



From: [Kati Gallagher](#)
To: [Act250 - Board](#)
Cc: [Lauren Hierl](#); [jgroveman](#)
Subject: VNRC Comments Re: Rutland RPC Pre-application
Date: Thursday, October 23, 2025 3:32:24 PM
Attachments: [Regional Plan Preapplication Review Comment Form_VNRC.pdf](#)
[Rutland FLUM Comments_VNRC.pdf](#)

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Dear Chair Hurley,

On behalf of the Vermont Natural Resources Council, thank you for the opportunity to comment on the Rutland Regional Planning Commission's draft Future Land Use Map, and for all of your work to move forward this momentous change in Vermont's land use planning framework.

VNRC's comments can be found in the attached Preapplication Review Form, as well as a separate letter that includes additional general comments and comments specific to Tier 1B eligibility.

Please let us know if you have any questions or if a change in formatting would aid in your review of our comments.

Sincerely,
Kati Gallagher

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**PREAPPLICATION REVIEW: COMMENT FORM
DRAFT REGIONAL PLAN**

Regional Planning Commission: Rutland Regional Planning Commission

Submission Date: October 23, 2025

State Agency: N/A

Name of Reviewer: Kati Gallagher, Vermont Natural Resources Council; Brian Shupe; Sharon Murray

Reviewer Email: kgallagher@vnrc.org

INSTRUCTIONS

Who can submit this form?

If a state agency wishes to make comments on a filed preapplication, this form **must** be used. Members of the public may also use this form to provide written comments or can provide verbal comments at a Board meeting during the preapplication 60-day review period.

How to submit this form?

This comment form must be submitted electronically by emailing a PDF copy to **Act250.Board@vermont.gov** within **30 days** from notification that the Board has deemed a preapplication complete.

What is the scope of comments?

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

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

What does conformance mean?

Because the draft regional plan is prospective in nature, the Board will review the preapplication to determine if the draft regional plan were implemented in its entirety:

	Would the draft regional plan lead to substantial progress toward meeting the state goals in 24 V.S.A. 4302;
	Whether the draft regional plan contains the requirements of 24 V.S.A. § 4348a;
	If the draft regional plan includes neighborhood designations, whether the requirements of 24 V.S.A. §§ 5803 and 5804 are met.
	If the draft regional plan includes proposed s Tier 1B areas, whether the requirements of 10 V.S.A. § 6033(c) are met.

OUTREACH AND NOTIFICATION

COMMUNITY OUTREACH AND MEANINGFUL PARTICIPATION IN PLAN DEVELOPMENT

24 V.S.A. § 4348 calls on Regional Planning Commissions to “allow for meaningful participation” in the adoption and amendment of a regional plan. Meaningful participation is defined in 3 V.S.A. § 6002. This section reports on the community outreach efforts undertaken for this plan’s development that advance meaningful participation, including information about engagement of Environmental Justice Focus populations, also defined in 3 V.S.A. § 6002.

Does the preapplication include information about the outreach strategy, how the RPC sought to reach Environmental Justice Focus populations in the development of this plan, and the results of these efforts?

Click or tap here to enter text.

PART A – CONSISTENCY WITH STATE PLANNING GOALS

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

In this section, the applicant must provide detailed information about how the plan meets the general and specific goals outlined in 24 V.S.A. § 4302(b) and § 4302(c).

4302(b) – GENERAL GOALS

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

Comments: [Click or tap here to enter text.](#)

4302(c) – SPECIFIC GOALS

Goal 1: To plan development so as to maintain the historic settlement pattern of compact village and urban centers separated by rural countryside.

- (A) Intensive residential development should be encouraged primarily in downtown centers, village centers, planned growth areas, and village areas as described in section 4348a of this title, and strip development along highways should be avoided. These areas should be planned so as to accommodate a substantial majority of housing needed to reach the housing targets developed for each region pursuant to subdivision 4348a(a)(9) of this title.

- (B) Economic growth should be encouraged in locally and regionally designated growth areas, employed to revitalize existing village and urban centers, or both.
- (C) Public investments, including the construction or expansion of infrastructure, should reinforce the planned growth patterns of the area.
- (D) Development should be undertaken in accordance with smart growth principles as defined in subdivision 2791(13) of this title.

Comments: RRPC's FLUM includes several proposed Village Center (VC), Village Area (VA) and Planned Growth Area (PGA) designations that do not meet applicable statute. If approved by the LURB, these areas will not foster the land use patterns that are envisioned by Goal 1.

We urge the LURB to avoid allowing overly expansive designations that will lead to high-impact, scattered development patterns that will be difficult if not impossible to correct in the future. While being overly conservative in how growth areas are defined is also a mistake, it is one that can be corrected with future Regional Plan and FLUM approvals.

Are the proposed designated areas (downtown and village centers, planned growth areas, and village areas) adequate to accommodate the regional housing targets as required by 24 V.S.A. § 4202(c)(1)(A)?

Comments: Click or tap here to enter text.

Goal 2: To provide a strong and diverse economy that provides satisfying and rewarding job opportunities and that maintains high environmental standards, and to expand economic opportunities in areas with high unemployment or low per capita incomes.

Comments: Click or tap here to enter text.

Goal 3: To broaden access to educational and vocational training opportunities sufficient to ensure the full realization of the abilities of all Vermonters.

Comments: Click or tap here to enter text.

Goal 4: To provide for safe, convenient, economic, and energy efficient transportation systems that respect the integrity of the natural environment, including public transit options and paths for pedestrians and bicyclers.

- A) Highways, air, rail, and other means of transportation should be mutually supportive, balanced, and integrated.

Comments: Click or tap here to enter text.

Goal 5: To identify, protect, and preserve important natural and historic features of the Vermont landscape, including:

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

Comments: Click or tap here to enter text.

Goal 6: To maintain and improve the quality of air, water, wildlife, forests, and other land resources.

- A) Vermont's air, water, wildlife, mineral, and land resources should be planned for use and development according to the principles set forth in 10 V.S.A. § 6086(a).
- B) Vermont's water quality should be maintained and improved according to the policies and actions developed in the basin plans established by the Secretary of Natural Resources under 10 V.S.A. § 1253.
- C) Vermont's forestlands should be managed so as to maintain and improve forest blocks and habitat connectors.

Comments: Click or tap here to enter text.

Goal 7: To make efficient use of energy, provide for the development of renewable energy resources, and reduce emissions of greenhouse gases.

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

Comments: Click or tap here to enter text.

Goal 8: To maintain and enhance recreational opportunities for Vermont residents and visitors.

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

Comments: Click or tap here to enter text.

Goal 9: To encourage and strengthen agricultural and forest industries.

- A) Strategies to protect long-term viability of agricultural and forestlands should be encouraged and should include maintaining low overall density.
- B) The manufacture and marketing of value-added agricultural and forest products should be encouraged.
- C) The use of locally-grown food products should be encouraged.
- D) Sound forest and agricultural management practices should be encouraged.
- E) Public investment should be planned so as to minimize development pressure on agricultural and forest land.

Comments: Click or tap here to enter text.

Goal 10: To provide for the wise and efficient use of Vermont’s natural resources and to facilitate the appropriate extraction of earth resources and the proper restoration and preservation of the aesthetic qualities of the area.

Comments: Click or tap here to enter text.

Goal 11: To ensure the availability of safe and affordable housing for all Vermonters.

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

Comments: Click or tap here to enter text.

Goal 12: To plan for, finance, and provide an efficient system of public facilities and services to meet future needs.

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

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

Comments: Click or tap here to enter text.

Goal 13: To 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.

Comments: Click or tap here to enter text.

*** Goal 14: (14) To encourage flood resilient communities.**

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

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

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

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

Comments: Click or tap here to enter text.

Goal 15: To equitably distribute environmental benefits and burdens as described in 3 V.S.A. chapter 72

Comments: Click or tap here to enter text.

PART B – CONSISTENCY WITH THE PURPOSES OF A REGIONAL PLAN

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

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

24 V.S.A. § 4347 – PURPOSES OF A REGIONAL PLAN

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

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

Comments: Click or tap here to enter text.

PART C – REQUIRED ELEMENTS OF A REGIONAL PLAN

Per 24 V.S.A. § 4348(h)(4), for the Land Use Review Board to issue a determination of plan compliance, it must find that the plan is consistent with the regional plan elements as described in 24 V.S.A. § 4348a, except that the requirements of 24 V.S.A. § 4352 related to enhanced energy planning are under the sole authority of the Department of Public Service.

The application must provide details about how the regional plan is consistent with the regional plan elements listed below.

(1) 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

Comments: Click or tap here to enter text.

(2) 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.

Comments: Click or tap here to enter text.

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

Click or tap here to enter text.

(3) 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.

Comments: Click or tap here to enter text.

(4) 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.

Comments: [Click or tap here to enter text.](#)

(5) 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.

Comments: [Click or tap here to enter text.](#)

(7) 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.

Comments: Click or tap here to enter text.

(8) A statement indicating how the regional plan relates to development trends, needs, and plans and regional plans for adjacent municipalities and regions.

Comments: Click or tap here to enter text.

(9) 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.

Comments: Click or tap here to enter text.

(10) An economic development element that describes present economic conditions and the location, type, and scale of desired economic development, and identifies policies, projects, and programs necessary to foster economic growth.

Comments: Click or tap here to enter text.

(11)(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.

Comments: Click or tap here to enter text.

(12) A future land use element, based upon the elements in this section, that sets forth the present and prospective location, amount, intensity, and character of such land uses in relation to the provision of necessary community facilities and services and that consists of a map delineating future land use area boundaries for the land uses in subdivisions (A)–(J) of this subdivision (12) as appropriate and any other special land use category the regional planning commission deems necessary; descriptions of intended future land uses; and policies intended to support the implementation of the future land use element using the land use categories as defined by 24 V.S.A. § 4348a(a)(12)

Applicants must use the following mapping checklist to demonstrate conformance with this required element of the regional plan.

Definitions for each land use category can be found in [24 V.S.A. § 4348a\(a\)\(12\)](#). In addition, [Mapping Process and Standards v 3.0](#) summarizes the methodology and planning considerations followed by RPCs in developing the future land use map.

Comments: As noted in the Regional Plan Approval Criteria Summary developed by the LURB, Act 181 is designed to hold Regional Planning Commissions accountable for consistency with applicable state statutes regarding the content and adoption of Regional Plans. While we understand that the LURB is reviewing RRPC’s draft FLUM in accordance with 10 V.S.A. §6033 and 24 V.S.A. §4348a at this time, it is important to note that the FLUM is a key component of the Regional Plan. To that end, our comments are based, in part, on whether proposed map designations are consistent with the applicable planning and development goals, as well as the state's definition of Smart Growth and Strip Development.

Downtown Center

Municipalities with a Downtown Center:

Municipality	Downtown Center Name	Boundary Note (optional)
Rutland City	Click or tap here to enter text.	Click or tap here to enter text.
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.

- RPC mapped this area consistent with the mapping process and standards.
- RPC mapped this area consistent with the mapping process and standards with the following modifications to address local and regional context:

Comments: Our review of a proposed center considered whether, as mapped, a proposed center is consistent with relevant state planning goals and smart growth principles, and Act 250 – i.e., whether it maintains the historic development pattern of a compact village or urban center separated by rural countryside, generally avoids strip development (as also defined under Act 250), and allows for a mixed-use center at a scale appropriate for the community and the region. Our review noted:

- All four Downtown Centers as proposed generally meet the statutory FLU definition of a center, are served by municipal water and sewer and, except for Fair Haven, have both zoning and subdivision regulations.-
- Within the Rutland City DC, certain additional areas to the west and south of the legacy boundary (zoned industrial), and gateway business areas to the northwest (RT7, RT 4) do not have the characteristics of a traditional, central business district, and as such may be better included in a Transition or Planned Growth Area. A portion of the proposed expansion area on the east side (MR1 District) is more

characteristic of a residential neighborhood, as also allowed within a Planned Growth Area.

We also reviewed proposed Downtown and Village Centers under related mapping guidance (Future Land Use Methodology and Process, Version.3.0, April 18, 2025):

- "That there should generally be one Downtown Center in each region."
 -- As proposed there are three legacy downtown centers, and the existing Fair Haven Village Center is anticipated to qualify as a proposed Downtown Center prior to year-end.

Village Center

Municipalities with a Village Center:

Municipality	Village Center Name	Boundary note (optional)
Castleton	Four Corners-Hydeville	Click or tap here to enter text.
Mendon	Click or tap here to enter text.	Click or tap here to enter text.
Pittsford	Click or tap here to enter text.	Click or tap here to enter text.
Killington	Click or tap here to enter text.	Click or tap here to enter text.
West Haven	Click or tap here to enter text.	Click or tap here to enter text.
Shrewsbury	Cuttingsville	Click or tap here to enter text.

- RPC mapped this area consistent with the mapping process and standards.
- RPC mapped this area consistent with the mapping process and standards with the following modifications to address local and regional context:

Comments: Most new and expanded Village Centers, as proposed, are consistent with the statutory definition of Village Center and relevant state planning goals – they are generally representative of traditional village centers that include a mix of uses, though in more rural areas this may be limited to a few homes, businesses, and a civic building or two. Proposed expansions often include some undeveloped land that, where supported by local zoning, could allow for more housing and mixed use development within walking distance of the existing center. As proposed most Village Centers are also generally “compact” and walkable – typically less than a half mile in overall length and width. Of note, however:

- The proposed Four Corners-Hydeville VC along RT 4 in Castleton is around 1.5 miles in length and extends between two existing (legacy) village centers, thereby incorporating a half mile of lower density,

auto-oriented residential and commercial strip development in between. The additional area as mapped is limited largely to road frontage, allowing for additional strip development between the two historic centers. This pattern of development is not consistent with the statutory definition, and might more appropriately be mapped, with some added depth (e.g., to the north), as Village or Planned Growth Area centered on each of the existing centers, that allow for better integrated, higher density residential or mixed use development within walking distance of each center, outside the highway corridor.

- The proposed expansion of the legacy Mendon VC, extending almost a mile along RT 4 road frontage to incorporate several businesses and some undeveloped land, is also more characteristic of strip development than a compact center. With some additional depth, this may more appropriately be included within an adjoining Village Area.

- The proposed expansion of the legacy Pittsford VC, extending the center nearly 1.5 miles along RT 7 road frontage, is also more characteristic of strip development, and may be more appropriately included within the adjacent planned growth area, within walking distance of the existing center, to allow for more integrated, higher density housing and mixed use development off of RT 7 in this area.

- The proposed Killington VC (new) as mapped is also a very linear, largely auto-oriented commercial strip extending over 4 miles along Killington Road frontage, from RT 4 to the ski area. It does not include historic properties, municipal or civic uses, or adjoining areas – it clearly does not meet the statutory FLU definition of a traditional, historic village center. Given its length and lack of depth, it is not compact or readily walkable and would appear to further promote strip development along the highway corridor – it is also not consistent with relevant state planning goals. Given the recreation-based development history of this area, and largely ski-area related uses, this would more appropriately be mapped as a Resource-based Recreation Area.

We also reviewed proposed Downtown and Village Centers under related mapping guidance (Future Land Use Methodology and Process, Version.3.0, April 18, 2025):

- "That there should generally be at least one Village Center in each town, provided the area meets the statutory definition."

- Most towns in the region have more than one proposed Village Center, as allowed, to include both new and legacy centers.

- The proposed West Haven VC, while the only mapped center in the Town of West Havn, is very small, and includes few structures or uses – it does not appear to meet the statutory definition of a traditional or historic village center, and as such might be more appropriately mapped as a Hamlet.

- "Village Centers not meeting Tier 1B requirements should still be included on the FLUM, to qualify for state designation benefits."

- Not all Centers shown on the proposed FLUM qualify for Tier 1B status (see below), due to the absence of an eligible historic district or historic properties, or one or more regulations, as required for state designation and Tier 1B

If a Village Center includes protected natural resources, the municipal plan [where available] should note that these resources may be present and will need to be field verified during any development review. Many of the existing and proposed Centers include mapped flood hazard areas, river corridors, wetlands, and RTEs as determined from available data layers. Given that no plan or regulations are required for initial mapping and designation as a Village Center, this alone does not preclude FLU mapping but may limit

subsequent village development. For example:

- We observed that the newly proposed Cuttingsville VC in Shrewsbury, which otherwise appears to meet FLU criteria including an historic district, is largely located within a mapped flood hazard area and river corridor.
- Many of the proposed Centers are covered under the NFIP, based on locally adopted flood hazard area regulations, but these were not reviewed to determine if they also meet state flood hazard area standards, especially as applicable to infill development within these areas, since this is not a requirement for initial mapping as a Downtown or Village Center FLUA.

Of particular note – to qualify for state designation as a new or expanded downtown or village “Center” as defined under 24 V.S.A. § 5801(12), the proposed center as shown on the FLUM must also represent “...a contiguous downtown or village a portion of which is listed or eligible for listing in the national register of historic places...” Grandfathered preexisting nonconforming (legacy) centers in existence on or before December 31st may also qualify for state designation.

- It was noted in our review that the following new or expanded legacy Village Centers as mapped do not incorporate a registered historic district, and therefore may not meet this requirement, unless they are found to include unidentified historic properties that may otherwise be eligible for district listing: Benson VC (expansion); Forest Dale VC (new); North Clarendon VC (new); Danby Village VC (expansion); South Fair Haven VC (new); Ira VC (expansion); Killington VC (new); Mendon VC (expansion); Mount Holly VC (new); Mount Tabor VC (new); Sudbury VC (expanded)

Planned Growth Area

Municipalities with a Planned Growth Area:

Municipality	Planned Growth Area Name/Description	Boundary note (optional)
Brandon	Click or tap here to enter text.	Click or tap here to enter text.
Proctor	Click or tap here to enter text.	Click or tap here to enter text.
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.

Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
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- RPC mapped this area consistent with the mapping process and standards.
- RPC mapped this area consistent with the mapping process and standards with the following modifications to address local and regional context:

Comments: We found that the RRPC has generally done a good job of identifying areas that will allow designated existing villages to expand in a logical, efficient manner without allowing significant leap-frogging, scattered development into areas characterized predominately by rural settlement patterns. However, large areas of several proposed PGAs are not “within walking distance of for residents who live within and surrounding the core.” These include:

- A large portion of the northern boundary of the proposed Brandon PGA along Route 7 and Arnold District Road are well over a mile from the VC with very limited pedestrian infrastructure, while portions of the proposed PGA southwest along Union Street, south along Carver Street and north along Prospect Street are in excess of 0.8 miles from the VC, also with limited or no pedestrian infrastructure.
- Proctor’s proposed PGA south along South and West Streets are both well above 0.75 miles from the edge of the VC, and the West Street section lacks pedestrian infrastructure at the southern section of the boundary.

Village Area

Municipalities with a Village Area:

Municipality	Village Area Name/Description	Boundary note (optional)
Castleton	Hydeville; Four Corners	Click or tap here to enter text.
Wallingford	Click or tap here to enter text.	Click or tap here to enter text.
Fair Haven	Click or tap here to enter text.	Click or tap here to enter text.
Pawlet	West Pawlet	Click or tap here to enter text.
Pittsford	Click or tap here to enter text.	Click or tap here to enter text.
Poultney	Click or tap here to enter text.	Click or tap here to enter text.

- RPC mapped this area consistent with the mapping process and standards.
- RPC mapped this area consistent with the mapping process and standards with the following modifications to address local and regional context:

Comments: Our review found that RRPC has taken some unusual approaches to mapping VAs that, in several instances, do not comply with statute. These include:

- Areas that do not “include a designated village center” - that is, not contiguous to a village center but rather is separated from the Village Center by another land use designation that separates the VA from the VC. This was an important legislative consideration to facilitate the planned, coherent growth and expansion of existing, village centers in a manner that extends traditional village and neighborhood settlement patterns and are generally eligible for “Neighborhood” designation due to the concentration of housing. In several instances, the FLUM identifies PGAs adjacent to VCs, while identifying VAs that are located further from the VC and are more often than not characterized by low density residential development and farm and forest land. Such areas would more appropriately be designated as one of the Rural land use categories. Examples of proposed VAs that do not comply with this requirement include:

- Castleton, including a large expanse of land south of Hydeville, along Blissville and Rice Willis Roads, land south of Castleton University, a linear strip of land along Route 4a to the Poultney town line, and land northeast of Castleton Four Corners.
- Fair Haven, including land north of Route 4 and east of the downtown along River Street and along Route 4A.
- Pawlet northeast of West Pawlet along Route 153.
- Pittsford northeast of Route 7 to Grangerville
- Poultney, including large tracts of farmland and scattered residences both south and north of Poultney Village, along Rt. 140 between Poultney Village and north of East Poultney.

- Areas that are not “composed of a cohesive mix of residential, civic, religious, commercial or mixed-use buildings arranged along a main street with intersecting streets...” (note that walking distance is addressed separately, below). Several of the proposed VAs are characterized by scattered, low density residential development and farm and forest land, not the mix of uses and intersecting street network called for in Act 181. While we understand that identifying areas for the expansion of existing villages will inevitably include undeveloped land, it is important to consider whether municipal policies, including land use regulations and capital improvement plans, will result in the settlement pattern envisioned in the law.

The HOME Act, adopted by the legislature in 2023, requires municipalities with wastewater and water infrastructure to allow a minimum of five dwellings per acre to promote traditional settlement patterns in and around existing villages and downtowns. In their publication *Enabling Better Places: A Zoning Guide for Vermont Neighborhoods*, the Vermont Department of Housing & Community Development recommends eliminating housing density caps and ensuring that minimum lot sizes reflect historic patterns in adjacent village centers and neighborhoods.

While review and approval of local policies is not an explicit requirement of the FLUM approval process, it is

a critical step in understanding whether the various land use designations will achieve the standards for approval. A review of some of the policies in communities with proposed VAs indicate that is not possible without significant changes in land use and infrastructure policy. For example:

- Much of the area designated as VA in the Town of Castleton is zoned as Residential-20,000 (R-20), which requires a minimum lot size of 20,000 square feet if served by municipal wastewater, and 40,000 square feet if not, and non-residential uses require a minimum lot size of two acres. Significant portions of the proposed VA are not included within the designated wastewater service areas. In addition, multi-family dwellings are not allowed in the district, and few commercial uses are allowed.
 - Much of the area designated as VA in the Town of Fair Haven is zoned Commercial, which requires a minimum lot area of 40,000 square feet per dwelling if not connected to municipal wastewater (6,500 square feet if connected). Significant portions of the proposed VA are not included within the designated wastewater service areas.
 - Much of the predominately farm and forest land designated as VA in Poultney is included in the Town's Future Utilities District, which requires a minimum lot of 25,000 square feet for properties served by municipal wastewater and two acres for homes with on-site septic. Significant portions of the proposed VA are not included within the designated wastewater service areas.
 - The bulk of the land designated as VA in Pittsford is included in the Town's Rural District, which requires a minimum lot size of one acre for a single-family dwelling, 20,000 square feet plus 15,000 square feet for each multi-family dwelling unit, and two acres for all other uses. Further, much of the land adjacent to Route 7 and Route 3 designated as VA is zoned Commercial (an example of zoning for commercial strip development) and requires comparable lot size and dimensional standards as in the Rural District. Significant portions of the proposed VA are not included within the designated wastewater service areas.
 - Areas north and east of the proposed Wallingford Village Center and the "Timber Hill Estates" area south along Route 7, none of which is contiguous to the proposed VC. These areas are not included within the designated wastewater service areas.
 - The proposed VA surrounding Benson's VC seems large relative to the region's housing targets, although it does coincide with the town's sewer service area. Zoning for the area, however, requires a minimum lot size of one acre, which will not achieve the characteristics of a VA. These areas may, at a future date, be eligible for VA designation after the nearby VC, other areas closer to the VC, or PGA, have expanded in a traditional village-scale pattern of development, and additional need for new and expanded neighborhoods are warranted – and after the municipality has put the land use policies and infrastructure in place to achieve the development pattern called for in statute. The regional planning process is ongoing and meant to adapt to changing circumstances and community needs. Designating these areas as VA is premature at this time.
- Areas that are not "within walking distance for residents who live within and surrounding the core." A key legislative goal in enacting Act 181 was to support longstanding planning and development goals of facilitating the development of compact, walkable communities in and around traditional Village Centers and Downtowns. This requires that areas planned for village expansion be located within what is widely accepted to be a maximum of one-quarter to a half-mile from core services and facilities, and be served with adequate pedestrian infrastructure (e.g., sidewalks, walking and multi-use paths, complete streets). Several of the proposed VAs are located considerably farther from the VC and/or are not served by any pedestrian infrastructure. Such areas include:

- The southern extent of the proposed VA in Castleton is over one mile from the Four Corners area with no pedestrian infrastructure until you are approximately one-quarter mile into the proposed VC.
 - The proposed VA area north east of West Pawlet Village is approximately 0.7 miles from the VC boundary and lacks pedestrian facilities except in the very core of the Center.
 - The northern extent of Fair Haven’s proposed VA designation is approximately 1.6 miles from the downtown, as the crow flies. There are no sidewalks or other pedestrian infrastructure serving that area north of Route 4.
 - Pittsford’s proposed VA is roughly two and a half miles north to south, and various distances from the edge of the mapped area lying between 0.85 and 1.4 miles distance from the mapped VC. Other than sidewalks along Route 7 in the mapped VC, there is very little pedestrian infrastructure within the proposed VA.
- Some areas within a proposed VA do not have “soils that are adequate for wastewater disposal.” VNRC is concerned that Group III soils do not meet the statutory definition of “adequate for wastewater disposal,” as the USDA Natural Resources Conservation Service defines these soil categories as being “composed of soil map units that have a greater degree of limitations than Group II. They may require more intensive on-site investigations to locate suitable areas or they may require more sophisticated designs to overcome the limitations. Soil map units with a shallow seasonal high-water table may require seasonal on-site monitoring of the water table to determine if the site is suitable. Some areas of these soil map units may not be suited for soil-based wastewater disposal systems.” Given the limitations of Group III soils to meet these development goals, we would urge the LURB to use caution in considering their inclusion in VA designations.

After extensive discussion in the legislature, it was agreed that VA designation should not be limited to areas served by municipal wastewater provided soils are adequate to accommodate on site wastewater disposal that would allow traditional, compact settlement patterns to accommodate the expansion of existing villages. As noted earlier, several communities require relatively large lots (one acre+) for residential development that is not connected to municipal wastewater, including large acreages outside of wastewater service areas. These include:

- Castleton, where the proposed VA south of Hydeville with suitable soils are separated from the VC by significant class 2 wetlands and floodplain, which will prevent the area from serving as a logical extension of the VC. In addition, large portions of the southernmost area proposed as VA also include extensive areas of marginal soil types, including areas with high seasonal groundwater levels and others with less than 18” to bedrock.
 - Poultney, where large areas south of the VC consist of soils with high seasonal groundwater levels and shallow depth to bedrock.
- We did not undertake an exhaustive review of what municipalities have adopted required land use regulations, although based on a review of the Vermont Planning Atlas and municipal websites it appears as though some communities have not adopted subdivision regulations (Fair Haven, Pittsford, Killington) or zoning (Mount Holly, Wells, Middletown Springs). We urge the LURB to independently verify that all communities have in place municipal plans, zoning bylaws and subdivision regulations (or unified development bylaws) before approving VA or PGA designations.

Further, some proposed Village Areas encompass streams and associated floodplain and wetland areas, but it is not clear whether the municipality has adopted flood hazard and river corridor areas, as required by statute. While the RRPC has clearly made an effort to exclude several areas of floodplain and river corridor from VA and PGA designations, there are several examples where such areas were not excluded. These include:

- In Pawlet significant areas identified as river corridor and floodplain along the Flower Brook are proposed as VA.
- Brandon, despite having adopted floodplain and river corridor regulations, we do not believe much of the area adjacent the Neshobe River west of Route 7 would be eligible for infill development due to the lack of existing buildings in this corridor.

Enterprise Areas

- RPC mapped this area consistent with the mapping process and standards.
- RPC mapped this area consistent with the mapping process and standards with the following modifications to address local and regional context:

Comments: Click or tap here to enter text.

Transition Areas

- RPC mapped this area consistent with the mapping process and standards.
- RPC mapped this area consistent with the mapping process and standards with the following modifications to address local and regional context:

Comments: Click or tap here to enter text.

Resource-based Recreation Areas

- RPC mapped this area consistent with the mapping process and standards.
- RPC mapped this area consistent with the mapping process and standards with the following modifications to address local and regional context:

Comments: As noted above, the proposed Killington VC is a very linear, largely auto-oriented commercial strip extending over 4 miles along Killington Road frontage, from RT 4 to the ski area. It does not include historic properties, municipal or civic uses, or adjoining areas – it clearly does not meet the statutory FLU definition of a traditional, historic village center. The area is not compact or readily walkable and would appear to further promote strip development along the highway corridor. Given the recreation-based development history of this area, and largely ski-area related uses, this would more appropriately be mapped as a Resource-based Recreation Area.

Hamlets

- RPC mapped this area consistent with the mapping process and standards.
- RPC mapped this area consistent with the mapping process and standards with the following modifications to address local and regional context:

Comments: Click or tap here to enter text.

Rural Areas: General

- RPC mapped this area consistent with the mapping process and standards.
- RPC mapped this area consistent with the mapping process and standards with the following modifications to address local and regional context:

Comments: We have a significant concern regarding how rural areas are depicted on the FLUM. It was a useful exercise to identify a radius around E911 points to help determine where clusters of low-density residential development are located, like justifying designation as a Rural General (RG) FLUA. We strongly believe that making the RG designation for the area immediately adjacent to every E911 point regardless of the context, including surrounding land use, land cover and the presence of significant natural resources, is inappropriate in scale – especially at the regional level - and appears to allow for further development in each of these areas, potentially resulting in additional low density rural sprawl and resource fragmentation.

Depicting a camp located within a forest block or farmhouse associated with a conserved farm may, arguably, be appropriate for an existing land use map, but is not appropriate for a future land use map on a regional scale. Rather than scattering the RG designation within large forest blocks and working lands, these areas would more appropriately be designated as Rural Agriculture and Forestry and Rural Conservation.

Rural Areas: Agriculture and Forestry

- RPC mapped this area consistent with the mapping process and standards.
- RPC mapped this area consistent with the mapping process and standards with the following modifications to address local and regional context:

Comments: [Click or tap here to enter text.](#)

Rural Areas: Conservation

- RPC mapped this area consistent with the mapping process and standards.
- RPC mapped this area consistent with the mapping process and standards with the following modifications to address local and regional context:

Comments: Click or tap here to enter text.

PART D – COMPATIBILITY WITH ADJACENT REGIONAL PLANNING AREAS

Per 24 V.S.A. § 4348(h)(4), for the Land Use Review Board to issue a determination of plan compliance, it must find that the plan is compatible with adjacent regional planning areas. 24 V.S.A. § 4302(f)(2) defines “compatibility” as follows:

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

- (A) a statement that identifies the ways that it will significantly reduce the desired effect of the other plan;
- (B) an explanation of why any incompatible portion of the plan in question is essential to the desired effect of the plan as a whole;
- (C) an explanation of why, with respect to any incompatible portion of the plan in question, there is no reasonable alternative way to achieve the desired effect of the plan; and
- (D) an explanation of how any incompatible portion of the plan in question has been structured to mitigate its detrimental effects on the implementation of the other plan.

Comments: Click or tap here to enter text.

Tier 1B Status Requests (see Tier 1B form)



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

Dear Ms. Hurley:

Thank you for the opportunity to comment on the Rutland Regional Planning Commission's (RRPC) draft Future Land Use Map (FLUM). The Vermont Natural Resources Council (VNRC) has a long history advocating for responsible land use planning and regulation to promote smart growth, natural resource protection and affordable housing. Recently, VNRC worked closely with administration, other stakeholders and legislative leaders on the development of Act 181 and VNRC provided significant input to support Act 47 (the HOME Act) in 2023. While VNRC has an interest in almost all regional plan elements, we have focused our review and comments primarily on those areas mapped for growth with potential Tier 1 status.

VNRC's work on Act 181 reflects the culmination of nearly 10 years of effort to modernize Act 250 and update Vermont's municipal and regional planning statutes. The work the LURB is presently engaged with is historic, and will chart the course of Act 250 for decades to come. To this end, **we urge the LURB to consider the following general recommendations** as you undertake the detailed review of regional plans and associated FLUMs.

- Proceed cautiously. Avoid allowing overly expansive designations that will lead to high-impact, scattered development patterns that will be difficult if not impossible to correct in the future. While being overly conservative in how growth areas are defined is also a mistake, it is one that can be corrected with future Regional Plan and FLUM approvals. As we will explain in detailed comments below, RRPC's FLUM includes several proposed Village Center (VC), Village Area (VA) and Planned Growth Area (PGA) designations that do not meet applicable statute. If approved by the LURB, these areas will not foster the land use patterns that are envisioned by Act 181 and Vermont's longstanding land use goals.
- Require accountability. The LURB was created, in part, out of legislative frustration that lacking an appropriate alternative, the state designation programs began to be used to provide regulatory relief (e.g., different jurisdictional triggers for Act 250 within designated areas). This resulted in politicized decisions, with the administration then in power having control of designations and associated boundaries, often in conflict with clear statutory standards and without recourse. The LURB was created to be independent of political agendas and the administration, and to make independent decisions using the best available information informed by best planning practices to determine if a proposed plan – and its corresponding designations - complies with statutory guidelines.

As you know, the politics of land use planning at the local and regional level can also be highly charged, and compromises are often required, regardless of whether those compromises adhere to state statute and associated land use and development policies. The LURB is designed to serve as a check on local and regional decisions that, left unchecked, would foster poorly planned, scattered development patterns.

- Consider legislative intent when interpreting statutory criteria. Act 181 is a complex law that includes several provisions that are subject to interpretation by the LURB. As set forth below, the clear intent of the legislature in enacting Act 181 was to foster the expansion of existing centers in a well-planned manner that replicates traditional, compact settlement patterns in accordance with the state’s planning and development goals and smart growth principles.

General Comments

As noted in the Regional Plan Approval Criteria Summary developed by the LURB, Act 181 is designed to hold Regional Planning Commissions accountable for consistency with applicable state statutes regarding the content and adoption of Regional Plans. While we understand that the LURB is reviewing RRPC’s draft FLUM in accordance with 10 V.S.A. §6033 and 24 V.S.A. §4348a at this time, it is important to note that the FLUM is a key component of the Regional Plan. To that end, our comments are based, in part, on whether proposed map designations are consistent with the applicable planning and development goals, including:

- 1) *To plan development so as to maintain the historic settlement pattern of compact village and urban centers separated by rural countryside.*
 - a) *Intensive residential development should be encouraged primarily in downtown centers, village centers, planned growth areas, and village areas as described in section 4348a of this title, and strip development along highways should be avoided. These areas should be planned so as to accommodate a substantial majority of housing needed to reach the housing targets developed for each region pursuant to subdivision 4348a(a)(9) of this title.*
 - b) *Economic growth should be encouraged in locally and regionally designated growth areas, employed to revitalize existing village and urban centers, or both.*
 - c) *Public investments, including the construction or expansion of infrastructure, should reinforce the planned growth patterns of the area.*
 - d) *Development should be undertaken in accordance with smart growth principles as defined in subdivision 2791(13) of this title.*

Those Smart Growth Principles are defined as “growth that:

- A. *Maintains the historic development pattern of compact village and urban centers separated by rural countryside.*
- B. *Develops compact mixed-use centers at a scale appropriate for the community and the region.*
- C. *Enables choice in modes of transportation.*
- D. *Protects the State’s important environmental, natural, and historic features, including natural areas, water quality, scenic resources, and historic sites and districts.*

- E. *Serves to strengthen agricultural and forest industries and minimizes conflicts of development with these industries.*
- F. *Balances growth with the availability of economic and efficient public utilities and services.*
- G. *Supports a diversity of viable businesses in downtowns and villages.*
- H. *Provides for housing that meets the needs of a diversity of social and income groups in each community.*
- I. *Reflects a settlement pattern that, at full build-out, is not characterized by*
 - (i) scattered development located outside compact urban and village centers that is excessively land consumptive;*
 - (ii) development that limits transportation options, especially for pedestrians;*
 - (iii) the fragmentation of farmland and forestland;*
 - (iv) development that is not serviced by municipal infrastructure or that requires the extension of municipal infrastructure across undeveloped lands in a manner that would extend service to lands located outside compact village and urban centers;*
 - (v) linear development along well-traveled roads and highways that lacks depth, as measured from the highway.*

Act 181 is designed to achieve these clear principles.

Strip Development. An important consideration related to consistency with the planning and development goals, and in association with or in lieu of Act 250 review, is whether proposed FLU areas as mapped will allow a pattern of strip development to be created or extended. The legislature attempted to address this in 2014 with changes to Act 250 criterion 9L, designed to promote smart growth and discourage strip development.

Strip development, as defined for this purpose under 10 V.S.A. § 6001(36) is *“linear commercial development along a public highway that includes three or more of the following characteristics: broad road frontage, predominance of single-story buildings, limited reliance on shared highway access, lack of connection to any existing settlement except by highway, lack of connection to surrounding land uses except by highway, lack of coordination with surrounding land uses, and limited accessibility for pedestrians. In determining whether a proposed development or subdivision constitutes strip development, the District Commission shall consider the topographic constraints in the area in which the development or subdivision is to be located.”* This definition should also be a consideration in the review of proposed Village and Downtown Centers, Village Areas, and Planned Growth Areas, particularly with regard to eligibility for Tier 1A or 1B status under Act 250.

Finally, please consider the following specific comments regarding the RRPC’s proposed FLUM’s compliance with Act 181.

Proposed Downtown & Village Centers (DC, VC)

Conformance with the Regional Plan Future Land Use Element (§ 4348a(A) Centers). For purposes of future land use mapping, Downtown and Village Centers are defined under 24 V.S.A. § 4348a as *“... 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 [note: this section pertains to “neighborhood” designation]. 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.

The Rutland FLUM, as proposed, includes 38 separately mapped Downtown and Village Centers:

- **10 legacy (previously designated) Village Centers**, which are grandfathered as proposed: Castleton VC, Chittenden VC, North Chittenden VC, East Poultney VC, Proctor VC, Tinmouth VC, East Wallingford VC, South Wallingford VC, Wallingford VC, and Wells VC;
- **13 legacy Village Centers** that are proposed for expansion, and should therefore meet relevant statutory criteria: Benson VC, Four Corners/Hydeville VC, Clarendon Springs VC, Danby VC, Ira VC, Mendon VC, Middleton Springs VC, Belmont VC, Pawlet VC, West Pawlet VC, Pittsford VC, Sudbury VC, and West Rutland VC;
- **11 new Village Centers**, which must meet the statutory definition, including: Forest Dale VC, Clarendon VC, North Clarendon VC, South Fair Haven VC, Killington VC, Mount Holly VC, Mount Tabor VC, Center Rutland VC, Cuttingsville VC, North Shrewsbury VC, and the West Haven VC;
- **3 legacy Downtown Centers** that are proposed for expansion, and should therefore also meet relevant statutory requirements: Brandon DC, Poultney DC, and the Rutland City DC; and
- **1 newly reclassified Downtown Center** – the Fair Haven DC, which was previously approved as a state designated Village Center.

For purposes of future land use mapping, the statutory description of a center does not currently differentiate between “downtown” centers that are more urban in form and function, and smaller, often more linear “village” centers that are more limited in extent, and in the type and mix of uses present.

State Planning Goals. As noted above, our review of a proposed center also considered whether, as mapped, a proposed center is consistent with relevant state planning goals and smart growth principles, and Act 250 – i.e., whether it maintains the historic development pattern of a compact village or urban center separated by rural countryside, generally avoids strip development (as also defined under Act 250), and allows for a mixed-use center at a scale appropriate for the community and the region. Our review noted:

- Existing (legacy) Village Centers listed above for which no expansions or boundary changes have been proposed were assumed to meet the statutory FLU definition and not reviewed for this purpose.
- All four Downtown Centers as proposed generally meet the statutory FLU definition of a center, are served by municipal water and sewer and, except for Fair Haven, have both zoning and subdivision regulations.
 - Within the **Rutland City DC**, certain additional areas to the west and south of the legacy boundary (zoned industrial), and gateway business areas to the northwest (RT7, RT 4) do not have the characteristics of a traditional, central business district,

and as such may be better included in a Transition or Planned Growth Area. A portion of the proposed expansion area on the east side (MR1 District) is more characteristic of a residential neighborhood, as also allowed within a Planned Growth Area.

- Most new and expanded Village Centers, as proposed, are consistent with the statutory definition of Village Center and relevant state planning goals – they are generally representative of traditional village centers that include a mix of uses, though in more rural areas this may be limited to a few homes, businesses, and a civic building or two. Proposed expansions often include some undeveloped land that, where supported by local zoning, could allow for more housing and mixed use development within walking distance of the existing center. As proposed most Village Centers are also generally “compact” and walkable – typically less than a half mile in overall length and width. Of note, however:
 - The proposed **Four Corners-Hydeville VC** along RT 4 in Castleton is around 1.5 miles in length and extends between two existing (legacy) village centers, thereby incorporating a half mile of lower density, auto-oriented residential and commercial strip development in between. The additional area as mapped is limited largely to road frontage, allowing for additional strip development between the two historic centers. This pattern of development is not consistent with the statutory definition, and might more appropriately be mapped, with some added depth (e.g., to the north), as Village or Planned Growth Area centered on each of the existing centers, that allow for better integrated, higher density residential or mixed use development within walking distance of each center, outside the highway corridor.
 - The proposed expansion of the legacy **Mendon VC**, extending almost a mile along RT 4 road frontage to incorporate several businesses and some undeveloped land, is also more characteristic of strip development than a compact center. With some additional depth, this may more appropriately be included within an adjoining Village Area.
 - The proposed expansion of the legacy **Pittsford VC**, extending the center nearly 1.5 miles along RT 7 road frontage, is also more characteristic of strip development, and may be more appropriately included within the adjacent planned growth area, within walking distance of the existing center, to allow for more integrated, higher density housing and mixed use development off of RT 7 in this area.
 - The proposed **Killington VC** (new) as mapped is also a very linear, largely auto-oriented commercial strip extending over 4 miles along Killington Road frontage, from RT 4 to the ski area. It does not include historic properties, municipal or civic uses, or adjoining areas – it clearly does not meet the statutory FLU definition of a traditional, historic village center. Given its length and lack of depth, it is not compact or readily walkable and would appear to further promote strip development along the highway corridor – it is also not consistent with relevant state planning goals. Given the recreation-based development history of this area, and largely ski-area related uses, this would more appropriately be mapped as a Resource-based Recreation Area.

VAPDA Methodology. We also reviewed proposed Downtown and Village Centers under related mapping guidance (Future Land Use Methodology and Process, Version.3.0, April 18, 2025):

- *That there should generally be one Downtown Center in each region.* As proposed, there are three legacy downtown centers, and the existing **Fair Haven** VC is anticipated to qualify as a proposed DC prior to year-end.
- *That there should generally be at least one Village Center in each town, provided the area meets the statutory definition.*
 - Most towns in the region have more than one proposed Village Center, as allowed, to include both new and legacy centers.
 - The proposed **West Haven VC**, while the only mapped center in the Town of West Haven, is very small, and includes few structures or uses – it does not appear to meet the statutory definition of a traditional or historic village center, and as such might be more appropriately mapped as a Hamlet.
- *Village Centers not meeting Tier 1B requirements should still be included on the FLUM, to qualify for state designation benefits.*
 - Not all Centers shown on the proposed FLUM qualify for Tier 1B status (see below), due to the absence of an eligible historic district or historic properties, or one or more regulations, as required for state designation and Tier 1B.

Natural Resource Mapping. If a Downtown or Village Center includes protected natural resources, the municipal plan (where available) should note that these resources may be present and will need to be field verified during any development review. Many of the existing and proposed Centers include mapped flood hazard areas, river corridors, wetlands, and RTEs as determined from available data layers. Given that no plan or regulations are required for initial mapping and designation as a Village Center, this alone does not preclude FLU mapping but may limit subsequent village development. For example:

- The newly proposed **Cuttingsville VC** in Shrewsbury, which otherwise appears to meet FLU criteria including an historic district, is largely located within a mapped flood hazard area and river corridor.
- Many of the proposed Centers are covered under the NFIP, based on locally adopted flood hazard area regulations, but these were not reviewed to determine if they also meet state flood hazard area standards, especially as applicable to infill development within these areas, since this is not a requirement for initial mapping as a DC or VC.

State Designation. Of particular note – to qualify for state designation as a new or expanded downtown or village “Center” as defined under 24 V.S.A. § 5801(12), the proposed center as shown on the FLUM must also represent “...a contiguous downtown or village a portion of which is listed or eligible for listing in the national register of historic places...” Grandfathered

preexisting nonconforming (legacy) centers in existence on or before December 31st may also qualify for state designation.

- It was noted in our review that the following new or expanded legacy Village Centers as mapped do not incorporate a registered historic district, and therefore may not meet this requirement, unless they are found to include unidentified historic properties that may otherwise be eligible for district listing:

Benson VC (expansion)
Forest Dale VC (new)
North Clarendon VC (new)
Danby Village VC (expansion)
South Fair Haven VC (new)
Ira VC (expansion)

Killington VC (new)
Mendon VC (expansion)
Mount Holly VC (new)
Mount Tabor VC (new)
Sudbury VC (expanded)

Proposed Village Areas (VAs)

Conformance with Regional Plan Future Land Use Element (§ 4348a(C) Village areas).

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.*

Based on our initial review of FLUM's in Rutland and other regions, we have found that Rutland has taken some unusual approaches to mapping VAs that, in several instances, do not comply with statute. These include:

- **Areas that do not “include a designated village center”** – that is, not contiguous to a village center but rather is separated from the Village Center by another land use designation (e.g., a planned growth area, rural area) that separates the VA from the VC.

This was an important legislative consideration to facilitate the planned, coherent growth and expansion of existing, village centers in a manner that extends traditional village and neighborhood settlement patterns and are generally eligible for “Neighborhood” designation due to the concentration of housing. In several instances, the Rutland FLUM identifies Planned Growth Areas (PGAs) adjacent to VCs, while identifying VAs that are located further from the VC and are more often than not characterized by low density residential development and farm and forest land. Such areas would more appropriately be designated as one of the Rural land use categories. Examples of proposed village areas that do not comply with this requirement include:

- **Castleton**, including a large expanse of land south of Hydeville, along Blissville and Rice Willis Roads, land south of Castleton University, a linear strip of land along Route 4a to the Poultney town line, and land northeast of Castleton Four Corners
 - **Fair Haven**, including land north of Route 4 and east of the downtown along River Street and along Route 4A
 - **Pawlet** northeast of West Pawlet along Route 153
 - **Pittsford** northeast of Route 7 to Grangerville
 - **Poultney**, including large tracts of farmland and scattered residences both south and north of Poultney Village, along Rt. 140 between Poultney Village and north of East Poultney
- **Areas that are not “*composed of a cohesive mix of residential, civic, religious, commercial or mixed-use buildings arranged along a main street with intersecting streets...*”** (note that walking distance is addressed separately, below). Several of the proposed VAs are characterized by scattered, low density residential development and farm and forest land, not the mix of uses and intersecting street network called for in Act 181. While we understand that identifying areas for the expansion of existing villages will inevitably include undeveloped land, it is important to consider whether municipal policies, including land use regulations and capital improvement plans, will result in the settlement pattern envisioned in the law.

The HOME Act, adopted by the legislature in 2023, requires municipalities with wastewater and water infrastructure to allow a minimum of five dwellings per acre to promote traditional settlement patterns in and around existing villages and downtowns. In their publication *Enabling Better Places: A Zoning Guide for Vermont Neighborhoods*, the Vermont Department of Housing & Community Development recommends eliminating housing density caps and ensuring that minimum lot sizes reflect historic patterns in adjacent village centers and neighborhoods.

While review and approval of local policies is not an explicit requirement of the FLUM approval process, it is a critical step in understanding whether the various land use designations will achieve the standards for approval. A review of some of the policies in communities with proposed VAs indicate that is not possible without significant changes in land use and infrastructure policy. For example:

- Much of the area designated as VA in the Town of **Castleton** is zoned as Residential-20,000 (R-20), which requires a minimum lot size of 20,000 square feet if served by municipal wastewater, and 40,000 square feet if not, and non-residential uses require a minimum lot size of two acres. Significant portions of the proposed VA are not included within the designated wastewater service areas. In addition, multi-family dwellings are not allowed in the district, and few commercial uses are allowed.
- Much of the area designated as VA in the Town of **Fair Haven** is zoned Commercial, which requires a minimum lot area of 40,000 square feet per dwelling if not connected to municipal wastewater (6,500 square feet if connected). Significant portions of the proposed VA are not included within the designated wastewater service areas.
- Much of the predominately farm and forest land designated as VA in **Poultney** is included in the Town's Future Utilities District, which requires a minimum lot of 25,000 square feet for properties served by municipal wastewater and two acres for homes with on-site septic. Significant portions of the proposed VA are not included within the designated wastewater service areas.
- The bulk of the land designated as VA in **Pittsford** is included in the Town's Rural District, which requires a minimum lot size of one acre for a single-family dwelling, 20,000 square feet plus 15,000 square feet for each multi-family dwelling unit, and two acres for all other uses. Further, much of the land adjacent to Route 7 and Route 3 designated as VA is zoned Commercial (an example of zoning for commercial strip development) and requires comparable lot size and dimensional standards as in the Rural District. Significant portions of the proposed VA are not included within the designated wastewater service areas.
- Areas north and east of the proposed **Wallingford** VC and the "Timber Hill Estates" area south along Route 7, none of which is contiguous to the proposed VC. These areas are not included within the designated wastewater service areas.
- The proposed VA surrounding **Benson's** VC seems large relative to the region's housing targets, although it does coincide with the town's sewer service area. Zoning for the area, however, requires a minimum lot size of one acre, which will not achieve the characteristics of a VA.

These areas may, at a future date, be eligible for VA designation after the nearby VC, other areas closer to the VC, or PGA, have expanded in a traditional village-scale pattern of development, and additional need for new and expanded neighborhoods are warranted – and after the municipality has put the land use policies and infrastructure in place to achieve the development pattern called for in statute. The regional planning process is ongoing and meant to adapt to changing circumstances and community needs. Designating these areas as VA is premature at this time.

- **Areas that are not “within walking distance for residents who live within and surrounding the core.”** A key legislative goal in enacting Act 181 was to support

longstanding planning and development goals of facilitating the development of compact, walkable communities in and around traditional Village Centers and Downtowns. This requires that areas planned for village expansion be located within what is widely accepted to be a maximum of one-quarter to a half-mile from core services and facilities, and be served with adequate pedestrian infrastructure (e.g., sidewalks, walking and multi-use paths, complete streets). Several of the proposed VAs are located considerably farther from the VC and/or are not served by any pedestrian infrastructure. Such areas include:

- The southern extent of the proposed VA in **Castleton** is over one mile from the Four Corners area with no pedestrian infrastructure until you are approximately one-quarter mile into the proposed VC.
 - The proposed VA area north east of **West Pawlet** is approximately 0.7 miles from the VC boundary and lacks pedestrian facilities except in the very core of the Center.
 - The northern extent of **Fair Haven's** proposed VA designation is approximately 1.6 miles from the downtown, as the crow flies. There are no sidewalks or other pedestrian infrastructure serving that area north of Route 4.
 - **Pittsford's** proposed VA is roughly two and a half miles north to south, and various distances from the edge of the mapped area lying between 0.85 and 1.4 miles distance from the mapped VC. Other than sidewalks along Route 7 in the mapped VC, there is very little pedestrian infrastructure within the proposed VA.
- **Areas within a proposed VA do not have “soils that are adequate for wastewater disposal.”** VNRC is concerned that Group III soils do not meet the statutory definition of “adequate for wastewater disposal,” as the USDA Natural Resources Conservation Service defines these soil categories as being “*composed of soil map units that have a greater degree of limitations than Group II. They may require more intensive on-site investigations to locate suitable areas or they may require more sophisticated designs to overcome the limitations. Soil map units with a shallow seasonal high-water table may require seasonal on-site monitoring of the water table to determine if the site is suitable. Some areas of these soil map units may not be suited for soil-based wastewater disposal systems.*” Given the limitations of Group III soils to meet these development goals, we would urge the LURB to use caution in considering their inclusion in VA designations.

After extensive discussion in the legislature, it was agreed that VA designation should not be limited to areas served by municipal wastewater provided soils are adequate to accommodate on site wastewater disposal that would allow traditional, compact settlement patterns to accommodate the expansion of existing villages. As noted earlier, several communities require relatively large lots (one acre+) for residential development that is not connected to municipal wastewater, including large acreages outside of wastewater service areas. These include:

- **Castleton**, where the proposed VA south of **Hydeville** with suitable soils are separated from the VC by significant class 2 wetlands and floodplain, which will prevent the area from serving as a logical extension of the VC. In addition, large

portions of the southernmost area proposed as VA also include extensive areas of marginal soil types, including areas with high seasonal groundwater levels and others with less than 18” to bedrock.

- **Poultney**, where large areas south of the VC consist of soils with high seasonal groundwater levels and shallow depth to bedrock.
- **Areas without “adopted bylaws and regulations.”** We did not undertake an exhaustive review of which municipalities have adopted required land use regulations, although based on a review of the Vermont Planning Atlas and municipal web sites it appears as though some communities have not adopted subdivision regulations (**Fair Haven, Pittsford, Killington**) or zoning (**Mount Holly, Wells, Middletown Springs**). We urge the LURB to independently verify that all communities have in place municipal plans, zoning bylaws and subdivision regulations (or unified development bylaws) before approving VA or PGA designations.

Further, some proposed VAs encompass streams and associated floodplain and wetland areas, but it is not clear whether the municipality has adopted flood hazard and river corridor areas, as required by statute. While the RRPC has clearly made an effort to exclude several areas of floodplain and river corridor from VA and PGA designations, there are several examples where such areas were not excluded. These include:

- In **Pawlet** significant areas identified as river corridor and floodplain along the Flower Brook are proposed as VA.
- **Brandon**, despite having adopted floodplain and river corridor regulations, we do not believe much of the area adjacent the Neshobe River west of Route 7 would be eligible for infill development due to the lack of existing buildings in this corridor.

Proposed Planned Growth Areas (PGAs)

Conformance with Regional Plan Future Land Use Element (§ 4348a(B) Planned growth areas. These areas include the high-density existing settlement and future growth areas with high concentrations of population, housing, and employment in each region and town, as appropriate. They include a mix of historic and nonhistoric commercial, residential, and civic or cultural sites with active streetscapes, supported by land development regulations; public water or wastewater, or both; and multimodal transportation systems. 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.

While we have significant concerns regarding several proposed VA designations, we found that the RRPC has generally done a good job of identifying areas that will allow designated existing villages to expand in a logical, efficient manner without allowing significant leap-frogging, scattered development into areas characterized predominately by rural settlement patterns. As was the case with several proposed VAs, however, large areas of several proposed PGAs are not “*within walking distance of for residents who live within and surrounding the core.*” These include:

- A large portion of the northern boundary of the proposed **Brandon** PGA along Route 7 and Arnold District Road are well over a mile from the VC with very limited pedestrian infrastructure, while portions of the proposed PGA southwest along Union Street, south along Carver Street and north along Prospect Street are in excess of 0.8 miles from the VC, also with limited or no pedestrian infrastructure.
- **Proctor’s** proposed PGA south along South and West Streets are both well above 0.75 miles from the edge of the VC, and the West Street section lacks pedestrian infrastructure at the southern section of the boundary.

Tier 1B Eligibility

According to 10 V.S.A. §6033 (c) “*To obtain a Tier 1B area status under this section the regional planning commission shall demonstrate to the Board that the municipalities with Tier 1B areas meet the following requirements as included in subdivision 24 V.S.A. § 4348a(a)(12)(C):*

(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.”

Proposed Downtown and Village Centers. Ten Rutland region municipalities have requested Tier 1B status for 17 Downtown and Village Centers, as shown on the FLUM.

To qualify for Tier 1B eligibility under 10 V.S.A. § 6033, as requested by a municipality, a Downtown or Village Center must be identified on the FLUM as reviewed and approved by the LURB. Tier 1B eligibility is limited to mapped centers that are eligible for state designation as a “Center” under 24 V.S.A. § 5803 – as noted above to include mapped centers that meet the statutory definition of a “State Designated Center.”

- This excludes for Tier 1B status any new centers, and potentially expansions of pre-existing centers, that do not include a registered historic district as listed above. However, to date Tier 1B status has been requested only for two proposed Village Centers that do not meet this requirement: the **South Fair Haven VC** (new) and the **Killington VC** (new).

As noted above, eligibility for Tier 1B status also requires that the municipality have a confirmed planning process, an adopted and approved plan, and zoning and subdivision (or unified) regulations.

- As noted in the Rutland RPC’s Tier 1B memo, several municipalities have yet to adopt required subdivision regulations and may therefore have centers that are ineligible for requested Tier 1B status, including:

Fair Haven DC
South Fair Haven VC
Killington VC

Pittsford VC
Proctor VC

Proposed Village and Planned Growth Areas. Our above review of proposed VAs and PGAs as mapped indicates that portions of these areas do not meet statutory FLU standards and would therefore be ineligible for Tier 1B status. As noted above, these include portions of proposed VAs that:

- Do not include or are not contiguous to a designated center (e.g., areas of proposed **Castleton, Pawlet, Pittsford, and Poultney** VAs).
- Are characterized by and zoned for scattered, low density residential development, including some rural areas and farm and forest land, and/or are outside of designated wastewater service areas (e.g., areas of proposed **Castleton, Fair Haven, Poultney, Wallingford, and Benson** VAs);
- Are not within walking distance for residents who live within and surrounding the core and/or are not served by pedestrian infrastructure (e.g., areas of proposed **Castleton, West Pawlet, Fair Haven, and Pittsford** VAs, as well as portions of **Brandon** and **Proctor** PGAs), and

- Do not have soils that are adequate for wastewater disposal, in particular to accommodate and more traditional, compact, higher density residential neighborhoods in VAs located outside of sewer service areas (e.g. **Castleton, Poultney**).

Other Tier 1B Eligibility Criteria.

- **Land Use Regulations.** We did not review in any detail the zoning underlying proposed Tier 1B areas to determine whether existing district standards support more compact, higher density housing development within these areas, as the justification for allowed exemptions under Act 250, but suggest that a review of the regulations (and not simply whether they exist) should be a consideration for Tier 1B eligibility.
- **Flood Hazard & River Corridor Bylaws.** Tier 1B eligible FLUs must also be mapped to exclude flood hazard areas, and fluvial erosion hazard areas located within mapped river corridors, except for those areas that contain pre-existing development and are suitable for infill development, as defined under state rules; or the municipality must have flood hazard and river corridor bylaws that are consistent with state rules, and applicable to the entire municipality.
 - As noted, many proposed FLUs, including several proposed centers, include properties, some developed, within mapped flood hazard areas and river corridors and, while it appears that most if not all municipalities requesting Tier 1B status have adopted flood hazard area regulations, these were not reviewed for consistency with state rules, particularly as applicable to infill development within these areas.
 - Proposed boundaries should be further reviewed to exclude undeveloped hazard areas wherever feasible – except where infill development is specifically proposed and regulated consistent with state definitions and rules.
- **Municipal Capacity.** With regard to the requirement that the municipality has adequate staff to support development review within Tier 1B areas, it is important to note that this requirement was included to ensure that municipal review could effectively manage increased development and permitting, consistent with state land use goals – and to acknowledge that this shift would mean a loss of the robust Act 250 review that includes consideration of a range of technical issues and state agency review.
 - We understand that the RRPC developed a self-certification for municipalities to identify whether they have such capacity, although there is no documentation with regard to staff levels in local planning or public works departments, whether such staff has technical training, or whether the municipality routinely works with qualified consultants on technical matters.
 - We encourage the LURB to develop capacity standards for all municipalities seeking Tier 1B approval. This will be even more important when the LURB accepts applications for Tier 1A designation.

Rural Areas

VNRC's review of the RRPC FLUM focused almost exclusively on proposed DCs, VCs, VAs and PGAs, and associated requests for Tier 1B designation. That said, we do have a significant concern regarding how rural areas are depicted on the FLUM. It was a useful exercise to identify a radius around E911 points to help determine where clusters of low-density residential development are located, like justifying designation as a Rural General (RG) FLUA. We strongly believe that making that designation for the area immediately adjacent to every E911 point regardless of the context, including surrounding land use, land cover and the presence of significant natural resources, is inappropriate in scale – especially at the regional level - and appears to allow for further development in each of these areas, potentially resulting in additional low-density rural sprawl and resource fragmentation.

Depicting a camp located within a forest block or farmhouse associated with a conserved farm may, arguably, be appropriate for an existing land use map, but is not appropriate for a future land use map on a regional scale. Rather than scattering the RG designation within large forest blocks and working lands, these areas would more appropriately be designated as Rural Agriculture and Forestry and Rural Conservation.

Thank you again for the opportunity to comment on the RRPC's Future Land Use Map. This is a historic opportunity to redirect Act 250 to better align with municipal and regional planning, ensure that Regional Planning Commissions are planning in accordance with state goals and smart growth principles, and encourage compact residential neighborhoods in and around traditional centers. Please let me know if we can be of further assistance.

/s/

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