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State of Vermont

LAND USE PERMIT

AMENDMENT

CASE No. 100012-2-EB

LAWS/REGULATIONS INVOLVED

APPLICANT McDonald's Corporation and
ADDRESS Murphy Realty Company, Inc. by
Martin K. Miller, Esq.
John B. Kassel, Esq.
P.O. Box 1489
Burlington, VT 0540201489

10 V.S.A. Chapter 151
(Act 250)

The Vermont Environmental Board hereby issues Amended Land Use Permit #100012-2-EB pursuant to the authority vested in it by 10 V.S.A. Chapter 151. This permit amendment applies to the lands identified in Book 63, Page 1088 of the Land Records of the Town of Morristown, Vermont, as the subject of a deed to the Murphy Realty Company, Inc., as grantee, and leased by that company to McDonald's Corporation (collectively, the Permittees). This permit amendment revises the conditions of Land Use Permit Amendment #100012-2 which authorizes the construction of a McDonald's restaurant in the northeast corner of the Morrisville Shopping Center near the intersection of Route 15 and Munson Avenue in Morrisville, Vermont.

The Permittees, and their successors and assigns, are obligated by this permit to complete and maintain the project only as approved by the District #5 Environmental Commission in accordance with the terms and conditions of Land Use Permit #100012-2, except as amended hereby; the plans, exhibits and testimony submitted to the Environmental Board by the Permittees; and Findings of Fact and Conclusions of Law #100012-2-EB.

CONDITIONS

A. Condition 14 is deleted from the permit, and new Condition 14 is added to read:

14. The Permittees may construct a free-standing road sign on the above-identified lands, to be located northwest of the project, just south of Route 15, in accordance with Exhibits #1 and 8 submitted to the Board. Permission to construct this road sign is conditioned as follows:

- (a) The Permittees shall use wooden materials in constructing the road sign.
- (b) The Permittees shall construct the other signs for the project only as they have proposed in this appeal. Only the golden arches logo shall be used as a fascia sign on the eastern side of the proposed restaurant.

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- (c) The Permittees shall not alter or cut the existing line of maple trees on Route 15 to increase the visibility of the road sign, and the Permittees shall maintain the maple trees in their current conditions.
- (d) The Permittees shall plant evergreens around the road sign as proposed.
- (e) The Permittees shall maintain the existing foliage to provide a foliage background for the road sign.
- (f) The Permittees shall submit to the District #5 Environmental Commission's satisfaction a grading plan for the proposed earthen berm.

B. Condition 16 is deleted from the permit and new Condition 16 is added to read:

16. All construction on this project, including landscaping, must be completed by February 10, 1990.

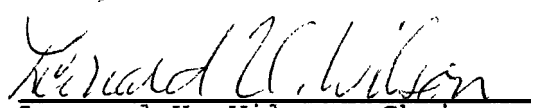
C. Condition 18 is deleted from the permit and new Condition 18 is added to read:

18. Notwithstanding, this permit shall expire on February 10, 1990 if the Permittees have not demonstrated an intention to proceed with the project.

Dated at Montpelier, Vermont this 10th day of February, 1989.

ENVIRONMENTAL BOARD

By:


Leonard U. Wilson, Chairman
Lawrence H. Bruce, Jr.
Samuel Lloyd
Roger N. Miller
w. Philip Wagner