



Chittenden County
Regional Planning Commission

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November 7, 2011

Ron Shems, Chair
Natural Resources Board
National Life Drive
National Life Records Center Building
Montpelier, VT 05620-3201

Deb Markowitz, Secretary
Agency of Natural Resources
Secretary's Office
Center Building
103 South Main Street
Waterbury, VT 05671-0301

Dear Chairman Shems and Secretary Markowitz,

The Chittenden County Regional Planning Commission (CCRPC) greatly appreciates the opportunity to provide comment on the state and municipal permitting system. The CCRPC assembled an ad hoc committee to discuss the issue and provide you with feedback.

The ad hoc committee members were: Justin Dextrateur (Chair), Don Meals, Jim Donovan, Andy Montroll, Megan Moir, Regina Mahony, Dean Pierce, and Ray Belair. Dawn Francis, Director of Government Affairs, Greater Burlington Industrial Corporation/Lake Champlain Chamber of Commerce, also attended the meetings and was helpful in providing this group with feedback from her organizations' Environmental Permitting Study Committee. While our groups have some differing interests, we've attempted to coordinate our comments as best as possible. The CCRPC ad hoc committee met on August 24 and October 5 and developed recommendations.

These recommendations were presented to the full CCRPC Board on October 19, 2011 and the Board approved the recommendations as follows. We hope that you will find them to be useful.

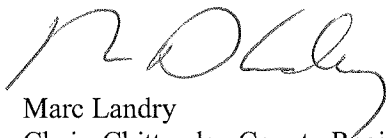
It was agreed that recommendations were to improve the process and not to reduce any environmental standard of compliance.

1. The process should encourage development in appropriately planned places and discourage development outside of those areas. This could include expedited processes for projects in areas designated for growth and where a community has a robust plan, regulations and staff; for example improve the process and reduce redundancies (consider delegation in appropriate situations) for certain local and state reviews and Act 250. If this recommendation would result in a more efficient and timely process in designated growth areas, it may be appropriate to develop more stringent standards and thresholds for development review in rural areas.
2. Authorize an overall systems analysis to reengineer our designation, municipal and state permitting and appeals processes to develop an improved integrated process. This could be funded as a private public initiative. Objectives would include: reducing time, reducing cost, improving enforcement of standards, and increasing development /redevelopment in compact settlements.

3. Consider 30 or 60 day time frames for review. Implement a 15 day completeness review with a 30 to 60 day compliance review. . Applicants need clear guidelines as to what constitutes a complete and compliant application.
4. Insure there is a system to complete the reviews in the timeframes by providing staff resources, increasing the use of certifications, allowing 3rd party reviews, or other mechanisms with a goal that agency staff time be devoted to increased site inspections and enforcement.
5. Require municipalities to issue preliminary decisions that provide applicants with a measure of confidence with regard to basic zoning (use and density) compliance prior to state technical reviews.
6. Revise state statute to allow an electronic file/submission to be the official record.
7. Use technology to create a common application form with basic applicant and project information for use in all applications and link databases so that all permits/applications are accessible through one portal. This should include municipal, state agency (ANR, VTrans) and Act 250 applications.
8. Allow an "on the record review" process at the local and District Environmental Commission levels at the choice and expense of the applicant as an alternative to the de novo appeals, so that the Environmental Court can decide an appeal based on evidence developed before these review boards instead of having an entirely new trial.
9. There should be an option of an appeal at the administrative level first within agencies to resolve issues of consistency of review.
10. Have permit facilitators at the state level to coordinate agency and Act 250 reviews.

Thank you again for the opportunity to provide comment.

Sincerely,



Marc Landry
Chair, Chittenden County Regional Planning Commission

Cc: CCRPC Board Members