

STATE OF VERMONT GENERAL RECORD SCHEDULE

Issued to: All Public Agencies

GRS-1482.1104: Land Use and Related Permits

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Vermont State Archives and Records Administration
Vermont Office of the Secretary of State

GRS-1482.1104: Land Use and Related Permits

Classification: Land development (Permitting)

- Authority:** A custodian of public records shall not destroy, give away, sell, discard, or damage any record or records in his or her charge, unless specifically authorized by law or under a record schedule approved by the state archivist pursuant to subdivision 117(a)(5) of Title 3. (1 V.S.A. § 317a)
- Scope:** This general record schedule applies to any agency, board, department, commission, committee, branch, instrumentality, or authority of the state or any agency, board, committee, department, branch, instrumentality, commission, or authority of any political subdivision of the state that produces or acquires the records listed on this record schedule in the course of public agency business. Record means any written or recorded information, regardless of physical form or characteristics, and includes electronic or digital records and data. (1 V.S.A. § 317)
- Use:** State agencies **MUST** have a Notice of Adoption (VSARA-11) acknowledged by the Vermont State Archivist and on file with the Vermont State Archives and Records Administration (VSARA) prior to using any general record schedule. Use of a General Record Schedule (GRS) to destroy records without proper notification is not permitted. In addition, internal policies must be established to assure that the requirements outlined in any GRS are being applied across the agency. General Record Schedule (GRS) numbers shall be cited in all internal policies to demonstrate compliance with 1 V.S.A. § 317a. Local public agencies do not have to submit a Notice of Adoption; however, internal policies should clearly cite any general schedules that have been adopted and associated GRS numbers. If a GRS does not meet an agency's legal or administrative needs, the agency should continue to use any applicable disposition orders that have been issued for its records or seek agency specific record schedules through VSARA's Targeted Assistance Program (TAP).
- Exemptions:** It is the policy of Title 1, Chapter 5, Subchapter 3 of Vermont Statutes Annotated to provide for free and open examination of records consistent with Chapter 1, Article 6 of the Vermont Constitution. All people, however, have a right to privacy in their personal and economic pursuits, which ought to be protected unless specific information is needed to review the action of a governmental officer. Some records listed on GRS-1482.1104 may be exempt from public inspection and copying for this reason. Security measures to protect records and information from unauthorized access, use, and disclosure are necessary if the records are exempt pursuant to 1 V.S.A. §§ 315-320. Please see Appendix B for Access Requirements and Appendix E for related legal references regarding exemptions from public inspection and copying.
- Retention:** GRS-1482.1104 reflects the retention and disposition requirements for the following records regardless of their media, format, or mode of transmission. Duplicate records within the same agency that are used for specific legal, fiscal, or administrative purposes may be either retained using the retention requirement listed in this schedule or in accordance to an internal policy. Any copies of records made only for convenience of reference or informational purposes may be discarded when no longer needed unless otherwise directed through an internal policy. Duplicates or copies of records shall not be retained longer than the original records.

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GRS-1482.1104: Land Use and Related Permits

Classification: Land development (Permitting)

GRS-1482.1104: This schedule is reserved for recorded evidence of activities and transactions that relate to or affect, in a specific manner, permitting the division of a parcel into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any building or other structure, or of any mining, excavation, or landfill, and any change in the use of any building or other structure, or land, or extension of use of land. For records related to the management of state lands use GRS-1254.1103 (Land Management Records).

Retention: Decisions, relevant supporting material, and substantive correspondence concerning the permitting of land development must be retained until the permit is denied, revoked, or expired and compliance with the conditions outlined in the permit is no longer required. Following the revocation or expiration of a land development permit, retain records for an additional fifteen (15) years and then destroy if permit (and any amendments and revocations) have been recorded in local land records. Permit denials are not required to be recorded and shall be retained for a minimum of three (3) years after the date of denial.

Registers or systems that serve as the official list of land development permits shall be retained until the register is superseded and then appraised by the Vermont State Archives and Records Administration (VSARA) for continuing value. For decisions, relevant supporting material, and substantive correspondence related to expired or revoked permits that have not been recorded in local land records or permits that provide legal status, rights, and entitlements that do not expire, contact the Vermont State Archives and Records Administration (VSARA) for further appraisal and possible transfer into the Vermont State Archives.

Other records shall be retained as specified in this schedule with the exception of transitory records. Transitory records created or received as part of the permitting process may be weeded as appropriate in accordance with GRS-1000.1000 (Transitory Records).

Public Access: Review

MINIMUM RECORDKEEPING REQUIREMENTS for Land Use and Related Permits (see APPENDIX E for related legal references)

Record Category/Type:	Applicability/Use:	Appraised Value:	Minimum Retention/Disposition:
GRS-1482.1104.8 Applications Public Access: <i>Review</i>	Use for permit and permit amendment applications, including temporary permit applications. Includes additional documentation submitted by the applicant. Use "Decisions" for applications that are considered part of the permit or permit amendment.	Temporary (Administrative)	RETAIN UNTIL: Completed/Closed PLUS: 3 Year(s) THEN: Destroy (General)

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<p>GRS-1482.1104.141 Authorizations Public Access: <i>Review</i></p>	<p>Use for written permissions from an authoritative body allowing or requiring recipients to perform specific activities in connection with development of land, but that do not specifically authorize or govern lasting changes to or long term use of land.</p>	<p>Temporary (Legal)</p>	<p>RETAIN UNTIL: Expired PLUS: 0 Year(s) THEN: Destroy (General)</p>
<p>GRS-1482.1104.21 Certificates Public Access: <i>Review</i></p>	<p>Use for written documents submitted by a permittee as official verification that conditions or requirements for a permit renewal have been met.</p>	<p>Temporary (Legal)</p>	<p>RETAIN UNTIL: Superseded PLUS: 3 Year(s) THEN: Destroy (General)</p>
<p>GRS-1482.1104.53 Correspondence (Substantive) Public Access: <i>Review</i></p>	<p>Use for correspondence that has significant administrative value and/or is essential to supporting a final decision. Includes executive-level correspondence.</p>	<p>Conditional Archival</p>	<p>RETAIN UNTIL: Expired PLUS: 15 Year(s) THEN: Confirm</p>
<p>GRS-1482.1104.133 Decisions Public Access: <i>Review</i></p>	<p>Use for permits, temporary permits, permit amendments, revocations, site work and construction authorizations, agreements, variances, waivers, and jurisdictional decisions issued, denied or withdrawn. Includes compliance schedules and similar records issued as part of the decision.</p>	<p>Conditional Archival</p>	<p>RETAIN UNTIL: Expired PLUS: 15 Year(s) THEN: Confirm</p>
<p>GRS-1482.1104.50 Notices, Legal Public Access: <i>Review</i></p>	<p>Use for certificates of service, notices of filings, certified mail receipts, and other evidence documenting the issuance of a notice that is required by law.</p>	<p>Temporary (Legal)</p>	<p>RETAIN UNTIL: Completed/Closed PLUS: 1 Year(s) THEN: Destroy (General)</p>
<p>GRS-1482.1104.81 Registers Public Access: <i>Review</i></p>	<p>Use for systems that track applications received and decisions made relative to permits. Includes permit status and other relevant information.</p>	<p>Conditional Archival</p>	<p>RETAIN UNTIL: Superseded PLUS: 0 Year(s) THEN: Confirm</p>
<p>GRS-1482.1104.36 Supporting material Public Access: <i>Review</i></p>	<p>Use for supporting documentation created or received as part of the permitting process that are considered relevant to the final decision. Includes pertinent written motions, petitions, requests, dockets, orders, and related documents created or received relative to the permitting process.</p>	<p>Conditional Archival</p>	<p>RETAIN UNTIL: Expired PLUS: 15 Year(s) THEN: Confirm</p>

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Appendix A: Appraisal Values

An appraisal value establishes the usefulness or importance of a record after its original purpose has passed. The value of a record also dictates how it must be disposed after retention requirements are met (also see "Retention Requirements"). The appraisal values below represent categories of values that may be assigned to records following the record appraisal process. See "Vermont Archival Records" in the Archives and Records Management Handbook for conditions a record must meet to be appraised as "archival."

Appraisal Value	Description	Usage
Conditional Archival	Records may have archival value.	Assigned to records that meet the conditions of a "Vermont Archival Record" under special conditions.
Permanent (Archival)	Records have archival value.	Assigned to records that meet the conditions of a "Vermont Archival Record" and are therefore permanent (archival) records.
Temporary (Administrative)	Records have temporary administrative value.	Assigned to records that do not meet the conditions of a "Vermont Archival Record" but are needed for administrative reasons.
Temporary (Legal)	Records have temporary legal value.	Assigned to records that do not meet the conditions of a "Vermont Archival Record" but have legal requirements governing their retention.
Unappraised	Default value for records that have not been appraised.	Assigned to records that have not been appraised and do not yet have retention or disposition requirements.

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Appendix B: Public Access Requirements

A public access requirement is the availability of a record for public use and inspection pursuant to 1 V.S.A. §§ 315-320. Unless exempt from public inspection and copying pursuant to 1 V.S.A. § 317, records are expected to be promptly produced for public inspection upon request. Public agencies shall follow the procedure outlined in 1 V.S.A. § 318. The access requirements below represent actions agencies must take based on specific laws associated with the accessibility of their records. With general record schedules, the default requirement is always REVIEW unless it is clear that certain records or information within a record are exempt from public use and inspection pursuant to 1 V.S.A. § 317. Agencies using general record schedules should defer to their internal policies for specific access requirements.

Access	Description	Usage
Exempt	Records shall not be provided for free and open examination pursuant to 1 V.S.A. §§ 315-320.	Assigned to records that are wholly exempt from public use and inspection pursuant to 1 V.S.A. § 317.
General	Records may be provided for free and open examination pursuant to 1 V.S.A. §§ 315-320.	Assigned to records that are not exempt from public inspection and copying pursuant to 1 V.S.A. § 317.
Redact	Records contain specific information that shall not be provided for free and open examination pursuant to 1 V.S.A. §§ 315-320.	Assigned to records that contain specific information that is exempt from public inspection and copying pursuant to 1 V.S.A. § 317 and require exempt information to be redacted from the records prior to public use, inspection and/or copying.
Review	Records may be provided for free and open examination pursuant to 1 V.S.A. §§ 315-320 but not always. Default value for general schedules, which require agencies to establish internal policies.	Assigned to records that are generally not exempt from public inspection and copying pursuant to 1 V.S.A. § 317 but, in limited circumstances, may be exempt. Internal review and/or policy is required.

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Appendix C: Retention Requirements

A retention requirement is the length of time a record must be retained by an agency before it may be destroyed or transferred to the State Archives or an agency archives (also see "Disposition Requirements"). The retention requirements below represent events or triggers that cause records to move from an active to inactive state. An "event" is tied to a specific time requirement: i.e. Retain Until "Calendar Year Ends" PLUS 3 Years.

Retention	Description	Usage
Audit Complete	Retain until an audit or verification is complete.	Assigned to records that are actively used or needed until the information contained therein has been audited or verified.
Calendar Year Ends	Retain until the end of the calendar year.	Assigned to records that are actively used or needed until the end of the calendar year.
Completed/Closed	Retain until the activity or process supported by the record is completed.	Assigned to records that are actively used or needed until the activity is formally completed, closed, or finalized (includes appeals).
Expired	Retain until the conditions or requirements supported by the record are satisfied and no further action is needed.	Assigned to records that are actively used or needed until the conditions or requirements are satisfied and complete.
Fiscal Year Ends	Retain until the end of the fiscal year.	Assigned to records that are actively used or needed until the end of the fiscal year.
Life of Asset Ends	Retain for the life of the person, structure, object, organization, etc. that is the subject of the record.	Assigned to records that are actively used or needed for the life of person, structure, object, organization, etc.
Obsolete	Retain until the record is no longer needed and is valueless.	Assigned to records that have limited administrative value and may be purged when they no longer have any administrative value. Agency must develop internal policy that states when records no longer have administrative value.
Superseded	Retain until the record is superseded, updated, or revised.	Assigned to records that will be superseded, updated, or revised.

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Appendix D: Disposition Requirements

A disposition requirement is how an agency must dispose of a record from its legal custody once retention requirements have been met. Disposition is based on the record's appraisal value. If the record has been appraised as non-archival it will be destroyed after retention requirements are met. If appraised as archival the record will be transferred to the State Archives or agency archives for permanent preservation and access. The disposition requirements below represent actions that an agency must take once a record has met its retention requirements.

Disposition	Description	Usage
Archives	Retain permanently. These records are eligible for transfer to the State Archives or agency archives.	Assigned to records that have been appraised as having archival value and are therefore permanent records.
Confirm	Confirm disposition with the Vermont State Archives and Records Administration after retention requirement has been met.	Assigned to records that are maintained in a centralized database or information system or are appraised as conditional archival.
Destroy (General)	Destroy by recycling or deleting the record.	Assigned to records that have been appraised as non-archival and are not exempt from public access. Agency discretion advised for general record schedules.
Destroy (Shred)	Destroy by shredding (includes electronic shredding).	Assigned to records that have been appraised as non-archival and are exempt from public access or contain sensitive information.
Unappraised	Default value for records that have not been appraised.	Assigned to records that have not been appraised and do not yet have retention or disposition requirements.
Weed	Separate records that meet the conditions of a "Vermont Archival Record" from those that do not (temporary).	Assigned to records that have been appraised as conditional archival. Upon weeding the temporary records from the archival records, transfer archival records to Archives and destroy temporary records.

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Appendix E: Legal References

GRS-1482.1104: Land Use and Related Permits		<i>Review for Exemption?</i>
1 V.S.A. § 311	Declaration of public policy; short title	No
1 V.S.A. § 312	Right to attend meetings of public agencies	Yes
1 V.S.A. § 313	Executive sessions	Yes
1 V.S.A. § 314	Penalty and enforcement [related to right to attend meetings of public agencies]	No
1 V.S.A. § 315	Statement of policy [related to free and open examination of records]	Yes
1 V.S.A. § 316	Access to public records and documents	No
1 V.S.A. § 317	Definitions; public agency; public records and documents	Yes
1 V.S.A. § 318	Procedure [related to producing records for inspection]	No
1 V.S.A. § 319	Enforcement [related to the denial of a request for public records]	No
1 V.S.A. § 320	Penalties [related to court orders for the production of any public agency records]	No
10 V.S.A. § 1263	Discharge permits	No
10 V.S.A. § 1264	Stormwater management	No
10 V.S.A. § 1267	Revocation of permits [related to water pollution control]	No
10 V.S.A. § 1418	Groundwater withdrawal permit	No
10 V.S.A. § 1672	Authority of the agency of natural resources [related to public water supply]	No
10 V.S.A. § 1673	Prohibitions [related to public water supply]	No
10 V.S.A. § 1675	Permits; conditions; duration; suspension or revocation [related to public water supply]	No
10 V.S.A. § 1676	Temporary permits [related to public water supply]	No
10 V.S.A. § 1676a	Permits; systems affecting farms; liability for contamination	No

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10 V.S.A. § 1679	Public water source protection areas	No
10 V.S.A. § 1681	Criminal enforcement [related to public water supply]	No
10 V.S.A. § 1683	Filtration requirements	No
10 V.S.A. § 1971	Purpose [related to potable water supply and wastewater system permits]	No
10 V.S.A. § 1973	Permits [related to potable water supplies and wastewater systems]	No
10 V.S.A. § 1974	Exemptions [related to potable water supplies and wastewater systems]	No
10 V.S.A. § 1976	Delegation of authority to municipalities	No
10 V.S.A. § 1979	Holding tanks [related to potable water supplies and wastewater systems]	No
10 V.S.A. § 6044	Public hearings [related to state land use and development plans]	No
10 V.S.A. § 6046	Approval of governor and legislature	No
10 V.S.A. § 6081	Permits required; exemptions	No
10 V.S.A. § 6083	Applications [related to state land use and development plans]	No
10 V.S.A. § 6083a	Act 250 fees	No
10 V.S.A. § 6084	Notice of application; hearings, commencement of review [related to state land use and development plans]	No
10 V.S.A. § 6086	Issuance of permit; conditions and criteria [related to state land use and development plans]	No
10 V.S.A. § 6087	Denial of application [related to state land use and development plans]	No
10 V.S.A. § 6089	Appeals [related to state land use and development plans]	No
10 V.S.A. § 6090	Recording; duration and revocation of permits [related to state land use and development plans]	No
10 V.S.A. § 6091	Renewals and nonuse [related to state land use and development plans]	No
10 V.S.A. § 6093	Mitigation of primary agricultural soils	No

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10 V.S.A. § 6605f	Waste management personnel background review	No
10 V.S.A. § 6607a	Waste transportation	No
10 V.S.A. § 6608	Records; reports; monitoring [related to waste management]	No
10 V.S.A. § 6608a	Economic poisons	No
12 004 CVR 001	Rules of procedure [related to natural resources board]	No
12 004 CVR 006	Act 250 rules [related to natural resources board]	No
12 030 CVR 003	Chapter 21 - Water supply rule	No
12 030 CVR 018A	Stormwater management rule	No
12 030 CVR 019	Stormwater management rule for stormwater-impaired waters	No
12 030 CVR 020	Chapter 22 - Groundwater withdrawal reporting and permitting rules	No
12 033 CVR 001	Wastewater system and potable water supply	No
12 033 CVR 003	Indirect discharge rules	No
12 V.S.A. § 501	Recovery of lands	No
12 V.S.A. § 511	Civil action [related to limitation of time for commencement of actions]	No
19 V.S.A. § 1111	Permitted use of the right-of-way [related to highways]	No
20 010 CVR 010	Large farm operations (LFO)	No
20 010 CVR 012	Medium and small farm operation rules for issuance of general and individual permits	No
22 V.S.A. § 761	State archeologist; survey; protection of archeological sites	Yes
22 V.S.A. § 764	Permits for exploration	No
22 V.S.A. § 782	Issuance of permits	No
24 V.S.A. § 1154	Records; copies [related to land records]	No

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24 V.S.A. § 4303	Definitions [related to municipal and regional planning and development]	No
24 V.S.A. § 4449	Zoning permit, certificate of occupancy, and municipal land use permit	No
24 V.S.A. § 4464	Hearing and notice requirements; decisions and conditions; administrative review; role of advisory commissions in development review	No
3 V.S.A. § 2803	Advisory capacity [related to natural resources]	No
3 V.S.A. § 2826	Environmental notice bulletin; permit handbook	No
3 V.S.A. § 835	Compilation of procedures [related to administrative procedure]	No
6 V.S.A. § 4851	Permit requirements for large farm operations	No
6 V.S.A. § 4853	Informational meeting [related to barn construction]	No
6 V.S.A. § 4858	Animal waste permits	No
6 V.S.A. § 4859	Public notice and hearing [related to agricultural water quality]	No