



# PREAPPLICATION RESPONSE LETTER

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

## SENT VIA EMAIL ONLY

December 12, 2025

Northwest Regional Planning Commission  
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## Re: Northwest Regional Planning Commission Preapplication Response

Dear Greta and Catherine:

The Land Use Review Board has completed its preapplication review of the Northwest Regional Planning Commission (“NRPC”) preapplication that was deemed complete on October 13, 2025. As you are aware, a meeting and site visits were held on November 13, 2025.

The Board requested comments on this preapplication from state partners and the public. Comments were received from several state agencies and nonprofits. Copies of the written comments and meeting minutes can be found on the database:

[Act 250 - RPC08-0001](#)

(<https://anrweb.vt.gov/ANR/Act250/RPDetail.aspx?AppNum=RPC08-0001>)

The Board’s preapplication review does not encompass nor reflect its position with respect to comments received. The comments received are provided for NRPC’s information and consideration towards potential revisions of its draft plan, as it may elect. When the plan is finalized and submitted for Board approval, the Board will consider “objector” comments if any, during the adopted plan review process.

## I. BOARD REVIEW

The purpose of the preapplication process is for the Board to review whether the draft regional plan is in conformance with 24 V.S.A. §§ 4302, 4348a, 5803, and 5804. 24 V.S.A § 4348(b). Additionally, the Board must find that the plan is consistent with the purposes 24 V.S.A. § 4347. 24 V.S.A. § 4348(h)(4)(B). The Board has also reviewed the Commission’s Tier 1B status request and future land use map to see if they meet the requirements of 10 V.S.A. § 6033(c) and 24 V.S.A. § 4348a(a)(12)(A)-(C). This preapplication response addresses the statutory standard and identifies areas where the Board has determined that the draft plan is deficient and needs revision to conform. If the NRPC disagrees, the Board will need additional information about why the NRPC believes the statutory standard is met. This information should be included with the

adopted regional plan. This response letter also includes optional recommendations of the Board that the NRPC may choose to address within the adopted regional plan. This preapplication response is advisory only and does not guarantee an affirmative determination when the adopted plan or Tier 1B status request is submitted pursuant to Section 1.200 of the Board's *Regional Planning Commission Application Guidelines*.

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

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

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

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

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

Pursuant to 24 V.S.A. § 4302(b), it is the intent of the Legislature that municipalities, regional planning commissions, and State agencies shall engage in a continuing planning process, encourage citizen participation, consider the consequences of growth, and encourage municipalities to work together. The draft plan presents a framework for organized planning across the NRPC region for municipalities, the regional commission, and state agencies and services, the goal of which includes the efficient and most beneficial deployment of the region's resources. The NRPC conducted a public outreach effort that encouraged citizen participation in the development of the plan, and the plan encourages local decision-making for issues of local impact. The plan includes mechanisms that encourage municipalities to work collaboratively to implement the regional plan and individual municipal plans. **The draft plan reflects 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 enumerated in 24 V.S.A. 4302(c), which the Board has evaluated, as follows.

### **Goal 1:**

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

The plan consistently encourages residential development and economic growth to primarily occur in downtown and village centers surrounded by planned growth and village areas. The plan encourages infrastructure investment in these growth areas and makes numerous references to the importance of following smart growth principles for new development in the region. This concentration of development in growth areas works in concert with maintaining rural working lands and conservation of forests and wildlife habitat and other natural resources outside of concentrated growth centers.

“Smart growth,” as defined in 24 V.S.A., Chapter 76A, Section 2791(13), is put forward as a tool to accomplish these aims. Transition/infill and enterprise areas are also proposed for specialized growth or redevelopment. The transition/infill area purpose statement (page 114) indicates that NRPC will help municipalities plan for smart growth with the goal of creating the conditions needed for these areas to be classified as planned growth areas. In addition, strip development is specifically discouraged or not allowed in the transitional areas and rural general areas.

Land use policy 1d identifies prioritizing “public investments—that will promote expansion in downtown and village centers, planned growth areas and village areas in this plan and will not encourage the development and/or fragmentation of farmlands or other resource areas.” (page 117). This includes investments in public facilities and the construction or expansion of infrastructure.

### **The draft plan is 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).

The Economic Development chapter includes five specific goals and associated policies that address this goal. The five goals include ensuring access to opportunities; improved citizen and business health; ensuring employee readiness; ensuring access to funding, reasonable business costs, and available infrastructure; and facilitation of collaboration between counties to address common issues. The chapter includes a comprehensive evaluation of how each goal will be met and supported. The chapter also addresses workforce, industrial and commercial development; brownfield redevelopment; the working landscape; tourism; arts, culture and the creative economy; post-secondary education; childcare; telecommunications infrastructure; broadband technology access; and housing.

Policy 1b specifically references expanding opportunities in areas with high unemployment or low per capita incomes. The draft plan further identifies that the Northern Vermont Economic Development District (EDD) (Map 1) is a district recognized by the U.S. Economic Development Administration that allows access to federal economic development grants and technical support. The district is managed through a consortium of the regional planning commissions and regional development corporations, and encompasses Lamoille County, the Northeast Kingdom, and the NRPC region. NRPC serves as the lead organization and fiscal agent for the EDD. The Comprehensive Economic Development Strategy for the district involves building a diverse economy, creating a competitive advantage for district businesses, and increasing the well-being of district communities.

The Natural and Cultural Resources chapter describes the traditionally agrarian, working landscape framed by the Green Mountains and Lake Champlain in Franklin and Grand Isle counties, still heavily dependent on natural resources. The plan includes three specific goals focused on protecting significant natural resources; protecting historic, archaeological, scenic and aesthetic resources; and maintaining or improving the quality of surface waters and groundwater.

The importance of the working landscape is highlighted in several areas of the plan, which lists “a working landscape and agricultural economy that supports regional food systems and keeps rural lands undeveloped” as one of many assets which are critical to the regional economy (page 22).

With these goals and other strategies articulated throughout, the draft plan expresses these statutory economic development goals.

### **The draft plan is consistent with Goal 2.**

#### **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).

The draft plan discusses existing educational & vocational training opportunities and regional policies to promote them. The draft plan identifies that the Franklin Grand Isle Workforce Investment Board is no longer supported by the State of Vermont, leading to a diffuse approach to workforce development. Consequently, the need for growth of instruction in basic skill sets and specific training and certifications is identified. Economic development goals and policies 3 and 3c addresses employee readiness and opportunities for students and adults to enjoy economic success by entering careers in the trades and licensed trades. Economic development goals and policies 5, 5d, and 5g focus on collaboration between counties, support for economic development services, and work with regional partners to maintain and improve quality of life necessary to

attract and retain the type of talented workforce required for a high-performance regional economy.

Goal 1 of the economic infrastructure chapter focuses on availability of workforce training and post-secondary education. Training and education resources identified in the draft plan include the Vermont Training Program, vocational education offered at the Cold Hollow Career Center in Enosburg Falls and a number of high schools, the Northwest Technical Center in St. Albans City (serving students in grades 10-12 in addition to adults), the Community College of Vermont with a campus in St. Albans City, and Vermont Adult Learning (a nonprofit).

### **The draft plan is consistent with Goal 3.**

#### **Advisory Recommendations**

Consider addressing the following:

- There are three separate areas in the plan that address education: introduction, economic development, and infrastructure. Educational opportunities within these three areas could be better tied together.
- The Franklin Grand Isle Workforce Board is noted on page 24 however details as to its current role or impact are not provided. Add this context.

#### **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).

The draft plan includes a transportation chapter with goals and policies to ensure equitable access to transportation, use creative approaches, ensure climate resiliency, ensure enhancement of quality of life, support regional land use goals, and expand economic opportunities. The chapter identifies state and local highways, bridges, three active rail lines, freight trucking, transit, ferry services, the eight border crossings, intermodal facilities (e.g., park n ride), and active transportation (e.g., shoulders, shared use paths, sidewalks, including several rail trails), commuting, complete streets, and most importantly – transportation planning.

The transportation planning element discusses the Transportation Planning Initiative, the Long-Range Transportation Plan, the Transportation Advisory Committee, and municipal Village Master Planning. The plan refers to the VTrans Capital Program which outlines the state’s capital transportation investments over the next five years, with the program updated annually. The plan identifies that many – but not all – of the region’s priority transportation projects are in the VTrans Capital Program. The plan further

identifies that in 2021, VTrans implemented a new methodology for identifying, selecting, and prioritizing projects for the capital program called Vermont Project Selection and Prioritization.

The future transportation needs section addresses cost and access, survey results, climate change, and project priorities. Policy 3f prescribes that new land development not negatively impact the safety of any mode within the transportation network.

**The draft plan is generally consistent with Goal 4. See comments on the Transportation element in Section I(D)(4) of this preapplication response concerning transportation impacts of growth in Tier 1A and 1B areas.**

### **Advisory Recommendations**

Consider including the following:

- A policy statement, such as” “Transportation systems will respect the integrity of the natural environment.”
- A sentence to address bridge conditions for those bridges less than 20 feet in span especially with regard to damage from more frequent flooding events (bridges under 20 ft are subject to municipal maintenance).
- An update on page 79 to reflect St. Albans Town's recent sidewalk projects.

### **Goal 5:**

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

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

24 V.S.A. § 4302(c)(5).

The Natural and Cultural Resources chapter includes substantive information that is relevant to the fifth goal to identify, protect, and preserve important natural and historic features of the Vermont landscape, including elements A-D. The chapter includes goals and policies to address natural and cultural resources. Goal 1 and associated policies address natural and fragile areas. Goal 2 and associated policies address historic structures and areas, archaeological resources and scenic and aesthetic resources. Goal 3 and associated policies address water resources.

**The draft plan is consistent with Goal 5.**

## Advisory Recommendations

Consider addressing the following:

- Interpretation of the priority streams/rivers is difficult (see Map 11, page 101). Improve the map legibility or separate into two maps to depict fewer layers on each for easier discernment.
- Concerning Wildlife and Plant Habitat (page 100), provide more definitive language in the fourth and fifth sentences – i.e., include a more definitive list of habitat areas that should be considered when planning for the future.
- On page 94 Class I, II, and III wetlands are referenced. However, it is not clear from the narrative the implications of each of these statuses. Explain the implications of these wetlands classifications.
- Include more specific identification of significant scenic roads, waterways and views to be preserved and protected.

### **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).

As identified by NRPC in its checklist (Exhibit 3), with reference to page numbers 89-103

“A) Air, water, wildlife, mineral, and land resources are discussed in the Natural and Cultural Resources chapter, and policies 1a-h have specific actions to protect these resources from adverse development impacts.

B) Missisquoi, Champlain and Lamoille basin plans are referenced in the chapter text. Specific language from the Missisquoi Basin Plan is included regarding agricultural runoff and on-site septic systems. Policies 3a-e have specific actions to maintain and improve water quality.

C) Forest blocks and habitat connectors are depicted on Map 11: Wildlife Habitat and discussed in the chapter. Policy 1e addresses development to avoid the fragmentation of and adverse impacts to identified natural areas, forest blocks, critical wildlife habitat and connectivity areas.”

**The draft plan is 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).

This goal is addressed in the Energy Chapter and associated goals and policies. Areas suitable for renewable energy generation are identified in the referenced Enhanced Energy Plan and in the body of the Energy Chapter. The elements of the energy plan include regional assets and opportunities, current energy use and generation, future targets (energy conservation, energy generation), challenges and opportunities, equity and affordability, and detailed goals and policies.

**The draft plan is consistent with Goal 7.**

**Advisory Recommendation**

Consider addressing the following:

- The draft plan refers to a separate Northwest Regional Energy Plan available at [www.nrpcvt.com](http://www.nrpcvt.com). Please include the NW Energy Plan as an exhibit, in addition to this website reference.

**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).

Trails and public recreational sites are identified in the Recreation section, and the plan contains goals and policies to promote and protect recreation in the Recreation section, Housing chapter and Community Health chapter. The Housing chapter includes a policy to ensure that new rural housing developments are sited to preserve the greatest amount of open space possible and states that open space shall be retained for agriculture, forestry, recreation or resource preservation.

In addition, the Community Health section refers to outdoor physical activity, including improving bike and pedestrian access to schools and recreation facilities, and expansion of bike path and sidewalk networks. The Community Health Chapter also includes a policy to include walking paths, sidewalks, biking paths, and recreation opportunities in larger projects that meet the definition of having significant regional impact. Within the Transportation chapter, active transportation facilities are identified including three rail trails, other local trails, and public sidewalks for which a tabulated inventory is included.

**The draft plan is 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).

The Land Use chapter includes goal 2, which pertains to forest health and diversity, conservation, and the working landscape of agriculture and forestry. This chapter includes policy (1d) which prioritizes public investments that will promote expansion in designated centers and discourage the development or fragmentation of farmlands and other resource areas. The forest resources section further recognizes the important role of forests and forest products as a vital component of the local economy. Also, agricultural and forestry soils are depicted on Map 6 (page 92).

The Economic Development chapter includes a section on the working landscape which highlights the importance of the unique geography and landscape of the region’s counties and an environment that supports families and businesses in agricultural endeavors. Policies that are specific to working lands include 2a which supports

production, marketing and access to local products, and 2c which supports efforts to ensure that the working landscape—including agriculture, forestry, and value-added production—remains a key sector in the region’s economy.

The plan identifies Franklin County as the second most productive agricultural county in the state, generating 24% of Vermont’s farm sales in 2022. Also, roughly half of the land area of the region is made up of forests. The plan identifies that the Agriculture and Forestry FLU area includes blocks of forest or farmland that “[...] contribute to economic well-being and quality of life. Development in these areas shall be carefully managed to promote the working landscape and rural economy, while protecting the agricultural and forest resource value.” (page 110)

Agricultural management practices to improve soil health and prevent water quality issues are also discussed in the Natural Resources chapter. A reference to specific “sound forest practices” (for example the Agency of Natural Resources “Acceptable Management Practices for Maintaining Water Quality on Logging Jobs in Vermont”) was not found in the draft plan.

### **The draft plan is consistent with Goal 9.**

#### **Advisory Recommendations**

Consider addressing the following:

- Expand discussion of forest management practices to describe “sound forestry practices” that should be employed to protect forest resources and the environment. For example, the plan could refer to the Agency of Natural Resources “Acceptable Management Practices for Maintaining Water Quality on Logging Jobs in Vermont” and/or other suitable practices.
- Invasive species threats are noted in the Disaster Resilience chapter, but discussion about mitigation measures is lacking. Aquatic invasives receive separate treatment on page 96. Policy g on page 103 commits the NRPC to assist in efforts to combat the spread of invasive species. Consider detailing specific actions that can be taken to mitigate damages caused by invasive species in the region.
- The following statement from page 98 is unsupported: “The upland area of northwestern Vermont contains the largest tracks (sic) of contiguous woodland in the Northern Forest.” Presumably, the statement is meant to suggest that the relatively large contiguous forests in the western part of the region (in Enosburg, Montgomery, Bakersfield and Fletcher) are regionally significant. However, it is unlikely that they approach the larger tracts of Northern Forest found in Maine or the Adirondacks. Consider correcting this passage.

#### **Goal 10:**

The tenth goal requires the plan “[t]o provide for the wise and efficient use of Vermont’s natural resources and to facilitate the appropriate extraction of earth resources and the

proper restoration and preservation of the aesthetic qualities of the area.” 24 V.S.A. § 4302(c)(10).

The Natural & Cultural Resources chapter includes goal 1 “Protect significant natural resources, including air, wetlands, wildlife, lakes, ponds, woodlands, earth resources ...” and policy 1c: “Plan, construct and manage mineral and earth resource extraction and processing facilities to ensure that negative impacts are limited and rehabilitation is certain. Minimize noise and adverse impacts on existing or planned uses within the vicinity of the project, fish and wildlife habitat, water quality, prime agricultural soils and scenic resources.” The “other earth resources” section in this chapter identifies specific earth resources in the region such as Isle La Motte’s high quality black marble.

### **The draft plan is consistent with Goal 10.**

#### **Advisory Recommendation**

Consider addressing the following:

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

### **Goal 11:**

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

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

24 V.S.A. § 4302(c)(11).

The draft plan includes a detailed Housing chapter laying out specific strategies and objectives. This includes a goal for a housing supply in which households spend no

more than 30% of their income toward housing and no more than 15% of their incomes toward transportation. Strategies to meet housing needs and achieve housing targets include multiunit and infrastructure development in areas planned for growth, encouraging ADUs, improvements to substandard housing, expansion of guaranteed affordability programs, and workforce development leading to higher incomes.

Parts A to D of Goal 11 are evaluated in turn, below.

A. Needs for citizens of low and moderate income are addressed in the “Household Income, Housing Cost and Affordability” section of the Housing chapter. The Housing Targets section also has specific targets for the number of affordable units needed region-wide, and specific strategies to address the need. Housing goal and policy 1c is to promote mixed-income Affordable Housing Developments with at least 20% or a minimum of 5 affordable units as defined by VT Statute for new housing developments. Goal and policy 1d supports perpetual affordability for new affordable housing.

B. Goal 2 ensures that housing is easier to build in centers, village areas and planned growth areas that are convenient and accessible. Provision of necessary public facilities and utilities is addressed in policy 2a which encompasses efficient design to conserve energy and minimize the financial impact of expanded municipal services.

C. Housing policy 1f promotes zoning changes that integrate diverse housing types into existing neighborhoods.

D. Accessory Dwelling Units are listed under policy 1f. Flexibility and incentives for construction are identified under “Strategies to Address Housing Needs”.

### **The draft plan is consistent with Goal 11.**

#### **Advisory Recommendations**

Consider addressing the following:

- Pages 50-62. Include more data on rental housing – e.g., number of rental units, percent with affordable rent, number of bedroom distribution, etc. Given the heavy skew of existing housing stock toward ownership, consider recommending that new housing include a mix of ownership and rental. Figure 4 on page 55 reveals that Richford has a significant proportion of regional rental units. Consider discussing this distinction in the narrative of the plan.
- The plan references a regional housing dashboard that tracks progress toward meeting regional housing needs. Consider including more details about the indicators included in the dashboard within the regional plan.
- Figure 7 on page 57 indicates “shown in yellow in the pie charts” but there is no yellow in the pie charts. Two shades of green are depicted. Correct this color reference.

- 35% (12% rental, 24% owner-occupied) of new housing is targeted to be market rate and half of single unit housing will have less than 3 bedrooms (see Figure 9, page 60). Consider adding discussion about the reasons for these nuances in the narrative of the plan.

### **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).

The draft plan includes a detailed Disaster Resilience chapter which addresses fire, police, and emergency medical services and includes sections on mitigation, preparedness, response, and recovery.

Schools and libraries in the region are identified and discussed in the Social Infrastructure chapter. Numerous detailed and relevant goals and policies support primary goals of providing high quality educational and vocational opportunities and ensuring that the region has a network of community libraries.

The draft plan includes a chapter entitled “Infrastructure: Water Supply, Wastewater Stormwater & Solid Waste” which addresses existing and future needs. The chapter highlights the significant infrastructure investments needed, particularly as it pertains to supporting needed housing. Although specific future water or sewer infrastructure construction or expansion plans were not found in the draft plan, water, wastewater and solid waste are discussed in the goals and policies. Ensuring that the rate of growth does not exceed the ability to provide services is also integrated into these policies and discussions. The numerous detailed and relevant goals and policies support the two primary goals to protect the region’s water supply and maintain cost effective and environmentally sound water, wastewater, and solid waste infrastructure.

Concerning financing, the draft plan identifies that well-planned and well-financed infrastructure is of utmost importance for municipalities to plan for development in advance, and that the NRPC will help municipalities with planning for the Transition/Infill future land use areas. However, beyond the Transition/Infill future land use areas no other references to financing were made. Other future land use categories such as downtown, village centers, village areas, or planned growth areas should receive this same consideration.

### **The draft plan is consistent with Goal 12.**

#### **Advisory Recommendation**

Consider addressing the following:

- The twelfth goal requires that the draft plan to plan for, **finance**, and provide an efficient system of public facilities and services to meet future needs (emphasis added). The plan contains limited references to financing beyond the Transition/Infill future land use area. Consider more expanded discussion of financing for needed public facilities and services.

#### **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).

The draft plan includes an Economic Infrastructure chapter which specifically addresses childcare. Goal 2 provides as follows: “Ensure the availability of safe and affordable child care and integrate child care needs into the planning process including child care financing, infrastructure, business assistance for child care providers, and child care work force development”. Detailed policies reinforce this goal, through municipal planning and regulation, and further provide that “employers, schools, and community organizations should collaborate to ensure that affordable, quality child care services are available to meet the different needs of households.”

### **The draft plan is consistent with Goal 13.**

#### **Advisory Recommendation**

Consider addressing the following:

It is unclear how employers, schools, and community organizations should collaborate to ensure that affordable, quality child care services are available. Consider adding specific detail or action items, to more directly address how child care needs will be ensured. Consider adding the Alburg program as an example.

#### **Goal 14:**

The fourteenth goal requires the plan:

To encourage flood resilient communities.

- (A) New development in identified flood hazard and river corridor protection areas should be avoided. If new development is to be built in such areas, it should not exacerbate flooding and fluvial erosion.
- (B) The protection and restoration of floodplains and upland forested areas that attenuate and moderate flooding and fluvial erosion should be encouraged.

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

24 V.S.A. § 4302(c)(14).

The draft plan notes that the above goal is effective until 1/1/28, after which it is replaced with updated language accounting for the forthcoming statewide minimum flood hazard area standards established by rule by the Agency of Natural Resources. Concerning items A and B above, the draft plan includes a detailed Natural & Cultural Resources chapter with a section on rivers and watersheds, which includes discussion of FEMA mapping and flood hazard regulations.

The plan includes Natural Resources goal 1d to ensure that development in floodplain or river corridor areas does not impede the flow of flood waters or endanger public health, safety and welfare. In addition, the Disaster Resilience chapter includes mapping of regional river corridors and policy 1f establishes that new development built in flood hazard and river corridor protection areas must not exacerbate flooding and fluvial erosion.

Concerning part C of Goal 14, the Disaster Resilience chapter includes emergency preparedness; support for volunteers and mutual aid agreements; and use of the new Municipal Vulnerability Tool. The chapter addresses fire, police, and emergency medical services and includes sections on mitigation, preparedness, response, and recovery. Flooding and Fluvial erosion are listed as High Risk Hazards and the plan identifies that the greatest risk to the region and the state is from flooding in the form of inundation and fluvial erosion. Policy 1d is to “ensure that all municipalities and major employers have flood emergency preparedness, all-hazards preparedness and response plans in place that include a focus on those most vulnerable to impacts”.

**The draft plan is consistent with Goal 14.**

**Goal 15:**

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

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

3 V.S.A. § 6003.

“Meaningful participation” means that all individuals have the opportunity to participate in energy, climate change, and environmental decision making. Examples include needs assessments, planning, implementation, permitting, compliance and enforcement, and evaluation. Meaningful participation also

integrates diverse knowledge systems, histories, traditions, languages, and cultures of Indigenous communities in decision-making processes. It requires that communities are enabled and administratively assisted to participate fully through education and training. Meaningful participation requires the State to operate in a transparent manner with regard to opportunities for community input and also encourages the development of environmental, energy, and climate change stewardship.

3 V.S.A. § 6002(6).

The equitable planning section of the Introduction discusses this aspect of NRPC's planning. NRPC first broadened its consideration of equity in 2021, with a statement of inclusion adopted by the NRPC Board of Commissioners in early 2022 to help guide its work.

NRPC conducted an evaluation of environmental benefits and burdens and considered their equitable distribution. Nineteen types of environmental benefits or burdens that could be impacted by the regional plan were identified. Where data was available, these benefits and burdens were compared with identified environmental justice (EJ) focus populations. NRPC identified 6 disproportionate impacts (Table 3). The goals and policies of this plan aim to mitigate disproportionate burdens and repair inequities where possible.

Initially the Environmental Benefits and Burdens Analysis included mapping of environmental focus group populations as defined in 3 V.S.A. § 6002. However, this analysis resulted in all but 3 Census Block groups in the region being considered EJ focus populations. To better identify disproportionate impacts, NRPC adjusted the statutory definition to include census blocks where more than 10% of residents are Persons of Color or Indigenous People.

Vermont Statute defines 36 examples of environmental benefits or burdens. NRPC consolidated complementary environmental benefits and burdens into a single measure and then identified data available for as many of the environmental benefits and burdens as possible. There were no data available for 9 of the measures examined. The remaining mapped and examined measures consisted of the following:

- Access to Healthy Air / Air Pollution \*
- Access to Green Spaces / Limited Access to Green Spaces \*
- Access to Transportation
- Healthy Ecosystems / Damage to Forests
- Access to Health Care
- Climate Change Impacts \*
- Increased Flooding or Stormwater Flows \*
- Erosion Risk \*
- Inadequate Remediation of Pollution
- Water Pollution \*

- Damage to Inland Waterways and Water-bodies and Wetlands

The six measures identified above with an asterisk correspond to those for which the environmental benefits and burdens disproportionately impact EJ focus populations in the region, as revealed through the analysis.

NRPC reviewed its goals and policies in the six identified areas and made changes necessary to ensure that the plan addresses and mitigates disproportionate environmental burdens, as detailed in Table 2 within the analysis. The plan notes that other methodologies could be used to evaluate environmental justice to satisfy Goal 15. Nonetheless, the methodology employed could serve as a model for other regional plans. Each region may have unique characteristics whereby all 36 statutory examples should be considered as part of an analysis. The Agency of Natural Resources is conducting rulemaking and mapping that will refine the definition of EJ focus populations and include cumulative environmental burdens. Update of the NRPC goal 15 analysis will likely be warranted after these related future rules and mapping are available.

### **The draft plan is consistent with Goal 15.**

#### **Advisory Recommendation**

Consider addressing the following:

- In Appendix III, Table 2, concerning access/limits to nutritious foods, consider assessing via number of grocery stores, or distance to nearest grocery store.

#### **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 of whether the plan is consistent with the purposes of the regional plan found in 24 V.S.A. § 4347. 24 V.S.A. § 4348(h)(4)(B). Section 4347 states:

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

- (1) create conditions favorable to transportation, health, safety, civic activities, and educational and cultural opportunities;
- (2) reduce the wastes of financial, energy, and human resources that result from either excessive congestion or excessive scattering of population;

- (3) promote an efficient and economic utilization of drainage, energy, sanitary, and other facilities and resources;
- (4) promote the conservation of the supply of food, water, energy, and minerals;
- (5) promote the production of food and fiber resources and the reasonable use of mineral, water, and renewable energy resources;
- (6) promote the development of housing suitable to the needs of the region and its communities; and
- (7) help communities equitably build resilience to address the effects of climate change through mitigation and adaptation consistent with the Vermont Climate Action Plan adopted pursuant to 10 V.S.A. § 592 and 3 V.S.A. chapter 72.

As the draft plan addresses the separate goals enumerated in Part A of this preapplication response (above) and through the various required elements as enumerated in Part D (below), the draft plan as a whole is consistent with these 24 V.S.A. § 4347 purposes. Also, NRPC's planning framework is outlined in the Introduction, which explains how the plan will be implemented to guide the region toward accomplishing these purposes.

The plan includes a section on community health. This is not a required element for regional plans, but the NRPC should be commended for including it and it could be a model for other RPCs to follow.

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

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

As part of the development of the regional plan,

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

24 V.S.A. § 4348(a).

As identified by the NRPC, the plan builds on an outreach campaign completed as part of its 2023 update (See page 12). In accordance with NRPC's public participation policy, staff developed a public participation plan using the guiding framework from the International Association for Public Participation (IAP2) that was designed to meet the statutory requirements of 24 V.S.A. § 4348 and 24 V.S.A. § 4345. Broadly, NRPC's activities were divided between two stakeholder groups: municipal officials and regional residents. NRPC directly engaged with over 100 regional residents as well as municipal officials for all 23 of its member municipalities. The Board concludes that the plan was

developed with the participation of its member municipalities and provided for meaningful participation to citizens and communities throughout the region.

**The draft plan is consistent with the outreach requirements of 24 V.S.A. § 4348(a)**

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

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

1. Statement of Basic Policies

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

The draft plan includes guiding policies at the end of each chapter, including those pertaining to land use, economic development, future growth and development of land and of public services and facilities, and to protection of the environment.

**The draft plan meets this requirement.**

2. Natural Resources and Working Lands

A regional plan must contain:

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

- (A) Indicates those areas of significant natural resources, including existing and proposed for forests, wetlands, vernal pools, rare and irreplaceable natural areas, floodplains, river corridors, recreation, agriculture using the agricultural lands identification process established in 6 V.S.A. § 8, residence, commerce, industry, public, and semipublic uses, open spaces, areas reserved for flood plain, forest blocks, habitat connectors, recreation areas and recreational trails, and areas identified by the State, regional planning commissions, or municipalities that require special consideration for aquifer protection; for wetland protection; for the maintenance of forest blocks, wildlife habitat, and habitat connectors; or for other conservation purposes.
- (B) Indicates those areas that have the potential to sustain agriculture and recommendations for maintaining them that may include transfer of development rights, acquisition of development rights, or farmer assistance programs.

- (C) Indicates those areas that are important as forest blocks and habitat connectors and plans for land development in those areas to minimize forest fragmentation and promote the health, viability, and ecological function of forests. A plan may include specific policies to encourage the active management of those areas for wildlife habitat, water quality, timber production, recreation, or other values or functions identified by the regional planning commission.
- (D) Encourages preservation of rare and irreplaceable natural areas, scenic and historic features and resources.
- (E) Encourages protection and improvement of the quality of waters of the State to be used in the development and furtherance of the applicable basin plans established by the Secretary of Natural Resources under 10 V.S.A. § 1253.

24 V.S.A. § 4348a(a)(2).

Concerning part A of this element, areas of significant natural resources are depicted in the Natural & Cultural Resources Chapter in Map 6: Agricultural and Forestry Soils, Map 8: Targeted Impaired Areas, Map 9: Water Resources, Map 10: Conserved Land, and Map 11: Wildlife Habitat. The draft plan addresses consideration of water quality and wetland protection, maintenance of forest blocks, wildlife habitat, and habitat connectors and other conservation measures. Mapped Future Land Use areas address residential, commercial, industrial, public, and semipublic uses. Consistency with Vermont Conservation Design is not evaluated or identified.

Concerning part B of this element, agricultural soils have are depicted and the Rural - Agriculture & Forestry FLU area indicates areas planned to remain predominantly agricultural. Land use goal 2 includes maintaining a strong working agricultural landscape, and policies 2a-h include specific actions to support this goal.

Concerning part C of this element, Land Use policy 2b states that development in forestry and conservation areas will not fragment high priority forest and connectivity blocks or diminish the viability of woodland operation. Forest and connectivity blocks are mapped on Map 11 in the Natural and Cultural Resources chapter. Specific policies to encourage active management of these areas are listed in the Natural and Cultural Resources and Land Use chapters.

Concerning part D of this element, requirements are addressed via the Natural Resources chapter, goals 1 to 3, and associated policies.

Concerning part E of this element, Missisquoi, Champlain and Lamoille basin plans are referenced in the chapter text. Specific language from the Missisquoi Basin Plan is included regarding agricultural runoff and on-site septic systems. Policies 3a-e have specific actions to maintain and improve water quality.

**The draft plan meets this requirement.**

**Advisory Recommendation**

Consider addressing the following:

- Consider adding another map in the Natural Resources section that shows significant natural communities. Do not add to Map 11 which is already quite busy. Alternatively, discuss significant natural communities that are present in the region within the narrative of the plan.
- Consider mentioning Act 59 (2023), Vermont Conservation Design, and the 30x30, 50x50 initiative. Include information on how much land is conserved based on the Protected Lands GIS dataset, and how it breaks down by biophysical region.

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).

All elements above are addressed in the Energy chapter and supported by energy goals and policies.

**The draft plan meets this requirement. See more discussion of this element under Goal 7 in part A of this preapplication response.**

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).

This element is addressed in the Transportation chapter and supported by three goals and associated policies. Federal, state and interstate highways are shown on Map Figure 1 and Table 1 show a breakdown of road miles by type and character of improvement. Transit routes are shown on Map 3. Bicycle paths and trails are shown in the Social Infrastructure chapter on Map 3. Airports and railroads are discussed and mapped in the Transportation chapter. Transportation goals and policies include recommendations to meet future transportation needs. The plan addresses roadway improvements through complete streets guidance and the listing of AOT state roadway projects and Transportation Advisory Committee recommended improvements for the region.

Numerous proposed Tier 1B- and Tier 1A-eligible areas (designed to accommodate a majority of regional housing targets, in addition to other development) raise the potential for significant transportation impacts in and beyond these areas. Act 250 jurisdiction will be eliminated or substantially reduced in the approved Tier 1A and 1B areas, whereby review of traffic impacts under Act 250 criterion 5 will no longer be available as a mechanism for mitigation of traffic impacts resulting from development in these areas. The NRPC and its member municipalities will need to work together and with the Agency of Transportation to support solutions to offset this significant change.

Projects that generate traffic impacting adjacent communities are defined as having significant regional impacts triggering NRPC review and input into the Act 250 process. An example on page 41 under 4C notes that the Act 250 process is used to locate public transit. However, the areas in which public transit may be most suited or expanded to are areas that will likely be Tier 1A or Tier 1B where projects will be exempt or partially exempt from Act 250 review.

**The draft plan meets this requirement.**

**Advisory Recommendation**

Consider the following:

- To address the potentially significant traffic impacts resulting from development in Tier 1A and 1B areas that will no longer be subject to Act 250 review, revising the plan to (1) add detail about how to address the anticipated need for increased transportation infrastructure planning, and (2) support alternative new or leveraged local or state regulatory review processes to address mitigation of traffic from development that will no longer be subject to Act 250 review.

5. Utility and Facility

The Draft Regional Plan must contain:

A utility and facility element, consisting of a map and statement of present and prospective local and regional community facilities and public utilities, whether publicly or privately owned, showing existing and proposed educational, recreational and other public sites, buildings and facilities, including public

schools, State office buildings, hospitals, libraries, power generating plants and transmission lines, wireless telecommunications facilities and ancillary improvements, water supply, sewage disposal, refuse disposal, storm drainage, and other similar facilities and activities, and recommendations to meet future needs for those facilities, with indications of priority of need.

24 V.S.A. § 4348a(a)(5).

The plan includes sections and mapping for public utilities, facilities and recreational assets that address these requirements. As identified by NRPC in its checklist (Exhibit 3):

Discussion of existing facilities and recommendations to meet future needs for facilities are listed in goals and associated policies for the three Infrastructure chapters (Economic, Social and Physical). Map 2: Northwest Region Facilities in the Social Infrastructure chapter shows municipal offices, state offices, courthouses, police stations, fire stations, healthcare facilities, schools, libraries, and waste transfer stations. Map 3 shows trails and recreational facilities. The Physical Infrastructure chapter discusses solid waste disposal and municipal water, sewer and storm drainage systems with maps where data is available. Energy generation facilities and transmission lines are mapped in the Energy Plan in Appendix II.

Concerning solid waste, the plan notes that solid waste from the region is shipped in bulk to the Coventry Landfill via transfer stations in Highgate and Williston. The Northwest Solid Waste District owns a 154-acre property in Sheldon intended to be used as a landfill site when existing landfill capacity is exhausted or export becomes less cost effective. The landfill is partially permitted.

**The draft plan meets this requirement.**

6. (repealed)

7. Implementation

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

An Implementation table is located in the Introduction and contains specific actions to implement the plan’s objectives. In addition, the Putting the Plan into Action section of the Introduction contains additional implementation strategy details.

**The draft plan meets this requirement.**

**Advisory Recommendation**

Consider the following:

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

#### 8. Compatibility with Other Plans

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

The Plan in Context section of the Introduction addresses how the plan relates to municipal plans and the plans of adjacent regions. The plan evaluates specific compatibility with the latest versions of three adjacent regional plans (Chittenden County Regional Planning Commission, Lamoille County Planning Commission, Northeastern Vermont Development Association) and no incompatibility was identified.

#### **The draft plan meets this requirement.**

#### **Advisory Recommendation**

Consider the following:

Address how the plan relates to regional land planning in New York and Canada border areas.

#### 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).

As identified by the NRPC in its checklist (Exhibit 3), the Housing chapter discusses regional housing trends and needs with relevant supporting data, including housing and transportation costs. References are made to the 2025 Vermont Housing Needs Assessment and 2022 Northwest Vermont Housing Needs Assessment and findings from these studies are summarized. Municipal housing targets are shown in Table 2. Figure 9 shows housing targets disaggregated by unit size, unit type, future land use area, and affordability. Recommended actions are listed under Strategies to Address Housing Needs. Considerable detail concerning the plan for housing is also outlined above under Goal 11 which addresses the required spending elements (most households to spend not more than 30 percent of their income on housing and not more than 15 percent on transportation).

**The draft plan meets this requirement.**

**Advisory Recommendations**

Consider the following:

- Add explanation of the municipalization methodology for the housing targets such as included in the Regional Plan Review Checklist on page 20. For example, note the shifts from near term housing targets (2025) when Swanton and Fairfax get more units than St. Albans City and St. Albans Town, then in the far term (2050) this switches with more in St. Albans City/Town. Is this due to recent historic trends and projected future needs?
- Figure 9 on page 60 shows housing targets broken down by location and type. The first bar graph shows percentages proposed for different FLU categories. Where are downtown center targets accounted for in this bar graph? Revise this bar graph to indicate where downtown center targets are included (are they with the PGAs or VC/VAs?).

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).

Present economic conditions and desired economic development are discussed in the Economic Development chapter. Policies, projects and programs are identified. These combined elements satisfy this requirement. Additional relevant comment is provided in part A of this preapplication response under Goals 2 to 4.

**The draft plan meets this requirement.**

11. Flood Resilience

The draft regional plan must include:

- (A) A flood resilience element that:

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

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

24 V.S.A. § 4348a(a)(11).

The Water Resources map identifies streams, ponds, wetlands, floodplains and river corridors. A river corridor map is also provided on page 114. Interior forests are also mapped and many are located in upland areas. Flood resiliency planning is further addressed under Goal 14, above. Recommended policies and strategies are listed under goals & policies for Natural and Cultural Resources and Disaster Resilience chapters. The Franklin & Grand Isle All Hazards Assessment is also referenced in the Disaster Resilience chapter. However, the status of this assessment is not identified (is it adopted or in effect?) and a copy was not included with the application.

**The draft plan meets this requirement.**

**Advisory Recommendation**

Consider the following:

- Identify the status of the Franklin & Grand Isle All Hazards Assessment and provide a copy to the Board.

12. Future Land Use

The draft plan must include:

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

24 V.S.A. § 4348a(a)(12).

The plan includes a Land Use chapter that highlights smart growth as a guiding principle for land use and development in the region. It includes an analysis of current

land use and presents future land use trends and opportunities, including a proposed future land use (“FLU”) map along with narrative addressing the proposed configuration of each of the Act 181 future land use categories.

**The draft plan includes a Land Use element.**

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

**Required Revisions: The Board asks NRPC to make the following general revisions to the overall future land use area mapping to address boundary issues and mapping anomalies:**

- **Adjust the FLU category used to map roads in Highgate, Swanton, and Georgia which are depicted as rural general within other FLU categories. This appears to be unintended as it is not how roads are mapped in the rest of the region.**
- **Map surface waters, including Lake Champlain, Fairfield Pond, Lake Carmi, and rivers. The FLU digital data layer should include the full extent of the region, similar to Map 13 on page 109. These could be mapped as “surface waters” or alternatively, consider mapping land-locked lakes as Rural Conservation along with rivers. Consider including summary of percent total in each FLU category, including surface waters if using that mapping category.**

**Advisory Recommendation:**

- All lake shorelines are mapped as Rural – Conservation except where Resource-based Recreation is mapped. These shorelines are intermittently difficult to discern on the FLU map, particularly around Arrowhead Mountain Lake. Consider clarifying this mapping.

(A) **Downtown Centers and Village Centers**

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

Downtown or village centers. These areas are the mixed-use centers bringing together community economic activity and civic assets. They include downtowns, villages, and new town centers previously designated under chapter 76A and downtowns and village centers seeking benefits under the Community Investment Program under section 5804 of this title. The downtown or village centers are the traditional and historic central business and civic centers within

planned growth areas, village areas, or may stand alone. Village centers are not required to have public water, wastewater, zoning, or subdivision bylaws.

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

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

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

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

With the exception for preexisting, nonconforming designations approved prior to the establishment of the program under this chapter or areas included in the municipal plan for the purposes of relocating a municipality’s center for flood resiliency purposes, the areas eligible for designation benefits upon the LURB’s approval of the regional plan future land use map for designation as a Center shall not include development that is disconnected from a Center and that lacks a pedestrian connection to the Center via a complete street.

24 V.S.A. § 5803(c).

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

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

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

- Downtown Centers

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

**St. Albans City:**

The FLU map depicts one downtown center: St. Albans City Downtown Center. It is based on an existing legacy designation boundary, proposed to be expanded. The entire city also has a legacy growth center designation. The downtown center is proposed to expand to encompass full parcels (as opposed to partial lots), and a handful of other lots. A northern expansion area includes 12 new parcels between Main Street and Federal Street that include residences, a commercial complex, and a senior home. A parish hall property on the eastern edge is added that directly abuts the high school property. The southern expansion extends to Lower Welden Street and includes the city fire station, two residential neighborhoods, a railroad facility, a park, and a large commercial complex that is being redeveloped from federal offices. A river corridor area is depicted in the southern area proposed for expansion; however, it is limited mostly to an existing developed area and the park.

**The proposed St. Albans City Downtown Center meets statutory requirements.**

- Village Centers

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

The regional FLU map depicts 31 village centers in 19 towns. Twenty are legacy village centers, with expansions of most legacy village centers proposed, excepting three to remain unchanged. Eight new village centers in 6 towns are proposed.

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

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

**The Board’s review of each proposed village center follows:**

**Alburgh:**

The proposed Alburgh Village Center includes the legacy village designation with a significant easterly expansion. The expansion includes a state recognized historic district. The also includes the school and approximately 20 residential parcels along Champlain and Sowles Street and more than two dozen residential parcels along

Vantine Avenue and Winters Lane along the southeastern edge. Five additional residential parcels are added to the south to create a logical terminus at Winters Lane and four additional parcels are added to the west along Lake Street to match the northern side of the road. The added depth reflects an interconnected network of streets and residential neighborhood.

**The proposed Alburg Village Center meets the requirements for a village center.**

**Bakersfield:**

Bakersfield has a village center area that expands the legacy village center around a historic district. There are expansions of the village center to include a cemetery and ballfields to the east and south and the historic academy to the west.

**The proposed Bakersfield Village Center meets the requirements for a village center.**

**Berkshire:**

Berkshire has three proposed village centers. The West Berkshire village is centered tightly around a historic settlement with an expansion to the legacy center proposed to fully incorporate the Cross St.-Potato Hill Rd. intersection. The new Berkshire Village Center is proposed along Watertown Rd. to include a small historic settlement area and the municipal offices. The East Berkshire Village Center is at the junction of Route 105 and Montgomery Rd. The West and Center village centers are tightly clustered around intersections with historic properties and village zoning. The Eastern village center contains a legacy village center and spans both sides of the Missisquoi River. Minor expansion is proposed north of the river with some additional expansion to the south of the river to include historic properties. The expansion area north of the river includes three parcels that are partially in the river corridor. As these three properties are developed and only partially in the river corridor, it is acceptable to map these as village center.

**Each of the proposed Berkshire village centers meets the requirements for a village center.**

**Enosburgh:**

Enosburgh has a legacy village center (Enosburgh Falls) that incorporates a historic district that is proposed to be expanded. The expansion includes the high school and residential areas and helps to provide depth to the center. A small southerly expansion across the river is also proposed.

**The proposed area meets the requirements for a village center.**

**Fairfax:**

Fairfax has a legacy village center (Fairfax Village) that incorporates a historic district that is also proposed to be expanded. The expansion includes residential areas, the high school, and municipal offices, and helps to provide depth to the legacy area. The

church on Huntsville Road may warrant inclusion in this village center. The proposed South Village includes eight parcels including the post office, bank, and ball field. The zoning for this area and commercial nature of development make this limited area perhaps more suited for village center than hamlet. The area is within close proximity to the larger Fairfax village center and not necessarily distinctly separate from the growth area proposed around the larger center. The entirety of 927A Main Street may be suitable for inclusion in the center to provide additional depth to the center. The proposed South Fairfax Village center does not have a mapped historic district.

**The proposed Fairfax Village Center meets the requirements for a village center.**

**The Board cannot determine that the proposed South Fairfax Village Center meets the requirements for a village center unless suitable supporting information is provided. The NRPC may provide supplemental information to document and justify that the South Fairfax Village Center is a traditional and historic central business and civic center with mixed uses and community economic activity for further consideration by the Board.**

**Fairfield:**

There are two proposed village centers in Fairfield: East Fairfield and Fairfield Center. East Fairfield's village center follows the legacy center around a historic district with a slight expansion of four parcels to the north and six to the west. It is noted that the mapping of the legacy center may not have been snapped to parcels and the new parcels may vary with clarified boundaries. The Fairfield Center village center also includes a legacy center. This center is expanding to include the remainder of several parcels that are partially within the legacy center and four smaller residential parcels that define the southern edge along South Street.

**Each of the proposed village centers meets the requirements for a village center.**

**Fletcher:**

There are no legacy designations in Fletcher. The two new proposed village centers, Binghamville and Fletcher Center, are clustered around historic districts. The Binghamville village center incorporates the municipal offices, cemetery, and general store. Only partial properties are included and there is not much depth to this center. Fletcher Center, located to the north of Binghamville, is small surrounded by Rural General FLU area; however, it could be a center based upon the historic district and zoning.

**Each of the proposed village centers meets the requirements for a village center.**

**Advisory Recommendation:** Consider including full parcels in Fletcher Center to encourage infill and discourage strip development.

**Franklin:**

The proposed village center in Franklin is a slight expansion of a legacy village center clustered around a historic district. The legacy center appears to have only included

portions of parcels. The expansion includes approximately a dozen parcels that are mostly smaller residential lots adjacent to the historic center and the elementary school and senior housing complex.

**The proposed areas meet the requirements for a village center.**

**Georgia:**

There are two new proposed centers in Georgia (with no legacy designations). The proposed Georgia Center village center is focused on a historic district and extends from a community rummage sale building at the south to the municipal garage and a commercial property to the west along the Georgia Plains Rd., and north on Main St. to the fire station. The proposed center is a few parcels deep along Main St. but does not appear to follow parcel lines along the western edge. The parcel at 4253 Main St. and the parcel at 52 Radharc Dr. both appear to be mapped partially as village area. Although it includes the town historical society and volunteer fire department at the north end and a methodist church at the south end crossroad, it is very low density and uses are primarily residential and agricultural.

The proposed Georgia South village center encompasses 25 parcels, is relatively small, and does not have a mapped historic district nor appear to incorporate civic sites. The area also features mostly scattered commercial development. The proposed area is also very shallow and clustered along the State highways of Route 7 and Route 104A which may perpetuate strip development. Walkability could be addressed including partially built sidewalks that do not appear to line up for future connection.

**The proposed Georgia Center area meets the requirements for a village center.**

**The Board cannot determine that the proposed Georgia South village center meets the requirements for a village center unless suitable supporting information is provided.** The NRPC may provide supplemental information to document and justify that the South Georgia village center is a traditional and historic central business and civic center with mixed uses and community economic activity for further consideration by the Board.

**Advisory Recommendation:**

Consider including whole parcels in the proposed Georgia Center village center.

**Grand Isle:**

There are two proposed village centers in Grand Isle: Grand Isle Center and Grand Isle Station. The Grand Isle Center village center follows the boundaries of a legacy designation. The proposed new Grand Isle Station village center is eight parcels that include a municipal recreation center and cemetery. Additional information on the plans for growth and any historic sites should be included to substantiate this as a village center with the final application.

**The proposed Grand Isle Center area meets the requirements for a village center.**

**The Board cannot determine that the proposed Grand Isle Station village center meets the requirements for a village center unless suitable supporting information is provided.** The NRPC may provide supplemental information to document and justify that the Grand Isle Station village center is a traditional and historic central business and civic center with mixed uses and community economic activity for further consideration by the Board.

**Highgate:**

There are three legacy village centers in Highgate. All are proposed village centers with no changes to the boundaries except for the Highgate Springs center that has four residential parcels to the immediate south that are now proposed to be incorporated.

**Each of the proposed areas meets the requirements for a village center.**

**Isle Lamotte:**

A new village center is proposed along Main and School Streets in Isle Lamotte, centered around a historic district. The 42-parcel center does not include entire parcels and it is recommended that boundaries for the area follow parcel boundaries whenever feasible. The proposed village includes several civic sites including the municipal offices, cemetery, and fire department. It is not compact, but rather narrowly follows crossroads, and includes several areas of wetlands.

**The proposed area meets the requirements for a village center.**

**Advisory Recommendation:** Consider including entire parcels where feasible and to include parcels on both sides of streets to add depth and address wetland constraints.

**Montgomery:**

Montgomery has two village centers. Both have historic districts and legacy village centers. At the southern Montgomery Center village center it is proposed to expand the legacy area to the north along the mountain road to include 12 parcels, including a public safety and library building, and to the west along North Main Street to include four parcels including a public park and recreational facilities. At the Montgomery Village center, or northern village, minor expansions are also proposed - to the east on North Main Street that incorporates 6 parcels including the municipal garage; one parcel to the south that is accessed through Main Street parcels; and six parcels to the west along North Main Street. Both village centers include river corridor and floodplain in legacy areas.

**Each proposed village center meets the requirements for a village center.**

**North Hero:**

North Hero has a legacy village center around a historic district. The proposed village center follows the boundaries of this district with only one variation to include an entire parcel.

**The proposed area meets the requirements for a village center.**

**Richford:**

Richford has one legacy village center that is proposed to be expanded and ringed by village area. The area includes a historic district. The eastern expansion appears to include 30 parcels and ends with the school. The southern expansion is significant and includes parcels in the river corridor and floodplain. However, it includes the village gateway and provides depth to the existing village with several larger parcels that may be suitable for infill.

**The proposed areas meet the requirements for a village center.**

**Sheldon:**

There are two proposed village centers in Sheldon: Sheldon Springs and Sheldon Creek.

The Sheldon Creek village center is a legacy village centered on a historic district. This center is proposed to extend by four parcels to the south to include land owned by the town and a residential care home; and to the north by 16 parcels. This area includes mostly smaller residential properties fronting Main Street with the eastern properties bounded by river corridor. The two northernmost parcels of the proposed the Sheldon Creek Village Center are a very narrow portion of a larger parcel on the east and a portion of a farm on the west (1404 Main Street, 248 acres) for which related mapping revisions are provided under the “village area” section.

The Sheldon Springs village center follows the delineation of the legacy village around a historic district with the exception of a slight increase to include 27 small residential lots along School Street.

**Each of the proposed areas meet the requirements for a village center.**

**Advisory Recommendation:** Consider mapping revisions as identified elsewhere within the analysis for village areas, to transfer some areas from village center to village area.

**South Hero:**

There are two proposed village centers based on legacy village designations. The Keeler Bay center follows the legacy center boundaries with the exception of three additional parcels to the north including a commercial garage. The South Hero village, located to the south of Keeler Bay, also follows the legacy center boundaries with the minor expansion of one parcel to the west and two to the southeast. South Hero village features a mapped historic district, whereas Keeler Bay does not.

**Each of the proposed areas meet the requirements for a village center.**

**Saint Albans Town:**

St. Albans Town has a legacy village center based on a historic district and the proposed village center area follows the boundaries of the district without variation.

**The proposed areas meet the requirements for a village center.**

### **Swanton:**

A legacy village designation within Swanton Village is based on a historic district. This area is proposed to be village center with the addition of five parcels to the west and a significant area to the south and east along Main Street and First Street. The expanded area includes existing residential, commercial, and civic parcels including the school and municipal complex. While the center area is a large increase in size, it is logical as it includes the historic center of the town and residential and commercial neighborhood light zoning. The center includes part of Marble Mill Park located adjacent to the Missisquoi, and within the mapped River Corridor (legacy areas). This stretch of river is also home to numerous RTE Species as documented by the Agency of Natural Resources.

### **The proposed areas meet the requirements 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).

The FLU map proposes planned growth areas ("PGA"s) in the following municipalities: Enosburgh, Fairfax, Richford, St. Albans City, St. Albans Town, and Swanton. Following review comments are provided. Most comments are advisory; however, additional information or revisions are required for Richford and Swanton, as discussed below. **The plan text (page 109) indicates that five PGAs are proposed, and this number will need to be corrected for alignment with the mapping.**

**Enosburgh:** The PGA is north and south of the village center. The southern village area includes smaller parcels adjacent to the village utility and dam and the northern village area includes recreation areas, the rescue facility, and supermarket. The PGA buffers the historic village center and provides a transitional area.

**The areas meet the requirements for a planned growth area.**

**Fairfax:** The PGA surrounds the village center and includes several parcels to the south including the community park and residences. The area to the east includes a school parcel and two larger parcels suitable for infill. The eastern PGA includes several residential properties and excludes river corridor and floodplain. The parcel at 128 Fletcher Road is zoned rural and is agricultural and doesn't appear to be appropriate for the PGA. The PGA east of the village center along Main Street follows the growth center zoning district boundary. The parcel at 1271 Main Street is a farm that is partially in the PGA and includes an RTE species and should be considered for omission. The northern PGA extends up Buck Hollow Road to two existing residential subdivisions that may be more suitable for transition than PGA as these appear to be built out with common land. The northern PGA along Main Street extends to include a portion of a farm and several residences. The northernmost parcel contains wetlands and should be considered for

inclusion in rural general instead. The PGA is within a quarter of a mile of the village center and the inclusion of only a portion of the farm on the northwestern side of Main Street is appropriate and demarks the gateway to the village. The north end of the PGA appears to be in rural zoning and likely needs to be re-zoned for growth.

**The areas meet the requirements for a planned growth area.**

**Richford:** Richford's PGA falls into two parts to the north and south of the village center. The northern area includes a feed facility and farm on the periphery. Local zoning, plans for growth, complete street planning and walkable distance information is needed to evaluate and support the extent of this proposed PGA. The northern PGA area extends beyond ½ mile from the proposed village center. The southern area includes the gateway to Richford, extends to the elementary school, and provides depth to the village center.

**Required Revision:** The Board needs more information to make a determination as to whether the proposed areas in the northeast portion qualify as PGA. Revise the PGA mapping or provide additional supporting information as described above.

**St. Albans City:** The entire City is within a legacy growth center. The proposed PGA includes the portions of the City that are not in the downtown center with the exception of 15 properties in the Federal St. vicinity that are industrial and proposed to be enterprise FLU area. The entire PGA is served by municipal water and sewer and transit. The City's municipal plan is expired and will need to be confirmed prior to the final submittal.

**The areas meet the requirements for a planned growth area; however, St. Albans' City plan will need to be adopted and confirmed prior to final application to the Board.**

**St. Albans Town:** The proposed St. Albans Town PGA is centered on the St. Albans City. The northern portion of the PGA runs from the city line to Interstate 89 with the northern terminus at the Exit 20 gateway and includes properties along Route 7 along the western edge. The area has a variety of commercial, industrial, and residential uses in addition to the trailhead for the Mississiquoi Rail Trail. The area is served by municipal water and sewer and transit. The area is within the growth center overlay district and is mostly commercial and mixed residential commercial with some residential zoning as well. The western portion of the PGA is a combination of mixed uses and vacant land and is appropriate for infill. The eastern portion of the PGA runs between the edge of the City and Interstate 89 and includes hospital, State Police Barracks, and mixed residential and commercial uses. The southern portion of the PGA spans from the City's boundary south along Routes 7 and 104 to include several housing developments, a cemetery, and a variety of commercial uses.

**The areas meet the requirements for a planned growth area.**

**Swanton:** A PGA is proposed to ring the center. The western edge is on the other side of the Missisquoi River and includes a municipal park, historic society site, and is zoned moderate residential. The area provides depth to the village center. The southern portion of the PGA on the east side of the river includes a municipal park and a State armory and also provides depth to the village center. A thin yellow line of transition shows around the southern edge of the PGA and should be clarified or fixed. The eastern portion of the PGA includes a mix of residential and the school property. The northern portion of the PGA is the most significant extending from the river to the Interstate and is bounded on the north by Highgate. The area is zoned residential and includes a significant portion of existing residential. However, several larger parcels that could allow for infill or redevelopment are also included.

**The areas meet the requirements for a planned growth area.**

(C) Village Areas

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

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

- (i) The municipality has a duly adopted and approved plan and a planning process that is confirmed in accordance with section 4350 of this title.
- (ii) The municipality has adopted bylaws and regulations in accordance with sections 4414, 4418, and 4442 of this title.
- (iii) Unless the municipality has adopted flood hazard and river corridor bylaws, applicable to the entire municipality, that are consistent with the standards established pursuant to 10 V.S.A. § 755b (flood hazard) and 10 V.S.A. § 1428(b) (river corridor), the area excludes identified flood hazard and river corridors, except those areas containing preexisting development in areas suitable for infill development as defined in 29-201 of the Vermont Flood Hazard Area and River Corridor Rule.
- (iv) The municipality has either municipal water or wastewater. If no public wastewater is available, the area must have soils that are adequate for wastewater disposal.
- (v) The area has some opportunity for infill development or new development areas where the village can grow and be flood resilient.

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

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

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

The FLU map proposes a total of 20 village areas (“VA”s) in 13 municipalities. The Board provides the following review comments on each.

**Bakersfield:** The Bakersfield VA is proposed to be included in Tier 1B. It buffers the village center, includes parcels in all four directions, omits river corridor areas, and may present opportunities for infill. The VA extends typical approximately ¼ mile from the center.

**The areas meet the requirements for a village area.**

**Berkshire:** Berkshire has three proposed villages, and four VAs contiguous to the centers. The western and center VAs are around historic development and planned to accommodate additional growth. The eastern VA surrounds the existing historic center with expansions to both the north and south. The northern VA expansion is tight to the village and provides depth and inclusion of historic buildings. The southern VA includes agricultural lands and may be more transitional than VA. The VA in this area is approximately ¼ mile from the center.

**The areas meet the requirements for a village area.**

**Fairfield:** The East Fairfield VA includes two properties that were in the legacy village designation to the east and approximately six other parcels closer to the center. The southern VA area includes eleven parcels just to the south of the river corridor that form the southern edge of the historic settlement area. The northern edge of the VA includes 16 parcels that are on the northern side of the rail trail but within a quarter mile of the village center. There are two larger parcels that appear to be in agriculture that would allow for infill and are within the village zoning district. The rural general parcel to the north of the VA is also within the village zoning district but excluded from the village future land uses and the VA could have been extended further to the north but was not. The Fairfield Center VA includes eight parcels that were not partially part of the legacy center. This includes three parcels to the east of the center and includes the fire station. The western VA includes two larger parcels and a cemetery. These parcels are within ¼ mile of the village center and are zoned village. The outer edge of the western VA is within ½ mile of the center. It is noted that the area zoned village is significantly larger than the area proposed for both village center and VA.

**The areas meet the requirements for a village area.**

**Fairfax:** The proposed VA around the South Fairfax village center extends approximately ¼ mile around the village center and includes several larger parcels. While this provides depth for the center and the ability for infill, two agricultural parcels are included on the western edge. The Board map viewer does not include recently updated zoning for this area.

**Required Revision: The Board needs more information to make a determination as to whether the proposed areas in the western portion qualify as VA. Revise the VA mapping or provide additional information to support the proposed VA.**

**Fletcher:** The Fletcher Center VA extends to the south of the center to include the elementary school and a residential subdivision. The eastern edge of the VA includes a mapped rare, threatened, or endangered (“RTE”) site along Schoolcraft Road. Per the mapping methodology for village areas: “Protected natural resources may be included in this FLU area and the regional plan should note that those resources may be present and will need to be field verified during any development review process consistent with municipal and state requirements.” The final application should address this RTE site. The village area to the east and north are within approximately one third mile of the center and provide for possible infill within the existing residential pattern.

**The areas meet the requirements for a village area.**

**Advisory Recommendation:** Revise the VA mapping or provide more information to address the RTE site.

**Franklin:** The VA extends north from the village center, and east to include the municipal garage. The southern VA includes the entirety of two sizeable parcels that were partially in the legacy village (5115 Main St. and 114 Homestead Dr.) and 16 parcels along Main Street that include existing residences within the village zoning district. Not all of the village zoning is included in the proposed VA which extends not more than ½ mile from the center.

**The areas meet the requirements for a village area.**

**Georgia:** The Georgia Center VA extends north to a logical terminus and includes the school. The eastern area of the Georgia Center VA extends less than a ¼ mile and provides for the possibility of infill. The south end of the Georgia Center VA is similar. The western portion extends along Plains Road by three parcels on each side, and northerly buffering the center. It is recommended that the future land use area aligns with parcel boundaries within this area if possible in future drafts.

Regarding the Georgia South VA the area north along Ballard Road (164 Ballard Rd.) contains wetlands. The parcels at 26 Ballard Road and north behind the village center to the Interstate are appropriate for VA. East of Route 7 and north of the Ballard Road

intersection parcels are appropriate for VA and match the south village zoning. However, the parcel at 4095 Highbridge Road (Route 104A) appears to have mapped RTE species.

**Required Revision:** Revise the South Georgia Village Area mapping or provide more information in coordination with South Georgia Village Center mapping comments.

**Advisory Recommendation:** Revise the VA mapping or provide more information to address the RTE site and wetland areas.

**Grand Isle:** The VA is based on the Grand Isle Center village center and is only eight large parcels within ¼ mile of the legacy center. This includes four agricultural parcels with the western three parcels being zoned village and the eastern two being zoned rural residential agriculture. There are areas of wetlands in this VA. Availability of suitable on-site septic soils will be a limiting factor.

The Station VA is 35 parcels centered on a proposed village center. The area includes smaller residential parcels; however, the area is zoned rural residential agricultural and it is unclear how infill development could be accommodated. The final application should address the discrepancy between the zoning and the future land use area. The Station VA appears to need rezoning for more residential density than one unit per acre. Availability of suitable on-site septic soils will be a limiting factor.

**The Grand Isle Center Village Area meets requirements for a village area.**

**Required Revision:** Revise the Grand Isle Station VA mapping or provide more information in coordination with the Grand Isle Station Village Center mapping comments.

**Advisory Recommendation:** Address soils suitability as noted above.

**Highgate:** The proposed VA links the Falls and Center village centers. The Falls VA extends south of the village center less than ½ mile, and includes a residential areas. The Center's VA extends south and is within ¼ miles of each center and includes mixed uses and parcels suitable for infill. The Center's VA extends east to the rail trail and includes several businesses along Main Street within ¼ miles of the center. The eastern edge of the center VA is bounded on the north by the rail trail and on the south by the river and is within one third miles of the village center. This area includes a municipal parcel and several residences as well as larger residential lots suitable for infill. The northern Center VA extends past the rail trail to include areas around the Highgate Recreation facility and fields. There are several residences and utilities in this area; however, the VA also includes portions of four parcels that appear to be in agriculture. The Board's map viewer may not include the most recent local zoning information for Highgate. Additional information should be provided for inclusion of these four parcels. The west side of the Village Area doesn't appear to have suitable on-site septic soils.

**Required Revision:** The Board requires more information to make a determination as to whether the parcels in agricultural use qualify as VA. Revise the VA mapping or provide additional information to support these parcels being included in the proposed VA.

**Advisory Recommendation:** Address soils suitability and inclusion of agricultural parcels as noted above.

**St. Albans Town:** The VA rings the existing legacy village at the Bay and is within ½ miles of the center. The area includes a portion of the state historic district that was not included in the village center and legacy designation. The VA also includes an educational facility, a variety of residences, several businesses, and four agricultural properties. The four agricultural properties are perhaps areas for new settlement however are not well connected to the village, in working agriculture, and on the periphery of the VA. These four parcels appear to be partially rural and partially residential per the zoning layer of the Future Land Use and Tier 1A/B Viewer. However a review of the town's zoning map shows the entire area as residential with perhaps the rear of 551 Lake Road as zoned rural - consistent with the future land use map line. The two parcels at the eastern edge of the VA between Church Road and the Lake Road (692 Church Road and 69 Little County Road) appear to have a significant wetland running through the middle of them.

**The areas meet the requirements for a village area.**

**Advisory Recommendation:** Consider omitting the four noted parcels or reduce the scope of land included in the VA.

**Sheldon:** The Sheldon Creek VA extends to the north and east of the village center. The northern village area includes only seven parcels and is within ¼ mile of the village center. The narrow village center parcel east of Main Street and immediately south of the village area (1440 Main St.) may be best fully included in the VA excluding the river corridor (a sliver of this shows perhaps accidentally as VA). The area to the east of the center extends VA less than ¼ mile from the village center and includes 19 residences that will allow for infill. The Sheldon Springs VA extends from the village center to the east by six parcels and to the north by twelve parcels that are all smaller residential properties. The western VA extends between the rail trail and the school to include eight parcels along Sweet Hollow Rd. There are two larger parcels in this area that will allow for infill within ¼ mile of the core of the village center. The western VA also includes six parcels between Route 105 and Mill Street and excludes the river corridor. West of the river corridor the VA edge is defined by a residential development along High Street and several residences that frame the gateway to the village.

**The areas meet the requirements for a village area.**

**Advisory Recommendation:** Consider mapping revisions as noted above, and to transfer some areas from village center to village area, including the small area that is a portion of the 248-acre farm (1404 Main Street).

**South Hero:** The Keelers Bay VA includes six parcels to the north of the village center and four parcels to the east. There are a couple of wetlands in this area and 14 Ferry Road has a wetland that appears to be a significant portion of the site. The majority of the VA is to the south of the village center with over 20 parcels along Route 2 with residential development on larger parcels suitable for infill. A wetland is noted on 493 Route 2; however, it is to the rear of the parcel.

The South Hero VA is significant to the south of the center along South Street and includes the school, a cemetery, and a church. Only the road frontage of parcels are included; however, the parcels are large and inclusion of whole parcels would allow for infill without promoting strip development. The zoning is Village and reinforces planning for infill. A parcel at 269 Route 2 is split between the village center and village area. The VA appears to have a significant wetland complex that may render it unable to include significant infill. Sixteen parcels are proposed to be included in the VA to the north of the village center mostly along Hill Road within less than  $\frac{1}{4}$  mile from the center. The area includes a variety of residential parcels and a portion of a farm on the western edge. The parcel at 353 Route 2 is a farm; however, only the portion directly abutting the center is included in the VA. The furthest portion of the VA is just over  $\frac{1}{2}$  miles from the center.

**Each of the areas meets the requirements for a village area.**

**Advisory Recommendation:** Revise the South Hero VA mapping to omit or address the easternmost wetland areas as identified above.

(D) Transition or Infill Area

The statute describes “transition or infill areas” as:

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

24 V.S.A. § 4348a(a)(12)(D).

Transition/Infill areas are proposed in two areas of St. Albans Town (north of the PGA, and west of St. Albans City) and in two areas in Swanton (in the south along the border with St. Albans Town, and east of the Swanton Village Center). The plan indicates that

the intent of this land use category is to transform these areas into higher density, mixed-use settlements, or residential neighborhoods through infill and redevelopment or new development.

**Requested Revision: The Board asks the NRPC to:**

- **Identify specific strategies that are proposed for these areas.**
- **Clarify the status of water and wastewater infrastructure as required by 24 V.S.A. §4348(a)(12)(D) for each of these areas.**

(E) Resource-Based Recreation Area

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

Resource-based recreation areas have been identified along Lake Champlain in the Islands, in Swanton and on Lake Carmi.

**These areas meet the standards for Resource-based Recreation Areas.**

(F) Enterprise Areas

The statute describes “enterprise areas” as:

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

24 V.S.A. § 4348a(a)(12)(F).

Enterprise areas have been identified in Swanton, Sheldon, St. Albans Town, St. Albans Town, Highgate, Enosburgh, Georgia, and Grand Isles.

**These areas meet the standards for Enterprise Areas.**

(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).

Hamlets are identified in the region recognizing "historic settlement clusters where no growth is currently planned." These include Hamlets identified in Franklin, Richford, Highgate, Sheldon, Alburgh, Georgia, and Enosburgh.

**These meet the statutory description for Hamlets.**

(H)–(J) Rural Areas

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

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

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

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

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.

**Required Revision: Clarify that mapping of Rural-Conservation encompasses all mapped wetlands in the rural FLU areas over five acres in size (see figure 5, page 114, and update Rural-Conservation mapping as applicable).**

**Advisory Recommendations:**

- Knight Island and Wood Island are state parks offering primitive camping. Consider mapping them primarily as Resource-based Recreation, rather than Rural – Agriculture and Forestry.

- Brookside Campground in Enosburg is mapped as Rural – Agriculture and Forestry. This appears to be a permanent RV park. Consider remapping as Rural – General.

### **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 request is consistent with six subsections of 10 V.S.A. § 6033(c). The Commission will also need to reference back to Section I(D)(12)(A)-(C) of this preapplication response related to the land use categories and make any necessary changes to conform with the requirements of 24 V.S.A. § 4348a(a)(12)(A)-(C).

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

- (1) The municipality has requested to have the area mapped for Tier 1B.
- (2) The municipality has a duly adopted and approved plan and a planning process that is confirmed in accordance with 24 V.S.A. § 4350.
- (3) The municipality has adopted permanent zoning and subdivision bylaws in accordance with 24 V.S.A. §§ 4414, 4418, and 4442.
- (4) The area excludes identified flood hazard and fluvial erosion areas, except those areas containing preexisting development in areas suitable for infill development as defined in Section 29-201 of the Vermont Flood Hazard Area and River Corridor Rule unless the municipality has adopted flood hazard and river corridor bylaws applicable to the entire municipality that are consistent with the standards established pursuant to subsection 755(b) of this title (flood hazard) and subsection 1428(b) of this title (river corridor).
- (5) The municipality has water supply, wastewater infrastructure, or soils that can accommodate a community system for compact housing development in the area proposed for Tier 1B.
- (6) The municipality has municipal staff, municipal officials, or contracted capacity adequate to support development review and zoning administration in the Tier 1B area.

10 V.S.A. § 6033(c)

The NRPC requested Tier 1B status and areas for the following 17 municipalities: Bakersfield, Berkshire, Enosburgh Town, Enosburgh Falls Village, Fairfax, Fairfield, Fletcher, Franklin, Georgia, Highgate, Richford, Sheldon, St. Albans City, St. Albans Town, Swanton, Grand Isle, North Hero, and South Hero. Municipal resolutions were provided for each of 10 of these municipalities, documenting various municipal-specific information relevant to its Tier 1B area request, in particular its plan to ensure adequate staffing. Resolutions were not provided for Enosburgh, Enosburgh Falls, Fairfax, Fairfield, Fletcher, Franklin, Richford, and Grand Isle.

**At this time, it appears that the 17 municipalities and proposed Tier 1B areas can meet the requirements for Tier 1B status as enumerated in 10 V.S.A. 6033(c), providing required revisions are made and additional information is provided, as follows:**

- To the extent, that the underlying future land use areas did not meet the requirements of 24 V.S.A. § 4348a(a)(12)(A)-(C) as identified in Section I(D)(12)(A)-(C) of this preapplication response, additional revisions are necessary before Tier 1B status can be conferred. Required revisions are detailed accordingly by municipality for these Downtown and Village Centers and Planned Growth Areas.
- Submit municipal resolutions for Enosburgh Town, Enosburgh Falls Village, Fairfax, Fairfield, Fletcher, Franklin, Richford, and Grand Isle, containing the same or similar information as found within the municipal resolutions provided for the other ten towns requesting Tier 1B status.
- The City of St. Albans' expired municipal plan will require readoption and confirmation for the city to be considered for Tier 1B status.
- Revise the Tier 1B digital map layer to show single Tier 1B feature rather than multiple features according to proposed FLU boundaries.

**Advisory Recommendations:**

- In the town of Richford, there are a substantial number of parcels included in the Tier 1B area that are in the river corridor. These all appear to be part of the legacy village center and thus may be included. Given the substantial amount of river corridor and flood hazard area in Richford, the Board recommends that the NRPC make a commitment to work with the town to adopt compliant river corridor and flood hazard regulations.
- As NFIP flood hazard mapping of the region advances, and is subject to change, it will be important to ensure that municipal river corridor and flood hazard bylaws are in effect in municipalities with flood hazard areas within Tier 1B areas.

**II. CONCLUSION**

To the extent that a statutory standard is indicated above as not met, the Board requests that the NRPC revise the plan to address the deficiency or provide additional information with the adopted regional plan application to address the identified deficiency. Such items are listed as "required revisions" or "required supplemental information." Other proposed revisions indicated above as "advisory recommendations" are optional.

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

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

Dated December 12, 2025

Sincerely,

/s/ Kirsten Sultan

Kirsten Sultan

Adopted by the Board at the December 12, 2025 meeting.

## RECIPIENT LIST

A copy of the foregoing **Preapplication Response Letter** for RPC08-0001 has been sent on December 12, 2025, to the following individuals by electronic mail:

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Dated December 12, 2025,

/s/ Madeline Cotter

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