VERMONT
LAND USE REVIEW BOARD
Application #: RPC03-0001
Exhibit #: 053
Date Received: 9-16-2026

From: Stephen Whitaker
To: Act250 - Board
Cc: Dingledine, Brooke
Subject: RPC03-0001 — Supplemental Comments: Undocumented Planned Growth Area Criteria (time-sensitive)
Date: Wednesday, September 16, 2026 5:15:20 PM
Attachments: 2026.09.16 Whitaker_LURB_PGA_Criteria_Demand_.pdf

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To the Land Use Review Board,

Please find attached supplemental written comments regarding RPC03-0001, the Central Vermont Regional Planning Commission's draft Regional Plan and Regional Future Land Use Map.

The attached letter documents, using the Board's own Preapplication Response and CVRPC's own written admissions, that no Planned Growth Area in this plan has been evaluated against the seven statutory criteria of 24 V.S.A. § 4348a(a)(12)(B) on any record that exists. It sets out: the Board's own undifferentiated findings on five of six Planned Growth Areas; the contrast with the Board's own more rigorous, sub-area-by-sub-area review of Village Areas in the same document; CVRPC's written admissions that no adopted methodology exists and that its own Board of Commissioners never voted to adopt the mapping methodology in use; and an unresolved statutory question concerning whether Act 250 exemptions tied to lapsing Growth Center designations survive past their own independent sunset dates. It closes with five specific requested actions.

This is time-sensitive. Multiple regions have already received affirmative determinations this year using the same unreviewed methodology, and CVRPC's own plan is moving toward a determination before the December 31, 2026 deadline. The specific relief requested — requiring documented criteria before approval, or excluding undocumented parcels for later amendment — is only available before that determination issues. Once approved, this plan and its Future Land Use Map become unappealable under 24 V.S.A. § 4348(m).

I would appreciate the Board's attention to this before any further action is taken on RPC03-0001.

Stephen Whitaker