

Agenda Summary
July 10, 2024

Agenda Item No. C-1
Other Business – Manager’s Report

General Assistance Emergency Housing Program: Enclosed is a letter from the Vermont Department for Children and Families announcing changes to the General Assistance Emergency Housing Program. They say that, “Under this new law, individuals must meet specific eligibility criteria to qualify for a maximum of 80 nights of assistance from the General Assistance Emergency Housing Program... The legislation also stipulates a cap on the number of rooms the program can utilize....A small number of Vermonters currently receiving assistance from the General and Emergency Housing Program will no longer be eligible after July 1st.”

Act 250 Notices: The following Act 250 notices were issued:

A response regarding the proposed demolition of the Stowehof (434 Edson Hill Road), specifically surrounding the cost of demotion and requirements of the Vermont Division of Historic Preservation (DHP).

A jurisdictional opinion regarding a project to replace a septic system at 577 High Farms Road. The project received a Wastewater System and Potable Water Supply Permit; the opinion states that the project also requires an Act 250 permit.

Minutes: Enclosed are the following minutes:

- Conservation Commission – June 24
- Electric Commission – June 18
- Energy Committee – June 27

Recommendation: No action is necessary. This time is set aside to ask questions of a general nature and for the public to be heard on any issue not on the regular agenda that does not require Selectboard action and is of a non-personnel nature.

Date: June 26, 2024

Subject: Important Changes to the General Assistance Emergency Housing Program Beginning July 1.

Dear Municipal Leaders,

We write to inform you of significant changes to the General Assistance Emergency Housing Program that will take effect on July 1, 2024.

Under this new law, individuals must meet specific eligibility criteria to qualify for a maximum of 80 nights of assistance from the General Assistance Emergency Housing Program.

Consequently, not all individuals experiencing homelessness will be eligible for this program. The legislation also stipulates a cap on the number of rooms the program can utilize. Specifically, from September 15, 2024, to November 30, 2024, and from April 1, 2025, to June 30, 2025, the program will be limited to using a maximum of 1,100 hotel or motel rooms statewide.

A small number of Vermonters currently receiving assistance from the General and Emergency Housing Program will no longer be eligible after July 1st. The majority who remain eligible will have the flexibility to use their 80 days as it best serves their needs. This means that some households might exit their hotel or motel units on July 1st and preserve their eligible days for colder weather, while others may choose to stay in the unit and use their 80 days this summer. The Department does not collect information about individuals' whereabouts once they exit the program. While some households will move into permanent housing, it is also likely that some may camp over the summer.



Below is the current number of people receiving General and Emergency Housing Program assistance in each district area as of June 17th:

District	Currently Eligible	Adults	Children
Barre District Office	159	210	54
Bennington District Office	149	179	79
Brattleboro District Office	183	209	51
Burlington District Office	277	333	91
Hartford District Office	67	76	21
Middlebury District Office	16	17	*
Morrisville District Office	25	29	*
Newport District Office	16	18	*
Rutland District Office	387	474	139
Springfield District Office	47	61	22
St Albans District Office	67	82	20
St Johnsbury District Office	35	43	27
Grand Total	1428	1731	504

During the cold weather months, December 1, 2024 - March 31, 2025, only individuals who meet the new eligibility criteria may access the General Assistance Emergency Housing Program. During this period, in order to continue to develop emergency shelter options for individuals who may not be eligible, the Department for Children and Families has posted a Notice of Funding Opportunity for emergency shelter and permanent supportive housing projects. It is available [on our website](#) and applications must be submitted by 4:00PM on July 10, 2024. Municipal projects will receive priority in the review process.

If it would be helpful to have a meeting to answer any questions you might have, please email Monika.Madaras@vermont.gov and we will work to arrange a meeting date and time.

Sincerely,
Miranda Gray, Deputy Commissioner
Economic Services Division, DCF





State of Vermont
Natural Resources Board
District 5 Environmental Commission
10 Baldwin Street
Montpelier, VT 05633-3201
[phone] 802-476-0185
<https://nrb.vermont.gov/>

June 26, 2024

Talasi Brooks, Esq.
Britney Aube
Stackpole & French Law Offices
P.O. Box 819
Stowe, VT 05672
tbrooks@stackpolefrench.com
britney@stackpolefrench.com

Five Roads Stowe, LLC
c/o Edward French Jr., Esq.
P.O. Box 819
Stowe, VT 05672
efrench@stackpolefrench.com

Subject: Act 250 Land Use Permit Application 5L0400-4, Five Roads Stowe, LLC, Stowe:
Incomplete Application, Additional Information Required.

Dear Recipients:

I reviewed the above-referenced application submitted on June 20, 2024. Pursuant to Act 250 Rule 10(D), the application will not be deemed complete until the following items are provided. Therefore, the time and notice requirements pursuant to 10 V.S.A. Chapter 151 (Act 250) will not be initiated.

1. Schedule A (Fee Information): You list \$150,000 in estimated construction costs in Schedule A (\$100,000 for site preparation and \$50,000 for landscaping). In Exhibit 21 you estimate the cost of demolishing Stowehof to be \$1,258,133. The site preparation category in Schedule A should include the cost of demolition.¹ Please revise Schedule A to include the full cost of demolition in the site preparation category or explain in a separate document how your proposed construction cost estimate reflects the actual cost

¹ Application Guide at 19, available at: <https://nrb.vermont.gov/documents/application-guide-act-250>.

of demolition despite what is presented in Exhibit 21. If you revise Schedule A, please mail payment for the balance of the application fee.

2. Criterion 8 (Historic Sites): Exhibit 11, labeled "VDHP-concurred Act 250 Cr 8 letter," does not show concurrence by the Vermont Division of Historic Preservation (DHP). Rather, it is a report by Section 106 Associates to DHP. Question i under Criterion 8 of the application form requests that you submit a review letter from DHP. Please submit this letter.

In addition to the foregoing required documents, I recommend that you specify desired construction hours and days of the week for the project in your answer to question d under Criterion 1 in the application form. If you do not, the Commission may establish its own construction hours and days in a proposed permit (*e.g.*, Monday through Saturday 7:00 AM to 5:00 PM, with no construction on Sundays or federal holidays), should it choose to process your application as a minor application pursuant to Act 250 Rule 51.

Please complete your submission as follows:

- If necessary, mail the outstanding fee check to the regional office address listed in the header of this letter.
- Attach the required documents described above to an email addressed to the Act 250 regional email in-box (NRB.Act250Barre@vermont.gov) and copy all persons listed on the Certificate of Service attached to this letter.
- If the required documents add up to greater than 3 MB in size, upload them to the NRB's FTP site (GlobalScape: <https://gs.anr.vermont.gov>) (see the Act 250 Application Guide for instructions: <http://nrb.vermont.gov/documents/application-guide-act-250>). After you have uploaded documents to the NRB's FTP site, email the Act 250 regional email in-box (NRB.Act250Barre@vermont.gov) and the District Coordinator to inform them that the files have been uploaded.
- Your online application form has been unlocked. Please revise your application form as described above through the [ANR/NRB Online application system](#). Sign in to [ANR/NRB Online](#) using your username and password. Near the top of the next page, click "My Submissions." Your application submission ID number is HQ2-RNZ9-5950H. Click the arrow at the right edge of the line containing your submission ID number. This will open your application so that you can edit it. Once you've made the required edits to your application, be sure to click "Submit Form" on the "Certify and Submit" screen.
- After you have submitted the required edits to your application form, notify NRB.Act250Barre@vermont.gov that the revised application form has been submitted.

Please attach a certificate of service to each of your emails that identifies how, when, and to whom the supplemental materials were distributed as required by statute. Application review will continue after the application has been revised with the additional information requested.

Please contact me if you have any questions about this letter or would like to discuss it via telephone or video conference.

Sincerely,

/s/ Kevin Anderson

Kevin Anderson

District Coordinator

Kevin.Anderson@vermont.gov

802-522-6074

This is a jurisdictional opinion issued pursuant to 10 V.S.A. § 6007(c) and Act 250 Rule 3(A). Any party may file within 30 days from the date of a decision of the District Coordinator a request for reconsideration with respect to the jurisdictional opinion, pursuant to Act 250 Rule 3(B). Any reply to a request for reconsideration shall be filed within 15 days of the service of the request, unless otherwise provided by the District Coordinator.

Any person aggrieved by an act or decision of a District Commission or District Coordinator, or any party by right, may appeal to the Environmental Division of Vermont Superior Court within 30 days of the act or decision pursuant to 10 V.S.A. § 8504. Such appeals are governed by Rule 5 of the Vermont Rules for Environmental Court Proceedings. The appellant must file a notice of appeal with the clerk of the court and pay any fee required under 32 V.S.A. § 1431.

The appellant must also serve a copy of the Notice of Appeal on the Natural Resources Board and on other parties in accordance with Rule 5(b)(4)(B) of the Vermont Rules for Environmental Court Proceedings. The Natural Resources Board's copy may be sent to NRB.Legal@vermont.gov and/or 10 Baldwin Street, Montpelier, VT 05633-3201.

Please note that there are certain limitations on the right to appeal, including interlocutory appeals. See, e.g., 10 V.S.A. § 8504(k), 3 V.S.A. § 815, and Vermont Rule of Appellate Procedure 5. For additional information on filing appeals, see the Court's website at: <http://www.vermontjudiciary.org/GTC/environmental/default.aspx> or call (802) 951-1740. The Court's mailing address is Vermont Superior Court, Environmental Division, 32 Cherry Street, 2nd Floor, Suite 303, Burlington, VT 05401.

The foregoing statements regarding requests for reconsideration and appeals are intended for informational purposes only. They neither supplant any rights or obligations provided for by law nor do they constitute a complete statement of the rights or obligations of any person or party.

CERTIFICATE OF SERVICE

I hereby certify that I, Lori Grenier, Natural Resources Board Technician, District 5 Environmental Commission, sent a copy of the foregoing "Incomplete Application" letter regarding land use permit application 5L0400-4 by U.S. Mail, postage prepaid, on this June 26, 2024 to the following individuals without email addresses and by electronic mail to the following individuals with email addresses:

Note: Any recipient may change its preferred method of receiving notices and other documents by contacting the District Office staff at the mailing address or email below. If you have elected to receive notices and other documents by email, it is your responsibility to notify our office of any email address changes.

Stackpole & French Law Offices
Attn: Talasi Brooks, Britney Aube
P.O. Box 819
Stowe, VT 05672
tbrooks@stackpolefrench.com
britney@stackpolefrench.com

Agency of Natural Resources
1 National Life Drive, Davis 2
Montpelier, VT 05620-3901
anr.act250@vermont.gov

/s/ Lori Grenier
Natural Resources Board Technician
802-476-0185
NRB.Act250Barre@vermont.gov

5 Roads Stowe, LLC
Attn: Edward French Jr., Esq.
P.O. Box 819
Stowe, VT 05672
efrench@stackpolefrench.com

Civil Engineering Assocs., Inc.
Attn: Michael Koch
mkoch@cea-vt.com

Stowe Selectboard
PO Box 730
Stowe, VT 05672
wfricke@stowevt.gov

Stowe Planning Commission
PO Box 730
Stowe, VT 05672
smcshane@stowevt.gov

Lamoille County Planning Commission
PO Box 1637
Morrisville, VT 05661
Seth@lpcvt.org
georgeana@lpcvt.org

Cost Analysis – Stowehof
To Accompany Revised Schedule A
July 1, 2024

Cost of Demolition provided by Christian C. Carey Architect, P.C. (Ex 12): \$1,258,133.00

Estimated Cost Allocation:

\$1,000,000 (one million dollars) – Site Preparation including demolition and removal of all structures.

\$258,133.00 (two hundred fifty-eight thousand one hundred and thirty-three dollars) – Landscaping/
Site Reclamation.

Fee: \$9,310.18

(Subtract \$1,110 initial payment)

Total additional A250 fee owed - \$8,200.18



ACT 250 JURISDICTIONAL OPINION

J0 5-121

State of Vermont
Natural Resources Board
District 5 Environmental Commission
10 Baldwin Street
Montpelier, VT 05633-3201
[phone] 802-476-0185
<https://nrb.vermont.gov/>

This is a Jurisdictional Opinion based upon available information and a written request from the landowner/agent or other person. Any notified person or entity will be bound by this opinion unless that person or entity files a request for reconsideration with the District Coordinator or an appeal with the Superior Court, Environmental Division within 30 days of the issuance of this opinion (see below). This Opinion identifies Act 250 Jurisdiction only. Other permits may be required (e.g., <https://dec.vermont.gov/permits>). For more information, please contact the Agency of Natural Resources Environmental Assistance Office: (<https://dec.vermont.gov/assistance/permits>).

I hereby request a jurisdictional opinion from the District Coordinator or Assistant District Coordinator regarding the jurisdiction of 10 V.S.A. Chapter 151 (Act 250) over the project described below.

Kathryn Kiernan (“Requestor”)
577 High Farms Road
Stowe, VT 05672
the_kiernans@yahoo.com

- Landowner
- Agent
- Other

Project Description: Construction of a replacement in-ground wastewater system, as depicted in a site plan on file with this opinion. Wastewater System and Potable Water Supply Permit WW-5-9539 was issued for the project on June 18, 2024.

Project Location: 577 High Farms Road, Stowe, Vermont 05672. SPAN: 621-195-11563.

Existing Act 250 permit number(s) or series: 5L0590

Project Type: Commercial Subdivision Municipal/State Mixed
 Farming/Forestry Housing Other: leach field replacement

Has the landowner or affiliated person subdivided before? Yes No N/A

AN ACT 250 PERMIT IS REQUIRED: YES NO

BASIS FOR DECISION: Permit amendment required pursuant to Act 250 Rule 34(A).

Requestor's parcel is lot 10 in the High Farm subdivision approved in Land Use Permit 5L0590 ("5L0590").

Condition 1 of 5L0590 requires the project to be completed in accordance with the approved plans and provides that no changes can be made to the project without the written approval of the District Commission. The approved site plan for 5L0590 shows one septic area on lot 10, not in the location where Requestor's proposed replacement septic area would be.

Condition 3 of 5L0590 incorporates all of the conditions of Certification of Compliance #5L0590. (Wastewater System and Potable Water Supply Permits were formerly known as a "Certifications of Compliance.")

Land Use Permit Amendment 5L0590-1 ("5L0590-1"), an administrative amendment, was issued to incorporate a revised Certification of Compliance that approved minor lot line changes in the High Farm subdivision.

Act 250 Rule 34(A) provides that, "a permit amendment shall be required for any material change to a permitted development or subdivision, or administrative change in the terms and conditions of a land use permit."

A "material change" is, "any cognizable change to a development or subdivision subject to a permit under Act 250 or findings and conclusions under 10 V.S.A. § 6086b, which has a significant impact on any finding, conclusion, term or condition of the project's permit or which may result in a significant adverse impact with respect to any of the criteria specified in 10 V.S.A. § 6086(a)(1) through (a)(10)." Act 250 Rule 2(C)(6). An "administrative change" is not defined in the Act 250 Rules.

Requestor's project does not have potential for significant adverse impacts to the protected criteria of Act 250. However, the project received a Wastewater System and Potable Water Supply Permit that revises the Certifications of Compliance incorporated in 5L0590 and 5L0590-1 and is inconsistent with the site plan approved in 5L0590. Furthermore, pursuant to Condition 1 of 5L0590, no changes can be made to the project without the written approval of the District Commission. Therefore, Requestor's project requires a permit amendment pursuant to Act 250 Rule 34(A). In my opinion, an administrative amendment application may be filed.

/s/ Kevin Anderson DATE: June 24, 2024

Kevin Anderson
District Coordinator, Natural Resources Board
10 Baldwin Street, Montpelier, VT 05633-3201
Telephone: 802-522-6074
Email: Kevin.Anderson@vermont.gov

Any party may file within 30 days from the date of a decision of the District Coordinator a request for reconsideration with respect to the jurisdictional opinion, pursuant to Act 250 Rule 3(B). Any reply to a request for reconsideration shall be filed within 15 days of the service of the request, unless otherwise provided by the District Coordinator.

Any person aggrieved by an act or decision of a District Commission or District Coordinator, or any party by right, may appeal to the Environmental Division of Vermont Superior Court within 30 days of the act or decision pursuant to 10 V.S.A. § 8504. Such appeals are governed by Rule 5 of the Vermont Rules for Environmental Court Proceedings. The appellant must file a notice of appeal with the clerk of the court and pay any fee required under 32 V.S.A. § 1431.

The appellant must also serve a copy of the Notice of Appeal on the Natural Resources Board and on other parties in accordance with Rule 5(b)(4)(B) of the Vermont Rules for Environmental Court Proceedings. The Natural Resources Board's copy may be sent to NRB.Legal@vermont.gov and/or 10 Baldwin Street, Montpelier, VT 05633-3201.

Please note that there are certain limitations on the right to appeal, including interlocutory appeals. See, e.g., 10 V.S.A. § 8504(k), 3 V.S.A. § 815, and Vermont Rule of Appellate Procedure 5. For additional information on filing appeals, see the Court's website at: <http://www.vermontjudiciary.org/GTC/environmental/default.aspx> or call (802) 951-1740. The Court's mailing address is Vermont Superior Court, Environmental Division, 32 Cherry Street, 2nd Floor, Suite 303, Burlington, VT 05401.

The foregoing statements regarding requests for reconsideration and appeals are intended for informational purposes only. They neither supplant any rights or obligations provided for by law nor do they constitute a complete statement of the rights or obligations of any person or party.

CERTIFICATE OF SERVICE

I hereby certify that I, Gina St Sauveur, Natural Resources Board Technician, District 5 Environmental Commission, sent a copy of the foregoing **Jurisdictional Opinion JO 5-121** by U.S. Mail, postage prepaid, on this June 24, 2024 to the following individuals without email addresses, and by electronic mail, to the following individuals with email addresses:

Note: Any recipient may change its preferred method of receiving notices and other documents by contacting the District Office staff at the mailing address or email below. If you have elected to receive notices and other documents by email, it is your responsibility to notify our office of any email address changes.

Kathryn Kiernan
577 High Farms Road
Stowe, VT 05672
the_kiernans@yahoo.com

Stowe Selectboard
PO Box 730
Stowe, VT 05672
wfricke@stowevt.gov

Stowe Planning Commission
PO Box 730
Stowe, VT 05672
smcshane@stowevt.gov

Lamoille County Planning Commission
PO Box 1637
Morrisville, VT 05661
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georgeana@lpcvt.org

Agency of Natural Resources
1 National Life Drive, Davis 2
Montpelier, VT 05620-3901
anr.act250@vermont.gov

FOR INFORMATION ONLY
Natural Resources Board Chair
10 Baldwin Street
Montpelier, VT 05633-3201
NRB.Legal@vermont.gov
nrb.act250agenda@vermont.gov



Gina St Sauveur
Natural Resources Board Technician
802-476-0185
NRB.Act250Barre@vermont.gov



**Town of Stowe
Conservation Commission
Monday June 24, 2024
MEETING MINUTES**

A regular meeting of the Conservation Commission was held on Monday June 24, 2024, at 5:30 pm in the Memorial Room of the Stowe Town Office, followed by a site visit to Mayo Farm. Members in Attendance: Jacquie Mauer, Phillip Branton, Evan Freund, and Seb Sweatman. Staff in Attendance: Sarah McShane. Others in Attendance: None

Call to Order- J.Mauer called the meeting to order shortly after 5:30 PM.

Public Comments & Adjustments to the Agenda – No public comments. Several adjustments to the agenda were made. Members agreed to table the review of Stowe Trails Partnership (STP) Stowe Village Trail Connector proposal. Members agreed to first discuss the ‘Flood Resiliency Element of the Town Plan’ followed by ‘Opportunities to Reduce River Erosion.’

Review Meeting Minutes [06/10/2024] On a motion by P.Branton, seconded by S.Sweatman, the minutes of the prior meeting were approved unanimously.

Flood Resiliency – Reivew Element of the Town Plan

Members read the adopted Flood Resiliency Element of the current Town Plan. Staff provided a brief background on the statutory required element and opportunities for the Commission to be involved in the Town Plan update process. She explained the Town Plan – Chapter 5- creates goals, policies, and tasks for future implementation. The Conservation Commission is an implementing partner. The Commission will reserve time on a future agenda for continued discussion.

Discuss- Opportunities to Reduce River Erosion

Members discussed the riverbank erosion near the Quiet Path and potential planting projects to reduce erosion. Members agreed to invite Peter Danforth to a future meeting and continue discussion.

Sterling Forest Management Plan Update – Next Steps

S. McShane briefly updated the Commission on the status of the update to the Sterling Forest Management Plan. J.Mauer encouraged the Commission to review the survey responses. Members discussed potentially working with State Forester Emily Potter on a forest assessment and identifying the project within the amended management plan as a future project. Members agreed to dedicate meeting time for continued discussion in hopes of recommending the amendments to the Selectboard by September or October.

Friends of the Winooski- Water Quality Testing Project

S.McShane distributed sampling bottles and field information sheets. Members agreed to sample the assigned sites and drop off collected samples tomorrow morning.

Review Stowe Trails Partnership (STP) Cady Hill Connector Trail Proposal

Tabled to next meeting.

General Reports & Updates

None

Other Business

None

Mayo Farm Quiet Path Site Visit

Members conducted a site visit to Mayo Farm to observe river erosion along the Quiet Path.

Next Meeting Date- 7/8/2024

The meeting adjourned shortly after 7:30 pm.

Respectfully submitted,
Sarah McShane- Planning & Zoning Director

DRAFT Minutes: Stowe Electric Board of Commissioners' Meeting

June 18, 2024, at 8:30 am at Town of Stowe Electric Department Conference Room with remote participation available via Zoom.

Present:

BOARD MEMBERS: Larry Lackey, Chair (via Zoom); Sara Teachout, Vice-Chair

STAFF: Jackie Pratt, General Manager; Sarah Juzek, Director of Finance; Amber Ives, Clerk of the Board

Call to Order: S. Teachout called the meeting to order at 8:32 am.

Agenda Approval:

S. Teachout moved to approve the warned agenda, L. Lackey seconded, and all were in favor.

Utility Borrowing Resolution:

L. Lackey moved to approve the Borrowing Resolution for the August 2024 Ballot as presented to the Board of Commissioners in the Commission packet. S. Teachout seconded the motion; all were in favor, and the Resolution was approved.

Executive Session:

At 8:35 am, S. Teachout moved to enter Executive Session to discuss a personnel matter and contract negotiation. L. Lackey seconded the motion, and all were in favor. J. Pratt and S. Juzek were invited to join Executive Session.

At 9:01 am, L. Lackey moved to adjourn Executive Session. The motion was seconded by S. Teachout, and all were in favor.

There being no further business, the meeting was adjourned at 9:01 am.

Respectfully Submitted,

Amber Ives

Clerk of the Board

DRAFT



Stowe Energy Committee June 27, 2024

Present:

In Person: Marina Meerburg, Cap Chenoweth, Andrew Rianhard, Robi Artman-Hodge

Absent: Catherine Crawley, Elizabeth Soper

Attendees:

Assistant Town Manager Will Fricke, Nikolas Graupe

Via Zoom: Michael Lazorchak

Call to Order

Vice Chair Robi Artman-Hodge called the meeting to order at 5:30pm.

Review & Approve Minutes

Marina Meerburg requested edits to the May 23 minutes to specify the changes to the April 25 minutes. Marina Meerburg moved to approve the minutes as amended, Cap Chenoweth seconded. All were in favor.

SED EV Chargers Update

Michael Lazorchak provided updates on EV charging stations. He said that they are looking for a location to move their fast charger currently located at The Alchemist. He also said the Electric commission instructed SED to not expand their EV charging network. Robi Artman-Hodge asked if SED was asking the Town to pay for new chargers. Michael Lazorchak said that the Electric commission would only support someone else covering the initial cost, and that no more utility funds will be used to build out charging infrastructure, but he is retracting his request that the Town cover the cost and that their focus will be on private businesses.

Town Plan Discussion & Energy Priorities

The Energy Committee reviewed previously suggested edited and made additional edits to the Energy Section of the Town Plan. No action taken at this time.

Other Business

Cap Crawley stated that the Energy committee did not recommend the mower purchased by the parks department. Andrew Rianhard said that he did recommend it, outside of a regular meeting, due to the sale.

Adjournment

There being no other business, Vice Chair Artman-Hodge adjourned the meeting at 6:58pm.