

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 VR US Holdings II, LLC				
MAILING ADDRESS 5781 Mountain Road		TOWN Stowe	STATE VT	ZIP 05672
PHONE 802-253-3000	CELL PHONE 970-333-8154	EMAIL bmurphy@vailresorts.com		
APPLICANT LEGAL INTEREST IN LAND <input type="checkbox"/> Ownership in simple fee <input checked="" 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 03/10/2017	PLACE FORMED Delaware	DATE CORPORATION REGISTERED IN VERMONT 03/28/2017		

Landowner(s)

NAME Vt Department of Forests, Parks and Recreation				
MAILING ADDRESS 1 National Life Drive, Davis 2		TOWN Montpelier	STATE VT	ZIP 05620-3801
PHONE 802-828-1534	CELL PHONE 802-793-3432	EMAIL becca.washburn@vermont.gov		

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

NAME				
MAILING ADDRESS		TOWN	STATE	ZIP
PHONE	CELL PHONE	FAX NUMBER	EMAIL	

DESCRIPTION OF INTEREST

Primary Contact Person for Application

NAME Scott Reeves

MAILING ADDRESS 5781 Mt Road		TOWN Stowe	STATE VT	ZIP 05672
PHONE 802-253-3610	CELL PHONE 802-279-1762	FAX NUMBER	EMAIL sreeves@vailresorts.com	

Other Contacts

CONTACT TYPE Consultant	NAME Robert Apple	EMAIL rapple6@comcast.net
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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)
5L1338 (Alt)-1

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.)
 Replacement of existing MountainTriple Chairlift with a six person high speed lift within the existing lift corridor. The new lift will be increased in length of a net distance of 215 feet. It's bottom terminal will be located in an existing small parking lot that is adjacent to the Mansfield Base Lodge and will now allow resort guests to load this lift without the need to climb up a hill to lift access.

CONSTRUCTION DURATION (Months to complete) 7+ months	DURATION OF PERMIT REQUEST IN YEARS (If project is for earth extraction, solid waste disposal, or logging above 2,500 feet.)
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Property Information

PROPERTY LAND ACREAGE

ACRES OWNED/CONTROLLED BY APPLICANT/LANDOWNER 3100+/-	ADDITIONAL ACRES IN EASEMENTS OR RIGHTS-OF-WAY
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PROPERTY LOCATION

TOWN (Primary) Stowe	TOWN (Secondary, if applicable)
STREET OR ROAD LOCATION (Provide E911 address if available.) 390 Mansfield Base	
NEARBY LANDMARK Mountain Triple Chairlift	

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 44°31'40"N	W - LONGITUDE 72°47'18"W
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PROPERTY DEEDS

GRANTEE'S NAME Vt Department of Forests, Parks and Recreation				
COUNTY Lamoille	TOWN Stowe	BOOK 28	PAGE(S) 467-468	DATE RECORDED 1/22/16



PROPERTY SPAN NUMBER

SPAN NUMBER (From property tax bill)
621-195-12102

Additional Information

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

Wastewater System & Potable Water Supply Permit Construction General Permit Air Pollution Control Permit

Public Water System Permit to Construct Stormwater Discharge Permit Wetland Permit 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 checked="" 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

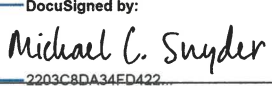
I hereby swear that the information provided above or attached to this application is true and accurate to the best of my/our knowledge.

 _____ Bobby Murphy _____ 1/7/22 _____
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.

 _____ Bobby Murphy _____ 1/7/22 _____
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).

DocuSigned by:
 _____ Michael Snyder _____ 1/12/2022 _____
2203C8DA34ED422 SIGNATURE OF LANDOWNER 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.

1) Number of lots being created	# of Lots								
		x \$125.00.....		\$		0.00			
	Total Extraction Proposed in yd ³								
2) Earth Extraction (Gravel/Sand Pits and Quarries)		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.....			\$						
Site preparation.....			\$	870,000.00					
Roads and parking.....			\$						
Utilities.....			\$	75,000.00					
Off-site improvements.....			\$						
Landscaping.....			\$	20,000.00					
Other.....			\$	5,200,000.00					
Describe Other									
Construction Subtotal			\$		6,165,000.00				
			Construction Cost <=\$15M	\$		6,165,000.00	x 0.00665		\$ 40,997.25
			Construction Cost >\$15M	\$			x 0.00312		\$ 0.00
5) Master Plan Fee (if applicable) ⁴			\$				x 0.00010		\$ 0.00
			NRB Fee SubTotal⁵		\$				\$ 40,997.25
4) ANR Fee (Construction Cost <=\$15M) ^{2, 5}			\$		6,165,000.00		x 0.00075		\$ 4,623.75
			4) Total Fee³		\$				\$ 45,621.00

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).



5 Fees 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

Bobby Murphy
CLEARLY PRINT NAME

1/7/22
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
There are no adjoiners to this project				

Schedule B - Response to the 10 Criteria and Subcriteria

The Act 250 Application Guide, available at the District Environmental Offices or online at <https://nrp.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 two small lift control operator buildings located at the top and bottom terminals will be heated by propane.

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?

There will only be limited short term noise during the site grading improvements for both the top and bottom terminal areas and the lift tower's base site preparation.
All disturbed areas will be mulched and seed and temporarily mulched in accordance with the VT ANR Low Risk Site ESPC handbook until revegetation has occurred. There will be no burning of any debris.

c. Will there be blasting?

- Yes No

Please describe:

It is possible that there may be a need to undertake some very site specific blasting in order to excavate some of the sites for the new tower placements but the exact locations for this work will not be known until the site specification excavations begin.

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

There are no residential areas located on the Mt Mansfield side of Stowe Mt Resort and the construction will occur only during daylight hours.

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:

This project replaces an existing lift in its current lift corridor a portion of which is above 1500 ft elevation. The regrading at for the new top terminal as well as all project earth disturbance will be managed in accordance to the EPSC plans prepared by Civil Engineering Associates and the VT Individual Construction Permit issued for this project.

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

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

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.)?

3.73 acres

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.)?

.13 acres

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.)?

.51 acres

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

All new impervious surface's stormwater will be treated in accordance with the latest State of Vermont Stormwater management manual requirements. All of the existing concrete tower bases (with the exception of Tower 9 (the new Tower 10, which will be replaced with a new base) will remain but will be ground down 4-6" below grade to allow them to be covered by soil and then reseeded. The existing imperious acreage (.51 acres) will now be reduced to .13 acres as a result of the elimination of the paved surface in the former parking area as well as the elimination of a short gravel work road that goes up from this parking area.

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.

There should be no large stumps generated by the limited area of clearing adjacent to the top terminal ski access. The small triangle of vegetation located to the north of the bottom terminal to be cleared consists of approximately 40 trees, the majority of which are small diameter; this includes a small cluster of larger firewood trees. The trees will be removed in order to provide a safe cleared area for the operation of the lift as the chairs rise up from the bottom terminal. Any small stumps will be buried on site on this hillside which is not in proximity to any stream. Brad Greenough, the Land Manager, from VT Forests, Parks and Recreation has visited this site and has no concerns with the removal of these trees.

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.

There will be no water use for this project

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

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

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 will be no streams or stream banks impacted by this project. No lift towers will be placed in or on any stream banks. Bret Ledago, from the Vt Fish and Wildlife Department, has visited the project site and the applicant has worked closely with him to satisfy any preliminary concerns he had related potential impacts on streams and buffers. The applicant has also agreed to only use erosion control matting without nylon netting used in it.

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?

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.

The project has been designed to avoid any new disturbances in wetland or wetland buffers. The Project site was visited by Shannon Morrison from the VT DEC Wetland Division and her sign off e-mail for ongoing maintenance of the existing lift corridor is attached as Exhibit 1. There are 5 existing towers within wetland buffers. The replacement lift layout will result in the removal of 4 of these existing towers and an in-kind replacement of one tower (T10). The replacement tower within a wetland buffer will not result in new disturbance to the wetland buffer from the existing condition. The tower (as will all of the existing towers) will be removed by helicopter. Heavy mats will be placed on the adjacent wetland to protect it while the machinery used for excavation of the base crosses over this narrow area. All temporary excavated material will be stored away from the wetland and wetland buffer until it is used as back into the 20' by 20' excavated area where the 4' by 4' new concrete tower base will be located. The construction of the top and bottom terminals will have no impact on Class II wetlands or wetland buffer resources.

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

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)?

No water supply is necessary for this project.

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.

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 will occur at the top and bottom terminals and at the new lift tower locations. The top terminal will be shortened and the area for this terminal regraded to provide a level area for riders to exit the lift. The new location for the bottom terminal will be located on an existing level paved parking lot (currently paved-see Attachment titled "Existing Parking Area") and the slope just above this lot will be vegetated with conservation grass seed and the pavement removed and the former parking area also planed with grass seed. An existing above ground power line in this area will be placed underground: all disturbed areas will be protected by silt fence and will be managed in accordance with the CEA EPSC Plan Sheets identified in Section c. below. access to the new lift tower sites fore excavation will occur primarily from existing work roads and areas that were used for the access from the adjacent trails into the existing lift corridor. The wooden forms used to hold the poured concrete tower bases will be constructed in the base area and then placed from the air into the 20' by 20' excavated areas. In addition the concrete for the new tower bases will also be poured by air when there are no work roads nearby in order to reduce any additional ground disturbance by construction vehicles.

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.

See CEA Sheet C3.1 EPSC Site Plan Top of Lift , EPSC Sheet C3.2 Site Plan Bottom of Lift , Sheet C3.3 EPSC Narrative, Sheet C3.4 EPSC Narrative & Details.

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

The former paved small parking lot and paved access drive to the former Triple Lift's base terminal will be re-vegetated with a conservation grass seed mix and all other disturbed areas will be seeded and mulched.

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

Daily by the SMR On Site Plan Coordinator assigned to this project by the applicant.

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.

There will be no change to any highway access resulting from this project.

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.

There will no impact on educational services resulting from this project.

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).

This project will be located within an existing ski lift corridor located on Mt Mansfield that has been in use for over 40+/- years. The replacement lift's bottom loading terminal will now be located on the edge of an existing small parking lot that is adjacent to the Mansfield Base Lodge (see Photo #1). The slope between the lower terminal and the current Mountain Triple's base terminal will be cleared and regraded to allow safe moment of the lift's chairs as they move uphill to the historical cleared lift corridor. This area of new clearing currently has an aerial power line running through its middle section (123 feet of this line will now be buried) and is primarily vegetated with small diameter trees and low growing vegetation.

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.

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.

There will be no new significant noise generated by the operation of this new lift.

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).

Identify site plan(s) which depict this information:

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

The new lift will be identified by its new name painted on the side of the bottom lift terminal.

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.

There will be down lit LED lights installed under the roof of the bottom terminal to facilitate safe early morning operation of the lift.

Identify site plan(s) which depict this information:

Not shown on the plans.

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

An 123 foot long existing section of above ground power line serving the Mansfield base area running through the area uphill above the new bottom terminal of this lift will be buried.

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

Upon completion of construction of the bottom terminal the adjacent existing paved parking lot will be replaced with grass and any areas disturbed by the construction related to this project will be re-seeded and mulched and allowed to regrow in a natural vegetated condition.

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.

[Empty text box for impact description]

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.

This project does not impact any community or regional growth rates

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.

[Empty text box for tax and employment information]

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

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 copy of the map from NRCS and continue to the next Criterion, 9C.

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:

There are no occupied buildings, other than the small lift operator huts that will be located adjacent to the top and bottom terminals that will be heated by small efficient wall mounted propane fired heating units when occupied.

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.

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:

[Empty text box for describing features]

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.

[Empty text box for detailing additional measures]

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.

There are no private utilities impacted by this project.

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.)

[Empty text box for maintenance details]

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

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).

This project is not relevant to this Criterion.

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 new lift's drive will be an efficient AC motor which replaces the existing Triple lifts older and more inefficient DC drive motor. The newer lift's power demand will not be significantly greater than the current lift.

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.

This lift is located on lands owned by the State of Vermont that are leased to the applicant for mountain resort operations.

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

This replacement lift will improve the resort guest experience.

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

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.

This project will have no impact on any settlement patterns.

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? Nov 13, 2018

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

Ski PUD

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

The Ski PUD was established to support the ongoing operations and improvements necessary to support the continued and future economic vitality of Stowe Mt Resort.

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

There are numerous policies within the Stowe Town Plan that support the implementation of the SMR 2000 Master Plan

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

Yes No None Required

e. What regional plan applies to the project?

Lamoille Regional Plan

What date was it adopted? Jul 5, 2018

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

Enterprise

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

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

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