



State of Vermont

LAND USE PERMIT ADMINISTRATIVE AMENDMENT

CASE: #7R0019-1-B
APPLICANT Fort Fairfield BP, LLC
ADDRESS 12 Pleasant Street
Colebrook, NH 03576

LAWS/REGULATIONS INVOLVED
10 V.S.A. §§ 6001 – 6093 (Act 250)
Act 250 Rule 34(D)

District Environmental Commission #7 hereby issues Land Use Permit Administrative Amendment #7R0019-1-B pursuant to the authority vested in it by 10 V.S.A., §§ 6001-6093. This permit amendment applies to $\pm$ 5.6 acres of land identified in Book 278, Pages 342-343, of the land records of the Town of Derby, Vermont. The property is located at 144 and 190 Citizens Road, Derby, Vermont.

This permit specifically authorizes subdivision of Lot 2 to create Lot #2A $\pm$ 3.37 acres with the existing office building (“A”) located at 190 Citizens Road, and Lot #2B $\pm$ 2.23 acres with the existing office/garage building (“B”) located at 1444 Citizens Road. This permit also authorizes construction of a new (replacement) water supply (drilled well) to serve the building on Lot #2B, pursuant to a wastewater system and potable water supply permit issued by the Agency of Natural Resources. Other than the new water supply, this permit does not authorize additional construction.

1. The Permittee and its assigns and successors in interest, are obligated by this permit to complete, operate and maintain the project as approved by the District Commission in accordance with the following conditions.
2. The project shall be completed, operated and maintained in accordance with: (a) the conditions of this permit, and (b) the permit application, plans, and exhibits on file with the District Environmental Commission and other material representations.
3. Except as amended herein, all terms and conditions of Land Use Permit #7R0019 remain in full force and effect.
4. The Permittee shall comply with all of the conditions of the following Agency of Natural Resources Permit:

Wastewater System and Potable Water Supply Permit #WW-7-4663-1 issued on January 28, 2019 by the Agency of Natural Resources.
5. Any nonmaterial changes to the permit listed in the preceding condition shall be automatically incorporated herein upon issuance by the Agency of Natural Resources.

6. No change shall be made to the design, operation or use of this project without a permit amendment issued by the District Commission or a jurisdictional opinion from the District Coordinator that a permit is not required.
7. Pursuant to 10 V.S.A. § 6090(b)(1) this permit amendment is hereby issued for an indefinite term, as long as there is compliance with the conditions herein.
8. All site work and construction (of the new water supply) shall be completed in accordance with the approved plans by October 15, 2021, 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.
9. Failure to comply with any condition herein may be grounds for permit revocation pursuant to 10 V.S.A. sec. 6027(g).

Dated at St. Johnsbury, Vermont, this 15th day of February, 2019.

By /s/ Kirsten Sultan
Kirsten Sultan, P.E. Coordinator
District #7, Natural Resources Board
374 Emerson Falls Road, Suite 4
St Johnsbury, VT 05819
802-751-0126
kirsten.sultan@vermont.gov

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).

CERTIFICATE OF SERVICE

I hereby certify that I, Gina St Sauveur, Natural Resources Board Technician, District #7 Environmental Commission, sent a copy of the foregoing document Act 250 Permit Amendment #7R0019-1-B for Fort Fairfield BP, LLC, Colebrook NH by U.S. Mail, postage prepaid to the following individuals without e-mail addresses and by e-mail to the individuals with e-mail addresses listed, on this 15th day of February, 2019.

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 e-mail below. If you have elected to receive notices and other documents by e-mail, it is your responsibility to notify our office of any e-mail address changes.

Fort Fairfield BP, LLC
12 Pleasant Street
Colebrook, NH 03576
dhebert@dhigc.com

Town of Derby
ATTN: Select Board
c/o Town Clerk
124 Main Street
Derby, VT 05829
derbytowntclerk@derbyvt.org

Town of Derby
Planning Commission
ATTN: Bob Kelley
Derby Zoning Administrator
124 Main Street
Derby, VT 05829
derbyza@derbyvt.org

Northeastern Vermont Development
Association
PO Box 630
St. Johnsbury, VT 05819
dsnedeker@nvda.net
inaigle@nvda.net

Agency of Natural Resources
Office of Planning & Legal Affairs
1 National Life Drive
Davis 2
Montpelier, VT 05620-3901
ANR.Act250@vermont.gov

For Your Information:

District #7 Environmental
Commission
Eugene Reid, Chair
Keith Johnson, Nicole Davignon
374 emerson Falls Road, Suite 4
St. Johnsbury, VT 05819
NRB.act250stj@vermont.gov
kirsten.sultan@vermont.gov

Adjoiners:
On file with the District Commission.



Gina St Sauveur
Natural Resources Board
Technician