LAND USE PERMIT
AMENDMENT

State of Vermont Land Use Review Board
District 5 Environmental Commission
10 Baldwin Street, Montpelier, VT 05633-3201
https://act250.vermont.gov/

Swenson Granite Company, LLC
Attn: Mark Geiger
369 North State Street
Concord, NH 03301

PERMIT NUMBER:
5W0838-6
LAW/REGULATIONS INVOLVED:
10 V.S.A. §§ 6000 – 6111 (Act 250)

The District 5 Environmental Commission hereby issues Land Use Permit Amendment 5W0838-6, pursuant to the authority vested in it by 10 V.S.A. §§ 6000-6111. This permit amendment applies to the lands identified in Book 45, Pages 659-661 and 615 to 661; Book 48. Page 609 and Book 69, Pages 694-695 of the land records of Woodbury, Vermont as the subject of a deed to Swenson Granite Company, LLC. This permit specifically authorizes the expansion of the quarry's existing extraction footprint northward. (Extraction will continue from south to north) Operational changes include establishment of a new waste stockpile (grout) storage area on the hillside to the north. A mobile crusher will be brought onsite for a maximum of 45 days per year to process the grout (20,000 cubic yards annually) into a saleable product. Three additional stormwater detention ponds will be constructed downhill of the existing pond. There are no changes proposed to the previously approved 750,000 cubic feet of annual saleable extraction volume. The 492 acres project tract is located at 1127 Cabot Road in Woodbury, Vermont.

Jurisdiction is attached because the project constitutes a material change pursuant to Act 250 Rule 2(C)(6) and thus requires a permit amendment pursuant to Act 250 Rule 34.

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 (the "Commission") in accordance with the following conditions.
2. The project shall be completed, operated, and maintained in accordance with the conditions of this permit and the permit application, plans, and exhibits on file with the Commission. In the event of any conflict, the terms and conditions of this permit shall supersede the approved plans and exhibits. The approved plans are:

   Exhibit 11, Sheet C0.00 - "Cover" dated 8/1/2025.

   Exhibit 12, Sheet C0.01 - "Legend and Notes", dated 8/120/25.

   Exhibit 13, Sheet C1.00 - "Project Index", dated 8/1/2025.

   Exhibit 14, Sheet C1.01 - "Overall Existing Conditions", dated 8/1/2025.

   Exhibits 15 and 16, Sheets C1.02 and C1.03 - "Existing Conditions", dated 8/1/2025.

   Exhibit 17, Sheet C2.00 - "Project Overview Plan", dated 8/1/2025.

   Exhibit 18, Sheet C2.01 - "Phasing Plan", dated 8/1/2025.

Exhibits 19-23, Sheets C2.02 through C2.06 – “Overall Site Plan”, “Southern Overall Site Plan, “Northern Overall Site Plan”, “Southeast Site Plan”, “Southwest Site Plan”, dated 8/1/2025.

Exhibit 24, Sheet C2.07 - “Detention Basin 2 and 3”, dated 8/1/2025.

Exhibit 25, Sheet C4.01 - “Stormwater Plan”, dated 8/1/2025.

Exhibit 26, Sheet C5.01- “EPSC Plan”, dated 8/1/2025.

Exhibits 27-35, Sheets C6.01 through C6.09 - “Plan and Profile”, dated 8/1/2025.

Exhibits 36-37, Sheet C7.01 through C7.02 - “Site Profiles A and B”, dated 8/1/2025.

Exhibit 38, Sheet C7.03 – “Access Road Profile”, dated 8/1/2025.

Exhibits 39-40, Sheets C8.01 and C8.02 - “Stormwater Details”, dated 8/1/2025.

Exhibit 41, Sheet C8.03 - “Erosion Details”, dated 8/1/2025.

3. All conditions of Land Use Permit 5W0836-6 and amendments are in full force and effect except as further amended herein.
4. The Permittee shall comply with the conditions of Authorization of Notice of Intent to Discharge Stormwater 6407-9050 issued on October 29, 2026, by the ANR Watershed Management Division.
5. Prior to expanding into the future northern support areas (Areas 4a, 4b, and 5) for Phases 2, 3 & 4, the Permittee shall obtain coverage for the full buildout of the associated areas under amended NPDES and 3-9050 from the ANR Watershed Management Division. Any non-material changes to the permit listed in the preceding condition shall be automatically incorporated herein upon issuance by the Agency of Natural Resources**.** (Exhibit 48)
6. The Permittee shall comply with the conditions of Authorization to Discharge Stormwater under Multi-Sector General Permit 6407-9003.R1 (EPA NPDES Permit Number VTS007981), authorized on February 23, 2026, by the ANR Watershed Management Division.
7. The Permittee shall comply with the conditions of Air Pollution Control Permit AP-08-030 (DEC#BR96-0042 March 11, 2016, issued on by the ANR Air Quality and Climate Division.
8. Representatives of the State of Vermont shall have access to the property covered by this permit, at reasonable times, for the purpose of ascertaining compliance with Vermont environmental and health statutes and regulations and with this permit.
9. A copy of this permit and plans shall be on the site at all times throughout the construction process.
10. No change shall be made to the design, operation, or use of this project without a permit amendment issued by the Commission or a jurisdictional opinion from the District Coordinator that a permit amendment is not required.
11. No further subdivision, alteration, or development on the tract of land approved herein shall be permitted without a permit amendment issued by the Commission or a jurisdictional opinion from the District Coordinator that a permit is not required.
12. Pursuant to 10 V.S.A. § 8005(c), the Commission or the Land Use Review Board may at any time require that the permit holder file an affidavit certifying that the project is in compliance with the terms of this permit.

13. The conditions of this permit and the land uses permitted herein shall run with the land and are binding upon and enforceable against the Permittee and its successors and assigns.
14. To resolve the issue of the highway impact fee paid by the Permittee to the Town of Woodbury, this permit hereby incorporates the conditions of *Act 250 Permit Stipulation between Swenson Granite Company, LLC and the Town of Woodbury*, Vermont, executed on September 18, 2026, herein as Exhibit 63.
15. The Permittee shall prohibit loaded truck traffic from the quarry from using Cabot Road between the hours of 7:15AM to 8:00AM and 2:45PM to 3:30PM to minimize any traffic conflict with school bussing hours. The Permittee shall also delay winter shipments until the Town of Woodbury has a chance to salt the roads. Additionally, the Permittee shall collaborate daily with the Town of Woodbury during “mud season” to avoid damaging the unpaved, Cabot Road.
16. The mobile crusher shall be limited to 45 working days per year, 350 hours per year, Monday through Friday from 7:00 AM to 4:30 PM. The crusher shall not operate on weekends or state and federal holidays.
17. The mobile crusher shall have a permit to operate from the District Commission and the Vermont Air Quality and Climate Division.
18. Saturday trucking events shall be limited to two times per year, and no trucking shall occur on Sundays. Special permission and/or notification for trucking on Saturdays shall be requested of the Town of Woodbury. Any changes to the frequency of trucking beyond the two permitted events shall require an amendment from the District Commission.
19. To control dust, the Permittee shall apply and maintain water and/or other agents approved by the Watershed Management Division in the project’s Erosion Prevention and Control Plan on all roadways or disturbed areas during the lifetime of the project.
20. The Permittee shall take reasonable precautions at all times to prevent fugitive particulate matter (dust) from becoming airborne from the project and its operations. Reasonable precautions to be taken shall include, but not be limited to, the following measures or other equally effective measures for project operations and activities under the Permittee’s control or supervision:
    a. Any unpaved traffic and parking areas at the project shall be periodically maintained by the application of water and/or generally accepted chemical treatments, such as calcium chloride unless otherwise restricted, which are applied at a rate and frequency to effectively limit visible dust emissions.
    b. The paved traffic and parking areas at the project shall be periodically maintained as necessary to prevent buildup of material that may generate fugitive dust emissions. Sweeping shall be performed in a manner to minimize fugitive dust air emissions and may include lightly wetting the paved surface immediately before sweeping, or preferably by the use of a vacuum, regenerative, or high-efficiency sweeper.
    c. All trucks owned, operated or under the control of the Permittee shall be securely covered when operated on public roadways when loaded.
    d. All rock drills operated at the project shall be equipped and operated with either an effective wet or dry dust control system.
    e. All unenclosed crushing and dry screening operations shall be equipped with a wet dust control (suppression) system with spray nozzles at appropriate locations and shall be operated as necessary to effectively limit visible dust emissions.

f. Active storage piles shall be periodically maintained by application of water and/or generally accepted chemical treatments, such as calcium chloride unless otherwise restricted, which are applied at a rate and frequency to effectively limit visible dust emissions. Inactive storage piles and exposed surfaces shall be revegetated as soon as reasonably practicable; and

g. The Permittee shall ensure that any dust control measures taken in accordance with the conditions listed above are in compliance with all other state and federal requirements.

21. The project shall not utilize explosives and detonators that contain perchlorate. If the Permittee determines it is necessary to use explosives or detonators that contain perchlorate, the Permittee shall provide a description to the Agency of Natural Resources for review and approval prior to using the explosives or detonators.

22. The Permittee shall implement the Vermont Department of Environmental Conservation's Best Management Practices for Blasting Activities to Avoid Environmental Contamination (2016)*1*.

23. If the total amount of rock anticipated to be blasted exceeds 5,000 cubic yards prior to being blasted, then the Permittee shall submit a water quality monitoring plan to the Agency's Drinking Water and Groundwater Protection Division.

24. The Permittee shall comply with the exhibits for erosion prevention and sediment control. The Permittee shall prevent the transport of any sediment beyond that area necessary for construction approved herein. All erosion prevention and sediment control devices shall be periodically cleaned, replaced, and maintained until vegetation is permanently established on all slopes and disturbed areas.

25. In addition to conformance with all erosion prevention and sediment control conditions, the Permittee shall not cause, permit, or allow the discharge of waste material into any surface waters. Compliance with the requirements of this condition does not absolve the Permittees from compliance with 10 V.S.A. (§§ 1250-1284) Chapter 47, Vermont's Water Pollution Control Law.

26. The Permittee shall maintain an undisturbed, naturally vegetated riparian zone on the project tract along all streams on the project tract which shall begin at the water's edge at base flow conditions, and shall further extend 50 feet measured inland from, perpendicular to, and horizontally from the Top of Bank as depicted on Exhibits 9 and 21 The term "undisturbed" means that there shall be no activities that may cause or contribute to ground or vegetation disturbance or soil compaction, including but not limited to construction, earth-moving activities, storage of materials, tree trimming or canopy removal, tree, shrub, or groundcover removal; plowing or disposal of snow, grazing, or mowing.

27. The Permittee shall maintain an undisturbed, naturally vegetated Class II wetland and 50-foot wetland buffer zone on the project tract as depicted on Exhibits 9, 20, and 21. The term "undisturbed" means that there shall be no activities that may cause or contribute to ground or vegetation disturbance or soil compaction, including but not limited to construction, earth-moving activities, storage of materials, tree trimming or canopy removal, tree, shrub, or groundcover removal, plowing or disposal of snow, grazing, or mowing.

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1 Best Management Practices for Blasting Activities to Avoid Environmental Contamination (2016), http://anr.vermont.gov/sites/anr/files/co/planning/documents/guidance/Best%20Management%20Practices%20for%20Blasting%20to%20Avoid%20Environmental%20Contamination%20%28Dec%202016%29.pdf

28. The 50' wetland buffers shall be permanently field delineated with flags adjacent to previously approved quarry limits to protect the buffers from impacts.
29. The Permittee shall establish and maintain a permanent field delineated 100-foot buffer along the edge of the Class II wetland and the "proposed expanded support area" as depicted in Exhibit 20 to prevent encroachment into the wetland. The term "undisturbed" means that there shall be no activities that may cause or contribute to ground or vegetation disturbance or soil compaction, including but not limited to construction, earth-moving activities, storage of materials, tree trimming or canopy removal, tree, shrub, or groundcover removal, plowing or disposal of snow, grazing, or mowing.
30. Reconstruction, realignment, or expansion of the quarry road which lies within the riparian zone of the unnamed tributary to the Winooski River as identified in Exhibit 21, shall require the approval of the ANR Fish Division Fisheries Management and the District Commission.
31. The cutting or trimming of trees measuring 4 inches in diameter at breast height or greater is prohibited unless carried out between September 1 to April 14, or with prior written approval from the Vermont Fish and Wildlife Department. Potential Northern Long Eared Bat habitat, impact assessment (including potential surveys), and mitigation shall be reviewed and approved by Vermont Fish and Wildlife prior to tree clearing within Phases 2 through 5, as depicted on Exhibit 18, Sheet C2-01 "Phasing Plan".
32. To prevent groundwater pollution, any extracted stumps shall be disposed of on-site above the seasonal high-water table and not in any wetland, or at a state-certified stump and inert waste disposal facility.
33. The Permittee shall provide each prospective purchaser of any interest in this project with a copy of the Land Use Permit amendment before entering into any written contract of sale.
34. This permit amendment shall expire on March 31, 2091.
35. Reclamation of all earth extraction areas shall be completed by October 15th of the year following the date of completion of all earth extraction. The Permittee shall submit a written report of completion of reclamation, with photographs, within 30 days of such completion. Permittee's reclamation report must specifically document how the required reclamation work has been completed in accordance with the conditions of this permit, and the permit application, plans, and exhibits, including but not limited to Exhibits 1 and 18.
36. Act 250 jurisdiction shall remain in effect until the District Coordinator issues a written jurisdictional opinion that concludes that reclamation has been completed, and that the project or tract is no longer subject to Act 250 jurisdiction.
37. The Permittee shall file a Certificate of Actual Construction Costs, on forms available from the Land Use Review Board, pursuant to 10 V.S.A. § 6083a(g) within one month after construction has been substantially completed. If actual construction costs exceed the original estimate, a supplemental fee based on actual construction costs must be paid at the time of certification in accordance with the fee schedule in effect at the time of application. Upon request, the Permittee shall provide all documents or other information necessary to substantiate the certification. Pursuant to existing law, failure to file the certification or pay any supplemental fee due constitutes grounds for permit revocation. The certificate of actual construction costs and any supplemental fee (by check payable to the "State of Vermont") shall be mailed to: Land Use Review Board, 10 Baldwin Street, Montpelier, VT 05633-3201; Attention: Certification.
38. Failure to comply with any condition herein may be grounds for permit revocation pursuant to 10 V.S.A. sec. 6027(g).

Dated this 3rd day of November 2026.

By /s/ Donald Marsh
Donald Marsh, Chair
District 5 Environmental Commission

Commissioners participating in this decision:
Gary Nolan
David Soucy

Any party, or person denied party status, may file within 15 days from the date of a decision of the District Commission one and only one motion to alter with respect to the decision, pursuant to Act 250 Rule 31(A). Under Rule 31(A), no party, or person denied party status, may file a motion to alter a District Commission decision concerning or resulting from a motion to alter. Per Rule 31(A)(3), the running of the time for filing a notice of appeal is terminated as to all parties by a timely motion to alter.

Any person aggrieved by an act or decision of a District Commission or District Coordinator, or any party by right, may appeal to the Environmental Division of Vermont Superior Court within 30 days of the act or decision pursuant to 10 V.S.A. § 8504. Such appeals are governed by Rule 5 of the Vermont Rules for Environmental Court Proceedings. The appellant must file a notice of appeal with the clerk of the court and pay any fee required under 32 V.S.A. § 1431.

The appellant must also serve a copy of the Notice of Appeal on the Land Use Review Board and on other parties in accordance with Rule 5(b)(4)(B) of the Vermont Rules for Environmental Court Proceedings. The Land Use Review Board's copy may be sent to act250.legal@vermont.gov and/or 10 Baldwin Street, Montpelier, VT 05633-3201.

Note, there are certain limitations on the right to appeal, including on interlocutory appeals. See, e.g., 10 V.S.A. § 8504(k), 3 V.S.A. § 815, and Vermont Rule of Appellate Procedure 5. There shall be no appeal from a District Commission decision when the Commission has issued a permit and no hearing was requested or held, or no motion to alter was filed following the issuance of an administrative amendment. 10 V.S.A. § 8504(k)(1). If a District Commission issues a partial decision under 10 V.S.A. § 6086(b), any appeal of that decision must be taken with 30 days of the date of that decision. 10 V.S.A. § 8504(k)(3). For additional information on filing appeals, see the Court's website at: http://www.vermontjudiciary.org/GTC/environmental/default.aspx or call (802) 951-1740. The Court's mailing address is Vermont Superior Court, Environmental Division, 32 Cherry Street, 2nd Floor, Suite 303, Burlington, VT 05401.

The foregoing statements regarding motions to alter and appeals are intended for informational purposes only. They neither supplant nor augment any rights or obligations provided for by law nor do they constitute a complete statement of the rights or obligations of any person or party.

CERTIFICATE OF SERVICE

I hereby certify that I, Melissa Marden, Land Use Review Board Technician, District 5 Environmental Commission, sent a copy of the foregoing Land Use Permit **5W0838-6** by U.S. Mail, postage prepaid, on this November 3, 2026, to the following individuals without email addresses and by electronic mail, to the following individuals with email addresses:

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.

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FOR INFORMATION ONLY

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Vermont Division for Historic Preservation
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Dated this November 3, 2026.

By: /s/ Melissa Marden
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