

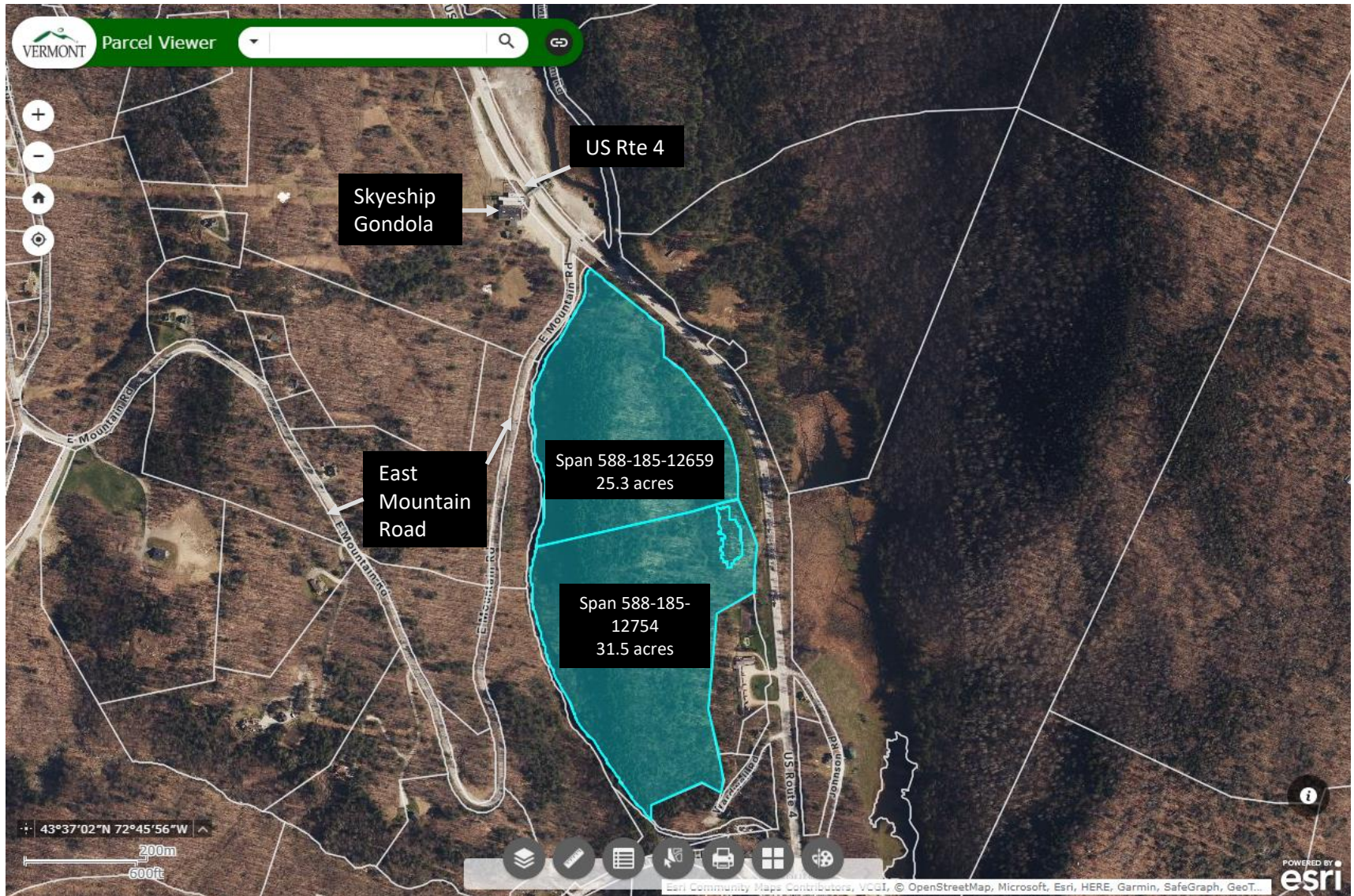
Spectacular Parcels of Land for Sale in Killington VT



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Two Adjacent Parcels Totaling 56.8 Acres Next To Skyship Gondola in Killington, Vermont

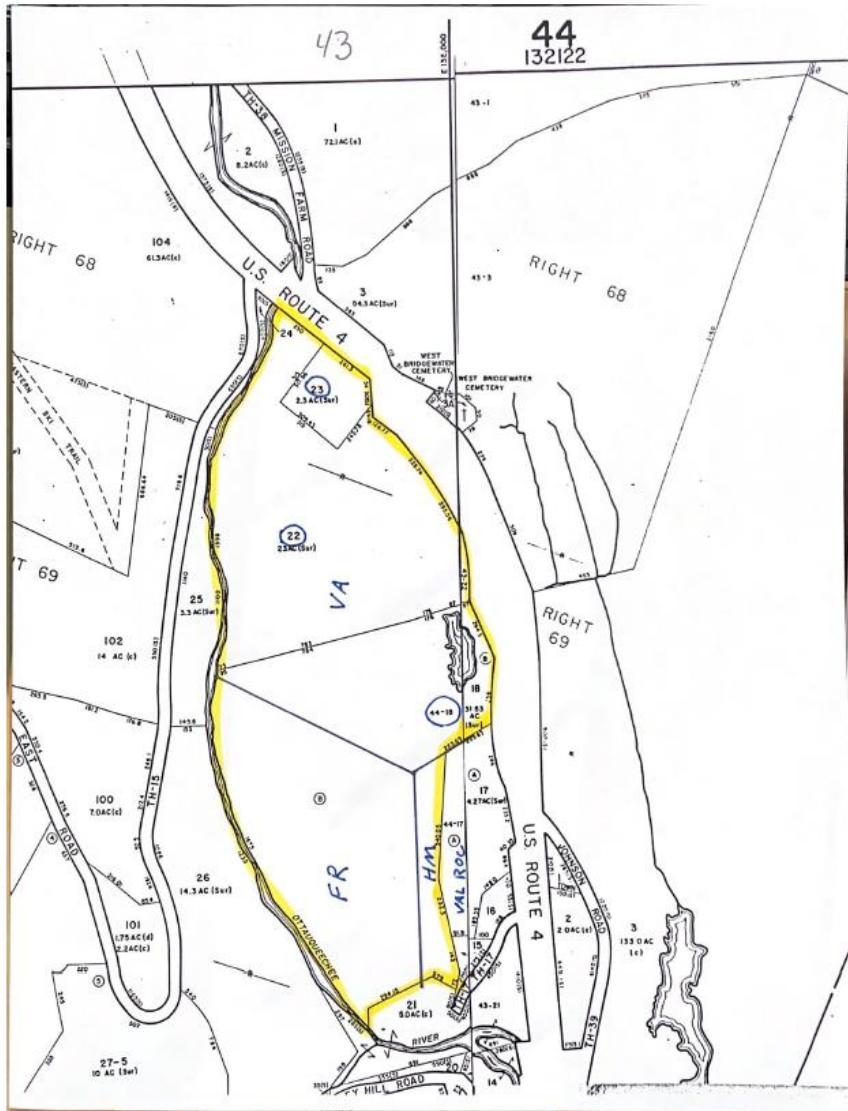


Span 588-185-12659 is comprised of parcels 43-022 and 43-023. Span 588-185-12754 is also known as parcel 44-018.

Land Features

- Spectacular large parcels in Killington ideally situated adjacent to Skyeship Gondola providing superb access to one of the largest ski resorts in the East. Perfectly positioned just seconds from the slopes and minutes to the nightlife, offering the ideal blend of adventure and convenience.
- Large parcels which are seldom available in Killington.
- Picturesque 57 acres with excellent frontage along U.S. Route 4. Over 2,200 ft of frontage allows for two access roadways, as well as providing opportunity for both commercial and residential development.
- Land climbs as parallels East Mountain Road / Ottauquechee River and property faces south / southeast. Beautiful flat areas throughout and at upper plateau offering many attractive building sites.
- Prior Act 250 permit had approvals from both Town and Resort for a pedestrian bridge across East Mountain Road connecting to Skyeship Gondola base area (ski-on/ski-off).
- Approximately 2,000 feet of frontage on Ottauquechee River.
- Existing drilled well already on site, demonstrated to be a high output “gusher” well.
- Beautiful woodlands with old logging roads and rarely seen old growth hemlock groves.
- Rich variety of trees with spruce, pine, sugar maple, cherry, hemlock and others.
- Perfect for nature enthusiasts and lovers of the outdoors.

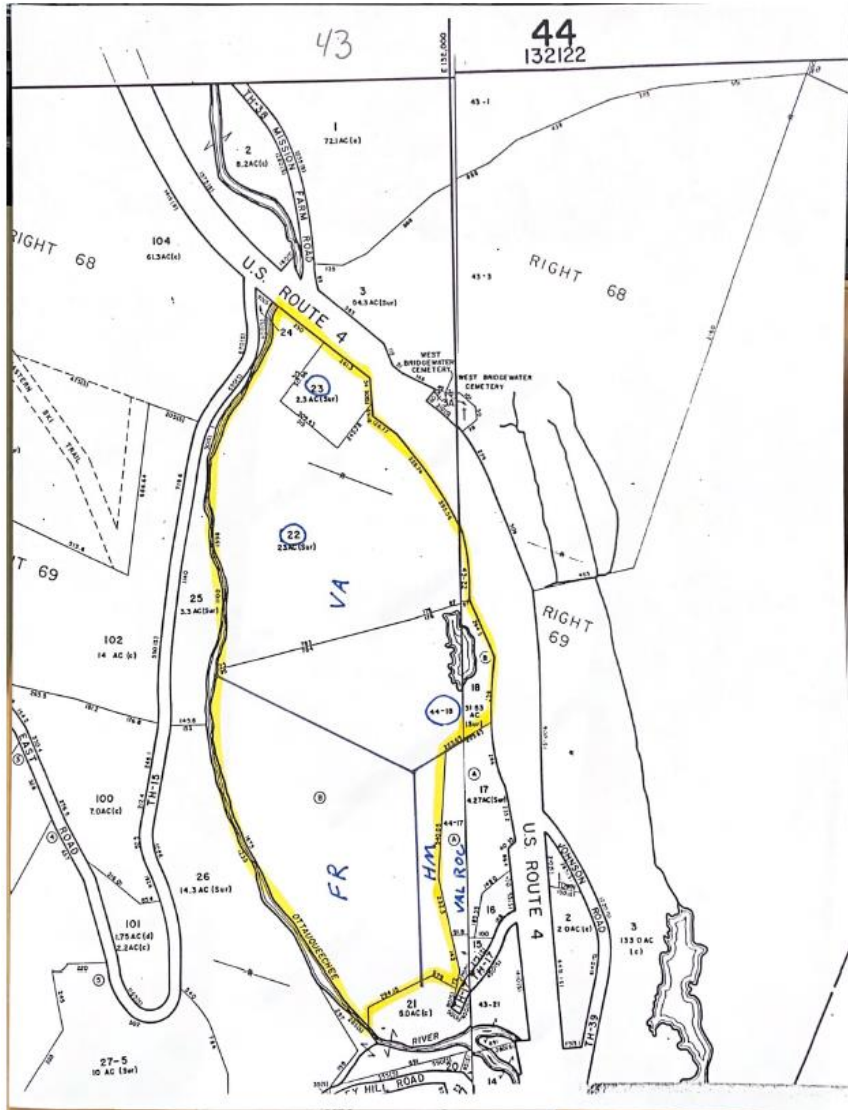
Zoning Districts



- Parcels located in the Valley, Forest Reserve, and Hamlet Districts. ~35 of the 57 acres is in Valley District. Town has agreed to rezone the Forest district to Valley and process is underway. After re-zoning, 54.1 acres will be in Valley District and 2.74 acres in Hamlet.
- Property has 2K+/- feet of frontage on US Rte 4 and current zoning allows for two access roadways.
- Current Zoning Regulations for Valley District:

240.9 Valley District	<u>REQUIREMENTS- NOT IN PUD</u> Front Setback*: Minimum 20' Side Setback*: Minimum 25' Rear Setback*: Minimum 25' Maximum Coverage*: 10% Minimum Lot Area per One Family Dwelling*: 10 Acres Minimum Lot Area per Two Family Dwelling*: 10 Acres Minimum Lot Area: 10 Acres.	<u>USES - NOT IN PUD</u> One- and Two-Family Dwellings; Agriculture; forestry:	<u>NOT IN PUD</u> Telecommunications Facilities; Indoor Cannabis Cultivation, Cannabis manufacturing, Testing and Wholesale
Sec.240.9 Valley District (Cont'd)	<u>REQUIREMENTS- IN PUD</u> Front Setbacks*: Minimum 20' Side Setback*: Minimum 25' Rear Setback*: Minimum 25' Maximum Coverage*: 20% Minimum Lot Area: 10 Acres Minimum Lot Area per Dwelling Unit*: 1 Acre Frontage on Rt. 4: Min 1,000'	<u>USES IN PUD</u> One, Two and Multi-Family Dwellings; Hotel/Lodge; Restaurant & Lounge; Office; Retail Store; Personal Services; Craft Shop; Public Assembly Use; Recreational facility; Agriculture; Forestry; or any combination thereof.	<u>IN PUD</u> Telecommunications Facilities; Indoor Cannabis Cultivation; Cannabis Manufacturing, Testing and Wholesale

Zoning Districts (continued)



• Current Zoning Regulations for Forest & Hamlet Districts:

240.2 Forest Reserve District	<u>REQUIREMENTS- NOT IN PUD</u> Front Setback*: Minimum 25' Side Setback*: Minimum 50' Rear Setback*: Minimum 50' Maximum Coverage: 5% Minimum Lot Area per One Family Dwelling*: 10 Acres Minimum Lot Area per Two Family Dwelling*: 10 Acres Minimum Lot Area: 10 Acres	<u>USES – NOT IN PUD</u> One Or Two Family Dwellings below 1700'; Agriculture; Outdoor Recreation;	<u>NOT IN PUD</u> Extraction of earth materials, including sand, soil and gravel; Parking lots and Structures which are not in Reasonable Proximity to the use being served; One- or Two-Family Dwellings above 1700' Tele-communications Facilities.
	<u>REQUIREMENTS- IN PUD</u> Front Setback*: Minimum 25' Side Setback*: Minimum 100' Rear Setback*: Minimum 100' Maximum Coverage: 5% Minimum Lot Area: 10 Acres Minimum Lot Area per Dwelling Unit*: 5 Acres	<u>USES – IN PUD</u> One- or Two-Family Dwellings or any combination thereof below 1700'.	<u>IN PUD</u> One- or Two-Family Dwellings above 1700'; Tele-communications Facilities.
	DIMENSIONAL REQUIREMENTS	PERMITTED USES	CONDITIONAL USES
240.5 Hamlet	Front Setback: Minimum 20' Side Setback*: Minimum 25' Rear Setback: Minimum 25' Maximum Coverage: 30% Minimum Lot Area per One Family Dwelling: 40,000 sq. ft. Minimum Lot Area per Two Family Dwelling: 40,000 sq. ft. Minimum Lot Area per Multifamily Dwelling unit 40,000 sq. ft.	One, Two and Multi-Family Dwellings; Hotel/Lodge; Office; Retail Store; Craft Shop; Public Assembly Use; Post Office; Restaurant & Lounge; Personal Services.	Auto Service Station; Fast Food Restaurant; ; Telecommunications Facilities
240.5 Hamlet (Cont'd)	Minimum Lot Area any other use: 40,000 sq. ft. *Not applicable to a Building located on a property line with a common side wall to a Building on the same property line.		

Potential Development Options

- **Various attractive development options are possible for these parcels.**
- **Subdivide or PUD for single family and multi-family home building lots.**
 - One option, which would require only Town of Killington approval (i.e., not trigger Act 250) is to submit a PUD application or subdivide each parcel per Zoning regulations.¹
- **Resurrect prior Act 250 Approvals.** Land had previously (July 2001) received Act 250 approval for the Skyship Inn Project. A Master Plan was submitted that included:
 - Phase I: 46-unit inn, restaurant, and service facilities, with ski-on/ski-off access to Skyship Gondola.
 - Phase II: 64 additional single-family and multi-family buildings with related infrastructure.
 - Land Use Permit has expired but had included final construction approval for Phase I and final affirmative findings and partial findings for Phase II.
 - A new developer could resurrect the prior submission and plan a similar development. Some underlying permits (e.g., Water Supply and Wastewater Disposal) are still active.
 - Appendix details original proposed development and Master Plan for informational purposes.
- **Updated condo development leveraging prior Act 250 submission.** Prior Act 250 submission was limited by a Deer Wintering Area designation. This designation no longer exists so other development options leveraging the entirety of the 57 acres is possible.
- **Commercial development.** Land along U.S. Route 4 could represent attractive commercial development opportunity (office, retail, restaurant, etc.) which is permitted in PUD in Valley District.

1. Potential to abandon current Act 250 jurisdiction and put forth a subdivision that only requires Town approval and is not subject to Act 250 permit. Town of Killington is expected to adopt subdivision regulations shortly.

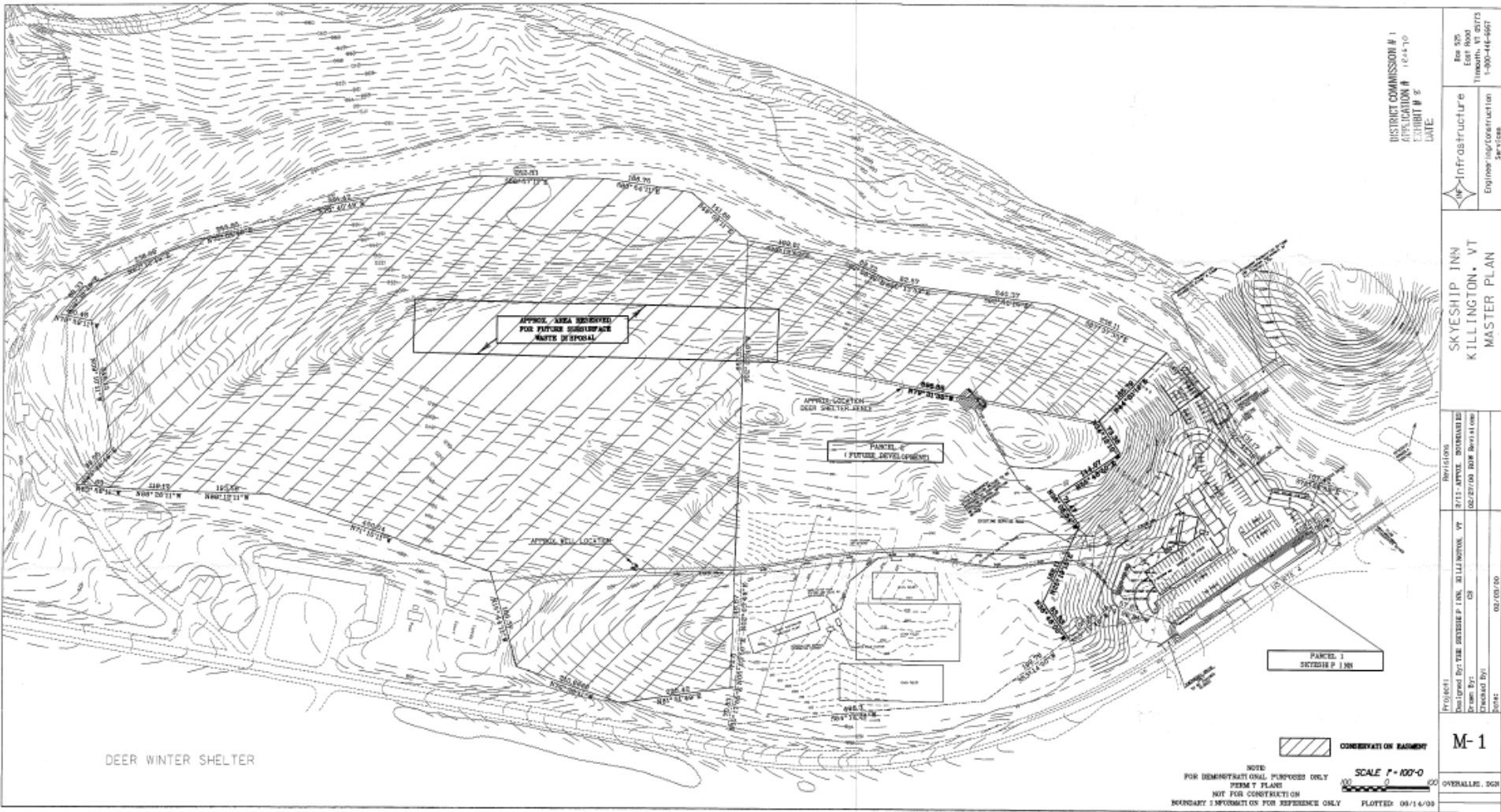
APPENDIX: PRIOR ACT 250 PERMIT DETAILS



Skyeship Potential Development, Killington Vermont

Previously Received Act 250 Approvals

Master Plan Map: Phase I and Phase 2

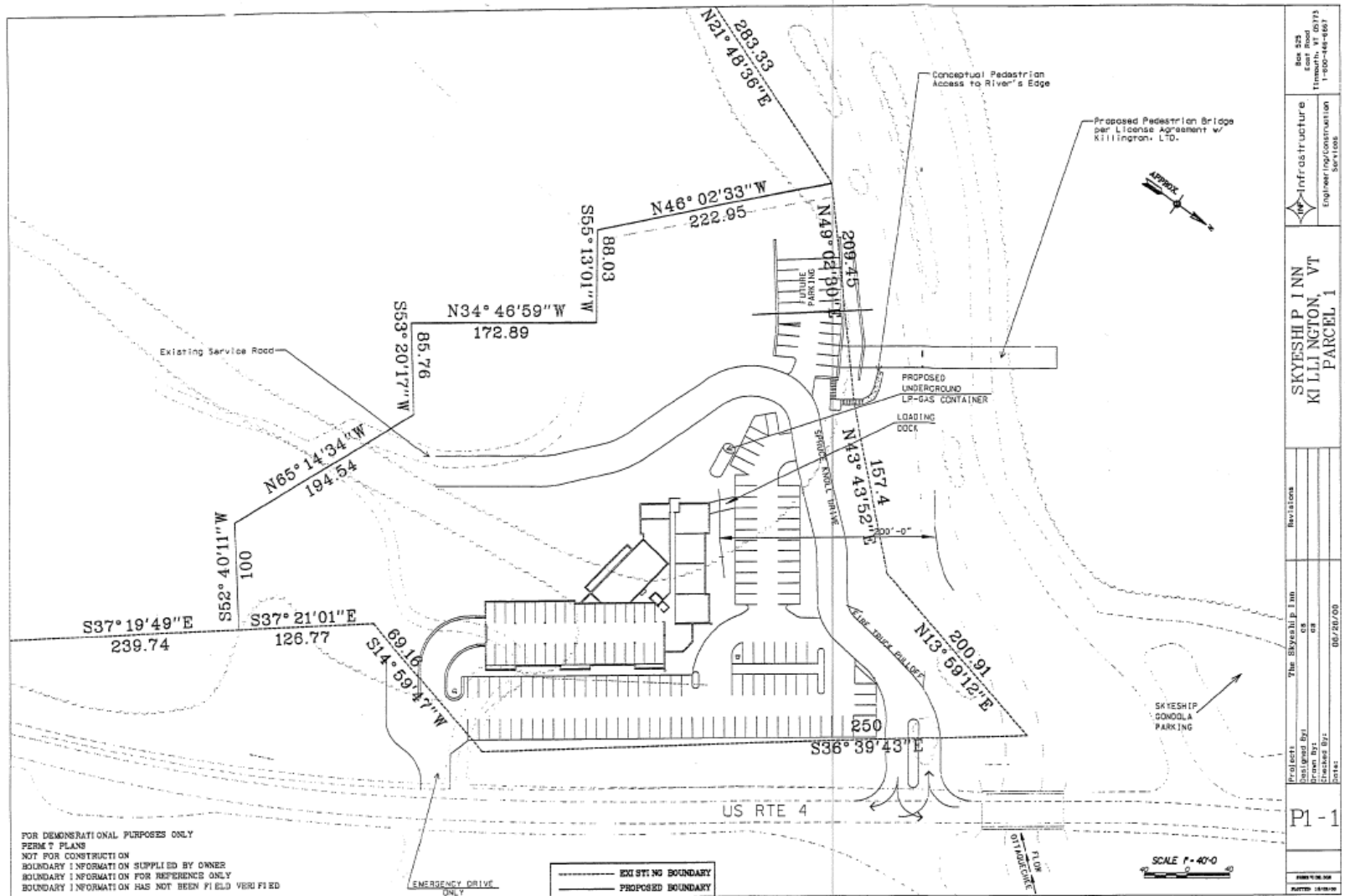


DISTRICT COMMISSION # 1 APPLICATION # 104410 EXHIBIT # 5 DATE:		No. 325 East Road Killington, VT 05751 1-800-445-6667
SKYESHIP INN KILLINGTON, VT MASTER PLAN		VP-Infrastructure Engineering/Construction Services
PROJECT: Rev 16/08 Drawn By: CH Checked By: CH Date: 02/27/08	Rev 16/08 2/13 - APPROV. DOWNGRADED 02/27/08 ROW Rev 14/08	M-1 OVERALLS: DCH

Note that original Act 250 application had Killington, Ltd. as a co-applicant, as owner of the ski trail upon which there would be an easement benefitting the Skyeship Inn Project.

Phase I

Prior Act 250 approval for Phase I on Parcel 1, a **5.2 acre portion**. The previously approved **Skyship Inn** Project included **46 units** in a hotel structure along with related roads, parking, walkways, ski trails, pedestrian bridge, water, sewer, site lighting and landscaping, signage and related infrastructure.



Prior proposed construction was to take place in the Valley District. At the time (1999), the Valley District required a minimum of 10 acres for a PUD. Project had approximately 30 acres in the Valley District and an overall 57 acres..

Prior Act 250 Approval Details

Permit 1R0870 issued by District Environmental Commission #1 on July 20, 2001. Permit expired 3 years from date of issuance, as project did not progress, but details of prior approved project are shown below.

Final Affirmative Findings for Phase I:

- **Skyeship Inn:** prior approval for construction of a **46-unit inn** with related restaurant, lounge, recreation and service facilities, with related roads, parking, walkways, **pedestrian bridge to the Skyeship Gondola base area (ski-on/ski-off)**, ski trail modifications, water, sewer, site lighting and landscaping, signage and related infrastructure. Units were to be sold on a time-share basis and operated as a hotel. Per Town approved PUD, full-time occupancy of units was not permitted.
- **Common Infrastructure:** included automobile pedestrian access, water supply and wastewater collection and disposal facilities, main power, telephone and communication utilities, and related common infrastructure. Per Town approved PUD, property has **2000+/- feet of frontage on US Rte 4** and was therefore allowed **two access driveways**. Per Town approved PUD, westerly driveway would be main ingress and egress. Easterly driveway for emergency and maintenance use only.

Final Affirmative Findings for Phase II (second 64-unit phase of the Project):

- **Phase II:** Final affirmative findings were issued on criteria 1D (floodways), 8 (historic sites/natural areas), 8A (wildlife), 9B (prime agriculture soils), 9C (secondary forest soils), 9D and 9E (earth resources), and 9L (rural growth areas or settlement patterns).

Partial Affirmative Findings for Phase II:

- Commission issued final affirmative findings for Phase II except for 1 (air), 1B (waste disposal), 1E (streams), 1G (wetlands), 2-3 (water supply), 4 (erosion), 5 (traffic), 6 (schools), 7 (municipal services), 8 (aesthetics), 9A (impact of growth), 9K (public investments), and 10 (town and regional plans).

Conservation Easement/Wildlife Habitat Area (No Longer Relevant):

- Original permit included/required a permanent conservation easement on 34.2 acres to serve as a secure wildlife habitat buffer to protect the deer wintering area that is located on the southern portion of the Project area. A recent review by Vermont Fish & Wildlife has declassified the land as a DWA, so there is no longer any limitation on the 57 acres as it pertained to the DWA. Regardless, original Master Plan contemplated 100 units.

Prior Act 250 Approval Details

Permit 1R0870 issued by District Environmental Commission #1 on July 20, 2001. Permit expired 3 years from date of issuance, as project did not progress, but details of prior approved project are shown below.

Criterion	Sub-Criterion	Findings	Permits & Additional Info
1. Air and Water Pollution	Air	<ul style="list-style-type: none"> Phase I project would not result in undue air pollution. Insufficient evidence with respect to air impacts from Phase II. Commission waived detailed findings with respect to 1D.¹ 	<ul style="list-style-type: none"> No Air Pollution Control Permit was required until total number of required parking spaces exceeds 1K. Phase I required 141 constructed and an additional 15 in reserve. If Phase II brings total number of required spaces to >1K, an Air Pollution Control Permit would be required. Skyeship Inn and future development would be heated with propane fired hot water system. After construction, soils would be stabilized with vegetation. Main road would be paved and parking areas would be graveled surface.
	1A: Headwaters	<ul style="list-style-type: none"> Project is located in a headwaters area. Phase I demonstrated conformance with 1A. 	<ul style="list-style-type: none"> Agency of Natural Resources issued Stormwater Discharge Permit 1-1403 on 7/26/99 to discharge stormwater runoff from Phase I of the Skyeship Inn Project to the Ottauquechee River. Permit expired 6/30/05.
	1B: Waste Disposal	<ul style="list-style-type: none"> Project requires 14,989 gpd of wastewater treatment and disposal capacity. Commission concluded that Phase I met applicable health and environmental conservation department regulations. 	<ul style="list-style-type: none"> Phase I was to be served by an approved secondary wastewater facility and leach field disposal system; approved capacity was 15K gpd. Agency of Natural Resources issued Water Supply and Wastewater Disposal Permit #WW-1-0666 on 7/31/98 granting approval of a drilled bedrock water well to serve as a non-transient, non-community public potable water source for both phases of the Project. Permit still active. Agency of Natural Resources issued Water Supply and Wastewater Disposal Permit #WW-1-0666-1 on 4/17/01 granting approval for construction of Skyeship Inn Project wastewater treatment for 46 units, 40-seat restaurant, two laundry machines, 20 employees. Still active.

Prior Act 250 Approval Details

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Criterion	Sub-Criterion	Findings	Permits & Additional Info
1. Air and Water Pollution	1B: Waste Disposal (continued)	<ul style="list-style-type: none"> Phase II Final Approval would require amending Stormwater Discharge and Water Supply/Wastewater Permits. 	<ul style="list-style-type: none"> Agency of Natural Resources issued Stormwater Discharge Permit 1-1403 on 7/26/99 to discharge stormwater runoff from Phase I of the Skyeship Inn Project to the Ottauquechee River. Permit expired 6/30/05.
	1C: Water Conservation	<ul style="list-style-type: none"> Commission finds that Skyeship Inn Project will use best available water conservation technology. 	<ul style="list-style-type: none"> Required installation and maintenance of water conserving fixtures in all dwelling units, including low-flush toilets and low-flow fixtures.
	1D: Floodways ¹	<ul style="list-style-type: none"> Project is not in a floodway or floodway fringe. Project will not restrict or divert flow of flood waters nor significantly increase peak discharge of a river or stream. 	<ul style="list-style-type: none"> Affirmative finding for both Skyeship Inn Project and Future Development Phase. Concludes that construction of buildings and associated infrastructure in both Phase I and Phase II would not restrict the flow of flood waters or significantly increase peak discharges. This finding was only valid for a five-year period, so new application submission would require review of Floodways.

1. For some criterion, Commission waived detailed findings with respect to criterion for which the original applicant met the burden of proof in the application materials.

Prior Act 250 Approval Details

Permit 1R0870 issued by District Environmental Commission #1 on July 20, 2001. Permit expired 3 years from date of issuance, as project did not progress, but details of prior approved project are shown below.

Criterion	Sub-Criterion	Findings	Permits & Additional Info
1. Air and Water Pollution	1E: Streams	<ul style="list-style-type: none"> Commission found that Phase I conforms. Phase II, as finally designed, would need to conform with 1E. 	<ul style="list-style-type: none"> Stream Alteration Permit #SA-1-0518 issued on 8/14/00 granting approval for the installation of the Pedestrian Bridge on the Ottauquechee River. Expired 10/1/01. Retaining walls used to limit encroachment along Class III wetland that exists along Ottauquechee River providing an undisturbed separation buffer between majority of anticipated disturbance and waterway. Erosion control measures and revegetation plans to be utilized.
	1F: Shorelines	<ul style="list-style-type: none"> Commission found that Phase I conforms. Phase II, as finally designed, would need to conform with 1F. 	<ul style="list-style-type: none"> Project would maintain shoreline of Ottauquechee River in its natural condition. Shoreline of Ottauquechee River would be maintained with requisite minimum buffer from area of disturbance (50 feet) and erosion control measures and revegetation plans would be utilized to screen project from river.
	1G: Wetlands	<ul style="list-style-type: none"> Commission found that Phase I conforms. Phase II, as finally designed, would need to conform with 1G. 	<ul style="list-style-type: none"> There are no Class II wetlands located in the Skyeship Inn project area. Stormwater Discharge Permit 1-1403 issued 7/26/00 and expired 6/30/05, for the discharge of stormwater runoff from the Skyeship Inn Project to the Ottauquechee River.

Prior Act 250 Approval Details

Permit 1R0870 issued by District Environmental Commission #1 on July 20, 2001. Permit expired 3 years from date of issuance, as project did not progress, but details of prior approved project are shown below.

Criterion	Sub-Criterion	Findings	Permits & Additional Info
2 and 3. Water Supply and Impact on Water Supply		<ul style="list-style-type: none"> ▪ Commission concluded that Phase I conformed with criteria 2 and 3. ▪ Phase II, as finally designed, would need to conform with criteria 2 and 3, primarily through obtaining Water Supply permit amendments. 	<ul style="list-style-type: none"> ▪ Water Supply and Wastewater Permit #WW-1-0666-1. Issued 4/17/01. Still active. Upon transfer of ownership of project, new owner(s) shall meet with Water Supply Division for purposes of determining capacity development plans to show that there is technical, financial, and managerial ability to provide safe drinking water. ▪ Well yield exceeded Phase I and Phase II pumping requirement. On-site well, as approved by Agency of Natural Resources, was approved for a capacity of 59.77 gallons of water per minute. ▪ Water supply and distribution system was to be owned and operated by an association of the owners of the Skyship Inn Project and Future Development Phase that would be formed as a Common Interest Community Association pursuant to Vermont Common Interest Ownership Act.
4. Soil Erosion		<ul style="list-style-type: none"> ▪ Commission concluded that Phase I conformed with criterion 4. ▪ Phase II, as finally designed, would need to conform with criterion 4, based upon a demonstration that erosion controls specific to Phase II will be designed and monitored by a registered professional engineer. 	<ul style="list-style-type: none"> ▪ Slopes within Project area average between 2% and 10%. ▪ An erosion control plan was submitted and deemed sufficient to prevent unreasonable soil erosion or a harmful reduction in capacity of land to hold water. ▪ A qualified VT Registered Professional Engineer was designated as the erosion control engineer for the Project. ▪ Proposed location of building and parking areas is/was a gently sloping parcel at the foothills of Spruce Knoll, which extends to a Class III wetland continuing to the Ottauquechee River. ▪ Detailed exhibits illustrate drainage plan and illustrate erosion control for both Phase I and II.

Prior Act 250 Approval Details (continued)

Permit 1R0870 issued by District Environmental Commission #1 on July 20, 2001. Permit has expired, but details of prior approved project are shown below.

Criterion	Sub-Criterion	Findings	Permits & Additional Info
5. Transportation		<ul style="list-style-type: none"> ▪ Commission found that the relevant roads and intersections would have sufficient reserve capacity to absorb the projected two-way volume increase from Skyship Inn Project. ▪ Site Plan for Project, including roadway, was reviewed by Town of Killington and Town of Killington Fire Department. Approval of site plan and roadway was granted by Killington Planning Commission. ▪ For Phase II, Commission wanted an updated traffic study. 	<ul style="list-style-type: none"> ▪ State of Vermont Agency of Transportation issued on 7/6/00 a commitment letter for a permit for construction of an access to Project from US Rte 4. ▪ Original traffic reports for Skyship Inn and Future Development phases were done in July 1998. Traffic Research Section of Agency of Transportation reviewed and concurred with applicant's traffic study.
6. Educational Services ¹		<ul style="list-style-type: none"> ▪ Commission waived detailed findings with respect to 6 Schools. 	<ul style="list-style-type: none"> ▪ Project was to be sold as a timeshare resort which precluded the possibility of year-round residents and there was going to be occupancy restrictions in condo declarations for units preventing use of units as primary residences. ▪ Assumption was that affected school systems would have adequate capacity for students.

1. For some criteria, Commission waived detailed findings with respect to criterion for which the original applicant met the burden of proof in the application materials.

Prior Act 250 Approval Details (continued)

Permit 1R0870 issued by District Environmental Commission #1 on July 20, 2001. Permit has expired, but details of prior approved project are shown below.

Criterion	Sub-Criterion	Findings	Permits & Additional Info
7. Municipal Services ¹		<ul style="list-style-type: none"> ▪ Phase I had full conformance for criterion 7 and would not cause an unreasonable burden on the ability of local government to provide municipal services. ▪ Commission waived detailed findings with respect to 7 Municipal Services. ▪ Phase II would need additional confirmations. 	<ul style="list-style-type: none"> ▪ Town of Killington Fire Department would provide fire protection services for the Project. ▪ Town of Killington Constables would provide police coverage for the Project. ▪ Plan was to contract with a licensed waste disposal and recycling hauler. ▪ Rutland Regional Ambulance Service would provide emergency medical service for the Project.
8. Aesthetics, Scenic & Natural Beauty		<ul style="list-style-type: none"> ▪ Commission found that Skyeship Inn would not have an undue adverse effect on the scenic or natural beauty of the area, or aesthetics given the careful and extensive mitigation measures proposed for features such as exterior materials, reduced and shielded lighting, parking lot design, and landscaping. ▪ For Phase II, the Commission would require final architectural plans detailing the final design features of Phase II including building materials, colors, lighting, landscaping, etc. 	<ul style="list-style-type: none"> ▪ Area in vicinity already commercially developed and Project located adjacent to existing Killington Skyeship gondola, trail, and parking lot. ▪ Skyeship Inn to be developed within Town of Killington's Valley District and is not inconsistent with surrounding developments. ▪ Applicant agreed to construct major infrastructure during summer months when lowest utilization of Skyeship Gondola base. ▪ Detailed landscape and building plans were submitted. ▪ Utilities direct underground burial.

1. For some criteria, Commission waived detailed findings with respect to criterion for which the original applicant met the burden of proof in the application materials.

Prior Act 250 Approval Details (continued)

Permit 1R0870 issued by District Environmental Commission #1 on July 20, 2001. Permit has expired, but details of prior approved project are shown below.

Criterion	Sub-Criterion	Findings	Permits & Additional Info
8. Aesthetics, Scenic & Natural Beauty (continued)	8A: Necessary wildlife habitat; also historic sites, historic sites (archaeology), rare and irreplaceable natural areas	<ul style="list-style-type: none"> ▪ Commission found that Skyeship Inn would not have an undue adverse impact on historic sites, natural areas, or upon necessary wildlife habitat or endangered species. Was a final affirmative finding of fact for both Phase I and Phase II and was valid for a five year period. 	<ul style="list-style-type: none"> ▪ There are no historic sites in the vicinity of the Project. Affirmative finding for Phase I and Future Development Phase. ▪ Most significant natural feature on the Spruce Knoll area is the Ottauquechee River. ▪ Applicant established a 34.2 acre conservation easement to serve in perpetuity as a secure buffer that would adequately protect the natural areas adjacent to the Project property. Easement never filed and DWA classification recently removed. No longer relevant.
9. Miscellaneous	9A: Impact of Growth	<ul style="list-style-type: none"> ▪ Commission found that Phase I would conform with criterion 9A and will not significantly affect existing or potential financial capacity of the town and region to accommodate such growth. ▪ For Phase II, the Commission would require that the Economic and Fiscal Impact Report be updated to identify any changes circumstances. 	<ul style="list-style-type: none"> ▪ Economic and Fiscal Impact Report was prepared by Northern Economic Consulting in October 1999.

Prior Act 250 Approval Details (continued)

Permit 1R0870 issued by District Environmental Commission #1 on July 20, 2001. Permit has expired, but details of prior approved project are shown below.

Criterion	Sub-Criterion	Findings	Permits & Additional Info
9. Miscellaneous	9B: Primary agricultural soils ¹	<ul style="list-style-type: none"> Commission found that neither Phase I or Phase II would significantly reduce the agricultural potential of primary agricultural soils. Both Phases conformed to criterion 9B. 	
9. Miscellaneous	9C: Productive forest soils ¹	<ul style="list-style-type: none"> Commission found that neither Phase I or Phase II would significantly reduce the potential of secondary agricultural or forestry soils. Both Phases conformed to criterion 9C. 	
9. Miscellaneous	9D: Earth resources ¹ 9E: Extraction of earth resources ¹	<ul style="list-style-type: none"> Commission found that Phase I and Phase II demonstrated full conformance to criteria 9D and 9E. 	<ul style="list-style-type: none"> The extraction of earth or mineral resources in the Valley Zoning District, where the Project is located, was not permitted under the Killington Zoning Regulations or the Town or Regional plans.

1. For some criteria, Commission waived detailed findings with respect to criterion for which the original applicant met the burden of proof in the application materials.

Prior Act 250 Approval Details (continued)

Permit 1R0870 issued by District Environmental Commission #1 on July 20, 2001. Permit has expired, but details of prior approved project are shown below.

Criterion	Sub-Criterion	Findings	Permits & Additional Info
9. Miscellaneous	9F: Energy conservation	<ul style="list-style-type: none"> ▪ Commission found applicant's use of "best available technology" achieved conformance with 9F. 	<ul style="list-style-type: none"> ▪ Act 250 Permit conditioned on installation of energy efficient technology. ▪ Applicant and subsequent developers would maintain energy conservation measures in any heated structures, including insulation with an R-value of at least R-19 in the exterior walls, at least R-38 in the roof or cap, and at least R-10 around the foundation or slab, with double pane glass or storm windows and insulated doors. ▪ Installation of electric resistance space heating equipment in any building was prohibited.
9. Miscellaneous	9G: Private utility services	<ul style="list-style-type: none"> ▪ Commission found full conformance with criterion 9G for Phase I. ▪ Phase II final application requires confirmation that no material or substantial changes have occurred which would burden the municipality. 	<ul style="list-style-type: none"> ▪ Skyeship Inn wastewater disposal system to be constructed, owned and operated by a "Sewer Company." Organizational docs of Sewer Company would prohibit turning wastewater disposal system over to Town of Killington without the written approval of Town. ▪ Skyeship Inn water system will be a community-owned water system and part of common area.

Prior Act 250 Approval Details (continued)

Permit 1R0870 issued by District Environmental Commission #1 on July 20, 2001. Permit has expired, but details of prior approved project are shown below.

Criterion	Sub-Criterion	Findings	Permits & Additional Info
9. Miscellaneous	9H: Costs of scattered development	<ul style="list-style-type: none"> Commission found that Phase I conforms with criterion 9H and that the costs of public services and facilities will not outweigh the tax revenue and other public benefits of the development. Phase II final application requires confirmation that no material or substantial changes have occurred which would cause costs to outweigh benefits. 	<ul style="list-style-type: none"> Project is located in a major transportation corridor (US Rte 4) and is contiguous to existing development (other motels, lodging facilities, Killington Skyeship Gondola Base). Project is in Town of Killington Valley District, which is zoned for commercial lodging facilities. Project, by providing “ski-on, ski-off” access for unit owners, will reduce vehicular traffic.
9. Miscellaneous	9J: Public utility services	<ul style="list-style-type: none"> Commission found that Phase I would conform to criterion 9J. Phase II final application requires confirmation that public utilities remain available and are able to serve Phase II. 	<ul style="list-style-type: none"> CVPS indicated that it had the capacity to serve the electrical needs of the Project. Vtel and Agway Energy also indicated that they had the capacity to serve the telephone and propane needs, respectively of the Project.
9. Miscellaneous	9K: Public investments	<ul style="list-style-type: none"> Commission found that Phase I conformed to criterion 9K. Phase II final application would require an updated traffic study to determine whether traffic conditions on US Rte 4 or with respect to Phase I/Phase II have changed in a manner that raises new issues of material jeopardy for US Rte 4. 	<ul style="list-style-type: none"> No longer relevant: proposed 34.2-acre conservation easement/wildlife buffer was a condition of prior approval and acted to protect the public investment in the maintenance of wildlife habitat areas. Phase I would not endanger any adjacent public investment.

Prior Act 250 Approval Details (continued)

Permit 1R0870 issued by District Environmental Commission #1 on July 20, 2001. Permit has expired, but details of prior approved project are shown below.

Criterion	Sub-Criterion	Findings	Permits & Additional Info
9. Miscellaneous	9L: Settlement patterns / rural growth areas	<ul style="list-style-type: none"> ▪ Commission found that Project is not located in a rural growth area and therefore did not reach the specific subcriteria of 9L. ▪ Project conformed with the purpose of 9L which is to “promote orderly and well-planned growth in rural areas by providing for reasonable population densities and rates of growth, using clustered development and new community planning techniques to conserve land and the costs of services that stem from development.” 	<ul style="list-style-type: none"> ▪ Project is located within the headwaters area of the Ottawaquechee River, is in proximity to the River, is adjacent to a Class III wetland, is located within the shoreline of the River.
10. Local & Regional Plans		<ul style="list-style-type: none"> ▪ Commission found that Phase I conformed with criterion 10. ▪ Phase II final application would be required to conform with Town and Regional Plans then in effect. 	<ul style="list-style-type: none"> ▪ Project received PUD and Site Plan approvals and permits from the Town of Killington on 4/7/99; expired 4/7/03.

Permit Summary

Permit Type	Permit, Issue & Expiration Dates	Agency / Issuer	Details and Status
Indirect Discharge Permit	ID-9-0262 Issued 8/28/96 Expired 6/30/01	Agency of Natural Resources, Wastewater Management Division	<ul style="list-style-type: none"> Permit for Wastewater Treatment and Disposal System for domestic sewage. Treatment system of septic tanks, recirculating sand filter, leachfields/trenches, drainage basin of Ottawaquechee River, 344 acres drainage area, and receiving stream an unnamed tributary of the Ottawaquechee River.
	ID-9-0262-1 (Amended Permit) Issued 4/4/01 Expired 6/30/01	Agency of Natural Resources, Wastewater Management Division	<ul style="list-style-type: none"> Permit amendment authorizes the construction of a grease trap, septic tanks, a pump station with valve it and a force main designed to serve the Skyeship Inn.
Water Supply and Wastewater Disposal	Permit #WW-1-0666 Issued 7/31/98 Still Active and Transfers with Change in Ownership	Agency of Natural Resources, Wastewater Management Division	<ul style="list-style-type: none"> Water Supply and Wastewater Disposal Permit for drilled, bedrock, water well to serve as a non-transient, non-community public potable water source.
	Permit #WW-1-0666-1 Issued 4/17/01 Still Active; upon Transfer of Ownership, new owner needs to meet with Water Supply Division	Agency of Natural Resources	<ul style="list-style-type: none"> Water Supply and Wastewater Disposal Permit for the construction of Skyeship Inn with 46 units (79 bedrooms/118 bedspaces), 40-seat restaurant, 20 employees, and a two-machine laundry.
Stormwater Discharge	Permit #1-1403 Issued 7/26/00 Expired 6/30/05	Agency of Natural Resources, Department of Environmental Conservation	<ul style="list-style-type: none"> Stormwater Discharge Permit to discharge storm water runoff from Phase I of the Skyeship Inn Project to the Ottawaquechee River.

Permit Summary (continued)

Permit Type	Permit, Issue & Expiration Dates	Agency / Issuer	Details and Status
<p>Town of Sherburne Planned Unit Development and Site Plan</p>	<p>PUD: 98-130 Issued 4/7/99 (PUD) Expired 4/7/03</p> <p>Site Plan: 98-131 Issued 4/7/99 Expired 4/7/03</p>	<p>Town of Sherburne</p>	<ul style="list-style-type: none"> ▪ PUD review and approval was for Phase I only. Approved a 46-unit interval ownership hotel. Each unit would consist of one to three rooms for a total of 127 rooms and 113 doors to hallway. The hotel would also have an indoor swimming pool (not in Act 250 application), conference rooms (1066 sq ft of meeting space) and a full-service restaurant (1641 sq ft). ▪ PUD approval recognized pedestrian bridge to cross Ottauquechee River and East Mountain Road to the Skyeship Base area. ▪ Town PUD approval required 141 parking spaces (103 surface and 38 understructure parking).
<p>Stream Alteration Permit</p>	<p>SA-1-0518 Issued 8/14/00 Expired 10/1/01</p>	<p>Agency of Natural Resources, Water Quality Division</p>	<ul style="list-style-type: none"> ▪ Stream Alteration Permit for the installation of Pedestrian Bridge located on Ottauquechee River.