

TOWN CLERK'S OFFICE
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Attest:
Diana Vachon
Town Clerk

STATE OF VERMONT

SUPERIOR COURT

ENVIRONMENTAL DIVISION
Docket No. 34-4-17 Vtec

SHELBURNE SHIPYARD, INC.,
Appellants,

v.

TOWN OF SHELBURNE,
Appellee.

STIPULATION TO FINAL ORDER

The parties hereby stipulate and agree to the issuance of the following final order:

1. Appellant Shelburne Shipyard, Inc, ("SSY") is hereby granted site plan approval, a variance and a zoning permit to construct the Project (defined below) subject to the conditions contained in Paragraph 3 below:
2. Definition of Project: The Project is the proposed cold storage building generally depicted as a portion of the "New Foundation" on DRB Exhibit SSY 11, attached hereto as Exhibit A. The Project shall have a width of 78' and a depth not to exceed 81', with a building height and roof configuration as set forth on Exhibit B. The Shelburne Shipyard will prepare a new site plan suitable for recording.
3. Conditions
 - a. The sides of the Project building shall be beige, approximating the color of the existing rack building;
 - b. The Project will not include lighting;
 - c. SSY will maintain the drainage ditch that is on SSY's property, extending from SSY's northerly boundary line to the Barrett building;
 - d. SSY will remove poplars on SSY's property that interfere with the cedar hedge that borders the Jackson property if allowed by applicable State and municipal regulations. SSY will remove poplars on Jeffrey Jackson's property that interfere with the cedar hedge if those trees are marked by Mr. Jackson and if allowed by applicable State and municipal regulations;
 - e. SSY will remove the walls and roof of the existing Carew building before erecting the Project building;

This document contains handwritten information, including but not limited to signature(s). APPROVED COPY OF THE document that contains the original handwritten information

[Signature]
Town Clerk / Assistant
07/20/2017

[Signature] *[Signature]* *[Signature]*

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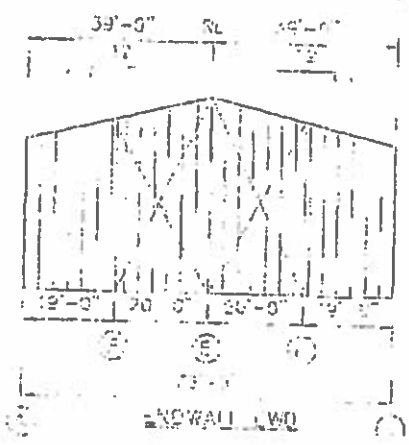
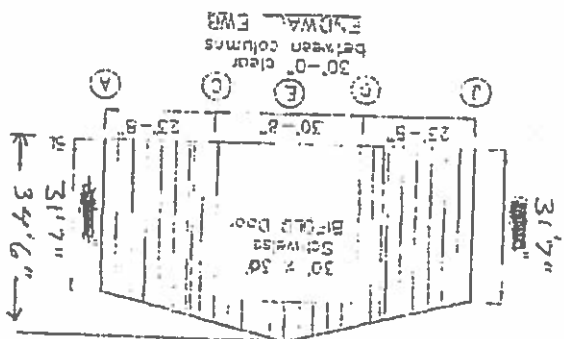


Handwritten signatures and initials, including "RMB" and a large signature.

EXHIBIT
A
SHEET

DTI	DESCRIPTION
1	30/00A Wire fence
34	3'-0" x 3'-0" Wrought in Concrete SVA
45	3'-0" x 3'-0" Wrought in Concrete SVA

ACCESSORY SCHEDULE



Federal Steel Spinning		111 1st Street New York, N.Y. 10038-1001 Tel: 212-261-1111 Fax: 212-261-1112
Project No. Drawing No. Date	Scale Author Checker	Title Description Remarks

EXHIBIT
B

[Handwritten signatures and initials]

- f. The Project building will only be used for cold storage, not rack storage of boats; and
- g. SSY will fill the excess portion of the existing foundation to the level of the existing concrete.

4. The Enforcement Action filed by the Town of Shelburne at Docket No. 55-5-17 Vtec, is hereby dismissed with prejudice.

DATED at Burlington, Vermont, this 7 day of ~~June~~^{July}, 2017.

SHELburnE SHIPYARD, INC.


By: MARY M GRISWOLD

DATED at Burlington, Vermont, this _____ day of June, 2017.

TOWN OF SHELburnE

By:

DATED at Burlington, Vermont, this _____ day of June, 2017.

Jeffery Jackson

DATED at Burlington, Vermont, this _____ day of June, 2017.

John Hammer/TA52, I.L.C.

By:

DATED at Burlington, Vermont, this _____ day of June, 2017.

Willard Jackson

By:



- f. The Project building will only be used for cold storage, not rack storage of boats; and
 - g. SSY will fill the excess portion of the existing foundation to the level of the existing concrete.
4. The Enforcement Action filed by the Town of Shelburne at Docket No. 55-5-17 Vtec, is hereby dismissed with prejudice.

DATED at Burlington, Vermont, this _____ day of June, 2017.

SHELBURNE SHIPYARD, INC.

By: _____

DATED at ~~Burlington~~ ^{Shelburne}, Vermont, this 10th day of ~~June~~ ^{July}, 2017.

TOWN OF SHELBURNE



By: JOE COLANGELO,
Town Manager

DATED at Burlington, Vermont, this _____ day of June, 2017.

Jeffery Jackson

DATED at Burlington, Vermont, this _____ day of June, 2017.

John Hammer/TAS2, LLC

By: _____

DATED at Burlington, Vermont, this _____ day of June, 2017.

Willard Jackson

By: _____



- f. The Project building will only be used for cold storage, not rack storage of boats; and
 - g. SSY will fill the excess portion of the existing foundation to the level of the existing concrete.
4. The Enforcement Action filed by the Town of Shelburne at Docket No. 55-5-17 Vtec, is hereby dismissed with prejudice.

DATED at Burlington, Vermont, this _____ day of June, 2017.

SHELburnE SHIPYARD, INC.

By:

DATED at Burlington, Vermont, this _____ day of June, 2017.

TOWN OF SHELburnE

By:

DATED at Burlington, Vermont, this _____ day of June, 2017.



Jeffery Jackson

DATED at Burlington, Vermont, this _____ day of June, 2017.

John Hammer/TA52, LLC

By:

DATED at Burlington, Vermont, this _____ day of June, 2017.

Willard Jackson

By:



- f. The Project building will only be used for cold storage, not rack storage of boats; and
 - g. SSY will fill the excess portion of the existing foundation to the level of the existing concrete.
4. The Enforcement Action filed by the Town of Shelburne at Docket No. 55-5-17 Vtec, is hereby dismissed with prejudice.

DATED at Burlington, Vermont, this _____ day of June, 2017.

SHELBURNE SHIPYARD, INC.

By:

DATED at Burlington, Vermont, this _____ day of June, 2017.

TOWN OF SHELBURNE

By:

DATED at Burlington, Vermont, this _____ day of June, 2017.

Jeffery Jackson

DATED at Burlington, Vermont, this 7th day of July, 2017.

John Hammer/TA62, LLC


By:

DATED at Burlington, Vermont, this _____ day of June, 2017.

Willard Jackson

By:



- f. The Project building will only be used for cold storage, not rack storage of boats; and
 - g. SSY will fill the excess portion of the existing foundation to the level of the existing concrete.
4. The Enforcement Action filed by the Town of Shelburne at Docket No. 55-5-17 Vtec, is hereby dismissed with prejudice.

DATED at Burlington, Vermont, this _____ day of June, 2017.

SHELBURNE SHIPYARD, INC.

By: _____

DATED at Burlington, Vermont, this _____ day of June, 2017.

TOWN OF SHELBURNE

By: _____

DATED at Burlington, Vermont, this _____ day of June, 2017.

Jeffery Jackson

DATED at Burlington, Vermont, this _____ day of June, 2017

John Hammer/TA52. LLC

By: _____

DATED at Burlington, Vermont, this 13th day of June, 2017.

Willard Jackson

By: Willard Jackson

2 WJ [Signature] [Signature]

SO ORDERED: _____

 MG 088

STATE OF VERMONT

SUPERIOR COURT

ENVIRONMENTAL DIVISION
Docket No. 34-4-17 Vtec

SHELBURNE SHIPYARD, INC.

Appellant,

v.

TOWN OF SHELBURNE,

Appellee.

CERTIFICATE OF SERVICE

I certify that on the 17th day of July, 2017, I have delivered the attached Stipulation to Final Order to all other parties to this case as follows:

By first class mail by depositing it in the U.S. mail;

By personal delivery to [name of party or parties] or his/her counsel;

Other. Explain: _____

The names and addresses of the parties/lawyers to whom the mail was addressed or personal delivery was made are as follows:

Town of Shelburne
c/o Claudine C. Safar, Esq.
Monaghan Safar Ducham PLLC
156 Battery Street
Burlington, VT 05401

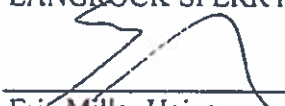
Jeffrey Jackson
c/o Christopher D. Roy, Esq.
Downs Rachlin Martin PLLC
199 Main Street
PO Box 190
Burlington, VT 05402-0190

Willard Jackson
P.O. Box 430
Middlebury, VT 05753

John and Tiffany Hammer
TA52, LLC
190 Lands End Lane
Shelburne, VT 05482

DATED at Burlington, Vermont this 17th day of July, 2017.

LANGROCK SPERRY & WOOL, LLP


Erin Miller Heins
PO Box 721, 210 College Street
Burlington, VT 05402
eheins@langrock.com
Phone: (802) 864-0217

Attorneys for Defendant Shelburne Shipyard, Inc.

Langrock
Sperry
& Wool, LLP

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