



ACT 250 JURISDICTIONAL OPINION JO 3-242

Natural Resources Board

District 3 Environmental Commission
100 Mineral Street, Suite # 305
Springfield, VT 05156-3168
<https://nrb.vermont.gov/>

[phone] 802-289-0603

This is a Jurisdictional Opinion based upon available information and a written request from the landowner/agent or other person. Any notified person or entity will be bound by this opinion unless that person or entity files a request for reconsideration with the District Coordinator or an appeal with the Superior Court, Environmental Division within 30 days of the issuance of this opinion (see below). This Opinion identifies Act 250 Jurisdiction only. Other permits may be required (e.g., <https://dec.vermont.gov/permits>). For more information, please contact the Agency of Natural Resources Permit Specialist serving your area: (<https://dec.vermont.gov/environmental-assistance/permits/specialists>).

I hereby request a jurisdictional opinion from the District Coordinator or Assistant District Coordinator regarding the jurisdiction of 10 V.S.A. Chapter 151 (Act 250) over the project described below.

Scott & Dayna Sabatino
6 Sibley Ave.
Montpelier, VT 05602
sabs427@gmail.com

- Landowner
- Agent
- Other

Project Location: 2719 Sanders Rd., Bethel

Project Description:

Divide approximately 70 acres the Sabatinos own on the east side of Sanders Road into two lots of approximately 64 acres with an existing single-family residence and 5.9 acres that will be conveyed to Scott Sabatino’s brother. Mr. Sabatino’s brother has no immediate plans to build anything permanent except for possibly a cabin down in the future. The Sabatinos also own 35 acres on the west side of Sanders Road with a single-family residence (see WW-3-2757).

Existing Act 250 permit number(s) or series: none identified

Project Type: Commercial Subdivision Municipal/State Mixed
 Farming/Forestry Housing Other _____



Has the landowner or affiliated person subdivided before? Yes No N/A

If Yes: Location: _____ no. of lots: _____ Date _____

AN ACT 250 PERMIT IS REQUIRED: YES NO

BASIS FOR DECISION:

Creation of fewer than 10 lots in a five year period does not require a permit. 10 VSA § 6001(19)(a)(1).



DATE: April 12, 2022

Pete Kopsco
District Coordinator, District 3 Environmental Commission
100 Mineral Street, Suite # 305, Springfield, VT 05156-3168
Telephone: (802) 595-2735
Email: Peter.Kopsco@vermont.gov

This is a jurisdictional opinion issued pursuant to 10 V.S.A. § 6007(c) and Act 250 Rule 3(B). Reconsideration requests are governed by Act 250 Rule 3(B) and should be directed to the district coordinator at the above address. Any appeal of this decision must be filed with the Superior Court, Environmental Division within 30 days of the date the decision was issued, pursuant to 10 V.S.A. Chapter 220. The Notice of Appeal must comply with the Vermont Rules for Environmental Court Proceedings (VRECP). The appellant must file the entry fee required by 32 V.S.A. § 1431 with the Notice of Appeal, which is \$295.00. The appellant must also serve a copy of the Notice of Appeal on the Natural Resources Board, 10 Baldwin Street, Montpelier, VT 05633-3201, and on other parties in accordance with Rule 5(b)(4)(B) of the Vermont Rules for Environmental Court Proceedings.

CERTIFICATE OF SERVICE

I hereby certify that I, Gina St. Sauveur, Natural Resources Board Technician, District 3 Environmental Commission, sent a copy of the foregoing **Jurisdictional Opinion JO 3-242** by U.S. Mail, postage prepaid, on this April 12, 2022 to the following individuals without email addresses, and by electronic mail, to the following individuals with email addresses:

Note: Any recipient may change its preferred method of receiving notices and other documents by contacting the District Office staff at the mailing address or email below. If you have elected to receive notices and other documents by email, it is your responsibility to notify our office of any email address changes.

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Bethel Selectboard
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Bethel, VT 05032
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Bethel Planning Commission
Andrew Delaney, Chair
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Adelaney79@gmail.com

Natural Resources Board Technician
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Two Rivers-Ottauquechee Regional
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