

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

24-CC-00001



**NRB v Spiler**

**JUDGMENT ORDER**

**24-CC-00001**

**Findings**

A civil citation was filed on 01/31/2024.

Respondent filed a response of no contest.

**ORDER**

Judgment is for the Natural Resources Board in the amount of \$1125.

Electronically signed January 31, 2024 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

**\*\*\*In reference to civil citation number 2023\_79**



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

**Citation Number: 2023\_79**  
**VC: NR115 1st Violation**

Respondent: David Spiler

Address: 50 Tillou Road West

City, State, Zip: South Orange, NJ 07079

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

**Violation Citation:** Violation of an Act 250 rule or an Act 250 permit

Description: Respondent owns Lot 13 (the "Project Tract") of the Rocking Stone residential subdivision in Manchester, Vermont. The Project Tract is subject to Act 250 Land Use Permit (LUP) #8B0570 which includes certain conditions serving to protect and preserve the habitat of the Indiana Bat, a State and Federally endangered species. Exhibit #98 of the LUP includes a prohibition against the removal of any trees within the development area of the Rocking Stone subdivision (including Lot 13) from April 1 to November 1 without prior written consent of the Vermont Department of Fish & Wildlife. Residential development activities on the Project Tract commenced on 6/26/23. During that phase of development, approximately 24 mature trees were removed from a forested area of the Project Tract, in violation of LUP #8B0570.

Town: Manchester

Date: 06/26/2023

**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 \$ 300.00 Maximum \$ 1500.00 Waiver \$ 1125.00

Mailed to: Respondent, David Spiler

Mailing Address: 50 Tillou Road West

City, State, Zip: South Orange, NJ 07079

Date Mailed: January 19, 2024 by Certified Mail

*Ch K*

NRB Compliance and Enforcement Officer Christopher Kinnick 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 said he/she is NOT on active duty in the U.S. armed forces

NRB Compliance and Enforcement Officer Christopher Kinnick Signature: \_\_\_\_\_

*Ch K*

Signed and sworn at State of Vermont, County of Washington, on January 19, 2024, before me,

*Madeline Gatter*

Notary Public State of Vermont

Printed Name Madeline Gatter

Commission No. 157.0015504

My Commission Expires January 31, 2025

[Notary Stamp]

**Respondent's Plea to this Civil Citation**

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

Respondent or Corporate Officer Signature: *David Spiler* Date: 1/29/2024

Mailing Address: 50 Tillou Rd W

City, State, Zip: South Orange, NJ 07079

Phone: 201-341-2978 Email: dspiler@protonmail.ch

Pleading and payment instructions on next page.

