



ACT 250 JURISDICTIONAL OPINION

JO 4-468

State of Vermont
Land Use Review Board
District 4 Environmental Commission
111 West Street
Essex Junction, VT 05452
<https://act250.vermont.gov/>

This is a Jurisdictional Opinion based upon available information and a written request from the landowner/agent or other person. Any notified person or entity will be bound by this opinion unless that person or entity files a request for reconsideration with the District Coordinator or an appeal with the Superior Court, Environmental Division within 30 days of the issuance of this opinion (see below). This Opinion identifies Act 250 Jurisdiction only. Other permits may be required (e.g., <https://dec.vermont.gov/permits>). For more information, please contact the Agency of Natural Resources Environmental Assistance Office: (<https://dec.vermont.gov/assistance/permits>).

- ☒ I hereby request a jurisdictional opinion from the District Coordinator regarding the jurisdiction of 10 V.S.A. Chapter 151 (Act 250) over the project described below.

Josi Kytle
Buttermilk, LLC
5430 Waterbury Stowe Road
Waterbury Center, VT 05677
josikytle@gmail.com

- ☒ Landowner
☐ Agent
☐ Other

Project Description:

The existing Creamery building (74 Jolina Court, Richmond) is four-stories and 18,360 square feet with 14 apartments and unused commercial space. The proposed project is the conversion of 5,245 square feet of this commercial space (80%) into nine residential rental units. The project includes a semi-permanent, moveable, 648 square foot bike shed, one additional exterior light, stairs and a sidewalk at the front of the building, and an ADA compliant pat to access the existing green space. The project is owned by Buttermilk, LLC.

The Project is further described in the JO request and exhibits (Project Number JO 4-468 on the [Act 250 Database](#) online).

Project Location: The Creamery, 74 Jolina Court, Richmond, VT 05477

Existing Act 250 permit number(s) or series: 4C0150 and amendments

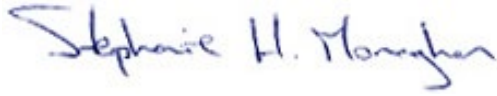
Project Type: ☐ Commercial ☐ Subdivision ☐ Municipal/State ☐ Mixed
☐ Farming/Forestry ☒ Housing ☐ Other _____



AN ACT 250 PERMIT IS REQUIRED: ☐ YES ☒ NO

BASIS FOR DECISION:

(cc) Until July 1, 2028, no permit amendment is required for the construction of improvements for converting a structure used for a commercial purpose to 29 or fewer housing units. 10 V.S.A. §6081(cc).



DATE: October 15, 2025

Stephanie H. Monaghan
District Coordinator, District 4 Environmental Commission
111 West Street, Essex Junction, VT 05452
Telephone: 802-261-1944
Email: stephanie.monaghan@vermont.gov

Any party may file within 30 days from the date of a decision of the District Coordinator a request for reconsideration with respect to the jurisdictional opinion, pursuant to Act 250 Rule 3(B). Any reply to a request for reconsideration shall be filed within 15 days of the service of the request, unless otherwise provided by the District Coordinator.

Any person aggrieved by an act or decision of a District Commission or District Coordinator, or any party by right, may appeal to the Environmental Division of Vermont Superior Court within 30 days of the act or decision pursuant to 10 V.S.A. § 8504. Such appeals are governed by Rule 5 of the Vermont Rules for Environmental Court Proceedings. The appellant must file a notice of appeal with the clerk of the court and pay any fee required under 32 V.S.A. § 1431.

The appellant must also serve a copy of the Notice of Appeal on the Land Use Review Board and on other parties in accordance with Rule 5(b)(4)(B) of the Vermont Rules for Environmental Court Proceedings. The Land Use Review Board's copy may be sent to act250.legal@vermont.gov and/or 10 Baldwin Street, Montpelier, VT 05633-3201.

Please note that there are certain limitations on the right to appeal, including interlocutory appeals. See, e.g., 10 V.S.A. § 8504(k), 3 V.S.A. § 815, and Vermont Rule of Appellate Procedure 5. For additional information on filing appeals, see the Court's website at: <http://www.vermontjudiciary.org/GTC/environmental/default.aspx> or call (802) 951-1740. The Court's mailing address is Vermont Superior Court, Environmental Division, 32 Cherry Street, 2nd Floor, Suite 303, Burlington, VT 05401.

The foregoing statements regarding requests for reconsideration and appeals are intended for informational purposes only. They neither supplant any rights or obligations provided for by law nor do they constitute a complete statement of the rights or obligations of any person or party.

CERTIFICATE OF SERVICE

I hereby certify that I, Adriene Katz, Land Use Review Board Technician, District 4 Environmental Commission, sent a copy of the foregoing **Jurisdictional Opinion JO 4-468** by U.S. Mail, postage prepaid, on this October 15, 2025 to the following individuals without email addresses, and by electronic mail, to the following individuals with email addresses:

Note: Any recipient may change its preferred method of receiving notices and other documents by contacting the District Office staff at the mailing address or email below. If you have elected to receive notices and other documents by email, it is your responsibility to notify our office of any email address changes.

Josi Kytle
josikyt@gmail.com

Buttermilk, LLC,
josikyt@gmail.com

Richmond Selectboard
Jay Furr, Chair
PO Box 285
Richmond, VT 05477
jay.furr@richmondvt.org

Richmond Planning and Zoning
Keith Osborne, Director
203 Bridge Street
Richmond, VT 05477
koborne@richmondvt.gov

Richmond Zoning Administrator
tmachia@richmondvt.gov

Chittenden County Regional Planning
Commission
110 West Canal Street, Suite 202
Winooski, VT 05404
permitting@ccrpcvt.org

Agency of Natural Resources
1 National Life Drive, Davis 2
Montpelier, VT 05620-3901
anr.act250@vermont.gov

FOR INFORMATION ONLY

Richmond Town Clerk
Susanne Parent
PO Box 285
Richmond, VT 05477
sparent@richmondvt.gov

State of Vermont
Dept. of Public Service
112 State Street, Drawer 20
Montpelier, VT 05620-2601
barry.murphy@vermont.gov
PSD.VTDPS@vermont.gov

Vermont Agency of Transportation
Barre City Place
219 N. Main Street
Barre, VT 05641
AOT.Act250@vermont.gov

Vermont Agency of Agriculture, Food and
Markets
116 State Street, Drawer 20
Montpelier, VT 05620-2901
AGR.Act250@vermont.gov

Vermont Division for Historic Preservation
National Life Building, 6th Floor, Drawer 20
Montpelier, VT 05620-0501
ACCD.ProjectReview@vermont.gov

Land Use Review Board Chair
10 Baldwin Street
Montpelier, VT 05633-3201
act250.legal@vermont.gov
act250.agenda@vermont.gov

Dated this October 15, 2025.

/s/ Adriene Katz
Adriene Katz
Land Use Review Board Technician
(802) 879-5670
Act250.Essex@vermont.gov