

From: [Kati Gallagher](#)
To: [Act250 - Board](#)
Cc: [jgroveman](#)
Subject: VNRC Comments re: LCPC Pre-application Review
Date: Thursday, February 19, 2026 3:52:29 PM
Attachments: [LCPC_VNRC_Preapplication_Review_Comment_Form.pdf](#)
[LCPC FLUM Letter 2-13-2026.pdf](#)

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Dear Chair Hurley,

On behalf of the Vermont Natural Resources Council, thank you for the opportunity to comment on the Lamoille County Planning Commission's draft Future Land Use Map.

VNRC's comments can be found in the attached Pre-application Review Form, as well as a separate letter that includes general comments.

Please let us know if you have any questions.

Sincerely,
Kati Gallagher

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February 19, 2026

Janet Hurley, Chair
Vermont Land Use Review Board
10 Baldwin Street
Montpelier, VT 05633-3201

Dear Ms. Hurley:

Thank you for the opportunity to comment on the Lamoille County Planning Commission's (LCPC) draft Future Land Use Map (FLUM). As you know, the Vermont Natural Resources Council (VNRC) recently submitted comments regarding the Northwest, Rutland County and Chittenden County Regional Planning Commissions' draft FLUMs. Our review of those maps raised several concerns regarding compliance with statutory requirements. Rather than reiterate those concerns in this letter, we will be submitting a separate letter outlining our overarching concerns regarding the FLUM mapping process and LURB review to date.

With regard to the LCPC draft FLUM, we offer the following concerns and suggestions for the Board's consideration (a simplified version of these comments have also been submitted through the pre-application review form).

Transition Areas

We appreciate LCPC's use of the Transition Area (TA) category, as opposed to expansive areas designated as Village Area, though the rationale for the proposed TA boundaries is not clear in that they include a range of existing settlement patterns that include commercial strip development as well as undeveloped and low-density residential areas. This is especially true in Cambridge and Johnson, and to a degree in Morrystown. Additional clarification regarding these boundaries would be helpful.

Belvidere Village Centers (new)

Two new VCs are proposed in Belvidere; of those:

- Designation boundaries do not consistently follow property lines.
- Neither includes a registered historic district, as may be required for state designation, but may include one or more historic structures.
- The proposed VC on VT 109 at Belvidere Junction, bordering Waterville, includes a few houses and a church that are located within mapped flood hazard and river corridor areas associated with the North Branch of the Lamoille, which defines the eastern boundary. While additional land outside of these areas has been included, given the type and pattern of development this proposed center might better qualify as a "hamlet" as defined.

Cambridge Village Centers (legacy, new)

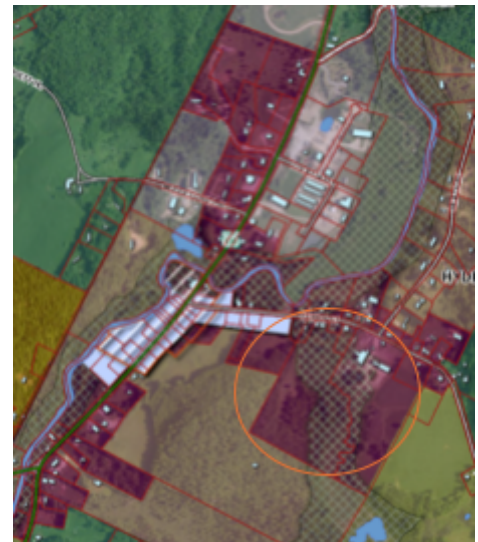
Proposed VCs in the Town of Cambridge include two legacy centers – Cambridge Village and Jeffersonville Village – and one new center proposed for an area of newer development south of Jeffersonville on VT108, near the entrance to Smuggler’s Notch.

- The proposed **Jeffersonville Village VC** is a larger expansion of the existing designated area, to include residential neighborhoods to the south of the existing center, extending outside of village boundaries, that would more appropriately be included in an accompanying Village Area adjacent to the existing center, that would also allow for neighborhood designation.
- The new **VC on VT108** to the south is characterized by a mix of commercial and some higher density residential development, but does not include an historic district or any civic uses, and does not currently represent a more compact, walkable form of higher density development. This appears to be more in keeping with an area undergoing transition.

Hyde Park Village Centers (legacy, expanded)

As mapped, both of Hyde Park’s existing designated village centers are proposed for limited expansion:

- The **Hyde Park Village Center** is proposed to include adjoining residential and undeveloped properties (zoned Village Residential), which may more appropriately be included in a “Village Area,” allowing for future neighborhood designation.
- The existing **North Hyde Park Village Center** has been expanded to include both developed and undeveloped properties outside of mapped flood hazard and river corridor areas. This area is also under consideration for Tier 1B status. Under related mapping guidance, undeveloped land located east of the existing center, within LCPC’s mapped flood hazard area, should be excluded from the mapped village center.



Johnson Village Center (legacy, expanded)

The existing designated center, located largely within the mapped floodplain of the Lamoille River, is proposed for limited expansion to include additional, largely undeveloped land outside of the floodplain.

- Some of the land proposed for residential development within the expanded VC could be included in a Village or Planned Growth Area adjoining the center, to also allow for future neighborhood designation.

Morrisville Downtown Center (legacy, expanded)

Morrisville’s existing designated downtown is proposed for expansion to include additional civic uses and properties (school, church, etc.) and residential neighborhoods located outside of flood hazard areas and river corridors.

- As noted above, some of the residential neighborhoods included within the proposed downtown center could be included in the adjoining Planned Growth Area, allowing for future neighborhood designation.

Morristown Village Centers (new)

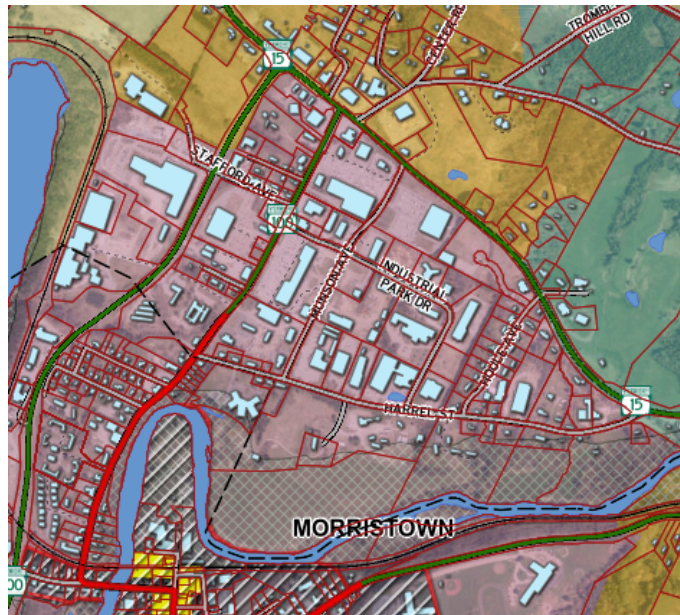
New VCs are proposed in association with two existing settlements –Cady’s Falls and Morristown Corners. It's not clear that, as proposed, either of these meet the definition of a traditional, mixed use village center.

- There are no registered historic districts in either area, as may be required for state designation, though there may be one or more eligible historic buildings.
- Cady’s Falls today appears to be entirely residential (auction house excluded). Morristown Corners also includes some limited commercial, but there appear to be no civic uses or properties in either proposed village center.

Morristown Planned Growth Area (new)

The proposed PGA north of the river consists almost entirely of larger scale commercial and industrial uses, including the town’s industrial park.

- It’s not clear how this area meets the statutory definition of a planned growth area, in support of higher density residential and mixed-use development – or how it meets relevant smart growth principles.
- Under statutory FLU criteria and related mapping guidance this area would more appropriately be mapped as an existing “enterprise” area, or as a “transition” area, if proposed for higher density residential and mixed-use infill development.



Stowe Downtown Center (legacy, new)

The proposed DC incorporates two legacy Centers (Stowe Village DC, Lower Village VC), and additional, largely undeveloped land to the north between VT108 and VT100, to the east of VT100, and to the west of VT108. A portion of this area is also proposed for Tier 1B status. Much of the undeveloped land outside of the existing, designated center that has been included is largely undevelopable – especially at densities typical of a downtown center – given both physical and legal constraints. These include:

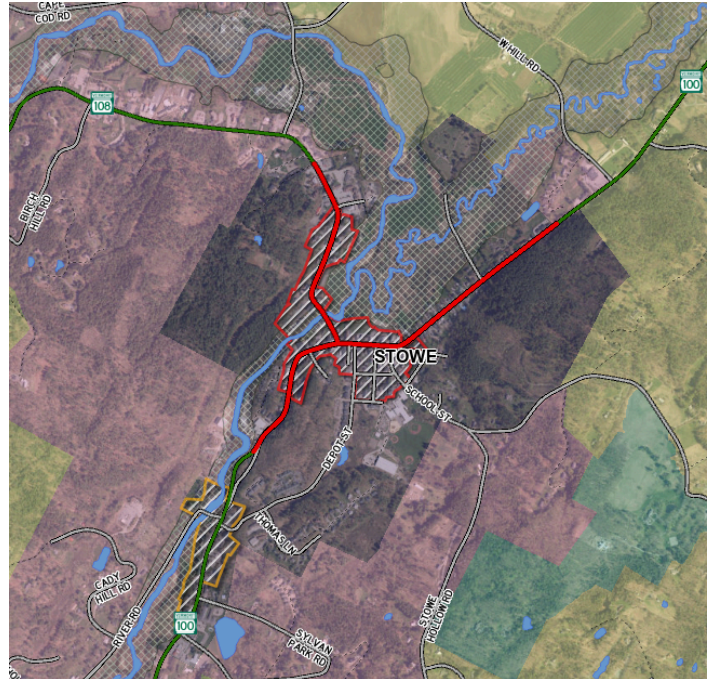
- The extensive flood hazard areas and actively eroding river corridors adjacent to the West Branch west of Route 100
- Areas of steep slope (>25%) east of Route 100/Sunset Street, and
- Conserved land, including the Mayo Farm and Sunset Ledges.

These undeveloped areas also do not meet the statutory definition of a traditional downtown or village “center.” Areas that are suitable for higher density housing and mixed-use development in the vicinity of Stowe’s existing centers, which are served by water and sewer, would more appropriately be included in the Planned Growth Area.

VT108 Village Centers, Stowe (new)

Two new VCs are proposed along VT108 in areas (nodes) that have long been identified for higher density mixed use development and are served by water and sewer. Partial Tier 1B status is also being requested. However:

- These areas currently are characterized by lower density auto-oriented commercial development. They do not meet the definition of a traditional “village center.”
- They may include historic structures, but there are no registered historic districts, as may be required for state designation.
- There are acknowledged water system, wastewater system, and road capacity limitations that limit higher density mixed use development in these areas.
- In the absence of master plans and scheduled public investments in support of higher density housing and mixed-use development, these areas are more representative of “transition” areas, which would not preclude new housing development, but not qualify for Tier 1B status.



Moscow Village Center, Stowe (new)

Moscow is a traditional settlement that includes a small historic district, and should therefore qualify as a new VC, however:

- It was noted that, as mapped, the proposed center includes buildings within the mapped FHA and river corridor, and uses, such as storage facilities, that are not typically found within a VC.

Stowe Village Area

As noted above, portions of the proposed Stowe Downtown are not consistent with the statutory definition of a DC - these same areas also do not meet the definition of VA. While we understand that the proposed VA surrounding Stowe Village and the Mountain Road Village generally correspond to the Town’s sewer service area, we question whether the areas along Cape Cod and Weeks Hill Road, and the linear strip development along Route 108 between the downtown boundary and Meadow Lane/the West Branch crossing meet the definition for Village Area and whether they would more appropriately be designated as a Transition Area.

Wolcott Village Centers (legacy, expanded)

Both of Wolcott's existing designated village centers – Wolcott VC and North Wolcott VC, are proposed for limited expansion, to include undeveloped land located outside of mapped flood hazard areas. Wolcott VC may also be considered for Tier 1B status.

- Undeveloped land intended for higher density residential development within the proposed Wolcott VC could instead be included in a Village Area, to also allow for neighborhood designation, and still potentially qualify for Tier 1B status.

Waterville VC (legacy)

Grandfathered – no proposed changes to existing designation boundaries. It was noted however that there is no registered historic district within this village center, though there are likely properties eligible for designation.

Thank you again for your consideration of our comments.

Sincerely,

Kati Gallagher,
VNRC Sustainable Program Director

Sharon Murray, FAICP

Brian Shupe, FAICP

Preapplication Review Comment Form

The purpose of the Land Use Review Board's preapplication review of a draft regional plan is to provide comments to the regional planning commission on whether draft regional plan conforms with 24 V.S.A. § 4302, 4348a, 5803, and 5804.

This comment form lays out the statutory requirements for a regional plan to receive an affirmative determination from the Board. This form does not need to be completed in its entirety, and a commentor can elect to complete only certain sections. If you have no comments under the given section, leave that section blank.

Commentor Information

1. Select the Regional Planning Commission you are providing comments for.

Addison County – RPC01

Bennington County – RPC02

Central Vermont – RPC03

Chittenden County – RPC04

Lamoille County – RPC05

Mount Ascutney – RPC06

Northeastern Vermont Development Association – RPC07

Northwest – RPC08

Rutland – RPC09

Two-Rivers Ottauquechee – RPC10

Windham – RPC11

2. Name of commentor.

3. Commentor email address.

4. Partner Agency (if representing a partner agency).

Section 2 – Part A – Consistency with State Planning Goals (15 Goals)

Per 24 V.S.A. § 4348(h)(4), for the Land Use Review Board to issue a determination of plan compliance, it must find that the plan is consistent with the State planning goals as established in 24 V.S.A. § 4302. The application must describe plan compliance.

In this section, the RPC was required to provide detailed information about how the plan meets the general and specific goals out-lined in 24 V.S.A. §§ 4302(a), (b) and (c).

5. The draft plan must meet the general purpose of 24 V.S.A. § 4302(a), which states: "It is the intent and purpose of this chapter to encourage the appropriate development of all lands in this State by the action of its constituent municipalities and regions, with the aid and assistance of the State, in a manner which will promote the public health, safety against fire, floods, explosions, and other dangers; to promote prosperity, comfort, access to adequate light and air, convenience, efficiency, economy, and general welfare; to enable the mitigation of the burden of property taxes on agricultural, forest, and other open lands; to encourage appropriate architectural design; to encourage the development of renewable resources; to protect residential, agricultural, and other areas from undue concentrations of population and overcrowding of land and buildings, from traffic congestion, from inadequate parking and the invasion of through traffic, and from the loss of peace, quiet, and privacy; to facilitate the growth of villages, towns, and cities and of their communities and neighborhoods so as to create an optimum environment, with good civic design; to encourage development of a rich cultural environment and to foster the arts; and to provide means and methods for the municipalities and regions of this State to plan for the prevention, minimization, and future elimination of such land development problems as may presently exist or which may be foreseen and to implement those plans when and where appropriate. In implementing any regulatory power under this chapter, municipalities shall take care to protect the constitutional right of the people to acquire, possess, and protect property."

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6. 4302(b) - GENERAL GOALS

- (1) To establish a coordinated, comprehensive planning process and policy framework to guide decisions by municipalities, regional planning commissions, and State agencies.
- (2) To encourage citizen participation at all levels of the planning process, and to assure that decisions shall be made at the most local level possible commensurate with their impact.
- (3) To consider the use of resources and the consequences of growth and development for the region and the State, as well as the community in which it takes place.
- (4) To encourage and assist municipalities to work creatively together to develop and implement plans.

7. 4302(c) - SPECIFIC GOALS

Goal 1: To plan development so as to maintain the historic settlement pattern of compact village and urban centers separated by rural countryside. Are the proposed designated areas (downtown and village centers, planned growth areas, and village areas) adequate to accommodate the regional housing targets as required by 24 V.S.A. § 4302(c)(1)(A)?

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

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8. Are the proposed designated areas (downtown and village centers, planned growth areas, and village areas) adequate to accommodate the regional housing targets as required by 24 V.S.A. § 4302(c)(1)(A)?

9. Goal 2: To 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).

10. Goal 3: To 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).

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11. Goal 4: To 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.
(A) Highways, air, rail, and other means of transportation should be mutually supportive, balanced, and integrated. 24 V.S.A. § 4302(c)(4).

12. Goal 5: To 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).

13. Goal 6: To 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).

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14. Goal 7: To 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).

15. Goal 8: To 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).

16. Goal 9: To 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.

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(E) Public investment should be planned so as to minimize development pressure on agricultural and forest land. 24 V.S.A. § 4302(c)(9).

17. Goal 10: To 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).

18. Goal 11: To 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 multi-family and manufactured housing should be readily available in locations similar to those generally used for single-family dwellings.

(D) Accessory dwelling units 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).

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19. Goal 12: 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).

20. Goal 13: To ensure the availability of safe and affordable childcare and to integrate childcare issues into the planning process, including childcare financing, infrastructure, business assistance for child care providers, and childcare work force development. 24 V.S.A. § 4302(c)(13).

21. Goal 14*: To encourage flood resilient communities.

(A) New development in identified flood hazard and river corridor protection areas should be avoided. If new development is to be built in such areas, it should not exacerbate flooding and fluvial erosion.

(B) The protection and restoration of floodplains and upland forested areas that attenuate and moderate flooding and fluvial erosion should be encouraged.

(C) Flood emergency preparedness and response planning should be encouraged.

24 V.S.A. § 4302(c)(14).

*This goal is effective until 1/1/28, after which it is replaced with updated language accounting for the forthcoming statewide minimum flood hazard area standards established by rule by the Agency of Natural Resources

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22. Goal 15: With development of the regional plans, the regional planning commissions are required "[a]t the outset of the planning process and throughout the process, 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). Additionally, goal 15 requires the regional 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."

"'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). Please provide any comments you have as to whether the development of the draft regional plan meets these requirements.

Section 3 – Part B – Consistency with the Purposes of a Regional Plan

Per 24 V.S.A. § 4348(h)(4), for the Land Use Review Board to issue a determination of plan compliance, it must find that the plan is consistent with the purposes of a regional plan as established in 24 V.S.A. § 4347. “Consistency” is defined in 24 V.S.A. § 4302(f)(1).

The application must provide detailed information describing how the plan is consistent with the purposes of a regional plan.

23. 24 V.S.A. § 4347 - Purposes of a Regional Plan: 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.

Section 4 – Part C – Required Elements of a Regional Plan

The draft regional plan must include the following elements. 24 V.S.A. § 4348a(a).

24. 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).

25. 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.

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(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).

26. 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(a)(3).

27. 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).

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28. 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).

29. 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).

30. 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).

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31. 24 V.S.A. § 4302(f)(2) defines “compatibility” as follows:

(2) As used in this chapter, for one plan to be “compatible with” another, the plan in question, as implemented, will not significantly reduce the desired effect of the implementation of the other plan. If a plan, as implemented, will significantly reduce the desired effect of the other plan, the plan may be considered compatible if it includes the following:

(A) a statement that identifies the ways that it will significantly reduce the desired effect of the other plan;

(B) an explanation of why any incompatible portion of the plan in question is essential to the desired effect of the plan as a whole;

(C) an explanation of why, with respect to any incompatible portion of the plan in question, there is no reasonable alternative way to achieve the desired effect of the plan; and

(D) an explanation of how any incompatible portion of the plan in question has been structured to mitigate its detrimental effects on the implementation of the other plan.

32. 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).

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33. An 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).

34. A flood resilience element that:

- 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
- 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.

A flood resilience element may reference an existing regional hazard mitigation plan approved under 44 C.F.R. § 201.6. See 24 V.S.A. § 4348a(a)(11).

Section 5 – Future Land Use Element

The draft regional plan must include a future land use element. 24 V.S.A. § 4348a(a)(12). As the Board reviews the future land use map and land use categories, the Board will be relying on the land use categories listed in 24 V.S.A. § 4348a(a)(12) and on the Mapping Process and Standards v 3.0, which summarizes the methodology and planning considerations followed by the RPCs in developing the future land use map.

35. A future land use element, based upon the elements in this section, 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 using the land use categories as defined by 24 V.S.A. § 4348a(a)(12).

36. Downtown Center - The traditional and historic central business and civic centers within planned growth areas, village areas, or may stand alone. 24 V.S.A § 4348a(12)(A).

Share any comments you have on proposed downtown centers.

37. Village Center - The traditional and historic central business and civic centers within planned growth areas, village areas, or may stand alone. Village centers

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are not required to have public water, wastewater, zoning or subdivision bylaws.
24 V.S.A § 4348a(12)(A).

Share any comments you have on proposed village centers.

38. Planned Growth Area - These areas include the 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. 24 V.S.A § 4348a(12)(B).

Share any comments you have on proposed planned growth areas.

39. Village Area - 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. 24 V.S.A § 4348a(12)(C).

Share any comments you have on proposed village areas.

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40. Transition or infill Area - These areas include areas 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(12)(D).

Share any comments you have on proposed transition or infill areas.

41. Resource-based Recreation Area - These areas include 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(12)(E).

Share any comments you have on proposed resource-based recreation areas.

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42. Enterprise Area - These areas include 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(12)(F).

Share any comments you have on proposed enterprise areas.

43. Hamlets - 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(12)(G).

Share any comments you have on proposed hamlets.

44. 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(12)(H).

Share any comments you have on proposed rural - general elements.

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45. Rural; Agriculture 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(12)(I).

Share any comments you have on proposed rural - agriculture and forestry elements.

46. 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. Any portion of this area that is approved by the LURB as having Tier 3 area status shall be identified on the future land use map as an overlay upon approval. 24 V.S.A § 4348a(12)(J).

Share any comments you have on proposed rural - conservation elements.

47. Do the Rural Conservation areas identified on the plan's FLU map help meet the requirements of the Community Resilience and Biodiversity Act (10 V.S.A. Chapter 89) (see 24 V.S.A. 4348a(12)(J))?

Section 6 – Part E – New Tier 1B Status Requests

With Tier 1B Status Requests, the Board's review has two subparts: first, whether each municipality with proposed Tier 1B status areas meets the requirements of 10 V.S.A. § 6033(c)(1)-(6); and, second, whether the underlying proposed Tier 1B area/s as designated in the Future Land Use Map meets 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).

48. Subpart 1 - Requirements of 10 V.S.A 6033(c)

Instructions: to the extent that you have comments on whether the municipality/ies with proposed Tier 1B status areas meet the requirements of 10 V.S.A. § 6033(c), list the municipality, and if it does not meet the requirements of 10 V.S.A. 6033(c), any additional comments.

The subsections of 10 V.S.A. § 6033(c) are as follows:

- (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

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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.

49. Subpart 2 - Underlying Future Land Use Map Designations

To the extent that you have comments on whether any FLU area as proposed on the Future Land Use Map and underlying a proposed Tier 1B area does not meet the requirements for a downtown or village center, planned growth area, or village area as described in 24 V.S.A. § 4348a(12)(A)-(C), list the municipality, description of the Tier 1B area, any underlying FLU map areas, and if it does not meet the requirements, any additional comments.

Submit this form by email to the Land Use Review Board at act250.Board@vermont.gov.