



State of Vermont

LAND USE PERMIT

CASE No. 7C0565-EB
APPLICANT Vermont Electric Power
ADDRESS Company, Inc. by
William A. Gilbert, Esq.
Downs, Rachlin & Martin
9 Prospect Street
St. Johnsbury, VT 05819-0099

LAWS/REGULATIONS INVOLVED

10 V.S.A., Chapter 151
(Act 250)

The Vermont Environmental Board ("**the** Board") hereby issues a Land Use Permit pursuant to the authority vested in the Board by 10 V.S.A., Chapter 151. This permit applies to the lands identified in Book 31, Page 171 of the Land Records of the Town of Sheffield, Vermont, as the subject of a deed from Joseph P. Vesley to Vermont Electric Power Company, Inc.

This permit specifically authorizes the construction of a 76' tower with two microwave dish antennae, a 12' by 20' by 10' building to house microwave radio equipment, and the installation of a 746' long access road to the project site from Vermont Route 122 in Sheffield, Vermont,

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

CONDITIONS


1. The project shall be completed as set forth in District #7 Environmental Commission's ("the Commission") findings of fact and conclusions of law in #7C0565; in accordance with the plans and exhibits stamped "Approved" and on file with the Commission; and in accordance with the conditions of this permit. No changes shall be made in the project without first securing the written approval of the Commission.
2. By acceptance of the conditions of this permit without appeal, the Permittee confirms and agrees for itself and all assigns and successors in interest that the conditions of this permit shall run with the land and the land uses herein permitted, and will be binding upon and enforceable against the Permittee and all assigns and successors in interest.
3. Continuing jurisdiction is maintained by the Commission during the lifetime of the permit and the Commission may periodically require that the holder file an **affidavit** certifying that the project is being completed in accordance with the terms of the permit.

4. The Permittee shall conform with the erosion control requirements depicted on Commission Exhibit #19.
5. Prior to the commencement of any construction on the project, the Permittee shall individually mark with bright material the large maple trees adjacent to the proposed access roadway, shall encircle those trees with snow fence, and shall prevent all injury or destruction of those trees. The Permittee shall keep all right-of-way cutting to the absolute minimum required for construction of the road and access to the site.
6. Prior to commencement of construction VELCO shall secure the legal authority to protect (by securing fee title, restrictive covenant or other method) all vegetation surrounding the Permittee's two acre construction site which would have the effect of screening the lower portions of the tower when erected. The instrument by which VELCO secures such protection, together with a plan depicting the protected area shall be submitted to the Board for its approval prior to commencement of construction. Upon approval of the instrument and plan, screening vegetation shall not be removed within the protected area without approval from the District #7 Environmental Commission.
7. Upon completion of the project as approved, no physical change in the tower (including changes in size, shape, color or additional or different antennae), change in the tower's use, vegetative cutting or other site alteration shall occur without the prior approval of the District #7 Environmental Commission.
8. Construction under the terms of this Permit shall be completed on or before October 1, 1986.
9. This Permit shall expire on October 1, 1996, unless extended by the District #7 Environmental Commission.
10. Notwithstanding, this permit shall expire one year from date of issuance if the Permittee has not demonstrated an intention to proceed with the project.

Dated at Montpelier, Vermont this 12th day of December, 1984.

VERMONT ENVIRONMENTAL BOARD

By:


Margaret P. Garland, Chairman