

## Table of Contents

<b>2</b>	Agenda
<b>3</b>	Draft Minutes 2/27/2025
<b>6</b>	Memo
<b>8</b>	Draft Project Review Committee Rules of Process
<b>11</b>	List of Appendices
<b>12</b>	Appendix A: CVRPC's Authority and Responsibilities in Act 250, Section 248, Section 248a, and Municipal Permit Application Review
<b>14</b>	Appendix B: Draft Substantial Regional Impact Guidelines
<b>18</b>	Appendix C: Section 248 and Section 248a Constraints and Siting Preferences Rubrics
<b>22</b>	Appendix D: Project Review Flowcharts
<b>26</b>	PRC Summary March 2025
<b>35</b>	Draft Project Review Committee Rules of Process – Track Changes Version
<b>38</b>	Draft Substantial Regional Impact Guidelines – Track Changes Version



## **Project Review Committee**

**March 27, 2025 at 4:00 pm**

29 Main Street, Suite 4, Montpelier, VT 05602

To join Zoom meeting:

<https://us02web.zoom.us/j/88924334270?pwd=MUFmK0RiYmVHek9HOUUraVNURHY3QT09>

Meeting ID: 889 2433 4270 Passcode: 074400

One tap mobile <sup>1</sup> 1 (929) 436-2866

Download the app at least 5 minutes prior to the meeting start: [www.zoom.com](http://www.zoom.com)

### **AGENDA**

- |                            |                                                                                                                                                        |
|----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>4:00 pm<sup>2</sup></b> | <b>Adjustments to the Agenda<br/>Public Comment</b>                                                                                                    |
| <b>4:05 pm</b>             | <b>Approval of Minutes (Action)</b>                                                                                                                    |
| <b>4:10 pm</b>             | <b>Legislative Update (Discussion)</b>                                                                                                                 |
| <b>4:20 pm</b>             | <b>Review and Possibly Recommend that the Board of<br/>Commissioners Adopt Revised Project Review Committee<br/>Rules of Process (Possible Action)</b> |
| <b>5:00 pm</b>             | <b>Updates on Recent Act 250, Section 248, and Section 248a<br/>Applications (Discussion)</b>                                                          |
| <b>5:30 pm</b>             | <b>Adjourn</b>                                                                                                                                         |

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<sup>1</sup> Dial-in telephone numbers are “Toll” numbers. Fees may be charged to the person calling in dependent on their phone service.

<sup>2</sup> All times are approximate unless otherwise advertised

# CENTRAL VERMONT REGIONAL PLANNING COMMISSION

## Project Review Committee

February 27, 2025 4:00pm

*Remote Participation via Zoom*

### Draft Minutes

#### Project Review Committee Members

X	Lee Cattaneo, Orange Commissioner
	John Brabant, Calais Commissioner
	Bill Arrand, Worcester Commissioner
X	Peter Carbee, Washington Commissioner
X	Robert Wernecke, Berlin Commissioner
X	Alice Peal, Waitsfield Alternate Commissioner

1 Staff: Christian Meyer, Will Pitkin (in person); Sam Lash (remote)  
2 Commissioners: Mitch Osiecki, Middlesex Alternate Commissioner

3

4 L. Cattaneo called the meeting to order at 4:03pm.

5

#### 6 **Public comment**

7 None

8

#### 9 **Adjustments to the Agenda**

10 None

11

#### 12 **Approval of Minutes**

13 R. Wernecke moved to approve the January 30, 2025 meeting's draft minutes, A. Peal seconded, all in  
14 favor, motion carried.

15

#### 16 **Review and Possibly Recommend that Board of Commissioners Adopt Substantial Regional Impact** 17 **Guidelines**

18

19 W. Pitkin clarified that the agenda misstated the possible action – because the definition of Substantial  
20 Regional Impact (“SRI”) is part of the Regional Plan (per VT statute), adopting a new definition would  
21 require an amendment to the Regional Plan, not simply adoption by the Board of Commissioners of a  
22 standalone definition. Discussion ensued and the committee agreed that a better course of action would  
23 be to decide on a definition in tandem with the Regional Plan Committee, then review that definition  
24 with the Board of Commissioners and ultimately adopt it as part of the upcoming adoption of the new  
25 Regional Plan.

26

27 The committee discussed how much detail to include in the SRI definition that becomes part of the  
28 Regional Plan. On one hand, having more detail and specificity in the definition may lend greater weight  
29 to comments that CVRPC provides to permitting authorities on projects that are determined to have a  
30 SRI. On the other hand, amending the Regional Plan is cumbersome and time-consuming, and  
31 committee members wanted more flexibility to change how CVRPC determines SRI.

1  
2 R. Wernecke, who was on the Project Review Committee when it developed an earlier draft of the SRI  
3 guidelines currently under review, stated that the committee’s intention at the time was to leave the  
4 definition (included in the Regional Plan) vague then provide additional specificity in guidelines  
5 (separate internal process document, not included in the Regional Plan). The committee expressed a  
6 preference for the latter approach because it would be easier to amend an internal process document  
7 than the Regional Plan if the committee wants to change the guidelines in the future.

8  
9 Committee members also expressed concern that including specific quantitative thresholds for what  
10 constitutes SRI might impede CVRPC from commenting on projects that are below those numeric  
11 thresholds but important to the Region. Staff noted that the proposed guidelines also include qualitative  
12 descriptions that could encompass projects that fall outside of the numerical thresholds, and that CVRPC  
13 may still choose to participate in review of any projects that do not meet our definition of SRI; the  
14 definition mainly determines which projects CVRPC is required to participate in (per CVRPC’s contract  
15 with the VT Agency of Commerce and Community Development).

16  
17 The committee agreed to pause the discussion until the Regional Plan Committee had an opportunity to  
18 review the proposed SRI definition and provide an opinion on what level of specificity to include in the  
19 Regional Plan.

#### 20 21 **Updates on Recent Section 248 Applications**

22  
23 S. Lash summarized three recent Section 248 applications that required CVRPC’s participation in the  
24 Public Utility Commission (“PUC”) review process: one solar development that required a preferred site  
25 letter of support, one electric transmission line upgrade that is in hearing, and one solar development  
26 that is in hearing. Discussion ensued and the committee agreed that all three projects met the  
27 definition of SRI and were in conformance with the Regional Plan. (For more information about the  
28 applications, please refer to the meeting packet at [https://centralvtplanning.org/wp-](https://centralvtplanning.org/wp-content/uploads/2025/02/25-02-27-PRC-packet.pdf)  
29 [content/uploads/2025/02/25-02-27-PRC-packet.pdf](https://centralvtplanning.org/wp-content/uploads/2025/02/25-02-27-PRC-packet.pdf)).

30  
31 Staff noted that, although there is no harm in determining whether these projects have SRI, the main  
32 purpose of determining whether a project has SRI is to determine whether CVRPC is required to  
33 participate in the permit review process; CVRPC is already required to participate in these three Section  
34 248 projects under review due to one project’s need for a preferred site letter of support to participate  
35 in net-metering and the other two projects going to hearing (requirements per CVRPC’s contract with  
36 the VT Agency of Commerce and Community Development).

37  
38 A. Peal moved to recommend that staff issue a preferred site letter of support for the Town of  
39 Berlin/SunCommon proposed solar rooftop project, L. Cattaneo seconded, all in favor, motion carried.

40  
41 R. Wernecke moved to recommend that staff comment to the PUC that the proposed Waterbury VELCO  
42 transmission line upgrade is in conformance with the Regional Plan, A. Peal seconded, all in favor,  
43 motion carried.

1 R. Wernecke moved to recommend that staff comment to the PUC that the proposed Berlin Williams  
2 Solar project is in conformance with the Regional Plan. P. Carbee seconded, all in favor, motion carried.

3

4 **Updates on Recent Section 248a Applications**

5

6 Staff and committee members who attended the meetings provided updates on recent public meetings  
7 in Marshfield and Washington related to proposed cell tower developments. Because both projects are  
8 still in the Advance Notice phase and have not had petitions filed before the PUC, there were no action  
9 items. R. Wernecke requested that if the Washington cell tower application does have a petition filed,  
10 that staff provide further details on the proposed siting in a mapped groundwater source protection  
11 area in any analysis of the project's conformance with the Regional Plan.

12

13 **Adjournment**

14

15 *R. Wernecke moved to adjourn, P. Carbee seconded, all in favor, motion carried.*

16

17 *Minutes taken by W. Pitkin.*

DRAFT



## MEMO

Date: March 27, 2025  
To: Project Review Committee  
From: Will Pitkin, Planner  
Re: Revised Project Review Committee Rules of Process  
Updates on Recent Act 250, Section 248, and Section 248a Permit Applications

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### Revised Project Review Committee Rules of Process

The Project Review Committee Rules of Process has emerged as the most appropriate place to formalize the committee's process for reviewing Act 250, Section 248, Section 248a, and potentially municipal permit applications, so please find attached the proposed revisions.

The discussion about Substantial Regional Impact ("SRI") last month was really an attempt to clarify our project review process. Statute requires that the Regional Plan define SRI; other than that, SRI's main use is to help us determine which projects to review for conformance with the Regional Plan. As the committee noted last month, it would behoove us to keep the definition vague in the Regional Plan and keep the detailed guidelines that the committee developed in 2018 in a separate document, since amending the Regional Plan is such an undertaking.

As discussed, CVRPC is required by statute and our contract with the VT Agency of Commerce and Community Development to participate in certain state permit application review proceedings, but these requirements are limited and do not include many applications that are actually quite important. CVRPC may choose to participate in any Act 250, Section 248, and Section 248a proceeding, but that is too wide of a net, since most of those applications are unobjectionable.

(Please see Appendix A of the revised Rules of Process for a refresher on which applications CVRPC is required to participate in vs. which ones we may choose to participate in. The revised Rules of Process emphasize that CVRPC may participate in any Act 250, Section 248, or Section 248a permit application, not just the ones we're required to and the ones with Substantial Regional Impact, so we can all rest easy.)

CVRPC needs more consistency in which projects we review and how. Staff need more guidance on which projects to bring before the committee and analyze in depth for conformance with the Regional Plan, plus guidance on how to do so. The SRI definition was not the right place to define our review process, and the Project Review Committee Rules of Procedure are essentially boilerplate committee rules of procedure language – this leaves the Rules of Process as the correct place to define these... rules of process.

One important question to please consider for the Rules of Process: should they include reference to municipal permit applications? CVRPC is not required to participate in any municipal permit applications and municipal permitting authorities are not required to listen to anything we might choose to say. However, it may become more important for CVRPC to assist municipalities with permit review in light of recent Act 250 exemptions and the potential for further exemptions from state permitting on the horizon. For example, 2024's Flood Safety Act – Act 121 – establishes a state floodplain/river corridor permit starting in 2028 and stated that municipalities with sufficient bylaws in place may be exempt from that new state flood permit, which would place the permitting authority on those municipalities and mean that CVRPC might have a more important role in ensuring responsible development.

Another question: is the level of detail right for the proposed Rules of Process? Are the appendices an appropriate way to include in-depth guidance without bogging down the primary document?

Please note that the Rules of Process and Substantial Regional Impact Guidelines have versions with track changes at the end of the packet. The Substantial Regional Impact Guidelines track changes only show changes since the previous version you reviewed, not the original 2018 version; changes between the 2018 version and the previous version you reviewed were minimal.

#### Updates on Recent Act 250, Section 248, and Section 248a Permit Applications

Nothing to see here. No new applications of note, the cell tower advance notices in Washington and Marshfield still have not had official petitions filed yet, and the two Section 248 applications that went to hearing that we discussed last month (the Waterbury VELCO transmission line upgrade and Berlin Williams Solar) both reached memoranda of understanding with the parties that requested the hearings.



## PROJECT REVIEW COMMITTEE

### *RULES OF PROCESS*

March 21, 2025

**PURPOSE:** To provide a uniform and consistent process by which the Project Review Committee (PRC) will review, evaluate, and comment on projects. The PRC serves in an advisory capacity to the CVRPC Board of Commissioners for projects that are seeking a permit through Act 250 (10 V.S.A. Chapter 151) as a state-designated statutory party; projects seeking a permit (Certificate of Public Good) through Section 248 and Section 248a (30 V.S.A. Chapter 5) of Vermont Statute; or projects seeking a municipal permit through the relevant municipal permitting authority. This process will ensure a fair and equitable evaluation of projects that are submitted for review.

**INVOLVEMENT BY THE REGIONAL PLANNING COMMISSION:** The PRC will make a determination on behalf of the full Board of Commissioners regarding conformance or non-conformance with the Regional Plan in permit applications that CVRPC is required to participate in and when a Substantial Regional Impact has been identified, cumulative impacts will result in a Substantial Regional Impact, or may set a precedent within the Region. The conclusions reached will state that they are made on available information. The PRC may also reserve its statutory right to participate in the Act 250/Section 248 hearing process if it must appear to ensure proposed projects are in conformance with the Regional Plan, regardless of whether the proposal has Substantial Regional Impact.

The PRC will become involved in the review of a project on behalf of a member municipality according to the following:

1. Staff will provide limited technical assistance at the request of either the municipal legislative body or the municipal planning commission. Limited technical assistance will consist of providing factual information allowing the requesting body to develop its own independent determinations regarding its participation and position. Limited technical assistance will not consist of involvement in hearings on behalf of a municipality or statements of support of municipal participation or positions.
2. PRC involvement on behalf of a member municipality beyond the scope of limited technical assistance as defined above must be at the request of the municipality's

legislative body, in writing. This involvement will be provided only if the local position is in conformance with the adopted Regional Plan.

**REVIEW PROCESS:** Staff will review all Act 250, Section 248, and Section 248a applications that are submitted and provide a monthly summary to the Project Review Committee. Through this review, staff will evaluate the nature of the project and make an initial determination of whether CVRPC is required to participate in the permit application review and whether the project has Substantial Regional Impact based on the established criteria, application type, and project description. This determination will guide staff in establishing which of the following processes will be used.

**1. Action by Staff**

Determine whether CVRPC is required to participate in the permit application review. If CVRPC is not required to participate, make an initial determination of whether the project has Substantial Regional Impact (per the attached Substantial Regional Impact guidelines and the Regional Plan's definition of Substantial Regional Impact). If CVRPC is required to comment, if a project has an identified Substantial Regional Impact, or if PRC member(s) request further analysis of a project, staff will prepare an analysis of the project's conformance with the Regional Plan and provide it to the PRC prior to committee meetings.

**2. Action by the Project Review Committee**

If CVRPC is required to comment, if a project has an identified Substantial Regional Impact, or if Committee member(s) request further analysis of the project, the PRC will discuss the project and make a determination regarding Substantial Regional Impact. The applicant and Commissioner from the host municipality (if not a PRC member) will be invited to attend and provide information related to the project or answer questions. If the PRC determines that Substantial Regional Impact has been met, they will identify whether the project is in conformance or not in conformance with the Regional Plan. Staff will prepare a letter to the District 5 Environmental Commission, the Public Utility Commission, or the relevant municipal permitting authority outlining the position of the PRC including any follow-up that may be requested.

**3. Action by the Board of Commissioners**

If, after review and discussion by the PRC, the scope and potential impacts are such that the PRC cannot reach a decision, the PRC will request that the project be reviewed by the full Board of Commissioners in order to provide a position including the project's conformance with the Regional Plan. If the Board of Commissioners is unable to provide a determination of a project's conformance with the Regional Plan, the Board of Commissioners can choose to:

- a. Refer the project back to the PRC and request that the PRC continue the discussion in an effort to provide a determination.
- b. Transmit correspondence to the District 5 Environmental Commission or the Public Utility Commission outlining the Board of Commissioners' discussion and indicating that no decision could be reached. In this case, specific reasons shall be included to fully inform and detail the reasons or issues that led to this result.

**ADDITIONAL CONSIDERATIONS:** Appeals of a decision by the District 5 Environmental Commission, the Public Utility Commission, or municipal permitting authority on a project shall be approved by the Executive Committee or the full Board of Commissioners.

If, in its review, the PRC determines that a conflict exists between the provisions of municipal plans and the Regional Plan, the Commission will work with municipal officials to alleviate or minimize the conflict.

**ADOPTION OF ORGANIZATIONAL PROCESS:** The PRC may, at any time, vote to amend these rules of process, in accordance with quorum requirements noted in the Project Review Committee Rules of Procedure. Proposed amendments will be forwarded to PRC members before consideration at a regular PRC meeting. Amendments will then be forwarded to the Board of Commissioners for ratification.

Adopted by the Project Review Committee: 03/27/2025

Lee Cattaneo, Chair  
CVRPC Project Review Committee

Adopted by the Board of Commissioners: 04/08/2025

Jerry D'Amico, Chair  
CVRPC Board of Commissioners

## Appendices

Appendix A: CVRPC's Authority and Responsibilities in Act 250, Section 248, Section 248a, and Municipal Permit Application Review

Appendix B: Substantial Regional Impact Guidelines

Appendix C: Section 248 and Section 248a Constraints and Siting Preferences Rubrics

Appendix D: Project Review Flowcharts

## Appendix A

### *CVRPC's Authority and Responsibilities in Act 250, Section 248, Section 248a, and Municipal Permit Application Review*

CVRPC may participate in state permit application review by commenting on proposed developments' conformance with the Regional Plan. The following is a summary of which permit application reviews CVRPC is required to participate in, which ones it may opt to participate in, and what authority it has.

#### Required Participation

##### Act 250 – All Major Applications

For Act 250, the minimum requirements are simple: CVRPC must review all “major” Act 250 applications in the region for conformance with the regional plan and comment on those applications to the District Environmental Commission of the Land Use Review Board. This requirement is from CVRPC's annual contract and work plan with the VT Agency of Commerce and Community Development (“ACCD”), CVRPC's primary source of funding.

The District Environmental Commission determines whether each Act 250 permit application is major or minor. Major applications are required to have a hearing before the District Environmental Commission, and CVRPC is a party by right to those hearings. Minor applications are not required to have a hearing.

##### Section 248 and Section 248a – All Applications with Hearings

For Section 248 and Section 248a, the minimum requirements are also simple: CVRPC must comment on all applications with hearings and respond to all requests for preferred site letters of support in Section 248 permit applications. These requirements are also from CVRPC's annual contract and work plan with ACCD.

#### *Note: Meeting vs. Hearing*

Note the distinction between “meeting” and “hearing” in Section 248 and Section 248a permit applications. A meeting is less formal and usually takes place during the advance notice period, whereas a hearing needs to be requested after the formal petition has been filed and typically occurs before the Public Utility Commission (“PUC”), though CVRPC itself can also hold public hearings on Section 248 applications. Note that CVRPC cannot hold public hearings in Section 248a permit applications.

## Optional Participation

CVRPC has the option to comment on any Act 250, Section 248, or Section 248a application in the region. There have been several past efforts to define which applications CVRPC should review for conformance with the regional plan and potentially comment on (beyond those that CVRPC is required to review, as detailed above).

### Act 250

CVRPC may request a hearing before the District Environmental Commission and/or submit comments on any Act 250 minor application in the region but is not required to.

### Section 248

Section 248 states that CVRPC may comment on an application's conformance with the Regional Plan through a letter to the PUC or in PUC hearings as a party by right, hold its own hearings (which the applicant and the Department of Public Service must attend if CVRPC requests), request that the Department of Public Service retain experts to review an application, make recommendations to the applicant within 40 days of the applicant filing the Advance Notice.

### Section 248a

Section 248a gives less authority to regional planning commissions – just to submit comments on an application's conformance with the regional plan by letter to the PUC.

## Municipal Permits

Statute does not define CVRPC's role in municipal permit application review or how municipal permitting authorities consider any comments that CVRPC chooses to provide. However, as the state shifts a greater share of permitting authority to municipalities through Act 250 permit exemptions, CVRPC may choose to comment on permit applications at the municipal level.

*Note: Substantial Regional Impact Definition and Importance for Project Review*

CVRPC is required by [statute](#) to define substantial regional impact in the Regional Plan, and the term is important specifically for project review because CVRPC has used substantial regional impact as a filter to determine which projects it should review.

## Appendix B

### Substantial Regional Impact Guidelines

## **PROJECT REVIEW COMMITTEE** *SUBSTANTIAL REGIONAL IMPACT GUIDELINES*

March 21, 2025

**DRAFT**

**PURPOSE:** To provide uniform and consistent guidelines for evaluating land development projects to determine if they are regionally significant.

**PROCESS:** The Project Review Committee will use these criteria to evaluate the regional impacts a land development project may have. Projects that meet or exceed these thresholds will be evaluated for conformance with the Central Vermont Regional Plan. The Project Review Committee will review the proposal against the specific criteria to determine if comments regarding conformance with the Regional Plan will be provided. Comments will be sent to the District 5 Environmental Commission, the Vermont Public Utility Commission, or municipal permitting authority, as appropriate. CVRPC reserves the right to participate in permit application review for projects that do not meet or exceed these thresholds.

**GENERAL GUIDELINES:** The following general criteria will apply to all applications that are submitted to the Central Vermont Regional Planning Commission for review. If a project meets any of these criteria it will be reviewed for conformance with the Central Vermont Regional Plan.

1. The project is located in more than one municipality or is located on property that is near a municipal boundary.
2. The project will impact a natural, historic, cultural, or significant resource that is described or identified in the Central Vermont Regional Plan. Examples include but are not limited to: wetlands, floodplains/Special Flood Hazard Areas, river corridors, or named waterbodies; critical resource areas as identified in the Central Vermont Regional Plan<sup>1</sup>, or similar regionally significant resources including priorities identified within the Vermont Conservation Design.
3. The project may require ongoing participation by the Regional Planning Commission for a period of at least one calendar year.
4. The project proposes development that is inconsistent with the regional future land use map regarding the location or character of development type, density, or intensity.

5. The project includes the extension, expansion, or widening of a federal or state designated roadway.
6. The project proposes a use that will increase the peak hour vehicle trips by 50 or more as estimated by the current edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual.

**USE SPECIFIC GUIDELINES:** The following guidelines will apply to all applications that are submitted to the Central Vermont Regional Planning Commission for review. The population of the municipality where the project is located will determine which guidelines will be used to evaluate each project.

<b>GUIDELINES FOR DETERMINING SUBSTANTIAL REGIONAL IMPACT FOR NEW PROJECTS OR EXPANSIONS OF EXISTING USES</b>		
<b>TYPE OF DEVELOPMENT</b>	<b>MUNICIPALITIES WITH A POPULATION GREATER THAN 2,500<sup>2</sup></b>	<b>MUNICIPALITIES WITH A POPULATION LESS THAN 2,500<sup>2</sup></b>
<b>Office</b>	Greater than 30,000 gross square feet	Greater than 20,000 gross square feet
<b>Commercial/Retail</b>	Greater than 25,000 gross square feet	Greater than 15,000 gross square feet
<b>Wholesale &amp; Distribution</b>	Greater than 50,000 gross square feet	Greater than 30,000 gross square feet
<b>Hospitals &amp; Health Care Facilities</b>	Greater than 25 beds or 20,000 gross square feet	Greater than 10 beds or 10,000 gross square feet
<b>Housing</b>	Greater than 30 new lots or units	Greater than 20 new lots or units
<b>Industrial</b>	Greater than 50,000 gross square feet	Greater than 30,000 gross square feet
<b>Hotels</b>	Greater than 200 rooms	Greater than 75 rooms
<b>Mixed Use</b>	Gross square feet greater than 45,000 (with residential calculated at 1,500 square feet per unit) or if any of the individual uses meets or exceeds a threshold defined herein	Gross square feet greater than 30,000 (with residential calculated at 1,500 square feet per unit) or if any of the individual uses meets or exceeds a threshold defined herein
<b>Airports</b>	All new airports, runways, and runway extensions	
<b>Attractions &amp; Recreation Facilities</b>	Greater than 200 parking spaces or a seating capacity of more than 1,000	Greater than 75 parking spaces or a seating capacity of more than 500
<b>Schools &amp; Institutions (including post-secondary facilities)</b>	A capacity of more than 300 students or 30,000 gross square feet	A capacity of more than 150 students or 15,000 gross square feet
<b>Waste Handling Facilities</b>	New facility or expansion of capacity for an existing facility	
<b>Quarries, Asphalt, &amp; Cement Plants</b>	New facility or expansion of capacity for an existing facility	
<b>Wastewater Treatment Facilities</b>	New conventional treatment facility or expansion of the permitted	New conventional treatment facility or expansion of the permitted

	capacity for an existing facility or community septic treatment facilities exceeding 25,000 gallons per day or serving a development project that meets or exceeds an applicable threshold as identified herein	capacity for an existing facility or community septic treatment facilities exceeding 10,000 gallons per day or serving a development project that meets or exceeds an applicable threshold as identified herein
<b>Electric Generation, Storage, and Transmission Facilities</b>	Renewable Energy Generation above 150kW, energy storage with a footprint of more than 2 acres, distribution or transmission infrastructure that exceeds existing ROW. Projects to address hazard mitigation concerns that meet these criteria will be reviewed but expedited.	
<b>Communication Facilities</b>	New project or expansion of an existing project of limited size and scope and larger that requires approval by the Public Utility Commission	
<b>Public Drinking Water Supplies</b>	New facility or expansion of permitted capacity for an existing facility	
<b>Intermodal Freight Terminals</b>	New facility or expansion of an existing facility	
<b>Intermodal Passenger Terminals</b>	New facility or expansion of an existing facility	

**ADDITIONAL CONSIDERATIONS:** In addition to the criteria listed above, the following situations will be considered when evaluating a project against the thresholds for substantial regional impact.

1. Speculative Developments – If the final development type is difficult to determine or unknown because a project tenant has not been identified, the thresholds for the highest intensity development type allowed under current land use regulations will be used. If local regulations do not exist, staff will consult with the municipality and the applicant to determine the possible development type.
  
2. Multi-Phased Developments – If a project is proposed in multiple phases, the cumulative total of the project will be reviewed against the thresholds for substantial regional impact. If the total project meets or exceeds any of the identified thresholds, the entire project will be reviewed for substantial regional impact regardless of the timing of phases. If, over the course of the project, the phasing or type of development changes, projects that have previously been reviewed for substantial regional impact will be reviewed again to determine if additional thresholds have been met.
  
3. Multiple Land Parcels – If parts of the project are located on separate land parcels, the decision whether the project is a single (perhaps multi-phased) development, or actually separate projects should be based on such considerations as whether the separate parcels are owned by the same entity, whether a master plan has been prepared for the overall project, or whether any approvals have been sought for the overall project as a unit.

**DEFINITIONS:** The following definitions will be used to further identify or describe the types of development that qualify for the thresholds listed in the table above.

1. Attractions & Recreational Facilities means an establishment or set of establishments that provide leisure time recreational or entertainment activities occurring in either an indoor or outdoor setting.
2. Communication, Utility, and Transmission Facilities means any project that involves the transmission, storage, production, or distribution of fuels or electricity; or any expansion or creation of telecommunication facilities.
3. Intermodal Freight Terminals means an area and building where the mode of transportation for cargo or freight changes and where the cargo and freight may be broken down or aggregated in smaller or larger loads for transfer to other land-based vehicles. Such terminals do not include airports or facilities primarily intended for the transfer of people from passenger rail to other modes.
4. Intermodal Passenger Terminals means an area and building where people change transportation vehicles in order to complete a trip. This could include but is not limited to, rail, bus, passenger car, or taxi service.
5. Waste Handling Facility means structures or systems designed for the collection, processing or disposal of solid waste, including hazardous wastes, universal waste, household waste, and includes transfer stations, processing plants, recycling plants, composting facilities, and disposal systems.
6. Wholesale and Distribution means activities within land areas that are predominantly associated with the receipt, storage, and distribution of goods, products, cargo and materials.

Appendix C

Section 248 and Section 248a Constraints and Siting Preferences Rubrics

**Section 248 Rubric**

<i><b>CONSTRAINTS</b></i>	<i><b>Y/N</b></i>	<i><b>NOTES</b></i>
<b>KNOWN STATE CONSTRAINTS</b>		
Confirmed Vernal Pools		
DEC River Corridors		
FEMA Floodways		
Significant Natural Communities & Rare, Threatened, and Endangered Species		
National Wilderness Areas		
Class 1 and 2 Wetlands		
<i>Locally or Regionally Identified Critical Resources</i>		
<b>POSSIBLE STATE CONSTRAINTS</b>		
Potential and Probable Vernal Pools		
(Prime) Agricultural Soils		
FEMA Special Flood Hazard Areas		
Protected Lands (State Fee Lands and Private Conservation Lands)		
Act 250 Agricultural Soil Mitigation Areas		
Deer Wintering Areas		
Highest Priority Interior Forest Blocks, Connectivity Blocks, Physical Landscape Blocks, Surface & Riparian Areas (ANR)		
Hydric Soils		
<i>Regionally or Locally Identified Resources</i>		
<b>POSSIBLE REGIONAL CONSTRAINTS</b>		
Elevations above 2500ft		
Slopes >25% (Excludes Rooftop and Associated with Existing Development - Unless Project Presents New Concerns for Landslides)		
Municipal-owned Lands (Excludes Rooftop and Associated with Existing Development)		
250ft Lake Shore Protection Buffers (Excludes Rooftop And Hydroelectric Facilities)		
<b>LOCAL CONSTRAINTS</b>		
<i>Inserted for each relevant town</i>		

<b>TOTAL POSSIBLE CONSTRAINTS</b>		
<b>PREFERRED SITE TYPES</b>	<b>Y/N</b>	<b>NOTES</b>
<b>STATE PREFERRED SITES (Types)</b>		
Rooftops or Impervious Surfaces (e.g. Parking Lots)		
Gravel Pit, Quarry, or Similar Mineral Resource Extraction Site (Lawful and Reclaimed)		
Brownfield Sites		
Sanitary Landfills		
National Priorities List (e.g. Superfund Sites)		
On the Same Parcel or Directly Adjacent to Customer Allocated More Than 50% Of the Net-metering System's Electrical Output (Section 248 Net-metering Only)		
<i>Identified in Municipal Plan or Joint Letter of Support from Municipality and RPC</i>		
<b>REGIONAL SITING PREFERENCES</b>		
Proximity To Use: Density Centers Including VT Community Investment Program-designated Areas; Commercial and Industrial Areas; Adjacent to Large Farms		
Schools, Libraries, Municipal Buildings and Facilities, and Critical Community Spaces		
Solar Carports		
Location Served by Existing Roads and Energy Infrastructure (e.g. 3-phase Power) OR Addresses Existing Infrastructure Gap		
<i>Designated a Preferred Site in a Town Plan or by Town Leadership (as Consistent with Broader Planning)</i>		
<b>ADDITIONAL PREFERRED REGIONAL PROJECT CHARACTERISTICS</b>		
Minimize Vegetation Impact Especially Forest Clearing and Fragmentation; Plant Screen Trees and Pollinator Habitats		
Combined with Storage; Micro-grid Potential or Functions		
Creates Dual Land Use Opportunities (e.g. Agrivoltaics)		
Includes Design/Build Techniques That Reduce Embedded Carbon of Project (e.g. Alternatives to Concrete Pylons)		
Engage community in development process (early)		
Local Off-taker and/or Community Benefit Agreement		
<b>LOCAL PREFERRED SITES</b>		

<i>Inserted for Each Relevant Town</i>		
<b>TOTAL</b>		

**Section 248a Rubric**

<b>CONSTRAINTS</b>	<b>Y/N</b>	<b>NOTES</b>
<b>KNOWN STATE CONSTRAINTS</b>		
Confirmed Vernal Pools		
DEC River Corridors		
FEMA Floodways		
Significant Natural Communities & Rare, Threatened, and Endangered Species		
National Wilderness Areas		
Class 1 and 2 Wetlands		
<i>Locally or Regionally Identified Critical Resources</i>		
<b>POSSIBLE STATE CONSTRAINTS</b>		
Potential and Probable Vernal Pools		
(Prime) Agricultural Soils		
FEMA Special Flood Hazard Areas		
Protected Lands (State Fee Lands and Private Conservation Lands)		
Act 250 Agricultural Soil Mitigation Areas		
Deer Wintering Areas		
Highest Priority Interior Forest Blocks, Connectivity Blocks, Physical Landscape Blocks, Surface & Riparian Areas (ANR)		
Hydric Soils		
<i>Regionally or Locally Identified Resources</i>		
<b>POSSIBLE REGIONAL CONSTRAINTS</b>		
Elevations above 2500ft		
Slopes >25% (Excludes Rooftop and Associated with Existing Development - Unless Project Presents New Concerns for Landslides)		
Municipal-owned Lands (Excludes Rooftop and Associated with Existing Development)		
<b>LOCAL CONSTRAINTS</b>		
<i>Inserted for each relevant town</i>		
<b>TOTAL POSSIBLE CONSTRAINTS</b>		
<b>PREFERRED SITE TYPES</b>	<b>Y/N</b>	<b>NOTES</b>
<b>STATE PREFERRED SITES (Types)</b>		
Rooftops or Impervious Surfaces (e.g. Parking Lots)		

Gravel Pit, Quarry, or Similar Mineral Resource Extraction Site (Lawful and Reclaimed)		
Brownfield Sites		
Sanitary Landfills		
National Priorities List (e.g. Superfund Sites)		
<i>Identified in Municipal Plan or Joint Letter of Support from Municipality and RPC</i>		
<b>REGIONAL SITING PREFERENCES</b>		
Location Served by Existing Roads and Energy Infrastructure (e.g. 3-phase Power) OR Addresses Existing Infrastructure Gap		
Co-located with Existing Infrastructure		
<i>Designated a Preferred Site in a Town Plan or by Town Leadership (as Consistent with Broader Planning)</i>		
<b>ADDITIONAL PREFERRED REGIONAL PROJECT CHARACTERISTICS</b>		
Minimize Vegetation Impact Especially Forest Clearing and Fragmentation; Plant Screen Trees and Pollinator Habitats		
Includes Design/Build Techniques That Reduce Embedded Carbon of Project (e.g. Alternatives to Concrete Pylons)		
Engage Community in Development Process (Early)		
<b>LOCAL PREFERRED SITES</b>		
<i>Inserted for Each Relevant Town</i>		
<b>TOTAL</b>		

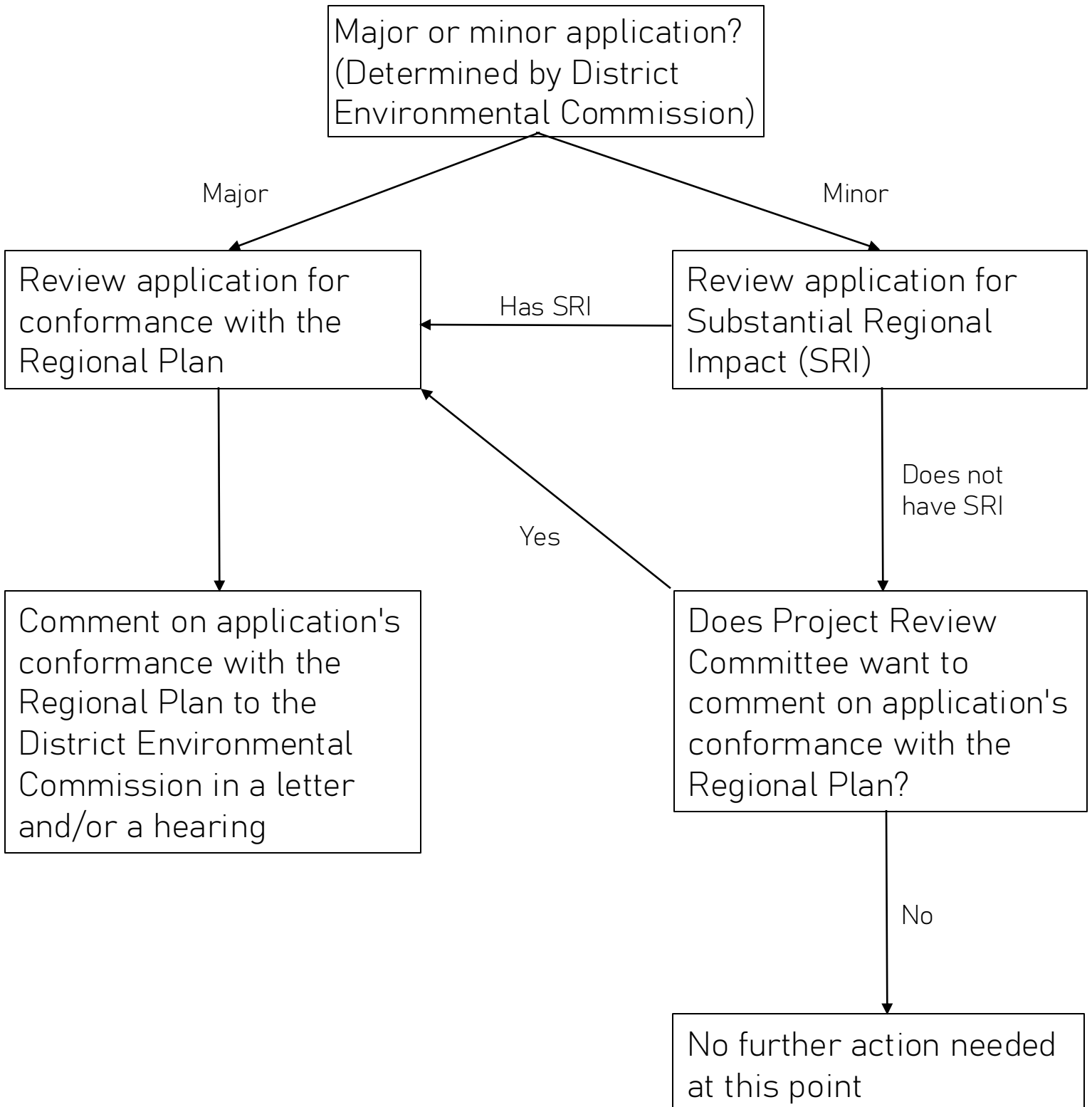


# CVRPC Project Review Committee

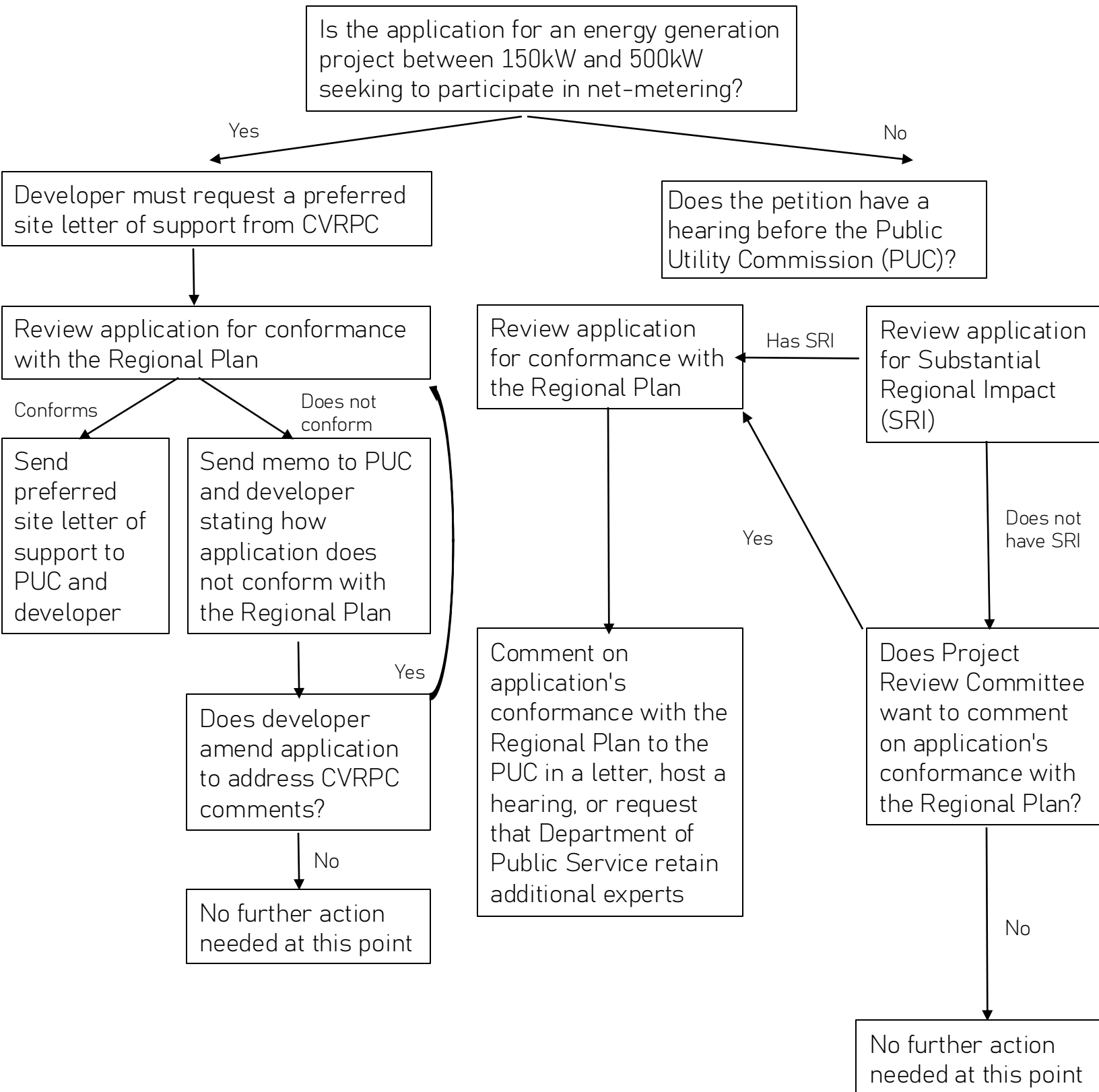
## Project Review Flowcharts

- Act 250
- Section 248
- Section 248a

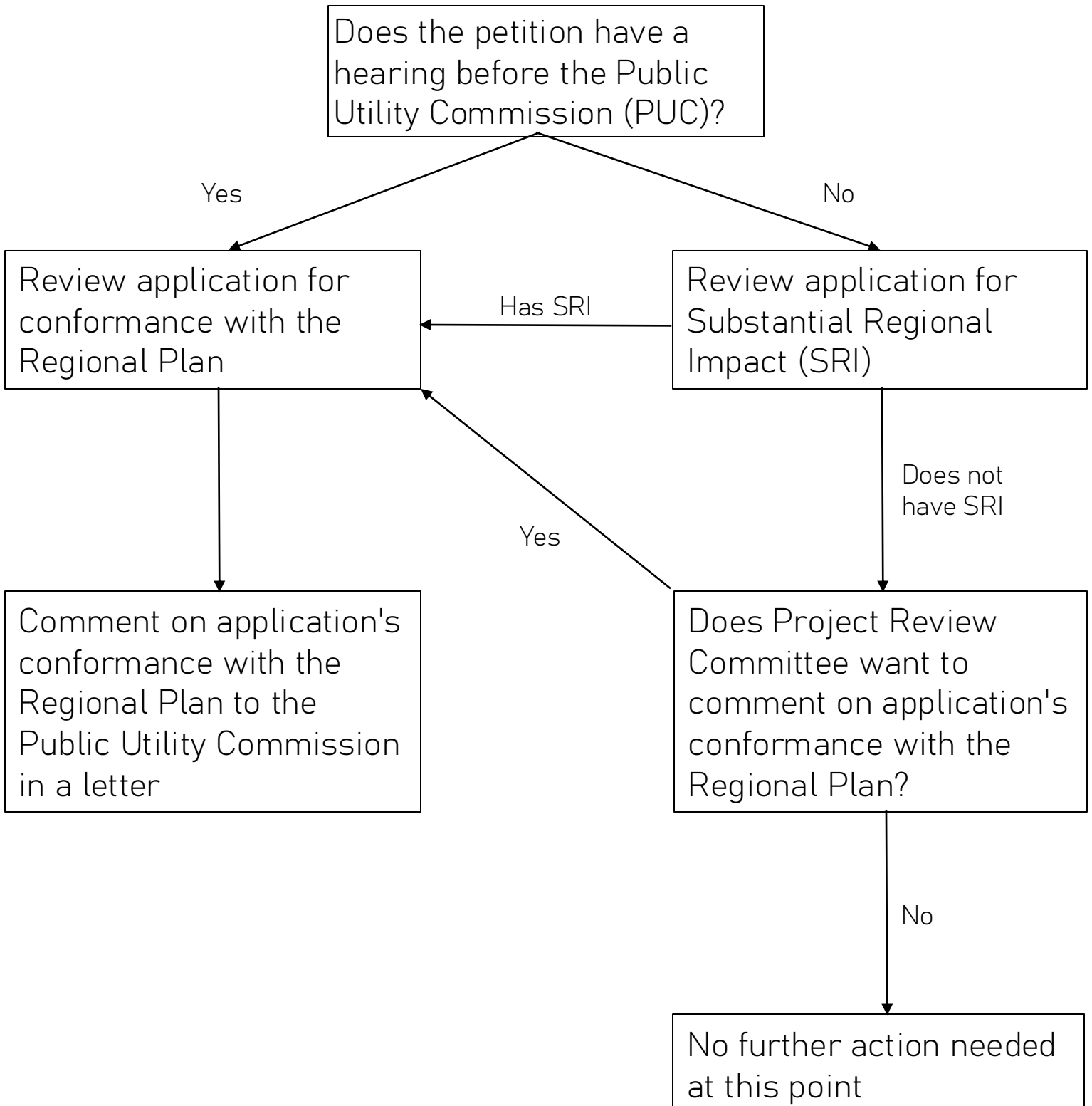
# Act 250



# Section 248



# Section 248a





## Central Vermont Regional Planning Commission

### PROJECT REVIEW COMMITTEE

#### SUMMARY SHEET

February 22, 2025 – March 21, 2025

The following is a list of projects received by staff since the last Project Review Committee meeting. Staff will provide a general overview of the projects if necessary to determine if additional discussion is warranted at a future meeting.

APPLICATION	APPLICANT	MUNICIPALITY	PROJECT SUMMARY	
<b>Act 250 - New</b>				
1	<a href="#">5W0162-7</a>	Christopher Joyce	Fayston	<p>This project involves the proposed construction of a single family house, a detached accessory dwelling unit, and associated sitework, including new driveway, wastewater system, and water well. The subject parcel is 64.5 acres in size, and is currently undeveloped.</p> <p><b>2/25/2025: application received. 3/10/2025: application incomplete.</b></p>
2	<a href="#">500032-14</a>	(Dion Equipment Sales Inc)	East Montpelier	<p>Seeking change of use to original permit- In addition to selling materials as current permit allows, (coal, landscape stone, stoves, etc)- Any remaining or ongoing coal will be handled in bins same as previous. Use change- Will be adding buy/sell/trade/rent of various types of equipment. Generally, construction, farm, landscape, and forestry as well as trailers and utility vehicles. Building will continue to be used to maintain, repair, and recondition equipment as it was in the past. Scale house (shed) to be used to hold tools/yard maintenance equipment as scale mechanicals are now digital. No additional buildings are planned. Some maintenance of yard will take place (brush and some trees to be cleared as shown) Also looking to extend hours of retail sales operation to 6pm weekdays instead of the current 5pm timing, and 2pm on Saturdays instead of noon. This would be the new and only location for Dion Equipment Sales.</p> <p><b>1/30/2025: application received (CVRPC not notified). 2/27/2025: declared minor and draft Act 250 permit amendment issued. Comment period until 3/19/2025. 3/21/2025: Act 250 permit amendment issued.</b></p>
3	<a href="#">5W1414-B</a>	Jason Zipprich	Waterbury	<p>The project involves shifting the well and house site as approved in the attached wastewater permit. All other aspects of the project will remain the same as originally permitted.</p>

APPLICATION		APPLICANT	MUNICIPALITY	PROJECT SUMMARY
				<b>3/5/2025: application received.</b>
4	<a href="#">JO 5-162</a>	(Downstreet Housing & Community Development)	Williamstown	Replacement of existing leachfield for two residences in the Limehurst Mobile Home Park located at 4104 VT Rout4e 14 in Williamstown, VT with new STEP tanks and a shared Presby mound. In addition, the existing stormwater management system will be upgraded, which involves construction of roadside ditching, installation of closed drainage and culverts, installation of a driveway and repaving of the existing road surface. Minimal tree clearing is also involved. <b>3/11/2025: application received. 3/13/2025: Act 250 permit not required.</b>
<b>Act 250 - Ongoing</b>				
1	<a href="#">500023-24</a> Major	Vermont Agency of Transportation	Berlin	Six hangars (3 - 120' x 120'; 1 - 60' x 80'; 2 60' x 60') are proposed at 3 separate sites on the property at 1979 Airport Road. Partial Findings of Fact, Conclusions of Law and Order Issued 11/9/23. <b>Current status: findings; applicant will need to apply for an administrative amendment before beginning any construction.</b>
2	<a href="#">5W0914-2</a> Major	Green Mountain Dog Camp	Roxbury	Dog training facility and doggie daycare located in Roxbury at 2545 Winch Hill Road. Schedule G 7/29/22, Incomplete Letter 8/24/22, additional documentation 9/26/22, party status petition 10/6/2022, incomplete application letter 11/3/22, additional documentation requested 12/12/22, additional information submitted 12/19/22 and 1/3/23. Project deemed complete 1/28/23. Hearing 6/28/23, post hearing motions 7/5/23, additional documentation provided 7/7/23. Hearing Recess Order issued 7/26/23 – deadline extended to 9/15/23. Findings of Fact and Conclusions of Law Submitted 12/28/23 – Application Dismissed. Neighbors Casimir Vaicaitis and Jean Henry submitted motion to alter party status 1/10/2024. Applicant submitted appeal to NRB 1/23/2024. On 1/23/2024, NRB informed applicant that the deadline to file a Motion to Alter before the NRB (1/12/2024) had already passed. On 1/24/2024, applicant filed an appeal before the Environmental Division of the Vermont Superior Court. Appeal is ongoing, motion for summary judgment filed by applicant/appellant 6/23/2024. <b>10/2/2024: case disposed. 10/29/2024: notice of appeal to Vermont Supreme Court.</b> <b>Current status: ongoing.</b>
3	<a href="#">5R0891-23</a>	Laurence Hebert	Williamstown	Creation of 41 new lots and reconfiguration of two existing house lots. The two existing lots are connected to Williamstown municipal water and wastewater system. 4 of the new lots will be connected to the

APPLICATION		APPLICANT	MUNICIPALITY	PROJECT SUMMARY
				Williamstown municipal water and wastewater systems. Schedule G 6/28/2022, Incomplete Letter 8/1/2022. <b>Current status: incomplete.</b>
4	<a href="#">5W0431-6A</a>	Kamdon Thompson (State of Vermont Buildings and General Services)	Waterbury	Subdivision of 2.28-acre parcel. There are no buildings or structures on the subdivided parcel. There is a parking lot with access to Park Row. The parcel to be subdivided is the former site of Stanley Hall and Wasson Hall which were demolished. The subdivided parcel is to be conveyed to the Town of Waterbury. There is no proposed development for the parcel at this time. 2/13/2024: application incomplete. <b>Current status: incomplete.</b>
5	<a href="#">5W0134-2</a>	Stephen Gavosto (MRV Holdings LLC)	Waitsfield	The project will consist of constructing 2 self storage buildings on an existing 3.5+/- acre parcel. The parcel already has one 12,000sqft commercial building on it. One self storage structure will be approximately 3000sqft and the other will be 6800 sqft. The total footprint will be less than a 1/4 acre. The buildings will be standard mini storage constructed of steel—(or timber framed depending upon material costs at the time of construction; this was submitted with the Town Application) The buildings will be built along an existing road already on the property. There will be no utilities ran to the buildings. 3/25/2024: application received. Additional information/clarification requested 4/9/2024. Minor notice and draft Act 250 permit issued 5/9/2024. Comment period until 6/4/2024. 6/6/2024: comment period extended until 6/25/2024. 6/25/2024: ANR requested additional information from applicants regarding wetlands. <b>Current status: pending (awaiting information).</b>
6	<a href="#">5R0891-24</a>	Pierre Gilbert (Industry Street Properties, LLC) / Adam Stone (Adam Stone Trucking, LLC)	Williamstown	The Town of Williamstown applied for federal funding for the dredging removal of 900' of accumulated sediment from within three sections of the stream that feeds the Stevens Branch. One 400' section runs adjacent to Lot 6 (Stone Lot) and the other 400' section runs adjacent to Lot 7 (Gilbert Lot). The project also involves sediment removal from within an additional 100' of the stream located at the intersection where the stream T's into the stream bordering Lot 7. The project is located in the Williamstown Industrial Park on Industry Street. The sediment was deposited as a result of the flooding events during July and December of 2023. The sediment removed would be piled up within the 25' riparian buffer to drain for 24 hours before being hauled off-site. Once the sediment is removed from the riparian buffer, new vegetation will be planted. Stone may also plant trees in the impacted area on his

APPLICATION		APPLICANT	MUNICIPALITY	PROJECT SUMMARY
				parcel. 7/29/2024: application received. 8/7/2024: application incomplete. <b>Current status: pending (in review).</b>
7	<a href="#">5W1489-1</a>	Lisa Estler (Harwood Union Middle and High School)	Duxbury	Construction of subsurface infiltration chambers with a proprietary pre-treatment Isolator Row for stormwater management and an irrigation storage tank beneath the southern parking lot. The infiltration chamber system will convey treated outflow to a proposed stone channel with sand filtration that discharges to Lozelle Brook. Project involves 1.62 acres of disturbance. 8/6/2024: application received. 8/8/2024: application incomplete. 8/15/2024: declared minor and proposed Act 250 permit issued. Comment period until 9/4/2024. 9/4/2024: ANR requested extension of comment period; extension granted. 9/6/2024: ANR submitted comments. <b>3/18/2025: Act 250 permit amendment issued.</b>
8	<a href="#">5W0564-5</a>	Lisa Perreault (Barre Town Elementary and Middle School)	Barre Town	Construction of a bioretention system with a forebay and grass swale for stormwater management. Treated outflow flows north, under Websterville Road, to a Class II wetland. The project involves approximately 37,000 square feet of earth disturbance, including disturbance in or near the Class II wetland. Project plans show customary erosion prevention and sediment control measures, including silt fence, inlet protection, and a stabilized construction entrance. One row of apple trees and all but two trees in a row of evergreens would be removed for the project. 8/13/2024: application received. 8/20/2024: application incomplete. 10/29/2024: draft Act 250 permit issued. Comment period until 11/18/2024. <b>11/18/2024: ANR commented that project will require ANR Stormwater Permit.</b> <b>Current status: pending (awaiting information).</b>
9	<a href="#">5W0721-18</a>	(Lawson's Finest Liquids, LLC)	Waitsfield	Construction of a Dog Park with supporting fence and an elevated 25' x 30' hub platform on helical piers. Excavation of the upper soil profile of the existing lawn area to provide clearance for the supporting structural members. 9/30/2024: application received. 10/10/2024: application incomplete. 11/4/2024: additional information requested then provided. 12/5/2024: declared minor and draft Act 250 permit amendment issued (pending receipt of ANR wetland permit). Comment period until 12/31/2024. <b>Current status: pending (comment period).</b>
10	<a href="#">5W1625</a>	Denise Lavallee (Milestone)	Barre Town	Design a trail system with 6-8 on existing lanes with mobile kiosks that provides a Nature Center that offers sensory experiences for people with Neurodiverse

APPLICATION		APPLICANT	MUNICIPALITY	PROJECT SUMMARY
		Nature Center, LLC)		conditions. The lanes will be wheelchair accessible. Temporary/seasonal accommodations for restrooms will be utilized until potentially feasible permanent structures can be designed and built according to ADA compliance. 10/4/2024: application received. 10/10/2024: application incomplete. <b>2/25/2025: additional materials submitted. 3/19/2025: draft Act 250 permit issued. Comment period until 4/7/2025.</b>
11	<a href="#">5W0944-1</a>	Airport Rd LLC	Williamstown	Building self-storage units on property. <b>11/13/2024: application received. 11/26/2024: application incomplete.</b> <b>Current status: pending (major/minor determination).</b>
12	<a href="#">5W1626</a>	Nick Gagne (Weston's Mobile Home Cooperative, Inc)	Berlin	Constructing and installing a total of 6 dry swales along Second, Third, and Weston Street. A subsurface infiltration chamber will also be installed on the east side of the property between Second and Third Street. 12/13/2024: application received. 12/18/2024: application incomplete. <b>Current status: incomplete.</b>
13	<a href="#">5W1267-6</a>	(Gristmill Properties, LLC)	Waterbury	To amend permit #5W1267-5B for construction of Building #3 on the existing previously approved site at 5430 Waterbury Stowe Road in Waterbury Center. The existing access drive and existing parking area will be utilized. A new connection to the existing septic system is approved for sewage disposal and a new drilled well is proposed for water supply. The building is proposed with 2, 1-bedroom apartments and space for 5 employees. WW permit, Stormwater discharge permit 9050, and Construction General Permit 9020 issued for Building #3 are included with this application. Please note that previously approved Building #2 complex has not been constructed (permit expired) and is shown on plans for reference only. 1/7/2025: application received. 2/13/2025: declared minor and draft Act 250 permit amendment issued. Comment period until 3/5/2025. <b>3/5/2025: Waterbury Conservation Commission requested hearing due to concerns over potential impacts on wetlands and wildlife. 3/14/2025: applicant stated intent to propose a revised site plan to potentially alleviate the Waterbury Conservation Commission's concerns and will communicate with the commission separately in order to potentially avoid a hearing.</b> <b>Current status: comment period.</b>
14	<a href="#">5W1045-49</a>	John Hammond (Sugarbush Mountain Resort Inc.)	Fayston	Sugarbush Resort seeks to replace the existing Tommy's Toy surface tow lift with a new covered surface carpet conveyor lift. The original lift was installed in 1988 and was rebuilt in 1995. The project is located at Sugarbush

APPLICATION		APPLICANT	MUNICIPALITY	PROJECT SUMMARY
				<p>Mt. Ellen in Fayston, VT near the Mt. Ellen Lodge, the Green Mountain Express lift base terminal, and the Sunny Q lift base terminal. The project will provide an industry standard lift and a gently graded slope suitable for learning which is currently lacking at the Mt. Ellen base area. The replacement lift will be adjacent to the existing lift serving a similar amount of terrain. 1.07 acres of terrain will be regraded on the Easy Does It trail for the beginner learning area. Existing snowmaking pipe will also be relocated to accommodate the new lift alignment. Implementation is planned for the Spring and Summer 2025 construction season.</p> <p>1/24/2025: application received. 2/5/2025: application incomplete. 2/11/2025 and 2/17/2025: additional materials submitted. <b>3/12/2025: additional materials submitted. 3/20/2025: draft Act 250 permit issued. Comment period until 4/9/2025.</b></p>
15	<a href="#">5W1101-6</a>	(College Street Holdings, LLC) / (31-45 College Street Condo Association)	Montpelier	<p>The project consists of the interior renovation of Bishop Hatch Hall on the basement and first floor levels. The existing building contains asbestos containing materials and lead, and abatement of the hazardous materials will occur prior to renovation. This abatement includes flooring, insulation, and caulking on brick moulding at windows. The interior space will be renovated providing new classrooms, offices, ADA compliant restrooms, and additional utility spaces. Necessary mechanical, electrical, plumbing, and fire prevention changes will accompany the renovation, including updates to the water service, ventilation system, lighting and a new sprinkler system. Exterior improvements will be limited to installation of mechanical louvers in the least visible existing window openings. Modification to the existing Level 1 entrance will be done to make it ADA compliant. All existing wood detailing will be replicated in kind.</p> <p>1/31/2025: application received. 2/7/2025: application incomplete. 2/10/2025: additional materials submitted. <b>Current status: pending (major/minor determination).</b></p>
16	<a href="#">5W1627</a>	John and Pam Benoit (Benoit Properties, Inc.)	Barre Town	<p>The property is a 53-acre parcel containing a large barn structure, which Applicants seek to convert into a wedding and special events venue. The remainder of the property is leased for growing agricultural crops. The project involves the change in use of the existing barn into a community/recreational facility with associated parking area. The parking area, which is already located near the barn, will be expanded, and driveway access will utilize the existing curb cut. The barn has been repaired and renovated to include replacement of all windows (with double-pane) and doors (with insulated energy efficient), placement of</p>

APPLICATION		APPLICANT	MUNICIPALITY	PROJECT SUMMARY
				<p>insulation in the walls, a new standing seam roof and paint on the exterior. The current application proposes that the Barn will only be used up to 28 days per year. The application seeks approval to operate year-round with the following hours of operation: Sunday – Thursday (11am-7pm); Friday – Saturday (11am-11pm) with no amplified music after 10pm.</p> <p>1/31/2025: application received. 2/11/2025: application incomplete.</p> <p><b>Current status: incomplete.</b></p>
<b>Section 248 - New</b>				
1				
<b>Section 248 – Ongoing</b>				
1	<a href="#">24-3295-AN</a> <a href="#">24-3723-PET</a>	Vermont Electric Power Company, Inc. Vermont Transco LLC	Waterbury	<p>10/29/2024: 45-day advance submission of Vermont Electric Power Company, Inc. and Vermont Transco LLC, pursuant to 30 V.S.A. § 248, for approval to replace one structure and remove one structure on the VELCO K24-5 transmission line in Waterbury, VT. 12/20/2024: petition filed.</p> <p><b>1/22/2025: hearing noticed. Evidentiary hearing is scheduled for 4/4/2025, with discovery scheduled for February and March. 2/14/2025: VT Department of Public Service submitted discovery questions related to the design of the project.</b></p> <p><b>3/17/2025: petitioner and intervenor VT Agency of Natural Resources reached memorandum of understanding and settlement. 3/21/2025: intervenor VT Department of Public Service commented that the petition was in compliance with requirements, assuming that it is built as specified.</b></p>
2	<a href="#">24-2862-AN</a> <a href="#">24-3485-PET</a>	Berlin Williams Solar LLC	Berlin	<p>9/6/2024: 45-day advance submission of Berlin Williams Solar LLC for a certificate of public good, pursuant to 30 V.S.A. § 248, to file a petition for a 2.50 MW solar array in Berlin, Vermont. (Located on a portion of the same site proposed on 9/27/2023 in <a href="#">23-3361-AN</a>).</p> <p>11/22/2024: petition filed. 12/4/2024 and 12/5/2024: VT Department of Public Service and VT Agency of Natural Resources request hearing. 1/17/2025: first round of discovery questions filed, mostly related to technical specifications such as proposed upgrades from one-phase to three-phase power lines connecting to the site and ownership of on-site transmission lines.</p> <p><b>1/31/2025: petitioner responded to first round of</b></p>

APPLICATION		APPLICANT	MUNICIPALITY	PROJECT SUMMARY
				<p>discovery – responses not publicly available.</p> <p><b>2/20/2025: Notice of Intervention filed by Agency of Agriculture, Food &amp; Markets. 2/21/2025: deadline for second round of discovery questions, responses due by 3/3/2025.</b></p> <p><b>3/5/2025: petitioner and intervenor reached memorandum of understanding and settlement.</b></p>
3	<a href="#">24-0838-AN</a>	Green Mountain Power	Waitsfield and Fayston	<p>3/22/2024: 45-day advance submission of Green Mountain Power, pursuant to 30 V.S.A. § 248, for approval to upgrade Irasville #39 substation in Waitsfield and Fayston, VT. <b>Petition not yet filed.</b></p>
4	<a href="#">24-1849-AN</a> <a href="#">24-2504-NM</a>	Comstock Road GLS-VT Solar, LLC	Berlin	<p>6/14/2024: 45-Day advance submission of Comstock Road GLS-VT Solar, LLC, pursuant to 30 V.S.A. § 8010, for a 500kW group net-metered solar array in Berlin, Vermont. CVRPC previously provided a preferred site letter of support on 1/12/2024.</p> <p>7/30/2024: net metering petition filed. 7/31/2024: petition deemed incomplete because preferred site letters of support from CVRPC and Town of Berlin were provided prior to filing 45-day advance notice; petitioner requested that the PUC alter the ruling that the petition was incomplete. 8/12/2024: PUC denied motion to alter incomplete ruling. 8/19/2024: petitioner filed motion to alter the order from 8/12/2024 on the basis that the rule requiring preferred site letters of support be issued after the filing of the 45-day advance notice came into effect on 3/1/2024 and that the preferred site letters of support were issued prior to that rule coming into effect. 8/29/2024: PUC denied motion to alter.</p> <p><b>12/4/2024: CVRPC issued new preferred site letter of support. 12/9/2024: application complete. 2/21/2025: PUC issued proposed Certificate of Public Good, comment period until 3/7/2025.</b></p>
5	<a href="#">24-1850-AN</a>	Scott Hill Road GLS-VT Solar, LLC	Berlin	<p>6/14/2024: 45-Day advance submission of Scott Hill Road, GLS-VT Solar, LLC, pursuant to 30 V.S.A. § 8010, for a 500kW group net-metered solar array in Berlin, Vermont.</p> <p><b>Petition not yet filed.</b></p>
7	TBD	AEGIS Renewable Energy	Middlesex	<p>On 6/19/2024, solar developer AEGIS Renewable Energy contacted CVRPC to request a preferred site letter of support. AEGIS has not yet submitted any documents to the PUC or the Town of Middlesex. AEGIS will CC CVRPC on any material submissions to Middlesex Planning Commission's Energy Committee. AEGIS plans to</p>

APPLICATION		APPLICANT	MUNICIPALITY	PROJECT SUMMARY
				request a Preferred Site Letter of Support from the Middlesex Planning Commission at the commission's 6/17/2024 meeting then from CVRPC following that meeting. <b>Preferred site letter of support request not yet received.</b>
8	<a href="#">24-2807-AN</a>	Encore Renewable Energy	Barre City	8/28/2024: 45-day-advance submission of Encore Renewable Energy, pursuant to 30 V.S.A. § 248, to file a petition for a 5 MW battery storage facility in Barre, Vermont. <b>Petition not yet filed.</b>
9	<a href="#">24-2988-AN</a>	Bell Atlantic Mobile Systems of Allentown, Inc. and Cellco Partnership, each d/b/a Verizon Wireless	Marshfield	9/23/2024: 60-day advance notice of upcoming application for Certificate of Public Good to construct a telecommunications facility at an existing 78.73-acre parcel of land owned by Bradley Pilette and Lynn Sue Pilette at 2264 U.S. Route 2, Marshfield, VT. <b>1/20/2025: public meeting with developer. 2/11/2025: second public meeting with just Marshfield residents. Petition not yet filed.</b>
10	<a href="#">24-3078-AN</a>	Novus Websterville Solar LLC	Barre Town	10/4/2024: 45-Day advance submission of Novus Websterville Solar LLC, pursuant to 30 V.S.A. § 8010, for a 500kW group net-metered solar array in Barre [Town], Vermont. <b>Petition not yet filed.</b>
11	<a href="#">24-3108-AN</a>	Bell Atlantic Mobile Systems of Allentown, Inc. and Cellco Partnership, each d/b/a Verizon Wireless The Towers, LLC	Washington	10/9/2024: 60-day advance submission of Bell Atlantic Mobile Systems of Allentown, Inc. and Cellco Partnership and The Towers, LLC, pursuant to 30 V.S.A. § 248a(e), proposing to request a certificate of public good authorizing the installation of wireless telecommunications equipment at 97 Hart Hollow Road in Washington, Vermont. <b>2/11/2025: public meeting with developer. Petition not yet filed.</b>
12	<a href="#">24-3498-AN</a> <a href="#">25-0318-NM</a>	Town of Berlin and SunCommon	Berlin	11/25/2024: 45-day notice in advance of filing an Application for a Certificate of Public Good (CPG) for the construction of a 150.0 kWAC net-metered solar parking canopy array ("The Project") to be located at 108 Shed Rd. Berlin, VT 05602. <b>2/18/2025: petition filed.</b>



## PROJECT REVIEW COMMITTEE

### *RULES OF PROCESS*

March 21, 2025

**PURPOSE:** To provide a uniform and consistent process by which the Project Review Committee (PRC) will review, evaluate, and comment on projects. The PRC serves in an advisory capacity to the CVRPC Board of Commissioners for projects that are seeking a permit through Act 250 (10 V.S.A. Chapter 151) as a state-designated statutory party; projects seeking a permit (Certificate of Public Good) through Section 248 and Section 248a (30 V.S.A. Chapter 5) of Vermont Statute; or projects seeking a municipal permit through the relevant municipal permitting authority. This process will ensure a fair and equitable evaluation of projects that are submitted for review.

**INVOLVEMENT BY THE REGIONAL PLANNING COMMISSION:** The PRC will make a determination on behalf of the full Board of Commissioners regarding conformance or non-conformance with the Regional Plan in permit applications that CVRPC is required to participate in and when a Substantial Regional Impact has been identified, cumulative impacts will result in a Substantial Regional Impact, or may set a precedent within the Region. The conclusions reached will state that they are made on available information. The PRC may also reserve its statutory right to participate in the Act 250/Section 248 hearing process if it must appear to ensure proposed projects are in conformance with the Regional Plan, regardless of whether the proposal has Substantial Regional Impact.

The PRC will become involved in the review of a project on behalf of a member municipality according to the following:

1. Staff will provide limited technical assistance at the request of either the municipal legislative body or the municipal planning commission. Limited technical assistance will consist of providing factual information allowing the requesting body to develop its own independent determinations regarding its participation and position. Limited technical assistance will not consist of involvement in hearings on behalf of a municipality or statements of support of municipal participation or positions.
2. PRC involvement on behalf of a member municipality beyond the scope of limited technical assistance as defined above must be at the request of the municipality's

legislative body, in writing. This involvement will be provided only if the local position is in conformance with the adopted Regional Plan.

**REVIEW PROCESS:** Staff will review all Act 250, Section 248, and Section 248a applications that are submitted and provide a monthly summary to the Project Review Committee. Through this review, staff will evaluate the nature of the project and make an initial determination of whether CVRPC is required to participate in the permit application review and whether the project has Substantial Regional Impact based on the established criteria, application type, and project description. This determination will guide staff in establishing which of the following processes will be used.

**1. Action by Staff**

Determine whether CVRPC is required to participate in the permit application review. If CVRPC is not required to participate, make an initial determination of whether the project has Substantial Regional Impact (per the attached Substantial Regional Impact guidelines and the Regional Plan's definition of Substantial Regional Impact). If CVRPC is required to comment, if a project has an identified Substantial Regional Impact, or if PRC member(s) request further analysis of a project, staff will prepare an analysis of the project's conformance with the Regional Plan and provide it to the PRC prior to committee meetings.

**2. Action by the Project Review Committee**

If CVRPC is required to comment, if a project has an identified Substantial Regional Impact, or if Committee member(s) request further analysis of the project, the PRC will discuss the project and make a determination regarding Substantial Regional Impact. The applicant and Commissioner from the host municipality (if not a PRC member) will be invited to attend and provide information related to the project or answer questions. If the PRC determines that Substantial Regional Impact has been met, they will identify whether the project is in conformance or not in conformance with the Regional Plan. Staff will prepare a letter to the District 5 Environmental Commission, the Public Utility Commission, or the relevant municipal permitting authority outlining the position of the PRC including any follow-up that may be requested.

**3. Action by the Board of Commissioners**

If, after review and discussion by the PRC, the scope and potential impacts are such that the PRC cannot reach a decision, the PRC will request that the project be reviewed by the full Board of Commissioners in order to provide a position including the project's conformance with the Regional Plan. If the Board of Commissioners is unable to provide a determination of a project's conformance with the Regional Plan, the Board of Commissioners can choose to:

- a. Refer the project back to the PRC and request that the PRC continue the discussion

in an effort to provide a determination.

- b. Transmit correspondence to the District 5 Environmental Commission or the Public Utility Commission outlining the Board of Commissioners' discussion and indicating that no decision could be reached. In this case, specific reasons shall be included to fully inform and detail the reasons or issues that led to this result.

**ADDITIONAL CONSIDERATIONS:** Appeals of a decision by the District 5 Environmental Commission, the Public Utility Commission, or municipal permitting authority on a project shall be approved by the Executive Committee or the full Board of Commissioners.

If, in its review, the PRC determines that a conflict exists between the provisions of municipal plans and the Regional Plan, the Commission will work with municipal officials to alleviate or minimize the conflict.

**ADOPTION OF ORGANIZATIONAL PROCESS:** The PRC may, at any time, vote to amend these rules of process, in accordance with quorum requirements noted in the Project Review Committee Rules of Procedure. Proposed amendments will be forwarded to PRC members before consideration at a regular PRC meeting. Amendments will then be forwarded to the Board of Commissioners for ratification.

Adopted by the Project Review Committee: 03/27/2025

Lee Cattaneo, Chair  
CVRPC Project Review Committee

Adopted by the Board of Commissioners: 04/08/2025

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Jerry D'Amico, Chair  
CVRPC Board of Commissioners



**PROJECT REVIEW COMMITTEE**  
*SUBSTANTIAL REGIONAL IMPACT GUIDELINES*

March 21, 2025

**DRAFT**

**PURPOSE:** To provide uniform and consistent guidelines for evaluating land development projects to determine if they are regionally significant.

**PROCESS:** The Project Review Committee will use these criteria to evaluate the regional impacts a land development project may have. Projects that meet or exceed these thresholds will be evaluated for conformance with the Central Vermont Regional Plan. The Project Review Committee will review the proposal against the specific criteria to determine if comments regarding conformance with the Regional Plan will be provided. Comments will be sent to the District 5 Environmental Commission, the Vermont Public Utility Commission, or municipal permitting authority, as appropriate. CVRPC reserves the right to participate in permit application review for projects that do not meet or exceed these thresholds.

**GENERAL GUIDELINES:** The following general criteria will apply to all applications that are submitted to the Central Vermont Regional Planning Commission for review. If a project meets any of these criteria it will be reviewed for conformance with the Central Vermont Regional Plan.

1. The project is located in more than one municipality or is located on property that is near a municipal boundary.
2. The project will impact a natural, historic, cultural, or significant resource that is described or identified in the Central Vermont Regional Plan. Examples include but are not limited to: wetlands, floodplains/Special Flood Hazard Areas, river corridors, or named waterbodies; critical resource areas as identified in the Central Vermont Regional Plan<sup>1</sup>, or similar regionally significant resources including priorities identified within the Vermont Conservation Design.
3. The project may require ongoing participation by the Regional Planning Commission for a period of at least one calendar year.

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<sup>1</sup> Critical resource areas as noted in the 2024 Central Vermont Regional Plan include National Natural Landmarks; State designated natural areas; Sites listed on the Vermont Rare, Threatened and Endangered Species, and Significant Natural Communities as designated by the Vermont Natural Heritage Inventory; and elevations over 2,500 feet and/or slopes greater than 15%.

4. The project proposes development that is inconsistent with the regional future land use map regarding the location or character of development type, density, or intensity.
5. The project includes the extension, expansion, or widening of a federal or state designated roadway.
6. The project proposes a use that will increase the peak hour vehicle trips by 50 or more as estimated by the current edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual.

**USE SPECIFIC GUIDELINES:** The following guidelines will apply to all applications that are submitted to the Central Vermont Regional Planning Commission for review. The population of the municipality where the project is located will determine which guidelines will be used to evaluate each project.

<b>GUIDELINES FOR DETERMINING SUBSTANTIAL REGIONAL IMPACT FOR NEW PROJECTS OR EXPANSIONS OF EXISTING USES</b>		
<b>TYPE OF DEVELOPMENT</b>	<b>MUNICIPALITIES WITH A POPULATION GREATER THAN 2,500<sup>2</sup></b>	<b>MUNICIPALITIES WITH A POPULATION LESS THAN 2,500<sup>2</sup></b>
<b>Office</b>	Greater than 30,000 gross square feet	Greater than 20,000 gross square feet
<b>Commercial/Retail</b>	Greater than 25,000 gross square feet	Greater than 15,000 gross square feet
<b>Wholesale &amp; Distribution</b>	Greater than 50,000 gross square feet	Greater than 30,000 gross square feet
<b>Hospitals &amp; Health Care Facilities</b>	Greater than 25 beds or 20,000 gross square feet	Greater than 10 beds or 10,000 gross square feet
<b>Housing</b>	Greater than 30 new lots or units	Greater than 20 new lots or units
<b>Industrial</b>	Greater than 50,000 gross square feet	Greater than 30,000 gross square feet
<b>Hotels</b>	Greater than 200 rooms	Greater than 75 rooms
<b>Mixed Use</b>	Gross square feet greater than 45,000 (with residential calculated at 1,500 square feet per unit) or if any of the individual uses meets or exceeds a threshold defined herein	Gross square feet greater than 30,000 (with residential calculated at 1,500 square feet per unit) or if any of the individual uses meets or exceeds a threshold defined herein
<b>Airports</b>	All new airports, runways, and runway extensions	
<b>Attractions &amp; Recreation Facilities</b>	Greater than 200 parking spaces or a seating capacity of more than 1,000	Greater than 75 parking spaces or a seating capacity of more than 500
<b>Schools &amp; Institutions (including post-secondary facilities)</b>	A capacity of more than 300 students or 30,000 gross square feet	A capacity of more than 150 students or 15,000 gross square feet
<b>Waste Handling Facilities</b>	New facility or expansion of capacity for an existing facility	
<b>Quarries, Asphalt, &amp; Cement Plants</b>	New facility or expansion of capacity for an existing facility	

<sup>2</sup> Based on the 2020 U.S. Census, the municipalities with a population greater than 2,500 persons includes Barre City, Barre Town, Berlin, East Montpelier, Montpelier, Northfield, Waterbury, and Williamstown. All other municipalities have fewer than 2,500 persons.

**GUIDELINES FOR DETERMINING SUBSTANTIAL REGIONAL IMPACT FOR NEW PROJECTS OR EXPANSIONS OF EXISTING USES**

TYPE OF DEVELOPMENT	MUNICIPALITIES WITH A POPULATION GREATER THAN 2,500 <sup>2</sup>	MUNICIPALITIES WITH A POPULATION LESS THAN 2,500 <sup>2</sup>
<b>Wastewater Treatment Facilities</b>	New conventional treatment facility or expansion of the permitted capacity for an existing facility or community septic treatment facilities exceeding 25,000 gallons per day or serving a development project that meets or exceeds an applicable threshold as identified herein	New conventional treatment facility or expansion of the permitted capacity for an existing facility or community septic treatment facilities exceeding 10,000 gallons per day or serving a development project that meets or exceeds an applicable threshold as identified herein
<b>Electric Generation, Storage, and Transmission Facilities</b>	Renewable Energy Generation above 150kW, energy storage with a footprint of more than 2 acres, distribution or transmission infrastructure that exceeds existing ROW. Projects to address hazard mitigation concerns that meet these criteria will be reviewed but expedited.	
<b>Communication Facilities</b>	New project or expansion of an existing project of limited size and scope and larger that requires approval by the Public Utility Commission	
<b>Public Drinking Water Supplies</b>	New facility or expansion of permitted capacity for an existing facility	
<b>Intermodal Freight Terminals</b>	New facility or expansion of an existing facility	
<b>Intermodal Passenger Terminals</b>	New facility or expansion of an existing facility	

**ADDITIONAL CONSIDERATIONS:** In addition to the criteria listed above, the following situations will be considered when evaluating a project against the thresholds for substantial regional impact.

1. Speculative Developments – If the final development type is difficult to determine or unknown because a project tenant has not been identified, the thresholds for the highest intensity development type allowed under current land use regulations will be used. If local regulations do not exist, staff will consult with the municipality and the applicant to determine the possible development type.
  
2. Multi-Phased Developments – If a project is proposed in multiple phases, the cumulative total of the project will be reviewed against the thresholds for substantial regional impact. If the total project meets or exceeds any of the identified thresholds, the entire project will be reviewed for substantial regional impact regardless of the timing of phases. If, over the course of the project, the phasing or type of development changes, projects that have previously been reviewed for substantial regional impact will be reviewed again to determine if additional thresholds have been met.

3. Multiple Land Parcels – If parts of the project are located on separate land parcels, the decision whether the project is a single (perhaps multi-phased) development, or actually separate projects should be based on such considerations as whether the separate parcels are owned by the same entity, whether a master plan has been prepared for the overall project, or whether any approvals have been sought for the overall project as a unit.

**DEFINITIONS:** The following definitions will be used to further identify or describe the types of development that qualify for the thresholds listed in the table above.

1. **Attractions & Recreational Facilities** means an establishment or set of establishments that provide leisure time recreational or entertainment activities occurring in either an indoor or outdoor setting.
  2. **Communication, Utility, and Transmission Facilities** means any project that involves the transmission, storage, production, or distribution of fuels or electricity; or any expansion or creation of telecommunication facilities.
  3. **Intermodal Freight Terminals** means an area and building where the mode of transportation for cargo or freight changes and where the cargo and freight may be broken down or aggregated in smaller or larger loads for transfer to other land-based vehicles. Such terminals do not include airports or facilities primarily intended for the transfer of people from passenger rail to other modes.
  4. **Intermodal Passenger Terminals** means an area and building where people change transportation vehicles in order to complete a trip. This could include but is not limited to, rail, bus, passenger car, or taxi service.
  5. **Waste Handling Facility** means structures or systems designed for the collection, processing or disposal of solid waste, including hazardous wastes, universal waste, household waste, and includes transfer stations, processing plants, recycling plants, composting facilities, and disposal systems.
  6. **Wholesale and Distribution** means activities within land areas that are predominantly associated with the receipt, storage, and distribution of goods, products, cargo and materials.
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