



## ACT 250 JURISDICTIONAL OPINION JO 7-382

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State of Vermont

Natural Resources Board

District 7 Environmental Commission

374 Emerson Falls Road, Suite 4

St. Johnsbury, VT 05819

<https://nrb.vermont.gov/>

[phone] 802-751-0120

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 or an appeal with the Superior Court, Environmental Division within 30 days of the issuance of this opinion (see below). This Opinion identifies Act 250 Jurisdiction only. Other permits may be required (e.g., <https://dec.vermont.gov/permits>). For more information, please contact the Agency of Natural Resources Environmental Assistance Office: (<https://dec.vermont.gov/assistance/permits>).

- 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.

Rural Edge, Attn: Robert Barnum  
1222 Main Street  
St Johnsbury, VT 05819

- Landowner  
 Agent  
 Other

**Project Description:** Rural Edge will renovate and expand the Greensboro Town Hall into 24 units of mixed-income or affordable housing. The existing building will be renovated into 10 units, and a new connected addition will be constructed on the north side to create 14 units. The project is located on a ± 1.8 acre property in the Town of Greensboro's designated "Village Center" as illustrated on Exhibit 003. The Town of Greensboro does not have permanent zoning and subdivision bylaws (and is a so-called "1 acre town" for purpose of Act 250 jurisdiction, see Exhibit 003, [List from NRB Website](#)), nor does Greensboro have a designated "Growth Center" (see Exhibit 003). The mixed use project in a "Village Center" does not qualify as a Priority Housing Project (see Exhibits 005, 006, [NRB Home Act Guidance](#) and [PHP Flowchart](#), respectively, from NRB website).

**Project Location:** 82 Craftsbury Road, Greensboro



**Owner (now or formerly): Town of Greensboro**

**Existing Act 250 permit number(s) or series: None identified**

Project Type:  Commercial       Subdivision       Municipal/State       Mixed  
 Farming/Forestry       Housing       Other \_\_\_\_\_

Has the landowner or affiliated person subdivided before?  Yes       No       N/A

If Yes: Location: \_\_\_\_\_ no. of lots: \_\_\_\_\_ Date \_\_\_\_\_

**AN ACT 250 PERMIT IS REQUIRED:**       YES       NO

**BASIS FOR DECISION:**

The Project does not qualify for the currently available so-called “HOME Act” 24-unit jurisdictional threshold because (i) the municipality with “Village Center” designation does not also have permanent zoning and subdivision bylaws (Exhibits 002, 003, 005), and (ii) the Project is not a Priority Housing Project (PHP); although the project is located in a “Village Center”, it is not located in one of the other types of state-designated areas that are specifically required to qualify for the PHP 24-unit jurisdictional threshold (i.e. downtown development district, neighborhood development area, growth center) (Exhibits 003, 006). It is noted that the 10-unit portion of the 24-unit Project does not qualify for the 4:1 reduction in unit counting pursuant to the NRB Guidance (Exhibit 005) which specifically addresses construction of more than four units within an existing building; this detail is moot in that application of a 4:1 unit count reduction to this portion of the project does not change the jurisdictional analysis; the building expansion portion of the project encompasses 14 units of housing. Construction of 10+ units of housing, within 5 miles, 5 years, is a “development” pursuant to 10 V.S.A. §6001(3)(A)(iv), and the 24-unit housing Project requires an Act 250 permit.



DATE: February 27, 2024

Kirsten Sultan  
District Coordinator, District 7 Environmental Commission  
374 Emerson Falls Road, Suite 4, St. Johnsbury, VT 05819  
Telephone: 802-261-1946  
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*Any party may file within 30 days from the date of a decision of the District Coordinator a request for reconsideration with respect to the jurisdictional opinion, pursuant to Act 250 Rule 3(B). Any reply to a request for reconsideration shall be filed within 15 days of the service of the request, unless otherwise provided by the District Coordinator.*

*Any person aggrieved by an act or decision of a District Commission or District Coordinator, or any party by right, may appeal to the Environmental Division of Vermont Superior Court within 30 days of the act or decision pursuant to 10 V.S.A. § 8504. Such appeals are governed by Rule 5 of the Vermont Rules for Environmental Court Proceedings. The appellant must file a notice of appeal with the clerk of the court and pay any fee required under 32 V.S.A. § 1431.*

*The appellant must also serve a copy of the Notice of Appeal on the Natural Resources Board and on other parties in accordance with Rule 5(b)(4)(B) of the Vermont Rules for Environmental Court Proceedings. The Natural Resources Board's copy may be sent to [NRB.Legal@vermont.gov](mailto:NRB.Legal@vermont.gov) and/or 10 Baldwin Street, Montpelier, VT 05633-3201.*

*Please note that there are certain limitations on the right to appeal, including interlocutory appeals. See, e.g., 10 V.S.A. § 8504(k), 3 V.S.A. § 815, and Vermont Rule of Appellate Procedure 5. For additional information on filing appeals, see the Court's website at: <http://www.vermontjudiciary.org/GTC/environmental/default.aspx> or call (802) 951-1740. The Court's mailing address is Vermont Superior Court, Environmental Division, 32 Cherry Street, 2nd Floor, Suite 303, Burlington, VT 05401.*

*The foregoing statements regarding requests for reconsideration and appeals are intended for informational purposes only. They neither supplant any rights or obligations provided for by law nor do they constitute a complete statement of the rights or obligations of any person or party.*

### CERTIFICATE OF SERVICE

I hereby certify that I, Gina St. Sauveur, Natural Resources Board Technician, District 7 Environmental Commission, sent a copy of the foregoing **Jurisdictional Opinion JO 7-382** by U.S. Mail, postage prepaid, on this February 27, 2024 to the following individuals without email addresses, and by electronic mail, to the following individuals 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.**

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/s/ Gina St Sauveur  
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