

CASE NO: 2W1053-EB

LAWS/REGULATIONS INVOLVED:
10 V.S.A. Ch. 151 (Act 250)
Environmental Board Rules

PERMITTEES: West River Acres, Inc.,
Winchester Stables, Inc.

The Vermont Environmental Board (Board) hereby issues Land Use Permit Amendment 2W1053-EB pursuant to the authority vested in it by 10 V.S.A. §§6001-6092 (Act 250). This permit applies to the 54.2 acre parcel identified in Book 76, Pages 104-105 of the land records of the Town of Newfane, Vermont as the subject of deeds to West River Acres, Inc. the Permittees as Grantees. This permit specifically authorizes the Permittees to alter a cattle barn to create 50 horse stalls, reconstruct a demolished barn into an indoor riding arena 100 feet by 175 feet, related facilities and office and to operate a commercial equestrian facility including conducting up to three major horse shows annually located off River Road in the Town of Newfane, Vermont (Project).

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

1. The Permittees, West River Acres, Inc., Winchester Stables, Inc. NJM Realty Trust, Frank Mercede, Trustee shall complete, operate and maintain the project in accordance with: (a) the terms and conditions of Land use Permit Amendment #2S1053 issued by the District 2 Environmental Commission on June 4, 2003 to the extent it is consistent with this Permit and accompanying Findings of Fact, and Conclusions of Law; (b) *Re: West River Acres, Inc., Winchester Stables, Inc., Nicholas Mercede, NJM Realty Ltd. Partnership and Frank J. Mercede Trustee, 2W1053-1-EB Findings of Fact, Conclusions of Law, and Order, issued on even date herewith;* (c) the plans and exhibits on file with the Board; and (d) the conditions of this permit. This Permit through incorporating the Findings of Fact, and Conclusions of Law and Order imposes different permit conditions on Criterion 1(F) than the permit issued by the District 2 Environmental Commission. The Permittees shall not make any changes to the Project without the written approval of the District 2 Environmental Commission.

Dated at Montpelier, Vermont this 16th day of July 2004.

ENVIRONMENTAL BOARD

/s/Patricia Moulton Powden

Patricia Moulton Powden, Chair

George Holland

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