

STATE OF VERMONT  
ENVIRONMENTAL BOARD  
10 V.S.A. CHAPTER 151

Re: Roger and Erma Rowe  
Pittsford, Vermont 05763

ORDER -- DISMISSAL OF APPEAL  
Land Use Permit #1R0387-EB

Interested parties, Glen Spaulding, Joseph Sposta, Christine White, Richard Lyon, et al. filed an appeal with the Environmental Board on October 10, 1980, from Land Use Permit #1R0387, issued by the District #1 Environmental Commission on September 15, 1980. This permit specifically authorizes the permit holders, Roger and Erma Rowe, to operate a commercial gravel pit on a parcel of land bounded by the Plains and Furnace Brook Roads in the Town of Pittsford, Vermont.

The notice of appeal challenged the District Commission's findings and conclusions of law on criteria 1, 5, 9(G), 9(K), and 10 under 10 V.S.A. §6086(a). The permit holders filed a cross-appeal on October 28, 1980, challenging the appellants' status as parties under Environmental Board Rule 12(c), and objecting to certain conditions attached to the permit by the District Commission. The Board convened the hearing on this matter on November 25, 1980, and heard evidence and argument on the motion to deny party status to appellants.

On July 14, 1981, appellants and permit holders notified the Board of their stipulation to withdraw their appeal and cross-appeal in this matter. The Board has reviewed this matter and accepts the withdrawal of the parties, finding the withdrawal not contrary to the purposes or requirements of 10 V.S.A., Chapter 151. Land Use Permit #1R0387 remains in effect without change. We return jurisdiction over the permit to the District #1 Environmental Commission.

Dated at Montpelier, Vermont, this 29th day of July, 1981.

ENVIRONMENTAL BOARD

BY Richard H. Cowart  
Richard H. Cowart.  
Executive Officer

Members participating  
in this decision:

Leonard U. Wilson  
Ferdinand Bongartz  
Lawrence H. Bruce, Jr.  
Melvin II. Carter  
Warren Cone  
Roger N. Miller