



State of Vermont

---

## LAND USE PERMIT

### AMENDMENT

**CASE NO:** 6F0389-15

Northwestern Medical Center, Inc.  
133 Fairfield Street  
City of St. Albans, VT 05478

**LAWS/REGULATIONS INVOLVED**

10 V.S.A. §§ 6001 - 6093 (Act 250)

District Environmental Commission #6 hereby issues Land Use Permit [Amendment] #6F0389-15, pursuant to the authority vested in it by 10 V.S.A. §§ 6001-6093. This permit amendment applies to the lands identified in Book 22, Page 179 in the land records of the City of St. Albans and Book 135, Page 69 in the Town of St. Albans Vermont, as the subject of a deed to Northwestern Medical Center, Inc. This permit specifically authorizes the construction of the following improvements: remodel and expand the existing MedSurg/ICU wing; expand the hospital for new medical clinics; construct a new two story office building; construct a connector road and reconfigure and relocate loading docks, driveway, parking areas and sidewalks. The project is located on Fairfield Street in the City and the Town of St. Albans, Vermont.

Jurisdiction attaches because the Project constitutes a material change to a permitted development or subdivision, and thus requires a permit amendment pursuant to Act 250 Rule 34.

1. The Permittee, and its assigns and successors in interest, is obligated by this permit to complete, operate and maintain the project as approved by the District Commission in accordance with the following conditions.
2. The project shall be completed, operated and maintained in accordance with: (a) the conditions of this permit, (b) Findings of Fact and Conclusions of Law 6F0389-15, and (c) the permit application, plans, and exhibits on file with the District Environmental Commission and other material representations.

The approved plans are:

<u>Ex#</u>	<u>Description</u>
------------	--------------------

020 Exterior Elevations MOB Option 1, A2-1;

021 Exterior Elevations MedSurg-ICU, Registration, Clinics, Lobby, A2-1;

- 22a C-01 Phase 1 Overall Plan Rev 3-28-16;
  - 023 Phase 1 C-02 Existing Conditions 12-4-15;
  - 024 Phase 1 C-03 Existing Conditions 12-4-15;
  - 025 Phase 1 C-04 Layout Plan 12-4-15;
  - 026 Phase 1 C-05 Layout Plan 12-4-15;
  - 27a C-06 Phase 1 Grading and Utility Plan Rev 3-28-16;
  - 028 Phase 1 C-07 Grading and Utility Plan 12-4-15;
  - 029a C--08 Phase 1 Parking and Sidewalk Rev 4-6-16;
  - 30a C-09 Phase 1 Sewer Plan and Profile Rev 3-28-16;
  - 031 Phase 1 C-10 Road Plan and Profile 12-4-15;
  - 032 Phase 1 C-11 Landscape and Lighting Plan 12-4-15;
  - 033 Phase 1 C-12 Landscape and Lighting Plan 12-4-15;
  - 034 Phase 1 C-13 Southern Erosion Site Plan 12-4-15;
  - 035 Phase 1 C-14 Northern Erosion Site Plan 12-4-15;
  - 036a Phase 1 C-15 Phase 1 Details Rev 4-6-16;
  - 037a Phase 1 C-16 Phase 1 Details Rev 3-28-16;
  - 038a Phase 2 C-01 Overall Plan Rev 3-28-16;
  - 039 Phase 2 C-02 Existing Conditions and Demo Plan 12-4-15;
  - 040 Phase 2 C-03 Layout Plan 12-4-15;
  - 041 Phase 2 C-04 Grading and Utility Plan 12-4-15;
  - 042a Phase 2 C-05 Water and Sewer and Plan and Profile Rev 3-28-16;
  - 043 Phase 2 C-06 Road Plan and Profile 12-4-15;
  - 044 Phase 2 C-07 Landscape and Lighting Plan 12-4-15;
  - 045 Phase 2 C-08 Erosion Site Plan 12-7-15;
  - 046 Phase 2 C-09 Details 12-4-15, and
  - 047 Phase 2 C-10 Details 12-4-15.
3. All conditions of Land Use Permit #6F0389 and amendments are in full force and effect except as further amended herein.
4. The Permittee shall comply with all of the conditions of the following Agency of Natural Resources Permits:
- a. Wastewater System and Potable Water Supply Permit #WW-6-0219-17 issued on April 12, 2016 by the ANR Drinking Water and Groundwater Protection Division;
  - b. Authorization of Notice of Intent #7221-9020.1 under Construction General Permit #3-9020 issued on 02/25/2016 by the ANR Watershed Management Division;
  - c. Authorization of Notice of Intent #7221-INDS.A under Stormwater Discharge General Permit, issued on 03/30/2016 by the ANR Watershed Management Division.

5. Any nonmaterial changes to the permits listed in the preceding condition shall be automatically incorporated herein upon issuance by the Agency of Natural Resources.
6. Representatives of the State of Vermont shall have access to the property covered by this permit, at reasonable times, for the purpose of ascertaining compliance with Vermont environmental and health statutes and regulations and with this permit.
7. A copy of this permit and plans shall be on the site at all times throughout the construction process.
8. No change shall be made to the design, operation or use of this project without a permit amendment issued by the District Commission or a jurisdictional opinion from the District Coordinator that a permit is not required.
9. No further subdivision, alteration, and/or development on the tract/tracts of land approved herein shall be permitted without a permit amendment issued by the District Commission or a jurisdictional opinion from the District Coordinator that a permit is not required.
10. Pursuant to 10 V.S.A. § 8005(c), the District Commission may at any time require that the permit holder file an affidavit certifying that the project is in compliance with the terms of this permit.
11. The conditions of this permit and the land uses permitted herein shall run with the land and are binding upon and enforceable against the Permittee and their successors and assigns.
12. The Permittee shall construct all appropriate transportation measures as approved including contributing and constructing pedestrian sidewalks and providing transit shelter.
13. The Commission shall require payment of a transportation impact fee for the future construction of a roundabout at the VT Route 104 and St Albans State Highway, pursuant to Act 145. <sup>1</sup>The Permittee shall submit invoices and other documentation on the costs to VTrans along with payment of the Act 145 Transportation impact fee balance, prior to construction of the project.
14. Construction activities shall be limited to 7 AM to 6 PM, Monday through Friday and if needed, from 7 AM to 4 PM on Saturdays. All construction equipment shall be equipped with original equipment mufflers.

---

<sup>1</sup> The impact fee includes a reduction of 50% because the project is located within the City of St. Albans Growth Center. The impact fee will also be reduced by the cost of detectors and therefore based on those costs, the fee will range from a minimum of \$33,809 and a maximum of \$43,809.

15. No later than 10 days prior to commencement of building construction, the Permittee shall submit a Construction Waste Reduction Plan to be approved by the Agency of Natural Resources Solid Waste Management Program. The contractor shall be obligated to implement the Plan. [ANR C&D Waste Reduction Plan](#)
16. In addition to conformance with all erosion prevention and sediment control conditions, the Permittee shall not cause, permit or allow the discharge of waste material into any surface waters. Compliance with the requirements of this condition does not absolve the Permittee from compliance with 10 V.S.A. (§§ 1250-1284) Chapter 47, Vermont's Water Pollution Control Law.
17. The Permittee and all assigns and successors in interest shall continually maintain the landscaping as approved in Exhibits #32 and #33 by replacing any dead or diseased plantings within the season or as soon as possible after the ground thaws, whichever is sooner.
18. Prior to any site work, the Permittee shall install and maintain temporary fencing around trees to be retained.
19. The installation of exterior light fixtures is limited to those approved in Exhibits #31 and #32, and shall be mounted no higher than 20 feet in the City of St. Albans and 22 feet in the Town of St. Albans, above grade level. All exterior lighting shall be installed or shielded in such a manner as to conceal light sources and reflector surfaces from view beyond the perimeter of the area to be illuminated.
20. The Permittee shall not erect (additional) exterior signage without prior written approval from the District Coordinator or the Commission, whichever is appropriate under the Act 250 Rules. Signage includes banners, flags, and other advertising displays, excepting temporary real estate marketing signs and temporary Grand Opening signs.
21. Pursuant to 30 V.S.A. § 53, the energy design and construction shall, at a minimum, comply with Vermont's Commercial Building Energy Standards (CBES) effective at the time of construction. (More information on this update can be found at ([http://publicservice.vermont.gov/topics/energy\\_efficiency/cbes](http://publicservice.vermont.gov/topics/energy_efficiency/cbes))).
22. The Permittee, upon completion of the construction of each commercial building and prior to use or occupancy, shall submit to the District Commission a copy of the certification submitted to the Public Service Department as described under 30 V.S.A. § 53(d).
23. 10 V.S.A. § 6090(b)(1) this permit is hereby issued for an indefinite term, as long as there is compliance with the conditions herein. Notwithstanding any other provision herein, this permit shall expire three years from the date of issuance if the Permittee has not commenced construction and made substantial progress

toward completion within the three-year period in accordance with 10 V.S.A. § 6091(b).

24. All site work and construction shall be completed in accordance with the approved plans by October 15, 2021, unless an extension of this date is approved in writing by the Commission. Such requests to extend must be filed prior to the deadline and approval may be granted without public hearing.
25. The Permittee shall file a Certificate of Actual Construction Costs, on forms available from the Natural Resources Board, pursuant to 10 V.S.A. § 6083a(g) within one month after construction has been substantially completed or two years from the date of this permit, whichever shall occur first. Application for extension of time for good cause shown may be made to the District Commission. If actual construction costs exceed the original estimate, a supplemental fee based on actual construction costs must be paid at the time of certification in accordance with the fee schedule in effect at the time of application. Upon request, the Permittee shall provide all documents or other information necessary to substantiate the certification. Pursuant to existing law, failure to file the certification or pay any supplemental fee due constitutes grounds for permit revocation. The certificate of actual construction costs and any supplemental fee (by check payable to the "State of Vermont") shall be mailed to: Natural Resources Board, Dewey Building, 1 National Life Drive, Montpelier, VT 05620-3201; Attention: Certification.
26. Failure to comply with all of the above conditions may be grounds for permit revocation pursuant to 10 V.S.A. § 6027(g).

Dated at Essex Junction, Vermont, this 10<sup>th</sup> day of May, 2016.

By /s/ Dan Luneau  
Dan Luneau, Chair in this matter -  
District #6 Commission

Members participating in  
this decision:

Joe Flynn

Any party may file a motion to alter with the District Commission within 15 days from the date of this decision, pursuant to Act 250 Rule 31(A).

Any appeal of this decision must be filed with the Superior Court, Environmental Division within 30 days of the date the decision was issued, pursuant to 10 V.S.A. Chapter 220. The Notice of Appeal must comply with the Vermont Rules for Environmental Court Proceedings (VRECP). The appellant must file with the Notice of Appeal the \$265 entry fee required by 32 V.S.A. § 1431.

Page 6  
Land Use Permit #6F0389-15

The appellant must also serve a copy of the Notice of Appeal on the Natural Resources Board, Dewey Building, National Life Drive, Montpelier, VT 05620-3201, and on other parties in accordance with Rule 5(b)(4)(B) of the Vermont Rules for Environmental Court Proceedings.

Decisions on minor applications may be appealed only if a hearing was held by the district commission. Please note that there are certain limitations on the right to appeal. See 10 V.S.A. § 8504(k).

For additional information on filing appeals, see the Court's website at: <http://www.vermontjudiciary.org/GTC/environmental/default.aspx> or call (802) 828-1660. The Court's mailing address is: Vermont Superior Court, Environmental Division, 32 Cherry Street, 2nd Floor, Suite 303, Burlington, VT 05401.

W:\NRB\DIST6\Projects\6F0300 - 6F0600\6F0389-15\6F0389-5 Permit.docx

State of Vermont  
NATURAL RESOURCES BOARD  
DISTRICT #6 ENVIRONMENTAL COMMISSION  
111 West Street  
Essex Junction, VT 05452

RE:   Northwestern Medical Center, Inc.   Application #6F0389-15  
      133 Fairfield Street                   Findings of Fact  
      City of St. Albans, VT               Conclusions of Law, and Order  
      05478                                   10 V.S.A. §§ 6001-6093 (Act 250)

**I.       INTRODUCTION**

On January 25, 2016, the Applicant, Northwestern Medical Center, Inc. (“NWMC”), filed an application for an Act 250 permit for a project generally described as construction of the following improvements: remodel and expand the existing MedSurg/ICU wing; expand the hospital for new medical clinics; construct a new two story office building; construct a connector road and reconfigure and relocate loading docks, driveway and parking areas. The tract of land consists of approximately 29 acres located in both the Town of St. Albans and the City of St. Albans. The Applicant's legal interest is ownership in fee simple described in a deed recorded on Book 22, page 179 in the land records of the City of St. Albans, and on Book 135, page 69 in the land records of the Town of St. Albans to the Northwestern Medical Center, Vermont.

The District #6 Environmental Commission (“Commission”) held a hearing on this application on February 26, 2016. The Commission also conducted a site visit on February 26, 2016. At the end of the hearing, the Commission recessed the proceeding and issued a recess memorandum requesting the submission of additional information. The Commission adjourned the hearing on May 6, 2016 after receipt of the additional information, an opportunity for parties to respond to that information, and the completion of Commission deliberations.

As set forth below, the Commission finds that the Project complies with 10 V.S.A. § 6086(a) (Act 250).

**II.       JURISDICTION**

As determined in a jurisdictional opinion/project review sheet issued on March 8, 2016 jurisdiction attaches because the Project is a material change to a permitted development, and thus requires a permit amendment pursuant to Act 250 Rule 34.

**III.      AMENDMENT APPLICATION – RULE 34(E)**

In this application, the Applicant does not seek to amend such a critical permit condition, so the Commission may consider the merits of the amendment application without conducting the rest of the Rule 34(E) analysis.

**IV.      PARTY STATUS AND FRIENDS OF THE COMMISSION**

A.       Parties by Right

Parties by right to this application pursuant to 10 V.S.A. § 6085(c)(1)(A)-(D) who attended the hearing are:

1. The Applicant by the Northwestern Medical Center;
2. The Agency of Transportation by Joe Segale, Policy, Planning and Research Director; and
3. The Northwest Regional Planning Commission by Taylor Newton.

No other persons requested party status.

## **V. FINDINGS OF FACT AND CONCLUSIONS OF LAW**

The Applicant has met the burden of proving compliance with the following criteria through submittal of the application:

- |                                       |  |
|---------------------------------------|--|
| 1 - Air Pollution                     | 8 – Historic Sites                           |
| Water Pollution                       | 8(A) - Wildlife Habitat & Endangered Species |
| 1(A) - Headwaters                     | 9(A) - Impact of Growth                      |
| 1(C) - Water Conservation             | 9(B) - Agricultural Soils                    |
| 1(D) - Floodways                      | 9(C) - Productive Forest Soils               |
| 1(E) - Streams                        | 9(D) - Earth Resources                       |
| 1(F) - Shorelines                     | 9(E) - Extraction of Earth Resources         |
| 1(G) - Wetlands                       | 9(F) - Energy Conservation                   |
| 2 - Water Supply                      | 9(G) - Private Utility Services              |
| 3 - Impact on Existing Water Supplies | 9(H) - Costs of Scattered Development        |
| 4 - Soil Erosion                      | 9(J) - Public Utility Services               |
| 6 - Educational Services              | 9(L) – Settlement Patterns                   |
| 7 - Municipal Services                |  |
| 8 – Natural Areas                     |  |

Therefore, the application shall serve as the Findings of Fact on these criteria.

The findings of fact are based on the application, Exhibits # 1 - 62, and other evidence in the record. Findings made in this decision are not limited to the specific criterion in which they appear, and may apply to other sections of the decision. To the extent that any proposed findings of fact are included in this decision, they are granted; otherwise, they are denied.

Under Act 250, projects are reviewed for compliance with the ten criteria of Act 250, 10 V.S.A. § 6086(a)(1)-(10). Before granting a permit, the District Commission must find that the Project complies with these criteria and, therefore, is not detrimental to the public health, safety or general welfare. The burden of proof under Criteria 1 through 4 and 9 and 10 is on the applicant, and on the opponent under Criteria 5 through 8, and 9A if the municipality does not have a duly adopted capital improvement program.

General Findings:

1. Northwestern Medical Center proposes to remodel and expand the existing MedSurg/ICU wing by 15,200 SF; expand the front of the hospital by 14,000 SF for new cardiology clinics; and construct a new two-story medical office building with a total office space of 42,000 SF. Additionally NMC proposes to construct a connector/corridor from the medical office building to the clinics and re-configure the existing loading docks. The existing access drive will be relocated around the new MedSurg/ICU wing and the Cobblestone parking area will be expanded to compensate for lost parking. Additionally, a new parking area south of Northwest Counseling and Support Services ("NCSS") will be constructed. (Exhibit #1)
2. The plans were slightly revised on April 18, 2016 to clarify the location and extent of sidewalk construction and to eliminate the crosswalk on VT Route 104 to NCSS because it does not satisfy the sidewalk warrants provided by Vermont Agency of Transportation ("VTTrans").

**Criterion 1(B) - Waste Disposal:**

Findings of Fact

3. The Agency of Natural Resources, ("ANR") Department of Environmental Conservation issued Wastewater System and Potable Water Supply Permit WW-6-0219-17 on April 12, 2016. (Exhibit #57)
4. The ANR Department of Environmental Conservation has issued coverage under General Permit #3-9020 Construction General Permit #7221-9020.1 for the construction phase of the Project. (Exhibits #51 and #52)
5. The ANR Department of Environmental Conservation has issued coverage under Stormwater Discharge General Permit #7221-INDS.A for the operational phase of the project. (Exhibit #58)<sup>1</sup>
6. Most of the runoff will be conveyed to the existing treatment pond adjacent to Fairfield Street, which discharges into Stevens Brook. A small area of parking will be treated in a sand filter near the secondary access drive, and then conveyed to the municipal storm system in Fairfield Street. A portion of the loop road near the Emergency Department currently is collected and treated in a grit chamber before being released to the municipal system in Fairfield Street. (Exhibit #4)
7. All waste material will be recycled or disposed of in an approved landfill. The Project involves more than 5,000 square feet of construction and therefore shall complete the Waste Reduction Plan Template available at [www.anr.state.vt.us/dec/wastediv/recycling/candd.htm](http://www.anr.state.vt.us/dec/wastediv/recycling/candd.htm) (Exhibit #4)

Conclusions of Law

---

<sup>1</sup> An amendment to the stormwater permit is required for additional sidewalks and will be submitted with 180 days of permit issuance.

The ANR permits create a presumption pursuant to Act 250 Rule 19 that the disposal of wastes through the installation of wastewater and waste collection, treatment and disposal systems authorized by the permits will not result in undue water pollution. Technical determinations made by ANR in issuing the permits are entitled to substantial deference. 10 V.S.A. § 6086(d).

The Project will meet all applicable Department of Environmental Conservation (DEC) regulations on waste disposal, and will not involve the injection of waste materials or any harmful or toxic substances into groundwater or wells. In addition, the Project will not cause undue water pollution.

The Project complies with Criteria 1(water) and 1(B).

**Criterion 5 - Transportation:**

Findings of Fact

8. The main access to the site is at the intersection of Fairfield Street and Crest Road. Sight distances in either direction exceed 500 feet. The speed limit along Fairfield Street is 25 mph. A second access is farther west along Fairfield Street. Sight distances in either direction exceed 500 feet. The speed limit along Fairfield Street is 25 mph. A third entrance to the campus is located on Route 104, near the NCSS building. Sight distances in either direction exceed 500 feet. The speed limit along Route 104 is 40 mph. (Exhibit #5)
9. Crest Road is a loop road through the project area. Emergency vehicles and trucks were considered in the layout of the relocated Crest Road. (Exhibit #5)
10. Public transit will be available to the Cobblestone building and the existing vestibule includes benches and is available as a transit stop. (Exhibit #55)
11. The plans were revised to provide sidewalk infrastructure along VT Route 104 and are consistent with the approval from the Town of St. Albans.
12. VTrans has approved the sidewalk construction with the State Highway. (Exhibit #60)
13. The crosswalk originally proposed between along Route 104 has been removed at the request of VTrans because the number of pedestrians does exceed the 20 per hour in the peak hour required in the warrants outlined in the VTrans Guidelines for Pedestrian Crossing Treatments. Current pedestrian counts show fewer than 10 pedestrian crossing throughout the entire day. (Exhibits #53 and #54)
14. During the AM peak hour, the project is estimated to add 160 vehicles per hour to the adjacent street network when construction is complete (initial phase) and 230 vph when the second floor of the medical office is occupied (full occupancy). During the PM peak hour, the project is estimated to add 155 vph and 244 vph during the initial and full occupancy phases respectively. (Exhibit #5)

15. The traffic to and from the project will have direct access to the public road network at the intersections of the NMC driveway with Fairfield Street (VT 36), Crest Road with Fairfield Street and the NCSS Access Road with VT 104. The other significant intersections that will be affected by traffic from the project are VT 36-VT 104, VT 104-Saint Albans State Highway (SASH) and US 7-SASH. All five intersections were evaluated in the Traffic Impact Study (TIS) for the Northwest Medical Center Campus Expansion prepared by Cross Consulting Engineers (June 2015, Revised November 2015). (Exhibit #5)
16. Relative to the impact of the proposed project on traffic congestion and safety, VTTrans concurs with the findings in the TIS that there will not be unreasonable congestion or unsafe conditions resulting at the intersections of NMC Drive-Fairfield Street, Crest Road-VT 36, NCSS Access Road-VT 104 and VT 104-VT 36 (with revised traffic signal timings). (Exhibit #5)

### **US 7-SASH Intersection**

#### **Traffic congestion:**

17. The Traffic Impact Study (“TIS”) states that the intersection of US 7- SASH will operate at poor levels of service with or without traffic from the proposed development. This intersection is currently controlled by a stop sign on the SASH westbound approach to US 7 and the TIS suggests that a traffic signal is necessary to bring the intersection into compliance. The Level of Service analysis in the TIS (Table 9, page 16) shows that LOS for left turns from the SASH westbound approach are projected to operate at LOS E with and without traffic from the NMC expansion depending on time of day. The SASH westbound approach includes an exclusive left turn lane and an exclusive right turn lane. Based on the detailed LOS worksheets, the volume to capacity ratio for the left turn lane remains below 50% for all scenarios. It is VTTrans practice to allow lower Level of Service for stop-controlled approaches when the v/c ratio is less than 100%. Furthermore, the proposed expansion is projected to add 26 vph to the intersection overall at full occupancy and only 7 vph to the left turn lane specifically, which is a relatively small amount of traffic. VTTrans believes that the intersection will continue to operate at an acceptable LOS and a traffic signal is not necessary to mitigate the congestion impacts of the proposed campus expansion. (Exhibit #50)

#### **Safety conditions:**

18. The TIS indicated that a segment of the SASH near US 7 is identified as a High Crash Location (HCL). This section starts at US 7 and extends for 0.24 miles to the east. The crashes are concentrated at the intersection of the SASH with US 7. During the five-year period, there were a total of 11 crashes reported at the intersection. The crashes occurred on all approaches. Rear-end crashes are the most common type of collision at the intersection and the cause is related to driver behavior such as following too closely and inattention. There are also a couple of side swipe crashes. The project is projected to add less than 10 vehicles per hour

during the AM and PM peaks to each of the three approaches. Given that there are no distinct crash patterns related to a specific approach or movement, the relatively small number of crashes that occur per year, and the small amount of traffic the project will add to the intersection, the development project is not likely to exacerbate safety at the intersection. (Exhibit #50, testimony of Joe Segale)

### **VT 104-SASH Intersection**

#### **Traffic congestion:**

19. The VT 104-SASH intersection currently operates, and will continue to operate, at a poor LOS with and without the proposed NWMC expansion. A roundabout has been proposed for this intersection and a project is identified in the SFY 2016 VTrans Capital Program.
20. A roundabout at this location is proposed in a 2009 Scoping Study prepared for the Northwest Regional Planning Commission and will allow the intersection to operate at an acceptable LOS. The intersection is included in the VTrans SFY 2016 Capital Program.
21. VTrans is recommending payment of a transportation impact fee for the roundabout project pursuant to Act 145 (2014) -Transportation Impact Fees. Act 145 allows a District Commission to require payment of a transportation impact fee for a capital transportation improvement that is "...necessary to mitigate the transportation impacts of a proposed development or subdivision or that benefit the proposed development or subdivision" (10 VSA §6104). At full occupancy, the NMC expansion is projected to add 151 vph to this intersection and will therefore benefit from the roundabout project.
22. VTrans recommends that the District Commission establish a transportation impact fee for the VT 104-SASH Roundabout project of \$580 per PM peak hour trip. After Act 145 became effective in July 2014, VTrans evaluated different fee formula methods to satisfy the law's requirements. The fee cannot include the cost to address existing deficiencies, background growth or operations and maintenance activities (10 VSA §6106). VTrans recommends the use of a general transportation impact fee formula equal to the total cost of the transportation project divided by the total capacity available after the transportation project is complete (Total Cost/Total Capacity). VTrans evaluated the Total Cost/Total Capacity formula for different transportation projects around the state and found that the public's share of an improvement will be on average at least 60%. We believe this share is reasonable to cover the public's responsibility to address existing safety and congestion deficiencies, background growth, and system maintenance activities while also ensuring developers contribute their fair share. (Exhibit #50)
23. Act 145 allows the fee to be reduced for development projects that are located within state designated centers (10 VSA §6106 (b)(6)). Since the Northwest Medical Center Campus is located within the City of Saint Albans Growth Center, VTrans recommends that the fee be reduced by 50%, which is consistent with reductions

recommended for other similar situations. Therefore, the recommended total fee to be assessed the NMC expansion is \$43,809 (151 PM peak hour trips x \$580/vph x 1/2). (Exhibit #50 and Attachment A)

24. Act 145 allows an applicant to build and open the development after the transportation impact fee is paid (assuming all other related permit conditions are satisfied), even if the transportation project on which the fee is based is not complete. However, if there is a safety issue that is exacerbated by the proposed development, the safety issue must be addressed before the project opens (10 VSA §6106 (e)). As noted, the VT 104-SASH intersection is an identified High Crash Location and mitigation is necessary in the interim as stated below.

Safety conditions:

25. The intersection of VT 104/SASH is a High Crash Location. Upon further analysis, it was agreed that detectors would be installed at this intersection. Dilemma zone detectors will reduce the frequency of red-light violations, reduce the frequency of crashes associated with a traffic signal, reduce delay and stop frequency, and maintain or reduce overall intersection delay. (Exhibit #53)
26. The cost of the detectors would be deducted from the impact fee, up to a maximum of \$10,000.00. The impact fee would be a minimum of \$33,809 up to a maximum of \$43,809.00. (Exhibit #55)
27. VTrans has approved the work within the State Highway for the construction of the zone detectors. (Exhibit #61)
28. The Applicant shall submit invoices and other documentation on the costs to VTrans along with payment of the Act 145 transportation impact fee balance, if any, prior to construction of the project. (Exhibit #53)

Conclusions of Law

Criterion 5(A) requires that the Project “will not cause unreasonable congestion or unsafe conditions with respect to use of the highways.” See 10 V.S.A. § 6086(a)(5)(A). Notwithstanding the requirement for a positive finding, the Commission may not deny a permit solely on the reasons set forth under Criterion 5. See 10 V.S.A. § 6087(b). The Commission may, however, attach reasonable conditions to alleviate traffic burdens. *Id.*

Criterion 5(B) requires that a project, “as appropriate . . . incorporate transportation demand management strategies and provide safe access and connections to adjacent lands and facilities and to existing and planned pedestrian, bicycle, and transit networks and services.” 10 V.S.A. § 6086(a)(5)(B). In determining what is appropriate for a particular project, the Commission considers whether measure is reasonable, “given the type, scale and transportation impacts” of the proposed project. *Id.*

The Commission concludes that the Project will not cause unreasonable congestion or unsafe conditions with respect to use of roads, highways, waterways, railways, airports, and other existing or proposed means of transportation.

The Project complies with Criterion 5(A).

The Project incorporates all appropriate transportation measures, including contributing and constructing pedestrian sidewalks and appropriate infrastructure. In addition, and given the type, scale and transportation impacts of this project, the Commission will require payment of a transportation impact fee for the roundabout project pursuant to Act 145 (2014) - Transportation Impact Fees. The impact fee is discussed above and calculations are outlined in Exhibit #50, Attachment A. The impact fee would be a minimum of \$33,809 and up to a maximum of \$43,809. The Applicant shall submit invoices and other documentation on the costs to VTrans along with payment of the Act 145 transportation impact fee balance, if any, prior to construction of the project. (Exhibit #53).

#### **Criterion 8 - Aesthetics, Historic Sites and Rare and Irreplaceable Natural Areas:**

##### Findings of Fact

##### Aesthetics, Scenic or Natural Beauty

29. The property is located within a developed area and partly within the City of St. Albans. There are residential areas to the north, west and south, and commercial developments to the east. (Exhibit #4)
30. The new buildings are designed in a modern architectural style. Exterior materials include aluminum framed glass storefront and curtainwall, stone base, brick veneer, composite metal panel, standing seam metal roof, and a fully adhered roof membrane. The red brick color has been chosen to match with the existing hospital. Metal panels, metal roofing and stone are gray in color to provide contrast. The adhered roof membrane is white to promote energy efficiency. See the Exterior Elevation Sheets included in the application materials.
31. Detail for signage has not been developed but will comply with local sign regulations and will be submitted to the District commission. (Exhibit #4)
32. The lighting fixtures and locations are depicted on Exhibits #32 and #33. The fixtures are dark-sky compliant, fully shielded LED fixtures at a mounting height of 20 feet in the City and 22 feet in the Town. The light levels conform to the guidelines presented in the Chittenden County Outdoor Lighting Manual. (Exhibit #4)
33. The majority of the existing landscaping on the site is mature and provides effective screening. The design attempts to minimize tree cutting where possible, and proposes significant landscaping within the site and additional landscaping along the perimeter. The landscaping is shown on Exhibits #32 and #33.

#### Historic Sites

34. There are no historic sites, archeologically sensitive areas or rare and irreplaceable natural areas which will be affected by this Project. (Exhibit #4)

#### Conclusions of Law

Prior to granting a permit, the Commission must find that the subdivision or development under Criterion 8 "will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites or rare and irreplaceable natural areas." 10 V.S.A. § 6086(a)(8).

#### AESTHETICS and NATURAL AND SCENIC BEAUTY

The Commission uses a two-part test to determine whether a Project meets the portion of Criterion 8 relating to aesthetics and natural and scenic beauty. First, it determines whether the Project will have an adverse effect. Second, it determines whether the adverse effect, if any, is undue. In re Rinkers, Inc., No. 302-12-08 Vtec, Decision and Order at 12 (Vt. Env'tl. Ct. May 17, 2010)(citations omitted); see also, Re: Quechee Lakes Corporation, #3W0411-EB and #3W0439-EB, Findings of Fact, Conclusions of Law, and Order at 18-20 (Vt. Env'tl. Bd. Nov. 4, 1985); In re Halnon, 174 Vt. 514 (mem.)(applying Quechee test in Section 248 context).

The burden of proof under Criterion 8 is on any party opposing the Project, 10 V.S.A. § 6088(b), but the applicant must provide sufficient information for the Commission to make affirmative findings. In re Rinkers, No. 302-12-08 Vtec, Decision and Order at 10-11 (Vt. Env'tl. Ct. May 17, 2010)(citing Re: Susan Dollenmaier, #3W0125-5-EB, Findings, Conclusions and Order at 8 (Vt. Env'tl. Bd. Feb. 7, 2005); In re Eastview at Middlebury, Inc., No. 256-11-06 Vtec, slip op. at 5 (Vt. Env'tl. Ct. Feb. 15, 2008), aff'd, 2009 VT 98. "Either party's burden, however, may be satisfied by evidence introduced by any of the parties or witnesses . . ." In re McShinsky, 153 Vt. 586, 589 (1990) (quoting In re Quechee Lakes Corp., 154 Vt. 543, 553-54 (1990)).

#### 1. Adverse Effect

To determine whether the Project will have an adverse aesthetic effect, the Commission looks to whether the Project will "fit" the context in which it will be located. In making this evaluation, the Commission examines a number of specific factors, including: the nature of the project's surroundings; the compatibility of the project's design with those surroundings; the suitability of the colors and materials selected for the project; the locations from which the project can be viewed; and the potential impact of the project on open space. Quechee Lakes Corp et al. #3W0411-EB and #3W0439-EB Findings of Fact, Conclusions of Law and Order at 18 (Vt. Env'tl. Bd., Nov. 4, 1985)(cited in Rinkers, No. 302-12-08 Vtec, Decision and Order at 12-13).

The Project is in an area of residential and commercial uses and consists of an expansion to the existing hospital campus. The Commission concludes that the Project is compatible with

its surroundings and will have no adverse aesthetic impact. Accordingly, it complies with Criterion 8.

**Criterion 9(F) - Energy Conservation:**

Findings of Fact

35. The applicant will construct and operate the Project in accordance with the Commercial Building Energy Standards issued by the Vermont Department of Public Service pursuant to 30 V.S.A. § 53 (CBES) as effective at the time of construction.
36. The applicant consulted with Efficiency Vermont, which resulted in the incorporation of no new energy conservation measures other than those proposed in the application. (Exhibit #4)
37. There are two EV charging stations on site located near the conference center.
38. The project's planning and design incorporates the following energy conservation measures, which will reduce the project's greenhouse gas emissions from the use of energy:

The electrical design for the expansions include the following energy efficient electrical system design features:

All LED lighting

Lighting occupancy sensors in areas such as;

- Break rooms
- Storage Areas
- Offices
- Lounges
- Clinical Utility Areas and Waiting Areas

Energy efficiency design features included in the HVAC design are as follows:

- Low-pressure drop AHU designs.
- Electronically Commutated Motors (ECM) on AHU return fans.
- High efficiency motors and VFD's on all HVAC equipment.
- Airflow monitoring.
- AHU discharge air temperature reset based on outdoor air temperature.
- Occupied/Unoccupied scheduling and VAV air control.
- Water-source heat pump removal and conversion to VAV.
- Controls Conversion (pneumatic to DDC).
- Variable burner controls on the new 200-HP boiler.

#### Conclusions of Law

Criterion 9(F) requires the Applicant to show that the planning and design of the Project “reflect the principles of energy conservation, including reduction of greenhouse gas emissions from the use of energy, and incorporate the best available technology for efficient use or recovery of energy.” 10 V.S.A. § 6086(a)(9)(F).

Criterion 9(F) requires the Applicant “provide evidence that the subdivision or development complies with the applicable building energy standards under 30 V.S.A. §51 (e)(RBES-stretch code) or 53 (CBES).”

For Commercial Projects the Commission finds that the Applicant has demonstrated compliance beyond the CBES and taken measures to address energy efficiency and reduce greenhouse gas emissions from energy use.

Therefore, the Project complies with Criterion 9(F).

#### **Criterion 9(K) – Development Affecting Public Investments:**

##### Findings of Fact

39. The project is adjacent to Vermont Highway 104.
40. The Project will not unreasonably or unnecessarily endanger the public or quasi-public investment in Vermont Highway 104 because the Applicant has agreed to take reasonable mitigation measures outlined under Criterion 5 to address any congestion related impacts generated from this project.
41. The Project will not materially jeopardize or interfere with the function, efficiency, or safety of, or the public’s use or enjoyment of the affected State highways because the Applicant has agreed to participate in measures outlined under Criteria 5 to address any safety related impacts generated from this project.

##### Conclusions of Law

The Commission concludes that the Project complies with Criterion 9(K).

#### **Criterion 10 – Town and Regional Plans:**

##### Findings of Fact

42. Relevant sections of the St. Albans Town Plan demonstrating compliance include the following:
  - Chapter 3, Policy 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 within the growth center.

- Chapter 4, Policy 4: The Town shall maintain Sidewalk Master Plan. - This project connects to the Town and City sidewalk systems.
- Chapter 4, Policy 7: The Town shall explore mandated storm water regulations and determine the impact and implementation. - The project will obtain permits from the State for the stormwater runoff.
- Chapter 5, Policy 5: The Town shall explore programs and methods to protect streams and brooks. - This project does not impact the Stevens Brook.
- Chapter 7, Policy 1: The Town shall plan for future growth and development so that facilities and services continue to meet the needs of the Town. - The project is an improvement to an essential service within the Town.

43. The Northwest Regional Planning Commission through their review committee and staff submitted a letter of general support for the project. The letter outlined several areas of concern and provided specific comments. (Exhibit #49)

#### Conclusions of Law

Before issuing a permit the District Commission must find that the Project is in conformance with any duly adopted local or regional plan or capital program. 10 V.S.A. § 6086(a)(10).

The Commission has reviewed the Town Plan and has determined that the Town Plan is sufficiently specific. Re: The Mirkwood Group #1R0780-EB, Findings of Fact, Conclusions of Law, and Order at 19 (Vt. Env'tl. Bd. August 19, 1996). Because the Town Plan is clear and unambiguous it is unnecessary to review the zoning bylaws. See In re Frank A. Molgano Jr. 163 Vt. 25 (1994).

The Commission has reviewed the comments of the Regional Planning Commission Review Committee and the provisions of the regional plan and find the project in compliance with the regional plan.

The Project complies with Criterion 10.

#### **V. SUMMARY CONCLUSION OF LAW**

Based upon the foregoing Findings of Fact, the Commission concludes that the Project, if completed and maintained as represented in the application and other representations of the Applicant, and in accordance with in the findings and conclusions of this decision and the conditions of Land Use Permit #, will comply with the Act 250 criteria. 10 V.S.A. § 6086(a).

#### **VI. ORDER**

Findings of Fact, Conclusions of Law, and Order #6F0389-15  
Page 13

Based upon the foregoing Findings of Fact and Conclusions of Law, Land Use Permit #6F0389-15 is hereby issued.

DATED at Essex Junction, Vermont, this 10<sup>th</sup> day of May, 2016.

By /s/ Dan Luneau  
Dan Luneau, Chair, District #6 Environmental Commission

Commissioners participating in this decision:

Joe Flynn

---

Any party may file a motion to alter with the District Commission within 15 days from the date of this decision, pursuant to Act 250 Rule 31(A).

Any appeal of this decision must be filed with the Superior Court, Environmental Division within 30 days of the date the decision was issued, pursuant to 10 V.S.A. Chapter 220. The Notice of Appeal must comply with the Vermont Rules for Environmental Court Proceedings (VRECP). The appellant must file with the Notice of Appeal the \$265.00 entry fee required by 32 V.S.A. § 1431.

The appellant must also serve a copy of the Notice of Appeal on the Natural Resources Board, National Life Dewey Building, Montpelier, VT 05620-3201, and on other parties in accordance with Rule 5(b)(4)(B) of the Vermont Rules for Environmental Court Proceedings.

Decisions on minor applications may be appealed only if a hearing by the district commission was requested. Please note that there are certain limitations on the right to appeal. See 10 V.S.A. § 8504(k).

For additional information on filing appeals, see the Court's website at: <http://www.vermontjudiciary.org/GTC/environmental/default.aspx> or call (802) 828-1660. The Court's mailing address is: Vermont Superior Court, Environmental Division, 32 Cherry Street, 2nd Floor, Suite 303, Burlington, VT 05401.

<b>E</b>	<b>DATE</b>	<b>E</b>	<b>A = Applicant</b>
<b>X</b>	<b>R</b>	<b>N</b>	<b>T = Town</b>
<b>H</b>	<b>E</b>	<b>T</b>	<b>O = Opponent</b>
<b>I</b>	<b>C</b>	<b>E</b>	<b>RPC = Regional Planning Commission</b>
<b>B</b>	<b>E</b>	<b>R</b>	<b>ANR = Agency of Natural Resources</b>
<b>I</b>	<b>I</b>	<b>E</b>	<b>VTRANS = Vt. Agency of Transportation</b>
<b>T</b>	<b>V</b>	<b>D</b>	<b>DPS = Department of Public Services</b>
	<b>E</b>		<b>M = Municipality</b>
	<b>D</b>		<b>DHP = Division for Historic Preservation</b>
			<b>WMD = Wastewater Management Division</b>
<b>N</b>		<b>B</b>	<b>L = Landowner</b>
<b>O.</b>		<b>Y</b>	
			<b>Nature of Exhibit and Date Entered</b>
001	01/25/15	A	Cross Consulting Cover Letter (01/22/16)
002	"	"	Application Cover Sheets
003	"	"	Schedules A, E, F, & G
004	"	"	Schedule B
005	"	"	Traffic Impact Study by Cross Consulting Engineers (Revised 11/15)
006	"	"	Municipal Impact Questionnaire
007	"	"	School Impact Questionnaire
008	"	"	Location Map
009	"	"	Dept. of Fish & Wildlife Letter (02/05/14)
010	"	"	Previous Land Use Permit #6F0389 (03/1988)
011	"	"	Agricultural Soils Matrix (12/18/15)
012	"	"	Agriculture Soils Letter to Historic Preservation (12/16/15)
013	"	"	NMC Signature Authorization (06/02/14)
014	"	"	Construction Site Waste Reduction Plan
015	"	"	Lighting Cut Sheets
016	"	"	Historic Preservation Letter (08/28/15)
017	"	"	Vermont Gas Ability to Serve (08/25/15)
018	"	"	VTrans Jurisdictional Opinion (12/15/15)
019	"	"	Northwest Regional Planning Commission Comments (09/15/15)
020	"	"	Exterior Elevations, Medical Office Building (Option 1), A2-1 (19 May 2015)
021	"	"	Exterior Elevations MedSurg-ICU, Registration & Medical Clinics, Lobby, A2-1 (19 May 2015)

022	01/25/15	A	Phase 1 Overall Plan, C-01(Dec.4, 2015)
022a	04/18/16	"	Phase 1 Overall Plan, C-01 (Rev 03/28/16)
023	01/25/15	"	Phase 1 Existing Conditions, C-02 (Dec. 4, 2015)
024	"	"	Phase 1 Existing Conditions, C-03 (Dec. 4, 2015)
025	"	"	Phase 1 Layout Plan, C-04 (Dec. 4, 2015)
026	"	"	Phase 1 Layout Plan, C-05 (Dec. 4, 2015)
027	"	"	Phase 1 Grading & Utility Plan, C-06 (Dec. 4, 2015)
027a	04/18/16	"	Phase 1 Grading & Utility Plan, C-06 (Rev 03/28/16)
028	01/25/16	"	Phase 1 Grading & Utility Plan, C-07 (Dec. 4, 2015)
029	"	"	Phase 1 Additional Parking Plan, C-08 (Dec. 4, 2015)
029a	04/18/16	"	Phase 1 NCSS Parking and Sidewalk Plan, C-08 (Rev 04/06/16)
030	01/25/16	"	Phase 1 Sewer Plan & Profile, C-09 (Dec. 4, 2015)
030a	04/18/16	"	Phase 1 Sewer Plan & Profile, C-09 (Rev 03/28/16)
031	01/25/16	"	Phase 1 Road Plan & Profile, C-10 (Dec. 4, 2015)
032	"	"	Phase 1 Landscape & Lighting Plan, C-11 (Dec. 4, 2015)
033	"	"	Phase 1 Landscape & Lighting Plan, C-12 (Dec. 4, 2015)
034	"	"	Phase 1 Southern Erosion Site Plan, C-13 (Dec. 4, 2015)
035	"	"	Phase 1 Northern Erosion Site Plan, C-14 (Dec. 4, 2015)
036	"	"	Phase 1 Details, C-15 (Dec. 4, 2015)
036a	04/18/16	"	Phase 1 Details, C-15 (Rev 04/06/16)
037	01/25/16	"	Phase 1 Details, C-16 (Dec. 4, 2015)
037a	04/18/16	"	Phase 1 Details, C-16 (Rev 03/28/16)
038	01/25/16	"	Phase 2 Overall Plan, C-01, (Dec. 4, 2015)
038a	04/18/16	"	Phase 2 Overall Plan, C-01 (Rev 03/28/16)
039	01/25/16	"	Phase 2 Existing Conditions & Demo Plan, C-02 (Dec.4, 2015)
040	"	"	Phase 2 Layout Plan, C-03 (Dec. 4, 2015)
041	"	"	Phase 2 Grading & Utility Plan, C-04 (Dec. 4, 2015)
042	"	"	Phase 2 Water & Sewer Plan & Profile, C-05 (Dec 4, 2015)
042a	04/18/16	"	Phase 2 Water & Sewer Plan & Profile, C-05 (Rev 03/28/16)

043	01/25/16)	A	Phase 2 Road Plan & Profile, C-06 (Dec. 4, 2015)
044	"	"	Phase 2 Landscape & Lighting Plan, C-07 (Dec. 4, 2015)
045	"	"	Phase 2 Erosion Site Plan, C-08 (Dec. 7, 2015)
046	"	"	Phase 2 Details, C-09 (Dec. 4, 2015)
047	"	"	Phase 2 Details, C-10 (Dec. 4, 2015)
048	1/27/16	"	Letter by AAFM re Consideration of Prime Ag Soils (1/22/16)
049	02/19/16	"	Northwest Regional Planning Commission Project Review (02/19/16)
050	02/24/16	"	VTrans Comments (02/24/16)
051	02/25/16	"	Authorized Notice of Intent #7221-9020.1 (02/25/16)
052	"	"	Authorization to Discharge Stormwater #7221-9020 (02/25/16)
053	4/14/16	"	Letter by Joe Segale, VTrans re Supplemental Information Listed in March 4, 2016 HRO (4/14/16)
054	"	"	Letter of Intent by VTrans (4/12/16)
055	04/18/16	"	Cross Cover Letter re Supplemental Info (04/18/16)
056	"	"	Public Water System Construction Permit C-3328-16.0 (04/12/16)
057	"	"	Wastewater System & Potable Water Supply Permit #WW-6-0219-17 (04/12/16)
058	"	"	Stormwater Discharge Permit No. 7221-INDS.A (03/30/16)
059	"	"	Town DRB Site Approval (04/06/16)
060	"	"	VTrans Letter of Intent to Issue Permit for Sidewalks (04/12/16)
061	"	"	VTrans Letter of Intent to Issue Permit for Detectors (04/12/16)
062	"	"	Plan: Traffic Signal Plan (03/28/16)

## CERTIFICATE OF SERVICE

I hereby certify on this 10<sup>th</sup> day of May, 2016, a copy of the foregoing **ACT 250 LAND USE PERMIT #6F0389-15 and FINDINGS OF FACT CONCLUSIONS OF LAW, AND ORDER**, was sent by U.S. mail, postage prepaid to the following individuals without email addresses and by email to the individuals with email addresses listed.

**Note: any recipient may change its preferred method of receiving notices and other documents by contacting the District Office staff at the mailing address or email below. If you have elected to receive notices and other documents by email, it is your responsibility to notify our office of any email address changes.** All email replies should be sent to [nrb-act250essex@state.vt.us](mailto:nrb-act250essex@state.vt.us). Please note you can now fill out and submit the Act 250 survey online at: <http://permits.vermont.gov/act250-survey> instead of printing and mailing the attached pdf version.

**Northwestern Medical Center, Inc.**  
c/o Tyson Moulton, Director of Facilities  
133 Fairfield Street  
St. Albans City, VT 05478  
[tmoulton@nmcinc.org](mailto:tmoulton@nmcinc.org)

Dereck Woolridge  
**c/o Cross Consulting Engineers, P.C.**  
103 Fairfax Road  
St. Albans Town, VT 05478  
[dwoolridge@crossconsultingengineers.com](mailto:dwoolridge@crossconsultingengineers.com)

Anna Bourdon, Town Clerk  
Chair, Selectboard/Chair, Planning Commission  
**Town of St. Albans** - PO Box 37  
St. Albans Bay, VT 05481

Susan Krupp, City Clerk  
Chair, City Council/City Planning Commission  
**City of St. Albans** - PO Box 867  
St. Albans, VT 05478  
[s.krupp@stalbanstv.com](mailto:s.krupp@stalbanstv.com)

Elizabeth Lord, Land Use Attorney/**ANR**  
National Life Drive, Davis 2  
Montpelier, VT 05602  
[anr.act250@vermont.gov](mailto:anr.act250@vermont.gov)

Catherine Dimitruk, Executive Director  
Taylor Newton, Regional Planner  
**Northwest Regional Planning Commission**  
155 Lake Street  
St. Albans, VT 05478-2219  
[cmimitruk@nrpcvt.com](mailto:cmimitruk@nrpcvt.com)  
[newton@nrpcvt.com](mailto:newton@nrpcvt.com)

Barry Murphy  
**Vt. Dept. of Public Service**  
112 State Street, Drawer 20  
Montpelier, VT 05620-2601  
[barry.murphy@vermont.gov](mailto:barry.murphy@vermont.gov)

Craig Keller/John Gruchacz/Jeff Ramsey/Joe Segale  
**VTrans Policy, Plann. & Res. Bureau**  
One National Life Drive, Drawer 33  
Montpelier, VT 05633  
[craig.keller@vermont.gov](mailto:craig.keller@vermont.gov);  
[jeff.ramsey@vermont.gov](mailto:jeff.ramsey@vermont.gov)  
[john.gruchacz@vermont.gov](mailto:john.gruchacz@vermont.gov)  
[joe.segale@vermont.gov](mailto:joe.segale@vermont.gov)

Lauren Masseria, Act 250 Devel Coord  
**Vt. Agency of Agri., Food & Markets**  
116 State Street, Drawer 20  
Montpelier, VT 05620-2901  
[AGR.ACT250@vermont.gov](mailto:AGR.ACT250@vermont.gov)

**Division for Historic Preservation**  
National Life Building, Drawer 20  
Montpelier, VT 05620  
[james.duggan@vermont.gov](mailto:james.duggan@vermont.gov)  
[scott.dillon@vermont.gov](mailto:scott.dillon@vermont.gov)

### FOR YOUR INFORMATION

District #6 Environmental Commission  
Dan Luneau, Chair  
Joe Flynn  
111 West Street  
Essex Junction, VT 05452

Dated at Essex Junction., Vermont, this 10<sup>th</sup> day of May, 2016.

/s/ Barbara J. Cady  
879-5614  
[Barbara.cady@vermont.gov](mailto:Barbara.cady@vermont.gov)