

State of Vermont
NATURAL RESOURCES BOARD
DISTRICT #3 ENVIRONMENTAL COMMISSION
100 Mineral Street, Suite 305, Springfield, VT 05156-3168

RE: Jesse F. Sammis III
Green Mountain Center
2 Park Street
Randolph, VT 05060

Application **#3R1089**
Hearing Recess Order #2 and
Next Hearing Announcement/Schedule
10 V.S.A. §§ 6001-6093 (Act 250)

I. Introduction

The District 3 Environmental Commission held the second public hearing for the above-referenced partial findings application on July 17, 2015, at VTC's Red Schoolhouse in Randolph. Pursuant to Act 250 Rule 13(B), the Commission recessed the hearing pending submittal of additional information by the Parties as set forth below and convening further hearings, as necessary, to hear all the evidence by the parties related to Criteria 9(B) Primary Agricultural Soils and 10 Conformance with Local or Regional Plans.

II. Preliminary Party Status

Preliminary party status grants were made at the first public hearing on May 22, 2015, and as stated in the Hearing Recess Order dated May 29, 2015. As previously noted in the first Recess Order, the Commission will make final party status determinations in the final decision of the current proceeding.

III. Supplemental Evidence

Pursuant to Act 250 Rule 20(A), and with regard to the testimony provided, the Commission requires the following to be addressed:

By the Applicant:

1. At present, the Commission is not persuaded that the project as designed is compact enough to satisfy 9(B)(iii). We invite the Applicant to present a new plan showing a more compact design. Perhaps this design will protect more of the open field to the west on the southern parcel and more of the open fields on the northern parcel where the apartments are presently proposed.
2. Additionally, we request a list of the parcels owned by the Applicant. This list should include the location of each parcel, its size and a statement regarding its suitability for relocating some or all of the office, residential or light industrial components of the project.
3. Electronic copies of the documents distributed at the July 17, 2015 hearing.

IV. Order

1. The Commission requests the Applicant submit any new documents or plans that they plan to present at the next hearing by August 17, 2015.

Distribution

2. All submittals should be provided to all parties listed on the attached certificate of service and **four (4)** paper sets (except for those documents handed to the Commission at the 7/17/15 hearing) plus a digital version of the documentation be submitted to the District Commission Office. 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. The Commission requests that the Commission's digital version be supplied on a CD-ROM or attached as an email to the NRB public folder ([nrb-act250\[district office\]@state.vt.us](mailto:nrb-act250[district office]@state.vt.us)) or, if larger than 3 MB in size, uploaded to the NRB ftp site (see <http://www.nrb.state.vt.us/lup/publications/efilingguidelines.pdf>). 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.
3. **All parties shall submit any responses or rebuttals to the new information provided by the Applicant by September 14, 2015.**

Reconvened Hearing: **Date: Friday, September 25, 2015**
 Time: 9:00 a.m.
 Location: to be announced

Order of testimony at next hearing:

Applicant to present new/revised/modified material related to 9B.
Follow-up questions
9B presentations, rebuttals from other parties
Criterion 10

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 please call the district coordinator, Linda Matteson, at 802-885-8843 or email her at Linda.Matteson@state.vt.us . This email address will change to Linda.Matteson@vermont.gov as of July 27,

Dated at Springfield, Vermont this 23rd day of July, 2015.



Tim Taylor, Chair
District #3 Environmental Commission
Natural Resources Board

Other Commission members participating: Clotilde Hryshko
Anne Margolis

E-Notification CERTIFICATE OF SERVICE #3R1089

I hereby certify that I sent a copy of the foregoing Hearing Memo on July 23, 2015, by U.S. Mail, postage prepaid, to the individuals without email addresses and by electronic mail, to the following with email addresses: **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-act250springfield@state.vt.us

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