

VERMONT ENVIRONMENTAL BOARD
10 V.S.A. §§ 6001-6092

RE: Edward E. Buttolph Revocable Trust
Land Use Permit Application #5L1339

DISMISSAL ORDER

This proceeding concerns Edward E. Buttolph Revocable Trust's ("Applicant") Land Use Permit Application #5L1339 seeking authorization to create a 12 lot residential subdivision and construct 3,400 feet of roadways located off Town Highway 44 in the Town of Johnson, Vermont ("Project").

On July 20, 2000, Environmental Board Chair Marcy Harding issued a Chair's Preliminary Ruling proposing to dismiss the appeal of District 5 Environmental Commission's denial of Land Use Permit Application #5L1339. Parties had until Monday, August 7, 2000 to object, in whole or in part, to the Chair's Preliminary Ruling. No party has objected to the Chair's Preliminary Ruling. Therefore, the Chair's Preliminary Ruling is binding on all parties.

Accordingly, the appeal of Land Use Permit Application #5L1339 is hereby DISMISSED and jurisdiction is returned to the District 5 Environmental Commission. The Applicant is free to go to the District 5 Environmental Commission for reconsideration of the changed Project under all of the Act 250 criteria pursuant to 10 V.S.A. § 6087(C) and Environmental Board Rule 31(B).¹

Dated at Montpelier, Vermont this 8th day of August, 2000.

ENVIRONMENTAL BOARD


Marcy Harding, Chair

1

Applications for reconsideration must be filed within six months of the date of the decision which the applicant seeks to be reconsidered. In this case, the District 5 Environmental Commission issued its decision on February 24, 2000.

[DOCKET #752]