



# Senate Natural Resources & Energy Committee

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**evernorth**  
Investing in communities. Building possibilities.



# Chalet Apartments

# Brattleboro, VT



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**In partnership with Windham & Windsor Housing Trust (WWHT) and in collaboration with Groundworks, Evernorth is redeveloping the current Chalet Hotel to create 31 newly-constructed, affordable apartments.**

**The redevelopment will provide space for service providers to bring wraparound services to residents experiencing and exiting homelessness.**

## From Act 250 Jurisdictional Opinion: Chalet Apartments

- (c) the issuance of a waste water system and potable water supply permit for the subdivided lot or lots by the Agency of Natural Resources or delegated municipality;
- (d) (d) in the absence of any of the above, the conveyance of a lot or lots created by a person.

### 10 V.S.A. § 6081(dd) (1)

Notwithstanding any other provision of law to the contrary, until January 1, 2027, no permit or permit amendment is required for the **construction of housing projects** such as cooperatives, condominiums, dwellings, or mobile homes, **with 75 units or fewer**, constructed or maintained on a tract or tracts of land, located entirely within the areas of a designated new town center, a designated growth center, or a **designated neighborhood development area served by public sewer or water services or soils that are adequate for wastewater disposal**. Housing units constructed pursuant to this subdivision shall not count towards the total units constructed in other areas. This exemption shall not apply to areas within mapped river corridors and floodplains except those areas containing preexisting development in areas suitable for infill development as defined in 29201 of the Vermont Flood Hazard Area and River Corridor Rule. 10 V.S.A. § 6081(dd).

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## Jurisdictional analysis

### *Subdivision jurisdiction*

The Project will result in the subdivision of less than 10 lots within five (5) years. Therefore, the Project does not trigger the need for a permit under 10 V.S.A. § 6081(a).

### *Development jurisdiction*

The Project is consistent with the requirements identified in 10 V.S.A. § 6081(dd) (1) and the “Act 250 Housing Exemption Guidance (Act 181) – last update 10/1/24<sup>1</sup>”:

- The Project involves the construction of a housing project with 75 units or fewer.
- The Project is located entirely within the Town of Brattleboro’s designated Neighborhood Development Area and is located within the Town’s “Sewer Service Area.”
- The Project is not located within the mapped river corridor or floodplain.
- The Project will commence construction before January 1, 2027.

If any of the above requirements are not satisfied, that will provide sufficient cause for me to reconsider my decision.