

March 14, 2017

David Deen, Chair
House Committee on Natural Resources, Fish and Wildlife
115 State Street
Montpelier, VT 05633

RE: Comments on various Act 250 bills

Dear Chair Deen:

Thank you for the opportunity to provide some testimony on some of the Act 250 bills before your Committee.

H. 18. Releasing Land from Act 250 Jurisdiction

TRORC supports the bill.

H. 194. Priority Housing Projects

TRORC supports the bill but has strong objections to the removal of the rental affordability provision. Affordability of housing is not a problem that has diminished. This proposed deletion needs to be struck in the final bill to have our support on H. 194.

H. 209. Land Use and Environmental Permitting

While there may be some tweaks proposed that would be useful, the overall bill is fatally flawed due to its repeal of the new 9L provision adopted a short time ago. Repeal of 9L is being proposed without any evidence that the provision has not worked as intended. Adoption of the 9L a few years ago was intended to match the compact settlement land use goal in Title 24, Section 4302. Unless and until this goal is repealed, it would be ill advised to not have consistency between planning and permitting. A terrible step backwards based on some hand wringing in a few pockets of the state. There are people that make a living at building, selling and financing sprawl so until this is repealed, they will continue to push for a permitting environment that undercuts the public good. I ask that the Committee leave this bill on the wall.

H. 424. Commission on Act 250

TRORC supports the bill with changes. TRORC recommends the membership of the Commission on Act 250 explicitly include a member of a regional planning commission appointed by the Vermont Association of Planning and Development Agencies (VAPDA). As statutory parties and being active in the Act 250 process, a regional planning commission representative would have regional perspectives that need to be part of the discussion. In addition, I believe additional statutory direction needs to be added to the bill ensuring a robust public engagement process during the Commission's work.

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William B. Emmons, III, Chair
Peter G. Gregory, AICP, Executive Director

H. 233 Protecting Working Forests and Habitat

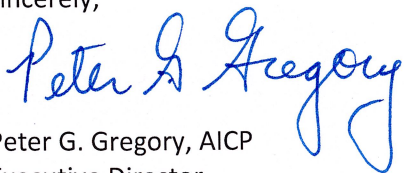
TRORC has testified over the last few years about the importance of the economic benefits of the working forest in our region and in the state. We have also been clear about our belief that habitat connectivity is key to wildlife health. TRORC supports the specific provisions of this bill that expand jurisdiction. We believe it is targeted and strategic and not overly broad. We also support the definitions being added and the updated criteria. While some might suggest waiting to make any updates until such time a thorough review of Act 250 is completed, I submit that targeted improvements in priority areas of the law, must not wait. That is why TRORC supports Act 250 changes this year in the priority housing area (H. 194) and the working forest and habitat areas.

H. 362. Utility Poles and Act 250

TRORC has seen no evidence that this bill addresses a widespread problem. In fact, relocations have generally gone smoothly and without controversy in the TRORC Region. TRORC is concerned that the genesis of this bill may be an isolated situation that does not merit yet another exemption from Act 250. We have areas that are designated locally or regionally scenic and or traverse through historic districts and the values of those areas may be destroyed without the careful review of Act 250. I ask that the Committee leave this bill on the wall.

Thank you for the opportunity to comment.

Sincerely,



Peter G. Gregory, AICP
Executive Director