

CASE NO: 2S1103-EB
APPLICANT: Alpine Stone Corporation
ADDRESS: c/o Dinah Heller
150 West End Avenue
New York, NY 10023
and
ADA Chester Corporation
and Ugo Quazzo
450 West 44th Street
New York, NY 10036

LAWS/REGULATIONS INVOLVED:
10 V.S.A. §§ 6001 - 6092 (Act 250)
and Vermont State Environmental
Protection Rules

The Vermont Environmental Board hereby issues Land Use Permit #2S1103-EB, pursuant to the authority vested in it by 10 V.S.A., §§ 6001-6092 (Act 250) to Permittees Alpine Stone Corporation, ADA Chester Corporation, and Ugo Quazzo. This permit applies to the tract or tracts of land identified in Book 83, Page 46; Book 59, Page 364; Book 76, Page 449 and Book 70, Page 425, of the land records of the Town of Chester, Vermont, as the subject of deeds to ADA Chester Corporation as grantees; Book 54, Page 12, of the land records of the Town of Chester as the subject of a deed to Ugo Quazzo as grantee; and Book 84, Page 100, of the land records of the Town of Chester, Vermont as the subject of a deed to Alpine Stone Corporation as grantee. The project is a stone quarry on 644 acres located on Route 35 in Chester, Vermont.

This permit authorizes the previous unpermitted extraction and removal of 5,000 to 10,000 tons of mica schist stone, and the additional extraction and removal of up to 100,000 tons of mica schist stone over the next 25 years. This permit amends Land Use Permit #2S1103, which authorized the previous unpermitted extraction and removal of 5,000 to 10,000 tons of mica schist stone and prohibited any additional extraction and/or removal of material.

The project is subject to Act 250 jurisdiction because the project involves the construction of improvements for a commercial of purpose, the commercial extraction of mineral resources, on more than ten acres and thus constitutes "development" under Act 250 and applicable rules (see Jurisdictional Opinions #2-121 issued on September 15, 1999, and #2-121.1 issued on November 23, 1999).

The Permittees, and 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 project shall be completed and maintained in accordance with: (a) Land Use Permit #2S1103 issued by the District 2 Environmental Commission on August 15, 2000, except as amended hereby; (b) *Re: Alpine Stone Corporation, ADA Chester Corporation and Ugo Quazzo*, Land Use Permit Application #2S1103-EB, Findings of Fact, Conclusions of Law, and Order issued herewith; (c) the terms and conditions of this permit; and (d) the plans and exhibits admitted and on file with the Environmental Board.
2. Conditions #6 and #10 of Land Use Permit #2S1103 issued by the District 2 Environmental Commission on August 15, 2000 are deleted.
3. Permittees are authorized to remove a maximum of 80 tons (four dump truck loads) of stone per day during the operating season and a maximum of 4,000 tons per season, for a maximum of 25 years. The stone removal area shall be limited to approximately one acre. Permittees shall not physically disturb the rock ledge directly to the west of the quarry.
4. No structures, utilities, utility lines, signage, or lighting shall be erected or installed on the site.
5. Quarry operations shall be limited to fifty days of each year, from May 1st to December 15th. Quarry operations shall be limited to Monday through Friday from 8:00 a.m. to 4:30 p.m. The quarry shall not operate on federal holidays.
6. Permittees shall use only two pieces of equipment at the Project site: a backhoe or excavator, similar in size to a 32,000-pound Samsung SE 130, and a 10-wheel diesel dump truck to haul the stone, or a dump truck that is similar in size to a 10-wheel diesel dump truck. The dump truck shall be equipped with a radar backup alarm, which only sounds when it detects something behind the truck. There shall be no blasting at the site. Permittees may also use a drill, with a bit up to 4 inches in diameter, mounted on the backhoe or excavator. Permittees must maintain mufflers on all diesel equipment.
7. Noise from the Project shall not exceed 55 dB(A) Lmax outside any residence or area of frequent human use.
8. The site shall be protected with a vegetated buffer which now surrounds the quarry and which shall be supplemented by additional plantings between Route

35 and the quarry access road. The land between the quarry and the boundary of the project site shall be kept in its natural, undeveloped state. Where that land is forested, it shall be kept densely forested to the maximum extent possible.

9. Permittees are responsible for all costs of reclamation. Permittees shall open an interest-bearing escrow account for reclamation purposes, and shall make the following deposits into this account: \$2,000 per year for the first 5 years, and \$1,000 per year until the permit expires. Each deposit shall be due on or before December 15th, with the first deposit due on or before December 15, 2002. The escrow account shall be established to provide the Commission with sole control over disbursement of funds. Permittees shall certify to the Commission that the escrow account has been established in accordance with this permit. Said certification, and any supporting documentation, shall be filed with the Commission on or before January 15, 2003.
10. The project shall comply with the conditions stated in the Chester Zoning Board of Adjustment's Conditional Use Determination #349, issued on or about April 27, 2000.
11. This permit shall expire twenty-five years from the date of issuance, unless extended by the District Environmental Commission.

DATED at Montpelier, Vermont, this 4th day of February, 2002.

ENVIRONMENTAL BOARD

_____/s/Marcy Harding_____
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