

Commission on Act 250: The Next 50 Years

Brian Shupe
Vermont Natural Resources Council
October 26, 2018



C) An examination of the criteria and jurisdiction of Act 250, including:

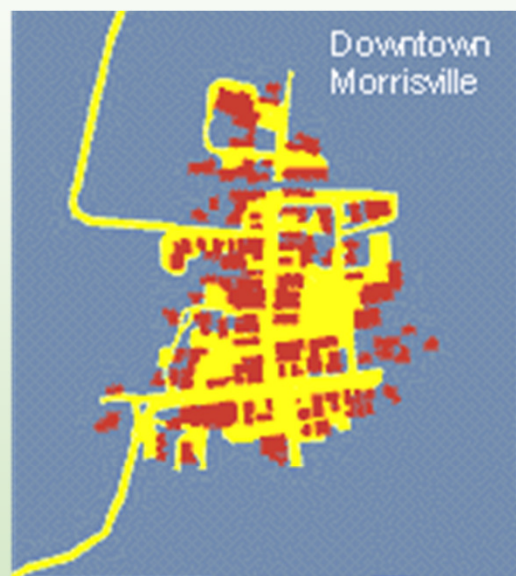
v) Whether Act 250 promotes compact centers of mixed use and residential development surrounded by rural lands?

v) Whether Act 250 applies to the type and scale of development that provides adequate protection for important natural resources as defined in 24 V.S.A. § 2791.

No, and No

What is Sprawl?

- Excessive land consumption
- Low densities in comparison with older centers
- Lack of transportation options
- Fragmented open space, wide gaps between development and a scattered appearance
- Lack of choice in housing types and prices
- Separation of uses into distinct areas
- Repetitive one story development
- Commercial buildings surrounded by expansive parking
- Lack of public spaces and community centers



Morristown,
Routes 100
and 15

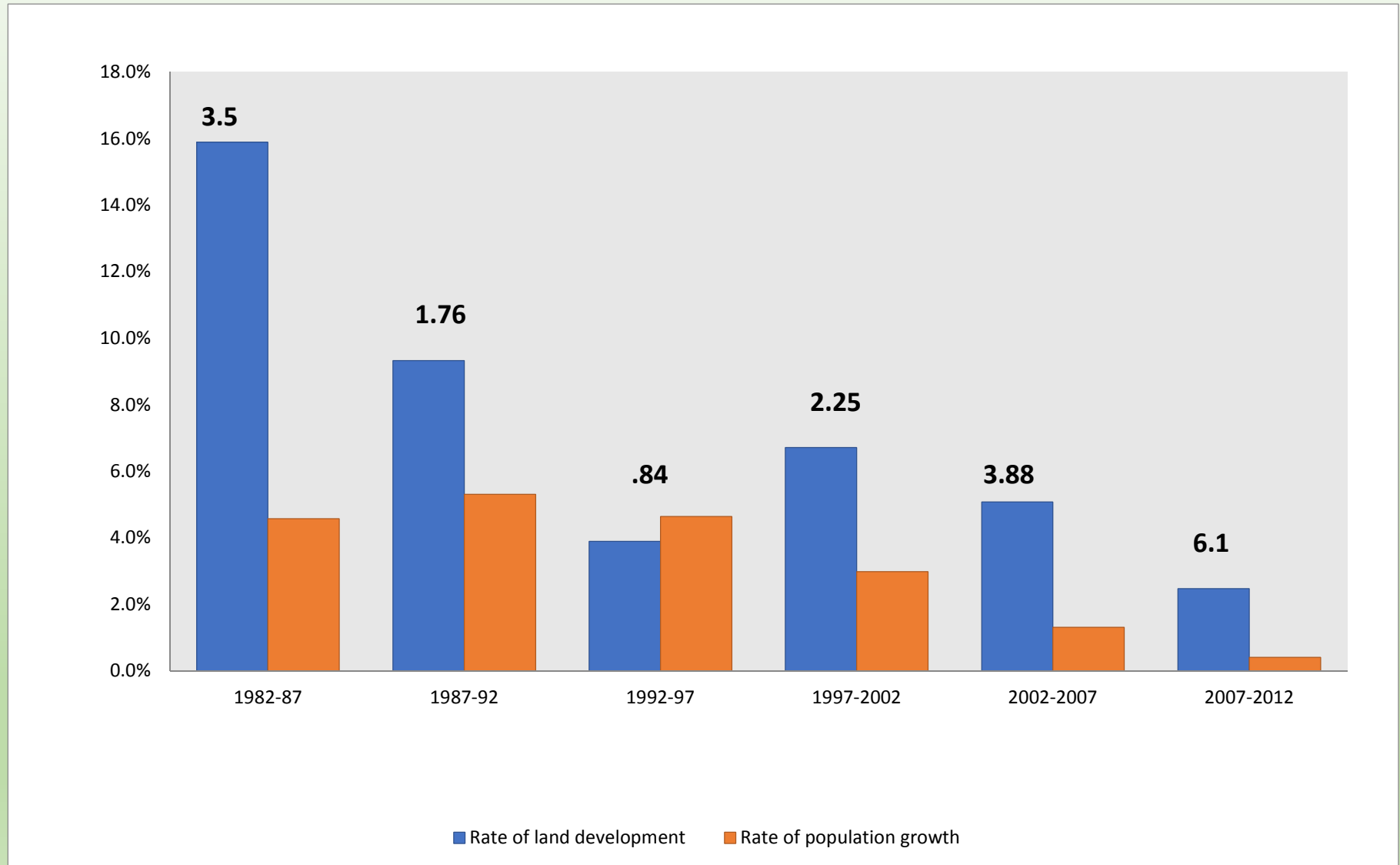
Julie Campoli, copyright 1998

Changes in Vermont Land Use 1982-2012



U.S. Department of Agriculture. 2015. Summary Report: 2012 National Resources

Land Development Relative to Population Growth



U.S. Department of Agriculture. 2015. Summary Report: 2012 National Resources

Parcelization & Forest Loss

breaking up of land into smaller and smaller parcels, usually through subdivision. economic, ecological and cultural impacts are well documented.

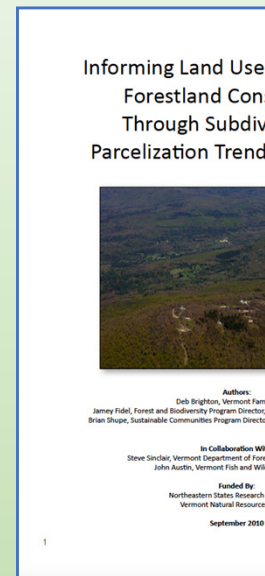
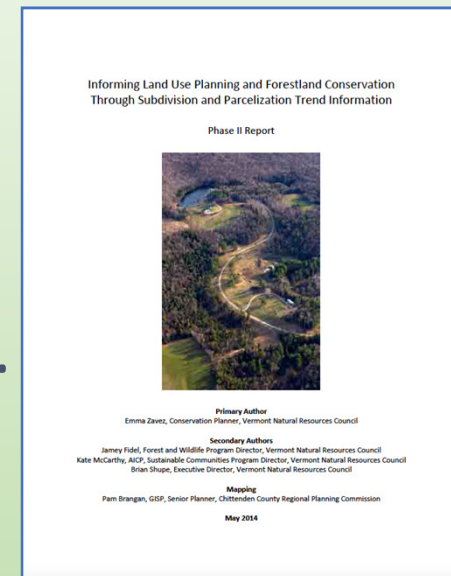
While close to 80% of Vermont is forested, forest cover is actually declining. According to the Forest Service, Vermont may have lost 100,000 acres of forestland from 2012 to 2017 (Morin et al (2017)).



A. Blake Gardner

Background on VNRC Research

- 1 (2010) Statewide parcelization trends, 2003-2009.
- 2 (2014) Subdivisions in 22 case study towns.
- 3 (2018) Parcelization trends, 2004-2016 (state, regional planning commission, county, & town levels)



Research conducted by Northeastern States Research Cooperative (NSRC), a partnership of Northern Forest states (New Hampshire, Vermont, Maine, and New York) in coordination with the USDA Forest Service

Phase I and Phase II Findings

Phase I Report: Regulatory oversight over land subdivision is largely a municipal responsibility because only 4 of the 381 subdivisions reviewed in the 8 towns (creating 1,269 lots) would independently trigger Act 250.

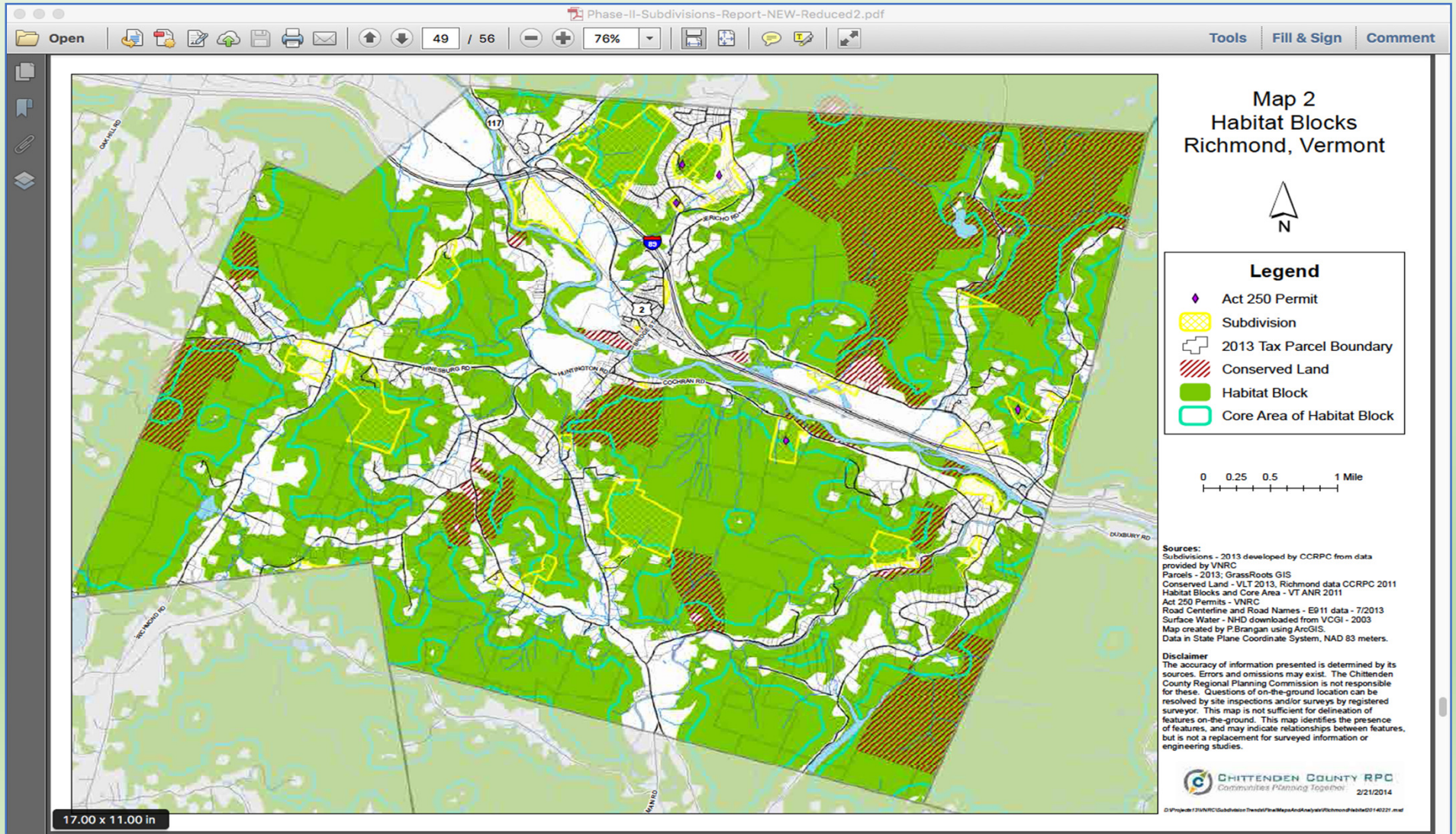
☑ **Confirmed.** In the 14 Phase II towns (which involved 555 subdivisions between 2002 and 2010 creating 1,662 lots): 7 subdivisions (approximately 1% of all subdivisions/7% of lots) were reviewed under Act 250 because of an independent trigger only. Additionally, 6 more subdivisions (approximately 1%) were reviewed because of prior jurisdiction; however, these would not have independently triggered Act 250 if there had not been a previous Act 250 permit.

Phase I Report: Subdivision is incremental but steady; the average subdivision resulted in the creation of between 2.3 and 3.7 lots (including parent parcel) in the eight case study communities.

Confirmed in the 14 phase II towns: The average subdivision resulted in between 2.1 - 3.9 lots (including parent parcel).

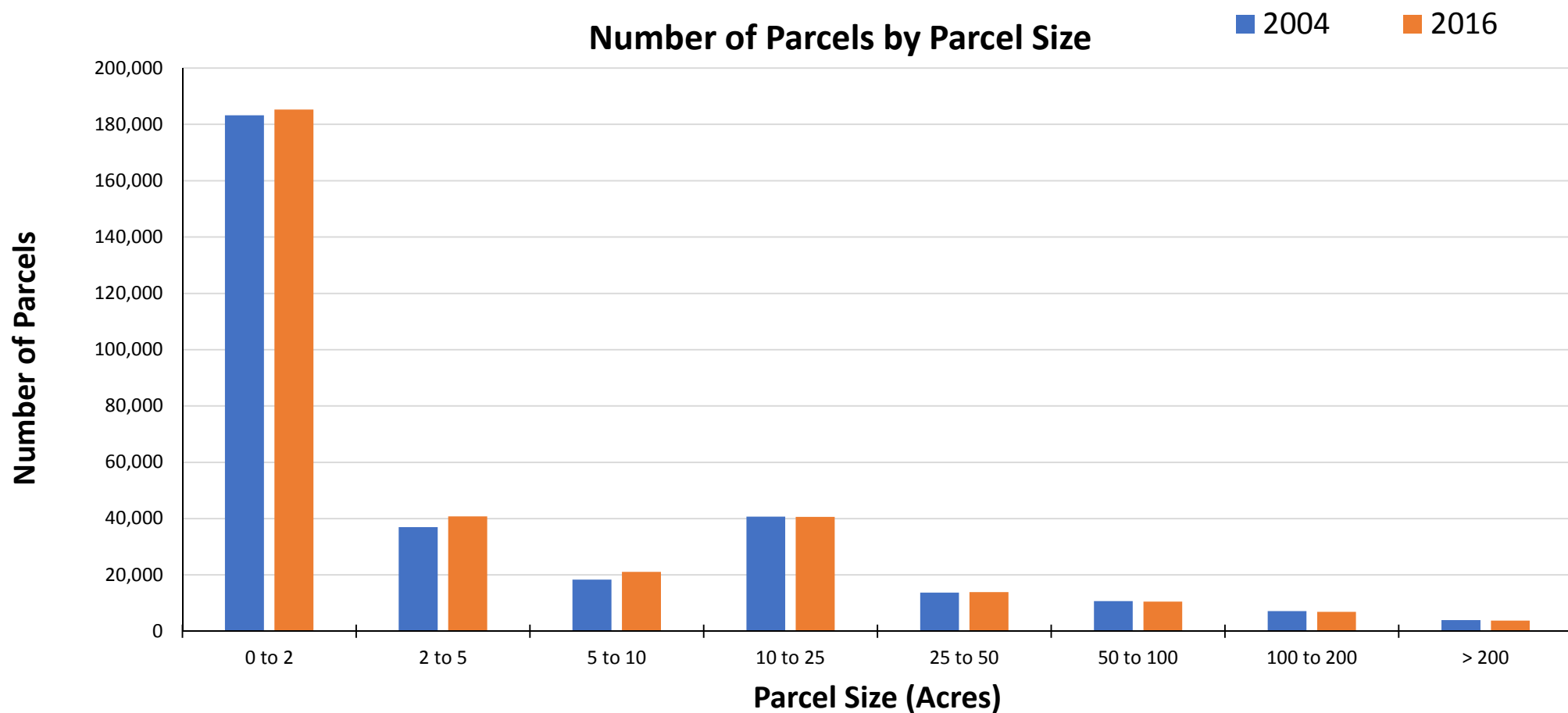
Where are lots being created?

on spatial analysis in four communities, between 50% and 68.8% of the subdivided acres were located within forest/habitat blocks mapped by the Agency of Natural Resources.



Phase III: Number of Parcels by Parcel Size

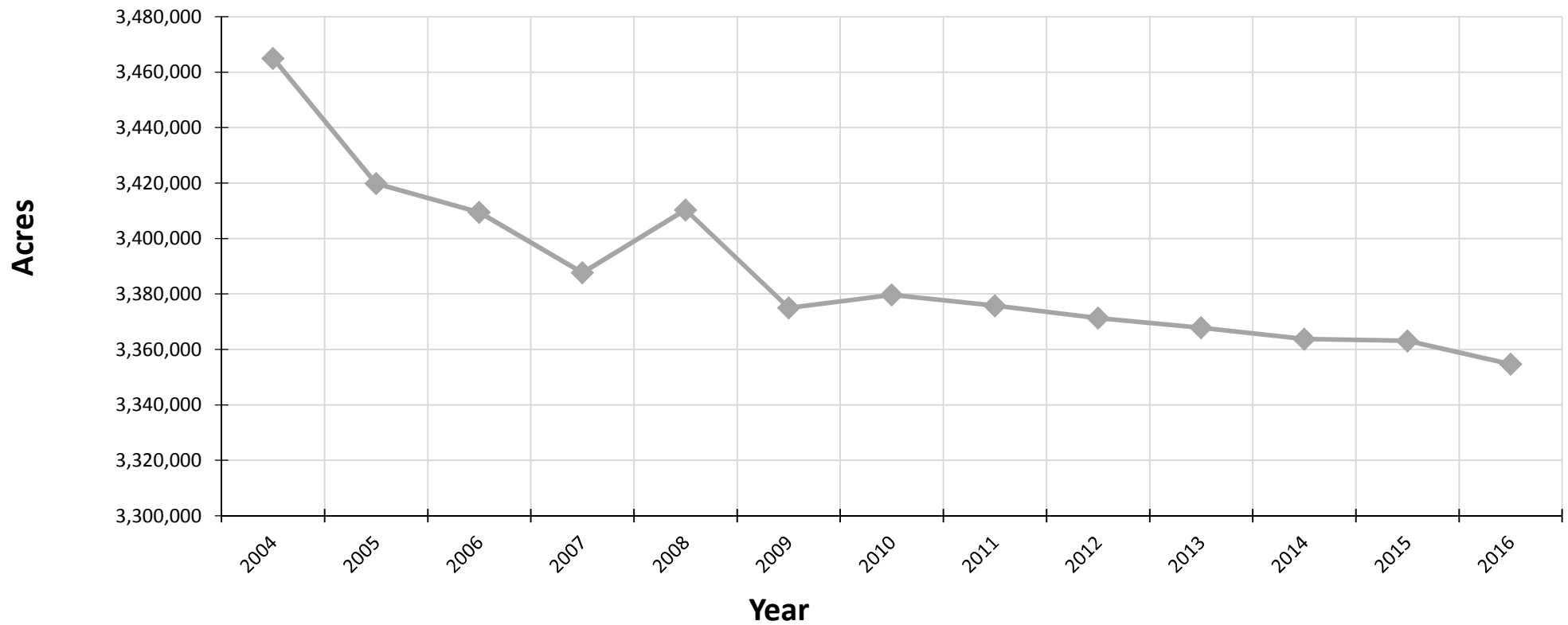
All parcels are increasing, especially in the 2-5 and 5-10 acre categories, a size commonly used for “rural residential” house lots.



Acres in Parcels \geq 50 Acres in Size

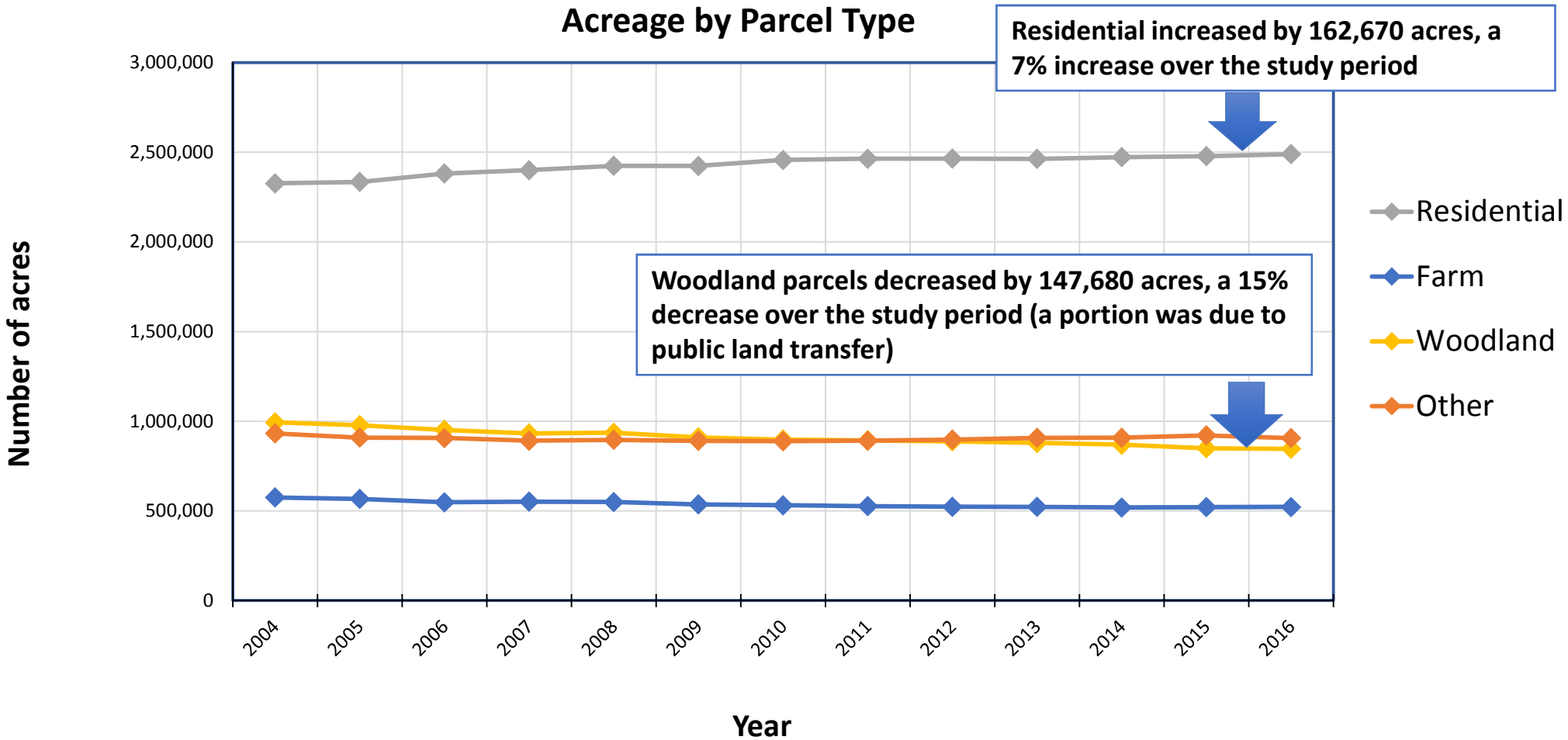
Between 2004 and 2016, the amount of land in parcels 50 acres or larger declined by about 100,300 acres, or roughly 8,485 acres per year.

Acres in Parcels \geq 50 Acres in Size



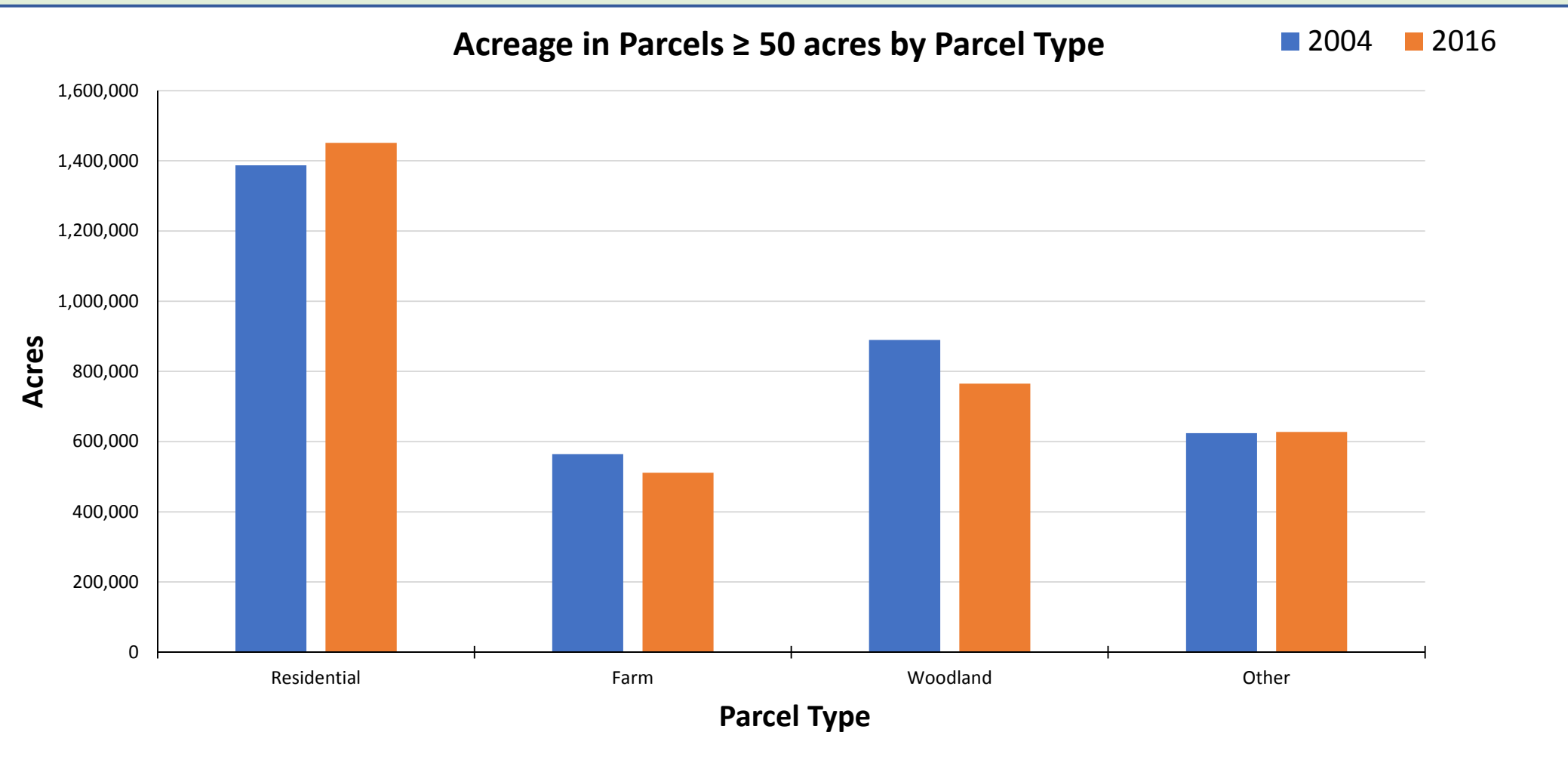
Acreege by Parcel Type

The number of acres in the “residential” category is increasing, while “farm” and “woodland” acreage is decreasing, with “woodland” acreage decreasing the fastest.



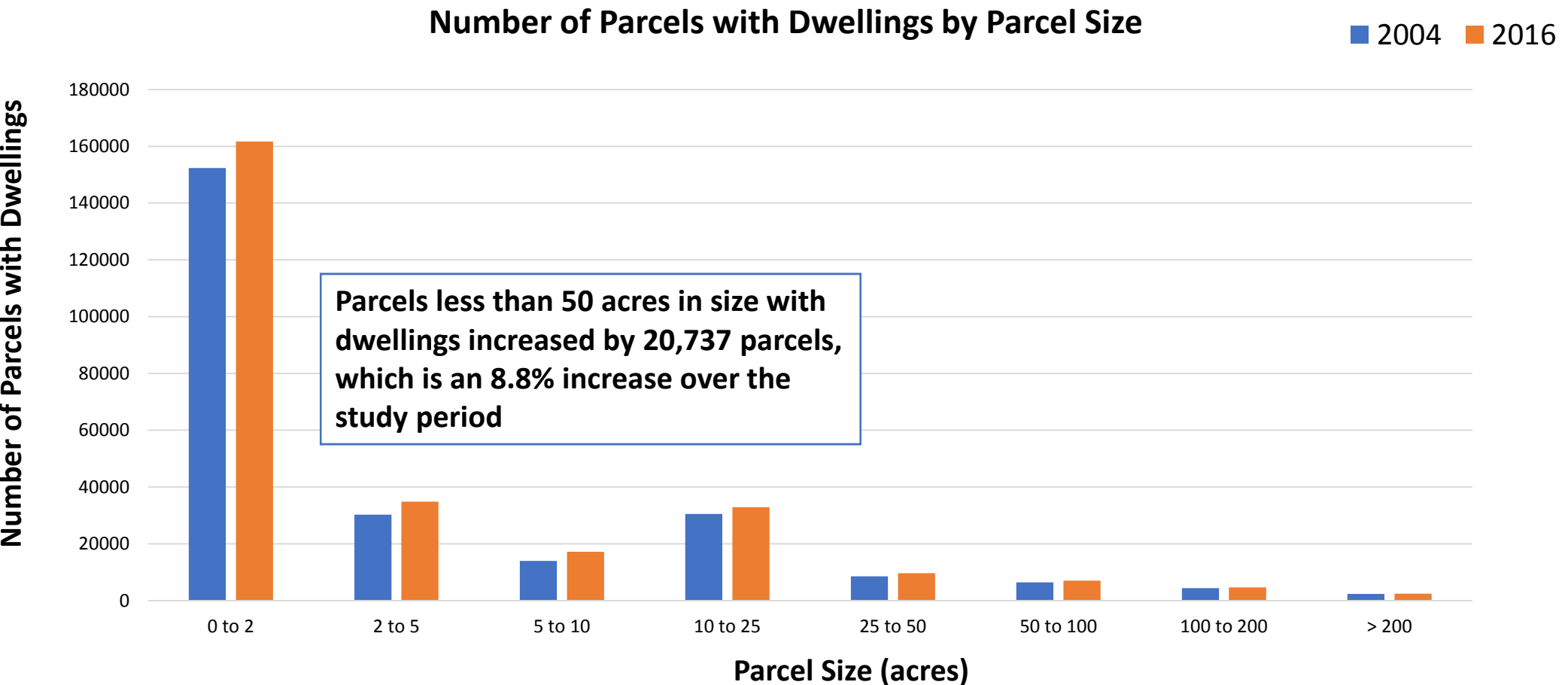
Acres in Parcels \geq 50 Acres by Parcel Type

The loss of large (50+ acre) woodland parcels outpaced the loss of large parcels in general.

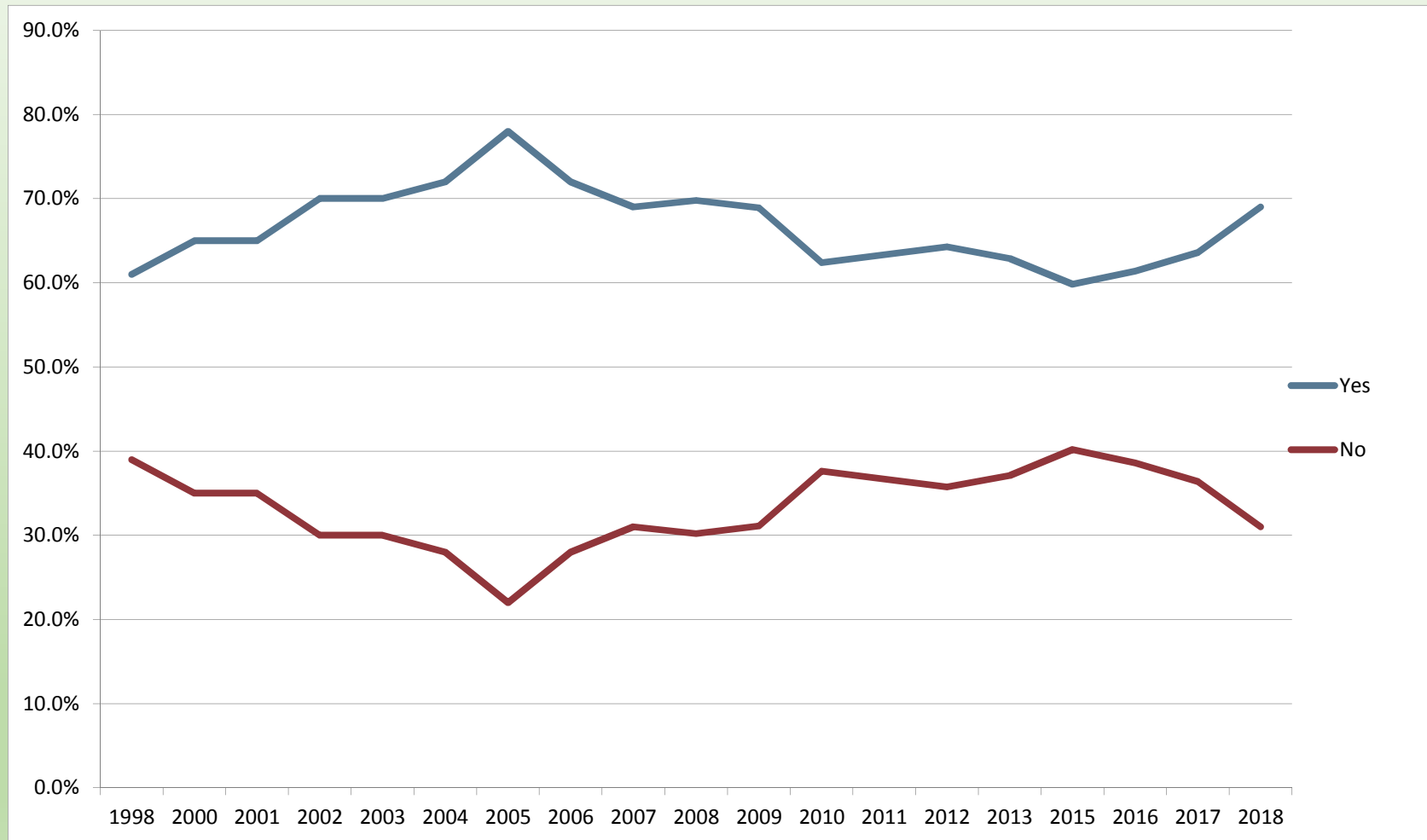


Number of Parcels with Dwellings by Parcel Size

Most dwellings are built on smaller parcels compared to larger parcels.

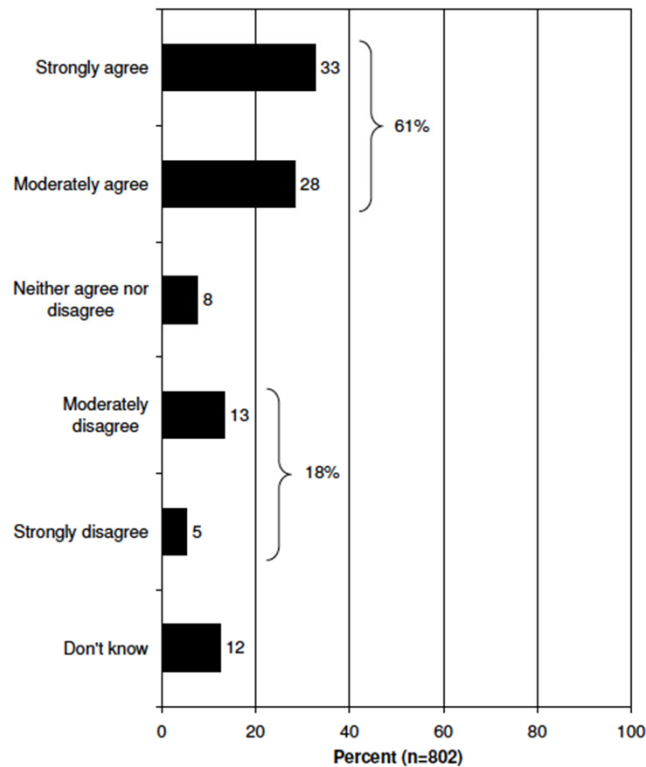


Do you feel that action should be taken to stop sprawl in Vermont?



Forest/Habitat Fragmentation

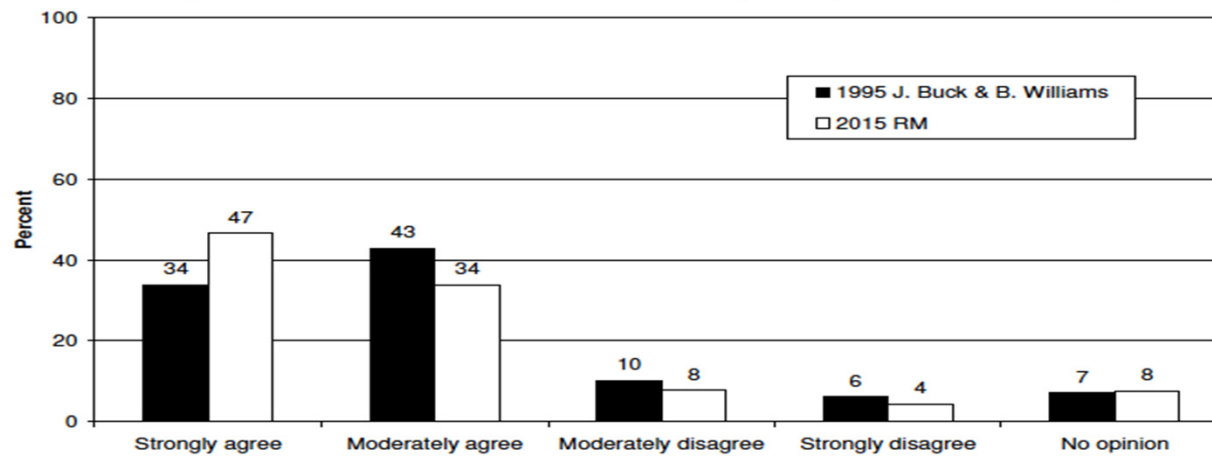
Q38. Forest fragmentation and loss is a problem in Vermont.
(Vermont residents.)



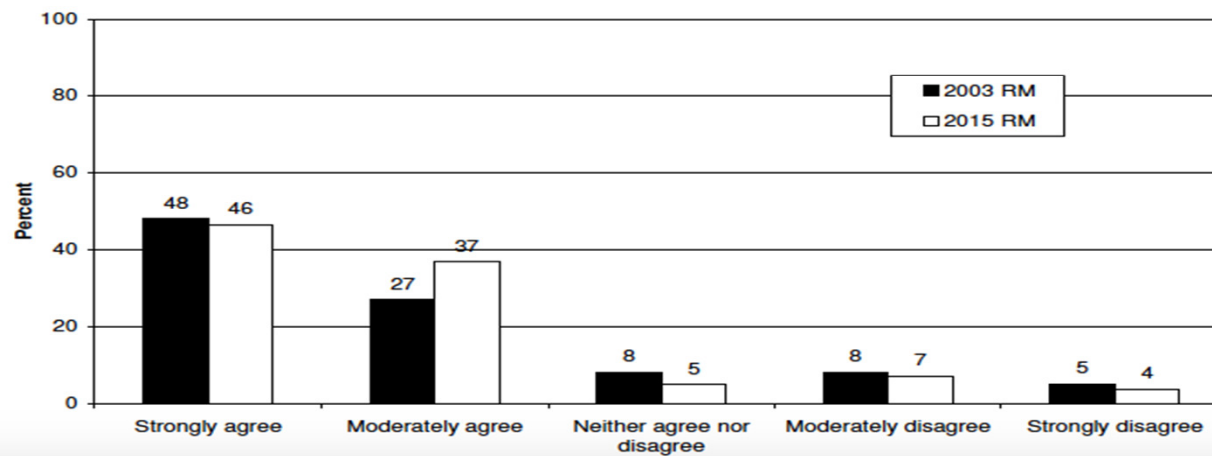
OPINIONS ON FISH, WILDLIFE AND LAND USE AMONG VERMONT RESIDENTS, HUNTERS AND ANGLERS
Conducted for the Vermont Fish and Wildlife Department by Responsive Management
Based on 802 interview with Vermont residents

Forest/Habitat Fragmentation

Q44. Wildlife habitat must be protected even if it reduces the land use options of some landowners and developers. (Vermont residents.)



Q45. The use and development of land should be restricted to protect fish and wildlife. (Vermont residents.)



Conclusions

Vermont is losing forestland, and undeveloped forest parcels at a steady rate due to increasing parcelization and development. Working lands and natural areas are affected by this trend.

While this presentation focused on forest land, other important natural resources (e.g., floodplains and river corridors) are also seeing ongoing development.

Vermont's development patterns are very land consumptive, a pattern that has gotten worse in recent years despite low population growth. The vast majority of rural, residential development is not subject to Act 250 oversight.

Commercial sprawl and strip development have occurred throughout the state, often times with the approval of Act 250.