

# Project Review Sheet

Date Initiated	<input type="text" value="1/4/2021"/>	ANR PIN#	<input type="text" value="EJ96-0139"/>	WW Project#	<input type="text" value="WW-4-2436-2"/>	Pre-application Review	<input type="checkbox"/>
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## Project Information

### General Information

PROJECT NAME (if applicable) 266 Queen City Park Road Higher Ground		PROJECT TOWN Burlington
PROJECT LOCATION (911 address if available) 266 Queen City Park Road	SPAN(S) (if available) 114-035-20463	

### Contact(s)

CONTACT TYPE Landowner	NAME Justin Worthley	ORGANIZATION NAME (if applicable) Burton Corporation		
ADDRESS 180 Queen City Park Road		TOWN Burlington	STATE VT	ZIP 05401
PHONE 8026510499	CELL PHONE	EMAIL JustinW@burton.com		
CONTACT TYPE Consultant	NAME Paul Boisvert	ORGANIZATION NAME (if applicable) Engineering Ventures		
ADDRESS 208 Flynn Avenue Suite 2A		TOWN Burlington	STATE VT	ZIP 05401
PHONE 8022559766	CELL PHONE	EMAIL paulb@engineeringventures.com		

### Project Description

ENTERED BY Jeffrey McMahon	INFORMATION SOURCE Wastewater System & Potable Water Supply	DATE ENTERED 1/5/2021 4:16 PM
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PROJECT DESCRIPTION  
Amend the Permit to reflect a proposed commercial use building and performing arts venue w/ 74 employees, a skate park w/ 15 participants and 6 spectators, a snack bar, a performance space w/ 1500 seats, a restaurant w/ 150 seats and redesigned parking to accommodate the venue. This on a lot of 6.9 acres, all to be served by municipal water supply and wastewater disposal.


### DEC Prior Permits

PERMIT TYPE Wastewater System & Potable Water Supply	PERMIT NUMBER WW-4-2436-1
PERMIT TYPE Act 250	PERMIT NUMBER 4C0368
PERMIT TYPE Wetlands	PERMIT NUMBER 1990-126
PERMIT TYPE Hazardous Waste Generator	PERMIT NUMBER VTR000521252
PERMIT TYPE Hazardous Site	PERMIT NUMBER 770040
PERMIT TYPE Stormwater	PERMIT NUMBER 3128

*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>Jeffrey McMahon</b>	REQUESTOR TYPE <b>Permit Specialist</b>	ACT 250 PERMIT NUMBER (if any) <b>4C0174 series, 4C0368 series</b>	HAS THE LANDOWNER SUBDIVIDED BEFORE? <input type="checkbox"/> Yes <input type="checkbox"/> No
TYPE OF PROJECT (check all that apply) <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential <input type="checkbox"/> Agricultural <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Federal			
IS AN ACT 250 PERMIT REQUIRED? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		COPIES SENT TO STATUTORY PARTIES? <input type="checkbox"/> Yes <input type="checkbox"/> No	
BASIS FOR DECISION <b>The project constitutes a material change to a permitted development pursuant to Act 250 Rule 2(C)(6) and requires a permit amendment.</b>			
DISTRICT COORDINATOR SIGNATURE 		<b>Aaron Brondyke, State Coordinator</b> [phone] 802-595-2735 [email] <a href="mailto:aaron.brondyke@vermont.gov">aaron.brondyke@vermont.gov</a> <b>Natural Resources Board</b> 10 Baldwin Street, Montpelier, VT 05633-3201	

## Wastewater System & Potable Water Supply Permit Jurisdictional Opinion

IS A WASTEWATER SYSTEM & POTABLE WATER SUPPLY PERMIT/APPROVAL REQUIRED?

- ☐ Yes    ☒ Permit application currently under review  
☐ No    ☐ Permit issued on \_\_\_\_\_

*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

#### AIR POLLUTION CONTROL DIVISION

- ☒ Construction/Modification of Source [ Fact Sheet #14 ]

Contact: **Doug Elliott**

Email: [doug.elliott@vermont.gov](mailto:doug.elliott@vermont.gov)

Phone: 802-377-5939

#### WASTE MANAGEMENT & PREVENTION DIVISION

- ☒ Brownfields [ Fact Sheet #46.2 ]

Contact: **Trish Coppolino**

Email: [patricia.coppolino@vermont.gov](mailto:patricia.coppolino@vermont.gov)

Phone: 802-249-5822

- ☒ Demolition Waste

Contact: **Jim Surwillo**



Email: [james.surwillo@vermont.gov](mailto:james.surwillo@vermont.gov)

Phone: 802-522-5056

- ☒ Universal Recycling and Food Waste

Contact: **Materials Management Program**

Phone: 802-828-1138

<b>DRINKING WATER &amp; GROUNDWATER PROTECTION DIVISION</b>	
<input checked="" type="checkbox"/> Construction Permit - Public Drinking Water Systems [ Fact Sheet #22 ] <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <span>Contact: <a href="#">Tim Raymond</a></span> <span>Email: <a href="mailto:tim.raymond@vermont.gov">tim.raymond@vermont.gov</a></span> <span>Phone: 802-371-7614</span> </div>	
<b>WATERSHED MANAGEMENT DIVISION</b>	
<input checked="" type="checkbox"/> Wetlands [ Fact Sheet #29 ] and Ponds [ Fact Sheet #32.1 ] <input checked="" type="checkbox"/> Chittenden County: <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <span>Contact: <a href="#">Tina Heath</a></span> <span>Email: <a href="mailto:tina.heath@vermont.gov">tina.heath@vermont.gov</a></span> <span>Phone: 802-490-6202</span> </div> <input checked="" type="checkbox"/> Stormwater: Developments [ Fact Sheets #6.2 & 6.3 ] [ See <a href="#">Stormwater District Contacts Map</a> ] <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <span>Contact: <a href="#">Winn Wilson</a></span> <span>Email: <a href="mailto:william.wilson@vermont.gov">william.wilson@vermont.gov</a></span> <span>Phone: 802-490-8019</span> </div>	
<b>Agency of Natural Resources - Department of Fish &amp; Wildlife</b>	
<input checked="" type="checkbox"/> Nongame & Natural Heritage Program (Threatened & Endangered Species) [ Fact Sheet #47.4 ] [ See <a href="#">Wildlife District Contacts Map</a> ] <input checked="" type="checkbox"/> Districts 4, 6 (Grand Isle County) and 9 <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <span>Contact: <a href="#">John Gobeille</a></span> <span>Email: <a href="mailto:john.gobeille@vermont.gov">john.gobeille@vermont.gov</a></span> <span>Phone: 802-879-5696</span> </div>	
<b>Department of Public Safety</b>	
<input checked="" type="checkbox"/> Construction Permit Fire Prevention, Electrical, Plumbing, Accessibility (ADA) [ Fact Sheets #49, 50, 50.1, & 50.2 ] <input checked="" type="checkbox"/> Williston: 802-879-2300	
<b>Department of Health</b>	
<input checked="" type="checkbox"/> Food & Lodging Program [ Fact Sheets #51, 51.1, 52, 53, 53.1, 54, 55, & 55.1 ] [ See <a href="#">Public Health Inspection Area Map</a> ] <input checked="" type="checkbox"/> Contact: <a href="#">Keenan Neigel</a> Email: <a href="mailto:keenan.neigel@vermont.gov">keenan.neigel@vermont.gov</a> Phone: 802-951-5820 <input checked="" type="checkbox"/> Program for Asbestos Control & Lead Certification [ Fact Sheets #54, 55, & 55.1 ] <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <span>Phone: 802-863-7220</span> </div>	
<b>Agency of Transportation</b>	
<input checked="" type="checkbox"/> Signs (Travel Information Council) [ Fact Sheet #63 ] <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <span>Contact: <a href="#">Toni May</a></span> <span>Email: <a href="mailto:toni.may@vermont.gov">toni.may@vermont.gov</a></span> <span>Phone: 802-279-9599</span> </div>	
<b>Department of Liquor Control</b>	
<input checked="" type="checkbox"/> Liquor Licenses [ Fact Sheet #90 ] <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <span>Contact: <a href="#">Jamie Green</a></span> <span>Email: <a href="mailto:jamie.green@vermont.gov">jamie.green@vermont.gov</a></span> <span>Phone: 802-828-4945</span> </div>	
<b>Secretary of State</b>	
<input checked="" type="checkbox"/> Business Registration [ Fact Sheet #90.1 ] <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <span>Phone: 802-828-2386</span> </div>	
<b>Department of Taxes</b>	
<input checked="" type="checkbox"/> Income and Business Taxes (sales, meals/rooms, etc.) [ Fact Sheets #91, 92, 93, 94, 95, & 96 ] <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <span>Phone: 802-828-2551</span> </div>	
<b>Local Permits</b>	
<input checked="" type="checkbox"/> See your Town Clerk, Zoning Administrator, Planning Commission or Public Works	
PERMIT SPECIALIST SIGNATURE   <div style="margin-left: 100px;"> <div>2021.01.05</div> <div>08:51:01 -05'00'</div> </div>	<div style="display: flex; justify-content: space-between; align-items: center;"> <div> <b>Jeff McMahon, Permit Specialist</b>            [phone] 802-477-2241 [email] <a href="mailto:jeff.mcmahon@vermont.gov">jeff.mcmahon@vermont.gov</a>  <b>Department of Environmental Conservation</b>            Environmental Assistance Office - Essex Regional Office            111 West Street, Essex Junction, VT 05452         </div>  </div>