



State of Vermont

LAND USE PERMIT AMENDMENT

CASE No. 1R0382-1-EB
 APPLICANT Lee and Catherine Quaglia
 ADDRESS Star Route
 Killington, VT 05701

LAWS/REGULATIONS INVOLVED

10 V.S.A., Chapter 151 (Act 250)
 and Vermont State Board of Health
 Regulations Chapter 5, Sanitary
 Engineering, Subchapter 10, Part
 Subdivisions

The Vermont Environmental Board hereby amends Land Use Permit #1R0382, issued by the District #1 Environmental Commission, pursuant to the authority vested in it in 10 V.S.A., Chapter 151. This amendment applies to the lands identified in Book 43, Page 47 of the Land Records of Sherburne, Vermont, and Book 25, Page 191 of the Land Records of Mendon, Vermont, as the subject of a deed to Lee and Catherine Quaglia, the permittees as grantees. This Land Use Permit Amendment specifically amends Land Use Permit #1R0382 by the modification of five conditions as set forth below.

The permittees, their heirs, successors and assigns, are obligated by this permit to complete and maintain the project only as approved by the District Commission in accordance with the conditions of Land Use Permit #1R0382, except as amended herein.

CONDITIONS

1. Condition #1 of Land Use Permit #1R0382 is amended to read as follows:

The project shall be completed as set forth in Findings of Fact and Conclusions of Law #1R0382, in accordance with the plans and exhibits stamped "Approved" and on file with the District Environmental Commission, except that the location of the existing waterline shall be redrawn to conform to its actual location. No changes shall be made in the project without the written approval of the District Environmental Commission.

2. Condition #9 of Land Use Permit #1R0382 is amended to read as follows:

By acceptance of this permit amendment, the permittees agree that further subdivisions of any parcels of land approved herein shall be subject to review and approval by the District Environmental Commission pursuant to 10 V.S.A. Chapter 151.

3. Condition #11 of Land Use Permit #1R0382 is amended to read as follows:

By acceptance of this permit amendment, the permittees, their successor and assigns, agree that construction of

duplex housing units on each lot shall be subject to review under Criteria 1(A), 1(B), 1(C), 2, 3, 4 and 10 and approval by the District Environmental Commission pursuant to 10 V.S.A., Chapter 151.

4. Condition #18 of Land Use Permit #1R0382 is amended to read as follows:

The permittees shall also include covenants in the deeds of Lots 2, 3, 9, and 10 that notify each purchaser and subsequent owner that a spring line exists on the lot, that specify that construction is prohibited within 25 feet of the spring line, and that indicate that if the spring line or its ground cover is disrupted in any way the purchaser or subsequent owner shall be fully accountable for all costs associated with returning the spring line or ground cover to its original condition or better. Road or driveway crossings of the waterline are permitted so long as the waterline is protected as provided in Condition #5 and as agreed in Finding of Fact iii under Criteria 2-3 of the District Environmental Commission's decision dated August 20, 1980.

5. Condition #20 of Land Use Permit #1R0382 is amended to read as follows:

Deeds to each lot shall include a covenant which specifies that no buildings shall be erected, altered, placed or permitted upon lots within the development except one single family residence or, with necessary District Commission and State Health Department approval, one two-family dwelling, with appurtenant service buildings and garages.

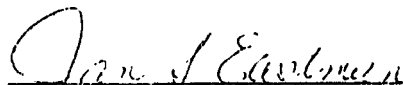
All conditions of Land Use Permit #1R0382 remain in full force and effect, except as amended herein.

Nothing contained herein shall be deemed to create or confer upon the permittees any legal interest in the land in question beyond that conferred by the deed record in Book 43, Page 47 of Sherburne Land Records and Book 25, Page 191 of Mendon Land Records.

Dated at Montpelier, Vermont this 20th day of October, 1981.

ENVIRONMENTAL BOARD

By


Jan S. Eastman
Executive Officer

Members participating
in this decision:

Leonard U. Wilson
Ferdinand Bongartz
Lawrence H. Bruce, Jr.
Dwight E. Burnham, Sr.
Melvin H. Carter
Donald B. Sargent
Priscilla Smith