

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

**Act 250 Jurisdictional Opinion
4-289**

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: **Brian Bertsch, P.E., A & C Realty, LLC, 31 Commerce Avenue, South Burlington, VT 05403; bbertsch@omegavt.com**

PROJECT DESCRIPTION:

The conversion of two existing, previously permitted, commercial buildings from rental property to condominium form of ownership. No construction/development is proposed. The project is currently owned by A & C Realty, LLC and is located at 320 and 331 Sunderland Way in Essex Junction, VT.

Existing Act 250 permit: **4C1258 and amendments**

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

AN ACT 250 PERMIT IS REQUIRED: ☐ YES ☒ NO

BASIS FOR DECISION:

The proposed project does not constitute a material change to the existing development under Act 250 Rule 2(c)(6) and does not require an Act 250 permit amendment.

SIGNATURE:  DATE: **March 29, 2021**

Stephanie H Monaghan, District Coordinator
Environmental Commission District #4
111 West Street, Essex Junction, VT 05452
802-879-5662
stephanie.monaghan@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 As of May 31, 2016, with the passage of Act 150, Act 250 Rule 3(C) (Reconsideration by the Board) is no longer in effect.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, 2nd 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.