

Vermont Environmental Report

PUBLISHED MONTHLY BY THE VERMONT NATURAL RESOURCES COUNCIL, A NON-PROFIT CITIZENS' CONSERVATION ORGANIZATION, SUPPORTED BY MEMBERSHIP DUES AND CONTRIBUTIONS. VNRC, 26 STATE STREET, MONTPELIER, VERMONT, 05602. (802) 223-2328. CHAIRMAN: DAVID R. MARVIN; EXECUTIVE DIRECTOR: SEWARD WEBER; EDITOR: NAT FROTHINGHAM.

A PYRAMID MALL in WILLISTON:

Will it Come--Will it Hurt?

1. Introduction

Battle lines are forming in Chittenden County over a proposal by the Pyramid Companies of Dewitt (Syracuse), New York, to build a \$10 million, 80-store enclosed shopping mall on 67 acres of hayfield in the Town of Williston.

The proposed mall, according to the developer's timetable, would open for business in the Spring of 1978. It would be built at the intersection of Routes 2 and 2A, six miles east of Burlington, adjacent to Exit 12 on Interstate 89.

On July 14, the Williston Planning Commission, after months of seesawing deliberations, voted 6-1 to approve the Pyramid Mall subdivision application. This vote means that the plans for development will almost certainly go forward to the District (4) Environmental Commission for Act 250 review. State planners in Montpelier describe the proposed mall as "the largest commercial development ever to come under review by Act 250."

Of all the issues raised by the Pyramid proposal, these are among the most crucial. First, the apparent helplessness of small, semi-rural communities, standing in the path of urban expansion. Williston is a town of 4,400 people. Citizens who oppose the mall are distressed by the thought that there may be nothing

they can do to arrest the play of market forces, an inundation of roads, industrial and commercial development, people and houses, that will radically alter the character of what was once a country town.

A second issue is the effectiveness of Act 250, Vermont's basic land use and development law. Act 250 has been tested before, but never quite in this way, with an application of this size and complexity. In this test of Act 250, State officials will be facing an aggressive, well-financed, development company. The question is whether the State agencies who must submit their own evidence in the Act 250 hearings will be prepared with solid, well-documented, expert testimony. Certainly the Pyramid Companies will have such representation. Here the role of Governor Richard Snelling will be pivotal. He has the power to invoke the active intervention of the State in demanding a thorough and far-reaching review of the project. Or he can sabotage the proceedings, with superficial investigations of the issues and nominal presentations before the District Environmental Commission.

2. Proposed Mall

Gary Craig, a partner in the Pyramid Companies, explained the business rationale behind the Williston Mall.

Pyramid...

The Pyramid Companies had been looking at a Chamber of Commerce report for the Chittenden County region. There will be 11,000 new jobs in Vermont. Half of these will be in Chittenden County. "We do not put new people into the market," said Craig. "The people who would be customers are already here. They are already driving someplace else to shop. Some of them are shopping in Montreal, others in Boston. The per capita expenditure is \$650 per year and it is all out-of-state. Pyramid has studied the market area and is convinced there is an unmet demand for the high-quality, middle-to-upper price range of goods that such a Mall would provide. Money that could be spent in Vermont, jobs that could be provided, tax money that could be collected, is being exported out-of-state.

The Pyramid Companies are a sophisticated, serious, development company with an impressive commercial track record. They own and manage 26 shopping areas throughout the Northeast, more than 5 million square feet in retail space, with an additional one million square feet under construction.

Pyramid has defined a market area for the Williston Mall in the northwest quadrant of Vermont, five counties and part of a sixth, --Franklin, Lamoille, Washington, Chittenden, and the northern half of Addison including Middlebury. This market area embraces 237,000 potential customers. The promoters claim that this market area is "understored" with 4.6 square feet of retail space per capita compared to a national average of 5.5 square feet per capita. Craig is almost euphoric about the phenomenal growth that is going on in Chittenden County. The planners are saying 2 percent per year. Craig says, "The number is substantially in excess of that." He goes on. "The growth created demand and the demand has to be satisfied."

Craig sketched out a Pyramid Mall in Williston that would consist of 444,000 square feet of leased space for some 80 prospective tenants. 350,000 square feet would be leased for the sale of retail goods, the remaining 94,000 square feet would be for service establishments. Under a single roof, in an enclosed "climatized" space, would be two full-line department stores, furniture, clothing, luggage and sporting goods stores, and service outlets such as banks, eating places, shoe repair, insurance offices and movie theatres.

The whole shopping area would be tied together by 50,000 square feet of pedestrian mall and common space. It would be capped off with a gazebo bandstand as the centerpiece of the Mall's "Town Square"

effect, --a place for people to sit, rest, eat, and a focal point for fashion shows, family entertainments and concerts. Surrounding the Mall, outside, would be free, ground-level parking for 2300 cars, enough space to accommodate the peak level of 17,000 automobile trips, in and out, on the most active trading day of the commercial year.

A Mall of the size proposed would have far-reaching economic, environmental and social impacts.

On the economic side, the construction of a Pyramid Mall in Williston would create a demand for 1,000 construction jobs. Afterwards, 1,000 people would be employed at the Mall with an annual payroll of \$7.7 million. There would be property taxes to the Town of Williston, estimated at \$300,000 annually, sales taxes to the State of Vermont, estimated at \$1.4 million a year, and the total annual sales volume of the Mall would bring in some \$35.2 million. Pyramid estimates that there are sales in the total market area already of \$160 million, and the Mall would capture 20 percent of this market.

The Town of Williston, now the State of Vermont, and the Chittenden County Region are trying to assess the economic, environmental and social impacts of a Pyramid Mall in Williston. Economically, there is a question of how much business a Pyramid Mall would take away from the City of Burlington. How many jobs would be lost in the market area as small Mom and Pop operations of all kinds close down from Pyramid competition. How much of the sales tax revenues will be a net gain to the State? Those are some of the economic questions.

Environmentally, these are just some of the gross figures: water consumption at Pyramid, ranging from an average of 26,000 gallons per day to a peak of 43,000 gallons per day; sewage effluent from the Mall, ranging from 26,000 gallons per day to a high of 43,000 gallons per day at peak consumption, 42 cubic yards of solid waste per week, to say nothing about the repercussions of the Mall on highways, schools, new housing starts, the preservation of productive agricultural land, energy and energy conservation, and the political and social effects of a Mall on that site.

3. Williston Citizens

People remember what Williston was like, ten, twenty, thirty years ago. Those who can't remember because they weren't here, remember some other place, and what happened, and why they left, and why perhaps they escaped when these places became unfit to live.

John Heins, 47, has been on the Williston Board of Selectmen for six years. His father bought the big, 600-acre dairy farm when he was ten, and he can remember as a kid grabbing a ride on the milk truck on his way to school.

JOHN HEINS

But things have changed. "We were strictly a farming community in the 50's and early 60's. Then the Interstate came through. Later on, there was IBM in Essex Junction with 5,000 people. Burlington started to grow, and there was pressure on Williston."

The funny thing about resistance to Pyramid Mall is how it has divided the community. "A clear majority," says Heins, "of those who have lived here 10 or 15 years (the oldtimers) are saying, 'Let the Mall come in.' It's the new people who come in, who look at the farms and fall in love with the countryside and want to shut the door." Says Heins, "They moved here because there was open space, but 'Dam Sam' you gotta pay taxes."

Heins ran for Selectman on a platform of even growth. He looks at the coming of Digital Corporation down the road in South Burlington. "Right now," he says, "there are twenty companies looking to locate here." It's the Airport, the Interstate, the persistence of a strong work ethic of Vermont workers, the critical mass of goods and services in the Burlington area. When Digital came, they said, "Burlington is right for us. The only thing lacking is housing." Heins laughed, thinking of all the housing that has gone up in town in the past decade, "I said 'Oh, oh, Williston is going to get it.'"

ARTHUR BENOIT

Arthur Benoit, a realtor, who is past Chairman of the Williston Planning Commission, sees the advent of a Pyramid Mall as part of a growth spiral that is inevitable.

He took out a map and laid it on the desk in his office. There was Williston, all in all about 30 square miles. To the west, six miles away was Burlington, to the north was Essex and Colchester, both experiencing rapid growth, to the east, 30 miles away, was the Montpelier-Barre area, and the Interstate, a high-speed, limited access road, tying everything together. "You can drive to Montpelier," Benoit asserted, "cheaper than you can drive to Burlington." He went on to say, "We are a prime location, people are going to look us over to live here and do business here."

In the late 60's and early 70's Benoit watched a housing boom in Williston, in a ten-year period as many as 1000 new houses. "We were in danger of becoming a bedroom town and farming is no longer paying anything; it is a dying industry." But housing alone, won't do it, won't pay the bills. Benoit, who has been a lister, talked about taxes on an average house, perhaps less than \$1000 a year. But the cost of educating just one child

was \$1400 a year and the average family had 2.7 kids. The schools were filling up and soon there would be a demand for new schools.

Art Benoit looks at the Town of Williston: no supermarkets, no place to buy clothes, not even a first-class restaurant. "There is hardly any place where people can spend the money they make working. As Benoit sees it, a healthy town is a place where money is recirculated. In the Pyramid Mall proposal is an opportunity to bring in commercial development, and as Benoit puts it, "balance our revenues as we go."

DANA ALLING

Dana Alling, 62, has lived in Williston since 1937. He was a manufacturer and he can remember when the roads were so bad that he had to drive out and collect the help from their homes. He has been a developer, he has served on the Town Zoning Board of Adjustment, and he divides his time between his home in Vermont and a place in Florida.

Alling isn't afraid of the impacts of a Pyramid Mall. Not at all. In fact, he and his wife are positively delighted at the prospect of walking down the street, having a little breakfast, and doing some shopping.

Alling wanted to discuss the impact of the plant that is being constructed by Digital Corporation in South Burlington. Digital will bring in 1,000 jobs, and Alling said flatly, "The impact of Digital will be far greater than the Mall. For every worker employed there will be seven spin-off jobs created, and that means there is going to be an impact of 7,000 people in the area just because of Digital. Alling remembers when there were just two gas stations in Town, and two all the way to Burlington. That's changed. Down Route 2 is a McDonald's Restaurant. Alling says it has increased its business every year by 15 to 20 percent.

Alling is pessimistic about Burlington. There is no parking and the City is suffocating. "It's a static city. It's not going to die, but it's not going to bloom either." Alling tells about shopping for a suit in Burlington, and finding nothing, no selection. The shops in Burlington, he concludes, have fixed, unimaginative buying policies and high prices. But the region is another story. Alling looks at the Chittenden County area in the same way that he looks at Little Rock, Arkansas. Arkansas is a rural state and that's fine. But a rural state needs a commercial center. Arkansas has its Little Rock. Vermont has its Burlington. There are all these kids finishing high school. "Where are they going to work?" Alling asks. There has to be one thriving industrial and commercial center in a state like Vermont.

Alling took out a group of photographs. He and his wife used to own an apartment in West Palm Beach, Florida. Alling talked with pleasure about walking up and down the beach for miles, and driving his car. That was before the big wave

of development, the condominiums, marching up the coast, one after the other. After the condominiums came, before he and his wife sold out, he remembers waiting for ten minutes to get out of his driveway into traffic. He remembers picking his way up and down the beach through the crowds. Alling smiled, and declared with emphasis, "Now, that's development." As to the Pyramid Mall, he said, "There is no way you can get me to believe that a Mall on the flats on 2A will affect the rural character of North Williston." And as for the people who don't like it. Well, they were always free to do what the Allings did in West Palm Beach, sell out, or look for something else, less crowded, if they can find it. "This is being practical."

DAVID STANTON

David Stainton, Chairman of the Williston Planning Board, and Robin Ulmer, a concerned citizen and a member of the Williston Committee for Responsible Growth that is opposing the Mall, are two people who do not like what is happening, and who don't want to get out.

Stainton has lived in Williston for twenty years. He's an architect and a yacht surveyor and he works out of a small wooden structure a stone's throw from his house in rural Williston.

"There's no question," Stainton says with conviction about Pyramid Mall, "that the thing is vast in scale and that it would have a vast impact." He attacks the thinking of those who claim that the traffic generated by the Mall would be confined to Interstate 89 and the approach roads leading to it. "Sure," he admits, "the principal amount of traffic will come on the Interstate. But with the excessive loading of that highway, there will be loading of alternative routes."

Stainton describes what happened to the Town Planning Commission. "We were in a bad place. The land was zoned commercial. This kind of use was specifically permitted. But that kind of scale was never contemplated and the Ordinance never spoke to the question of scale."

Stainton continued. The Mall could be knocked down on a technicality, the sewage plan, or landscaping on the site. The basic problem with this approach, however, is that there is always a "technological fix" if you have the money to spend. When Pyramid brought in its first plans for sewage disposal they were rejected by the Commission. Pyramid brought in ten more. The Pyramid Companies have that kind of money.

Burlington will continue to grow. Stainton is convinced of that. For Williston, the problem is access and location, and none of the communities surrounding Burlington has the access of Williston, a six mile drive up Interstate 89.

Stainton had travelled to the Pyramid Mall in Ithaca. He put some photos of the Ithaca Mall on his desk. Faceless buildings

opening out onto acres of asphalt parking. In one of the photos a kid was dragging his car in the parking lot. Stainton found it hard to escape the conclusion, this Mall in Williston, architecturally, would be just like the others throughout the Northeast, a copy, unexceptional.

Looking ahead, Stainton is sensitive to local feeling about private property and the strong local sentiment against violating these basic rights. There is some hope. The Planning Commission has changed a lot in the last few years. "We ought to spend more money on local planning and do it in a more organized fashion. We ought to look at design alternatives and support them with a plan." Stainton feels that local communities need more help and better communication with regional planning commissions and State agencies and assistance in developing standards for action they might take to achieve better development. "Towns have been left to do things on their own in the past," he says, summing up.

ROBIN ULMER

Robin Ulmer has lived in Williston for three years. She is an active member of the Williston Committee for Responsible Growth that is opposing the Mall.

Ulmer thinks a majority of people in Town oppose the Mall. She points to the recent election of three anti-Mall Selectmen as one sign of this. She quotes the results of a UVM poll that hit every area of Town and drew the conclusion that the Mall was opposed on a 60-40 basis. The most distressing finding of the poll was that a significant percentage of the townspeople believed that they had no voice in the decision-making process.

I asked Robin Ulmer about people in Williston who felt that the Mall opponents were well-intentioned citizens, but were living in an unreal world, unwilling to face the facts, development surging ahead on every side, taxes going up, crowded schools, and the need for commercial development to pay the bills.

Her reply was this. "If the real world is one of economic gain, lining your pockets, consumerism, selling your land to the highest bidder, --then we are not operating in the real world."

Robin Ulmer is hardly what you might call a "no-growth fanatic." She agrees that Williston needs development of a certain size and scale. She sees a need for service establishments in Williston, a hardware store, a building supplies store, but she insists that these stores ought to be owned and managed by Vermonters, instead of the profits going out of state.

Ulmer looks at the spectacle of the proposed Mall and finds it almost incredible. "Why," she asks, "in a time of energy crisis are we going to promote a Mall that is dependent on 15,000 cars a day?"

● PYRAMID MALL...

She wants the whole commercial and industrial zoning of Williston reconsidered. She does not oppose growth, only the speed with which this development will change the character of Williston overnight. The economic, environmental impacts, are one thing, troubling. But most disturbing is the nature of the sociological and political changes that the Mall will provoke. Put something that big in a town of 4,400 people and the political dimensions are changed irrevocably.

Ulmer thinks that every small town with a voluntary planning commission standing in the path of urban expansion is in trouble. There is simply not enough time and not enough attention to zoning and planning issues. Ulmer is interested in exploring the idea of selling development rights in agricultural land. There are 16 to 20 active farms left in Williston. She wants the Town to set growth limits so that growth can occur, but in an orderly way. She favors tax sharing between towns so that one town's bonanza of development doesn't become another town's burden of highways, sewage disposal, and crowded schools.

As for the notion that the Mall is a shopping palace aimed at the women who do 80 percent of the shopping and buying, Ulmer reacts with disgust. This is a ridiculous price for women to pay for recreation, and she couldn't care less about whether or not the market demand is there, because there are already enough consumer articles around to satisfy legitimate needs.

4. The State Review

Beth Humstone, a State Planner in Montpelier, talked about the role of the State Planning Office in gathering information to respond to the Pyramid proposal. The State Planning Office has been designated by Gov. Snelling with the responsibility of coordinating the state government review of the Pyramid application.

There are several problems.

First and foremost is the slender experience that the State of Vermont has had in using the ten criteria in Act 250. These criteria ask searching questions of any proposed development. Some of the ten criteria place the burden of proof on the applicant. Other criteria must be proved against the applicant by those opposing the Act 250 permit. This is a key point. The Act 250 review has typically performed satisfactorily in addressing the criteria where the burden of proof was on the applicant. But where the burden of proof was on a party opposing an application, that opposing testimony has often been wanting.

The ten criteria ask questions about the impact of growth, on education, on highways, on sewage disposal. They ask about the effects of a proposed development on the preservation of prime agricultural land. The criteria address problems of scattered development, and the consequences of placing an undue burden on existing public investments, roads, airports, schools, hospitals, and the like. These kinds of considerations are indispensable in reviewing an application like the one for a Pyramid Mall in Williston.

"It is alarming," said Beth Humstone, "that we have not used the criteria that are possible in Act 250." Some developments that qualify for Act 250 review are so modest in scale that most of the ten criteria need not be applied. Others, like Pyramid Mall, are so vast in scale, that applying the ten criteria, while indispensable to the review process, may tax the resources of the State in gathering the necessary evidence.

What will the State of Vermont do about criterion 9(A) that asks about a development's impact of growth. Here the burden of proof is upon any party opposing an application. One of the most critical questions being raised about the Mall is its impact on a town or region, the costs of growth, sewage, water supply, highway access. "We do not have the money to begin to do a sophisticated analysis of 9(A)," said Humstone.

She is aware of the essential role that the State Energy Office, for example, could play in discussing the issue of energy conservation and energy efficiency of a proposed Pyramid Mall. But the State Energy Office has never participated in the Act 250 review process. And the law does not compel participation.

Here, the question of the Governor's intentions is all-important. Will the Governor, has the Governor, given a signal that the State review of Pyramid Mall has the highest priority? Will the financial and human resources of State Government be made available to gather solid evidence for the District Environmental Commission hearings?

One measure of Gov. Snelling's attitude to the planning exercise may be his failure to name a Director of the State Planning Office. This is a major appointment. It is more than six months since Richard Snelling took office, more than eight months since he was elected Governor. His legal aide, William Gilbert, says that the Governor has been cautious about all

pyramid . . .

his appointments. Gilbert insists that it would be wrong to see his failure to name a State Planning Director as a "go-slow" on Planning. According to Gilbert, the Governor is taking his time, sifting through the applications, looking for a person with the special qualities that are needed to lead the State Planning Office. Such a person must be able to understand State Government, welfare, jobs, and issues as complicated as Pyramid Mall.

Back at the State Planning Office, Beth Humstone wonders about the role that the State Planning Office will play over the next 18 months. "We have an Acting Director," she says, "but it is a little different than a person who was appointed by the Governor."

LETTERS

To the Editor:

I read "The Machines Are Ready" in the June issue of the **Vermont Environmental Report**.

Of course, this paean to technology presents only one side of the wood-for-use issue, but, for Vermont, I protest.

Before getting into my reasons, there are some things we can all agree on: wood is a useful, renewable substance. Vermont has a lot of wood even though it is in poorly stocked stands in small ownerships. Vermont has a high rate of precipitation, falling on rough land forms, creating problems for wood harvest. The correct way must be found to use cull wood, to improve the forest capital without imperiling other important forest values which include such things as water production, flood abatement, aesthetics, and wildlife management.

There are some issues, other than technology, which are directly involved.

Machines are heavy users of petroleum products, already costly and likely to become more so. Anyway, it is questionable whether petroleum should be burned. Burning contributes to pollution and oil is more valuable in many other ways. Therefore,

it is unwise to espouse a program of heavy machine use under these constrictions.

Capital is not being created fast enough to provide financial support for our industrial culture. The creation, transport, use, and maintenance of heavy machinery is capital intensive. Therefore entering a heavy machinery program at this stage seems to be unwise.

One of the major issues of our time is unemployment. Any culture worth a place in history has an obligation to find a way for every person to make a direct contribution to the National welfare. Labor saving machines replace workers at the very time when unemployment is the cause of social and economic unrest. Inasmuch as we have too many idle hands already, it does not make sense to use expensive machines to replace workers in jobs ideally suited for unskilled workers. This seems to be particularly true for Vermont because our forest holdings are small in size, are not necessarily contiguous, and the many owners have many purposes in mind.

The Civilian Conservation Corps (CCC) program of the 1930's offers a better choice, modified to fit the times. It would make better sense to assist individual landowners to use unemployed persons in the management and harvest of the forest. Such a plan would provide the unemployed with something worthwhile to do and within their capabilities. The forest capital would be improved by the harvest of cull trees. This approach is certainly to be preferred to a capital intensive program which results in the under-use of manpower. Unemployment is uneconomic in the long run. It is not socially desirable. For Vermont the proper solution is labor intensive and not capital intensive.

In another area of this problem, large machines on small lots in steep terrain are uneconomic and are a direct threat to forest ecology. Heavy machines require lots of room in which to operate. They churn the soil, causing ruts which, in turn, become waterways. Heavy machines cause root damage and destroy growing stock. They preclude selective cutting. The result is a varying degree of the clearcut which can only be justified in dollar terms on some terrain and in some stands. It is not ecologically or esthetically sound.

Finally, Vermont relies on its tourist trade for a large part of its economic life. Vermont scenery is

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Information



Backyard Livestock: How to Grow Meat for Your Family by Steven Thomas, the most comprehensive one-volume handbook on raising poultry, rabbits, pigs, sheep, goats and supplementing commercial feed, is available in a 264-page paperback at \$6.45 postpaid from **The Countryman Press, Taftsville, Vermont, 05073.**

LETTERS...

a huge economic asset. Vermont is close to the great urban concentrations of population. The people who spend money to come to Vermont do not do so to look at denuded hills and silted streams which are the inevitable results of clearcutting on steep hillsides using heavy machinery. If the esthetics of our scenery asset are destroyed, there will be a corresponding loss in the recreational value of the area.



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Our objective ought to be to harvest cull wood; to leave the better trees for growth; to protect water production and recreational esthetics. We ought to do these things with the minimum of damage, utilizing the basic labor force and minimizing the use of machines in order to reach our objective without wasting fuel and capital.

Richard M. Brett
Woodstock, Vt. 05091

FOREST MEETING Aug. 3 ANNUAL MTG. Sept. 10

The U. S. Forest Service will be holding a Workshop on Wednesday evening, August 3rd, at 7:00 p.m. to consider roadless and undeveloped areas in the Green Mountain National Forest. The August 3rd meeting will be held at the Holiday Inn on Route 7 south of Rutland.

The Workshop has been called to listen to public response to national criteria that will be used in a new inventory of roadless and undeveloped areas of the National Forest System. The Forest Service also wants public comment on plans to add or delete areas from the roadless and undeveloped areas in the Green Mountain National Forest.

Seward Weber, VNRC's Executive Director called the Workshop "an important opportunity for conservationists to let the Forest Service know how undeveloped areas in the Green Mountain National Forest should be managed in the future."

Details are falling into place for the 1977 VNRC ANNUAL MEETING on Saturday, September 10.

This year's Annual Meeting will take place at the Trapp Family Lodge in Stowe. A full round of activities will begin in the morning with a series of field trips to sites of interest in the Stowe area.

There will be a luncheon at noon. Guest of honor will be former Vermont Governor and U.S. Senator, George Aiken. Guest speaker will be James Craig, Editor of the **American Forest Magazine**. VNRC members will have a chance to see a showing of Robert Klein's slide-tape entitled **Natural Areas Saving a Precious Resource**. There will also be a Business Meeting of the Council.

September 10 is the day. VNRC invites you to plan to join us.

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THIS ISSUE • JULY • 1977 • No. 65

Contents:

This month's VER is devoted almost entirely to a discussion of a proposed Pyramid Mall in Williston. Williston is a Town of approximately 4,400 people. The Pyramid Companies have defined a market area from the Canadian border south as far as Middlebury.

ADDRESS CORRECTION REQUESTED

VERMONT NATURAL RESOURCES COUNCIL, 26 STATE STREET, MONTPELIER, VERMONT