



State of Vermont

LAND USE PERMIT

CASE NO.: #2S1011-EB
APPLICANT: Andrew and Peggy Rogstad et al.
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LAWS/REGULATIONS INVOLVED:
10 V.S.A. §§ 6001-6092 (Act 250)

The Vermont Environmental Board ("Board") hereby issues Land Use Permit #2S1011-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 43, Page 320; Book 38, Page 454; and Book 55, Page 355, of the land records of the Town of Chester, Vermont, as the subject of deeds to Ingwald Rogstad and Dorothy Rogstad; Katherine Lagios; and George and Marion Mattson, respectively, as grantees. The Permit modifies certain of the conditions of Land Use Permit #2S1011 (Revised), which authorized Andrew and Peggy Rogstad, Ingwald and Dorothy Rogstad, Katherine Lagios, and George and Marion Mattson (collectively "Permittees") to construct and operate 56 additional campsites, four new bathhouses, a new office/store/recreational room/manager's residence building, a swimming pool, a pavilion, and infrastructure improvements ("Project"), all of which are associated with a 36 site campground, known as the Hidden Valley Campground, which pre-existed the adoption of Act 250. The Project is located on an approximately 109 acre tract in Chester, Vermont.

The Permittees, and their assigns and successors in interest, are obliged 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 #2S1011 (Revised) and the Findings of Fact and Conclusions of Law issued therewith, except as modified hereby; (b) the plans, exhibits, and testimony submitted by the Permittees to the District # 2 Environmental Commission and the Environmental Board; (c) the Findings of Fact and Conclusions of Law issued in conjunction with this Permit; and (d) the conditions of this Permit. No changes shall be made in the Project without the written approval of the District # 2 Environmental Commission.
2. Condition 25 of the Permit shall be changed to read as follows:

The Permittees shall submit a traffic report after build out of Phase II of the Project. The

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report shall address actual seasonal daily traffic levels, trip generation and accident information. The Permittees shall provide all parties listed on the Certificate of Service with a copy of the traffic report after completion of Phase II of the Project at least 90 days prior to commencement of any construction of Phase III of the Project.

3. Condition 26 of the Permit shall be changed to read as follows:

Phase IV of the campground is not approved at this time. The Permittees may apply for an amendment to permit Phase IV in the future. In connection with any such application for Phase IV, the applicant shall include evidence on actual seasonal average daily traffic levels and safety issues with respect to traffic from the Project.

4. Condition 29 of the Permit shall be changed to read as follows:

Campsites 2L, 2Q, 2R, 2S, 2T, 2U, 2V, 2W, 2X, 2Y, 2Z, 2C1, 3A, 3B, 3C, 3E, and 3F, and Loop Road No. 3 on which these sites are located back to bathhouse #2 are specifically not approved at this time. The Permittees may file a future amendment application with an alternative design of these sites which has less impact on the Weinberger residence. The Permittees shall not reapply for approval of the sites disapproved herein for a period of ten (10) years from the date of this Permit (which period expires on December 19, 2006) or until Anthony Weinberger no longer resides at his property abutting the Project, whichever occurs first. In the event that any future redesign of these sites is approved by the Commission, the Permittees shall plant a screen of trees/shrubs along the Weinberger property line in the vicinity of the approved campsites prior to placing these campsites in service.

5. Condition 30 of the Permit shall be changed to read as follows:

Upon completion of Phase II of the Project and prior to any construction of Phase III, the Permittees shall certify that the travel way of Mattson Road from Mile .1, as referenced in the Findings of Fact issued in conjunction with this Permit, to the Project access is 18 feet wide and has shoulders where practical.

6. New Condition 46 is hereby added to the Permit:

The campground presently consists of 36 campsites. Five of these sites will be deleted due to construction of roads and infrastructure. The additional sites approved herein as part of the Project shall be constructed in the following phases:

Phase I

- Sites: 4H, 4I, 4J, 4K, 4C, 1I, 1J, 1K, 1L, 1M, 1N, 1A2
- New exit road
- New sign
- Manager's residence, recreation room, store/office and parking lot
- Waste water disposal area F
- Bath house #4
- Waste water disposal area D and E
- 2 drilled wells

Phase II

- Sites 2A, 2B, 2C, 2D, 2M, 2P, 2O, 2N, 4R (Sites 2Q, 2R, 2S, 2V, 2X, 2Z, 2C1, 2L, 2Y, 2W, 2U, and 2T were proposed to be constructed as part of this Phase but are not approved at this time).
- Bath house #2
- Waste water disposal area C
- Pavilion
- Road 3
- 1 drilled well (for bath house #2)

Phase III

- Sites 1 group tent area, 10 overflow sites, 2K, 2J, 2H, 2E, 3C2, 3C1, 3G, 3H, 3D1, 3D2, 2F, 2G, 2I
- Bath house #3
- Waste water disposal system B and A
- 2 privies
- 2 drilled wells
- Road 2
- Road 4

Phase IV

- Sites 3A1, 3A2, 3B1, 3B2, 3X, 3Y, 3Z, 3T, 3U, 3V, 3P, 3Q, 3R, 3L, 3K, 3J, 3D, 3M (Sites 3A, 3B, 3C, 3E, and 3F were proposed to be constructed as part of this Phase but are not approved at this time).
- Road 5
- As indicated in Permit Condition 26 herein, the sites named above in conjunction with Phase IV are not approved by this Permit. A permit application shall be filed

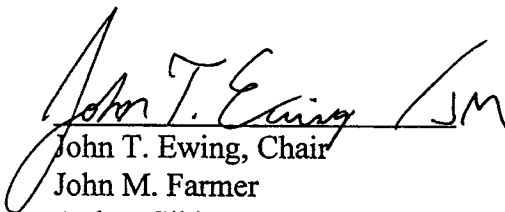
before construction commences on any of these sites, or upon Road 5.

7. New Condition 47 is hereby added to the Permit:

The Permittees shall replace any cultivated shrubs or bushes at the Patch/Johnson property which are located outside of the municipal right of way which may be damaged in connection with the approved road improvements.

Dated at Montpelier, Vermont this 19th day of December, 1996.

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