


Natural Resources Board

# Act 250 Application Form

**NOTE:** Please review the Application Guide at <http://www.nrb.state.vt.us/lup/publications.htm>


ACT 250 District Commission # 4, 6, 9  
 Application #: **6F0357R-18**  
 Exhibit #: **001**  
 Date Received: **03/24/17**

**SELECT FORM TYPE**

- Application -- Use for original applications, permit amendments, renewal of permits for earth 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 Northwest Access TV				
MAILING ADDRESS P.O. Box 468		TOWN St. Albans City	STATE VT	ZIP 05478
PHONE 802-527-6474	CELL PHONE	EMAIL elizabeth@northwestaccess.tv		
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 02/16/2011	PLACE FORMED 4 Academy Dr., St. Albans, VT, 05478, USA	DATE CORPORATION REGISTERED IN VERMONT 02/16/2011		

**Landowner(s)**

NAME Malone Dorset Street Properties, LLC				
MAILING ADDRESS 338 River Street, Unit 7		TOWN Montpelier	STATE VT	ZIP 05602
PHONE 802-223-9954	CELL PHONE	EMAIL patrick@together.net		

**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 Elizabeth Malone
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MAILING ADDRESS P.O. Box 468		TOWN St. Albans City	STATE VT	ZIP 050478
PHONE 802-524-6474	CELL PHONE	FAX NUMBER	EMAIL elizabeth@northwestaccess.tv	

**Other Contacts**

CONTACT TYPE Engineer	NAME Jesse Danner, Ruggiano Engineering, Inc.	EMAIL jesse@shrugg.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) 6F0357	
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) <a href="http://www.nrb.state.vt.us/lup/rules.htm">http://www.nrb.state.vt.us/lup/rules.htm</a> .	
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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
GENERAL DESCRIPTION OF THE PROJECT (Include number and size of buildings/lots, use of buildings, number of lots, length of roads, etc.) Construct an approximately 3,500 sf Public Access Television building to be used by Northwest Access TV with paved access drive and 15 space parking on Lot 16 (+/- 0.75 acres) of Franklin Park West, St. Albans, VT. The proposed building is to be used by 4 employees. The proposed building will be serviced by existing municipal wastewater disposal and municipal potable water supply lines located along Franklin Park West Drive. Proposed access drive is +/- 125' in length.	
CONSTRUCTION DURATION (Months to complete) 6	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 .75	ADDITIONAL ACRES IN EASEMENTS OR RIGHTS-OF-WAY			
PROPERTY LOCATION				
TOWN (Primary) St. Albans Town	TOWN (Secondary, if applicable)			
STREET OR ROAD LOCATION (Provide E911 address if available.) Franklin Park West Drive, Lot 16				
NEARBY LANDMARK Club Respite				
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.)				
<b>N</b> - LATITUDE 44.836312	<b>W</b> - LONGITUDE -73.069220			
PROPERTY DEEDS				
GRANTEE'S NAME Malone Dorset Street Properties, LLC				
COUNTY Franklin	TOWN St. Albans Town	BOOK 298	PAGE(S) 597-598	DATE RECORDED 4/1/15

PROPERTY SPAN NUMBER

SPAN NUMBER (From property tax bill)  
552-174-11083

**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:

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

**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.

David McWilliams      DAVID McWilliams      3-20-2017  
 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.

David McWilliams      DAVID McWilliams      3-20-2017  
 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 owner).

Patrick Malone      Patrick Malone for Malone Dorset Street Properties      3-21-17  
 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 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, original paper application and accompanying documentation (site plans, etc.) 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.
- See the [Application Guide](#) for additional information regarding submission requirements.

### **For Administrative Amendments:**

- Submit one electronic copy and one paper copy 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.

1) Number of lots being created	# of Lots				
			x \$125.00		\$ 0.00
2) Earth Extraction (Gravel/Sand Pits and Quarries)	Total Extraction Proposed in yd <sup>3</sup>				
			x \$0.02/yd <sup>3</sup> for 1st million yd <sup>3</sup> extraction proposed for life of the permit		
			x \$0.01/yd <sup>3</sup> for yd <sup>3</sup> above 1st million proposed for life of the permit		\$ 0.00
3) Estimated Construction Costs:					
	Building ft <sup>2</sup>	Building \$/ft <sup>2</sup>			
Buildings	3,500	150			\$ 525,000.00
Site preparation					\$ 50,000.00
Roads and parking					\$ 14,000.00
Utilities					\$ 10,000.00
Off-site improvements					\$
Landscaping					\$
Other					\$
Describe Other					
Construction Subtotal					\$ 599,000.00
Construction Cost <=\$15M					\$ 599,000.00 x 0.00665 \$ 3,983.35
Construction Cost >\$15M					\$ x 0.00312 \$ 0.00
<b>NRB Fee SubTotal</b>					<b>\$ 3,983.35</b>
<b>ANR Fee (Construction Cost &lt;=\$15M)**</b>					<b>\$ 599,000.00 x 0.00075 \$ 449.25</b>
<b>4) Total Fee***</b>					<b>\$ 4,432.60</b>

\*For 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 <http://www.nrb.state.vt.us/lup/statute.htm>.

\*\*As of July 1, 2015, the first \$15,000,000 of construction costs is subject to a base fee of \$6.65 per \$1,000 of construction costs (0.00665) and an additional fee of \$0.75 per \$1,000 of construction costs (0.00075) to account for review of Act 250 applications by the Agency of Natural Resources (ANR). See 10 V.S.A. § 6083a, on the web at <http://www.nrb.state.vt.us/lup/statute.htm> for the complete schedule of fees.

\*\*\* Submit 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
- (Treat expansions of approved projects as new applications)

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

*David McWilliams*  
SIGNATURE OF APPLICANT

DAVID McWILLIAMS  
CLEARLY PRINT NAME

3-20-2017  
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
Malone Dorset Street Properties, LLC	338 River Street, Unit 7	Montpelier	VT	05602
ADJOINER NAME	ADDRESS	TOWN	STATE	ZIP
Club Respite Inc.	34 Franklin Park West	St. Albans Town	VT	05478

**Schedule B - Response to the 10 Criteria and Subcriteria**

The [Act 250 Application Guide](http://www.nrb.state.vt.us/lup/publications.htm), available at the District Environmental Offices or online at <http://www.nrb.state.vt.us/lup/publications.htm>, 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)?

An electric heat pump system with an electric water heater will be used.

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 be no emission, dust, smoke, odors or sources of noise resulting from this project. There will be no fire pits or burning of forest or construction debris. If during construction dust occurs, water will be used to control it.

c. Will there be blasting?

Yes  No

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

Construction activity will be restricted to the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday. Saturday hours will generally be from 7:30 a.m. through 6:00 p.m. Work will not be scheduled for Sunday unless weather and timing require it. Work within the structure may occur later at night depending on schedule.

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

**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

Indicate whether the project will use an onsite or municipal wastewater disposal system:

Onsite System  Municipal System

Indicate which site plan(s) the location of the treatment systems/piping is shown on:

C-1 Site Plan

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 <http://dec.vermont.gov/environmental-assistance/permits/specialists>.*

Wastewater System and Potable Water Supply Permit  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 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

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

Yes  No

Construction General Permit or Permit Amendment  Yes  No

Construction Individual Permit or Permit Amendment  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.)?

+/- 0.86

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.)?

+/-0.3

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.)?

0

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

Stormwater will be treated via proposed grass channels which will convey stormwater to a proposed dry detention pond. Stormwater will be disposed of via the existing roadside swale along Franklin Park West Drive.

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.

Construction debris and stumps will be hauled off-site and properly disposed of by the Contractor.

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 [http://dec.vermont.gov/sites/dec/files/wmp/SolidWaste/Documents/Act250\\_CD\\_WR\\_Plan3-15.docx](http://dec.vermont.gov/sites/dec/files/wmp/SolidWaste/Documents/Act250_CD_WR_Plan3-15.docx). Additionally, information on reuse and recycling markets is available at the same website. Applicants may contact the ANR Solid Waste Program for guidance at (802) 828-1138.

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

If there are existing or proposed floor drains, where do they discharge?

Ground Surface    Subsurface    Municipal Sewer    Other

**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.

Water use will be limited to domestic use.

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

Low flow plumbing fixtures will be incorporated into all 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 (<http://dec.vermont.gov/sites/dec/files/documents/dec-fharcv-2014-12-5.pdf>). Contact the Vermont Rivers Program of the ANR Watershed Management Division to speak with a Regional Floodplain Manager for your area: [http://dec.vermont.gov/sites/dec/files/wsm/rivers/docs/floodplain\\_mgr\\_regions.pdf](http://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.

N/A

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) 828-1535. 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?

N/A

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

N/A

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

N/A

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

N/A

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

N/A

c. Do you need a Shoreland Encroachment Permit from ANR Watershed Management Division (Contact the Watershed Management Division at (802) 828-1535 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

**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)?

Water will be supplied by the City of St. Albans municipal water system. Total employment proposed: 4 employees. An allocation has been obtained from the City of Saint Albans for 167 gallons per day. This allocation roughly corresponds to the water demand for 12 employees. In order to allow for future expansion, this project is being permitted for flows associated with 12 employees. Please refer to the municipal potable water allocation approval included as Exhibit 003.

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

Status of permit?

Completed and attached  In process

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 (in-state only) or (802) 828-1535)?

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 proposed water use is not anticipated to adversely affect existing water uses in the area.

**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](http://dec.vermont.gov/sites/dec/files/wsm/wetlands/docs/wl_vtepsc.pdf).

The parcel is undeveloped and slopes gently to the west. Soils on the site are classified as Georgia Stony Loam, 3-8% slopes, type 'C'. Approximate proposed areas of ground disturbance are as follows: 3,500 sf building footprint, 8,000 sf parking/access drive, 23,500 sf site grading and utilities. Sequence of construction is as follows: site prep, utilities, rough grading, access drive sub base, building construction, final grading, final improvements to access drive.

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

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

Construction activities will comply with the Low Risk Site Handbook for Erosion Prevention and Sediment Control. Temporary erosion controls will be administered as needed by the Contractor.

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

All areas disturbed during construction will be seeded and mulched within two days of completed construction. The proposed site plan has been designed to avoid steep slopes.

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

Erosion controls will be inspected as needed and immediately after any significant storm events by the contractor, who will be responsible for maintenance and record keeping of erosion controls.

**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.

On the west side of the property there is a proposed paved access to Industrial Park Drive (speed limit = 30 mph). Stopping sight distance to the north exceeds 335 feet. Stopping sight distance to the south exceeds 335 feet. Grades are relatively flat in this area.

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).

Primary access to the site is from Franklin Park West Drive. This access allows for clear turning movements for both left and right turns into and out of the project site. Please refer to C-1 Site Plan included herein, St. Albans Police Ability to Serve Letter included as Exhibit 004, Amcare Ability to Serve Letter included as Exhibit 005 and St. Albans Fire Dept Ability to Serve Letter included as Exhibit 013.

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.

This project is not expected to generate significant increases on Franklin Park West Drive. Franklin Park West Drive is part of a planned industrial park in the Town of St. Albans. The intersection of Franklin Park West Drive and Route 7 is built to accommodate future increases in traffic resulting from the build out of the industrial park. ITE Trip Generation Manual - 7th Edition, Volume 3, Land Uses Code 715, Single Tenant Office Building states an average of 0.53 trips for weekday A.M. and

Peak hours, per employee. By this method of estimation, the proposed 4 employee building will result in a A.M. Peak hour increase of approximately 2 trips.

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.

There are no Transportation Demand Management Strategies being employed in the project to reduce trip generation. The total trip generation is fairly low for this site and the project does not lend itself to TDM programs.

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

The existing Franklin Park West Drive is a 24 ft wide roadway which would allow pedestrians or bicyclists to walk/ride safely on the shoulder of the road if necessary. A 5' wide sidewalk is proposed along the parcel frontage to accommodate pedestrians. The sidewalk is being installed in hopes that sometime in the future there will be connectivity within the park with future development.

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.

Traffic impacts to Franklin Park West Drive are expected to be minimal. The proposed access drive was designed to have ample site distance for maximum safety of all users and to decrease any conflict between automobiles, cyclists and pedestrians.

j. Is parking required for the project?

Yes  No

Demonstrate there are sufficient parking spaces for the needs of the project including peak periods (Show number of parking spaces and parking areas on the site plan).

Total required parking for 3,500 sf office building within the Town of St. Albans Growth Center District per 2016 bylaws: 8. Total proposed parking spaces: 15. Please refer to C-1 Site Plan enclosed herein.

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.

A 5' sidewalk is proposed along the parcel frontage. See (h) above.

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

The proposed project will not negatively affect adjacent lands or facilities or existing and planned pedestrian, bicycle, and transit networks and services. The project will provide a sidewalk along the project frontage.

**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 project will not create additional students attending local schools. Employment from the existing Northwest Access building will be relocated to the proposed building.

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

Please refer to Franklin Central Supervisory Union Ability to Serve Letter included as Exhibit 007.

**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 .075 acre lot is currently a relatively flat open field. The lot is bordered to the north by Club Respite and to the west by Franklin Park West Drive. The majority of the surrounding area is also relatively flat land consisting of open lots prepared for development.

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.

The proposed project's use is consistent with the previously approved plans and permits for Franklin Park West. Please refer to the Architectural design drawings enclosed in the appendix as Exhibit 19.

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 proposed project will not generate any significant noise after construction. The project will generate noise during construction typical of construction activities and will be limited to the hours of operation as mentioned previously. Construction noise will not disturb neighboring businesses. Construction for the proposed building will be completed within approximately 1 year.

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).

Please refer to the Architectural design drawings enclosed herein.

Identify site plan(s) which depict this information:

Please refer to the Architectural design drawings enclosed herein.

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

A proposed metal cut out, wall-mounted business sign is to be located on the west face of the building. The sign will be illuminated by philips lightolier downlights. Please refer to the signage schematic enclosed in the appendix as Exhibit 20.

Identify site plan(s) which depict this information:

Please refer Sheet C-1 Site Plan. Please also refer to the signage schematic enclosed in the appendix as Exhibit 20.

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.

Exterior lights are to be located south of the proposed parking area and access drive. Wattage: 50W. Fixture style: KAX LED Size 1 LED Area Luminaire. Height of pole 20'. Luminaires will include motion sensors to reduce output by 50% when nothing is sensed. Please refer to the lighting cut sheets included as Exhibit 014.

Identify site plan(s) which depict this information:

Please refer to the Architectural design drawings enclosed herein.

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

The proposed trash/recycling area is to be located at the rear of the parking area. Proposed trash/recycling area is to be screened with a proposed enclosure. Please refer to enclosed Site Plan.

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

Landscaping located at the front of the property will minimize visual impacts. Landscaping will comprise of assorted perennial flowers, arbor vitae and white spruce.

Identify site plan(s) which depict this information:

Please refer to the enclosed Site Plan for proposed landscaping location and schedule.

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 project will not impact necessary wildlife habitat or endangered species. There are no recorded sites existing within the proposed development area.

**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 <http://www.nrb.state.vt.us/lup/publications.htm>.

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 proposed project will not cause any population growth beyond current conditions.

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.

Conservative Estimate of the Taxable Value of proposed project = \$599,000.00

St. Albans Town Tax Rate (2015):  
1.849/\$100 valuation @ 100% of fair market value

Estimate Annual Tax Revenue is:  
\$599,000/\$100 x 1.849 x 1.0 = \$11,075.51

PROJECTED EXPENSES TO ST. ALBANS TOWN 2015  
Total Grand List = \$9,151,624  
Project's Contribution to Grand List:  
\$599,000/100/\$9,151,624 = .0007 or 0.07%

Fire Department/Rescue	
Annual Budget	\$201,777.00
Portion attributable to this project:	x0.0007 = \$141.24
Law Enforcement	
Annual Budget	\$565,021.00
Portion attributable to this project:	x0.0007 = \$395.51
Summary:	
Municipal Tax Revenue	= \$11,075.51
Municipal Expenses:	
Fire Department/Rescue	= \$141.24
Law Enforcement	= \$395.51
Expenses to the Municipality	= \$536.75

Net Income Over Expenses = \$11,075.51 - \$536.75 = \$10,538.76  
The above indicates that this project, when completed, will generate approximately \$10,538.76 to the town per year.

**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 <http://www.nrb.state.vt.us/lup/publications.htm>. 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

How many acres are impacted?

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 **If Yes, proceed to i. below.**

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 Stretch Code \(RBES\)](#) (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." Compliance with the CBES and [CBES Stretch Guidelines](#) serves as a presumption of compliance with Criterion 9(F) in accordance with the [Criterion 9\(F\) Procedure](#).

Do you certify that the project, when constructed, will meet the [CBES Stretch Guidelines](#)?

Yes  No *Skip questions d. through i. of this Criterion and go to Criterion 9(G).*

d. If you answered No above, describe below why your project can not meet the [CBES Stretch Guidelines](#):

e. Describe how your project meets the best available technology standard through incorporation of conservation measures that exceed the CBES:

f. 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.

g. 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:

h. 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

i. 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.

**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.

No shared utilities are proposed.

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.)

Please refer to the Bylaws and Covenants of the Franklin Park West Commercial Lot Owner Association included as Exhibit 011.

**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 project is located in the commercial growth center of the Town of St. Albans in the existing Franklin Park West development.

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 located in the commercial growth center of the Town of St. Albans in the existing settlement of Franklin Park West development.

**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.

No excessive or uneconomic demand on services is anticipated. Please refer to the Green Mountain Power Ability to Serve Letter, City of St. Albans Water and Sewer Allocation, Comcast ability to serve letter, Vermont Gas ability to serve letter, enclosed herein as Exhibits 008, 003, 006, and 012 respectively.

**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.

There will be insignificant impacts to public investments to any neighboring governmental or public facilities or lands.

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

N/A

**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 proposed project is located in the existing Franklin Park West Industrial Park. The proposed project will utilize existing infrastructure/utilities available at the site. It is being proposed to construct a 5' wide sidewalk along the property frontage to accommodate pedestrians. The location is an appropriate setting for the proposed use.

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.

The proposed project does not contribute to a pattern of strip development along a public highway because it is not located on a public highway. Project is located in an approved industrial park. The project will not contribute to a pattern of connected linear commercial development.

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

The proposed project does not contribute to a pattern of strip development along a public highway because it is located in an approved industrial park. The project will not contribute to a pattern of connected linear commercial development.

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](#)).

The proposed project does not contribute to an area that already constitutes strip development.

**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?

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

On page 33 of the town plan:

'Northern Area of Town - This area contains one of the designated growth center overlay districts and consists of high density commercial and industrial development, mostly along Route 7 and Interstate 89 Corridors. Outside of the designated growth center overlay districts are high density residential developments. Incentives are available to encourage greater density in this area... A broad overview of the land use pattern shows a conscious effort by the Town of St. Albans to cluster development appropriately. The high intensity of residential, commercial and industrial uses is located in areas that have easy access to major thoroughfares such as Route 7 and Interstate 89 and the railway.'

This project proposes to continue the build out of an existing industrial park with access to Route 7. The proposed development is clustered with existing commercial development in the area.

Page 42: 'Clustering - The Town of St. Albans encourages the clustering of uses with functional, well-maintained open space and limited access off the main thoroughfare and shared infrastructure.'

This project will be part of a cluster of uses. The shared Franklin Park West Drive provided limited access off of Route 7.

Page 39: 'The north end of Town consists of commercial uses with areas of commercial/residential use and a small area of industrial use... The Town of St Albans wants to promote current and future development in this area. To provide flexibility in development regulations and incentives for development, the North End Growth Center Overlay is warranted and important' This project fits the description of the commercial use within the Growth Center Overlay per the Proposed Land Use map included on page 52 of the Town Plan.

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

Policy 3.7.3: 'The Town shall continue the existing growth patterns consisting of concentrated high density mixed uses in the growth centers at 1-89 exits 19 and 20 surrounded by decreasing intensity of use in the residential, rural, conservation, and lakeshore areas.'

This project is a continuation of existing growth patterns in the commercial growth center at exit 20.

Policy 3.7.4: 'The Town shall encourage the development of bike paths, recreational trails and walking paths.'

The project includes a proposed sidewalk along the lot 16 frontage.

Policy 8.6.1: 'The Town should be as energy efficient as is economically feasible.'

The project meets or exceeds CBES standards.

Policy 9.5.1: 'The Town shall promote a strong and diverse economy'

The project will improve the local economy and provide a new workspace for an existing local business.

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?

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

According to the regional plan summary for this district, uses and policies should include "mixed uses (residential and commercial uses) and compact high-density design" as required to further growth area goals. The regional plan specifically states that "future development in the north wing must not continue the existing patterns of strip development and should instead consist of infill development and/or projects". This project constitutes infilling of existing property within a designated industrial park. The proposed project also makes efficient use of space on the lot, contributing to dense growth in the designated growth area.

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

Franklin Park West (AKA Franklin Technology Park) received approval in 1992. The park has received numerous Act 250 approvals and amendments over the years. The park has always been planned to accommodate businesses and companies such as the enclosed application. The entire park was designed to accommodate and respect existing visual corridors and natural resources, along with planning and improving traffic circulation in the area.

Several other regional plan policies apply to this project. These policies are listed below.

**POLICIES**

1. Ensure the region continues to be characterized by compact villages and growth centers separated by rural countryside and the working landscape.
  - a. Support infill and redevelopment of designated growth centers or existing strip development areas over new commercial strip development.

This project proposes infill development within the designated growth center district.

3. Target future economic growth primarily in the region's existing and planned growth areas.
  - a. Locate industrial development first in existing industrial areas. Ensure that industrial growth outside of existing industrial areas is located near or within growth areas designated in the municipal and regional plan, on property with sufficient infrastructure.
  - b. Ensure that mixed-use development occurs at significantly higher densities and on a larger scale in planned growth areas than in the surrounding region.
  - c. Scale retail and commercial developments to primarily serve the market of the regional, sub-regional or local growth center.

This project meets each of these goals and policies as appropriately scaled, densely built development conforming to the designated land use of the specific commercial zoning district outside of the town center.

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

The Town of St. Albans does have a capital budget program; however, this project will not require any expenditures from the Capital Program.