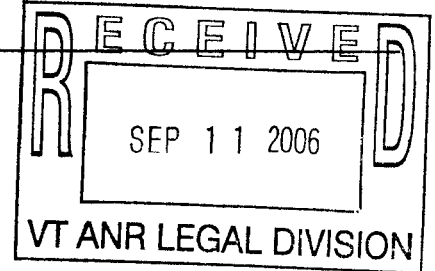




State of Vermont

ANR

LAND USE PERMIT
AMENDMENT



CASE NO 5L1279-2 LAWS/REGULATIONS INVOLVED
APPLICANT David Boyden and the Boyden Property Group, LLC 10 V.S.A., §§ 6001 - 6092
ADDRESS 64 Vermont Route 104 Cambridge Vermont 05444 (Act 250)

District Environmental Commission #5 hereby issues Land Use Permit Amendment #5L1279-2, pursuant to the authority vested in it by 10 V.S.A., §§ 6001-6092. This permit amendment applies to the lands identified in Book 238, Pages 271-275, of the land records of the Town of Cambridge, Vermont, as the subject of a deed to Boyden Property Group, LLC, the Permittee as Grantee.

This permit specifically reduces jurisdiction over the 298 acre farm tract, pursuant to the provisions of 10 V.S.A. 6001(3)(E), to the commercial project permitted in Land Use Permit 5L1279, being a commercial winery involving 2.1 acres of the tract which is located off Vermont Route 104 in the Town of Cambridge, Vermont..

The project is subject to Act 250 jurisdiction pursuant to Natural Resources Board Rules 2(C)(6) and 34(C).

The Permittees, and their assigns and successors in interest, are obligated by this permit to complete, operate and maintain the project as approved by the District Environmental Commission in accordance with the following conditions:

- 1. By acceptance of this permit, the Permittees agree to allow representatives of the State of Vermont access to the property covered by the permit, at reasonable times, for the purpose of ascertaining compliance with Vermont environmental and health statutes and regulations and with this permit.
2. The project shall be completed, operated and maintained in accordance with the plans and exhibits on file with the District Environmental Commission and the conditions of this permit.
3. No changes shall be made in the design or use of this project without the written approval of the District Coordinator or the District Environmental Commission, whichever is appropriate under the Environmental Board Rules.

4. The District Environmental Commission maintains continuing jurisdiction during the lifetime of the permit and may periodically require that the permit holder file an affidavit certifying that the project is being completed, operated and maintained in accordance with the terms of the permit, as provided by 10 V.S.A., Chapter 151 and the rules of the Natural Resources Board.
5. By acceptance of the conditions of this permit without appeal, the Permittees confirm and agrees 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 Permittees and all assigns and successors in interest.
6. All conditions of Land Use Permit #5L1279 are in full force and effect except as amended herein.
7. Pursuant to 10 V.S.A. § 6090(b), this permit amendment is hereby issued for an indefinite term, as long as there is compliance with the conditions herein.
8. Failure to comply with all of the above conditions may be grounds for permit revocation pursuant to 10 V.S.A., § 6090(b).

Dated at Barre, Vermont, this 8th day of September 2006.

By /s/ Elizabeth McLain
Elizabeth McLain, Chair
District 5 Environmental Commission

Members participating in this decision:

Ruth Towne
Charles Haynes

Any party may file a motion to alter with the District Commission within 15 days from the date of this decision, pursuant to Environmental Board Rule 31(A). Decisions on minor applications may be appealed only if a hearing was held by the district commission. Please note that there are certain limitations on the right to appeal. See 10 V.S.A. §8504(k). Any appeal of this decision must be filed with the clerk of the Environmental Court within 30 days of the date of issuance, pursuant to 10 V.S.A. Chapter 220. The appellant must attach to the Notice of Appeal the entry fee of \$225.00; payable to the State of Vermont.

Land Use Permit 5L1279-2
David Boyden & Mark Boyden
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The Notice of Appeal must include all information required by Rule 5(b)(3) of the Vermont Rules for Environmental Court Proceedings (VRECP). The appellant must also serve a copy of the Notice of Appeal on the Natural Resources Board, National Life Records Center Building, Drawer 20, Montpelier, VT 05620-3201, and on other parties in accordance with Rule 5(b)(4)(B) of the VRECP. For further information, see the Vermont Rules for Environmental Court Proceedings, available on line at www.vermontjudiciary.org. As of February 14, 2005 the address for the Environmental Court is: Environmental Court, 2418 Airport Road, Suite 1, Barre, Vermont 05641-8701. (Tel. #802-828-1660)

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CERTIFICATE OF SERVICE

I hereby certify that I sent a copy of the foregoing LAND USE PERMIT #5L1279-2 (DAVID BOYDEN) by U.S. Mail, postage prepaid, on this 8th day of September, 2006, to the following:

David Boyden and the
Boyden Property Group, LLC
64 Vermont Route 104
Cambridge Vermont 05444

Mark Boyden
44 Vermont Route 104
Cambridge Vermont 05444

Cambridge Select Board
c/o Town Clerk
PO Box 127
Jeffersonville Vermont 05464

Cambridge Planning Commission
c/o Chris Bolen
PO Box 246
Cambridge Vermont 05444

Lamoille County Planning Commission
PO Box 1009
Morrisville Vermont 05661

Elizabeth Lord
Land Use Attorney
Planning Division ANR
103 South Main Street
Waterbury Vermont 05676

FOR INFORMATION ONLY

Cambridge Town Clerk
PO Box 127
Jeffersonville Vermont 05464

District 5 Environmental Commission
5 Perry Street Suite 60
Barre Vermont 05641

BY



Lori Turner
Administrative Secretary

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