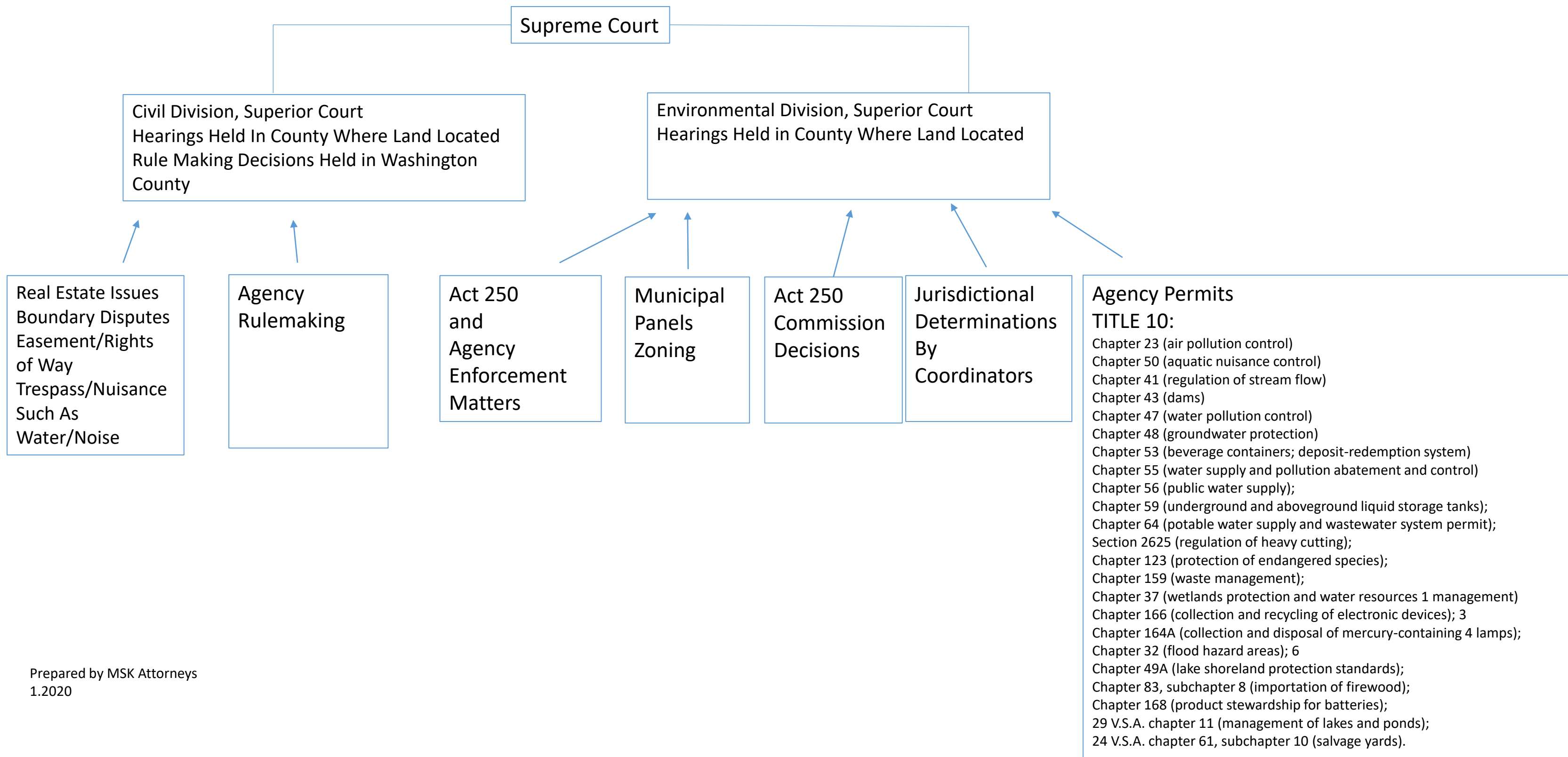
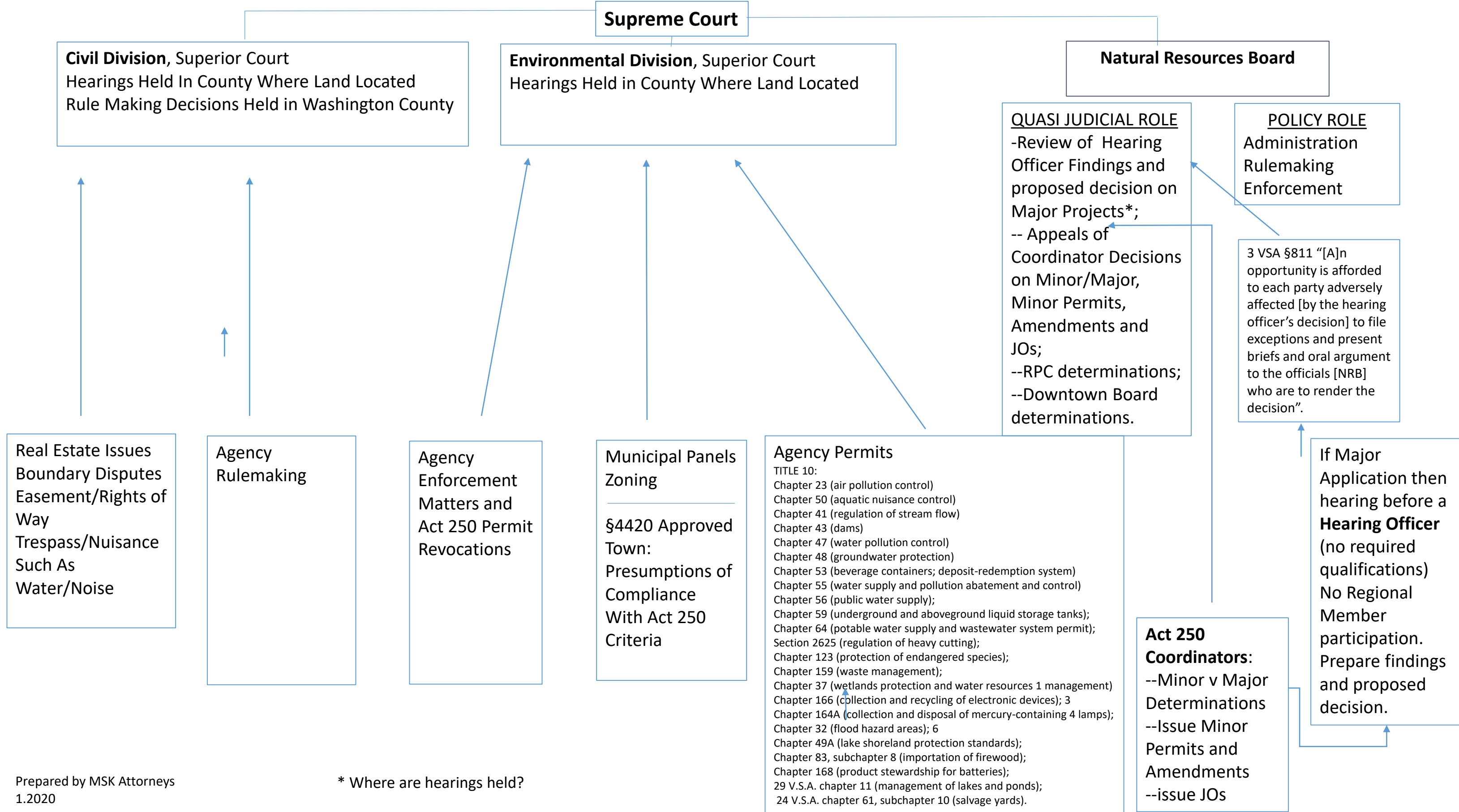


CURRENT APPEAL PROCESS



PROPOSED APPEAL PROCESS



Supreme Court

Civil Division, Superior Court
Hearings Held In County Where Land Located
Rule Making Decisions Held in Washington County

Environmental Division, Superior Court
Hearings Held in County Where Land Located

Natural Resources Board

QUASI JUDICIAL ROLE
-Review of Hearing Officer Findings and proposed decision on Major Projects*;
-- Appeals of Coordinator Decisions on Minor/Major, Minor Permits, Amendments and JOs;
--RPC determinations;
--Downtown Board determinations.

POLICY ROLE
Administration
Rulemaking
Enforcement

3 VSA §811 “[A]n opportunity is afforded to each party adversely affected [by the hearing officer’s decision] to file exceptions and present briefs and oral argument to the officials [NRB] who are to render the decision”.

Real Estate Issues
Boundary Disputes
Easement/Rights of Way
Trespass/Nuisance
Such As
Water/Noise

Agency Rulemaking

Agency Enforcement Matters and Act 250 Permit Revocations

Municipal Panels Zoning
§4420 Approved Town:
Presumptions of Compliance With Act 250 Criteria

Agency Permits
TITLE 10:
Chapter 23 (air pollution control)
Chapter 50 (aquatic nuisance control)
Chapter 41 (regulation of stream flow)
Chapter 43 (dams)
Chapter 47 (water pollution control)
Chapter 48 (groundwater protection)
Chapter 53 (beverage containers; deposit-redemption system)
Chapter 55 (water supply and pollution abatement and control)
Chapter 56 (public water supply);
Chapter 59 (underground and aboveground liquid storage tanks);
Chapter 64 (potable water supply and wastewater system permit);
Section 2625 (regulation of heavy cutting);
Chapter 123 (protection of endangered species);
Chapter 159 (waste management);
Chapter 37 (wetlands protection and water resources 1 management)
Chapter 166 (collection and recycling of electronic devices); 3
Chapter 164A (collection and disposal of mercury-containing 4 lamps);
Chapter 32 (flood hazard areas); 6
Chapter 49A (lake shoreland protection standards);
Chapter 83, subchapter 8 (importation of firewood);
Chapter 168 (product stewardship for batteries);
29 V.S.A. chapter 11 (management of lakes and ponds);
24 V.S.A. chapter 61, subchapter 10 (salvage yards).

Act 250 Coordinators:
--Minor v Major Determinations
--Issue Minor Permits and Amendments
--issue JOs

If Major Application then hearing before a **Hearing Officer** (no required qualifications)
No Regional Member participation.
Prepare findings and proposed decision.

* Where are hearings held?

SUGGESTED APPEAL PROCESS

