

# Project Review Sheet

Date Initiated	<input type="text" value="5/28/2020"/>	ANR PIN#	<input type="text"/>	WW Project#	<input type="text"/>	Pre-application Review	<input type="checkbox"/>
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## Project Information

### General Information

PROJECT NAME (if applicable) <b>Bullock- create a horse pasture</b>	PROJECT TOWN <b>Rutland Town</b>
PROJECT LOCATION (911 address if available) <b>East Pittsford Road</b>	SPAN(S) (if available)

### Contact(s)

CONTACT TYPE <b>Applicant</b>	NAME <b>JR and Laurie Bullock</b>	ORGANIZATION NAME (if applicable)		
ADDRESS		TOWN	STATE	ZIP
			<b>VT</b>	
PHONE	CELL PHONE	EMAIL		
CONTACT TYPE <b>Representative</b>	NAME <b>James P.W. Goss, Esq.</b>	ORGANIZATION NAME (if applicable) <b>Facey, Goss and McPhee P.C.</b>		
ADDRESS <b>71 Allen Street, Suite 401, P.O. Box 578</b>		TOWN <b>Rutland City</b>	STATE <b>VT</b>	ZIP <b>05702</b>
PHONE <b>802 665 2730</b>	CELL PHONE	EMAIL <b>jgoss@fgmvt.com</b>		

### Project Description

ENTERED BY <b>Rick Oberkirch</b>	INFORMATION SOURCE <b>Individual</b>	DATE ENTERED <b>5/29/2020 12:56 PM</b>
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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 <b>Act 250</b>	PERMIT NUMBER <b>1R0172</b>
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*Jurisdictional Opinion(s) for permits that may be needed from the District Environmental Office **PRIOR TO COMMENCEMENT OF CONSTRUCTION***

## 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 <b>James P.W. Goss, Esq.</b>	REQUESTOR TYPE <b>Landowner/Agent</b>	ACT 250 PERMIT NUMBER (if any) <b>1R0172</b>	HAS THE LANDOWNER SUBDIVIDED BEFORE? <input type="checkbox"/> Yes <input type="checkbox"/> No
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TYPE OF PROJECT (check all that apply)

Commercial   
  Residential   
  Agricultural   
  Municipal   
  State   
  Federal

IS AN ACT 250 PERMIT REQUIRED? <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No	COPIES SENT TO STATUTORY PARTIES? <input type="checkbox"/> Yes <input type="checkbox"/> No
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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.	
DISTRICT COORDINATOR SIGNATURE  2020.05.29 10:22:23 -04'00'	<b>William Burke, Coordinator</b>  [phone] 802-786-5923 [email] <a href="mailto:william.burke@vermont.gov">william.burke@vermont.gov</a> <b>Natural Resources Board</b> District 1 Environmental Commission 440 Asa Bloomer Office Bldg., Rutland, VT 05701-5903

Wastewater System & Potable Water Supply Permit Jurisdictional Opinion	
IS A WASTEWATER SYSTEM & POTABLE WATER SUPPLY PERMIT/APPROVAL REQUIRED? <input type="checkbox"/> Yes <input type="checkbox"/> Permit application currently under review <input checked="" type="checkbox"/> No <input type="checkbox"/> Permit issued on _____	PERMIT NOT REQUIRED? <input type="checkbox"/> Boundary Line Adjustment <input type="checkbox"/> Home Occupation <input type="checkbox"/> Clean Slate <input type="checkbox"/> Notice of Permit Requirement

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.	
REGIONAL OFFICE STAFF SIGNATURE  2020.05.28 13:02:36 -04'00'	<b>Dave Swift, Regional Engineer</b>  [phone] 802-345-7493 [email] <a href="mailto:dave.swift@vermont.gov">dave.swift@vermont.gov</a> <b>Department of Environmental Conservation</b> Drinking Water & Groundwater Protection Division - Rutland Regional Office 450 Asa Bloomer Office Bldg., Rutland, VT 05701-5903



The following are preliminary, non-binding determinations made by DEC Permit Specialists identifying other permits that may be needed  
**PRIOR TO COMMENCEMENT OF CONSTRUCTION**

**SPECIAL WETLANDS DISCLAIMER**

A desktop review cannot definitively confirm the presence or absence of a wetland in or within fifty feet of your project site. This review sheet is the result of a desktop review that included reviewing the project site with these mapping tools available at <https://anr.vermont.gov/maps>. Many wetlands do not appear on these maps. You are advised to review the site on the ground for wetlands, regardless of whether this box is checked or not (<https://dec.vermont.gov/watershed/wetlands/what/guide>). To confirm the presence/absence of wetlands, contact a qualified environmental consultant (<https://dec.vermont.gov/watershed/wetlands/what/id/wetland-consultant-list>) or the State Wetlands Program (<https://dec.vermont.gov/watershed/wetlands>).

**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>

Agency of Natural Resources - Department of Environmental Conservation	
WATERSHED MANAGEMENT DIVISION <input checked="" type="checkbox"/> Stormwater: Developments [ Fact Sheets #6.2 & 6.3 ] [ See <a href="#">Stormwater District Contacts Map</a> ] <input checked="" type="checkbox"/> Contact: Terry Purcell      Email: <a href="mailto:terry.purcell@vermont.gov">terry.purcell@vermont.gov</a> Phone: 802-490-6166	
Local Permits <input checked="" type="checkbox"/> See your Town Clerk, Zoning Administrator, Planning Commission or Public Works	

PERMIT SPECIALIST SIGNATURE  2020.05.29 12:58:07 -04'00'	<b>Rick Oberkirch, Permit Specialist</b>  [phone] 802-282-6488 [email] <a href="mailto:rick.oberkirch@vermont.gov">rick.oberkirch@vermont.gov</a> <b>Department of Environmental Conservation</b> Environmental Assistance Office - Rutland Regional Office 450 Asa Bloomer Office Bldg., Rutland, VT 05701-5903
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