

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

Act 250 Jurisdictional Opinion

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: **Eric Vorwald, AICP, Planning & Zoning Manager,**
EVorwald@winooski.vt.gov

Project Description:

The proposed project is the installation of a structure to cover an existing patio area and accommodate three-season outside dining. This structure would be attached to the building and anchored to the ground, and is not intended to be removed over the winter. It will include screens that can retract but will not have any heated or cooled space. The space that would be under cover is currently used seasonally for seating - from March to November, 7 days per week from 9AM to 12AM as part of the Waterworks restaurant.

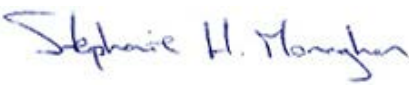
Existing act 250 permit: 4C0251 and amendments; 4C1065 and amendments

Project Type: ☒ Commercial ☐ Residential ☐ Municipal/State ☐ Mixed
 ☐ Agriculture ☐ Silviculture ☐ Other

AN ACT 250 PERMIT IS REQUIRED: ☒ **YES** ☐ **NO**

BASIS FOR DECISION:

The proposed project constitutes a material change to the Champlain Mill building under Act 250 Rule 2(c)(6) as new construction that will remain standing throughout the year.

SIGNATURE:  DATE: **February 14, 2019** ADDRESS:
Stephanie H. Monaghan, District Coordinator 111 West Street, Essex Junction, VT 05452
stephanie.monaghan@vermont.gov Telephone: (802)879-5662

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.

From: Eric Vorwald <EVorwald@winooski.vt.org>
Sent: Tuesday, February 12, 2019 4:32 PM
To: Lomonaco, Rachel <Rachel.Lomonaco@vermont.gov>
Subject: Jurisdictional Opinion Request - Winooski Downtown

Good afternoon Rachel,

I am writing to request a jurisdictional opinion on how a proposed change in Downtown Winooski will impact the existing Act 250 Permit. Specifically, the Water Works Restaurant, located in the Champlain Mill Building at 20 Winooski Falls Way is proposing the installation of a structure to cover an existing patio area and accommodate three-season outside dining. Attached are renderings of the proposed structure and a sheet detailing some of the specific information about the structure.

As I understand it, this structure would be attached to the building and anchored to the ground, and is not intended to be removed over the winter. It will include screens that can retract but will not have any heated or cooled space. The space that would be under cover is currently used seasonally for seating.

Please let me know if you need any additional information or if I should reach out to anyone else regarding the impacts to our existing permit.

Thank you in advance,

Eric

1 A-frame Style Fully Retractable Gennius Awning System

1. Dimensions: 29' – 6 " Wide X 32' – 10" Projection
2. Duration of use: 3 season
3. Temporary awning that can be removed
4. Fabric: 502 Vinyl, Color TBD
5. Frame: Extruded aluminum, powder coated Charcoal with Wood Trim detail (Dark Walnut or Semi-gloss Mahogany)
6. Gable mesh included on both open ends of awning system gables
7. Fully motorized with push button operation – System includes protective hood cover when fabric is retracted.
8. Fully integrated water management system (all water that lands on the awning is routed to support posts(down spouted out).
9. Eight Zip Screen Curtain wall enclosure system (encloses all 4 sides of the awning system)
10. Mesh screen retractables (system with 5% open Mesh fabric phifer suntex 95 – dark bronze.
11. C85 retractable awnings with crank down operation.







WATERWORKS
FOOD + DRINK



WATERWORKS
FOOD + DRINK