



COMMON SENSE SOLUTIONS
FOR A CHANGING VERMONT

To: Senator Chris Bray, Chair, Senate Committee on Natural Resources and Energy

From: Kate McCarthy, Sustainable Communities Program Director, VNRC

Cc: Senator Michael Sirotkin, Chair, Senate Committee on Economic Development, Housing and General Affairs
Jon Groveman, Policy and Water Program Director, VNRC
Ellen Czajowski, Legislative Counsel

Date: February 27, 2020

RE: S.237 – River Corridors and Neighborhood Development Areas

In anticipation of your committee's review of S.237, An act relating to promoting affordable housing, I'm sharing testimony I presented on this bill to the Senate Committee on Economic Development, Housing, and General Affairs.

The committee was kind enough to receive and incorporate many of VNRC's suggestions about one provision in particular: **how river corridors are considered when Neighborhood Development Area (NDA) Designations are being made.** The NDA designation is one of the five state smart growth designations, and is designed to promote housing development. When established in 2012, NDAs could not allowed include flood hazard and fluvial erosion hazard areas.

The proposed changes in S.237 allow inclusion of those areas under certain circumstances. We proposed to the Senate Economic Development Committee language changes that would make the inclusion of these area acceptable from our perspective. Some were made; some were left unincorporated.

We are respectfully requesting that the remaining changes be made. They are the items highlighted in yellow on the "river corridor proposal" included with this email.

I also wish to note that S.237 contains a stand-alone Act 250 exemption that exempts Designated Downtowns and Designated NDAs from Act 250. VNRC has long advocated for a balanced approach to jurisdictional changes, and does not support these stand-alone exemptions without complementary changes to protect vulnerable natural areas from development. We have shared this position with the Committee on Economic Development as well. **We request that the stand-alone Act 250 exemption be removed.**

I am starting parental leave this week, but you may contact my colleague Jon Groveman with questions.