



# IMPACTS OF ACT 250 REQUIREMENTS ON EXISTING MOBILE HOME PARKS

Testimony to House Committee on the Environment

April 22, 2026

## NONPROFIT AND RESIDENT- OWNED PARKS

- 67 of Vermont's 238 MHCs are owned by nonprofits and cooperatives
- Nearly 3,440 low-and moderate-income households live in nonprofit and resident-owned parks
- Mostly MHCs are nonprofit-owned; 16 are resident-owned.
- If a nonprofit does not purchase a park, Cooperative Development Institute will offer assistance to residents to purchase their own park depending on the park size



“Low” and “moderate” income  
using the HUD scale:

- VT low income = 78,880 (80% of HUD median)
- VT moderate-income = 98,600 (100% of HUD median)

## ADDISON HOUSING WORKS

- Nonprofit affordable housing developer and manager providing over 800 permanently affordable homes in Addison County (covering more than 1 in 20 households in the county)
- Multifamily rental apartments, shared equity homeownership, manufactured housing communities, and programs supporting resident success (from eviction prevention to healthy aging)



## ABOUT AHW: OUR MHCS

- Nine parks with 340 lots for owner-occupied homes
- Affordable homeownership opportunities for households earning under \$50,000 annually, on average
- Serving working families, seniors, people with disabilities on fixed incomes who can't afford lot rent increases to finance infrastructure debt
- Most infrastructure dates from the 60s with minimal upgrades since the 90s—at the end of useful life and in need of reinvestment to sustain healthy housing and environmental justice

## MHP TECHNICAL ASSISTANCE PROVIDERS

- CommonLand Solutions, Liz Curry has 30 years of experience underwriting and developing affordable housing; consulting since 2020 with co-op parks to redevelop infrastructure. Working on three parks, two of which have adverse Act 250 Jurisdictional Opinions
- CDI created Water Infrastructure Support Program (WISP) with USDA Technical Assistance grant to assist co-op and nonprofit parks with infrastructure redevelopment. Working with 27 parks; one already paid \$20,000 for Act 250 permit; two more will need Act 250 permits

PRESSING INFRASTRUCTURE  
REDEVELOPMENT NEEDS  
TO ADVANCE MHC  
MODERNIZATION &  
HABITABILITY

Nonprofits and co-op parks inherited millions of dollars of infrastructure problems after purchasing parks to preserve them as a critical affordable housing resource (leaking distribution system, failing pumps, aging septic systems)

***2019 VHCB report estimates 25% of VT MHCs have needs of \$250K-\$3MM each***

To fund infrastructure recapitalization, nonprofits and CDI use multiple federal funding sources through the Department of Environmental Conservation and the Department of Housing & Community Development

Parks require extensive engineering studies and design, then undergo a rigorous State permitting process

All federal grants and loans for capital projects require an Environmental Review to comply with the National Environmental Protection Act (NEPA).

NEPA review has 18 criteria that replicate 18 of the Act 250 criteria that apply to existing developments and ensure additional environmental protection (e.g. contaminants)

State permitting involves reviews by all relevant DEC staff, e.g. wetlands, RTE, soils/slopes, streams.

## EXISTING FEDERAL AND STATE PERMITTING REQUIREMENTS

IMPACTS OF ACT 250  
LAND USE PERMITTING

LINDALE EXAMPLE

Lindale community wastewater system serving existing 67 households completed in 2024

Went through multiple federal environmental reviews:

- Finding of No Significant Impact (FONSI) from Rural Development

- Additional reviews for EPA STAG funding and state SRF programs

Additional required a JO that determined a minor amendment was necessary for existing Act 250 permit; added project cost, risk, and time and did not identify any additional impacts not covered by NEPA

IMPACTS OF ACT 250  
LAND USE PERMITTING  
WINDY HOLLOW, CASTLETON  
EXAMPLE

Windy Hollow's existing drinking water system serves 44 households

Engineering designs just completed for USDA-funded water system;  
State permit review is underway; received permitting staff comments

Went through multiple federal environmental reviews – both  
determined that the park is:

“Categorically Excluded” under the NEPA review, which means the  
projects will not have adverse environmental impacts

State permit staff determined replacement project requires no  
wetlands permit; there are no impaired streams impacted;  
construction permit will have erosion controls; and Rare, Threatened,  
Endangered Species staff satisfied with no tree cutting between April  
1 – Oct 1

Nonetheless, the District Coordinator stated that the project has  
“*potential*” adverse impacts on wetlands, streams, erosion, and RTE

Park residents do not have funds to pay for an Act 250 permit;

Act 250 permit process would delay bidding by a year, while the park  
has contended with leaking pipes, broken water pumps, and boil  
water notices since buying the park in 2017

IMPACTS OF ACT 250  
LAND USE PERMITTING

WINDY HOLLOW, CASTLETON  
EXAMPLE

Windy Hollow is also trying to comply with the 3-Acre Rule

District Coordinator gave an adverse determination that the stormwater infrastructure will also need an Act 250 permit

Revised the request for the Act 250 Jurisdictional Opinion to separate the two projects

Appealing the adverse JO for the water system – legal costs are likely lower than permit costs

Delaying stormwater infrastructure

## REQUEST FOR S.325 LANGUAGE

Exempt MHCs from Act 250 when replacing existing infrastructure *in-kind* if federal NEPA review already approved by State agency

Make existing MHCs automatically eligible for Tier 1B designation in towns that opt in

## 2. CATEGORICALLY INCLUDE EXISTING MHCS IN TIER 1B ELIGIBILITY CRITERIA

Existing MHCs by nature, have patterns of dense residential development with infrastructure

Some parks have land that can accommodate additional homes. Adding lots would increase the availability of workforce housing. NEPA reviews demonstrate “no adverse impacts” on the land. State and local zoning and infrastructure permitting address Act 250 criteria too.

Removing duplicative/triplicate permitting removes cost and capacity barriers to park redevelopment and creation of more affordable homes

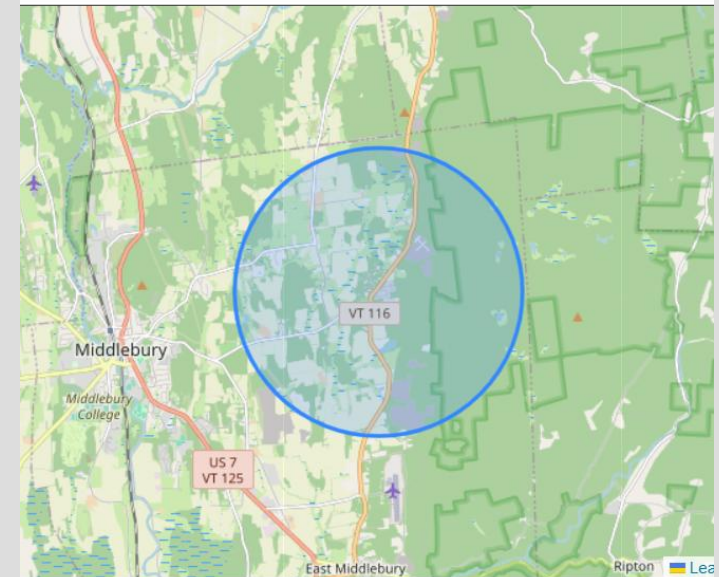
# LINDALE EXPANSION OPPORTUNITY

- Lindale is a residential node but does not meet IB eligibility criteria due to lack of commercial development
- By comparison, a similar circle drawn around the town of Shoreham only encompasses a population of 428.
- Lindale has surplus wastewater capacity that could serve an additional 40+ households, and zoning yield for an additional 17
- AHW has less than 1 FTE available to manage infrastructure projects, and a dearth of available engineers and consultants means every additional permitting step in the development pathway makes a project materially less likely to advance

## POPULATION AROUND A POINT.

Human population within a distance, from any point in the world.

Select a radius and click on the map.



circle in 2025:

**787**