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April 25, 2023

Representative Amy Sheldon, Chair  
House Committee on Environment and Energy  
Vermont State House  
115 State Street  
Montpelier, VT 05633

RE: S.100 Supplemental Testimony

Dear Chair Sheldon and members of the Committee,

Vermont Association of Planning and Development Agencies (the state association for Vermont's regional planning commissions) submits the following testimony to supplement our original testimony submitted on April 19, 2023.

The intent of this supplemental testimony is to reiterate the importance of several sections of S.100 and their significance in addressing Vermont's housing crisis.

VAPDA members participated in the working group that drafted H.68. That bill, and S.100, introduce incremental changes to municipal and state law that will achieve the statutory goal "to ensure the availability of safe and affordable housing for all Vermonters." These statutory changes will also help to further Vermont's core land use goal to "plan development so as to maintain historic settlement pattern of compact village and urban centers separated by rural countryside" and the requirement to reduce carbon emissions per the Global Warming Solutions Act.

The following are key provisions of the S.100 that must be retained for the bill to have its intended impact:

1. **Section 1 – Zoning; Permissible Types of Regulations.** Municipal minimum parking standards do not accurately predict parking need and excessive standards are an expensive barrier to housing development in villages and downtowns. Under S.100, the property owner/developer can provide more, if desired. This is considered a best practice in professional planning.
2. **Section 2 – Required Provisions and Prohibited Effects.** This section includes two vital changes:

**Duplex.** The duplex by-right provision in 4412 1(D) ensures that Vermont municipalities of

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all sizes (including rural municipalities) will have the opportunity to contribute to solving Vermont's housing crisis. Duplexes provide prospective homeowners and renters with additional housing choice. Duplexes, as a building type, do not threaten the character of rural Vermont. The primary threat to the character of Vermont's rural countryside is poor municipal subdivision standards that do not adequately protect rural and working lands for agriculture and forestry.

**Density.** Requiring four or five dwelling units per acre in areas served by municipal sewer and water infrastructure (12) represents an incremental change for some municipalities. This change, over time, will result in denser housing development that could support limited public transit service and walkable neighborhoods. It is anticipated that most municipalities will choose to achieve this standard by enabling single-household dwellings on 1/5 acre lots. Allowing well-planned density in areas served by water and sewer will relieve development pressure on Vermont's working lands.

We have one proposed change, the incorporation of H.5 into S.100. It is critically important to ensuring that regional plan future land use plans and policies can become more consistent to better support smart growth development, municipal planning and zoning, the implementation and improvement of Act 250, and other State goals.

VAPDA appreciates the opportunities to submit testimony on S.100. We urge the Committee to pass the Senate-passed version S.100, with our recommended changes (see April 19 testimony), to ease barriers to housing production and implement the smart growth strategies included in regional and municipal plans.

Please let us know if we can be of further assistance to the Committee. Thank you for your consideration.

Best regards,



Charlie Baker  
Vermont Association of Planning and Development Agencies  
Government Relations Chair