



115 STATE STREET  
MONTPELIER, VT 05633-5201

**THOMAS I. CHITTENDEN**  
VERMONT STATE SENATOR

PHONE: (802) 233-1913  
TCHITTENDEN@LEG.STATE.VT.US



March 25<sup>th</sup>, 2025

Honorable Members of the Senate Natural Resources and Energy Committee,

This testimony is offered for the rational inspiring S.24 – An act relating to stormwater management.

Constituents across my district from South Burlington, Shelburne, Richmond, Williston and from around the state have reached out over the past 8 months because they are getting very scary letters from the Department of Environmental Conservation regarding expired stormwater permits.

Our constituents are being asked to solve problems they don't understand with resources they don't have using common land that doesn't exist on impossible time frames. They are from neighborhood developments that were built under different rules that didn't require the formation of an association creating impossible situations where they can't coordinate with all of the individual landowners of the properties that were included in the original stormwater permit issued decades ago.

These are not wealthy developers; these are homeowners, families, and individuals who received letters demanding they rectify stormwater issues stemming from permits issued decades ago. These permits were granted under regulations vastly different from those in place today. They are being asked to solve complex engineering problems, navigate intricate regulatory landscapes, and fund substantial infrastructure upgrades – all without the necessary expertise, resources, or even a clear understanding of the original permits. This leaves residents in an impossible situation: how can they coordinate and implement solutions across multiple individual properties? They are being asked to do the impossible.

The core of the issue is the perceived inequity. My constituents rightly point out that these demands are being levied solely on properties that triggered stormwater permits under the three acre rule passed into statute about seven years ago. This runs contrary to 'All In' principle of stormwater management, where everyone is expected to contribute to solutions. It is fostering resentment and division within communities, pitting neighbor against neighbor.

Municipalities, understandably, are hesitant to assume liability by filing incomplete applications on behalf of these fragmented neighborhoods. They recognize the inherent complexity and the potential for long-term financial burdens and are being advised by municipal lawyers that their assistance to their residents will assume the liability of these stormwater mandates.

The emotional toll is significant. At a South Burlington meeting, a resident poignantly compared this situation to a school district asking students to design the curriculum. At a Richmond meeting, a resident broke down in tears, overwhelmed by the stress this adds to their already strained finances.

Residents in Shelburne are pleading for legislative intervention to empower municipalities to take stewardship of these necessary improvements. They understand their responsibility to contribute, but they also recognize the impossibility of the current demands. They believe that cities and towns, with their existing infrastructure and expertise, are far better equipped to manage these complex, multi-year projects that span property lines.

S. 24 is an attempt to bring relief to our constituents wanting to do their part to clean our waterways in a fair, rational and resource conscious way.

This bill proposes to amend requirements related to the permitting of stormwater systems in the State by extending the deadline by which owners of impervious surface subject to the three-acre impervious surface permit must complete permitting. This bill also would allow municipalities that assume full legal responsibility for a stormwater system to assess municipal impact fees on users of the stormwater system. In addition, the bill extends from July 1, 2027 to July 1, 2036 the assessment of the 0.22 percent clean water surcharge on the property transfer tax. The bill also would establish the Local Community Implementation Special Fund to provide grants to municipalities to assist in the stormwater permitting of residential subdivisions or orphan systems in the State.

I ask this committee to take action on our Stormwater mandates to give relief to Vermont homeowners being asked to do the impossible.

Sincerely,



---

Thomas Chittenden  
State Senator  
Chittenden Southeast Senate District  
m. 802.233.1913