

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:

Trevor Lashua, Town of Hinesburg Administrator, 10632 VT Route 116, Hinesburg VT 05461

Landowner/Agent Address

Project Description:

Construction of two (2) new wells and a new water treatment facility for hardness removal to replace the two (2) existing wells that are experiencing diminished yields as well as MTBE contamination from an adjacent hazardous waste site. Project is located at 149 Shelburne Falls Road in the Town of Hinesburg.

Existing Act 250 permit: none

Project Type: Commercial Residential Municipal/State Mixed

Has the landowner subdivided before? Yes No N/A

AN ACT 250 PERMIT IS REQUIRED: YES NO

BASIS FOR DECISION:

The Town of Hinesburg's water system consists of less than 10 acres in 1973 and does not qualify as a pre-existing development. Therefore, 10 VSA 6081(d)(2) does not apply. Since the proposed project will not disturb 10 acres, it is not a development pursuant to 10 VSA 6001(3)(A)(v) and lastly since there is no permit for the water system then this project would not be a material change, pursuant to Act 250 Rule 2(C)(6). No Act 250 permit is required for this project.

SIGNATURE: 

DATE: 9/21/2015

ADDRESS:

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

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. The mailing address is: Natural Resources Board, Dewey Building, National Life Drive, Montpelier, VT 05620-3201. For additional information, see the Board's Interim Procedure on Jurisdictional Opinions and Reconsideration [<http://www.nrb.state.vt.us/policies/recon.pdf>].

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