

May 30, 2025

Jonnaca Place
The Lighthouse Restaurant
38 Lower Mountain View Drive
Colchester, VT 05446

Re: **NOTICE OF VIOLATION** – The Lighthouse Restaurant and Lounge, 38 Lower Mountain View Drive, Colchester, VT; Failure to separate and divert food waste

Dear Ms. Place,

The Chittenden Solid Waste District (CSWD) alleges that The Lighthouse Restaurant and Lounge is in violation of [CSWD's Solid Waste Management Ordinance](#) (Ordinance). This letter cites compliance requirements of the Ordinance and deficiencies documented at your restaurant on multiple occasions in 2025 concerning required separation and management of food waste. As further outlined at the bottom of this letter, you have the right to request a hearing before CSWD's Executive Board should you wish to contest the District's findings or offer corrective actions that may mitigate the District's assessment of civil penalties.

OBSERVATIONS & APPLICABLE CSWD ORDINANCE REQUIREMENTS

1. A Proposed Order issued by CSWD's Executive Board to Jonnaca Bushey -- The Lighthouse Restaurant's owner now using the name Jonnaca Place -- on April 17, 2025, required the Lighthouse to submit a Corrective Action Plan (CAP), regarding required diversion of food waste, to CSWD compliance staff within 15 days of receipt of the Order. After receiving the Proposed Order by email, Ms. Place notified CSWD on April 17 that a Casella organics tote had been placed on site-- on the loading dock next to the compactor behind the Hampton Inn-- and that Lighthouse staff had authorization to use that tote for separate management of the Restaurant's food waste.
2. Monday, May 5, 2025, was the deadline for the Lighthouse to submit the CAP. CSWD Compliance staff reminded Ms. Place of the impending deadline by email on May 1, 2025. That email notification was sent High Importance but yielded no response.
3. When the May 5 deadline passed with no further communication from the Lighthouse, CSWD Compliance staff emailed Ms. Place on May 6, 2025, to remind her of her obligation to submit a CAP and encourage her to do so immediately to avoid further enforcement action. The email stated that, should CSWD staff be, "unable to document full compliance with the Solid Waste Management Ordinance, [CSWD] will move forward with a new Notice of Violation...". That email again yielded no response from Ms. Place, and to date, CSWD has not received the CAP required by the April 17 Proposed Order.
4. During subsequent checks of the Lighthouse's site and containers on May 9 and May 13, CSWD Compliance staff found and documented the organics tote on the loading dock behind the Hampton Inn but noted that it was empty, containing only an unsoiled compostable liner. Compliance staff found no indications during those visits that the container was actively being used by Lighthouse or Hampton Inn staff.

5. When visiting again on May 14, 2025, a CSWD staff member marked and dated the empty tote liner. The tote remained empty and apparently unused when CSWD staff subsequently checked it on May 21 and May 28, documenting that it contained the same liner, marked 5/14, and that there were no other contents in the tote or liner.
6. Ms. Place implied that the Lighthouse intended to use the organics tote behind the Hampton Inn for separate management of food waste by calling CSWD's attention to the presence of that container on April 17. Compliance staff's findings that the tote she referenced is not currently being used for food scraps, in combination with the lack of evidence that the Lighthouse is managing food waste separately via other means, has led CSWD to conclude that the Lighthouse is not diverting pre or post-consumer food scraps from the trash and thus remains out of compliance with CSWD's food waste requirements.

Ordinance Requirement: Section 3.8 Separation of Mandatory Recyclables and Food Residuals.

Mandatory Recyclables and Food Residuals shall not be Disposed with other Solid Waste. Except as provided in Section 3.19 of this Article, all Generators shall Separate Mandatory Recyclables and Food Residuals from other Solid Waste, place the Mandatory Recyclables and Food Residuals in a designated container, and handle them as specified in Section 3.9 of this Article. The foregoing shall not be intended to prohibit or prevent the reuse or Recycling by a business, institution, or industry of materials as part of such Person's normal commercial, manufacturing, or industrial process.

Ordinance Requirement: Section 3.9 Placement of Recyclables, Food Residuals, and Solid Waste Destined for Disposal.

Each Generator shall:

...

B. Separate Food Residuals from other Solid Waste and place such Food Residuals in a designated container. Food Residuals shall be managed in accordance with the requirements of [10 V.S.A. §6605k](#).

UNLAWFUL CONDUCT PENALTIES

Based upon the above information, CSWD alleges that The Lighthouse Restaurant and Lounge, located at 38 Lower Mountain View Drive, Colchester, Vermont, has failed to comply with Sections 3.8 and 3.9 of the Ordinance and that such conduct constitutes Unlawful Conduct under and as defined in the Ordinance. CSWD further alleges that the noted deficiencies are ongoing and that The Lighthouse remains out of compliance with Ordinance food waste requirements, as of the date of this letter.

Pursuant to Ordinance Section 11.1, any Person who engages in any Unlawful Conduct shall be subject to a civil penalty of not more than Eight Hundred Dollars (\$800) for each violation or, if lower, the maximum amount allowed by law. Each instance of Unlawful Conduct shall be a separate violation. In the event of other Unlawful Conduct which is deemed "continuing", the Person who engages in such conduct shall be subject to a civil penalty of not more than Eight Hundred Dollars (\$800), plus not more than One Hundred Dollars (\$100) for each succeeding day, or, if lower, the maximum amounts allowed by law.

Accordingly, The Lighthouse may be assessed a cumulative fine of \$1600 for the two alleged violations cited above, plus \$100 per day for the continuing Unlawful Conduct from the date of the letter until the violations are addressed to bring The Lighthouse into compliance, should CSWD's Executive Board affirm this finding.

Pursuant to Ordinance Section 12.5, The Lighthouse has the right to a hearing before CSWD's Executive Board for the purpose of determining whether such Unlawful Conduct occurred. **In order to receive a hearing before**

CSWD's Executive Board, you must send a written request for a hearing to CSWD's Executive Director within ten (10) days from the date of receipt of this Notification of Violation.

CSWD's Executive Board, upon receipt of a written request for a hearing within the permitted ten (10) day period, shall hold a hearing within fourteen (14) days of receipt of the request. Within 30 days following the hearing or following expiration of the hearing request date, the Executive Board will issue a proposed order. The order shall include, if applicable, information on civil penalties assessed and directives necessary to achieve compliance with the Ordinance. The order will also include information pertaining to your right to a hearing on the order.

In addition to any other remedy provided in the Ordinance or available at law or in equity, the District may institute a suit in equity for an injunction to prevent, restrain, or abate a violation of the Ordinance. CSWD may seek enforcement of a final order in the State of Vermont Superior Court or before the Environmental Division.

All written requests for a hearing must be sent by first class mail or certified mail with return receipt to: Chittenden Solid Waste District, Attn: Sarah Reeves, Executive Director, 19 Gregory Drive, Suite 204, South Burlington, VT 05403 or emailed to sreeves@cswd.net.

This letter is sent under reservation of all rights that CSWD may have under applicable law.

Please contact Ethan Hausman at (802) 872.8100 x208 or ehausman@cswd.net with any questions you have about this notice.

Sincerely,

Sarah Reeves
Executive Director

cc Ethan Hausman, CSWD Compliance Specialist *via email*
 Joey Catania, CSWD Compliance & Safety Manager *via email*
 Lauren Eagan, CSWD Commissioner for Colchester *via email*
 Anne Bijur, VT DEC Solid Waste Program Materials Management Supervisor *via email*



The pictured white residue appeared to be fat/grease that had dripped from a trash bag that had been disposed of in the compactor.

All upper photos taken 5/9/25: Organics tote sited next to the compactor contains only an unused/empty compostable liner.



Bottom photos: Organics tote in same location on loading dock behind the Hampton Inn on 5/13/25. The unused liner in the tote, which seemed to be the same one photographed previously on May 9, was again empty and unsoiled.





Upper photos taken 5/21/25: The unused liner in the organics tote is the same one that CSWD staff dated a week prior.

Lower photos taken on 5/28/25: The dated liner in the organics tote remains empty and unsoiled.

