



Town of Mount Holly Planning Commission

CORRECTED FINDINGS AND DECISION

Applicants: Michael Gilbert and Maria Gilbert
Location: 180 Straight Road
Parcel ID: 10G5220.00
Landowners: Michael Gilbert and Maria Gilbert
Hearing: Public Hearing for a Minor Subdivision Permit
Hearing Date: March 17, 2026
Application No.: PC-2025-04

This Corrected Findings and Decision is issued solely to clarify Condition 4 regarding the sequencing of recording requirements and to note Commissioner Unterman's joinder in the Decision. No other changes are made. It supersedes the Findings and Decision issued on May 10, 2026.

INTRODUCTION AND PROCEDURAL HISTORY

1. This matter concerns the application for the subdivision of land submitted by Michael and Maria Gilbert, with Jason Burt as agent, for review under the Town of Mount Holly Subdivision Regulations.
2. The application identifies the subject property as Parcel ID 10G5220.00, SPAN 417-130-10172, located at 180 Straight Road, and proposes a Minor Subdivision creating two lots.
3. The application was received by the Administrative Officer on November 11, 2025. The application fee was received on December 16, 2025. The Planning Commission conducted a Sketch Plan Review on December 18, 2025. At that meeting, the Commission determined that the application was not yet complete because the required wastewater / potable water approval had not yet been issued. On January 20, 2026, the Commission noted that the wastewater permit remained in process. On February 17, 2026, the Applicants confirmed that wastewater approval WW-1-2679-1 had been issued and recorded, and the Commission thereafter scheduled the public hearing for March 17, 2026.
4. The Final Plat was received on February 6, 2026.
5. The subject property is not within 500 feet of another municipality, and therefore, no notice to an adjacent Town Clerk was required under 24 V.S.A. § 4463(a).
6. On February 24, 2026, notice of a public hearing for final plat review was posted on the Town website and at the following places:
 - a. The Mount Holly Town Office.
 - b. The Mount Holly Post Office.
 - c. The Belmont Post Office.
7. On February 25, 2026, a copy of the notice of public hearing was mailed by first-class mail to the following owners of properties adjoining the property subject to the application:
 - Christine and Ralph Ingraselli
 - Ellen and Gilbert Forest
 - Rodney Gutner, Trustee
 - Russell Liskov, Trustee, c/o Glen Tatangelo
 - Ahmet and Meliha Hacıoglu
 - Susan C. Covalla 2024 Family Trust

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- Stephen Cohen
 - Marianne Johansson
8. On February 28, 2026, a notice of public hearing was posted on the subject property.
 9. On March 4, 2026, a notice of the public hearing for the final plat review was published in the Vermont Journal.
 10. On March 15, 2026, email notice of the public hearing was sent to all Commissioners.
 11. On March 17, 2026, a newsflash email notice of the public hearing was issued.
 12. The Planning Commission considered the application at a public hearing at 5:30 PM on March 17, 2026, under the Town of Mount Holly Subdivision Regulations, adopted March 3, 1998. The hearing was held at the Mount Holly Town Office and via Zoom.
 13. Audio and video of the hearing were recorded and broadcast by Okemo Valley TV.
 14. Present at the hearing were the following members of the Planning Commission:
 - Jon McCann
 - James Seward
 - Stephen Michel
 - Ron Unterman
 - Andrew Schulz (via Zoom)
 15. Also present at the hearing were Faith Tempest, Jason Burt, Susan Covalla, and, via Zoom, Kate Nadler, Elizabeth Nadler, Michael Gilbert, Maria Gilbert, Steve Cohen, Ralph Ingriselli, and Christine Ingriselli.
 16. At the outset of the hearing, the Chair read the hearing notice and outlined the procedure that would be followed.
 17. The Chair invited the Commissioners to disclose any conflicts of interest or ex parte communications. The Chair stated that the Applicants' surveyor is an acquaintance of his brother, but that there had been no discussion between them. No conflicts of interest or ex parte communications were declared.
 18. The Chair allowed persons wishing to achieve status as an interested person under 24 V.S.A. § 4465(b) to demonstrate that the criteria outlined in that subsection are met.
 19. The following persons requested and were granted interested person status as abutting property owners:
 - Ralph Ingriselli
 - Christine Ingriselli
 - Susan C. Covalla
 - Stephen Cohen
 20. The following interested persons participated in the hearing:
 - Susan Covalla, who asked about the impacts to wetlands, later stated that she had been worried about the wetlands, but was satisfied that no building was proposed in that part of the property, and confirmed her support for the application.
 - Ralph Ingriselli and Christine Ingriselli, who asked where the houses might be located on the property and confirmed their support for the application after clarification.
 - Stephen Cohen, who expressed concern about possible water runoff down Maple Hill Road, especially if access were from Maple Hill Road, and then confirmed his support for the application after hearing the Applicant's response.
 21. Elizabeth Nadler and Kate Nadler also requested recognition as interested persons. After review of the applicable statutory requirements, the Commission unanimously determined that they did not qualify for interested person status under 24 V.S.A. § 4465(b), but allowed them an opportunity to speak at the hearing.
 22. The Chair confirmed that the record included the following exhibits and materials:
 - Subdivision application with attachments.
 - Proof sheet for newspaper notice.

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- Final Plat in PDF form and two paper copies.
 - Wastewater / potable water permit or approval WW-1-2679-1.
 - Vermont Permit Navigator results, PNR-0000012824.
 - Written correspondence received prior to hearing.
 - Copies of prior subdivision maps / approvals referenced by the Applicants.
 - Draft deeds for Lot 1 and Lot 2
 - Notice of Public Hearing
23. The Commission reviewed the Final Plat and found it complete and satisfactory.
24. During the hearing, the Chair questioned the Applicants and/or their surveyor regarding constraints shown on the Town Plan maps, the future land use designation of the property, the distance to the Village Center designation, riparian and wetland protections, stormwater implications of proposed new impervious surfaces, and the size, scale, layout, and character of the proposed future dwellings.
25. The Chair proposed leaving the record open for two weeks following the hearing to allow parties to supply additional information. The parties and the Commission agreed.
26. The hearing was adjourned at 6:41 PM.
27. As of the end of the day on March 31, 2026, the two-week supplementary period concluded. During that time, the Commission received an email from the Applicants' surveyor and a highway access permit. No additional information or submissions were received. On April 1, 2026, the Chair confirmed by email that the hearing was closed and the record complete.

FINDINGS

Based on the application, testimony, exhibits, and other evidence, the Planning Commission makes the following findings:

A. General and Procedural Findings

1. The Applicants seek approval to subdivide land located at 180 Straight Road in the Town of Mount Holly, identified as Parcel ID 10G5220.00 and SPAN 417-130-10172.
2. The Applicants are the owners of the subject property.
3. The subject property is an approximately 10.1-acre parcel more fully described in a deed recorded in Book 106, Page 27 of the Mount Holly Land Records.
4. The application proposes subdivision of the existing parcel into two lots as shown on a survey titled "Map of Subdivision of 180 Straight Road, Belmont, Vermont," prepared by Philo Surveying, LLC, dated January 5, 2026, Project Number 25024, Sheets 1 and 2 (the "Final Plat").
5. As shown on the Final Plat, proposed Lot 1 contains approximately 8.132 acres, includes the existing camp and related improvements, and depicts proposed future improvements. Proposed Lot 2 contains approximately 1.936 acres, contains no existing improvements, and is shown as subject to certain easements and rights benefiting Lot 1.
6. Michael Gilbert testified that the subdivision would allow for two families to construct approximately 1,500-square-foot houses for permanent residence in Mount Holly and that the houses would be occupied year-round.
7. The Commission finds that the application is properly classified as a Minor Subdivision because it proposes creating two lots from an existing parcel, and each resulting lot has suitable access consistent with § II.D.1.a. of the Regulations.

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8. A duly warned public hearing was convened on March 17, 2026, at the Mount Holly Town Office and via Zoom. A quorum of the Planning Commission was present.
9. The Commission finds that the required notice of the hearing was posted, mailed, and published as reflected in the record.
10. The Commission received and considered the subdivision application and attachments, the Final Plat, draft deeds for Lot 1 and Lot 2, wastewater/potable water approval WW-1-2679-1, Vermont Permit Navigator results PNR-0000012824, proof of hearing notice, written correspondence, the subsequently submitted highway access permit, and Town Plan map materials relevant to the required findings.
11. Interested persons Ralph Ingriselli, Christine Ingriselli, Susan C. Covalla, and Stephen Cohen participated in the hearing. Their questions and concerns related principally to wetlands, house locations, and runoff. No interested person ultimately opposed the application.

B. Suitability

12. Jason Burt testified that the property is within the Residential future land use designation on the Mount Holly Town Plan Future Land Use Map.
13. The Commission took notice of the Town Plan Landforms and Elevation maps and finds that the parcel is not shown as lying above 2,000 feet in elevation and is not shown as containing important soils.
14. The Commission finds that the parcel lies outside the Village Center. In response to the Commission's request for supplemental information during the open-record period, Jason Burt stated by email that the approximate distance from the most southerly limit of the village center designation to the most northerly point of the Gilbert property is 1,440 feet.
15. The proposed subdivision is limited to two low-intensity residential lots in the Residential future land use designation.
16. Michael Gilbert testified that the proposed houses would be Cape-style, approximately 1,500 square feet, occupied year-round, and intended for permanent residence.
17. Ralph and Christine Ingriselli asked where the houses might be located on the property. After clarification from Jason Burt, who referenced the locations depicted on the Final Plat, they confirmed their support for the application.
18. Based on the evidence in the record, including the Residential future land use designation, the parcel size and configuration, the absence of mapped elevation above 2,000 feet and important soils, and the testimony concerning the intended residential scale and character of the proposed development, the Commission finds that the property is suitable for the proposed two-lot subdivision, subject to the conditions below.

C. Configuration

19. The Final Plat depicts two lots of approximately 8.132 acres and 1.936 acres, together with the proposed boundary lines, house sites, frontage/access relationships, and easement areas necessary to implement the subdivision.
20. The Commission finds that the proposed lot lines are configured in a rational and coherent manner in relation to the existing parcel, the location of existing and

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proposed improvements, the physical characteristics of the land, and the access and utility arrangements shown on the Final Plat.

21. The Commission further finds that the proposed lot lines do not create arbitrary, misleading, or impracticable lot geometry, do not create irregular residual land not suited to the intended pattern of use, and establish lots that are workable for the intended low-intensity residential use shown and described in the record.
22. The Commission further finds that the proposed easements shown on the Final Plat and reflected in the draft deeds provide a lawful framework for the shared and supporting arrangements relied upon by the Commission, subject to execution and recording of final instruments consistent with this decision.

D. Community Services and Facilities

23. The record does not indicate that the proposed two-lot subdivision, as conditioned, will create an unreasonable burden on municipal facilities or services.
24. The proposal is limited in scale and intended for low-intensity year-round residential use. No evidence in the record indicates that the subdivision, as conditioned, would result in undue adverse impacts to community services or facilities.

E. Roads and Access

25. All lots have frontage on or access to a town highway, as required by Mount Holly Subdivision Regulations § II D.1.a., subject to compliance with all applicable highway access requirements and any other required State and local permits.
26. The Town Highway Access Permit in the record reflects an application for access from Straight Road to serve the property, located approximately 0.1 mile from Maple Hill Road on the west side of the road, with construction intended to begin in September 2026.
27. The subject property is not adjacent to a State highway, and therefore, a letter from the Agency of Transportation is not required under 24 V.S.A. § 4463(e).

F. Transportation and Trails

28. The record does not identify any mapped trail, public transportation facility, or transportation corridor, other than roadway access, that would be adversely affected by the proposed subdivision.
29. No evidence in the record indicates that the proposed two-lot subdivision, as conditioned, would create an undue adverse effect under this section.

G. Water Supply and Wastewater Disposal

30. The Administrative Officer's pre-hearing checklist reflects that the hearing packet included wastewater/potable water approval WW-1-2679-1, and the subdivision application identifies prior wastewater permit WW-1-2679 as part of the record.
31. The Permit Navigator results identify Wastewater System & Potable Water Supply and Wetlands as permits likely needed for the project.
32. The Final Plat shows proposed improvements on Lot 1, including a dwelling, a drive, a water line, and a wastewater mound. The Final Plat also shows proposed underground electric and communication services in the wetland and buffer, and specifies that they are to be directionally bored beneath that area. At the hearing,

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Jason Burt stated that existing overhead services might be retained instead of the proposed underground service.

33. The draft deed for Lot 2 expressly states that Lot 2 is subject to a shared water-rights easement benefiting Lot 1. The deed provides that the owner of Lot 1 shall have the right to access water from the well located on Lot 2.
34. The Final Plat shows a proposed 60' x 60' easement for potable water service and maintenance in favor of Lot 1, an existing 20-foot-wide easement for existing overhead electricity and communication service; and a proposed 20-foot-wide easement in favor of Lot 1 for underground electricity and communication service.
35. Based on the approvals and materials in the record, and subject to the conditions requiring execution and recording of the necessary implementing instruments, the Commission finds that the proposal provides an adequate basis for the water-supply, wastewater, and utility arrangements relied upon in this decision.

H. Stormwater and Hazards

36. Stephen Cohen expressed concern about possible runoff down Maple Hill Road, especially if access were from Maple Hill Road. Jason Burt responded that there is insufficient impermeable surface to generate runoff and that the fields have established grass cover. Mr. Cohen thereafter confirmed his support for the application.
37. Jason Burt testified that the proposed new drive and parking area would not create enough hard-packed or impermeable surface to require a State stormwater permit, and that there is a permeable surface between the parking area and the stream. He also testified that the fields have established grass vegetation.
38. The Commission finds that the record supports the imposition of conditions relating to vegetative buffering and stormwater management, and that, as conditioned, the proposal will not create undue adverse impacts under this section.

I. Natural Resources and Constraints

39. Jason Burt testified that the subject property is shown on the Town of Mount Holly Wildlife Habitat and Connectivity Map as within the lowest level of concern, except that the eastern boundary, which coincides with a stream, lies within a highest priority riparian connectivity area.
40. The Final Plat depicts an approximate Class II wetland and an approximate 50-foot buffer around it.
41. In response to questions from the Commission regarding riparian protection, stormwater, and wildlife connectivity, the Applicants agreed to a condition requiring a vegetative buffer or no-disturbance area around the stream, as well as conditions relating to stormwater management.
42. In response to questions from the Commission regarding wetlands protection, the possibility of directional boring beneath the wetlands for utility service, and the Permit Navigator results identifying the likelihood that a State wetlands permit would be required, Jason Burt confirmed that a wetlands permit would be sought as may be required in connection with any proposed activity in the wetlands or wetland buffer area.

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43. The Chair asked for confirmation that the proposed locations of structural improvements are outside a 50-foot buffer of the stream, and Jason Burt confirmed that they are.
44. Interested person Susan Covalla stated that she had been worried about the wetlands, but was satisfied that there would be no building in that part of the property, and confirmed her support for the application.
45. Based on the mapped wetland and riparian features in the record, the testimony regarding the location of proposed improvements, and the protective conditions imposed below, the Commission finds that the proposal can be designed and implemented to avoid undue adverse impacts on natural resources and mapped constraints.

J. Historic and Cultural Resources

46. The record contains no evidence of any identified historic or cultural resource on the subject property or of any adverse effect by the proposed two-lot subdivision on any such identified resource.
47. On the record before it, the Commission finds no basis to conclude that the proposal, as conditioned, fails to satisfy this section.

K. Overall Compliance and Town Plan Consistency

48. No interested person objected to the application. The interested persons who spoke ultimately expressed support for the application after receiving clarification regarding wetlands, house locations, and runoff concerns.
49. Based on the evidence in the record, including the Residential future land use designation, the parcel size and configuration, the limited mapped constraints on the parcel aside from the riparian area along the eastern boundary stream, the proposed and required protective buffering, the highway access materials, the water/wastewater materials, and the testimony concerning the intended residential scale and character of the proposed development, the Commission finds that the application, as conditioned below, conforms with the Mount Holly Town Plan.

CONCLUSIONS

Based upon the foregoing findings, the Planning Commission concludes:

1. The application is properly classified as a Minor Subdivision under § II.D.1.a. of the Town of Mount Holly Subdivision Regulations adopted March 3, 1998.
2. The application has been reviewed and decided under the applicable provisions of the current Town of Mount Holly Subdivision Regulations, in conjunction with the Mount Holly Town Plan, as contemplated by those Regulations.
3. In evaluating the application, the Commission has given particular attention to lot sizes and arrangement, water supply, sewage disposal, drainage, utility access, access to town highways, and Town Plan conformity, consistent with § II.D.2.b. of the Regulations.

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4. Based on the foregoing findings, the Commission concludes that the application satisfies the applicable requirements of the current Town of Mount Holly Subdivision Regulations and conforms to the Mount Holly Town Plan.
5. The application therefore qualifies for approval, subject to the conditions stated below.

DECISION AND CONDITIONS

The Planning Commission hereby **approves** the application and plat for Subdivision identified as PC-2025-04, subject to the following conditions:

A. Preconditions to Endorsement and Recording

1. As a condition precedent to plat endorsement and recording, all owner(s) of record, and the Applicants if different, shall sign this written approval acknowledging receipt and acceptance of the approval and its conditions.
2. The Applicants shall submit one mylar of the Final Plat, or other recording form acceptable to the Town Clerk, for the Chair's signature prior to endorsement and recording.
3. Before plat endorsement, the written approval and all other documents required by this decision to be recorded shall be fully executed and delivered to the Town Clerk in recording-ready form, including any required notarization and signature blocks.
4. Prior to recording any deed conveying Lot 1 or Lot 2, the Applicants shall execute and record all easements and other implementing instruments required by this approval, including, at a minimum:
 - a. the shared water-rights easement benefiting Lot 1;
 - b. the potable-water service and maintenance easement benefiting Lot 1; and
 - c. any deed provisions or other recorded instruments necessary to ensure consistency between the Final Plat, the deeds, and this decision.
5. The Final Plat shall not be endorsed until all pre-endorsement conditions stated in this decision have been satisfied, and the Administrative Officer has confirmed that the plat presented for signature is identical in all material respects to the approved plat, except for any changes expressly authorized by this decision or required for recording.
6. Plat endorsement shall not occur until the appeal period has expired without the Town's receipt of a notice of appeal, unless earlier endorsement is expressly authorized by law.

B. Recording and Post-Recording Requirements

7. The Applicants shall record the endorsed Final Plat within the time required by applicable law. Failure to record the endorsed Final Plat within the required time shall result in expiration of the approval to the extent provided by law, unless a valid extension has been granted.
8. Promptly after recording, the Applicants shall provide the Administrative Officer with proof of recording of the Final Plat, and all required implementing instruments, including book, page, slide, or other recording references.
9. When the survey plat is recorded, the surveyor who prepared it shall submit a digital copy of the plat to the Vermont Land Survey Library as required by 27 V.S.A. § 1401(c), and the Applicants shall provide the Administrative Officer with confirmation of submission acceptable to the Administrative Officer.

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10. The Applicants shall also provide any final recorded PDF, scanned copy, GIS file, or other digital copy required by the Administrative Officer or this decision so that the recorded plat and all recorded implementing instruments may be placed in the official file.

C. Scope of Approval and Continuing Applicability

11. This approval authorizes only the two-lot subdivision shown on the approved Final Plat, together with the access, utility, water-supply, wastewater, and buffer arrangements described in the approved Final Plat and the record relied upon by the Commission. No other development, use, layout, access arrangement, easement arrangement, infrastructure configuration, or separately developable interest is approved except as expressly stated in this decision.
12. All lots and land areas created by this approval remain subject to this decision and to all conditions, limitations, plats, and recorded instruments required by it, including all recorded easements, deed provisions, and other implementing instruments. Such conditions and recorded requirements shall run with the land and shall be binding upon and enforceable against the Applicants and all heirs, successors, and assigns. No material change to an approved lot, plat, access arrangement, utility arrangement, water-supply arrangement, wastewater arrangement, buffer area, or other approval element may be made except in accordance with this decision and any required amendment procedure.
13. Nothing in the endorsement or recording of the Final Plat shall constitute Town acceptance of any road, driveway, utility, stormwater facility, easement, or other public or private improvement.

D. Amendment Triggers, Compliance, and Enforcement

14. Any material modification to this project, as approved herein, including any material modification to the lot configuration, access arrangement, utility arrangement, water-supply arrangement, wastewater arrangement, buffer area, or other approval element relied upon by the Commission, shall require amendment of this approval.
15. If any State or federal permit, exemption, determination, jurisdictional opinion, letter, or other authorization relied upon by the Commission is materially modified, revoked, suspended, superseded, expires without renewal where renewal is required for the approved design, or is otherwise changed in a manner that could affect the findings or conditions of approval, the Applicants shall promptly notify the Administrative Officer and the Planning Commission. No person shall implement or rely upon such a change in connection with the approved land division or the development or occupancy of any lot or land area subject to the approval unless and until the approval is amended as required.
16. Upon reasonable written request of the Administrative Officer in connection with compliance review or enforcement, any current owner of land subject to this approval shall provide a written certification that the conditions of approval and all required recorded instruments are being adhered to.
17. Upon reasonable request of the Administrative Officer in connection with compliance review or enforcement, the owner of any land subject to this approval shall provide reasonable access for site inspection for the purpose of verifying compliance with this approval, the approved plans, and any recorded implementing instruments required by this decision, consistent with applicable law. Unreasonable refusal of such access may constitute noncompliance and may be grounds for enforcement action.
18. The Applicants shall provide any prospective purchasers of the subject property with a copy of this decision, along with the relevant plans and State permits.

19. No parcel created pursuant to this permit may be further subdivided within one year of its creation, as required by Mount Holly Subdivision Regulations § II D.1.a.
20. A violation shall include, without limitation, failure to comply with any condition of approval, failure to record required documents, undertaking development or relying on an approval without satisfying conditions precedent to recording or development, or implementing a material change without an approved amendment.

E. Land Use, Resource Protection, and Infrastructure Conditions

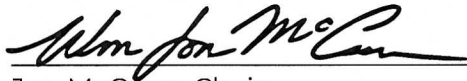
21. Development on the parcels created by this subdivision shall occur only in compliance with this decision, the approved Final Plat, all recorded implementing instruments required by this decision, and all other required State and local approvals.
22. A naturally vegetated buffer of not less than fifty (50) feet shall be maintained along the eastern boundary stream / riparian corridor, consistent with the Applicants' agreement on the record. Within that buffer, there shall be no clearing, grading, filling, excavation, construction of structures, storage of materials, or other disturbance, except as may be expressly authorized by an amendment to this permit and any required State permit.
23. The required vegetative buffer is a material element of this approval. Its purpose is to mitigate potential impacts to riparian connectivity, protect adjacent wetland and stream functions, and reduce the effects of stormwater runoff associated with proposed new impervious surfaces.
24. A wetlands permit from the Vermont Agency of Natural Resources shall be obtained if required by law or regulation in connection with any proposed activity in the wetlands or wetland buffer area depicted on the Final Plat.
25. All proposed and existing easements shown on the Final Plat and referenced in the deeds or draft deeds, including but not limited to the water-rights easement benefiting Lot 1, the potable-water service and maintenance easement, and the utility easements for overhead and underground electricity and communication service, shall be accurately reflected in the recorded plat and in any deeds conveying the parcels created by this subdivision.
26. Any future construction, driveway work, utility installation, stormwater management measures, wetland-buffer disturbance, or wastewater improvements shall comply with all applicable permits and approvals, including any required approval under the Vermont Wastewater Systems and Potable Water Supply Rules, any wetland-related approval, and any Town highway access approval.

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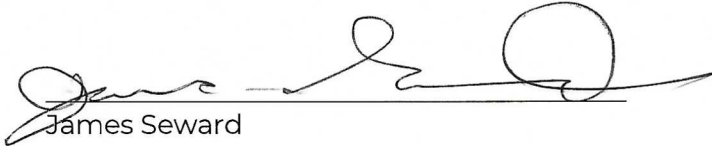
Town of Mount Holly Planning Commission

RESOLVED BY THE PLANNING COMMISSION

On May 10, 2026.



Jon McCann, Chair



James Seward



Andrew Schulz



Stephen Michel

Joins decision; no signature available

Ron Unterman

Under penalties of perjury, I do hereby attest that we have read and understand these Town of Mount Holly Planning Commission Findings and Decision, and all applicable sections of the Town of Mount Holly Regulations, Bylaws, and Ordinances, and do hereby agree to abide by these Findings and Decision as written and approved by the Commission.

Date: _____

APPLICANT'S SIGNATURE: _____
Michael Gilbert

Date: _____

APPLICANT'S SIGNATURE: _____
Maria Gilbert

NOTICE: This decision may be appealed to the Vermont Environmental Division by an interested person who participated in the proceeding(s) before the Planning Commission. Such appeal must be taken within 30 days of the date of this decision, pursuant to 24 V.S.A. § 4471 and Rule 5(b) of the Vermont Rules for Environmental Court Proceedings.