

Municipal Plan Review Tool

Town of Grand Isle – Final Review

This form addresses the statutory requirements of the State of Vermont for town plans, as cited in the Vermont Municipal and Regional Planning and Development Act, Title 24 V.S.A Chapter 117 (the Act). It includes the 12 required elements found in § 4382 of the Act; the four planning process goals found in § 4302(b), the 14 specific goals found in § 4302(c); and the standard of review found in § 4302(f), which covers consistency with goals and compatibility standards.

During the Regional approval and confirmation process, specified in § 4350 of the Act, the regional planning commission is required to assess town plans and the process whereby they are developed according to the criteria of the Act. Sections of relevant statute are quoted at each question.

Required Elements § 4382		Met	Not Met
1	Statement of Objectives, Policies, Programs	☒	☐
2	Land Use Plan and Map	☒	☐
3	Transportation Plan and Map	☒	☐
4	Utility and Facility Plan and Map	☒	☐
5	Rare Natural Resources/Historic Resources	☒	☐
6	Educational Facilities Plan and Map	☒	☐
7	Implementation Program	☒	☐
8	Compatibility Statement	☒	☐
9	Energy Plan	☒	☐
10	Housing Element	☒	☐
11	Economic Development Element	☒	☐
12	Flood Resiliency Plan	☒	☐
State Planning Goals § 4302		Met	Not Met
1	Compact village centers	☒	☐
2	Economy	☒	☐
3	Education	☒	☐
4	Transportation	☒	☐
5	Natural and Historic Resources	☒	☐
6	Quality of air, water, wildlife, forests, and other land resources	☒	☐
7	Efficient use of Energy and Renewable Energy Resources	☒	☐
8	Recreation	☒	☐
9	Agriculture and Forest Industries	☒	☐
10	Use of Resources and Earth Extraction	☒	☐
11	Safe and Affordable Housing	☒	☐
12	Public Facilities and Services	☒	☐
13	Child Care	☒	☐
14	Flood Resiliency	☒	☐
15	Environmental Justice	☒	☐

TOWN PLAN REQUIRED ELEMENTS

Title 24 Chapter 117: Municipal and Regional Planning and Development

24 V.S.A. § 4382. The plan for a municipality

(a) A plan for a municipality may be consistent with the goals established in section 4302 of this title and compatible with approved plans of other municipalities in the region and with the regional plan and shall include the following:

(1) A statement of objectives, policies and programs of the municipality to guide the future growth and development of land, public services and facilities, and to protect the environment.

Met

Pages: 16, 23, 28, 37, 39, 41, 46, 48, 49, 52, 73-77

Comments: Relevant goals and objectives are listed at the beginning of each chapter. Chapter 7 includes an implementation table with specific tasks to put the plan into action, and assigns a timeline and responsible party for each.

(2) A land use plan, consisting of a map and statement of present and prospective land uses, that:

(A) Indicates those areas proposed for forests, recreation, agriculture (using the agricultural lands identification process established in 6 V.S.A. § 8), residence, commerce, industry, public and semi-public uses and open spaces, areas reserved for flood plain, and areas identified by the State, the regional planning commission, or the municipality that require special consideration for aquifer protection; for wetland protection, for the maintenance of forest blocks, wildlife habitat, and habitat connectors; or for other conservation purposes.

(B) Sets forth the present and prospective location, amount, intensity and character of such land uses and the appropriate timing or sequence of land development activities in relation to the provision of necessary community facilities and service.

(C) Identifies those areas, if any, proposed for designation under chapter 76A of this title and for status under 10 V.S.A. §§ 6033 and 6034, together with, for each area proposed for designation, an explanation of how the designation would further the plan’s goals and the goals of § 4302 of this title, and how the area meets the requirements for the type of designation to be sought.

(D) Indicates those areas that are important as forest blocks and habitat connectors and plans for land development in those areas to minimize forest fragmentation and promote the health, viability, and ecological function of forests.

Met

Pages: 21, 60-72

MAPS

Present Land Use Plan ✓

Prospective Land Use Plan ☒

Comments: The future land use map on page 67 designates specific areas for village, commercial/light industrial, shoreland, rural residential/agricultural, small offshore islands, and flood

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hazard land use planning areas. Specific vision statements for each district are discussed afterward. The Planning Commission intends to seek Village Center Designation for the historic Grand Isle Station village center in the next year. Forest blocks and habitat connectors are mapped on page 61 and discussed on page 60, including a statement that the town will work to preserve the connectivity of existing wildlife habitat to the greatest extent possible.

(3) A transportation plan, consisting of a map and statement of present and prospective transportation and circulation facilities showing existing and proposed highways and streets by type and character of improvement, and where pertinent, parking facilities, transit routes, terminals, bicycle paths and trails, scenic roads, airports, railroads and port facilities, and other similar facilities or uses, with indications of priority of need;

Met

Pages: 41-45

MAP

Transportation ☒

Comments: Existing transportation facilities are shown on the Transportation Map. The transportation chapter also addresses complete streets, bicycle and pedestrian networks, the Grand Isle Ferry, and public transportation.

(4) A utility and facility plan, consisting of a map and statement of present and prospective community facilities and public utilities showing existing and proposed educational, recreational and other public sites, buildings and facilities, including hospitals, libraries, power generating plants and transmission lines, water supply, sewage disposal, refuse disposal, storm drainage and other similar facilities and activities, and recommendations to meet future needs for community facilities and services, with indications of priority of need, costs and method of financing;

Met

Pages: 28-40

MAP

Utility and Facility ☒

Comments: The Public Services and Facilities, Education and Recreation chapters discuss all relevant topics listed above. Priorities to meet future needs include the construction of a new municipal town center with expanded space for the library, town offices and community events.

(5) A statement of policies on the preservation of rare and irreplaceable natural areas, scenic and historic features and resources;

Met

Pages: 48-49, 60, 71-72

Comments: "Lake Champlain, fertile soils, wildlife and scenic views are but a few of the Town's irreplaceable natural resources integral to our unique rural character and island setting. Fields and woodlands, marshes, wetlands and streams, rocky shoreline and small islands provide a wide variety of habitats for a diversity of wildlife. [...] As part of the planning process, the Grand Isle Planning Commission gathers and interprets data as a basis for setting policy on the preservation of Grand Isle's ecosystem and on how the town should develop in accordance with the community's vision for the future."

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The Small Offshore Islands future land use planning area is also specifically recognized as a scenic natural resource that provides irreplaceable habitats for wildlife, and development is restricted. Scenic views, vistas and roads are discussed on page 60. Cultural and historic structures and resources are discussed on page 48.

(6) An educational facilities plan consisting of a map and statement of present and projected uses and the local public school system;

Comments: While the plan has no specific educational facilities map, the Grand Isle Elementary School is shown on the Utilities and Facilities map. Current and projected uses for the elementary school are discussed in the Education, Childcare and Lifelong Learning chapter.

Met

Pages: 36-38

MAP

Educational Facility ☒

(7) A recommended program for the implementation of the objectives of the development plan;

Comments: Chapter 7 contains an implementation table with tasks to help achieve the goals and objectives of the town plan. Each implementation action has a responsible party and a timeline.

Met

Pages: 73-77

(8) A statement indicating how the plan relates to development trends and plans of adjacent municipalities, areas and the region developed under this title;

Comments: The Compatibility and Consistency chapter describes how the Grand Isle plan relates to the plans of North Hero and South Hero, as well as the NRPC Regional Plan. All plans have similar goals and policies, and the land uses proposed in Grand Isle's plan are compatible with the Regional Plan's future land use planning areas. The chapter states that none of the goals, objectives or recommendations in the Grand Isle Town Plan will adversely affect the plans or development trends of the neighboring communities or the region.

Met

Pages: 78-81

(9) An energy plan, including an analysis of energy resources, needs, scarcities, costs and problems within the municipality, a statement of policy on the conservation of energy, including programs, such as thermal integrity standards for buildings, to implement that policy, a statement of policy on the development of renewable energy resources, a statement of policy on patterns and densities of land use likely to result in conservation of energy;

Comments: The plan contains an energy chapter, which is expanded upon in the Enhanced Energy Plan in Appendix A. The Enhanced Energy Plan covers all topics listed above.

Met

Pages: 46-47, 82-100

(10) A housing element that shall include a recommended program of public and private actions to address housing needs and targets as identified by the regional planning commission pursuant to subdivision 4348a(a)(9) of this title. The program shall use data on year-round and seasonal dwellings and include specific actions to address the housing needs of persons with low income and persons with moderate income and account for permitted residential development as described in section 4412 of this title.

Met

Pages: 23-27

Comments: While specific municipal housing targets have not been incorporated yet into NRPC's Regional Plan, the Grand Isle plan is consistent with progress towards attainment. Data on year-round and seasonal dwellings is discussed in the Housing chapter, and specific unmet housing needs are discussed, especially for low-income and cost burdened residents. A greater diversity of housing stock, including smaller units, multi-unit structures, mobile homes, and ADUs is identified as a potential solution. Grand Isle's villages are identified as a location to concentrate future housing development. The plan contains implementation actions that help support a greater density of housing in Grand Isle's villages, including investigating community wastewater solutions and pedestrian infrastructure.

(11) An economic development element that describes present economic conditions and the location, type, and scale of desired economic development, and identifies policies, projects, and programs necessary to foster economic growth.

Met

Pages: 16-22

Comments: The Economy chapter describes current employment characteristics and local businesses in Grand Isle. The chapter also discusses long-term economic development variables, strategies, and challenges. Challenges include housing affordability, childcare, and sewer & water infrastructure. Goals, objectives, and implementation actions throughout the plan provide strategies to address these challenges and foster economic growth. Desired economic growth includes tourism, outdoor recreation, agriculture/local food, and local small businesses serving residents. The town

(12)(A) A flood resilience plan that:

(i) identifies flood hazard and fluvial erosion hazard areas, based on river corridor maps provided by the Secretary of Natural Resources pursuant to 10 V.S.A. § 1428(a) or maps recommended by the Secretary, and designates those areas to be protected, including floodplains, river corridors, land adjacent to streams, wetlands, and upland forests, to reduce the risk of flood damage to infrastructure and improved property; and

(ii) recommends policies and strategies to protect the areas identified and designated under subdivision (12)(A)(i) of this subsection and to mitigate risks to public safety, critical infrastructure, historic structures, and municipal investments.

(B) A flood resilience plan may reference an existing local hazard mitigation plan approved under 44 C.F.R. § 201.6.

Met

Pages: 55-58

Comments: The Climate and Flood Resilience section identifies and maps river corridors and special flood hazard areas in Grand Isle. The section also references Grand Isle's Local Hazard Mitigation Plan, which was adopted in 2024. Policies and strategies to mitigate flood risk in Grand Isle include culvert replacement and buyouts of properties with repetitive flood risk. The implementation section also contains actions to protect flood-prone areas, including to consider incorporating River Corridor regulations into the Grand Isle Zoning Bylaws.

GOALS AND STANDARDS OF REVIEW

24 VSA § 4302

(a) General purposes . . .

(b) It is also the intent of the legislature that municipalities, regional planning commissions and state agencies shall engage in a continuing planning process that will further the following goals:

- (1) To establish a coordinated, comprehensive planning process and policy framework to guide decisions by municipalities, regional planning commissions, and state agencies.
- (2) To encourage citizen participation at all levels of the planning process, and to assure that decisions shall be made at the most local level possible commensurate with their impact.
- (3) To consider the use of resources and the consequences of growth and development for the region and the state, as well as the community in which it takes place.
- (4) To encourage and assist municipalities to work creatively together to develop and implement plans.

(c) In addition, this chapter shall be used to further the following specific goals:

Goal 1: To plan development so as to maintain the historic settlement pattern of compact village and urban centers separated by rural countryside.

Consistent
Pages: 67-77

(A) Intensive residential development should be encouraged primarily in areas related to downtown centers, village centers, planned growth areas, and village areas as described in section 4348a of this title, and strip development along highways should be avoided. These areas should be planned so as to accommodate a substantial majority of housing needed to reach the housing targets developed for each region pursuant to subdivision 4348a(a)(9) of this title.

(B) Economic growth should be encouraged in locally and regionally designated growth areas, or employed to revitalize existing village and urban centers, or both.

(C) Public investments, including construction or expansion of infrastructure, should reinforce the planned growth patterns of the area.

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(D) Development should be undertaken in accordance with smart growth principles as defined in subdivision 2791(13) of this title.

How has the Town Plan addressed this goal: Grand Isle Village and Grand Isle Station are the two areas of town with concentrated historic settlements, and both are designated under the Village Land Use Area. The Future Land Use plan states that “The purpose of the Village Land Use Areas is to support the role of historic Grand Isle Village and Grand Isle Station as a focus of activity in the community and to provide for residential, commercial, and other compatible development to serve the needs of the residents. The Village Land Use Areas help maintain the traditional social and physical character of the villages, including historic and scenic resources”. Commercial enterprises that meet the needs of residents are encouraged. Grand Isle Village is currently a Designated Village Center and will be carried over as a Village Center when NRPC updates its regional land use map in accordance with 4348a. The town also plans to seek Village Center designation for Grand Isle station by October 2024, which would also carry over. Public investments that would allow for greater density in these areas are listed in the Implementation Table and include investigating opportunities for community wastewater systems and identifying locations in Grand Isle that need sidewalks.

If the goal is not relevant or attainable, how does the plan address why:

Goal 2: To provide a strong and diverse economy that provides satisfying and rewarding job opportunities and that maintains high environmental standards, and to expand economic opportunities in areas with high unemployment or low per capita incomes.

Consistent

Pages: 16-22

How has the Town Plan addressed this goal: The Economy chapter contains discussion about economic challenges and opportunities for Grand Isle’s future. Economic development priorities include tourism, outdoor recreation, agriculture/local food, and local businesses that serve residents. Unemployment in Grand Isle is low at 1.7% and a majority of residents work outside of Grand Isle County. Lack of available childcare is recognized as a potential barrier to employment and expanding childcare opportunities is an objective of the plan. Lack of affordable housing is also recognized as a restriction on Grand Isle’s workforce, and the Housing section contains actions to address housing need.

If the goal is not relevant or attainable, how does the plan address why:

Goal 3: To broaden access to educational and vocational training opportunities sufficient to ensure the full realization of the abilities of all Vermonters.

Consistent

Pages: 37-38

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How has the Town Plan addressed this goal: The plan recognizes opportunities for higher education and vocational training elsewhere in the region that are available to Grand Isle residents. Broadening access to educational and vocational training opportunities is a goal of the plan.

If the goal is not relevant or attainable, how does the plan address why:

Goal 4: To provide for safe, convenient, economic and energy efficient transportation systems that respect the integrity of the natural environment, including public transit options and paths for pedestrians and bicyclers.

Consistent

Pages: 41-45

(A) Highways, air, rail and other means of transportation should be mutually supportive, balanced and integrated.

How has the Town Plan addressed this goal: Grand Isle currently has no dedicated bicycle or pedestrian infrastructure. The plan states that “an increase in bicycle and pedestrian infrastructure should be considered in all future road upgrades to ensure the safety of all road users”. The plan also discusses opportunities for enhancement of Grand Isle’s trail network. Carpooling is discussed as a method to increase energy efficiency and reduce transportation emissions. The Town also supports the expansion of public transportation in Grand Isle, including expansion of flexible and micro transit options.

If the goal is not relevant or attainable, how does the plan address why:

Goal 5: To identify, protect and preserve important natural and historic features of the Vermont landscape including:

Consistent

Pages: 48-62

(A) significant natural and fragile areas;

(B) outstanding water resources, including lakes, rivers, aquifers, shorelands and wetlands;

(C) significant scenic roads, waterways and views;

(D) important historic structures, sites, or districts, archaeological sites and archaeologically sensitive areas

How has the Town Plan addressed this goal: Significant species and habitat blocks in Grand Isle are identified and mapped in the Environment and Climate Resilience chapter. Wetlands and prime agricultural soils are also discussed and mapped. The plan contains specific actions related to reducing impacts on natural areas, including to consider limiting the length of driveways and dead-end roads. Specific scenic roads and views are not identified in the plan, but preserving views and vistas is a broad priority of the plan. Lake Champlain is referred to as an important scenic waterway numerous times. The plan contains an implementation action to create a list of the town’s historic sites, including buildings, farmscapes, and archeological sites.

If the goal is not relevant or attainable, how does the plan address why:

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

Consistent

Pages: 49-62

(A) Vermont's air, water, wildlife, mineral, and land resources should be planned for use and development according to the principles set forth in 10 V.S.A. § 6086(a).

(B) Vermont's water quality should be maintained and improved according to the policies and actions developed in the basin plans established by the Secretary of Natural Resources under 10 V.S.A. § 1253. No. 181 Page 60 of 171 2024 VT LEG #377893 v.1

(C) Vermont's forestlands should be managed so as to maintain and improve forest blocks and habitat connectors.

How has the Town Plan addressed this goal: Strategies for maintaining air quality, water quality, and wildlife habitat are discussed in the Environment and Climate Resilience chapter.

If the goal is not relevant or attainable, how does the plan address why:

Goal 7: To encourage the efficient use of energy and the development of renewable energy resources.

Consistent

Pages: 82-100

How has the Town Plan addressed this goal: The Enhanced Energy Plan in Appendix A addresses this goal in detail, including current energy sources and uses, equity and affordability, target usage numbers, and renewable energy generation potential. Policies and implementation actions related to energy efficiency and renewability are listed on pages 92-93.

If the goal is not relevant or attainable, how does the plan address why:

Goal 8: To maintain and enhance recreational opportunities for Vermont residents and visitors.

Consistent

Pages: 39-40

(A) Growth should not significantly diminish the value and availability of outdoor recreational activities.

(B) Public access to noncommercial outdoor recreational opportunities, such as lakes and hiking trails, should be identified, provided, and protected wherever appropriate.

How has the Town Plan addressed this goal: The Recreation section discusses strategies to enhance recreational opportunities in Grand Isle, including capitalizing on the Lake Champlain's recreational potential by increasing public access areas for residents and tourists

If the goal is not relevant or attainable, how does the plan address why:

Goal 9: To encourage and strengthen agricultural and forest industries.

Consistent

Pages: 16-22, 66-72

(A) Strategies to protect long-term viability of agricultural and forest lands should be encouraged and should include maintaining low overall density.

(B) The manufacture and marketing of value added agricultural and forest products should be encouraged.

(C) The use of locally-grown food products should be encouraged.

(D) Sound forest and agricultural management practices should be encouraged.

(E) Public investment should be planned so as to minimize development pressure on agricultural and forest land.

How has the Town Plan addressed this goal: Maintaining the town's agricultural character is a priority throughout the plan. The economic development section identifies agritourism, CSAs and value - added products as ways to provide local agricultural businesses with a source to diversify their farming ventures and maintain sustainable businesses. These strategies are also identified as ways to promote the use of locally-grown food products. The description of the Rural Residential and Agriculture Future Land Use Area states that "the least amount of land possible should be developed, and large contiguous expanses of agricultural and forested land and other important open spaces shall be protected."

If the goal is not relevant or attainable, how does the plan address why:

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

Consistent

Pages: 59

How has the Town Plan addressed this goal: The plan recognizes the potential of earth resource extraction to irreparably damage the ecology of an area. The plan states that "any potential excavation proposals within Grand Isle will be carefully reviewed according to local bylaws."

If the goal is not relevant or attainable, how does the plan address why:

Goal 11: To ensure the availability of safe and affordable housing for all Vermonters.

Consistent

Pages: 23-27

(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, and consistent with housing targets provided for in subdivision 4348a(a)(9) of this title.

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(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 readily available in locations similar to those generally used for single-family conventional dwellings.

(D) Accessory dwelling units within or attached to single family residences that provide affordable housing in close proximity to cost-effective care and supervision for relatives or disabled or elderly persons should be allowed.

How has the Town Plan addressed this goal: The Housing Needs section of the plan discusses the unmet need for housing in Grand Isle, especially for low-income and cost burdened residents. Increasing the diversity of housing stock in appropriate areas, including smaller units, multi-unit structures, accessory dwelling units and manufactured homes, is recognized as a way to provide more affordable options for residents. The plan contains implementation actions to reduce regulatory barriers to building appropriately scaled housing in the village.

If the goal is not relevant or attainable, how does the plan address why:

Goal 12: To plan for, finance and provide an efficient system of public facilities and services to meet future needs.

(A) Public facilities and services should include fire and police protection, emergency medical services, schools, water supply and sewage and solid waste disposal.

(B) The rate of growth should not exceed the ability of the community and the area to provide facilities and services.

How has the Town Plan addressed this goal: The plan identifies numerous opportunities to enhance public facilities in Grand Isle, including constructing a new Municipal Town Center space, investigating community wastewater solutions, and achieving full broadband and cell service access throughout the town. Current and proposed facilities are discussed in the Island Life and Daily Living chapter.

If the goal is not relevant or attainable, how does the plan address why:

Goal 13: To ensure the availability of safe and affordable child care and to integrate child care issues into the planning process, including child care financing, infrastructure, business assistance for child care providers, and child care work force development.

How has the Town Plan addressed this goal: The plan identifies lack of childcare as an issue in Grand Isle and states that the town supports the expansion of childcare services available to residents. Lack

Consistent
Pages: 28-36

Consistent
Pages: 22, 38

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of childcare is also recognized as a barrier to maintaining a stable workforce in the Local Economy section.

If the goal is not relevant or attainable, how does the plan address why:

Goal 14: To encourage flood resilient communities.

(A) New development in identified flood hazard 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.

(B) The protection and restoration of floodplains and upland forested areas that attenuate and moderate flooding and fluvial erosion should be encouraged.

(C) Flood emergency preparedness and response planning should be encouraged.

Consistent

Pages: 55-58

How has the Town Plan addressed this goal: The Climate and Flood Resilience section identifies flood-prone areas of Grand Isle and strategies to reduce flood risk. Considering to adopt River Corridor regulations is an implementation action of the plan.

If the goal is not relevant or attainable, how does the plan address why:

Goal 15: To equitably distribute environmental benefits and burdens as described in 3 V.S.A. chapter 72.

How has the Town Plan addressed this goal: Environmental benefits and burdens are discussed in the Enhanced Energy Plan under the Equity subheading. The section states that “reaching Grand Isle’s energy goals will bring both environmental and economic costs and benefits” and “the equity issues related to who will bear those costs is of continuing concern to the Town.” The plan recognizes that environmental benefits such as electric vehicles, heat pumps and residential solar provide increased savings but are less attainable for low-income residents due to high upfront costs. The plan also recognizes that low income workers tend to work in industries such as tourism and agriculture that are most susceptible to the environmental burdens of climate change. The Enhanced Energy Plan states that equity for all residents will be considered in every decision.

Consistent

Pages: 86

If the goal is not relevant or attainable, how does the plan address why:

Regional Plan and Adjacent Community Plan Compatibility

Regional Plan

Does the municipal plan propose any changes to future land use districts when compared with the existing zoning map?

Comments: Yes. The Future Land Use map snaps the current Village and Commercial/Light Industrial districts to parcel boundaries. In addition, a second Village district is added in Grand Isle Station surrounding the intersection of Allen Road/ Route 314 and Adams School Road/Pearl Street.

Is the municipal plan compatible with its regional plan?

Comments: Yes. Many of the goals, policies and implementation actions of the Grand Isle plan help to reinforce and implement the goals and policies of the NRPC Regional Plan. Grand Isle's Future Land Use planning areas are also compatible with the NRPC future land use map.

Adjacent Municipalities

Is the municipal plan compatible with approved plans of other municipalities in the region?

Comments: Yes. Lands adjacent to North Hero and South Hero are generally designated for low-density residential uses in the Grand Isle plan, which is the same category of use that lands adjacent to Grand Isle are designated for in the South Hero and North Hero plans.

STANDARD OF REVIEW

24 V.S.A. § 4302(f)

(1) As used in this chapter, "consistent with the goals" requires substantial progress toward attainment of the goals established in this section, unless the planning body determines that a particular goal is not relevant or attainable. If such a determination is made, the planning body shall identify the goal in the plan and describe the situation, explain why the goal is not relevant or attainable, and indicate what measures should be taken to mitigate any adverse effects of not making substantial progress toward that goal. The determination of relevance or attainability shall be subject to review as part of a consistency determination under this chapter.

(2) As used in this chapter, for one plan to be "compatible with" another, the plan in question, as implemented, will not significantly reduce the desired effect of the implementation of the other plan. If a plan, as implemented, will significantly reduce the desired effect of the other plan, the plan may be considered compatible if it includes the following:

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- (A) a statement that identifies the ways that it will significantly reduce the desired effect of the other plan;
- (B) an explanation of why any incompatible portion of the plan in question is essential to the desired effect of the plan as a whole;
- (C) an explanation of why, with respect to any incompatible portion of the plan in question, there is no reasonable alternative way to achieve the desired effect of the plan, and
- (D) an explanation of how any incompatible portion of the plan in question has been structured to mitigate its detrimental effects on the implementation of the other plan.

24 V.S.A. § 4350. Review and consultation regarding municipal planning effort

(a) A regional planning commission shall consult with its municipalities with respect to the municipalities' planning efforts, ascertaining the municipalities' needs as individual municipalities and as neighbors in a region, and identifying the assistance that ought to be provided by the regional planning commission. As a part of this consultation, the regional planning commission, after public notice, shall review the planning process of its member municipalities at least twice during an eight-year period, or more frequently on request of the municipality, and shall so confirm when a municipality:

- (1) is engaged in a continuing planning process that, within a reasonable time, will result in a plan which is consistent with the goals contained in section 4302 of this title; and
- (2) is maintaining its efforts to provide local funds for municipal and regional planning purposes.

(b)(1) As part of the consultation process, the commission shall consider whether a municipality has adopted a plan. In order to obtain or retain confirmation of the planning process after January 1, 1996, a municipality must have an approved plan. A regional planning commission shall review and approve plans of its member municipalities, when approval is requested and warranted. Each review shall include a public hearing which is noticed at least 15 days in advance by posting in the office of the municipal clerk and at least one public place within the municipality and by publication in a newspaper or newspapers of general publication in the region affected. The commission shall approve a plan if it finds that the plan:

- (A) is consistent with the goals established in section 4302 of this title;
- (B) is compatible with its regional plan;
- (C) is compatible with approved plans of other municipalities in the region; and

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(D) contains all the elements included in subdivisions 4382(a)(1)-(10) of this title.