

Vermont Superior Court
Environmental Division
32 Cherry Street Suite 303
Burlington VT 05401
802-951-1740
www.vermontjudiciary.org

23-CC-00001



NRB v OMG Ventures LLC

JUDGMENT ORDER

23-CC-00001

Findings

A civil citation was filed on 04/05/2023

Respondent filed a response of No Contest.

ORDER

Judgment is for the Natural Resources Board in the amount of \$1125.00.

Electronically signed this 5th day of April 2023 pursuant to V.R.E.F. 9(D).

A handwritten signature in black ink that reads "Tom Walsh".

Thomas G. Walsh, Judge
Vermont Superior Court, Environmental Division

*****In reference to civil citation number 2022_24**



10 V.S.A §8019 Civil Citation
Natural Resources Board

Citation Number: 2022_24
VC: NR115 1st Violation

Respondent: OMG Ventures LLC

Address: P.O. Box 882

City, State, Zip: Killington, VT 05751

Respondent committed the following acts in violation of Vermont Law, Statute, Rule, or Permit:

Violation Citation: Violation of an Act 250 rule or an Act 250 permit

Description: Respondent owns 2.45 acres located at 48 Innsbruck Lane, Killington (Project Tract), subject to Land Use Permit (LUP) Series #1R0466. On 7/2/20, a Project Review Sheet was issued, determining that an amendment to LUP #1R0466 would be required for the reconstruction of three buildings (B, C, D) on the Project Tract which had been destroyed by fire. On 6/14/21, Act 250 District 1 Office reminded Respondents that a permit amendment was required prior to any construction on the Project Tract, with the exception of certain improvements on the existing structure (Building A). In response to a complaint, a Board Enforcement Officer conducted a site visit on 5/4/22 and confirmed that improvements beyond approved non-material changes, such as the apparent preparation of the lot for development involving the use of equipment to flatten and remove vegetation, were occurring on-site without a LUP amendment (contrary to Act 250 Rule 34).

Town: Killington

Date: 05/04/2022

Penalties: If you plead ADMITTED or NO CONTEST, you may pay the waiver amount instead of appearing in court. If you plead DENIED and the State proves the violation, the penalty must be within the penalty range plus any court costs.

Penalty Range: Minimum \$ 300.00 Maximum \$ 1500.00 Waiver \$ 1125.00

Mailed to: Respondent, OMG Ventures LLC

Mailing Address: P.O. Box 882

City, State, Zip: Killington, VT 05751

Date Mailed/Served: March 13, 2023

Certified Mail

NRB Compliance and Enforcement Officer Christopher Kinnick Signature: [Signature]

Public Notice & Opportunity to Comment: I certify that a draft of this civil citation was posted for public notice and written comment for a period of 30 days. [X]

Comments were received and are attached []

No comments were received [X]

Service Members Civil Relief Act Affidavit: Under oath, I state Respondent is NOT on active duty in the U.S. armed forces because: Respondent is a Business or Corporation

NRB Compliance and Enforcement Officer Christopher Kinnick Signature: [Signature]

Signed and sworn at State of Vermont, County of Washington County, on March 13, 2023, before me,

[Signature]

Notary Public State of Vermont

Printed Name Pamela Morin

Commission No. 157.0008258

My Commission Expires 01/31/2025

[Notary Stamp]

Respondent's Plea to this Civil Citation

Mark ("X") your plea: Admitted [] No Contest [X] Denied []

Respondent or Corporate Officer Signature: [Signature] Date: 3/26/23

Mailing Address: PO Box 882

City, State, Zip: Killington, VT 05751

Phone: 802-779-0486

Email: hrynko2002@yahoo.com