



# LAND USE REVIEW BOARD PREAPPLICATION RESPONSE

State of Vermont  
Land Use Review Board  
10 Baldwin Street  
Montpelier, VT 05633-3201  
<https://act250.vermont.gov/>

## SENT VIA EMAIL ONLY

March 30, 2026

Addison County Regional Planning Commission  
Attn: Adam Lougee, Executive Director, [alougee@acrpc.org](mailto:alougee@acrpc.org)

## Re: Addison County Regional Planning Commission Preapplication Response

Dear Adam:

The Land Use Review Board has completed its preapplication review of the Addison County Regional Planning Commission's (ACRPC) Preapplication that was deemed complete on January 28, 2026. A meeting and site visit were held on February 17, 2026. Separately, the Board requested comments from our state partners and the public. Copies of those comments can be found on the database:  
<https://anrweb.vt.gov/ANR/Act250/RPDetail.aspx?AppNum=RPC01-0001>

The Board's preapplication review does not encompass or reflect its position with respect to comments received. The comments received are provided for ACRPC's information and consideration for potential revisions to its draft plan or Tier 1B requests, as it may elect. When the plan is finalized and submitted for Board approval, the Board will consider "objector" comments, if any, during the adopted plan review process.

### I. BOARD REVIEW

The purpose of the preapplication process is for the Board to: (1) coordinate comment on the ACRPC's draft regional plan from all interested agencies and entities, (2) provide a preliminary assessment as to whether the draft regional plan is in conformance with 24 V.S.A. §§ 4302, 4348a, 5803, and 5804. 24 V.S.A. § 4348(b), (3) provide a preliminary assessment as to whether the draft regional plan is consistent with the purposes 24 V.S.A. § 4347. 24 V.S.A. § 4348(h)(4)(B), and (4) to provide preliminary assessment as to whether any Tier 1B status request meets the requirements of 10 V.S.A. § 6033(c) and 24 V.S.A. § 4348a(a)(12)(A)-(C).

This preapplication response addresses the statutory standards and identifies areas where the: (1) the draft plan appears to comply, (2) the draft plan appears deficient and likely needs revision to comply, or (3) additional information will likely be necessary for the Board to make a determination of compliance. If the ACRPC disagrees with a

negative assessment, the Board will need additional information about why the ACRPC believes the statutory standard is met. Such additional information should be included with the adopted regional plan application. This response includes optional recommendations of the Board that the ACRPC may choose to address within the adopted regional plan.

**This preapplication response is advisory only and does not guarantee an affirmative determination when the adopted plan or Tier 1B status request is submitted pursuant to Section 1.200 of the Board's *Regional Planning Commission Application Guidelines*.**

**A. Further the State Planning Goals 24 V.S.A. § 4302**

The Board has reviewed the ACRPC draft regional plan ("draft plan") to determine if it furthers the goals of 24 V.S.A. § 4302.

1. Conformance with 24 V.S.A. § 4302(a)

**Board Response:**

The draft plan supports development of land in the State, through municipalities and regions, in a manner that promotes public health, safety, welfare, comfort, and prosperity. It seeks to reduce property tax burdens on open and working lands; encourages renewable energy resource development; addresses traffic congestion; and supports growth in communities to create an optimum natural, built, and cultural environment, and plans for the prevention of negative impacts of growth.

**The draft plan appears to adequately consider and reflect the general purposes of 24 V.S.A. § 4302(a).**

2. Conformance with 24 V.S.A. § 4302(b)

**Board Response:**

The draft plan emphasizes and reflects robust and meaningful community engagement and outlines a comprehensive planning process that integrates various levels of governance, promoting efficiency and reducing conflicts. The draft plan reflects support for citizen participation at all levels of the planning process, to assure that decisions are made at the most local level possible. It establishes a policy framework and implementation strategy to guide municipal and regional decision-making, aligning with state priorities while reflecting regional and municipal conditions. The draft plan assesses the environmental, economic, and social impacts of development, encouraging growth in designated areas and protection of working lands and natural resources. The draft plan promotes collaboration among municipalities through regional partnerships, shared services, and coordinated planning on issues such as transportation, water quality, high-speed broadband, and education.

**The draft plan appears to reflect furtherance of the goals listed in 24 V.S.A. § 4302(b).**

3. Conformance with 24 V.S.A. § 4302(c)

The draft regional plan must further the fifteen goals of 24 V.S.A. 4302(c).

**Goal 1:**

The first goal is to plan development that maintains “the historic settlement pattern of compact village and urban centers separated by rural countryside.

- (A) Intensive residential development should be encouraged primarily in downtown centers, village centers, planned growth areas, and village areas as described in section 4348a of this title, and strip development along highways should be avoided. These areas should be planned so as to accommodate a substantial majority of housing needed to reach the housing targets developed for each region pursuant to subdivision 4348a(a)(9) of this title.
- (B) Economic growth should be encouraged in locally and regionally designated growth areas, employed to revitalize existing village and urban centers, or both.
- (C) Public investments, including the construction or expansion of infrastructure, should reinforce the planned growth patterns of the area.
- (D) Development should be undertaken in accordance with smart growth principles as defined in subdivision 2791(13) of this title.”

24 V.S.A. § 4302(c)(1).

**Board Response:**

The draft plan includes a future land use chapter (Chapter 8 “Future Land Use”) which encourages residential and other types of development in downtown and village centers, planned growth areas, and village areas. It encourages growth in both legacy and new designated areas, promoting investment in public infrastructure near these centers. The draft plan aims to maintain historic settlement patterns by guiding growth into center and enterprise areas outside floodplains, protecting natural landscapes, and promoting sustainability.

Detailed goals, objectives and actions include:

- that sixty percent of the 2030 housing targets be built within the growth areas of the region’s municipalities;

- support for concentration of residential and commercial development in designated downtowns, village centers, and growth areas in accordance with smart growth principles;
- investment in public infrastructure that reinforces and supports compact settlement patterns in growth areas and villages;
- protection of rural agricultural lands, forest lands, and natural areas;
- strengthening the connection between growth centers and the working landscape, and support for agricultural and forestry operations through policies that maintain the economic viability and integrity of working lands;
- detailed steps that support and encourage specific objectives, ensuring that development aligns with environmental limitations, and encouraging higher densities in center areas while discouraging strip development along transportation corridors.

Elements (A) to (D) of 24 V.S.A. § 4302(c)(1) are addressed in the Introduction Summary pages; Natural Resources Chapter 1, pages 1-35; Population and Housing Chapter 5, pages 1-31; Economic Development Chapter 6, pages 1- 15; and Future Land Use Chapter 8, pages 5-14. Goals, objectives and actions to address elements (A) to (D) of 24 V.S.A. § 4302(c)(1) are further summarized on pages 8 and 9 of the Summary: Regional Plan Approval Criteria for ACRPC (Exhibit 016).

**The draft plan appears to be consistent with Goal 1. See the section on the future land use element requirement (page 35 of this response) for related comments and recommendations.**

### **Goal 2:**

The second goal requires the plan “[t]o provide a strong and diverse economy that provides satisfying and rewarding job opportunities and that maintains high environmental standards, and to expand economic opportunities in areas with high unemployment or low per capita incomes.” 24 V.S.A. § 4302(c)(2).

### **Board Response:**

The draft plan includes an economic development chapter (Chapter 6 “Economic Development”) which promotes a diverse economy and enhances local employment opportunities by supporting existing employment centers and business growth in designated areas. Detailed goals, objectives and actions in the draft plan support a robust and expanding labor force in all sectors for hiring locally and equitably for positions at every level; positive growth in small businesses, sales and tax receipts; robust and resilient infrastructure; and high quality of life to help ensure location and retention of industry and talent.

This goal is addressed on page 6 of the Introduction Summary; Economic Development Chapter 6, pages 1-15; Future Land Use Chapter 8, page 14; Natural Resources

Chapter 1, pages 31-32, and the Economic Development Appendix. Goals, objectives, and actions to address this goal are further summarized on page 10 of the Summary: Regional Plan Approval Criteria for ACRPC (Exhibit 016).

**The draft plan appears to be consistent with Goal 2.**

**Advisory Recommendations:**

- Consider revising the Economic Development chapter (Chapter 6) to incorporate throughout the chapter as relevant the economic development vision and implementation plan presented in the Economic Development Appendix.
- Consider more description of existing regional employment sectors and projected needs by sector .
- Consider more clearly identifying ACEDC's role in the economic development objectives and actions detailed in the Economic Development Chapter and Appendix.
- Consider revising the Economic Development Chapter to describe how the CEDS relates to goals, objectives, and actions presented at the end of the chapter and in the Economic Development Appendix.
- Remove editorial comments from pages 3 and 4 of the Economic Development Appendix.
- The job analytics in Figure 5 on page 5 of the Economic Development chapter are taken from UVM data and appear to be county specific; however, this should be clarified in the figure itself and not just in the figure data sources at the end of the chapter.

**Goal 3:**

The third goal requires the plan to “[t]o broaden access to educational and vocational training opportunities sufficient to ensure the full realization of the abilities of all Vermonters.” 24 V.S.A. § 4302(c)(3).

**Board Response:**

The draft plan includes an economic development chapter (Chapter 6 “Economic Development”) which includes the following objective and actions:

*Ensure local residents have access to responsive, high-quality workforce training aligned with employer needs, through strong partnerships with regional training providers.*

*a. Collaborate with workforce development partners to support employer-informed training initiatives, facilitate connections through existing networks like Addison County Workforce Alliance (ACWA)*

*b. Advocate for sustained investment in vocational and technical education infrastructure*

The draft plan (Chapter 4, “Community Infrastructure”) promotes the importance and support for access to reliable communications infrastructure, particularly high-speed internet, to enable students to access educational resources. The draft plan supports robust, reliable, and affordable broadband and communications systems access to support educational services and to meet workforce needs.

Chapter 4 also outlines support for broad access to education and vocational training opportunities available within and to the region, which includes the Hannaford Career Center (“PAHCC”) in Middlebury. PAHCC provides a wide range of programs for high school and adult students, offering 13 technical programs and 4 foundational “pre-technical” programs. Also, Northlands Job Corps Center in Vergennes provides vocational education and training for individuals aged 16 to 24 whose educational needs are not fully met within the public school system. Vermont Adult Learning, in conjunction with the Hannaford Career Center, serves as a key partner in advancing regional workforce development.

This goal is addressed in the Introduction Summary, pages 4 and 6 and Community Infrastructure Chapter 4, pages 1-42. Goals, objectives, and actions to address this goal are further summarized on page 10 of the Summary: Regional Plan Approval Criteria for ACRPC (Exhibit 016).

**The draft plan appears to be consistent with Goal 3.**

**Advisory Recommendations:**

- Consider revising the education section in the Economic Development Chapter to reference higher educational institution and opportunities within the county.
- Consider discussion of the significant 2019/20 peak in Mount Abe High School enrollment that is illustrated in Figure 2 on page 34 of the Community Infrastructure Chapter.

**Goal 4:**

The fourth goal requires the plan “[t]o provide for safe, convenient, economic, and energy efficient transportation systems that respect the integrity of the natural environment, including public transit options and paths for pedestrians and bicyclers.” 24 V.S.A. § 4302(c)(4). As well as “[h]ighways, air, rail, and other means of transportation should be mutually supportive, balanced, and integrated.” 24 V.S.A. § 4302(c)(4)(A).

**Board Response:**

The draft plan includes a detailed transportation chapter (Transportation, Chapter 3) and a related Appendix which details specific locations and transportation system elements, with recommended actions. The draft plan focuses on safe, convenient,

economic, and energy-efficient systems that respect the natural environment. The draft plan emphasizes maintaining transportation corridors, with long-term goals for alternative modes, electrifying vehicles, and increasing energy conservation. It aims to meet greenhouse gas reduction targets by transitioning to electric vehicles and altering land use patterns to reduce daily trips, balancing immediate needs with long-range planning.

The draft plan supports a comprehensive approach to transportation, integrating highways, air, rail, and other means to be mutually supportive and balanced. It promotes economic vitality by facilitating efficient movement of people and goods, enhancing public transit options, and supporting infrastructure improvements. Safety is prioritized across all travel modes, with recommendations for roadway improvements and crash location evaluations. Energy efficiency is encouraged through reduced vehicle miles, alternative transportation modes, and electric vehicle adoption, aligning with the goal of creating a sustainable and resilient transportation system.

This goal is addressed in the Introduction Summary, page 3; Transportation Chapter 3, pages 1-26; and Energy Chapter 2, pages 20-22. Goals, objectives, and actions to address this goal are further summarized on page 11 of the Summary: Regional Plan Approval Criteria for ACRPC (Exhibit 016).

**The draft plan appears to be consistent with Goal 4.**

**Advisory Recommendations:**

- On page 8 of the Transportation Chapter note high priority scores for bridges, but not the sufficiency ratings that these are based on. Consider explaining this.
- Consider explaining that bridges less than 20 feet in length are the responsibility of municipalities.

**Goal 5:**

The fifth goal requires the plan “[t]o identify, protect, and preserve important natural and historic features of the Vermont landscape, including:

- (A) significant natural and fragile areas;
- (B) outstanding water resources, including lakes, rivers, aquifers, shorelands, and wetlands;
- (C) significant scenic roads, waterways, and views;
- (D) important historic structures, sites, or districts, archaeological sites, and archaeologically sensitive areas.”

24 V.S.A. § 4302(c)(5).

**Board Response:**

The draft plan includes a natural resources chapter (Natural Resources, Chapter 1) and a related appendix which identifies rare natural communities present in the region. The

draft plan effectively addresses the goal of identifying, protecting, and preserving important natural and historic features of the Vermont landscape. The plan emphasizes the protection of significant natural and fragile areas, such as wetlands and riparian buffers, which are crucial for maintaining water quality and providing habitat for diverse wildlife. Efforts to restore and conserve these areas are supported by initiatives like the Clean Water Service Provider program, which implements projects to reduce phosphorus loading and enhance water quality across the Otter Creek Basin.

Water resources, including lakes, rivers, and wetlands, are prioritized for conservation and restoration. The plan outlines strategies to address water quality challenges, such as nutrient loading and sedimentation, through improved land management practices and community stewardship. Monitoring programs and partnerships with organizations like the Addison County River Watch Collaborative help track water quality and support efforts to maintain clean, healthy aquatic habitats.

The plan also focuses on preserving scenic roads, waterways, and views, as well as important historic structures and sites. By encouraging clustered development and conservation-oriented land use planning, the plan aims to maintain the region's scenic character and cultural heritage. Public awareness and stewardship initiatives, along with support for local conservation efforts, are very important for safeguarding these resources for future generations.

This goal is addressed in the Introduction Summary, page 1; Natural Resources Chapter 1, pages 1-36; and Community Infrastructure Chapter 4, pages 15-16. Goals, objectives, and actions to address this goal are further summarized on pages 11 and 12 of the Summary: Regional Plan Approval Criteria for ACRPC (Exhibit 016).

**The draft plan appears to be consistent with Goal 5.**

**Advisory Recommendation:**

- The Land Use Chapter provides prehistoric and historic context but does not detail the resulting archaeological and historic resources that populate the County. Information on archaeological and historic resources can be found in the Community Infrastructure Chapter. Consider combining this information in one area to make it more wholistic and impactful.

**Goal 6:**

The sixth goal requires the plan “[t]o maintain and improve the quality of air, water, wildlife, forests, and other land resources.

- (A) Vermont’s air, water, wildlife, mineral, and land resources should be planned for use and development according to the principles set forth in 10 V.S.A. § 6086(a).

(B) Vermont's water quality should be maintained and improved according to the policies and actions developed in the basin plans established by the Secretary of Natural Resources under 10 V.S.A. § 1253.

(C) Vermont's forestlands should be managed so as to maintain and improve forest blocks and habitat connectors.

24 V.S.A. § 4302(c)(6).

### **Board Response:**

The draft plan aligns with this goal by emphasizing the maintenance and improvement of air, water, wildlife, forests, and other land resources, as follows, and as further detailed in Chapter 1, Natural Resources:

**Air, Water, Wildlife, Mineral, and Land Resources:** The draft plan incorporates principles from 10 V.S.A. § 6086(a) by promoting sustainable land use practices and resource management. It supports the wise utilization of mineral resources with minimal environmental impact and encourages sustainable agricultural and forestry practices to preserve the region's natural heritage.

**Water Quality:** The draft plan prioritizes water quality improvement through the implementation of basin plans established under 10 V.S.A. § 1253. It supports ongoing monitoring, restoration projects, and community engagement to address water quality challenges, such as nutrient loading and sedimentation, ensuring clean and healthy aquatic ecosystems.

**Forestlands Management:** The draft plan advocates for the management of forestlands to maintain and improve forest blocks and habitat connectors. It encourages conservation efforts to preserve large contiguous forest areas, supports sustainable forestry practices, and promotes the protection of wildlife corridors to enhance biodiversity and ecosystem resilience.

Overall, the draft plan integrates these goals into a comprehensive framework that balances development with conservation, ensuring the long-term health and sustainability of the region's natural resources.

This goal is addressed in the Introduction Summary, page 1 and Natural Resources Chapter 1, pages 1-36. Goals, objectives, and actions to address this goal are further summarized on pages 12 and 13 of the Summary: Regional Plan Approval Criteria for ACRPC (Exhibit 016).

**The draft plan appears to be consistent with Goal 6.**

### **Goal 7:**

The seventh goal requires the plan “[t]o make efficient use of energy, provide for the development of renewable energy resources, and reduce emissions of greenhouse gases.

- (A) General strategies for achieving these goals include increasing the energy efficiency of new and existing buildings; identifying areas suitable for renewable energy generation; encouraging the use and development of renewable or lower emission energy sources for electricity, heat, and transportation; and reducing transportation energy demand and single occupancy vehicle use.
- (B) Specific strategies and recommendations for achieving these goals are identified in the State energy plans prepared under 30 V.S.A. §§ 202 and 202b.”

24 V.S.A. § 4302(c)(7).

### **Board Response:**

The draft plan aligns with this goal by promoting efficient energy use, renewable energy development, and greenhouse gas emission reduction, as follows, and as further detailed in Chapter 2, Energy:

**Energy Efficiency and Renewable Energy:** The draft plan emphasizes increasing energy efficiency in buildings, supporting weatherization, and optimizing building design for energy conservation. It encourages the development of renewable energy resources, such as solar, wind, and biomass, and supports the installation of electric vehicle infrastructure to reduce transportation energy demand.

**Specific Strategies:** The draft plan incorporates strategies from the State energy plans under 30 V.S.A. §§ 202 and 202b, focusing on transitioning to electric vehicles, promoting public transportation, and supporting local renewable energy generation. It advocates for modernizing grid infrastructure and expanding energy storage to enhance system reliability and resilience.

**Reducing Emissions:** The draft plan supports reducing greenhouse gas emissions by transitioning to cleaner fuel alternatives for transportation and promoting compact settlement patterns to reduce energy demand. It encourages responsible siting and development of renewable energy projects to protect natural resources while advancing energy goals.

Overall, the draft plan integrates these strategies into a comprehensive framework that balances development with sustainability, ensuring the long-term health and resilience of the region's energy systems.

This goal is addressed in the Introduction Summary, page 2; Energy Chapter 2, pages 1-22; and the Energy Appendix (Chapter 2: Appendix). Goals, objectives, and actions to address this goal are further summarized on pages 13 and 14 of the Summary: Regional Plan Approval Criteria for ACRPC (Exhibit 016).

**The draft plan appears to be consistent with Goal 7.**

**Goal 8**

The eighth goal requires the plan “[t]o maintain and enhance recreational opportunities for Vermont residents and visitors.

- (A) Growth should not significantly diminish the value and availability of outdoor recreational activities.
- (B) Public access to noncommercial outdoor recreational opportunities, such as lakes and hiking trails, should be identified, provided, and protected wherever appropriate.”

24 V.S.A. § 4302(c)(8).

**Board Response:**

The draft plan aligns with this goal with policies to maintain and enhance recreational opportunities for residents and visitors, as follows, and as further detailed in Chapter 4, Community Infrastructure:

**Growth and Outdoor Recreation:** The plan advocates that growth should not significantly diminish the value and availability of outdoor recreational activities. It emphasizes the importance of integrating recreational planning into local land use and development decisions, promoting sustainable development that preserves open spaces and natural landscapes.

**Public Access:** The plan identifies and advocates protection of public access to noncommercial outdoor recreational opportunities, such as lakes and hiking trails. It supports the development and linking of trail systems and public access to water bodies, ensuring that residents and visitors can enjoy the region's natural resources.

**Community Engagement:** The plan encourages municipalities to retain control over unused rights-of-way for future recreation use and supports initiatives that highlight the region's historic and cultural assets. By fostering community engagement and stewardship, the plan aims to preserve and enhance the region's recreational resources for future generations.

Overall, the plan integrates these strategies into a comprehensive framework that balances development with conservation, ensuring the long-term availability and quality of recreational opportunities in the region.

This goal is addressed in the Introduction Summary, page 4; Economic Development Chapter 6, pages 9, 15; Community Infrastructure Chapter 4, pages 20-21, 41; and Natural Resources Chapter, pages 26-28, 35. Goals, objectives, and actions to address this goal are further summarized on pages 13 and 14 of the Summary: Regional Plan Approval Criteria for ACRPC (Exhibit 016).

**The draft plan appears to be consistent with Goal 8.**

**Goal 9:**

The ninth goal requires the plan “[t]o encourage and strengthen agricultural and forest industries.

- (A) Strategies to protect long-term viability of agricultural and forestlands should be encouraged and should include maintaining low overall density.
- (B) The manufacture and marketing of value-added agricultural and forest products should be encouraged.
- (C) The use of locally-grown food products should be encouraged.
- (D) Sound forest and agricultural management practices should be encouraged.
- (E) Public investment should be planned so as to minimize development pressure on agricultural and forest land.”

24 V.S.A. § 4302(c)(9).

**Board Response:**

The draft plan includes future land use and economic development chapters that address this goal by including strategies to encourage and strengthen agricultural and forest industries as vital components of the regional economy. The draft plan aligns with these requirements, as follows:

**Land Use:** The draft plan emphasizes maintaining low overall density in rural areas to protect these lands, while concentrating development in designated downtowns, village centers, planned growth areas, and village areas. This approach helps preserve and protect working lands and the long-term viability of agricultural and forestlands. The draft plan supports the Use Value Assessment (Current Use) program, which appraises land based on its agricultural or forestry value rather than development potential, helping preserve open spaces and working lands. The draft plan emphasizes public investment strategies that minimize development pressure on agricultural and forest lands. It advocates for zoning and land use planning that promotes mixed-use development in growth areas, and that allows commercial and industrial users to absorb infrastructure costs while preserving rural landscapes.

**Value-Added Products:** The draft plan encourages the manufacture and marketing of value-added agricultural and forest products. It supports initiatives to expand access to processing, storage, and shared-use facilities, enhancing the ability of local producers to create and market value-added goods.

**Locally-Grown Food:** The draft plan advocates for the use of locally-grown food products, emphasizing the importance of local agriculture to the region's economy. It supports initiatives that connect local producers with consumers, fostering a robust local food system.

**Sound Management Practices:** The draft plan encourages sound forest and agricultural management practices, promoting sustainable land use and conservation efforts. It supports programs that provide education and financial incentives to landowners for engaging in ecologically beneficial stewardship.

Overall, the draft plan integrates these strategies into a comprehensive framework that balances development with conservation, ensuring the long-term health and sustainability of the region's agricultural and forest industries.

This goal is addressed in the Introduction Summary, pages 1, 5, and 8; Natural Resources Chapter, pages 1- 36; Future Land Use Chapter, pages 8-14; Population and Housing Chapter 5, pages 22, 30-31; And Economic Development Chapter 6, pages 11, 14. Goals, objectives, and actions to address this goal are further summarized on pages 14 and 15 of the Summary: Regional Plan Approval Criteria for ACRPC (Exhibit 016).

**The draft plan appears to be consistent with Goal 9.**

**Advisory Recommendations:**

- Consider referencing the Agency of Natural Resources “Acceptable Management Practices for Maintaining Water Quality on Logging Jobs in Vermont.”
- Consider providing the percent of % forested and agricultural lands conserved, by biophysical region.

**Goal 10:**

The tenth goal requires the plan “[t]o provide for the wise and efficient use of Vermont’s natural resources and to facilitate the appropriate extraction of earth resources and the proper restoration and preservation of the aesthetic qualities of the area.” 24 V.S.A. § 4302(c)(10).

**Board Response:**

The draft plan identifies “enterprise areas” which feature and support earth resource extraction such as quarries. Mineral and earth resources and their responsible extraction and remediation are primarily addressed on pages 25-26 of the Natural Resources Chapter (Chapter 1).

**The draft plan appears to be consistent with Goal 10.**

**Goal 11:**

The eleventh goal requires the plan “[t]o ensure the availability of safe and affordable housing for all Vermonters.

- (A) Housing should be encouraged to meet the needs of a diversity of social and income groups in each Vermont community, particularly for those citizens of low and moderate income, and consistent with housing targets provided for in subdivision 4348a(a)(9) of this title.
- (B) New and rehabilitated housing should be safe, sanitary, located conveniently to employment and commercial centers, and coordinated with the provision of necessary public facilities and utilities.
- (C) Sites for multifamily and manufactured housing should be readily available in locations similar to those generally used for single-family dwellings.
- (D) Accessory dwelling units (ADU) within or attached to single-family residences that provide affordable housing in close proximity to cost-effective care and supervision for relatives, elders, or persons who have a disability should be allowed.”

24 V.S.A. § 4302(c)(11).

**Board Response:**

The draft plan includes a future land use chapter which encourages residential and other types of development in both legacy and new designated areas, promoting investment in public infrastructure near these centers.

The draft plan also includes a chapter on housing which details the housing targets for the region, with specific goals, objectives, and actions, and which includes the following summarized elements:

The draft plan aligns with the requirement to ensure the availability of safe and affordable housing for all Vermonters by outlining strategies and goals that cater to diverse social and income groups. The draft plan emphasizes the need for housing that accommodates low and moderate-income citizens, aligning with the regional housing targets. It highlights the importance of creating a variety of housing types, including

affordable and workforce housing, to meet the needs of different demographics within the community.

The draft plan also focuses on the safety and sanitation of new and rehabilitated housing. It stresses the importance of locating housing conveniently near employment and commercial centers, ensuring that residents have access to necessary public facilities and utilities. This approach is intended to create sustainable communities where residents can live, work, and access services efficiently.

The draft plan encourages availability of multifamily and manufactured housing in locations similar to those used for single-family dwellings. By promoting zoning reforms and infrastructure improvements, the plan aims to integrate these housing types into existing communities, thereby increasing housing options and affordability.

The draft plan supports the development of accessory dwelling units (ADUs) as a means to provide affordable housing options. It suggests policy changes to reduce barriers to ADU development, such as simplifying application processes and increasing allowable sizes. This approach is intended to offer flexible living arrangements for relatives, elders, or persons with disabilities, promoting cost-effective care and supervision.

Overall, the draft plan aligns with this goal by promoting diverse, safe, and affordable housing options.

this goal is addressed in the Introduction Summary, page 5 and Population and Housing Chapter 5, pages 1-35. Goals, objectives, and actions to address this goal are further summarized on pages 16 and 16 of the Summary: Regional Plan Approval Criteria for ACRPC (Exhibit 016).

**The draft plan appears to be consistent with Goal 11. See the section on the housing element requirement (page 35 of this response) for related comments and recommendations.**

### **Goal 12:**

The twelfth goal requires the draft plan:

To plan for, finance, and provide an efficient system of public facilities and services to meet future needs.

(A) Public facilities and services should include fire and police protection, emergency medical services, schools, water supply, and sewage and solid waste disposal.

(B) The rate of growth should not exceed the ability of the community and the area to provide facilities and services.

24 V.S.A. § 4302(c)(12).

### **Board Response:**

The draft plan aligns with the requirement to plan for, finance, and provide an efficient system of public facilities and services to meet future needs, as identified in Chapter 4, Community Infrastructure.

The draft plan emphasizes the importance of maintaining and upgrading water supply systems, recognizing the critical role they play in supporting housing density and public health. By outlining the Vermont Water Supply Rule the plan helps ensure that water infrastructure is safe, sanitary, and compliant with regulations.

The draft plan addresses the need for wastewater management, highlighting the importance of expanding community wastewater systems to support denser development in villages. It discusses the existing wastewater treatment facilities and their capacities, emphasizing the need for upgrades and expansions needed to meet future housing targets.

The draft plan includes strategies for solid waste management, detailing the role of the Addison County Solid Waste Management District. By promoting sustainable waste management practices and emphasizing access to disposal facilities, the draft plan supports the efficient provision of public solid waste services.

The draft plan identifies fire and police protection services in the area, and related expansion plans and identifies emergency medical services. The draft plan describes the role of the Addison County Regional Emergency Management Committee (“ACREMC”) which was formed after the Local Emergency Planning Committee (LEPC #8) for the Addison Region was absorbed into a new statewide LEPC.

The draft plan identifies the school districts, supervisory unions, and schools serving the region.

Overall, the draft plan addresses Goal 12 by outlining comprehensive strategies for public facilities and services.

This goal is addressed in the Introduction Summary, page 4 and Community Infrastructure Chapter 4, pages 1-42. Specific elements can be found in subsections Water Supply, pages 1-6, Wastewater, pages 6-9, Solid Waste, pages 9-11, Health and Safety, pages 21-31, Governmental and Administrative Facilities, pages 17-18; and the Economic Development Chapter, page 14. Goals, objectives, and actions to address this goal are further summarized on pages 17 and 17 of the Summary: Regional Plan Approval Criteria for ACRPC (Exhibit 016).

**The draft plan appears to be consistent with Goal 12.**

### **Advisory Recommendations:**

- Consider including timelines and funding strategies to help support and ensure timely implementation of infrastructure projects.
- Emergency Management is detailed within the Flood Resilience Chapter. Table 1 lists major declarations. Adding total costs to this chart would make it even more impactful.
- The Community Infrastructure Chapter includes limited information on emergency management. The Flood Resilience Chapter should be referenced for further detail.
- The Community Infrastructure Chapter contains information on trails that is separate and different from the trails discussion in the Transportation Chapter. The Transportation Chapter identifies ADA requirements and concerns. The Trail Use Conflicts section may be best included in the Transportation Chapter instead of the Community Infrastructure Chapter to identify the competing needs and uses and impacts on design.
- The Community Infrastructure Chapter could use stronger goals around infrastructure supporting future land use growth areas.

### **Goal 13:**

The thirteenth goal requires the plan” [t]o ensure the availability of safe and affordable childcare and to integrate childcare issues into the planning process, including childcare financing, infrastructure, business assistance for childcare providers, and childcare work force development.” 24 V.S.A. § 4302(c)(13).

### **Board Response:**

The draft plan supports high-quality, affordable childcare providers and facilities across the region to meet the needs of families and employers. Chapter 4, Community Infrastructure, includes the following goals and objectives, supported by specific actions:

- *Ensure all residents have access to affordable, high-quality healthcare, education, childcare, and human services that support well-being and opportunity.*
- *Attract and retain healthcare, human service, and childcare providers to meet regional needs.*
- *Integrate childcare and education services into municipal and regional planning processes.*
- *Ensure services are accessible, affordable, and responsive to community needs.*

- *Expand lifelong learning and vocational training opportunities through regional partnerships.*

This goal is addressed in the Introduction Summary, page 4; Chapter 4 Community Infrastructure, pages 32-33, 40.; and Chapter 6 Economic Development, page 8. Goals, objectives, and actions to address this goal are further summarized on page 18 of the Summary: Regional Plan Approval Criteria for ACRPC (Exhibit 016).

### **The draft plan appears to be consistent with Goal 13.**

#### **Goal 14:**

The fourteenth goal requires the plan to encourage flood resilient communities. 24 V.S.A. § 4302(c)(14).

#### **Board Response:**

The draft plan aligns with the goal of encouraging flood-resilient communities by emphasizing proactive land use planning and the protection of natural features that mitigate flood risks, as detailed in Chapter 7, Flood Resilience and Emergency Management. The draft plan outlines strategies to avoid new development in flood hazard and river corridor protection areas, ensuring that new construction does not exacerbate flooding or fluvial erosion. By guiding municipalities in updating zoning and flood hazard bylaws using current FEMA maps and DEC River Corridor data, the plan promotes resilient land use practices.

The draft plan also highlights the importance of protecting and restoring floodplains, wetlands, and upland forested areas. These natural features play a critical role in attenuating and moderating flooding by absorbing and slowing floodwaters. The draft plan also supports projects such as wetland restoration and the establishment of riparian buffers, which help reduce downstream flood impacts and enhance the region's overall resilience to flooding.

Additionally, the draft plan emphasizes the need for emergency preparedness and response planning. By assisting towns in updating Local Hazard Mitigation Plans and identifying critical infrastructure at risk, the plan ensures that communities are better equipped to respond to and recover from extreme weather events. The combination of land use management, ecological restoration, and coordinated emergency planning, helps safeguard public safety, property, and natural resources in the region.

Goals, objectives, and actions to address this goal are further summarized on pages 18 and 19 of the Summary: Regional Plan Approval Criteria for ACRPC (Exhibit 016). Plan Introduction Summary page 7, Flood Resiliency & Emergency Management Chapter 7, pages 1-11.

**The draft plan appears to be consistent with Goal 14.**

**Advisory Recommendation:**

- Four municipalities that have river corridor regulations are noted but the two communities that have qualified for the highest ERAF level are not specified and should be provided this recognition (Flood Resilience Chapter, page 4).

**Goal 15:**

The fifteenth goal requires the plan “[t]o equitably distribute environmental benefits and burdens as described in 3 V.S.A. chapter 72.” The referenced chapter is titled: “Environmental Justice.” The State of Vermont has explained:

It is further the policy of the State of Vermont to provide the opportunity for the meaningful participation of all individuals, with particular attention to environmental justice focus populations, in the development, implementation, or enforcement of any law, regulation, or policy.

3 V.S.A. § 6003.

“Meaningful participation” means that all individuals have the opportunity to participate in energy, climate change, and environmental decision making. Examples include needs assessments, planning, implementation, permitting, compliance and enforcement, and evaluation. Meaningful participation also integrates diverse knowledge systems, histories, traditions, languages, and cultures of Indigenous communities in decision-making processes. It requires that communities are enabled and administratively assisted to participate fully through education and training. Meaningful participation requires the State to operate in a transparent manner with regard to opportunities for community input and also encourages the development of environmental, energy, and climate change stewardship.

3 V.S.A. § 6002(6).

**Board Response:**

The draft plan includes Chapter 10, Equity, Benefits, and Burdens. This chapter details key definitions (environmental benefits, environmental burdens, and environmental justice) and how this plan requirement was met. The analysis included mapping of environmental focus group populations (“EJFP”) as defined in 3 V.S.A. §6002(4), with two adjustments to better identify disproportionate impacts in the region, to identify areas where more than 10% of residents are Persons of Color or Indigenous, and to expand methods for identifying economically distressed populations. After the populations were identified, the plan evaluated whether these populations were disproportionately impacted (under the draft plan), and incorporated measures to offset such effects. ACRPC focused its analysis on the populations identified, while also recognizing that the rural nature of the region can result in inequitable distribution of

benefits and burdens, particularly for more isolated low income people residing in more remote rural areas, and also noting that spatial data may not be sufficiently granular to capture impacts on these individuals.

The draft plan adapted the environmental benefits and burdens methodology used by Chittenden County Regional Planning Commission and Northwest Regional Planning Commission. To ensure compatibility across regional plans, the definitions for each chosen issue area from the CCRPC example, and the disproportionate impact analysis strategy created by NRPC, were used in the ACRPC analysis. Vermont Statute defines 36 examples of environmental benefits or burdens (24 V.S.A. §4345a). The ACRPC draft plan grouped similar benefits and burdens into a list of 18 that could be impacted by the plan. Where possible, indicators were utilized to determine if priority populations receive disproportionate impacts when compared to the region as a whole. To ensure the plan considers potential disproportionate impacts on any portion of the community beyond EJFP, major differences between municipalities and the region as a whole were also noted.

The draft plan details the methodology and disproportionate impact assessment for each of the issues analyzed. Disproportionate or potentially disproportionate impacts on EJFP were found in most of the issues analyzed, and the draft plan incorporates detailed policies to address the issues or potential issues within the chapters on Natural Resources, Community Facilities, Economic Development, Housing, Community Infrastructure, Energy, Transportation, Land Use, and Flood Resilience..

The draft plan clearly expresses that ACRPC is committed to ensuring that all residents have access to the resources of the region, receive just treatment, and have fair consideration in planning and decision-making processes. The draft plan describes the public engagement process for EJFP populations in the development of the draft plan within its summary of regional plan approval criteria, which includes seven specific events or activities to engage EJFP populations.

The goal is addressed in Chapter 10: Equity, Burdens, and Benefits. Goals, objectives, and actions to address this goal are further summarized on page 19 of the Summary: Regional Plan Approval Criteria for ACRPC (Exhibit 016).

### **The draft plan appears to be consistent with Goal 15.**

#### **B. Consistency with the Purposes of a Regional Plan 24 V.S.A. § 4347**

As part of the Board's review of the draft regional plan, the Board must make a determination as to whether the plan is consistent with the purposes of the regional plan found in 24 V.S.A. § 4347. 24 V.S.A. § 4348(h)(4)(B). Section 4347 states:

A regional plan shall be made with the general purpose of guiding and accomplishing a coordinated, efficient, equitable, and economic development of

the region that will, in accordance with the present and future needs and resources, best promote the health, safety, order, convenience, prosperity, and welfare of current and future inhabitants as well as efficiency and economy in the process of development. This general purpose includes recommending a distribution of population and of the uses of the land for urbanization, trade, industry, habitation, recreation, agriculture, forestry, and other uses as will tend to:

- (1) create conditions favorable to transportation, health, safety, civic activities, and educational and cultural opportunities;
- (2) reduce the wastes of financial, energy, and human resources that result from either excessive congestion or excessive scattering of population;
- (3) promote an efficient and economic utilization of drainage, energy, sanitary, and other facilities and resources;
- (4) promote the conservation of the supply of food, water, energy, and minerals;
- (5) promote the production of food and fiber resources and the reasonable use of mineral, water, and renewable energy resources;
- (6) promote the development of housing suitable to the needs of the region and its communities; and
- (7) help communities equitably build resilience to address the effects of climate change through mitigation and adaptation consistent with the Vermont Climate Action Plan adopted pursuant to 10 V.S.A. § 592 and 3 V.S.A. Chapter 72.

**Board Response:** As the draft plan addresses the separate goals enumerated in Part A of this preapplication response (above) and through the various required elements as enumerated in Part D (below), the draft plan as a whole appears consistent with these 24 V.S.A. § 4347 purposes. The framework for the draft plan is outlined in the Introduction and Summary (Exhibit 001) which includes summary information and an explanation of how the draft plan is organized to provide both comprehensive analysis and accessible guidance for regional stakeholders, municipal partners, and community members.

**The draft plan appears to be consistent with the purposes of 24 V.S.A. § 4347.**

### **C. Conformance with Outreach Requirements of 24 V.S.A. § 4348(a)**

As part of the development of the regional plan,

... regional planning commissions shall solicit the participation of each of their member municipalities, local citizens, and organizations by holding informal working sessions that suit the needs of local people. The purpose of these working sessions is to allow for meaningful participation as defined in 3 V.S.A. § 6002, provide consistent information about new statutory requirements related to the regional plan, explain the reasons for new requirements, and gather information to be used in the development of the regional plan and future land use element.

24 V.S.A. § 4348(a).

**Board Response:**

Draft plan development involved extensive outreach from February 2025 and ongoing. In particular, on July 14, 2025, ACRPC published the draft Future Land Use (FLU) map online and opened a public comment period through December 15, 2025. In order to increase accessibility for EJFP, the map was made available with English, Spanish, and French translation options. The map was publicized through the ACRPC website, newsletter, and Front Porch Forum, and was also shared directly with town planning officials. The interactive map allowed interested parties to place points and attach location-specific comments. In total, 83 comments were submitted. Other events included open houses; tabling at local libraries, farmers' markets, and other events in the region; and monthly meetings and events for municipal officials.

ACRPC's meaningful community engagement process is outlined on pages 3-6 of the of the Summary: Regional Plan Approval Criteria for ACRPC (Exhibit 016).

**The draft regional plan appears to have been developed with the participation of its member municipalities, and the RPC appears to have provided for meaningful participation to communities throughout the region.**

**D. Conformance with 24 V.S.A. § 4348a**

The Board has assessed the draft regional plan as to whether it appears to conform with the required elements of 24 V.S.A. § 4348a(a). The subsections below match the numbered subsections of 24 V.S.A. § 4348a(a). Subsection 6 was repealed by the legislature but is listed as a placeholder below and is intentionally left blank.

1. Statement of Basic Policies

A regional plan must contain: “[a] statement of basic policies of the region to guide the future growth and development of land and of public services and facilities, and to protect the environment.” 24 V.S.A. § 4348a(a)(1).

**Board Response:**

Every chapter of the draft plan (with the exception of Compatibility), has a separate summary page in the Introduction Summary Chapter. Each summary page contains a Statement of Policy, a summary of the regional context, and Implementation Actions for that specific plan element. The full chapters provide in-depth discussion of each topic, as well as specific goals, objectives and implementation actions.

Plan Introduction Summary, pages 1-8; Chapter 1, Natural Resources, pages 30-35; Chapter 2, Energy, pages 20-22; Chapter 3, Transportation pages 24-26; Chapter 4, Community Infrastructure pages 40-42; Chapter 5, Population and Housing pages 30-31; Chapter 6, Economic Development pages 13-15; Chapter 7, Flood Resilience and Emergency Management, page 8; Chapter 8, Future Land Use, page 14.

**The draft regional plan appears to meet this requirement.**

2. Natural Resources and Working Lands

A regional plan must contain:

A natural resources and working lands element, which shall consist of a map or maps and policies, based on ecosystem function, consistent with Vermont Conservation Design, support compact centers surrounded by rural and working lands, and that:

- (A) Indicates those areas of significant natural resources, including existing and proposed for forests, wetlands, vernal pools, rare and irreplaceable natural areas, floodplains, river corridors, recreation, agriculture using the agricultural lands identification process established in 6 V.S.A. § 8, residence, commerce, industry, public, and semipublic uses, open spaces, areas reserved for flood plain, forest blocks, habitat connectors, recreation areas and recreational trails, and areas identified by the State, regional planning commissions, or municipalities that require special consideration for aquifer protection; for wetland protection; for the maintenance of forest blocks, wildlife habitat, and habitat connectors; or for other conservation purposes.
- (B) Indicates those areas that have the potential to sustain agriculture and recommendations for maintaining them that may include transfer of development rights, acquisition of development rights, or farmer assistance programs.
- (C) Indicates those areas that are important as forest blocks and habitat connectors and plans for land development in those areas to minimize forest fragmentation and promote the health, viability, and ecological function of forests. A plan may include specific policies to encourage the active management of those areas for wildlife habitat, water quality, timber production, recreation, or other values or functions identified by the regional planning commission.
- (D) Encourages preservation of rare and irreplaceable natural areas, scenic and historic features and resources.
- (E) Encourages protection and improvement of the quality of waters of the State to be used in the development and furtherance of the applicable basin plans established by the Secretary of Natural Resources under 10 V.S.A. § 1253.

24 V.S.A. § 4348a(a)(2).

**Board Response:**

The policies, actions, and Future Land Use (“FLU”) Areas in the draft plan align with the Vermont Conservation Plan which is organized around three core objectives: (i) support

communities in conservation; this objective focuses on strengthening connections between people, communities, and the land, and advancing conservation in ways that benefit Vermonters while protecting natural and working lands; (ii) center Vermont Conservation Design (“VCD”); this objective emphasizes protecting, restoring, and maintaining an ecologically functional and connected landscape across natural and working lands; and (iii) strengthen conservation capacity; this objective seeks to expand the conservation community’s ability to sustainably protect and steward land over the long term.

The policies, actions, and FLU Areas in the draft plan advance these objectives in several ways. First, the Natural Resources chapter supports community-based conservation by encouraging conservation by willing landowners in ways that sustain an ecologically functional and connected landscape, support working farms and forests, and expand public recreational opportunities. Second, the Natural Resources chapter centers VCD as a primary tool for identifying priority conservation areas and recommends prioritizing the conservation of VCD-identified forest blocks, connectivity areas, and ecological reserve areas to protect high-value natural communities and maintain or restore critical habitat. Third, the draft plan strengthens conservation capacity in the region by describing how ACRPC supports land protection and stewardship through regional FLU planning with a goal of minimizing habitat fragmentation, through municipal consultation and technical assistance, and through its role as the Basin 3 Clean Water Service Provider.

Vermont’s conservation goals aim for 30% conserved land by 2030 and 50% by 2050. As of 2025, the ACRPC region was 33% conserved. The objectives, goals, and actions in the draft plan support expanding this percentage, particularly in fragile, rare, or irreplaceable natural areas.

The draft plan includes two ecoregions identified as Eastern Great Lakes Lowland and Northeastern Highlands as detailed in the Natural Resources Chapter.

Natural resources mapping in the draft plan includes Watershed and Waterways; Wetlands; Ground Water Resources; Forest Resources; Rare, Threatened and Endangered Species; Very Rare (S-1) Natural Communities; Agricultural Soils; and Forest Blocks and Habitat Connectors.

This element is addressed in the Introduction Summary, page 1 and Natural Resource Chapter pages 1-29, Goals, Objectives and Actions pages 30-35. Goals, objectives, and actions to address this element are further summarized on pages 21 and 22 of the Summary: Regional Plan Approval Criteria for ACRPC (Exhibit 016).

**The draft regional plan appears to meet this requirement.**

3. Energy

The draft regional plan must contain:

An energy element, including an analysis of resources, needs, scarcities, costs, and problems within the region across all energy sectors, including electric, thermal, and transportation; a statement of policy on the conservation and efficient use of energy and the development and siting of renewable energy resources; a statement of policy on patterns and densities of land use likely to result in conservation of energy; and an identification of potential areas for the development and siting of renewable energy resources and areas that are unsuitable for siting those resources or particular categories or sizes of those resources.

24 V.S.A. § 4348a(3).

**Board Response:**

The draft plan includes an energy chapter (Chapter 2, Energy) which presents a comprehensive analysis of resources, needs, scarcities, problems, and some elements of costs, within the region across all energy sectors, including electric, thermal, and transportation. The efficient use of energy across the electric, thermal, and transportation sectors, and energy justice, are addressed. The draft plan emphasizes energy efficiency and conservation, promoting growth in walkable Centers while discouraging strip development. It highlights weatherization to reduce energy burdens. The chapter advocates for alternative transit and developing walkable and bikeable communities to reduce transportation energy burdens and emissions. It analyzes energy use, setting targets for reducing energy use and emissions and increasing renewable energy generation to meet state goals. The draft plan includes the following goals, supported by objectives and specific actions:

1. *Build regional capacity for energy planning and public engagement to support the transition to renewable energy and improved energy efficiency.*
2. *Increase the Region's thermal energy efficiency through municipal leadership and support for residential and commercial heating improvements to meet local and State targets of 90% renewable energy by 2050.*
3. *Modernize the Region's electrical systems and promote efficient energy use in buildings.*
4. *Reduce transportation energy consumption by transitioning to electric vehicles and promoting mode shift away from single-occupancy vehicles.*
5. *Transition medium and heavy-duty transportation to cleaner fuel alternatives.*
6. *Advance renewable electricity generation while protecting natural resources.*

This element is addressed in the Introduction Summary, Page 2 and Chapter 2, Energy, pages 1-22. Goals, objectives, and actions to address this element are further summarized on pages 23 and 24 of the Summary: Regional Plan Approval Criteria for ACRPC (Exhibit 016).

**The draft regional plan appears to meet this requirement.**

#### 4. Transportation

A regional plan must include the following:

A transportation element consisting of a statement of present and prospective transportation and circulation facilities, and a map showing existing and proposed highways, including limited access highways, and streets by type and character of improvement, and where pertinent, anticipated points of congestion, parking facilities, transit routes, terminals, bicycle paths and trails, scenic roads, airports, railroads and port facilities, and other similar facilities or uses, and recommendations to meet future needs for such facilities, with indications of priorities of need, costs, and method of financing.

24 V.S.A. § 4348a(a)(4).

#### **Board Response:**

The draft plan addresses transportation infrastructure comprehensively, focusing on existing conditions and future needs. The plan outlines the current transportation system, including air, navigable waterways, rail, and roadways, with specific attention to the condition and use of each type. For example, the Middlebury State Airport serves local aviation needs, while the Vermont Rail System provides freight services. The draft plan also highlights major roadway corridors like US Route 7 and VT Route 22A, identifying high crash locations and recommending improvements such as roundabouts to enhance safety and efficiency.

The draft plan emphasizes the importance of supporting all modes of travel, including public transit, biking, and walking. Tri-Valley Transit (TVT) plays a crucial role in providing public transportation, linking key employment centers and offering services like Dial-a-Ride for vulnerable populations. The plan supports expanding TVT's services and infrastructure, including transitioning to electric buses. Additionally, the plan promotes pedestrian and bicycle facilities, advocating for Complete Streets principles and regional connectivity through routes like the Lake Champlain Bikeway and Triangle Bike Loop.

To meet future transportation needs, the draft plan prioritizes energy efficiency and resilience to natural hazards. It encourages the adoption of electric vehicles and the development of a comprehensive EV charging network. The draft plan also supports infrastructure designed to withstand flooding and severe weather, aligning with climate change scenarios. By integrating transportation with land use and environmental planning, the plan aims to enhance regional land uses, promote economic vitality, and ensure sustainable investment in transportation infrastructure.

This element is addressed in the Introduction Chapter, page 3 and Chapter 3, Transportation, pages 1-26. Goals, objectives, and actions to address this element are further summarized on page 24 of the Summary: Regional Plan Approval Criteria for ACRPC (Exhibit 016).

**The draft regional plan appears to meet this requirement.**

**Advisory Recommendations:**

- The [AOT Act 181 Transportation Support Study](#), submitted to the legislature in December 2025, includes recommendations and opportunities to strengthen the role of regional planning commissions in several areas relevant to this plan element. To address the potentially significant traffic impacts resulting from development in Tier 1A and 1B areas (that will no longer be subject to Act 250 review), consider revising the plan to: (1) add detail about how to address the anticipated need for increased transportation infrastructure planning, (2) support alternative new or leveraged local or state regulatory review processes to address mitigation of traffic from development that will no longer be subject to Act 250 review, and (3) incorporate policies or planned actions which align with the December 2025 AOT Act 181 Study.
- Identify the priorities of needs, costs, and methods of financing future needs.

5. Utility and Facility

The Draft Regional Plan must contain:

A utility and facility element, consisting of a map and statement of present and prospective local and regional community facilities and public utilities, whether publicly or privately owned, showing existing and proposed educational, recreational and other public sites, buildings and facilities, including public schools, State office buildings, hospitals, libraries, power generating plants and transmission lines, wireless telecommunications facilities and ancillary improvements, water supply, sewage disposal, refuse disposal, storm drainage, and other similar facilities and activities, and recommendations to meet future needs for those facilities, with indications of priority of need.

24 V.S.A. § 4348a(a)(5).

**Board Response:**

The draft plan includes a community infrastructure chapter, and additional information relevant to this requirement is provided within the energy and natural resources chapters. The draft plan highlights progress in broadband and cellular coverage, noting that significant gaps remain. It emphasizes the importance of universal broadband and cellular coverage for various stakeholders, including emergency responders, and includes maps of telecommunication facilities. A discussion of present power generation and transmission facilities and recommendations to meet future needs are presented. Mapping includes public buildings and facilities, health and safety facilities, telecommunication facilities, municipal utilities, recreation facilities, and power generating plants and transmission lines.

The draft plan indicates some priorities for recreation, however it does not indicate priority of need for other facilities and infrastructure such as water and sewer services. The community infrastructure chapter includes a goal to “protect and enhance water quality and ensure access to cost-effective, environmentally sound water, wastewater, stormwater, and solid waste systems,” however the supporting objectives and actions are limited in detail.

Goals, objectives, and actions to address this element are further summarized on pages 24 and 25 of the Summary: Regional Plan Approval Criteria for ACRPC (Exhibit 016). Chapter 4 Community Infrastructure, Pages 1-44; Chapter 2, Energy, pages 1-22; Chapter 1 Natural Resources, Pages 26-28.

**The draft regional plan appears to meet this requirement.**

**Advisory Recommendation:**

- Identify recommendations to meet future needs for all utilities and facilities, with indications of priority of need.

6. (repealed)

7. Implementation

A draft regional plan must contain “[a] program for the implementation of the regional plan’s objectives, including a recommended investment strategy for regional facilities and services based on a capacity study of the elements in this section.” 24 V.S.A. § 4348a(a)(7).

**Board Response:**

ACRPC has provided the following summary of how its draft plan meets this essential requirement on page 26 of the Summary: Regional Plan Approval Criteria for ACRPC (Exhibit 016):

implementation actions are included for each topic area and the regional commission commits to assisting its municipalities to pursue planning and infrastructure development to further the goals and policies outlined throughout the plan.(See Exhibit 16, page 26)

**The draft regional plan appears to meet this requirement.**

**Advisory Recommendation:**

- Provide an implementation matrix, with actions and indicators of progress to more clearly indicate ACRPC’s role in meeting the goals and policies outlined in the plan. Consider also including an indication of costs and potential partners for such actions.

## 8. Compatibility with Other Plans

The draft regional plan must contain: “[a] statement indicating how the regional plan relates to development trends, needs, and plans and regional plans for adjacent municipalities and regions.” 24 V.S.A. § 4348a(a)(8).

### **Board Response:**

The draft plan includes a chapter dedicated to this requirement, Chapter 9, Compatibility. The draft plan indicates that the ACRPC region shares borders with four other RPCs, as such, with a number of municipalities (total 13) outside of the region. The analysis summarizes how the draft plan aligns with the plans of these adjacent municipalities and regions. It highlights areas of compatibility and cooperation and potential points of divergence that may require further coordination. The draft plan identifies that its plan is broadly compatible with the development trends, community needs, and policy goals of neighboring municipalities and regions, and identifies the following most significant opportunities for inter-regional collaboration:

- Watershed management partnerships, particularly the Otter Creek and Lake Champlain basins
- Transportation coordination along U.S. Route 7, Vermont Route 30, Vermont Route 22A, and the Route 116 corridor
- Shared climate resilience and forest conservation initiatives across the Green Mountain spine
- Agricultural land protection efforts that sustain rural character and support regional economies

The draft plan highlights the importance of continued collaboration between CCRPC and ACRPC, in particular, for example, as it pertains to managing growth at the margins of CCRPS’s Burlington metropolitan area, where increasing residential development pressure could strain infrastructure and alter long-standing economic, social and ecological relationships in the ACRPC region.

### **The draft regional plan appears to meet this requirement.**

## 9. Housing

The draft regional plan must include:

A housing element that identifies the regional and community-level need for housing that will result in an adequate supply of building code and energy code compliant homes where most households spend not more than 30 percent of their income on housing and not more than 15 percent on transportation. To establish housing needs, the Department of Housing and Community Development shall publish statewide and regional housing targets or ranges as part of the Statewide Housing Needs Assessment. The regional planning

commission shall consult the Statewide Housing Needs Assessment; current and expected demographic data; the current location, quality, types, and cost of housing; other local studies related to housing needs; and data gathered pursuant to subsection 4382(c) of this title. If no such data has been gathered, the regional planning commission shall gather it. The regional planning commission's assessment shall estimate the total needed housing investments in terms of price, quality, unit size or type, and zoning district as applicable and shall disaggregate regional housing targets or ranges by municipality. The housing element shall include a set of recommended actions to satisfy the established needs.

24 V.S.A. § 4348a(a)(9).

### **Board Response:**

The draft plan includes Chapter 5, Population and Housing, and examines the housing needs of the region by considering demographic trends, housing stock, and affordability challenges. The draft plan notes a significant increase in the aging population, with 23.5% of residents over 65 as of 2023. This demographic shift underscores the need for more senior housing options and smaller, accessible units. The plan highlights that 28% of households are single-person, yet only 12% of the housing stock consists of studio or one-bedroom units, indicating a mismatch between housing supply and demand.

The draft plan identifies a critical shortage of affordable housing, exacerbated by rising home prices and low construction rates. From 2000 to 2023, the median home price in the region rose from \$122,000 to \$350,000, a 187% increase, while median household income only increased by 105%. This disparity has led to a housing affordability gap, with 17% of households spending 30-49% of their income on housing and 11% spending over 50%. The draft plan emphasizes the need for housing that is affordable, energy-efficient, and close to employment centers and public transportation.

To address the housing need, the draft plan outlines strategies aligned with the Vermont Statewide Housing Needs Assessment. It encourages regulatory changes to support housing development in village centers and downtowns, promoting smart growth and reducing transportation costs. The draft plan advocates for the construction of accessory dwelling units (ADUs) and multifamily homes to provide diverse housing options. The draft plan also addresses transportation costs and specific housing needs for seniors, families, children, those in poverty, the homeless, student housing, and seasonal workers. It also emphasizes the importance of expanding infrastructure to support new housing projects.

ACRPC used a disaggregation process to determine how the areas proposed for growth could accommodate a substantial majority of the Region's housing targets. ACRPC grouped the Future Land Use areas into three groups and distributed percentages of the regional housing target as follows: 80% of growth planned for Downtown and Village Centers, Planned Growth Areas, and Village Areas; 20% of growth planned for Rural General, Rural Agriculture and Forestry, Transition or Infill, Enterprise, and Resource-based Recreation; 0% of growth planned for Rural Conservation. ACRPC then distributed housing unit targets by town based upon the percentage acreage of the FLU group in each town. Finally, these housing unit targets were refined (adding or subtracting housing units) considering State, local, and regional context.

The draft plan highlights the role of collaboration with public and private partners in addressing housing challenges. It supports initiatives like the Vermont Housing Improvement Program (VHIP) and partnerships with organizations like Addison Housing Works to create and maintain affordable housing. The draft plan also stresses the importance of public awareness and education to foster community support for housing initiatives.

This element is addressed in the Introduction Summary, page 5 and Chapter 5, Population and Housing, pages 1- 35.

Goals, objectives, and actions to address this element are further summarized on pages 26 and 27 of the Summary: Regional Plan Approval Criteria for ACRPC (Exhibit 016).

**The draft regional plan appears to meet the housing element requirement.**

**Advisory Recommendations:**

Following comments pertain to Chapter 5, Population and Housing:

- Page 6, 15, 18, 20 all have boxes titled "COVID 19 Pandemic" – consider distinguishing these boxes with subtitles. Also, some refer to numbered boxes that could not be located.
- Figures 2 and 3 on page 2 are too small – consider combining and showing on one full page.
- Figure 6 – don't show white population with the rest, as this overwhelms the data for the smaller groups.
- Page 16 reference in the narrative to Table 4 is actually a reference to Table 3. Correct this.
- Page 22 mentions that PGAs and village areas are eligible for CIP designations and Act 250 exemptions. Add Downtown and Village Centers to this.
- Consider presenting more analysis of current growth rates and comparing them to those necessary to achieve housing targets, especially with respect to least

the growth areas. It was indicated at the public meeting that the growth rate will need to double to meet targets.

- Pages 22-23 of Chapter 5 (Population and Housing) present municipalized housing targets but do not discuss how they were municipalized nor where the regional targets came from. A Housing Targets box on page 8 of Chapter 8 (Future Land Use) discusses how the targets were established and how they were municipalized. Consider (i) relocating the box from Chapter 8 to Chapter 5, and (ii) including the explanation provided within the Summary: Regional Plan Approval Criteria for ACRPC (Exhibit 016) on page 29 within Chapter 5.
- Consider identifying affordability goals within the housing target information.
- 3.3% of the County is proposed to be eligible for Tier 1B. The goals for the Population and Housing Chapter could include a goal to support communities opting in to Tier 1B to incentivize housing.
- Figure 13 on page 12 of the Population and Housing Chapter appears to be mislabeled. Correct this.
- On page 27 the following reference is made: "... Village Center and Downtowns and their planning areas ...." Clarify that Downtown Centers, Village Centers, Planned Growth Areas, and Village Areas are the FLU areas that are eligible for the community investment designations.
- The purpose of the figure on page 28 is unclear – clarify its purpose.
- The chapter is titled "Population and Housing," but other than census-derived household characteristics and historic population trends, population data is presented more fully in the Economic Development chapter. Consider retitling the chapter to just "Housing."

#### 10. Economic Development

The draft regional plan must include "[a]n economic development element that describes present economic conditions and the location, type, and scale of desired economic development, and identifies policies, projects, and programs necessary to foster economic growth." 24 V.S.A. § 4348a(a)(10).

#### **Board Response:**

The draft plan provides a comprehensive overview of present economic conditions by detailing demographic trends, income levels, poverty rates, and employment statistics. It highlights key industries such as human services, manufacturing, and agriculture, and discusses challenges like housing shortages, gender pay gaps, and infrastructure needs. The plan identifies desired economic development by emphasizing the need for mixed-income housing, improved infrastructure, and support for small businesses and entrepreneurs. It also outlines the importance of sectors like healthcare, education, and agriculture, which are crucial for regional growth.

The draft plan effectively identifies policies, projects, and programs necessary to foster economic growth. It proposes initiatives such as project-based tax increment financing, workforce training programs, and broadband expansion. The plan also emphasizes the importance of sustainable energy solutions and infrastructure improvements to support business development. By addressing issues like climate resilience and community health, the plan aims to create a robust economic environment that attracts talent and industry.

The draft plan identifies policies, projects and programs necessary to foster economic growth in the region. Additional objectives and actions related to this issue and developed in partnership with Addison County Economic Development Corp, are provided in Chapter 6 Appendix: Implementation and Performance.

Plan Introduction Summary, page 6. Chapter 6, Economic Development, pages 1- 15.

**The draft regional plan appears to meet this requirement.**

**Advisory Recommendations:**

- Chapter 6, Page 2, second paragraph under education is redundant to discussions in the Community Infrastructure chapter. Consolidate by incorporating the paragraph on page 2 into the discussion on pages 34-35 of Chapter 4.
- The Chapter 6 subsection on infrastructure is largely a repeat of information presented in other chapters of the plan. To shorten the plan, reference the relevant chapter rather than repeating information in Chapter 6 or consolidate the information in the other chapter if it is new information (e.g., the paragraph on TENs).

11. Flood Resilience

The draft regional plan must include:

(A) A flood resilience element that:

- (i) identifies flood hazard and fluvial erosion hazard areas, based on river corridor maps provided by the Secretary of Natural Resources pursuant to 10 V.S.A. § 1428(a) or maps recommended by the Secretary, and designates those areas to be protected, including floodplains, river corridors, land adjacent to streams, wetlands, and upland forests, to reduce the risk of flood damage to infrastructure and improved property; and
- (ii) recommends policies and strategies to protect the areas identified and designated under this subdivision (A) and to mitigate risks to public safety, critical infrastructure, historic structures, and public investments.

(B) A flood resilience element may reference an existing regional hazard mitigation plan approved under 44 C.F.R. § 201.6.

24 V.S.A. § 4348a(a)(11).

**Board Response:**

The draft plan includes Chapter 10, Flood Resilience & Emergency Management, which identifies flood hazard and fluvial erosion hazard (river corridor) areas, referencing river corridor maps and designating areas such as floodplains, river corridors, wetlands, and upland forests for protection. Natural Resources Map 1- Addison Region Watersheds and Waterways, and Map 4- Wetlands, are found in Chapter 2, Natural Resources. These maps identify surface waters, river corridors and FEMA floodplains. Maps 8 and 9 identify the region's forest blocks. Flood Resilience Map 1, Addison Region River Corridors, Map 2 – Addison Region Floodplains and Map 3 – Addison Region FEMA Flood Hazard Areas can be found in Chapter 10. Additional more detailed digital mapping was provided as a component of the future land use mapping information.

The draft plan recommends policies and strategies to protect these areas and to mitigate risks to public safety, critical infrastructure, and public investments. The flood resilience strategy emphasizes three priorities: directing development away from flood hazard areas and river corridors; protecting and restoring floodplains, wetlands, and forested areas that naturally store and slow floodwaters; and strengthening emergency preparedness through updated hazard mitigation plans and coordination of response strategies. Key waterways including Otter Creek, New Haven River, and Lewis Creek require protection from encroachment, while wetland complexes and upland forests provide critical flood mitigation benefits.

Municipalities in the region have completed significant emergency planning, and nearly all towns participate in the National Flood Insurance Program. In contrast, few towns have adopted river corridor protection regulations. By combining proactive land use management with ecological restoration and coordinated emergency planning, ACRPC asserts that it can help communities adapt to increasing flood risks and safeguard public safety, property, and natural resources.

The draft plan includes implementation actions, summarized as follows: (i) updating zoning and flood hazard bylaws to restrict new development in floodplains and river corridors; (ii) support for restoration and conservation projects, and establishment of riparian buffers; (iii) strengthening of emergency preparedness and hazard mitigation planning. These strategies aim to enhance community resilience against flooding and ensure the safety of people and property. The draft plan references the importance of local hazard mitigation plans, which aligns with the option to reference a plan approved under 44 C.F.R. § 201.6. This integration supports a comprehensive approach to flood resilience and emergency management.

The draft plan does not reference policies and strategies to mitigate risks to historic structures, specifically (although it is understood that the overall policies and strategies should help effectuate this).

This element is addressed in Chapter 7, Flood Resilience and Emergency Management, pages 1-11 and Chapter 2, Natural Resources, pages 1, 4 and 12. Goals, objectives, and actions to address this element are further referenced on pages 26 and 27 of the Summary: Regional Plan Approval Criteria for ACRPC (Exhibit 016). Plan Introduction Summary, page 7.

**The draft plan appears to meet this requirement**

**Advisory Recommendation:**

- Topographically defined floodplains are difficult to interpret on Map 2 on page 10 of Chapter 7. Consider revising the map and including explanatory text within the chapter. Acknowledge that the 100 year flood is what defines the Special Flood Hazard Area. Acknowledge that the 500 year flood is a more frequent occurrence. Discuss relationship between Map 2 and 3.

12. Future Land Use

The draft plan must include:

A future land use element...that sets forth the present and prospective location, amount, intensity, and character of such land uses in relation to the provision of necessary community facilities and services and that consists of a map delineating future land use area boundaries for the land uses in subdivisions (A)–(J) of this subdivision (12) as appropriate and any other special land use category the regional planning commission deems necessary; descriptions of intended future land uses; and policies intended to support the implementation of the future land use element...

24 V.S.A. § 4348a(a)(12).

**Board Response:**

The Future Land Use Map depicts all the FLU areas described in 24 V.S.A. § 4348a(a)(12). The Flood Hazard Areas and River Corridors are mapped as overlays.

In refining how the mapped areas for growth could accommodate a substantial majority of the region's housing targets, the ACRPC staff met and worked with each municipality to assess the following issues: existing and potential residential densities, future zoning reforms, access to suitable soils for septic, options for shared and community infrastructure, options for adaptive reuse or conversion of single family homes to multi-family, ownership of land. The process of collaboration and shared information with municipalities resulted in boundaries to accommodate future growth and housing targets.

**The draft plan appears to meet this requirement with the following required revisions to the FLU map.**

- **Roads are not mapped on the FLU map. Map roads using an adjacent FLU category.**
- **Surface waters are not mapped. Map surface waters. The FLU digital data layer should include the full extent of the region. These could be mapped as “surface waters,” Rural – Conservation, Resource-based Recreation, or another FLU category.**

### Advisory Recommendations:

- On pages 5 and 7 of the Future Land Use chapter there is a discussion of the Act 250 jurisdictional tiers. Although Tier 1A and 1B have implications for Act 250 jurisdiction and are related to four of the future land use categories, the other six future land use categories are unrelated to Act 250 jurisdictional Tiers. Given general public confusion about the relationship between FLUA categories and Act 250 jurisdiction, consider relocating this discussion of Act 250 jurisdiction or clarifying the lack of regulatory implications for the non-growth area FLUAs.
- On page 12 of the Future Land Use chapter, Rural General is identified as comprising 4.53% of the region and proposed to accommodate 40% of the region’s proposed housing growth, while growth areas comprise 3.3% of the region and are proposed to accommodate 60% of housing targets. Consider more explanation of how just 4.53% of the region will be able to accommodate 40% of regional housing targets in the form of low density residential development.
- Relatedly, the Land Use Chapter indicates that growth areas will accommodate 60% of the regional housing targets. However, the RPC Checklist (Exhibit 016 page 29) identifies that 80% of housing growth is planned for Downtown and Village Centers, Planned Growth Areas, and Village Areas and 20% planned for the remaining FLUAs except for Rural Conservation, which would see 0% of the housing growth. Revise the documents to provide a consistent message.
- Consider including summary of percent total in each FLU category, including surface waters if using that mapping category.
- Consider displaying Map 1 (Land Cover) from Chapter 8 on a single page.
- The second paragraph on page 5 of Chapter 8 refers to Map 1, but the reference should be to Map 2.
- Pages 5 & 7 of Chapter 8 – mixing Act 250 jurisdictional tiers with area not eligible for Tier 1 is troubling – confusing. Tier 2 could include villages and village areas, as well as planned growth areas and downtowns if a municipality does not opt in. The 6 non-growth area FLU areas do not have implications for Act 250 jurisdiction.
- Table 1 in Chapter 8 summarizes changes involving previously designated centers and NDAs.– why not include proposed village areas in this table?

- The explanation of the previous designation program and new designations as conferred by the LURB upon approval of the FLU map is not clear. These sections of Chapter 8 should be rewritten to divorce the Act 250 Tiers from the FLU areas discussion. Also, the relationship between the old designation program and the new program as established by Act 181 needs clearer treatment.

#### (A) Downtown Centers and Village Centers

The FLU map contains downtown and village centers, which are defined as:

Downtown or village centers. These areas are the mixed-use centers bringing together community economic activity and civic assets. They include downtowns, villages, and new town centers previously designated under chapter 76A and downtowns and village centers seeking benefits under the Community Investment Program under section 5804 of this title. The downtown or village centers are the traditional and historic central business and civic centers within planned growth areas, village areas, or may stand alone. Village centers are not required to have public water, wastewater, zoning, or subdivision bylaws.

24 V.S.A § 4348a(a)(12)(A). The reference to section 5804 appears to be a typo, as it is titled “Designated neighborhood” whereas section 5803 is titled “Designation of downtown and village centers.” For the Board’s review of downtown and village centers, section 5803 has been incorporated.

A regional planning commission may apply to the LURB for approval and designation of all centers by submitting the regional plan future land use map adopted by the regional planning commission. The regional plan future land use map shall identify downtown centers and village centers as the downtown and village areas eligible for designation as centers. The Department and State Board shall provide comments to the LURB on areas eligible for center designation as provided under this chapter.

24 V.S.A. 5403(a).

The statute directs the Board to “allow for the designation of preexisting, designated downtowns, village centers and new town centers in existence on or before December 31, 2025.” 24 V.S.A. § 5803(b). For all other areas mapped as downtown centers, the Board used the following parameters. First, whether the mapped area reflects a traditional and historic central business and civic center. *Id.* Second, whether the mapped area is consistent with the VAPDA mapping process and standards. Finally, the Board evaluated whether areas mapped as downtown or village center include development that is disconnected from a center and that lack pedestrian connections to the center via a complete street. 24 V.S.A. § 5803(c).

With the exception for preexisting, nonconforming designations approved prior to the establishment of the program under this chapter or areas included in the municipal plan for the purposes of relocating a municipality’s center for flood resiliency purposes, the areas eligible for designation benefits upon the LURB’s

approval of the regional plan future land use map for designation as a Center shall not include development that is disconnected from a Center and that lacks a pedestrian connection to the Center via a complete street.

24 V.S.A. § 5803(c).

Additionally, the Community Investment Program defines a “State Designated Downtown or Village Center” or “Center” as:

...a contiguous downtown or village a portion of which is listed or eligible for listing in the national register of historic places area approved as part of the LURB review of regional plan future land use maps, which may include an approved preexisting designated downtown, village center, or designated new town center established prior to the approval of the regional plan future land use maps.

24 V.S.A. 5801(12) *see also* 24 V.S.A. § 5803(b).

- Downtown Centers

The downtown centers depicted on the FLU Map must meet the requirements of 24 V.S.A. § 4348a(a)(12)(A). Downtown centers are required to have zoning and subdivision bylaws and public water or sewer services. 24 V.S.A. § 4348a(a)(12)(A) *see also* 24 V.S.A. § 5803(f)(3).

The FLU map depicts the following 3 downtown centers:

Bristol Downtown                      Vergennes Downtown  
Middlebury Downtown

- Village Centers

The village centers depicted on the FLU map must meet 24 V.S.A. § 4348a(a)(12)(A).

The FLU map depicts the following 20 village centers:

Addison Village Center	New Haven Village Center
Bridport Village Center	Orwell Village Center
Cornwall Village Center	Panton Village Center
West Cornwall Village Center	Ripton Village Center
Ferrisburgh Village Center	Salisbury Village Center
Goshen Village Center	Shoreham Village Center
Lincoln Village Center	Starksboro Village Center
Leicester Village Center	Jerusalem (Starksboro) Village Center
East Middlebury Village Center	Weybridge Village Center
Monkton Village Center	Whiting Village Center

The Board's review of each proposed downtown center and village center is provided within its section addressing downtown centers, village centers, planned growth areas, and village areas, collectively for each municipality, which starts on page 42.

### (B) Planned Growth Areas

The statute describes "planned growth areas" as:

...high-density existing settlement and future growth areas with high concentrations of population, housing, and employment in each region and town, as appropriate. They include a mix of historic and nonhistoric commercial, residential, and civic or cultural sites with active streetscapes, supported by land development regulations; public water or wastewater, or both; and multimodal transportation systems. These areas include new town centers, downtowns, village centers, growth centers, and neighborhood development areas previously designated under chapter 76A of this title. These areas should generally meet the smart growth principles definition in chapter 139 of this title and the following criteria:

- (i) The municipality has a duly adopted and approved plan and a planning process that is confirmed in accordance with section 4350 of this title and has adopted bylaws and regulations in accordance with sections 4414, 4418, and 4442 of this title.
- (ii) This area is served by public water or wastewater infrastructure.
- (iii) The area is generally within walking distance from the municipality's or an adjacent municipality's downtown, village center, new town center, or growth center.
- (iv) The area excludes identified flood hazard and river corridor areas, except those areas containing preexisting development in areas suitable for infill development as defined in section 29-201 of the Vermont Flood Hazard Area and River Corridor Rule.
- (v) The municipal plan indicates that this area is intended for higher-density residential and mixed-use development.
- (vi) The area provides for housing that meets the needs of a diversity of social and income groups in the community.
- (vii) The area is served by planned or existing transportation infrastructure that conforms with "complete streets" principles as described under 19 V.S.A. chapter 24 and establishes pedestrian access directly to the downtown, village center, or new town center. Planned transportation infrastructure includes those investments included in the municipality's capital improvement program pursuant to section 4430 of this title.

24 V.S.A. § 4348a(a)(12)(B).

A regional planning commission may request that the Board approve designation of areas on the FLU map as designated neighborhoods. Areas eligible for neighborhood designation include planned growth areas. 24 V.S.A. § 5804(a)(1). For the purposes designation, a "designated neighborhood" "...means a contiguous geographic area

approved as part of the Land Use Review Board review of regional plan future land use maps that is compact and adjacent and contiguous to a center.” 24 V.S.A. 5801(13). The mapped planned growth areas must meet the requirements of 24 V.S.A. § 4348a(a)(12)(B). The neighborhood designation recognizes that “the vitality of downtowns and villages is supported by adjacent and walkable neighborhoods and that the benefits structure must ensure that investments for sprawl repair or infill development within a neighborhood is secondary to a primary purpose to maintain the vitality and livability and maximize the climate resilience and infill potential of centers.” 24 V.S.A. § 5804(a)(1).

The FLU map depicts the following planned growth areas (“PGA”s) in 7 municipalities:

- Bristol: Bristol PGA
- Ferrisburgh: Ferrisburgh-Panton-Vergennes-Waltham PGA
- Middlebury: Middlebury-Weybridge PGA
- Panton: Ferrisburgh-Panton-Vergennes-Waltham PGA
- Vergennes: Ferrisburgh-Panton-Vergennes-Waltham PGA
- Waltham: Ferrisburgh-Panton-Vergennes-Waltham PGA
- Weybridge: Middlebury-Weybridge PGA

The Board’s review of each proposed planned growth area is provided within its section addressing downtown centers, village centers, planned growth areas, and village areas, collectively for each municipality, which starts on page 42.

### (C) Village Areas

The statute describes “village areas” and requires the following:

These areas include the traditional settlement area or a proposed new settlement area, typically composed of a cohesive mix of residential, civic, religious, commercial, and mixed-use buildings, arranged along a main street and intersecting streets that are within walking distance for residents who live within and surrounding the core. These areas include existing village center designations and similar areas statewide, but this area is larger than the village center designation. Village areas shall meet the following criteria:

- (i) The municipality has a duly adopted and approved plan and a planning process that is confirmed in accordance with section 4350 of this title.
- (ii) The municipality has adopted bylaws and regulations in accordance with sections 4414, 4418, and 4442 of this title.
- (iii) Unless the municipality has adopted flood hazard and river corridor bylaws, applicable to the entire municipality, that are consistent with the standards established pursuant to 10 V.S.A. § 755b (flood hazard) and 10 V.S.A. §

1428(b) (river corridor), the area excludes identified flood hazard and river corridors, except those areas containing preexisting development in areas suitable for infill development as defined in 29-201 of the Vermont Flood Hazard Area and River Corridor Rule.

- (iv) The municipality has either municipal water or wastewater. If no public wastewater is available, the area must have soils that are adequate for wastewater disposal.
- (v) The area has some opportunity for infill development or new development areas where the village can grow and be flood resilient.

24 V.S.A. 4348a(a)(12)(C).

A regional planning commission may request that the Board approve designation of areas on the FLU map as designated neighborhoods. Areas eligible for neighborhood designation include village areas. 24 V.S.A. § 5804(a)(1). For the purposes designation, a “designated neighborhood” “...means a contiguous geographic area approved as part of the Land Use Review Board review of regional plan future land use maps that is compact and adjacent and contiguous to a center.” 24 V.S.A. 5801(13). The mapped village areas must meet the requirements of 24 V.S.A. § 4348a(a)(12)(C). The neighborhood designation recognizes that “the vitality of downtowns and villages is supported by adjacent and walkable neighborhoods and that the benefits structure must ensure that investments for sprawl repair or infill development within a neighborhood is secondary to a primary purpose to maintain the vitality and livability and maximize the climate resilience and infill potential of centers.” 24 V.S.A. § 5804(a)(1). The FLU map depicts the following 20 village areas:

Addison Village Area	New Haven Village Area
Bridport Village Area	Orwell Village Area
Cornwall Village Area	Panton Village Area
West Cornwall Village Area	Ripton Village Area
Ferrisburgh Village Area	Salisbury Village Area
Goshen Village Area	Shoreham Village Area
Lincoln Village Area	Starksboro Village Area
Leicester Village Area	Jerusalem (Starksboro) Village Area
East Middlebury Village Area	Weybridge Village Area
Monkton Village Area	Whiting Village Area

The Board’s review of each proposed village area is provided within its section addressing downtown centers, village centers, planned growth areas, and village areas, collectively for each municipality, which follows.

### **Addison**

No downtown center or planned growth areas are proposed. A village center is proposed within the boundaries of a legacy village designation. The village center is surrounded by a proposed village area. It is further noted that:

- the municipal plan has currently expired (new plan adoption and confirmation are anticipated)
- the municipality has both zoning and subdivision regulations
- no flood hazard areas or river corridor areas are located in the village area
- both water infrastructure and soils that are adequate for wastewater disposal are available.

**The proposed Addison Village Center and Village Area both appear to meet the statutory standards.**

**The following will be required:**

- **Certification of the approved and confirmed municipal plan.**

### **Bridport**

No downtown center or planned growth areas are proposed. A village center is proposed between Route 22A and Lovers Lane in the vicinity of Middle Road and Park Street. A State Historic Register District anchors the northern portion of the village with several businesses, residences, and municipal properties throughout the center including the school. A proposed village area extends north and south of the village center. It is further noted that:

- the municipal plan has expired (new plan adoption and confirmation are anticipated)
- the municipality has both zoning and subdivision regulations
- flood hazard areas and river corridor areas are located in the village area and have been mapped as “overlays”
- the draft plan indicates that the village center and village area excludes identified flood hazard and fluvial erosion (river corridor) areas, except those areas containing preexisting development in areas suitable for infill development pursuant to 6033(c)(3) and (4). [Exhibit 18].
- the municipality has flood hazard bylaws
- the municipality does not have river corridor bylaws
- both water infrastructure and soils that are adequate for wastewater disposal are available.

**The proposed Bridport Village Center appears to meet the statutory standards.**

**The Board does not have sufficient information to determine if the proposed Bridport Village Area meets the statutory standards.**

**The following will be required:**

- **Certification of the approved and confirmed municipal plan.**
- **Unless the municipality adopts river corridor bylaws established pursuant to 10 V.S.A. § 1428(b), exclude the river corridor areas (except those areas containing preexisting development in areas suitable for infill development as defined in 29-201 of the Vermont Flood Hazard Area and River Corridor Rule) from the village area.**

**Bristol**

No village centers or village areas are proposed. A downtown center is proposed around a legacy downtown designation and National Register Historic District. The proposed downtown center extends to the limits of the State Register Historic District. A proposed planned growth area (“PGA”) extends around the downtown. The area is shown as Village Planning Area in the 2020 municipal plan. The municipal plan describes the area as having a concentration of commercial and manufacturing facilities and a pattern of increased density. It is further noted that:

- the municipal plan has been adopted and confirmed
- the municipality has both zoning and subdivision regulations
- flood hazard areas and river corridor areas are located in the PGA and have been mapped as “overlays”
- the draft plan indicates that the downtown center and PGA exclude identified flood hazard and fluvial erosion areas (river corridor areas), except those areas containing preexisting development in areas suitable for infill development pursuant to 6033(c)(3) and (4). [Exhibit 18].
- the municipality has flood hazard bylaws
- the municipality does not have river corridor bylaws
- both water and sewer are available (the GIS mapping information does not depict water and sewer; the narrative notes that the area is served however the map does not show this)

**The proposed Bristol Downtown Center appears to meet the statutory standards.**

**The Board does not have sufficient information to determine if the proposed Bristol Planned Growth Area meets the statutory standards.**

**The following will be required:**

- **Exclude identified flood hazard and river corridor areas, except those areas containing preexisting development in areas suitable for infill development**

**as defined in section 29-201 of the Vermont Flood Hazard Area and River Corridor Rule, from the PGA.**

**Cornwall**

No downtown center or planned growth areas are proposed. Two village centers with village areas are proposed, as follows:

The Cornwall Village Center is located at the intersection of Routes 30 and 74 around a legacy village designation. There is a State Historic Register District at the south end of this village center. A proposed village area surrounds the village center.

The West Cornwall Village Center is located at the intersection of Route 74 and Bingham Street around a State Historic Register District in West Cornwall. The area includes several commercial properties, a fire station and residences. A proposed village area surrounds the village center.

It is further noted that:

- the municipal plan has been adopted and confirmed
- the municipality has both zoning and subdivision regulations
- no flood hazard areas or river corridor areas are located in either village center or village area
- soils that are adequate for wastewater disposal are available

**The proposed Cornwall Village Center and Cornwall Village Area, and the proposed West Cornwall Village Center and West Cornwall Village Area all appear to meet the statutory standards.**

**Ferrisburgh**

A downtown center is not proposed. In North Ferrisburgh, a hamlet is identified. Elsewhere a village center and village area are proposed. The proposed village center extends around a legacy village designation at the intersection of Route 7 and Middlebrook Road and Little Chicago Road. The village includes the town offices, school, post office, a religious institution, and several commercial and residential properties. The village area extends north of the village center to the fire station and includes several residences.

A planned growth area (“PGA”) is also proposed to the south and is not connected to the village center or village area. The proposed PGA is contiguous to a PGA proposed for the adjacent municipality of Vergennes. The approved Ferrisburgh municipal plan calls for its proposed PGA area to be mixed use which allows for higher density

development. Information on the inclusion of complete streets is not detailed for the PGA area. The area has several residential and commercial properties.

It is further noted that:

- the municipal plan has been adopted but will require confirmation
- the municipality has both zoning and subdivision regulations
- no flood hazard areas or river corridor areas are located in the village area or PGA
- both water infrastructure and soils that are adequate for wastewater disposal are available in the proposed village center and village area
- the GIS map does not show municipal water or sewer servicing the proposed PGA area

**The proposed Ferrisburgh Village Center appears to meet the statutory standards.**

**The Board does not have sufficient information to determine if the proposed Ferrisburgh Village Area, and Planned Growth area meet the statutory standards.**

**The following will be required:**

- **Certification of municipal plan confirmation.**
- **Information to document water or sewer service for the PGA.**
- **Information on the inclusion of complete streets for the PGA.**

### **Goshen**

No downtown center or planned growth areas are proposed. A village center is proposed at the intersection of Fay Road and Carlisle Hill Road. The village center includes only four parcels, the town offices, and the town garage. A village area extends around the village center. It is further noted that:

- the municipal plan has expired (new plan adoption and confirmation are anticipated)
- the municipality has both zoning and subdivision regulations
- flood hazard areas and river corridor areas are located in the village area and have been mapped as “overlays”
- the draft plan indicates that the village center and village area excludes identified flood hazard and fluvial erosion areas (river corridor areas), except those areas contain preexisting development in areas suitable for infill development pursuant to 6033(c)(3) and (4). [Exhibit 18].
- the municipality has flood hazard bylaws
- the municipality does not have river corridor bylaws

- soils that are adequate for wastewater disposal are available

**The proposed Goshen Village Center appears to meet the statutory standards.**

**The Board does not have sufficient information to determine if the proposed Goshen Village Area meets the statutory standards.**

**The following will be required:**

- **Certification of the approved and confirmed municipal plan.**
- **Unless the municipality adopts river corridor bylaws established pursuant to 10 V.S.A. § 1428(b), exclude the river corridor areas (except those areas containing preexisting development in areas suitable for infill development as defined in 29-201 of the Vermont Flood Hazard Area and River Corridor Rule) from the village area.**

### **Leicester**

No downtown center or planned growth areas are proposed. A village center is proposed at the intersection of Route 7 and Fern Lake Road and Whiting Road. The eight parcel village center includes the town offices, the school, a meeting house, and several commercial and residential properties. A proposed village area extends to the east and south of the village center. Some property mapped as “rural general” next to the “village center” could perhaps be mapped instead as “village area”. It is further noted that:

- the municipal plan has expired (new plan adoption and confirmation are anticipated)
- the municipality has both zoning and subdivision regulations
- river corridor areas (and a very small flood hazard area) are located in the village area and have been mapped as “overlays”
- the draft plan indicates that the village center and village area exclude identified flood hazard and fluvial erosion areas (river corridor areas), except those areas containing preexisting development in areas suitable for infill development pursuant to 6033(c)(3) and (4). [Exhibit 18].
- the municipality has flood hazard bylaws
- the municipality does not have river corridor bylaws
- soils that are adequate for wastewater disposal are available.

**The proposed Leicester Village Center appears to meet the statutory standards.**

**The Board does not have sufficient information to determine if the proposed Leicester Village Area meets the statutory standards.**

**The following will be required:**

- **Certification of the approved and confirmed municipal plan.**
- **Unless the municipality adopts river corridor bylaws established pursuant to 10 V.S.A. § 1428(b), exclude the river corridor areas (except those areas containing preexisting development in areas suitable for infill development as defined in 29-201 of the Vermont Flood Hazard Area and River Corridor Rule) from the village area.**

### **Lincoln**

No downtown center or planned growth areas are proposed. Three hamlets are proposed: West Lincoln, South Lincoln, and Downingsville. A village center is proposed at the intersection of River Road and Gove Hill Road and Quaker Street around a State Historic Register District. The town offices, library, a religious institution, and a general store are located within the village center as well as several commercial and residential properties. A proposed village area extends from the southern edge of the village center to the school along East River Road, and north to Elder Hill Road. It is further noted that:

- the municipal plan has been adopted and confirmed
- the municipality has both zoning and subdivision regulations
- flood hazard areas and river corridor areas are located in the village area and have been mapped as “overlays”
- the draft plan indicates that the village center and village area exclude identified flood hazard and fluvial erosion areas (river corridor areas), except those areas containing preexisting development in areas suitable for infill development pursuant to 6033(c)(3) and (4). [Exhibit 18].
- the municipality has both flood hazard and river corridor bylaws
- soils that are adequate for wastewater disposal are available.

### **The Lincoln Village Center and Village Area appear to meet the statutory standards.**

### **Middlebury**

A hamlet is proposed for the Lindale-Meade neighborhood in Middlebury.

A village center is proposed in East Middlebury around a legacy village designation and State Register Historic District. A post office, inn, several stores, and a variety of residential and commercial properties are contained in the center. The village center expands upon the legacy area to the west and north to include several commercial and residential properties including a religious institution. The Middlebury River and its flood hazard area run along the southern boundary of the village center. A village area is

proposed to the northeast and southeast of the village center running from the southern municipal boundary to the northern edge of the airport, and extending up to approximately 1.5 miles from the village center. The village area includes an inn, several residences, a park, and a cemetery. The easternmost portion of the village area also encapsulates a portion of the State Register Historic District.

A downtown center is proposed within the boundary of a legacy downtown designation. The downtown center contains both a State and a National Register Historic District, municipal offices, a library, several religious institutions, restaurants, businesses, shops, and residences. The flood hazard area of Otter Creek runs through the middle of the downtown center. A planned growth area (“PGA”) is proposed around the downtown area and is bisected by the Otter Creek and its flood hazard areas. The PGA includes Middlebury College, the high school, commercial areas, the post office, and residential. The area is served by transit, is generally walkable from the downtown, is served by municipal water and sewer, and includes a mix of medium / high density residential and mixed used development.

It is further noted that:

- the municipal plan has expired (new plan adoption and confirmation are underway)
- the municipality has both zoning and subdivision regulations
- flood hazard areas and river corridor areas are located in the village area and PGA, and have been mapped as an “overlays”
- the draft plan indicates that the village center, village area, downtown center, and planned growth area exclude identified flood hazard and fluvial erosion areas (river corridor areas), except those areas containing preexisting development in areas suitable for infill development pursuant to 6033(c)(3) and (4). [Exhibit 18].
- the municipality has flood hazard bylaws
- the municipality does not have river corridor bylaws (however they are not in effect in the entire municipality)
- both water infrastructure and soils that are adequate for wastewater disposal are available in the East Middlebury area
- municipal water and sewer are available in the downtown center and PGA

**The proposed Middlebury Downtown Center and Village Center appear to meet the statutory standards.**

**The Board does not have sufficient information to determine if the proposed Middlebury Planned Growth Area and Village Area meet the statutory standards.**

**The following will be required:**

- **Certification of the approved and confirmed municipal plan**
- **Unless the municipality adopts river corridor bylaws established pursuant to 10 V.S.A. § 1428(b), exclude the river corridor areas (except those areas containing preexisting development in areas suitable for infill development as defined in 29-201 of the Vermont Flood Hazard Area and River Corridor Rule) from the village area.**
- **Exclude identified flood hazard and river corridor areas, except those areas containing preexisting development in areas suitable for infill development as defined in section 29-201 of the Vermont Flood Hazard Area and River Corridor Rule, from the PGA.**

### **Monkton**

No downtown center or planned growth areas are proposed.

A village center is proposed in the Monkton Ridge vicinity within the same boundaries as the legacy village designation. The village center contains a State Register Historic District, the post office, library, a religious institution, commercial and residential properties. A proposed village area extends from the village center. The village area is extensive and diverges into a southern leg to include Monkton Boro, Monkton Central School, a park, and several commercial and residential properties. The flood hazard area of Cedar Lake and its tributaries bisect the village area. The lake flood hazard area also extends nominally into the proposed village center (within and not beyond the legacy area).

The town green is omitted from the village area, and designated as “rural conservation”. The Boro area could potentially be considered as a second village center as this area also contains a separate State Register Historic District and municipal park. The village area as proposed is very expansive, particularly to the south where it extends to approximately 2 miles from the village center. An additional village center at the Boro area may create more balance between the two areas. It is further noted that:

- the municipal plan has been adopted and confirmed
- the municipality has both zoning and subdivision regulations
- some flood hazard areas and river corridor areas are located in the village area and have been mapped as “overlays”
- the draft plan indicates that the village center and village area exclude identified flood hazard and fluvial erosion areas (river corridor areas), except those areas containing preexisting development in areas suitable for infill development pursuant to 6033(c)(3) and (4). [Exhibit 18].
- the municipality has flood hazard bylaws

- the municipality does not have river corridor bylaws
- soils that are adequate for wastewater disposal are available.

**The proposed Monkton Village Center appears to meet the statutory standards.**

**The Board does not have sufficient information to determine if the proposed Monkton Village Area meets the statutory standards.**

**The following will be required:**

- **Modify the village area for alignment with the statutory standards (??); include consideration of the Board comments above.**
- **Unless the municipality adopts river corridor bylaws established pursuant to 10 V.S.A. § 1428(b), exclude the river corridor areas (except those areas containing preexisting development in areas suitable for infill development as defined in 29-201 of the Vermont Flood Hazard Area and River Corridor Rule) from the village area.**

### **New Haven**

No downtown center or planned growth areas are proposed.

A village center is proposed around a legacy village designation at the intersection of Route 17, Main Street, and North Street. The village center includes the school library, and several commercial and residential properties. The center is expanded from the legacy boundaries to include the entirety of the State Register Historic District. A proposed village area extends from the village center, to the south, east, and north and includes the fire department and several additional commercial and residential properties. It is further noted that:

- the municipal plan has been adopted and confirmed
- the municipality has both zoning and subdivision regulations
- no flood hazard areas or river corridor areas are located in the village center or in the village area
- both water infrastructure and soils that are adequate for wastewater disposal are available.

**The proposed New Haven Village Center and Village Area appear to meet the statutory standards.**

### **Orwell**

No downtown center or planned growth areas are proposed.

A village center is proposed at the intersection of Routes 22A and 73 around a legacy village designation. The village center is proposed to be expanded to include more of a State Register Historic District, and includes the school, municipal offices, library, post office, and several residences and commercial properties. A proposed village area extends from the village center with five transition area properties on the periphery along Route 22A. A stream and its flood hazard area are located through the village area which has been mapped to exclude these areas. It is further noted that:

- the municipal plan has been adopted and confirmed
- the municipality has both zoning and subdivision regulations
- no flood hazard or river corridor areas are located in the village center or in the village area
- a municipal resolution was not provided (and is also relevant to a Tier 1B request, which is evaluated elsewhere)
- water and sewer infrastructure, and soils that are adequate for wastewater disposal are available

**The proposed Orwell Village Center and Village Area appear to meet the statutory standards.**

### **Panton**

No downtown center is proposed.

A village center is proposed at the intersection of Panton Road, Adams Ferry Road, and Jerrey Street. The village center is comprised of seven parcels and includes a State Register Historic District, the municipal offices, a religious institution, and several residences. A proposed village area extends from the village center, to the west, north, and east, and includes portions of the historic district, a commercial property, and several residences.

A planned growth area (“PGA”) is proposed at the northeastern corner of Panton as it abuts the downtown area of Vergennes along Panton Road with the Otter Creek running along the northern edge of the PGA. The proposed PGA includes a rescue squad, inn, and several industrial and residential properties. The GIS mapping does not depict water or sewer infrastructure however the 2020 Panton Plan shows municipal water along Panton Road. The PGA is not served by public transit and complete streets detail was not provided. The municipality is working to revise its plan however the current plan shows the area as rural residential and not medium to high density residential with mixed use as required for PGA. Otter Creek and its flood hazard area are located along the PGA which has been mapped to exclude these areas.

It is further noted that:

- the municipal plan has been adopted and confirmed
- the municipality has both zoning and subdivision regulations
- no flood hazard or river corridor areas are located in the village center, village area, or PGA
- water infrastructure and soils that are adequate for wastewater disposal are available

**The proposed Panton Village Center and Village Area appear to meet the statutory standards.**

**The Board does not have sufficient information to determine if the proposed Panton Planned Growth Area meets the statutory standards.**

**The following will be required:**

- **Certification of the approved and confirmed municipal plan (if it is revised)**
- **Information on the inclusion of complete streets for the PGA**
- **Information to support that the PGA area is planned for medium to high density residential with mixed use**

**Advisory Recommendation:**

- Consider adding depth to the village area along Panton Road.

### **Ripton**

No downtown center or planned growth areas are proposed. A village center is proposed along Route 125 between the intersection of Lincoln Road and Natural Turnpike. The village center includes the municipal offices, post office, a store, and an inn as well as several residences. The Middlebury River Sparks Brook are located through and along the village center and the village area which have been mapped to exclude the flood hazard areas excepting for a small area which appears to qualify as infill. Fluvial erosion areas (river corridors) are located within the village center and village area. The village area extends to the north of the village along Lincoln Road and Natural Turnpike and includes the school and several residences. The village area extends to approximately 1.7 miles from the village center. The village area appears disproportionate to the center and consideration could be made to including the school in the village center and/or to reducing the scope of village area to the north. The town has purchased or has an option to purchase a property for a municipal building, in the northern end of the village area. It is further noted that:

- the municipal plan has been adopted and confirmed

- the municipality has both zoning and subdivision regulations
- flood hazard areas and river corridor areas are located in the village area and have been mapped as “overlays”
- the draft plan indicates that the village center and village area exclude identified fluvial erosion areas (river corridor areas), except those areas containing preexisting development in areas suitable for infill development pursuant to 6033(c)(3) and (4). [Exhibit 18].
- the municipality has both flood hazard and river corridor bylaws
- soils that are adequate for wastewater disposal are available

**The proposed Ripton Village Center and Village Area appear to meet the statutory standards.**

**Advisory Recommendation:**

- Consider expanding the village center north into the village area

**Salisbury**

No downtown center or planned growth areas are proposed.

A village center is proposed around a legacy village designation at the intersection of West Shore Road and Maple Street. The village center includes the municipal offices, library, post office, religious institution, and several commercial and residential properties. A small expansion of the village is proposed along Smead Road (two parcels) and to the east along West Shore Road (six parcels). The proposed village area extends around the center to the west, north, and east and includes both commercial and residential properties. It is further noted that:

- the municipal plan has been adopted and confirmed
- the municipality has both zoning and subdivision regulations
- some flood hazard areas and river corridor areas are located in the village area and have been mapped as “overlays”
- the draft plan indicates that the village center and village area exclude identified flood hazard and fluvial erosion areas (river corridor areas), except those areas containing preexisting development in areas suitable for infill development pursuant to 6033(c)(3) and (4). [Exhibit 18].
- the municipality has both flood hazard and river corridor bylaws
- soils that are adequate for wastewater disposal are available

**The proposed Salisbury Village Center and Village Area appear to meet the statutory standards.**

## **Shoreham**

No downtown center or planned growth areas are proposed.

A village center is proposed around a legacy village designation at the intersection of Route 22A and Route 74. The area includes the school, fire department, post office, a bank, and several commercial and residential properties. The village center is proposed to be expanded around the village center to include the entirety of the State Register Historic District and one additional parcel. A proposed area extends around the village to the south, east, and north and includes several residences. A flood hazard area is located along and within the western edge of the village center and village area.

It is further noted that:

- the municipal plan has expired (new plan adoption and confirmation are anticipated)
- the municipality has both zoning and subdivision regulations
- some flood hazard areas and river corridor areas are located in the village area and have been mapped as “overlays”
- the draft plan indicates that the village center and village area exclude identified flood hazard and fluvial erosion areas (river corridor areas), except those areas containing preexisting development in areas suitable for infill development pursuant to 6033(c)(3) and (4). [Exhibit 18].
- the municipality has both flood hazard and river corridor bylaws
- water and sewer infrastructure and soils that are adequate for wastewater disposal are available

**The proposed Shoreham Village Center and Village Area appear to meet the statutory standards.**

**The following will be required:**

- **Certification of the approved and confirmed municipal plan.**

## **Starksboro**

No downtown center or planned growth areas are proposed. Two village centers are proposed, as follows

The first village center is at the intersection of Route 116 and Big Hollow Road and is referred to as the Starksboro Village Center. This village center area is based on a legacy village designation and extends to the north by seven parcels to include the entirety of the State Historic Register District. The area contains the municipal offices, school, post office, library, and meeting house. A proposed village area extends around

the village center. Flood hazard areas and river corridors are located across the southern portion of the village area and along its western edge. None are present in the village center.

The second village center is referred to as the Jerusalem Village Center at the intersection of Jerusalem Road and Route 17. This is also a legacy village designation and contains only three parcels and a firehouse, cemetery, and store. A large village area is proposed around the village center. It is recommended that the village center potentially be increased in size as it is disproportionate to the village area. Flood hazard area and river corridors along Baldwin Creek are located to the south of the village center and within the village area.

It is further noted that:

- the municipal plan has been adopted and confirmed
- the municipality has both zoning and subdivision regulations
- some flood hazard areas and river corridor areas are located in the village area and have been mapped as “overlays”
- the draft plan indicates that the village centers and village areas exclude identified flood hazard and fluvial erosion areas (river corridor areas), except those areas containing preexisting development in areas suitable for infill development pursuant to 6033(c)(3) and (4). [Exhibit 18].
- the municipality has flood hazard bylaws
- the municipality does not have river corridor bylaws
- water and sewer infrastructure and soils that are adequate for wastewater disposal are available

**The proposed Starksboro Village Center and the proposed Starksboro Jerusalem Village Center appear to meet the statutory standards.**

**The Board does not have sufficient information to determine if the proposed Starksboro Village Area and Starksboro Jerusalem Village Area meet the statutory standards.**

**The following will be required:**

- **Unless the municipality adopts river corridor bylaws established pursuant to 10 V.S.A. § 1428(b), exclude the river corridor areas (except those areas containing preexisting development in areas suitable for infill development as defined in 29-201 of the Vermont Flood Hazard Area and River Corridor Rule) from the village areas.**

## **Vergennes**

No village centers or village areas are proposed. A downtown center is proposed around a legacy downtown designation. The core of the downtown center contains both National Register and State Register Historic District. The proposed expansion of the downtown center includes the State Register Historic District not previously included in the legacy downtown designation. Municipal offices, religious institutions, and a variety of commercial and residential properties area included in the downtown. It is unclear if all street fronting properties were included in the downtown center. Flood hazard areas along Otter Creek bisect the downtown.

A planned growth area (“PGA”) is proposed around the downtown area and includes the legacy neighborhood designation. The 2020 Municipal Plan (approved and confirmed) calls for the PGA area to be a mix of medium and high density residential as well as commercial and industrial. It appears that only the gateway future land use area allows for mixed use. Additional information is needed on how the totality of the proposed PGA area meets the mixed-use requirements applicable to PGA. The Commodore Drive area in the southern PGA area is shown as low density residential on the municipal future land use map and additional information should be provided as to how Vergennes low density residential future land use area meets the requirements for PGA. Municipal water and sewer are available in the entire PGA.

It is further noted that:

- the municipal plan has been adopted and confirmed
- the municipality has both zoning and subdivision regulations
- flood hazard areas and river corridor areas (fluvial erosion areas) are located in the PGA, and have been mapped as “overlays”
- the draft plan indicates that the downtown center and PGA exclude identified flood hazard and fluvial erosion areas (river corridor areas), except those areas containing preexisting development in areas suitable for infill development pursuant to 6033(c)(3) and (4). [Exhibit 18].
- the municipality has flood hazard bylaws
- the municipality does not have river corridor bylaws
- both water and sewer are available

**The proposed Vergennes Downtown Center appears to meet the statutory standards.**

**The Board does not have sufficient information to determine if the proposed Vergennes Planned Growth Area meets the statutory standards.**

**The following will be required:**

- **Exclude identified flood hazard and river corridor areas, except those areas containing preexisting development in areas suitable for infill development as defined in section 29-201 of the Vermont Flood Hazard Area and River Corridor Rule, from the PGA.**

**Advisory Recommendation:**

- Additional information is requested to demonstrate how the PGA area meets the density and mixed-use requirements applicable to PGA.

**Waltham**

No downtown center, village center, or village area are proposed.

A planned growth area (“PGA”) is proposed in the northwest corner where Waltham abuts the PGA and downtown area of the adjacent municipality of Vergennes. The current municipal plan calls for the PGA area to be residential at a density higher than the rest of the community and notes that it includes more than half of the housing currently in the community. It is not clear if mixed use is included in municipal future land use plans. Public transit runs along the northern boundary of the PGA on Route 7. Other information relevant to complete streets planning and pedestrian walkability was not provided. The GIS mapping does not depict that the PGA is served by municipal water or sewer, however the draft plan indicates that the Vergennes-Panton Water District service is available in the PGA [Exhibit 18].

It is further noted that:

- the municipal plan has been adopted and confirmed, and will expire this year
- the municipality has both zoning and subdivision regulations
- no flood hazard areas are located in the PGA
- a small river corridor area is located in the PGA (in the southeast area along Maple street)
- the draft plan indicates that the PGA excludes identified flood hazard and fluvial erosion areas (river corridor areas), except those areas containing preexisting development in areas suitable for infill development pursuant to 6033(c)(3) and (4). [Exhibit 18].
- the municipality has adopted flood hazard bylaws and ACRPC is working with the municipality towards NFIP confirmation in the foreseeable future
- the municipality does not have river corridor bylaws
- water infrastructure and soils that are adequate for wastewater disposal are available

**The Board does not have sufficient information to determine if the proposed Waltham Planned Growth Area meets the statutory standards.**

**The following will be required:**

- **Information on the inclusion of complete streets for the PGA.**
- **Information to support that the PGA area is planned for medium to high density residential with mixed use.**
- **Exclude identified flood hazard and river corridor areas, except those areas containing preexisting development in areas suitable for infill development as defined in section 29-201 of the Vermont Flood Hazard Area and River Corridor Rule, from the PGA.**

**Weybridge**

No downtown center is proposed.

A village center comprised of 14 parcels is proposed around the intersection of Quaker Village Road, James Road, Weybridge Road, and Hamilton Road in an area called Weybridge Hill. The municipal offices, school, a religious institution, and a store are included in the village center as well as residences. A proposed village area extends from the village center and is developed with rural residential.

A planned growth area (“PGA”) is proposed in the southeast corner of Weybridge, apart from the village area, and comprised of two different non-contiguous areas. The area is in proximity of the Weybridge border with Middlebury border, and the two areas include properties along Sheep Farm Road and along Pulp Mill Bridge Road, respectively. The Sheep Farm Road PGA area contains a residential subdivision and is separated from the Pulp Mill Bridge Road by a Rural Conservation area that is a park. No water or sewer services were identified in the Sheep Farm Road area of the proposed PGA. The Pulp Mill Bridge PGA area includes water infrastructure and is separated from Middlebury’s proposed PGA by the Otter Creek and its flood hazard area. Both areas are identified as medium to high density residential in the municipal plan but it is unclear if mixed use is included. Information on proposed complete streets planning for the area or planned pedestrian connections was not provided.

It is further noted that:

- the municipal plan has been adopted and confirmed
- the municipality has both zoning and subdivision regulations
- no flood hazard or river corridor areas are located in the village area
- flood hazard areas and river corridor areas are located in the PGA and have been mapped as “overlays”

- the draft plan indicates that the village center, village area, and PGA exclude identified flood hazard and fluvial erosion areas (river corridor areas), except those areas containing preexisting development in areas suitable for infill development pursuant to 6033(c)(3) and (4). [Exhibit 18].
- the municipality has flood hazard bylaws
- the municipality does not have river corridor bylaws
- water infrastructure is available in a portion of the PGA
- soils that are adequate for wastewater disposal are available in the village center and village area

**The proposed Weybridge Village Center and Village Area appear to meet the statutory standards.**

**The Board does not have sufficient information to determine if the proposed Weybridge Planned Growth Area meets the statutory standards.**

**The following will be required:**

- Information relevant to complete streets planning and pedestrian walkability, in **the PGA**
- **Verification that mixed use development can occur in the PGA.**
- **Verification that water or sewer infrastructure will be available in the Sheep Farm Road portion of the PGA.**
- **Exclude identified flood hazard and river corridor areas, except those areas containing preexisting development in areas suitable for infill development as defined in section 29-201 of the Vermont Flood Hazard Area and River Corridor Rule, from the PGA.**

### **Whiting**

No downtown center or planned growth areas are proposed.

A village center is proposed around a legacy village designation at the intersection of Vermont Route 30 and Shoreham Whiting Road. The municipal offices, fire station, a religious institution, and a general store are included in the village center. A proposed village area extends around the village center, to the east, west, and north.

It is further noted that:

- the municipal plan has been adopted and confirmed
- the municipality has both zoning and subdivision regulations
- some flood hazard areas are located in the village area and have been mapped as an “overlay”

- river corridors have been mapped as an “overlay” and no river corridor areas are located in the village area
- the draft plan indicates that the village center and village area exclude identified flood hazard and fluvial erosion areas (river corridor areas), except those areas containing preexisting development in areas suitable for infill development pursuant to 6033(c)(3) and (4). [Exhibit 18].
- the municipality does not have flood hazard or river corridor bylaws
- water infrastructure and soils that are adequate for wastewater disposal are available

**The proposed Whiting Village Center appears to meet the statutory standards.**

**The Board does not have sufficient information to determine if the proposed Whiting Village Area meets the statutory standards.**

**The following will be required:**

- **Unless the municipality adopts flood hazard and river corridor bylaws established pursuant to 10 V.S.A. § 755b) and 10 V.S.A. § 1428(b), exclude the flood hazard and river corridor areas (except those areas containing preexisting development in areas suitable for infill development as defined in 29-201 of the Vermont Flood Hazard Area and River Corridor Rule) from the village area.**

#### (D) Transition or Infill Area

The statute describes “transition or infill areas” as:

...of existing or planned commercial, office, mixed-use development, or residential uses either adjacent to a planned growth or village area or a new stand-alone transition or infill area and served by, or planned for, public water or wastewater, or both. The intent of this land use category is to transform these areas into higher-density, mixed-use settlements, or residential neighborhoods through infill and redevelopment or new development. New commercial linear strip development is not allowed as to prevent it negatively impacting the economic vitality of commercial areas in the adjacent or nearby planned growth or village area. This area could also include adjacent greenfields safer from flooding and planned for future growth.

24 V.S.A. § 4348a(a)(12)(D).

#### **Board Response:**

The draft plan includes proposed transition / infill areas. The draft plan envisions using existing infrastructure in these areas to expand housing development and identifies that walkable infrastructure will help transform these areas into active community centers that support nearby villages or downtowns. The draft plan also indicates that the newly adopted Community and Housing Infrastructure Program (CHIP) will help fund this

infrastructure by using the increased property tax revenue generated over time to support the growth.

The FLU map depicts the following transition/infill areas in two communities. The Middlebury transition/infill is located along Route 7, with connectivity to its proposed planned growth area. The Orwell transition/infill area is located in two small areas adjacent to the proposed village area, along Route 22A. Middlebury has already engaged in planning to develop housing nodes within its transition /infill area. The area in Orwell is much smaller and less developed. The draft plan encourages both Middlebury and Orwell to revise their respective municipal plans and development regulations to intentionally create mixed-use development within these transition / infill areas that will link and incorporate them into their planned growth area and village area, respectively.

**The proposed transition/infill areas appears to meet the statutory standards for a transition/infill area.**

(E) Resource-Based Recreation Area

The statute describes “resource-based recreation area as “...large-scale resource-based recreational facilities, often concentrated around ski resorts, lakeshores, or concentrated trail networks, that may provide infrastructure, jobs, or housing to support recreational activities.” 24 V.S.A. § 4348a(a)(12)(E).

The draft plan indicates that the region recognizes and supports areas that have been developed as recreational areas, mainly because of their proximity to a natural feature like Lake Champlain.

**Board Response:**

The FLU map depicts a resource-based recreation areas with frontage on Lake Champlain, in the towns of Ferrisburgh and Addison. The area in Ferrisburgh, corresponds to a 500+ acre resort property.

**The proposed resource-based recreation areas appear to meet the statutory standards for a resource-based recreation area.**

(F) Enterprise Areas

The statute describes “enterprise areas” as:

...locations of high economic activity and employment that are not adjacent to planned growth areas. These include industrial parks, areas of natural resource extraction, or other commercial uses that involve larger land areas. Enterprise areas typically have ready access to water supply, sewage disposal, electricity, and freight transportation networks.

24 V.S.A. § 4348a(a)(12)(F).

**Board Response:**

The FLU map depicts several enterprise areas. The region's enterprise areas include locations of high economic activity and employment. Enterprise Areas include existing industrial operations (Middlebury Industrial Park and Phoenix Feeds in New Haven Junction); areas of natural resource extraction - Pike Quarry in New Haven, Omya Quarry in Middlebury, and other quarries or sand and gravel extraction operations along Route 116 and the foothills of the Green Mountains; and, other commercial uses that involve larger land areas. The mapped enterprise areas are generally not adjacent to villages. These areas tend to form around earth resources (quarries) or congregate along the Green Mountain Railroad corridor and/or the Route 7 corridor, major freight transportation and electrical networks. The Middlebury Airport is also included as an Enterprise Area to support its operation. The enterprise areas are generally zoned to support mixed commercial and industrial uses.

**The proposed enterprise areas appear to meet the statutory standards for an enterprise area.**

(G) Hamlets

The statute describes "hamlets" as:

small historic clusters of homes and may include a school, place of worship, store, or other public buildings not planned for significant growth; no public water supply or wastewater systems; and mostly focused along one or two roads. These may be depicted as points on the future land use map.

24 V.S.A. § 4348a(a)(12)(G).

**Board Response:**

The FLU map depicts several hamlets, typically located at an important crossroad, but generally lacking the commercial, retail, or civic structures found in villages. The FLU map recognizes these historic centers as points and places appropriate for rural housing development or small commercial activities. A hamlet is identified in Ferrisburgh and in Middlebury, and three hamlets are identified in Lincoln, for a total of 5 hamlets. It is noted that town officials elected to designate North Ferrisburgh as a hamlet, although it could have been mapped as a village center.

**The proposed hamlets appear to meet the statutory standards for a hamlet.**

(H) Rural

The statute has three categories of rural: Rural - General, Rural - Agricultural and Forestry, and Rural - Conservation. 24 V.S.A. § 4348a(a)(12)(H)-(J). They are described as follows:

**Rural - General.** These areas include areas that promote the preservation of Vermont's traditional working landscape and natural area features. They allow for low-density residential and some limited commercial development that is compatible with productive lands and natural areas. This may also include an

area that a municipality is planning to make more rural than it is currently. 24 V.S.A. § 4348a(a)(12)(H).

**Rural - Agricultural and Forestry.** These areas include blocks of forest or farmland that sustain resource industries, provide critical wildlife habitat and movement, outdoor recreation, flood storage, aquifer recharge, and scenic beauty, and contribute to economic well-being and quality of life. Development in these areas should be carefully managed to promote the working landscape and rural economy, and address regional goals, while protecting the agricultural and forest resource value. 24 V.S.A. § 4348a(a)(12)(I).

**Rural - Conservation.** These are areas of significant natural resources, identified by regional planning commissions or municipalities based upon existing Agency of Natural Resources mapping that require special consideration for aquifer protection; for wetland protection; for the maintenance of forest blocks, wildlife habitat, and habitat connectors; or for other conservation purposes. The mapping of these areas and accompanying policies are intended to help meet requirements of 10 V.S.A. chapter 89. 24 V.S.A. § 4348a(a)(12)(J).

Mapped flood hazard areas should be excluded from planned growth areas and village areas, and mapped as Rural - Conservation, unless the municipality has adopted flood hazard and river corridor bylaws consistent with 24 V.S.A. § 4348a(a)(12). Per the VAPDA methodology, wetlands over five acres in size should be mapped as Rural - Conservation. Smaller wetlands should be mapped the same as the surrounding future land use area.

### **Board Response:**

A significant portion of the land in the region is in the rural general category, where a significant portion (40%) of the region's proposed housing growth is planned. This area allows for low-density residential development, home occupations, and some other limited commercial development that is compatible with productive lands and natural areas. It also allows well-regulated recreational or natural resource dependent businesses, including extraction operations as allowed by local development regulations. Although the status of individual municipal bylaws is not fully identified in the draft plan, mapped flood hazard areas are excluded from planned growth areas and village areas (and mapped as rural-conservation, or excluded through the use of "overlay" mapping) unless the municipality has adopted flood hazard and river corridor bylaws consistent with 24 V.S.A. § 4348a(a)(12), as attested by the ACRPC. The ACRPC identified several mapping process modifications which occurred in Leicester, Lincoln, and Starksboro [Exhibit 16].

The rural-agriculture and forestry area includes significant, active farmland or forest blocks, generally in larger parcels greater than 25 acres and generally lacking access to public water or wastewater infrastructure. It is the majority of land in the region and encompasses the "working landscape". Most of the land in the region enrolled in the State of Vermont Current Use Program falls within this category of land use. Land conserved by the Vermont Land Trust or other organizations specifically for or allowing

farming and forestry activity are also included in this category. The ACRPC identified several mapping process modifications which occurred in Leicester, Lincoln, and Starksboro [Exhibit 16].

The rural conservation area includes areas of significant natural resources based upon existing Agency of Natural Resources mapping for wetland protection and for the maintenance of forest blocks, wildlife habitat, and habitat connectors and other conservation purposes. It includes parcels owned or controlled through easements, wetlands greater than 5 acres which highlight significant wetlands and floodplains of the Region, especially in the southern communities along the Otter Creek.

**The proposed rural – general areas appear to meet the statutory standards for rural – general areas.**

**The proposed rural – agriculture and forestry areas appear to meet the statutory standards for rural – agriculture and forestry areas.**

**The proposed rural – conservation areas appear to meet the statutory standards for rural – conservation areas.**

#### **Advisory Recommendation:**

- Rural general mapping includes some relatively small parcels or areas that are disconnected from other nearby rural general areas. Adjust mapping to improve connectivity and reduce this effect.

#### **E. Tier 1B Area Status**

With Tier 1B Status Requests, the Board's review has two parts: first, whether each municipality with proposed Tier 1B status areas meets the six requirements of 10 V.S.A. § 6033(c), and, second, whether the underlying proposed Tier 1B area/s as designated in the Future Land Use Map met the requirements for a "downtown or village centers", "planned growth areas", and "village areas" as described in 24 V.S.A. § 4348a(12)(A)-(C). Below details whether the Tier 1B is consistent with six subsections of 10 V.S.A. § 6033(c). The ACRPC will also need to reference back to Section I(D)(12)(A)-(C) of this preapplication response related to the land use categories and make any necessary changes to conform with the requirements of 24 V.S.A. § 4348a(a)(12)(A)-(C).

For Tier 1B status requests, the ACRPC must demonstrate the following:

- (1) The municipality has requested to have the area mapped for Tier 1B.
- (2) The municipality has a duly adopted and approved plan and a planning process that is confirmed in accordance with 24 V.S.A. § 4350.
- (3) The municipality has adopted permanent zoning and subdivision bylaws in accordance with 24 V.S.A. §§ 4414, 4418, and 4442.
- (4) The area excludes identified flood hazard and fluvial erosion areas, except those areas containing preexisting development in areas suitable for infill development as defined in Section 29-201 of the Vermont Flood Hazard Area

and River Corridor Rule unless the municipality has adopted flood hazard and river corridor bylaws applicable to the entire municipality that are consistent with the standards established pursuant to subsection 755(b) of this title (flood hazard) and subsection 1428(b) of this title (river corridor).

- (5) The municipality has water supply, wastewater infrastructure, or soils that can accommodate a community system for compact housing development in the area proposed for Tier 1B.
- (6) The municipality has municipal staff, municipal officials, or contracted capacity adequate to support development review and zoning administration in the Tier 1B area.

10 V.S.A. § 6033(c)

**Board Response:**

The ACRPC presented (preliminary) Tier 1B status requests on behalf of 20 of the 21 towns in the region, as identified below. It is noted that most of the municipalities have not yet formally confirmed Tier 1B status requests, in writing, and it is understood that the final plan submission may not include all of the following:

Addison Village Center & Village Area  
Bridport Village Center & Village Area  
Bristol Downtown Center & Planned Growth Area  
Cornwall Village Center & Village Area  
Ferrisburgh Village Center & Village Area  
Goshen Village Center & Village Area  
Leicester Village Center & Village Area  
Lincoln Village Center & Village Area  
Middlebury Downtown & Planned Growth Area  
East Middlebury Village Center & Village Area  
Monkton Village Center & Village Area  
New Haven Village Center & Village Area  
Orwell Village Center & Village Area  
Panton Village Center & Village Area  
Ripton Village Center & Village Area  
Shoreham Village Center & Village Area  
Starksboro Village Center & Village Area  
Starksboro Jerusalem Village Center & Village Area  
Vergennes Downtown Center & Planned Growth Area

Waltham Planned Growth Area

Weybridge Village Center & Village Area

Whiting Village Center & Village Area

All of the above Tier 1B areas were evaluated for conformance with the Tier 1B requirements as summarized below.

**10 VSA §6033(c)(1):**

Requirement: requested to have the area mapped for Tier 1B

Types of Documentation: Municipal Certification or Resolution; Selectboard Meeting Minutes

**10 VSA §6033(c)(2)**

Requirement: a duly adopted and approved plan and a planning process that is confirmed

Types of Documentation: Municipal Certification; ACRPC Resolution

**10 VSA §6033(c)(3)**

Requirement: permanent zoning and subdivision bylaws

Types of Documentation: Municipal Certification, ACRPC Resolution

**10 VSA §6033(c)(4)**

Requirement: flood hazard and river corridor provisions or municipal bylaws

Types of Documentation: ACRPC Certification of bylaw(s) adoption, Mapping of river corridors and flood hazard areas

**10 VSA §6033(c)(5)**

Requirement: water supply, wastewater infrastructure, or soils that can accommodate a community system for compact housing development in the Tier 1B area

Types of Documentation: Mapping of water infrastructure; Mapping of wastewater infrastructure; Mapping of adequate soils; ACRPC documentation; Municipal documentation

**10 VSA §6033(c)(6)**

Requirement: municipal staff, municipal officials, or contracted capacity adequate to support development review and zoning administration in the Tier 1B area

Types of Documentation: Municipal Certification

## **24 VSA §4348a (a)(12)(B),(C)**

Requirement: PGA or Village Area FLUA is mapped in accordance with 24 VSA 4348a(a)(12)(C)

Types of Documentation: ACRPC Certification.

Following summarizes the status of the requirements, for the Tier 1B included or anticipated requests (for the specific FLUA areas listed above for the identified 20 municipalities), and related FLUA mapping reviewed:

A. **10 VSA §6033(c)(1) - requested to have the area mapped for Tier 1B**

Suitable documentation was received for Addison, Bristol, Cornwall, New Haven, Shoreham, and Vergennes.

Documentation is needed for all other municipalities requesting Tier 1B area(s).

B. **10 VSA §6033(c)(2) - a duly adopted and approved plan and a planning process that is confirmed**

Additional documentation is needed for Addison, Bridport, Ferrisburgh, Goshen, Leicester, Middlebury, and Shoreham.

C. **10 VSA §6033(c)(3) - permanent zoning and subdivision bylaws**

ACRPC documentation (Exhibit 18) indicates that bylaws are in place for Addison, Bridport, Ferrisburgh, Goshen, and Shoreham, however the GIS mapping data layer suggests that bylaws are not in place for these 5 municipalities – please check the information.

Suitable documentation was received for all other municipalities requesting a Tier 1B area.

D. **10 VSA §6033(c)(4) - flood hazard and river corridor provisions or municipal bylaws.**

All Tier 1B areas and municipalities can meet this requirement, as further detailed in the separate evaluation of downtown centers, village centers, village areas, and planned growth areas.

E. **10 VSA §6033(c)(5) - water supply, wastewater infrastructure, or soils that can accommodate a community system for compact housing development**

Suitable documentation was received for all municipalities.

Additional documentation is needed for a portion of the Weybridge PGA (Sheep Farm Road area), as identified in the separate PGA evaluation.

F. **10 VSA §6033(c)(6) - municipal staff, municipal officials, or contracted capacity adequate to support development review and zoning administration in the Tier 1B area**

Suitable documentation was received for Addison, Bristol, Cornwall, Middlebury, New Haven, and Shoreham. Documentation is needed for all other municipalities.

G. **24 VSA §4348a (a)(12)(A)-(C) – Tier 1 B FLUA is mapped in accordance with 24 VSA 4348a(a)(12)(A)-(C)**

As identified in the separate analysis of FLUA mapping, some map revisions are needed to meet this requirement.

**At this time, it appears that all municipalities requesting Tier 1B area status can meet the requirements as enumerated in 10 V.S.A. 6033(c).**

## II. CONCLUSION

To the extent that a statutory standard as indicated above does not appear to be met, the Board requests the Commission revise the plan to address the deficiency or provide additional information with the adopted regional plan application that addresses the deficiency. Recommendations for revision indicated above are optional. This preapplication response is advisory only and does not guarantee an affirmative determination when the adopted plan or Tier 1B status request is submitted pursuant to Section 1.200 of the Board's Regional Planning Commission Application Guidelines.

Please contact the Board via email at [Act250.Board@vermont.gov](mailto:Act250.Board@vermont.gov) with any questions about this regional plan and Tier 1B request preapplication response.

Dated this March 30, 2026

Sincerely,

*/s/ Kirsten Sultan*

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Kirsten Sultan, Board Member

Adopted by the Board at the March 30, 2026 meeting.

## RECIPIENT LIST

A copy of the foregoing **Preapplication Response Letter** for RPC01-0001 has been sent on March 30, 2026, to the following individuals by electronic mail:

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Dated March 30, 2026,

/s/ Rachel Lomonaco  
Rachel Lomonaco  
Land Use Review Board  
Business Director  
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