
APPLICATION GUIDELINES FOR THE FY2012

**Downtown transportation
and related capital
improvement fund**

THROUGH

THE VERMONT
DOWNTOWN DEVELOPMENT ACT



Vermont Downtown Program

Division for Community Planning and Revitalization

Department of Economic, Housing and Community Development

Agency of Commerce and Community Development

www.historicvermont.org

July 2011- June 2012

Application Guidelines for the Downtown Transportation and Related Capital Improvement Fund for FY2012

Key changes for FY12

- Maximum grant has increased from \$75,000 to \$100,000
- Awards will be made in one round, with applications due January 16, 2012
- Pre-applications are no longer required – the materials for historic preservation review will be included in your full application
- The Board fully expects projects to be under construction within 18 months and complete in 30 months – if you are not confident you will meet these deadlines, you should delay your application until the next round
- While last years stormwater/“low impact development” funding is not being offered this year, ANR staff remain very interested in working with you to develop stormwater reduction strategies with you as you plan for these transportation grants – please let us know if you are interested.

The Downtown Development Act (24 V.S.A. chapter 76A) creates the Downtown Transportation and Related Capital Improvement Fund (Downtown Transportation Fund). Any municipality with a Designated Downtown District may apply to the Downtown Development Board (Board) for financial assistance from this fund to finance eligible transportation-related capital improvements in support of economic development, within or serving the downtown district.

This program will have approximately \$350,000 available for new grants for the state fiscal year running from 2011 – June 2012. No municipality can receive more than \$100,000 in any fiscal year.

Eligible projects must be publicly-owned, capital improvement projects and may include, but are not limited to:

- construction or alteration of roads and highways
- parking facilities
- pedestrian and streetscape improvement
- rail or bus facilities or equipment
- underground relocation of electric utility, cable and telecommunications lines

NOTE: Operating and maintenance costs are not eligible under this fund.

Awards may be made by the Board to any eligible municipality through:

- grants, not to exceed 50% of the overall project cost;
- loans;

- loan guarantees.

NOTE: In determining overall project cost, the Board may include the costs of a related economic development project when the eligible project is required as a permit condition to the related project, or when the Board determines that the related project cannot be done without the eligible project.

General Conditions for all Applicants:

- **The downtown development district must be designated prior to application;** the Board will not consider applications for this fund at the same meeting that Downtown Designation is requested.
- **Applicants must show that projects can be under construction within 18 months of the date of award and will be completed within 30 months of the date of award.**
- **Applicants may propose phased projects with more than one award from this fund,** provided that the grant amount in one year shall not exceed the annual municipal limit in any one year, and that each phase of the project be self-contained and not require the next phase be finished in order to serve the project's intended function. Applications for any subsequent phases will have to compete with other applications on an equal basis in that application round.
- **Applications are for capital improvement projects only** - maintenance projects like repaving are not eligible. Questions about whether a project is a maintenance activity should be directed to Downtown Program staff (828-3211).
- **Applicants must demonstrate that the project supports economic development in the downtown district.**
- **Applicants must notify the Board if there are any changes to the project scope or schedule after the grant has been awarded.**
- **If an application is not approved, the applicant may re-apply at a future round.** If an application is resubmitted, it will be considered competitively with any other applications at that time, and should address any deficiencies as noted by the Board in the original application in a resubmitted application.

Application Requirements:

Sixteen (16) copies of the application are required. The application must contain the following:

1. A cover page, with:
 - signatures of a majority of the legislative body, or municipal resolution or minutes showing the application has been authorized by the municipality;
 - name, title, address, e-mail and phone for primary contact person;
 - name and (if applicable) street address of the project.
2. A written project description including **each** of the following:
 - Brief summary of project;
 - Written scope of work, explaining in detail where the project is, and what will be done – this includes lineal feet of sidewalk, number of streetlights, number of parking spaces created, and other details;
 - Explanation of how the project meets the definition of an eligible project (see page 1);

- Explanation of how the project supports economic development within the designated downtown district;
- Statement of ownership, or terms of site control if the property or properties are not owned outright. Note that only public owned or controlled projects are eligible;
- If this is a project that will be done in several phases, explain the overall project and how it will be phased consistent with the Board's phasing policy (see page 2).
- If the project includes a related economic development project as part of its "overall project," (see page 1) please include a brief summary of that project, written scope of work, and demonstration that the eligible project is required as a permit condition to the related project or that the related project cannot otherwise be done without the eligible project.

Note: the following information must be provided for the project *and*, if applicable, for the "related economic development project" (see definition on page 1):

3. A map of the designated downtown, with the location of the project clearly marked on it. If the project is not within the district, a map showing where it is located in relation to the designated district and a written description of how the project will serve the designated district.
4. A site plan, and design drawings of all work to be performed. The Board needs enough detail in a site plan and design drawings to show specifically what will be done, and to provide assurance that budget estimates are reasonably accurate. For example, the site plan should clearly show where the project starts and stops, lineal feet of sidewalk, number of streetlights or trees, and other measures that quantify the scope of the project. For small and simple projects like in-kind sidewalk replacements, some of these requirements might be reduced – please call staff if you would not otherwise plan to do site plan and design drawings for your own purposes as part of your project.
5. Photographs of the project, surrounding area, and any properties that will be demolished or affected by the project, clearly labeled with address and description.
6. An itemized construction budget based on the scope of work. The funding must be for a capital improvement project, but the budget may include the following types of activities as eligible costs, where they are an essential element of an otherwise eligible project: acquisition; demolition; design and engineering; project management; permitting; and environmental remediation.
7. The sources and amounts of all necessary funds for the project. The applicant must indicate in the application which funds are committed to the project and, for those sources that are not yet committed, must provide an explanation of their status (including schedule) in seeking such funds. The applicant must request a specific amount of funding from the Downtown Transportation Fund, whether it is to be a grant, loan, or loan guarantee, and indicate what percentage of the total project cost the request represents. The amount requested may not exceed 50%, and in-kind costs can be used as part of the required 50% match.
8. A construction schedule, which must demonstrate that the project will be under construction within 18 months of the date of award and completed within 30 months of the date of award. If the project is awarded funds, the municipality will be expected to meet this schedule.

- 9. A list of all relevant permits. You must indicate whether each of these permits has 1) been issued; 2) is pending; or 3) will be submitted later. If a permit has been submitted but not yet awarded, the application must indicate when a decision is likely. Any permits that have not been made yet must be identified, along with dates for expected submission and decision. If the project includes a building that will require a review for compliance with building codes, then a Plan Review Letter from Labor and Industry (or local code official, if relevant) should be included in the application.
- 10. A written response to the “Competitive Criteria under the Downtown Development Act,” included in these Guidelines.
- 11. A signed copy of the conflict of interest Notice and Waiver form included in these Guidelines, indicating whether the municipal members of the Downtown Development Board should score and vote on your application in situations where their own municipality has a competing application. They will in no case vote on an application from their own community.

12. ***Additional Application Requirements*** for Historic Preservation review: This year, we are combining the pre-application process from previous years with the regular application. As a result, the application process is simpler than before, but every application must include the following information to ensure that the project meets historic preservation standards, in compliance with 22 V.S.A. Chapter 14. Even if your project does not involve a historic building, these materials must be provided.

What we need: First you must determine which project categories that apply to your project. Projects may fit into multiple categories. If you are unsure about which category or categories your project belongs to, please contact Devin Colman at 828-3043.

- Any changes or repairs to exterior building features are **Exterior Alterations**.
- Any changes or repairs to interior building features are **Interior Alterations**.
- Any project that involves any amount of digging, trenching, or re-grading is **Ground Disturbance**, regardless of the condition or location of the existing site.

Then, depending on which category your project belongs to, you must provide the information on the following items, as described below:

Required Items *	Exterior Alterations		
		Interior Alterations	
			Ground Disturbance
Proposed methods and materials	✓	✓	
Exterior Photographs	✓	✓	
Interior Photographs		✓	
Context Photographs	✓		✓
Elevations	✓		
Description of previous land use			✓
Act 250 or Section 106 review	✓	✓	✓

* See descriptions of the required items below.

Proposed methods and materials: Detailed description of methods and materials to be used in the repair, replacement, or cleaning of historic features.

Exterior Photographs: Photographs (or clear reproductions thereof) of any facades to be altered, with details if appropriate. Specific attention should be paid to any elements or materials that will be removed, altered or repaired.

Interior Photographs: Photographs of all interior spaces that will be altered. Specific attention should be paid to elements or finishes that will be removed, altered or repaired.

Context Photographs: Photographs that show the project area and its surroundings, especially adjacent or nearby buildings. If your project is located within or near an historic district, be sure to include a view of your project from the district.

Elevations: Detailed drawings of any changes to be made to exterior facades or surfaces.

Description of previous land use: Provide as much detail as possible about any previous use of the area to be disturbed. Particularly include information about past ground disturbance and any structures that were previously on the site.

Act 250 or Section 106 review: Statement whether the project or any part of the project has been or is expected to be reviewed under Act 250 or Section 106 of the National Historic Preservation Act, or if federal Rehabilitation Investment Tax Credits will be applied for. Include review schedule and results of review, as applicable

Please note that only one copy of these historic preservation materials are required.

Application Schedule

Applications Due January 16, 2012
Board meeting Date February 27, 2012

Sixteen (16) copies of the application, including the original, are required, along with one (1) copy of the historic preservation materials as specified above.

Selection Criteria

The Board will score projects using the Competitive Criteria included with these Guidelines. Applicants are encouraged to fully address each criteria in their response to Item 10 in the Application Requirements above, as funding decisions will be made based on this score. The Board may choose to award only from the top scoring pool of applications, and may not fund all eligible projects.

Key Grant Agreement Provisions

- Payments will be made as a reimbursement, to be made only after construction has commenced, with 50% paid after project expenditures have reached 50% of the project cost, and the final 50% paid upon completion of the project and acceptance of a close out report.
- An open and competitive procurement process is required for any grant-assisted work
- Applicants must notify the Board if there are any changes to the project scope after the grant has been awarded or risk reduction in award amount.
- Upon completion of all grant funded activities, the municipality shall provide a close out report certifying completion of the project as agreed to in the grant agreement, photographs of the completed project, and a detailed budget report listing all income and expenses for the project.
- For a period of 5 years after completion of the project, approval must be given by this Agency for any changes in physical appearance, use, ownership, or function of the funded facility.
- Construction must begin within 18 months of award, and be completed within 30 months of award.
- All changes in scope of work, and changes in the uses and amount of funding, must be approved in advance

Applications (16 copies) of the application, along with 1 copy of the Historic Preservation materials, shall be submitted to:

Vermont Downtown Program

Department of Economic, Housing and Community Development
National Life Office Building, Drawer 20
Montpelier, VT 05620-0501
Phone: 800-622-4553 or 802-828-3211

Vermont Downtown Program Staff

Leanne Tingay

Phone: 802-828-3220

email: leanne.tingay@state.vt.us

Competitive Criteria under The Downtown Development Act

Statement of Purpose: The awards given by the Vermont Downtown Development Board are intended to support local downtown revitalization efforts by preserving and enhancing historic downtown areas through compatible development, and supporting the variety of diverse uses that define their quality of life. The goals include the encouragement of private and public investment in small businesses, transportation systems, infrastructure, housing, historic resources, and human services.

Consistent with the above statement of purpose, the Board will use the following criteria when applications for competitive based financial benefits exceed the funds available:

- (5 points) 1. Application quality – how clear is the project description, scope of work, site plan and budget?
- (5 points) 2. Project effectiveness and impact - how well does the project address community needs, as articulated in the town plan, capital budget, downtown strategic plan, or other adopted documents? Will the project make a significant and long lasting impact on those deficiencies?
- (5 points) 3. Economic Development – What are the challenges the downtown is facing from competing development? What are the needs for economic development in downtown, and how well does the project address them?
- (5 points) 4. Readiness – Readiness of the project to begin construction, based on schedule for permits and funding commitments
- (1 point) 5. Private Investment – An extra point will be awarded for projects that include private investment. Examples would include private fundraising for the match needed to buy streetlight fixtures or property owners contributing funds for sidewalk improvement in front of their stores. Funds raised through taxes would not qualify.

MEMORANDUM

TO: Applicants to the Downtown Transportation Fund
DATE: July 15, 2004
SUBJECT: Board Conflicts of Interest

The Downtown Development Board is responsible for making award decisions under the Downtown Development Act, including the Downtown Transportation Fund. There are nine members who serve on the Board. They include six representatives from state agencies and, by statute, three members representing local government – two appointed by the Governor, and one appointed by the Vermont League of Cities and Towns. The participation of these municipal representatives has greatly strengthened the deliberations of the board, particularly because of their considerable hands-on experience with downtown revitalization.

The board members have established bylaws, in addition to the Governor’s Executive Order, requiring that a board member must abstain from a vote on an application where there is either a direct conflict or appearance of conflict. All board members have been extremely forthright about these issues and on many occasions members have recused themselves from discussions and voting.

In an effort to minimize the times when a member might not vote on applications because of an appearance of conflict, the board has taken the following steps:

1. Members representing local government will not vote on applications that are from their own communities.
2. In the tabulation of scores for competitive rounds of applications, the lowest score will be discarded. If members do not score an application, the average will be calculated accordingly.
3. We have developed the attached Notice and Waiver form for you to indicate whether the Board’s local government representatives may score your application, in meetings when that Board member’s municipality has a competing application pending. This form should be included in the application package you submit for review.

We have worked hard to develop these strategies to ensure that all applicants will have full confidence in the fairness of the Downtown Development Board process. We hope we have succeeded.

Thank you all for the tremendous work you are doing in your communities. If you have any questions or concerns, please don’t hesitate to call.

***DOWNTOWN DEVELOPMENT BOARD
NOTICE AND WAIVER***

1. NOTICE. In its appearance(s) before the Vermont Downtown Development Board (“Board”), the municipality seeking designation or incentives (“Applicant”) understands the following:

- (a) pursuant to statute, the 13 member Board includes three public members representative of local government, one of whom is designated by the Vermont League of Cities and Towns, and two of whom are appointed by the Governor;
- (b) such public members described in subpart (a), above, may be municipal employees or may have some other connection to, or affiliation with, municipalities appearing before the Board;
- (c) all public members who: (1) are employees of a municipality appearing before the Board, (2) have any other significant interest in the outcome of the business of such municipality before the Board, or (3) know of a significant interest of a member of his or her immediate family or household, or of a business associate, in the outcome of the business of such municipality before the Board, will recuse themselves from all scoring of, or voting directly concerning, applications from such municipality, but will vote on other applications pending at that Board meeting.

2. WAIVER. By checking the appropriate indication below and signing this form, Applicant indicates whether it agrees or disagrees that the above described processes and procedures are sufficient, in its judgment, to avoid both conflicts of interest and the appearance of conflicts of interest by any member of the Board, who may have a connection to, or affiliation with, a municipality that has submitted an application and who is present and voting during the particular meeting at which the Board is to consider such application.

APPLICANT

Please check one: () APPROVAL OR () DISAPPROVAL of the above policy.

By: _____

Title: _____

Municipality: _____

Date: _____