TOWN OF
TUNBRIDGE
VERMONT

VERMONT
LAND USE REVIEW BOARD
Application #:
RPC10-0001
Exhibit #: 116
Date Received: 09-29-2026

September 25, 2026

TRORC Board of Commissioners
Two Rivers-Ottauquechee Regional Commission
128 King Farm Road
Woodstock, VT 05091
Delivered via email to regionalplan@trorc.org

Re: Follow-up Comments on the Draft 2026 TRORC Regional Plan: Town of Tunbridge

Dear Members of the TRORC Board of Commissioners and TRORC Staff,

The Tunbridge Selectboard and Planning Commission write jointly to follow up on our letter regarding the Draft 2026 TRORC Regional Plan (submitted July 28, 2026), in advance of the Board's September 30, 2026 meeting. Having reviewed TRORC's Responsiveness Document (August 31, 2026) and the accompanying Table of Suggested Policy Changes and having discussed the draft further at our Planning Commission's most recent meeting, we submit the following additional comments for the record.

I. Compatibility with Tunbridge's Adopted Town Plan

We ask TRORC to confirm that, consistent with the compatibility standard at 24 V.S.A. § 4302(f), Tunbridge's Town Plan controls where it differs from the Draft Regional Plan's policies.

For example, Tunbridge's Working Landscape and Resource Conservation Area expressly permits "conservation uses, outdoor recreation, earth extraction, agricultural uses, forestry uses, residences and home occupations." TRORC's Draft Rural Conservation Area policy, as staff have proposed revising it, would permit only "agriculture, residential, forestry, outdoor recreation, home occupations, accessory on farm businesses, and conservation," omitting earth extraction. To the extent any part of Tunbridge's Working Landscape and Resource Conservation Area is mapped into TRORC's Rural Conservation category, the Draft Plan would prohibit a use our own adopted Plan permits.

II. Mandatory Language

We appreciate that TRORC's Responsiveness Document (August 31, 2026) recommends deleting or converting to advisory language a number of the mandatory rural-area policies that Tunbridge and other member towns objected to, including the numeric density caps in the Rural General and Rural Agriculture and Forestry Areas and the accessory on-farm business event cap. We ask TRORC to confirm that these changes will carry through to the second-hearing draft.

That said, mandatory language throughout the Draft Plan's rural land use categories remains a significant concern for Tunbridge residents, and we do not believe the revisions proposed to date go far enough. Our July 28, 2026 letter requested that regulatory policy language in rural land use categories be converted from "shall" and "shall not" to non-binding, advisory guidance. That request stands for the mandatory provisions that remain in the current staff-recommended revisions, including but not limited to:

1. Rural General Areas, Policy 1 (as revised): "Residential buildings subject to Act 250 in this area shall be at a residential scale."
2. Rural General Areas, Policy 8: new development "shall take reasonable steps" to meet the policy's siting and buffering requirements.
3. Rural General Areas, Policy 11: "Principal retail shall not be permitted in Rural General Areas."
4. Rural Agriculture and Forestry Areas, Policy 1: buildings other than barns, greenhouses, riding arenas, or wood/mineral-processing facilities "shall be at a residential scale."
5. Rural Agriculture and Forestry Areas, Policy 3: new development "shall take reasonable steps to protect stone walls, wetlands, stream buffers" and related resources.
6. Rural Agriculture and Forestry Areas, Policy 5 (as revised): certain retail, storage, and office uses "shall not be located in Rural Agriculture and Forestry Areas."
7. Rural Conservation Areas, Policy 1: land above 2,500 feet in elevation "shall be maintained predominantly in a natural, undeveloped state."
8. Rural Conservation Areas, Policy 9: subdivisions "shall not contain more than ten principal structures in total."
9. Rural Conservation Areas, Policy 16 (as revised): "No uses except agriculture, residential, forestry, outdoor recreation, home occupations, accessory on farm businesses, and conservation shall be established in the Rural Conservation Area."

These are the kind of land use restrictions that Tunbridge residents understand to be the subject of local decision making. We understand TRORC's position that mandatory language in a regional plan is lawful where its effect is confined to Act 250 review. Our request is that this remaining mandatory language be converted from "shall" and "shall not" to "should," in the same manner TRORC has already applied to the policies addressed in the August 31 Responsiveness Document. We ask that TRORC apply that same standard consistently rather than retaining mandatory language selectively.

III. The Future Land Use Map's Agricultural Lands Methodology

Our July 28, 2026 letter raised concerns about the draft's approach to agricultural land that we believe remain unaddressed. Vermont law is specific on this point: 24 V.S.A. § 4348a(a)(2)(A) requires that a regional plan's natural resources and working lands element indicate areas for agriculture "using the agricultural lands identification process

established in 6 V.S.A. § 8." That statute directs the Secretary of Agriculture, Food and Markets to establish agricultural lands planning criteria for use by regional and municipal planning commissions.

We have reviewed TRORC's published Future Land Use mapping methodology and do not find any reference to the Secretary's agricultural lands planning criteria. We ask TRORC to confirm how, if at all, agricultural land in Tunbridge was evaluated under the 6 V.S.A. § 8 process in developing the Draft Regional Plan's Future Land Use Map, and if that process was not applied, to explain the basis for that omission in light of 24 V.S.A. § 4348a(a)(2)(A).

IV. Summary of Requests

1. Confirm that, consistent with 24 V.S.A. § 4302(f), Tunbridge's Town Plan controls where it differs from the Draft Regional Plan's policies.
2. Convert the remaining mandatory ("shall"/"shall not") policies in the Rural General, Rural Agriculture and Forestry, and Rural Conservation Areas to advisory ("should") language, consistent with the conversions TRORC has already made elsewhere in the Draft Plan.
3. Confirm whether and how the 6 V.S.A. § 8 agricultural lands identification process was applied to Tunbridge in developing the Draft Regional Future Land Use Map, specifically for flood-prone agricultural land such as the Route 110 Corridor.
4. Enter this letter into the official administrative record for the Draft 2026 Regional Plan, and forward it to the Vermont Land Use Review Board.

We appreciate TRORC staff's continued engagement with these questions and look forward to a response in advance of the Board's consideration of the second-hearing draft.

Sincerely,

Amy Frost

Amy Frost, Chair

On behalf of the Tunbridge Planning Commission: Amy Frost, Brenda Field; Katharine Maguire; Israel Provoncha; Dan 'rudi' Ruddell; Janet Wells; Shane Young

Gary Mullen

Gary Mullen, Chair

On behalf of the Tunbridge Selectboard: Gary Mullen, Mike McPhetres, John O'Brien

cc: Peter G. Gregory, AICP, Executive Director; Kevin W. Geiger, AICP, CFM, Senior Planner, TRORC; Vermont Land Use Review Board