# Project Review Sheet

## Project Information

### General Information

- **PROJECT NAME (if applicable)**: Bullock - create a horse pasture
- **PROJECT TOWN**: Rutland Town
- **PROJECT LOCATION (911 address if available)**: East Pittsford Road

### Contact(s)

- **CONTACT TYPE**: Applicant
  - **NAME**: JR and Laurie Bullock
  - **ADDRESS**: 
  - **PHONE**: 
  - **EMAIL**: 
- **CONTACT TYPE**: Representative
  - **NAME**: James P.W. Goss, Esq.
  - **ADDRESS**: 71 Allen Street, Suite 401, P.O. Box 578
  - **PHONE**: 802 665 2730
  - **EMAIL**: jgoss@fgmvt.com

### Project Description

- **ENTERED BY**: Rick Oberkirch
- **INFORMATION SOURCE**: Individual
- **DATE ENTERED**: 5/29/2020 12:56 PM

- **PROJECT DESCRIPTION**: Acquire Lots 2 through 6, of LUP 1R0172. These lots are presently unimproved and wooded. The Bullocks would clear these lots and convert them into a horse pasture with the intention of eventually constructing a barn.

## DEC Prior Permits

- **PERMIT TYPE**: Act 250
- **PERMIT NUMBER**: 1R0172

## Act 250 Jurisdictional Opinion

This is a jurisdictional opinion issued pursuant to 10 V.S.A. § 6007(c) and Act 250 Rule 3(A). Reconsideration requests are governed by Act 250 Rule 3(B) and should be directed to the district coordinator at the above address. Effective May 31, 2016, 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.

- **PERSON REQUESTING JURISDICTIONAL OPINION**: James P.W. Goss, Esq.
- **REQUESTOR TYPE**: Landowner/Agent
- **ACT 250 PERMIT NUMBER (if any)**: 1R0172
- **HAS THE LANDOWNER SUBDIVIDED BEFORE?**
  - **Yes**
  - **No**

- **TYPE OF PROJECT (check all that apply)**
  - [ ] Commercial
  - [ ] Residential
  - [X] Agricultural
  - [ ] Municipal
  - [ ] State
  - [ ] Federal

- **IS AN ACT 250 PERMIT REQUIRED?**
  - [X] Yes
  - [ ] No

- **COPIES SENT TO STATUTORY PARTIES?**
  - [ ] Yes
  - [ ] No
### BASIS FOR DECISION

I agree with Mr. Goss’s legal argument that sufficient evidence has been propounded to deem the proposed change non-material under the Rules. Accordingly, a full application for amendment is not required. I further conclude that an Administrative Amendment pursuant to Rule 34(D) is required on the facts of this case for record keeping purposes. Hence, I’ve checked off both “yes” and “no” in the box above. Accordingly, the petitioner is requested to file an application for an administrative amendment which includes the documentation provided with this PRS request.

### Wastewater System & Potable Water Supply Permit Jurisdictional Opinion

<table>
<thead>
<tr>
<th>Yes</th>
<th>Permit application currently under review</th>
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</thead>
<tbody>
<tr>
<td>No</td>
<td>Permit issued on _______________</td>
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**BASIS FOR DECISION**

Based on the information provided, the proposed change-in-use of the subject lots does not constitute a “permit trigger” as specified in §-301(a) of Chapter 1 of the Environmental Protection Rules. After the prospective purchasers have acquired title to the subject lots, they would be in a position to request “voluntary revocation” of the original State subdivision permitting of those lots, if that would serve to further clarify the regulatory status of that property or to provide a potential benefit with regard to municipal property taxation.

### Preliminary, Non-binding Determination of the Applicability of Other State Permits

**Note:** Fact Sheet numbers below refer to permit fact sheets available at: [http://dec.vermont.gov/permits/handbook/info-sheets](http://dec.vermont.gov/permits/handbook/info-sheets)

**Agency of Natural Resources - Department of Environmental Conservation**

**WATERSHED MANAGEMENT DIVISION**

- Stormwater: Developments [ Fact Sheets #6.2 & 6.3 ] [ See Stormwater District Contacts Map ]
  - Contact: Terry Purcell
  - Email: terry.purcell@vermont.gov
  - Phone: 802-490-6166

**Local Permits**

- See your Town Clerk, Zoning Administrator, Planning Commission or Public Works

**PERMIT SPECIALIST SIGNATURE**

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**Agency of Natural Resources - Department of Environmental Conservation**

**Department of Environmental Conservation**

**Environmental Assistance Office - Rutland Regional Office**

450 Asa Bloomer Office Bldg., Rutland, VT 05701-5903