

S.100- SNRE amendment Substitute Amendment
Summary
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First instance of amendment raises the required density in areas zoned for residential and served by sewer and water infrastructure from at least 4 units per acre to 5 units per acre.

Second instance changes Sec. 6. which defines who can appeal municipal planning decisions. S.100 would have removed the ability under the current law of any combination of 10 voters and property owners from appealing. The SNRE amendment restores that language but narrows it so that any combination of 10 voters and property owners who have a common injury to a particularized interest protected by chapter 117. However, it excludes character of the area as injury that can be appealed under this subdivision.

Third instance changes Sec. 13 which relates to a town's ability to adopt building energy codes. S.100 would have prohibited towns from adopting energy codes that are stricter than the state energy codes, unless they have a charter provision on it or unless they received approval from the Department of Public Service. The SNRE amendment removes the language that would have the Department approve stricter codes.

Fourth instance changes the Act 250 section it adds a new Act 250 jurisdictional trigger which is 25 units of housing located in a downtown, neighborhood development area, or growth center. This is a temporary provision that sunsets on July 1, 2026. It also removes the cap on the number of priority housing units that are exempt if located in a downtown, neighborhood development area, or growth center. This is a temporary provision that sunsets on July 1, 2026.

Fifth instance adds a new section to create master plan permits for municipalities. This section allows municipalities to apply for master plan permits under Act 250 for their designated downtown. With a master plan, future development in the downtown would only need an Act 250 permit amendment, not an individual permit.

Sixth instance adds a provision stating that in order for someone to be exempt under the new temporary Act 250 exemptions, they need to apply for a jurisdictional opinion, stating they would be exempt by July 1, 2026. Construction of exempt housing projects would need to be substantially completed by June 30, 2029.

Seventh instance adds an enhanced village center designation. A town can receive enhanced designation for a village center if they have permanent zoning and subdivision bylaws, municipal sewer, alternative or community sewer, or water infrastructure, and adequate staff. Priority housing projects located in Enhanced village centers require 50 or more units to trigger Act 250. This is a temporary provision that sunsets on July 1, 2026. It also adds language to the statute that sets the requirements for a neighborhood

development area. It adds municipal sewer, alternative or community sewer, or water infrastructure.

Eighth instance deletes the Secs. 24-25, the wastewater permit connection sections. It inserts in their place the language from H.332 which would create a summer study committee to study how to increase compliance with the RBES and the CBES. It also appropriates \$125,000 for the study.