

NRB preliminary draft:

10 VSA 6085(f): If an application is being processed as a major application pursuant to 10 VSA 6084(b)(1), the hearing shall not be closed until a Commission provides an opportunity to all parties to respond to the last permit or evidence submitted. Notwithstanding any provision to the contrary, if an application is being processed as a minor application pursuant to 10 VSA 6084(b)(2), a Commission may issue a permit pursuant to this chapter subject to the issuance of any presumptive permits relied upon by the applicant pursuant to 10 VSA 6086(d), provided that any such [Act 250] permit shall include a condition or conditions requiring (i) that all presumptive permits shall be obtained prior to commencement of construction of improvements and, (ii) if the issuance of a presumptive permit requires a material change to the proposed development, such material change shall require an amended [Act 250] permit prior to commencement of construction of improvements.