

**Natural Resources Board**

**111 West Street**

**Essex Jct., VT 05452**

**Act 250 Jurisdictional Opinion**

**#4-270**

**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 (10 V.S.A. § 6007 (c) and Act 250 Rule 3 (b)) or an Appeal with the SUPERIOR COURT, Environmental Division within 30 days of the issuance of this opinion**

☒ 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: Paul Simon, The Housing Initiative, LLC, 3 School House Lane, Suite 1, 2<sup>nd</sup> Floor, Etna, NH 03750

**Project Description:**

Construction of ±475 residential units with senior housing, multi-family housing, tiny townhouses, family townhomes, workforce housing, and a daycare center with a community room on a ±63 acre parcel located at the northeast corner of the US Route 7, Severance Road, Blakely Road intersection in the Town of Colchester. The project includes an office building, a 13-acre central park, community gardens, and an overlook park. The project includes a priority housing initiative and will exceed 20% in affordable housing units, and a 40% gross floor area of residential units throughout. The project is located within a Growth Center and includes both mixed use and mixed income housing. The initial purchase price for at least 20% of units will be no greater than 90% of the current VHFA price limit. This equals a \$270,000 purchase price for at least 95 units. The Project is called "Severance Park."

**Existing act 250 permit:** No Act 250 found

Project Type: ☐ Commercial ☐ Residential ☐ Municipal/State ☒ Mixed

**AN ACT 250 PERMIT IS REQUIRED:** ☐ YES ☒ NO

**BASIS FOR DECISION:**

**It is noted that a previously-proposed development called "Owl's Glen," located on the same parcel of land, has been fully abandoned at the Town of Colchester and was never reviewed or approved by Act 250.**

**In this case, the Severance Park project does not trigger jurisdiction as development because of its location in a Growth Center and its status as a Priority Housing Project under 10 VSA § 6001(35)(A).**

SIGNATURE: Stephanie H. Monaghan DATE: June 27, 2019 ADDRESS:

Stephanie H. Monaghan, District Coordinator  
[stephanie.monaghan@vermont.gov](mailto:stephanie.monaghan@vermont.gov)

Environmental Commission District #4  
111 West Street, Essex Junction, VT 05452  
Telephone: (802)879-5662

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. As of May 31, 2016, with the passage of Act 150, Act 250 Rule 3(C) (Reconsideration by the Board) is no longer in effect. Instead, any appeal of this decision must be filed with the Superior Court, Environmental Division (32 Cherry Street, 2<sup>nd</sup> Floor, Ste. 303, Burlington, VT 05401) 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 with the Notice of Appeal the entry fee required by 32 V.S.A. § 1431 which is \$295.00. The appellant also must 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.