



STATE OF VERMONT
General Assembly
Commission on Act 250:
the Next 50 Years

MINUTES – OCT. 25, 2017

Pursuant to 2017 Acts and Resolves No. 47 (Act 47), the Commission on Act 250: the Next 50 Years (Commission) convened on Wednesday, October 25, 2017, at 10:00 A.M. in Room 11 of the State House in Montpelier.

Commission members present

Rep. Amy Sheldon, Chair
Rep. David Deen
Rep. Paul Lefebvre

Sen. Christopher A. Pearson, Vice Chair
Sen. Brian Campion
Sen. Dick McCormack

Advisors to the Commission or designees of advisors present

Elizabeth Courtney
Joe Flynn, Secretary, AOT
Peter Gregory, Two Rivers
William Keeton, UVM
Julie Moore, Secretary, ANR
Sharon Murray, VPA

Ernest Pomerleau, Pomerleau Real Estate
Michael Schirling, Secretary, ACCD
Brian Shupe, VNRC
Diane Snelling, Chair, NRB
Gerry Tarrant, VBA
Anson Tebbets, Secretary, AAFM

Staff present

Aaron Adler
Faith Brown

Legislative Counsel
Committee Assistant

Chair Rep. Sheldon noted that, although not required, minutes are being kept of the Commission's meetings. Since they are not required, the Commission will not act on them.

The Commission heard from the following witnesses regarding a history and overview of Act 250 and land use planning in Vermont: Mr. Adler; Chair Snelling and Greg Boulbol, General Counsel, Natural Resources Board; and Ms. Murray.

The Commission next heard testimony on a report from an executive branch working group on Act 250. Chair Snelling and Secretary Moore overviewed the report and William Coster, Director of Planning for the Agency of Natural Resources (ANR), provided more detailed testimony on the report and answered questions. Secretaries Flynn, Schirling and

Tebbetts were also present for this testimony. Commission members requested the following in response to the testimony:

- Analysis of whether the exemption of farming from Act 250 contributed to lake pollution
- Information from the Governor’s Climate Action Commission on the question of updating Act 250 to address climate change
- Examples of and statistics on alleged misuse of the Act 250 process by competitors of proposed projects
- Examples of and statistics on “tactical appeals”
- More information on the concept of “resource-based” jurisdiction for Act 250
- Analysis of moving the regulation of wind turbines on ridgelines from the Public Utility Commission to Act 250

The Commission then discussed presentations by the Advisors to be made at the next meeting, including what the presentations might address and how the meeting would be structured. Several of the Advisors made suggestions. Rep. Sheldon indicated that she would confer with Vice Chair Pearson following the meeting and more specific direction would be provided to the Advisors.

The Commission heard public comment from the following witnesses: Bruce Post, A.J. Wasserman, and Lyle Jepson.

The Commission adjourned at approximately 3:45 p.m. The next meeting of the Commission is on November 15, 2017, starting at 10:00 a.m. in Room 11 of the State House in Montpelier.

Respectfully submitted,

Aaron Adler
Legislative Counsel