### NATURAL RESOURCES BOARD – ACT 250

#### SUMMARY DESCRIPTION OF PERMIT

Act 250 is Vermont’s development and control law, established in 1970. The law provides a public, quasi-judicial process for reviewing and managing the environmental, social and fiscal consequences of major subdivisions and development in Vermont through the issuance of land use permits. The Governor appoints citizens to the nine District Commissions and the Natural Resources Board. Activities include review of land use permit applications for conformance with the Act's ten environmental criteria, issuance of opinions concerning the applicability of Act 250 to developments and subdivisions, monitoring for compliance with the Act and with land use permit conditions, and public education.

#### CRITERIA FOR JURISDICTION

Act 250 permits are required for the following:

1. Construction for commercial or industrial purposes on more than 10 acres (except for farming or forestry); or on more than one acre, if the municipality does not have both permanent zoning and subdivision bylaws.
2. The construction of 10 or more housing units, including mobile-home parks, within 5 years.
3. The subdivision of land into six or more lots, within 5 years, in a town that does not have both permanent zoning and subdivision regulations.
4. The subdivision of land into 10 or more lots of any size within 5 years.
5. Construction that would substantially change or expand a pre-1970 development that would require a permit if built today.
6. Construction for a governmental purpose which disturbs more than 10 acres, or is part of a larger project that will involve more than 10 acres of land.
7. Construction of a support structure, 50 feet tall or higher, primarily for communication or broadcast purposes.
8. Construction, including forestry or farming, above 2,500 feet in elevation.
9. Exploration for, or extraction or processing of, fissionable source materials.
10. Drilling of any oil or gas well.
11. The sale, by public auction, of any interest in a tract or tracts of land divided for the purpose of resale into five or more lots within a radius of five miles within any continuous period of ten years.

#### INFORMATION REQUIRED

Applicants will need to supply sufficient information for the District Commission to make findings on the ten environmental criteria. In so doing, certifications and/or approvals from other agencies and departments, utilities, regional planning commissions and local government may be necessary.

#### WEB ADDRESS

[http://www.nrb.state.vt.us](http://www.nrb.state.vt.us)
FEES
$5.40 per $1,000 of the first $15,000,000.00 of construction costs and $2.50 for each $1,000.00 of construction costs above $15,000,000.00
$100 for each subdivided lot.
$0.20/cubic yard of estimated annual extraction.
Minimum Fees: Original Application $150.00
Amendment Application $ 50.00 plus publication and recording costs.
Maximum Fee: $150,000.00

APPLICATION TIME FRAME
Average processing time: 60 to 80 days.

ADMINISTERING AGENCY

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CONTACT: District Environmental Coordinator

ADDRESS: see Regional Map for telephone and address of District Office

ADMINISTRATIVE ADDRESS: Natural Resources Board
National Life Records Center Building
1 National Life Dr.
Montpelier, VT 05620-3201
Telephone: 802-828-3309

AUTHORITY
10 VSA Chapter 151 (Act 250)

APPLICABLE RULES
http://www.nrb.state.vt.us/lup/rules.htm Effective July 10, 2009

Department of Environmental Conservation permits or approvals must be obtained prior to the issuance of an Act 250 permit since many of these permits or approvals are used by the applicant to satisfy air and water quality criteria of Act 250. It is also the preferred practice that local zoning and subdivision approvals should be obtained prior to the filing of an Act 250 application so that local issues have been resolved.

APPEAL PROCESS
Filing Deadline for Appeals: Any party may appeal a decision of the District Commission to the Superior Court, Environmental Division within 30 days, in accordance with 10 VSA Chapter 220. Appeals of District Coordinator jurisdictional opinions are also to the Court.

OTHER PERMITS AND APPROVALS
Contact a Permit Specialist for a Project Review Sheet.
http://www.anr.state.vt.us/dec/ead/pa/index.htm