

3/21/05

VPA LEGISLATIVE REPORT #9

New bills of note on the Legislative Council web site this week:

S. 151 – **Groundwater public trust** – ANR mapping by 1/1/07 and study committee

S.152 – Integrated resource planning / alternatives evaluations required of VELCO and other **electric transmission** companies.

S. 153 – **Big Box retail size cap.** This is a bill that the VPA Legislative Committee urges planners to read and weigh in on - The bill proposes to establish a statewide cap of 50,000sq.ft. on any single big box retail businesses, a cap that would appear to apply to a new building or expansion resulting in 50,000sq ft or more of retail sale or related services operated by a single business. The Statewide cap would take effect July 1, 2005 and would supercede all local bylaws until municipalities then amended their bylaws to provide for a specific cap either:

- (1) larger, up to 75,000 sq ft in designated downtowns, village centers and new town center districts; or,
- (2) smaller than 50,000 sq. ft.

The bill would expressly authorize local planning commissions / zoning boards / DRB's to require applicants for big box retail uses to provide an impact study of projected costs and benefits to the community.

Apparently, preexisting big boxes that exceeded these caps would become nonconforming uses.

This bill, sponsored by 12 Senators, is on the agenda of the **Senate Economic Development, Housing and General Affairs Committee for Thursday, March 24 from 9:30 Am- 10:30 Am** with the following witnesses scheduled: Patricia Moulton Powden, Chair, and Mike Zahner, Exec. Director of the Natural Resources Board; Steve Kerr, Secretary of Agriculture; Kevin Dorn Secretary of Commerce & Community Development; and Paul Bruhn, VT Preservation Trust.

Other selected committee agenda items of interest to planners this week:

House General, Housing & Military Affairs Committee

Wednesday 9:30 AM-**H. 110 Statewide Housing Registry** – Erhard Mahnke, Housing Coalition; Richard Fitzgerald, City Mgr. Barre; Karen Horn VLCT and Sen. Jim Condos.

House Government Operations Committee

Tuesday 11 Am **H.28 Guidelines for Outdoor Lighting** – Committee discussion and possible vote.

Tuesday 2:30 Pm **H.12 Municipal regulation limitation for Amateur Radio Antennas** – Nancy Boone, Historic Preservation; Paul Bruhn, Preservation Trust, Karen Horn VLCT – Committee discussion and possible vote.

House Natural Resources & Energy Committee

Still mostly working on energy issues this week.

Senate Natural Resources & Energy Committee
Tuesday 10:30 am **S.56 ANR Restructuring**

On the Senate Calendar for Tuesday March 22nd :

Second Reading of S. 101 Requiring carbon monoxide detectors in housing, with Sen. Illuzzi amendment.

And - on the Notice Calendar - S. 142 Mitigation of the loss of prime agricultural soils under Act 250, which was voted out of Senate Agriculture Committee Friday and is headed for Senate Natural Resources Committee (See Senate Calendar of Tuesday March 22, 2005 for text of bill as amended). This is another bill that the VPA Legislative Committee is beginning to follow closely, in respect to VPA's past work on growth areas policies / definitions. The VPA Executive Committee has supported the idea of writing a summary with point – counterpoint commentary by Sarah Hadd and Mike Munson, which we will work on for our next Legislative Report and VPA Newsletter.

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