

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

Act 250 Jurisdictional Opinion
#4-300

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: Lani Ravin, UVM, Campus Planning Services

PROJECT DESCRIPTION:

The project is located at the University of Vermont ("UVM") Pomeroy Barn and Carter House located at 489 Main Street and 172 South Prospect Street, respectively. The Pomeroy Barn was originally constructed in 1890 and is eligible to be listed on the State Register for Historic Places. The Carter House was originally constructed in 1830 and was relocated to this site in 1945 and significantly altered. The Carter House is not eligible for listing on the State Register of Historic Places. The proposed project includes the demolition of the Pomeroy Barn, demolition of the Carter House including the removal of the driveway, construction of landscaping improvements, pedestrian improvements, stormwater improvements and parking modifications. The project includes ground disturbance.

Existing Act 250 permit: Permit series 4C0852, and 4C0571, but none specifically for this property

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:

In a letter dated May 11, 2021, the Vermont Division for Historic Preservation ("VDHP") determined that the project will have an adverse effect on historic sites, and VDHP recommends that certain mitigation takes place.

Based on the available information, the project as proposed constitutes a substantial change and material change. Therefore, the project requires a permit amendment.

SIGNATURE: /s/ Rachel Lomonaco DATE: 6/30/21

Rachel Lomonaco, District Coordinator
Environmental Commission District #4
111 West Street, Essex Junction, VT 05452
802-879-5658
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, 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.

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CERTIFICATE OF SERVICE

I hereby certify on this 30th day of June, 2021, a copy of the foregoing ACT 250 JURISDICTIONAL OPINION #4-300, 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

University of Vermont
c/o Lani Ravin
16 Colchester Avenue
Burlington, VT 05405
Lani.ravin@uvm.edu

Katherine Schad, Town Clerk
Chair, Selectboard/Chair, Planning Commission
City of Burlington
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Burlington, VT 05401
burlingtontownclerk@burlingtonvt.gov;
lolberg@burlingtonvt.gov

Chittenden County Regional Planning Commission
110 West Canal Street, Suite 202
Winooski, VT 05404
permitting@ccrpcvt.org

Agency of Natural Resources
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ANR.Act250@vermont.gov

Dept. of Public Service
112 State Street, Drawer 20
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barry.murphy@vermont.gov; PSD.VTDPS@vermont.gov

VTrans Policy, Planning & Research Bureau
Barre City Place
219 N. Main Street
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Agency of Agriculture, Food & Markets
116 State Street, Drawer 20
Montpelier, VT 05620-2901
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Division for Historic Preservation
National Life Building, Drawer 20
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scott.dillon@vermont.gov; james.duggan@vermont.gov
ACCD.ProjectReview@vermont.gov

FOR YOUR INFORMATION

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

Dated at Essex Junction, Vermont, this 30th day of June, 2021.

Jessica B. Mason

Jessica Mason
Natural Resources Board Technician
802-879-5614
Jessica.Mason@vermont.gov

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