

DISCRETIONARY PERMIT PROCESS

Most land development proposals in Williston require the approval of a Discretionary Permit by the town's Development Review Board (DRB). This includes residential subdivisions, new or expanded office, commercial, and industrial buildings, most site improvements and modifications. The following is intended to provide a detailed outline of the process for filing and processing an application for a Discretionary Permit, and it is based on Chapter 6 of Williston *Unified Development Bylaw*. If you are unsure of what type of permit you may need to gain approval of a project you have in mind, you should contact the Williston planning and zoning office.

- **Pre-filing conference**

A pre-filing conference is required of all applicants prior to filing any applications for a development proposal. This helps insure that the application will be complete when filed and it increases the likelihood that the applicant has considered all of the town's development regulations. All applicants are encouraged to meet with the staff of the planning office to discuss their projects as early as possible. Discussing your project with the staff from the planning office early on generally results in a better overall project, and it increases the likelihood that the project will be approved without unnecessary delays.

- **Pre-application**

This is the first formal stage in the development review process, and it involves a public hearing before the DRB. This stage is largely conceptual, and the applicant should be prepared to discuss and consider various design options for their project. Detailed engineering drawings and studies are not required at this stage to allow an applicant to see if their proposal is likely to be viable without having to incur major expenses and costs for planning, engineering and design services. Applicants can expect to receive a list of recommendations from the DRB that will likely become conditions of approval should the project be approved.

A pre-filing conference is required prior to submitting an application for this stage. Formal project approval does not occur at this stage. Rather applicants can expect to receive either an approval or a denial to move forward to the next stage in the permitting process.

- **Discretionary Permit**

This stage is where the formal review and approval or denial of a project takes place. When approval is granted, applicants should also expect that formal conditions of approval will also be included as part of that approval. Consideration of an application for a Discretionary Permit requires a public hearing before the DRB. A pre-filing conference is required prior to submitting a Discretionary Permit application. Applicants will be expected to include detailed drawing, plans, and engineering studies as applicable in conjunction with this type of application. An application for a Discretionary Permit must be filed within one year from the date of notification of the projects Pre-application review by the DRB.

- **Final Plans**

Final plans mark the last step in the approval process with the DRB. After a Discretionary Permit has been approved, an applicant shall be required to file Final Plans within one year of the notice that a project was approved. Final Plans shall incorporate all of the changes or conditions requires by the DRB when the Discretionary Permit was approved. Final Plans are considered approved and completed when signed by either the Chairperson of the DRB or by the Administrator when delegated to do so.

- **Administrative Permit**

One or more Administrative Permits will be required before an applicant may actually begin working on their project depending on the project. Applicants should expect to submit a copy of the signed Final Plans with any application for an Administrative Permit.

- **State and Federal Permits**

Many projects will be required to also obtain permits from various state and federal government agencies in addition to any permits required by the Town of Williston. This includes Vermont Act 250 approvals, water and wastewater discharge permit from the State of Vermont, access permit from the Vermont Agency on Transportation, the Vermont Public Service Board, the U.S. Army Corps of Engineers, and others. While the planning office is aware of many of these permits and requirements, it is the responsibility of the applicant to make sure that they are in compliance with any state or federal regulations that might impact their project. Applicants should also expect to produce evidence and documentation of compliance with any of these state and federal regulations when asked by the town.