

What Hardwick needs to do to achieve Tier 1A

And a little information about Tier 1B



October 2, 2025

Tier 1A requirements

- Regionally Approval municipal plan
- Boundaries consistent with regional future land use (FLU map)
- Town-wide flood hazard and river corridor bylaws
- Permanent zoning and subdivision bylaws, that further smart growth principles
- The municipality has adopted design regulations (including Certified Local Government)
- Planned for the maintenance of significant natural communities, rare, threatened, and endangered species located in the Tier 1A area or excluded those areas from the Tier 1A area
- Public water & wastewater systems, with available capacity
- Municipal staff adequate to support coordinated comprehensive and capital planning, development review, and zoning administration in the Tier 1A area.

Tier 1A Benefits

- Permanent, total exemption from Act 250 for Tier 1A parts of the town
- Any underlying existing Act 250 permits would be taken over and administered by the town

Regionally Approved Municipal Plan

IV. REGIONAL APPROVAL AND CONFIRMATION

- A) If a municipality wishes its plan or plan amendment to be eligible for approval under the provisions of §4350 of this title, it shall request approval. The request for approval may be before or after adoption of the plan by the municipality, at the option of the municipality.

Any such requests should be in writing and accompanied by a copy of the adopted or draft plan. The RPC will carry out and conduct all related and necessary reviews, hearings and processes. *This process requires up to 60 days from notification to complete; to meet a shorter timeline or specific deadlines, the RPC will require contact and coordination prior to the planning commission hearing notice.*

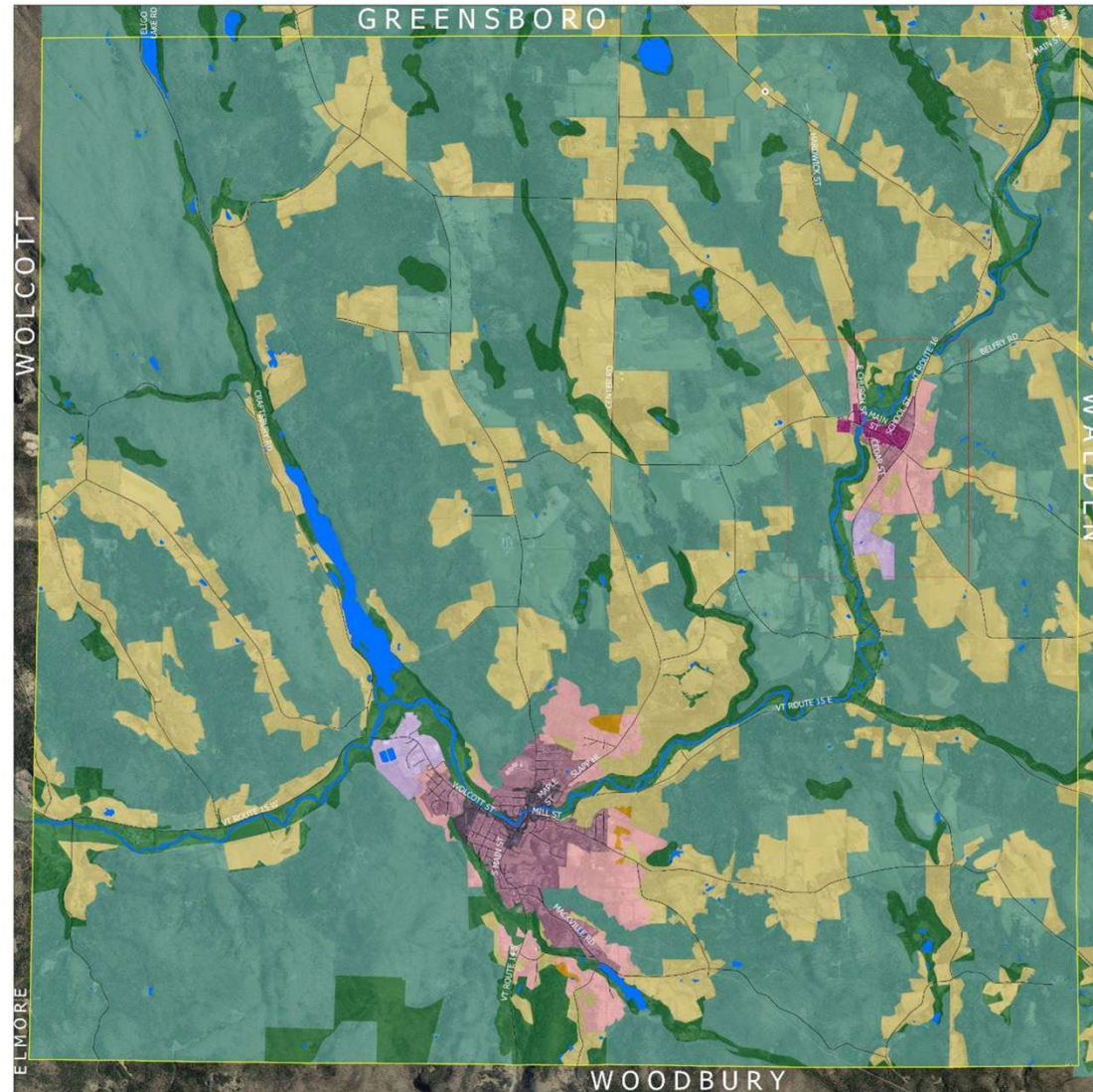
Statutory reference(s): §4385(c)

Submitted to RPC: No ☐ Yes ☐ **Date of submission to RPC:** _____

On file at the RPC: approval and confirmation forms, hearing minutes, staff review

Boundaries consistent with regional future land use (FLU) map

DRAFT of Hardwick's portion of the Caledonia County future land use map, as of 09/23/25



- Hamlets
- Roads
- Surface Water
- Downtown Centers
- Village Centers
- Planned Growth Areas
- Village Areas
- Enterprise Areas
- Transition/Infill Areas
- Rural General
- Rural Conservation
- Town of Hardwick
- Rural Ag/Forestry

Warning: this data is for planning purposes only and does not replace a survey or engineering study. Because this map is developed from various scale sources, there may be some discrepancies between data layers.

0 0.5 1 2 Miles

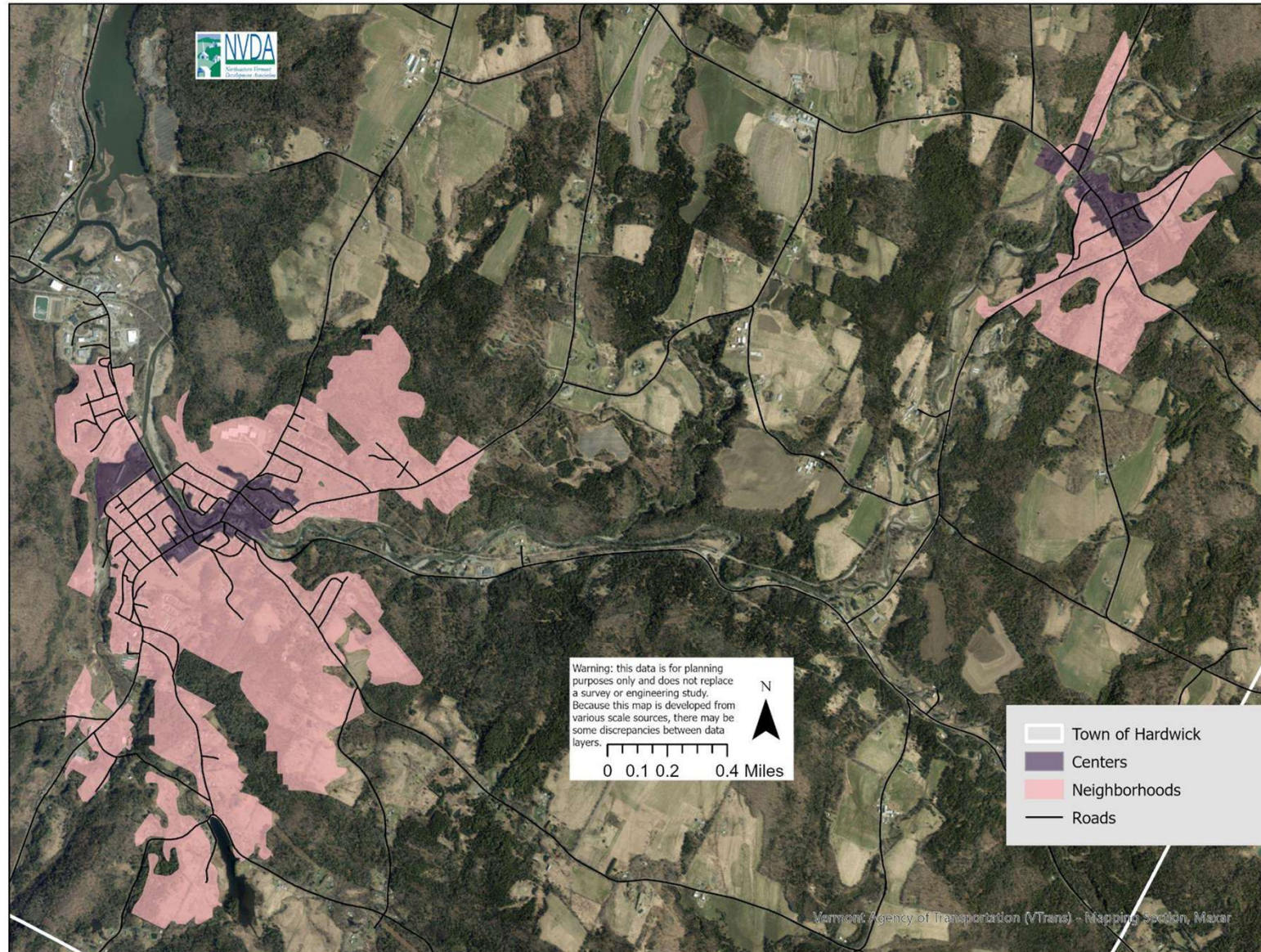


NOT a zoning map

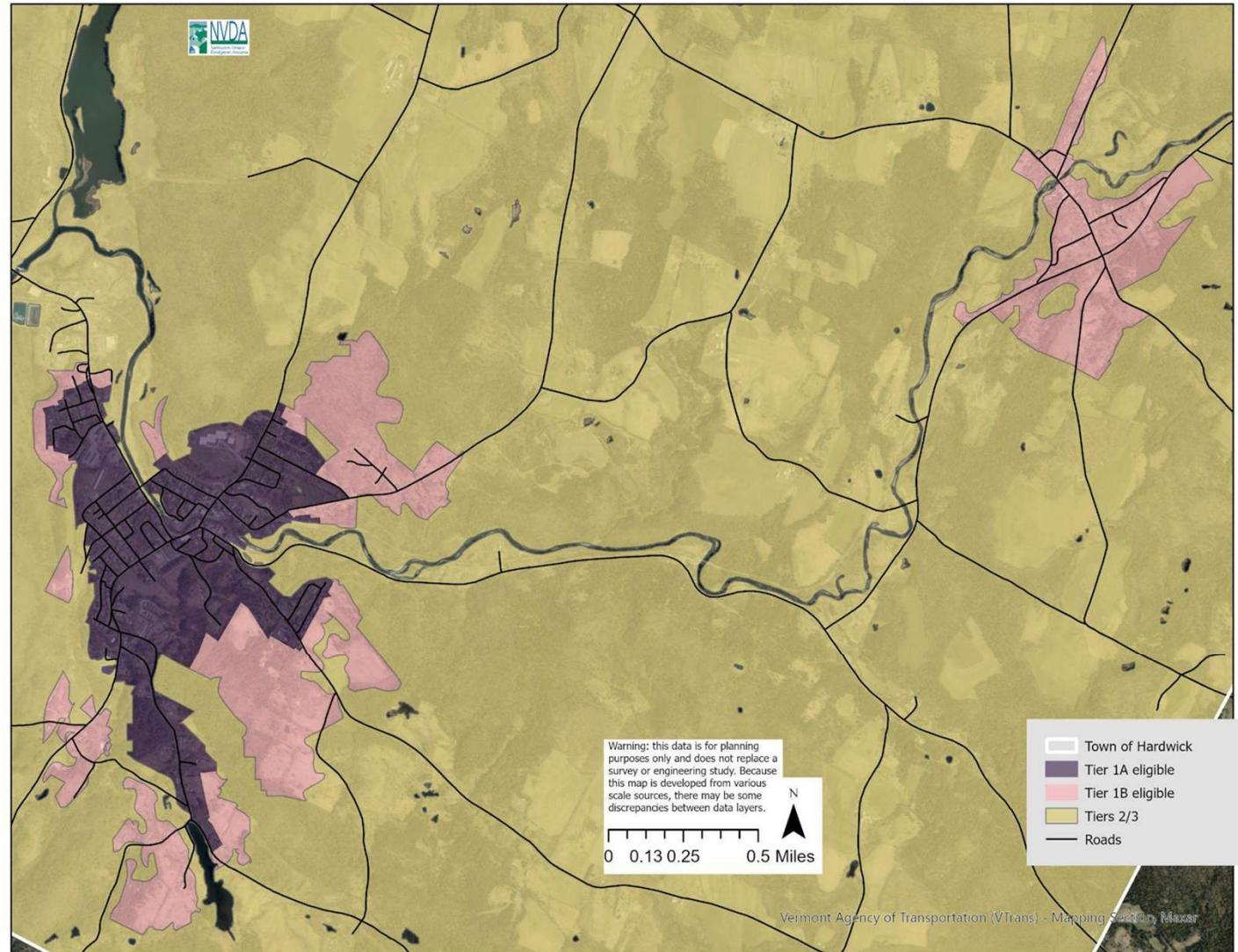
E Hardwick Inset



DRAFT Center and Neighborhoods Map



DRAFT Tiers Map



Town-wide flood hazard and river corridor bylaws

- The municipality has adopted flood hazard and river corridor bylaws, applicable to the entire municipality, that are consistent with or stronger than the standards established pursuant to subsection 755(b) of this title (flood hazard) and subsection 1428(b) of this title (river corridor) or the proposed Tier 1A area excludes the flood hazard areas and river corridor.
 - [10 V.S.A. § 755](#)
 - [10 V.S.A. § 1428](#)

Permanent zoning and subdivision bylaws, that further smart growth principles

- **The municipality has adopted permanent zoning and subdivision bylaws that do not include broad exemptions that exclude significant private or public land development from requiring a municipal land use permit.**

(13) "Smart growth principles" means growth that:

(A) Maintains the historic development pattern of compact village and urban centers separated by rural countryside.

(B) Develops compact mixed-use centers at a scale appropriate for the community and the region.

(C) Enables choice in modes of transportation.

(D) Protects the State's important environmental, natural, and historic features, including natural areas, water quality, scenic resources, and historic sites and districts.

(E) Serves to strengthen agricultural and forest industries and minimizes conflicts of development with these industries.

(F) Balances growth with the availability of economic and efficient public utilities and services.

(G) Supports a diversity of viable businesses in downtowns and villages.

(H) Provides for housing that meets the needs of a diversity of social and income groups in each community.

[24 V.S.A. § 2791](#)

Municipal staff adequate to support coordinated comprehensive and capital planning, development review, and zoning administration in the Tier 1A area.

- Any underlying existing Act 250 permits in Tier 1A area must be taken over and administered by the town
- The onus of managing development will rest entirely on municipal zoning and planning efforts

Tier 1B requirements

1. The municipality has requested to have the area mapped for Tier 1B.
2. Regionally Approval municipal plan
3. Permanent zoning and subdivision bylaws in accordance with 24 V.S.A. §§ 4414, 4418, and 4442.
4. The area excludes identified flood hazard and fluvial erosion areas, except those areas containing pre existing development in areas suitable for infill development as defined in Section 29-201 of the Vermont Flood Hazard Area and River Corridor Rule unless the municipality has adopted flood hazard and river corridor bylaws applicable to the entire municipality that are consistent with the standards established pursuant to subsection 755(b) of this title (flood hazard) and subsection 1428(b) of this title (river corridor).
5. Water supply, wastewater infrastructure, or soils that can accommodate a community system for compact housing development in the area proposed for Tier 1B.
6. Municipal staff, municipal officials, or contracted capacity adequate to support development review and zoning administration in the Tier 1B area. (eff. June 17, 2024.)

Tier 1B Benefit

- Available sooner than Tier 1A
- No permit or permit amendment is required within a Tier 1B area for 50 units or fewer of housing or mixed-use development on 10 acres or less

Sample 1B Resolution

MUNICIPAL RESOLUTION

Municipality: _____

Whereas In accordance with Vermont Statute, 10 V.S.A. Section 6033 a municipality may request Tier 1B status for the purposes of Act 250 jurisdiction.

Whereas The municipality has a duly adopted and approved plan and a planning process that is confirmed in accordance with 24 V.S.A. § 4350.

Whereas The municipality has adopted permanent zoning and subdivision bylaws in accordance with 24 V.S.A. §§ 4414, 4418, and 4442.

Whereas The area excludes identified flood hazard and fluvial erosion areas, except those areas containing preexisting development in areas suitable for infill development.

Whereas The municipality has water supply, wastewater infrastructure, or soils that can accommodate a community system for compact housing development in the area proposed for Tier 1B.

Whereas The municipality has municipal staff, municipal officials, or contracted capacity adequate to support development review and zoning administration in the Tier 1B area in accordance with 6033(c)(6) and as evidenced by ALL of the following:

- ☐ appointed or contracted zoning administrator (may be permanent or acting)
- ☐ yearly budget to support administration of development regulations, including enforcement or appeals as needed
- ☐ municipal staff and volunteers can attend trainings as requested
- ☐ ZA and the DRB (or ZBA and PC) regularly process applications within the required timelines
- ☐ Technical assistance is available for projects that exceed normal capacity or knowledge by one or more of the following:
 - ☐ RPC ☐ Town Attorney
 - ☐ VLCT ☐ Other

Now, therefore be it resolved that:
The municipality hereby requests to have the [Downtown Center, Village Center, Planned Growth Area, Village Area] mapped for Tier 1B status.

Adopted at a duly noticed public meeting held on DATE

Attest:

Signature _____

Name _____

Title _____ (Secretary or Chair)

Questions?

- www.nvda.net/act181.php
- act250.vermont.gov/
- labbate@nvda.net
- kdwyer@nvda.net

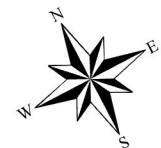
NOT a zoning map

DRAFT of Hardwick's portion
of the Caledonia County
future land use map, as of
09/23/25

0 0.2 0.4 0.8 Miles

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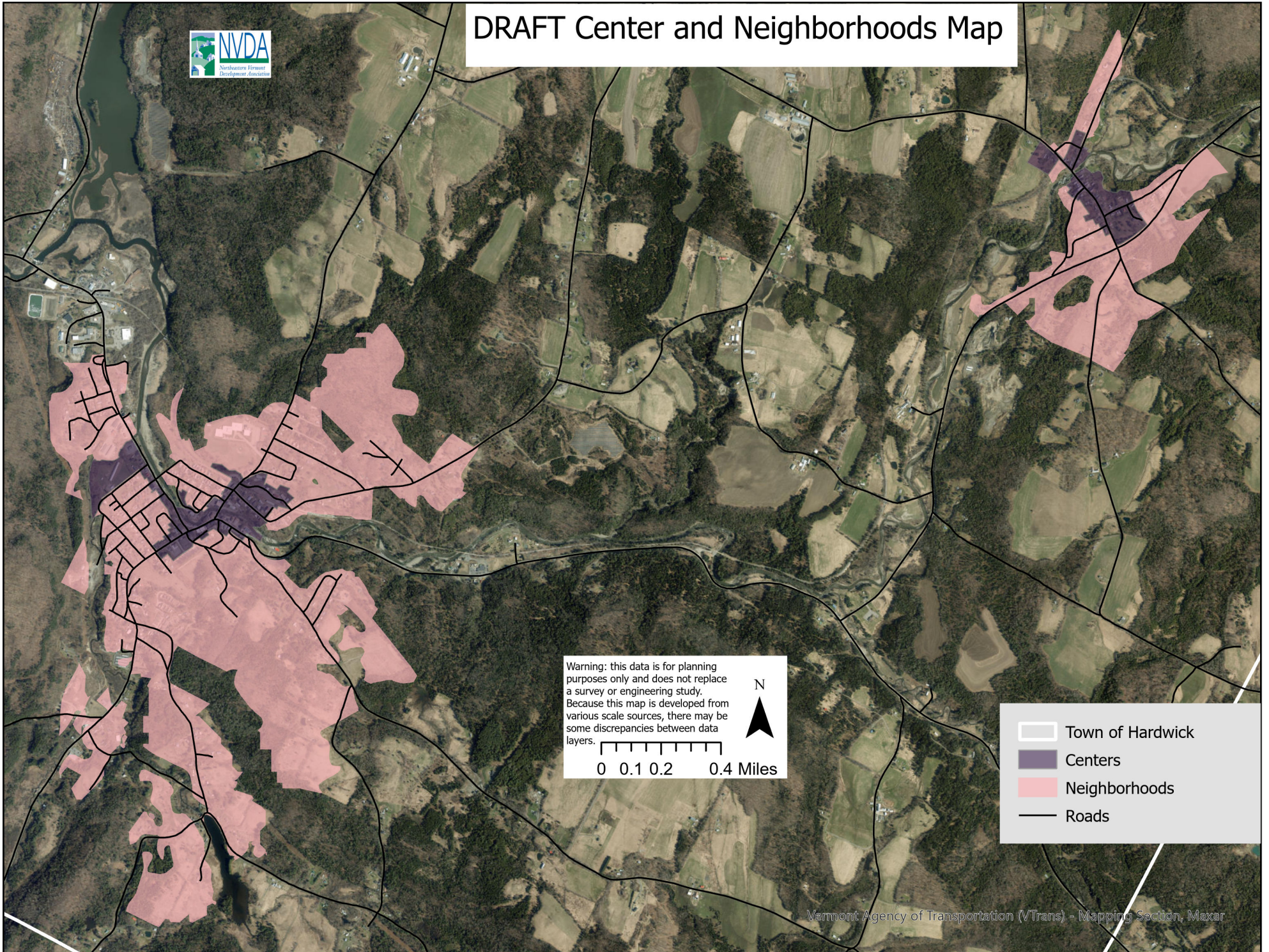
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DRAFT Center and Neighborhoods Map



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0 0.1 0.2 0.4 Miles



- Town of Hardwick
- Centers
- Neighborhoods
- Roads



DRAFT Map of Tiers of Act 250

