

LAND USE PERMIT
AMENDMENT

	<u>LAWS/REGULATIONS INVOLVED</u>
CASE No. 4C0712-EB	
APPLICANT Clearwater Realty by Peter M. Doremus, Esq.	10 V.S.A. Chapter 151 (Act 250)
ADDRESS Doremus Associates 112 Lake Street Burlington, VT 05401 and Agency of Transportation 133 State Street Montpelier, VT 05602	

The Vermont Environmental Board hereby issues amended Land Use Permit #4C0712-EB pursuant to the authority vested in it by 10 V.S.A. Chapter 151. This permit amendment applies to the lands identified in the Map Rack, Page 44A, of the Land Records of the Town of Shelburne, Vermont, as the subject of a deed to Clearwater Realty, c/o Iris Lash, the Permittee, as grantee. This permit amendment revises the conditions of Land Use Permit #4C0712 which authorizes the subdivision of 10 acres into 10 residential lots to be served by a new 1,000-foot road and municipal sewer and water located off Clearwater Drive in Shelburne, Vermont.

The Permittee, and its successors and assigns, is obligated by this permit to complete and maintain the project only as approved by the District #4 Environmental Commission in accordance with the terms and conditions of Land Use Permit #4C0712, except as amended hereby; the plans, exhibits, and testimony submitted to the Environmental Board by the Permittee; and Findings of Facts and Conclusions of Law #4C0712-EB.

CONDITIONS

- A. Condition 10 is deleted from the permit and a new Condition 10 is added to read:
10. During the re-routing of the water line, the Permittee shall take all necessary steps to ensure that water service to the existing users is not unduly disrupted. The Permittee shall provide adequate advance notice of any activities which potentially may be disruptive to the existing users. Excavation in the area of the existing water lines shall be done by hand. The Permittee shall be responsible immediately for any damage or remediation to any person's water lines. Before commencing construction, the Permittee shall submit to the District Commission a specific proposal for the establishment of an escrow account or other financial guarantee in the amount of \$5,000 to cover the costs of properly repairing any such damage.

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B. A new Condition 26 is added to read:

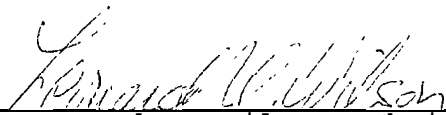
26. Prior to commencing construction, the Permittee shall submit a landscaping plan to the District Commission for its review and shall obtain approval therefor. The landscaping plan shall, at a minimum, identify the existing trees being cut and the species, size, and location of additional plantings.

C. A new Condition 27 is added to read:

27. The three-foot drainageway in the 25-foot beach access path at the northerly end of the subdivision shall not interfere with the existing use of the path.

Dated at Montpelier, Vermont this 10th day of May, 1989.

ENVIRONMENTAL BOARD



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LUP 4C0712-EB (apl20)