John Marshall paper

p. 13 – Secretary of State Richard Thomas argued in this period that he could refuse to grant corporate authority to corporations outside of Vermont and those foreign corporations who owned Vermont companies if he thought that outside development would endanger the public welfare. Citing Title II of Vermont Statutes Annotated Thomas noted that "in his discretion the commissioner may refuse to issue a certificate (or authority), either original or an extension to any corporation if he believes that such action will promote the general good of the state.

p. 19 – **Davis charged the commission with seeking "balance" by asking: "how can we have economic growth and help our people improve their economic situation without destroying the secret of our success, our environment?**

p. 21 – The Environmental Control Commission's final report, released on January 19, further recommended: "It is…necessary that there be developed a broad framework of regulations within which local regulation can function, and that there be a central state agency with adequate funds and an effective staff to implement the controls proposed to maintain a satisfactory environment."

p. 25 – The Health Department regulations proved sufficient to brake the development crisis. Yet, the real change in thinking after the summer of 1969 was found in the conclusion that the state must do more than regulate development. It must plan and guide development. It is this nebulous notion of development which has yet to be proven or tested.

p. 26 – Davis' second address to the Legislature specifically discussed the administration's proposed environmental legislation and made first mention of the bill that eventually became Act 250. Speaking of the bill Davis noted: "this will be the workhorse bill in this package and will establish guidelines for growth in the state according to the over-all land development plan."

p. 35 – Predictably, Davis was pleased saying that the bill along with the Water Pollution (pay as pollute) Bill would provide "the Backbone of our environmental package. House Bill 417…provides a permanent environmental control board and establishes the machinery for logical control of our land development here in the state."

p. 43 – What will prove to be important is not the district commission's ability to decide whether a development meets the minimum standards of environmental quality and does not place an excessive burden on the town in which the development is located, but its ability to decide if the development meets the guidelines of the state development plan – and therefore is desirable.

p. 59 – Although interpretations vary as to the meaning and purpose of the law, the conclusion of Forrest Orr is probably most accurate: "Act 250 is really two bills in one --- one feature is regulation and the other is land use planning."

p. 61 – Governor Davis emphasized throughout the passage of Act 250 in the 1970 General Assembly that **the district commissions and the state board would be "balanced" between environmental and business interests specifying after the bill had been successfully pushed through the Legislature that the three member commissions would each contain someone from the environmental and business fields and a third member who would be a public figure.**

p. 65 – Before a developer arrives at his District Five hearing he must have obtained approval from a variety of departments and divisions at the state level, his development has usually been inspected by the **County Forester who has been designated as the "man in the field" for the Environmental Conservation Agency**

and he must have gained the approval of numerous agencies on the **Inter-Agency Review committee**. The latter committee, recently established, reviewed every application under Act 250.

p. 66 – However, **the Interagency Review Committee, according to Jackson, was also created to attach the more "substantive issues" of applications which were not always being considered by district commissions.**

p. 69 – Certainly some of the credit must go to those organizations **specifically assigned by Act 250 with responsibility for providing local and regional inputs to decisions – that is, regional and local planning commissions, adjoining neighbors to property involved in applications, and Vermont's towns.**

p. 71 – the institution of the county Forester as the Environmental Conservation Agency's field arm was a "definite improvement."

p. 81 – Stephen Little of the Two Rivers Regional Planning and Development Commission comments that 250 hurts low income housing projects despite the state board's decision to waive application fees for such developments, and he adds that the mobile unit count is "going up sky high".

p. 95 – Possibly the most significant instrument of the administration of 250 will be the completed land capability and development plan and the land use plan provided for in Sections 19 and 20.

p. 113 – **Parties shall be those who have received notice, adjoining property owners who have requested a hearing, and such other persons as the board may allow by rule. For the purposes of appeal only the applicant, a state agency, the regional and municipal planning commissions and the municipalities required to receive notice shall be considered parties.**