



## LAND USE PERMIT

### ADMINISTRATIVE AMENDMENT

**CASE:** #6F0633-2

Energtek North Country, Inc.  
1350 Ave of the Americas, Suite 1200  
New York, NY  
10019

**LAWS/REGULATIONS INVOLVED**

10 V.S.A. §§ 6001 – 6092 (Act 250)  
Act 250 Rule 34(D)

District Environmental Commission #6 hereby issues Land Use Permit Administrative Amendment #6F0633-2 pursuant to the authority vested in it by 10 V.S.A., §§ 6001-6093. This permit amendment applies to the lands identified in Book 323, Pages 510, of the land records of the Town of Swanton, Vermont and authorizes the placement of clean fill in an area between the Interstate 89 boundary and an existing Class III Wetland in an industrial subdivision previously approved for the construction of a commercial development.

1. Except as amended herein, all terms and conditions of Land Use Permit #6F0633 and subsequent amendments remain in full force and effect.
2. The Permittee, and its assigns and successors in interest, is obligated by this permit to complete, operate and maintain the project as approved by the District Commission in accordance with the following conditions.
3. The project shall be completed, operated and maintained in accordance with: (a) the conditions of this permit, (b) the permit application, plans, and exhibits on file with the District Environmental Commission and other material representations.

The approved plans are:

Sheet C-1.2 - "Grading Plan," dated 4/7/2015.

4. All disturbed areas of the site shall be stabilized, seeded and mulched immediately upon completion of final grading. All disturbed areas not involved in winter construction shall be mulched and seeded before October 1. Between the periods of October 1 to April 15, all earth disturbing work shall conform with the "Requirements for Winter Construction" standards and specifications of the Department of Environmental Conservation's *Low Risk Site Handbook for Erosion Prevention and Sediment Control* (2006).
5. All site work involving the Project shall be completed in accordance with the approved plans by October 15, 2018 unless an extension of this date is approved in writing by the Commission. Such requests to extend must be filed prior to the deadline and approval may be granted without public hearing.
6. Failure to comply with all of the above conditions may be grounds for permit revocation pursuant to 10 V.S.A. § 6027(g).

Administrative Amendment

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Dated at Essex Junction, Vermont, this 20<sup>th</sup> day of April, 2015.

By /s/ Geoffrey W. Green  
Geoffrey W. Green, District #6 Coordinator  
as authorized by Chair of the District  
Commission Dan Luneau  
111 West Street  
Essex Junction, VT 05452

This permit is issued pursuant to Act 250 Rule 34(D), Administrative Amendments, which authorizes a district coordinator, on behalf of the District Commission, to "amend a permit without notice or hearing when an amendment is necessary for record-keeping purposes or to provide authorization for minor revisions to permitted projects raising no likelihood of impacts under the criteria of the Act." The rule also provides that all parties of record and current adjoining landowners shall receive a copy of any administrative amendment.

Prior to any appeal of this Administrative Amendment to the Superior Court, Environmental Division, the applicant or a party must file a motion to alter with the District Commission within 15 days from the date of this Administrative Amendment, pursuant to Act 250 Rule 34(D)(2).

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## CERTIFICATE OF SERVICE

I hereby certify on this 20<sup>th</sup> day of April, 2015, a copy of the foregoing **ACT 250 LAND USE PERMIT #6F0633-2**, was sent by U.S. mail, postage prepaid to the following individuals without email addresses and by email to the individuals with email addresses listed.

**Note: any recipient may change its preferred method of receiving notices and other documents by contacting the District Office staff at the mailing address or email below. If you have elected to receive notices and other documents by email, it is your responsibility to notify our office of any email address changes.** All email replies should be sent to [nrb-act250essex@state.vt.us](mailto:nrb-act250essex@state.vt.us). Please note you can now fill out and submit the Act 250 survey online at: <http://permits.vermont.gov/act250-survey> instead of printing and mailing the attached pdf version.

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Chair, Selectboard/Chair, Planning Commission  
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[scott.dillon@state.vt.us](mailto:scott.dillon@state.vt.us)

### FOR YOUR INFORMATION

District #6 Environmental Commission  
Dan Luneau, Chair  
111 West Street  
Essex Junction, VT 05452

### ADJOINING LANDOWNERS

On File at District Commission Office

Dated at Essex Jct., Vermont, this 20<sup>th</sup> day of April, 2015.

/s/ Barbara J. Cady  
879-5614  
[Barbara.cady@state.vt.us](mailto:Barbara.cady@state.vt.us)