VERMONT
LAND USE REVIEW BOARD
Application #:
RPC10-0001
Exhibit #: 117
Date Received: 10-23-2026

Gott, Catherine

From: Michelle Massa <shellfro@hotmail.com>

Sent: Friday, October 23, 2026 11:03 AM

To: Hurley, Janet; Dingledine, Brooke; Weinhagen, Alex; Act250 - Board

Cc: Tony OMeara; Diane Eramo; Lynne Bertram

Subject: FYI: Commissioners' request to the Attorney General regarding formal TRORC inquiry

Attachments: TRORC_AG_Evidentiary_Briefing_4Commissioners_FINAL_102226_v2.pdf; TRORC_AG_Letter_4Commissioners_FINAL_102226_v2.pdf

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

Dear Chair Hurley,

You were copied on the letter that four TRORC Commissioners (Lynne Bertram of Bridgewater, Tony O'Meara of Newbury, Diane Eramo of Granville, and I) sent last night to Assistant Attorney General Todd Daloz. I wanted to make sure it reached you directly, along with the evidentiary briefing that accompanies it.

We have asked the Attorney General's office to send TRORC a formal letter of inquiry about its compliance with the Open Meeting Law, its own bylaws, and Act 181's participation requirements. We are not asking LURB to act on any of this, and nothing in the letter asks the Board to take a position at the juncture.

Some of this will be familiar. An earlier version of this briefing went to Representative Rob North ahead of the Joint Legislative Environmental Oversight Committee's October 8 meeting, and it is now part of that Committee's record: Legislative Briefing, Vershire Planning Commission, October 13, 2026. When the Committee took up the question of who oversees a regional planning commission, it was explained that LURB has no role in the process until the adopted plan comes before the Board for review. We understand and respect that. Representative North asked at that meeting for a formal legal briefing on regional planning commissions and accountability, and that briefing would be especially helpful now, given that the September 18 letter filed with LURB in TRORC's name calls LURB's criteria for mandatory policies "outside of the LURB's authority to require" and states that TRORC does "not think the LURB is enabled to weigh in on the specifics of policy language in regional plans."

TRORC's full Board never discussed that letter or voted on the position it takes; it was not signed by anyone. We had read staff's arguments in the Responsiveness Document, but none of us knew a formal letter would be filed on the Commission's behalf; we heard about it via social media. When asked directly about it, EC Chair Bill Emmons later described it as "the Executive Director's comments" and wrote that the Executive Director has the authority to *manage the Commission's correspondence*. We, the undersigned, disagree that taking a legal position against the state's review board is routine correspondence. By contrast, Windham Regional

Commission's September 11 letter on the same guidelines was signed by its Executive Director, following a September 8 review of LURB's comments by its Executive Board, and moved forward with the changes LURB requested.

The evidentiary briefing attached here builds on the one Representative North shared. It is our attempt to document, in one place, the violations we have seen from TRORC over these many months, up to this point. It is long, and some of it is admittedly hard to follow, but given your role in the process, we felt it was important to keep you informed.

When the Oversight Committee asked who holds a regional planning commission accountable for how it conducts itself, the answer was that no one clearly does. If the Attorney General's office will not hold a regional planning commission to the law and to its own governing bylaws, we are left asking, who will?

Thank you, as always, for your time and attention.

Respectfully,

Michelle Massa
Commissioner, Vershire, Two Rivers-Ottauquechee Regional Commission
Chair, Vershire Planning Commission

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