State of Vermont

LAND USE PERMIT

CASE No. 4C0422-5-EB
APPLICANT Sherman Hollow, Inc.,
ADDRESS Richard A. Gadbois, Trustee
Estate of Ned H. Pettengill, and
Roger Lussier and Arthur Elliot by
Jonathan H. Brownell, Esq.
Brownell & Moeser
P.O. 200
Norwich, VT 05055

LAWS/REGULATIONS INVOLVED

10 V.S.A., Chapter 151
(Act 250)

The Vermont Environmental Board hereby issues Land Use Permit Amendment #4C0422-5-EB pursuant to the authority vested in it by 10 V.S.A. Chapter 151. This permit applies to the lands identified in Vol. 24, Page 32 and Vol. 28, Pages 99 and 281 of the Huntington Land Records; and in Vol. 41, Page 565, Vol. 42, Pages 144-146, 283-284, and 375-376 of the Hinesburg Land Records. This permit only authorizes the Permittees to add lighting to 1.5 kilometers of cross-country ski trails at the Sherman Hollow Cross Country Ski Center located on lands in the Towns of Huntington and Hinesburg, Vermont.

The Permittees, and their successors and assigns, are obligated by this permit to complete and maintain the project only as approved by the District #4 Environmental Commission and in accordance with the following conditions:

1. The project shall be completed as set forth in Findings of Fact and Conclusions of Law #4C0422-5-EB, in accordance with the plans and exhibits stamped "Approved" and on file with the District Commission, and in accordance with the conditions of this permit. No changes shall be made in the project without the written approval of the District Commission.

2. By acceptance of the conditions of this permit without appeal, the Permittees confirm and agree for themselves and all successors and assigns in interest 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 Permittees and all successors and assigns in interest. The granting of less than an undivided whole interest in this project is prohibited without prior approval of the District Environmental Commission.

3. 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 in accordance with the terms of the permit.

4. By acceptance of this permit the Permittees agree 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.

5. The types of lights used on the trail shall be the same as those on the existing lighted trails, and they shall be installed in a similar manner and locations.

6. All construction on this project must be completed by November 10, 1989.

7. This permit shall expire on November 10, 2019, unless extended by the District Commission. Notwithstanding the latter date, this permit shall expire one year from date of issuance if the Permittees have not demonstrated an intention to proceed with the project. In any event, substantial construction must occur within two years of the issuance date.

Dated at Montpelier, Vermont this 9th day of November, 1988.

ENVIRONMENTAL BOARD

Jan S. Eastman

Jan S. Eastman, Acting Chair
Ferdinand Bongartz
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LUP 4C0422-5-EB (APL18)