



To: Weston Planning Commission  
From: Matt Bachler, Senior Planner  
Date: February 28, 2024  
RE: Review of Housing Chapter and Flood Resiliency Chapter for Weston Town Plan Update

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### **Background**

WRC will lead a discussion with the Planning Commission at the March 4th public meeting on the Housing Chapter and Flood Resilience Chapter for the Town Plan update. As an attachment to this memo, I have provided these two chapters from the 2016 Town Plan.

### **Housing Chapter**

#### *Statewide Planning Goals*

The following statewide planning goal is relevant for the Housing chapter. In reviewing the chapter, it can be helpful to consider how the current plan is doing at accomplishing this goal:

*To ensure the availability of safe and affordable housing for all Vermont:*

- a. Housing should be encouraged to meet the needs of a diversity of social and income groups in each Vermont community, particularly for those citizens of low and moderate income.*
- b. New and rehabilitated housing should be safe, sanitary, located conveniently to employment and commercial centers, and coordinated with the provision of necessary public facilities and utilities.*
- c. Sites for multifamily and manufactured housing should be readily available in locations similar to those generally used for single-family conventional dwellings.*
- d. Accessory apartments within or attached to single-family residences that provide affordable housing in close proximity to cost-effective care and supervision for relatives, elders, or persons who have a disability should be allowed.*

#### *WRC Recommendations*

I would recommend reorganizing the Housing Chapter around existing conditions and future housing needs. For existing conditions, the chapter would benefit from having more data on housing characteristics in Weston, including the age and type of the existing housing stock, seasonal housing and short-term rental units, household size, and housing affordability. This section could also include information on existing zoning bylaws and how and what areas of town they support housing development.

The future needs section would include a discussion on the types of housing the town may want to encourage based on existing housing conditions and changes in demographics and economic conditions since the 2016 Plan was completed. Feedback from the community survey and public meetings indicated a particular need for housing for the local workforce, young families, and seniors. This section could make recommendations on areas in the zoning bylaws that should be reviewed to support additional housing in appropriate areas in town.

### **Flood Resilience Chapter**

#### *Statewide Planning Goals*

To encourage flood resilient communities, the State planning goals require that new development in identified flood hazard, fluvial erosion, and river corridor protection areas be avoided. If new development is built in these areas, it should not exacerbate flooding and fluvial erosion. The protection and restoration of flood plains and upland forested areas that attenuate and moderate flooding and fluvial erosion should be encouraged. Flood emergency preparedness and response planning should also be encouraged.

#### *WRC Recommendations*

Much of the information in the Flood Resilience Chapter is taken from the Weston Local Hazard Mitigation Plan (LHMP). The LHMP was redone in 2022 and this chapter should be revised to include any changes that were made during the LHMP update process.

I would also recommend the chapter include a more general discussion on the community's flood vulnerability and the need to plan for flood resiliency. Weston has a large concentration of civic, cultural, and commercial facilities in its village center, many of which are located in a flood hazard area and vulnerable to flooding from the West River. The main road through town and the village, Route 100, is also prone to flooding. The impacts of flooding go beyond damage to infrastructure and buildings and have a significant impact on local economic activity and the cultural and historical resources that help define and sustain the community.

Given the impact of the Great Vermont Flood of 2023 on Weston, this chapter would also include how the community is responding to the event and the future planning efforts being discussed. For example, the Town will be evaluating the impacts of the Old Mill Dam on upstream flooding and possible upgrades to the Lawrence Hill Bridge. The Town has also created a Flood Resiliency Committee that will be advising the Selectboard on the use of the Municipal Technical Assistance Program grant.

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## Housing

**Goal:** To make it possible for persons of all income levels to have access to safe and affordable housing.

**Background:**

Housing, especially affordable housing, is an increasingly important issue for communities and the State of Vermont. Home ownership is difficult for many credit-worthy people due to the high up-front costs of purchasing a home and the relatively high median home sale prices in recent years. Weston has housing needs that are influenced by state and national trends but are also unique to a small, rural community that has become an attractive place for second homeowners and retirees.

An adequate supply of year-round housing which offers a variety of size, cost and location is essential to the economic and social health of the Town. It is a benefit to the Town when employees can live close to their workplace, young adults are able to buy or rent a home in the Town and elderly residents are able to remain in the Town with their family and friends. The Town abuts a number of areas used for seasonal recreation, vacation activities and has been affected by seasonal housing development. Providing safe, affordable, and convenient housing for senior citizens, very low-income households, and disabled residents is a priority shared by the Town with all towns in the Region.

Weston residents live, for the most part, in widely dispersed, single family housing along the major roads in town and away from the village center.. The desire for a housing site that is rural in appearance is a priority for many seeking to own property in Weston. This low-density form of single-family housing has contributed to the long-term change of the Town's historic landscape.

Non-resident demand for second home sites is the primary driver of real estate sales in the Town. Despite this, new sub-divisions and new housing construction has slowed considerably since the 2008 recession with a commensurate increase in the surplus of unsold houses on the market.

Despite this surplus, the second home market has kept land and housing prices relatively high by adding demand for land, construction, labor and resources. This high cost of land has discouraged the construction of modest, resource-efficient, year-round homes suited to the needs of long term Weston residents adding to an existing affordability problem.

**Number of Zoning and Sign Permits Issued from 2007-2015**

	2007	2008	2009	2010	2011	2012	2013	2014	2015
New Homes	5	3	3	2	1	3	3	1	1
Residential Additions/Alterations/ Decks/Porches	10	8	12	5	9	8	4	5	7
Commercial Alterations	0	1	7	3	0	1	1	0	0
Garages, Sheds, or Other Accessory Structures	11	10	8	7	5	6	10	4	3
Agricultural or Barn Notifications	0	0	0	1	0	2	0	0	0
Trailers – Mobile Homes	0	0	0	1	0	0	0	0	0
Commercial Utility Buildings	0	2	0	0	0	0	0	0	0
Signs	3	0	0	0	3	1	0	1	2
Other	1	1	1	1	1	2	0	0	0
Permit Modifications/Extensions					0	2	0	0	1

*Source: Zoning Administrator Annual Report*

Weston is a small community and efforts to alleviate the affordable housing needs should be implemented on a scale appropriate to the population. In a rural town, efforts to provide affordable housing may include: identification of property or structures that could be used for affordable or senior housing, informal counseling and assistance to families in need of affordable housing, flexible zoning regulations which would allow for Planned Unit Developments (PUDs) and alternative housing types which may meet affordable housing criteria.

**Housing Policies:**

1. Require that new and rehabilitated housing, including seasonal housing, should be safe and sanitary and coordinated with existing public facilities, services and utilities.
2. Require a diversity of housing opportunities including affordable housing for young families and seniors.
3. Support the provision for one-acre lots in the Weston Zoning bylaws that will encourage development of affordable housing.
4. Encourage the inclusion of provisions in the Planned Unit Development regulations that will provide applicants with incentives to include housing opportunities for less economically advantaged persons.

5. Support a requirement by the Selectboard that any organization requesting a certificate of public good for planned land use address the question of how it plans to accommodate the long-range objective of Weston to maintain a diverse socio-economic population if the land in question includes parcels suitable for residential use.
6. Encourage multi-family housing and senior housing.
7. Require that all housing, both seasonal and permanent, be considered by the same standards, and new development shall include adequate provision for public facilities and services.
8. Require that new housing be planned and sited so that it blends with the character of the community and does not destroy natural and scenic resources.
9. Encourage the development of rental housing.
10. Discourage the conversion of affordable residential housing into commercial properties.
11. Encourage Planned Unit Development.
12. Consider "incentive/flexible zoning" to allow for higher density housing developments to preserve farmland and undeveloped land.
13. Work with not-for-profit organizations and government agencies to pursue options and meet housing needs of Weston residents.

***Recommendations for Action:***

1. Conduct an inventory of community needs and existing low and moderate-income housing.
2. Conduct studies to help identify areas where residential growth is appropriate and where it should be limited.
3. Upon completion of the Town Plan, re-evaluate zoning and subdivision bylaws for conformance with the Plan.

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## **Flood Resilience Plan**

### ***Existing Conditions:***

Weston is a rural community in the Green Mountains of Windsor County in southeastern Vermont. The town is in the West River Valley, part of the Connecticut River watershed, and running north-south through the central part of the town. The wide floodplain along the West River forms a prominent feature and runs along the main road in town, Route 100. Weston's topography and town layout make it susceptible to flooding during severe events such as Tropical Storm Irene in 2011. Flooding has been the most common hazard for the Town of Weston.

As described in the town's Local Hazard Mitigation Plan, *"There are a number of areas in town that are particularly susceptible, the main one being the village center. The village area lies along the headwaters of the West River, in an area just south of a wide section of floodplain along Route 100. This area of floodplain is open fields, and allows floodwaters to inundate, thereby protecting the town to a large extent. The fact remains, however, that the village lies in the floodplain and does get flooded during large events."*

The town of Weston has land, homes, and businesses that are susceptible to the two types of flooding impacts: inundation and fluvial erosion. Inundation flooding occurs during high water events on extensive acreage along the West River. Fluvial erosion occurs in areas both in and out of the flood hazard area as mapped by the Federal Emergency Management Agency (FEMA). Both fluvial erosion (when the river or stream jumps or cuts its bank and rips through an area) and inundation flooding are potential problems along the West River, Jenny Coolidge Brook, and Greendale Brook. Weston is unique in its location in the headwaters of the West River. Due to the topography, streams in Weston drain into the West River Watershed.

### ***Regulatory Flood Hazard Designations:***

There are two types of regulatory flood hazard designations and two sets of official maps that identify those flood hazards in Vermont: inundation hazard areas are identified by the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs); fluvial erosion hazard areas are identified by the VT Agency of Natural Resources on River Corridor maps.

### ***Inundation Hazard:***

Towns participating in the National Flood Insurance Program (NFIP) must regulate development in areas designated on the FIRMs that show the floodplain that FEMA has calculated would be covered by water in a 1% chance annual inundation event, also referred to as the "100 year flood" or base flood. This area of inundation is called the Special Flood Hazard Area (SFHA). FIRMs may also show expected base flood elevations (BFEs) and floodways (smaller areas that carry more current). FIRMs are only prepared for larger streams and rivers. The Town of Weston has areas of inundation hazard flood risk mapped by FEMA. (See pages 11, 24-25, *Town of Weston Local Hazard Mitigation Plan*)

### ***Fluvial Erosion Hazard:***

A significant portion of flood damage in Vermont occurs outside of the FEMA mapped floodplain areas and along smaller upland streams, as well as along road drainage systems that fail to convey the amount of water they are receiving. Property owners in such areas outside of SFHAs are not required to have flood insurance. Vermont ANR's river corridor maps show the area needed to address the fluvial erosion hazards, which may be inside of FEMA-mapped areas, but often extends outside of those areas. River corridor maps delineate areas where the lateral movement of the river and the associated erosion may be more of the threat than inundation by floodwaters. Elevation or flood proofing alone may not be protective of structures in these areas, as erosion can undermine structures. ANR released statewide river corridor maps in late 2014. The Town of Weston has areas of River Corridor mapped by ANR. (See pages 11, 24-25, *Town of Weston Local Hazard Mitigation Plan*)

**Flood Hazard Regulation Inundation:**

For federal flood insurance to be available to property owners through the National Flood Insurance Program (NFIP), a municipality must adopt and administer flood hazard area regulations. These can be within local zoning regulations or adopted as a free-standing bylaw. A community's flood hazard regulations must apply to at least the Special Flood Hazard Areas identified by FEMA. They regulate new structures and place restrictions on other types of activities, such as fill within the floodplain. They specify land, area and structural requirements to be adhered to within the SFHA.

**Erosion:**

To address Act 16, to protect citizens, infrastructure, and the environment, and to qualify for maximum Emergency Relief and Assistance Fund state match in the event of a disaster, a town must adopt and administer River Corridor protection standards as part of its flood hazard area regulations. These can be within local zoning regulations or adopted as a free-standing bylaw.

**Addressing flood resilience**

This plan identifies flood hazards as the Special Flood Hazard Areas (SFHAs) shown on the NFIP FIRMs and identifies fluvial erosion hazard areas as those shown on the ANR River Corridor maps. Further, this Plan designates both those identified areas as areas to be protected, including floodplains, river corridors, and land adjacent to streams, wetlands, and upland forests, to reduce the risk of flood damage to infrastructure and improved property. In addition, this plan incorporates by reference the town's Local Hazard Mitigation Plan approved under 44 C.F.R. § 201.6. Finally, this plan recommends the following policies and strategies to protect the designated areas to mitigate risks to public safety, critical infrastructure, historic structures, and municipal investments.

**Flood Resilience Policies:**

- It is the policy of the town to foster the protection and restoration of river corridors, floodplains, wetlands, and upland forested areas that attenuate and moderate flooding and fluvial erosion.
- It is the policy of the Town to protect floodplains, river corridors, land adjacent to streams, wetlands, and upland forests through adoption and administration of flood hazard area regulations governing development in designated Special Flood Hazard Areas and River Corridors, in order to reduce the risk of flood damage to infrastructure, improved property, people, and the environment.
- New development in identified flood hazard, fluvial erosion, and river corridor protection areas should be avoided. If new development is to be built in such areas, it should not exacerbate flooding and fluvial erosion.
- The protection and restoration of geomorphic equilibrium, floodplains and upland forested areas that attenuate and moderate flooding and fluvial erosion should be encouraged.
- Flood emergency preparedness and response planning are encouraged.

**Flood Resilience Strategy Recommendations:**

- The Town will be familiar with Flood Insurance Rate Maps (FIRMs) that delineate areas that could be inundated by water during flooding. (Selectboard, Development Review Board, Zoning Administrator)
- The Town will be familiar with ANR River Corridor maps that delineate the land area adjacent to streams and rivers that are required to accommodate a stable channel. (Selectboard, Development Review Board, Zoning Administrator)
- The Town will pursue a flood resilience management approach whose essential components are to identify and map flood and fluvial erosion hazard areas based on studies and maps provided by the Vermont ANR Rivers Program, and designate those areas for protection to reduce the risk of flood damage to infrastructure and private property.
- The Town will update the Flood Hazard Areas Regulations to include regulation of river corridors, and include provisions for advance notification of and specific limits on new development activities in identified flood hazard areas, fluvial erosion areas, and/or River Corridors, based on regulatory templates developed by the ANR DEC Rivers Program.

- The Town will regulate any new development in identified flood hazard areas, fluvial erosion hazard areas, and/or River Corridors to ensure that development does not exacerbate flooding and fluvial erosion, and extend these provisions to development activities that might increase the amount and/or rate of runoff and soil erosion from upland areas.
- The Town will further pursue a flood resilience management approach by implementing their Local Hazard Mitigation Plan and other strategies for restoring the stream geomorphic equilibrium conditions and enhancing the emergency preparedness that will mitigate the risks to public safety, critical infrastructure, historic structures, and municipal investments.

Additional information is available at <http://floodready.vermont.gov/>.