

Administrative Procedures – Proposed Coversheet

Instructions:

In accordance with Title 3 Chapter 25 of the Vermont Statutes Annotated and the “Rule on Rulemaking” adopted by the Office of the Secretary of State, this proposed filing will be considered complete upon the submission and acceptance of the following components:

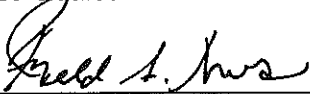
- Proposed Rule Coversheet
- Adopting Page
- Economic Impact Statement
- Public Input Statement
- Scientific Information Statement (if applicable)
- Incorporated by Reference Statement (if applicable)
- Clean text of the rule (Amended text without annotation)
- Annotated text (Clearly marking changes from previous rule)

All forms requiring a signature shall be original signatures of the appropriate adopting authority or authorized person, and all filings are to be submitted at the Office of the Secretary of State, no later than 3:30 pm on the last scheduled day of the work week.

The data provided in text areas of the proposed coversheet form will be used to generate a notice of rulemaking in the newspapers of record. Publication of notices will be charged back to the promulgating agency based on the word count of the notices.

Certification Statement: As the adopting Authority of this rule (see 3 V.S.A. § 801 (b) (11) for a definition), I approve the contents of this filing entitled:

Rule Title: Act 250 Rules



(signature)

, on

1/16/2015

(date)

Printed Name and Title:

Ronald A. Shems, Chair
Natural Resources Board

RECEIVED BY: _____

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- ICAR Approval received by E-mail.

1. TITLE OF RULE FILING:

Act 250 Rules

2. ADOPTING AGENCY:

Natural Resources Board

3. PRIMARY CONTACT PERSON:

(A PERSON WHO IS ABLE TO ANSWER QUESTIONS ABOUT THE CONTENT OF THE RULE).

Name: Melanie Kehne, General Counsel

Agency: Natural Resources Board

Mailing Address: Dewey Building, National Life Drive,
Montpelier, VT 05620-3201

Telephone: 802 828 - 3305 Extension: Fax: -

E-Mail: melanie.kehne@state.vt.us

Web URL *(WHERE THE RULE WILL BE POSTED)*: <http://www.nrb.state.vt.us/>

4. SECONDARY CONTACT PERSON:

(A SPECIFIC PERSON FROM WHOM COPIES OF FILINGS MAY BE REQUESTED OR WHO MAY ANSWER QUESTIONS ABOUT FORMS SUBMITTED FOR FILING IF DIFFERENT FROM THE PRIMARY CONTACT PERSON).

Name: Karen Dupont, Program Technician

Agency: Natural Resources Board

Mailing Address: Dewey Building, National Life Drive,
Montpelier, VT 05620-3201

Telephone: 802 828 - 2870 Extension: Fax: -

E-Mail: karen.dupont@state.vt.us

5. LEGAL AUTHORITY / ENABLING LEGISLATION:

(THE SPECIFIC STATUTORY OR LEGAL CITATION FROM SESSION LAW INDICATING WHO THE ADOPTING ENTITY IS AND THUS WHO THE SIGNATORY SHOULD BE. THIS SHOULD BE A SPECIFIC CITATION NOT A CHAPTER CITATION).

10 V.S.A. Section 6025

6. CONCISE SUMMARY (150 WORDS OR LESS):

These rule revisions combine general updates and revisions with new or revised rules to implement new statutes, such as the new Downtown Findings process at Section 6086b, Board reconsideration process at Section 6007(d), and the new Criterion 9(L). The revisions to Rule 21 are made in compliance with Act 199 of

2013(adj.). The attached memo summarizes the proposed rule revisions in more detail.

7. EXPLANATION OF WHY THE RULE IS NECESSARY:

To implement recent statutory changes, and to update and clarify the Act 250 Rules generally.

8. LIST OF PEOPLE, ENTERPRISES AND GOVERNMENT ENTITIES AFFECTED BY THIS RULE:

Applicants and other participants in the Act 250 process, including neighbors to proposed projects, citizen and environmental groups; developers, builders and consultants; municipalities, Municipal and Regional Planning Commissions; Agency of Natural Resources; Agency of Agriculture, Food and Markets; Agency of Transportation; Agency of Commerce, Department of Housing and Community Development, Division of Historic Preservation; Public Service Department; Department of Buildings and General Services; and the Natural Resources Board.

9. BRIEF SUMMARY OF ECONOMIC IMPACT(150 WORDS OR LESS):

It is anticipated that the overall economic impact of the rules, particularly those implementing the new downtown findings process, NRB reconsideration process, and master plan rule updates will be favorable. These provisions create greater incentives for focusing growth in designated centers and other existing community areas, provide an inexpensive and informal means of getting another decisionmaker to reconsider jurisdictional opinions made by district coordinators, and modernize the master plan and partial findings processes. Currently, owners of grandfathered projects may be required to obtain permits to bring projects into compliance with Act 250 if they make a substantial change. The Rules clarify and simplify this process, but economic impacts are not anticipated to be significant because there are not that many remaining "grandfathered" projects that are still operating or that have not already lost grandfathered status and undergone some permitting.

10. A HEARING IS SCHEDULED .

11. HEARING INFORMATION

(THE FIRST HEARING SHALL BE NO SOONER THAN 30 DAYS FOLLOWING THE POSTING OF NOTICES ONLINE).

IF THIS FORM IS INSUFFICIENT TO LIST THE INFORMATION FOR EACH HEARING PLEASE ATTACH A SEPARATE SHEET TO COMPLETE THE HEARING INFORMATION NEEDED FOR THE NOTICE OF RULEMAKING.

Date: 2/25/2015

Time: 06:30 PM

Location: VIT Studios in Newport, Middlebury, Williston, Randolph Center

Date: 3/10/2015

Time: 09:30 AM

Location: Dewey Conference Room, National Life Drive, Montpelier, VT

Date: 3/18/2015

Time: 06:30 PM

Location: Rutland Free Library

Date:

Time: PM

Location:

- 12. DEADLINE FOR COMMENT (NO EARLIER THAN 7 DAYS FOLLOWING LAST HEARING):

3/31/2015

- 13. KEYWORDS (PLEASE PROVIDE AT LEAST 3 KEYWORDS OR PHRASES TO AID IN THE SEARCHABILITY OF THE RULE NOTICE ONLINE).

Act 250

master plan

reconsideration

strip development

downtown

Run Spell Check