



ACT 250

JURISDICTIONAL OPINION NO. 4-286

State of Vermont
Natural Resources Board
District 4 Environmental Commission
111 West Street
Essex Junction, VT 05452
<https://nrb.vermont.gov/>

[phone] 802-879-5614

This is a Jurisdictional Opinion based upon available information and a written request from the landowner's agent. 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 State Coordinator regarding the jurisdiction of 10 V.S.A. Chapter 151 (Act 250) over the project described below.

John Caulo
LandPlan
61 Central Avenue
Burlington, VT 05401

- Landowner
 Agent
 Other

Project Description:

An existing 2-level building will be demolished to the existing foundation. A new 2-level building will be constructed on the existing foundation. The new building will not result in any change in gross floor area, and no change in lot coverage. The new building will be designed to match the other buildings on the Hula Lakeside campus as follows: matching exterior materials, including brick masonry, steel entry canopies, and wood accents; matching windows and window detailing, similar massing, and similar roof line to match Hula Lakeside Building number 50.



The number of employees that have historically occupied the building in its current configuration will not change. Traffic and water usage should not increase from previously permitted levels.

Existing Act 250 permit number(s) or series: 4C1316 series

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:

Complete redesign of the building constitutes a material change to a permitted development pursuant to Act 250 Rule 2(C)(6), and thus requires a land use permit amendment pursuant to Act 250 Rule 34. See also related conditions 2, 8, 27, 28, and 29 of Land Use Permit Amendment #4C1316-1.



DATE: February 17, 2021

Aaron J. Brondyke, State Coordinator
111 West Street
Essex Junction, VT 05452
802-595-2735
NRB.Act250Essex@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.