

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

**Act 250 Jurisdictional Opinion  
#4-303**

**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: Miranda Lescaze, Champlain Housing Trust

**PROJECT DESCRIPTION:**

The project includes the conversion of two hotel buildings consisting of 99-rooms into 72 studio and one-bedroom apartments. Exterior changes include the removal of the hotel sign, removal of existing fire pits and grills, construction of new sidewalks and exterior bicycle racks. The project is located at 66 Zephyr Road in Williston, Vermont within Williston's designated Growth Center.

Champlain Housing Trust represents that 66 of these apartments will be perpetually restricted to households whose incomes are below 60% area median income ("AMI") and 6 apartments will be perpetually restricted to households whose incomes are below 80% AMI. Champlain Housing Trust indicates that the rents would range between \$800 to \$1,000 per month including utilities. There are no association fees associated with the project.

To date, Williston reportedly has a population between 6,000 and 9,999. The project will remain below the unit cap included in 10 V.S.A. 6001(3)(A)(iv)(I).

Existing Act 250 permit: Permit series 4C1019

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:**

Based on the available information, the project as proposed constitutes a mixed-income Priority Housing Project located within a designated Growth Center pursuant to 10 V.S.A. 6001(35)(A). The project also remains below the applicable jurisdictional thresholds of 10 V.S.A. 6001(3)(A)(iv)(I). Provided that the project will comply with all conditions of existing Act 250 permits or Act 250 permit amendments associated with the property, the project does not require an Act 250 permit amendment pursuant to 10 V.S.A. 6081(p)(2).

SIGNATURE: /s/ Rachel Lomonaco      DATE: 8/20/21

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.

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## CERTIFICATE OF SERVICE

I hereby certify on this 20<sup>th</sup> day of August, 2021, a copy of the foregoing ACT 250 JURISDICTIONAL OPINION #4-303, 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)**

Miranda Lescaze, Dir., Real Estate Development  
Champlain Housing Trust  
88 King Street  
Burlington, VT 05401  
[mlescaze@champlainhousingtrust.org](mailto:mlescaze@champlainhousingtrust.org)

Dated at Essex Junction, Vermont, this 20<sup>th</sup> day of August, 2021.

Sarah Mason, Town Clerk  
Chair, Selectboard/Chair, Planning Commission  
Town of Williston  
7900 Williston Road  
Williston, VT 05495  
[smason@willistonvt.org](mailto:smason@willistonvt.org)

/s/Christine Commo  
Natural Resources Board Technician  
802-879-5614  
[christine.commo@vermont.gov](mailto:christine.commo@vermont.gov)

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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  
[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  
[ACCD.ProjectReview@vermont.gov](mailto:ACCD.ProjectReview@vermont.gov)

### FOR YOUR INFORMATION

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