

CASE NO: 2S0351-34-EB
PERMITTEES: Okemo Limited Liability Company
ADDRESS: 77 Okemo Ridge Road
Ludlow, VT 05149

LAWS/REGULATIONS INVOLVED:
10 V.S.A. §§ 6001 - 6092 (Act 250)

The Vermont Environmental Board hereby issues Land Use Permit Amendment #2S0351-34-EB (Permit), pursuant to the authority vested in it by 10 V.S.A. §§ 6001-6092. This permit applies to the lands identified in Book 162, Pages 335, 342 and 346, of the land records of the Town of Ludlow, Vermont, as the subject of deeds to Okemo Limited Liability Company, the Permittee, as grantee.

This permit specifically authorizes the Permittee to construct three residential buildings with 104 units total and underground parking; a 20,000-square foot conference center with underground parking; a 17,000-square foot recreation/health club facility; an 800-foot extension of a previously permitted beginner ski trail with snowmaking; to relocate the currently permitted but unconstructed quad chair lift; relocate a currently permitted parking lot; increase the total parking to 988 spaces; and to expand utilities including waterlines, sewer lines and pump station storage capacity, power lines and stormwater drainage pipes (Project). The Project is located off Okemo Ridge Road in the Town of Ludlow, Vermont.

The Permittee, and its assigns and successors in interest, are obligated by this permit to comply with the following conditions:

1. The Project shall be completed, operated and maintained in accordance with:
(a) the terms and conditions of Land Use Permit Amendment #2S0351-34, except as amended hereby; (b) Findings of Fact and Conclusions of Law #2S0351-34-EB; and (d) the conditions of this permit.
2. No change shall be made to the Project without the written approval of the District Coordinator or the District Environmental Commission, whichever is appropriate under Act 250 and applicable rules.
3. By acceptance of the conditions of this permit without appeal, the permittee confirms and agrees that the conditions of this permit shall run with the land and the land uses herein permitted, and will be binding upon and enforceable against the permittee and all assigns and successors in interest.
4. The District Environmental Commission maintains continuing jurisdiction during the lifetime of the permit and may periodically require that the permit

- holder file an affidavit certifying that the project is being completed, operated and maintained in accordance with the terms of the permit, as provided by 10 V.S.A., Chapter 151 and the rules of the Environmental Board and Natural Resources Board.
5. By acceptance of this permit, the permittee agrees to allow representatives of the State of Vermont access to the property covered by the permit, at reasonable times, for the purpose of ascertaining compliance with Vermont environmental and health statutes and regulations and with this permit.
 6. Conditions #35-39 of Land Use Permit Amendment #2S0351-34, relating to Criterion 5(traffic) shall remain in effect.
 7. The Permittee shall, through its website, marketing brochures and materials, reservation and other personnel, and any other reasonable means, encourage drivers from the north to use the Okemo Ridge Road and Jackson Gore base area instead of the main Okemo base area, in arriving to and departing from the Project.
 8. The Permittee shall, through its website, marketing brochures and materials, reservation and other personnel, and any other reasonable means, encourage drivers from New York, New Jersey, western Massachusetts, and other points west and southwest of Okemo, to use Vermont Route 7 north to Route 103 east, to the Okemo Ridge Road and Jackson Gore base area instead of the main Okemo base area, in arriving to and departing from the Project.
 9. The Permittee shall change its Sunday half-day discount ticket for Vermont/New Hampshire residents to a morning ticket, ending on or before 2:00 p.m.
 10. The Permittee shall provide skier services and schedule ski package rental pick-ups and returns to avoid peak traffic periods.
 11. The Permittee shall maintain and promote the shuttle bus service between the resort and Ludlow.
 12. The Permittee shall provide additional traffic control officers as needed to maintain a level of service of C or better at key intersections.
 13. The Permittee shall take traffic counts at key intersections during peak summer periods, as set forth in the Findings of Fact, Conclusions of Law, and Order issued herewith.

14. The Permittee shall continue to monitor and analyze traffic to better identify traffic needs, patterns and mitigation strategies. As the information becomes available, at least once per year, the Permittee shall provide these data and analyses to the Commission, the Vermont Agency of Transportation, and the Southern Windsor Regional Planning Commission.
15. The occupancy periods for the three new residential buildings, E1, E2 and E3, shall begin and end on Friday.

Pursuant to 10 V.S.A. § 6090(b), this permit is hereby issued for an indefinite term, as long as there is compliance with the conditions herein. Failure to comply with any condition of this permit may be grounds for permit revocation pursuant to 10 V.S.A. § 6090(c).

DATED at Montpelier, Vermont this 8th day of September, 2005.

ENVIRONMENTAL BOARD

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