1. Encourage more Development within State Designated Centers (Jurisdiction):

1. Add definition of "enhanced designation" to Act 250, with cross reference to Chap 76A.

10 VSA § 6001. Definitions

In this chapter:

. . .

(30)(a) "Designated center" means 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.

(b) "Enhanced designation" means the process by which a designated center demonstrates that the center has satisfied the requirements of 24 VSA sec. 2799.

2. Add a new subsection to Act 250 Section 6081, stating that no permit or permit amendment is required for any development in a designated center that has received enhanced designation status.

10 VSA § 6081. Permits required; exemptions

. . .

(y) No permit or permit amendment is required for any subdivision or development in a designated center that has enhanced designation at the time a complete application for a municipal land use permit is filed. If enhanced designation is terminated, subsection (a) of this section shall apply to any subsequent subdivision or development that meets the applicable jurisdictional thresholds established in this chapter or the rules promulgated pursuant to section 6025 of this chapter.

3. Add a new section to Title 24, Chapter 76A that describes the process of obtaining and maintaining enhanced designation status:

24 VSA § 2799. Enhanced Designation

(a) Purpose. This section is intended to encourage a municipality to plan and regulate for compact patterns of development and encourage development that is consistent with Vermont's statewide land use goals and smart growth principles in specified designated centers by removing Act 250 jurisdiction from enhanced State-designated downtowns, new town centers, growth centers, and neighborhood development areas.

(b) Application and approval. A municipality, by resolution of its legislative body, may apply to the State Board for enhanced designation for any designated downtown development district, designated new town center, designated growth center, or designated neighborhood development area. The State Board shall issue an affirmative determination on finding that the municipality meets the requirements of subsection (c) of this section.

(c) Enhanced designation requirements. To obtain an enhanced designation under this section, a municipality must demonstrate that it has each of the following:

(1) An approved designated downtown development district, designated new town center, designated growth center, or designated neighborhood development area;

(2) A municipal plan that is confirmed in accordance with section 4350 of this title and that states the municipality's intention to apply for enhanced designation under this section, identifies the area proposed for enhancement, and explains how the enhancement would further the plan's goals and the goals of section 4302 of this title;

(3) Municipal flood hazard planning, applicable to the entire municipality, in accordance with section 4382(12) of this title and the guidelines issued by the Department pursuant to section 2792(d) of this title;

(4) Flood hazard and river corridor bylaws, applicable to the entire municipality, that exceed the minimum state standards established pursuant to 10 V.S.A sec. 755(b) (flood hazard) and §1428(b) (river corridor); [couple with separate proposal to make vulnerable buildings within enhanced centers eligible for tax credits to floodproof buildings under 32 VSA sec. 5930aa-ff]

(5) Urban form bylaws for the enhanced designated center that further the smart growth principles of this chapter and adequately regulate the physical form and scale of development and conform to the guidelines established by the Department;

(6) For enhanced designated downtown development districts, historic preservation bylaws for established design review districts, historic districts, or historic landmarks pursuant to 24 VSA sec 4414(1)(E) and (F) within for the enhanced designated center that meet state historic preservation guidelines issued by the Department pursuant to section 2792(d) of this title;

(7) For enhanced designated new town centers, growth centers, or neighborhood development areas, wildlife habitat planning and bylaws for the enhanced designated center that comply with standards established by the Vermont Department of Fish and Wildlife;

(8) Permitted water and wastewater systems with the capacity to support additional development within the enhanced designated center. The municipality shall have adopted consistent policies, by municipal plan and ordinance, on the allocation, connection, and extension of water and wastewater lines that include a defined service area to support the enhanced designated center; and

(9) A capital budget and program pursuant to section 4430 of this title that is consistent with the municipal plan's implementation program and transportation, utility and facility, and educational facilities plans, maps, and statements, including but not limited to existing and planned wastewater treatment, drinking water, stormwater, and transportation infrastructure for the enhanced designated center.

(10) If any party raises concerns about the municipality's compliance with the requirements for the underlying designation, they must be addressed in the municipality's application as well.

(d) Process for issuing determinations of enhanced designation.

(1) A preapplication meeting shall be held with Department staff to review the program requirements. The meeting shall be held in the municipality unless another location is agreed to by the municipality.

(2) An application by the municipality must include the information and analysis required by the Department's guidelines established pursuant to section 2792 of this title on how to meet the requirements of 24 VSA § 2799 (c).

(3) The Department shall establish a procedure for submission of a draft application that involves review and comment by all the parties to be noticed in subdivision (4)(A) of this subsection and shall issue a pre-application memo incorporating the comments to the applicant after receipt of a draft preliminary application.

(4) After receipt of a complete final application, the State Board shall convene a public hearing, held in the municipality, to consider whether to issue a determination of enhanced designation under this section.

(A) The Department shall post notice of the Board's meeting on the Agency's website at least 35 days in advance of the Board's meeting and provide it to the municipality. The municipality shall publish notice of the meeting at least 30 days in advance of the Board's meeting by publication in a newspaper of general publication in the municipality, and delivered physically or electronically, with proof of receipt or by certified mail, return receipt requested to the Agency of Natural Resources; the Natural Resources Board; the Division for Historic Preservation; the Agency of Agriculture, Food, & Markets; the Agency of Transportation; the Regional Planning Commission; the Regional Development Corporations; and the entities providing educational, police, and fire services to the municipality. The notice shall also be posted by the municipality in or near the municipal clerk's office and in at least two other designated public places in the municipality, and on the websites of the municipality and the Agency of Commerce and Community Development. The municipality shall also certify in writing that the notice required by this subsection has been published, delivered, and posted within the specified time.

(B) No defect in the form or substance of any requirements of this subsection shall invalidate the action of the State Board where reasonable efforts are made to provide adequate posting and notice. However, the action shall be invalid when the defective posting or notice was materially misleading in content. If an action is ruled to be invalid by the Superior Court or by the State Board itself, the Department shall provide, and the municipality shall issue new posting and notice, and the State Board shall hold a new hearing and take a new action.

(5) The State Board may recess the proceedings on any application pending submission of additional information. The State Board shall close the proceedings promptly after all parties have submitted the requested information.

(6) The State Board shall issue its determination in writing. The determination shall include explicit findings on each of the requirements set forth in subsection (c), above.

(e) Review of enhanced designation status.

(1) Length of designation. Initial determination of enhanced status may be made at any time. Thereafter review of an enhanced designation shall be reviewed concurrently with the next periodic review conducted of the underlying designated downtown, new town center, growth center, or neighborhood development area approved under this chapter.

(2) The State Board, on its motion, may review compliance with the enhancement requirements at more frequent intervals.

(3) If at any time the State Board determines that the enhanced designated area no longer meets the standards for an enhanced status established in this section, it may take any of the following actions:

(A) require corrective action within a reasonable time frame;

(B) terminate the enhancement; or

(C) prospectively limit benefits authorized in this chapter.

(4) If the underlying designation terminates, the enhanced status also shall terminate.

(f) Appeal. An act or decision of the State Board under this section may be appealed to the Natural Resources Board within 30 days of the act or decision.

2. Designate Landscapes with Unique Resource Values (Jurisdiction):

Model designation process to increase Act 250 jurisdiction in unique resource areas on the critical habitat designation process set forth in **10 V.S.A. § 5402a.** Specific process and criteria recommendations are being developed.

3. Address Forest Fragmentation (Criteria):

§ 6086. Issuance of permit; conditions and criteria

(a) Before granting a permit, the district commission shall find that the subdivision or development:

(1) Will not result in undue water or air pollution. In making this determination it shall at least consider: the elevation of land above sea level; and in relation to the flood plains, the nature of soils and subsoils and their ability to adequately support waste disposal; the slope of the land and its effect on effluents; the availability of streams for disposal of effluents; and the applicable health and environmental conservation department regulations.

***

(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, forest blocks and connecting habitat.

4. Update Floodways Protections (Criteria):

§ 6086. Issuance of permit; conditions and criteria

(a) Before granting a permit, the district commission shall find that the subdivision or development:

(1) Will not result in undue water or air pollution. In making this determination it shall at least consider: the elevation of land above sea level; and in relation to the flood plains, the nature of soils and subsoils and their ability to adequately support waste disposal; the slope of the land and its effect on effluents; the availability of streams for disposal of effluents; and the applicable health and environmental conservation department regulations.

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(D) ~~Floodways~~ Floodplains. A permit will be granted whenever it is demonstrated by the applicant that, in addition to all other applicable criteria~~:~~

~~(i),~~ the development or subdivision of lands within a ~~floodway~~ flood hazard area or river corridor will not restrict or divert the flow of flood waters~~,~~; cause or contribute to fluvial erosion; and will not endanger the health, safety, and welfare of the public or of riparian owners during flooding.~~; and~~

~~(ii) the development or subdivision of lands within a floodway fringe will not significantly increase the peak discharge of the river or stream within or downstream from the area of development, and endanger the health, safety, or welfare of the public or riparian owners during flooding.~~

10 V.S.A. § 6001. Definitions

When used in this chapter:***

(6) ~~"Floodway" means the channel of a watercourse which is expected to flood on an average of at least once every 100 years and the adjacent land areas which are required to carry and discharge the flood of the watercourse, as determined by the secretary of natural resources with full consideration given to upstream impoundments and flood control projects.~~ "Flood Hazard Area" means the land in the flood plain within a community subject to a 1 percent or greater chance of flooding in any given year as determined by the Secretary of Natural Resources. The term has the same meaning as "area of special flood hazard" under 44 C.F.R. § 59.1.

(7) ~~"Floodway fringe" means an area which is outside a floodway and is flooded with an average frequency of once or more in each 100 years as determined by the secretary of natural resources with full consideration given to upstream impoundments and flood control projects.~~

"River corridor" means the land area adjacent to a river that is required to accommodate the dimensions, slope, planform, and buffer of the naturally stable channel and that is necessary for the natural maintenance or natural restoration of a dynamic equilibrium condition and for minimization of fluvial erosion hazards, as delineated by the Agency in accordance with river corridor protection procedures. (10 V.S.A. § 1422(12)).

5. Strengthen Presumptions of Other State Permits (Process):

10 V.S.A. § 6086(d) is amended to read

(d) State and local permits; presumptions.

(1) State permits.

(A) A District Commission shall ~~The Natural Resources Board may by rule~~ allow the acceptance of a permit or permits ~~or approval~~ of any State agency with respect to subdivisions (a)(1) through (5) of this section in lieu of evidence by the applicant. The presumption established by this subdivision shall only apply to the issues addressed as a part of the terms of the permit.

(B) In the case of permits issued by the Agency of Natural Resources, technical determinations of the Agency shall be accorded substantial deference by the Commissions.

(C) The acceptance of such permit, or permits shall create a presumption that the application is not detrimental to the public health and welfare with respect to the specific requirement for which it is accepted.

(2) Municipal permits.

(A) The Natural Resources Board may by rule allow ~~or~~ a permit or permits of a specified municipal government with respect to subdivisions (a)(1) through (7) and (9) and (10) of this section, or a combination of such permits or approvals, in lieu of evidence by the applicant. The presumption established by this subdivision shall only apply to the issues addressed as a part of the terms of the permit.

(B) A District Commission, in accordance with rules adopted by the Board, shall accept determinations issued by a development review board under the provisions of 24 V.S.A. § 4420, with respect to local Act 250 review of municipal impacts.

(C) The acceptance of such approval, positive determinations, permit, or permits shall create a presumption that the application is not detrimental to the public health and welfare with respect to the specific requirement for which it is accepted. ~~In the case of approvals and permits issued by the Agency of Natural Resources, technical determinations of the Agency shall be accorded substantial deference by the Commissions.~~ The acceptance of negative determinations issued by a development review board under the provisions of 24 V.S.A. § 4420, with respect to local Act

250 review of municipal impacts shall create a presumption that the application is detrimental to the public health and welfare with respect to the specific requirement for which it is accepted. Any determinations, positive or negative, under the provisions of 24 V.S.A. § 4420 shall create presumptions only to the extent that the impacts under the criteria are limited to the municipality issuing the decision. ~~Such a rule may be revoked or amended pursuant to the procedures set forth in 3 V.S.A., chapter 25, the Vermont Administrative Procedure Act.~~

(3) Rebutting Presumptions

(A) Except as provided in subdivision (d)(3)(B), permits may be rebutted by evidence that is relevant and admissible.

(B) With respect to permits issued by a state agency that provide notice, the ability to comment, and a right to appeal, prior to accepting evidence to rebut a permit the Commission shall determine that the evidence:

(i) was not presented to the state agency issuing the permit that resulted in the presumption;

(ii) was not capable of being discovered by due diligence prior to the issuance of the permit;

(iii) is material; and

(iv) is not merely cumulative.

(4) Rulemaking. The Board shall have the authority to adopt rules to administer the requirements of this subdivision. The rules adopted by the Board shall not approve the acceptance of a permit or approval of ~~such an agency or a permit of~~ a municipal government unless it satisfies the appropriate requirements of subsection (a) of this section.

6. Industrial Parks:[1]

10 V.S.A. § 6083a. Act 250 fees is hereby amended to read.

(a) All applicants for a land use permit under section 6086 of this title shall be directly responsible for the costs involved in the publication of notice in a newspaper of general circulation in the area of the proposed development or subdivision and the costs incurred in recording any permit or permit amendment in the land records. In addition, applicants shall be subject to the following fees for the purpose of compensating the State of Vermont for the direct and indirect costs incurred with respect to the administration of the Act 250 program:

> (1) For projects involving construction, $6.65 for each $1,000.00 of the first $15,000,000.00 of construction costs, and $3.12 for each $1,000.00 of construction costs above $15,000,000.00. An additional $0.75 for each $1,000.00 of the first

[1] As mentioned in Ted Brady's memo to the Commission, the Industrial Park working group may recommend changes to Act 250 Rule 21 in addition to the statutory changes set forth below.

$15,000,000.00 of construction costs shall be paid to the Agency of National Resources to account for the Agency of Natural Resources' review of Act 250 applications.

(2) For projects involving the creation of lots, $125.00 for each lot.

(3) For projects involving exploration for or removal of oil, gas, and fissionable source materials, a fee as determined under subdivision (1) of this subsection or $1,000.00 for each day of Commission hearings required for such projects, whichever is greater.

(4) For projects involving the extraction of earth resources, including sand, gravel, peat, topsoil, crushed stone, or quarried material, the greater of: a fee as determined under subdivision (1) of this subsection; or a fee equivalent to the rate of $0.02 per cubic yard of the first million cubic yards of the total volume of earth resources to be extracted over the life of the permit, and $.01 per cubic yard of any such earth resource extraction above one million cubic yards. Extracted material that is not sold or does not otherwise enter the commercial marketplace shall not be subject to the fee. The fee assessed under this subdivision for an amendment to a permit shall be based solely upon any additional volume of earth resources to be extracted under the amendment.

(5) For projects involving the review of a master plan, the fee established in subdivision (1) shall be due for any portion of the proposed project for which construction approval is sought and a fee equivalent to $0.10 per $1,000.00 of total estimated construction costs in current dollars shall be due for all other portions of the proposed project. If construction approval is sought in future permit applications, the fee established in subdivision (1) shall be due, except to the extent that it is waived in accord with subparagraph (f), below.~~in addition to the fee established in subdivision (1) of this subsection for any portion of the project seeking construction approval.~~

(6) In no event shall a permit application fee exceed $165,000.00.

(b) Notwithstanding the provisions of subsection (a) of this section, there shall be a minimum fee of $187.50 for original applications and $62.50 for amendment applications, in addition to publication and recording costs. These costs shall be in addition to any other fee established by statute, unless otherwise expressly stated.

(c) Fees shall not be required for projects undertaken by municipal agencies or by State governmental agencies, except for publication and recording costs.

(d) Neighborhood development area fees. Fees for residential development in a Vermont neighborhood or neighborhood development area designated according to 24 V.S.A. § 2793e shall be no more than 50 percent of the fee otherwise charged under this section. The fee shall be paid within 30 days after the permit is issued or denied.

(e) A written request for an application fee refund shall be submitted to the District Commission to which the fee was paid within 90 days of the withdrawal of the application.

(1) In the event that an application is withdrawn prior to the convening of a hearing, the District Commission shall, upon request of the applicant, refund 50 percent of the fee paid between $100.00 and $5,000.00, and all of that portion of the fee paid in excess of $5,000.00 except that the District Commission may decrease the amount of the refund if the direct and indirect costs incurred by the State of Vermont with respect to the administration of the Act 250 program clearly and unreasonably exceed the fee that would otherwise be retained by the District Commission.

(2) In the event that an application is withdrawn after a hearing, the District Commission shall, upon request of the applicant, refund 25 percent of the fee paid between $100.00 and $10,000.00 and all of that portion of the fee paid in excess of $10,000.00 except that the District Commission may decrease the amount of the refund if the direct and indirect costs incurred by the State of Vermont with respect to the administration of the Act 250 program clearly and unreasonably exceed the fee that would otherwise be retained by the District Commission.

(3) The District Commission shall, upon request of the applicant, increase the amount of the refund if the application of subdivisions (1) and (2) of this subsection clearly would result in a fee that unreasonably exceeds the direct and indirect costs incurred by the State of Vermont with respect to the administration of the Act 250 program.

(4) District Commission decisions regarding application fee refunds may be appealed to the Natural Resources Board in accordance with Board rules.

(5) For the purposes of this section, a "hearing" is a duly warned meeting concerning an application convened by a quorum of the District Commission, at which parties may be present. However, a hearing does not include a prehearing conference.

(6) In no event may an application fee or a portion thereof be refunded after a District Commission has issued a final decision on the merits of an application.

(7) In no event may an application fee refund include the payment of interest on the application fee.

(f) ~~In the event that an application involves a project or project impacts that previously have been reviewed, the~~An applicant may request in writing that a District Commission ~~petition the Chair of the District Commission to~~ waive all or part of ~~the~~an application fee.

(1) In reviewing a request for a permit fee waiver, the District Commission shall consider the following factors:

(i) Whether a portion of the project's impacts have been reviewed by it, the Natural Resources Board, or the District Coordinator in a previous permit.

(ii) Whether the project is being reviewed as a major application, minor, application, or administrative amendment. Should the review of an application be

changed from an administrative amendment or minor application to a major application, the Commission may require the applicant to pay the previously waived fee.

(iii) Whether the applicant intends on relying on any presumptions permitted under Section 6086(d) of this title and has, at the time of the permit application, already obtained the permits necessary to trigger such presumptions. Should a presumption be rebutted, the Commission may require the applicant to pay the previously waived fee.

(iv) Whether the applicant has engaged in any pre-application planning with the district coordinator that will result in a decrease in the amount of time the District Commission will have to consider the actual application.

(2) The District Commission shall issue a written decision in response to any application for a fee waiver. The written decision shall address each of the factors in subsection (f)(1).

(3) District Commission decisions regarding application fee waivers may be appealed to the Natural Resources Board in accordance with Board rules.

~~If an application fee was paid previously in accordance with subdivisions (a)(1) through (4) of this section, the Chair may waive all or part of the fee for a new or revised project if the Chair finds that the impacts of the project have been reviewed in an applicable master permit application, or that the project is not significantly altered from a project previously reviewed, or that there will be substantial savings in the review process due to the scope of review of the previous applications.~~

(g) A Commission or the Natural Resources Board may require any permittee to file a certification of actual construction costs and may direct the payment of a supplemental fee in the event that an application understated a project's construction costs. Failure to file a certification or to pay a supplemental fee shall be grounds for permit revocation. A written request for an application fee partial refund may be submitted to the District Commission to which the fee was paid within 90 days of the date an applicant files a certification pursuant to this section showing that the actual construction costs are less than the estimated construction costs upon which the original permit fee was calculated.

(h) The costs of republishing a notice due to a scheduling change requested by a party shall be borne by the party requesting the change.

10 V.S.A. § 8503(b)(1) is hereby amended to read.

(b) This chapter shall govern:

(1) all appeals from an act or decision of a District Commission under chapter 151 of this title, excluding appeals of application fee refund and waiver requests.

7. Forest Products Value Adding Enterprises:

Statutory language being drafted by FPR, should be ready for Commission next week, will be consistent with the goals outlined in FPR's November 7, 2018 memorandum to the Commission.

8. Recreational Trails:

No statutory language proposed at this time (However, the proposed exemption for federal-aid transportation projects in number 9 below would apply to certain rail trails).

9. Update Permitting for Transportation Projects (Jurisdiction):

Location 1: Definition of Development

10 V.S.A. § 6001. Definitions

(3)(A): "Development" means each of the following:

(i) The construction of improvements on a tract or tracts of land, owned or controlled by a person, involving more than 10 acres of land within a radius of five miles of any point on any involved land, for commercial or industrial purposes in a municipality that has adopted permanent zoning and subdivision bylaws.

(ii) The construction of improvements for commercial or industrial purposes on more than one acre of land within a municipality that has not adopted permanent zoning and subdivision bylaws.

(iii) The construction of improvements for commercial or industrial purposes on a tract or tracts of land, owned or controlled by a person, involving more than one acre of land within a municipality that has adopted permanent zoning and subdivision bylaws, if the municipality in which the proposed project is located has elected by ordinance, adopted under 24 V.S.A. chapter 59, to have this jurisdiction apply.

(iv) The construction of housing projects such as cooperatives, condominiums, or dwellings, or construction or maintenance of mobile homes or mobile home parks, with 10 or more units, constructed or maintained on a tract or tracts of land, owned or controlled by a person, within a radius of five miles of any point on any involved land, and within any continuous period of five years. However: [. . .]

(v) The construction of improvements on a tract of land involving more than 10 acres that is to be used for municipal, county, or State purposes, unless such improvements are transportation projects funded, in whole or in part, by federal aid. In computing the amount of land involved,

land shall be included that is incident to the use such as lawns, parking areas, roadways, leaching fields and accessory buildings.

(vi) The construction of improvements for commercial, industrial or residential use above the elevation of 2,500 feet.

(vii) Exploration for fissionable source materials beyond the reconnaissance phase or the extraction or processing of fissionable source material.

(viii) The drilling of an oil and gas well.

(ix) Any support structure proposed for construction, which is primarily for communication or broadcast purposes and which will extend vertically 20 feet or more above the highest point of an attached existing structure or 50 feet or more above ground level in the case of a proposed new support structure, in order to transmit or receive communication signals for commercial, industrial, municipal, county, or State purposes, independently of the acreage involved. [. . .]

(x) Any withdrawal of more than 340,000 gallons of groundwater per day from any well or spring on a single tract of land or at a place of business, independently of the acreage of the tract of land or place of business, if the withdrawal requires a permit under section 1418 of this title or is by a bottled water facility regulated under chapter 56 of this title.

Location 2: Exemptions from Development

10 V.S.A. § 6001. Definitions

(3)(D): The word "development" does not include:

(i) The construction of improvements for farming, logging, or forestry purposes below the elevation of 2,500 feet.

(ii) The construction of improvements for an electric generation or transmission facility that requires a certificate of public good under 30 V.S.A. § 248, a natural gas facility as defined in 30 V.S.A. § 248(a)(3), or a telecommunications facility issued a certificate of public good under 30 V.S.A. § 248a.

(iii) Repealed.

(iv) The construction of improvements for agricultural fairs that are registered with the Agency of Agriculture, Food and Markets and that are open to the public for 60 days per year or fewer, provided that, if the improvement is a building, the building was constructed prior to January 1, 2011 and is used solely for the purposes of the agricultural fair.

(v) The construction of improvements for the exhibition or showing of equines at events that are open to the public for 60 days per year, or fewer, provided that any improvements constructed do not include one or more buildings.

(vi) The construction of improvements for any one of the actions or abatements authorized in subdivision (I) of this subdivision (vi): [. . .]

(vii) The construction of improvements below the elevation of 2,500 feet for the onsite storage, preparation, and sale of compost, provided that one of the following applies: [. . .]

(viii)(I) The construction of a priority housing project in a municipality with a population of 10,000 or more. [. . .]

(ix) The construction of improvements for transportation projects that are supported, in whole or in part, by federal aid for municipal, county, or State purposes.

Location 3: Preexisting Government Projects

10 V.S.A. § 6081. Permits required, exemptions

[. . .]

d) For purposes of this section, the following construction of improvements to preexisting municipal, county, or State projects shall not be considered to be substantial changes and shall not require a permit as provided under subsection (a) of this section:

(1) municipal, county, or State wastewater treatment facility enhancements that do not expand the capacity of the facility by more than 10 percent, excluding the extension of a wastewater collection system or an expansion of the service-area boundaries of a wastewater treatment facility.

(2) municipal, county, or State water supply enhancements that do not expand the capacity of the facility by more than 10 percent.

(3) public school reconstruction or expansion that does not expand the student capacity of the school by more than 10 percent.

(4) municipal, county, or State building renovations or reconstruction that does not expand the floor space of the building by more than 10 percent.

(5) Repealed by 2009, No. 54, § 54, eff. July 1, 2011.

(6) municipal, county, or State transportation projects that are supported, in whole or in part, by federal aid.

Location 4: Permit Exemptions

10 V.S.A. § 6081. Permits required, exemptions

[. . .]

(y) No permit or permit amendment is required for the construction of improvements for municipal, county or State transportation projects that are supported, in whole or in part, by federal aid.

10. Support On-Farm Accessory Businesses (Jurisdiction):

Draft language exists, AAFM needs to respond to NRB's last round of comments before language can be finalized and shared with Commission.