

James H.P.Garnett JR & Elizabeth J. Moyer  
693 North Road  
Vershire, VT 05079 Land line 802-685-1555

July 26, 2026

To:

1. **Two Rivers-Ottawaquechee Regional Commission (TRORC)**  
128 King Farm Road, Woodstock, VT 05091  
**Email:** regionalplan@trorc.org (mailto:)
2. Land Use Review Board (LURB)  
**Email:** act250.board@vermont.gov (mailto:act250.board@vermont.gov).
3. **CC Email::**  
Senator John Benson – John.Benson@vtleg.gov  
Representative Michael Tagliavia – mtagliavia@leg.state.vt.us  
Nicole White-Fogarty, Chair, Vershire Selectboard – nwhitefogarty@vershirevt.org  
Vernal Stone, Vershire Select board – vstone@vershirevt.org  
Amy Record, Vershire Selectboard – arecord@vershirevt.org  
Michelle Massa, Chair, Vershire Planning Commission – shellfro@hotmail.com  
Martin Hale, Vershire Planning Commission halerestorationandrepair@gmail.com  
Helen Wilson, Secretary, Vershire Planning Commission – hhwilson@gmail.com  
Debra Kingsbury, Town Lister – listers@vershirevt.org  
Chelsea Parker, Town Clerk – clerk@vershirevt.org

**Subject: TRORC Regional Plan Comment / Formal Objection**

**Re: Formal Objection to the Draft 2026 TRORC Regional Plan and Outdated Future Land Use Maps. (Maps marked “OUTDATED from 10/8/2025” – Tier 3 work SUSPENDED 4/20/2026) Parcel(s): 693 North Road, Vershire, Vermont 05079**

Dear TRORC Board and Land Use Review Board Members:

I / we previously signed the Town of Vershire objection letter. I/we now file this formal objection as a property owner. Please enter it into the official record under 24 V.S.A. Chapter 117 and Act 181 of 2024, and consider it in LURB’s review of the TRORC plan.

### **1. Violation of U.S. and Vermont Constitutional Property Rights**

The proposed maps and policies diminish the use, value, and economic potential of private property without compensation. This violates:

- The Declaration of Independence (unalienable rights to Life, Liberty, and the pursuit of Happiness);
- U.S. Constitution, Fifth Amendment;
- Vermont Constitution, Chapter I, Article 1 (natural rights including life, liberty, acquiring, possessing and protecting property); and

- Vermont Constitution, Chapter I, Article 2 (private property may be taken for public use only with just compensation).

These rights belong to individuals. Designations are being applied without direct notice or compensation analysis.

## **2. Unrealistic and Dangerous Assumptions About Electrification and Grid Performance**

Policies favoring or requiring the elimination of fossil-fuel heat as a primary source and the installation of mandatory EV chargers ignore Vermont's actual electric grid capacity, reliability, and performance under stress. Vermont's grid already faces well-documented constraints:

- Winter peak demand is the critical period, when heating load is highest and renewable generation (especially solar) is lowest.
- The state remains heavily dependent on imported power and constrained transmission.
- Extreme cold snaps have repeatedly stressed the system and raised legitimate concerns about blackouts and rolling outages.
- Rapid, forced electrification of heat and transportation without corresponding grid upgrades creates real life-safety risks, especially for rural households on dirt roads that may be last to have power restored.

The draft Plan contains no credible analysis of whether the regional or statewide grid can safely and reliably support the scale of electrification it assumes. These policies therefore create unjustified public-safety and economic risks.

## **3. Unequal Treatment of Dirt-Road Properties**

Limiting development or business activity solely because a property is accessed by a dirt road imposes unjustified economic hardship and treats rural properties unequally.

## **4. Maps Lack Required Professional Survey Standards and Are Explicitly Outdated**

Under 26 V.S.A. § 2596, licensed land surveyors must seal and certify maps before they can be treated as authoritative. The TRORC Future Land Use Maps contain no licensed surveyor seal, clear boundary definitions, or certification of accuracy. They are planning graphics, not legal surveys. Moreover, the maps themselves are marked "OUTDATED from 10/8/2025" and note that "Tier 3 work SUSPENDED 4/20/2026." It is improper to rely on, or advance toward adoption of, maps that the Commission itself has labeled outdated and for which key work has been suspended.

## **5. Failure to Reflect Current Statutory Framework**

The Plan fails to adequately address or reference Act 59 of 2023, Act 181 of 2024, subsequent 2026 legislative changes, and existing Act 250 territories.

## **6. Vague and Undefined “Substantial Regional Impact”**

The definition of “substantial regional impact” remains vague. LURB itself flagged non-conformance on this issue during its July 21, 2026 review of the TRORC draft.

## **7. Missing Cost, Tax-Base, and Current Use Analysis**

No analysis is provided of administrative costs, impacts on municipal tax bases, or effects on lands enrolled in the Current Use Program (32 V.S.A. Chapter 124).

## **8. Interference with Generational Property Rights**

The Plan restricts a landowner’s ability to divide and leave property to heirs according to family needs — a core private property right.

## **9. Arbitrary Restrictive Designation Without Site-Specific Data**

Approximately 15–17 acres of my/our property at 693 North Road are shown in a restrictive category on the draft Future Land Use Map. No soil survey, on-site investigation, or USDA/NRCS soil evaluation has been performed by TRORC or its consultants for this designation. The underlying soils (primarily Cabot silt loam) are poorly drained and not suitable for the development assumptions implied by the mapping. The designation is arbitrary and unsupported by data.

## **10. Vermont Forests Already Deliver the Carbon Benefit the Plan Seeks**

The draft Plan itself recognizes the value of forests for carbon storage, stating that *“Woody biomass should be increased in this area in order to store carbon,”* and includes goals to reduce greenhouse gas emissions.

Yet this costly mapping exercise is unnecessary because Vermont’s private landowners and forests have already accomplished the large majority of this climate benefit.

According to the 2025 Vermont Forest Carbon Inventory (UVM Extension / Vermont Department of Forests, Parks and Recreation) and USDA Forest Service FIA data:

- Vermont’s approximately 4.5 million acres of forest sequester roughly 5–6.1 million metric tons of CO<sub>2</sub>e each year.
- In 2022 the forest sector offset approximately 79% of the state’s fossil-fuel, industrial, and agricultural greenhouse-gas emissions.
- Total carbon stored in Vermont forests is estimated at 1.7–1.9 billion metric tons CO<sub>2</sub>e.

This sequestration is the result of generations of private stewardship. Further restrictive mapping risks undermining the working forests that already deliver this public benefit at scale.

### **11. Inadequate Public Process**

This remains a first-hearing draft. LURB has already raised concerns about public engagement. A meaningful revised draft and adequate review time are required before adoption.

### **12. Open Meeting Law Deficiencies**

TRORC is subject to the Vermont Open Meeting Law (1 V.S.A. §§ 310–314). Minutes must list all members present and active participants, be posted within five days, and decision-making bodies must record and post meetings (1 V.S.A. § 312). Apparent failures to meet these requirements undermine the process. Knowing and intentional violations are a misdemeanor under 1 V.S.A. § 314.

### **13. Speculative Future Maps Cannot Control an Unknown Future**

These are Future Land Use Maps — speculative documents, not maps of present reality. The future is uncertain. A two-dimensional graphic cannot accurately represent a living three-dimensional landscape of seasons, soils, weather, and human adaptation.

Rigid “shall” and “must” language pretends the future is already decided and overrides the capacity of people to solve problems through observation, common sense, and innovation.

### **Requested Relief**

I/we object to adoption of the draft Plan and maps in their current form and request that:

1. Designations affecting my property be removed or revised until supported by site-specific data;
2. The maps (already labeled outdated and with Tier 3 work suspended) be clearly labeled as non-authoritative planning graphics and withdrawn from any controlling use;
3. Analyses of takings, tax-base impacts, Current Use effects, grid reliability, and administrative costs be prepared;
4. A clear definition of “substantial regional impact” be provided;
5. Open Meeting Law deficiencies be cured;
6. The Plan fully acknowledge that Vermont’s existing forests and private landowners already deliver the majority of the carbon sequestration benefit it seeks; and
7. This objection be entered into the permanent record of both TRORC and LURB.

I/we reserve all rights to further comment, appeal, or legal challenge.

Respectfully submitted,



James H.P. Garnett JR & Elizabeth J. Moyer

Private Property Owner, Town of Vershire. Date: July 26 2026