

CASE NO: 4C1130-EB

PERMITTEES: *Intervale Partners, LP*

*and*

*Eton LLC*

*And*

*Lake Champlain Housing Development Corp.*

Laws/Regulations Involved

10 V.S.A. Ch. 151 (Act 250)

The Vermont Environmental Board hereby issues Land Use Permit 4C1130-EB, pursuant to the authority vested in it by 10 V.S.A. §§6001-6092. This permit applies to the lands identified in Book 859, Pages 512 - 514 of the land records of the City of Burlington, Vermont, as the subject of a deed to Eton LLC, the Permittees as grantees.

This permit specifically authorizes the Permittees to construct a 27-unit, 29,000 square foot 3-story apartment building and a 1600 square foot addition to Burgess Electric (Project). The Project is located on Intervale Avenue in the City of Burlington.

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, operated and maintained in accordance with: (a) the terms and conditions of Land Use Permit #4C1130 issued by the District 4 Environmental Commission on August 18, 2004, and (b) the conditions of this permit.
2. Permittees shall implement and comply with the provisions of the March 2, 2005 (revised May 12, 2005) Corrective Action Plan for the property at 102 Archibald Street, Burlington, Vermont, as approved by the Sites Management Section of the Department of Environmental Conservation of the Agency of Natural Resources on June 30, 2005.

3. Notwithstanding any provisions of the Corrective Action Plan to the contrary, any fill materials excavated at the Project site shall be permanently removed from the Project site on the day that they are excavated. If the Permittees develop and implement a Soil Erosion Control Plan, such materials may be stockpiled at the Project site for a short period of time before being removed, as long as they are removed on the day that they are excavated.

Dated at Montpelier, Vermont this 15th day of February 2006.

ENVIRONMENTAL BOARD

/s/Patricia Moulton Powden

Patricia Moulton Powden, Chair

George Holland

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