

From: [Hurley, Janet](#)
To: [Fat Sheep Farm](#); [Dingledine, Brooke](#); [Weinhagen, Alex](#)
Cc: [Act250 - Board](#)
Subject: Re: Comments on TRORC Draft Regional Plan--
Date: Sunday, August 2, 2026 9:50:26 PM

Thank you, Todd.

I will hereby forward this to Act250.Board@Vermont.Gov.

In general, if you want your comments to be part of the record, you can copy Act250.Board@Vermont.Gov in your email to us and it will be added to the record.

Best, Janet

Janet Hurley | Board Chair
Land Use Review Board
10 Baldwin Street
Montpelier, VT 05633-3201
802-480-1850
<https://act250.vermont.gov>

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From: Fat Sheep Farm <info@fatsheepfarmvermont.com>
Sent: Sunday, August 2, 2026 10:04 AM
To: [Dingledine, Brooke <Brooke.Dingledine@vermont.gov>](mailto:Brooke.Dingledine@vermont.gov); [Hurley, Janet <Janet.Hurley@vermont.gov>](mailto:Janet.Hurley@vermont.gov); [Weinhagen, Alex <Alex.Weinhagen@vermont.gov>](mailto:Alex.Weinhagen@vermont.gov)
Subject: Fwd: Comments on TRORC Draft Regional Plan--

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

Hello LURB,

Below is an email you are welcome to put as an exhibit to your response to the draft TRORC plan.

It focuses on regulatory redundancy and the threat of inconsistent approaches.

Unnecessary stuff like this does not help do anything but add layers of complexity.

They don't need to virtue signal that they also care about matters that are already adequately addressed through the existing regulatory framework.

Thank you,

Todd Heyman

----- Forwarded message -----

From: **Fat Sheep Farm** <info@fatsheepfarmvermont.com>

Date: Sun, Aug 2, 2026 at 9:37 AM

Subject: Re: Comments on TRORC Draft Regional Plan--

To: <regionalplan@trorc.org>

Cc: <wbemmons3@gmail.com>, <nmalmquist@drm.com>, <npj.4251@gmail.com>, <peter.berger@fairleevt.gov>, John Broker-Campbell <jbcampbell@hartlandvt.org>

To Whom It May Concern,

I am supplementing my response to the draft TRORC plan to specifically request removal of subsection (i) under the substantial regional impact test in chapter 12. Most components of the definition are redundant with state law which demonstrates that the interest and impact is of statewide importance and is adequately protected and addressed by the existing regulatory regime without additional regional involvement. Those components that are not covered by state law are overbroad.

This is the definition under subsection (i): "is located in areas of special flood hazard, necessary wildlife habitats or significant natural communities, Class 1 wetlands, areas identified with threatened or endangered species, source protection areas; or the Rural Conservation Area; or"

Flood hazard area concerns are under LURB jurisdiction already under 10 V.S.A. Section 6086(a)(1)(D). Regional interference in this area is unnecessary and risks inconsistent approaches that will waste valuable resources of the government and private parties.

Similarly, necessary wildlife habitats and endangered species are subject to LURB jurisdiction and expressly governed by 10 V.S.A. Section 6086(a)(8) and have been subject to litigation in the courts since the 1980s. Regional interference in this area is unnecessary and risks inconsistent approaches that will waste valuable resources of the government and private parties.

Significant natural communities is also adequately addressed by Act 250's 10 criteria as evidenced by the Supreme Court decision some fifteen years ago: In re Joint Petition of Green Mt. Power Corp.

2012 VT 89. The same is true of threatened species, as evidenced by, for example, In re Appeals of Patrick Simoneau & William Penrod Environmental Court May 21, 2002, and Hinesburg Hannaford Act 250 Permit, Superior Court, Environmental Division, April 12, 2016. Moreover, there are additional protections in municipalities seeking Tier 1a designations under Act 181 where the Legislature expressly required that the municipality plan for deemed this concern to be of municipal and state concern, not regional. See Section 10 V.S.A. Section 6034(b)(1)(g). Regional interference in this area is unnecessary and risks inconsistent approaches that will waste valuable resources of the government and private parties.

Wetlands are also already subject to LURB jurisdiction pursuant to 10 V.S.A. Section 6086(a)(1)(G). Regional interference in this area is unnecessary and risks inconsistent approaches that will waste valuable resources of the government and private parties.

Source protection areas are also heavily regulated through other statutory frameworks and are within towns' permissible zoning regulatory authority--demonstrating that the Legislature has already made the decision that source protection areas are within municipal interests and susceptible to bylaw regulation 24 V.S.A. Section 4414(2). No genuine regional impact is inherent simply because a source protection area is involved--and this unelected body is in no position to override the Legislature's judgment on this matter. Regional interference in this area is unnecessary and risks inconsistent approaches that will waste valuable resources of the government and private parties.

Finally, claiming regional impact over any project of any type or scale within the Rural Conservation Area--representing over a third of the geographical area under Two Rivers jurisdiction--is a hopelessly inappropriate overreach without any genuine criteria to ensure the project will have substantial regional impact.

Thank you for your attention to this issue,

Todd Heyman

On Tue, Jul 21, 2026 at 6:33 PM Fat Sheep Farm <info@fatsheepfarmvermont.com> wrote:
To Whom It May Concern,

I am sending comments on the draft regional plan. I would hope someone other than staff reviews these comments and takes them seriously, particularly given the lack of landowner participation in the meeting in which the land use policies were last addressed.

I would appreciate the opportunity to discuss any of these comments with any member of the Board which supervises the staff at TRORC.

I am aware of the public meetings on the calendar.

Thanks for your consideration,

Todd Heyman

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Read what the Boston Globe had to say about [Fat Sheep Farm & Cabins](#)



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