

# A Primer on Health, Wellness, & Substance Misuse Prevention Planning in Bennington County



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Funded by the Regional Prevention Partnership Grant

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In partnership with The Collaborative  
Developed by the Bennington County Regional Commission

## Bennington County Regional Prevention Partnership



The Collaborative  
Deerfield Valley Community Partnership  
Alliance for Community Transformations  
Bennington Co. Regional Commission  
Turning Point of Bennington Co.  
Bennington Co. Sheriff's Dept.

# Introduction

In 2017, The Collaborative became the lead agent for a Regional Prevention Partnership grant (RPP). The RPP is a federally funded program that builds on Vermont's experience with the strategic prevention framework. RPP grants are a customized regional response to reduce alcohol and drug use among adolescents, teens, and young adults. The RPP grant aims to reduce youth substance use by building community resilience and youth assets regionally.

RPP goals include:

- Reduce underage and binge drinking among persons aged 12 to 20.
- Reduce prescription drug misuse and abuse among persons aged 12 to 25.
- Reduce marijuana use among persons aged 12 to 25.

This tool provides sample policy and bylaw language for municipalities to reduce the misuse of substances including: alcohol, tobacco, marijuana, and other drugs. The purpose is not to restrict municipalities in fostering economic opportunities through establishments that produce, serve, distribute, or sell these products but to provide and enhance substance use prevention and early intervention for Vermont youth, leading to reductions in substance misuse.

The development of this Primer has opened community discussions about municipal roles in substance prevention, specifically, the role that municipal planning and regulation can have on substance use. In developing this Primer, outreach

was conducted to gather Vermont-specific examples employing similar techniques.

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*Consider the following: According to the 2017 Youth Behavior Risk Survey, 36% of Bennington County students in grades 9 – 12 drank alcohol in the past 30 days. Of these students, 66% report that someone gave them the alcohol or they gave someone money to buy it for them. In the same survey, 10% of youth responded that they had drunk alcohol prior to turning 13.<sup>1</sup>*

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Because addressing substance misuse in municipal plans and regulations is an emerging field, this primer may inspire municipal officials and volunteer planning commissions. Any community member interested in prevention planning and addressing substance misuse may find creative ways to utilize the ideas presented.

Substance misuse and substance use disorders affect all of Vermont, and collectively we can address the problems and identify solutions. While this guide uses Bennington County as an example, it is intended to be adapted to other Vermont counties, regions, or municipalities. It is our intention that this is a living document that can be adapted as research evolves, communities develop, behaviors change, and tools and strategies demonstrate effectiveness.

# Background: Prevention Policies for Planning

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Culture impacts our community in many ways, from fashion trends to architectural styles. The culture of substance use is no different. Today alcohol use is more socially accepted than any other drug, and the legalization of medical and retail marijuana and marijuana for personal use in many states is normalizing its use across the United States. All too often substance use leads to misuse, which can lead to poor decision-making and risky behavior that can have long-term economic and societal impacts on individuals and on the community. Those impacts are identified in the following pages.

There is a difference between legal-age use of alcohol, tobacco, and marijuana and the underage use of these substances. This *Primer* is focused on preventing underage alcohol consumption and binge drinking, underage tobacco and marijuana use, and the misuse of other drugs.

*People who begin drinking before age 15 are four times more likely to develop alcohol dependence than those who begin drinking at 21.<sup>2</sup>*

When a culture “normalizes” substance use by making it a regular and accepted part of the culture, the perception of harm decreases. Adolescents’ perceptions of risks associated with substance use are important determinants of whether they engage in substance use. For example, youths who perceive high risk of harm from using alcohol or tobacco are less likely to use them than those who perceive low risk of harm. Some lowered risk perception can result from seeing regular, legal consumption and use at home and in the community. However, the most harmful impacts on youth perception come from normalization of underage consumption of uncontrolled substances like alcohol and tobacco and the perception of widespread use of controlled substances like marijuana (where it is not legalized) and misuse of prescription drugs.

Imagine the impact of substance misuse on the local and regional community. The following pages provide a review of information on the impacts of substance misuse and risky behavior in a community.

This *Primer* is meant to serve as a tool to assist with municipal planning and action. It is not meant to be a prescriptive requirement but rather a tool to use when amending a municipal plan and as a starting point for addressing substance misuse in Bennington County.

**There is not one stand-alone strategy that addresses substance use issues in our communities. Tackling the issue comprehensively is the only solution. As municipal officials, volunteer planners, regional partners, and private citizens, we have a collective responsibility to address substance misuse, and towns and municipalities are valuable partners in the process.**

## Vermont’s Planning Statute

Vermont law states that municipalities *may* choose to adopt a municipal plan, although they are under no statutory requirement to do so. Duly adopted plans can be used to guide development and serve as evidence in Act 250 and Section 248 hearings, but only municipalities with approved plans are eligible for certain State programs. A community choosing to adopt a municipal plan must, at a minimum, include the twelve elements listed in Vermont’s Municipal Planning Statute (Title 24, Chapter 117).

# Economic Impacts of Substance Misuse

**Substance use and misuse costs the nation billions of dollars every year.** According to the National Center on Addiction and Substance Abuse at Columbia University's 2009 report of the **\$468 billion spent on substance use and misuse in 2005**, \$207 billion was spent on health care and \$47 billion, on the justice system – including incarceration, probation, parole, and criminal, juvenile, and family courts.<sup>3</sup>

In recent years, economic growth has been sparked over “artisan” or “small-scale” or “local” food and drinks. Microbreweries, urban distilleries, and other niche alcohol markets have blossomed, much to the delight of foodies and property tax bases everywhere. These industries are not meant to be vilified by alcohol prevention efforts. The alcohol industry is at its height.

However, there must be room in the discussion to address the misuse of craft, high-end, or small-scale products as well as the domestic beers, boxed wines, and “road sodas,” which often appeal to kids.

20.4% of Vermont's 2005 State budget was spent on addiction and risky substance abuse<sup>3</sup>

For adults, substance misuse is when moderate use turns to dangerous use. For youth and those under the legal age, any use is misuse. For example, adults may shift from occasional social drinking to drinking daily and in solitude. Youth misuse may begin with a curious sip from a parents' cocktail, or it may result from smoking or vaping habits learned from parents or encouraged by peers. Whatever the reason, overconsumption of any substance can be detrimental to the health and welfare of society. Underage substance use – of alcohol, marijuana, tobacco, and illicit drugs – has negative economic impacts. Underage substance use can result in adult substance misuse issues. Left untreated, substance misuse leads to greater economic impacts, including health care costs, decreased public safety, and impacts to the workforce and education system, including time lost from work.

*Consider: What impacts have you seen in your community because of substance misuse?*

## Employment

More and more, employers are feeling the impacts of unhealthy behaviors of employees, such as alcohol and drug use. Chronic health conditions that are becoming more prevalent in society, such as cancers and asthma, are often exacerbated by substance misuse. Substance misuse affects employees in three ways:

- 1) Employee's own substance misuse
- 2) Impact on an employee from a co-worker's substance misuse
- 3) Employee affected by a friend or family member's substance misuse

An employee affected by substance misuse may mean more days of missed work, a lessened ability to concentrate, poor customer service performance, and increased workplace accidents. Productivity of the workforce can be impacted by days of missed work, inability to work as scheduled, or poor physical and mental health. Substance misuse may also lead to higher health insurance costs for the employer.

A less healthy population negatively impacts the competitive advantages of local businesses, reduces attractiveness to businesses locating in our region, and channels economic activity away from the local economy and into health care services, labor development programs, and social services.

**Fact:** Tobacco smoking-related illness in the United States costs more than \$300 billion each year, including more than \$156 billion in lost productivity.<sup>4</sup>

## Health

**Substance misuse is a health issue.** The largest share of spending on the consequences of substance use disorders and risky substance use falls to the health care system. Health care costs consumed 18% of the United States' gross domestic product nationally in 2015,<sup>5</sup> and is estimated to grow to 22% of GDP or greater by 2039<sup>6</sup>. These costs threaten the vitality of our communities by consuming resources that could be invested elsewhere.

Substance use disorders and misuse causes or contributes to more than 70 other conditions requiring medical care, including: cancer, lung disease, heart disease, HIV/AIDS, cirrhosis, pregnancy complications, and trauma. Fetal exposure to alcohol and other drugs causes developmental, neurological, and physical health problems.

For the uninsured, this means that the state or federal government is responsible for the cost of treatment. For the insured, this may mean an increase in health care premiums. It also distracts the medical profession from attending to patients in critical care.

**Fact:** The number of alcohol-related emergency department visits in Vermont increased 41% from 2012 – 2015.<sup>7</sup>

## Public Safety

**Substance misuse is a public safety issue.** Substance use and misuse play a major role in many motor vehicle crash fatalities, suicides, domestic violence situations, and unintentional injuries—increasing law enforcement costs.

The density of alcohol retailers is linked to increased violence rates. The number and locations of alcohol and tobacco retailers often lead to changing perceptions of safety and physical activity rates; in areas with more alcohol and tobacco retailers, physical activity is less common. As public safety calls increase, taxpayer rates increase.

**Fact:** Binge drinkers (those who consume 4 – 5 drinks in two hours) are 14 times more likely to drive while impaired than non-binge drinkers.<sup>8</sup>

## Education

**Substance misuse is an education issue.** Developmentally, a child's brain is not fully formed until the mid-twenties. Youth who engage in substance use tend to perform poorly in school, develop self-esteem issues, and engage in riskier behaviors such as unprotected sex, unhealthy eating practices, or activities that can lead to injury or violence – all of which impact a young person's schooling and education. Accordingly, substance use is also associated with failure to complete high school or college.

**Fact:** Marijuana use directly affects the brain – specifically the parts of the brain responsible for memory, learning, attention, decision making, coordination, emotions, and reaction time. Developing brains, like those of babies, children, and teens are especially susceptible to the adverse effects of marijuana.<sup>9</sup>

# Vermont Prevention Model

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The Vermont Prevention Model is a comprehensive approach to improving health and reducing disease. The model addresses individual risk and protective factors but also the norms, beliefs, and social and economic systems that create the conditions for the occurrence of substance misuse. In order to have the greatest impact, multiple levels of the model must be addressed simultaneously with efforts directed specifically at the higher levels of community, organizations, policies, and systems. Figure 1 (next page) shows the Prevention Model and offers examples of strategies that are being implemented in Bennington County to address substance misuse in a comprehensive manner.

This *Primer* aims to address “Policies and Systems” strategies. The Vermont Prevention Model recognizes that although individuals are responsible for making healthy choices, behavior change may be more likely when the environment supports individual efforts. Long-term success in substance misuse prevention requires a holistic and comprehensive approach to changing behaviors across a community.

## Levels of influence

**Individual:** Factors that influence behavior such as knowledge, attitudes and beliefs.

**Strategies** at this level of influence are designed to affect an individual’s behavior.

*Examples:* Health education curricula, media literacy education, and educational campaigns that make statements such as *drinking and driving is “uncool”*.

**Relationships:** Influence of personal relationships and interactions

**Strategies** at this level of influence promote social support through interactions with others including family members, peers, and friends.

*Example:* Youth empowerment and peer education groups, parent education and family strengthening programs, group walking programs, mentoring programs, multigenerational book clubs, and being a designated driver.

**Organizations:** Norms, standards, and policies in institutions or establishments where people interact (schools, worksites, faith-based organizations, social clubs and organizations for youth and adults).

**Strategies** at this level of influence are designed to affect multiple people through an organizational setting.

*Examples:* Policies prohibiting tobacco use in schools and worksites, after school programs offering physical activity programs, worksite policies allowing flex time for physical activity or other wellness activities, health insurance premium reductions for those with fewer risk factors (e.g., non-smokers).

**Community:** The physical, social, and cultural environments where people live, work, and play.

**Strategies** at this level of influence are designed to affect behaviors through the physical environment, community groups, social service networks, and the activities of community coalitions and partnerships.

*Examples:* A community tobacco coalition hosting a smoke free barbeque event, converting unused railways into recreation paths, developing bike paths, placing prescription drug take back stations at public and neutral (non-law enforcement) locations.

**Policies and Systems:** Local, state and federal policies; laws; economic influences; media messages and national trends that regulate or influence behavior.

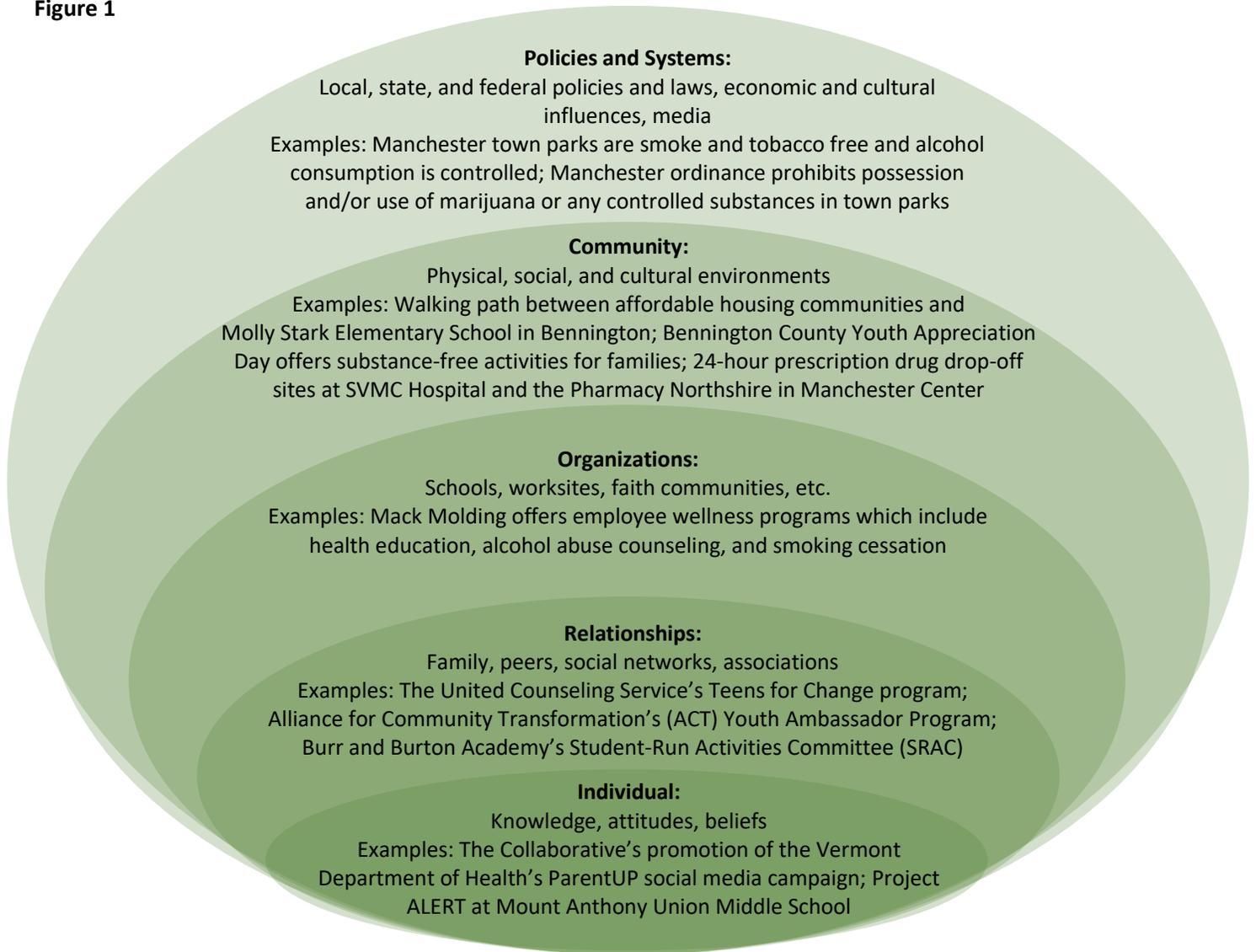
**Strategies** at this level are designed to have wide-reaching impacts through actions affecting entire populations.

*Examples:* Media campaigns and marketing to promote public awareness and advocacy for change, public advocacy to ban the use of items that target the branding of alcohol or tobacco products to youth (e.g. free t-shirts), legislation to prohibit smoking in public places, or ordinances regulating the density of alcohol and tobacco retailers.

## The Vermont Prevention Model

The Prevention Model highlights levels of interventions, or change, to improve health. Substance misuse is a result of many factors and the different levels demonstrate the variety of means to tackle problems and highlight opportunities.

Figure 1



*Of the 26% of Bennington County youth in grades 9 – 12 who used marijuana in the last 30 days, 46% used marijuana 10 or more times.<sup>10</sup>*

# Policies and Systems Changes: Municipal Opportunities

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**T**he Vermont Prevention Model seeks to address substance misuse through individual behaviors at the municipal level. This *Primer* is provided as a tool that municipal officials and volunteer boards can consider and use when amending municipal land use plans and regulations in light of substance misuse concerns. The ideas included in this *Primer* are not exhaustive. Some ideas may not be applicable to your community. They are ideas for consideration and inspiration and are meant to be adapted or tailored to meet the needs of your municipality.

Towns may adopt a variety of substance misuse prevention policies, such as:

- Adopting policies or ordinances that limit consumption of substances in public places;
- Prohibiting alcohol and tobacco use in public parks;
- Limiting the location and density of alcohol and tobacco retailers in concentrated areas;
- Establishing a vision statement in municipal plans to address community health and wellness;
- Forming a municipal health committee to collaborate with community partners to address substance misuse prevention, substance use disorder treatment, and enforcement of existing regulations.
- Restricting the size, height, and number of signs on commercial properties (see pages 8 & 14);

The following pages include three focus areas: **1. Municipal plans**, **2. Regulatory activities**, and **3. Non-regulatory activities**.

In the section on **municipal plans**, a list of questions is provided for the planning commission to review as part of the plan preparation process. Municipal plans are a pre-implementation document and can express support for prevention planning and set the stage for initiatives but cannot actually regulate prevention opportunities. Regulation occurs through bylaws and ordinances, which do not have the role of assessing needs and impediments. This section includes sample plan language that you can adapt for your community, make more specific for your town, or use as inspiration to come up with your own goals, policies, and implementation strategies!

Policy options are divided into two specific areas: Goals and Policies. **Goals** are overarching principles used to guide decision making. **Policies** are used to enact the goals – they state an intention to address specific issues or problems. The policy is the direct link between the vision (goals) and action (implementation).

The **regulatory activities** section includes sample language and ideas for zoning bylaws as well as a list of alternative regulatory documents, such as local ordinances, that can be used to further prevention planning. The **non-regulatory activities** section provides an overview of other activities, measures, and tools to use to further prevention goals. Ultimately, there is no single solution, and no one approach to reducing substance misuse among youth or adults.

**Tip: Municipalities can establish a municipal health committee, designate a Town Health Officer, or dedicate a section of the municipal plan to public health and substance misuse prevention.** Even brief or general policy statements in the municipal plan enable local ordinances to be passed to reduce youth exposure to substances in the community. Assigning a municipal board or health officer with the responsibility of following up on health policies and implementation strategies guarantees greater progress toward health goals. Undertaking a **Health Impact Assessment (HIA)** for development or policy proposals can maximize positive health outcomes.

# 1. Municipal Plans

## Vermont's Municipal Planning Process

The history of land use planning and regulation in the United States stems from the unmasking of public health conditions of New York City tenements at the turn of the 20<sup>th</sup> Century. Photographs of overcrowded, unsanitary living conditions prompted government officials to develop land use regulations to protect the health, safety, and welfare of the public.

Vermont's land use planning began in the 1920's, but it wasn't until 1968 that the Legislature gave municipalities the authority to carry out certain municipal policymaking. The enabling legislation began with a list of the purposes planning and zoning should achieve: "It is the intent and purpose of this chapter to encourage the appropriate development of all lands in this State by the action of its constituent municipalities and regions, with the aid and assistance of the State, in a manner which will promote the public health..." (24 VSA 117 §4302a). In 1988, the Legislature adopted Act 200, what is today known as the Vermont Planning and Development Act, or Chapter 117 of the Vermont Statutes.

Towns and villages are not required to adopt a municipal plan but they are encouraged to do so through state incentives (see page 3). Municipal plans are often overseen by a planning commission, created by the legislative body of a municipality (e.g. select board or village trustees). Planning commissions are charged with bringing a long-term perspective to day-to-day decision-making. Planning commission members must always act in the public interest and put the general welfare of the community above personal interests.

Today's municipal planning issues have evolved. They still include addressing critical issues such as land use, housing, transportation, natural resources, utilities, and infrastructure such as wastewater. Public health issues that affect many municipalities are often overlooked, although the desire to address health issues through the built environment and through community development are burgeoning fields of science, health, and sociology.

**The local plan is the place to name land use policies and community-oriented activities that will facilitate substance-free opportunities.** The plan can call for ideas that allow more

opportunities to provide substance free alternatives, such as Teen Nights, parks, bike paths, teen centers, or entertainment. Suggestions to revise zoning bylaws may include establishing density maximums, establishing a buffer between where alcohol and tobacco can be sold in proximity to places such as schools and day cares, adopting **content neutral sign/advertising** regulations, or require a change in closing time for establishments where alcohol and tobacco are more than 50% of sales.

**Tip: Add to the vision section of the municipal plan an overarching vision statement in support of health and/or substance abuse prevention.**

Consider establishing a municipal goal to reduce substance misuse through municipal planning policies and supporting efforts. This policy commitment guides decision makers to develop local ordinances that encourage healthy behaviors.

**Tip: Define public health.** The community's vision for health, wellness, and safety can incorporate access to quality health care, to healthy lifestyles and environments, intergenerational opportunities to thrive, prevention of substance misuse and domestic violence, and access to emergency care, and more.

**Content-Neutral Sign/Advertising Restrictions** regulate *all* types of signage at a building, business, or along a roadside without regard to content. Content-neutral policies often restrict signage by *size, location, type (color, design, etc.), or number* of signs/advertisements.

**For more information on content-neutral sign regulation, see page 14**

## Preparing for a municipal plan update

Prior to writing the plan, assess what the current conditions are like in your municipality. For example, research relevant statistics and facts at the local, regional, or state levels about substance misuse or substance-related crimes. Take inventory of what your municipality has and identify gaps for improvement. The following suggestions provide brainstorming ideas to help inform your plan. *Contact the Vermont Department of Health for health data for your town. Bennington area VDH: (802) 447-3531 or [healthvermont.gov/local/bennington](http://healthvermont.gov/local/bennington)*

**Make note of current rates of substance misuse identified in your municipality or Bennington County.** The Vermont Department of Health provides data and statistics on substance misuse for each service area. Review these numbers to see whether or not substance misuse rates are increasing, declining, or staying level.

**Review recent self-reported figures on youth behaviors and substance use as reported at the supervisory union or county levels.** The Youth Behavior Risk Survey is conducted every other year at schools across the United States. This is the largest youth survey and is a very important tool to measure the health of Vermont's youth. The survey asks about alcohol, tobacco, marijuana, and other drug use, perceptions around behavior, youth assets, and demographics.

**Assess the number of substance-free events and opportunities in your community.** As you prepare to update the municipal plan, take inventory of how substances play a role in your community. Make a list of all the substance-free events offered in your community. List activities and opportunities for teens that are substance free. Take stock of the condition of municipal parks – do signs prohibit alcohol or tobacco consumption? Are the parks easily visible and accessible or are they shaded, neglected, or overgrown? Do schools post substance free signs or zones?



**Meet with local substance abuse (SA) prevention organizations.** Request those groups' input to incorporate substance misuse prevention into the municipal plan. Highlight local success stories and programming.

**Review plan language to incorporate prevention.** Review the current municipal plan and identify places to add language about substance prevention. Consider developing a standalone Health and Wellness section or including prevention language as part of the land use, education, or economic development sections. Are there additional areas in the plan where policies could address substance use?

**Take a fresh look at your community.** As you travel through your town or village, take a look around you as if it was your first time there. What do you see? How heavily are alcohol and tobacco promoted at stores and restaurants? Do you see beer cans and bottles and cigarette butts littered along the road? Are people walking, biking, and playing outside? Is there a sense of safety and ownership of the community?

**Research the number of substance-related crimes in your municipality.** Contact with the Sheriff's Department or Vermont State Police could result in data on the number of substance-linked crimes or vehicle accidents in town, as well as changes over time. These complaints will only reflect crimes that are reported, but this data is an indicator of substance misuse in an area.

**Conduct a Health Impact Assessment.** A Health Impact Assessment means considering health impacts in all policies and decisions. They are used before a decision is made to determine how to maximize positive health impacts and minimize negative ones for any project.

**Take a regional view.** Substance use may be more of a regional than local problem. Comparing a town to the surrounding region could also reveal special or unique situations in that community. For all the items listed above, a municipal plan should consider the regional situation as well as the town's and compare whenever possible.

## Municipal Plan Goals and Policies— Sample Language

The following sample language may be modified to fit your municipality’s needs. These broad statements are intended to provide a starting point for tailoring goals to your community to reduce the risk of substance misuse. You may choose to modify them or create your own when revising your plan.

### General Health and Wellness Policies

Ensure a safe community for all residents.

We encourage the highest level of personal health for everyone in our community through programs that encourage healthy lifestyles, reduce risks, and create access to quality healthcare regardless of age, income, or ability.

Enhance substance misuse prevention education for children, adults, and families.

Ensure that a comprehensive health care system exists and that the community is aware of the system.

Support efforts to create an outreach program to link community members to health providers.

Ensure that accessible and affordable substance use disorder treatment programs are available.

Provide diverse, meaningful programming with an emphasis on community health and wellness. Specifically target substance-free, intergenerational activities for families, teens, and seniors.

### Land Use Related Policies

We are committed to achieving sustainable land use practices that support a healthy year-round community and a thriving, vibrant visitor-based economy.

Seek to include parks, trails, and open space when considering future development within the community.

Encourage a diversity of economic opportunities to thrive in the community.

Encourage land use policies and zoning revisions that limit the number of alcohol and tobacco retailers permitted in a given area and locate them away from schools, daycares, and concentrations of youth.

### Healthy Lifestyles Policies

Address the contributors to substance misuse through development of comprehensive programs and education about nutrition, physical activity, and access to healthy food.

### Communication and Collaboration Policies

Improve coordination and communication with other groups providing prevention services, including local schools, law enforcement, and public health partners, to minimize programming conflicts or duplication and to maximize efficient and effective use of facilities as well as service delivery.

Strengthen coordination between public safety, schools, and non-profits to support education, awareness, and prevention programs.

Support partnerships to create year-round safety education and prevention programs, and secure funding, including expanded school programming.

Improve coordination and communication between the Planning Commission and Select Board so that each Board’s planning is consistent with the others and with the overall goals expressed in this plan.

Work with local and regional healthcare partners to develop, implement, and align community health priorities through a Community Health Assessment.

Encourage other towns to participate in activities, uses, and funding for youth substance use prevention.

## Suggested Language for Goal Development

All community events shall be alcohol- and tobacco-free or shall offer a substance-free family area.

The town shall work with public and private mental health practitioners to create an action plan that addresses youth issues, especially those with substance problems.

[Town] will create and maintain recreational facilities and opportunities for the entire community to use — with special attention to the needs of handicapped, youth, elders, those with low incomes, and people from a variety of ethnic groups, who may not be current users.

The placement and appearance of advertisements and signs at commercial establishments in residential areas shall be regulated to be consistent with the aesthetics of surrounding neighborhoods.

[Town] supports new economic growth. However, establishments that serve equal proportions of food to alcohol are encouraged over establishments only serving alcohol.

[Town] will participate in regional youth substance use prevention groups that discourage underage alcohol and tobacco consumption.

To support law enforcement coverage during community events or whenever alcohol is served.

### BENNINGTON COUNTY EXAMPLES

Provide outcome-driven programming with an emphasis on community health and wellness. Specifically target cross-generational activities for families, teens, and seniors. **[Manchester Town Plan 2017]**

Support the Dorset School District in its effort to ensure all of its students have every reasonable opportunity to become healthy, self-directed, self-fulfilled individuals and active, civic-minded citizens. **[Dorset Town Plan 2014]**

Efforts to improve the quality of life for residents through implementation of health care initiatives shall be supported. **[Bennington Town Plan 2015]**

Support for existing services should ensure that adequate health care services remain available to the community. **[Landgrove Town Plan 2017]**

A continued effort should be made to develop recreation opportunities for youth and the elderly. **[Arlington Town Plan 2015]**

Proposals for development must address and help to mitigate the impacts of related growth on local health and social services systems. **[Manchester Village Plan 2017]**

#### Other Southern Vermont Examples:

Promote healthy and safe school environments. [Brattleboro Town Plan 2013]

The Town should continue to support and participate with community service organizations offering health and social service assistance. [Putney Town Plan 2015]

Maintain effective safety and health services. [Wilmington Town Plan 2015]

## Municipal Plan Implementation—Sample Language

A municipal plan without recommendations for implementation is only as good as the intention behind it. Vermont’s Planning Statute even includes a required element: a recommended program for the implementation of the objectives of the plan.

Offering suggestions for implementation allows the Planning Commission the opportunity to prioritize implementation activities, identify potential partners to do the work, and establish a timeline to complete the implementation. There is room for creativity when identifying implementation activities. Consider: What needs to happen to achieve the goal? What are we as a community trying to change? Who will carry out the activity? What is the timeframe to accomplish the activity – 1 year? 5 years? 30 years out? Below is a list of implementation tool language to nurture prevention policies.

### Suggested Implementation Tool Language

#### Education, Outreach, and Community

Foster greater inclusivity and participation in cultural events amongst the spectrum of community residents and visitors.

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Make arts and culture, including live programming, visible in the community streetscapes and landscapes.

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Support and encourage activities and community infrastructure, both social and physical, which enable and sustain healthy activities for a diverse audience.

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Encourage recreational and cultural programs that support personal growth, enhance family relationships, and encourage civic involvement.

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[Town] will model best practices related to promoting healthy communities at all municipal facilities and events (such as providing nutritious foods or ensuring events are substance-free).

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Create incentives for substance-free, family friendly community events.

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Explore expanding community policing and neighborhood watch programs.

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Educate the community regarding the connection between improved child development and success in school and life.

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Establish reliable funding to provide public safety operations to meet growing public needs and unfunded mandates related to public safety.

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Educate the community about the importance of environmental and lifestyle risk factors and provide free or low-cost programs to help reduce those risks.

## Collaboration

Strengthen partnerships and communication between health care agencies and providers to enhance community health programming, cohesive case management, and electronic communication.

Continue collaboration and communication between the Town and District Health Office.

Collaborate with local, regional and state organizations that work with children and families to increase access to preventive care in all mental health areas for children.

Collaborate with local, regional, and state organizations to implement these policies.

## Regulatory Activities

Restrict substance use at public events and in public places.

Adopt an ordinance to establish all municipal parks as substance-free.

Restrict the number and placement of alcohol and tobacco retailers within the community.

Revise zoning bylaws to require XX distance between liquor and tobacco retailers or establishments and community facilities such as schools, day cares, public buildings, and parks.

Revise zoning bylaws to control the placement of signs (advertisements) at businesses in residential

## Healthcare Systems and Services

Ensure that residents of all ages and abilities have access to a comprehensive mental health and substance misuse system that addresses acute and chronic mental health needs.

Ensure that accessible and affordable mental health screening and treatment is available.

Create a seamless system of services for families to support their children's positive development from birth through school-age.

Determine and address the need for improved access to substance use disorder recovery programs.

Promote the use of recovery support services to help people recover from substance use disorders.

## BENNINGTON REGION EXAMPLES

Provide the resources necessary to maintain the recreational facilities and playing fields at the Stamford Elementary School. **[Stamford Town Plan 2017]**

The Town should develop additional indoor recreational space. **[Bennington Town Plan 2015]**

### Other Southern Vermont Examples:

Expand and strengthen the pro-active community-based law enforcement strategies, including programs for public education in safety issues surrounding use of technology, domestic violence, safe dating, bullying, underage drinking and substance abuse. **[Wilmington Town Plan 2015]**

Support local efforts to prevent substance abuse and encourage recovery efforts. **[Wilmington Town Plan]**

## 2. Regulatory Activities

The diversity of communities in Bennington County merits exploration of a variety of regulatory options for substance misuse prevention. There is no “one size fits all” approach to zoning, ordinances, or other regulatory measures, so municipalities must look for options that best suit their community.

The ability of a municipality to adopt, amend, repeal, and enforce ordinances is granted by the State under 24 VSA § 1972. Zoning bylaws are enabled under Vermont’s Planning and Development Act (see inset box below).

### Tip: Avoid confusion by defining terminology.

Words such as “alcohol,” “malt beverage,” “liquor,” “tobacco,” “controlled substances,” “prescription drugs,” “possession,” “public place,” “vinous beverage (wine),” “marijuana,” “hemp,” “cannabis,” “vaporizers,” and “electronic cigarettes” should be defined within any ordinance or bylaw. Defining establishments such as “alcohol retailer,” “bar,” “club,” “restaurant,” and “tavern” is advisable for zoning bylaws.

### Vermont Statutes: Zoning Bylaws

24 VSA § 4411 concerns municipal zoning bylaws. This statute gives municipalities the authority to regulate land development in conformance with its adopted municipal plan.

Zoning bylaws may permit, prohibit, restrict, regulate, and determine land development, including:

- ◆ Specific land uses;
- ◆ Dimensions, locations, erection, construction, repair, maintenance, alteration, razing, removal, and use of structures;
- ◆ Areas and dimensions of land occupied by uses and structures, as well as open spaces;
- ◆ Timing or sequence of growth; and
- ◆ Uses within a river corridor and its buffer.

## Regulating Signs / Advertisements

Previously some municipalities sought to reduce visibility of alcohol and tobacco products in their communities by adopting sign ordinances restricting storefront advertising of these substances. However, several recent Supreme Court cases have upheld First Amendment protection of sign content as free speech.

For this reason, local sign regulations should be “content-neutral”, but can place controls on the “time, place, and manner” of signs. Regulatable characteristics include type, location, height, number, and total area of on-site commercial signs. For example, a town may wish to prevent the scale of advertising shown in Example A below. A sign ordinance could limit allowable coverage of window signs to 30% and prohibit neon or flashing signs. However, the business owner will retain the right to determine what is advertised in the permitted space.



Example A. Full-window advertisements



Example B. Henry's Market in Bennington has limited window advertising

Sign ordinances cannot regulate advertisement content directly. However, information sharing and community dialogue with business owners may be effective in reducing the visibility of alcohol and tobacco in a given area.

## Sample Regulatory Tools

Sample zoning bylaws and stand-alone ordinances are listed below. For further guidance on developing regulations, towns may contact staff at the Bennington County Regional Commission (BCRC) for assistance.

MUNICIPAL REGULATORY TOOLS FOR PREVENTION				
Bylaws (Land Use & Development Regulations)				
Tool	How it works	Sample Language	Pros	Cons
<b>Conditional Use Approval</b>	"Conditional use" is a zoning tool that allows flexibility in administering the regulations. Conditional use allows a municipality to control certain uses which it deems detrimental to the community. If a use is not specifically identified as Permitted or Conditional, it is Prohibited. Conditional uses are then reviewed by the appropriate municipal panel (Development Review Board or Zoning Board of Adjustment). This allows the appropriate municipal panel to review proposals on a case-by-case basis and require certain standards and conditions to be approved.	Prohibit screening of outdoor alcohol and tobacco consumption areas.	Potential underage drinkers, binge drinkers, and smokers are visible to the public. Imbibers' and smokers' awareness of public exposure can encourage moderation.	Public viewing of alcohol and tobacco consumption normalizes the activity.
<b>Conditional Use Approval</b>		Regulate number of seats in an establishment that serves alcohol.	Limits the number of customers consuming alcohol at a given time.	Politically difficult to pass.
<b>Conditional Use Approval</b>		Restrict sale of alcohol to patrons unless a meal is also ordered.	Reduces the amount of lingering while drinking; reduces effects of intoxication.	Difficult to enforce.
<b>Conditional Use Approval</b>		Establish hours of operation on an establishment.	Limits the hours available to purchase and consume alcohol or tobacco.	Politically difficult to pass.

**Bylaws Continued...**

<b>Tool</b>	<b>How it works</b>	<b>Sample Language</b>	<b>Pros</b>	<b>Cons</b>
<b>Distance requirements between alcohol / tobacco retailers and sensitive locations</b>	Locate establishments that sell alcohol, tobacco, or paraphernalia products, such as liquor retailers, bars, or taverns, far from places youth are likely to visit. Research shows that increased youth exposure to alcohol, such as through signage and advertising, leads to greater interest in and earlier initiation of drinking.	Require 300 feet between alcohol / tobacco / paraphernalia retailers and sensitive locations, such as schools, hospitals, day care facilities, playgrounds, parks, substance use disorder treatment facilities, teen centers, and churches.	Makes alcohol / tobacco less prevalent in children’s immediate environment.	In compact village centers in some Bennington County towns it may not be feasible to separate uses based on number of feet.
<b>Alcohol / Tobacco Retailer Density</b>	Greater availability of alcohol / tobacco can correlate with increased alcohol / tobacco consumption and associated violence, which has lasting impacts on public health and safety. Alcohol / tobacco retailer density refers to the number of places that sell alcohol / tobacco in a geographical area. Consider establishing a density parameter for the number of alcohol / tobacco retailers --such as liquor stores, convenience stores selling alcohol for off-site consumption, bars, or breweries/distilleries-- located in one area.	New alcohol / tobacco retailers will not be permitted within 300 feet of an existing alcohol /tobacco retailer. [Note: "alcohol / tobacco retailer" should be defined or the municipality should reference appropriate terminology already defined in the bylaws].	Lower alcohol / tobacco availability can reduce overall level and frequency of substance consumption in the community.	In compact village centers it may not be feasible to separate based on number of feet.
<b>Place Controls on Placement and Appearance of Signage</b>	Signs promoting or advertising alcohol / tobacco consumption and sales influence youth attitudes and behaviors.  Although alcohol and tobacco advertisements cannot be singled out for regulation (see page 14), sign ordinances can regulate the placement and appearance of all signs at retail establishments such as convenience stores, grocery stores, and others. By limiting the type, number, size, coverage area, height, or illumination of all signs permitted, it is possible that large-scale advertisements may also be reduced.	Limit types of signs allowed (i.e. wall signs, awning signs, window signs, etc.). Restrict the total number of signs permitted, or total coverage area (i.e. window signs may occupy up to 30% of window area). Prohibit neon or other illuminated signs in residential land use districts.	Reduces opportunities for exposure to alcohol / tobacco advertising and promotion.	Limits advertising and potentially sales at local businesses that sell alcoholic beverages or tobacco products.

Ordinances				
Tool	How it works	Example	Pros	Cons
<b>Standalone</b>	A standalone alcohol / tobacco ordinance may be adopted.	Example: Alcoholic Beverage Restrictions: An Ordinance for Restricting Alcoholic Beverage Use on Town Property, Town of Middlebury.	Clear, overarching policy.	May be politically difficult to pass or enforce.
<b>Included in Code of Ordinances</b>	Include alcohol/tobacco rules and prohibitions among the municipality's other ordinances.	<p>Example: Alcoholic Beverages Control Ordinance, City of Brattleboro.</p> <p>Example: Smoking and Tobacco Policy: Restrictions of Smoking and Smokeless Tobacco Use, Town of Dorset and Town of Winhall.</p> <p>Example: Sale of Drug Paraphernalia Near Schools, Town of Manchester</p> <p>Example: Drug Use at Town Parks – prohibition on use of controlled substances unless prescribed by physician, Town of Manchester</p> <p>Example: Alcohol at Town Parks – it is unlawful to consume alcohol within 100ft of organized youth recreation activities, Town of Manchester</p>	Clear policy integrated with other regulations.	May be politically difficult to pass or enforce.
<b>Special Events or Park Restrictions</b>	For municipally owned facilities, an agreement may be signed limiting the ability to furnish alcohol or tobacco products. Special use or special event permits may place restrictions on alcohol or tobacco use.	Example: Town of Stowe includes provisions for restricting alcohol sales and consumption for special events. Stowe prohibits glass bottles at Memorial Park.	Tailors alcohol / tobacco regulations to specific events/activities. Holds event organizers and product users responsible for adhering to conditions.	Only addresses alcohol at certain places and for certain users.

### 3. Non-Regulatory Activities

**M**unicipalities often engage in many non-regulatory activities that can have an effect on land use and prevention opportunities. While many activities to further prevention planning have been discussed above, below are questions to guide discussions and decision making for non-regulatory activities. Common examples that could be easily implemented and without regulations are included.

**Are municipal events substance-free?** By designating all municipal and community events substance-free unless by use of special permission, the municipality takes the lead on “de-normalizing” substance use in the community. “Bring your own beverage” allowances at music events or fundraisers, or beer tents featured prominently at social events, are all signals to youth that alcohol should be a part of public events. If your community lacks public events, bring in tobacco- and alcohol-free events.

**Are municipal facilities substance-free?** Municipalities can set an example by designating all facilities substance-free, including a buffer area from all doorways. For example, the area in front of doors to the town office may have a “No smoking within 100 feet” sign next to an ash can set 100 feet from the entrance. Parks that only allow alcohol use with use of a permit may reduce after-hours violence and crime, provided the rule is enforced.

**Do municipal officials make regular use of educational and training opportunities?** The Department of Liquor Control, parent organizations, and regional health and family organizations often sponsor events and trainings for municipal officials to receive further education about changes to State rules, new research, guest speakers, and peers with experience in varied subjects. Participating in educational and training opportunities may inspire new ideas to test or provide statistical insight into public health situations in Bennington County.

**Do parents, guardians, and community leaders set an example?** Parents and guardians have tremendous influence on the decisions made by youth. Modeling appropriate alcohol and tobacco consumption patterns demonstrates healthy decision making for the next generation. Some police departments have identified the home as a place of greatest concern about alcohol, tobacco, and marijuana consumption and activity.

**Do beer cans and boxes line the roads?** Allowing litter to accumulate, such as beer cans and bottles, liquor bottles, alcohol packaging, and cigarette butts sends a message to young people that it is okay to consume alcohol and tobacco— and then litter, often while driving. Removing the visual clues that substance use is widespread is a powerful signal.

**What kind of advertising is encouraged?** Advertising alcohol and tobacco sales at establishments or alcohol-themed special events (e.g. plays, exhibits) further indoctrinates youth that alcohol consumption is expected. Community efforts to reduce alcohol and tobacco advertising at public events in partnership with local business owners could be effective at reducing youth exposure.

**Sponsorship of events.** Are events sponsored by alcohol or tobacco companies? Do national beer chains provide banners, signs, and “giveaways” for community events? For healthy activities such as fun runs, races, and other recreation-oriented events or fundraisers, who is the sponsor?

**Set the agenda(s) for other municipal initiatives that will facilitate and/or further prevention policies.** The town plan is also a good vehicle for providing support and vision for other local community initiatives that can affirmatively further fair housing outside of the realm of land use planning and regulation. Just as the town plan section on scenic and historic resources can advocate for the creation of a local historical society, the housing section could call for the creation of a local housing commission, local fair housing enforcement standards, or the use of public and grant funds to develop housing opportunities, so can the plan intend to partner with public, private and nonprofit entities for prevention.

**Encourage positive behaviors, such as encouraging designated drivers.** To balance prevention efforts, encourage other behaviors that provide alternatives to substance use. For example, provide incentives for

designated drivers, such as free event tickets or free sodas. Encourage the development of substance-free activities for youth (and adults) with free programming and safe spaces, such as teen centers or teen activity nights. Encourage youth to identify what activities they would like to see in the community. Less than half of Bennington County youth felt valued by their community; by empowering young adults to take ownership of their communities, they become engaged and pass that respect to others.

**Enforcement of existing regulations.** If a municipality has alcohol or tobacco ordinances, are they enforced? What are options to improve enforcement of ordinances?

## SPOTLIGHT: HEALTHY RETAILER PRACTICES

Ensuring retailers remain economically viable while focusing on prevention efforts isn't a zero-sum situation. Voluntary "healthy retailer" practices focus on encouraging healthy food products, such as fruits, and de-emphasize tobacco and alcohol. Additional examples are listed below. For more information on healthy retailer practices and for access to free resources, contact:

[www.healthvermont.gov](http://www.healthvermont.gov).

**Location of alcohol and tobacco in stores:** Lessen the visibility of product placement in the store by re-positioning alcohol at the back of the establishment, separate alcohol from juice, soda, and other beverages, and remove tobacco products from the point of sale area.

**Signage inside package goods establishments:** Partner with business owners to reduce the number of signs displayed, which are supplied free of charge to establishments for product advertising. Eliminate signage that associates alcohol or tobacco with driving, hunting, or snowmobiling.

**Signage placement:** Partner with business owners to raise the height of alcohol or tobacco signs so they are at an adult's eye level, not at a child's eye level.



*According to the 2015 Youth Risk Behavior Survey, 56% of Bennington County youth grades 9 – 12 report seeing advertisements for tobacco when they are in a grocery store, gas station, or convenience store.<sup>11</sup>*

With no street-facing alcohol or tobacco signs, Elm Street Market in Bennington serves as an example of healthy retailer sign practices. Additionally, all alcohol is kept away from other non-alcoholic beverages, and there are no tobacco products visible at point of sale.



## Steps to further Prevention Planning

As part of a national movement to improve the health and wellness of Americans, the State of Vermont Agency of Human Services has taken great steps forward to incorporate healthy community principles into local and regional planning. Planning for substance use prevention is just one of the many activities that fall under “healthy community design.” Communities with abundant indoor and outdoor recreational facilities, access to balanced and affordable food options, and with diverse transportation options best promote the physical and mental health of residents. Planning for these community assets can be a major component of substance misuse prevention. A “healthy community” can be characterized by the following:

**Bicycle and Pedestrian – Friendly Communities.** Well-designed, interconnected bicycle and pedestrian networks and facilities support an active lifestyle. Bicycle- and pedestrian-friendly communities take into consideration safety, comfort and aesthetics by providing bicycle lanes and parking, sidewalks, cross-walks, shared-use paths, lighting, benches and trees along the street.



**Access to healthy and affordable foods.** Fresh and healthy foods are essential for a healthy diet. Lack of access to affordable, fresh produce and nutritious foods contributes to obesity and associated health problems. Key strategies for expanding access to healthy food and local food production include use of public spaces for farmers’ markets and community gardens, support for community-based agricultural enterprises, incentives for retailers to offer healthier foods, and zoning and other actions that attract food markets and restaurants.



Public meeting spaces, a children’s room, and a teen room make the Manchester Community Library an example of an intergenerational community resource.

**Community gathering places.** Creating safe spaces for residents to gather is important to fostering an inclusive community. Having spaces for young people to gather is also important in ensuring that population feels like they have a safe place to belong. Community gathering places can also be destinations to accompany recreational facilities.

**Mixed-use development.** Building residential, retail, industrial, medical, and educational facilities close together creates walkable communities and encourages people of all ages and abilities to make physical activity a part of everyday living. Concentrated mixed-use development can also create a greater market for healthy foods, resulting in greater access to healthy

food choices. It also concentrates infrastructure investments (e.g., sidewalks and bike paths), creates options for public transportation, maintains green space, reduces air pollution, and promotes greater social interaction.

**Green spaces, Parks, Recreational Facilities.** Access to recreational facilities (such as parks and green spaces, outdoor sports fields and facilities, trails, and playgrounds) supports active and healthy living with safe places to play and socialize. Access to these places is affected by distance from homes or schools, cost, hours of operation, and available transportation.

## Organizations, Data, Websites

### Bennington, VT

Alliance for Community Transformations  
[www.actbennington.org](http://www.actbennington.org)

Bennington County Regional Commission  
[www.bcrcvt.org](http://www.bcrcvt.org)

Greater Bennington Interfaith Community Services, Inc.  
[www.benningtoncares.org](http://www.benningtoncares.org)

Turning Point Center  
[www.tpcbennington.com](http://www.tpcbennington.com)

### Other

The Collaborative  
Londonderry, VT  
[www.thecollaborative.us](http://www.thecollaborative.us)

Deerfield Valley Community Partnership  
Wilmington, VT  
[www.dvcp.org](http://www.dvcp.org)

Vermont 211  
[www.vermont211.org](http://www.vermont211.org)

Vermont Agency of Commerce and Community Development  
<http://accd.vermont.gov/>

Vermont Department of Health  
[www.healthvermont.gov](http://www.healthvermont.gov)

Vermont League of Cities and Towns  
[www.vlct.org](http://www.vlct.org)

Vermont's Regional Planning Commissions – Vermont Association of Planning and Development Agencies  
[www.vapda.org](http://www.vapda.org)

## Publications

Vermont Department of Health, Vermont Healthy Community Design Resource: *Active Living and Healthy Eating*

Vermont Department of Health, Youth Risk Behavior Survey (YRBS):  
[www.healthvermont.gov/health-statistics-vital-records/population-health-surveys-data/youth-risk-behavior-survey-yrbs](http://www.healthvermont.gov/health-statistics-vital-records/population-health-surveys-data/youth-risk-behavior-survey-yrbs)

Centers for Disease Control and Prevention: *A Practitioner's Guide for Advancing Health Equity: Community Strategies for Preventing Chronic Disease*

Town of West Tisbury, MA [Beer & Wine Licensing Policies Rules & Regulations](#)

East Central Vermont: *What We Want Regional Plan*  
[www.ecvermont.org](http://www.ecvermont.org)

Brattleboro Code of Ordinances  
[www.brattleboro.org](http://www.brattleboro.org)

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## Statutes

Vermont State Statutes Online at  
<http://legislature.vermont.gov/statutes/>

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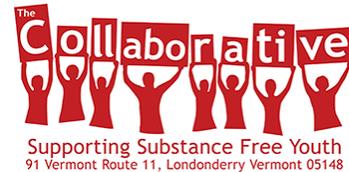
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### **The Collaborative**

91 VT Route 11  
Londonderry, VT 05148

Tel: (802) 824-4200

Email: [info@thecollaborative.us](mailto:info@thecollaborative.us)

[www.thecollaborative.us](http://www.thecollaborative.us)

### **Bennington County Regional Prevention Partnership**



The Collaborative  
Deerfield Valley Community Partnership  
Alliance for Community Transformations  
Bennington Co. Regional Commission  
Turning Point of Bennington Co.  
Bennington Co. Sheriff's Dept.

Find this and other municipal planning documents, zoning bylaw information, and additional resources at:  
[www.bcrct.org](http://www.bcrct.org)