902	998	1109
Orange	430	540	752	915	965	1072	1276
Washington	565	667	855	937	1047	1039	1311
Williamstown	1553	1822	2284	2839	3225	3389	4224
CV Region Total	45408	50668	56284	59619	63276	65034	73080

Source: US Census 1960-2010/ CVRPC EPR Forecasts

The anticipated 20 percent growth rate for Orange between 2010 and 2020 is about 8% greater than what is expected for the Region.

Sources of Population Growth

Although Orange has traditionally had more transient growth (immigration) than most Central Vermont towns, the primary source of growth in the 1980s was native, i.e., a result of more births than deaths among current residents. However, since the 1990s, the primary source of growth continues to be in-migration.

	1950-60	1960-70	1970-80	1980-90	1990-2000	2000-10
Native Growth	3	50	57	90	5	30
Immigration	17	60	155	73	45	77
Total Change	20	110	212	163	50	107

Source: Vermont Department of Health Vital Records

HOUSING

Orange's growth is on track to that predicted by CVRPC's population estimates. In 2010, the CVRPC model predicted that Orange would have a population of 1101 living in 430 households with an estimated household size of 2.56 persons. Orange's current household size is smaller than what was predicted by CVRPC. If this trend continues, Orange will want to investigate developing policies to encourage smaller housing units rather than large lot single family homes to accommodate the needs of the smaller households. The smaller household size could be attributable to Orange's older population which could include more "empty nesters."

	1970	1980	1990	2000	2010	2020 projected
Population:	540	752	915	965	1072	1276
Households:	139	241	312	362	425	523
Household Size:	3.88	3.12	2.93	2.67	2.52	2.44

Source: US Census 1970-2010/ CVRPC EPR Forecasts

Change	1970-1980	1980-1990	1990-2000	2000-2010	2010-2020
Population:	212	163	50	136	175
Households:	102	71	50	68	93

2010 Resident Ages	Under 5 years	5-17 Years	18-64 Years	65+ Years
Breakdown:	55	169	709	139
Percentage:	5.1%	15.8%	66.1%	13.0%

ECONOMIC & SOCIAL HEALTH

The economic health of Orange has declined dramatically since 2001. Orange fell from 12th place to 21st place in 2010 out of the 23 towns in the central Vermont region in Adjustable Gross Income (AGI) and to last place in AGI growth Income. The following chart shows the median income (adjusted income per tax return) and the AGI growth for the 23 municipalities of Central Vermont based upon information compiled by the Vermont Tax Department.

**2010 Vermont Personal income Tax Returns
School District Median AGI Report**

		AGI per Return		Number of Returns	AGI Growth
		2001	2010	2010	2001 to 2010
1.	Fayston	35,726	44,317	592	23.6%
2.	Duxbury	35,049	44,026	626	25.6%
3.	Middlesex	35,807	43,459	879	21.4%
4.	East Montpelier	31,975	39,503	1,307	23.5%
5.	Waterbury	31,015	38,978	2,808	25.7%
6.	Moretown	30,065	38,529	817	28.2%
7.	Barre Town	31,975	37,546	4,155	17.4%
8.	Woodbury	30,641	36,723	433	19.8%
9.	Calais	29,053	36,607	815	26%
10.	Montpelier	28,143	35,087	4,270	24.7%
11.	Worcester	27,163	34,618	497	27.4%
12.	Berlin	30,151	34,546	1,329	14.6%
13.	Warren	28,631	33,215	845	16%
14.	Waitsfield	29,615	32,997	988	11.4%
15.	Marshfield	27,812	32,907	743	18.3%
16.	Williamstown	27,563	32,848	1,653	19.2%
17.	Northfield	28,121	31,549	2,290	12.2%
18.	Plainfield	24,847	30,621	790	23.2%
19.	Roxbury	27,867	29,728	328	6.7%
20.	Cabot	23,199	29,707	651	28.1%
21.	<u>Orange</u>	<u>28,884</u>	<u>29,489</u>	<u>651</u>	<u>2.1%</u>
22.	Washington	25,148	29,012	780	15.4%
23.	Barre City	23,056	27,732	4,353	20%

State records in the Vermont Economic Services Division indicate that **2.4** percent of Orange residents receiving Reach-Up, one of the lowest rates in the region. Orange County averages **15.0 percent**, and Washington County has a **14.0 percent** average.

The same department indicates that **11.5** percent of Orange Town residents receive three squares Vermont (food stamps). In Washington County's **3.0** percent of its residents receive three squares Vermont (food stamps), in Orange County the rate is **2.0** percent.

Orange has so few employers in town that average wages paid by its employers is not released by the Department of Employment & Training because it could breach confidentiality guidelines. On the other hand, so few residents work at jobs in Orange, the number would have little meaning.

In order to stop further economic and income decline and to revitalize economic health the Town must find a way to encourage new employment through an active development program and encouragement of employment-related services to benefit the Town's residents. If the Town fails to stem the economic decline, then the perception as a "poor town" will further hinder the incentives of those who may wish to invest in and/or to relocate to the Town.

The reality of the Town's circumstance is it can't and won't plan development unless and until it should have an area with municipal sewage treatment. There are a limited number of businesses Orange could reasonably attract without sewer – mostly small scale and likely to be located "wherever it works" for the entrepreneur. Without municipal utilities, and without a historical influx of commercial employers, there is little relevance to planning directives.

While development is most likely to occur near highways, it is currently not happening at all. Designating "growth centers" in Orange may be an interesting intellectual exercise but it would be meaningless as the only logical growth center would be on (or divided by) Route 302.

Orange has no infrastructure to expand. Until there are some core employers, there is nothing to that can be done to strengthen or to diversify the Town's economy.

GOVERNMENT

A Board of Selectmen governs the Town of Orange. The Board is a part time body comprised of three elected citizens. The Board manages Town affairs, plans, and finances; maintains Town roads and facilities; and oversees the work of Town commissions and committees.

The Orange Planning Commission is a volunteer commission. The Orange Town Plan is a product of recent activities of the Planning commission. The Planning Commission's future work will be aimed at implementing the goals of the Orange Town Plan through local and regional planning initiatives, crafting of necessary and appropriate ordinances and bylaws, representing the Town in Act 250 hearings, and working with the state and local public officials.

The Orange Recreation Committee has developed a Town recreation field along the Reservoir Road, just beyond the State Garage. The Town has a multi-year, renewable lease on the property.

The Orange Town Clerk maintains Town records, handles local licensing programs and responds to record search requests. Questions concerning permitting should be directed to the Town Clerks Office.

EDUCATION

The Orange School Board is a five member board elected by residents to serve as the Board of Trustees for education on behalf of the Town of Orange. It is entrusted with assuring the young people of Orange receive a high quality of education and that tax payers are receiving an excellent return on their investment.

The Orange Center School (OCS), located in the heart of the town, is the only town owned and operated educational facility. It serves the children of Orange residents from Kindergarten through grade eight and has been the centerpiece of the culture of Orange for 53 years. A small number of kindergarten students through eighth grade students attend private schools at their own personal expense. Because the Town does not own or operate a high school, the Town, through the Orange School District budget, pays tuitions for high school students to the public school of their choice. Since 2003-2004 the Orange Center school enrollment has averaged 100 students with an additional 65 high school students attending secondary schools in the area. The School Board reports the names of the high schools, the projected number of high school students planning to attend each school and the high schools' announced tuition annually in the Town Report. Tuitions for students for the 2012-2013 school year range from \$12,100 to \$14,500 per student. This compares to a range of \$7500 to \$9500 per student for the 2004-2005 school year.

The school has a gymnasium/cafeteria, kitchen, office, library, seven classrooms and several smaller spaces used for a variety of purposes. The board has explored both formal and informal preschool programs in the past and has been encouraged to do so again.

The school building is an important community asset and efficient use of the facility is imperative. In addition to it being an educational facility, it also serves as a town emergency shelter and as a meeting place for a wide range of community groups including the local church, Boy Scouts, family reunions, etc. The Orange School Board is continually reviewing ways to maximize the efficiency of the school building and therefore minimize the cost of its operation. This is done via cost analysis of renovations, improvements and upgrades. The school district is a member of the Orange North Supervisory Union (ONSU) and with support from ONSU has managed to acquire in the excess of \$75,000 through grant funding since 2008 to improve the facility. Projects have included re-insulating the entire building, efficient lighting for the gym, and replacing bathroom and kitchen fixtures and appliances with more water efficient fixtures and appliances. In addition, the ONSU, through a US Department of Forest Service grant managed by Yellow Wood Associates, and on behalf of the school district, is currently studying the feasibility of a biomass heating system for OCS that might also benefit other buildings in the town.

Before school and after-school programs can assist working residents as well as children. As a member of the Orange North Supervisory Union, the school now operates a before and after school program for students attending OCS. In addition, improvements made to the school's computer technology to support the curriculum have the potential to serve as a central location for computer and related technologies for town residents. The Board is continually looking at ways the school can serve as a resource for all Orange residents and be better integrated into the community at large. The Orange School Board Plan of Action includes

a goal stating “Develop a better connection with the Town through increased visibility, improved communication and more collaboration with Town entities.”

NATURAL RESOURCES

Topography

Within the boundaries of Orange are abundant natural and physical diversity. The Town is largely characterized by steep and rugged hills. A major watershed boundary splits the Town on its north-south axis. On the eastern slope, tributaries flow into the Connecticut river by way of Waits River and the Wells River, and then south through southern new England and on to the Atlantic. On the western slope of Orange, tributaries flow into the Jail Branch River and then on to the Winooski before reaching Lake Champlain, a north flowing drainage depositing waters into the Atlantic by way of the St. Lawrence River.

Butterfield Mountain (3,167 feet). Hannah Hill (2,196 feet). Knox Mountain (3,086 feet) and St. Cyr Mountain (2,334 feet) dominate the northeastern quadrant of Orange. This area is almost totally forested with very little development or human habitation. Below, in the southeastern quadrant of Town, hills and forest land predominate and lay host to East Orange Village, a settlement on the East Orange Branch of Waits River at the Corinth Town boundary. The western reaches of Orange are most suited to habitation, and as such, are the most intensively developed.

Relative to many Vermont towns, a large proportion of Orange's land has slopes greater than 25%. Obviously, those lands pose significant impediments to human habitation and development. Development on such slopes can cause severe erosion and sedimentation, aesthetic degradation, and habitat disruption. In addition, it can make access for emergency vehicles difficult or impossible. Therefore, development on such slopes is discouraged.

Soils

Perhaps as much as any other characteristic of the land, soils indicate appropriate land use. It is therefore useful to evaluate, at least generally, soil characteristics in the Town of Orange. For our purposes here it is most important to consider the soil's slope and drainage, its suitability for septic disposal, and its ability to support and enhance agricultural and forestry activities.

The Soil Conservation Service has completed a soil survey of the Town of Orange. The map and accompanying text provide a detailed description of the soils occurring in Orange. The following is a discussion of general trends and distributions of the soils within Orange. Any detailed investigation of soils in the Town should refer to the Soil Conservation Service Survey itself.

It is important to recognize that the characterizations provided are descriptions of general trends and are not absolute. Isolated pockets of soil types which pose no limitations to development are often found within soil associations that are generally not suitable for development. Just the same, soil associations which are generally suitable for development often contain pockets of soil types which are not compatible to development.

The soils hosting Orange Village and those of the majority of the western side of town are of the Buckland-Cabot association. These are upland soils with gently sloping to steep

slopes. The Buckland-Cabot association has a higher percentage of poorly drained soils than other associations formed in glacial till in Orange County. Unless they have been cleared for farming, these soils often have many stones on the surface. Buckland-Cabot soils are often used for hay and pasture and sometimes pose limitations to community development due to a seasonal high water table and slow permeability.

Tunbridge-Woodstock-Buckland associations occur in large pockets in the north and south of town. Also upland soils, these are naturally very stony, but often have been cleared of surface stones. These are excessively well drained to moderately well drained soils whose major limitation to development is site specific depth to bedrock.

The Colrain-Buckland-Tunbridge association is the other major soil association in Orange. These upland soils are also naturally very stony, but are often cleared of surface stones. In Colrain soils, limitations are few for community development; while in Buckland and Tunbridge soils depth to bedrock and slow permeability do pose limitations.

There are two small, isolated patches of soils that formed in water deposited materials of valleys. These are the Hadley-Winooski- Limerick association and the Merrimac-Agawam-Windsor-Winooski association. These associations occur along the Jail Branch and Waits rivers respectively. Both soil types are subject to flooding. The Hadley-Winooski-Limerick soils are quality agricultural soils, but due to excess wetness pose limitations to development. The Merrimac-Agawam- Windsor-Winooski soils are also quality agricultural soils. Where slope is not a consideration, Merrimac- Agawam and Windsor soils have few limitations for development. Flooding prevents present Winooski soils from being compatible with development.

Water Resources

Nate Smith Brook and Nelson Brook both originate in the Knox Mountains and flow west to their confluence and then on to the Thurman W. Dix Reservoir, a drinking water source for the residents of Barre City. Orange Brook originates in the northwestern corner of Town and flows south into the Thurman W. Dix Reservoir. This reservoir drains south into Orange Brook and then on to the Lower Orange Reservoir, also a drinking water source for Barre City residents. These brooks are largely free flowing and provide high quality habitat and recreation settings. Because they are ultimately sources of drinking water these water courses and adjacent land should be maintained so as to not significantly degrade water quality.

Baker Brook also originates on the western slope of the Town, joining Orange Brook below lower Orange Reservoir before its confluence with the Jail Branch. Other smaller tributaries occur along the western slope. A number of other tributaries flow from the eastern slope of town before entering the Waits River.

Water quality classifications are determined by the Water Resources Board. The classifications establish water quality goals for each body of water in the State. All brooks except the Jail Branch are classified by the Board as Class B waters. According to the Board, this classification indicates that the water courses have management goals which include "good aesthetic values, contact and non-contact recreation, public water supply with disinfection and filtration, irrigation, and other agricultural uses." The Jail Branch is classified as a Class C watercourse. According to the Board, Class C waters are not appropriate as sources of drinking water nor are they appropriate as contact recreation sites. Because the Jail Branch borders active

agricultural land and is generally not suited for recreational purposes, it should remain classified as a Class C River.

Riddel Pond displays high quality aesthetic value and is excellent wildlife habitat. In addition to Riddel Pond, Thurman W. Dix Reservoir, and Lower Orange Reservoir, there exist numerous small ponds scattered throughout the Town. Some exist within wetlands, and others in higher elevations, as the source of many of the Town's brooks. In many cases beaver dams have created these smaller ponds. They serve to store water from heavy rains and spring runoff, thereby preventing detrimental erosion and contributing to flood control, and they are often excellent habitat. As the health of these bodies of water is important to the Town, any undue, potentially detrimental activities should be discouraged.

Major groundwater deposits in this region are most often located in areas underlain by stratified drift deposits (permeable sands and gravel of glacial origin), along watercourses in valley areas. As there is an exchange between surface and ground waters, land uses, which pollute upstream waters, may in time pollute downstream aquifers. Thus protection of groundwater may require restrictions on potentially toxic land use and that care should be exercised in the course of development in these areas. In that the vast majority of Orange residents rely on groundwater from springs and bedrock wells as their primary water source, the health of these supplies is very important

Orange's wetlands are included on the National Wetlands Inventory Map, available through the Agency of Natural Resources Department of Environmental Conservation. Wetlands are recognized as an important resource to the Town. They provide excellent habitat, they act in flood regulation and groundwater recharge, and through silt deposition and ingestion of nutrients by wetland plants, they act as water purifiers. Activity in wetlands is regulated by both the State and Federal governments, and Orange desires no additional restrictions.

Policies

1. Development that creates negative impacts shall be prohibited in headwaters of watersheds or areas supplying recharge water to aquifers.
2. Development shall be prohibited in areas where soil conditions and topography will cause pollution of ground or surface waters.
3. Development shall be prohibited on steep slopes where erosion is likely to occur.
4. Naturally vegetated buffer strips of at least 50-100 feet should be left next to all rivers, lakes, and ponds, and at least 50 feet next to streams and wetlands, so as to filter pollution, prevent erosion, and protect fisheries and wildlife habitat.

Recommendations

1. Develop regulations that include an overlay district for aquifer protection areas.

Floodplains

Federal Flood Insurance Maps depict floodplains within Orange. The most significant floodplains occur along portions of the Jail Branch, Orange Brook, Nate Smith Brook, East Orange Branch, Nelson Brook, and Baker Brook. However, some smaller tributaries are subject to flooding and capable of inflicting damage on inappropriately sited development. Flooding most frequently occurs in early spring as a result of snow-melt and often heavy rains.

Policies

1. Development plans for lands subject to periodic flooding must comply with local, state and federal flood hazard regulations in order to protect the health, safety and welfare of the public.

Recommendations

1. Continually update and readopt the Orange Local Hazard Mitigation Plan (adopted 2011).

Public Lands

Orange is unique in its diversity of land ownership. Certain large parcels of land in Orange are owned by public entities other than the Town of Orange, and they deserve special note here. Obviously, the maintenance and future of these lands are of special importance to residents of Orange.

The Butterfield Block of Groton State Forest extends into the northeastern quadrant of Orange. At 25,645 acres (1,934 acres in Orange), Groton State Forest is the third largest contiguous land holding of the State of Vermont. Timber management is an important use of this forest but is "generally subservient" to recreational needs.

The Barre City Forest, a large parcel of land encompassing the Thurman W. Dix and Lower Orange Reservoirs, is owned by Barre City. Water from the reservoirs flows through a modern filtration and treatment plant to provide drinking water to Barre City. The tract includes approximately 1,200 acres of land immediately surrounding the two reservoirs, all of which is protected. As a result, the Town enjoys a unique wildlife refuge.

Behind the East Barre Dam, a flood control dam owned and managed by the State of Vermont, lies a large inundation area. Located within the southeastern quadrant of Orange, this area incorporates a significant portion of the Jail Branch floodplain. Part of this inundation area is owned by the State and was acquired in fee. In higher reaches of the inundation area, the State owns only the flowage rights while private ownership accounts for other land rights. Owners are thereby prevented from filing claims against the State in the event of heavy flooding. Much of this land is also high quality agricultural land.

This land is currently farmed and is likely to remain useful only for agriculture in the years ahead. This complements the Town's desire to see agriculture and value-added products continue to be part of the town's economic base.

The Orange Town Forest is a 306.4 acre parcel located near the center of the Town on the North side of Route 302. The parcel is managed for the harvest of timber.

The Town has a lease on a property located along the Reservoir Road, which hosts a ball field and is maintained by the Recreation Committee as a community recreation field. The lease has been renewed for a second ten-year term.

Habitat

Orange residents are fortunate to share the community with a variety of animal species that depend on a variety of habitat types – and connectivity between habitats – for their survival. Maintaining viable populations of native wildlife is an important goal of town residents. To achieve this, residents and local officials should understand the habitat needs of different species, where those habitats are found in the community, how they interact with habitat areas outside of the community, and how land use and human activity can best be guided so that the function of important habitat is not diminished. Conducting an inventory of important habitats would greatly assist the town to better maintain habitat. Despite the lack of a comprehensive inventory, however, several types of significant habitat have been identified in the town.

Contiguous Forests

Contiguous forest habitat provides a significant contribution to the local community's interests in its natural heritage, identity, and working landscape. These lands represent much of what makes life in this area unique and enjoyable. These lands provide a myriad of ecological functions for fish, wildlife, plants, and all the natural processes that sustain them. Further, they provide extremely valuable connections for people to enjoy and appreciate the land and its abundant resources. For these reasons, contiguous forests will be supported by sustainable working lands, for the myriad contributions to our natural and cultural heritage, and for maintaining options and choices for future generations of the community. To this end, we will work to inform landowners of these values and offer assistance for any conservation actions that are in keeping with the local community's conservation interests.

In Orange, contiguous forest blocks greater than 500 acres play a particularly important role. The town seeks to minimize habitat fragmentation and parcelization in these large blocks of forest by encouraging clustered development and limited driveway length.

Connecting Lands

Because many wildlife species move long distances to get the food, water, shelter and access to mates that they need, allowing for connections between blocks of habitat is critically important. "Travel Corridor" is a term used to describe land that links larger patches of core habitat within a landscape, allowing the movement, migration, and dispersal of animals and plants, which is crucial in maintaining biological diversity, and the long term viability of breeding populations in the face of climate and habitat change. Riparian habitat along streams and rivers, strips of forest cover between developed areas, and even hedgerows/fencerows all represent potential connecting habitat. Included are areas where land use and landscape features allow wildlife to move across roads to and from habitat areas (e.g., undeveloped areas with forest cover close to each side of the road). Travel corridors can serve local populations of wildlife, or species with wide ranging habitat requirements. Efforts should be made to identify and map wildlife travel corridors in town in an effort to protect these linkages between larger areas of core habitat.

In a more regional context, Orange is part of a large “linkage area” that connects the Green Mountains of Vermont with the White Mountains of New Hampshire. This linkage area connects entire populations of wildlife, allowing for genetic diversity and hence healthy populations across the region. Scientists with The Staying Connected Initiative and Vermont Fish & Wildlife Department agree that this linkage area is of eco-regional significance and the travel corridors within this linkage are critically important.

Deer Yards

Deer wintering areas provide critical habitat for white tail deer and other forms of vertebrates. These areas of hemlock, spruce, fir, cedar, and pine species provide shelter from deep snows, and they also permit easier winter travel for deer and other species. The combination of elevation, vegetation, and solar aspect significantly increases the survival rates of deer populations and also impact the landscape ecology and recreation. Vermont Fish and Wildlife Department has targeted these areas for protection. Deer wintering areas have been identified and were remapped in 2012. Deer yards, aside from providing winter range, are essential for year round species migration. Careful management of these areas is of extreme importance in order for the species to thrive.

Rare, Threatened and Endangered Species

Threatened and endangered species are protected by Vermont’s Endangered Species Law (10 V.S.A. section 5401 et. seq.). The Vermont Natural Heritage Inventory of Vermont Fish & Wildlife Department maintains an inventory of the locations of rare, threatened or endangered plants, animals and natural communities. The precise locations are made available to town planners, although they are not published or made available to the general public. Orange is fortunate to have two locations in town of mapped features as well as several significant natural communities occurring in Groton State Forest. These areas should inform planning and development decisions in town to conserve or otherwise protect those species and the habitats necessary for their continued survival.

Policies

1. Wildlife habitat, particularly areas designated as deer wintering areas, production habitat, seasonal feeding areas, and locally identified travel corridors used by black bear, and Natural Heritage sites, shall be protected and maintained.
2. The diversity of indigenous plant and animal species shall be protected for their continued existence and proliferation.
3. Preserve the value of the wild habitat areas and deer yards found in large tracts of forested, undeveloped land, and in wetland areas. Ensure that development does not diminish the quantity and quality of these areas.

Recommendations

1. Town officials shall work with the State Fish and Wildlife Department to develop a plan for the protection of the Town’s diverse habitat.

Natural Areas

For purposes of this plan, Natural Areas may be defined as unique or fragile areas which display critical biological, geological, cultural or otherwise aesthetic appeal. Land development needs to be sensitive to this resource base.

Within the Town of Orange there exist two presently identified Natural Heritage Sites. These are sites identified by the Agency of Natural Resources as containing rare plants, animals or a significant natural community (or a State natural/fragile area). One is located at the southern end of the Thurman W. Dix Reservoir and the other near Town Highway #19.

The Nelson Brook Gorge is an area along Nelson Brook at an elevation of about 1,600 feet, and is an outstanding natural area within the Town.

These Natural Areas are an important component of the Town's natural and cultural history. It is hoped that through documentation and education their integrity will be preserved thereby avoiding regulatory measures, which often prove divisive to the community. The Town may wish to undertake specific steps to insure that development which occurs in or near these areas is not in conflict with their natural state, and landowners are encouraged to consult with state biologist or the historic preservation division before development of sites in sensitive areas, and to consider allowing the Vermont Land Trust an opportunity to purchase such tracts before selling to developers. Meanwhile, it is the Town's position that development, which occurs in or near these areas, should not unduly conflict with their natural state or ecological function.

Resource Production Lands

Forest and agricultural lands provide many benefits to the Town of Orange. They not only contribute to the rural character and beauty of the community, but provide economic benefits as well, for both producers and consumers. In addition, they often play host to many of the natural resources mentioned above, and as such, protect their integrity and function. For these reasons, the Town would like to see productive resources remain so into the future.

While Orange is fortunate to have large blocks of timberland and prime agricultural soils protected within public lands and floodplains, significant areas in private ownership are worthy of protection, as well. Resource-sensitive site design and clustering of development (as addressed in more detail elsewhere in this plan), landowner participation in the Use-Value program, promotion of value-added industries, Land Trust activities, and adherence to acceptable management practices are all encouraged as means to achieve this end.

Earth Resources

Earth resources, including sand and gravel deposits, are also natural resources of importance to the Town. It is the Town's desire to work with landowners to facilitate appropriate extraction that will minimize long-term aesthetic and environmental impacts. Any extraction proposals shall include a plan for maximizing reclamation of the site upon closure.

Policies

1. Provide for the wise and efficient use of Vermont's natural resources and facilitate the appropriate extraction of earth resources and the restoration and preservation of the aesthetic qualities of the area.
2. The extraction of resources must not adversely impact or interfere with the appropriate uses of special community resources, such as historic sites, scenic roads and areas, recreation areas, and tracts of undeveloped land that contain wildlife habitat and significant wetlands.
3. The extraction of earth resources must not result in a nuisance to neighboring property owners through noise, dust or other factors, or cause significant disruption of the quiet enjoyment of affected homes and property nor create a burden on public services.
4. The extraction of earth resources must not result in adverse impacts to affected property owners through the excessive generation of noise, air pollution emissions, fumes, dust, visual impact, and truck traffic.
5. Earth extraction areas shall be fully and effectively reclaimed and prepared for an alternative use or development.
6. Earth extraction operations and associated vehicular traffic must not compromise pedestrian or driving safety by increased volume of traffic and large trucks traveling on minor or major roads. Earth extraction vehicular traffic must not be routed through village areas when other reasonable alternative routes can be used.
7. In the opinion of the Town legislative body and Planning Commission, whenever feasible and practical, applications for earth extraction/removal activities shall include a site visit and a live noise demonstration at the Act 250 hearing and any reconsideration or appeal hearings. The live noise demonstration shall include the operation of all equipment simultaneously that would be used in earth extraction/removal processing and trucking. The hearing shall also include a blasting demonstration if requested by the Orange Planning Commission. The demonstrations shall include sound and vibration monitoring at affected properties.
8. If, in the opinion of the Orange legislative body and Planning Commission, a noise demonstration is not feasible then the application for earth extraction/removal, processing and related trucking shall include a noise study using CADNA A noise modeling. The modeling shall not include any noise attenuation due to foliage and the ground absorption factor shall be at a maximum of 0.5.

SECTION 6: LAND USE

The most important considerations in determining desirable land uses are:

- “Will it be good for the Town?”
- “Is it compatible with the Goals & Objectives of the Town Plan?”
- “Can the land support it?”

The land use recommendations of the Town Plan shall consider these three questions regarding the future growth of the Town. A use which will have an adverse effect on the Town shall not be undertaken, even if the land is perfectly capable of supporting it. A use which the land cannot support should not be undertaken, even if it is good for the Town. A use shall not be undertaken if it is not compatible with the Goals & Objectives of the Town Plan.

Current Land Use

Land use in Orange follows the patterns of traditional Vermont rural towns. Orange Center and East Orange are predominately residential with no commercial or industrial uses. In Orange Center the school, the Town Clerk’s Office, and the Town Hall are served by a municipal water service. There is no municipal sewer service. All outlying areas are served by private wells and on-site septic systems. Areas outside of the Orange Center and East Orange are rural in nature with a mix of year-round and vacation homes.

The list below was compiled from the current Orange Grand List. It illustrates the distribution of land parcels among the different Grand List use categories:

<u>Category</u>	<u>Number of parcels</u>
Residential 1 (parcels less than 5 acres)	189
Residential 2 (greater than 5 acres)	188
Mobile Homes	18
Mobile Homes (With Land)	49
Vacation 1 (parcels less than 6 acres)	11
Vacation 2 (greater than 6 acres)	39
Commercial	0
Commercial Apartments	0
Industrial	4
Utilities - Electric	4
Utilities - Other	0
Farm	5
Woodland	50
Other	2
Miscellaneous	44
Current Use	49

Orange’s Housing:

Housing in Orange is found in minor concentrations in, around, and along Orange Center, East Orange, and Route 302. The remaining housing is dispersed throughout the town in typical rural settlement patterns.

Affordable Housing:

According to 24 V.S.A. §4303 (1), “Affordable housing” means either of the following:

(A) Housing that is owned by its inhabitants whose gross annual household income does not exceed 80 percent of the county median income, or 80 percent of the standard metropolitan statistical area income if the municipality is located in such an area, as defined by the United States Department of Housing and Urban Development, and the total annual cost of the housing, including principal, interest, taxes, insurance, and condominium association fees is not more than 30 percent of the household’s gross annual income. (B) Housing that is rented by its inhabitants whose gross annual household income does not exceed 80 percent of the county median income, or 80 percent of the standard metropolitan statistical area income if the municipality is located in such an area, as defined by the United States Department of Housing and Urban Development, and the total annual cost of the housing, including rent, utilities, and condominium association fees, is not more than 30 percent of the household’s gross annual income. (2) “Affordable housing development” means a housing development of which at least 20 percent of the units or a minimum of five units, whichever is greater, are affordable housing units. Affordable units shall be subject to covenants or restrictions that preserve their affordability for a minimum of 15 years or longer as provided in municipal bylaws.

Subsidized Housing:

There is no subsidized housing facility in Orange that serves those with “very low to low” income, elderly and handicapped or disabled individuals.

Policies:

1. Promote affordable housing for all residents of the Town of Orange.
2. Promote availability of housing types, such as single-family, multi-family, elderly, special needs, mixed-income and condominium.
3. Preserve, develop or rehabilitate attractive, energy-efficient housing, designed to maintain the character of the residential areas of Town.
4. Support the area community land trusts and similar organizations in their efforts to provide affordable housing in a manner that is consistent with the Orange Town Plan.

5. Adopt a more regional approach to the provision of affordable housing in order to lessen the burden on those communities already providing their fair share.

6. Residential housing projects requiring Act 250 permits shall provide that 10 percent of the housing be affordable to those inhabitants whose gross annual household income does not exceed 80 % of the Orange County median income. Such provisions must be made by inclusion of affordable housing within the project or a mitigation payment to be used for affordable housing in Orange or a project serving the Town of Orange area.

Recommendations:

1. Seek funds to analyze the housing stock in Orange to determine where housing is inadequate or in need of repair.
2. Ensure that the design of any proposed housing is consistent with the characteristics of the surrounding area in terms of unit design and site location.
3. Developers shall plan new housing that considers the location with respect to the physical limitations of the land, proximity to roads, distance from commercial or service centers and other constraints.
4. Seek assistance in the form of public funds (grants, loans, etc.) that focus on the creation, preservation, maintenance and rehabilitation of affordable housing.
5. Encourage innovative site plans and construction designs that utilize cost-saving materials, efficient site location, and other cost- and energy-efficient methods for the development or rehabilitation of housing.
6. Support housing that allows elderly residents to age in place (in their own homes).

Future Land Use:

The ongoing and planned growth of Montpelier, Barre City, and Barre Town to the west has created development and population growth pressures on the Town of Orange. Also, Orange's lack of any land use regulations has made the town more susceptible to unregulated development pressures within the Town caused in part by the fact that all the surrounding towns have enacted some form of land use regulations limiting and directing land use development in their respective jurisdictions. In light of these development and population growth pressures and the wishes of the residents of Orange to maintain the Town's rural character and the residents' individual liberty, some means shall be enacted to provide a bulwark against the increasing development and population pressures on the Town.

It is recognized here that land use decisions are often personal and private matters for landowners. The Orange Town Plan acknowledges this and does not aim to infringe upon the rights of property owners.

Nonetheless, land development is a permanent feature of the landscape, and often has long term implications for the community. Therefore, land development in Orange shall demonstrate respect for the existing character and quality of life in Orange. That is, where land development takes place, the long-term interests of abutting landowners and the community as a whole shall be considered along with the personal aspirations of landowners.

One goal for the Town of Orange is to encourage development that maintains the historic settlement pattern of the Orange Center and East Orange.

As much as possible, settlement patterns within Orange shall have the following effects:

1. Concentrating settlement and growth to allow the Town to grow and prosper while protecting rural resources, farms, forest industries, and the character of the current Orange landscape.
2. Concentrating growth that reinforces community identity, important to the enhancement of "sense of place", as well as to the Town's ability to attract visitors and business.
3. Concentrating services and future infrastructure needs. Concentrating growth shall serve to minimize Town expenditures associated with that growth. The Town shall encourage new employment in certain areas through an active development program with appropriate support and incentive.

While recognizing the benefits associated with concentrated growth, the Planning Commission appreciates that individual initiative will continue to drive land development within the Town. Thus, the Town shall identify potential sites where public investments could be targeted to encourage concentrated settlement patterns and a beneficial land use mix.

Another goal is concentrating structures within specific parcels. Where land development does take place, regardless of its location within the Town, the concentration of structures is encouraged. It is recognized that clustering has a potential to benefit farmers, homeowners, developers, and the community as a whole.

Orange shall consider providing incentives, where appropriate, to developers to concentrate infrastructure and structures on a given site, and should explain clearly what is expected of a developer in order to benefit from such incentives.

By concentrating structures and infrastructure on a given site as opposed to spreading development throughout the whole parcel, a developer can realize significant construction savings. Through clustering of structures, a developer can minimize expenditures on road and utility/service extension (i.e., sewer, drainage, water systems). Furthermore, by concentrating development, a developer is likely to avoid environmentally sensitive areas thereby expediting the permitting process and creating a more livable environment for future homebuyers.

Homebuyers can benefit from reduced development costs that translate into lower housing prices.

The community will also benefit from the concentration of land development; first through realizing the protection of open space and environmentally sensitive areas and then by reducing future maintenance costs (i.e., plowing and resurfacing) when private roads are accepted as municipal ways.

Stating goals is a small and simple step. Achieving them is much more difficult. With few ordinances and no bylaws in place, Orange relies almost entirely on state law, e.g., **Act 250**, to oversee and control development.

Through departmental permits and the Act 250 process, the State of Vermont provides some permitting of land development projects, which provides minimal land use protection to the Town and its residents.

Act 250 reviews residential construction and/or subdivision of six or more lots, and commercial projects involving more than an acre of land. Such review of land development projects is a useful mechanism in protecting the health, safety, and welfare of the community.

As the pressures of land development increase in response to an expanding population base particularly along Route 302 from the west, Orange must take control of its destiny and thereby strengthening its ability to influence land use decisions and guiding the changes occurring throughout the Town rather than relying upon the minimal protections afforded by the State and Act 250.

Orange currently has no permitting process other than road access permit ordinances. Orange shall begin taking jurisdiction over some aspects of development by establishing simple development ordinances, e.g., building permits.

Such ordinances, at a minimum to provide concrete information to Town Officials with respect to:

1. The kind of development taking place within the Town.
2. Where development is taking place within the Town.
3. The rate at which development is taking place within the Town.

At the same time, such ordinances shall enable the Town to oversee the elements of development deemed most important to abutters and to the community as a whole.

Future Land Use Categories:

Village (Mixed Use)

The two village centers currently have a mixture of residential, light commercial and public uses. These areas should remain as they are in character and settlement pattern. Commercial development in mixed-use areas shall be surrounded and interspersed with high-density residential, public and compatible industrial uses. These areas are intended to continue the long tradition of Vermont's downtowns and village centers. Development in these areas shall be the highest density in the Town, and should facilitate development of a circulation system that accommodates pedestrians and other non-vehicular travel. New development should not detract from the historic character and aesthetic qualities of the village centers

Industrial

Industrial areas are places that have been singled out for uses that may be incompatible with other uses because of traffic, noise, or inherent conflict with downtown character, etc. They also represent land reserved for industries such as mining, which may have inherent limitations on where they can function. These areas should be reserved for industrial development or resource extraction and managed to minimize traffic, environmental, and aesthetic impacts on surrounding areas.

Rural Residential

Rural Residential areas can support a number of different uses, including low density residential, forest, agricultural (including tree farms and other horticultural uses), open, and transitional (scrub/shrub). They have been designated based on their current use and accessibility from existing roads. Rural areas shall allow only compatible uses, and maintain existing, low-density settlement patterns. Sprawl and strip development shall be avoided and cluster development shall be incorporated, as long as the overall density remains low. Open space and recreational resources should be preserved wherever possible. New residential development may occur in Rural Residential areas only where accessible by existing town roads.

Recreation

Public and private indoor and outdoor recreation opportunities are a vital part of the Town's economy and quality of life. Publicly accessible recreation opportunities shall be enhanced where possible, and measures taken so opportunities are not diminished. Designated recreation areas shall retain their recreational value to the public; where development would reduce these recreational opportunities, alternatives shall be provided. Conservation areas provide recreational use and shall be valued as such.

Agriculture

Agricultural land has historically been important to the Town's economy, food supply, and cultural heritage. It contributes to the land use patterns and aesthetic qualities that make the Town a desirable place to live, work, and visit. Land in agricultural use and idle open land with agricultural potential possess these values. The potential for agricultural use and production shall not be impaired in designated agricultural areas. Cluster development shall be incorporated in these areas for the preservation of open lands.

Forest

The majority of undeveloped land in Orange is forested. The State owns a portion of this land and manages it for forestry and wildlife habitat, while allowing recreational uses. The contiguity of large areas of forestland is important for many types of wildlife, especially for large mammals such as deer, bear, and moose. The State Agency of Natural Resources has identified several large areas within the town as deer wintering areas and bear habitat. Any development which occurs in forest areas should be designed so that these important habitat areas are maintained wherever possible. Forest areas are also important for their recreational, aesthetic, and economic resource values. The ability of Forest areas to provide these benefits shall not be impaired. Development in these areas shall be undertaken in ways that protect their value and ensure the continued presence of healthy forest ecosystems in the Town. Cluster development shall be incorporated in these areas for the maximization of forest preservation.

Conservation

Conservation areas are lands that possess outstanding value or potential as wildlife habitat, recreation areas, educational resources, fragile natural areas, economic assets (generating revenue from recreation and tourism), or aesthetic resources. Conservation lands represent relatively pristine areas of the Town that residents wish to preserve in their natural state for future generations, and should receive the highest level of protection from development. Special care should be taken in any resource management or extraction plans to maintain the character and value of these areas. Conservation areas are especially beneficial when surrounded by compatible uses such as forest and agriculture.

Special Considerations

There are several important resources that may occur within any of the land use categories above, and which merit special attention and protection. They include: Public Water Supply Source Protection Areas; floodplains, vegetated areas next to surface waters, wetlands, Natural Heritage Inventory sites, critical deer wintering habitat and bear habitat as defined by the Vermont Agency of Natural Resources, regionally significant historic sites, and other locally defined sensitive natural areas and scenic resources. Development shall avoid and minimize negative impacts to these resources. In addition, special considerations should be observed in the following two areas:

A. High elevations and steep slopes

At high elevations (greater than 1,800 feet) the soil tends to be thinner and cooler and less able to support a wide range of plant life. If areas are disturbed the potential for severe erosion is great. Land at 1,800 feet and above as well as lands with steep slopes (greater than 25%) shall be protected from any development which will cause soil erosion.

B. Ridgelines

Any development which is proposed at higher elevations shall demonstrate that every measure has been taken so that the development is not visually obtrusive to surrounding neighbors or from public roadways.

While residential development may be expected in almost all land use categories, higher densities should be concentrated in and around established village areas. Residential development should be compatible with the land use and housing goals of this plan, and should not conflict with the values defined in the land use categories of this plan.

The Pace of Growth

Orange is a rural community, and residents wish to maintain this character with the historic and well-paced pattern of growth. Sudden large increases in population and/or physical development which would place an undue burden on Town facilities and have a negative impact on the town and village character shall be discouraged.

Policies

1. Any proposed development shall not place an undue burden upon Town facilities or services. If it is shown that the additional property taxes would not cover the additional burden placed on Town services, imposition of impact fees shall be considered.
2. Preserve the historical development pattern of mixed-use urban and village areas surrounded by open land, agriculture, forest, and low-density residential use.
3. Direct growth and development toward areas of the Town where it will be most effective and efficient to provide the necessary public infrastructure and services.
4. Establish land uses and land use patterns that protect and enhance the values defined in this chapter.
5. Revitalize, maintain and reuse historic structures and other existing buildings in village centers whenever possible.
6. Commercial development that occurs outside the village centers shall not contribute to strip development. Access management and innovative commercial development that maintains the characteristics of existing villages is encouraged.
7. In order to maintain the existing settlement patterns, higher density residential, commercial, and compatible industrial development shall be located in village centers.
8. Support necessary transportation improvements, especially road and bridge maintenance, public transit options, car and van pooling, or other techniques to utilize existing infrastructure.
9. Development adjacent to significant natural resources (waterways, large forested areas, wildlife habitat, etc.) shall be compatible with the value of those resources and should be mitigated with buffer strips or visual screening if necessary.
10. Support programs that help owners of farm and forestland bear the financial responsibility of resource protection shall be supported.
11. Development shall not detract from the historic character and aesthetic qualities of the village centers.
12. Noise from commercial activities, including but not limited to mineral and earth extraction/removal, processing and related trucking, in the Industrial District shall not exceed 50 dBA Lmax at the property line and 45 dBA Lmax at the nearest residence. The

particular qualities and duration of industrial operations are readily detectable by the human ear and may require further lowering of the permitted decibel levels.

13. In all other land use districts noise/vibrations from commercial activities must not create noise or vibrations that would be considered out of context for that rural area, and are meant to be more restrictive than the noise limitations described above for the industrial district. This is clearly intended so that our rural town retains its highly valued quiet ambiance and character and residents and visitors can continue to enjoy the natural sounds and rural atmosphere which are prevalent here.

Recommendations

1. Develop effective land use regulations that are consistent with the purpose and intent of the town plan. These regulations may include zoning ordinances, subdivision regulations, and individual ordinances such as signage, lighting, noise and junkyards.
2. Initiate the development of a Conservation Commission in order to protect significant natural, cultural, historic or aesthetic resources, farmland, forestland, shorelines, and significant plant and animal species and their habitat.
- 3 Utilize existing land trusts or promote the creation of a new land trust in order to raise funds and purchase significant natural, cultural, historic or aesthetic resources, farmland, forestland, shorelines, and significant plant and animal species and their habitat.

AGRICULTURE AND FOREST LANDS

While Orange once hosted a number of active dairy farms and sheep farms, the town is now home to only three dairy farms. Agriculture was an important part of the town's history, culture, and rural character and remains so today to a lesser extent.

Most of Orange's land area is forested. One privately owned parcel is managed for wood production and is enrolled in the State's Use Value Appraisal program. This program ensures that the land is managed according to a plan developed by a professional forester and provides an incentive for landowners to keep the land forested. Forest lands provide a natural system of air purification and soil stabilization as well as areas for recreation and wildlife habitat. When managed carefully, these lands also provide an important local economic resource through the production of timber.

Policies

1. Primary agricultural soils shall be given highest priority for farming or to such uses, which will maintain the potential for agricultural use.
2. Forest and agricultural lands shall be considered for their forest and agricultural productivity prior to any non-forest or agricultural uses.

3. Businesses or industries that add value to locally produced forest or agricultural products shall be encouraged.
4. Developments and sub-divisions shall utilize cluster development to effectively preserve the productivity of prime agricultural and forest soils.
5. Require maintenance and enhancement of forest resources and implementation of sustainable forest management practices that provide habitat for diverse natural species, avoid high grading of timberlands, and follow Acceptable Management Practices.

Recommendations

1. The town shall encourage local farmers to focus their efforts on the development of sustainable methods of farming that are productive and profitable. Specifically, the town encourages farmers to pursue the following goals where feasible and practical:
 - a. Use Acceptable Management Practices (AMPs), farming methods that prevent water pollution, prevent soil erosion and degradation, and protect public health and safety.
 - b. Stabilize and increase farm incomes through crop and enterprise diversification.
2. Encourage private landowners to use Acceptable Management Practices for harvesting timber to protect the aesthetic and resource protection values of forest land.
3. Work with the Departments of Fish and Wildlife and Forests, Parks and Recreation to ensure that a balance is maintained between recreational, economic and conservation uses on state-owned land.
4. The Town shall inventory and prioritize its primary agricultural soils.
5. The Town shall adopt zoning or other regulations to protect its primary agricultural soils and farms in order to protect farmers from non-agricultural uses and development.

SECTION 7: ENERGY

Increased energy demands and the high cost to provide them are leading to efforts to conserve existing energy resources and to search for alternative solutions to energy problems. Environmental concerns such as air pollution and acid rain are directly linked with energy consumption. Combustion of fossil fuels results in the release of “greenhouse gases,” and acid rain that has impacted many lakes and streams in the Northeast.

While the Town of Orange has not yet seen these direct negative impacts of energy consumption, there are some concerns that affect local residents. The costs of electricity are particularly high in Vermont. In addition, the cold climate requires additional forms of energy for heat such as fuel oil, propane, or wood. In order for residents to heat their homes more efficiently

and effectively, there are a number of measures that may be considered during the planning and design stages of home development and rehabilitation. Recent state regulations require that all new homes meet certain standards of energy efficiency. These may include use of passive solar energy through home location, insulation, storm windows and fuel-efficient heating systems.

Proper land use techniques can be employed to achieve energy conservation. The siting of structures to maximize solar gain, proper slope orientation and the utilization of trees as wind barriers are all effective tools when designing for energy conservation. New development should incorporate these and other energy conservation measures.

The use of hardwoods for fuel consumption is a reasonable alternative to non-renewable sources because it is available locally and when used in a modern, clean burning stove does not pollute the atmosphere nearly as much as older technology stoves and burners. Harvesting of cordwood that is based on sound forest management plans does not degrade forests and streams. In addition, locally produced cordwood contributes to the local economy, creating jobs and keeping dollars within the community.

Other locally available renewable energy resources include biodiesel, wood pellets, wind and solar. Biodiesel can be used wherever petroleum-diesel is now used. It can be used in oil furnaces or oil fired hot water heaters. It can often be used in any vehicle or machinery that uses petroleum diesel with no modification to the engine.

Policies

1. Promote the wise use and conservation of all energy resources by encouraging residents and business to take advantage of State and Federal programs designed to promote conservation and reduce energy consumption. This may include the investigation of potential solar and wind energy generation sites.
2. Support the Use Value Appraisal (Current Use) Program to stimulate cordwood production and improve forest management.
3. Encourage small scale, non-commercial alternative energy sources such as solar and wind power as long as they do not negatively impact aesthetics, ridge lines, or other natural and scenic resources.
4. Encourage architects and builders to examine alternative energy resources in the design and construction phases of residential development.

Recommendations

1. Provide residents with information concerning methods of reducing energy consumption in the home (such as weatherization, upgrading of energy-efficient appliances, etc.) and the use of alternative energy resources.
2. Provide information regarding new energy efficiency standards required by the Vermont Department of Public Service to home-builders and local residents.
3. Encourage the use of renewable energy resources whenever possible and explore local tax incentive programs for renewable energy power generation.

SECTION 8: TRANSPORTATION

An adequate and efficient transportation system is important to the health of any community. In Orange, where the primary mode of transportation is the private automobile, the transportation system is comprised of a network of roads linking residents to various services and facilities both within and outside of the Town. Excepting school bus routes, there are no municipal public transport options within Orange.

An adequate and efficient road network is imperative to a healthy economy and to the well-being of Orange residents. The road network ensures that consumers are able to reach goods and services; that goods and services are able to reach consumers; and that emergency services are able to reach residents. For many, the road network is also a recreation medium on which one might enjoy a Sunday drive or an afternoon bicycle ride. Obviously, the quality of the road network is important to all Orange residents.

The state highway classification system classifies town roads. The classification system serves as the basis by which the state allocates highway financial aid to municipalities. The classification system refers primarily to highway conditions. Within this classification system, Orange town highways are categorized as follows:

Class of Roads:

- 1 There are 0.00 miles of class 1 town highway - highways that are designated by the Transportation Board, and are extensions of a state highway route, and carry a state highway route number.
- 2 There are 7.64 miles of class 2 town highway - highways that are designated by the Board of Selectmen and approved by the Transportation Board, that secure trunk lines of improved highways from town to town.
- 3 There are 27.23 miles of class 3 town highway - highways that are designated by the Board of selectmen in consultation with the Transportation Board, that are:
 - a. a traveled town highway other than class 1 or 2.
 - b. a town highway negotiable under normal conditions in all seasons.
 - c. a town highway with sufficient surface and base, adequate drainage, and width sufficient to permit winter maintenance.
- 4 There are 3.38 miles of class 4 town highway - all other town highways as designated by the Board of Selectmen. These highways may be maintained to the extent required by the necessity of the town, the public good and the convenience of the town's inhabitants, or may be reclassified as set forth in section 302 of title 19.
- 5 There are 4.18 miles of legal trails. Class 4 town highways and legal town trails often both serve as "trails," but are separate and distinct under State statute. The Town should not allow development on lands accessed exclusively from a legal trail or a Class 4 road, unless the developers upgrade to Class 3 standards.

Town highways correspond with settlement patterns and are accordingly situated primarily within the western portion of Orange. In addition to town highways, Route 110 and Route 302 intersect Orange. Route 110 runs between the Washington and Barre Town borders, and Route 302 through the center of Orange along its east west axis.

Route 302, also called the William Scott Memorial Highway, is a high volume transportation corridor of regional significance. It splits Orange Village, and will likely play an increasingly important role in the development of that portion of Town as a growth center. Moreover, the accessibility and nature of Route 302 are such that Orange has become subject to traffic impacts resulting from development activity outside of the Town boundaries. For this reason, Orange shall play an active role in the review of any land development activity, which may impact traffic conditions within the Town itself. Orange shall limit curb cuts and establish setbacks along state highways and town roads so as to preserve the rural character of the community. The use of common driveways is encouraged wherever there exists the potential to improve traffic safety and reduce resource consumption.

Public capital investment planning in Orange shall consider the potential for safe, convenient, economic and energy efficient transportation systems that respect the integrity of the natural environment. Where feasible, the Town shall expand paths for pedestrians and bicyclers.

Orange shall seek to secure full right of way to the Town Forest, and shall retain other town owned rights-of-way.

Policies and Recommendations

1. Institute measures to reduce the speed at which vehicles travel through our town, especially village areas. These measures may include reducing the posted speeds, posting speed limits, enforcing the limit and introducing traffic calming measures.
2. Seek out and apply for federal and state grants that would improve our village pedestrian walkways and tree plantings.
3. Keep most of the roads as local town roads. Improve them only as needed for negotiability in winter, protection from washout and economy of maintenance. Minimize any damaging effects of such improvements to scenery, trees, plant life, surface waters, and wildlife areas.
4. Determine which roads should be reclassified as trails through proper legal procedures, keeping in mind the cost of reactivation of neglected roads and the need to preserve undeveloped open space in the town.
5. Discourage the relocation of cross-country overhead utility lines to roadsides, unless the proposed, new lines are underground.
6. All effort shall be made to consolidate driveway curb cuts in developments and subdivisions.

SECTION 9: UTILITIES AND FACILITIES

Although Orange is a small community, containing little in the way of public utilities and facilities, it is important for the community to take stock and reaffirm its commitment to ensuring the health, safety and welfare of all residents. It is a goal of the Orange Town Plan to plan, finance and provide an efficient system of public facilities and services including fire and police protection, emergency medical services, educational facilities and solid waste disposal in order to meet the future needs of the citizens of Orange.

WATER

There is no public water supply in Orange for Orange residents. Residents rely on potable water sources accessed by way of drilled wells, dug wells, or natural springs. Obviously, the maintenance of a clean and plentiful supply of surface and groundwater is critical to Orange residents.

It is not uncommon for Vermont communities to experience groundwater contamination. Health hazards resulting from the contamination of a groundwater source can be severe, and the cost of restoration significant. Groundwater supplies are often susceptible to contamination from surface and sub-surface influences including septic systems, road salt, chemical and hazardous materials spills and fertilizer application. To ensure that drinking water is safe, a series of tests, including annual testing of the total coliform level and testing every five years for inorganic chemicals should be performed. The Prior to testing the Vermont Department of health should be consulted to determine the testing requirements.

An aquifer is an underground area of sand or gravel in which water collects. The aquifer recharge area refers to that area of land, which serves as the aquifer's watershed. Groundwater quality is influenced not only by activity directly above the aquifer, but also by activity throughout the whole of the recharge area. Orange residents rely wholly on groundwater as a potable water source. Therefore, potentially polluting activities, diversions and consumptive uses should be closely scrutinized.

WASTEWATER TREATMENT

There is no central, commonly owned sewage treatment system in Orange. Disposal of wastewater is by way of individual sub-surface sewage disposal systems. As development pressure from surrounding communities and new septic technologies approved by the State of Vermont increase the number of new homes in Orange will become a greater concern to the Board of Selectmen along with the residents of our town.

All new buildings constructed with a water supply and/or wastewater disposal system must acquire a permit from the State of Vermont in accordance with the Agency of Natural Resources, Dept. of Environmental Conservation, wastewater Systems and Potable Water Supply Rules. As older wastewater treatment systems age and fail a new replacement will need to be designed and constructed in accordance with these same "Rules". Contacting the VT Dept. of Environmental Conservation to determine if a permit is required is recommended prior to starting any repairs or replacement actions.

Because Orange residents are not served by public or protected water supply, extreme caution should be demonstrated in the siting and maintenance of sub-surface sewage disposal systems in order to ensure that contamination does not occur and that there is adequate capacity in the aquifer to accept additional wastewater disposal without exceeding drinking water standards.

SOLID WASTE

Orange is a member of the Central Vermont Solid Waste District (CVSWMD). The District was formed in 1984 and given the mission of addressing the long-term solid waste needs of Central Vermont communities. CVSWMD is made up of 17 member cities and towns and the approximately 52,000 residents that live within them. The Orange Town Selectmen appoint a citizen of Orange to the District Board to represent the Town.

The CVSWMD's mission is to provide leadership, education, and services for residents and businesses in reducing and managing their solid waste in order to protect public health and the environment to the greatest extent feasible. To meet this goal, the District Board of Supervisors developed and adopted a Zero Waste Solid Waste Implementation Plan (SWIP) titled Working Toward Zero Waste. Since adopting this goal, the zero waste approach has become the accepted industry "best-practice" for management of solid waste.

Ongoing CVSWMD programs included the following:

1. **Composting Programs:** Since food scraps comprise about 21% of the waste Vermonters produce every year, capturing and composting that organic matter is a major focus of CVSWMD's waste reduction programming. Diverting food scraps substantially reduces the pressure on rapidly filling landfills. Additionally, the three area composting facilities that CVSWMD hauls food scraps to turn the scraps into compost, a soil amendment, which then is used to enrich the soils of Central Vermont.
2. **Residential Composting Program:** This program supports residents who wish to manage their food scraps at home. The CVSWMD offers technical support and assistance to residents composting at home, a composting booklet "The Dirt on Composting" free to residents, online plans for building several types of compost bins, and Green Cone food digesters and Soilsaver composting units for sale at a reduced cost to town residents.
3. **Business Composting Program:** CVSWMD services businesses and institutions throughout the Central Vermont region. In the most recent year participating businesses and institutions diverted an estimated 1250 tons (more than 2.5 million lbs.) of food scraps to composting facilities.
4. **School Zero Waste Program:** This program includes a school composting program for the lunch room and also provides a means for schools to determine the content of their waste streams and ways that they can reduce the amount of waste they create and how to save money by making smart purchases. Orange Center School has diverted approximately 2.61 tons (5,210 lbs.) of food scraps since joining the program in November 2010.

5. Special Collections: The CVSWMD conducts numerous special collections during the year. Items collected at the events included hazardous waste, electronics, textiles, paint, batteries, mercury thermometers, fluorescent bulbs, tires and books.
6. Green-Up Day Grants: Member towns are offered grants to assist them in covering costs of waste collected during Green Up Day.
7. CVSWMD E-News: CVSWMD publishes a monthly e-newsletter and regularly sends e-mail notices about special events to town clerk offices, select board chairs, legislators, and interested residents.
8. Educational materials: CVSWMD provides a number of educational and informational materials to district members.

ELECTRICITY

Orange is within the service area of two electrical utilities. The Washington Electric Cooperative serves the majority of Town, while The Green Mountain Power Corporation serves a small area in the southwestern corner of Town along Route 110 and a portion of Route 302.

The bulk of electricity provided by the two utilities is generated by way of imported and local hydro sources and by the use of methane gas from a landfill.

The extension of utility lines shall encourage new development in concentrated settlement patterns consistent with the goals of The Orange Town Plan. Where utility lines are extended, underground placement is encouraged. Since Orange residents depend upon springs and wells for their water supply, ecologically sound utility corridor maintenance practices are encouraged. Mechanical maintenance practices are preferred to chemical maintenance practices.

Policies

1. Provide residents with safe, effective and efficient electric utility service at reasonable rates.
2. Utility lines should be placed in areas designated for growth.
3. New utility lines should be placed along existing corridors whenever possible; multipurpose use of utility corridors is encouraged.
4. The location or relocation shall not have a negative impact upon aesthetic and natural resources.
5. Encourage common use of utility poles for telephone, electric, cable, and fiber optic lines.
6. The town encourages the installation of underground utility lines for new construction.
7. Utility right of way maintenance should be achieved by mechanical means without the use of herbicides.

COMMUNICATION TOWERS AND STRUCTURES

The maintenance of a modern and accessible telecommunications network is essential to the public welfare. Public safety agencies, such as emergency medical services, fire and police departments, rely on broadcast and communications facilities to provide essential services. In addition, a modern and accessible telecommunications network provides communities with economic, social and cultural benefits.

At the same time, network infrastructure shall be developed in an efficient, safe, and thoughtful manner. Possible impacts upon scenic and cultural resources, aesthetics, and public health and safety shall all be considered during the planning process.

One subject of particular concern is the location and construction of communications towers. These structures and their supporting infrastructure (such as power lines, access corridors, and support buildings) can alter mountaintops and ridge lines in ways which negatively impact scenic resources vital to the Town's economic future and cultural richness. Aesthetic concerns will increase as the number of undeveloped mountaintops and ridge lines decreases. In addition, there are concerns about the health effects of the electromagnetic fields generated by broadcast and telecommunications facilities, and the safety of the structures once they are built. These concerns must be addressed as new opportunities are made available to the Town through emerging telecommunications technology.

Policies

1. The telecommunications technology shall provide residents with the benefits of an integrated and modern telecommunications network while minimizing the economic, aesthetic and cultural costs of its development.
2. Existing tower space and supporting infrastructure shall be utilized to the fullest extent possible.
3. New towers, access corridors, and utility poles serving towers shall not be sited or constructed where a practicable alternative exists. Those wishing to provide new or expanded communications services shall utilize existing structures whenever possible. Owners or operators of existing tower space should facilitate the sharing of space to the fullest extent possible. Those building new towers or support infrastructure shall not prohibit the sharing of those facilities by other users for reasons other than frequency interference or avoiding a demonstrated risk to public health. The use of existing structures, such as water towers and buildings, to support telecommunications broadcast equipment is encouraged wherever appropriate and where it will not have a negative impact on significant historic or aesthetic resources.
4. To conform with this Plan, those installing new transmission facilities shall demonstrate that public exposure to Radio Frequency (RF) radiation will not exceed applicable Federal Communications Commission (FCC) standards for human exposure. Telecommunication towers, including cell towers, must be reviewed for impacts to visual aesthetics of the area both from short and long view perspectives. Where possible, tower configurations which fit into the landscape, e.g. cell towers that look like trees, etc., should be used.

5. Siting and design of communications towers and facilities (including any support and maintenance structures, necessary access corridors, and utility lines) shall minimize impacts on natural, scenic, and aesthetic resources. In the event that the use of a tower or other equipment is discontinued, the site shall be restored to its natural condition, or to the condition that existed prior to construction or installation, as appropriate.

6. In order to conform with this plan, the Secretary of the Vermont Agency of Administration shall notify the legislative body and the planning commission before allowing the use of state property in the Town for a two-way, wireless communication facility under 30 V.S.A. § 227b.

7. The Town shall encourage the improvement of already established telecommunication infrastructure such as telephone and cable lines to enhance state-of-the-art telecommunication opportunities for residents. Examples of this include DSL transmission over existing telephone lines and high-speed Internet access over TV cable lines.

8. Utilities shall be encouraged to provide and expand high speed internet services to include town wide coverage.

RECREATION

The Town's Ball Field/Playground:

In 1990 The Vermont National Guard came to the Town of Orange for a training exercise to assist them with turning a meadow into what is now our community ball field. They spent every weekend for a month at the field bulldozing and building up the land along Reservoir Road. After the completion of the excavating the Town entered into a 10 year lease agreement whereby the Town leases the land from the state and pays \$1.00 per year. At the end of each ten year period the lease has been renewed. The current lease expires in 2017.

The Recreation Committee in 2011 adopted a three plan to refurbish the recreation field's grounds and facilities.

- 2012:
- a. Redo base lines and buy new bases for the ball field.
 - b. Paint the dugouts/replace floors.
 - c. 2 new basketball hoops.
 - d. Power at the field for the concession hut/lights.
 - e. New flagpole with flags.
 - f. Put in horseshoe pits.
 - g. Repair concession hut.

- 2013:
- a. Build a pavilion with a barbeque pit.
 - b. New outdoor ice rink.
 - c. New lawn tractor.
 - d. New outfield fence/posts.

- 2014:
- a. Fix and level parking lot, add markers.
 - b. New playground equipment.

Refurbishment of the recreational field will mean that the Orange little league will be able to practice and play on the Town’s field rather than using a neighboring town’s field. Starting in spring 2012 the field was and will be thereafter rented to a men’s baseball league for their spring practices.

The improvements planned are:

New bases for the field	\$200.00
2 new basketball hoops	\$600.00
New outfield fence/posts	\$2,000.00
Floors in dugouts	\$300.00
Paint for dugouts	\$200.00
New Flags	\$100.00
Material for parking lot	\$1,000.00
Estimated labor costs	<u>\$600.00</u>
Total	\$5,000.00

HEALTH AND EMERGENCY SERVICES

Barre Town Ambulance provides ambulance service within Orange with emergency medical assistance from Washington Rescue Squad and Corinth Topsham Fast Squad. Health facilities available to Orange residents include the Plainfield Health Center, Central Vermont Hospital in Berlin, Gifford Memorial Hospital in Randolph, the Fletcher Allen Medical Center Hospital of Vermont in Burlington, the Hitchcock Medical Center in West Lebanon, N.H. and area nursing homes. Other public agencies that offer health services include:

1. Central Vermont Home Health and Hospice offers home health care, therapy (physical, occupational, speech), home-maker services (shopping, meals, housekeeping), counseling of the terminally ill, child birthing classes, and other services.
2. Vermont Department of Health offers pre-school immunization programs and pre-natal and pre-school nutritional programs.
3. Washington County Mental Health offers 24 hour emergency service, an out-patient clinic, substance abuse programs, job placement services, resident programs, day programs and the like.

FIRE PROTECTION

Orange does not maintain a fire department. The Town relies instead on "as needed" service from three area departments. The Barre Town Fire Department services most of the western portion of Town. The Washington Fire Department provides service along a section of Route 110. Tri-Village Fire Department covers East Orange Village and much of the eastern portion of Town. Orange does not maintain a formal contract with the departments, but rather is billed each time a department attends a fire within the Town. The town shall encourage landowners to install fire hydrants in newly constructed ponds.

POLICE PROTECTION

The Vermont State Police Department are under a contract to provide routine patrols in Orange. There is also a town constable.

SECTION 10: PLAN IMPLEMENTATION

This Town Plan sets forth the direction and the policies that the residents of Orange, through its Select Board, have adopted under which their Town shall grow and develop. The implementation of this Plan shall be guided by the future actions of the residents and Town bodies, public and private.

Upon the adoption of this Plan by the Orange Select Board and during the Plan's five year term, the Planning Commission shall, at the direction of the Select Board, prepare and present for approval bylaws and other regulations necessary for the implementation of this Plan. The Planning Commission shall meet annually in April with the Select Board, and at other times as may be necessary, to discuss the implementation of the Plan.

#1

SEWAGE ORDINANCE FOR THE TOWN OF ORANGE
RELATING TO INDIVIDUAL SEWAGE DISPOSAL SYSTEMS

SECTION I. PURPOSE

This ordinance is adopted under V.S.A. Title 24, chapter 102 (On-Site Sewage Systems). The purpose of this ordinance is to:

1. prevent the creation of health hazards;
2. prevent surfacing sewage; the contamination of drinking water, ground water, and surface water;
3. insure adequate drainage related to the proper functioning of sewage disposal; and
4. insure that facilities are designed, constructed, operated, and maintained in a manner which will promote sanitary and healthful conditions.

SECTION II. APPLICABILITY OF ORDINANCE

1. All single family home and camp construction shall receive a disposal system construction permit before commencement of construction on the property. All alterations of existing septic systems shall receive a disposal system construction permit before commencement of alteration of the system, except as provided for in Section II, #2, a.
2. All sewage disposal systems shall be built, altered and used in accordance with this ordinance. This includes, but is not limited to single family homes, group and community on-site sewage disposal systems. Construction and alteration of these systems shall not occur until a permit has been issued by the Sewage Officer (see Definitions) appointed by the Board of Selectmen.

Exceptions:

- a. When a minor modification (see Definitions) to an existing system is proposed, the Sewage Officer may waive the permit requirement on a case by case basis. The Sewage Officer will determine what constitutes a minor modification.
- b. Existing single family home sewage disposal systems in operation at the time of adoption of this ordinance are approved, provided that such systems do not create a health hazard, nuisance or pollute surface or ground water. Whether an existing system is causing a health hazard, nuisance or is polluting surface or ground water shall be determined by the Sewage Officer. Existing systems determined to be a health hazard, nuisance or polluting surface or ground water shall be upgraded to meet the standards of this ordinance to the extent possible.

3. No single family dwelling served by a sewage disposal system shall be altered in any way so as to increase the residential capacity of the structure unless the Sewage Officer determines that the existing sewage disposal system has an adequate capacity or a Sewage Disposal Construction Permit has been issued to increase the capacity of such system.
4. In case of any other applicable regulation, bylaw, ordinance or statute which differs from this ordinance, the more strict shall apply.

SECTION III. APPLICATION PROCEDURE

1. Disposal System Construction Permit

Any person who intends to build, replace or alter a sewage disposal system shall apply for a Disposal System Construction Permit. The application shall contain soil and site information as required by Vermont Health Regulations (see Definitions) and a design for a disposal system. The system shall be designed as specified by the Vermont Health Regulations.

Technical information for the application shall be prepared by an On-Site Sanitary Specialist of the Vermont Association of Conservation Districts, Inc., a certified Site Technician B, or a professional Sanitary or Civil Engineer.

The Construction Permit shall be granted or denied by the Sewage Officer. The permit shall become void if the disposal system is not completed within two (2) years of date of issue. In cases where the proposed project requires a Zoning Permit, the Zoning Permit shall serve as the Disposal System Construction Permit and may be issued only after the Sewage Officer has determined the sewage disposal system design to be in compliance with this ordinance.

2. Disposal System Use Permit

The designer of the approved sewage disposal system shall submit a final inspection report to the Sewage Officer. Such report shall certify whether the disposal system has been installed as approved. Any variations from the approved design shall be noted in the report. The Sewage Officer may also inspect the system before it is covered with soil. The Sewage Officer shall issue a Disposal System Use Permit when satisfied that the installed sewage system is in compliance with this ordinance. The dwelling may not be occupied until the Disposal System Use Permit has been issued. In cases where the proposed project requires a Zoning Permit, the Zoning Occupancy Permit shall serve as the Disposal System Use Permit.

3. Terms and Conditions of Permits

All permits run with the land and are binding upon each and subsequent owners. At the discretion of the Sewage Officer all permits issued under this ordinance, or those permits with conditions of use issued pursuant to this ordinance, may be filed in the town land records.

SECTION IV. ALTERNATIVE SYSTEMS & PERMITTED DEVIATIONS

1. Chemical toilets, privys, composting toilets and incineration toilets may be approved on a case-by-case basis by the Sewage Officer. If one of the above toilets is used and soil conditions allow, the absorption area of the associated subsurface sewage disposal system may be reduced. However there must be sufficient area available to add to the leachfield in the event that conventional toilets are used to replace the waterless toilets.

Full replacement area for a disposal field is required. If the disposal field is reduced in size, the Orange Board of Selectmen shall insure that subsequent owners of the property are aware of the limitations of the reduced disposal field. When plumbing or water use is increased in the household, the disposal field shall be redesigned and reconstructed in accord with the new design. Reduction in the size of any mound system will not be permitted.

2. Seasonal dwellings which do not have interior plumbing are not required to have a sewage disposal system. Interior plumbing (including hand pumps) may not be added to a dwelling until a sewage disposal system has been installed in accordance with the standards for a new septic system established in this ordinance. If it is not possible to develop a sewage disposal system in accordance with these standards the dwelling may not be plumbed and running water may not be brought into the dwelling.
3. At the discretion of the Orange Board of Selectmen and authorized in writing, deviations from the design specifications in Sections 5-905 and 5-907 of the Vermont Health Regulations may be allowed. Such deviations will only be allowed if the minimum soil and site requirements and the performance standards of the Vermont Health Regulations will be met.

SECTION V. APPEALS

1. Any applicant aggrieved by a decision of the Sewage Officer may appeal that decision in writing to the Orange Board of Selectmen within thirty (30) days of such decision. The Orange Board of Selectmen shall hold a hearing within thirty (30) days of such an appeal and shall render a decision within fifteen (15) days after the close of such hearing. Any person aggrieved by a decision of the Board of Selectmen may appeal that decision to Superior Court.

SECTION VI. ENFORCEMENT

1. If the Sewage Officer finds a person failing to comply with this Ordinance the Officer may, in writing, order the person to comply within a specified period of time.
2. A person who neglects or refuses to comply with the provisions of this Ordinance may be fined not more than \$500 for each offense by the Superior Court. Each week that a violation is continued shall constitute a separate offense (24 V.S.A., Section 1974).
3. Nothing in this ordinance shall be construed to prevent the Local Board of Health or the Health Officer from carrying out their duties as prescribed in 18 V.S.A., Chapter 11.

SECTION VII. SEVERABILITY

If any portion of this Ordinance is held unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected.

SECTION VIII. DEFINITIONS

Applicant -- the person who owns the premises on which a sewage disposal system will be constructed or altered.

Family -- one or more persons living, sleeping, cooking and eating on the same premises as a single housekeeping unit.

Minor Modification -- generally understood to be work on or replacement of the septic tank or the piping between the tank and the house. The Sewage Officer shall decide what constitutes a minor modification on a case-by-case basis.

On-Site Sewage Disposal System -- system for disposal of waste using soil as a disposal medium, including a tank for collection of solids and a leach area for liquids, or any other system which disposes of wastewater on-site.

Permit -- a written authorization issued by the Orange Sewage Officer.

Person -- any institution, public or private corporation, individual, partnership, or other entity.

Sewage Officer -- The individual appointed by the Orange Board of Selectmen acting under the authority of this ordinance. The Sewage Officer may be the Town's Health Officer, Administrative Officer, or other town official.

Single Family Dwelling -- a building used as living quarters for one family.

Vermont Health Regulations -- Vermont Health Regulations Chapter 5, Sanitary Engineering; Subchapter 10, Wastewater Treatment and Disposal -- Individual On-Site Systems: effective June 7, 1983, promulgated by the Vermont Department of Health and adopted by the Vermont Department of Water Resources and Environmental Engineering, July 1, 1984. These Regulations are incorporated into this ordinance by reference.

Adopted by the Orange Board of Selectmen:

Elaine J. Beard 11-14-85
 Chairman, Board of Selectmen Date

Approved by the Vermont Department of Water Resources and Environmental Engineering

	APPROVED	
	Department of Water Resources and Environmental Engineering	
	Date <u>December 6, 1985</u>	Date
and made effective:	By <u>Donald H. Kelly</u>	Date

10-31-85

ORANGE TOWN CLERK AND TREASURER

P. O. Address: EAST BARRE, VERMONT 05649

March 25, 1981

Ordinance # 2

The Speed limit for Town Highway # 1 from 302 to the David Thurber Residence and from the Larger reservoir to the plainfield town line shall be 35 MPH and the stretch between shall be the state speed limit.

The Speed Limit for Town Highway # 2 from the intersection of Route 30 and intersection Route #110 shall be 40 MPH.

The Speed Limit for Town Highway # 3 from Kermit O'Meara residence to Wayne Hatch residence shall be 35 MPH.

This ordinance was adopted at the Selectmen's Meeting of February 18, 1981 and will become effective on April 20, 1981.

William H. Goulette
Larry B. Haynes
Neal V. Tucker

#3

Town of Orange, Vermont
Animal & Nuisance Ordinance

Section 1. Duty of maintenance of property and control of animals.

No person owning, leasing, occupying or having control of any premises in the town and no person owning, keeping, harboring or maintaining any animal shall allow such premises or animals(s) to become or remain a public nuisance as herein defined.

Section 2. Definitions.

As used in this ordinance the terms are defined as follows:

Animal Control Officer: The person or persons appointed by the Selectboard to police and enforce this ordinance in cooperation with appropriate law enforcement agencies.

Dog: Any animal of the canine species or wolf hybrid

Animal: Any domestic animal or pet

Owners: Any person or group of persons who own, harbor or permit any animal to be or remain in or about a building or premises owned or occupied by them.

Anyone who picks up a stray animal will be responsible for its welfare; not the Animal Control Officer or the Town of Orange.

Nuisances enumerated:

- 1) *Animal Nuisances:* Animals are hereby declared a public nuisance under the following circumstances or conditions:
 - a. An animal that injures a member of the general public; or kills or severely injures a domestic animal or pet; or
 - b. An animal that repeatedly disturbs the rights, or threatens the safety of members of the public; or interferes with the ordinary use and enjoyment of property; or is allowed to damage the property of anyone other than its owner, including, but not limited to, turning over garbage containers or damage to gardens, flowers or vegetables or defecating upon the property of another, or injury or worrying domestic animals and pets; or
 - c. Animals maintained in an environment of unsanitary conditions or lack of cleanliness, or in otherwise inhumane care or
 - d. An animal repeatedly, continuously or habitually allowed or permitted to bark, whine, howl, crow, cackle or make loud noises in an excessive, continuous or untimely fashion so as to interfere with the reasonable use and enjoyment of neighboring premises; or
 - e. An animal that is diseased and dangerous to public health; or

- f. An animal that habitually or repeatedly chases, snaps at, attacks or barks at pedestrians, joggers, walkers, dogs walked on a leash by its owners, bicycles or vehicles.
- g. Exclusion: Except for dog bites which must be reported within 48 hours, an animal acting in the defense of its owner and/or owner's property is excluded from the provisions of this ordinance.

Section 3. Licensing of dogs

It shall be the duty of every person within the town owning, keeping or harboring any dog or wolf hybrid over six (6) months old to procure a license in accordance with Chapter 193, Title 20, of the Vermont Statutes Annotated, as amended.

Section 4. Animal Control Officer designated duties generally

The Town of Orange Animal Control Officer is to investigate complaints of animal nuisances and to enforce the provisions of this ordinance. The Town Selectboard shall designate the names of persons and their locations to receive animals for confinement under the terms of this ordinance.

Section 5. General Violation

Any animal allowed to become or remain a nuisance as herein defined, or a dog that is not licensed by April 1st of every year shall be in violation of this civil ordinance and may be impounded. The owner of any animal impounded, if such owner can be identified, shall be guilty of a violation of this civil ordinance and subject to the penalties hereinafter provided.

Section 6. Enforcement and penalties

- a. The Animal Control Officer may seize or impound any animal which is deemed to be in violation of this civil ordinance. If the owner is not immediately known The Animal Control Officer may relinquish the dog or animal to the organization designated by the Selectboard to be cared for and disposed of in accordance with their policies. The owner shall be liable for all costs incurred for said care including the monies owed to the Animal Control Officer for their time to bring the animal to the designated organization. Payment must be made at the Town Clerk's Office before picking up the impounded animal.
- b. If an unlicensed dog, or animal whose owner is unknown, is impounded by virtue of this article, the Animal Control Officer shall relinquish the dog or animal to the organization designated by the Selectboard to be cared for and disposed of in accordance with their policies. If the owner of an unlicensed dog or animal is located, and the owner wishes to reclaim the dog or animal the Animal Control Officer shall not release the dog or animal until all required licenses have been obtained and evidence of antirabies inoculation is shown. The owner shall be liable for all costs incurred.

- c. Any person who violates the provisions of this ordinance shall be subject to the following. Said violator may, within 15 days from the date of such violation, waive the issuing of any process by voluntarily paying the violation waiver fee as herein prescribed:

Offense	Civil Penalty	Waiver Fee
First Offense	\$75.00	\$50.00
Second Offense	\$115.00	\$75.00
Third Offense	\$300.00	\$200.00
Fourth and subsequent offenses	\$500.00	\$300.00

Each day a violation continues may constitute a separate offense.

- d. In addition to or in lieu of impounding an animal to be a nuisance animal as defined in this ordinance, the Animal Control Office may issue to the known animal owner a notice of complaint. A copy of the notice of complaint shall be filed with the Selectboard. The Selectboard shall proceed with a hearing.
- e. Failure to pay any fine assessed, obey an order of the Selectboard issued under this ordinance, or file an appeal thereof in a timely manner shall be deemed a violation of this civil ordinance. The penalty for failing to pay any fine or obey an order of the Selectboard, shall be punishable by a five hundred dollar (\$500.00) civil penalty or three hundred dollar (\$300.00) waiver fee. For the purpose of collection, the town may pursue any and all civil remedies available by law.
- f. The Animal Control Officer is hereby authorized and empowered to seize and impound animals and take all reasonable and necessary measures to abate a public nuisance which shall occur in his or her presence.

Adopted by the Selectboard this 9th day of July 2012.

David Childs, Chairman

Brian O'Meara

George Wild, Jr.

ORANGE TOWN CLERK AND TREASURER

P. O. Address: EAST BARRE, VERMONT 05649

Ordinance IV

The speed limit for Town Highway # 4 in the town of Orange shall be 35 MPH.

The speed limit for Town Highway #27 in the town of Orange shall be 35 MPH.

The speed limit for Town Highway #26 in the town of Orange shall be 35 MPH.

This ordinance was adopted at the Selectmen's meeting on October 18, 1988 and shall become effective on November 17, 1988.

George Wild, Jr.

Elsie F. Beard

Robert L. Barnes

ORANGE TOWN CLERK AND TREASURER

P. O. Address: EAST BARRE, VERMONT 05649

June 1, 1991

Ordinance # 5 Burning & Fire Permits

If a person starts a outside fire without a permit and the fire gets out of control and a Fire Department must be called, the person will be liable for all costs incurred.

Ordinance # 6 Overhead Wires

Any utility installing wires and or cables shall be buried or the overhead clearence shall be 18 feet to cross any town highway. These utilities may include but not limited to Cable TV, Tele Comm., Elect. service, Fire alarms, Radio Comm. Etc.

These ordinances were adopted at the Selectmen's Meeting of May 14, 1991 and will become effective on July 30, 1991.

Ronald L Mulhern
Robert L. Barnes
George Wild, Jr.
Selectmen

Ordinance # 7: Snow disposal restricted; penalty.

Any snow cleared from driveways, parking lots, roadside parking area, lawns, and other residential, commercial, agricultural, or industrial properties shall not be deposited within the traveled portion of any town road or highway. Whenever, in the judgment of the selectboard, snow has been cleared from a driveway, parking lot, roadside parking area, lawn or other residential, commercial, agricultural or industrial property and deposited within the traveled portion of any town road or highway the owner of the property from which the snow was cleared shall be cited for a violation. After a hearing the selectboard can assess a penalty of \$200.00 per violation to cover cost of snow removal by Town Equipment.

Adopted this 8th day of August, 2011.

Town of Orange Board of Selectmen
David L. Childs, Chairman
George Wild, Jr.
Brian O'Meara

Ordinance #8: Obstruction of Highway

Any vehicle parked in the traveled portion of any Town Highway shall be considered a safety hazard and an obstruction to maintenance of the town highways. The owner shall be cited for the violation. Violators shall be prosecuted pursuant to 4 V.S.A. 441, 24 V.S.A. 1974 and 13 V.S.A.7251. A fine of \$25.00 per day shall be assessed for each day in which the vehicle remains in violation. The Town may remove said vehicle and recover the cost of removal in addition to any fines.

Adopted this 8th day of August, 2011.

Town of Orange Board of Selectmen
David L. Childs, Chairman
George Wild, Jr.
Brian O'Meara

#9

**TOWN OF ORANGE
ORDINANCE REGARDING
STREET NAMING AND STREET ADDRESSING**

SECTION I - PURPOSE

In accordance with 24 VSA Ch 61 2291(16) the Board of Selectmen of the Town of Orange hereby establishes the following ordinance in order to develop a more uniform street naming and street addressing system throughout the Town of Orange to enable people to locate addresses effectively for providing emergency services and deliveries.

SECTION II - STREET NAMING

Each street or road shall be assigned a name by the Board of Selectmen that is separate and distinct from any previously assigned name in the Town of Orange.

SECTION III - GENERAL NUMBERING SYSTEM GUIDELINES

Highways to be officially named by the Board of Selectmen of the Town of Orange shall be measured in segments of fifty two point eight (52.8) feet per mile from a designated starting point.

Low numbers shall start nearest the intersection and increase as they head away from the starting point.

Odd numbers shall be assigned to the left side of the street and even numbers to the right as they head away from the starting point.

All numbers shall be assigned in relation to the center of a driveway or entrance to a location.

All numbers shall be properly affixed on or near the front door or in some other manner as to be visible from the street. If a building or dwelling is situated in such a way that the numbers cannot be easily seen from the street in front of said structure then a sign or number post must be used at drive entrance.

A multiple unit structure composed of two (2) or more units shall bear one number for the principal building and each unit shall affix a letter or number suffix.

SECTION IV - STREET SIGNS

The Board of Selectmen, upon adoption of this Ordinance, shall institute a program for the installation and maintenance of street name signs in accordance with the names established by this Ordinance.

All signs shall conform to the Manual of Uniform Traffic Control Devices for Streets and Highways.

All street signs shall be installed and maintained to the highest degree possible allowed by budget considerations.

The Town shall make available to all residents one set of WHITE numbers on GREEN fiberglass.

Other combinations of colors are permissible at the owners expense and must be on contrasting background.

SECTION V - PENALTIES

In the event that the owner or occupant or person in charge of any house or building refuses to comply with the terms of this ordinance by failing to affix the number assigned within sixty (60) days after notification, or by failing, within said period of sixty (60) days to remove any old numbers affixed to such house or building or elsewhere, which may be confused with the number assigned thereto, a fine of \$10.00 for each day of non-compliance with the terms hereof shall be levied against the property owner. In addition, the Board of Selectmen or its agents or employees shall have the authority to enter the premises of any house or building not in compliance with the terms of this ordinance and install a sufficient sign or numbering post in accordance with the provisions hereof and to charge the property owner all reasonable costs and expenses associated therewith.

SECTION VI - NOTICE AND IMPLEMENTATION

Public Notice:

The Board of Selectmen shall make reasonable efforts to ensure that the public is notified of the existence of the Ordinance for Street Naming and Street Addressing.

SECTION VII - SEVERABILITY

If any portion of this Ordinance and Amendments is held unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance and Amendments shall not be affected.

ADOPTED 11-19-96
POSTED AND PUBLISHED Washington World Oct 30, 1996
EFFECTIVE DATE Jan 18, 1997

BOARD OF SELECTMEN

Ronald L. Mall
George J. Walker

#10

SPEED LIMIT ON US. ROUTE 302 and Vt Route 110
IN THE TOWN OF ORANGE

SECTION I: AUTHORITY

This ordinance is adopted by the Town of Orange under authority granted by 24 VSA Chapter 59, 23 VSA 1007 and 13 VSA 7251.

SECTION II: PURPOSE

The purpose of this ordinance is to promote public safety.

SECTION III: SEVERABILITY

If any portion of this ordinance is held unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

SECTION IV:

The maximum speed limit permitted for any vehicular traffic on US Route 302 and Vt. Route 110 within the Town of Orange shall be the same as those limits established and posted by the State of Vermont,
TO WIT:

A. Maximum speed limit on Route 302 shall be 50-MPH unless otherwise posted from the Barre Town Line to the Topsham Town Line. Maximum speed limit of 40-MPH from 0.18 + or - miles west of TR # 4 (mp 1.65 + or -) extending easterly to 0.08 + or - miles east of TR #24 (mp 2.00 + or -).

B. Maximum speed limit of 50 MPH from the Barre Town Line to the Washington Town Line on Vt. Route #110.

SECTION V: PENALTIES

A. This is a civil ordinance which shall be enforced in accordance with the provisions of 24 VSA 1974a and 1977 et. seq.

B. The penalty for violation of any of the above speed limits shall be that set by the Schedule of Fines established by the State of Vermont.

SECTION VI: ENFORCEMENT OFFICIALS

Issuing officials shall include any Vermont Law enforcement officer or any certified Town of Orange Constable.

SECTION VII: EFFECTIVE DATE

This ordinance shall become effective sixty (60) days after its adoption by the Orange Selectboard. If a petition is filed under 24 VSA 1973, the taking effect of this ordinance shall be governed by that statute.

Adopted by the Orange Selectboard on November 9, 1998

Brian O'Meara
Elsie Beard
David Childs
Selectmen

#11

ORDINANCE FOR SPEED LIMIT ON ALL UNPAVED TOWN HIGHWAYS

SECTION I. AUTHORITY

This ordinance is adopted by the Town of Orange under authority granted by 24 VSA Chapter 59, 23 VSA 1007 and 13 VSA 7251.

SECTION II. PURPOSE

The purpose of this ordinance is to promote public safety.

SECTION III. SEVERABILITY

If any portion of this ordinance is held unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

SECTION IV. ORDINANCE

The maximum speed limit permitted for any vehicular traffic on all UNPAVED Town of Orange Highways shall be 35 - MPH.

SECTION V. PENALTIES

A. This is a civil ordinance which shall be enforced in accordance with the provisions of 24 VSA 1974a and 1977 et. seq.

B. The penalty for violation of any speed limit shall be set by the Schedule of Fines established by the State of Vermont.

SECTION VI. ENFORCEMENT OFFICIALS

Issuing officials shall include any Vermont Law Enforcement Officer or any certified Town of Orange Constable.

SECTION VII. EFFECTIVE DATE

This Ordinance shall become effective sixty (60) days after its adoption by the Orange Board of Selectmen. If a petition is filed under 24 VSA 1973, the taking effect of this ordinance shall be governed by that statute.

As of the effective date of this ordinance all prior ordinances pertaining to Speed Limits on UNPAVED TOWN HIGHWAYS shall be revoked. This does not apply to speed limits on STATE HIGHWAYS LOCATED IN TOWN AND TOWN PAVED HIGHWAYS.

Adopted by the Orange Board of Selectmen on Sept. 9, 1999.

Posted and Published _____ Sept. 15, 1999 _____

Effective Date _____ November 8, 1999 _____

[Signature]

Dean O'Leary

Elise F. Beard

BOARD OF SELECTMEN

CENTRAL VERMONT SOLID WASTE
MANAGEMENT DISTRICT
79 MAIN STREET
MONTPELIER, VERMONT 05602

Central Vermont Solid Waste Management District

MANDATORY RECYCLING ORDINANCE

The following is a true and exact copy of the Ordinance, as adopted by the Board of Supervisors of the Central Vermont Solid Waste Management District on September 7, 1994.

TABLE OF CONTENTS

An ordinance regulating the collection and disposal of solid waste including recyclables in the Central Vermont Solid Waste Management District.

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An ordinance regulating the collection and disposal of solid waste including recyclables originating within the Central Vermont Solid Waste Management District.

Be it ordained by the Board of Supervisors of the Central Vermont Solid Waste Management District:

ARTICLE I

PURPOSE

- 1.1 To protect the health and welfare of the citizens of the Central Vermont Solid Waste Management District and to promote the conservation of natural resources and the wise use of the environment, the Board of Supervisors of the Central Vermont Solid Waste Management District hereby adopt this ordinance to regulate the separation, recovery, collection, removal, storage and disposition of solid waste, including recyclables, within the Central Vermont Solid Waste Management District.

ARTICLE II

DEFINITIONS

- 2.1 For the purposes of this ordinance and regulations promulgated hereunder:
 - A. "Board" means the Board of Supervisors of the Central Vermont Solid Waste Management District.
 - B. "Hauler's license" means a commercial hauling license issued by the Central Vermont Solid Waste Management District.
 - C. "Commercial Hauler" means any person who, for a fee or other compensation, engages in the business of collection and hauling of solid waste, generated by customers in the District.
 - D. "Customers" are any individuals who use or maintain places of primary or part-time residence or who maintain places of business or institutional activity within the corporate limits of the District, including but not limited to, homeowners, landlords and their tenants, businesses, and non-profit institutions.
 - E. "District" means the Central Vermont Solid Waste Management District.
 - F. "Hazardous Waste" means any hazardous waste as defined by Title 10 VSA, Section 6602, as amended from time to time.

- G. "License" means a license issued to a person by the Board, according to the provisions of all ordinances adopted by the District, authorizing said person to engage in the business of commercial hauling of solid waste.
- H. "Ordinance" hereinafter refers specifically to the ordinance adopted by the Board titled "An ordinance regulating the collection and disposal of solid waste including recyclables originating within the Central Vermont Solid Waste Management District, Vermont" and any amendments thereto validly enacted hereafter.
- I. "Recyclables" means material recoverable from the wastestream, including glass bottles and jars, tin and aluminum cans, newspaper; and corrugated cardboard and white ledger paper from commercial sources; and such other materials as may be specified by rule by the Board of Supervisors from time to time
- J. "Residences" are any dwelling unit used in whole or in part for full or part time habitation by individuals.
- K. "Self-Haulers" are any customers who collect and/or haul less than 100 pounds (lbs.) of solid waste at one time from locations in the District, who are not commercial haulers.
- L. "Solid Waste" as defined in Title 10 VSA, Section 6602 as amended from time to time, and shall also include recyclables, and shall exclude septage and sludge from wastewater treatment plants.
- M. "Special Wastes" are all wastes that may not be disposed of with general mixed solid waste.
- N. "Tiered Schedule" is a system of providing for collection of solid waste based on different levels of service, thus creating a financial incentive for customers to generate less solid waste. Differential fees based on the quantity of solid waste of a generator (such as per bag, per cubic yard, or per pound), or the offering of a choice of bi-weekly, monthly, bi-monthly, or quarterly collection frequency, shall be deemed to satisfy the requirements of this ordinance as to Tiered Schedule.
- O. "VSA" means Vermont Statutes Annotated.

ARTICLE III

AUTHORITY

- 3.1 Under 24 VSA, Section 2202a, and 2203a, and its Charter (Act M-8 of 1987), the District is responsible for management and regulation of the storage, collection and disposal of solid waste, including recyclables, within its jurisdiction, in conformance with the State Solid Waste Management Plan authorized under Title 10 VSA, Chapter 159. The District is authorized to issue local franchises and to make, amend, or repeal rules as necessary to manage the storage, collection, transportation and disposal of solid waste materials collected within the District and to impose penalties for violations thereof, provided that the rules are consistent with the State plan and rules promulgated by the Secretary of the Agency of Natural Resources, under Title 10 VSA, Chapter 159.

ARTICLE IV

COMMERCIAL HAULER LICENSE REQUIREMENT

- 4.1 All commercial haulers of solid waste within the District shall be licensed by the Board to collect solid waste, including recyclables. Further, haulers shall comply with all local ordinances, including local zoning and/or vendor licensing.
- 4.2 No person shall at any time engage in the business of or act as a commercial hauler in the District without having obtained a valid license from the District therefore as required in this ordinance.
- 4.3 A person acting as a self-hauler shall not be required to obtain a license from the Board.
- 4.4 Haulers seeking a license from the District must demonstrate to the District that financial incentives for waste reduction and recycling for residents and businesses have been incorporated into their rate structure. Each commercial hauler shall offer a Tiered Schedule to all Customers within the District, mail notice of such Tiered Schedule to all customers at least once per year. Customer billings fees shall itemize service charge per customer visit per month, separately from charges per unit of solid waste. Fees per unit for recycling shall be itemized separately from fees per unit for solid waste, and shall not exceed 50% of fees for equivalent volumen of solid waste. This percentage may be amended from time to time by rule of the Board of Supervisors. Each commercial hauler's Tiered Schedule shall be filed with the District with annual haulers license application, shall be reviewed as a condition for licensing, and shall otherwise be available to the District upon request.

ARTICLE V

REGULATIONS FOR THE COLLECTION AND DISPOSAL OF SOLID WASTE

- 5.1 Generator's responsibility: Recyclables generated in the District shall be separated from other solid waste prior to any disposal.
- a. Residential: No person who owns or uses property in the District for residential purposes shall place for collection nor deposit for disposal at any public or private collection facility or landfill any residential recyclables which are not separated from other solid waste, nor any solid waste which is not free of residential recyclables.
 - b. Commercial: No person who uses or occupies any property in the District for commercial or institutional purposes shall place for collection nor deposit for disposal at any public or private collection facility or landfill any commercial recyclables which are not separated from all other solid waste nor any solid waste which is not free of commercial recyclables.
- 5.2 Hauler's Responsibilities: Commercial haulers are required on a regular and convenient basis, to collect recyclables from their customers, shall keep recyclables separate from other solid waste, and shall not dispose of recyclables in a landfill. Haulers will be responsible for establishing and communicating sorting specifications to their customers.
- 5.3 Any solid waste placed by a customer for collection by a commercial hauler may be rejected for collection if it does not meet the requirements of the ordinance of the hauler's specifications.
- 5.4 Special wastes and household hazardous wastes, tires, car and truck batteries, metal appliances and other large metal items shall not be disposed of with or as ordinary solid waste. These items shall be collected and/or disposed of in accordance with State law.
- 5.5 No commercial hauler or self-hauler shall knowingly dispose of solid waste which contains recyclables, tires, car and truck batteries, motor oil, metal appliances, household hazardous wastes, or other large metal items in a landfill or as unseparated solid waste at a transfer station or incinerator.

ARTICLE VI

PENALTIES AND ENFORCEMENT

- 6.1 The District will conduct random load checking at designated disposal facilities. Upon observation of evidence of non-compliance, District enforcement personnel will contact the hauler or self-hauler to provide information on how to comply with the ordinance.
- 6.2 When the District determines that a hauler or self-hauler is in repeated, intentional non-compliance or failure to comply with the responsibilities described herein, the District may exercise the right to revoke license or penalize for violation of license conditions pursuant to the Flow Control Ordinance and Rules and Regulations promulgated thereunder.

ARTICLE VII

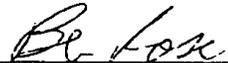
- 7.1 This ordinance shall become effective July 1, 1995 with enforcement beginning July 1, 1996.

ARTICLE VIII

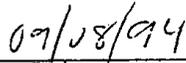
SEVERABILITY

- 8.1 This ordinance and the various parts, sentences, sections and clauses thereof, are hereby declared to be severable. If any part, sentence, section or clause is judged invalid, it is hereby provided that the remainder of this ordinance shall not be affected thereby.

I CERTIFY THAT THIS IS A TRUE AND EXACT COPY OF CVSWM D ORDINANCE 94-01, AS ADOPTED BY THE BOARD OF SUPERVISORS ON SEPTEMBER 7, 1994.



 Clerk of the District



 Date

0847911

TOWN OF ORANGE, VERMONT
TERMS AND CONDITIONS OF
TAX STABILIZATION CONTRACT
FOR INDUSTRIAL, COMMERCIAL, AGRICULTURAL STRUCTURES & SITES

Pursuant to the authority granted to the Town of Orange Board of Selectmen at the September 11, 1986 Town Meeting and in furtherance of the authority granted pursuant to Title 24, Section 2741 (b) 1, Vermont Statutes notated, The Town of Orange Board of Selectmen do hereby establish the following conditions, which conditions shall be a part of any tax stabilization contract entered into by the Town of Orange until amended or revised by a majority vote of the people.

1. This tax stabilization contract shall be available to any new industrial, commercial, or agricultural structures and site in the Town and to any existing industrial, commercial or agricultural structures and site which desires to expand or renovate its existing facilities and which expansion or renovation would have increased its fair market value of the structures and site a minimum of 30% over its prior year's fair market value except for a tax stabilization contract.
2. The tax rate under the tax stabilization contract shall be the rate set by the Town annually during the term of the contract.
3. The fair market value of the property under tax stabilization shall be the fair market value in effect on April 1 preceding each fiscal year, i.e., April 1, 1987 for the calendar year beginning Jan. 1, 1987. Fair market value is the value defined by law and set by the listers and such value is not controlled by or synonymous with a business's depreciation values.
4. The fair market value under a tax stabilization contract is the fair market value of structures and site determined by the Town Listers and entered into the annual Town Grand List, subject however to any party to a tax stabilization contract retaining the right to appeal its grand list value per the then applicable appellate procedures.
5. The property assessment for real property during the term of the contract shall be pursuant to the following schedule:
 - A. Real Estate Such property shall be assessed at 50% of fair market value for the first six years and increase 10% each year thereafter until paying 100% after 10 years.
 - B. Expansions or renovations Tax stabilization will be on that value above the pre-stabilization values.
6. Any applicant must meet all local & state requirements for permits. Tax Stabilization contracts applicable only to non-residential property and must be 100% complete per design approved by Board of Selectmen.
7. A. Sale of Business - Tax Stabilization contract will continue provided that new owner continues operating business and adheres to guidelines.
B. Business Closes - Tax Stabilization Contract will be void and full taxes will be required on the next assessment next April 1.
8. Failure to pay taxes on current basis shall void this stabilization contract.

Approved at the Town of Orange, Vermont this day of

Orange Board of Selectmen

Voted at the September 11, 1986 Special Town Meeting as printed above.

Attest, *Rita R. Bisson*
Town Clerk

*paper ballot
Keyes 2 No*

Orange Town Plan Drafted
October 24, 2012

Reviewed at
Public Hearing

Approved by:
Orange Planning Commission

Signed
By Chair Tom Peairs

Conveyed to Select Board

Reviewed by Selectmen

Further Reviewed by Selectmen

Reviewed at Selectmen's Public Hearing

Adopted by Selectmen
