

STATE OF VERMONT  
ENVIRONMENTAL BOARD  
10 V.S.A. CHAPTER 151

RE: Mad River Valley Enterprises, Inc.  
c/o The Bridges  
Warren, Vermont 05674  
#5W0549-EB and #5W0549-1-EB

ORDER

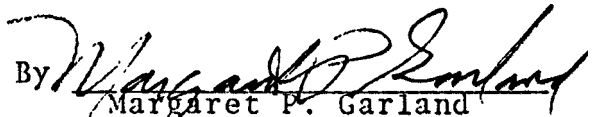
This is an appeal of Land Use Permit #5W0549 issued by the District #5 Environmental Commission on November 13, 1979. The parties to the appeal **appeared before** the Environmental Board on February 19, 1980 and stated that they had reached agreement on the technical conditions of the wastewater disposal system that were in contention. Their **agreement** will require design alterations to this project as well as modifications in the Certification of Compliance issued by the Agency of Environmental Conservation for the wastewater disposal system.

No evidence was heard by **the** Environmental Board on these **issues**; however, the parties have stated that they had no objection to submitting their agreement to the District Environmental Commission for review in an amendment proceeding. Section 809(d) of the Administrative Procedure Act permits the parties to a contested case to make informal disposition of the case by stipulation unless otherwise precluded by law. We find that the **resolution** of this matter proposed by the parties satisfies the **requirements** of Act 250, and is not precluded by law. Since the resolution of the appeal involves modifications to the project, further proceedings before the District Commission are appropriate and a permit amendment is **required**.

The stipulation for dismissal of this appeal is therefore accepted and the appeal is dismissed. The applicant will apply to the District Commission for an amendment to the land use permit which authorizes the alterations in **project** design and the Certificate of Compliance that are contemplated in the agreement of the parties.

Dated at Montpelier, Vermont this 5th day of **March**, 1980.

ENVIRONMENTAL BOARD

By   
Margaret P. Garland  
Chairman