

Vermont Superior Court
Environmental Division
32 Cherry Street Suite 303
Burlington VT 05401
802-951-1740
www.vermontjudiciary.org

21-CC-00004



NRB v BlackRock Construction, LLC

JUDGMENT ORDER

21-CC-00004

Findings

A civil citation was filed on 01/22/2021

Respondent filed a response of Admitted

ORDER

Judgment is for the Natural Resources Board in the amount of \$1200.00

Electronically Signed: 1/25/2021 1:08 PM pursuant to V.R.E.F. 9(d).

A handwritten signature in black ink that reads "Tom Walsh".

Thomas G. Walsh, Judge
Superior Court, Environmental Division



10 V.S.A §8019 Civil Citation
Natural Resources Board

Citation Number: 2020_09 CIT
VC: NR117 2nd Violation

Respondent: BlackRock Construction, LLC; Ben Avery, Vice President of Development

Address: 68 Randall Street

City, State, Zip: South Burlington, VT 05452

Respondent committed the following acts in violation of Vermont Law, Statute, Rule, or Permit:

Violation Citation: Minor violation of Act 250, an Act 250 rule or an Act 250 Land Use Permit

See attached.

Town: Williston

Date: 10/30/2020

Penalties: If you plead ADMITTED or NO CONTEST, you may pay the waiver amount instead of appearing in court. If you plead DENIED and the State proves the violation, the penalty must be within the penalty range plus any court costs.

Penalty Range: Minimum \$ 450.00 Maximum \$ 2000.00 Waiver \$ 1200.00

Mailed to: Corporate Officer, Ben Avery, Vice President of Development

Mailing Address: 68 Randall Street

City, State, Zip: South Burlington, VT 05452

Date Mailed/Served: November 5, 2020 by U.S. Mail

NRB Compliance and Enforcement Officer Michaela Stickney

Signature:

Public Notice & Opportunity to Comment: I certify that a draft of this civil citation was posted for public notice and written comment for a period of 30 days.

Comments were received and are attached

No comments were received

Service Members Civil Relief Act Affidavit: Under oath, I state Respondent is NOT on active duty in the U.S. armed forces because: Respondent is a Business or Corporation

NRB Compliance and Enforcement Officer Michaela Stickney

Signature:

Signed and sworn at State of Vermont, County of Washington, on December 09, 2020, before me,

Notary Public State of Vermont

Printed Name Pamela Morin

Commission No. 157.0009258

My Commission Expires January 31, 2021

[Notary Stamp]

Respondent's Plea to this Civil Citation

Mark ("X") your plea: **Admitted** **No Contest** **Denied**

Respondent or Corporate Officer Signature: Date: 12/23/20

Mailing Address: 68 Randall St.

City, State, Zip: So. Burlington, VT 05403

Phone: (802) 316-0004 Email: ba@blackrockus.com

Violation description

Land Use Permit #4C1315, Conditions 32 states: *The Permittees shall implement or cause to implement the following construction traffic circulation route:*

a. Ingress shall be from US Route 2 to South Ridge Road, turn left onto Metcalf Drive, right turn onto Goodrich Drive and right turn onto Metcalf Drive to the tract.

b. Egress shall be from the tract, left turn onto Metcalf Drive, right turn onto Harte Circle, right turn onto Lawnwood Drive, left turn onto Metcalf Drive and right turn onto Southridge Road, to US-Route 2.

c. No other means of construction traffic ingress or egress is allowable without prior written approval by the District Commission or District Coordinator, whichever is appropriate.

Land Use Permit #4C1315, Condition 33 states: *The Permittees shall install or cause to install traffic warning signs depicted in Exhibit #067 during construction activities.*

Location of violation: Northridge Development (under construction), Williston, Vermont

Date violation observed/occurred:

- Tuesday, October 13, 2020 - ~9:55am - Upon entering the Southridge Neighborhood from VT-Route 2, a loaded long-bed delivery truck turned from Metcalf Drive onto Lawnwood Drive, and then backed into the Northridge development access drive from the opposite direction than described in the permit (direct enforcement officer observation and photos).