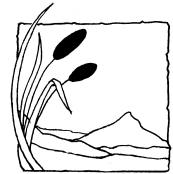


# South Burlington Land Trust

*We are dedicated to preserving the open lands, wildlife habitats, natural resources, and farmlands that make South Burlington unique. Undeveloped land benefits the health and prosperity of all residents and is an essential part of the fight against climate change.*



## Board of Directors

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## Testimony before the Vermont Senate Committee on Natural Resources and Energy

We are sending you this submission to make you aware of the potential negative consequences of Senate Bill 100 on the rural lands in South Burlington. We hope the information we provide will improve the bill to accomplish our shared goals to direct housing into our city/town centers and away from our rural and open lands. The South Burlington Land Trust (SBLT) mission is focused on protecting the natural environment and fighting the climate crisis, not on housing matters. We are commenting on this housing bill because it may direct dense housing into our rural areas thus destroying our natural resource lands. We support affordable housing in areas that do not impact our natural resources. Hopefully, this bill will not encourage more high-end housing that is out of reach of the average working-class Vermonter.

Janet Bellavance  
John Bossange  
Rosanne Greco  
Karen Ryder  
Allan Strong

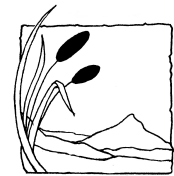
The SBLT is an organization formed 20 years ago to advocate for the preservation of rural lands. Initially, the SBLT focused on preserving open lands for the intrinsic environmental benefits they provide. However, as we learned more about how natural resource lands play a beneficial role in helping us with the climate crisis, we re-doubled our efforts to preserve them. Our natural environment is essential to mitigating climate impacts and preventing further climate disasters. We believe we have a moral obligation to address the climate crisis and to do what we can to help mitigate it.

For many years, the SBLT has been advocating for a more environmentally and scientifically informed approach to land use planning. Fortunately, the South Burlington City Council enacted a period of Interim Zoning, and the City spent the past four years engaging with residents, local business, and the housing and development communities. The City conducted multiple studies and hired outside experts to identify the specific parcels of land in South Burlington that should be preserved because of the natural resources they contain. Natural resource lands are any unique or irreplaceable feature of the natural landscape, including but not limited to areas supportive of wildlife habitats, unusual plant species, geological features, and wetlands.

The City hired consultants with the expertise to identify our wildlife habitat forest blocks, and other consultants to assess the economic benefits of preserving lands that contain natural resources. The findings of these reports showed that in addition to the environmental benefits of preserving rural lands, taxpayers reap considerable (millions of dollars) in economic benefits from the services nature provides, such as flood prevention, water filtration, physical, mental and spiritual health benefits, disease prevention, and much, much more.

*South Burlington Land Trust Inc. is a 501 (c) (3) non profit organization:*

*Tax ID # 75-3133866. 500 Cheese Factory Rd., South Burlington VT 05403*



It took hundreds of discussion groups, meetings, and public hearings before the South Burlington Planning Commission agreed to new Environmental Protection Standards, which the City Council voted to approve just last year. These are now part of our Land Development Regulations, as South Burlington calls our zoning document. Some of the key improvements include increasing buffer areas around wetlands, preserving some of our wildlife habitat forest blocks, adding additional natural resource protection areas from which density may be transferred through the Transfer of Development Rights (TDR) process, and creating a Conservation Planned Unit Development (PUD) option for landowners who own lands that contain natural resources.

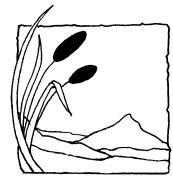
Many of these provisions are compromises. The Conservation PUD is a good example. If a landowner chooses a Conservation PUD, development is allowed on some parts of their land if they agree to leave undeveloped the land areas that contain natural resources. As with most compromises, neither side achieved all of their objectives. Environmentalists were not successful in protecting all of South Burlington's natural resource lands, and developers and housing advocates were not successful in getting zoning which would have allowed housing to be built over all of these rural lands.

We should point out that in concert with these efforts, South Burlington has been working on ways to direct housing, especially affordable housing, into our city center area and along streets that are serviced by public transportation. A few years ago, South Burlington passed an inclusionary zoning ordinance city-wide which mandates and incentivizes affordable housing. Over the past years, our City has added thousands of new housing units, including a thousand units which are permanently affordable. And because of our new Environmental Protection Standards, our wildlife get to keep their homes in the woods and meadows as well.

It took time, careful studies, and many compromises, but we think that South Burlington accomplished some of what climate and environmental experts are urging cities to do. We saved some of our rural lands and thus preserved the nature-based solutions to the climate crisis that they offer. Then we learned of the Omnibus Housing Bill (S.100) which, as written, threatens to override some of these environmental protections. It mostly hinges on the provision for dense development in districts serviced by municipal water and sewer.

Decades ago, South Burlington ran water and sewer lines into the rural areas of the city, most likely without an understanding of how this would prompt suburban sprawl and impact the climate crisis. This is one of the reasons that suburban sprawl threatens our natural resource lands. Through our recent zoning changes, we are preventing more suburban sprawl and thus less destruction of our wooded areas, meadows, and wildlife habitats.

S.100 would allow development — even dense development — over these very areas simply because they have water and sewer lines close by. The criteria in the bill to use the existence of municipal water and sewer as the way to direct housing will result in more suburban sprawl in South Burlington. Moreover, the objectives of this bill will not be met in the numerous Vermont towns and villages that do not have municipal water and sewer infrastructure in their downtowns. So using municipal water and sewer as a criteria to direct housing will, in some cases, do just the opposite of what is intended. In South Burlington, it will direct dense housing over our natural resource lands. In other towns it will do nothing to direct housing into their downtown centers.



Not only would this provision override many of the natural resource protections that South Burlington recently incorporated into our Land Development Regulations, it also negates the environmental protections put in place decades ago when the City created our Natural Resource Protection zones, which are areas that allow only a small number of housing units in order to protect the valuable natural resources these lands contain.

Environmental destruction worldwide and here in Vermont is a key factor in the climate crisis. Saving our natural resource lands is imperative if we ever hope to be able to mitigate the climate problems we are facing. Absent some miraculous and immediate technological “deus ex machina” preserving nature is our only hope. Our open lands, trees, and forests sequester carbon and provide us with other essential ecological services — such as clear air to breath, clean water to drink, healthy food to eat, and much more. They are our only hope of meeting Vermont’s climate goals, and more importantly, ensuring future generations are able to withstand and survive the climate crisis.

It is for these reasons that we strongly urge this committee to remove municipal water and sewer as the criteria for where housing is allowed. Rather, location — specifically in downtown areas and not over rural lands — should be the determining factor. This bill attempts to achieve an end by applying a “one size fits all” approach, when the villages, towns, and cities of Vermont are vastly different. It seems that using this criteria, in some cases, will do just the opposite of what is intended.

We think that South Burlington got it right, and that our City might even be a model for other cities and towns. Please do not pass a bill that ignores our good efforts and undoes the wise environmental and housing regulations we have enacted.

Respectfully submitted by the  
South Burlington Land Trust Board of Directors  
27 February 2023