

**STATE OF VERMONT
NATURAL RESOURCES BOARD
DISTRICT #4 ENVIRONMENTAL COMMISSION
111 West Street
Essex Junction, VT 05452**

RE: Bernard A. Giroux Trust; June T. Giroux
Trust; Victor T. Giroux Trust; Ramona
Giroux Trust
9318 Route 116
Hinesburg, VT 05461

Application #4C0654-14

Hearing Recess Order
10 V.S.A. §§ 6001-6092 (Act 250)

and

Martin's Foods of South Burlington
Attn: Tyler Sterling
P.O. Box 1000
Portland, ME 04104

I. Introduction

On October 14, 2013, the District Commission held a public hearing for the above referenced application located at Commerce Street in the Town of Hinesburg. Pursuant to Act 250 Rule 13(B), the Commission recessed the hearing to a date to be determined and pending submittal of additional information by the Parties as set forth below.

II. Supplemental Evidence

Pursuant to Act 250 Rule 20(A), and with regard to the testimony provided, the Commission requires that the **Applicants** submit the following information:

1. A Stormwater Discharge from the Watershed Management Division, Agency of Natural Resources.
2. A Construction General Permit from the Watershed Management Division, Agency of Natural Resources.
3. A Wetlands Permit or a letter from the Watershed Management Division, Agency of Natural Resources indicating that a permit is not needed.

Pursuant to Act 250 Rule 20(A), and with regard to the testimony provided, the Commission requires that **The Town of Hinesburg Selectboard**, submit the following information:

4. A Project Review Sheet saying that no Act 250 permit was necessary or supply an Act 250 permit for the construction of the Canal sidewalk.

Pursuant to Act 250 Rule 20(A), and with regard to the testimony provided, the Commission requires that **VTrans**, submit the following information:

5. A discussion on the revised left turning lane length proposed by the Applicants and a detailed description of traffic monitoring, if any, they are recommending for after construction of the proposed project. If traffic monitoring shows that the length of the left turn lane is not adequate, what is the proposed mitigation?

III. Order

1. The Commission requests that Parties submit the above requested information be provided to all parties listed on the attached certificate of service and that **four (4)** paper sets plus a digital version of the documentation be submitted to the District Commission Office on or before **November 1, 2013** with the exception of the to be issued state permits or letters. All filings must be received in the District Commission office no later than **4:30 p.m.** on the date scheduled, unless another time is specifically required or authorized. All rebuttal documentation with respect to the above submissions must be received in the District Commission office no later than 4:30 PM on **November 15, 2013**. The Commission also requests that any proposed Findings of Fact be sent to the Act 250 ftp site by **November 15, 2013**. The Commission requests that the Commission's digital version (see <http://www.nrb.state.vt.us/lup/publications/efilingguidelines.pdf>) be supplied on a CD-ROM or attached as an email to the NRB public folder (nrb-act250essex@state.vt.us) or, if larger than 3 MB in size, uploaded to the NRB ftp site. Any upload to the NRB ftp site should be followed up with an email to the NRB public folder and to the District Coordinator informing that the files have been uploaded.

An appeal from this order may be filed with the Environmental Court in accordance with 10 V.S.A. Chapter 220 and the Rules for Environmental Court Proceedings.

If any party has any questions or wishes to request the hearing be reconvened, please call the district coordinator, Peter E. Keibel at **802-879-5658** or peter.keibel@state.vt.us

Dated at **Essex Junction**, Vermont this 24th day of October, 2013.

By: /s/ Thomas A. Little
As authorized by
Thomas A. Little, Chair
District #4 Environmental Commission

CERTIFICATE OF SERVICE

I hereby certify on this 24th day of October, 2013, a copy of the foregoing **ACT 250 APPLICATION #4C0654-14 HEARING RECESS ORDER**, was sent by U.S. mail, postage prepaid to the following individuals without email addresses and by email to the individuals with email addresses listed.

Note: any recipient may change its preferred method of receiving notices and other documents by contacting the District Office staff at the mailing address or email below. If you have elected to receive notices and other documents by email, it is your responsibility to notify our office of any email address changes. All email replies should be sent to nrb-act250essex@state.vt.us Please note you can now fill out and submit the Act 250 survey online at: <http://permits.vermont.gov/act250-survey> instead of printing and mailing the attached pdf version.

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The Following Parties are represented by J. Dumont, Esq. (Parties Listed ONLY in Italics)

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FOR YOUR INFORMATION

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Dated at Essex Junction, Vermont, this 24th day of October, 2013.

/s/ Barbara J. Cady
Administrative Secretary - 879-5614