

Natural Resources Board  
111 West Street  
Essex Jct., VT 05452

Act 250 Jurisdictional Opinion  
JO 4-282

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: Greg Dixson of Krebs & Lansing on behalf of Champlain Housing Trust, and Evernorth

**PROJECT DESCRIPTION:**

The project includes the renovation of Hamel Hall, Purtill Hall and Dupont Hall into 60-65 residential units. The proposed project is located at 33, 81 and 129 Ethan Allen Avenue in Colchester, Vermont.

In 1964 St. Michael's College purchased a 21.4 acre parcel in Fort Ethan Allen containing Hamel Hall, Purtill Hall and Dupont Hall, among other buildings. Hamel Hall, Purtill Hall and Dupont Hall were renovated for college use by 1967. Hamel and Purtill Halls were used as dormitories (51 dorm rooms, each) and Dupont Hall was used as dormitories, classrooms, offices, and laboratories. Since 2016, Hamel and Purtill Halls have been used for storage and Dupont Hall has been used as classrooms, offices, and laboratories. In early 2019/late 2020, St. Michael's College subdivided the parcel on which Hamel Hall, Purtill Hall and Dupont Hall are located.

The proposed project is located within the Fort Ethan Allen Historic District which is listed on the National Register of Historic Places (Buildings #57-59). The proposed project is not located within a designated downtown or other designated center.

Existing Act 250 permit: No Act 250 permit found for these specific properties.

Project Type:  Commercial  Residential  Municipal/State  Mixed  
 Agriculture  Silviculture  Other  
Has the landowner subdivided before?  Yes  No  N/A

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

**BASIS FOR DECISION:**

Hamel Hall, Purtill Hall and Dupont Hall are considered a pre-existing development pursuant to Act 250 Rule 2(C)(8). Based on available information, the proposed project constitutes a substantial change to a pre-existing development pursuant to Act 250 Rule 2(C)(7). Therefore, the proposed project requires an Act 250 permit.

SIGNATURE: /s/ Rachel Lomonaco DATE: 3/8/21  
Rachel Lomonaco, District Coordinator  
Environmental Commission District #4  
111 West Street, Essex Junction, VT 05452  
802-879-5658  
[rachel.lomonaco@vermont.gov](mailto:rachel.lomonaco@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. 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.

## CERTIFICATE OF SERVICE

I hereby certify on this 8<sup>th</sup> day of March 2021, a copy of the foregoing ACT 250 JURISDICTIONAL OPINION #4-282, 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)**

Champlain Housing Trust and Evernorth  
c/o Greg Dixon  
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Natural Resources Board  
Diane Snelling, Chair  
Greg Boulbol, General Counsel  
Evan Meenan, Associate General Counsel  
10 Baldwin Street  
Montpelier, VT 05633-3201

Chair, Selectboard/Chair, Planning Commission  
Town of Colchester  
781 Blakely Road  
Colchester, VT 05446  
[jgraeter@colchestervt.gov](mailto:jgraeter@colchestervt.gov)

Dated at Essex Junction, Vermont, this 8<sup>th</sup> day of March, 2021.

Chittenden County Regional Planning Commission  
c/o Charlie Baker, Exec. Dir.  
Regina Mahony, Planning Program Manager  
110 West Canal Street, Suite 202  
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/s/Christine Commo  
Natural Resources Board Technician  
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Elizabeth Lord, Land Use Attorney  
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### FOR YOUR INFORMATION

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