

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:

Britney Tenney, McCain Consulting, Inc., 93 South Main Street, Suite 1, Waterbury, VT 05676

Landowner/Agent Address

Project Description:

Subdivide an approximately 88-acre parcel, which abuts Mount Philo State Park, at the corner of Mount Philo Road and One Mile Road in the Town of Charlotte, into nine new residential lots via a PRD. Each of the 9 new lots is proposed to be improved with a single-family dwelling. Lots #1 & #2 are proposed to be accessed from an existing curb cut, currently serving 766 One Mile Road. Lots #3 & #4 are proposed to be accessed from a new curb cut off of One Mile Road. Lots #5, #6, #7, #8, & #9 are proposed to be accessed from a new curb cut off of Mount Philo Road. Each lot will be served by individual or shared wastewater systems and will be served by a community water system. Lots A, B & C, also owned by the landowners (Edward, Michael and Susan Krasnow) will retain their existing lot layouts. A 0.33 acre boundary lot adjustment will occur between Lot #1 and the adjacent parcel.

Existing Act 250 permit: none

Project Type: Commercial Residential Municipal/State Mixed

Has the landowner subdivided before? Yes No N/A

If Yes: Location: Adjacent lots A, B, & C (ww-4-2694R) # of lots: 4 Date 11/6/2006

AN ACT 250 PERMIT IS REQUIRED: YES NO

BASIS FOR DECISION:

Revision of original site plan to remove the transfer of 4 acres each to Lots A, B, and C results in a subdivision of only nine lots (Sheet C-1 Overview KR Properties, LLC 9 Lot subdivision dated June 22, 2016). Lot count is nine, Project is not a subdivision pursuant to 10 VSA 6001(19). Changes from previous PRS include correction of access for lots #3 and #4 and the addition of a boundary lot adjustment between lot #1 and adjacent property. This JO supersedes the PRSs dated 06/08/2016 and 6/29/2016.

SIGNATURE:  DATE: 7/19/2016

Peter Keibel, District Coordinator
Environmental Commission District #4
peter.keibel@state.vt.us

ADDRESS:
111 West Street, Essex Junction, VT 05452
Telephone: (802)879-5658

This is a jurisdictional opinion issued pursuant to 10 V.S.A. § 6007(c) and Act 250 Rule 3(A). A request for reconsideration by the district coordinator, pursuant to Act 250 Rule 3(B), must be sent to the district coordinator at the above address within 30 days of the mailing of this opinion.

Effective July 1, 2013, no appeal may be taken from a jurisdictional opinion or coordinator's decision on reconsideration without reconsideration by the Natural Resources Board. Requests for reconsideration by the Board must be submitted to the Board within 30 days of the mailing of this decision or a coordinator's decision on reconsideration in accordance with Act 250 Rule 3(C). The mailing address is: Natural Resources Board, Dewey Building, National Life Drive, Montpelier, VT 05620-3201. For additional information see Act 250 Rule 3(C) [<http://www.nrb.state.vt.us/lup/publications/rules/2015rules.pdf>].