

TESTIMONY BEFORE JOINT MEETING OF SENATE COMMITTEE ON NATURAL RESOURCES AND SENATE COMMITTEE ON ECONOMIC DEVELOPMENT

WEDNESDAY, JANUARY 24, 2024

GOOD MORNING, I'M Tim Taylor. Thank You for the opportunity to speak to you about housing and its relationship to Act 250.

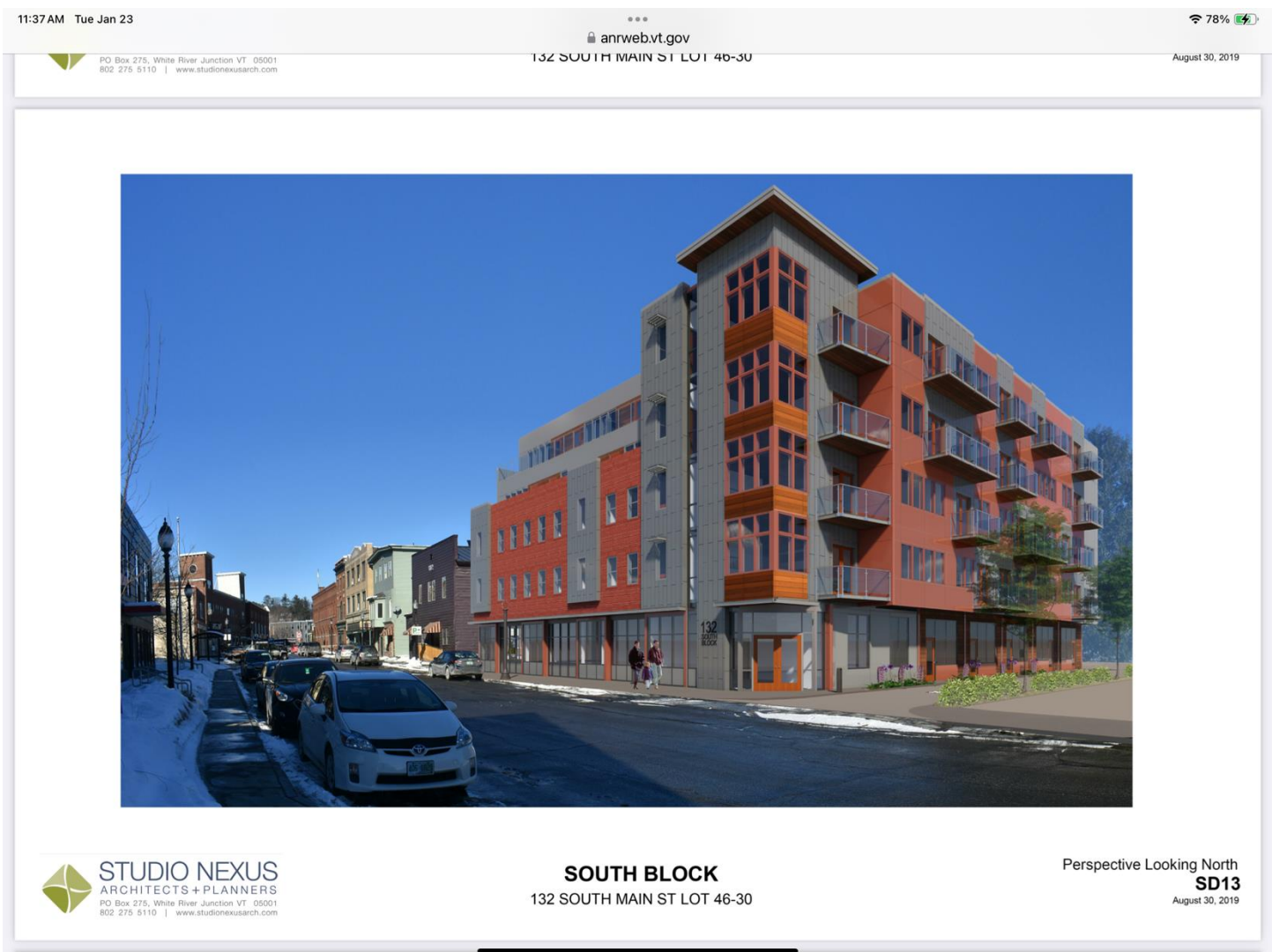
1. For those of you who might not know me I am a retired vegetable farmer, having farmed for 43 years in Post Mills Vermont with my wife Janet. Our farm, thanks to Act 250 grew to 56 acres of mixed vegetables, berries, and 20 greenhouses. Among other crops we grow, are approximately 30,000 pounds of tomatoes annually.
2. For 11 years I was the Chair of the District 3 Environmental Commission. The district includes towns as large as Hartford, 10,668 and as small as Granville, 301. District 3 includes 13 towns in Windsor County, 14 towns in Orange County and 2 towns in Addison County. Of these 29 towns 13 are so called 1-acre towns and have no statutorily approved zoning and subdivision regulations and 16 are 10-acre towns and have municipal bylaws.
3. I have served on the Town of Thetford Development Review Board for the past 20 years and am presently its Chair. We have had Zoning and subdivision bylaws since 1972.
4. And finally, for what is worth, I graduated from Vermont Law School in 1978 and clerked for Jonathan Brownell, one of the authors of Act 250.
5. **SENATOR BRAY HAS ASKED US TO EXPLAIN OUR EXPERIENCES WITH ACT 250 "OPENLY AND HONESTLY".**
6. **AS A YOUNG FARMER:**
 - a. In the 1980s in our first years as farmers, there were two different neighbors planning to build 10 and 56 units of housing next to our small, fledgling farm. The Town of Thetford and the District 3 Environmental Commission, chaired by Alice Flannery heard testimony. All of the land destined for housing was on Prime Agricultural Soils. The long and short of it was the 10 unit was denied due to a lack of clustering, no showing of been unable to build on its remaining 70 acres, and its potential impact on the farm. The developer sold us the land and developed along less important soils.
 - b. The other development was reduced from 56 units to 24 units, built in the woods. Additionally. 15 acres of what I consider to be some of the most productive soil in this country was preserved.
 - c. **Had all of these units been built, Thetford would have had to build a middle school and we would not have continued farming. We would not have fed thousands of Upper Valley**

residents, given away thousands of pounds of food to Willing Hands and hired 100s of Local teenagers to work on the farm.

- d. THIS ALL OCCURRED IN WHAT MIGHT BE CALLED A “RURAL WORKING LANDS AREA” ALONG THE EDGE OF POST MILLS, NEAR LAKE FAIRLEE.

7. AS CHAIR OF DISTRICT 3:

- a. Over the 11 years I chaired District 3, we issued over 200 permits. We denied only 10 applications. Of the 10 denials, 3 were appealed. **During the entire 11 years there were never any applications which concerned housing except a section 6086b Downtown Project, known as 132 South Main St. It is a kind of hybrid process under 10 V.S.A. Chapter 151 designed to expedite applications in “Downtown Development Districts”.**
- b. The application for 132 South Main Street was received 12/19/19. The application was deemed complete 3/02/20. The date the decision was issued was 4/02/20, 104 days after receipt of the



application. There was no hearing. The building includes 69 market rate studio apartments and 2,722 square feet of commercial space.

- c. A Twin Pines project known as Wentworth Community Housing consisting of 30 units and located in Hartford, Vermont was exempt from Act 250 because of the Priority Housing Exemption. Simpson Development Corp.’s proposal to build 192 market rate units and 48 priority housing units in Hartford, Vermont is exempt from Act 250.

- d. I am strongly in favor of permitting municipalities to apply for and receive “Planned Growth Area Designation” as proposed in H 687. This would exempt them from Act 250 review. However, I do wonder with exemption, is the impetus to provide priority housing reduced.
 - e. I am also in favor of making permanent the Act 250 jurisdictional threshold for a permit from 10 units to 25 for downtowns, neighborhood development areas, village centers with zoning and subdivision bylaws, and growth centers as long as the projects do not impact critical resource areas such as primary agricultural soils.
 - f. I strongly believe any proposed exemptions to Act 250 for building housing need to be accompanied with requirements to build a certain amount of workforce housing.
 - g. I am strongly in favor of a tiered approach to Act 250 review, and I believe H 687 as drafted by Chair Sheldon and Representative Bongartz is a step in the right direction.
8. FINALLY, AS CLIMATE CHANGE RAGES ON, WE NEED TO STRIKE A BALANCE BETWEEN BUILDING AFFORDABLE HOUSING, PROVIDING AN EQUITABLE EDUCATION, AND PRESERVING LAND TO FEED THOSE WHO LIVE IN THOSE HOMES AND THE CHILDREN THAT ATTEND THOSE SCHOOLS.