

DOCUMENTS FOR RECORDING



State of Vermont
Department of Environmental Conservation

Agency of Natural Resources
Drinking Water and Groundwater Protection Division

WASTEWATER SYSTEM AND POTABLE WATER SUPPLY PERMIT

LAWS/REGULATIONS INVOLVED

10 V.S.A. Chapter 64, Potable Water Supply and Wastewater System Permit
Wastewater System and Potable Water Supply Rules, Effective April 12, 2019

Permittee(s): **David Dion**
PO Box 602
Waitsfield, VT 05673

Permit Number: **WW-5-3297-1**

This permit affects the following property/properties in Waitsfield, Vermont:

| Lot | Parcel | SPAN | Acres | Book(s)/Page(s) # |
|-----|-----------|---------------|-------|-------------------------|
| 2 | 001071100 | 675-214-11261 | 4.70 | Book:91 Page(s):312-313 |
| 3 | 001071100 | 675-214-11261 | 1.50 | Book:104 Page(s):51-52 |

This application, consisting of amending WW-5-3297 to redesign the previously approved wastewater system so that it is now a shared system for Lot 2, to be improved with a 4-bedroom single-family residence served by an individual potable water supply from a drilled well, and Lot 3, to be improved with a 4-bedroom single-family residence served by an individual potable water supply from a drilled well, located on East Warren Road in Waitsfield, Vermont, is hereby approved under the requirements of the regulations named above subject to the following conditions. Any person aggrieved by this permit may appeal to the Environmental Court within 30 days of the date of issuance of this permit in accordance with 10 V.S.A. Chapter 220 and the Vermont Rules of Environmental Court Proceedings.

1. GENERAL

- 1.1 The permittee is responsible to record this permit in the Waitsfield Land Records within 30 days of issuance of this permit and prior to the conveyance of any lot subject to the jurisdiction of this permit.
- 1.2 The permittee is responsible to record the design and installation certifications and other documents that are required to be filed under these Rules or under a permit condition in the Waitsfield Land Records.
- 1.3 All General conditions set forth in **WW-5-3297**, dated 08/05/2005, shall remain in effect except as amended or modified herein.
- 1.4 Each assign or successor in interest shall be shown a copy of the Wastewater System and Potable Water Supply Permit and the stamped plan(s) prior to the conveyance of a lot.
- 1.5 The Drinking Water and Groundwater Protection Division relied upon the Vermont Licensed Designer's certification that the design-related information submitted is true and correct and complies with the Wastewater System and Potable Water Supply Rules. This permit may be revoked if it is determined the design of the wastewater system or potable water supply does not comply with these rules.
- 1.6 By acceptance of this permit, the permittee agrees 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 the Vermont environmental and health statutes and regulations, and permit conditions.
- 1.7 This permit does not relieve the landowner from obtaining all other approvals and permits from other State Agencies or Departments, or local officials prior to construction.

WAITSFIELD TOWN CLERKS OFFICE
RECEIVED FOR RECORD
DATE 2-1-22 TIME 1:05 p.
RECORDED IN BOOK 179 PAGE 580 - 582
ATTEST J. Shute TOWN CLERK



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2. CONSTRUCTION

2.1 Construction shall be completed as shown on the plans and/or documents prepared by George McCain, with the stamped plans listed as follows:

| Title | Sheet # | Plan Date | Revision |
|-----------|---------|------------|------------|
| Site Plan | C-1 | 09/20/2021 | 11/29/2021 |
| Details | C-2 | 09/20/2021 | None. |

2.2 Construction of wastewater systems or potable water supplies, or buildings or structures (as defined by the Wastewater System and Potable Water Supply Rules), or campgrounds, not depicted on the stamped plans, or identified in this permit, is not allowed without prior approval by the Drinking Water and Groundwater Protection Division.

2.3 No buildings, roads, water pipes, sewer services, earthwork, re-grading, excavation, or other construction that might interfere with the operation of a wastewater system or a potable water supply are allowed on or near the site-specific wastewater system, wastewater replacement area, or potable water supply depicted on the stamped plans. Adherence to all isolation distances that are set forth in the Wastewater System and Potable Water Supply Rules is required.

3. INSPECTIONS

3.1 No permit issued by the Secretary shall be valid for a substantially completed potable water supply and wastewater system until the Secretary receives a signed and dated certification from a qualified Vermont Licensed Designer (or where allowed, the installer) on a Secretary-approved form that states:

"I hereby certify that, in the exercise of my reasonable professional judgment, the installation-related information submitted is true and correct and the potable water supply and wastewater system were installed in accordance with the permitted design and all permit conditions, were inspected, were properly tested, and have successfully met those performance tests"

or which satisfies the requirements of §1-311 of the referenced rules.

3.2 Prior to the use of any potable water supply, the permittee shall test the water for Arsenic, Escherichia coli (E. coli), Fluoride, Lead, Manganese, Nitrate as N, Nitrite as N, Total Coliform Bacteria, Uranium, Adjusted Gross Alpha Particle Activity, Chloride, Sodium, Iron, Odor and pH. All water quality tests shall be conducted at a laboratory certified by the Vermont Department of Health (a list of which can be found on the VDH website). Results of the water tests shall be submitted to the Vermont Department of Health prior to use or within 60 days of the submission of the Installation Certification required in Condition 3.1, whichever comes first.

4. DESIGN FLOW

4.1 Lot use and design flows (gpd) shall correspond to the following:

| Lot | Building | Building Use / Design Flow Basis | Wastewater | Water |
|-----|----------|-----------------------------------|------------|-------|
| 2 | Proposed | 4-Bedroom Single-Family Residence | 490 | 490 |
| 3 | Proposed | 4-Bedroom Single-Family Residence | 490 | 490 |

5. WASTEWATER SYSTEM

5.1 Prior to construction or site work, a designer shall flag the proposed leachfield, and the owner shall maintain the flags until commencement of construction of the system.

5.2 The wastewater system to serve this project is located on Lot 2. The land deeds that establish and transfer ownership of these lots shall contain permanent legal access which grants future owner(s) the right to enter for the construction, repair, maintenance and other such reasonable purposes as may arise regarding the wastewater system. Failure to properly execute the permanent legal access renders this permit null and void for the purpose of constructing the leachfield. It is recommended that a copy of the executed easement be sent to the Drinking Water and Groundwater Protection Division.

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- 5.3 Should the wastewater system fail and not qualify as a minor repair or for an exemption, the landowner shall engage a qualified Licensed Designer to evaluate the cause of the failure and submit an application to the Drinking Water and Groundwater Protection Division, and obtain approval thereof, prior to correcting the failure.
- 5.4 All Wastewater System conditions set forth in **WW-5-3297**, dated 08/05/2005, shall remain in effect except as amended or modified herein.
- 5.5 This permit does not relieve the permittee of the obligations of Title 10, Chapter 48, Subchapter 4, for the protection of groundwater.

6. POTABLE WATER SUPPLY

- 6.1 Prior to construction or site work, a designer shall flag the center of the proposed potable water sources and the owner shall maintain the flag until commencement of construction of the source.
- 6.2 Should any potable water supply fail and not qualify as a minor repair or for an exemption, the landowner shall engage a qualified Licensed Designer to evaluate the cause of the failure and submit an application to the Drinking Water and Groundwater Protection Division, and obtain approval thereof, prior to correcting the failure.
- 6.3 All Potable Water Supply conditions set forth in **WW-5-3297**, dated 08/05/2005, shall remain in effect except as amended or modified herein.

Peter Walke, Commissioner
Department of Environmental Conservation

By: R. Pelosi

Dated January 6, 2022

Robert Pelosi
Environmental Analyst VI
Montpelier Regional Office
Drinking Water and Groundwater Protection Division

cc: George McCain