VERMONT
LAND USE REVIEW BOARD
Application #:
RPC10-0001
Exhibit #: 119
Date Received: 10-23-2026

**SUBMITTED TO THE VERMONT ATTORNEY GENERAL —
FORMAL REQUEST FOR INQUIRY**

TRORC: A Regional Planning Commission Out of Control

An Evidentiary Briefing for the Vermont Attorney General, Shared by Four Sitting TRORC Commissioners

Prepared by Michelle Massa, Chair, Vershire Planning Commission and TRORC Commissioner, with research and documentation conducted July–October 2026. Endorsed by fellow Commissioners Tony O'Meara (Newbury), Diane Eramo (Granville), and Lynne Bertram (Bridgewater), who join in supporting the request for a formal inquiry.

> ***"Currently in statute there isn't a direct oversight body on the regional planning process… for the last, more than a decade, it's been unclear about who would bring any kind of enforcement against that."***
>
> *That was the Legislative Counsel's answer on Oct. 8, 2026, when the Joint Legislative Environmental Oversight Committee took up a question prompted by Representative Rob North's review of our legislative briefing on TRORC. The oversight that does exist, as a LURB representative explained earlier in the conversation, attaches to the regional plan itself once it is adopted and resubmitted for review—not to the commission that writes it or the conduct of the people who run it.*

Collectively, we are four sitting Commissioners of the Two Rivers-Ottauquechee Regional Commission (TRORC): Lynne Bertram (Bridgewater), Tony O'Meara (Newbury), Diane Eramo (Granville), and Michelle Massa (Vershire). We are submitting this documentation to the Office of the Attorney General in support of our request for a formal inquiry into TRORC's conduct, because there is no other body willing or able to act. This briefing accompanies our letter and is also shared with the Land Use Review Board, DHCD, the Joint Legislative Environmental Oversight Committee, and with the Selectboards of TRORC's thirty member towns. Representative Mike Tagliavia (Orange-1) and Senator John Benson (Orange District) have separately written to TRORC's Executive Committee about the same conduct documented below. Addressed to Chair Emmons and the Commissioners and dated September 29, 2026, their letter remains unacknowledged and unanswered by TRORC more than three weeks later, and it was never distributed to the full Board to which it was addressed.

This document was prepared on behalf of the four undersigned Commissioners by Michelle Massa, with documentation from fellow Commissioners and members of the public across TRORC's 30 member towns. Several current and former town officials declined to speak on the record about their experiences with TRORC staff, citing fear of retaliation, including the withholding of grant funding.

Each of us serves at the pleasure of our own town's Selectboard, not TRORC. It is from that vantage point, representing our towns rather than the organization itself, that we bring forward the grievances and documented conduct in this report: a pattern of abuse of power and arrogance that we believe warrants the

Attorney General's attention. Many resources are listed at the end of this report for validation and further reading.

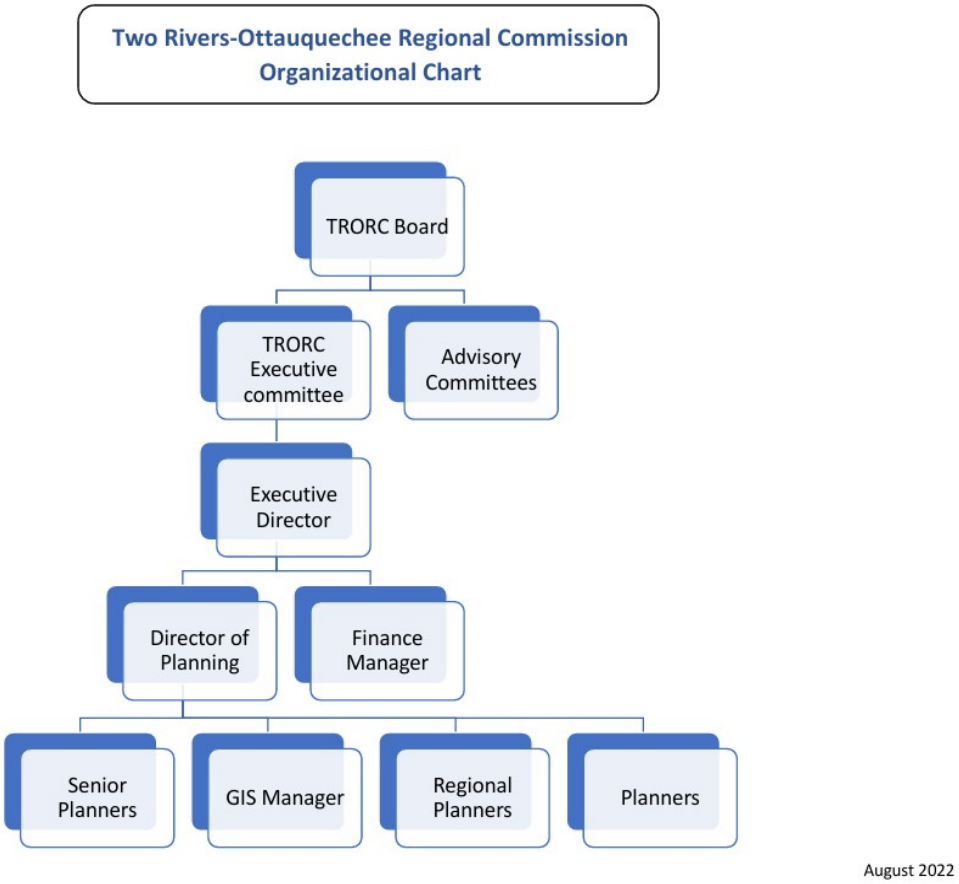
This is not one town's grievance against TRORC's staff, and it is not personal. More than 180 comments were made during the public comments period, 99% of which were in opposition to some element of this plan or the process itself. Vershire and its representative raised our concerns through four formal written submissions since July 2026: a Vershire Planning Commission and Selectboard letter (July 14), a 120 citizens' petition (July 16, co-led with Corinth farmer Neil Ryan), hearing remarks submitted to both TRORC and the Land Use Review Board (July 29–30), and yet another formal LURB comment (August 6) — none of which TRORC's process has meaningfully answered. (Library of many formal comments is HERE).

This document serves as an accounting — on behalf of the landowners and rural residents least able to absorb more regulation — of an organization whose instinct to override local objection did not start with Act 181. TRORC voted down Hartford's own objections to this same mandatory-language approach back in 2019, according to the Commissioner who raised them. To be clear: Act 181 did not create this pattern; it handed TRORC a bigger platform for it. That platform arrived at the very moment the Legislature set boundaries on TRORC, requiring that regional planning decisions be made **"at the most local level possible commensurate with their impact."** 24 V.S.A. § 4302(b)(2). That limit has never been in TRORC's sights — not in 2019, and not now.

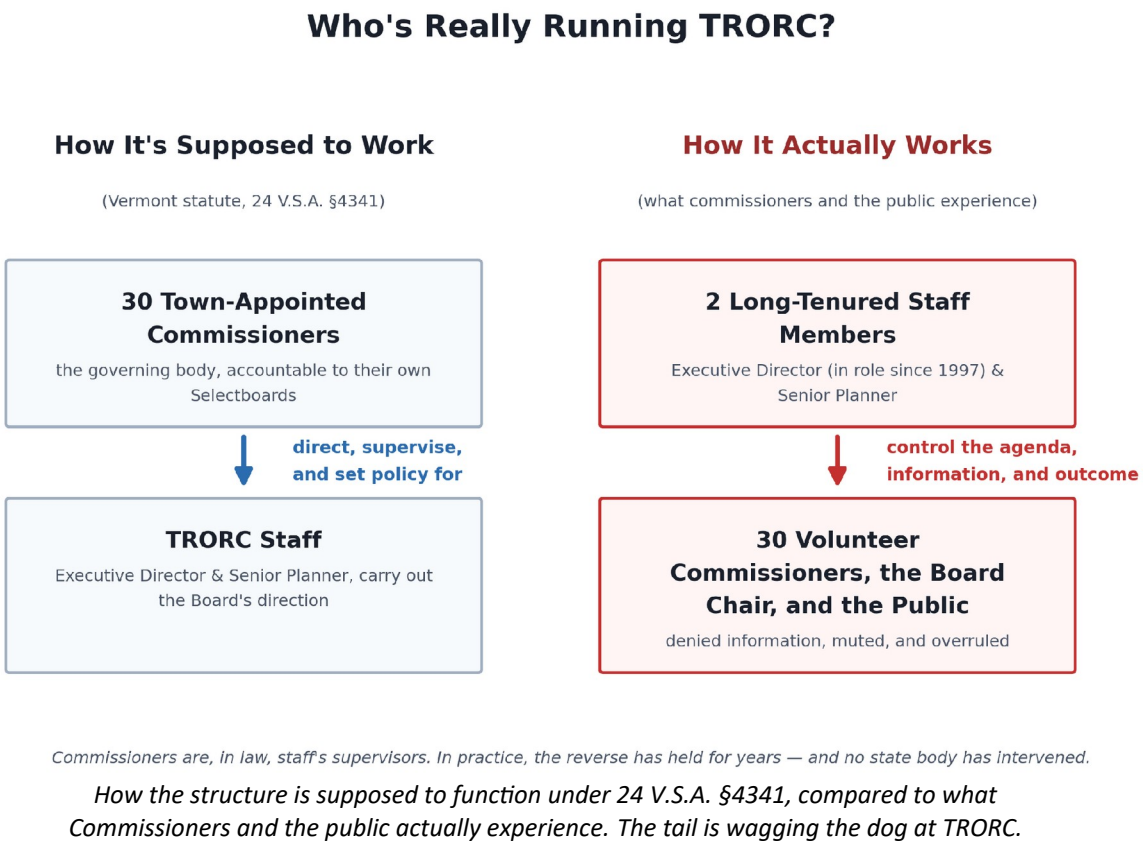
1. In a Nutshell

The Two Rivers-Ottauquechee Regional Commission (TRORC) writes land-use rules with the force of law for 30 Vermont towns. By state law, TRORC is governed by 30 town-appointed Commissioners, ordinary Vermonters who serve at the pleasure of their own Selectboards. In practice, two long-tenured staff members, Executive Director Peter Gregory and Senior Planner Kevin Geiger, run the organization with effectively no oversight or accountability. They have blocked public participation, censored communication between Commissioners, threatened towns with the loss of grant funding, and used their positions to push personal agendas in Act 250 permitting fights, sometimes making claims that were later proven false (e.g. Peace Field Farm, Woodstock example).

The organizational structure: as designed, and as it functions in practice



TRORC's own published organizational chart (August 2022): the Board sits at the top, above the Executive Committee and staff.



How the structure is supposed to function under 24 V.S.A. §4341, compared to what Commissioners and the public actually experience. The tail is wagging the dog at TRORC.

The TRORC Executive Committee, VLCT, LURB, and now, the Vermont Attorney General's office have all been asked to intervene, but nothing at TRORC has changed. This documentation is submitted directly to the Attorney General's office in support of our request, alongside a separate letter from Representative Tagliavia and Senator Benson addressing the same conduct.

This is not a new problem. The behavior documented below did not begin after S.325 passed; it was already documented back to at least 2019 by Hartford, and it has continued, unchanged, ever since. We shared our own legislative briefing on TRORC with Representative Rob North several weeks before the Joint Legislative Environmental Oversight Committee took it up at its first meeting, on October 8, 2026. That was the first attempt to put any part of this record before a state official with oversight responsibility. Our letter to the Attorney General, alongside this documentation and Rep. Tagliavia and Senator Benson's letter to TRORC's Board, now puts the full record before every state official positioned to act, as well as TRORC's own Board and the towns TRORC serves, all in one place. In our view, what this record describes is a systemic breach of the public trust, and it warrants both the Legislature's attention and a formal inquiry by the Attorney General's office.

This aggregation of grievances is not one town's grievance, but more than thirty separate documented incidents, drawn from eight towns across TRORC's wide region, spanning 2019 through October 2026. Additional documented incidents exist beyond what is contained in this report.

Nine Documented Patterns

What this briefing covers, and where the record sits:

01

Coercion Over Funding

TRORC staff used grant funding and permitting authority as leverage against member towns and individual landowners.

Section 2

02

Excluding the Public

TRORC excluded the public from a March 2026 meeting, then admitted the Open Meeting Law violation only under threat of legal action.

Section 3

03

Excluding Commissioners

In September 2026, three sitting Commissioners were barred from a closed Executive Committee session. A commissioner contact list was withheld for 17 days.

Section 3

04

Abusive Conduct by the Director

Executive Director Peter Gregory swore at a member of the public and did not deny it. TRORC's own policy required the Executive Committee to act, yet it did not.

Section 4

05

Conduct in Act 250 Cases

In the Peace Field Farm case, TRORC staff are alleged to have made false claims to regulators, entered private land without consent, and taken positions no Commissioner approved.

Section 5

06

No Discipline Mechanism

Neither TRORC's bylaws nor its Code of Conduct can discipline staff, and regional commissions sit outside Vermont's Municipal Code of Ethics.

Section 6

07

Town Requests Unanswered

Towns asked TRORC which parcels are being reclassified; for per-town land use figures; and for the environmental justice analysis LURB required. None were supplied.

Section 6

08

The Plan Language Binds

The Vermont Supreme Court held in *In re B&M Realty* (2016) that TRORC's mandatory plan language is enforceable against landowners in Act 250.

Section 8

09

Defying State Oversight

Asked by the state Land Use Review Board to justify its mandatory policies, TRORC's written answer disputes the Board's authority to ask.

Section 9

Every item is backed by a written record, available on request.

2. Overreach and Coercion

Staff have repeatedly used their control over grant funding and permitting authority as leverage, both against towns and against individual landowners, rather than serving as **neutral** technical advisors.

- At a public Executive Committee meeting on April 8, 2026, the Chair asked to finish the Land Use chapter, noting that a number of people still had their hands up when the Board last took up the chapter. Executive Director Peter Gregory responded that "the only people that didn't speak were members of the public" and recommended that the Board not bring the chapter up again. A few minutes later, as the discussion turned to landowners' concerns about Tier 3, he said: "I don't care, because I… I'm here to get this regional plan through. I'm not here to… to worry about what every landowner is thinking about Tier 3. It is just not our issue." (TRORC's own meeting recording, at about 1:21:19 and 1:26:31.) Neil Ryan posted video of this exchange in his July 9, 2026 post, Two Rivers update: A pattern of exclusion and condescension. Ryan's account also appears in his public comments reprinted in TRORC's own August 31, 2026 Responsiveness Document (pp. 142 and 153), and TRORC's responses did not dispute it.
- At the Bradford Selectboard's March 12, 2026 meeting, Gregory told the board it could "talk about it until the cows come home," and added, "no one's gonna die, this is not life and death" (meeting recording, at about 1:26:03; Passcode: .DbVT1e4). A Bradford business owner present read it as a signal that continued objections would put the town's grant funding at risk.
- At a public hearing, Senior Planner Kevin Geiger said, in substance, that grant funding could be revoked if the town did not adopt the plan as written, a comment one Commissioner who was present described as fear-mongering.
- When Vershire's Planning Commission asked for help updating its town bylaws, staff first said a grant deadline had already passed, then offered free help, then reversed course and required a paid contract once Vershire's own analysis got too detailed for staff's liking.

3. Silencing the Public and the Board

State law requires regional commissions to give the public a meaningful chance to weigh in, not just a formality. TRORC has repeatedly closed that door, on both the public and its own governing Commissioners.

- **January 14, 2025 / August 7, 2026:** Pomfret's Planning Commission and Selectboard, led by TRORC's own Chair, wrote to TRORC twice raising the concerns documented throughout this record. The second letter directly answered LURB's own question about municipal support, on the record: "Pomfret's answer, respectfully, is that it does not support those policies as drafted." Between the two letters, nineteen months apart, TRORC made hardly any meaningful changes to the mandatory provisions Pomfret objected to. Only after hundreds of public comments poured in opposing the plan's overreach did TRORC walk back five of the most contested provisions. A great many "shall" and "must" provisions remain; the Board began working through them on September 30 and October 14, and that review continues.
- **March 25, 2026:** Gregory excluded the public from a meeting in violation of Vermont's Open Meeting Law. TRORC denied any wrongdoing until threatened with legal action, then, following a written Open Meeting Law notice from Corinth farmer Neil Ryan on August 10, 2026, admitted the violation at an August 20 special meeting. Several community members doubt that the cure was done properly as the Commission defied its own legal counsel's advice on the remedy.
- A citizen who was speaking during public comment was cut off and muted mid-sentence after criticizing a staff-written policy, even as other attendees offered to give him their own speaking time to finish.
- Staff blocked the Board Chair's own outgoing letter from referencing a Commissioner's written analysis of an official LURB preapplication review, evidence that an Executive Director overruled his own Board Chair's communications.

- Staff do not respond to every Commissioner the same way. On January 13, 2025, a male Commissioner objecting to the draft regional plan asked staff for the full commissioner contact list and received it the next day. On August 14, 2026, Michelle Massa asked for the same list to circulate her own summary of LURB's official review, a document LURB's own Chair, Janet Hurley, had already reviewed as "accurate." Ms. Massa received no response, asked again in person at the August 20 meeting, asked a third time in writing on August 31, and finally received the list that same day, seventeen days and three requests later. There is no established channel for Board communications. Until very recently, staff emails to the Board went out as BCC, so Commissioners could not see who else received them.
- **September 9, 2026:** TRORC cancelled the meeting scheduled for that day, which residents understood as their chance to ask questions about the Commission's written responses to public comment. Commissioners were told the reason was to allow more time to digest the material, but the public was told nothing; the meeting simply disappeared from TRORC's website, and a request that staff post an explanation went unanswered. It was never made clear whether the meeting was a Board meeting or a public discussion session. No replacement was scheduled. Michelle Massa asked staff and the Chair to reschedule it as a public meeting, and then asked that the first hour of the September 30 Board meeting be set aside for public discussion. Neither request was acknowledged, and neither happened. On September 30, public comment was limited to 30 minutes in total, about two minutes per speaker, on a 294-page responsiveness document affecting thirty towns.
- **September 14, 2026:** TRORC's Executive Committee held a same-week "emergency" meeting called, as Michelle Massa can confirm firsthand as a Commissioner present, to address the Executive Director's September 9 conduct at the coffee shop. In holding it, the Committee listed no topic on the agenda, muted a Commissioner during public comment, and denied three sitting Commissioners access to a closed executive session, while admitting *on the record* that the Committee itself had one more member than its own rules allow. The meeting's only outcome was an agreement to have TRORC's attorney draft a public statement for "damage control."
- **September 15, 2026:** Neil Ryan, a farmer from Corinth, filed his second formal Notice of Alleged Open Meeting Law Violation and Request for Cure under 1 V.S.A. § 314(b)(1), addressed to Chairman Bill Emmons and copied to Peter Gregory and the Office of the Vermont Attorney General. It alleges eight separate violations arising from the September 14 meeting, including an agenda that never stated the nature of the proposed executive session, a special meeting never publicly announced as § 310(7) requires, a motion that identified no business at all, the exclusion of sitting Commissioners from a closed session with no motion or vote on their exclusion, and formal action taken *behind closed doors*. Under § 314(b)(2) TRORC has ten calendar days to respond publicly. Under § 314(b)(3), silence is treated as a denial.
- **September 25, 2026:** TRORC responded to Ryan's complaint. Of the eight alleged violations, the Commission acknowledged five, disputed two, and gave a partial acknowledgment on the remaining one.
- **September 28, 2026:** When the 48-hour posting deadline passed at 6:30 p.m., TRORC had not posted an agenda for the September 30 meeting. Screenshots and a timestamped web-archive capture at 8:13 p.m. document it.
- **September 30, 2026:** TRORC's Board met and started taking up roughly 140 proposed changes to the regional plan. The agenda was not posted until the morning of September 29, the day before the meeting, after a Commissioner asked staff to post it – late under 1 V.S.A. § 312(d)(1)(A). At the Chair's request, the Board then voted, 25 to 1 by roll call, to have Tom Kennedy, Hartland's alternate commissioner and Vice Chair of the Hartland Select Board, preside as Chair Pro Tempore over public comment and the agenda item deciding 20 of those changes. However, Mr. Kennedy holds no TRORC office. Our objection is not to Mr. Kennedy, who may well have been a reasonable choice to run that discussion. It is to whether the Chair had the authority to appoint him and put that appointment to a vote, when Section 9.5 of the bylaws requires

that any meeting transacting legal business be chaired by an officer of TRORC. On two questions where the Board was visibly divided, Kennedy called for a show of hands rather than the roll call 1 V.S.A. § 312(a)(2)(B) requires once a member is attending remotely, and no vote was taken by town as Section 5.2 of TRORC's bylaws requires. Kennedy told the Board members they were "not voting on anything tonight" and that the results were "the temperature of the meeting," while also telling them staff would follow "the direction that you folks are going to take tonight." Neil Ryan filed a third formal Open Meeting Law complaint over this meeting on October 4, 2026, naming both defects and raising the Section 9.5 question.

- **October 5, 2026:** TRORC's Executive Committee held a special meeting without sending any notice to the full Board. The agenda memo, dated October 1, was addressed to Executive Committee members only, and the meeting was posted on TRORC's website, but no notice went to the other Commissioners. At the time, Article 9, Section 9.4 of the bylaws required seven days' written notice of any TRORC or subcommittee meeting to every Commissioner and Member-at-Large. At that meeting, the Committee adopted an internal policy setting 24-hour notice for its own future special meetings, a standard that conflicts directly with the bylaws' own seven-day requirement. A committee-adopted policy cannot shorten what the bylaws themselves require; only a bylaw amendment under Article 10, which needs twenty days' notice and an affirmative vote of 75% of members present, can do that.
- **October 14, 2026:** TRORC's Board held a special meeting, called by the Chair and Executive Director in a memo dated October 9, to respond to Neil Ryan's October 4 complaint alongside Regional Plan business. According to TRORC's draft minutes, the Board voted unanimously to acknowledge both violations Ryan alleged: the late agenda and the missing roll-call votes, and then ratified all of its September 30 actions in a single motion without discussion. It adopted an agenda-posting policy set at the Open Meeting Law's minimums, 24 hours before special meetings and 48 before regular ones, by a roll call of 16 to 3. On the Chair's motion, the Board again appointed Tom Kennedy as Chair Pro Tempore, including for an agenda item where votes would be taken, with Bridgewater, Granville, and Vershire opposed. The Section 9.5 question Ryan raised about who may chair a meeting transacting legal business does not appear anywhere in the minutes.

4. Unprofessional and Abusive Conduct

- **September 9, 2026:** The same day TRORC cancelled a public meeting intended for residents' questions, Hartland farmer Todd Heyman held a coffee shop door open for a man who turned out to be Executive Director Peter Gregory. Heyman asked him, pointedly but without profanity or any threat, why TRORC had cancelled that day's meeting when it says it wants public input. According to Heyman, Gregory answered "f*ck you," twice. When Heyman asked, "Excuse me, what did you say?", Gregory added "f*ck off," in front of other customers. Heyman left without buying coffee. He gave his account directly to Board Chair Bill Emmons. When the Chair raised it with Gregory, Gregory did not deny it, describing it only as "an altercation." To our knowledge, no corrective action has been taken. On September 14 the Executive Committee met in a closed session, later described in its minutes as the evaluation of a staff member, after the Committee stated on the record that its purpose was to "get a handle on what's going on right now before it gets out of control and do some damage control." Its only reported outcome was a decision to have TRORC's attorney draft a public statement. The Committee later acknowledged that meeting violated the Open Meeting Law and ratified that decision on October 5. As of this writing, we are not aware that any statement was ever issued.
- TRORC's Abuse Policy, adopted by its Executive Committee on January 12, 2022, is written to protect staff. It addresses abuse directed at staff by "clients, contractors, other staff, or the public," and it names the Executive Director as the person empowered to enforce it. It offers the public no protection at all, and that gap is itself worth the Legislature's attention.

- The policy does, however, contain one provision that applies here: "Verbal abuse by supervisory staff or Board members shall be reported to the Commission's Executive Committee for action." Peter Gregory is supervisory staff. On its own terms, this policy required TRORC's Executive Committee to act on his September 9 conduct. The Executive Committee met on September 14, but, as described above, its only reported outcome was a decision to have counsel draft a public statement.
- That expectation is not ours alone. In January 2025 testimony to the House Committee on Government Operations and Military Affairs, the executive directors of the Chittenden County and Addison County regional planning commissions told legislators that "RPCs work for member towns," that "RPC Boards approve budgets and set policy," and that "Executive Committees of each RPC board are responsible for the oversight of the Executive Director."
- **April 13, 2026:** When Michelle Massa, as Chair of the Vershire Planning Commission, asked in writing how TRORC had calculated Vershire's 30-unit housing target, Gregory did not answer the question. He wrote that "everything else in your email is not accurate," without saying what, and added: "Like my mom used to say 'You are who you hang out with' so again, look for new sources of accurate information, not garbage." He sent this reply on a thread that included Vershire's town Listers and TRORC senior staff. The same email said that if Vershire missed its target, "nobody dies or takes residents' first born." He had used nearly the same words a month earlier, telling Bradford's Selectboard "no one's gonna die." It took three written requests and notice of a public records request before Gregory agreed to provide the methodology. The full email exchange is available on request.
- In 2023, while a permit case was pending, Gregory and Geiger visited a restaurant owned by the applicant and made disparaging remarks about him and his farm to restaurant staff and other customers. When confronted, Gregory did not deny the incident, describing it as "having a few drinks and shooting their mouths off."

5. A Specific Case Study: The Peace Field Farm Permitting Fight

The Peace Field Farm (Peacefield LLC) Act 250 case in Woodstock/Pomfret is real and independently documented: Valley News, the Vermont Standard, Mountain Times, and VTDigger covered it from 2021 until the final appeal was dismissed with prejudice on April 23, 2026, when the restaurant was found to qualify as an Accessory-on-Farm-Business exempt from Act 250.

Separately, Todd Heyman, owner of Fat Sheep Farm in Hartland and a former attorney, has a draft ethics complaint in preparation against Executive Director Peter Gregory concerning TRORC's handling of the case, expected to be filed with the Vermont Ethics Commission later in 2026. Heyman is a friend of the Peace Field Farm owners, not a party to the case himself, and his specific allegations remain unverified as of this writing; the draft complaint is available on request. Neil Ryan, a farmer and land rights advocate from Corinth who filed all three Open Meeting Law complaints against TRORC and has testified on Act 181 from the perspective of rural farmers and landowner rights, is likewise available to speak with any official this record reaches.

A second, independently sourced thread bears on the same Chair. Unlike the Heyman account above, which is an unverified draft complaint, the material below comes from John Holland's own correspondence directly with TRORC, spanning 2021 through this October, which Michelle Massa has reviewed firsthand.

Peace Field Farm's underlying agricultural use is independently confirmed: the Vermont Agency of Agriculture determined in July 2021 that the 194-acre farm meets the Required Agricultural Practices' definition of farming (roughly 70 Mangalitsa and Heritage pigs, 13 Angus cattle, about 250 laying hens, and roughly 10 acres of fiber crops), and the Vermont Land Trust had separately confirmed Holland's status as a farmer in 2016. TRORC nonetheless wrote to the Act 250 District 3 Commission in June and August 2021 opposing aspects of the farm's

permitting, prompting detailed point-by-point written rebuttals from Holland in June and September 2021 addressing the Commission's claims about ponds, roads, clearing, riparian plantings, and a barn demolition.

In May 2025, after Executive Director Peter Gregory and TRORC's Chair made public remarks disparaging the Peace Field Farm project, Holland wrote to TRORC raising a conflict of interest: the Chair owns and operates an on-farm business of his own, located nearby, whose products and on-site sales closely mirror what Peace Field Farm was proposing, including a comparable on-farm restaurant concept. Holland asked TRORC to confirm in writing whether it intended to oppose Peace Field Farm's applications, writing that "the apparent conflict of interest arising from his leadership while TRORC potentially opposes a similar agricultural endeavor presents a significant appearance of impropriety." Holland has stated he received no response. We are not in a position to verify or resolve that allegation ourselves. We include it because it is Holland's own documented, repeated written claim to TRORC's own leadership, not a secondhand account, and because it shows how TRORC's conflict-of-interest rules work in practice. TRORC's Code of Conduct and Conflict of Interest Policy, adopted by the Executive Committee on February 10, 2021, bars members from taking official action on matters where they have a conflict, but it depends on members disclosing and recusing themselves. When Holland raised this conflict in writing and asked for a response, he received none. We want to be direct that this is not a complaint any of the four of us is making against the Chair personally; we continue to serve alongside him on TRORC's Board. It is Holland's allegation, and we think the Attorney General and the Legislature should know it exists and remains unanswered.

The dispute resolved in Peace Field Farm's favor: the Vermont Superior Court's Environmental Division held in August 2025 that the on-farm restaurant qualifies for Act 250's farming exemption, and the final appeal was dismissed with prejudice in April 2026. Even after that, in an October 1, 2026 memo to TRORC's Board, Holland raised a new concern: TRORC's draft Future Land Use map singles out the Peace Field Farm segment of Pomfret Road for a less-favorable "Rural Agriculture and Forestry" designation while classifying the rest of the same road as "Rural General," a discrepancy he has asked TRORC to correct and that he reads, in his own words, as "another position taken against this property," while noting he does "not assume that was the intent." Holland also raised the issue in person during public comment at the Board's September 30 meeting in Bethel, where it is recorded in TRORC's draft minutes. His October 1 memo asked that it be shared with the full Board and placed on the agenda for the Board's next regular meeting, October 28, 2026. The agenda and 41-page Board packet for that meeting, distributed October 21, include neither the topic nor his memo, and to our knowledge the memo has not been distributed to the full Board.

6. No One Is Watching the Watchers

TRORC's own governing documents, its bylaws and Code of Conduct, contain no mechanism to discipline or remove staff for misconduct. That gap is one reason none of the above has had any consequence.

A pattern, not just isolated incidents: bylaws violations with no enforcement check

This isn't limited to staff conduct, and it isn't a single incident. Across different years and different committees, TRORC has repeatedly violated its own bylaws, the stricter rules it wrote for itself, not just the Open Meeting Law's statutory floor.

- **Executive Committee membership:** the Committee operated with a seventh member, one over the six-seat cap Article 8, Section 8.1 sets, since at least 2023, according to TRORC's own annual report, until a member resigned from the Committee on October 5, 2026.
- **The October 5, 2026 notice policy:** the Executive Committee adopted a new internal policy setting 24-hour notice for its own special meetings, when Article 9, Section 9.4 already requires seven days' written notice

for any TRORC or subcommittee meeting. A committee cannot shorten by policy what the bylaws themselves require.

- **October 14, 2026 update:** at that evening's special Board meeting, Michelle Massa and Diane Eramo objected to a new agenda-posting policy set at the Open Meeting Law's 24- and 48-hour minimums. Massa stressed that Commissioners and the public need time to review materials and that the statute defines emergency meetings narrowly. Eramo argued that after its Open Meeting Law violations, the Commission should follow both the statute and its own bylaws rather than shorten notice. Bethel's Commissioner offered a substitute motion to simply follow the bylaws. TRORC's counsel told the Board that its bylaws require more notice, "which the Commission is obligated to follow in any case," described the policy as covering situations where the bylaws "are not, or practically cannot be, followed," and offered alternative language requiring seven days' notice. No amendment was moved, the substitute was never voted on, and the Board adopted the shorter policy 16 to 3. In effect, the Board wrote itself a fallback for when it does not follow its own bylaws, set it at the legal minimum, and passed over its own counsel's suggested seven-day language. The Open Meeting Law carries legal consequences, so TRORC answered those violations. Its bylaws carry none.
- **That same October 5 meeting:** did not meet the bylaws' standard either. Notice went to Committee members only, and none went to the rest of the Board, which Section 9.4 required at the time.
- **The September 30, 2026 meeting:** the Chair asked the Board to approve Hartland's alternate commissioner, who holds no TRORC office, as Chair Pro Tempore for the agenda item deciding 20 plan changes, and the Board agreed. Neil Ryan's October 4 Open Meeting Law complaint flagged that Section 9.5 reserves chairing a meeting that transacts legal business to an officer. When the Board took up that complaint on October 14, it acknowledged both Open Meeting Law violations, but neither TRORC's counsel nor the Executive Committee addressed the Section 9.5 question at all. It was simply skipped. The Open Meeting Law points got answers because they carry legal consequences. The bylaws point did not, because a bylaws violation carries none. At that same October 14 meeting, after Ryan's complaint had put the question squarely before the Board, the Chair moved to appoint Mr. Kennedy as Chair Pro Tempore again, for an agenda item where votes would be taken, and the Board approved it over the objection of Bridgewater, Granville, and Vershire. Section 9.5 does not appear anywhere in that meeting's minutes.

We looked into what happens when a regional planning commission violates its own bylaws this way, repeatedly, across different years and different subject matter. As best we can determine, nothing does. Vermont's regional planning commission statute, 24 V.S.A. Chapter 117, gives no state body — not the Agency of Commerce and Community Development, not the Secretary of State, not anyone — authority to enforce an RPC's compliance with its own bylaws. The Secretary of State's role for any Vermont entity is administrative, registering it and processing its filings, not overseeing its internal governance. The Open Meeting Law has its own enforcement path. The bylaws TRORC wrote for itself have none. An organization that can violate its own governing document with no consequence does not really have bylaws; it has procedures it follows when convenient.

- This is not limited to personal conduct. Across four formal written submissions since July, Vershire officials, including Commissioner Massa, raised specific, answerable requests. Many remain unaddressed even after TRORC published its full 294-page Responsiveness Document on August 31. Each one is information a town needs before it can evaluate what is being done to its own land.
- **Parcel-level data.** TRORC will not tell Vershire which parcels are changing classification, or from what to what; it only sent Vershire a letter indicating that parcels across seven categories are being reclassified. It points landowners instead to a self-service map and expects each of them to find their own property, interpret the lines, and work out what the new category means. Not everyone has the access or the training to do that. The reasonable process, and the one every RPC should be required to follow, is to supply each town a list of parcels changing classification, especially those moving into Rural Conservation, the most

restrictive category. That designation follows the land permanently. It affects what an owner may do, what the property is worth, and what the town's grand list is worth.

- **The promise to return to Vershire with new maps.** At the Vershire Planning Commission's July 9, 2025 meeting, TRORC presented working draft maps and said it would review them in January 2026. TRORC never returned to Vershire to present the revised maps that later appeared in the 2026 draft, and no explanation was given. TRORC now characterizes its public outreach as *expansive* and *thorough*. The volume of objections this plan has generated is the evidence against that claim.
- **Per-town land use percentages.** Vershire asked repeatedly for the percentage of each town's land falling into each Future Land Use category. TRORC published only a region-wide *aggregate* on its map page. Every town has a right to know what share of its own territory is being placed in each category. That request is still ignored.
- **Environmental justice.** LURB's review specifically asked TRORC to show who benefits and who is adversely affected by these designations. TRORC did not perform that analysis. It said the analysis would be addressed later. That is not a response to a finding of non-compliance; it is a deferral, and LURB's finding stands ignored as far as we know.
- Commissioner Massa's own land sits in the Route 113 and Parker Road corridor with direct access to a state-maintained highway. She asked that it remain fully Rural General, as it is today, and not largely converted to rural-ag/forest per new FLU maps. Owning a working forest is not a reason to reclassify land into a more restrictive category, especially when there is good access to the only state road that goes through town. In the 20 years since purchasing this logged parcel, the wildlife has thrived alongside her family as they recreate on and care for this land. It is not possible to evaluate these matters properly by using satellite imaging, and therefore credence should be given to landowners who know their land best, not planners in Woodstock at a desk.

  Vershire is not alone in raising this kind of objection. On October 12, 2026, Granville's Selectboard wrote to TRORC's Chair, Executive Director, and Chief Planner objecting to the reclassification of its land, outside the Green Mountain National Forest and state holdings, from Rural General to Rural Conservation, warning that the change would subject a town of 304 residents that has already lost its school and its one manufacturing employer to regulation it sees no justification for. The letter was filed with LURB. The comment window for this round has closed, but the Commission is expected to open a second round, and Granville's Selectboard may refile then.
- Complaints to VLCT have produced some helpful answers on a few discrete points, but no mechanism to hold TRORC or its staff accountable for the conduct described in this record: the Open Meeting Law and bylaws violations, the ignoring of sitting Commissioners' requests to put items on an agenda, or the seventeen-day delay in providing a Commissioner contact list. VLCT's own Municipal Assistance Center has been candid about why: its attorney-client relationship runs to a member municipality acting through its legislative body, not to an individual Commissioner, which limits what it can do on a sitting Commissioner's own behalf. The pattern that emerges, consistent with the rest of this record, is that the avenue most likely to get a response is the one with an enforceable legal consequence attached, the Open Meeting Law, while bylaws violations and the treatment of individual Commissioners go largely unaddressed everywhere we have asked.
- **Executive Committee size:** Section 8.1 of the bylaws limits the Executive Committee to TRORC's four officers plus one or two additional members appointed by the Chair upon a vote of the Board, six at most. TRORC's own 2023 annual report lists seven members. At its June 2025 and June 2026 annual meetings, the full Board again voted to seat a seven-member Executive Committee: four officers and three at-large members (Nancy Malmquist, Ken Alton, and Brian Loeb in 2025; Ken Alton, Brian Loeb, and John Broker-Campbell in 2026),

each time on the Nominating Committee's recommendation with no nominations from the floor. Neither set of minutes records any question about the cap. At the September 14 meeting, members acknowledged on the record that the Committee has a set number of members and that they had not decided whether one at-large member was legitimately seated. The Committee returned to six only on October 5, when Mr. Alton resigned from it, and he remains on the Board as an at-large member.

- Vermont's own Municipal Assistance Center, the League of Cities and Towns' legal service, confirmed in writing to a TRORC Commissioner that regional planning commissions fall *outside* the state's Municipal Code of Ethics entirely, because state law defines "municipality" as a town, village, or city only. There is currently no clear venue to bring an ethics complaint against RPC staff at all.

The diagram below is the simplest way to say it: by law, Commissioners run TRORC and staff answer to them. In practice, it runs the other way, and has for many years.



7. Who Is Being Heard, and Who Is Not

We think it is worth naming a pattern in who has had to fight to be heard in this process and who has not. The four of us represent Bridgewater, Newbury, Granville, and Vershire, four of the smaller and less affluent towns in TRORC's 30-town region. Averaged together, their median household incomes come to about $66,000. The six towns that currently hold Executive Committee seats, Pomfret, West Fairlee, Bradford, Fairlee, Hartland, and Norwich, average about $95,000, roughly 44 percent higher (U.S. Census Bureau, American Community Survey 5-year estimates, 2020–2024). Small-town estimates carry wide margins of error, but the gap holds even without Norwich, the highest-income town: the other five average about $86,000, roughly 30 percent higher than ours. We are not asserting that TRORC has engaged in unlawful discrimination; that is a specific legal claim we are not positioned to make and are not making here. What we are saying is that the towns being asked to accept mandatory, enforceable plan language with the least meaningful opportunity to shape it are

disproportionately the smaller, poorer, and more rural towns in the region, and we think that context matters to any review of the rest of this record.

8. Why Staff Is Emboldened to Mandate: The Supreme Court Already Ruled

There is a reason mandatory language in a regional plan is not an academic question. In 2016, the Vermont Supreme Court decided *In re B&M Realty, LLC*, 2016 VT 114, a case arising from TRORC's own regional plan. A developer had won approval at the Environmental Court for a multi-phase commercial project at Interstate 89's Exit 1 in Hartford. The Supreme Court reversed and the project died, holding that TRORC's plan provisions were not aspirational but mandatory and enforceable in Act 250.

The Court found the provisions "reinforce each other in establishing a clear and mandatory framework for development," such that "a reasonable person can discern what is prohibited."

That decision is the legal foundation underneath every objection in this briefing. When TRORC writes "shall" and "must" into a regional plan, which it did roughly 273 times, it is not guidance. It is a rule the courts will enforce against a landowner in an Act 250 proceeding. TRORC knows this. Its own 2022 Strategic Plan, developed by its Executive Director and Director of Planning, describes the organization as "umpire – a regulator, stemming from Vermont's planning framework" (p. 24). That is how TRORC describes itself internally, whatever it says about the plan being "only a plan" in public. It is why TRORC fought to retain roughly 40 percent of its mandatory language after public comment, and why "it is only a plan" is not a responsive answer to anyone asking what a reclassification will do to their property.

It also explains the institutional arrogance on display. TRORC has been told by the state's highest court that its plan language binds. What it has never been told is that anyone can hold it accountable for how that language gets written, by whom, or through what public process. That is the gap the Legislature can close. The Court was construing the statute the Legislature wrote, and the Legislature can amend it.

The pattern is also longer than this plan cycle. The Court affirmed in 2016 that TRORC's plan language binds. In 2019 the Town of Hartford brought objections to the Commission seeking to moderate that language and was voted down. In 2026, TRORC is expanding mandatory language again.

To be clear, this is not one town's noisy complaint. Bruce Riddle, a Town of Hartford staff member and TRORC alternate commissioner, has raised these objections for years. Writing in August 2026, he noted that the arguments Vershire and others are making now "raise some of the same arguments Hartford presented to the Commission in 2019. For the most part, at a Commission vote, we lost."

He also put the capacity problem plainly. Hartford employs four professional staff who work on land use. Most towns have none at all, only volunteers. And the Land Use chapter, which he and others found the hardest in the plan, is exactly where that gap does the most damage.

If Hartford, with four professional land use staff, cannot keep pace with TRORC's process, a town like Vershire running on volunteers has no chance. **That imbalance is the mechanism by which two staff members come to set policy for thirty towns.** Act 181 states that control should remain *as local as possible.* Towns know their own land. Regional commissions can and should offer guidance, technical support, and data. They should not dictate, and they should not use funding and permitting leverage to extract compliance.

9. Defying State Oversight, in TRORC's Own Words

Vermont's Land Use Review Board (LURB) is the state body responsible for determining whether TRORC's regional plan complies with the law. When LURB asked TRORC to justify or revise several mandatory policies in

its preapplication review, TRORC's staff response was not to address the substance. It was to question whether LURB had the authority to ask in the first place. Five examples, quoted directly from TRORC's own August 31, 2026 response document:

- On LURB's request that TRORC show real community support for its mandatory policies, not just a Board vote: "...it is not our place to second guess the Legislature on this." (p. 279)
- On LURB's request that TRORC show its rural-land policies won't unfairly burden lower-income, senior, and rural residents: "TRORC does not believe that there is any constitutional infringement due to the draft Plan content..." (p. 279)
- On LURB's finding that some of TRORC's rules function more like local zoning decisions than regional ones: "We do not see where that definition is within the purview of the LURB to judge..." (p. 280)
- On LURB's request that TRORC justify a mandatory farmland policy: "TRORC does not think that the Legislature enabled the LURB to approve or disapprove of policies..." (p. 291)
- On LURB's finding that it could not confirm the plan is compatible with individual town plans, and its request for supporting evidence: TRORC simply restated its conclusion that the plans are compatible, rather than supplying the evidence LURB had actually asked for. (p. 282)

LURB is the body the Legislature created to check exactly this kind of plan. TRORC's own written record shows staff treating that oversight as something to be managed around rather than complied with.

TRORC's defiance of LURB's authority was not limited to its written responses to LURB directly. On September 18, 2026, a letter was filed with LURB in TRORC's own name, captioned as coming from "the Commission," disputing LURB's authority to impose a distinct review standard on the mandatory policies in TRORC's draft plan. The letter cites *In re B&M Realty* twice, arguing that because mandatory plan language is enforceable under Act 250, LURB's "creation of a set of criteria solely for mandatory policies in a regional plan runs counter to this enabling" and is, in TRORC's own words, "outside of the LURB's authority to require." The letter bears no signature and names no author. No Board vote authorized it. The letter responds to LURB's August 7, 2026 preapplication review, and the Board's minutes since then (August 20, September 30, and October 14) record no vote on taking this public position, nor any Board discussion of the position it takes. It is posted on the state's Act 250 site: TRORC Comments to the LURB, 09-18-2026.

On September 30, 2026, in an email signed by Board Chairman Bill Emmons and sent to all Commissioners by TRORC staff, the Chair responded to Commissioner questions about the September 18 letter, stating that "the Executive Director has the duty and the authority to manage correspondence for the Commission and to ensure the adopted policy of the Commission is followed and communicated," and that the letter's position was consistent with Board policy because the Board voted unanimously on *April 26, 2026* to authorize staff to initiate public hearings on the first draft of the Regional Plan. That vote authorized staff to *begin a hearing process* on a specific draft. It did not address the legal position the September 18 letter takes, that LURB lacks authority to impose a distinct review standard on mandatory plan provisions, and the record shows no Board vote on that position.

Windham Regional Commission's own September 11, 2026 letter to LURB on the same proposed guidelines illustrates the contrast: WRC's letter is signed by name and title, by Executive Director Chris Campany, documents that WRC's Executive Board reviewed LURB's comments at a September 8 meeting and directed staff on how to respond, and registers disagreement while moving forward with LURB's requested changes. TRORC's letter carries no name, no signature, and no corresponding record of Board or Executive Committee review, and it asks LURB to reconsider its authority altogether rather than comply. Chairman Emmons's own September 30 email refers to the letter as "the Executive Director's comments," language that identifies its author even though

the letter itself does not. Commissioner Tony O'Meara raised the same point to the full Board the same day, noting that VAPDA's comments and the comments other regional commissions have posted on LURB's own website are attributed by name and title, and asking why TRORC's was not.

Commissioner Michelle Massa made the same request the next day, October 1, 2026, writing to the full Board to request an agenda item for the next Board meeting "clarifying where the line sits between *general correspondence* and *policy-setting activity* on behalf of the Commission," and laying out the same three contrasts with Windham Regional Commission's letter noted above. That request was never acknowledged or scheduled. TRORC has no written policy requiring staff or the Executive Committee to acknowledge a Commissioner's written concern, comment, or agenda request within any set period, and in practice many go unanswered. In the space of a month, two pieces of correspondence addressed to the full Board, one from state legislators and one from a member of the public, never reached it. In our view, that leaves staff deciding what the Board is allowed to see.

The September 18 letter was not the first time TRORC staff took a position on pending legislation or regulation without a documented Board vote. In March 2022, Senior Planner Kevin Geiger wrote directly to Representative Carolyn Partridge, then chair of the House Committee on Agriculture and Forestry, urging a half-acre cap on disturbed soil for Accessory On-Farm Businesses rather than the one-acre cap the bill proposed, copying TRORC's Executive Director and Windham Regional Commission's Executive Director, again with no record of Board authorization to take a position on the legislation. The same pattern appears in TRORC's June and August 2021 letters to the Act 250 District 3 Commission opposing aspects of Peace Field Farm's permitting, as discussed in Section 5: staff initiating a substantive position in an active matter, again without a documented vote or discussion by the Board.

The Attorney General's own office anticipated this problem decades ago. In a 1978 opinion on the liability of regional planning commissions (Op. Att'y Gen. No. 38-79, November 2, 1978), it advised that when regional planning staff appear before district environmental commissions, "the stance taken should reflect the commission's official position," and that the commission should "ratify the general position to be taken before appearing." We have found nothing in the record showing TRORC's Board ratified the positions taken in the 2021 Peace Field Farm letters or the September 18, 2026 letter to LURB.

10. Ideas: What the State Can Do Now

Every existing channel that we know of has been tried. TRORC's own Executive Committee and VLCT have each declined to act or lack the authority to do so. This request to the Attorney General's office is our next step; no other body has the authority or has shown the will to act. That leaves the state's elected leadership, through the very oversight mechanism the Legislature just created.

Immediately

- **Joint Legislative Environmental Oversight Committee:** this pattern was taken up formally at the Committee's first meeting, on October 8, 2026, as a concrete test case for its mandate, not a one-off complaint. This history predates S.325's passage and runs through the debate that produced it. We ask the Committee to continue bringing in those cited in this document to testify to our lived experience as it does this work.
- **Attorney General's Office:** this document is submitted directly in support of that request. We ask that the office treat it as an actual investigation rather than a referral back to TRORC, covering the Open Meeting Law violations and the Peace Field Act 250 conduct, where sworn witnesses are available.

- **VLCT:** take a public position that regional commissions answer to their member towns, and support a legislative fix rather than treating this as a local personnel matter.
- **Direct intervention:** a conversation with TRORC's Board Chair and full Board. Individual members have shown sympathy, but the Board has no tool in its own bylaws to discipline the Executive Director or Senior Planner.
- **Formal legal briefing on RPC oversight (requested):** Representative Rob North raised this pattern at the Joint Legislative Environmental Oversight Committee's first meeting, on October 8, 2026, after Committee members reviewed our own legislative briefing on TRORC. He asked who has oversight over what a regional planning commission is doing, whether it is operating within its bounds, and who has authority to step in, specifically whether that responsibility belongs to the Oversight Committee or to LURB. LURB's own representative answered that its review happens only once a plan is adopted and resubmitted, against statutory standards that include meaningful public participation; until then, LURB has no role. The Committee then put the broader question to Legislative Counsel directly. She answered candidly, noting she had not had the chance to review the statute in detail in the preceding minutes: "Currently in statute there isn't a direct oversight body on the regional planning process… for the last, more than a decade, it's been — I think — unclear about who would bring any kind of enforcement against that." Taken together, the exchange confirms what we found in our own research: the only oversight mechanism that exists attaches to the plan document itself, reviewed by LURB once it is adopted and resubmitted, not to the regional planning commission as an organization or to the conduct of the people who run it. We have done our own research into this question and are glad to share it for reference, but the authoritative answer rests with Legislative Counsel and LURB's own counsel, not with us.
- Link to the Committee's 10/8 video recording: https://www.youtube.com/watch?v=tjq-lQwrnRQ&t=1h40m30s (RPC oversight discussion begins around the 1:40:30 mark).
- Michelle Massa's legislative briefing on TRORC, entered into the committee record by Rep. Rob North on October 13, 2026: Legislative Briefing

Next Legislative Session

What follows is offered as suggestions, not expert prescription. Much of it comes from people closer to these questions than we are. Neil Ryan, a farmer in Corinth who has testified on Act 181 from the perspective of rural farmers and landowner rights; Todd Heyman, who owns Fat Sheep Farm in Hartland and has been through Act 250 jurisdiction himself; and Sam Lincoln, who runs a logging and forestry company in Randolph and has testified on the forest products industry, land use, and related matters. Working groups are already doing some of this work, including the Land Use Review Board's working group on Accessory On-Farm Businesses, on which Todd Heyman serves. The strongest version of any reform here will come from widening that circle rather than narrowing it. More community involvement, not less.

- **Close the discipline gap.** Vermont's regional planning commission statute, 24 V.S.A. Chapter 117, contains no removal-for-cause, discipline, or complaint-resolution process for RPC staff, the kind of mechanism that exists for state employees under the ethics code.
- **Require responsiveness to member towns.** Require regional commissions to make Commissioner contact information available to the Commissioners themselves, and set a minimum standard of responsiveness to formal written requests from member towns.
- **Require written acknowledgment within 48 hours.** TRORC has no written policy requiring staff or the Executive Committee to acknowledge a Commissioner's written concern, comment, or agenda request, let alone say what will be done with it. Commissioner Michelle Massa's October 1, 2026 request to add an

agenda item on the Commission's own correspondence practices went unacknowledged and unscheduled; it is one of many such requests that have simply gone unanswered. We recommend a written policy requiring staff or the Executive Committee to acknowledge a Commissioner's communication within 48 hours and state what action, if any, will follow.

- **Bring RPCs inside the Municipal Code of Ethics.** 24 V.S.A. § 1991(13) defines "municipality" as a town, village, or city only, which is why there is currently no venue at all for an ethics complaint against RPC staff.
- **Require elected municipal officials on RPC governing boards.** 24 V.S.A. § 4342 is silent on what role an appointed member must hold, only two of the eleven RPCs require it in their own bylaws, and selectboard members hold 57 of 582 commissioner seats statewide, or 9.8%. This is the one and only element of the Council of Governments model that may be worth adopting on its own.
- **Require annual Open Meeting Law and governance training.** All RPC staff and leadership should be required to complete annual training on the Open Meeting Law and related governance obligations. Several of the incidents in this briefing turn on basic procedural requirements that were either not known or not observed.
- **Require parcel-level disclosure before reclassification.** Before any Future Land Use reclassification takes effect, require the RPC to supply each member town a list of the parcels changing category and what they are changing to, rather than directing individual landowners to a self-service map.
- **Much of this the Board could address itself.** TRORC's bylaws and Code of Conduct need substantial revision, particularly on staff accountability, and that is the Board's own work to do. We hope it will take it up. Barring that, it will take legislative action.
- **This gap is about to matter more, not less.** The February 2025 NADO assessment, commissioned through VAPDA, suggests a shift to a Council of Governments (COG) model as its primary governance recommendation (p. 11).

  H.421 would carry that out: introduced February 27, 2025 by Rep. James Masland of Thetford as sole sponsor, it would require every regional planning commission to establish a council of governments with its municipalities by July 1, 2027. It had no hearings, no votes, and remains in House Government Operations. One piece of it is the reform suggested above: council representatives must be elected municipal officials. What's concerning is the rest of the requirements in the bill. It would let a council "exercise any power, privilege, or authority capable of exercise by a member municipality," excluding only essential legislative powers, taxing authority, and eminent domain. That is a substantial expansion, and on this record it would land on the same staff and the same accountability vacuum. NADO describes these councils as voluntary, whereas H.421 would make them mandatory.

  Peter Gregory is a former president of the organization that commissioned the study recommending this shift, and has repeatedly briefed TRORC's Board in favor of it. The direction is not new. TRORC's 2022 Strategic Plan, developed by its Executive Director and Director of Planning, already proposed "following a Council of Governments (COG) model," with the Executive Director as lead, and creating "a non-profit arm of TRORC to receive private funding" (pp. 28–29). That arm appears to be the Two Rivers-Ottauquechee Regional Foundation. We are not alleging a personal conflict of interest. We are pointing out that the people pushing hardest for this structure are the people who would run it, and the Legislature should require RPC leadership to disclose that kind of interest.

11. Documentation Available on Request

This summary is deliberately short – or at least not overly long. Nearly every item above is backed by a written record: emails, meeting recordings and timestamps, official TRORC and LURB documents, and a detailed ethics

complaint currently in draft form and expected to be filed later in 2026. Full documentation, including a citation to the specific law or TRORC policy each item is alleged to violate, is available on request.

Notes and Sources

1. Peter Gregory remarks, April 8, 2026 Executive Committee meeting: TRORC's own meeting recording (the Chair's request to finish the Land Use chapter and Gregory's response at about 1:21:19; "I don't care… I'm here to get this regional plan through" at about 1:26:31); approved minutes of that meeting. Video also posted by Neil Ryan, July 9, 2026, in Two Rivers update: A pattern of exclusion and condescension. Ryan's account also appears in his public comments reprinted in TRORC's August 31, 2026 Responsiveness Document, pp. 142 and 153, and TRORC's responses did not dispute it.

2. Open Meeting Law: 1 V.S.A. §312 (notice and public-participation requirements); 1 V.S.A. §313 (executive session limits); 1 V.S.A. §314 (enforcement).

3. Regional planning commission authority and duties: 24 V.S.A. §4341 (creation, political-subdivision status); 24 V.S.A. §4345 (technical assistance duties; consent required to enter private land, §4345(9)); 24 V.S.A. §4348 (regional plan adoption and public-participation requirement).

4. State ethics and conduct obligations: 3 V.S.A. §1203(j) (public servants must comply with law and applicable codes of conduct); 13 V.S.A. §§3006–3007 (penalties for willful neglect of a legal duty).

5. TRORC's Executive Committee cap: TRORC Bylaws (2025), Section 8.1 (four officers plus up to two additional appointed members).

6. Peace Field Farm Act 250 case: TRORC staff correspondence with the Act 250 District Commission, June 15 and August 26, 2021; complaint of Todd Heyman, prepared August 21, 2026 (currently in draft form, expected to be filed with the Vermont Ethics Commission later in 2026; full copy available on request); and John Holland's own correspondence with TRORC, 2021 through October 2026, including his May 2025 letter and October 1, 2026 memo to the Board (available on request).

7. Draft complaint compiling the above and additional detail: Todd Heyman, prepared August 21, 2026, not yet filed as of this writing but expected to be filed with the Vermont Ethics Commission later in 2026; available for review on request.

8. TRORC's responses to LURB's preapplication findings: TRORC Responsiveness Document, August 31, 2026, pp. 279–282, 291.

9. RPCs outside the Municipal Code of Ethics: 24 V.S.A. §1991(13) (defining "municipality" as a town, village, or city); confirmed in writing by VLCT's Municipal Assistance Center, September 2026 legal inquiry response.

10. NADO/VAPDA study and H.421: Statewide RPC Network Assessment (NADO Research Foundation, February 2025), primary governance recommendation at p. 11; H.421, "An act relating to the authority to create a regional council of governments," introduced by Rep. Masland of Thetford, 2025-2026 session, not enacted; TRORC Board and Executive Committee minutes, 2023–2026, documenting Gregory's reports on the proposal. This is a preliminary public-record review; it establishes institutional alignment, not a proven personal conflict of interest.

11. Commissioner contact-list comparison: email request to TRORC staff from a fellow Commissioner (Pomfret), January 13, 2025, and receipt of full commissioner list, January 14, 2025; Michelle Massa's written requests of August 14, August 20 (in person, TRORC meeting), and August 31, 2026 (11:56 AM), and receipt of the list later on August 31, 2026.

12. TRORC Abuse Policy, adopted by the TRORC Executive Committee, January 12, 2022: full text available on request.

13. 23-request tally: author's internal tracking records, compiled September 5, 2026, tracking every distinct ask across the Vershire PC & Selectboard Letter (7/14/26), the Citizen Petition Letter (7/16/26, 120 signatures),

Hearing Remarks to TRORC and LURB (7/29–30/26), and the LURB Formal Comment (8/6/26), cross-checked against TRORC's August 31, 2026 Responsiveness Document.

14. Granville Selectboard's Future Land Use objection: letter to TRORC's Chair, Executive Director, and Chief Planner, October 12, 2026, requesting that Granville's land outside the Green Mountain National Forest and State of Vermont holdings remain classified Rural General rather than Rural Conservation; filed with LURB; available on request.

15. Peter Gregory email to Michelle Massa, April 13, 2026, on the Vershire housing target methodology thread (March 24 to April 17, 2026), on which Vershire's town Listers and TRORC senior staff were already included; submitted as Exhibit A to Michelle Massa's July 29–30, 2026 Hearing Remarks to TRORC and LURB; full email exchange available on request. Bradford Selectboard comparison: Bradford Selectboard meeting of March 12, 2026, recording at about 1:26:03.

Submitted by

This documentation and the accompanying letter to the Office of the Attorney General are submitted jointly by the four undersigned Commissioners, each acting in our individual capacity as an appointed representative of our respective town, and not on behalf of TRORC's Board as a whole. Signatures below are provided electronically; each signer has reviewed and approved the final content of this document prior to submission.

/s/ Lynne Bertram
Lynne Bertram, Commissioner, Bridgewater
Date: October 22, 2026

/s/ Tony O'Meara
Tony O'Meara, Commissioner, Newbury
Date: October 22, 2026

/s/ Diane Eramo
Diane Eramo, Commissioner, Granville
Date: October 22, 2026

/s/ Michelle Massa
Michelle Massa, Commissioner, Vershire
Date: October 22, 2026

Resources and Links

Michelle Massa's analyses (open access)

Full research folder, all TRORC plan comments, Open Meeting Law filings, summaries, and analyses in one place
Analysis of TRORC's August 31, 2026 suggested edits
Analysis of LURB's August 7 preapplication response
Four cycles of the TRORC plan, 2017 to present
Vermont's RPCs: structure, accountability, and funding
Meeting summary, TRORC Executive Committee meeting of September 14, 2026
Neil Ryan, Notice of Alleged Open Meeting Law Violation and Request for Cure, September 15, 2026

Statutes

Open Meeting Law, definitions, 1 V.S.A. § 310
Open Meeting Law, right to attend, 1 V.S.A. § 312
Open Meeting Law, executive sessions, 1 V.S.A. § 313
Open Meeting Law, enforcement and cure, 1 V.S.A. § 314
Creation of regional planning commissions, 24 V.S.A. § 4341

Appointment of commissioners, 24 V.S.A. § 4343
Duties of regional planning commissions, 24 V.S.A. § 4345a
Adoption of the regional plan and formal objections, 24 V.S.A. § 4348

Case law, official documents, and reporting

In re B&M Realty, LLC, 2016 VT 114, full opinion
Case summary, Vermont Natural Resources Council
TRORC Responsiveness Document, August 31, 2026
LURB Board Preapplication Response Letter
TRORC's unsigned September 18, 2026 letter to LURB
Statewide RPC Network Assessment, NADO Research Foundation for VAPDA, February 2025
TRORC Bylaws, 2025
TRORC Code of Conduct and Conflict of Interest Policy, February 10, 2021
TRORC calendar entry, September 14, 2026 meeting
Regional plans and town expansion, VTDigger, October 27, 2019
Kevin Geiger quoted as TRORC director of planning on Woodstock zoning, VTDigger, November 22, 2022
Peace Field Farm on-farm restaurant dispute, VTDigger, April 22, 2022
H.421 as introduced, an act relating to the authority to create a regional council of governments
Regional Planning Commissions Overview, presentation by Charlie Baker (Chittenden County RPC) and Adam Lougee (Addison County RPC) to the House Committee on Government Operations and Military Affairs, January 17, 2025
TRORC Strategic Plan, 2022 update, adopted April 27, 2022
Vermont Attorney General Opinion No. 38-79, liability of regional planning commission staff and commissioners, November 2, 1978
TRORC Executive Committee meeting recording, April 8, 2026 (Land Use chapter request at about 1:21:19; "I don't care" remark at about 1:26:31)
TRORC Executive Committee minutes, April 8, 2026, approved

Press coverage

Rural Vermont Rising demands to be heard, now and in the future. VTDigger, Theo Wells-Spackman, September 22, 2026.
Is Rural Vermont Rising or Falling Short?. Seven Days, Kevin McCallum, September 23, 2026.
Rural Vermonters Are Pushing Back on Land-Use Rules. A 30-Town Dispute Shows Why. Compass Vermont, September 25, 2026.
After canceling meeting, TRORC says public will be able to weigh in on its report on Sept. 30. The Vermont Standard, Justin Bigos, September 17, 2026.
Stop the Hearings: Lawmakers Urge Two Rivers-Ottauquechee Board. Vermont Daily Chronicle, October 2, 2026.

Independent reporting and commentary

Not All Regional Plans Are Equal. Alexsys Thompson, Vermont Investigative.
No One Is Coming to Save Rural Vermont — Because the Plan Is to Empty It. Alexsys Thompson, Vermont Investigative.
Vermont's 40,000 Home Problem: When the Math Doesn't Math. Alexsys Thompson, Vermont Investigative.
Two Rivers update: A pattern of exclusion and condescension. Neil Ryan, MacIsaac Highland Cattle.
TRORC's Naked Power Grab. Neil Ryan, MacIsaac Highland Cattle.

Legislative record

Joint Legislative Environmental Oversight Committee, Documents & Handouts, October 8, 2026: Documents & Handouts | Joint Legislative Environmental Oversight Committee
Joint Legislative Environmental Oversight Committee, video recording, October 8, 2026 (opens at 1:40:30, where the RPC oversight discussion begins)
Michelle Massa, legislative briefing on TRORC, entered into the Joint Legislative Environmental Oversight Committee record by Rep. Rob North, October 13, 2026: Legislative Briefing, Vershire Planning Commission

Neil Ryan, Notice of Alleged Open Meeting Law Violation and Request for Cure (Board meeting of September 30, 2026), October 4, 2026: available on request.
Representative Mike Tagliavia and Senator John Benson, letter to Chair Emmons and the Commissioners of TRORC's Board and Executive Committee, copied to LURB Chair Janet Hurley, September 29, 2026: RPC Open Meeting Law objections letter. No acknowledgment or reply from TRORC as of this writing, more than three weeks later.