



vermont affordable housing coalition

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VIA EMAIL

June 17, 2020

Senator Chris Bray, Chair

Senate Natural Resources & Energy Committee

Sen. Michael Sirotkin, Chair

Senate Economic Development, Housing & General Affairs Committee

State House

115 State Street

Montpelier, VT 05633

RE: S.237; Sen. Natural Resources Proposed Changes

Dear Senators Bray and Sirotkin:

We understand that the Senate Natural Resources and Energy Committee is looking to amend S.237 to eliminate Sec. 2(b). ***We strongly and respectfully urge you to retain the affordability and inclusivity provisions that were part of the Senate Economic Development Committee's version of the bill.***

As you know, the Vermont Affordable Housing Coalition (VAHC) is a statewide membership organization dedicated to ensuring that all Vermonters have safe, decent, and affordable housing, especially seniors, low-income and people with disabilities. Our 90-plus organizational members, representing nonprofit housing developers, homeless shelters and service providers, public housing authorities, community action agencies, regional planners, public and private funders, and housing, disability and tenants' rights advocates, among others, provide housing and services to tens of thousands of Vermonters.

The proposal to strike the Inclusive Development provisions of Section 2 (and related Sections 3 and 4) and replace it with the requirement that the Department of Housing and Community Development produce a report ***betrays the intent of the original bill*** and would have a ***disproportionate impact on low-income residents, people of color, and those in other federally and state protected classes.***

There is already a wealth of data on how restrictive zoning and outdated land-use regulations can suppress housing supply, drive up housing costs, and widen racial and economic disparities. The benefits of reducing minimum lot size (related to water/sewer capacity), allowing duplexes to go

through the same review as single-family homes, and loosening parking requirements – all included in the original language of Section 2 – are widely accepted planning measures that reduce administrative and regulatory burden while increasing affordable housing.

This is not a time to mandate yet another report; it is a time to act! You have the opportunity to increase housing access for all Vermonters, strengthen our communities, and protect the most vulnerable. The Sec. 2(b) provisions were developed in consultation with for- and non-profit housing developers, planners, and the affordable housing community and are in line with the findings and recommendations of the Zoning for Great Neighborhoods program.

Moreover, any incentives related to increasing housing in and around our downtowns and village centers must include assurances that at least some of the homes will be accessible to a wide range of incomes and backgrounds. Otherwise there is a disparate impact on people in protected classes who have low income by limiting their housing options. This reinforces historic patterns of segregation and discrimination.

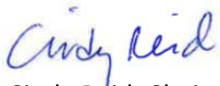
These requirements are not intended to create hardship for municipalities. ***Any municipality that is unable to meet the Inclusive Development requirements may opt out*** by filing a “Substantial Municipal Constraint Report” with the Department of Housing and Community Development.

Please consider the impacts of any changes to Chapter 117 and Act 250 on housing affordability in the context of economic vitality, impact on housing supply, and inclusivity. In addition to protections from discrimination, the Fair Housing Act of 1968 requires communities to take steps to undo the patterns of segregation and discriminatory practices created by federal housing policy. The Coronavirus pandemic has revealed further deficiencies in our housing infrastructure. Especially now, as the light is shining bright on systemic racism, on the important role that housing plays in individual, household, and community health, and on the disproportionate impact of local regulations on black, indigenous, people of color, low-income households, and others in protected classes, we need to ensure that all actions be taken through the lens of preserving and creating affordable housing opportunities, to strengthen our communities and protect the most vulnerable.

Lastly, we understand that there may be an effort to further amend S.237 to include a racial justice and equity component applicable to Chapter 117, parallel to the racial justice and equity provision applicable to Act 250 in H.926, Section 11. We would strongly support such language and would be happy to work with Legislative Council on crafting it.

Thank you for your consideration and the opportunity to comment.

On behalf of the VAHC Steering Committee,



Cindy Reid, Chair

cc: Senate President Pro Tem Tim Ashe
Peter Sterling, Chief of Staff