

1 S.100

2 Representatives Sheldon of Middlebury, Sibiliala of Dover, Bongartz of
3 Manchester, Clifford of Rutland City, Morris of Springfield, Patt of Worcester,
4 Satcowitz of Randolph, Smith of Derby, Stebbins of Burlington, and Torre of
5 Moretown move that the House propose to the Senate that the bill be amended
6 as follows:

7 First: By striking out Secs. 6 and 6a in their entireties and inserting in lieu
8 thereof the following:

9 Sec. 6. 24 V.S.A. § 4465 is amended to read:

10 § 4465. APPEALS OF DECISIONS OF THE ADMINISTRATIVE OFFICER

11 (a) An interested person may appeal any decision or act taken by the
12 administrative officer in any municipality by filing a notice of appeal with the
13 secretary of the board of adjustment or development review board of that
14 municipality or with the clerk of that municipality if no such secretary has been
15 elected. This notice of appeal must be filed within 15 days ~~of~~ following the
16 date of that decision or act, and a copy of the notice of appeal shall be filed
17 with the administrative officer.

18 (b) ~~For the purposes of~~ As used in this chapter, an “interested person”
19 means any one of the following:

20 (1) A person owning title to property, or a municipality or solid waste
21 management district empowered to condemn it or an interest in it, affected by a

1 bylaw, who alleges that the bylaw imposes on the property unreasonable or
2 inappropriate restrictions of present or potential use under the particular
3 circumstances of the case.

4 (2) The municipality that has a plan or a bylaw at issue in an appeal
5 brought under this chapter or any municipality that adjoins that municipality.

6 (3) A person owning or occupying property in the immediate
7 neighborhood of a property that is the subject of any decision or act taken
8 under this chapter, who can demonstrate a physical or environmental impact on
9 the person's interest under the criteria reviewed, and who alleges that the
10 decision or act, if confirmed, will not be in accord with the policies, purposes,
11 or terms of the plan or bylaw of that municipality.

12 (4) Any ~~ten~~ 10 persons who may be any combination of voters,
13 residents, or real property owners within a municipality listed in subdivision
14 (2) of this subsection who, by signed petition to the appropriate municipal
15 panel of a municipality, the plan or a bylaw of which is at issue in any appeal
16 brought under this title, allege that any relief requested by a person under this
17 title, if granted, will not be in accord with the policies, purposes, or terms of
18 the plan or bylaw of that municipality. This petition to the appropriate
19 municipal panel must designate one person to serve as the representative of the
20 petitioners regarding all matters related to the appeal. For purposes of this

1 subdivision, an appeal shall not include the character of the area affected if the
2 project has a residential component that includes affordable housing.

3 (5) Any department and administrative subdivision of this State owning
4 property or any interest in property within a municipality listed in subdivision
5 (2) of this subsection, and the Agency of Commerce and Community
6 Development of this State.

7 * * *

8 Second: In Sec. 16, 10 V.S.A. § 6001, in subdivision (3)(A), by striking out
9 subdivision (iv) in its entirety and inserting in lieu thereof the following:

10 (iv) The construction of housing projects such as cooperatives,
11 condominiums, or dwellings, or construction or maintenance of mobile homes
12 or mobile home parks, with 10 or more units, constructed or maintained on a
13 tract or tracts of land, owned or controlled by a person, within a radius of five
14 miles of any point on any involved land and within any continuous period of
15 five years. However:

16 * * *

17 Third: By adding a Sec. 19b to read as follows:

18 Sec. 19b. 10 V.S.A. § 6081(y) is added to read:

19 (y) No permit or permit amendment is required for a retail electric
20 distribution utility's rebuilding of existing electrical distribution lines and
21 related facilities to improve reliability and service to existing customers,

1 through overhead or underground lines in an existing corridor, road, or State or
2 town road right-of-way. Nothing in this section shall be interpreted to exempt
3 projects under this subsection from other required permits or the conditions on
4 lands subject to existing permits required by this section.

5 Fourth: By adding a Sec. 19c to read as follows:

6 Sec. 19c. EXEMPTION REPEAL

7 10 V.S.A. § 6081(y) is repealed on January 1, 2026.

8 Fifth: By adding a Sec. 19d to read as follows:

9 Sec. 19d. ELECTRIC DISTRIBUTION UTILITY PROJECT REPORT

10 On or before January 15, 2024, and annually until 2026, any distribution
11 utility that takes an action exempt under 10 V.S.A. § 6081(y) shall report to the
12 House Committee on Environment and Energy and the Senate Committees on
13 Finance and on Natural Resources and Energy on the projects completed
14 pursuant to that exemption in the preceding year. The report shall address: the
15 location of the projects, including whether it is located in a “1-acre town” or a
16 “10-acre town”; how many customers are affected by the project; whether the
17 project involved lines being hardened in place, buried underground, or
18 relocated to the right-of-way; how many poles were removed and how many
19 poles were set; and what permits the projects were required to receive.