



State of Vermont

LAND USE PERMIT

REVISED AMENDMENT

CASE No.	6F0192-3-EB	<u>LAWS/REGULATIONS INVOLVED</u>
APPLICANT	"The Switchyard"	
ADDRESS	c/o Myron Hunt Statler Building - Suite 1306 Buffalo, New York 14202	10 V.S.A., Chapter 151 (Act 250)

The Environmental Board (the "Board") hereby issues a Land Use Permit Revised Amendment pursuant to the authority vested in it in 10 V.S.A., Chapter 151. This revised amendment applies to the lands identified in Book 36, Pages 65-69 of the Land Records of the City of St. Albans, Vermont, as the subject of a lease to Myron Hunt, the "permittee" as "grantee". This permit specifically approves the demolition of the two-story tower structure in the "The Switchyard" shopping center, and an IGA logo sign to be placed above the store entrance.

The permittee, his assigns and successors in interest, are obligated by this permit to complete and maintain the project only as approved by District #6 Environmental Commission (the "Commission") in accordance with the conditions of Land Use Permit 6F0192-1 and 6F0192-2-EB, except as amended herein.

CONDITIONS

1. Condition #1 of Land Use Permit #6F0192-1 is amended to read as follows:

The project shall be completed as set forth in Findings of Fact and Conclusions of Law #6F0192-1, except as modified by the Findings of Fact and Conclusions of Law of the Board, #6F0192-2-EB, in accordance with the plans and exhibits stamped "Approved" and on file with the Commission, and in accordance with the conditions of this permit as amended. No changes shall be made in the project without the written approval of the Commission.

2. Condition #2 of Land Use Permit Amendment #6F0192-2-EB dated October 12, 1982, is revised to read as follows:

The permittee shall complete final landscaping for the project as depicted on plans prepared by Trudell Consulting Engineers, Inc., submitted to the Board on August 23, 1983, as Exhibit #1 (five sheets). Any significant deviation from those plans shall be approved in advance by the Commission. Landscaping shall be completed as depicted on or before July 1, 1984. The permittee and all assigns and successors in interest shall maintain said landscaping as approved by replacing any dead or diseased plantings as soon as seasonably possible.

Should, for any reason, the 40 & 8 car be removed from the site (except temporarily for ordinary maintenance or repair purposes) the permittee shall immediately notify the Commission in writing and within 30 days file alternative plans for approval by the Commission in conformance with the Board's decisions on October 12, 1982 and September , 1983.

3. Condition #4 of Land Use Permit #6F0192-1 is amended to read as follows:

The permittee and all assigns and successors in interest shall maintain continuously the landscaping substantially as approved in Exhibits #13 and #14 by replacing any dead or diseased plantings as soon as seasonably possible. The permittee shall submit to the Commission a revised final landscaping plan that incorporates the previously approved locomotive or caboos display by April 1, 1983. All plantings and landscaping requirements must be completed by June 30, 1983.

4. Condition #6 of Land Use Permit #6F0192-1 is amended to read as follows:

The permittee shall secure the area immediately surrounding the existing brick tower in order to guarantee public safety until such time as the tower is demolished. This requirement may be met by the installation of acceptable fencing.

5. Condition #7 of Land Use Permit #6F0192-1 is deleted.

6. Condition #8 of Land Use Permit #6F0192-1 is amended to read as follows:

The permittee shall provide the Commission for its approval, drawings of any revised **signage**.

All conditions of Land Use Permit #6F0192-1 and #6F0192-2-EB remain in full force and effect except as amended herein.

Dated at Montpelier, Vermont, this 17th day of October, 1983.

Board members approving
this **decision**:
Ferdinand Bongartz
Melvin H. Carter
Leonard U. Wilson

ENVIRONMENTAL BOARD





