



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

LAND USE REVIEW BOARD PREAPPLICATION RESPONSE

SENT VIA EMAIL ONLY

May 4, 2026

Mount Ascutney Regional Commission
Attn: Jason Rasmussen, Executive Director, jrasmussen@marcvt.org

Re: Mount Ascutney Regional Commission Preapplication Response

Dear Jason:

The Land Use Review Board has completed its preapplication review of the Mount Ascutney Regional Commission (MARC) preapplication that was deemed complete on March 4, 2026. A meeting and site visit were held on March 20, 2026. Separately, the Board requested comments from our state partners and the public. Copies of those comments can be found on the database:

<https://anrweb.vt.gov/ANR/Act250/RPDetail.aspx?AppNum=RPC06-0001>

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

I. BOARD REVIEW

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

Tier 1B status request meets the requirements of 10 V.S.A. § 6033(c) and 24 V.S.A. § 4348a(a)(12)(A)-(C).

This preapplication response addresses the statutory standards and identifies areas where the: (1) the draft plan appears to comply, (2) the draft plan appears deficient and likely needs revision to comply, or (3) additional information will likely be necessary for the Board to make a determination of compliance. If the MARC disagrees with a negative assessment, the Board will need additional information about why the MARC believes the statutory standard is met. Such additional information should be included with the adopted regional plan application. This response includes optional recommendations of the Board that MARC 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)

Board Response:

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

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

Board Response:

The four general goals are incorporated into the regional plan. The enhanced levels of engagement and outreach conducted for this plan update were designed to ensure local input into this update, especially with respect to regional housing targets and the future land use area mapping process. The implementation actions help further the land use policies and seek to address the housing targets. These implementation actions will likely involve municipalities working creatively together, and MARC appears to be poised to help facilitate this.

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

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

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

Goal 1:

The first goal is to plan development that maintains the historic settlement pattern of compact village and urban centers separated by rural countryside. 24 V.S.A. § 4302(c)(1).

Board Response:

The Land Use chapter addresses this goal, and clearly articulates the State’s smart growth vision of intensive residential development in and around centers, with economic growth encouraged in designated growth areas. The plan appears to accommodate a substantial majority of the housing targets enumerated in the Housing chapter in areas planned for growth. The Utilities and Facilities chapter adds detail with respect to public investments. The Regional Transportation Plan (Volume 2) discusses the desired transportation infrastructure for each future land use category. The plan seeks to direct development in accordance with smart growth principles in 24 V.S.A. § 2791(13).

The draft plan appears to be consistent with Goal 1.

Goal 2:

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

Board Response:

The plans broad policies address this goal directly – e.g., regional policy #7 on page 1-8 of Chapter 1 (Introduction). The Economic Development chapter is consistent with this goal. It was developed in partnership with the Springfield Regional Development Corporation, and it incorporates the recently amended Comprehensive Economic Development Strategy of the East Central Vermont Economic Development District.

The draft plan appears to be consistent with Goal 2.

Advisory Recommendations:

- Table 10.3 details the percentage of households receiving cash assistance programs by municipality. Clarify if this is meant to be a proxy for identifying which communities in the region have high unemployment or low per capita incomes, and the extent to which the efforts to expand economic opportunities described in the Economic Development chapter include these communities.

Goal 3:

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

Board Response:

This goal is addressed in the education section in the Utilities and Facilities chapter and in the Economic Development chapter. The Economic Development chapter discusses the important work of the Springfield Area Working Communities Challenge as it relates to this goal.

The draft plan appears to be consistent with Goal 3.

Goal 4:

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

Board Response:

Volume 2 of the plan (Regional Transportation Plan) addresses this goal. This volume of the plan also incorporates the Regional Active Transportation Plan by reference, which was informed in part by bicycle/pedestrian at-large members of the Transportation Advisory Committee, and in coordination with Southeast Vermont Transit staff.

The draft plan appears to be consistent with Goal 4.

Advisory Recommendations:

- As evidenced by the public participation section in the implementation section on pages 44-45 of volume 2, outreach efforts are more robust than indicated in the introduction. Consider referencing this later section in the introduction to clarify that public outreach goes beyond the four outreach methods noted on pages 2-3.

Goal 5:

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

- (A) significant natural and fragile areas;
- (B) outstanding water resources, including lakes, rivers, aquifers, shorelands, and wetlands;
- (C) significant scenic roads, waterways, and views;

(D)important historic structures, sites, or districts, archaeological sites, and archaeologically sensitive areas.”

24 V.S.A. § 4302(c)(5).

Board Response:

The Natural Resources chapter and the Cultural and Aesthetic Resources chapter address this goal.

The draft plan appears to be consistent with Goal 5.

Advisory Recommendations:

- Indicate the proper map number (i.e., Map 10 instead of Map X) for historic resources on page 7-3.
- Development standard #18 (page 3-27) specifically references erosion control and storm water strategies only for development on steep slopes (15-24%) in rural conservation areas and rural agricultural & forestry areas. What about development of areas without steep slopes in these areas? Furthermore, aren't such measures relevant for development on such slopes in other future land use areas?

Goal 6:

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

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

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

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

24 V.S.A. § 4302(c)(6).

Board Response:

The Natural Resources chapter addresses this goal, with subsections for each section in Goal 6(A). The water quality section on pages 6-8 to 6-11 addresses Goal 6(B). The forest resources section on pages 6-4 to 6-6 addresses Goal 6(C).

The draft plan appears to be consistent with Goal 6.

Goal 7:

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

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

24 V.S.A. § 4302(c)(7).

Board Response:

Volume 3 of the plan (Enhanced Energy Plan) addresses this goal.

The draft plan appears to be consistent with Goal 7.

Goal 8

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

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

24 V.S.A. § 4302(c)(8).

Board Response:

The recreation section in the Utilities and Facilities chapter addresses this goal.

The draft plan appears to be consistent with Goal 8.

Goal 9:

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

- (A) Strategies to protect long-term viability of agricultural and forestlands should be encouraged and should include maintaining low overall density.

- (B) The manufacture and marketing of value-added agricultural and forest products should be encouraged.
- (C) The use of locally-grown food products should be encouraged.
- (D) Sound forest and agricultural management practices should be encouraged.
- (E) Public investment should be planned so as to minimize development pressure on agricultural and forest land.

24 V.S.A. § 4302(c)(9).

Board Response:

The Natural Resources chapter and Land Use chapter address this goal.

The draft plan appears to be consistent with Goal 9.

Advisory Recommendations:

- The plan encourages more agricultural production in the region. Regenerative agriculture is encouraged but there is no discussion of what that entails. Agricultural soils are presented on two maps (page 6-3 and Map 7) and statements that they be protected are included on pages 6-2 and 6-3. However, a comprehensive plan for growth in regional agricultural production and protection of agricultural soils is not offered here, nor are relevant policies included in the list of policies at the end of the chapter. Consider revising to include strategies for achieving these aims in this chapter.
- Indicate the proper map number (i.e., Map 10 instead of Map X) for historic resources on page 7-3.

Goal 10:

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

Board Response:

The Natural Resources chapter and the Land Use chapter address this goal. In the Natural Resources chapter, see the mineral resources section (pages 6-20, 6-21) and natural resources policy #23 (page 6-24). In the Land Use chapter, see development standard #19 (page 3-28).

The draft plan appears to be consistent with Goal 10.

Advisory Recommendations:

- Natural resource policy #18 says, “Support mineral resource extraction as an important component of the working landscape economy...” Consider bolstering

this language by encouraging evaluation of important deposit areas prior to development that would preclude future use of this finite resource.

Goal 11:

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

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

24 V.S.A. § 4302(c)(11).

Board Response:

The Housing chapter and Land Use chapter address this goal. Accessory dwelling units are specifically addressed as an important housing type to be encouraged across the region, including in rural areas. See Housing Policy #3 in the Housing chapter. The Keys to the Valley Initiative, while based on older data, is incorporated by reference and provides important context for addressing the region’s housing needs.

The draft plan appears to be consistent with Goal 11.

Advisory Recommendations:

- Consider clarifying what percentage of the overall housing targets should be affordable for low to moderate income households.
- Consider stronger language to educate municipalities and guide municipal land use regulations to ensure that multifamily and manufactured housing can be constructed in locations similar to those generally used for single-family dwellings.

Goal 12:

The twelfth goal requires the draft plan:

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

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

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

24 V.S.A. § 4302(c)(12).

Board Response:

The Community Utilities and Facilities chapter and Emergency Management chapter address this goal. A major theme in the 2026 Regional Plan is the existing and planned water and sewer infrastructure needed to support the housing targets and village revitalization initiatives in the region.

The draft plan appears to be consistent with Goal 12.

Advisory Recommendations:

- The Emergency Management chapter (chapter 5) begins with broad goals like other chapters in the plan, but lacks any policy statements at the end of the chapter. Consider adding relevant policy statements or recommendations to highlight agreed-upon courses of action to achieve the goals of the chapter.

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).

Board Response:

The Utility and Facilities chapter and the Economic Development chapter address this goal. The Economic Development chapter discusses how childcare availability and cost influences labor force participation. The Utilities and Facilities chapter speaks to the need to reduce local regulatory barriers for childcare facilities.

The draft plan appears to be consistent with Goal 13.

Goal 14:

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

Board Response:

This goal is addressed in the Natural Resources chapter, the Land Use chapter, and the Emergency Management chapter. The Natural Resources chapter includes a detailed description of community flood resilience in the region. Related policies are contained in the Land Use chapter (pages 3-30 and 3-31). The Emergency Management chapter discusses preparedness and response planning.

The draft plan appears to be 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).

Board Response:

Environmental justice should be further detailed in the plan. The plan should provide a robust description of environmental benefits and burdens, providing an analysis of how these are distributed across the region. The plan should describe or address environmental justice focus populations as described in 3 V.S.A. chapter 72. Simply stating as a goal that the region will “equitably distribute environmental benefits and burdens as described in 3 V.S.A. Chapter 72” (page 1-8, goal #18) does not adequately address this statutory goal. It’s also unclear whether special outreach efforts were made to environmental justice focus populations during the development of the plan. The plan should detail the public engagement process related to these focus populations to meet statutory requirements.

The draft plan appears to be inconsistent with Goal 15.

Required Revisions:

- The plan should be revised to provide an environmental benefits and burdens analysis and to detail the public engagement process related to environmental justice focus populations.

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

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

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

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

Board Response:

The Regional Plan addresses and reinforces these purposes. Chapter 1 includes overall goals and policies that demonstrate the principles that should guide the growth and development of the Region and protect the natural and built environment.

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

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

As part of the development of the regional plan,

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

24 V.S.A. § 4348(a).

Board Response:

Robust public outreach is detailed in Appendix A of the plan. Most public outreach and meetings were directed toward municipal boards and staff; however, broad distribution of materials was accomplished more generally. Collaboration with a significant number of partner organizations was also noted. As noted above, more evidence is needed to demonstrate outreach to environmental justice focus populations during the development of the plan.

The draft regional plan appears to have been developed with the participation of its member municipalities, and the RPC appears to have provided for meaningful participation to communities throughout the region. However, as noted under the Goal 15 response, more information about outreach to environmental justice focus populations is needed.

D. Conformance with 24 V.S.A. § 4348a

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

1. Statement of Basic Policies

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

Board Response:

Chapter 1 includes broad goals and policies intended to guide future development in the region. Each subsequent chapter generally includes more specific goals and policies regarding applicable resources, utilities or facilities. The Land Use Chapter includes standards to guide developments specific to each future lands use category.

The draft regional plan appears to meet this requirement.

2. Natural Resources and Working Lands

A regional plan must contain:

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

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

basin plans established by the Secretary of Natural Resources under 10 V.S.A. § 1253.

24 V.S.A. § 4348a(a)(2).

Board Response:

The Natural Resources chapter generally describes the existing natural resources and working lands elements, and includes goals and policies for their conservation and continued ecosystem functions. The corresponding maps help to identify these features (i.e., Map 1 Water Resources, Map 3 Topographic Constraints, Map 4 Septic Suitability, Map 5 Recreation and Conservation, Map 6 Forest Blocks and Habitat, Map 7 Agriculturally Important Soils). In the Land Use chapter, the Rural-Conservation Area includes significant natural resources, including areas for aquifer protection, wetland, forest blocks, wildlife habitat and habitat connectors, or for other conservation purposes. The Utilities and Facilities chapter discusses recreational facilities.

The Natural Resources chapter and Map 7 address agricultural resources. The Rural-Agriculture and Forestry Area on the Future Land Use Map is intended to identify areas that include blocks of forest or farmland that sustain resource industries. Development Standard #20 on page 3-28 in the Land Use chapter is intended to support the productive use and economic viability of farms and forest lands.

Map 6 depicts forest blocks and habitat connectors. It goes beyond simply referencing Vermont Conservation Design habitat blocks, by also identifying regionally significant wildlife corridors. The MARC region is an important area to connect larger forest blocks along the spine of the Green Mountains with New Hampshire, largely through the network of conserved lands surrounding Mount Ascutney.

The Natural Resources chapter and Cultural and Aesthetic Resources chapter discuss rare and irreplaceable natural areas, scenic and historic features and resources. The Natural Resources chapter also includes a Water Quality section intended to address protection and improvement of the water quality by properly managing stormwater and to support state basin planning efforts.

The draft regional plan appears to meet this requirement.

3. Energy

The draft regional plan must contain:

An energy element, including an analysis of resources, needs, scarcities, costs, and problems within the region across all energy sectors, including electric, thermal, and transportation; a statement of policy on the conservation and efficient use of energy and the development and siting of renewable energy resources; a statement of policy on patterns and densities of land use likely to

result in conservation of energy; and an identification of potential areas for the development and siting of renewable energy resources and areas that are unsuitable for siting those resources or particular categories or sizes of those resources.

24 V.S.A. § 4348a(3).

Board Response:

The Enhanced Energy Plan (Volume 3 of the regional plan) is comprehensive and addresses all the necessary elements via text, accompanying maps, and associated energy strategies.

The draft regional plan appears to meet this requirement.

4. Transportation

A regional plan must include the following:

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

24 V.S.A. § 4348a(a)(4).

Board Response:

The Regional Transportation Plan (Volume 2 of the regional plan) is comprehensive and addresses all the necessary elements via text, accompanying maps, and associated goals, policies, and transportation needs.

The draft regional plan appears to meet this requirement.

5. Utility and Facility

The Draft Regional Plan must contain:

A utility and facility element, consisting of a map and statement of present and prospective local and regional community facilities and public utilities, whether publicly or privately owned, showing existing and proposed educational, recreational and other public sites, buildings and facilities, including public schools, State office buildings, hospitals, libraries, power generating plants and transmission lines, wireless telecommunications facilities and ancillary improvements, water supply, sewage disposal, refuse disposal, storm drainage,

and other similar facilities and activities, and recommendations to meet future needs for those facilities, with indications of priority of need.

24 V.S.A. § 4348a(a)(5).

Board Response:

The Community Utilities and Facilities chapter addresses this requirement. The “roads without fiber” on the map are suggestive of the parts of the region where broadband investment is still needed. The plan highlights that municipal water and sewer are incredibly important to support regional plan goals. The implementation matrix in the Implementation chapter lists many of the priority infrastructure needs.

The draft regional plan appears to meet 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).

Board Response:

The Implementation chapter addresses this requirement. It includes a robust discussion of various implementation measures with an emphasis on coordination with the region commission’s member municipalities. It also includes an implementation matrix of priority investments in public facilities and utilities to further the goals of the regional plan. The matrix addresses the responsible party, expected timing, priority, generalized cost estimate, and method of financing.

The draft regional plan appears to meet 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).

Board Response:

The Implementation chapter addresses this requirement with an in-depth discussion of member municipality comprehensive plans, as well as adjacent regional plans (both in Vermont and New Hampshire).

The draft regional plan appears to meet this requirement.

9. Housing

The draft regional plan must include:

A housing element that identifies the regional and community-level need for housing that will result in an adequate supply of building code and energy code compliant homes where most households spend not more than 30 percent of their income on housing and not more than 15 percent on transportation. To establish housing needs, the Department of Housing and Community Development shall publish statewide and regional housing targets or ranges as part of the Statewide Housing Needs Assessment. The regional planning commission shall consult the Statewide Housing Needs Assessment; current and expected demographic data; the current location, quality, types, and cost of housing; other local studies related to housing needs; and data gathered pursuant to subsection 4382(c) of this title. If no such data has been gathered, the regional planning commission shall gather it. The regional planning commission's assessment shall estimate the total needed housing investments in terms of price, quality, unit size or type, and zoning district as applicable and shall disaggregate regional housing targets or ranges by municipality. The housing element shall include a set of recommended actions to satisfy the established needs.

24 V.S.A. § 4348a(a)(9).

Board Response:

The Housing chapter and Land Use chapter address this requirement. The Keys to the Valley Initiative, while based on older data, is incorporated by reference and provides important context for addressing the region's housing needs.

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

Advisory Recommendations:

- Consider clarifying what housing target numbers will be the target for the region and its constituent municipalities – i.e., low target, high target, or something in between.
- Consider clarifying what percentage of the housing targets are planned to be met in the region's centers and neighborhood areas.

10. Economic Development

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

Board Response:

The Economic Development chapter addresses this requirement. This chapter was updated in close coordination with Springfield Regional Development Corporation. It also incorporates the recently updated Comprehensive Economic Development Strategy for the East Central Vermont Economic Development District. This chapter provides detailed information on the region’s economy, including its early history as a hub for machine-tool manufacturing and the shift in the present day to a more diversified economy. Demographic, income, and employment data is provided for the region and its member municipalities. A SWOT (Strengths, Weaknesses, Opportunities, Threats) analysis highlights challenges of an aging population, limited housing availability, and low wages in certain sectors. The analysis also highlights opportunities such as natural beauty, working landscapes, and vibrant village centers. The plan prioritizes economic development in the region’s historic village centers and downtowns, and of a type that will promote sustainable high return and value-added sectors. It focuses on brownfield mitigation and redevelopment as well as promoting digital infrastructure and broadband expansion to support technology-enabled entrepreneurship.

The draft regional plan appears to meet 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).

Board Response:

This requirement is addressed in the Natural Resources chapter, the Land Use chapter, and the Emergency Management chapter. The Natural Resources chapter includes a detailed description of community flood resilience in the region as well as areas to be protected to reduce the risk of flood damage. Related policies are contained in the Land Use chapter (pages 3-30 and 3-31). The Emergency Management chapter discusses preparedness and response planning.

The draft regional plan appears to meet 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).

Board Response:

The Land Use Chapter addresses all of the required future land use elements. A majority of the housing targets are proposed for the combined Downtown Center, Village Center, Planned Growth Area and Village Areas. They were mapped based on infrastructure, soil types, development patterns and densities, and significant levels of local input.

Existing municipal water and sewer infrastructure and system capacities were considered, and a few towns are actively planning for increased capacity as noted in the implementation matrix in chapter 12. Adequate soils were also considered as part of this mapping process.

For towns that do not have Planned Growth Areas or Village Areas, more modest housing growth is anticipated – the majority of which is anticipated within Village Centers with the remaining in Transition/Infill and rural areas.

The draft plan appears to meet this requirement.

Advisory Recommendations:

- Correct the future land use mapping GIS data to eliminate sliver area gaps between polygons.
- Note – Table 5.3 on page 5-5 of the plan needs to be updated to reflect the status of community regulations – e.g., Ludlow river corridor bylaws.

(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 of 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 Center

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).

Board Response:

The FLU map depicts the following downtown centers: Springfield and Windsor.

Springfield:

The proposed Springfield Downtown Center largely coincides with a legacy Downtown Designation area with small expansions to include certain adjacent road rights of way, as well as properties at 10 Clinton Street, 13 Clinton Street, and 100 Mineral Street. It contains a national register historic district.

The proposed Springfield Downtown Center appears to meet the statutory standards for a downtown center.

Windsor:

The proposed Windsor Downtown Center coincidences with a legacy Downtown Designation area that includes a national register historic district. One small area in the northwestern corner of the legacy Downtown Designation is excluded from the proposed downtown center – a conserved parcel owned by the Town of Windsor on the west side of Route 5.

The proposed Windsor Downtown Center appears to meet the statutory standards for a downtown center.

- Village Centers

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

Board Response:

The FLU map depicts the following village centers:

Cavendish, Cavendish Village Center
Cavendish, Proctorsville Village Center
Chester, Chester Village Center
Ludlow, Ludlow Village Center
Reading, Felchville Village Center
Springfield, North Springfield Village Center
Weathersfield, Ascutney Village Center
Weathersfield, Perkinsville Village Center
West Windsor, Brownsville Village Center

Cavendish:

Both the Regional Plan and Cavendish Town Plan call for dense, mixed-uses to be concentrated in the two village centers of Cavendish and Proctorsville.

1. **Cavendish Village Center.** This village center largely coincides with a legacy Village Center Designation area with a very small expansion to include the entire 10.5-acre village cemetery parcel on High Street. It contains a state register historic district. Three small portions of the legacy designation area are excluded: 1) a portion of the 17-acre property at 89 Bonts Hill; 2) a portion of the 28-acre property at 2124 Main Street; 3) a portion of the 3.7-acre property at 66 Duttonsville School Drive.

The proposed Cavendish Village Center appears to meet the statutory standards for a village center.

2. **Proctorsville Village Center.** This village center largely coincides with a legacy Village Center Designation area, which also contains a state register historic district. A small portion of the legacy designation area is excluded - a portion of a 7.6-acre parcel at 171 Castle Hill Drive. The village center area boundaries follow parcel lines except on the east side of Depot Street where the boundary splits several parcels.

The proposed Proctorsville Village Center appears to meet the statutory standards for a village center.

Advisory Recommendations:

- Consider extending the boundary on the east side of Depot Street to the full extent of the parcels in question.

Chester, Chester Village Center:

This historic village center largely coincides with a legacy Village Center Designation area with two very small expansions: 1) a 0.12-acre parcel at 39 Grafton Road; 2) a 0.11-acre parcel landlocked parcel off of Grafton Street along the Williams Middle Branch River. A state register district spans the village center and surrounding planned growth area.

The proposed Chester Village Center appears to meet the statutory standards for a village center.

Ludlow, Ludlow Village Center:

This village center coincides with a legacy Village Center Designation area. No state register or national register historic districts appear to be present.

The proposed Ludlow Village Center appears to meet the statutory standards for a village center.

Reading, Felchville Village Center:

This village center largely coincides with a legacy Village Center Designation area with two very small expansions: 1) a 0.07-acre parcel at 96 Niagara Street; 2) a small area on the east side of Niagara Street that is part of a much larger 392.5-acre parcel that is primarily on the west side of Niagara Street.

The proposed Felchville Village Center appears to meet the statutory standards for a village center.

Springfield, North Springfield Village Center:

This is a newly proposed village center along Giddings Street, generally from the Spoonerville Road intersection on the east side to just west of the North Springfield Baptist Church on the west side. It contains approximately 21 parcels, most with frontage on or access from Giddings Street. It is bounded on the south side by the Great Brook, which has a mapped flood hazard area that impacts all the parcels on the south side of Giddings Street, and some land on the north side of Giddings Street near the School Street intersection. There appear to be historic structures in this proposed village center but there does not appear to be either state register or national register historic districts.

This is a mixed-use area including a market and sandwich shop, post office, dog park, and a municipal recreational field. The main Giddings Street corridor is served by municipal sidewalk. The village center is surrounded by residential neighborhoods (proposed village area) and is in proximity to a large industrial park and to the Hartness State Airport. The village center and the surrounding area are served by municipal water and wastewater.

The proposed North Springfield Village Center appears to meet the statutory standards for a village center.

Weathersfield, Ascutney Village Center:

This village center largely coincides with a legacy Village Center Designation area with one very small expansion in the northeast corner – a 1.0-acre parcel at 93 Garden Way.

The proposed Ascutney Village Center appears to meet the statutory standards for a village center.

Weathersfield, Perkinsville Village Center:

This village center coincides with a legacy Village Center Designation area.

The proposed Perkinsville Village Center appears to meet the statutory standards for a village center.

West Windsor, Brownsville Village Center:

This village center coincides with a legacy Village Center Designation area. A state register historic district encompasses the village center and a portion of the village area.

The proposed Brownsville Village Center appears to meet the statutory standards for a 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).

Board Response:

The FLU map depicts the following planned growth areas: Chester, Springfield, Windsor.

Chester:

This planned growth area largely coincides with a legacy Neighborhood Development Area designation with one notable exception. The planned growth area includes larger flood hazard and river corridor areas along three waterways that flow through the village and the planned growth area – i.e., Williams River, Williams Middle Branch, South Branch Williams River. These flood hazard areas are not part of the legacy Neighborhood Development Area. Inclusion or exclusion of these flood hazard areas from the planned growth area is complicated, as some areas are developed and appear suitable as infill areas, while other areas are largely undeveloped and appear unsuitable as infill areas.

Examples of flood hazard areas that appear suitable for infill include the Church Street and North Street area (northwest corner of the planned growth area, along the Williams River) and the Grafton Street area (Route 35, north of the Williams Middle Branch). Examples of flood hazard areas that appear unsuitable for infill include a large undeveloped area along the Williams River between the railroad tracks and Route 103 in the northern portion of proposed planned growth area, and a 25.99-acre undeveloped parcel on the east side of Route 103 at the eastern edge of the proposed planned growth area. The future land use mapping flood hazard overlay is a helpful guide, but per the planned growth area statutory criteria, flood hazard areas not suitable for infill development should not be part of the planned growth area.

The proposed planned growth area does not appear to meet the statutory standards for a planned growth area.

Required Revisions:

- Provide justification for inclusion or select a different FLU area type for some Planned Growth Areas that fall within the flood hazard or river corridor areas. Per 24 V.S.A. 4348a(a)(12)(B)(iv), Planned Growth Areas can only contain such areas if they are suitable for infill development as defined in section 29-201 of the Vermont Flood Hazard Area and River Corridor Rule. Section 29-201 defines “infill development” as being, “an area that was not previously developed but is surrounded by existing development.”

Springfield:

The proposed planned growth area surrounds the downtown center area. The planned growth area contains a state register historic district. The municipality has a duly adopted and approved plan (circa 2024) and a planning process confirmed by the regional planning commission. Its land use regulations were last amended in 2022 and include zoning, subdivision and flood hazard area bylaws. The planned growth area is served by municipal water and wastewater infrastructure.

The bulk of the planned growth area is generally within walking distance of the downtown center area. Certain areas extend quite a distance away from the downtown center along the road network. On the southeast side, the planned growth area extends approximately 1.25 miles along Route 11 to the municipal water/wastewater facility near the Seavers Brook Road intersection. This is a reasonable walking distance given the sidewalk infrastructure along this portion of Route 11. On the western side, the planned growth area extends approximately 1.5 miles along Park Street and Route 11 to the Breezy Hill Road intersection. This is a reasonable walking distance given the sidewalk infrastructure along this portion of Route 11. On the northern side, the planned growth area extends approximately one mile to the intersection of Litchfield Street and Valley Street. Given the residential nature of these streets, this appears to be a reasonable walking distance even without complete sidewalk infrastructure.

The Black River runs through both the downtown center and surrounding planned growth area. Associated flood hazard and river corridor areas within the planned growth area are largely suitable for infill development. There are a few examples where infill development may not be suitable: 1) an undeveloped parcel along the river on the south side of Route 11 just east of the Breezy Hill Road intersection; 2) a wide road right of way area along Route 11 just east of the Walker Road intersection; 3) a forested 10.5-acre Town-owned parcel along the south side of the river with some frontage on Prospect Street; 4) the river itself, which the Town's parcel mapping shows as a separate parcel through much of the planned growth area. There is one notable mapping issue/error on the southeast side of the planned growth area. In this location, the planned growth area includes a long, narrow parcel polygon along the river that extends a long distance to the Route 11, Paddock Road intersection.

The municipal plan indicates that the planned growth area is primarily intended for high density residential uses along with some commercial/industrial and institutional use areas. The area provides for housing for a diversity of social and income groups. The area is served by existing transportation infrastructure that conforms with “complete streets” principles – e.g., sidewalks, walkable low-traffic residential neighborhoods (with and without sidewalks), public transit, etc. The Town's capital budget shows annual contributions and spending for road and sidewalk infrastructure (\$325,000 per year for paving, sidewalk, gravel), bridge and pedestrian infrastructure (\$240,000 per year), and related equipment (e.g., \$140,000 sidewalk tractor). The implementation section of the town plan also indicates planning to make future transportation infrastructure improvements – see excerpt below from page 91 of the plan:

The Town of Springfield is committed to supporting active living. The Springfield Community Health Team Transportation Committee and the Springfield Trails, Greenways, Byways, and Rural Economy Advisory Committee worked with the Mount Ascutney Regional Commission to create the 2020 Active Transportation Plan for Southern Windsor County. The plan identified physical improvements that can be made to create walkable and bikeable downtowns. Improvements recommended for Springfield include installing bicycle crossings, widening road shoulders, and improving pedestrian accommodations.

The proposed planned growth area does not appear to meet the statutory standards for a planned growth area.

Required Revisions:

- Remove the long, narrow extension of the planned growth area along the Black River that extends to the Route 11, Paddock Road intersection.
- Provide justification for inclusion or select a different FLU area type for some Planned Growth Areas that fall within the flood hazard or river corridor areas. Per 24 V.S.A. 4348a(a)(12)(B)(iv), Planned Growth Areas can only contain such areas if they are suitable for infill development as defined in section 29-201 of the

Vermont Flood Hazard Area and River Corridor Rule. Section 29-201 defines “infill development” as being, “an area that was not previously developed but is surrounded by existing development.”

Windsor:

The proposed planned growth area surrounds the downtown center area. It includes a state register district in the lower southeast corner of the planned growth area along Route 44. The municipality has a duly adopted and approved plan (circa 2019) and a planning process confirmed by the regional planning commission. Its zoning regulations, including flood hazard area bylaws, were last amended in 2023. Its subdivision regulations were last amended in 2006. The planned growth area is served by municipal water and wastewater infrastructure.

The planned growth area is within walking distance of the downtown center area, generally with sidewalks along the major road networks. The Mount Ascutney Hospital is at the northwestern edge of the planned growth area and is just under a one mile walk from the downtown center. The Windsor Fairgrounds athletic fields complex is at the southwestern edge of the planned growth area and is approximately a one mile walk from the downtown center.

The downtown area is adjacent to the Connecticut River. Mill Brook runs through the planned growth area. Associated flood hazard and river corridor areas within the planned growth area are largely suitable for infill development. There are a few examples where infill development may not be suitable: 1) the athletic fields area behind the Windsor High School; 2) the back portion of the property at 30 Bridge Street, the developed front portion of which is mapped as downtown center; 3) a forested, undeveloped portion of the Windsor Technology Park parcel that sits on the banks of the Connecticut River; 4) Mill Brook itself, which the Town’s parcel mapping shows as a separate parcel through the planned growth area.

The municipal plan and zoning regulations indicate that the planned growth area is primarily intended for high density residential uses along with some medium density residential uses near the hospital, and some mixed residential/commercial uses closer to the downtown center. The area provides for housing for a diversity of social and income groups. The area is served by existing transportation infrastructure that conforms with “complete streets” principles – e.g., sidewalks, walkable low-traffic residential neighborhoods (with and without sidewalks), limited public transit, etc.

The Town’s capital budget shows annual contributions and spending for road infrastructure and planned expenditures for sidewalk maintenance equipment (e.g., two sidewalk tractors). Dedicated capital budget items are lacking for sidewalk maintenance and new sidewalk construction; however, the annual budget shows the use of grant funds for sidewalk projects (FY24 actual, \$27,362). Chapter 2 of the Town Plan (Municipal Services, Utilities and Facilities) includes the following policy statement, “Promote sidewalk and trail networks to create safe, walkable conditions in and around

the downtown, and to encourage walking, bicycling and other forms of outdoor recreation.” Chapter 6 of the Town Plan (Transportation) includes the following policy, “Roads within the downtown shall be designed for slow speeds and narrow streets in order to further smart growth principles, improve pedestrian safety and protect the historic character of the area.”

The proposed planned growth area does not appear to meet the statutory standards for a planned growth area.

Required Revisions:

- Provide justification for inclusion or select a different FLU area type for some Planned Growth Areas that fall within the flood hazard or river corridor areas. Per 24 V.S.A. 4348a(a)(12)(B)(iv), Planned Growth Areas can only contain such areas if they are suitable for infill development as defined in section 29-201 of the Vermont Flood Hazard Area and River Corridor Rule. Section 29-201 defines “infill development” as being, “an area that was not previously developed but is surrounded by existing development.”

(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).

Board Response:

The FLU map depicts the following village areas: Ludlow, Reading (Felchville), Springfield (North Springfield), West Windsor (Brownsville), Windsor (Windsor Prison Redevelopment Site)

Ludlow Village Area:

The proposed village area surrounds the village center area. It includes portions of both the Village of Ludlow and the Town of Ludlow. Both the Village and the Town share a comprehensive plan that was duly adopted and approved plan (circa 2019), as well as a planning process confirmed by the regional planning commission. Both the Village and the Town have zoning and subdivision regulations, as well as flood hazard and river corridor bylaws (Village, circa 2025; Town, circa 2026). The village area is served by municipal water and wastewater infrastructure. A few small areas are just outside the sewer service area. Beyond their close proximity to the service area, these locations also appear to have access to suitable soils for on-site septic systems.

The village area has some opportunity for infill development but very little new development areas where the village can grow and be flood resilient. Expanding the village area to allow more area for new development is worth considering.

The proposed village area appears to meet the statutory standards for a village area.

Advisory Recommendations:

- Consider expanding the village area to allow more new development so that the village can grow and be more flood resilient.

Reading, Felchville Village Area:

The proposed village area is on the northwest side of the village center area. The town has a duly adopted and approved plan (circa 2022), as well as a planning process

confirmed by the regional planning commission. The town has zoning and subdivision regulations, as well as flood hazard and river corridor bylaws, all of which are combined into a single “zoning ordinance” document adopted in 2025. There is no municipal water or wastewater infrastructure, but the bulk of the village area appears to have suitable soils for on-site septic systems. With that said, the Town is actively investigating municipal/community wastewater options. The need is noted in the Town Plan (page 44):

All water supply and sewage disposal are provided through on-site septic systems and private wells. While these methods work well in the more rural parts of Town, small village lots are often too small to achieve the required separation distances between private septic systems and wells. Many houses in Felchville currently share water sources or septic fields. Finding space for a replacement septic system can be difficult on very small, village lots. Under state wastewater rules, it is difficult to convert residential buildings in Felchville into commercial establishments without wastewater solutions. A public water supply and/or sewage treatment system could make it possible for growth to occur in village centers rather than in the more rural areas that surround the village centers.

The village area has some opportunity for infill development and new development where the village can grow and be flood resilient. Admittedly, it is a small area, but so is the Felchville Village Center.

The proposed village area appears to meet the statutory standards for a village area.

Springfield, North Springfield Village Area:

The proposed village area is sizable and surrounds the village center area. It bridges the gap between the village center and the large enterprise area to the west. It also bridges the gap between the village center and a transition/infill area to the north, which is adjacent to the Hartness State Airport (another proximate enterprise area). The municipality has a duly adopted and approved plan (circa 2024) and a planning process confirmed by the regional planning commission. Its land use regulations were last amended in 2022 and include zoning, subdivision and flood hazard area bylaws. The proposed village area is served by municipal water and wastewater infrastructure. Certain areas just outside the mapped sewer service area also have suitable soils for on-site septic systems.

In December 2025, the Planning Commission delivered to the Selectboard proposed land use regulations containing both flood hazard area and river corridor area bylaws. These have not been adopted, but could be prior to the final regional plan review by the Land Use Review Board. Regardless, most of the proposed village area within the flood hazard and river corridor areas appears to be suitable for infill. There are a few examples where infill development in these hazard areas may not be suitable: 1) the south side of Great Brook from Church Street west to the industrial park; 2) the wooded

portion of a 7.7-acre parcel at 22 Maple Street; 3) the Black River itself, which the Town's parcel mapping shows as a separate parcel through the village area near Jack and Jill Lane and Route 106.

Although small portions of the village area are in flood hazard and river corridor areas, the overall village area is large enough to provide excellent opportunities for infill development and new development where the village can grow and be flood resilient.

The proposed village area appears to meet the statutory standards for a village area.

Advisory Recommendations:

- Consider selecting a different FLU area type for some village areas that fall within the flood hazard or river corridor areas. Per 24 V.S.A. 4348a(a)(12)(C)(iii), Village Areas can only contain such areas if they are suitable for infill development as defined in section 29-201 of the Vermont Flood Hazard Area and River Corridor Rule. Section 29-201 defines "infill development" as being, "an area that was not previously developed but is surrounded by existing development."

West Windsor, Brownsville Village Area:

The proposed village area is sizable and largely surrounds the village center area. It spans Mill Brook and includes a hotel and most of the residential area adjacent to the former Mount Ascutney ski area. The municipality has a duly adopted and approved plan (circa 2020) and a planning process confirmed by the regional planning commission. Its land use regulations (combined zoning and subdivision bylaws) were last amended in 2024. The municipality adopted separate flood hazard area and river corridor bylaws in 2024. The proposed village area is partially served by municipal water and wastewater infrastructure. Portions of the village area not served by this infrastructure appear to have suitable soils for on-site septic systems.

Sidewalks are only present on small portions of Route 44 and the Brownsville-Hartland Road in the village center area. There don't appear to be any sidewalks within the proposed village area. The village area is still technically within walking distance of the village center, but pedestrian access may be difficult and/or dangerous along Route 44 where there is no sidewalk.

The village area appears to be large enough to provide opportunities for infill development and new development where the village can grow and be flood resilient.

The proposed village area appears to meet the statutory standards for a village area.

Windsor, Windsor Prison Redevelopment Site Village Area:

The proposed village area is an anomaly compared to other village areas in the region because it is not proximate to a downtown center or village center. It includes the site of

the former Southeast State Correctional Facility and portions of the surrounding area – e.g., hillside leading to a water storage structure, a solar array, access roads. The correctional facility closed in 2017. The property is still owned and maintained by the State, but apparently no decisions have been made about future use of the site – site reclamation or redevelopment.

The property is adjacent to the Windsor Grasslands Wildlife Management Area, which is also State-owned and managed by the Vermont Fish and Wildlife Department. See below for a description of the WMA from a March 21, 2025 VT Fish and Wildlife legislative report.

The Windsor Grasslands WMA is an 826.5-acre property featuring a mix of forests, agriculture, and wildlife meadows. There is a wide variety of wildlife habitat types and conditions on the WMA and public uses on the property are diverse. There are many unique features on the property including an abundance of open fields, wild apple trees, and a beaver-occupied wetland. The WMA is uniquely popular for hunting, walking, snowmobiling on a VAST-groomed trail, cross-country skiing, and is renowned for birdwatching with over 100 species observed on the property. The grassland and shrubland habitats support a unique assemblage of songbirds, some of which are rare and declining due to loss of habitat, among other pressures.

The Town of Windsor meets the required criteria to have village areas – e.g., duly adopted comprehensive plan, land use regulations, municipal water/wastewater serving the area (or suitable septic soils). Furthermore, the proposed village area does have development potential. However, the proposed village area is flawed for several reasons.

First of all, this village area is not proximate to a downtown center or village center. The statutory definition of a village area is dependent on there being a core (i.e., a center) that the village area encompasses or at least is proximate to. The definition in 24 V.S.A. § 4348a(a)(12)(C) says that village areas, “...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 are neighborhood areas, as defined in 24 V.S.A. § 5801(13). A 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.” The definition clearly requires that Village Areas be adjacent and contiguous to a center.

Second, mapping this as village area is inconsistent with the Windsor Town Plan (circa 2019), which makes no mention of this as a future development area, and in fact maps it as a “rural” area on the Town Plan future land use map. The Town’s future land use map also identifies a portion of the area along State Farm Road as a “forest block and

habitat connector.” This is further supported by the current zoning district map, which classifies this area as part of a “Resource” zoning district. See below for an excerpt from the Windsor Zoning Regulations (circa 2023):

The purpose of the Resource District is to limit development on certain lands which, due to severe physical limitations and the presence of sensitive natural features, significant potential for productive agricultural or forestry use, and special recreational and scenic qualities, should be protected. Although very low intensity uses are permitted, they should still be preceded by careful site inspection and thorough site planning.

Clearly the future of this former correctional facility is still being determined by both the State of Vermont (landowner) and the community of Windsor. Until there is more certainty and consensus, this area should be mapped as another future land use area type. If none of the other defined future land use area categories fit, 24 V.S.A. § 4348a(a)(12) allows the creation and use of, “...any other special land use category the regional planning commission deems necessary...”

The proposed village area does not appear to meet the statutory standards for a village area.

Required Revisions:

- Select a different FLU area type for this village area.

(D) Transition or Infill Area

The statute describes “transition or infill areas” as:

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

24 V.S.A. § 4348a(a)(12)(D).

Board Response:

The FLU map depicts transition/infill areas in the following municipalities: Cavendish, Chester, Springfield, Weathersfield, Windsor.

Cavendish:

Transition/infill areas are proposed around both the village centers of Cavendish and Proctorsville. Transition/infill is being used because the Town of Cavendish lacks zoning and subdivision regulations, and is therefore not eligible for the village area FLU area category. These Transition/Infill areas are intended to allow for housing developments in areas served by the Town's municipal water and sewer systems. However, the mapping shows some Transition/Infill areas in flood hazard and river corridor areas that are not well suited for higher-density, mixed-use settlements, or residential neighborhoods. Infill in such areas may be appropriate if surrounded by existing development; however, infill is likely not appropriate in large or disparate flood hazard and river corridor areas.

Chester:

One transition/infill area is proposed along Elm Street on the east side of the village center and planned growth area. This area is dominated by commercial uses, railroad infrastructure, and the Town Garage.

Springfield:

Several transition/infill areas are proposed from the Interstate 91 interchange extending northwest along Route 11 and Route 106, primarily in the vicinity of the Springfield planned growth area between this area and North Springfield. These areas constitute existing linear commercial strip development that would benefit from infill and eventual transition to a greater mix of uses.

Weathersfield:

One transition/infill area is proposed adjacent to the Ascutney Village Center at the intersection of Route 5, Route 131, and Route 12.

Windsor:

One large transition/infill area is proposed along and west of Route 5 to the north of the downtown center. This area is mapped to incorporate adjacent neighborhoods and with enough width to help avoid creating new commercial linear strip development. It is more likely to create a logical future extension of the planned growth area associated with the downtown center.

All of the proposed transition/infill areas appear to meet the statutory standards for a transition/infill area.

Advisory Recommendations:

- Consider selecting a different FLU area category for transition/infill areas that fall within the flood hazard or river corridor areas. Example areas include:
 - Cavendish, adjacent to Cavendish Village Center – South of the Cavendish Village Center, across the Black River to the railroad tracks.
 - Cavendish, adjacent to Proctorsville Village Center – Long linear area along the Black River and railroad area.

(E) Resource-Based Recreation Area

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

Board Response:

The FLU map depicts the following resource-based recreation areas: Ludlow, West Windsor.

Ludlow:

Two resource-based recreation areas are proposed: 1) Okemo Mountain Resort area; 2) Lake Rescue area.

West Windsor:

One resource-based recreation area is proposed for the former Ascutney Mountain ski area and adjacent forest land that is now owned by the Town and still used for recreation.

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

(F) Enterprise Areas

The statute describes “enterprise areas” as:

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

24 V.S.A. § 4348a(a)(12)(F).

Board Response:

The FLU map depicts the following enterprise areas: Cavendish, Chester, Ludlow, Springfield, Weathersfield, Windsor.

Cavendish:

One enterprise area is proposed for a sawmill on a 24-acre parcel south of the Proctorsville Village Center.

Chester:

One enterprise area is proposed on the town line with Springfield. This small sliver area is part of a larger enterprise area around an industrial park near North Springfield.

Ludlow:

One large enterprise area is proposed along East Hill Road. This area includes two large parcels used for mineral extraction, and several residential parcels in the middle along Smith Road.

Springfield:

Three enterprise areas are proposed: 1) a 150-acre State-owned parcel with the South State Correctional Facility; 2) the large Precision Valley industrial park just west of the North Springfield village area; 3) a portion of the Hartness State Airport near North Springfield.

All of the proposed enterprise areas appear to meet the statutory standards for an enterprise area.

(G) Hamlets

The statute describes “hamlets” as:

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

24 V.S.A. § 4348a(a)(12)(G).

Board Response:

The FLU map depicts the following hamlets: Andover, Chester, Ludlow, Reading, Weathersfield.

Andover:

The hamlet of Peaseville is proposed as a point feature at the intersection of the Weston Andover Road and Town Hall Road. The location of the Town Hall, Town Garage, and the Andover Community Church.

Chester:

The hamlet of Gassetts is proposed as a point feature at the intersection of Route 10 and Route 103. A crossroads with some residential uses and the Gassetts Grange.

Ludlow:

The hamlet of Tyson is proposed as a point feature at the intersection of Route 100 and Spaulding Road. This crossroads, and nearby Library Road, leads to an area just south of Echo Lake in the Town of Plymouth with the Tyson Library, Tyson Congregational Church, and Echo Lake Inn. It may be that the Town of Plymouth has a stronger claim to this hamlet than the Town of Ludlow.

Reading:

Two point feature hamlets are proposed: 1) South Reading at the intersection of Tyson Road and Park Circle; 2) Hammondsville at the intersection of Route 106 and Baileys Mills Road.

Weathersfield:

Three point feature hamlets are proposed: 1) Amsden at the intersection of Route 131 and Branch Brook Road; 2) Weathersfield Center at the intersection of Weathersfield Center Road and Yewell Road; 3) Weathersfield Bow at the intersection of Route 5 and Ferry Road.

All of the proposed hamlets appear to meet the statutory standards for a hamlet.

(H) Rural

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

Rural - General. These areas include areas that promote the preservation of Vermont's traditional working landscape and natural area features. They allow for low-density residential and some limited commercial development that is compatible with productive lands and natural areas. This may also include an area that a municipality is planning to make more rural than it is currently. 24 V.S.A. § 4348a(a)(12)(H).

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

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

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

Conservation. Smaller wetlands should be mapped the same as the surrounding future land use area.

Board Response:

The FLU map depicts the three rural categories in all of the municipalities in the region.

Rural – General:

Regional plan excerpts

This land use classification encompasses rural areas where low-density residential development has displaced farming or forestry as the primary land use. These areas may share many physical characteristics with the region's working lands, but more of the land has been subdivided into residential lots and is no longer configured to support larger-scale or intensive agriculture or forestry. These areas may include farm and forest lands, but agricultural or timber management activities are more likely to be secondary income sources, hobby farms, or homesteading operations.

Where the goal is to accommodate rural residential development, the overall density of residential development should be low, and local regulations should guide the siting and design of new homes in a manner that preserves rural character and open space. Furthermore, protected natural resources may be present in this area and will need to be field verified during any development review process consistent with municipal and state requirements.

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

Rural – Agricultural and Forestry:

Regional plan excerpts

This land use classification includes rural lands used for farming, forestry, resource extraction, renewable energy generation, and other resource-dependent land use activities. These lands generally remain in large tracts and large areas are actively managed for production. A significant portion of these lands have high quality soils that are necessary to support viable farming and forestry operations. This classification also includes undeveloped lands that are not readily accessible from year-round maintained roads or that may have physical constraints that make them poorly suited for development.

Where the goal is to maintain working lands, the overall density of residential development should be very low. Furthermore, protected natural resources may be present in this area and will need to be field verified during any development review process consistent with municipal and state requirements.

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

Rural – Conservation:

Regional plan excerpts

This land use classification includes lands that are protected from development through public ownership or conservation easements, as well as large blocks of forest land that are largely undeveloped. Some of these lands have physical constraints such as high elevations, steep slopes, or shallow soils. Portions of the land are not readily accessible from year-round maintained roads. These factors combine to make these lands poorly suited for development.

It is our vision that conservation lands will contribute to the environmental, social, and economic well-being of our region and will remain in a largely undeveloped state for the benefit and enjoyment of future generations.

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

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)

Board Response:

The proposed Tier 1B areas account for approximately 2% of the total land area in the region, and should be able to accommodate a majority of the region's housing targets. The Commission requested Tier 1B status for five municipalities: Chester, Ludlow, Springfield, West Windsor, Windsor.

Chester:

Tier 1 B status was requested for the village center and surrounding planned growth area. With the exception of flood hazard and fluvial erosion area exclusion, all six requirements of 10 V.S.A. § 6033(c) were addressed in the commission's Tier 1B memorandum dated February 24, 2026. As noted in the future land use area mapping section of this response, the planned growth area includes some flood hazard and river corridor areas that don't appear to be suitable for infill.

To the extent, that the underlying future land use areas do not appear to 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 to the Town of Chester.

Ludlow:

Tier 1B status was requested for the village center and the surrounding village area. All six requirements of 10 V.S.A. § 6033(c) were addressed in the commission's Tier 1B memorandum dated February 24, 2026.

At this time, the proposed Ludlow Tier 1B areas appear to meet the requirements for Tier 1B status as enumerated in 10 V.S.A. 6033(c).

Springfield:

Tier 1B status was requested for two separate areas: 1) the Springfield downtown center area and surrounding planned growth area; 2) the North Springfield village center and surrounding village area.

Springfield – downtown center and planned growth area:

With the exception of flood hazard and fluvial erosion area exclusion, all six requirements of 10 V.S.A. § 6033(c) were addressed in the commission's Tier 1B

memorandum dated February 24, 2026. As noted in the future land use area mapping section of this response, the planned growth area includes some flood hazard and river corridor areas that don't appear to be suitable for infill.

To the extent, that the underlying future land use areas do not appear to 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 for this Springfield area.

North Springfield – village center and village area:

All six requirements of 10 V.S.A. § 6033(c) were addressed in the commission's Tier 1B memorandum dated February 24, 2026.

At this time, the proposed North Springfield Tier 1B areas appear to meet the requirements for Tier 1B status as enumerated in 10 V.S.A. 6033(c).

West Windsor:

Tier 1B status was requested for the Brownsville village center and the surrounding village area. All six requirements of 10 V.S.A. § 6033(c) were addressed in the commission's Tier 1B memorandum dated February 24, 2026.

At this time, the proposed West Windsor Tier 1B areas appear to meet the requirements for Tier 1B status as enumerated in 10 V.S.A. 6033(c).

Windsor:

Tier 1B status was requested for two separate areas: 1) the Windsor downtown center area and surrounding planned growth area; 2) the Windsor prison redevelopment site village area.

Windsor – downtown center and planned growth area:

With the exception of flood hazard and fluvial erosion area exclusion, all six requirements of 10 V.S.A. § 6033(c) were addressed in the commission's Tier 1B memorandum dated February 24, 2026. As noted in the future land use area mapping section of this response, the planned growth area includes some flood hazard and river corridor areas that don't appear to be suitable for infill.

To the extent, that the underlying future land use areas do not appear to 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 for this Windsor area.

Windsor Prison Redevelopment Site – village area:

All six requirements of 10 V.S.A. § 6033(c) were addressed in the commission's Tier 1B memorandum dated February 24, 2026. However, as noted in the future land use area mapping section of this response, the village area future land use area category does not meet the statutory definition and is not consistent with the Windsor Town Plan.

The Tier 1B status request for this Windsor village area does not appear to meet the requirements of 10 V.S.A. § 6033(c).

II. CONCLUSION

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

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

Dated this May 4, 2026

Sincerely,

/s/ Alex Weinhagen

Alex Weinhagen

Adopted by the Board at the May 4, 2026 meeting.

RECIPIENT LIST

A copy of the foregoing **Preapplication Response Letter** for RPC06-0001 has been sent on May 4, 2026, to the following individuals by electronic mail:

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Dated May 4, 2026,

/s/ Rachel Lomonaco

Rachel Lomonaco
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