

## **Vermont Natural Resources Board Notice of Act 250 Jurisdictional Opinion**

On October 26, 2020, the District #4 Coordinator issued Act 250 Jurisdictional Opinion #JO 4-280 pursuant to 10 V.S.A. 6007(c) and Act 250 Rule 3(C), in response to a request made in a letter dated October 12, 2020 from Nathan and Jacquie Dagesse.

Land Use Permits 4C1311, 4C1311-1 and 4C1311-2 authorized the construction of a 25-unit residential building located at 243 East Allen Street (aka City Lofts) and associated site improvements. The parking plan approved by these Land Use Permits included 12 off-street parking spaces at 243 East Allen Street and 15 off-street parking spaces at 223 East Allen Street (aka Park Terrace) for a net total of 27 off-street parking spaces. The proposed project includes minor modifications to the approved parking plan for City Lofts in order to accommodate a handicap accessible parking space at the City Lofts property. The modified parking plan includes 11 off-street parking spaces at 243 East Allen Street and 16 off-street parking spaces at 223 East Allen Street for a net total of 27 off-street parking spaces. The proposed project does not constitute a material change to a permitted development pursuant to Act 250 Rule 2(C)(6) and does not require a permit amendment for the City Lofts property located at 243 East Allen Street in Winooski, Vermont.

Copies of this jurisdictional opinion have been served on all persons specified in 10 V.S.A. 6007(c) and Act 250 Rule 3(C). A copy of the jurisdictional opinion may be obtained by contacting the District Coordinator at the address/telephone number below. Reconsideration requests are governed by Act 250 Rule 3(C)(2) and should be directed to the District Coordinator at the address listed below.

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.

Dated at Essex Junction, Vermont this 26<sup>th</sup> day of October 2020.

By: /s/ Rachel Lomonaco  
Rachel Lomonaco, District Coordinator  
District #4 Commission  
111 West Street  
Essex Junction, VT 05452  
802-879-5658  
[rachel.lomonaco@vermont.gov](mailto:rachel.lomonaco@vermont.gov)



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.

## CERTIFICATE OF SERVICE

I hereby certify on this 26<sup>th</sup> day of October, 2020, a copy of the foregoing ACT 250 JURISDICTIONAL OPINION #4-280 – CITY LOFTS, was sent by U.S. mail, postage prepaid to the following individuals without email addresses and by email to the individuals with email addresses listed.

**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. All email replies should be sent to [NRB.Act250Essex@vermont.gov](mailto:NRB.Act250Essex@vermont.gov)**

Jaqueline Dagesse/Nathan Dagesse  
EIV Technical Services  
106 East Allen Street, Unit 506  
Winooski, VT 05404  
[jdagesse@eivtech.com](mailto:jdagesse@eivtech.com); [ndagesse@eivtech.com](mailto:ndagesse@eivtech.com)

Carol Barrett, Town Clerk  
Eric Volward, Planning & Zoning Manager  
Chair, Selectboard/Chair, Planning Commission  
City of Winooski  
27 West Allen Street  
Winooski, VT 05404  
[cbarrett@winooskivt.gov](mailto:cbarrett@winooskivt.gov); [evorwald@winooskivt.gov](mailto:evorwald@winooskivt.gov)

Chittenden County Regional Planning Commission  
110 West Canal Street, Suite 202  
Winooski, VT 05404  
[permitting@ccrpcvt.org](mailto:permitting@ccrpcvt.org)

Agency of Natural Resources  
1 National Life Drive, Davis 2  
Montpelier, VT 05602-3901  
[ANR.Act250@vermont.gov](mailto:ANR.Act250@vermont.gov)

Dept. of Public Service  
112 State Street, Drawer 20  
Montpelier, VT 05620-2601  
[barry.murphy@vermont.gov](mailto:barry.murphy@vermont.gov); [PSD.VTDPS@vermont.gov](mailto:PSD.VTDPS@vermont.gov)

VTrans Policy, Planning & Research Bureau  
Barre City Place  
219 N. Main Street  
Barre, VT 05641  
[AOT.Act250@vermont.gov](mailto:AOT.Act250@vermont.gov)

Agency of Agriculture, Food & Markets  
116 State Street, Drawer 20  
Montpelier, VT 05620-2901  
[AGR.Act250@vermont.gov](mailto:AGR.Act250@vermont.gov)

Division for Historic Preservation  
National Life Building, Drawer 20  
Montpelier, VT 05620  
[scott.dillon@vermont.gov](mailto:scott.dillon@vermont.gov); [james.duggan@vermont.gov](mailto:james.duggan@vermont.gov)  
[ACCD.ProjectReview@vermont.gov](mailto:ACCD.ProjectReview@vermont.gov)

### FOR YOUR INFORMATION

District #4 Environmental Commission  
111 West Street  
Essex Junction, VT 05452

Seven Days/Classified Ad Section  
255 South Champlain Street, PO Box 1164  
Burlington, VT 05402  
[classifieds@sevendaysvt.com](mailto:classifieds@sevendaysvt.com)

Diane Snelling, Chair  
Aaron Brondyke, State Coordinator  
Greg Boulbol, General Counsel  
Evan Meenan, Associate General Counsel  
Natural Resources Board  
10 Baldwin Street  
Montpelier, VT 05633-3201

### ADJOINING LANDOWNERS

Available via:  
<https://anrweb.vt.gov/PubDocs/ANR/Planning/JO%204-280/Adjoining%20Landowners.pdf>

Dated at Essex Junction, Vermont, this 26<sup>th</sup> day of October, 2020.



Jessica Mason  
Natural Resources Board Technician  
802-879-5614  
[Jessica.Mason@vermont.gov](mailto:Jessica.Mason@vermont.gov)

Y:\NRB\Essex\DISTRICTS\DIST4\JO\JO 4-201 to JO 4-300\JO-4-280\JO 4-280 COS.docx