

## **Bill Proposal to Address Issues in Colchester's Designated Growth Center**

### **Severance Corners**

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The purpose of this language is to encourage, incentivize and facilitate growth in designated growth centers and new town centers.

The Town of Colchester has a state designated Growth Center and New Town Center at Severance Corners which is one of the few areas in town served by municipal water and sewer. (Exit 16 and the Fort are the other areas). Town officials are working with the landowners to encourage growth within these designated centers. However, the Town has encountered two recent issues that serve as obstacles to encouraging development in these areas.

#### **Act 250 Exemption for Pre-Existing Permits**

S.D. Ireland, developer for Severance Corners reports they have encountered a jurisdictional opinion from a District Coordinator that the land area they thought would be exempt from Act 250 (one of the few incentives for a growth center) is now subject to Act 250. There are approved projects that would meet the exemption of 10 VSA 6001(3)(A)(iv)(I)(aa) as they contain 15% affordable housing. However, as these projects are within lands subject to previous Act 250 permits, the proposed affordable housing has been deemed by the District Coordinator to be a material change, pursuant to Act 250 Rule 2(C)(6). One such project is a vacant parcel that received an Act 250 permit for a gravel parking lot to support a seasonal food truck in 1991 while the other is contained within the New Town Center and construction was begun three years prior to the designation.

*The language needed in Act 250 is:*

*Amend 20 V.S.A. Chapter 151, Section 6001(3)(D) to include a new subsection (vii) "The construction of improvements within a duly designated growth center per 24 V.S.A. Section 2793c that were subject to jurisdiction prior to the designation and would otherwise qualify for exemption under 24 V.S.A. Section 2794."*

#### **Allowance of Civic Uses in New Town Centers**

The Town recently received an extension of our New Town Center and Growth Center Designations from the State Downtown Development Board. As a condition of this renewal, there is a requirement for a civic or public building. The Town has historically had a campus of municipal buildings a few miles from our growth center and therefore, the existing statutory requirement for there to be civic buildings in this growth center does not make economic sense for Colchester to invest in a new public building. We believe encouraging civic uses such as a farmers' market, town green and gazebo for concerts and recreation field or playground would probably attract more people than a municipal building to the center.

*Proposed language to growth center designation statute:*

*Amend 24 V.S.A. §2793b (b)(2)(F):*

*"(F) Evidence that civic and public buildings or civic uses do exist, or will exist in the center, as shown by the capital improvement plan or the capital budget and program, and the official map.*

Please assist us in providing more incentives to encourage growth in our designated growth center served by municipal water and sewer by making these minor changes to Act 250 and the growth center legislation.