

**ACT 250 NOTICE  
APPLICATION 4C1301-3  
SITE VISIT AND PREHEARING CONFERENCE  
10 V.S.A. §§ 6001 - 6111**

On November 30, 2020, BC Community Housing, LLC, PO Box 1335, Burlington, VT 05402 filed application number 4C1301-3 for the following revisions to the Cambrian Rise Development: (a) increasing the maximum number of units for the Cambrian Rise Development from 739 to 770; (b) converting one level of understory parking in Building C to residential units for a total of 125 units; (c) altering Building M by adding an additional floor for a total of six floors, increasing the building footprint for a total of 117 units, adding a second level of understory parking, expanding the surface parking, revised landscaping, and façade changes; (d) adding an additional floor to Building P for a total of five floors, with no increase in units; and (e) adding an additional floor to Building Q/R for a total of six floors, with no increase in units. The project is located at 311-375 North Avenue in Burlington, Vermont. This Project will be evaluated by the District 4 Environmental Commission in accordance with the 10 environmental criteria of 10 V.S.A. § 6086(a).

Pursuant to Act 250 Rules 16 and 20, the Commission is convening an online prehearing conference. A prehearing conference, in summary, has narrow goals and is designed to identify the parties and the issues. The prehearing conference will be followed by the issuance of a Prehearing Conference Report and Order (“PHCRO”), which will prescribe any informational filing requirements, preliminary party status rulings, and the scheduling of a merits hearing at a later date.

**Note to Prospective Parties:** Pursuant to Vermont statute and Act 250 Rules, any person seeking to participate as a party to this proceeding **MUST** make such a party status request “on or before the first prehearing conference.” Accordingly, all prospective parties are obligated to log in or call into the prehearing conference scheduled below, or to file a written party status petition in advance to the Commission at [NRB.Act250Essex@vermont.gov](mailto:NRB.Act250Essex@vermont.gov). **Failure to timely appear on the prehearing conference call or video conference call, or to timely file a written request by the date of the prehearing conference, thereafter, bars a person from participating as a party in the proceeding, and any such person will thereafter lack legal standing to appeal any decision on this matter made by the District Commission.** Due to the coronavirus (COVID-19) State of Emergency, all prospective parties are asked to supply an email address, a street address, and a mailing address to the District Commission by email ([NRB.Act250Essex@vermont.gov](mailto:NRB.Act250Essex@vermont.gov)) for receiving service of notices on the proceedings.

**A Prehearing Conference is hereby scheduled to convene:**

<b>Date:</b>	Friday, February 5, 2021
<b>In-Person Site Visit:</b>	8:30 AM at 375 North Avenue, Burlington, VT 05401
<b>Virtual Prehearing Conference:</b>	10:00 AM via Microsoft Teams (see below)

**Site Visit Instructions:** All site visit participants shall be required to observe the following protocol prior to, and during the site visit:

- a. Prior to the site visit, all potential attendees **must confirm in writing, which may be via email** to the District Coordinator ([rachel.lomonaco@vermont.gov](mailto:rachel.lomonaco@vermont.gov)), that they will abide by this protocol.
- b. No more than 25 people may attend the site visit.
- c. If any portion of the site visit will be conducted inside, all occupancy limits established by the Agency of Commerce and Community Development must be followed even if that results in a limit of less than 25 people. See <https://accd.vermont.gov/content/maximum-retail-occupant-load-during-covid-19> (last visited June 10, 2020).
- d. No one may attend the site visit who has displayed any of the symptoms of COVID-19 recognized by the Vermont Department of Health. No earlier than 24 hours prior to the appointment, all attendees must take their own temperatures to determine whether they have a temperature of 100.4 degrees Fahrenheit or greater. If requested, attendees must submit to a temperature test with a no-contact thermometer.
- e. No one may attend the site visit if they have had contact with a person diagnosed with COVID-19 unless they have self-quarantined for 14 days following such contact or 7 days followed by a negative COVID-19 test.
- f. No one may attend the site visit if they must travel from any location from which visitors to Vermont are required to self-quarantine unless they have self-quarantined for either 14 days or 7 days followed by a negative COVID-19 test. A map of such locations can be found at the Agency of Commerce and Community Development's website. See <https://accd.vermont.gov/covid-19/restart/cross-state-travel> (last visited August 19, 2020)
- g. Everyone attending the site visit must observe strict social distancing of six feet.
- h. Everyone attending the site visit must wear face coverings over their nose and mouth when in the presence of others.
- i. Everyone attending the site visit must have access to either a hand washing station, consisting of soap and water, or hand sanitizer.
- j. Everyone attending the site visit must have completed a VOSHA-approved and employer-sponsored training program regarding COVID-19. Additional information about VOSHA-approved training may be found on the Vermont Agency of Commerce and Community Development's website. See <https://accd.vermont.gov/covid-19/business/restart> (last visited May 21, 2020).
- k. No more than three people shall occupy any single vehicle traveling to or from the site visit.
- l. Everyone attending the site visit must refrain from touching communal objects, including but not limited to site plans, unless they are cleaned and disinfected between each touch.

**Virtual Prehearing Conference Instructions:** Due to the coronavirus (COVID-19), this prehearing conference will be conducted **remotely** via **Microsoft Teams video conferencing software**. To receive a Microsoft Teams invitation via email, please e-mail the District Coordinator ([rachel.lomonaco@vermont.gov](mailto:rachel.lomonaco@vermont.gov)) by no later than Friday January 29, 2021, at 4:30 PM. If you are unable to participate using the Microsoft Teams platform, you may still call in to the conference with the following information:

- **Dial:** 802-828-7667
- **Enter Conference ID:** 749 244 154#

**Prehearing Conference Preliminary Agenda:**

1. 9:45 AM: Conference line will be available to dial in by phone or sign in via Microsoft Teams.
2. 10:00 AM: Call to order by the Chair.
3. Attendance.
4. Applicant to provide brief overview of the application.
5. Preliminary party status and friends of the commission determinations.
6. Summary of preliminary issues and criteria involved.
7. Identify evidence, documents, witnesses, stipulations, and other offers of proof to be presented at a hearing by any party.
8. Discuss schedule for future proceedings.
9. Recess.

The following persons or organizations may participate in the hearing for this project:

1. **Statutory parties:** The municipality, the municipal planning commission, the regional planning commission, any adjacent municipality, municipal planning commission or regional planning commission if the project lands are located on a town boundary, and affected state agencies are entitled to party status.
2. **Adjoining property owners and others** may participate as parties to the extent that they have a particularized interest that may be affected by the proposed project under the Act 250 Criteria.
3. **Non-party participants:** The District Commission, on its own motion or by petition, may allow others to participate in the hearing as Friends of the Commission without being accorded party status.

Due to the coronavirus (COVID-19) State of Emergency, and the complications associated with live hearings, parties may waive their right to a live hearing, and instead agree to a process that allows for pre-filing written cross examination and rebuttal documents.

If you plan on participating in the prehearing conference on behalf of a group or organization, please submit the following to [NRB.Act250Essex@vermont.gov](mailto:NRB.Act250Essex@vermont.gov): 1) a written description of the organization, its purposes, and the nature of its membership (T.10, § 6085(c)(2)(B)); 2) documentation that prior to the date of the prehearing conference, you were duly authorized to speak for the organization; and 3) documentation that the organization has articulated a position with respect to the Project's impacts under specific Act 250 Criteria.

**If you would like further information regarding participation in this prehearing conference, please contact the District Coordinator ([rachel.lomonaco@vermont.gov](mailto:rachel.lomonaco@vermont.gov)) by no later than Friday, January 29, 2021, at 4:30 PM.** If you have a disability for which you need accommodation in order to participate in this process (including participating in a public hearing, if one is held), please notify us as soon as possible, in order to allow us as much time as possible to accommodate your needs.

The members sitting on the District Commission for this project are Thomas A. Little, Parker Riehle and Monique Gilbert. If you feel that any of the District Commission members listed above may have a conflict of interest, or if there is any other reason why a member should be disqualified from sitting on this case, please contact the District Coordinator as soon as possible, and by no later than prior to the date of the prehearing conference.

A copy of the application and plans for this project are available for review online at the Natural Resources Board web site (<http://nrb.vermont.gov>) by clicking on "Act 250 Database" and entering project number 4C1301-3.

Dated this 12<sup>th</sup> day of January, 2021.

By: /s/Rachel Lomonaco, District Coordinator  
Rachel Lomonaco, District Coordinator  
111 West Street  
Essex Junction, VT 05452  
802-879-5658  
[rachel.lomonaco@vermont.gov](mailto:rachel.lomonaco@vermont.gov)