

|            |                                   |                           |
|------------|-----------------------------------|---------------------------|
| CASE NO.:  | #5L1348-EB                        | LAWS/REGULATIONS INVOLVED |
| APPLICANT: | Brewster River Land Company, LLC  | 10 V.S.A. §§6001-6092     |
| ADDRESS:   | PO BOX 300<br>Cambridge, VT 05444 | (Act 250)                 |

The Vermont Environmental Board (“Board”) hereby issues Land Use Permit #5L1348-EB pursuant to the authority vested in it by 10 V.S.A. §§ 6001-6092 (“Act 250”). The project authorized by this permit is subject to Act 250 pursuant to 10 V.S.A. § 6001(3) and Environmental Board Rule 2(A)(3). This permit applies to the lands identified in Book 157, Pages 503-505, of the land records of Cambridge, Vermont (“Project Site”), as the subject of a deed to Brewster River Land Company, LLC (the “Permittee”).

This permit specifically authorizes the Permittee to construct and operate 32 residential housing units to be configured in three buildings on a 5.4 acre tract of land located off Church Street in the Village of Jeffersonville within the town of Cambridge (the “Project”). Twenty-two of the Project’s units will be in a single building designed as senior housing (“Senior Building”), and the Project’s remaining ten units will be in two identical buildings of five units each and are classified as affordable housing units (“Affordable Buildings”).

The Permittee and its assigns and successors in interest are obligated by this permit to complete, operate and maintain the Project as approved by the Board in accordance with the following conditions:

1. The Project shall be constructed, operated and maintained in accordance with:
  - A) The terms and conditions of Land Use Permit #5L1348 issued by the District #5 Environmental Commission on April 7, 2000 to Brewster River Land Co., LLC (“Permit”), and *Re: Brewster River Land Company, LLC, #5L1348, Findings of Fact and Conclusions of Law and Order (April 7, 2000) (“Decision”)*, except as modified herein;
  - B) *Re: Brewster River Land Company, LLC, #5L1348-EB, Findings of Fact, Conclusions of Law, and Order issued on February 22, 2001 (“Board Decision”)*;
  - C) The plans and exhibits on file with the District #5 Environmental Commission and the Board; and
  - D) The conditions of this permit.

No substantial or material changes shall be made to the Project without the

written approval of the District #5 Environmental Commission.

2. The Project's three buildings' exteriors shall conform to the architectural drawings submitted as Board Exhibit P81, and the Project's final construction plans shall conform to Board Exhibit P71. The Senior Building's 22 residential units will be on three levels of above-ground living space, with the top level of living space above the eave line. The Senior Building will be 37 feet in height at the peak of its roof.
3. The Permittee shall construct the fences provided for in the Board Decision, and shall be responsible for repairing fence damage if it is caused by Project residents. Otherwise, adjoining neighbors shall be responsible for routine fence maintenance and repair such as painting or replacement of rotted wood.
4. To help prevent pedestrian shortcuts through neighbors' backyards, if new pedestrian shortcuts occur where neighbors did not have fencing or landscaping installed with the issuance of this permit, then such neighbors may request that the Permittee install fencing and/or landscaping in an amount not to exceed \$350 per request. To accommodate future requests, the Permittee shall set aside \$750 for a three year period in Permittee's attorney trust account. Any funds remaining after three years from the date of issuance of this permit shall be returned to the Permittee, and Permittee's obligation under this condition shall terminate.
5. This permit hereby incorporates all of the conditions of Agency of Natural Resources, Department of Environmental Conservation, Wastewater Management Division, Discharge Permit No. 1-1456 issued on January 2, 2001.

Dated at Montpelier, Vermont this 22nd day of February, 2001.

ENVIRONMENTAL BOARD

\_\_\_\_\_/s/Marcy Harding\_\_\_\_\_  
Marcy Harding, Chair  
John Drake  
George Holland  
Samuel Lloyd  
W. William Martinez  
Rebecca M. Nawrath\*  
Alice Olenick

\* Rebecca M. Nawrath did not participate in the final deliberation but she reviewed and concurred with the permit.