



c/o VLCT
89 Main Street, Suite 4
Montpelier, VT 05602
802.229.9111
www.vermontplanners.org

Officers

Dana Farley
President
802-878-1343
dfarley@essex.org

Sarah Hadd
Vice President
802-264-5602
shadd@town.colchester.vt.us

Steve Lotspeich, RLA
Treasurer

Chris Sargent
Secretary

Sharon Murray
Legislative Liaison
VT & NNECAPA

Michael Munson, FAICP
Growth Centers Liaison

Polly McMurtry
Past President

Tara Bamford
NNECAPA Rep

At-Large Members

John Adams

Alison Meaders

David Rugh

Brian Shupe, AICP

Natalie Steen

Senate Economic Development, Housing & General Affairs Committee April 20, 2009

Smart Growth Committee/Act 250 Bill (S.99)

Dear Committee Members:

The Vermont Planners Association, as a participating member of the Legislature's "Smart Growth Committee," supports that committee's recommended changes to Act 250, incorporated in S.99 as introduced. We have considered and also endorse the proposed amendments offered by the Natural Resources Board. This bill does not address all related permitting issues identified in the committee's report, but represents a good start.

We offer our support for S.99, now before your committee, for the following reasons:

The proposed changes to Act 250 under Criterion 5:

- **Support the development of alternative means of transportation** by requiring, where feasible, access to alternative modes in project design.
- **Are to be applied in relation to existing *and planned* facilities**, and therefore provide an important means to implement municipal, regional and state transportation plans and improvement programs – including plans to develop alternative modes.

The proposed changes to Act 250 under Criterion 9(L)

- **Clarify the original intent of this criterion – to allow for well planned, clustered development within “rural growth areas”** – i.e., those areas that do not include protected resources. In the absence of the capability and development maps once used to define these areas, they have been difficult to identify and, as such, largely ignored. More clearly defining this criterion in relation to existing settlement patterns and strip development should make it easier to address, by both applicants and district commissions.
- **Strengthen Act 250's consistency with long-established state planning policies, and more recently enacted implementation programs, by addressing development patterns within, as well as outside, of existing settlements.** State planning goals and objectives, enacted more than 20 years ago under Act 200 (24 V.S.A. §4302) – which were based in part on original Act 250 legislation – specifically require that all state, regional and municipal plans, *and associated implementation programs*, encourage the concentration of development primarily in areas related to community centers and designated growth areas, and discourage strip development. The proposed 9(L) language strengthens these objectives under Act 250, and acknowledges by reference more recent growth, new town, village and neighborhood designation programs, also enacted for this purpose.
- **Helps implement adopted municipal and regional plans – Act 250 is a critical implementation tool.** All regional plans and most, if not all, municipal plans developed under Act 200 incorporate state planning objectives to concentrate development within locally or regionally designated areas, and to discourage strip development outside of these areas. Act 250 is one method typically cited in these plans to implement related goals and objectives, but includes no specific requirements to do so. The proposed amendment under 9(L) would give more teeth to ongoing efforts to better manage the location and density of development in conformance with adopted plans.

VPA appreciated in the opportunity to participate in the summer study committee – if we can be of further service, please don't hesitate to contact us.

Sharon Murray, AICP VPA Legislative Liaison

802-434-4118

The Vermont Planners Association (VPA) is an organization representing citizen and professional planners, landscape architects, housing and economic development specialists, developers, and engineering consultants from throughout the state. VPA is committed to advancing the art and science of planning.