



NATURAL RESOURCES BOARD

10 Baldwin Street
Montpelier, Vermont 05633-3201

Natural Resources Board Financial Fact Sheet

ACT 250 FEES

Estimated Construction Costs – How much and how their calculated

- As of July 1, 2015, the first \$15,000,000 of construction costs is subject to a base fee of \$6.65 per \$1,000 of construction costs (0.00665) of construction costs, and \$3.12 per \$1000 of construction costs thereafter plus \$125.00 for every subdivided lot. An additional fee of \$0.75 per \$1,000 of construction costs (0.00075) is added to account for review of Act 250 applications by the Agency of Natural Resources (ANR). \$7.40 total fee per \$1,000 of construction costs. Prior to July 1, 2015, fees were calculated for projects involving construction, \$5.40 for each \$1,000.00 of the first \$15,000,000.00 of construction costs, and \$2.50 for each \$1,000.00 of construction costs above \$15,000,000.00.
- Maximum total application fee is \$165,000.00.
- Fees are due with the submission of Act 250 application. Failure to submit the fee would result in an incomplete application.
- For residential subdivisions, applicants include the estimated construction cost of all improvements proposed by the applicant or a related person or entity, including common facilities, infrastructure, dwellings, and other. For Subdivisions, applicants are directed not include construction costs associated with the house on each if those houses are to be constructed by others.
- Site preparation includes clearing and grading. Building costs can be estimated on a square foot basis. Construction cost also include costs for equipment that is integral to the building. Roads and parking should include costs of fill, gravel, paving, and labor. Utilities include the installation of gas, oil, electrical, water, and sewer services. Off-site improvements would include any construction which is necessary for the success of the project such as upgrading town roads or other mitigation measures. Landscaping includes plantings, materials, and labor.
- Minimum fee of \$187.50 for new applications.
- Minimum fee of \$62.50 for amendment applications.
- For projects involving the review of a master plan, a fee equivalent to \$0.10 per \$1,000.00 of total estimated construction costs in current dollars in addition to the fee for any portion of the project seeing construction approval.
- State and Municipal Projects are exempt from Act 250 fees.
- Downtown Findings applications – no fees collected.
- Not-for-profit organizations are not exempt.



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- Neighborhood development area fees shall be no more than 50% of the total fee. The fee shall be paid within 30 days after the permit is issued or denied.
- Gravel Pits: \$0.02/cubic yard for the first 1 million cubic yards of total extraction proposed over the life of the permit; \$0.01/cubic yard for the portion of the total extraction proposed over the life of the permit greater than 1 million cubic yards.
- Transportation impact fees are paid direct to Vermont Agency of Transportation
- A written request for an application fee refund shall be submitted to the District Commission within 90 days of the withdrawal of the application.
 - In the event that an application is withdrawn prior to the convening of a hearing, the District Commission shall, upon request of the applicant, refund 50% of the fee paid between \$100.00 and \$5,000.00 , and all of that portion of the fee paid in excess of \$5,000.00 except that the District Commission may decrease the amount of the refund if the direct and indirect costs incurred by SOV with respect to the administration of the Act 250 program clearly and unreasonably exceed the fee that would otherwise be retained by the District Commission.
 - In the event the application is withdrawn after a hearing, the District Commission shall, upon request of the applicant, refund 25% of the fee paid between \$100.00 and \$10,000.00 and all of that portion of the fee paid of \$10,000.00 except that the District Commission may decrease the amount of the refund if the direct and indirect costs incurred by the SOV with respect to the administration of the Act 250 program clearly and unreasonably exceed the fee that would otherwise be retained by the District Commission.
 - The District Commission shall, upon request of the applicant, increase the amount of the refund if the application of subdivisions above would result in a fee that unreasonably exceeds the direct and indirect costs incurred by SOV with respect to the administration of the program.
 - District Commission decisions regarding application fee refunds may be appealed to the NRB.
 - In no event may an application fee or portion be refunded after a District Commission has issued a final decision on the merits of an application.



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Certification of Actual Construction Costs

- The permittee(s) shall file this certificate of actual construction costs pursuant to 10 V.S.A. § 6083a(g) within one month after construction has been substantially completed or two years from the date of this permit, whichever shall occur first (Application for extension of time for good cause shown may be made to the District Commission). If actual construction costs exceed the original estimate, a supplemental fee based on actual construction costs must be paid at the time of certification. Upon request, the permittee(s) shall provide all documents or other information necessary to substantiate the certification. Pursuant to 10 V.S.A. § 6083a(g), failure to file the certification or pay any supplemental fee due are grounds for permit revocation.

Share of Act 250 Construction Costs to ANR

- FY18 \$193,242
- FY17 \$220,561
- FY16 \$200,193