

9-15-76

STATE OF VERMONT  
ENVIRONMENTAL BOARD

RE: TOWN OF CHARLOTTE -  
Sanitary Landfill

DECLARATORY RULING NO. 76  
FINDINGS OF FACT, CONCLU-  
SIONS OF LAW AND ORDER

The above matter came before the Environmental Board on the petition of owners of property adjoining an area on which a sanitary landfill is being located by the Town of Charlotte for a ruling that said landfill is a development within the meaning of Act 250 and a permit required for its operation under the Act.

The Board finds that the use of the land as an area for the lawful disposal of solid waste did not exist prior to June 1, 1970.

The Board finds that the area of land involved in the sanitary landfill operation as approved by the Agency of Environmental Conservation, consists of more than ten acres.

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CONCLUSION OF LAW AND ORDER


The sanitary landfill of the Town of Charlotte in the Town of Shelburne, as approved under the authority of the Agency of Environmental Conservation, is a development within the meaning of Act 250 and a permit, therefore, is required under 10 VSA, section 6081.

It is ordered that the Town of Charlotte proceed forthwith to make application for the development of the sanitary landfill.

No party has requested that during the pendency of the application the current operations on the site be stopped, and therefore no order to cease will be issued or recommended by the Board.

Dated at Montpelier, Vermont this 8th day of September, 1976.

ENVIRONMENTAL BOARD

By   
Schuyler Jackson  
Chairman

Members participating in the decision: Schuyler Jackson  
Donald B. Sargent, Margaret Garland,  
Dr. James A. Marvin, John D. Veller,  
William D. Countryman  
Dwight E. Burnham, Sr.

CERTIFICATE OF SERVICE

I hereby certify that I, Schuyler Jackson, Chairman of the Environmental Board, sent a copy of the foregoing Declaratory Ruling No. 76 - Findings of Fact, Conclusions of Law and Order by U.S. Mail on this 13th day of September, 1976, to the following:

William G. Post, Jr., Esq.  
Gravel, Shea & Wright  
109 South Winooski Avenue  
Burlington, Vermont 05401

Joseph F. Obuchowski, Esq.  
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Planning Commission  
Town of Charlotte  
c/o Town Clerk  
Charlotte, Vermont 05445

Chittenden County Regional Planning  
Commission  
Arthur H. Hogan, Jr., Executive Director  
P.O. Box 108  
Essex Junction, Vermont 05452

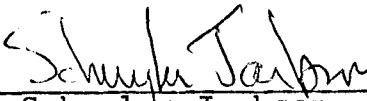
Curtis W. Carter, Coordinator  
District #4 Environmental Commission  
111 West Street  
Essex Junction, Vermont 05452

Agency of Environmental Conservation  
c/o Stephen B. Sease, Esq.  
Administrator, Land Use & Development  
Montpelier, Vermont 05602

Dated at Montpelier, Vermont this 13th day of September, 1976.

ENVIRONMENTAL BOARD

By

  
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Schuyler Jackson  
Chairman