

SNRE Strike all amendment summary
S.234 An Act relating to changes to Act 250
13 February 2022

Sec.	Citation	Summary	Decisions
Municipal Zoning			
1	24 V.S.A. § 2793e (H.511)	This section would allow multiple towns to file joint applications for Neighborhood Development Areas (NDAs). It allows NDAs to include areas in flood hazard areas if they are suitable for infill development as defined under ANR’s rule. If the NDA does include flood hazard areas, the local bylaws must contain provisions consistent with ANR’s model Flood Hazard and River Corridor bylaws. It strikes the requirement that NDAs to have either a municipal sewer or an approved community or alternative wastewater system. It requires that an NDA have a density of 4 residential units of any kind within its zoning districts.	Should all of these provisions stay in the bill?
2	24 V.S.A. § 2793b (H.511)	It requires that a New Town Center have a density of 4 residential units of any kind within its zoning districts.	Should this stay in the bill?
3	24 V.S.A. § 4449 (H.511)	No municipal land use permit for a site plan or conditional use shall expire in less than two years.	Should this stay in the bill?
Act 250			
4	10 V.S.A. § 6001 (H.511)	Raises cap on number of PHPs that can be exempt from Act 250 in small towns from 25 to 50 units Updates definitions of: “flood hazard area,” “river corridor,” “mixed income housing”	Should both of these provisions stay in the bill?
5	10 V.S.A. § 6086 (H.511)	Updates Criterion 1(D) to use the ANR definitions	Should this stay in the bill?
Municipal Response to Act 250 Requests			
6	10 V.S.A. 6086(g)	Requires towns to respond to requests from Act 250 applicants within 90 days or the application shall be deemed to have no impact under criteria 6&7	Should this stay in the bill?

<i>Forest Blocks</i>			
7	10 V.S.A. § 6001	Adds definitions related to forest blocks and connecting habitat to be used in criterion 8C	Should this stay in the bill? Are these the definitions that should be used? Should the definition of “fragmentation” be removed since it is not used in the bill?
8	10 V.S.A. § 6086(a)(8)	Adds new criterion to Act 250- 8C which requires applicants to not cause undue adverse impacts to forest blocks and connecting habitats	Should this stay in the bill? Is this the language that should be used for the new criterion or should the language from H.233 be used?
9		Rulemaking for new Criterion 8C- forest blocks and connecting habitat	Should this stay in the bill?
10	10 V.S.A. § 127	Requires ANR to map forest blocks and to establish procedures for updating maps.	Should this stay in the bill?
11	10 V.S.A. § 6001	Puts the “Road Rule” into statute. Requires roads, as defined, to get an Act 250 permit	Should this stay in the bill? What length of road should trigger Act 250 jurisdiction?
Wood Product Manufacturers			
12	10 V.S.A. § 6001	Definitions for Wood Product Manufacturers	Should this stay in the bill?
13	10 V.S.A. § 6086(c)	Permit conditions for Wood Product Manufacturers	Should this stay in the bill?
Jurisdiction in 1-acre towns			
14	10 V.S.A. § 6001	Amends the language to make the jurisdictional trigger for 1-acre towns identical to the language for 10-acre towns	Is this necessary in light of Supreme Court overturning its original ruling in the Snowstone case?

Prime Agricultural Soils			
15	10 V.S.A. § 6093 (S.278)	Removes the requirement to mitigate loss of prime ag soils if the project is a state-owned airport.	Should this stay in the bill?
Environmental Court			
16		Appropriates \$300,000 to Superior Court to hire 1 temporary Judge and 1 law clerk for the Environmental Division of the Superior Court. Uses ARPA funds.	Is this a permissible use of ARPA funds?
Reports			
17	(S.235)	Report on Act 250 Jurisdiction Over Agricultural Businesses	Should this stay in the bill?
18	(H.511)	Designated Area Report by 3 rd party consultant- \$150,000 to DHCD to hire a consultant to make recommendations on changes to the State Designation Program and submit report by July 15, 2023.	Does language need clarification?
19		Study Committee on Natural Resources Board Structure. Report due on December 31, 2022.	Is this necessary? If so, is more time needed?
20		Effective Dates- July 1, 2022, Except- Sec. 15 takes effect on passage	