

May 12, 2026

Legislative Committee on Administrative Rules
115 State Street
Montpelier, Vermont 05633

Re: Written Testimony on Proposed Wetland Rules Changes

Dear Representative Squirrel and Members of LCAR,

I am writing regarding the proposed changes to the wetland rules that originated from the Governor's Executive Order this past fall.

I am the President and CEO of O'Brien Brothers, a 68-year-old family-owned homebuilding, real estate development, and property management company based in South Burlington. We have a long and well-documented history of community-minded development - whether through our role as one of the larger private developers and operators of affordable housing in Vermont, the creation of hundreds of thousands of square feet of commercial incubator space that has allowed countless businesses to start and scale, or through the development of Hillside East at O'Brien Farm, the first - and ongoing - 100% carbon-free, climate-resilient residential community in the State of Vermont.

We do not believe that creating housing and economic opportunity and acting as responsible stewards of the environment are mutually exclusive goals. It is with that mindset that I write today.

Over the last several years, we have worked closely with the Town of Shelburne and the broader community to arrive at a pre-development agreement for up to 375 homes on our approximately 200-acre property adjacent to the village center. As part of that agreement, we committed to the same style of carbon-free, climate-resilient development that we have successfully implemented at our 155-home South Burlington community.

In addition, we have committed to permanently conserving approximately 60% of the property, including more than 40% as contiguous, ecologically significant conservation land along the banks of the LaPlatte River. We are intentionally pursuing clustered development patterns to preserve larger uninterrupted natural areas while simultaneously reducing unnecessary infrastructure costs and environmental disturbance. That approach not only provides meaningful ecological benefits, but also helps lower the overall cost of development and, by extension, the cost of housing itself.

If Vermont truly wants to incentivize smart-growth and clustered development patterns, then our policies should focus on maximizing the efficient use of land that is already appropriate for development while prioritizing the protection of wetlands with meaningful functional and

ecological value. Several of the proposed wetland rule changes, in my opinion, help advance those goals in a balanced and thoughtful way:

- Allowing housing as an approved use in select unmapped Class II wetlands within designated growth areas, reducing unnecessary barriers in locations where environmental review and infrastructure planning are already in place
- Allowing wetlands categorized solely by size - but found to have limited functional value - to revert to Class III status where appropriate
- Providing greater flexibility within buffer zones where existing infrastructure already exists, making compact and infill development more feasible while helping reduce per-unit housing costs
- Streamlining permitting timelines by removing the “reconsideration” step, creating greater predictability and efficiency within the housing approval process
- Clarifying mapping and regulatory processes so developers, municipalities, and residents have greater certainty and can avoid delays associated with seasonal delineation requirements
- Supporting smart-growth planning and attainable housing goals by incentivizing density where infrastructure already exists, thereby reducing sprawl and minimizing broader environmental impacts

Importantly, the proposed reduction in certain wetland buffer requirements, along with the removal of Categorical Class II designations for wetlands with limited or negligible functional value, can have a very real and positive impact on the creation of additional and more reasonably priced housing in Vermont. In situations where the environmental benefits provided are limited, those impacts should be thoughtfully weighed against the state’s urgent need for more housing supply and improved housing affordability. Particularly within designated growth areas served by existing infrastructure, preserving flexibility in how land can be utilized is critical if we hope to meaningfully address Vermont’s housing shortage.

I appreciate the thoughtful work that LCAR and the Legislature are undertaking to balance the protection of Vermont’s natural resources with the very real need to make Vermont a place where people can continue to live, work, and raise families. I believe it is possible - and necessary - to accomplish both.

Thank you for your consideration.

Sincerely,

Evan Langfeldt
President & CEO
O’Brien Brothers