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H.83

Introduced by Representative Anthony of Barre City

Referred to Committee on

Date:

Subject: Conservation and development; land use; Act 250; jurisdiction;
streams; high elevation

Statement of purpose of bill as introduced: This bill proposes to extend Act
250 jurisdiction to development within 100 feet of a stream above 1,500 feet
and any subdivisions above the elevation of 2,000 feet.

An act relating to development and subdivisions above 1,500 feet

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 10 V.S.A. § 6001 is amended to read:

§ 6001. DEFINITIONS

~~In~~ As used in this chapter:

* * *

(3)(A) “Development” means each of the following:

* * *

(vi) The construction of improvements for commercial, industrial,
or residential use or for State, county, or municipal purposes above the

1 elevation of 2,500 feet or above the elevation of 1,500 feet and located within
2 100 feet of a stream.

3 * * *

4 (18) “Stream” means a current of water that is above an elevation of
5 1,500 feet above sea level or that flows at any time at a rate of less than 1.5
6 cubic feet per second.

7 (19)(A) “Subdivision” means each of the following:

8 * * *

9 (iv) A tract or tracts of land, located above the elevation of
10 2,000 feet, owned or controlled by a person, that the person has partitioned or
11 divided for the purpose of resale into two or more lots within a radius of five
12 miles of any point on any lot, or within the jurisdictional area of the same
13 District Commission, within any continuous period of five years. In
14 determining the number of lots, a lot shall be counted if any portion is within
15 five miles or within the jurisdictional area of the same District Commission.

16 * * *

17 Sec. 2. EFFECTIVE DATE

18 This act shall take effect on July 1, 2021.