

Vermont Superior Court  
Environmental Division  
32 Cherry Street Suite 303  
Burlington VT 05401  
802-951-1740  
www.vermontjudiciary.org

21-CC-00003



**NRB v BlackRock Construction, LLC**

**JUDGMENT ORDER**

**21-CC-00003**

**Findings**

A civil citation was filed on 01/22/2021

Respondent filed a response of Admitted.

**ORDER**

Judgment is for the Natural Resources Board in the amount of \$600

Electronically Signed: 1/22/2021 3:18 PM pursuant to V.R.E.F. 9(d).

A handwritten signature in black ink that reads "Tom Walsh".

Thomas G. Walsh, Judge  
Superior Court, Environmental Division



**10 V.S.A §8019 Civil Citation**  
Natural Resources Board

**Citation Number: 2020\_09 CIT**  
**VC: NR112 1st Violation**

Respondent: BlackRock Construction, LLC; Ben Avery, Vice President of Development

Address: 68 Randall Street

City, State, Zip: South Burlington, VT 05452

Respondent committed the following acts in violation of Vermont Law, Statute, Rule, or Permit:

**Violation Citation:** Failure to abide by approved hours of operation

See attached.

Town: Williston

Date: 10/30/2020

**Penalties:** If you plead ADMITTED or NO CONTEST, you may pay the waiver amount instead of appearing in court. If you plead DENIED and the State proves the violation, the penalty must be within the penalty range plus any court costs.

**Penalty Range:** Minimum \$ 450.00 Maximum \$ 2000.00 Waiver \$ 600.00

Mailed to: Corporate Officer, Ben Avery, Vice President of Development

Mailing Address: 68 Randall Street

City, State, Zip: South Burlington, VT 05452

Date Mailed/Served: November 5, 2020 by U.S. Mail

NRB Compliance and Enforcement Officer Michaela Stickney

Signature:

**Public Notice & Opportunity to Comment:** I certify that a draft of this civil citation was posted for public notice and written comment for a period of 30 days.

Comments were received and are attached

No comments were received

**Service Members Civil Relief Act Affidavit:** Under oath, I state Respondent is NOT on active duty in the U.S. armed forces because: Respondent is a Business or Corporation

NRB Compliance and Enforcement Officer Michaela Stickney

Signature:

Signed and sworn at State of Vermont, County of Washington, on December 09, 2020

before me,

Pamela Morin

Notary Public State of Vermont

Printed Name Pamela Morin

Commission No. 157.0009258

My Commission Expires January 31, 2021.

[Notary Stamp]

**Respondent's Plea to this Civil Citation**

Mark ("X") your plea: **Admitted**  **No Contest**  **Denied**

Respondent or Corporate Officer Signature: Date: 12/23/20

Mailing Address: 68 Randall St

City, State, Zip: S. Burlington, VT 05403

Phone: (802) 316-0004 Email: ben@blackrockvs.com

**Violation description**

**Land Use Permit #4C1315, Condition 11:** *Site work and exterior construction hours will be limited to 8:00AM to 6:00PM Monday through Friday, 8:00AM to 5:00PM Saturdays, with no construction on Sundays or State and Federal Holidays.*

**Location of violation:** Northridge Development, Williston, Vermont

**Dates violation observed/occurred:**

- Wednesday, September 30, 2020 - 7:38AM - heavy equipment operating (video)
- Sunday, October 11, 2020 - ~7:00AM beginning - construction workers active onsite  
(email acknowledgment from BlackRock)
- Wednesday, October 14, 2020 - 6:40AM - heavy equipment operating (video)