



**TO:** ANR Office of Planning & Legal Affairs  
Via e-mail at [elizabeth.lord@vermont.gov](mailto:elizabeth.lord@vermont.gov) and  
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**FROM:** Susan Baird, Coordinator, District 5 Environmental Commission

**DATE:** August 3, 2021

**RE:** Application 5W1601, Thomas Jacobs, Event Barn, Town of Moretown  
Act 250 Rule 20 Request For Assistance  
**Notice of Thursday, August 19, 2021 Site Visit and Hearing**

This memorandum is a request for assistance at a hearing from the Office of Planning and Legal Affairs pursuant to the provisions of 10 V.S.A. 6024 and Act 250 Rule 20. Please see the attached notice for complete details. Following is a link to the application submittals:

<https://anrweb.vt.gov/ANR/vtANR/Act250SearchResults.aspx?Num=5W1601>

The Department of Environmental Conservation filed comments indicating that using water for events from the existing residential water supply would be exempt from permit requirements for up to 12 days a year-more than 12 days a year would require a permit. The Applicant proposes 20 events per year between April and October, up to 3 events per month, and asserted that once the 12 days allotted for the use of the residential water are exceeded, food trucks “would have access to clean water”.

The Applicant was also advised by DEC that no stormwater permit would be required for the parking area as “long as the parking area remains vegetated and is maintained as lawn/grass field”. The Commission noted that up to 65 vehicles are proposed to be parked on the .4 acres parking area. The Commission is concerned that a rain event would significantly muddy the parking area as vehicles enter and exit, likely destroying the grass, and resulting in the potential for stormwater/erosion impacts. The District Commission requests ANR’s response to the following:

- 1) Whether food trucks as the sole supplier of water for events would be sufficient to meet the statutory permit exemption.
- 2) Whether in light of the Applicant’s proposal to have 20 events per year, would the proposed project require a Wastewater System Potable Water Supply Permit.
- 3) Whether permitted stormwater infrastructure is necessary mitigation for potential discharge impacts as the parking area is likely to become unvegetated with continued use.

The Commission extends its thanks for the Agency’s anticipated cooperation in this matter. Please do not hesitate to contact this office with any questions.