

LAND USE PERMIT AMENDMENT

CASE NO: 1R0387-2-EB

LAWS/REGULATIONS INVOLVED:

PERMITTEES: Roger & Erma Rowe
RR 1 Box 1289
Pittsford, VT 05763

10 V.S.A. Ch. 151 (Act 250)
Environmental Board Rules

Casella Construction, Inc.
8 US Route 4
Mendon, VT 05701

The Vermont Environmental Board hereby issues Land Use Permit 1R0387-2-EB pursuant to the authority vesting in it by 10 V.S.A. Sections 6001-6092 (Act 250). This permit applies to the lands identified in Book 64, Page 383, of the land records of the Town of Pittsford, Vermont, as the subject of a deed to Roger & Erma Rowe, the co-permittees as grantee. This permit specifically authorizes the permittees to extract 100,000 cubic yards of gravel annually from the so-called "Rowe Gravel Pit" located off Furnace Road in the town of Pittsford and to excavate to a depth of approximately 493.63 feet above sea level (five feet above groundwater)(hereinafter "the Project"). The Project also includes the construction of a temporary scale, scale house building and washroom facilities adjacent to the existing gravel extraction operation, along with reclamation of the presently disturbed areas of the site. Reclamation of the pit will progressively occur as the pit is expanded.

The Permittees, their assigns, and successors in interest, are obligated by this permit to complete, operate, and maintain the project in accordance with the following conditions:

1. The Permittees shall complete, operate and maintain the Project in accordance with: (a) the terms and conditions of Land Use Permit #1R0387-2 issued by the District #1 Environmental Commission on December 5, 2001, except as amended hereby; (b) *Re: Roger and Erma Rowe and Casella Construction, Inc.*, #1R0387-2-EB, Findings of Fact, Conclusions of Law, and Order issued on even date herewith; (c) the terms of the parties' settlement agreement filed with the Board on February 12, 2003; and (d) the conditions of this permit. The Permittees shall not make any changes to the Project without the written approval of the District #1 Environmental Commission.
2. Condition number 3 of Land Use Permit #1R0387-2 is deleted.

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3. Condition number 14 of Land Use Permit #1R0387-2 is modified to delete the requirement of a performance bond in favor of the State. The remainder of Condition number 14 remains in force unchanged.

Dated at Montpelier, Vermont this 17th day of April, 2003.

ENVIRONMENTAL BOARD

/s/Patricia Moulton Powden_____

Patricia Moulton Powden

Rebecca Day

George Holland

Samuel Lloyd*

Patricia A. Nowak

Alice Olenick

Richard C. Pembroke, Sr.

Jean Richardson

Donald Sargent**

* Member Lloyd participated in the March 19, 2003 deliberations, but did not participate in the April 16, 2003 deliberations. Although he has not reviewed this permit, Member Lloyd concurs with its issuance.

** Member Sargent participated in the March 19, 2003 deliberations, but did not participate in the April 16, 2003 deliberations. Member Sargent has review this permit and concurs.