

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

24-CC-00002



NRB v Burr and Burton Academy

JUDGMENT ORDER

24-CC-00002

Findings

A civil citation was filed on 02/16/2024.

Respondent filed a response of no contest.

ORDER

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

Electronically signed February 19, 2024 in Burlington, Vermont 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



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

Citation Number: 2023_104
VC: NR115 1st Violation

Respondent: Burr and Burton Academy
Address: P.O. Box 498
City, State, Zip: Manchester Village, VT 05254

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: On 6/28/23, Respondent filed Land Use Permit (LUP) Amendment Application #8B0565-7, seeking authorization to undertake a project at 43 Williams Street, Manchester Village, involving renovation of an existing dwelling, removal of a garage, and creation of a new parking area. This project represented a material change to LUP Series #8B0565. On 7/6/23, the Board's District 8 Office issued Respondent a letter which outlined deficiencies identified in LUP Application #8B0565-7 and required additional information/documentation to consider said application administratively complete for further review. Respondent did not provide the requested information / documentation until 9/19/23. On 9/14/23, the Board's Enforcement Office was made aware that project activities proposed in LUP Application #8B0565-7 had occurred. Further investigation confirmed that Respondent had commenced construction on the project without first obtaining LUP Amendment #8B0565-7, thereby violating Act 250 Rule 34(A).

Town: Manchester

Date: 09/14/2023

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: Registered Agent, Mark H. Tashjian - Burr and Burton Academy Headmaster

Mailing Address: P.O. Box 498

City, State, Zip: Manchester Village, VT 05254

Date Mailed: January 19, 2024 by 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 [X] No comments were received []

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, on January 19, 2024, before me,

[Signature]

Notary Public State of Vermont

Printed Name Madeline Cotter

Commission No. 157.0015504

My Commission Expires January 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: 2/1/24

Mailing Address: 57 SEMINARY AVE

City, State, Zip: MANCHESTER VT 05254

Phone: 802-549-8107 Email: esubik@burrburton.org

DO NOT BELIEVE THIS IS REASONABLE
Pleading and payment instructions on next page.

SEE ATTACHED LETTER

