

Natural Resources Board

Act 250 Application Form

NOTE: Please review the Application Guide at <https://nrb.vermont.gov/act250-permit> before completing this form.

SELECT FORM TYPE

- Application -- Use for original applications, permit amendments, renewal of permits for earth extraction, solid waste disposal facilities, and logging above 2500', and renewal of partial findings (including Master Plan findings)
- Construction Completion Date Extension
- Administrative Amendment (*Discuss with District Coordinator before completing this type of form*)

Contact Information

Applicant(s)

NAME Mount Snow Ltd.				
MAILING ADDRESS PO BOX 2805		TOWN Dover	STATE VT	ZIP 05356
PHONE 802-464-4169	CELL PHONE	EMAIL TBartels@vailresorts.com		
APPLICANT LEGAL INTEREST IN LAND <input checked="" type="checkbox"/> Ownership in simple fee <input type="checkbox"/> Lease agreement <input type="checkbox"/> Contract to purchase <input type="checkbox"/> Other (describe below)				
APPLICANT LEGAL FORM <input type="checkbox"/> Individuals <input type="checkbox"/> Partnership (list partners) <input checked="" type="checkbox"/> Corporation (provide details) <input type="checkbox"/> Municipal Govt <input type="checkbox"/> State Govt <input type="checkbox"/> Other				
DATE CORPORATION FORMED July 1977	PLACE FORMED Dover, VT	DATE CORPORATION REGISTERED IN VERMONT July 25,1977		

Landowner(s)

NAME Mount Snow Ltd.				
MAILING ADDRESS PO BOX 2805		TOWN Dover	STATE VT	ZIP 05356
PHONE 802-464-4169	CELL PHONE	EMAIL tbartels@vailresorts.com		
NAME United States Forest Service, Attn: Jeff Hammell				
MAILING ADDRESS 231 North Main Street		TOWN Rutland	STATE VT	ZIP 05701
PHONE	CELL PHONE	EMAIL		

Others With Significant Interest(s) in Property Check if not applicable

Primary Contact Person for Application

NAME David Moulton				
MAILING ADDRESS PO BOX 2805		TOWN Dover	STATE VT	ZIP 05356
PHONE 802-464-4219	CELL PHONE	FAX NUMBER	EMAIL David.M.Moulton@vailresorts.com	

Other Contacts

CONTACT TYPE Engineer	NAME Jeff Zweber, PE	EMAIL jzweber@vhb.com
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Project Information

PROJECT TYPE

PLEASE INDICATE THE TYPE OF PROJECT

Amendment of existing Act 250 permit or permit condition

EXISTING ACT 250 PERMIT NUMBER(S)

2W0359 as amended

Please Note: If you are applying to amend a permit condition which was included to resolve an issue critical to the district commission's or the board's issuance of a prior permit, please contact the District Coordinator to determine whether you need to address the "Stowe Club Highlands" analysis. Also see Act 250 Rule 34(E) <http://www.nrb.state.vt.us/lup/rules.htm>.

ENFORCEMENT ACTIONS: Is the application the result of an enforcement action (such as a Notice of Alleged Violation, Citation, Assurance of Discontinuance, Administrative Order, or Court Order) by the Natural Resources Board or the Agency of Natural Resources?

 Yes No

GENERAL DESCRIPTION OF THE PROJECT (Include number and size of buildings/lots, use of buildings, number of lots, length of roads, etc.)

The Project will replace existing chairlifts at two locations at Mount Snow. At one location, the Tumbleweed lower-mountain triple-chairlift and the Sundance upper-mountain triple-chairlift will be consolidated into a single detachable-grip six-person-chairlift. At the other location, the Sunbrook fixed-grip quad-chairlift will be replaced with a detachable-grip quad-chairlift along a similar alignment.

Two of the removed lifts, the 2,250 ft long Tumbleweed Lift and 5,080 ft long Sundance Lifts, were manufactured by Yan, a company no longer in business, so finding suitable replacement parts, service, and support is difficult. A single 6,780 ft long lift constructed by Doppelmayr will replace these two lifts, and the existing mid-mountain terminals will be removed, including removal of the bottom terminal of the existing Sundance lift from a wetland. The Consolidated Lift is positioned to minimize tree clearing, eliminate wetland impacts, and is largely located along the existing lift clearings and ski runs.

At the other location on the mountain, the 5,900 ft long Sunbrook Lift, which was manufactured by CTEC, will be replaced along nearly the same alignment by a lift constructed by Doppelmayr. This replacement will not impact wetlands, streams, associated buffers, and minimizes clearing by being closely aligned to the removed lift.

Operational stormwater measures will be constructed to offset impervious area associated with the project, along with installation of temporary erosion and sediment control practices.

The beginning of the project is proposed to occur prior to April 1, 2022 to meet seasonal clearing limitations.

CONSTRUCTION DURATION (Months to complete)

6 Months

DURATION OF PERMIT REQUEST IN YEARS (if project is for earth extraction, solid waste disposal, or logging above 2,500 feet.)

Property Information

PROPERTY LAND ACREAGE

ACRES OWNED/CONTROLLED BY APPLICANT/LANDOWNER

600 Mount Snow Ltd

ADDITIONAL ACRES IN EASEMENTS OR RIGHTS-OF-WAY

894 in USFS; not part of this application

PROPERTY LOCATION

TOWN (Primary)

Dover

TOWN (Secondary, if applicable)

Somerset

STREET OR ROAD LOCATION (Provide E911 address if available.)

39 Mount Snow Road, Dover, VT 05356

NEARBY LANDMARK

Mount Snow Ski Area: Sundance and Sunbrook Areas

PROPERTY LATITUDE AND LONGITUDE COORDINATES (Using GPS set for NAD83 or as derived from NAD83-based map. Coordinates should be in decimal degrees to 4 decimal places.)

N - LATITUDE

42.961811

W - LONGITUDE

-72.9076

PROPERTY DEEDS

GRANTEE'S NAME

Mount Snow Ltd.

COUNTY

Windham

TOWN

Dover

BOOK

40

PAGE(S)

1-38

DATE RECORDED

7/14/1977

GRANTEE'S NAME

Mount Snow Ltd.

COUNTY

Windham

TOWN

Dover

BOOK

75

PAGE(S)

546-555

DATE RECORDED

4/28/1995

PROPERTY SPAN NUMBER

SPAN NUMBER (From property tax bill)

183-058-12135

SPAN NUMBER (From property tax bill)

183-058-11224

Additional Information

CHECK BELOW IF YOU ARE CONCURRENTLY APPLYING FOR ANY OF THE FOLLOWING PERMITS FROM THE AGENCY OF NATURAL RESOURCES:

- | | | |
|--|---|--|
| <input type="checkbox"/> Wastewater System & Potable Water Supply Permit | <input checked="" type="checkbox"/> Construction General Permit | <input type="checkbox"/> Air Pollution Control Permit |
| <input type="checkbox"/> Public Water System Permit to Construct | <input type="checkbox"/> Stormwater Discharge Permit | <input type="checkbox"/> Wetland Permit <input type="checkbox"/> Other |

HAVE YOU RECEIVED LOCAL ZONING AND/OR SUBDIVISION APPROVAL?

-
- Yes (attach copy)
-
- Pending
-
- None Needed

ATTACH THE FOLLOWING UNLESS WAIVED BY THE DISTRICT COORDINATOR:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Location Map (USGS map) | <input checked="" type="checkbox"/> Schedule B - Act 250 Information |
| <input checked="" type="checkbox"/> Site Plan or Plot Plan (see instructions) | <input checked="" type="checkbox"/> Schedule E - Project Adjoiner Information |
| <input type="checkbox"/> Building Elevation Drawings (excluding single family homes) | <input checked="" type="checkbox"/> Schedule G - Notice of Application |
| <input checked="" type="checkbox"/> Supporting documents (as recommended in Schedule B or as needed) | <input type="checkbox"/> Municipal Impact Questionnaire |
| <input checked="" type="checkbox"/> Schedule A - Fee Information | <input type="checkbox"/> School Impact Questionnaire |
| <input checked="" type="checkbox"/> Act 250 fee (payable to "State of Vermont") | |

Signatures

I hereby swear that the information provided above or attached to this application is true and accurate to the best of my/our knowledge.

	Tracy Bartels, VP/General Manager	
SIGNATURE OF APPLICANT	CLEARLY PRINT NAME	DATE

I hereby certify that I understand that I must not commence construction, demolition, remodeling or commercial use of the property as described in Act 250 Rule 2(C) until I have received an Act 250 Land Use Permit as required by 10 V.S.A. § 6081.

	Tracy Bartels, VP/General Manager	
SIGNATURE OF APPLICANT	CLEARLY PRINT NAME	DATE

I hereby authorize the processing of this application for the above project on land(s) that I/we own, control, or have significant property interest in (attach letter if easier).

SIGNATURE OF LANDOWNER

Tracy Bartels, VP/General Manager
CLEARLY PRINT NAME

DATE

Submission Instructions

For Applications and Completion Date Extensions:

- Submit one electronic copy of the application and accompanying documentation, including Schedule G - Notice of Initial Application Filing, to our FTP site, or on CD-ROM or flash drive, or, with District Office permission, by email. For all parts of the application that require signatures, please scan to PDF those pages, and include them with your electronic submission so that all parties' signatures are visible.
- In addition, submit one (1) complete set of paper site plans to the District Coordinator for your district. See [Act 250 District Office](#) map for location of districts and staff contacts.
- Email Schedule G to the municipality, municipal planning commission, regional planning commission, and Agency of Natural Resources; if the property is located on a town line, also email Schedule G to the adjoining municipality and planning commissions.

For Administrative Amendments:

- Submit one electronic copy and one set of paper site plans (if applicable) to the Act 250 District Office. For District 2 applications, submit one electronic copy only.

Schedule A - Fee Information

Submit with the application a check payable to the "State of Vermont". **Municipal and state agency projects are exempt from fees but should still report construction costs on this form.** Not-for-profit organizations are **not** exempt. Calculate the fee using the table below.

Note: All lines on the schedule must be filled out. If a line does not apply, or if there is no associated cost, enter 0. An incomplete schedule will result in a delay in application processing.

Please check this box if the subject of this application is a residential development project located in a State-Designated Vermont Neighborhood or Neighborhood Development Area designated according to 24 V.S.A. § 2793e.

	# of Lots				
1) Number of lots being created	0	x \$125.00.....	\$	0.00	
2) Earth Extraction (Gravel/Sand Pits and Quarries)	0	x \$0.02/yd ³ for 1st million yd ³ extraction proposed for life of the permit x \$0.01/yd ³ for yd ³ above 1st million proposed for life of the permit.....	\$	0.00	
3) Estimated Construction Costs: ¹	Building ft ²	Building \$/ft ²			
Buildings.....	0	0	\$	0.00	
Site preparation.....			\$	225,000.00	
Roads and parking.....			\$	0.00	
Utilities.....			\$	65,000.00	
Off-site improvements.....			\$	0.00	
Landscaping.....			\$	30,000.00	
Other.....			\$	11,480,000.00	
Describe Other Chairlift equipment and enclosures					
Construction Subtotal			\$	11,800,000.00	
			Construction Cost <=\$15M	\$	
			11,800,000.00	x 0.00665	\$
			Construction Cost >\$15M	\$	
				x 0.00312	\$
			5) Master Plan Fee (if applicable) ⁴	\$	
				x 0.00010	\$
			NRB Fee SubTotal⁵		\$
					78,470.00
			4) ANR Fee (Construction Cost <=\$15M) ^{2, 5}	\$	
			11,800,000.00	x 0.00075	\$
			4) Total Fee³		\$
					87,320.00

¹For residential subdivisions, include the estimated construction cost of all improvements proposed to be constructed by the applicant or a related person or entity, including common facilities, infrastructure, dwellings, and other. For more information, see the definition of "person" at 10 V.S.A. § 6001(14), on the web at <https://legislature.vermont.gov/statutes/chapter/10/151>.

²As of July 1, 2015, an Agency of Natural Resources (ANR) fee of \$0.75 per \$1,000 of construction costs (0.00075) for the first \$15,000,000 of construction costs is collected to account for ANR's review of Act 250 applications. See 10 V.S.A. § 6083a, on the web at <https://legislature.vermont.gov/statutes/fullchapter/10/151> for a complete schedule of fees.

³Submit one check for the total amount payable to "State of Vermont"
 State and Municipal Projects are exempt from fees
 Minimum fee of \$187.50 for new applications
 Minimum fee of \$62.50 for amendment applications
 Maximum total application fee is \$165,000.00

⁴For projects involving the review of a master plan, a fee of \$0.10 per \$1,000.00 (0.00010) of **total estimated cost to construct all phases** is due **in addition** to other applicable fees. 10 V.S.A. § 6083a(5).

5Fees for residential development projects in a State-Designated Vermont Neighborhood or Neighborhood Development Area designated according to 24 V.S.A. § 2793e should be reduced to 50% of the fee otherwise charged. 10 V.S.A. § 6083a(d).

I attest by my signature that the above is true to the best of my knowledge.

SIGNATURE OF APPLICANT

Tracy Bartels, VP/General Manager

CLEARLY PRINT NAME

DATE

Schedule E - Adjoiner Information

Submit with the application a list of all adjoining landowners with mailing addresses. An "adjoiner" is a person or organization which owns or controls land or easements on lands which physically abut the tract or tracts of land on which your project is located. Be certain to include landowners on the opposite sides of highways, railways, and rivers. Also include homeowner associations, utility companies, and others with significant legal interest in the project land. It is very helpful if you indicate the location of each adjoiner on your site plan.

If you do not provide a list which is thorough and up-to-date, your application could be delayed because of improper notice distribution!

Please note: For lists which include more than 20 adjoining landowners, our administrative staff appreciates receiving the list on mailing labels to facilitate the notification process. Thank you.

ADJOINER NAME	ADDRESS	TOWN	STATE	ZIP
See Exhibit 027				

Schedule B - Response to the 10 Criteria and Subcriteria

The Act 250 Application Guide, available at the District Environmental Offices or online at <https://nrb.vermont.gov/act250-permit>, provides additional information about how to answer the questions below or contact the District Coordinator. Provide the information requested in the form below. If an item does not apply to your project, explain why rather than responding N/A. For unusual projects and/or for review of a draft of your application, contact the District Coordinator. We are here to help!

Criterion 1 - Air Pollution: Demonstrate that the project will not cause undue air pollution.

a. What type of heating systems or other fuel-burning systems are proposed (Include information on any proposed wood-burning fireplaces, wood stoves or wood boilers)?

The project consists of the replacement of chairlifts and consists only of enclosed mechanical spaces which will receive latent heat from electrical switchgear and possibly be supplemented by small electric resistance or LP heaters as needed.

b. Describe any process emissions, dust, smoke, odors or sources of noise will result from the project, and what measures are proposed for control? Will there be any burning of forest or construction debris? Any fire pits?

No burning of any debris is proposed. If required, any dust will be controlled by the application of small amounts of water. Noise will be limited to typical construction equipment, which will not be offensive due to the Project's remoteness to adjacent dwellings. To set blasting charges, there may be limited amounts of rock drilling that may be perceivable but not offensive. The noise will occur only for a few hours at a time, due remoteness of each terminal and tower site, which will require long amounts of time to move equipment between tower locations

During the daylight hours, helicopters will be utilized to remove and set towers and deliver concrete. The duration of helicopter operations will be sequenced to occur safely and efficiently, due to the high hourly cost of operation, and will not be unnecessarily prolonged.

Each lift will have diesel powered auxiliary drive systems for evacuation and stand by operation, which are supplied by 60 gallon and 300 gallon day-tanks, respectively. The stand by operation system is operated occasionally to reduce peak loads if an EPA compliant engine is installed, otherwise the system is only operated when an unreliable external power is available or AC drive systems fail.

c. Will there be blasting?

Yes No

Please describe:

Blasting is not needed to alter the proposed surface grades, and may occur in isolated discrete locations if required to install terminal and tower foundations. Due to the small scale of the blasting, in which a single detonation will not remove more than 100 CY, blasting mats will be adequate to contain any dust, noise and debris.

d. What restrictions will there be for hours of construction and/or operations and how will noise be controlled, especially in residential areas?

Typical construction hours of 7am- 6pm Monday-Saturday are proposed, with a several days where work will extend to include all daylight-hours, due to weather or needs of temporary remote-workers for specialized work. Construction noise will be typical of projects of this kind that have been carried out previously at Mount Snow. Most of the project is not located near residential properties, with the exception of Resort controlled lodging.

e. Does your project require an ANR Air Pollution Control Permit?

Yes No

Criterion 1A - Headwaters: Demonstrate that the project will meet any applicable environmental conservation department regulations regarding any reduction of the quality of ground or surface waters in a headwaters area.

a. Is your project in a headwaters area (Headwaters are lands which are not devoted to intensive development and which contain steep slopes or shallow soils; or drain 20 square miles or less; or are watersheds for public water supplies; or provide significant recharge to aquifers; or are above 1,500 feet.)?

Yes No **Please contact the District Coordinator for additional guidance.**

Please describe:

The project is defined as being in a headwaters area because it is located above 1,500 feet elevation.

Mitigation to soil erosion and impacts to headwaters will be achieved through the effective implementation of an erosion prevention and sediment control plan. The key features of this plan, as related to this project, include minimization soil disturbance areas, installation of effective prevention measures, and limiting the duration of disturbance. (Exhibits 006 through 019).

Streams, wetlands and the associated buffers have been delineated in the vicinity of the Project and are depicted on the Project plans. Apart from tree trimming, where the stumps will be cut at the ground surface and roots will be left in place, and removal of existing equipment, there is no work needed within the wetlands, streams, and associated wetland and riparian buffers. Existing lifts and equipment will be removed from the wetlands and buffers utilizing low ground-pressure equipment, which will travel from existing gravel stabilized workroads. The EPSC project plans depict routes for the equipment to travel which avoid unnecessary travel through these areas and limit ground disturbance to only the area where existing towers and terminals are being removed. Immediately after the removal of existing equipment the surface will be topsoiled and vegetated. (Exhibits 015 through 019)

Criterion 1B - Waste Disposal: Demonstrate that the project will meet any applicable health or environmental conservation department regulations regarding the disposal of wastes and demonstrate that the project will not involve the injection of wastes or toxic substances into ground waters.

a. Will the project use a wastewater disposal system?

Yes No

b. Are you required to obtain any of the following permits?

For assistance in identifying permits you may need for your project, contact an ANR Permit Specialist. You can find the Permit Specialist serving your area by visiting <https://dec.vermont.gov/environmental-assistance/permits/specialists>.

Wastewater System and Potable Water Supply Permit Yes No

Stormwater Discharge General Permit or Permit Amendment Yes No

Are you relying on the above permit as a presumption of compliance for this criterion, under Rule 19?

Yes No

Have you submitted the complete application for this permit to the Agency of Natural Resources?

Yes No

Stormwater Discharge Individual Permit or Permit Amendment Yes No

Construction General Permit or Permit Amendment Yes No

Construction Individual Permit or Permit Amendment Yes No

Are you relying on the above permit as a presumption of compliance for this criterion, under Rule 19?

Yes No

Have you submitted the complete application for this permit to the Agency of Natural Resources?

Yes No

Multi-Sector General Permit or Permit Amendment Yes No

Underground Injection Control Permit Yes No

Sewer Main Extension Permit Yes No

Solid Waste Facility Certification Yes No

Underground Storage Tank Permit Yes No

c. What is the acreage of the project site which will be disturbed during construction (Show the limits of disturbance on the site plan.)?

9.4 ac

d. What is the acreage of the project site which will be permanently covered with buildings, roadways, parking areas, or other impervious areas as part of the project (Show all impervious surfaces on the site plan.)?

0.21 ac total new

If your project is an amendment to a previously permitted project, how many acres of impervious surface currently exist on the site (Show all impervious surfaces on the site plan.)?

48.7 ac from DEC 3-ac list

e. How will stormwater from the project be treated and disposed?

Rainwater from the terminals, operator huts and tower foundations will immediately disperse into sheetflow, due to the small footprint and vegetated surfaces that surround all impervious areas.

Both lifts are comprised of top and bottom terminals which have gabled roofs aligning with the long dimension of the building, so the contributing runoff along the eave is only 15 ft. For the top terminals, this water will disperse in a sheet flow manner, and flow across vegetated surfaces prior to entering buffers of receiving waters. Additionally, in accordance with the Vermont Stormwater Management Manual (VSMM) treatment in compliance with all applicable treatment standards will be provided for a portion of the Sundance parking lot, providing site balancing for the impervious area associated with the Sundance/Tumbleweed portion of the project. A bioretention area will receive runoff from the Sunbrook bottom terminal and provide treatment of the water quality volume (WqV).

The Sunbrook Chairlift replacement that is in the Cold Brook watershed will remove 0.04 acres of existing impervious, and construct 0.11 acres of new impervious, resulting in a net change of 0.07 acres of impervious. The Sundance/Tumbleweed Consolidated Chairlift replacement that is in the North Branch Deerfield River watershed, will remove 0.09 acres of existing impervious, and construct 0.10 acres of new impervious, resulting in a net change of 0.01 acres of impervious.

f. Are there any manufacturing or industrial processes which could affect wastewater?

Yes No

g. Is a permit or Vermont hazardous waste handler site ID form (notification) with the ANR Hazardous Waste Management Program required?

Yes No

h. Will hazardous materials (chemicals, pesticides, herbicides) be used or stored on site?

Yes No

i. Indicate how construction debris, including stumps, will be disposed.

The Project area occurs mostly on existing lift lines and trails which do not have woody-vegetation, and most stumps will be left in place, where tree cutting is required. Trees will be chipped and excavated soils for foundations will be backfilled next to the foundation. Plastic silt fence will be removed at the end of the project and disposed of with household trash at a solid waste landfill.

If the project involves more than 5,000 square feet of building construction, renovation, or demolition, complete the Waste Reduction Plan Template and attach to the application. The Plan template is available at <https://dec.vermont.gov/waste-management/solid/materials-mgmt/construction-waste> (find "use this plan template").

j. Indicate if any building(s) on the property or the proposed project includes any floor drains.

No Floor Drains Existing Floor Drains Proposed to be Installed

Criterion 1C - Water Conservation: Demonstrate that the project will use the best available water conservation technology.

a. Describe the extent of water use for the project.

The project consists of a chairlift replacement project. It does not propose any water use.

b. Describe water conservation measures which have been incorporated into the project, such as the use of low flow plumbing fixtures.

c. Will any water be used for commercial or industrial manufacturing or processing?

Yes No

d. Will any water be withdrawn from rivers, streams, or other bodies of water?

Yes No

e. Are any permits or approvals for water withdrawal required by the Agency of Natural Resources?

Yes No

Criterion 1D - Floodways: Demonstrate that the Project will not restrict or divert the flow of flood waters, and endanger the health, safety and welfare of the public or of riparian owners during flooding. **Floodway Fringe:** Demonstrate that the Project will not significantly increase the peak discharge of the river or stream and endanger the health, safety and welfare of the public or of riparian owners during flooding.

a. Is any portion of the project located within 100 feet of a perennial stream or river? "Perennial" means that the stream or river flows continuously within its channel year around.

Yes No

Explain and describe:

There will be no activity within the 50 foot riparian buffer, except for tree cutting for the overhead lift, the removal of existing lift equipment, and replacement of an existing culvert which drains to the Cold Brook.

The relocated Sunbrook base terminal is outside of the 50 ft riparian buffer and is moved 50 ft further away from Cold Brook (2021-tob-1(P)) than the existing terminal, which will be removed. Midway up the mountain, the lift crosses Cold Brook overhead. Access for installation of the tower foundations, which will be located outside of the riparian buffer, will be from existing workroads and there will not be a construction crossing of Cold Brook. Since the relocated lift alignment skews from the existing, 0.09 acres of trees need to be cut in the Cold Brook riparian buffer, but 0.13 acres will be revegetated with trees.

An unnamed tributary to the North Branch Deerfield River (2021-tob-4(P)) is crossed overhead along an existing trail by the Sundance/Tumbleweed replacement lift. The proposed lift is further away from the tree line than the existing lift, but there will be small amounts of trimmings needed to brush back the overgrowth from the existing trail. Trimming this overgrowth will occur over an existing stream culvert and beyond the 50 ft riparian buffer in an adjacent Class II wetland buffer. The trimming near this stream and adjacent wetland is estimate to be less than 0.01 acres.

Please provide a site map of the project location from the VT ANR Natural Resource Atlas, which can be found at: <http://anrmaps.vermont.gov/websites/anra>. Attach documentation from the VT ANR Natural Resource Atlas and any additional documentation from the ANR River Corridor and Floodplain Management Program.

The Secretary of the Agency of Natural Resources determines the limits of the Floodway and the Floodway Fringe (see 10 V.S.A. § 6001(6) and (7)) at: <http://www.nrb.state.vt.us/lup/statute.htm>. Floodway determinations are made by considering the Special Flood Hazard Area and the Fluvial Erosion Hazard Area. For more information, see ANR's Procedure on ANR Floodway Determinations in Act 250 Proceedings and the accompanying Technical Guidance for Determining Floodway Limits Pursuant to Act 250 Criterion 1(D) (both available at: http://www.anr.state.vt.us/dec/waterq/rivers/htm/rv_floodhazard.htm).

b. Is any portion of the project located in the Special Flood Hazard Area (SFHA)?

Yes No

c. Is any portion of the project located in a River Corridor?

Yes No

Special Flood Hazard Area and River Corridor data layers are available on the ANR Natural Resources Atlas (<http://anrmaps.vermont.gov/websites/anra5/>). These layers are found under the Watershed Protection layer grouping. Please provide a copy of Atlas Map with the Special Flood Hazard Area and River Corridor layers shown for the subject parcel.

Please note that the ANR Natural Resources Atlas only has Special Flood Hazard Areas available for the following counties: Chittenden, Washington, Rutland, Bennington, Windham and Windsor. For the remainder of the state, Special Flood Hazard Areas are shown on Flood Insurance Rate Maps available on the FEMA Map Service Center website: <https://msc.fema.gov/portal/search>. River Corridors on streams draining less than 2 square miles are designated on the Atlas as small stream setbacks and will need to be measured on the ground.

If the project is located within a designated Special Flood Hazard Area or River Corridor, it will need to comply with No Adverse Impact standards contained in the DEC Flood Hazard Area & River Corridor Protection Procedure (https://dec.vermont.gov/sites/dec/files/documents/DEC_FHARCP_Procedure.pdf). Contact the Vermont Rivers Program of the ANR Watershed Management Division to speak with a Regional Floodplain Manager for your area: https://dec.vermont.gov/sites/dec/files/wsm/rivers/docs/floodplain_mgr_regions.pdf.

Criterion 1E - Streams: Demonstrate that the project will maintain the natural condition of any streams, when feasible.

a. Is the project located near a stream or watercourse?

Yes No

What is the distance from the nearest disturbed area to the **top** of the stream bank (Show all streams and watercourses and their buffers on a site plan. This includes showing stream buffers for all subdivisions.)?

In only one location on the project, where the realigned Sundance Lift crosses, tree's will be cleared leaving stumps and ground vegetation to the edge of Cold Brook. Otherwise, project-wide, the nearest soil disturbance to a perennial stream is 5 ft, which is needed to replace an existing culvert. Due to the elevation required to drain the bottom of a stormwater treatment practice, this culvert pipe cannot be further removed from the edge of the stream bank and needs to be replaced in its current location.

b. Describe any construction that will disturb the stream, the stream bed or the adjacent 50-foot buffer as measured from the tops of the stream banks.

There is no proposed disturbance of streams or stream beds.

Work within the buffer is limited to tree cutting and revegetation, which is previously described in 1D.

If there is disturbance of a stream or stream bank, a Stream Alteration Permit may be required. Contact the **River Management Program of the ANR Watershed Management Division** to speak with a Stream Alteration Engineer for your region at (802) 828-1115. If a Stream Alteration Permit is required, what is the status of your application?

Completed and attached In process

c. Does the project involve dam construction or withdrawal or impoundment of water from a river, stream, or pond?

Yes No

Criterion 1F - Shorelines: Demonstrate that if the project is located along a shoreline, it complies with the four standards relating to the condition of the shoreline listed in b. below.

a. Does the project involve development or subdivision on or near a river, lake, pond, or reservoir shoreline?

Yes No

b. If the project is located on or near a shoreline (answer if the project will be seen from the water body and/or has the potential to affect the condition of, or access to, the water body.), then answer i) through v) below:

i. Why is it necessary that the project be located on the shoreline?

The project is not location on a shoreline.

ii. How will the shoreline be maintained in its natural condition (Show undisturbed buffers, erosion controls, and the like on the site plan)?

iii. Indicate how and where any existing public access to the water body can be reasonably maintained (Show details on site plan).

iv. Indicate how the vegetation will be provided or retained to screen the project from the water body (Show details on site plan).

v. Indicate how the shoreline will be stabilized from erosion with vegetation (Show details on site plan).

c. Do you need a Shoreland Encroachment Permit from ANR Watershed Management Division (Contact the Watershed Management Division at (802) 828-1115 for further guidance)?

Yes No

Criterion 1G - Wetlands: Demonstrate that the project will meet applicable Water Resources Board regulations regarding any impacts on designated significant wetlands.

a. Does the tract contain Class I or Class II wetlands or wetland buffers?

Yes No

Describe the wetlands and any disturbance that may occur within 50 feet of the wetland. Show all wet areas and buffers on site plan and label Class I, II and III wetlands and wet areas on plan. Contact the **ANR Wetlands Biologist** for assistance and information on the protocol for identification/delineation of wetlands.

All wetlands within or near the project limits were delineated by VHB ecologists in October 2021, and consist of Class II and III features shown on the project plans (Exhibit 3 and Exhibits 007 through 014). Rebecca Chalmers with the Vermont DEC Wetlands Program made a site visit on September 28, 2021 and concurred with the delineation of the wetlands shown, and subsequent correspondence was made where she agreed with the classifications depicted on the project plans.

b. Is an individual Wetland Permit (IWP) or a General Wetland Permit (GWP) needed from the ANR Watershed Management Division (802) 828-1115 required for work in the wetland or wetland buffer (Contact the **ANR Wetlands Biologist** for further guidance)?

Yes No

If an IWP or GWP is required, are you relying on the permit to satisfy this Criterion?

Yes No

Status of permit?

Completed and attached In process

Criterion 2 and 3 - Water Supply: Demonstrate that the project has sufficient water available for its needs; and that the project will not cause an unreasonable burden on an existing water supply.

a. How will water be supplied to the project and what are the demands (gallons per day)?

The chairlift replacement project does not propose to use any water.

Is the water supply public or private (Show location of wells and piping on site plan)?

Public Private

b. Is a Wastewater System and Potable Water Supply Permit from the ANR Drinking Water and Groundwater Protection Division required?

Yes No

c. Is approval from the ANR Drinking Water and Groundwater Protection Division necessary for a shared water system or extension of a municipal water line (Contact the Regional Manager with the ANR Drinking Water and Groundwater Protection Division (800) 823-6500 (Toll-free in Vermont) or (802) 241-3400)?

Yes No

d. Identify adjacent water supplies. Demonstrate that that use of water will not restrict or negatively affect the water of existing users. Provide information on distance to other wells and hydrological studies for larger projects.

The lift replacement project does not propose to use any water and there are no water supplies that are adjacent to the project.

Criterion 4 - Soil Erosion: Demonstrate that the project will not cause unreasonable soil erosion and will not cause a reduction in the capacity of the land to hold water so that a dangerous situation results.

a. Describe the terrain (including slope) in areas where earth work is proposed. Describe the nature and extent of ground disturbance proposed including the sequence of construction. For more information about the elements of an erosion control plan see ANRs *Erosion Prevention and Sedimentation Control Plan Checklist* available at http://dec.vermont.gov/sites/dec/files/wsm/wetlands/docs/wl_vtepsc.pdf.

Earthwork for the project will occur at the top and bottom terminals, discrete tower locations, and for the installation of an offsetting stormwater treatment practice, which collects water from a portion of the Sundance parking lot. Earthwork occurs in two separate watersheds and will be sequenced to minimize concurrent earth disturbance. Crushed stone will be utilized to provide temporary stabilized work areas surrounding each terminal location, within the limits of disturbance depicted and where proposed grading will occur.

Slopes for the top and bottom terminals, where earthwork is required to establish maze and milling areas has flatter slopes generally less than 5%, with the slopes uphill underneath the departure and receiving ends of the terminals having slopes up to 2:1, with steeper grades being transitioned with retaining walls or stone fill.

Surface slopes where proposed towers are located will conform with the existing ground. After placing silt fence on the downhill side, a 24 ft by 24 ft excavation will be created to allow the proposed tower footings to be installed. The tower locations will be accessed by soil-pressure equipment across vegetated access paths from existing stabilized work roads.

Existing lift infrastructure will be removed and the grades in those areas will be blended into the surrounding terrain with the limits of work indicated.

As shown on Exhibits 006 through 014, the project will have a maximum of 2-acres of disturbance at any one time contained in a 9.4 ac limit of work. To minimize soil disturbance to the extent practicable, the project will be accessed from existing permanent stabilized work roads. Equipment with low ground-pressure will then be utilized to access over existing vegetated paths existing tower foundations to be removed and proposed tower foundations to be constructed. Any rutting of the vegetated access paths will be graded, seeded and mulched. It is expected that substantial materials such as steel towers and concrete will be placed using a helicopter to minimize soil disturbance from vehicle traffic.

An Individual Construction Stormwater Discharge Permit (INDC) has been applied for because there are other ongoing projects at Mount Snow which are authorized by an existing INDC. This other authorized work is currently stabilized, however due to the existence of this INDC permit, the DEC Stormwater Section has recommended that this project should be authorized by an INDC. Otherwise, this project would qualify for a moderate-risk Construction General Permit (3-9020).

b. Are you required to obtain the following permits?

Construction General Permit or Permit Amendment Yes No

Construction Individual Permit or Permit Amendment Yes No

Are you relying on the above permit as a presumption of compliance under this criterion, for construction related soil erosion under Rule 19?

Yes No

Have you submitted the complete application for this permit to the Agency of Natural Resources?

Yes No

c. Describe erosion control measures to be taken during construction.

Prior to any site disturbance, edges of streams and wetlands within 100 feet of the project area will be flagged and marked. Along with limiting the area and extent of disturbance, silt fence will be the primary erosion control measure that will be deployed on this project. The duration of disturbance prior to temporary or final stabilization will be less than 14-days. All temporary erosion control measures will remain in place until the contributing drainage area receives final stabilization.

d. Describe permanent erosion control measures to be taken after construction to stabilize the site (Show details on the plan.).

Permanent stabilization will consist of seed and gravel, straw, wood fiber mulch, or erosion control blanket. The required stabilization measures are shown on the Erosion Prevention and Sedimentation Control (EPSC) Details (Exhibits 018 through 019). Furthermore, these EPSC plans and details require additional measures and maintenance if it becomes apparent that additional measures are needed due to soil or rainfall conditions encountered during construction.

e. How frequently will the erosion controls be inspected during construction and who will be accountable for their maintenance?

Inspections will be conducted at least once every seven days and as soon as reasonably possible, during or after, every rainfall event which produces runoff from the construction site. The On-site Plan Coordinator will conduct these inspections and is generally onsite day-to-day and has the authority to make and direct maintenance, repairs, and additional measures as needed.

Additionally, biweekly inspections by an EPSC Specialist, who is someone not directly employed by the owner and has knowledge of EPSC measures and requirements, will certify on a bi-weekly basis compliance with the Project's EPSC requirements.

Criterion 5 - Transportation (Amended effective June 1, 2014): Demonstrate that the project will not cause unreasonable congestion or unsafe conditions with respect to the use of highways and other means of transportation and that it will provide access and connections to adjacent lands and facilities and to existing and planned pedestrian, bicycle, and transit networks and services.

a. Describe the access to a State or local highway from the project. Show driveways for all proposed lots on the plans. Describe the design of roads, driveway(s) or road intersections including grades, sight distances and speed limit of the town or State highway. Show locations and details on site plan.

The lift replacement project does not propose to affect any transportation infrastructure. The roadways that are mentioned in this application are private work roads that are used by maintenance vehicles to access various parts of the mountain. It does not propose to alter any of the transportation infrastructure or demands.

b. Has the town or State approved the project access (For State, contact the Utilities Unit of the Vermont Agency of Transportation (802) 828-2653. Attach a copy of the approval.)?

Yes No

c. If a new roadway is involved, indicate the length of the road and the maximum gradient (Show road location, profile, and cross sections on site plan unless waived by District Coordinator.). Also, if the road enters onto a State highway, the intersection geometrics will need to conform with VTrans Access Guidelines and Standards.

Length of Road Maximum Gradient

d. Explain how emergency vehicles and trucks will have sufficient access into the project site and can easily turn around (Show details on site plan).

e. How many trips per day will the project generate?

Total one-way trips AM peak hour trips PM peak hour trips

f. Explain how the traffic associated with the project will not create unreasonable congestion or unsafe conditions on nearby highways and nearby intersections. Larger projects and/or projects in areas with existing traffic problems may require a traffic study which details Level of Service and turning movements (Contact the District Coordinator to determine if a traffic study is necessary). Traffic studies should include mitigation strategies for impacts, including use of demand management strategies.

g. Describe any Transportation Demand Management (TDM) strategies being employed in the project to reduce trip generation, including the number of AM and PM peak hour trips which will be mitigated through the use of these strategies. TDM strategies include: ride sharing programs, public transportation vouchers, staggered shifts (arrival and departure times) to avoid peak hour traffic. For assistance with developing and participating in TDM programs, contact your Regional Planning Commission.

h. Explain how pedestrian and bicycle safety will be provided (show details on site plan).

i. Explain how the proposed project will not cause unreasonable delays or unsafe conditions for users of existing pedestrian, bicycle, and/or public transportation facilities.

j. Is parking required for the project?

Yes No

k. Explain how the project will provide safe access and connections to adjacent lands and facilities and to existing and planned pedestrian, bicycle, and transit networks and services.

l. Explain how the measures outlined in k and g above are appropriate, given the type, scale, and transportation impacts of the project.

Criterion 6 - Educational Services: Demonstrate that the project will not cause an unreasonable burden on the ability of local governments to provide educational services.

a. Estimate the number of additional students who may attend the local schools as a result of this project and explain how this estimate was calculated.

The majority of the project work is specialized and will be performed by employees assigned to the project site during the summer months staying in local lodging facilities during the summer months. No additional residences or jobs will be created by this project and there will be no additional students that will attend the local schools.

b. Provide evidence that area schools will be able to accommodate these additional students (Narrative response or School Impact Questionnaire).

Criterion 7 - Municipal Services: Demonstrate that the project will not cause an unreasonable burden on the ability of local governments to provide municipal or governmental services.

a. Check the municipal services that will be utilized:

Police Fire Protection Ambulance Road Maintenance
 Water Supply Sewage Disposal Solid Waste Disposal

b. Provide a comment letter from any non-municipal entity and a completed Municipal Impact Questionnaire unless waived by the District Coordinator.

Criterion 8 - Scenic Beauty, Historic Sites, and Natural Areas: Demonstrate that the project will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites, or rare or irreplaceable natural areas.

a. Describe the tract (include terrain, open space, woodlands, ridgelines, wetlands, streams, existing vegetation and buildings, if any), surrounding area, and any natural areas (Attach photos if available).

The tracts of land that this project is located on contains the Mount Snow Ski Area. These lifts are surrounded on each side by existing ski trails, and the project proposes to replace lifts along similar alignments which only require minimal tree cutting as previously described (Exhibits 006 through 014).

b. Is the project use (residential, retail, industrial, etc.), size, architecture and density consistent with the existing or planned land uses in the area? What is the building style? What materials and exterior colors will be used? Provide elevation drawings. If the project is a subdivision and the building style is unknown, show building envelopes on the site plan and provide covenants that address tree cutting, lighting etc. and proposed architectural restrictions/requirements.

With the exception of the lift attendant hut, there are no habitable buildings associated with this project. The lifts will be a similar style to the other detachable grip lifts at the mountain. The lift towers will galvanized for durability. The lift terminal paneling will consist of light gray and gray aluminum colors with grey-blue glazing and blue trim as shown in Exhibit 023.

c. Will the project generate any significant noise during and/or after construction? How long will construction take place? If noise is an ongoing factor in the project or construction takes place for an extended period, provide a noise analysis.

The project will be constructed during the offseason and construction will be typical for commercial. Small amounts of non-offensive noise may be generated as previously described.

d. Describe the proposed architectural style and building materials and colors in relation to the style of area buildings. Provide elevation drawing(s) of building(s).

The terminals and operator huts are consistent with other chairlifts on the mountain as described above.

Identify site plan(s) which depict this information:

The project plans show the locations of the terminals and lift operator huts (Exhibits 008, 011, 012, and 014).

e. Describe any proposed signs, including location and details on size, illumination, and colors (Show location(s) on site plan).

There are no proposed signs, except for safety and pedestrian scale placards.

Identify site plan(s) which depict this information:

f. Describe exterior lighting, including location, lamp wattage, fixture style, and height of pole. How will lights be controlled, timed or switched? For large parking lots and roadways, provide details about light levels. Show lighting on site plan and include manufacturer's specification sheets. Lighting should be dark-sky compatible and fixtures fully shielded for most applications.

The operator huts will have LED fixtures inside and recessed underneath the front overhang, which have a similar intensity to an equivalent 60 watt incandescent fixture. There will be strip LED lighting inside the lift terminal structure, Inside the lift terminal structure which will only be in use when a staff-member is inside inspecting. Lights are manually switched from the operator hut and are only on when the lift is in operation. Mount snow does not have night skiing.

Identify site plan(s) which depict this information:

g. Describe how utilities (propane tanks, trash dumpsters, electric distribution lines and poles, etc.) have been designed to minimize their visibility.

The proposed lines will be consistent with the existing lifts. Power to lift terminals is underground from nearby transformer locations. Propane will not be used at the terminal locations. Trash will be placed in a small can inside, located outside during operations, and will be emptied nightly.

h. Describe landscaping. How will landscaping minimize visual impacts? Show limits of tree cutting, landscaping and planting legend on site plan.

Seeding and mulching will restore the landscape to the existing condition in accordance with the EPSC plan (Exhibit 006 - 014). Bicknell's thrush habitat will be mitigated by allowing the regeneration of the indicated areas, which will be demarcated in the field to prevent future vegetation management associated with mountain operations.

Identify site plan(s) which depict this information:

i. Describe any recorded historic sites, including historic structures (more than 50 years old) or districts (i.e. on the State or National Register of Historic Places) located on the tract. Attach a letter from the Division for Historic Preservation (DHP) (802-828-3048) regarding any potential historic sites which might be affected by the project.

Yes No

j. Is the project located on land that contains or is likely to contain a prehistoric Native American archeological site?

Yes No

If you are unsure, contact the Vermont Division for Historic Preservation (DHP) at (802) 828-3048 or a professional archeologist. To determine whether a project is located on or near an archeological site, the DHP has developed the Environmental Predictive Model which is available at <http://www.dhca.state.vt.us/DHP/programs/model.pdf>.

k. Does the project area contain any evidence of historic settlement such as stone walls, foundations, or ruins (If yes, show on site plan)?

Yes No

l. Are there any designated rare or irreplaceable natural or fragile area on or near the project site (Contact the ANR District Fish & Wildlife Office for assistance in identifying natural or fragile areas)?

Yes No

Criterion 8A - Wildlife and Endangered Species: Demonstrate that the project will not destroy or significantly imperil necessary wildlife or endangered species habitat.

a. Does the project tract include necessary wildlife habitat or endangered species?

Yes No Unsure

b. Describe any impact the project will have on identified necessary wildlife habitat or endangered species (including any logging or land filling on the tract) and what measures will be taken to mitigate impact.

The alignment of the lifts have been configured to reduce trimming of dense pine-fir vegetation that may be habitat for the Bucknell's thrush. In locations where removal of this habitat is necessary, additional habitat will be established in adjacent areas at a 2:1 mitigation ratio (Exhibit 006). Additionally, trimming will not occur during the May 15 to July 31 nesting season. Should ledge rock need to be removed to install the terminal and pole foundations, the intensity of the charge will be relatively small and will not affect wildlife. The amount of charge that may be needed by this project for foundation excavation is appreciably less than a quarry operation seeking to fracture as much rock as possible during a single blast.

Helicopters will be utilized during the removal and installation of the towers and delivery of concrete. They will land and takeoff from a parking area at the base of the mountain, far from trees and powerlines, and not touchdown on the mountain. During delivery and extraction operations, the helicopter will be centered over the cleared area of the lift line, be well above the top of the tree line, and connected to the lift tower or concrete hopper with a "long line". In this configuration, the distance from the helicopter to any Bicknell's thrush habitat, will result in a peak rotor wash velocity less than 20 mph, which is much less than the natural regularly occurring wind speed, and will not result in damage to Bicknell's thrush habitat. (Data of a heavy lift helicopter obtained from of Rotorwash Analysis Handbook, Figure 10 1994 Ferguson, DOT/FAA/RD-93/31,1) To minimize the high per hour cost of flight operations, the contractor is incentivized to minimize helicopter use and sequence operations to be completed as quickly and safely as possible.

Mount Snow has undergone extensive consultation with Fish and Wildlife Department ("FWD") for previous projects (example LUP #2W1281-1) to identify appropriate measures to avoid and mitigate potential impacts to the Dover Mines, a known, occupied hibernaculum site for rare, threatened, and/or endangered ("RTE") bats, and Vermont-listed RTE bats that have been documented, which include: little brown bat (Vermont endangered), tri-colored bat (Vermont endangered), and the northern long-eared bat (Vermont endangered), which is also federally listed as Threatened.

The project has been planned in accordance with applicable guidance for protection of habitat for RTE bats, including the Regulatory Review Guidance for Protecting Northern Long-Eared Bats and their Habitats ("FWD Guidance" FWD, 2017). Specifically, as related to this project, the following measures are provided that meet this guidance and will protect the Northern Long-Eared Bat and the Dover Mine hibernaculum: 1) The project is not located within 0.25 mile of the known on-site hibernaculum, so there will be no vegetation cutting/trimming in this radius. 2) There less than 1% of the total forest cover to be cut/trimmed. 3) All proposed cutting activity that is greater than 3 inches diameter at breast height ("DBH") will occur prior to April 15 and after October 31 within 1 mile of the hibernaculum.

Criterion 9A - Impact of Growth: Demonstrate that the project will not significantly affect the ability of the town and region to accommodate growth.

If the project is anticipated to result in a significant amount of growth in relation to historic growth rates for the town and region, you will be required to provide an impact of growth analysis to address the ability of the municipality and the region to accommodate the growth, including the need for new infrastructure, adequate housing, and demand on services. The District Coordinator can provide examples. Also see the Application Guide for more information, available at <https://nrb.vermont.gov/act250-permit>.

a. For residential projects and subdivisions, indicate how many additional people may live in the project, what portion may be seasonal, and what percentage of the total population of the municipality these additional people represent. For commercial or recreational projects, provide information regarding anticipated employment growth, growth in personal income, retail sales growth, or growth in tourism.

The two lifts will replace existing lifts and collectively utilize a similar number of staff. Carrying capacities will be similar to the existing lifts and ride-times will decrease, which provide a better guest experience and will allow Mt Snow to provide an expected customer experience, maintain employment, sales, and tourism.

b. For all projects, provide an estimate of the tax revenues the project will generate (property tax revenues paid to the municipality, as well as income tax, sales, and rooms and meals taxes etc.) paid to the State, if appropriate. Also, provide information on anticipated employment.

The replaced lift equipment is subject to property tax by the municipality for the assessed amount and materials used in the construction of the lift are subject to state sales tax. Incidental income, sales (ticket), and rooms and meals taxes are expected to be consistent.

Criterion 9B - Primary Agricultural Soils: Demonstrate that the project will not reduce the agricultural soils.

All commercial, industrial, residential projects and subdivisions must address this criterion. See Criterion 9(B) section in the Guide to Applying for an Act 250 Land Use Permit before proceeding with the section below. The Guide is available at <https://nrb.vermont.gov/act250-permit>. Also, contact the district coordinator if you have any questions.

a. Does your project involve any potential earth disturbance or subdivision of land?

Yes No

b. Has Act 250 previously issued findings of fact regarding primary agricultural soils on your tract or tracts of land?

Yes No

Please attach a copy of the findings of fact.

c. Does the tract of land contain any soils classified by Natural Resource Conservation Service (NRCS) as primary agricultural soils (<http://websoilsurvey.nrcs.usda.gov/app/>)?

Yes No Please provide a soils site plan, a soils matrix, and an impact matrix. Also, provide a review letter from the Agency of Agriculture (see Application Guide).

d. Does the subdivision or development result in any reduction in the agricultural potential of the primary agricultural soils?

Yes No

e. Will the development or subdivision interfere with or jeopardize the continuation of agricultural or forestry on adjoining land?

Yes No

f. Is the project located in a designated downtown, growth center, new town center designated as of 1/1/2014, or a neighborhood development area associated with a designated downtown?

Yes No

g. Does the landowner own or control other lands, other than primary agricultural soils, that are reasonably suited to the purpose of development or subdivision?

Yes No Not Applicable

h. Are you taking measures to minimize the impact to the primary agricultural soils on the tract of land? Such measures include the use of innovative land use design that results in compact development patterns, so that the remaining primary agricultural soils on the project tract are capable of supporting or contributing to an economic or commercial agricultural operation.

Yes No Not Applicable

i. Has suitable mitigation been provided for any reduction in the agricultural potential of the primary agricultural soils caused by the project in accordance with 10 VSA § 6093?

Yes No I am seeking a finding of appropriate circumstances based on the following factors:

Criterion 9C - Productive Forest Soils: Demonstrate that the project will not result in any reduction in the potential of productive forest soils.

"Productive forest soils" are soils which are not primary agricultural soils, have a reasonable potential for commercial forestry and have not been developed. Indications that the soils qualify as productive forest soils, include, but are not limited to, previous logging on the site or enrollment in the use value appraisal program. (See definition of Productive Forest Soils at 10 V.S.A. Sec. 6001(8)).

If your site may contain productive forest soils, you should read the Criterion 9(C) section in the Guide to Applying for an Act 250 Land Use Permit before proceeding with the section below.

a. Has the property been logged or managed for commercial forestry in the past?

Yes No

b. Is the site currently being managed for commercial forestry?

Yes No

c. Is the property enrolled in the Use Value Appraisal Program?

Yes No

d. Does the project site contain productive forest soils?

Yes No

If there are no productive forest soils on the site, you do not need to answer any additional questions for this section. If you are unsure, the district coordinator, a consulting forester or the County Forester for your area may be of assistance.

Criterion 9D and 9E - Earth Resources: Demonstrate that the project will not interfere with the future extraction of earth resources; and demonstrate that if the project involves the extraction of earth resources, it will not unduly harm the environment or neighboring land uses, and will be reclaimed for an alternative use.

a. Are there any mineral or earth resources on the site with a high potential for extraction?

Yes No

Identify site plan(s) which depict this information:

Criterion 9F - Energy Conservation: Demonstrate that the project reflects the principles of energy conservation, including reduction of greenhouse gas emissions from the use of energy, and incorporates the best available technology for energy efficiency. Provide evidence of compliance with the applicable building energy standards.

a. Applicants are required to provide evidence that the project will comply with the building energy standards (either the [Commercial Building Energy Standard \(CBES\)](#) (30 V.S.A. §53) or the applicable [Residential Building Energy Standards \(RBES\) Stretch Code](#) (30 V.S.A. §51)). By signing this application do you certify that the project will comply with the applicable building energy standards at the time of construction?

Yes No

b. As per the [Criterion 9\(F\) Procedure](#) you will be required to submit a copy of the applicable [RBES Certificate](#) and/or [CBES Certificate](#) submitted to the Public Service Department under 30 V.S.A. §53(d) and/or 30 V.S.A. §51(f) prior to occupancy. Will you ensure that condition is met?

Yes No

c. Applicants for commercial projects are required to provide evidence that "the planning and design of the subdivision or development reflect the principles of energy conservation, including the reduction of greenhouse gas emissions from the use of energy, and incorporate the best available technology for efficient use or recovery of energy." Describe how your project meets the best available technology standard through incorporation of conservation measures that exceed the CBES:

The chairlift replacement project does not propose any building or improvements where CBES standards are applicable or appropriate.

d. List the energy conservation measures incorporated into the project design that will reduce greenhouse gas emissions from the use of energy through:

1. Building Construction, such as automatic energy controls (e.g. timers or sensors for lighting or heating/cooling), renewable or alternative energy sources, heat pumps, LEDs, Energy-Star appliances, etc.

Energy efficient LED lighting is proposed at the lift terminals. A regenerative AC motor coupled to a variable frequency drive will be utilized to reduce peak current surges during lift operations. Operational and equipment needs require preheating of the lift terminal, where timers will be activated when outdoor temperatures are within a preset range.

2. Building Use, such as bike and walking paths, rideshare programs, designated carpooling parking spaces, facilities to promote public or alternative modes of transportation, etc.

e. What renewable energy components or, at least the infrastructure required for future renewable energy installations (i.e. the project is "renewable ready") have been incorporated into the project? These components or infrastructure can include electric vehicle charging stations, photovoltaic panels, solar hot-water, or other mechanisms to reduce "greenhouse gas emissions from the use of energy" or their related structural or electrical infrastructure required to support their future installation.

Describe such features:

The resort utilizes offsite solar fields to reduce overall demand.

f. Have you contacted Efficiency Vermont (1-888-921-5990), your electric utility, or other energy efficiency entity to learn about cost-effective methods to reduce energy consumption and greenhouse gases?

Yes No

g. Detail what additional measures are being incorporated that are being subsidized or jointly undertaken with Efficiency Vermont, your electric utility, or other energy efficiency entity.

Mt Snow is currently enrolled in an Energy Savings Account (ESA) Program with Efficiency Vermont, which is a pilot program.

Criterion 9G - Private Utilities: Demonstrate that any private utilities shared by two or more owners will not become a burden on the municipality if it must assume responsibility for them.

a. Indicate whether the project involves any private utilities (road, water system, stormwater system, sewer line, septic system, etc.) which will be controlled by more than one owner.

The chairlift replacement project does not involve more than one owner and will be wholly owned by Mount Snow.

b. If private utilities will not be transferred to the municipality, indicate how the utilities be maintained? Will a sinking fund or other long term fund be established to provide for future repair or replacement of the private utilities? (Attach copy of covenants, maintenance schedule, or other evidence which will ensure maintenance and eventual replacement of the utilities.)

Criterion 9H - Scattered Development: Demonstrate that if the project is not physically contiguous to an existing settlement, it will not result in greater costs to the municipality than it provides in additional tax revenues and other public benefits.

a. Is the project tract physically contiguous to a downtown development district, village center, new town center, growth center, Vermont neighborhood, or neighborhood development area as designated under 24 V.S.A. , chapter 76A?

Yes No

If not, is the project physically contiguous to an existing settlement (an existing center that is compact in form and size; that contains a mixture of uses that include a substantial residential component and that are within walking distance of each other; that has significantly higher densities than densities that occur outside the center; and may be served by municipal infrastructure such as water, wastewater, sidewalks, paths, transit, parking areas, and public parks or greens)?

Yes No

Please explain:

The chairlift replacement project is located along existing developed areas consisting of lift lines, ski trails and work roads.

b. If the project is not contiguous to an existing settlement, provide an analysis comparing the public benefits and costs of the project. (Cost of services vs. taxes and other benefits such as needed housing and employment).

Criterion 9J - Public Utilities: Demonstrate that the project will not place an excessive or uneconomic demand on any necessary governmental or public facilities or services.

a. Indicate whether an excessive or uneconomic demand will be placed on supportive governmental or public utility services, such as electric services, municipal water or sewer services, solid waste and recycling services, etc.). If the Project is commercial, industrial, or a multi-family building, show on a plan how solid waste and recycling services will be accommodated. Attach copies of utility letters.

The chairlift replacement project does not require any changes or place any burdens on existing publicly owned electrical, telecommunications, or any other infrastructure or utilities. The replacement lifts will utilize the existing primary electrical feeds.

Criterion 9K - Public Investments: Demonstrate that the project will not endanger any adjacent public investment.

a. List any adjacent governmental or public utility facilities, services and lands, including highways, airports, waste disposal facilities, buildings, fire and police stations, universities, schools, hospitals, electric generation and transmission facilities, oil and gas pipelines, parks, hiking trails, forest and game lands, etc.

A portion of the project is located on US Forest Service land which is licensed by Mount Snow for their ski area. There are no other listed public investments in the proximity to the project that will be affected.

b. How will the project affect any such adjacent property?

The chairlift replacements are in an area that has been previously developed with chairlifts and trails consistent with Mount Snow's license from the U.S. Forest Service (USFS). The infrastructure proposed in this project is consistent with other previously built infrastructure.

USFS has been consulted regarding this project and will issue authorization to Mt Snow prior to the commencement of on-site work.

Criterion 9L - Settlement Patterns: If outside an existing settlement, demonstrate how the project will promote Vermont's historic settlement pattern of compact village and urban centers separated by rural countryside.

NOTE: See [Criterion 9L Procedure](#) for additional information prior to answering the questions below.

a. Is the project tract physically inside a downtown development district, village center, new town center, growth center, Vermont neighborhood, or neighborhood development area designated under 24 V.S.A., chapter 76A?

Yes No

If not, is the project inside an existing settlement (an existing center that is compact in form and size; that contains a mixture of uses that include a substantial residential component and that are within walking distance of each other; that has significantly higher densities than densities that occur outside the center; and may be served by municipal infrastructure such as water, wastewater, sidewalks, paths, transit, parking areas, and public parks or greens)?

Yes No

Please explain:

The chairlift replacement project does not propose a change to existing settlement pattern of this area.

b. If the project is outside a designated center or other existing settlement:

i. Explain how the project will make efficient use of land, energy, roads, utilities, and other supporting infrastructure.

As previously stated, the chairlift replacement project is located in previously developed work roads corridors and ski trails.

ii. Demonstrate that the project will not contribute to a pattern of strip development along public highways.

iii. If the project is confined to an area that already constitutes strip development (as defined in 10 V.S.A. §6001(36)), demonstrate that it incorporates infill (as defined in 24 V.S.A. §2791) and is designed to reasonably minimize the characteristics listed in the definition of strip development under subdivision 6001(36) of this title ([see Guide for definitions](#)).

Criterion 10 - Local and Regional Plans: Demonstrate that the project conforms to the municipal plan and regional plan.

a. Does the municipality have a duly adopted plan?

Yes No What date was it adopted?

In what land use district, as designated in the town plan future land use map, is the project located?

In the town of Dover, the project is located in the Resort Center District.

b. How does the project conform to the uses and policies identified for that district?

The project does not change the existing uses and policies at Mount Snow and allows the continued operation of the resort which is consistent with the Town Plan.

c. Are there town plan policies that apply to the project? What are they and how does the project conform?

There are no policies that apply to the project specifically.

d. Have local approvals/permits been obtained? (Attach copies)

Yes No None Required

e. What regional plan applies to the project?

What date was it adopted?

In what land use district, as designated in the regional plan future land use map, is the project located?

Resort Center

How does the project conform to the uses and policies identified for that district?

The project does not change the existing uses and policies at Mount Snow and allows the continued operation of the resort which is consistent with the Regional Plan.

f. Are there other regional plan policies that apply to the project? What are they and how does the project conform?

There are no policies that apply to the project specifically.

g. Explain how the project conforms to a duly adopted capital program, if the town has one.

The project is not part of a duly adopted capital program.

Municipal Impact Questionnaire

This questionnaire is intended to help applicants gather evidence to submit under Criterion 7 - Municipal Services. A letter or narrative from the Town Manager, Selectboard Chair or appropriate official may also serve as evidence.

To be completed by Applicant:

APPLICANT NAME	MUNICIPALITY
TITLE OF SITE PLAN SUBMITTED	DATE OF SITE PLAN SUBMITTED

To be completed by Town Manager, Department Heads, or Equivalent:

a. Does the municipality have the capacity to provide the following services without unreasonable burdens for the above project?

Fire Protection Yes No Municipality does not provide this service.

Police Protection Yes No Municipality does not provide this service.

Rescue Service Yes No Municipality does not provide this service.

Road Maintenance Yes No Municipality does not provide this service.

Solid Waste Disposal Yes No Municipality does not provide this service.

b. Would the deficiencies occur without this project?

Yes No

c. If the deficiencies are common to many projects, does this project create burdens which are disproportionate to the taxes and user fees to be paid to the municipality?

Yes No

d. Are you available, after sufficient notice, to answer questions related to the above statements at an Act 250 hearing?

Yes No

I certify that the above information is true and accurate to the best of my knowledge.

NAME	POSITION	DATE
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School Impact Questionnaire

This questionnaire is intended to help applicants gather evidence to submit under Criterion 6 - Educational Services. A letter or narrative from the Superintendent or appropriate school official may also serve as evidence.

To be completed by Applicant:

APPLICANT NAME		MUNICIPALITY
NUMBER OF LOTS OR UNITS	ESTIMATED NUMBER OF STUDENTS	SOURCE OF ESTIMATE

To be completed by Town Manager, Department Heads, or Equivalent:

a. What schools under your supervision will provide educational services for families who live in this project?

- Elementary School
 Middle School
 High School

b. Do these schools have the capacity to accept the additional students listed above?

- Yes No

c. Do you have other comments?

- Yes No

d. Are you available, after sufficient notice, to answer questions related to the above statements at an Act 250 hearing?

- Yes No

I certify that the above information is true and accurate to the best of my knowledge.

NAME	POSITION	DATE
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