



# PREAPPLICATION RESPONSE LETTER

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

## SENT VIA EMAIL ONLY

December 22, 2025

Chittenden County Regional Planning Commission  
Attn: Charlie Baker, Executive Director, [cbaker@ccrpcvt.org](mailto:cbaker@ccrpcvt.org)  
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## Re: Chittenden County Regional Planning Commission Preapplication Response

Dear Charlie and Taylor:

The Land Use Review Board has completed its preapplication review of the Chittenden County Regional Planning Commission's (CCRPC) preapplication that was deemed complete on 10/21/2025. The Board held a preapplication review meeting on 12/01/2025. 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=RPC04-0001>

The Board's preapplication review does not encompass or reflect its position with respect to comments received. The comments received are provided for CCRPC's information and consideration for potential revisions of its draft plan, 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 review whether the CCRPC's draft regional plan, known as the ECOS (Environment, Community, Opportunity, and Sustainability) Plan, is in conformance with 24 V.S.A. §§ 4302, 4348a, 5803, and 5804. 24 V.S.A. § 4348(b). Additionally, the Board must find that the plan is consistent with the purposes enumerated in 24 V.S.A. § 4347. 24 V.S.A. § 4348(h)(4)(B). The Board has also reviewed the Commission's Tier 1B status request and future land use map to see if they meet 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 standard and identifies areas where the Board has determined that the draft plan is deficient and needs revision to conform. If the CCRPC disagrees, the Board will need additional information about why the CCRPC believes the statutory standard is met. This information should be included with the adopted regional plan. This response

letter also includes optional recommendations of the Board that the CCRPC 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 draft regional plan to determine if the plan furthers the goals of 24 V.S.A. § 4302.

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

The draft plan reflects appropriate development of land in a manner to promote public health, safety, welfare, comfort, and prosperity. It posits the importance of mitigating property tax burden on agricultural, forested, and other open lands. The plan encourages appropriate architectural design and renewable energy resource development. It addresses traffic congestion, encourages growth in communities to create an optimum natural, built, and cultural environment, and plans for the prevention of negative impacts of growth. **The draft regional plan adequately considers and reflects the general purposes of 24 V.S.A. § 4302(a).**

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

The draft plan presents a framework for organized planning across the CCRPC region for municipalities, the regional commission, and state agencies and services, the goal of which includes the efficient and most beneficial deployment of the region's resources. The CCRPC conducted a public outreach effort that encouraged citizen participation in the development of the plan, and the plan encourages local decision-making for issues of local impact. The plan includes mechanisms that encourage municipalities to work collaboratively to implement the regional plan and individual municipal plans. **The draft plan reflects 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. 24 V.S.A. § 4302(c)(1).

The plan consistently encourages residential development and economic growth to primarily occur in growth areas consisting of downtown and village center future land use areas (FLUA) surrounded by planned growth and village area FLUA. Transition/Infill

and Enterprise FLUA are also designated for specialized growth or redevelopment. The plan encourages infrastructure investment in these growth areas as well. The plan makes numerous references to the importance of following smart growth principles for new development in the region. This concentration of development in growth areas works in concert with maintaining rural working lands and conservation of forests and wildlife habitat and other natural resources outside of concentrated growth centers.

“Smart growth,” as defined in 24 V.S.A., Chapter 76A, § 2791(13), is put forward as a tool to accomplish these aims. The draft regional plan reflects a commitment to the Smart Growth principles articulated in statute. The CCRPC regional plan’s land use goal, as enumerated on page 12 of the draft plan, provides: “Focus 90% of development in areas planned for growth (Downtown Centers, Village Centers, Planned Growth Areas, Village Areas, and Transition), in order to maintain a settlement pattern of compact centers separated by rural countryside.” **The draft plan is consistent with Goal 1.**

**Advisory Recommendation:**

- Public outreach revealed concerns about lack of affordable places to live in rural communities (page 58). Consider more discussion of this issue.

**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).

The Economy chapter’s 17 actions align the plan to the West Central Vermont Comprehensive Economic Development Strategy and “build capacity and guide the economic prosperity, resilience, and well-being of all the region’s residents.” **The draft plan is consistent with Goal 2.**

**Advisory Recommendation:**

- Arts are recognized as part of the economy “Even businesses rely on arts and culture as part of their retention strategies.” (See draft plan, page 139) Consider drawing an arts linkage to the Economy chapter more directly. Consider highlighting 2021 Create Vermont Action Plan projects.

**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).

Schools are addressed in just two paragraphs in the "Infrastructure and Facilities" chapter (Chapter 13, page 134). General instructional education is addressed under

Goal 10 (Economy) of the Implementation Matrix (see 10.9 and 1010) and civics education is called out under Goal 16 (Civic Engagement, see 16.5). Vocational education is not addressed, although reference is made to meeting workforce development needs. This cursory treatment of educational facilities and programs does not provide a strategy to address the county's educational and vocational training needs and opportunities. **The draft plan is inconsistent with Goal 3.**

**Required Revisions:** Acknowledge the region's vocational schools (e.g., Center for Technology Essex, Burlington Technical Center) and private schools. Provide additional data on how both vocational and private schools provide educational and vocational training opportunities. Add at least one education specific action item in Chapter 13 addressing educational and vocational training.

**Advisory Recommendations:** Add in reference to higher educational institutions such as UVM, St. Michael's College, Champlain College, and Vermont State University.

**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).

Goal 7 of the plan as expressed in the Transportation chapter, is to "provide a transportation system that is safe, efficient, reliable, and resilient; provides interconnected and sustainable mobility choices for livable, equitable, and healthy communities; supports regional and municipal land use goals; addresses the climate crisis; and strengthens the economy of the region." (See draft plan page 82.) This chapter details plans for all elements of the transportation system and incorporates the Metropolitan Transportation Plan, Supplement 5 of the plan, that provides additional detail. **The draft plan is consistent with Goal 4.**

**See comments on the Transportation element in Section I(D)(4) of this preapplication response concerning transportation impacts of growth in Tier 1A and 1B areas.**

**Advisory Recommendations:**

- Include the new CHIP financing program in the list under Action 10 on page 89.
- Consider Transit Oriented Design and connection to land use under Action 8.
- Consider showing the Lake Champlain Scenic Byway on transportation maps.
- Action 7.7 calls for the Regional Transportation Model to be updated as a part of the next Metropolitan Transportation Plan to incorporate the future land use map

and municipal housing targets to facilitate alignment of land use, housing, and transportation planning efforts. Elaborate on this.

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).

The plan does not adequately identify existing historic resources or address significant scenic roads, waterways, and views. The need for additional identification of and respect for indigenous artifacts and areas is identified; however, the draft plan does not adequately address historic districts or the importance of historic structures that help define the Vermont landscape, particularly in certain downtown and village center areas (e.g., Winooski, Essex Junction, Burlington, Richmond, etc.). This is an especially important topic given the more urban landscape in Chittenden County, and the need to balance architectural innovation in new construction with historic buildings and streetscapes. **The draft plan is inconsistent with Goal 5.**

**Required Revisions:**

- **Chapter 15 must be bolstered to better address Goal 5, specifically the first six sentences in the Historic Resources section of Chapter 15.**
- **Revise Actions (page 142) to include Historic Resources and descriptions of historic villages, national register sites, history of the land, and historic societies (e.g., National Register of Historic Places and National Historic Landmarks) possibly in a tabular form.**
- **Expand the discussion on page 142 of the need for municipalities to address “misalignment between municipal plan recommendations for natural and scenic resources, and the implementation of those recommendations through development regulations.” Provide examples of scenic resource recognition such as municipal scenic viewshed regulatory standards (e.g., Williston, Charlotte).**

**Advisory Recommendations:**

- Consider adding to Chapter 15 (Scenic, Recreational and Historic Resources) mention of scenic gravel roads in rural Chittenden County communities: e.g., Westford (Brookside Road, Maple Tree Lane, Manley Road); Charlotte (Bean

Road, Prindle Road, Roscoe Road); Milton-Essex (Duffy Road, Brigham Hill Road, Colonel Page Road, Chapin Road). There are also scenic waterways (e.g., Lake Champlain, Winooski River, Bolton Potholes, etc.) and significant views (both of Mount Mansfield and Camel's Hump to the east and Lake Champlain and the Adirondacks to the west) that should be referenced.

- “Scenic, Recreational and Historic Resources” actions should reference the Community Investment Board program steps for designated areas (page 142).
- In the “Historic Resources” section on pages 141 and 142 consider including references to museums in the county (e.g., Shelburne Museum and ECHO) as well as historical societies (e.g., Chittenden County Historical Society). Some historical societies have museums. Also, the non-profit Vermont Historical Society runs a statewide “League of Local Historical Societies and Museums” program that could also serve as a resource.

#### 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).

Chapters 2, 3, and 4 of the plan address Ecological Systems, Watershed Health, and Working Lands and meet this requirement in the stated goals of these chapters as enumerated on pages 39, 45, and 52. **The draft plan is consistent with Goal 6.**

#### **Advisory Recommendations:**

- Within the “Community Resilience and Biodiversity Protection Act” (Act 59) paragraph, clarify whether the total of conserved land is 17% recreation and 24% conserved or if the 17% available for recreation is contained within the 24% conserved (page 41).
- In the Ecological Systems chapter discussion of conserved land, it would be helpful to have percent of forest habitat conserved by easement vs. protected by government ownership. There are 67,210 acres of forestland enrolled in current use.

- The “Revise Bridge/Culvert Design” action (1b on page 50) should include not only work with municipalities on revising standards but also to help them prioritize projects that implement these designs.
- The “Hazard Protection” action on page 50 includes protecting river corridors through regulation but does not address shoreline or riparian buffers. Include shoreline and riparian buffer tools for Water Resource hazard protection.
- On page 55 note that there is a Clarendon Springs formation that runs south to north that has naturally occurring radioactive properties.
- The “State and Local Development Constraints” map (page 62) appears to include many important natural resources, but it is difficult to discern the location of any particular resource type on a combined map of this sort. Although this map is certainly helpful, consider additional resource maps that clarify the locations of specific natural resources and rare/irreplaceable natural areas such as rare significant natural communities.
- Act 59 (2023) and the 30x30, 50x50 initiative is mentioned on page 41. Consider including more detailed information about how much land is conserved based on the Protected Lands GIS dataset, and how it breaks down by biophysical region. Consider including a map clearly showing how these conserved lands are distributed across the county.
- Rare and irreplaceable natural areas (RINAs) and significant natural and fragile areas are not mentioned in the plan. Many RINAs are mapped as significant natural communities on the ANR atlas and could be considered for inclusion in one of the natural resources maps or referenced in the text of the plan.
- The ANR Wetlands Program is in the process of updating the Vermont Significant Wetlands Inventory Maps. Much of the mapping for the region is in final draft form and available for viewing here:  
<https://experience.arcgis.com/experience/c76d18185ede4acb8068fa352ea73c1e>  
To better understand the extent of mapped wetlands, the CCRPC may want to consult the draft maps prior to finalizing the regional FLU map.

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).

Chapter 6, Energy, provides for general strategies for achieving these goals and incorporates the county’s Enhanced Energy Plan as Supplement 6 of the plan. **The draft plan is 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).

Chapter 2, Ecological Systems, and Chapter 15, Scenic, Recreational, and Historic Resources address outdoor recreation with actions 15.2, 15.5, and 15.6 specifically addressing these goals. **The draft plan is consistent with Goal 8.**

### **Advisory Recommendation:**

- The section on Recreational Resources (page 141) does not identify parks as recreational resources in the region. Consider identifying parks that are present in the region.

### 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).

These strategies to bolster the regional agricultural and forest industries are addressed in Chapter 4, Working Lands. **The draft plan is consistent with Goal 9.**

**Advisory Recommendations:**

- The “Regenerative Economy” section indicates that working lands have been seen through the lens of maximizing resource extraction without regard to outcomes for long-term ecological health. Consider adding context to recognize farmers as stewards of the land that often struggle with the economics of production (page 54).
- The “Agricultural Lands” section asserts that the food system is becoming less resilient. Use this as an opportunity to discuss diversified agriculture in addressing changing markets and climate conditions (page 55).
- The “Farm to Plate” section in the Economy chapter could benefit from discussion of accessory on farm businesses (page 120).
- Expand discussion of forest management practices to describe “sound forestry practices” that should be employed to protect forest resources and the environment. For example, the plan could refer to the Agency of Natural Resources “Acceptable Management Practices for Maintaining Water Quality on Logging Jobs in Vermont” and/or other suitable practices.

**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).

The Working Lands chapter addresses earth resources and their extraction under Action 2. **The draft plan is consistent with Goal 10.**

**Advisory Recommendation:**

- The plan could say more about earth resources and existing extraction operations. This could include discussing the importance of sand and gravel resources for flood recovery and bridge and highway repairs and could include surficial geology mapping. The plan could support ensuring that these valuable and finite earth resources don’t become inaccessible due to development.

**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).

Chapter 8, Housing, and Chapter 13, Infrastructure and Facilities, address the availability of safe and affordable housing for Vermonters. Supplement 7 of the plan, Housing Targets, documents the methodology used to disaggregate regional housing targets by municipality and provides a breakdown of housing type, affordability, and size estimates. **The draft plan is consistent with Goal 11.**

#### **Advisory Recommendations:**

- The “Housing Affordability and Availability” discussion (page 91) may benefit from including additional discussion of decreasing household size (e.g., the impact of household formation).
- The “Policy and Regulatory Changes” section (page 101) could specifically mention Tier 1A and 1B areas.
- The “Create Capital for Safe, Accessibly and Resilient Affordable Housing” action item (page 101) could include pursuit of weatherization improvements to poor quality units.
- The “Housing Preservation” action item (page 102) includes steps to preserve existing affordable housing and encourage shared equity for new-owner homes. Permanently affordable efforts could be further detailed in the supporting narrative.
- The Housing chapter does not include analysis or discussion of assisted living or age-restricted units. Needs for this type of housing should be addressed and an account of how these contribute to existing stock or planned units should be provided.

#### **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).

Chapter 13, Emergency Management, and Chapter 14, Infrastructure & Facilities, address public facilities and services and this goal specifically in Actions 13.1, 13.2, 14.1, 14.2, and 14.5. **The draft plan is consistent with Goal 12.**

#### **Advisory Recommendations:**

- Discuss source water protection areas in the Drinking Water paragraph on page 132.
- The Wastewater paragraph on page 132 should note existing development in the region served by decentralized or community septic systems.
- The Wastewater action in the Watershed Health chapter discusses treatment plants but does not address decentralized solutions. Include community systems in wastewater solutions discussed (page 51).
- The Emergency Services paragraph on page 134 should note St. Michael's College and the Vermont National Guard as emergency response providers.
- The Medical Facilities section on page 135 should mention that the region is also served by private surgery rooms.
- The Infrastructure Planning and Construction action items on page 137 should include mention of CHIP.
- The plan acknowledges that most fire and EMS services in the county are volunteer and there is a lack of volunteers as well as staffing shortages for police departments. Consider discussing possible solutions.

#### **Goal 13:**

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

Chapter 11, Household Finance, and Chapter 10, Economy, address childcare specifically in actions 11.3 and 10.4. **The draft plan is consistent with Goal 13.**

#### **Goal 14:**

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

Chapter 3, Watershed Health, and Chapter 12, Emergency Management, address planning for flood resilient communities specifically in actions 3.1 and 12.1. **The draft plan is consistent with Goal 14.**

**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).**

Chapter 1, Equitable Planning Practices, and Supplement 3, Environmental Benefits & Burdens Analysis, address environmental justice and detail how the plan advances equitable distribution of environmental benefits and burdens. The benefits and burdens analysis can function as a model to other regional planning commissions working to comply with this new regional plan requirement. As the topic of the first chapter, equitable planning is a foundational element that resonates throughout the plan. **The draft plan is consistent with Goal 15.**

**Advisory Recommendations:**

- The “Brownfields” section (page 60) could provide a short description to recognize the disproportionate burden historically born by BIPOC and economically disadvantaged populations and the positive impact of addressing brownfields in an environmental justice context.
- The Social Connectedness chapter could benefit from including mention of how social service and charitable groups serving the area (such as supper clubs,

VFW, Lions, etc.) can help increase engagement across communities (page 148).

### **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 determine 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.

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 is consistent with these 24 V.S.A. § 4347 purposes. The framework for the CCRPC plan is outlined in the Introduction & Plan Overview and clear actions are provided throughout the plan detailing how the plan will be implemented. **The draft plan is 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).

The Plan Methodology (page 32) specifically details community engagement with more substantial additional detail provided in Supplement 1: Public Process. Comprehensive and inclusive outreach efforts were included in the development of the plan. **The Board concludes that the plan was developed with the involvement of its member municipalities, local citizens, and organizations which allowed for meaningful participation.**

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

The Board has reviewed the draft regional plan and has determined whether it conforms with the required elements of 24 V.S.A. § 4348a(a). The subsections below match the 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).

The draft plan includes actions at the end of each chapter, including those pertaining to land use, economic development, future growth and development of land and of public services and facilities, and environmental protection. **The draft plan meets 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).

Chapter 2, Ecological Systems, Chapter 3, Watershed Health, Chapter 4, Working Lands, and Chapter 15, Scenic, Recreational, and Historic Resources address the requirements of this element. The goals of these chapters (provided on pages 39, 45, 52, and 140) and actions 2.1, 2.3, 3.1, 3.2, 4.1, and 15.3 specifically fulfill the intent of this element. **The draft plan meets 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).

Chapter 6, Energy, and Supplement 6, CCRPC's Enhanced Energy Plan, fulfill the requirements of this element. **The draft plan meets 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).

Chapter 7, Transportation, and Supplement 5, Metropolitan Transportation Plan, fulfill the requirements of this element. **The draft plan meets this requirement.**

**Advisory Recommendation:** 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, and (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.

#### 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).

Chapter 13, Infrastructure and Facilities, contains a utility and facility element and map that details existing conditions and advances infrastructure planning for the region. **The draft plan meets this requirement.**

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).

Each chapter of the plan includes specific actions for implementation and Chapter 18, Stewardship, Implementation, and Monitoring, provides for annual progress reports for the plan and other measures to assist with implementation. **The draft plan meets this requirement.**

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).

Chapter 5, Land Use, provides a statement on the plan’s compatibility with adjacent regional plans on page 69. Potential conflicts are noted as to be monitored including an area between Charlotte and Ferrisburgh that is less intense in CCRPC and more intense in the Addison County Regional Plan and vice versa between Milton and Georgia in Northwest Regional Plan. **The draft plan meets 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).

Chapter 8, Housing, and Supplement 7, Housing Data, identify the region's housing needs and actionable steps toward addressing it. The supplement provides a comprehensive analysis of types of housing including affordable, that exceeds the metrics of the Statewide Housing Needs Assessment. **The draft plan meets this requirement.**

**Advisory Recommendation:** The upper targets for Chittenden County both in the statewide and regional housing targets are substantially higher than the current rate of housing growth. Consequently, additional discussion of planned actions to enable attainment of the targets is advisable.

#### 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).

Chapter 10, Economy, Chapter 13, Infrastructure and Facilities, and Supplement 4, Comprehensive Economic Development Strategy, assess economic conditions and provide action items to promote economic growth for the region. **The draft plan meets this requirement.**

#### 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).

Chapter 3, Watershed Health, Chapter 5, Land Use, and Chapter 12, Emergency Management, address flood resilience through goals and actions to mitigate risk. The approved Chittenden County Multi-Jurisdictional Hazards Mitigation Plan is referenced in Chapter 3. The plan includes maps that show flood hazard and fluvial erosion (river corridor) areas. **The draft plan meets this requirement.**

## 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).

The plan includes a Land Use chapter that reflects smart growth principles and provides analysis of both current and future land use opportunities. The Future Land Use (FLU) Map and narrative address the proposed configuration of each of the Act 181 future land use categories and includes a special use category for the Burlington International Airport, Camp Johnson, and Ethan Allen Firing Range.

The Board reviewed the FLU map to determine whether it delineates boundaries that are consistent with the future land use categories described in statute. See 24 V.S.A. § 4348a(a)(12)(A)-(J). In its review of the mapped boundaries of the FLU categories, the Board referenced the Vermont Association of Planning and Development Agencies (VAPDA): *Future Land Use Methodology and Process*, Version 3.0, Revised April 18, 2025 (<https://act250.vermont.gov/sites/acttwo/fifty/files/documents/2025-04-21%20Act%20181%20Statewide%20FLU%20Methodology%20v%203.0%20Final.pdf>). The VAPDA methodology is used by Vermont's eleven regional planning commissions to develop the FLU mapping, thus providing a consistent approach throughout the state. Below is a summary of the Board's determinations with respect to the CCRPC FLU map.

### **Advisory Recommendations:**

- The suburban nature of various portions of Chittenden County can be hard to place within the prescribed twelve Future Land Use Areas. Some Planned Growth Areas and Village Areas are proportionally large compared to their related Downtowns and Village Centers. In these cases, consider expanding the centers or decreasing or downgrading the Planned Growth Areas and Village Areas to address proportionality and walkability. Some Planned Growth and

Village Areas, especially those along highways in more linear forms, may be better represented as Transition/Infill Areas. Where pedestrian amenities exist, walkable areas may exceed the quarter to a half mile VAPDA methodology standard.

- River corridors and shorelines should be uniformly mapped, wherever possible, as Rural - Conservation or Rural - General.
- The CCRPC should continue to work with the State to update the Future Land Use and Tier 1A/B Map Viewer prior to final submission. Water and wastewater infrastructure mapping is obsolete or insufficient. Several municipalities are in the process of updating municipal plans and zoning bylaws. Consequent zoning and confirmed plan updates to the map viewer and Vermont Planning Data Center should be made. While updates will improve data for water and wastewater service areas, large community systems, like that of Marble Island, may be included. Decentralized wastewater systems may continue to be unrepresented in the map viewer. Consider developing an additional data layer of community systems in coordination with the Department of Environmental Conservation (DEC).
- Consider elimination of isolated small pockets of Rural – General that are surrounded by Rural – Agriculture and Forestry or Rural – Conservation by subsuming them in the surrounding larger FLU area. Consider this even for parcels that are not enrolled in the Current Use program (e.g., along Lincoln Hill Road and Burritt Road in Hinesburg).
- Map roads consistent with the predominant FLU around them, rather than defaulting to Rural – General.
- Eliminate sliver polygons (e.g., Rural – General slivers west of the Hinesburg Village Center FLU near the town wastewater treatment facility and Rural – General slivers along the road near 1246 Osgood Hill Road and to the east).

#### (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 downtown centers: Burlington Core, Burlington Cambrian Rise, Burlington South, Colchester, Essex, Essex Junction, Milton, Shelburne, South Burlington, Williston, and Winooski.

**Burlington:** The City of Burlington has public water, wastewater, zoning, and subdivision bylaws and is served by transit. There are three proposed downtown centers: Core, South, and Cambrian Rise.

The Core downtown center includes a legacy downtown designation with minor expansions to include various parcels that are part of a previously designated neighborhood development area. An extension along the waterfront on the north end of the legacy downtown is also proposed. The presence of a rare, threatened, or endangered species is mapped here. Another waterfront parcel that falls in the legacy downtown at the south end is mapped Rural – Conservation instead. **The area proposed meets the requirements for a downtown center.**

The proposed South downtown center closely mirrors a legacy neighborhood development area with a minor expansion to include whole parcels. This proposed center falls in the enterprise zoning district and is part of the South End Innovation Area. This area is not a traditional or historic central business district on its own but could be incorporated into the Core downtown center by an extension along Pine Street. **The area proposed is not consistent with the statutory description of a downtown center.**

The proposed Cambrian Rise downtown center is within a legacy neighborhood development area. The area encompasses the redevelopment of the former Catholic Diocese and orphanage into high density residential use with space for commercial use on some first floors. It is not a traditional or historic central business district and does not contain civic assets. **The area proposed is not consistent with the statutory description of a downtown center.**

#### **Advisory Recommendations:**

- Merge the South downtown center with the Core downtown center or map as Planned Growth Area instead.
- Eliminate the Cambrian Rise downtown center and map as Transition/Infill or Planned Growth Area instead.

**Colchester:** The proposed downtown center is coincident with the Severance Corners legacy growth center and new town center areas. The municipality has public water, wastewater, zoning, and subdivision bylaws. **The area proposed meets the requirements for a downtown center.**

**Essex:** A downtown center is proposed in the vicinity of Old Stage Road, Route 15 and Route 289 that incorporates the Essex Experience as a mixed-use center. The area is not a traditional or historic central business district and does not include historic sites. The only civic asset appears to be the post office. **The Board cannot determine that the area proposed meets the requirements for a downtown center.**

**Advisory Recommendation:** Provide additional information or consider for another future land use category.

**Essex Junction:** The proposed downtown center incorporates a legacy village center with a state register historic district. The area is expanded slightly to the east and south with a more significant expansion west along Pearl Street to the edge of the fairgrounds. This expansion incorporates a legacy neighborhood development area into the downtown center. The municipality has public water, wastewater, zoning, and subdivision bylaws. **The area proposed meets the requirements for a downtown center.**

**Milton:** A downtown center is proposed at the intersection of Main Street, Middle Road, Railroad Street, and Bombardier Road, to include Centre Drive and parcels along Haydenberry Drive. The area includes the municipal complex and schools and large commercial sites. The area contains both civic and business assets. Much development in this proposed downtown center is not pedestrian scaled (i.e., it consists of large buildings surrounded by large parking lots). A municipal park to the south of the proposed downtown center may be suited for incorporation. The area is served by municipal water and sewer, and Milton has zoning and subdivision bylaws. **The area proposed meets the requirements for a downtown center.**

**Shelburne:** The proposed downtown follows a legacy village center designation at the intersection of Harbor Road and Shelburne Road (Route 7) with two expansion areas to the north and south. The northern expansion includes a housing development and Shelburnewood mobile home park. These are accessed from the proposed downtown center and separated from the proposed village area by a stream that provides a defined edge for the area. The southern expansion includes Shelburne Museum and a residence on the corner of Bostwick Road and Shelburne Road (Route 7). Shelburne Museum is a fully fenced fee area of restricted public access and therefore not conducive to incorporation in a downtown center. The municipality has public water, wastewater, zoning, and subdivision bylaws. **The area proposed is not consistent with the statutory description of a downtown center.**

**Required Revision:** Exclude Shelburne Museum from the downtown center.

**Advisory Recommendation:** Consider including two planned growth area parcels adjacent to the northern expansion in the downtown center.

**South Burlington:** The proposed downtown center incorporates a legacy new town center with expansions along Williston Road, Dorset Street and Hinesburg Road, providing a more balanced edge area. The northeastern corner of the downtown center includes the post office and a mixed-use area. The downtown area excludes the High School, school district offices, and Fire Department as well as a municipally-owned park parcel at 30 Iby Street. **The area proposed meets the requirements for a downtown center.**

**Advisory Recommendation:** Consider expansion along Dorset Street to Kennedy Drive to include the high school, district offices, and fire station, as well as the City Center Park parcel on Iby Street.

**Williston:** A downtown center is proposed within a legacy growth center at the intersection of Williston Road (Route 2) and Essex Road (Route 2A). The proposed downtown center does not include the entirety of the legacy growth center. Only partial parcels are included on the south side of Marshall Avenue. The area is comprised largely of big box retail and other large buildings surrounded by large parking lots. The municipality has public water, wastewater, zoning, and subdivision bylaws. As indicated at the Board review meeting for this preapplication, Williston has master planned this area to guide its transformation into a more pedestrian oriented and traditional central business and civic center. **The area proposed meets the requirements for a downtown center.**

**Advisory Recommendation:** Consider increasing the proposed downtown center to add depth to the area and assist with proportionality of planned growth area to the downtown area (PGA area is very large compared to downtown). Consider including whole parcels along Marshall Avenue to assist transformation to pedestrian oriented center with interconnected streets.

**Winooski:** The proposed downtown center largely follows the legacy downtown designation with the addition of the legacy neighborhood development area designation. One exception is the addition of one parcel at 276 East Allen Street. This addition is appropriate as the parcel is adjacent to and accessed from the legacy downtown and physically separated from other areas by the railroad and Interstate. The area along East and West Spring Streets should be considered for inclusion in the downtown center. This would make the downtown center more cohesive, and less tied to main roads and the underlying form-based code areas. The municipality has public water, wastewater, zoning, and subdivision bylaws. **The area proposed meets the requirements for a downtown center.**

**Advisory Recommendation:** Either eliminate the legs and consolidate to a broader core or include nearly the whole city in the downtown center. The area along East Spring Street and West Spring Street should be considered for inclusion in the downtown center.

- Village Centers

The village centers depicted on the FLU map must meet 24 V.S.A. § 4348a(a)(12)(A). Also see 24 V.S.A. § 5803(c), 24 V.S.A. 5801(12), and 24 V.S.A. § 5803(b) referenced

The Community Investment Program defines a “State Designated Downtown or Village Center” or “Center” as, emphasis added:

...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.

**The following reply to each village center is provided:** The village centers depicted on the FLU map must meet 24 V.S.A. § 4348a(a)(12)(A).

**Bolton:** The proposed village center is centered on a historic district and closely aligns with the existing village zoning district for the town. The edges align with most parcel boundaries including parcels located in a Flood Hazard Area (FHA) in the northern and southern portion that will allow for infill. The proposed village center includes several parcels not in the village zoning district at the base of the mountain road up to Bolton Valley Resort however the river corridor for the Winooski River does provide a logical defined edge for this area. There is one odd corner of the boundary that seems to jut out into the Interstate 89 parcel. This corner of the proposed village center is not within the existing village zoning district. **The area proposed meets the requirements for a village center.**

**Advisory Recommendation:** Consider removing the corner that encompasses Interstate 89.

**Burlington:** Two new village centers are proposed: Shelburne Road and the New North End.

The Shelburne Road village center proposed at the intersection of Shelburne Road and Farrell Street has a matching FLU area across the municipal boundary into South Burlington. This proposed village center is currently identified as a Neighborhood Activity Area for the city. This area directly abuts Potash Brook with floodplain and river corridor excluded from the village center. This is a multi-use area with access to transit, transportation, grocery stores, residences and commercial activity. It is served by municipal water and sewer and is covered by zoning and subdivision regulations. However, much of the area is not pedestrian

oriented featuring large buildings surrounded by large parking lots. The area does not appear to include historic features or civic assets. Some parcels along Pine Street and Home Avenue that could provide more depth and opportunities for interconnections are excluded from the proposed village center. **The Board cannot determine that the area proposed meets the requirements for a village center.**

**Advisory Recommendation:** Provide additional information supporting the proposed Shelburne Road village center. Consider including the city park near the corner of Pine Street and Home Avenue.

The New North End village center is currently zoned as Neighborhood Activity Center. The New North End village center extends beyond the Neighborhood Activity Center zoning district to include residential parcels (including the North Avenue Mobile Home Cooperative). This is a multi-use area with access to transit, post office, library, fire station, supermarket and other commercial activity surrounded by residential use. A significant portion of the area is not pedestrian scaled with large buildings surrounded by large parking lots. However, this portion of the area is served by sidewalks that break up the large parking area. The proposed village center does not include any historic elements. It is fully served by municipal water and sewer and is covered by municipal zoning and subdivision regulations. **The area proposed meets the requirements for a village center.**

**Charlotte:** There are two proposed village centers in Charlotte: West and East.

The West Charlotte village center largely incorporates a legacy village center and historic district. The proposed area expands to include several parcels on the northern side of Ferry Road to the west of Route 7 and on the southern side of Church Hill Road to the east of Route 7. Some larger parcels are bisected by the proposed boundary including the parcel at 244 Church Hill Road. These lots are adjacent to Rural – General and Rural – Conservation and largely undeveloped currently. These bisected lots follow the Village Commercial zoning boundary. **The area proposed meets the requirements for a village center.**

The East Charlotte village center incorporates a legacy village center and includes a historic district. The proposed area is entirely within the legacy village center and includes smaller portions of parcels than fall in the East Charlotte Village Zoning district. Four carve outs for areas mapped Rural – Conservation might be worth including in the village center to avoid bisecting parcels. **The area proposed meets the requirements for a village center.**

**Advisory Recommendations:**

- Consider amending the West village center to include whole parcels.
- Consider amending the East village area to avoid bisecting parcels.

**Colchester:** Five village centers are proposed: Fort Ethan Allen, Main Street, Warners Corner, Blakely Road, and West Lakeshore Drive.

The Fort Ethan Allen village center along Route 15 includes a national register historic district and a mix of businesses, residences, and civic properties including a state complex. **The area proposed meets the requirements for a village center.**

The Main Street village center incorporates the historic village of Colchester which includes an elementary school, the library, and a mix of businesses and residences with historic properties scattered throughout. **The area proposed meets the requirements for a village center.**

The Warners Corners village center is centered around the intersection of Prim Road, Heineberg Road, MaCrae Road, and Porters Point Road. This village area includes an elementary school, a drive-in theater, shopping complex, UVM offices, and several residences. This area lacks historic properties but is a traditional center for commerce for this area of Colchester and the zoning is conducive to village center. **The area proposed meets the requirements for a village center.**

The proposed Blakely Road village center is limited to the municipal complex and several residences and does not contain commercial or historic properties. **The area proposed does not meet the requirements for a village center.**

The proposed West Lakeshore Drive village center is also very limited in size containing thirteen parcels ranging from a restaurant to boat launch and marina as well as including several businesses. **The area proposed does not meet the requirements for a village center.**

**Advisory Recommendation:** Provide additional information supporting the proposed Blakely Road and West Lakeshore Drive village centers.

**Essex:** A village center is proposed around the legacy village designation at the intersection of Center Road (Route 15), Browns River Road, Jericho Road, and Towers Road. This area includes a historic district, municipal civic assets including offices and the library, and mixed use. The area is expanded slightly at the periphery to include entire parcels and two or three additional parcels. The village center is constrained and could be further enlarged to include additional surrounding mixed-use area that is shown currently as planned growth. **The area proposed meets the requirements for a village center.**

**Advisory Recommendations:**

- Consider adding depth to the village center by including the parcels between the two easterly legs.
- Consider downtown center for this area instead of village.

**Hinesburg:** The proposed village center follows the bounds of the legacy village center that is inclusive of a historic district. **The area proposed meets the requirements for a village center.**

**Huntington:** There are two proposed village centers that are both formed around legacy village centers: Southern and Northern.

The Southern village center contains a historic district and has been expanded to include the school to the east and south to Trapp Road. **The area proposed meets the requirements for a village center.**

The Northern village center includes a substantial expansion that more than doubles the size of the legacy area. The new area includes smaller residential lots in proximity to the legacy area as well as a few businesses. **The area proposed meets the requirements for a village center.**

**Jericho:** There are three village centers proposed for Jericho: East, West, and South. Each of these areas are centered on legacy village centers.

The East village center is expanded slightly to include whole parcels. **The area proposed meets the requirements for a village center.**

The West village center is expanded to include whole parcels and has the largest expansion to the south to include an historic property. **The area proposed meets the requirements for a village center.**

The South village center is almost entirely coincident with the legacy village center. **The area proposed meets the requirements for a village center.**

**Milton:** The proposed village center follows the boundaries of the existing legacy village center. The area is at the intersection of Main Street and Westford Road and includes a historic district that is served by municipal sewer and water. **The area proposed meets the requirements for a village center.**

**Richmond:** The proposed village center follows the boundaries of the legacy center that is based on a historic district. **The area proposed meets the requirements for a village center.**

**Shelburne:** There are two proposed village centers in Shelburne: North and South along Route 7.

The proposed North village center includes four parcels: two on the east side of Shelburne Road and two on the west side. The east side parcels contain a furniture store and shopping center with front parking lots. The west side parcels include a small parcel with new multiunit residential use and a large undeveloped wooded lot. This does not appear to contain any civic assets and isn't it large enough to offer a future cohesive center. Transit is available along Shelburne Road. **The area proposed does not meet the requirements of a village center.**

The proposed South village center consisting of 17 parcels includes dispersed retail and residential parcels along with some large undeveloped properties. This area includes historic properties but is not the historic center of Shelburne and does not appear to include any civic assets. Both of the proposed village centers appear to only serve the purpose of providing focal points within a large proposed planned growth area. **The area proposed does not meet the requirements of a village center.**

**Advisory Recommendation:** Provide additional information on the South village center.

**South Burlington:** There are three village centers proposed in South Burlington with one at the intersection of Kimball Avenue and Kennedy Drive and two on Shelburne Road split by 189 into North and South Shelburne Road village centers.

The proposed Kimball and Kennedy village center is limited, including approximately 25 parcels. This area is mixed use but lacks historic features and civic amenities and does not function as a traditional center. The southern edge of the area appears undeveloped along Poor Farm Road. The lack of features common to a traditional or historic central business or civic center for this area is problematic. **The area proposed does not meet the requirements of a village center.**

The proposed South Shelburne Road village center includes an elementary school and humane society as well as mixed use, but also contains a Lowes, Hannaford's Supermarket, and multiple car dealerships. As such, it lacks features of a traditional or historic central business or civic center. However, the historic Allenwood Inn site at 1195 Shelburne Road runs adjacent to the proposed southern village center along the waterfront. It is also adjacent to the historic Queen City Park neighborhood. Queen City Park is recognized on a historic register and could enhance the proposed village center. The area could also be expanded to the east of Shelburne Road to include Szymanski Park and

surrounding neighborhoods. The proposed village center excludes the river corridor and floodplain of Potash Brook. **The Board cannot determine that the area proposed meets the requirements for a village center.**

The proposed North Shelburne Road village center mirrors the Burlington village center across Shelburne Road. The northern village center contains mixed use but also contains large buildings surrounded by expansive parking lots. This proposed village center does not appear to have historic features. Expansion to the east could provide depth and missing features. **The Board cannot determine that the area proposed meets the requirements for a village center.**

**Advisory Recommendations:**

- Consider expanding the northern village center to include Rice Memorial High School, WCAX, and other uses along Joy Drive.
- Consider expanding the southern village center to include Queen City Park and other potential historic sites, as well as to include Szymanski Park.

**St. George:** The village center contains approximately 27 parcels and is centered on the municipal center along Route 2A. The center includes the municipal offices and a mix of commercial and residential. The proposed village center includes village zoning on the west but also rural on the eastern side of Route 2A. **The area proposed meets the requirements for a village center.**

**Advisory Recommendation:** The mobile home park is within the rural zoning district and additional information is requested on the inclusion of this area in the village center. Parcels proposed to be rural general surrounding the village may give depth to the proposed village and should be included if appropriate.

**Underhill:** There are two village centers: West and East.

The West village center spans the border with Jericho and follows the boundaries of a legacy village designation with only minor expansion to include whole parcels. **The area proposed meets the requirements for a village center.**

The East village center also follows the boundaries of a legacy village designation with only minor expansion to include whole parcels. **The area proposed meets the requirements for a village center.**

**Westford:** The proposed village center incorporates a legacy village center. The area is expanded to include the entirety of parcels and four new parcels to the north and eight new parcels to the south along Brookside Road. The extension along Brookside Road includes four parcels along the western side of the road that appear to have residences tightly clustered to the road. The eastern side of

the road does not match the context of the western side. However, the area is entirely within the Westford Common zoning district and therefore suitable for inclusion. The southeast corner of the proposed village center along the Browns River should be considered for Rural - Conservation instead of village center since this area is undeveloped and impacted by both flood hazard and river corridor areas. Westford has flood hazard and river corridor bylaws. **The area proposed meets the requirements for a village center.**

**Advisory Recommendation:** Remove the undeveloped flood hazard and river corridor areas from the village center.

**Williston:** The proposed village center incorporates a legacy village center with a historic district. The village center has been enlarged to the north and the south to include school and civic sites. The expansion helps the village to be less linear with a defined edge of Allen Brook to the north and the interstate to the south. A municipally owned site in the village center is proposed to be rural conservation and may be best included in the village as a civic amenity even if a park or other conservation area. **The area proposed meets the requirements for a village center.**

**Advisory Recommendation:** Consider including the Rural – Conservation parcel in the village center.

#### (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 proposes planned growth areas in the following 11 municipalities. Specific review of each planned growth area is provided below as well as required revisions or advisory recommendations.

**Burlington:** The proposed planned growth area includes a legacy neighborhood development area and surrounds the three proposed downtown centers and two proposed village centers. The planned growth area does extend more than a mile, and in the north end up to two miles, from the centers. The University of Vermont is contained within the planned growth area and could also be a special use area given its specialized use and size. The boundaries of the planned growth area often don’t align with parcel boundaries due to flood hazard area and river corridor exclusions. The eastern side of the city, along the Winooski River, has instances where the planned growth area matches up with the boundary for the flood hazard or river corridor area. However, in other cases, parcel slivers are included in the planned growth area with the remainder in Rural – Conservation.

An example is along Riverside Avenue where the planned growth area does not capture the existing development at the City Wastewater Facility.

The residential parcels by Oakledge Park, Oak Beach Drive and Harbor Watch, adjacent to the lake, are zoned low density residential. Within the south end of Burlington, the enterprise area (Rhino, GMT, etc.) is planned growth area however the zoning seems to conflict with the dense residential expected in planned growth areas. **Both proposed PGAs meet the requirements for a planned growth area.**

**Advisory Recommendation:** The map should be cleaned up to remove slivers and snap areas to parcels wherever possible. Provide additional information on the south end zoning or consider enterprise area instead. The northern most portion of the planned growth area (near the Winooski River in the New North End) is surrounded by rural conservation should be considered for transition or rural.

**Colchester:** A planned growth area is proposed extending from Fort Ethan Allen along Route 15 to the Winooski town line. The area is served by municipal water and sewer and transit and is within half a mile of the Winooski downtown and the Fort Ethan Allen village center. The proposed PGA is conducive to infill and contains a mix of residences, businesses, and St. Michaels College and is served by transit. **The proposed PGA meets the requirements for a planned growth area.**

**Essex:** The planned growth area surrounds both the proposed downtown and village centers. The northern and western planned growth areas are generally within half a mile of the downtown and village center areas. The municipality has a confirmed planned, municipal water and sewer, and adopted zoning and subdivision regulations. The eastern and southern planned growth areas extend up to two miles from the downtown and village center and possibly include unserved areas for water and wastewater along Jericho Road / Route 15. The area is served by transit. **The proposed PGA meets the requirements for a planned growth area.**

**Advisory Recommendation:** Additional information on water and wastewater service areas in Essex.

**Essex Junction:** The portion of the city that is not downtown area or rural conservation around water bodies is planned growth area. The planned growth area incorporates the remainder of the legacy neighborhood development area and is generally within half a mile of the downtown future land use. The City has a confirmed planned, municipal water and sewer, and adopted zoning and

subdivision regulations. The area is served by transit. **The proposed PGA meets the requirements for a planned growth area.**

**Hinesburg:** The planned growth area surrounds the village center and is inclusive of a legacy neighborhood development area. The planned growth area is slightly expanded to include whole parcels that were previously bisected by the legacy area. The municipality has municipal water and sewer and adopted zoning and subdivision regulations. The area is served by transit. **The Board cannot determine that the area proposed meets the requirements for a planned growth area.**

**Required Revision:** The expired municipal plan will require readoption, regional approval, and confirmation prior to submission of the adopted regional plan or the area mapped as another future land use area.

**Milton:** The planned growth area is centered on the proposed downtown and village center areas. The northern and eastern planned growth areas are generally within half a mile of the downtown and village center. The southern planned growth area is closer to a mile from the downtown area. The municipality has a confirmed plan and the area is served by municipal water and sewer. The area is served by transit. **The proposed PGA meets the requirements for a planned growth area.**

**Advisory Recommendation:** Additional information on the walkability of the outer edges of this area is requested.

**Richmond:** The planned growth area is generally located within half a mile of the village center and is served by municipal water and sewer. The municipality has a confirmed plan but does not appear to be served by transit. The southern planned growth area is removed from the village center by a substantial rural conservation area. **The proposed PGA meets the requirements for a planned growth area except that the Board cannot find that the eastern edge of the PGA on Cochran Road meets the requirements for a planned growth area.**

**Advisory Recommendation:** Additional information is requested on walkability of the proposed eastern area on Cochran Road or consider mapping this as Infill/Transition Area.

**Shelburne:** Two planned growth areas proposed in Shelburne are separated by the LaPlatte River. The northern PGA encompasses the two proposed village areas. The Southern PGA encompasses the proposed downtown center. The proposed planned growth areas are served by transit.

The Southern planned growth area includes two small sections that are separated from the rest by river corridor. **The proposed PGA meets the requirements for a planned growth area.**

The Northern planned growth area extends west to east from Shelburne Bay to Spear Street and north to south from South Burlington to the LaPlatte River corridor. It is not clear that the southeastern portions of this PGA are connected to the closest proposed center on the other side of the LaPlatte River. Reportedly an extension of this planned growth area is contemplated in a municipal plan update. In some areas, the planned growth area overlaps with significant natural resources such as rare, threatened, and endangered species areas or significant natural communities (e.g. the area where Bay Road crosses the LaPlatte) however most of this area is excluded from the planned growth area and shown as rural conservation instead. The proposed planned growth area along Bay Road contains flood hazard area, 886 Bay Road particularly, and should be removed from the PGA area. **The Board cannot determine that the proposed PGA meets the requirements for a planned growth area.**

**Required Revision: Remove 886 Bay Road from the PGA area due to the flood hazard area present. Provide additional information on walkability of the proposed Northern PGA area.**

#### **Advisory Recommendations:**

- Provide additional information on walkability of the western most portion of the planned growth area (west of the Village in the vicinity of Harbor Road and Depot Road) or re-examine the mapping of this area that is surrounded by rural areas.
- Similarly, the portion of planned growth area along Falls Road that is bisected from the village by a stream and Rural - Conservation may be best categorized as Transition/Infill instead.

**South Burlington:** Outside of the proposed downtown and village centers, the majority of the city is proposed Planned Growth Area. Pockets of Rural – General and Rural – Conservation occur throughout the southeast quadrant of the city. A few pockets of Rural – Agriculture & Forestry also occur throughout the proposed PGA. A Special Use area encompassing the airport and adjacent Enterprise and Transition/Infill areas isolate a small northern tip of the PGA that may be more connected to the Colchester PGA than the rest of South Burlington. The entire area is served by transit, municipal water and sewer, and a confirmed plan. River corridor and floodplain are excluded from the proposed PGA.

Proposed PGA in the city's southeast quadrant is removed from the downtown and village centers. The north end of this quadrant contains Dorset Park and an industrial park and includes residential subdivisions that surround the Vermont

National Country Club golf course (mapped as Rural – General). The southern end exhibits similar suburban style development patterns.

The Shelburne Road corridor, south of the proposed village center, could be considered for transition area instead of planned growth area.

The intersection of Williston Road east of Kennedy Drive also should be considered as best meeting the definition of transition area.

**The Board cannot determine that the following portions of the proposed South Burlington PGA meet the requirements for a Planned Growth Area: 1) southern Shelburne Road corridor; 2) Williston Rd/Kennedy Rd eastern area; and 3) the area south of I89 on Hinesburg Rd. The Board finds that the remaining PGA meets the requirements for a planned growth area.**

**Required Revisions: Additional information is requested to substantiate the suitability of the three referenced portions of the proposed PGA.**

**Williston:** The planned growth area surrounds the village center and downtown areas. The area is served by municipal water and sewer and is generally within walking distance of the village center and downtown. The western and northern most planned growth areas are up to a mile from the downtown and expansion of the downtown area may improve the proximity requirement of the planned growth area to the downtown area. Given the underlying zoning, the Marshall Ave and Shunpike Road areas may be better suited for enterprise area than planned growth. The area is served by transit. **The Board cannot determine that the following portions of the proposed PGA areas meet the requirements for a planned Growth Area: Marshall/Shunpike Road area. The Board finds that the remaining PGA meets the requirements for a planned growth area.**

**Advisory Recommendations:** Provide additional information on how the municipal plan addresses requirements for higher-density housing and mixed use in the Marshall Avenue / Shunpike Road area.

**Winooski:** The planned growth area encompasses most of the city outside of the proposed downtown center except the river corridor and natural area mapped Rural – Conservation, a parcel between the natural area and St. Michaels College mapped Transition/Infill, and less than 20 parcels that are designated as enterprise and encompass industrial properties. The entire area is served by municipal water and sewer and transit. **The proposed PGA areas meet the requirements for a planned Growth Area.**

#### (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 proposes a total of 16 village areas (“VA”s) in 9 municipalities.

**Charlotte:** The western village area largely follows the current West Charlotte village zoning district. The village area mostly follows parcel boundaries and does not cut around Charlotte conservation areas, as the existing village zoning district does. The proposed village area excludes several large parcels off of Greenbrush Road that were included in the village zoning but are proposed to be rural conservation area and instead includes several other parcels that are

currently part of the Town village commercial zoning. This includes a larger parcel off of Rt. 7, which has sections that are proposed to be included in the village center area.

The eastern village area closely aligns with the boundaries of the municipality's existing East Charlotte village zoning district. These proposed boundaries bisect several large parcels and do not surround or abut the proposed village center on all sides, and do not follow parcel boundaries on several parcels south of Spear Street. There are several parcels designated as rural conservation that are surrounded by proposed village parcels, although they are in the current village zoning, this impacts continuity and connection within this village area. **Each of the areas proposed meets the requirements for a Village Area.**

**Advisory recommendation:** Additional justification for these boundaries is requested as to why the area bisects the conservation area. Consistency in mapping for both areas is recommended.

**Colchester:** There is expansive village area in Colchester that can be separated perhaps into three general areas: Severance Corner, the Village, and the Bay. The village area surrounding Severance Corners is within half a mile of the downtown or village center at the Fort and is appropriate for infill surrounding these centers. The village area surrounding the Village Center is expansive including a stretch of a mile and a half from the village to the Essex line. The village center for this area should be considered for an increase in size or some of the village area changed to transition as the expansive size of the village area is generally not within walking distance of the village center. The Bay area, similarly, is too expansive in relation to the three small village areas within it. The village centers should be evaluated for an increase in size or the area partially changed to transition. **The Board cannot determine that the following portions of the areas proposed meet the requirements for a Village Area: 1) Marble Island; and 2) Route 2A east of the village center. The Board finds that the remaining area meets the requirements of village area.**

**Advisory recommendation:** Additional information should be provided for the Marble Island and Route 2A area east of the village center addressing walkability and cohesive mix of uses. Additionally, periphery areas could be considered for Transition/Infill or Rural General.

**Essex:** Village area is proposed to the north of the planned growth area surrounding the village center along Bixby Hill Road and a parcel along Browns River Road. The spot demarcation of the Browns River Road is unusual and additional justification is requested to substantiate this as village area and not planned growth. The area along Bixby Hill Road also requires additional justification as to why the isolated area along the periphery of the planned growth

area is not included in the planned growth or rural areas. **The area proposed meets the requirements for a Village Area.**

**Advisory recommendation:** Consider changing the area along Browns River Road to planned growth or provide supplemental information and consider providing additional information on the Bixby Hill Road area or consider changing it to planned growth or rural to address concerns that the village area contributes to sprawl of the growth area into the rural area.

**Hinesburg:** A limited village area is proposed to the south of the village center in the legacy neighborhood designation area with an additional six parcels. This area appears to be partially served by municipal water or sewer and perhaps more appropriate for planned growth area. **The area proposed meets the requirements for a Village Area.**

**Advisory recommendation:** Provide additional information as to why the area is best suited to village area and not planned growth or rural area.

**Huntington:** The proposed village areas are centered around the two village centers. The southern village area is tightly clustered to the village center and extends no more than half a mile from the boundary. The northern village area contains only nine parcels and is located to the north and east of the village center. These parcels are also within less than half a mile of the village. **Each of the areas proposed meets the requirements for a Village Area.**

**Advisory recommendation:** It is recommended though that the linear nature of the southern village center be examined to perhaps expand from the road corridor.

**Jericho:** The proposed village areas surround each of the three village centers and are generally within half a mile of the periphery of the centers with the exception of the area between the eastern and western centers that is closer to a mile from each. There are several residential subdivisions within the village area's outer edge, along Packard Road, that may be best as transition areas. **Each of the areas proposed meets the requirements for a Village Area.**

**Advisory recommendation:** Provide additional information on walkability or consider transition/infill or rural general for the periphery of the centers.

**Saint George:** The proposed village area extends south of the proposed center to the town line with Hinesburg. The area is within half a mile of the center and is suitable for infill and incorporates the junction of Hinesburg Road but excludes the golf course. **The area proposed meets the requirements for a Village Area.**

**Underhill:** There are two village areas that are each clustered around the proposed village centers. Both village areas are within half a mile of the village center boundaries. **Each of the areas meets the requirements for a Village Area.**

**Westford:** The village area surrounds the proposed village center and is generally within half a mile of the outer edge of the center. The area contains several agricultural operations, however, is zoned village center by Westford. The post office is also included in the village area. **The area meets the requirements for a 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).

Transition/Infill areas are proposed in **Colchester, Jericho, Hinesburg, Huntington, Milton, Richmond, Saint George, Shelburne, and South Burlington**. The plan indicates that 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. **The areas proposed meet the statutory standards for Transition or Infill Areas.**

**Advisory Recommendation:** In Hinesburg, the high school and surrounding area are proposed to be transition and not planned growth; yet, are also within a served area and suitable distance of the village center. The transition area may be appropriate for planned growth.

#### (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).

Resource-based recreation areas have been identified around ski areas. **The areas proposed meet the statutory standards for Resource-Based Recreation Areas.**

**Advisory Recommendation:**

- Consider a resource-based recreation area around the Essex Tree Farm facility on Old Colchester Road.

(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).

Enterprise Areas are proposed in **Burlington, Charlotte, Colchester, Essex, Hinesburg, Milton, Richmond, Shelburne, South Burlington, Williston, and Winooski**. There are three cases in which Enterprise Areas are adjacent to Planned Growth Areas: Burlington, Winooski, and South Burlington. These areas include industrial parks, areas of resource extraction, or other commercial uses that involve larger land areas and do not need to be included in the Planned Growth Areas. **The areas proposed meet the statutory standards for Enterprise Areas.**

**Advisory Recommendation:**

- Consider expanding the enterprise area on Sand Hill Road to include more of the industrially zoned and developed area (e.g., Blodgett Ovens, Twincraft, Catamount, etc.).

(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).

Two Hamlets are identified in the region recognizing “historic settlement clusters where no growth is currently planned.” They include **Huntington and Richmond**. **The areas proposed meet the statutory description for Hamlets.**

(H)– (J) Rural Areas

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).

Flood hazard areas may be mapped as Rural Conservation in accordance 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.

Rural General is used extensively especially in the more rural communities of the county (23.15% of the county) and could be further refined as Rural Ag/Forest or Rural Conservation. **These areas met the statutory definition of Rural – General, Rural-Agricultural and Forestry, and Rural - Conservation.**

**Requested Revisions:**

- **Map roads consistent with the predominant FLU around them, rather than defaulting to Rural General.**
- **The river corridor and shoreline should be uniformly mapped, wherever possible, as rural conservation or rural general.**

**Advisory Recommendation:**

- There is an abundance of rural general in the region that might more logically belong in a rural agriculture/forest area (e.g., Hinesburg, Charlotte, Milton, or Williston).

- Shelburne Farms should be considered for rural agricultural forest area instead of rural general area.
- Consider elimination of small Rural General designations around houses that are surrounded by Rural Ag/Forest or Rural Conservation and instead more Rural Ag/Forest in some rural areas, even for parcels that are not enrolled in the Current Use program (e.g., Lincoln Hill Road (forest) and Burritt Road (agriculture) in Hinesburg).

### 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 Commission 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 Commission 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)

The Commission requested Tier 1B status 12 municipalities: **Bolton, Burlington, Essex Junction, Hinesburg, Jericho, Milton, Richmond, Shelburne, South Burlington, Westford, Williston, and Winooski**. Municipal resolutions were provided for each of 12 of these municipalities, documenting various municipal-specific

information relevant to its Tier 1B area request, in particular its plan to ensure adequate staffing. **The 12 municipalities meet the requirements for Tier 1B status as enumerated in 10 V.S.A. 6033(c) with the following revisions.**

**Required Revisions:**

- To the extent, that the underlying future land use areas did not meet the requirements of 24 V.S.A. § 4348a(a)(12)(A)-(C) as described in Section I(D)(12)(A)-(C) of this preapplication response, additional revision may be necessary before Tier 1B status can be conferred. Required revisions are detailed accordingly by municipality for these Downtown and Village Centers, Planned Growth Areas, and Village Areas.
- The Town of Hinesburg's expired municipal plan will require readoption and confirmation for the city to be considered for Tier 1B status.
- The proposed Tier 1B area for Westford does not appear to follow parcel lines and includes perhaps only seven parcels one of which is the municipal complex. The area is severally limited in size and constrains the ability to accommodate housing infill. The adopted Regional Planning Commission Application Guidelines of the Land Use Review Board provide: "If Tier 1B status is sought for an area that does not include the entirety of a downtown center, village center, planned growth area, or village area, the Tier 1B memorandum must explain the reason that the entire FLU area is not proposed for Tier 1B status." This explanation has not been provided and must be provided as part of the final application.
- For municipalities that have provided resolutions that do not address municipal capacity per the model VAPDA resolution, supplemental confirmation from the municipalities shall be provided as part of the final application.

**II. CONCLUSION**

To the extent that a statutory standard is indicated above as not 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. Other 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 December 22, 2025

Sincerely,

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Sarah Hadd

Adopted by the Board at the December 19, 2025 meeting.

## RECIPIENT LIST

A copy of the foregoing **Preapplication Response Letter** for RPC04-0001 has been sent on December 22, 2025, to the following individuals by electronic mail:

### **APPLICANT**

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### **FOR INFORMATION ONLY**

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Attn: Jon Groveman  
info@vnrc.org

Dated December 22, 2025,

/s/ Madeline Cotter

Madeline Cotter

Legal Technician

Act250.Board@vermont.gov