

Note the date change (Wed instead of Tues)

Regional Plan Committee

Wednesday, 4 June 2025 4:00 PM - 5:30 PM

Hybrid Meeting with Remote Participation via Zoom

https://us02web.zoom.us/j/87815276521?pwd=Mmw5U080SGpCTUFNVHZFSERQUII0dz09

Meeting ID: 878 1527 6521, Passcode: 783374

One tap mobile (929)436-2866 or 1(301)715-8592

Agenda

4:00	Call to order & Roll Call
4:05	Updates to Agenda
4:10	Public Comment
4:15	Review & approve minutes from the 20 May 2025 meeting
4:20	Memo: Regional Plan Aspirations, Goals & Strategies (discussion)
4:30	Goals & Strategies Review: Housing Chapter (discussion)
5:00	Land Use Review Board Tier 3 Public Meeting & Future Land Use Map
	updates (discussion)
5:25	Topics for next meeting (discussion)
5:30	Adjourn

Persons with disabilities who require assistance or alternate arrangements to participate in programs or activities are encouraged to contact Nancy Chartrand at 802-229-0389 or chartrand@cvregion.com at least 3 business days prior to the meeting for which services are requested.

CENTRAL VERMONT REGIONAL PLANNING COMMISSION

Regional Plan Committee Special Meeting Draft Minutes

May 20, 2025 4:00 - 5:30 pm

29 Main Street, Suite 4, Montpelier, VT 05602 Remote Access Via Zoom

Committee Members:

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Χ	Alice Peal, Waitsfield Alternate Rep	
	Vacant	
Χ	Doug Greason, Waterbury Rep	
Х	Mike Miller, Montpelier Alternate Rep	
	John Brabant, Calais Rep	

Staff: Niki Sabado, Eli Toohey (in person), Brian Voigt, Will Pitkin (online)

Rich Turner, Williamstown Rep

Public: Renee Carpenter, East Montpelier

A. Peal Called the meeting to order at 4:10PM

Adjustments to the Agenda

10 No adjustments to the agenda.

Public Comment

No public comment.

Approval of Minutes

M. Miller noted that the 4/15/2025 draft minutes contained a sentence fragment at the end of the Public Comment section "J. Brabant further noted that" and suggested that the draft minutes be amended to remove this. M. Miller moved to approve the draft minutes as amended, D. Greason seconded, all in favor, motion passed.

Infrastructure and Construction Costs for Housing Development

E. Toohey presented a summary of key issues and data related to increased infrastructure and construction costs and how those are contributing to the state's and the region's challenges in addressing the ongoing housing crisis. M. Miller spoke about the potential impact of the Community Housing Infrastructure Program (CHIP), a project-based tax increment financing (TIF) mechanism that is under discussion in the state legislature. M. Miller stated that CHIP could allow municipalities to develop further, including outside of their downtowns, and could include redevelopment of brownfield sites – a common practice in most other states – and could especially benefit smaller and more rural

municipalities in Central VT.

E. Toohey suggested that CVRPC provide (in the regional plan and/or guidance documents outside of the regional plan) layperson summaries of TIFs, CHIP, and what extra benefits CHIP could provide, especially to smaller municipalities. The committee supported this suggestion.

Updates on Land Use Review Board Meeting

Staff summarized the 4/28/2025 meeting between the VT Land Use Review Board (LURB) and CVRPC and Lamoille County Regional Commission. Discussion centered on the LURB's presentation of how it was mapping Tier 3 areas (which have stricter Act 250 permitting requirements than are currently in effect and, unlike Tier 1 and Tier 2 areas, are not based on regional planning commissions' future land use maps). Staff stated that the LURB's presentation indicated that Tier 3 would cover less area than was originally understood upon the passage of 2024's Act 181. Discussion included how best to balance ecological and development goals, the intent of Tier 3, and what reforms are needed for Act 250 permitting, and how those relate to the Act 250 reforms instituted in Act 181. A question that remains to be determined is what would happen if Tier 3 areas overlap with areas that the Regional Plan Future Land Use Map designates for growth.

Updates on Future Land Use Map

B. Voigt provided updates on development of the Regional Plan Future Land Use Map. He noted that, per the above updates on the LURB meeting, it appeared that Tier 3 areas would be smaller than originally anticipated and how this might inform CVRPC's decisions toward mapping the rural land use categories.

Meeting Topics for June 4, 2025

The committee and staff discussed upcoming meeting topics. W. Pitkin suggested focusing on the aspirations, goals, and strategies of each regional plan chapter, since those are what are most often quoted in project review, grant applications, and other important CVRPC functions, plus that limited scope of review would allow the committee to review in greater depth. The committee agreed to begin the aspirations, goals, and strategies review with the housing draft chapter then the economy draft chapter.

M. Miller moved to adjourn, D. Greason seconded, all in favor.

A. Peal adjourned meeting at 5:56 PM

Respectfully submitted by W. Pitkin



MEMO

Date: June 4, 2025

To: CVRPC Regional Plan Committee

From: Will Pitkin, Planner & Brian Voigt, Senior Planner Re: Memo: Regional Plan Aspirations, Goals & Strategies

Goals and Strategies Review: Housing Chapter

Update: Land Use Review Board Meeting on Tier 3 Areas

Memo: Regional Plan Aspirations, Goals & Strategies

Attached please find a memo describing what the Aspirations, Goals and Strategies of the CVRPC Regional Plan represent. The guidance offered in this memo should inform the development and evaluation of these elements of the Regional Plan and help ensure a consistent approach throughout the document.

Aspiration, Goals & Strategies Review: Housing Chapter

Aspiration: Ensure a range of safe and affordable housing choices are available for all residents.

Goals & Strategies:

- Goal 1: Maximize the preservation and creation of housing where local utilities and services are available and have capacity.
 - Strategy 1.1: Provide technical assistance to municipalities updating their regulatory documents to diversify and grow their housing stock where there is capacity and services.
 - Strategy 1.2: Provide technical assistance to municipalities updating their regulatory documents to ensure transparent and predictable local permitting.
 - Strategy 1.3 Identify where housing can be built to limit associated costs such as transportation.
 - Strategy 1.4 Actively participate in the Act 250 process to support appropriate housing development.
 - Strategy 1.5 Provide technical assistance to municipalities pursuing the state designation program to accommodate and facilitate new housing.

- Goal 2: Eliminate housing in high hazard areas or mitigate risk.
 - Strategy 2.1 Provide technical assistance to municipalities to ensure residents have access to the National Flood Insurance Program.
 - Strategy 2.2 Provide technical assistance to municipalities to plan for and encourage new development in areas that are less vulnerable to future floods.
 - Strategy 2.3 Coordinate with and provide technical assistance to municipalities in their Hazard Mitigation Planning to ensure that the comprehensive plan identifies future growth areas in safer locations.
 - Strategy 2.4 Provide technical assistance to municipalities to conserve land and discourage development in particularly vulnerable areas along river corridors such as flood plains and wetlands.
 - Strategy 2.5 Provide technical assistance to municipalities to protect people, buildings, and facilities where development already exists in vulnerable areas, to reduce future flooding risk.
 - Strategy 2.6 Coordinate with and provide technical assistance to municipalities in buyouts of properties that are repeatedly flooded.
- Goal 3: Plan for housing across the housing continuum.
 - Strategy 3.1 Provide technical assistance to municipalities to plan for and regulate for a variety of housing typologies.
 - Strategy 3.2 Provide training to residents on cost effective opportunities to take advantage of state initiatives to add accessory dwelling units within their existing lots.
 - Strategy 3.3 Provide technical assistance to municipalities to plan for housing across the demographics.
 - Strategy 3.4 Provide technical assistance and assist towns to identify potential partners for affordable housing development.
 - Strategy 3.5: Advocate for state policies and funding initiatives that increase housing opportunities across the housing continuum.
 - Strategy 3.6: Provide technical assistance to local housing groups.
 - Strategy 3.7: Provide technical assistance to develop municipal short-term rental registries and ordinances.
- Goal 4: Minimize the contribution of greenhouse gases by the housing sector.
 - Strategy 4.1: Provide technical assistance to municipalities, transportation, and housing partners to identify where housing can be built to limit associated vehicle

miles traveled.

<u>Update: Land Use Review Board Meeting on Tier 3 Areas</u>

On 22 May 2025, the Land Use Review Board, formerly the Natural Resources Board, held a public meeting regarding mapping Tier 3 areas.

- <u>Tier 3 Areas Overview slideshow</u> (17 March 2025)
- Tier 3 areas will be subject to stricter Act 250 permit requirements than are currently in place. Tier 3 areas are mapped by the Land Use Review Board and <u>are not</u> determined by the Regional Plan Future Land Use Map.
- Resources:
 - Link to Tier 3 information online -<u>https://act250.vermont.gov/tier-3-rulemaking-and-report</u>
 - Comments or questions: email <u>act250.rulemaking@vermont.gov</u>
 - Contact: Alex Weinhagen, Board Member, 802-480-1885, <u>alex.weinhagen@vermont.gov</u>



Regional Plan Aspirations, Goals & Strategies

Aspirations inspire, **Goals** define targets and **Strategies** explain how to hit those targets.

Aspiration:

- Definition: the big-picture vision; a broad, visionary statement describing the desired future of the region
- Characteristics: inspires direction; long-term; not necessarily measurable
- Example: "A livable, inclusive and sustainable community for all."

Goal:

- Definition: a specific outcome that supports the Aspiration
- Characteristics: measurable or trackable; medium- to long-term; often tied to specific topics
- Example: "Ensure 90% of residents live within a 10-minute walk of a park by 2040."

Strategy:

- Definition: a method or approach used to achieve the goal
- Characteristics: action-oriented; supports implementation; more detailed than goals
- Example: "Acquire land and fund local park development in underserved neighborhoods."

Is it a Goal or a Strategy?

Criterion	Goal	Strategy
Purpose	Describes a desired outcome	Describes a method to achieve
		a goal
Focus	What we want to accomplish	How we will accomplish it
Specificity	Moderate – defines direction	More specific – outlines
	with some measurable detail	actionable approaches
Timeframe	Often has a target date	May imply a timeframe but
		less data-driven
Measurability	Usually measurable or	May not be directly
	trackable	measurable but supports a
		measurable goal
Dependency	Can stand alone as a target	Tied to a Goal
Language	Starts with verbs like	Starts with verbs like
Clues	"Increase", "Reduce", "Ensure"	"Develop", "Implement",
		"Promote", "Expand"

Applying the rubric

Is it a Goal?	Is it a Strategy?
Does it describe what the region wants to achieve?	Does it describe how to achieve a goal?
Is it a desired outcome or condition in the future?	Is it an actionable method , policy , or approach ? Does it describe <i>how</i> to achieve that result?
Can progress toward it be measured or tracked ?	Does it support or depend on a larger goal ?
Does it include a target or timeline (explicitly or implicitly)? Can you measure success based on this statement? Can it stand alone without needing additional context?	Is it less likely to be directly measurable on its own? Is it more about an approach or method, without a clear success metric? Does it use verbs like "develop," "promote," "implement," "support," or "expand"?
Does it use verbs like "increase," "reduce," "ensure," or "achieve"?	
If you answered "yes" to most of these, the statement is likely a Goal.	If you answered "yes" to most of these, the statement is likely a Strategy.



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TIER 3 RULEMAKING Meeting Summary – Public Engagement Session – May 22, 2025

Goal: Provide an overview of the Act 250 program, the changes that are in process due to the passage of Act 181 in 2024, and focus on the Tier 3 rulemaking effort that is just getting started. Answer questions and collect comments on critical resource areas to consider for Tier 3 designation, as well as possible Act 250 jurisdictional thresholds for Tier 3 areas.

The meeting was attended by approximately 55 participants. Five people participated in person at the Essex Junction Act 250 hearing room, and approximately 50 people participated remotely via Microsoft Teams. Questions and comments were received from 12 participants. This meeting was designed to get input from the public before the Land Use Review Board (LURB) begins drafting Tier 3 rules.

Attendees:

LURB staff: Alex Weinhagen, Sarah Hadd, Rachel Lomonaco

Public:

Sam Lincoln, Pam Loranger, Jonathan Wood, Fred Glanzberg, Thomas Weiss, Richard Geof, Richard Howe, Mark Delaney, John Moore, Danelle Birong, Cathyann LaRose, Joe Segale, John Reid, Alex Hurst, Mila Lonetto, Chris Brimmer, Cathlin Lord, Chris Fife, Jean Richardson, Kate McCarthy, Annette Smith, Doug Greason, Eric Webb, Emily Alger, Bruce Riddle, Herb Olson, Monica Callan, Nick Zaiac, Norm Etkind, Alice Peal, Renee Carpenter, Seth Jensen, Jim Manley, Tony OMeara, Benjamin Brickner, Steve Harrington, Jackie Folsom, Christian Meyer, Christi Bollman, Kristen Dietrich, Jason Rasmussen, Bill Sayre, Rob Apple, Malcolm Fitzpatrick, Suzanna Jones, Margaret McNurlan, Jennifer ??, Cathy Emmons, Elizabeth Thompson, Peter Erb, Jacob Pluta, Rutland, Jamey Fidel, Brian Bannon, Jennifer Decker, Alexandra Horst, Meg Emmons, one unidentified (phone # only)

Questions and Comments:

Alex Weinhagen presented an overview of Act 250, the new road rule, and what is a Tier 3 area. He then reviewed the rule making process for Tier 3 including process and timeline, noting a draft will be available in July for comment. He noted the working group of stakeholders and the need for public input as well. Initial feedback from stakeholders on possible Tier 3 areas was noted.

Sam Lincoln of Randolph noted that Tier 3 areas are supposed to be "critical natural resources". He asked if there was a definition for "critical natural resources". A. Weinhagen noted that the Statute did not define the term. He noted that a critical natural resource has a value and function, and it was subjective as to what should be included.



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S. Lincoln asked who the burden was on to define the term. A. Weinhagen noted that the statute does enumerate six resource areas that must be considered the Tier 3 designation. He said that these six are examples of some resource areas the Legislature felt were critical. He indicated that it was the LURB's responsibility to consider potential natural resource areas, and decide which ones would be included in Tier 3.

Alice Peal of Waitsfield recommended conferring with the scientific experts in the VT Agency of Natural Resources (ANR) for clarity on the definitions of particular resource areas. She said that flooding is a key issue to consider, with impacts coming from higher elevations at the top of watersheds. She asked whether regional and municipal plans are being consulted to help identify potential Tier 3 areas. She noted that habitat corridors and forest blocks are being looked at in municipal plans. A. Weinhagen said that the future land use area mapping in regional plans will determine the location of Tier 1 areas, but not Tier 3 areas. He said he would like to get input from municipalities on Tier 3 areas, and is open to hearing suggestions and seeking out more input; however, it will likely be impossible to read and factor in every municipal plan in Vermont.

Monica Callen was recognized, but was unable to unmute on Microsoft Teams. A. Weinhagen recommended she submit questions and comments afterwards via email. Contact information available on the Act 250 Tier 3 webpage.

Joe Segale of Huntington asked what the level of Act 250 review would be in Tier 3 areas. Would projects be reviewed under all or a subset of the typical Act 250 criteria. A. Weinhagen said that there is flexibility to determine this through the Tier 3 rulemaking, and that some stakeholders in the Tier 3 working group have suggested limiting Tier 3 review to just the most relevant Act 250 criteria (e.g., criterion 8). J. Segale thought this was a good idea. J. Segale asked about the size of the Tier 3 areas and if there could be a consideration of areas that were perhaps too small to qualify. A. Weinhagen noted that there was a minimum under consideration so as to filter out small areas.

Thomas Weiss of Montpelier recommended using all the Act 250 review criteria for projects that trigger the need for an Act 250 permit in Tier 3 areas.

Herb Olson of Addison County said that he is in the Vermont House of Representatives for the Addison-4 district that includes Monkton, Starksboro, Lincoln, and Bristol. He stated that the towns in his district have a deep commitment to preserving natural heritage but are in an existential housing crisis. He asked that the housing needs of the state be kept in mind while addressing the requirements of Act 181. He hoped that the rules would not take away from towns areas suitable for housing. A. Weinhagen asked



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how the LURB could outreach to rural communities to make sure that they were part of the process. H. Olson said that he would send along what the towns he represents have and noted geographic limitations.

Jonathan Wood of Cambridge asked if this would be a parcel by parcel analysis, such that an entire parcel may be jurisdictional no matter the size of the parcel, or the location of the Tier 3 area with regard to the proposed development. He said parcel-based jurisdiction could drive the carving up and fragmentation of forests. As a consulting forester, he said that the Tier 3 concept is already causing landowner concern. He said that landowners are wondering if some of the important natural resource areas that he has helped them identify will now become a liability driving the need for Act 250 permitting in the future. He said that it has already created fear and could drive parcelization. A. Weinhagen noted that the concept discussed to date is to have jurisdiction in Tier 3 areas based on the area of impact and not the overall parcel.

Alice Peal noted that she is a Planning Commissioner and Emergency Coordinator in the Town of Waitsfield, and that she is happy to provide Waitsfield's Town Plan for information. She cautioned about the adverse impacts of building roads and development in forested areas. She highlighted the impact and cost to municipalities of such development, including stress on the provision of emergency services.

Sam Lincoln emphasized the importance of the rural economy, and the ability of landowners to maintain a working landscape. He cautioned against requiring an Act 250 permit for agricultural uses and forestry uses (e.g., logging, wood products manufacturing). He recommended that Tier 3 rules include clear definitions, tight/limited review criteria, and exemptions when a project utilizes good development design (e.g., conservation subdivision design). He recommended that the LURB start small with Tier 3 designations, with the understanding that the rules can be revised later if necessary. A. Weinhagen noted the Act 250 Wood Products Manufacturing Report that is underway to see how that sector could be better supported.

Renee Carpenter was recognized, but was unable to unmute on Microsoft Teams. A. Weinhagen recommended she submit questions and comments afterwards via email. Contact information available on the Act 250 Tier 3 webpage. Renee did submit a brief comment via email, which was only seen after the meeting. This comment is included below in italics. Renee also followed up with a longer set of comments the next day, which are not included below.

Sorry that my mike wouldn't work (in Edge, either). My Question, relating to Alice Peal's first question about "the science": Permacultural science regarding water management to minimize flooding during extreme weather events would indicate the need for combinations of holding ponds at upper elevations, with contour



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diversions (as exemplified, specifically, ion a 10-acre Moretown property during Irene). I'm curious how the LURB will balance the protection of ecologically-sensitive tier 3 areas and the need to prevent excessive erosion that leads to lower elevation flooding. Is this something yet considered?

Chris Fife explained that he works for Weyerhaeuser, a forest products company that owns and manages 86,000 acres of woodland in the Northeast Kingdom (former Champion Lands). He recommended not adding any further Act 250 permitting requirements to logging and forest management activities in Tier 3 areas. He indicated that his company already has to get Act 250 permits for logging above 2500 feet in elevation, and that this permit requirement is a disincentive for other smaller landowners to manage their high elevation woodlands, to the detriment of the forest. He noted that logging is not like permanent development in that the forest land use remains.

Caithlin Lord explained that she is a regional planner from the Northeastern Vermont Development Association (NVDA) – the regional planning entity for the Northeast Kingdom. She expressed concern about the Northeast Kingdom being disproportionately impacted by potential Tier 3 designations. A. Weinhagen agreed that this would need to be addressed given that the area is generally less developed and at a higher elevation than other regions. He mentioned habitat connectors as a case in point, as reflected in the Vermont Conservation Design data sets. He noted that there were a lot of habitat connectivity blocks in the Kingdom. Rather than using these blocks as Tier 3 areas, ANR has suggested focusing on where there are gaps between the highest priority connectivity blocks. He said such areas might then be further subset to focus on associated priority wildlife road crossing areas. High elevations are a bit more challenging but intersecting other important resource areas to target specific high elevation areas may be a method to pursue.

Jonathan Wood recommended not ignoring potential Tier 3 areas in more developed places. He said there could be significant natural communities in developed areas. He noted sandy soil areas in Chittenden County where Pitch Pine trees are found. A. Weinhagen noted that there will be Tier 3 areas in more developed parts of the state, and that the extent of Tier 1 areas will be reasonably tight. J. Wood noted that there are existing protections for many resources, and that he felt the Legislature made a mistake by mandating the creation of Tier 3 areas. A. Weinhagen said that the Tier 3 working group is recommending that Tier 3 areas not include areas with adequate protections by other means (e.g., ANR review). He said that we plan to evaluate existing ANR permitting to see where there might be gaps. As an example, he mentioned that ANR is standing up a new river corridor permitting system, but that it will only cover the major river corridors, and not smaller streams with drainage areas between a quarter and two square miles.



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Sam Lincoln reiterated that duplication of permitting should be avoided. He went on to say that for some resources, the right solution to additional protection/review might be enhancement of existing ANR permit processes or the creation of new resource-specific permitting. This could be preferable to requiring a full Act 250 review via the Tier 3 mechanism.

Cathy Emmons of Pomfret spoke to the regional planning future land use maps, and discussions around the three rural designations (Rural General, Rural Agriculture/Forest, Rural Conservation). She indicated that her family owns a 1,000acre farm that is largely conserved, and is being mapped within the Rural Conservation land use area. However, when the property was conserved, an allowance was retained to create three floating house sites in the future. She expressed concern that a Tier 3 designation could require Act 250 permitting for these three house sites, even though they represent a tiny fraction of an already 1,000-acre property. She asked if Tier 3 designations will consider conserved land, and how the road rule would impact the need for an Act 250 permit. A. Weinhagen spoke to the Road Rule and the Statute. He stated that understanding where conservation areas are is helpful, but not determinative of Tier 3 designations. He noted that the regional plan land use type (e.g., Rural Conservation) has no bearing on whether or not an area will be mapped as Tier 3. C. Emmons spoke to the need to lessen burdens for those in working agriculture. A. Weinhagen asked if there was a number of new houses that should be under the threshold in a Tier 3 area. She stated that the geography should be looked at and that the Board had a hard job. She said that there will need to be more housing in forests and other places.

Fred Glanzberg of Royalton asked whether the Road Rule measured the 800 feet of new road along the path of the road, or instead as a linear distance from an existing road. He noted that roads over terrain need to include turns and possibly switchbacks to create usable grades and properly address stormwater runoff. He said that measuring along the path of the road effectively penalizes good road design. A. Weinhagen said that the Statute was pretty clear that the 800-foot Road Rule trigger was the length of the new road – i.e., the path of the road.

Kristen Dietrich said that if municipal plan analysis has been done, it should be used to inform the Tier 3 designation areas.

Meg Emmons was recognized, but was unable to unmute on Microsoft Teams. A. Weinhagen recommended she submit questions and comments afterwards via email. Contact information available on the Act 250 Tier 3 webpage.

Thomas Weiss spoke to the planned ANR river corridor permitting. He asked how such ANR permitting would be coordinated with Act 250 permitting for jurisdictional projects in Tier 2 areas. A. Weinhagen felt that such a project (located in a river corridor area)



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would require both the ANR river corridor permit and the Act 250 permit. He said the river corridor permit might be useful in demonstrating compliance with certain Act 250 review criteria. With respect to Fred's comment about the road rule measurements, Thomas Weiss noted that the Legislature did discuss this issue when Act 181 was being written, and they made a conscious choice to measure based on the length of the new road – i.e., the path of the road.

Jonathan Wood reiterated Fred's point about road's needing switchbacks, and the measurement issue. He warned about potential unintended consequences like this with the Tier 3 rulemaking. He noted that ground truthing would be needed for the mapping used to delineate Tier 3 areas. He noted that there are accuracy issues in the mapping on the ANR Atlas mapping website. He asked whether the existing mapping would be updated over time, who would be responsible for that, and how it would be paid for. A. Weinhagen indicated that Act 181 updated existing law on this front, requiring ANR to have a process for map updates that is scientifically based, in order to support the Act 250 review process. However, he said that ANR doesn't feel that the Legislature included appropriate funding to make this possible.

Fred Glanzberg noted that field verification of mapping is important. He noted that the wetland maps on the ANR Atlas can be off by hundreds of feet.

Thomas Weiss noted that Vermont has at least two major lakes in crisis. He encouraged Tier 3 consideration of impaired waters as well as source water protection areas for ground water wells (aguifers).

Other Comments

Alex Weinhagen encouraged everyone to utilize the Tier 3 webpage for additional materials, and to keep up with the rulemaking effort. He noted that there would be another public engagement session in July, once a first draft of the rules is crafted.

Tier 3 online: https://act250.vermont.gov/tier-3-rulemaking-and-report

Contact: Alex Weinhagen, Land Use Review Board Member,

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