Agenda
Executive Committee
Wednesday, March 20, 2019 – 5:30 p.m.
Small Conference Room, CCRPC Offices
110 West Canal Street, Suite 202, Winooski, VT

1. Changes to the Agenda, Members’ Items

2. Approval of February 6, 2019 Executive Committee Minutes* (Action)

3. Act 250 & Section 248 Applications – previously reviewed
   a. §248 Advance Notice; GMP Solar Canopy; Colchester; #19-0385-AN* (Action)
   b. §248 Petition; Jolina Court Solar; Richmond; #19-0452-NM* (Action)
   c. Act 250 Hearing; JJJ South Burlington, LLC/Cider Mill II; South Burlington; #4C1128-5* (Action)

4. Updated Act 250 Recommendations* (Action)

5. Chair/Executive Director Report (Discussion)
   a. FY20 UPWP Update
   b. Legislative Update

6. Other Business (Discussion)

7. Executive Session – none anticipated (Action)

8. Adjournment (Action)

*Attachments

NEXT MEETING – Executive Committee – Wed. April 3, 2019; 5:45 p.m.

In accordance with provisions of the Americans with Disabilities Act (ADA) of 1990, the CCRPC will ensure public meeting sites are accessible to all people. Requests for free interpretive or translation services, assistive devices, or other requested accommodations, should be made to Emma Vaughn, CCRPC Title VI Coordinator, at 802-846-4490 x *21 or evaughn@ccrpcvt.org, no later than 3 business days prior to the meeting for which services are requested.
The meeting was called to order at 5:45 p.m. by the Chair, Chris Roy. Several Executive Committee members joined the meeting via conference call due to the inclement weather.

1. Changes to the Agenda; Members’ Items: The agenda was changed to move item 5. Act 250 recommendations before item 4. Banking change resolutions.

2. Approval of January 2, 2019 Executive Committee Minutes. MIKE O’BRIEN MADE A MOTION, SECONDED BY BARBARA ELLIOTT, TO APPROVE THE MINUTES OF JANUARY 2, 2019 WITH CORRECTIONS IF ANY. MOTION CARRIED UNANIMOUSLY TO APPROVE THE MINUTES AS WRITTEN.

3. Act 250 & Section 248 Applications.
   a. Act 250 Hearing, Snyder Finney Crossing; Williston, #4Co887-1R-N. Regina noted that this is basically a renewal of their Findings of Fact from the master plan, which need to be renewed every five years. This project is located on Williston Road and Holland Lane in Williston. The master plan has been approved by the Williston Development Review Board, but each phase is subject to local review as they are proposed. CCRPC staff thinks it’s fine and we generally concur with the Traffic Impact Assessment. CATHERINE McMAINS MADE A MOTION, SECONDED BY ANDY MONTROLL, TO APPROVE THE LETTER TO THE ACT 250 COORDINATOR. MOTION CARRIED UNANIMOUSLY.
   
   Chris Roy recused himself from discussion/action on the next two items. Mike O’Brien took over as chair.

   b. Section 248 Advance Notice of Petition; Underhill GLC Solar-150kW; Underhill#19-0292-AN. Regina noted that this is a solar project on Beartown Road in Underhill. The Executive Committee has reviewed this before. As demonstrated in our preferred site letter, CCRPC is highly supportive of projects sited on previously developed sites like this parcel, which is a former landfill. This is the notice that they intend to submit a petition to the PUC. On the second page, we are requesting more information on the impact this project will have on slopes over 15%, including any plans to retain vegetation, stabilize the slopes after clearing and whether the full extent of clearing is required for the project. Catherine noted that in the beginning of the letter it says the Town of Underhill is still reviewing this notice and asked how that will affect our review. Regina said that is correct, but since it’s on town land she doesn’t think there will be an issue. If we send this letter tomorrow, we will remove the highlight on
that sentence. BARBARA ELLIOTT MADE A MOTION, SECONDED BY ANDY MONTROLL, TO APPROVE THE LETTER TO GREEN LANTERN SOLAR. MOTION CARRIED UNANIMOUSLY.

c. Act 250 Possible Hearing, Costco, Colchester - #4C0288-19F and #4C0288-19G. Regina said this deals with Costco’s request to open gas pumps on off-peak hours. We don’t have anything in the packet because we’re not sure what will happen. We were waiting to see what comments VTrans would submit, and they didn’t submit any yet. Since then it was determined not to hold a hearing right now. February 4th was the date for parties to submit comments; and February 15 is deadline for rebuttal on those comments. We don’t have anything to bring to the table right now. She believes it will go to hearing at some point.

5. Act 250 Recommendations. Regina distributed a revised document as Emma reviewed the original and made some wording changes. The Ad Hoc Act 250 Committee met twice and put these overarching statements together. They thought it would be a more effective way to get input from the full board. The bill itself is still in draft form and will probably change a great deal over time. The Ad Hoc Committee will continue to meet to review things as the bill moves forward. These recommendations are being reviewed by the Executive Committee, the Planning Advisory Committee (PAC) and the full board at its February meeting. Regina reviewed the intent of each of the nine recommendations.

1. The proposed bill does not define how we develop areas that are designated for growth. In general, the state permit process should encourage development in appropriately planned places and discourage development outside of those areas. The recommendation then describes why the enhanced designation concept as proposed is unworkable. The burden of all Act 250 criteria would just shift to the municipal level instead. Catherine McMains noted that most of the towns do not have the staff to do the review of Act 250.

2. Any changes should include a defined review process and how to get there. The paradigm under the proposed change, Act 250 would continue in areas that we want to protect.

3. In general, we support this but it needs to go along with a better #1.

4. The expansion of climate change, energy efficiency and forest block criteria, which have accompanying fees, would make development more costly and hinder the desperate need for affordable housing.

5. Deals with the order in which the design for projects is reviewed in Act 250. We recommend that Act 250 rely more on conceptual plans as opposed to engineer-sealed plans with more detail. Land Use permits should then include conditions of obtaining the other permits. This would ensure a more resident-friendly, efficient and less costly state permitting process. Brief discussion ensued.

6. Talks about mapping. This proposal takes a state-level, top down approach to mapping and we recommend that we use the local and regional maps to help develop state level maps, because of the extensive public involvement (especially with landowners) in developing the local/regional maps.

7. Asks the legislature to work out further details before adopting new concepts, which could exacerbate existing inflated housing costs for Vermonters.

8. Urges the legislature to consider a phased approach and make changes a little more piece-meal. If all this change should happen at once, we could see things come to a halt for some time and it could disrupt the market and limit the development of affordable housing we really need. Brief discussion.

9. Deals with the appeals process that allows coordination or consolidation of appeals of various permits to ensure consistency in decision-making and prevent unaligned requirements between Environmental Court and Environmental Resources Board decisions.
Catherine thought that the whole idea of this Act 250 Review Committee was to make the whole process easier. Brief discussion ensued about the appeals process. Members suggested some clarifying language to a couple recommendations, as well as a statement at the beginning showing the overall goals of these comments. That the overall intent is to make the process more efficient and effective. Regina will provide a memo that goes along with these recommendations. The Ad Hoc Act 250 committee thought that as we get more versions of the bill, we could bring in more defined recommendations. MIKE O’BRIEN MADE A MOTION, SECONDED BY BARBARA ELLIOTT, THAT THIS BE SENT TO THE PAC FOR THEIR MEETING NEXT WEEK AND TO THE BOARD, INCLUDING PAC CHANGES FOR THEIR FEBRUARY MEETING. MOTION CARRIED UNANIMOUSLY.

4. Banking Change Resolutions. Forest noted that last month we suggested the concept of changing our banking to Opportunities Credit Union (OCU). Their mission is aligned with our ECOS Strategy to support low-income, new Americans and keeping the money local. We did more analysis and found that we could reduce fees and increase interest earned by switching to OCU. We also wanted to ensure that we could still collateralize our funds to protect funds over the FDIC/NCUA limit from catastrophic events. OCU would take out a line of credit to cover that and would absorb the cost. If we increase the amount later, we would have to pay a fee. Staff feels it’s a good idea. We would transfer our checking account and combine our savings account (local dues) and our money market funds into a money market account at OCU. We would leave our CD’s where they are at North Country Savings. Charlie again disclosed that he is the chair of OCU board and joined that board because it aligns with our mission and goals. Brief discussion. BARBARA ELLIOTT MADE A MOTION, SECONDED BY CATHERINE McMains, TO APPROVE THE STAFF RECOMMENDATION TO CHANGE FINANCIAL INSTITUTIONS. MOTION CARRIED UNANIMOUSLY.

6. Executive Director’s Update:
   a. FY2020 UPWP Update. The UPWP committee held it’s first meeting on January 24th and will meet again on February 22nd. We have approximately $1.25 million available for consultant/partner projects and we received requests totally $1.5 million. Staff has already reduced the number of regional projects to try to get down to the available PL funds and at this point are within $40,000. There are a lot of transportation and water quality project requests, but not many requests for planning and zoning assistance.
   b. ECOS Annual Report. We are still meeting with partners to complete the Annual Report and hope to have it available soon.
   c. Legislative update: Charlie noted that he anticipates testifying at the legislature regarding our recommendations for Act 250 shortly after our board meeting. Other bills he’s following include: 1. ANR’s efforts to get water quality funding out locally – the delivery system; and there is a lot of conversation around how to do that. 2. There is another bill about to be proposed that would increase the percentage of the Property Transfer Tax that would be awarded to the RPCs.

7. CCRPC February 20, 2019 Agenda review. Chris Roy will not be attending this meeting, so Mike O’Brien will chair it. Members reviewed the proposed agenda and agreed to ask Burlington Public Works to give a presentation on the Champlain Parkway and other city projects in the pipeline.

8. Other Business. There was no other business.

9. Executive Session. None needed.
10. Adjournment. MIKE O’BRIEN MADE A MOTION, SECONDED BY CATHERINE MCMAINS, TO ADJOURN
THE MEETING AT 6:31 P.M. MOTION CARRIED UNANIMOUSLY.

Respectfully submitted,

Bernadette Ferenc
March 7, 2019 DRAFT

Sarah Shaw
SunCommon Commercial Project Assistant
442 US Route 2
Waterbury, VT 05676

RE: Petition for SunCommon/Green Mountain Power Corporation’s Proposed 150kW Solar Canopy at 163 Acorn Lane, Colchester, VT (#19-0385-AN)

Dear Ms. Shaw,

Chittenden County Regional Planning Commission has received the advance notice of a Section 248 Petition to be filed with the Vermont Public Utility Commission for a 150kW solar canopy at 163 Acorn Lane in Colchester, VT. We have reviewed this project in light of CCRPC’s 2018 Chittenden County ECOS Plan, which gained a Determination of Energy Compliance from the Vermont Department of Public Service on August 9, 2018.

ECOS Energy Goal
CCRPC finds that this project meets the intent of the Energy Goal (Goal #17) of the 2018 ECOS Plan: “Move Chittenden County’s energy system toward a cleaner, more efficient and renewable system that benefits health, economic development, and the local/global climate by working towards the State’s Comprehensive Energy Plan goals.”

Strategy 2, Action 4b of the ECOS Plan states “CCRPC supports the generation of new renewable energy in the County to meet the Vermont Comprehensive Energy Plan’s goals of using 90% renewable energy by 2050, in a manner that is cost effective and respects the natural environment”. Development of this solar facility helps implement this action. The Plan’s suitability policies help determine whether projects are cost effective, and the Plan’s constraint policies help determine whether projects respect the natural environment.

Suitability Policies
The 2018 ECOS Plan recommends the location of renewable energy generation facilities in appropriate locations, as defined by the polices in Strategy 2, Action 4b. The project as proposed advances the following suitability policies:
- The project is located proximate to 3-phase power in an area with adequate grid capacity.
- The project is located on a previously impacted area.
- The project is located in an area planned for growth.

The 2018 ECOS Plan strongly supports the building of renewable energy facilities on areas that are already impacted, including rooftops and parking lots. Therefore, the location of this project meets the suitability policies of the 2018 ECOS Plan.

Constraints
The 2018 ECOS Plan states that ground mounted renewable energy generation is constrained in certain areas due to state and local restrictions on development. Strategy 2, Action 4b states: “Site renewable energy generation to avoid state and local known constraints and to minimize impacts to state and local
possible constraints, as defined in Strategy 3, Action 1.f, and Strategy 4, Action 1.f, and Action 2.e. Renewable energy generation sited on existing structures or parking lots complies with this policy."

This project will be located on an existing parking lot. Therefore, CCRPC finds that this project complies with the siting constraint policies in the ECOS Plan.

These comments are based on information currently available; we may have additional comments as the process continues. We understand that the project may change between the advance notice and the final application. CCRPC will review the project location again after the final application is submitted to confirm our initial findings above.

Please feel free to contact me with any questions.

Sincerely,

Charlie Baker
Executive Director

cc: CCRPC Board
Sarah Hadd, Colchester Director of Planning and Zoning
March 7, 2019 DRAFT

Nils Behn, CEO
Aegis Renewable Energy, Inc.
340 Mad River Park, Suite 6
Waitsfield, VT 05673

RE: Petition for Aegis Renewable Energy/Buttermilk LLC’s Proposed 128kW Combined Rooftop and Solar Carport Facility Project at 74 Jolina Court in Richmond, VT (Case #19-0452-NM)

Dear Mr. Behn:

Chittenden County Regional Planning Commission has received the notice of a Section 248 Petition filed with the Vermont Public Utility Commission for a 128kW solar project at 74 Jolina Court in Richmond, Vermont. We understand that this case is a refiling that combines two separately filed projects on the same site. CCRPC previously submitted supportive comments on the solar carport portion of this application (#18-1391-AN). We have reviewed this project in light of CCRPC’s 2018 Chittenden County ECOS Plan, which gained a Determination of Energy Compliance from the Vermont Department of Public Service on August 9, 2018.

ECOS Energy Goal
CCRPC finds that this project meets the intent of the Energy Goal (Goal #17) of the 2018 ECOS Plan: “Move Chittenden County’s energy system toward a cleaner, more efficient and renewable system that benefits health, economic development, and the local/global climate by working towards the State’s Comprehensive Energy Plan goals.”

Strategy 2, Action 4b of the ECOS Plan states “CCRPC supports the generation of new renewable energy in the County to meet the Vermont Comprehensive Energy Plan’s goals of using 90% renewable energy by 2050, in a manner that is cost effective and respects the natural environment”. Development of this solar facility helps implement this action. The Plan’s suitability policies help determine whether projects are cost effective, and the Plan’s constraint policies help determine whether projects respect the natural environment.

Suitability Policies
The 2018 ECOS Plan recommends the location of renewable energy generation facilities in appropriate locations, as defined by the policies in Strategy 2, Action 4b. The project as proposed advances the following suitability policies:
- The project is located proximate to 3-phase power in an area with adequate grid capacity.
- The project is located on a previously impacted area.
- The project is located in an area planned for growth.

The 2018 ECOS Plan strongly supports the building of renewable energy facilities on areas that are already impacted, including rooftops and parking lots. Therefore, the location of this project meets the suitability policies of the 2018 ECOS Plan.

Constraints
The 2018 ECOS Plan states that ground mounted renewable energy generation is constrained in certain areas due to state and local restrictions on development. Strategy 2, Action 4b states: “Site renewable
energy generation to avoid state and local known constraints and to minimize impacts to state and local possible constraints, as defined in Strategy 3, Action 1.f, and Strategy 4, Action 1.f, and Action 2.e. Renewable energy generation sited on existing structures or parking lots complies with this policy.”

This project will be located on a parking lot and building that will be built as part of a project approved by the Town of Richmond Development Review Board on April 11, 2018. **Therefore, CCRPC finds that this project complies with the siting constraint policies in the ECOS Plan.**

These comments are based on information currently available; we may have additional comments as the process continues. We understand that the project may change between the advance notice and the final application. CCRPC will review the project location again after the final application is submitted to confirm our initial findings above.

Please feel free to contact me with any questions.

Sincerely,

Charlie Baker
Executive Director

cc: CCRPC Board
Jessica E. Draper, Richmond Town Planner
March 7, 2019 DRAFT

Stephanie H. Monaghan
District #4 Coordinator
111 West Street
Essex Junction, VT 05495

RE: JJJ South Burlington, LLC (Cider Mill II); South Burlington; Application #4C1128-5

Dear Ms. Monaghan:

The Chittenden County Regional Planning Commission’s Staff and Executive Committee have reviewed this Act 250 application for a project described as an amendment to the development known as Cider Mill II. This amendment involves increasing the amount of residential units from 109 to 142. The additional 33 units will be added to the previously proposed Phase IV area designated for “Future Development.” The amendment received approval from the City of South Burlington’s Development Review Board on November 26, 2018. We offer the following comments:

The project is located within the Suburban Planning Area as defined in the Chittenden County Regional Plan, entitled the 2018 Chittenden County ECOS Plan. We find this project to be consistent with the Planning Areas for the following reasons:

1. The Suburban Planning Area is identified in the Plan as an area planned for growth, and therefore this project helps implement Strategy #2 of the Plan which calls for 80% of new development in the areas planned for growth.
2. The project is proposed to be served by municipal water and sewer service, and is located within 0.25 miles of a GMT transit route on Hinesburg Road (though it is approximately 1.0 mile from an existing bus stop).
3. The density and uses are consistent with the local regulations.

Therefore, we find this project to be in conformance with the Planning Areas of the 2013 Chittenden County Regional Plan.

We also find that this project meets the requirements of Criterion 9(L). We find that this area does not meet the exact definition of “existing settlement”. Therefore, under Criterion 9(L), the applicant must show that any project outside an existing settlement:

i. Makes efficient use of land, energy, roads, utilities and other infrastructure, and either:
   ii. Will not contribute to strip development, or
   iii. If the project is “confined to” existing strip development, it incorporates infill and minimizes the characteristics of strip development.

Because this project is located within the municipal water and sewer service area, is clustered close to Cider Mill I and the previously approved dwelling units of Cider Mill II, and is compact in design, we find that this proposed project is making efficient use of land, energy, roads, utilities and other infrastructure. Second, we find that this proposed project is residential and therefore not contributing to strip development.

The Traffic Impact Assessment Addendum revised 12/4/2017 conducted by Lamoureux & Dickinson Consulting Engineers, Inc was reviewed. We concur with its findings and support the monitoring conditions set forth.
concerning the VT-116 intersections of Cheesefactory Road and Nadeaucrest Drive.

Due to the detailed level of development review in most Chittenden County municipalities and the environmental permit reviews at the Department of Environmental Conservation, CCRPC will give specific attention in its Act 250 reviews to the type of use and the Planning Areas section of the 2018 Chittenden County ECOS Plan. While there are many other topics covered in the 2018 Chittenden County ECOS Plan, there has been significant analysis at the Regional level regarding transportation impacts. The CCRPC will also focus its attention on transportation, where appropriate, in accordance with the Metropolitan Transportation Plan, which is within the 2018 Chittenden County ECOS Plan.

These comments are based on information currently available; we may have additional comments as the process continues. Please feel free to contact me should you have any questions.

Sincerely,

Charlie Baker
Executive Director

Cc: CCRPC Board
   Certificate of Service
CCRPC Board – March 20, 2019

Agenda Item 4: Act 250 Recommendations

Additional Act 250 Position Statements

At present, we have two additional positions we’d like to discuss. The large Act 250 Commission bill (Committee Bill 19-0040, Draft 5.2, 1/23/2019) includes a provision requiring that, in order to be used in Act 250, local and regional plans must be approved as consistent with the statutory planning goals. Vermont Planners Association (VPA) sums up the proposed provision as follows:

• This is a positive change. Most local plans do get approved by the regional planning commission to this same standard in order to ensure municipal eligibility for certain State grants. However, this change will provide further incentive for municipalities to seek plan review and approval.

• Since regional plans have no existing approval process, the bill needs to establish the right review/approval entity. The bill proposes that the new Environmental Board serve this function, but we recommend an alternative model. Just as importantly, the bill needs to address how regional plans will be factored into Act 250 review in the interim – i.e., prior to approval of all the regional plans.

• The bill also needs to flesh out an appeal process for these approvals. Existing statute (Title 24, Chapter 117, Section 4476) provides an appeal process for decisions by regional planning commissions (i.e., approval of local plans). Unfortunately, this section of statute needs to be updated because it references an appellate body (the “regional review panel”) that is defined in another section of statute (section 4305) that was repealed.

For your information, under current statute, when Regional Plans are amended or re-written, RPC’s are already required to provide 30 day notice of the public hearing to the Agency of Commerce and Community Development, Agency of Natural Resources, and the Agency of Agriculture.

Therefore, staff suggests two additional position statements, which are in line with VPA’s recommendations. The ad hoc Act 250 Committee reviewed these at their March 13th meeting, and provided edits that have been incorporated. The Executive Committee will also review these statements immediately before the March 20th Board meeting. The existing position paper with these modified additions are attached.

For questions, contact Charlie Baker, 846-4490 ext. *23 or cbaker@ccrpcvt.org
Recommendations for Improving Vermont’s Act 250 Permitting System
Approved by CCRPC Board on February 20, 2019

Act 47 (in 2017) created a commission of six legislators to “review the vision for Act 250 adopted in the 1970s and its implementation with the objective of ensuring that, over the next 50 years, Act 250 supports Vermont’s economic, environmental, and land use planning goals.” CCRPC has reviewed the work of this Commission and offers the following general positions intended to make Act 250 more effective and efficient.

1. CCRPC encourages the Legislature to ensure a **predictable and coordinated review process** that minimizes inconsistency and duplication at all levels of review and puts those reviews in the most appropriate hands so environmental protection is not compromised, and housing, transportation and economic development is not unnecessarily time-consuming and expensive.

2. In general, the state permit process should **encourage development in appropriately planned places** and discourage development outside of those areas. Therefore, CCRPC strongly supports the concept that Act 250 should not have jurisdiction in areas planned for growth to encourage affordable housing and economic investment in our smart growth areas: walkable, transit-friendly, water and sewer-serviced areas. However, the **enhanced designation concept** as proposed is unworkable for the following reasons:

   a. It builds on an overly complex designation system that puts existing growth into a variety of unnecessary silos and does not adequately capture planned future growth areas. The existing designation system, of which there are five designations, should be overhauled into a comprehensive growth strategy rather than continue to build upon it with a sixth designation. Improving and possibly expanding existing designations is better than creating new designations.

   b. It is not a true Act 250 release; it merely shifts the burden of all the Act 250 criteria to the municipal level. Instead, we should support existing local planning and Downtown Board efforts to designate these areas as places for housing and economic development, acknowledge the greater environmental benefit of clustering growth into areas with existing infrastructure, and not enforce Act 250 criteria that were originally intended to minimize and mitigate indirect and cumulative impacts of major development.

   c. The current geographic boundaries of the designation programs are unnecessarily limited. As an example, the Village and Downtown designations are narrowly focused on commercial and civic uses and exclude redevelopment and infill in existing neighborhoods surrounding Villages and Downtowns. The Downtown Board should analyze each individual area on its merits as a smart growth area, and there should be incentives to improve existing sprawl areas.

   d. The Growth Center and Neighborhood Development Area designations come with an affordable housing requirement, and this should not be lost under a new structure.

   e. It adds an appeal process that the current designation programs don’t have. If an appeal process is a necessary component, add that to the current designations rather than creating a new one.

   f. The proposed bill will be a significant expansion of Act 250 jurisdiction, including expansion into areas where development is appropriate, such as existing neighborhoods surrounding centers; and the enhanced designation concept will not solve that problem.
3. CCRPC supports the concept of **resource area protections** and the acknowledgement that Act 250 jurisdiction should be triggered by location in areas of statewide interest, regardless of project size (even single-family home developments); however, there needs to be more work done to identify and define these resources. There may also be resources that would be better regulated through a separate permit.

4. Act 250 permitting should rely more on **conceptual/sketch plans** and capacity analysis as opposed to engineer-sealed plans with more detail. Land Use Permits should include conditions of obtaining the other more detailed permits (stormwater, wastewater, etc.). This would ensure a more resident-friendly, efficient and less costly state permitting process, helping to reach affordable housing, transportation and economic development goals. In addition, CCRPC supports the master planning process for phased developments.

5. CCRPC believes that any mapping established to define jurisdiction, and particularly growth areas, in Act 250 should be based not only on state-level maps, but also on **mapping in local and regional plans** due to the extensive public participation involved in their development. There may also be resources that should be considered by Act 250 that are not identified on state-level maps.

6. CCRPC asks that the Legislature either work out **further details** before adopting new concepts or hold until further details are worked out (e.g. greenhouse gas mitigation fee). The development costs of some of these concepts could be substantial and would exacerbate existing inflated housing costs for Vermonters. New concepts should be more thoroughly considered before adoption. Further, all the fees should be comprehensively reviewed to understand the impact on development costs, particularly considering the goal of smart growth development.

7. CCRPC encourages the Legislature to consider a **phased approach** to implementing the new jurisdiction paradigm. If it moves forward, it will greatly expand the reach of Act 250, and could greatly disrupt the market. It would be best to first allow municipalities to apply for and obtain the enhanced designation before the greater rural development restrictions are implemented.

8. CCRPC supports an **appeals** process that allows coordination or consolidation of appeals of various municipal and state permits to one entity to ensure consistency in decision-making and prevent unaligned requirements between Environmental Court and the proposed re-invigorated Environmental Resource Board decisions.

9. CCRPC supports the position of the Vermont Planners Association regarding **regional plan approvals** which is to modify the bill language so that regional plans are reviewed and approved by a Development Cabinet¹, or some similar instrument of the State, that is expanded for this function to include representatives with planning expertise – e.g., directors of two adjacent regional planning commissions, a representative from the VT Planners Association, and a representative from the VT Association of Planning and Development Agencies.

10. Clarify and add to existing statute (Title 24, Chapter 117, Section 4476) to make the existing Environmental Court hear **appeals for regional plan approvals and for regional approval and/or confirmation of local plans** and the local planning process.

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¹ While not active, the Development Cabinet is in statute (3 V.S.A. § 2293) for the purpose of collaboration and consultation among State agencies and departments. As described in statute it consists of the Secretaries of the Agencies of Administration, of Agriculture, Food and Markets, of Commerce and Community Development, of Education, of Natural Resources, and of Transportation. The Governor or the Governor’s designee shall chair the Development Cabinet.