

# Tip Sheet

## Obtaining Your Act 250 Permit

### Act 250 Explained for Vermont Small Businesses

**Fact:** Act 250, Vermont's Land Use and Development Law, has regulated certain categories of commercial development since 1970. Of the 450-550 applications per year, over 65% are issued in less than 60 days, and 95% are approved, with conditions. The Vermont Natural Resources Board, Land Use Panel administers Act 250.

<http://nrb.vermont.gov/sites/nrb/files/documents/110acre.pdf> 10acre.pdf

#### Q. How do I know if my business needs an Act 250 permit for my project?

**A.** Act 250 is a comprehensive law that evaluates the impact of a development project under a number of environmental criteria (see the 10 Criteria below). An Act 250 permit is required for commercial construction of improvements on more than one acre, or ten acres (if the town has permanent zoning and subdivision regulations). Check to see if your project is located in an Act 250, "10 Acre or 1 Acre town" (for a list of these see: Natural Resources Board website at: <http://nrb.vermont.gov/sites/nrb/files/documents/1-10acre.pdf>). For a determination on Act 250 jurisdiction, contact the Act 250 District Coordinator (see Regional Office list, next page).

#### Q. What are the "10 Criteria" of Act 250?

**A.** The 10 Criteria are the standards, which the District Commission uses to evaluate a development or subdivision project. These criteria include such issues as air pollution, waste disposal, wetlands, erosion control, traffic, impact on schools and municipal services, and conformance with town and regional plans. In order to obtain an Act 250 permit, a project must satisfy the 10 criteria.

#### Q. Where can I get a copy of the Act 250 application forms?

**A.** The application forms can be downloaded from the Natural Resources Board website here: <http://nrb.vermont.gov/act250-program/district-staff-and-commissions>. They are also available at the five Regional Act 250 Offices located around the state as well as the Natural Resources Board office in Montpelier. You can stop by to pick up a copy of the application or request that one be sent to you in the mail.

#### Q. Where can I get assistance filling out the Act 250 application?

**A.** Applicants are encouraged to schedule a pre-application meeting with the District Coordinator in the area that your project is located. Private consultants with Act 250 skills are also available (for a fee) if you feel that you need more extensive assistance.

[www.veap.org](http://www.veap.org) VEAP is: VT-Small Business Development Center, VT Department of Environmental Conservation, VT Department of Economic Development, and the VT Manufacturing Extension Center.

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- Start Early! Act 250 and related environmental permits can take time. Call the Act 250 Coordinator, as well as the Permit Specialist for your area – other state or federal permits may be required.
- Businesses located on town water and sewer may have less permitting issues. Always consider the environmental permitting issues associated with a commercial property prior to purchase.
- Neighbors can be a key factor. Discuss your project early with all adjoining landowners, and address any of their concerns.
- When filling out an Act 250 application, if a criterion or question is not applicable, briefly explain why.

**Disclaimer:** This fact sheet is designed as an educational tool, intended to help businesses identify potential Act 250 issues, prior to property purchases with planned construction. It is not intended to take the place of expert advice or the regulations themselves, nor can it be totally comprehensive. It is incumbent on the business owner to acquire the knowledge of pertinent regulations and permits, and ensure that these regulations are met. Please take advantage of the free, state assistance resources below.

#### Act 250 Regional Offices:

**Districts #1 and 8**  
802-786-5920  
440 Asa Bloomer Office Building  
Rutland, VT 05701-5903

**Districts #2 and 3**  
802-476-0185  
100 Mineral Street  
Springfield, VT 05156

**Districts #4, 6 and 9**  
802-879-5614  
111 West Street  
Essex Junction, VT 05452

**District #5**  
802-476-0185  
10 Baldwin Street Montpelier, VT  
05602

**District #6 and 9**  
802-476-0185

**District #7**  
802-751-0120  
374 Emerson Falls Road, Suite 4  
St. Johnsbury, VT 05819