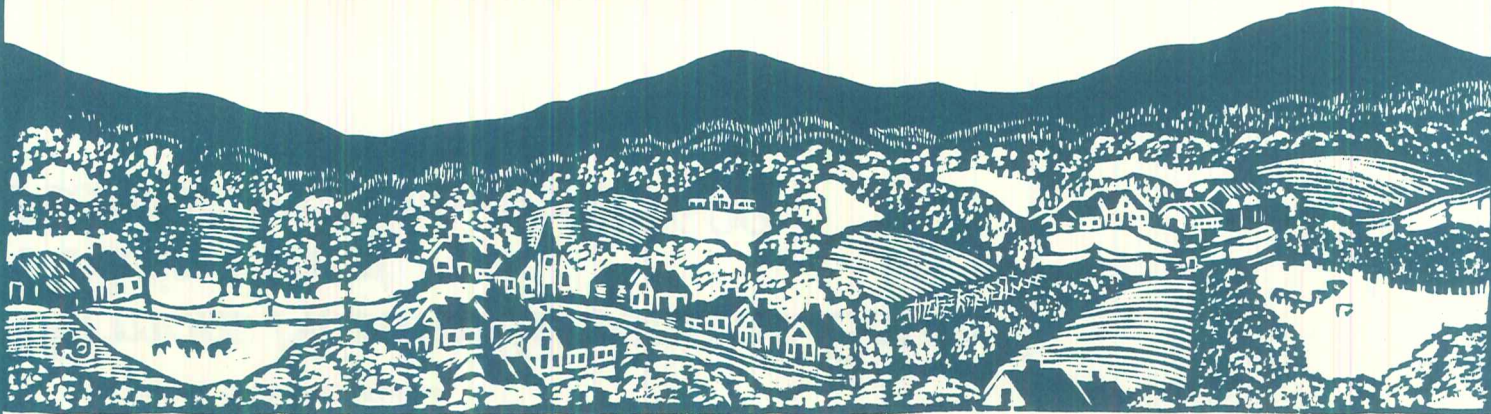


VNRC Bulletin



URGENT! PLEASE CALL IMMEDIATELY!!

Act 250 "Ten-Acre Exclusion" Bill in Trouble

February 16, 1982

H.513, a bill which would eliminate the ten-acre exemption from Act 250, is in trouble. This is one of the most important environmental bills before the Vermont General Assembly, and your help is needed to make sure that it gets a fair hearing this session.

The Purpose of the Bill

Act 250, Vermont's land use and development control law, is actually accelerating the conversion of farm and forest land to other uses because of the way it defines "development." A "lot" is defined as a parcel of land ten acres or smaller. Developers who create ten or more lots within a five-mile radius within a ten-year period must obtain an Act 250 permit; if less than ten lots are involved, State subdivision regulations apply but Act 250 does not.

Developers can escape State subdivision and Act 250 review by creating subdivisions where the parcels are larger than ten acres. This means that in many cases, productive farm and forest land is being carved up at a faster rate than market conditions alone would warrant. For instance:

- The Windham Regional Planning and Development Commission says that "development of subdivisions with lots greater than ten acres has become a common pattern of land development in southeastern Vermont." In a memo in support of H.513, the Commission's Public Policy and Legislation Committee reported that since 1971 there have been thirty large-lot subdivisions in the six-town region, and that these subdivisions have involved more than 3700 acres of land.
- A study by Michael Munson for the Chittenden County Regional Planning Commission found that since Act 250 went into effect, building lots ten acres or larger have jumped from one percent to thirteen percent of all the lots formed in Chittenden County. And while these lots constituted 10.8% of all the building lots formed between 1968 and 1981, they accounted for over 40% of the land used by those lots.

H.513 would close the "ten-acre loophole" by changing the definition of "lot" in Act 250. This bill would require developers to obtain an Act 250 permit for any subdivision of land into ten or more parcels, regardless of their size. It would also improve the administration of Act 250 by authorizing the courts to assess a civil penalty for violations.

We Must Act Quickly

H. 513 was voted out of the House Natural Resources Committee in late January, but without the provision closing the ten-acre loophole. The Committee felt that the important civil penalty provision would not be approved by the full House unless the ten-acre exemption was deleted. But on January 26th, the Committee's amendments were defeated and the bill was referred to the House Agriculture Committee. This Committee is considering the bill this week and will return it to the floor Wednesday, Thursday or Friday (February 17 - 19).

What You Can Do

Call your representative and urge him or her to vote for H.513 with the provision eliminating the ten-acre exemption from Act 250. Ask your friends to do the same. Representatives' home phone numbers are on the back of this sheet. If you cannot reach your legislator at home, call the Sergeant-at-Arms, 828-2228 and request a return call by way of your representative's WATS line.

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