

Appeal Period Expires 12/1/07
 Zoning District I1

Town of Essex, Vermont
Application for Zoning Permit
 www.essex.org

Application Date 11/2/07
 Permit Number 2007-174

All construction is to be completed in accordance with the Town of Essex Zoning Regulations and any/all federal or state regulations now in effect. You are required to post this permit in a conspicuous location on the property and it must remain posted throughout the construction period.

Any interested person may appeal the decision of the Zoning Administrator to the Zoning Board of Adjustment within fifteen (15) days of the permit's date of issuance. Commencing construction within this fifteen (15) day appeal period is prohibited by law.

Occupancy of the premises shall not take place until a Certificate of Occupancy is obtained.

Approval is subject to accuracy of information provided by the applicant.

A Parcel Account Numb. (Map-Parcel-Lot) 2-009-003-017
 (found in Town Assessor's Office)
 Property Address: Lot 17 425 Gauthier Dr 025
 Owner: Nelson L. & Patricia A. Chagnon
 Owner Address: 385-2 East Allen St, Williston VT
 Owner Phone: (work) 802 316 0841 (home) _____ (cell) _____ (Email) _____
 Contractors name: N.L. Chagnon's Inc Phone: 802 658 2937 Cell: _____
 Estimated Construction Dates: Start: 11/8/07 Completion: 11/1/08
 Sq. Feet: 0 Estimated Cost (labor & materials): \$30 K

B Sewage Disposal (Please attach Sewer or Septic Application). n/c
 Public Private Connection Fee \$ _____ Date Paid: 1/1
 Proposed New Bedrooms: _____ Existing Bedrooms _____

C Water (Please attach Water Service Application). n/c
 Public Private Fee \$ _____ Date Paid: 1/1

D Driveway (Please attach copy of approved Curbcut / Utility Application).
 Date of approval 1/1 ~~1/1~~ n/c

E Stormwater See state permits 3-9015 & 3-9020
 Project disturbs an area greater than or equal to 1 acre – Erosion Control Permit Required. Attach completed permit application.
 Project creates new or expands existing impervious surface greater than or equal to 1/2 acre – Erosion Control Permit and Stormwater Management Permit required. Attach completed permit application.

F Diagram – Show a sketch of project on reverse of this application with property lines, building, and setbacks or attach separate sheet. (Instruction sheet available upon request.)
IAW w/ PC Approval of 8/9/2007
PC 2007-28 but limited to site work & retaining walls portion of site plan approval

G Signature of Owner Nelson L. Chagnon

G

Check box(es) which describe proposed use or construction (circle choice in parenthesis).
 N = New A = Addition R = Remodel

Residential:	N	A	R
Single Family	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Two-family (duplex)(other)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Multi-family	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Condominium / Townhouse	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mobile home	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Inclusions or Additions:			
Garage (attached) (detached)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Porch (enclosed) (open)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Deck	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pool (in) (above) ground	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Shed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Barn (residential) (agriculture)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Non-residential:			
Commercial / Industrial	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stormwater:			
Stormwater	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Erosion Control	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other:			
Change in use	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Miscellaneous <u>site work + retaining walls</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Renewal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Office Use Only

Fees:	Type	Amount	Date Pd
	Permit	\$ <u>100</u>	<u>1/1/08</u>
	School	\$ _____	<u>1/1/08</u>
	Recreation	\$ _____	<u>1/1/08</u>
	Recording	\$ _____	<u>1/1/08</u>
	Other	\$ <u>8</u>	<u>1/1/08</u>

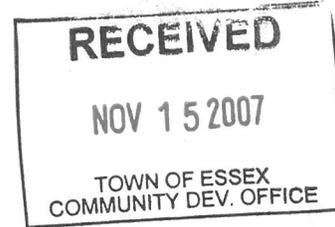
Building Permit
 Approved Rejected Date 11/16/07
 Issued to: Nelson & Patricia Chagnon
 Zoning Administrator: Barry B...
 Notes: Site work only at this time. No structures other than retaining walls, stormwater components
 C.O. Required Yes No

THIS PERMIT VALID FOR TWELVE (12) MONTHS FROM DATE OF ISSUE

F Diagram – Provide diagram here and include all setbacks

ON FILE Gauthier Industrial Park Lots 17, 25

November 14, 2007



Mr. Dennis Lutz, P.E.
Director of Public Works
Town of Essex
81 Main St.
Essex, VT 05452

RE: Erosion and Sediment Control Permit
Storm-Water Management Permit
Chagnon - Gauthier Drive
Gauthier Drive, Essex

Dear Dennis:

As required by §10.20.065 of the Town of Essex Ordinances, we are writing on behalf of Nelson and Patricia Chagnon regarding a proposed commercial site development off Gauthier Drive in the Town of Essex. This project is located in the Indian Brook watershed (below Susie Wilson Road) and has received coverage from the State of Vermont under both General Permit 3-9015 and General Permit 3-9020.

The proposal is to construct a 9,000 square foot building on Lot 17. The upper floor of the building will be accessed by a driveway off of Gauthier Drive, and the lower floor will be accessed by an extension of the existing driveway serving the property off of the end of Bushey Lane. The upper floor of the building will be for professional office space to be offered for lease. The lower floor will be for the Chagnon's business N.L. Chagnon's Inc. as a office/shop/contractor's yard. This project is proposed to be constructed in the winter of 2007, or spring of 2008.

The new building impacts 0.21 acres and the sidewalk, driveways and parking lots impact 0.64 acres for a total site impervious coverage of 0.85 acres. The drives and parking lots will be maintained by the property owner, as will the entire stormwater management system. The 3.66 acre property is a mixture of steep slopes and relatively flat areas, all leading to the Class 2 wetlands bordering Indian Brook. A portion of the site is wooded with a mixture of tree types, primarily hardwood. There is no existing development on the site. The site is located in the Indian Brook watershed. The soils on the site consist of approximately 1.02 acres of Adams and Windsor Loamy Sands, and 2.64 acres of Agawam fine sandy loam. The Adams and Windsor Loamy Sands soils are hydrologic group A and the Agawam fine sandy loam soils are hydrologic group B.

Dennis Lutz, P.E.
November 14, 2007
Page 2

The project is surrounded to the north by a mix of mature hardwood and evergreen trees, on the west by Gauthier Drive, on the south by the Archives One building and on the east by the Indian Brook ravine and a mix of mature hardwood and evergreen trees.

The stormwater from the site will be collected and treated on site and discharged into the existing class 2 wetland along the easterly portion of the property. The driveway leading off of Gauthier Drive, the upper parking lot and sidewalk will drain into a closed collection system along the easterly side of the parking lot. This storm water will be piped to the storm water treatment/detention basin. Runoff from the grassed areas along the northerly edge of the property will be directed to a stone lined swale along the northerly end of the building and then into the above mentioned piping system leading to the pond.

Site Inventory - The 3.66 acre property is a mixture of steep slopes and relatively flat areas, all leading to the Class 2 wetlands bordering Indian Brook. A portion of the site is wooded with a mixture of tree types, primarily hardwood. There is no existing development on the site. The soils on the site consist of approximately 1.02 acres of Adams and Windsor Loamy Sands, and 2.64 acres of Agawam fine sandy loam. The new building impacts 0.21 acres and the sidewalk, driveways and parking lots impact 0.64 acres for a total site impervious coverage of 0.85 acres

The project is surrounded to the north by a mix of mature hardwood and evergreen trees, on the west by Gauthier Drive, on the south by the Archives One building and on the east by the Indian Brook ravine and a mix of mature hardwood and evergreen trees. The runoff from the site flows overland to the Class 2 wetlands and Indian Brook and eventually drains into Lake Champlain. The project site is located below Susie Wilson Rd. and is not in the stormwater impaired portion of the watershed.

Proposed Grading Plan and Timetable - The initial clearing of the property is proposed to take place during the months of November and December, 2007. This clearing will be conducted after a continuous row of silt fencing has been installed along the down slope limits of construction as shown on the approved Site Plan. Once the clearing has taken place, the new stormwater detention/treatment pond will be dug, along with the grass channel leading to it, and the outlet structure and pipe will be installed and stabilized.

The grading for the remainder of the site will not commence until the installation of the pond is complete, and the area has been stabilized. The finished slopes on the site are proposed to be constructed at 2:1 horizontal to vertical, and will be constructed from the pond area up hill toward Gauthier Drive. The earthwork and rough grading is anticipated to be completed by June, 2008. Currently there is no winter shut-down planned, but if conditions require a shut-down, all disturbed earth will be mulched and/or matted.

November 14, 2007

Mr. Dennis Lutz, P.E.
Director of Public Works
Town of Essex
81 Main St.
Essex, VT 05452

RE: Long Term Maintenance
Chagnon - Gauthier Drive
Gauthier Drive, Essex

Dear Dennis:

The above referenced project has received coverage from the State of Vermont under both General Permit 5370-9015 and General Permit 5370-9020. We agree to the maintenance and reporting conditions of those permits. Those conditions include;

The stormwater collection, treatment and control system will be properly operated and maintained.

The stormwater collection, treatment and control system will be inspected at least twice a year, once in the spring after snowmelt and once in the fall prior to snowfall, to evaluate the operation, maintenance and condition of the stormwater collection, treatment and control system.

The Chagnons will prepare a report of these semi-annual inspections on a form available from the Vermont Department of Environmental Conservation and submit those reports to the Department by November 1 and June 1 of each year.

The Chagnons will retain a designer within six (6) months of the completion of construction to issue a statement of initial compliance to the Department. They will thereafter retain a designer every three (3) years following that initial statement to re-state compliance of the operation, maintenance and condition of the stormwater collection, treatment and control system.

Please call our office with any questions.

Sincerely,

Nelson and Patricia Chagnon 

c: Doug Henson

Dennis Lutz, P.E.
November 14, 2007
Page 3

Erosion and Sediment Control Plan - To mitigate the effects of development and maintain water quality during and following construction, the stormwater management system utilizes best management practices as outlined in the *Vermont Standards and Specifications for Erosion Prevention and Sediment Control* and the *Vermont Stormwater Treatment Standards*.

Best management practices on this project include silt fences, stone lined swales, grass channels, a treatment and detention basin, and preservation of existing vegetation where possible. The primary method used to protect Indian Brook, which lies at the bottom of the property, is the preservation of a natural buffer area between any earth disturbance and the brook. At the upper edge of this buffer, a row of continuously staked silt fence will be installed and maintained. The installation of the new stormwater detention/treatment pond, along with the grass channel leading to it will also contribute to the protection of the brook by acting as an additional sediment trap during construction.

Seeding and Mulching Plan - The seeding and mulching is to be conducted as detailed on Sheet #3 of the project plans. All disturbed areas that are not to be paved are to receive topsoil, seed, fertilizer and mulch immediately after final grading. Those areas that are disturbed but not finish graded shall be covered with mulch and/or matting within 14 days of earth disturbance. During the winter months, any disturbed earth shall be mulched at the end of every work day.

Erosion and Sediment Control Measures - As noted above, the erosion and sediment control measures include silt fences, stone lined swales, grass channels, a treatment and detention basin, and preservation of existing vegetation where possible. The silt fence will be installed at the downhill limit of any earth disturbance, and will be maintained on a regular basis. The installation of the new stormwater detention/treatment pond, along with the grass channel leading to it will also contribute to the protection of the brook by acting as an additional sediment trap during construction. Once the site is stabilized, the pond will be cleaned, and will continue to serve as a sediment trap. Surface roughening will take place as detailed on Sheet #2 of the project plans, and erosion matting will be placed on any slopes steeper than 3:1.

Maintenance and Inspection - As required by the 3-9020 authorization, "inspections shall be conducted at least once every seven (7) calendar days, and within twenty-four (24) hours of the end of a storm event resulting in discharge of stormwater from the site.

We have enclosed the following for your review:

- completed Erosion and Sediment Control Permit Application with \$300 fee
- completed Storm-Water Management Permit Application with \$241 fee (\$100/acre of disturbed area x 2.41 ac of disturbed area)
- USGS location map
- Existing Conditions Site Plan
- Erosion and Sediment Control Site Plan

Dennis Lutz, P.E.
November 14, 2007
Page 4

- Storm-water Management Plan
- Long Term Maintenance Agreement
- Project Plans, Sheets 1-3.

Please call our office with any questions.

Sincerely,



Doug Henson, L.S., E.I.

c: Nelson Chagnon

Storm-Water Management Permit

Administrative Data:

1. Applicant Name: Nelson & Patricia Chagnon
(Person or corporation to whom the permit will be issued)
2. Legal Entity: Individuals
(Individual, corporation, partnership, firm, other)
3. Mailing Address: 22 Morse Drive, Essex Junction, VT 05452
-
4. Contact: Doug Henson, Lamoureux & Dickinson Telephone: 878-4450
(Person to contact regarding the application) Fax: 878-3135

Attachments:

- a) A storm-water management plan
- b) An erosion and sediment control permit
- c) A proposed long-term maintenance agreement
- d) A non-refundable permit application fee

Permit Fee:

A flat permit fee of \$300 shall be paid at time of final application, if no Town erosion control permit is required. If an erosion control permit is required, the \$300 flat fee portion of the storm-water permit shall be waived. An additional fee of \$100 per acre of impervious surface shall be paid at the time of permit application, whether or not an erosion control permit is required. All permit fees once paid are not refundable.

Applicant Certification:

Nelson L. Chagnon
~~X Patricia A. Chagnon~~ hereby certify that the application as submitted is accurate
(Name of Applicant) to the best of my knowledge, and that I will take all steps
 necessary to comply with the storm-water management plan as submitted or as required
 as a condition of approval by the Town.

Nelson L. Chagnon
~~X Patricia A. Chagnon~~
(Signature of Applicant) _____ (Date)

- Approved as submitted
- Approved with conditions as attached


(Town of Essex Representative) _____ (Date)

Town of Essex

Erosion and Sediment Control Permit Application

A permit is required per Section §10.20.065 of the Town Storm Water Ordinance when one acre or more of land is disturbed, except as exempted for certain activities under the Ordinance, or when a Storm Water Management plan is required. Completion of this permit is not required if an Erosion and Sediment Control Plan has been prepared for coverage under the State of Vermont General Permit. Plans and information required for issuance of the Erosion and Sediment Control Permit may be included within Site Plans or Subdivision Plans required by the Town.

The application consists of the following seven components: (1) administrative data (2) a narrative statement (3) a location map (if not provided as a component of other submitted plans) (4) an existing conditions site plan (5) an erosion and sediment control site plan(s) (6) a permit fee and (7) an applicant certification.

Item 1, Administrative Data:

1. Applicant Name: Nelson & Patricia Chagnon
(Person or corporation to whom the permit will be issued)

2. Legal Entity: Individuals
(Individual, corporation, partnership, firm, other)

3. Mailing Address: 22 Morse Drive, Essex Junction, VT 05452

4. Contact: Doug Henson, Lamoureux & Dickinson Telephone: 878-4450
(Person to contact regarding the application) Fax: 878-3135

E-Mail: dough@LDengineering.com

Item 2, Narrative:

Provide a general written description of the project, containing the following information:

- Site inventory and analysis, with name and location of all affected streams, general topography, soils and type of vegetation and the calculation of disturbed land acreage
- A description of the proposed grading plan and a timetable by project phase from start of project to completion, including winter shutdowns if applicable
- A description of the strategies of the erosion and sediment control plan and how it will protect the nearby watercourses
- A discussion of the seeding and mulching plan
- A description of the erosion and sediment control measures, both temporary and permanent
- A copy of the supporting design calculations
- A discussion of the proposed maintenance and inspection plan

Item 3, Location Map:

Provide a 7½ minute U.S.G.S. quadrangle map or equal that shows:

- The proximity of the site to any surface water bodies
- Property lines
- Any significant features affected by the project

Stormwater Management Plan

Chagnon – Gauthier Drive Commercial Development

November 2007

Project Description

The Chagnon – Gauthier Drive project is proposed to construct a commercial building in the Gauthier Industrial Park in Essex Junction. The project will include a 9,000 square foot building, access drive and parking lot on Lot 17. The lower floor of the building will be accessed by an extension of the existing driveway serving the property off of the end of Bushey Lane. The upper floor of the building will be for Professional Office space to be offered for lease. The lower floor will be for the Chagnon's business N.L. Chagnon's Inc. as an office/shop/contractor's yard. This project is proposed to be constructed in the winter of 2007, or spring of 2008. The project will also be served by extensions to the Town of Essex water and wastewater systems.

Existing Conditions

The 3.66 acre property is a mixture of steep slopes and relatively flat areas, all leading to the Class 2 wetlands bordering Indian Brook. A portion of the site is wooded with a mixture of tree types, primarily hardwood. There is no existing development on the site.

The site is located in the Indian Brook watershed. The soils on the site consist of approximately 1.02 acres of Adams and Windsor Loamy Sands, and 2.64 acres of Agawam fine sandy loam. The Adams and Windsor Loamy Sands soils are hydrologic group A and the Agawam fine sandy loam soils are hydrologic group B.

The project is surrounded to the north by a mix of mature hardwood and evergreen trees, on the west by Gauthier Drive, on the south by the Archives One building and on the east by the Indian Brook ravine and a mix of mature hardwood and evergreen trees.

Existing Stormwater System

The runoff from the site flows overland to the Class 2 wetlands and Indian Brook and eventually drains into Lake Champlain. The project site is located below Susie Wilson Rd. and is not in the stormwater impaired portion of the watershed.

Proposed Stormwater System

The stormwater management system has been designed to control and treat run off from the developed portions of the project site. To mitigate the effects of development and maintain water quality during and following construction, the stormwater management system utilizes best management practices as outlined in the *Vermont Standards and Specifications for Erosion Prevention and Sediment Control* and the *Vermont Stormwater Treatment Standards*.

Best management practices on this project include stone lined swales, grass channels, a treatment and detention basin, and preservation of existing vegetation where possible. Stormwater runoff

from the developed portions of the site will be collected in catch basins and yard inlets and conveyed to the grass channel and stormwater treatment and detention basin.

The project site is within the Indian Brook watershed, which in this section is a coldwater fish habitat. The new building impacts 0.21 acres and the sidewalk, driveways and parking lots impact 0.64 acres for a total site impervious coverage of 0.85 acres.

The stormwater from the site will be collected and treated on site and discharged into the existing class 2 wetland along the westerly portion of the property. The driveway leading off of Gauthier Drive, the upper parking lot and sidewalk will drain into a closed collection system along the westerly side of the parking lot. This storm water will be piped to the storm water treatment/detention basin. Runoff from the grassed areas along the northerly edge of the property will be directed to a stone lined swale along the northerly end of the building and then into the above mentioned piping system leading to the pond.

The water quality volume (WQv) for the project is 2,893 cf. The forebay for the project pond, which is 4' deep, has a volume of 1,231 cf (42% of the WQv -10% min.). The permanent pool elevation of the pond is at elevation 258.75, where the volume is 1,733 cf (60% of the WQv – 50% min.). The remaining WQv will raise the elevation of the pond to elevation 259.80.

The ground water recharge (Rev) standard for the project is met by a Grass Channel. The 0.9” storm runoff calculations were computed using a modified CN of 93, leading to a peak discharge of 0.41 cfs. 140 linear feet of grass channel is provided. The bottom of the channel is 8' wide, and the slope is 0.003 ft/ft. Runoff from 0.69 acres of the site (0.53 acres of impervious) is directed to the south end of the grass channel, with the flow of the channel leading northerly. The channel was evaluated for the 10 year storm to verify the minimum freeboard at that volume.

The project qualifies for waiver of the channel protection standard (CPv). The project creates less than 1 acre of new impervious area (0.85 acres) and the pre routed, post development discharge is less than 2 cfs (0.98 cfs).

The project pond has been designed as a pocket pond to meet the Overbank Flood Protection Standards to detain the 10 year storm. The 10 year pre development discharge from the site is 0.52 cfs. The 10 year discharge from the pocket pond is 0.21 cfs.

The project qualifies for a waiver of the extreme flood protection standard. The project creates less than 10 acres of new impervious area (0.96 acres of new/redeveloped).

Permit Number 5370-9015
Project ID Number EJ95-0381.10

VERMONT DEPARTMENT OF ENVIRONMENTAL CONSERVATION
AUTHORIZATION TO DISCHARGE UNDER
GENERAL PERMIT 3-9015



A determination has been made that the applicant:

Nelson & Patricia Chagnon
NL Chagnon, Inc.
22 Morse Drive
Essex Junction, VT 05452

meets the criteria necessary for inclusion under General Permit 3- 9015. Here after the named applicant shall be referred to as the permittee. Subject to the conditions of General Permit No. 3-9015, the permittee is authorized to discharge stormwater from Lot 17 and Lot 25 of Gauthier Industrial Park located on Chagnon and Gauthier Drive in Essex Junction, Vermont to a class II wetland draining to Indian Brook.

Manner of Discharge:

S/N 001: Stormwater runoff from the building rooftop, parking and driveways via a closed piped system and/or via grass channel (0-3) to a pocket pond (P-5) before discharging via overland flow to a class II wetland draining to Indian Brook.

Design: This project shall be constructed and operated in accordance with the site plans and details designed by Lamoureux & Dickinson (Sheet 1 "Site Plan" and Sheet 2 "Storm & Sanitary Sewer Typical Details and Specifications," both dated 5/18/07; and all other supporting materials).

By reference, the above noted plans are made part of this authorization.

Compliance with General Permit 3-9015 and this Authorization

The permittee shall comply with this authorization and all the terms and conditions of General Permit 3-9015, including the payment of annual operating fees to the Department. A billing statement for such fees will be sent to the permittee each year. The first year's statement is enclosed. Any permit non-compliance, including a failure to pay the annual operating fee, constitutes a violation of 10 V.S.A. Chapter 47 and may be grounds for an enforcement action or revocation of this authorization to discharge.

Transferability

This authorization to discharge is not transferable to any person except in compliance with Part VI.D. of General Permit 3-9015. A copy of General Permit 3-9015 is available from the Department via the internet at http://www.vtwaterquality.org/Stormwater/sw_3-9015-finalpermit.pdf

Changes to Permitted Development

In accordance with Part V.G. of General Permit 3-9015, the permittee shall notify the Department of any planned development or facility expansions or changes that may result in new or increased stormwater discharges. The Department shall determine the appropriateness of continued inclusion under General Permit 3-9015 by the modified development or facility.

Semi-Annual Inspection and Report

The stormwater collection, treatment and control system authorized herein shall be properly operated and maintained and shall be inspected at least twice per year, once in the spring after snowmelt and once in the fall prior to snow fall. The inspection shall evaluate the operation and maintenance and condition of the stormwater collection, treatment and control system. The permittee shall prepare a semiannual inspection report on a form available from the Department. The permittee shall, by November 1st and June 1st of each year, submit an inspection report to the Department.

Restatement of Compliance

An initial statement of compliance, signed by a designer, must be submitted to the Department no later than 6 months following completion of construction of the stormwater management system. Then, every 3 years, the permittee shall submit to the Department a written statement signed by a designer that the stormwater collection, treatment and control system authorized herein is properly operating and maintained. The first re-statement of compliance is due September 27, 2010. Failure to submit a designer's restatement of compliance shall constitute a violation of General Permit 3-9015 and may result in the revocation of this authorization to discharge.

Filing of this Authorization with Local Land Records

In accordance with Part VI.N. of General Permit 3-9015, the permittee shall file a copy of this authorization to discharge in the land records within seven (7) days of its issuance and a copy of the recording shall be provided to the Department within fourteen (14) days of the permittee's receipt of a copy of the recording from the local land records.

Rights to Appeal to the Environmental Court

Pursuant to 10 V.S.A. Chapter 220, any appeal of this decision must be filed with the clerk of the Environmental Court within 30 days of the date of the decision. The appellant must attach to the Notice of Appeal the entry fee of \$225.00, payable to the state of Vermont. The Notice of Appeal must specify the parties taking the appeal and the statutory provision under which each party claims party status; must designate the act or decision appealed from; must name the Environmental Court; and must be signed by the appellant or their attorney. In addition, the appeal must give the address or location and description of the property, project or facility with which the appeal is concerned and the name of the applicant or any permit involved in the appeal. The appellant must also serve a copy of the Notice of Appeal in accordance with Rule 5(b)(4)(B) of the Vermont Rules for Environmental Court Proceedings. For further information, see the Vermont Rules for Environmental Court Proceedings, available on line at www.vermontjudiciary.org. The address for the Environmental Court is 2418 Airport Road, Suite 1, Barre, VT 05641 (Tel. # 802-828-1660).

Effective Date and Expiration Date of this Authorization

This authorization to discharge shall become effective on September 27, 2007 and shall continue until September 27, 2017. The permittee shall reapply for coverage at least sixty (60) days prior to September 27, 2017.

Dated at Waterbury, VT this 27th day of September, 2007.

Justin G. Johnson, Acting Commissioner
Department of Environmental Conservation

By 
Padraic Monks, Interim Section Chief
Stormwater Management Section

WATER QUALITY DIVISION
103 South Main Street
Building 10 North
Waterbury, VT 05671-0408FAX 802-241-3287
L 802-241-3770

August 21, 2007

Nelson & Patricia Chagnon
22 Morse Drive
Essex, VT 05452

**Subject: Construction General Permit 3-9020 (2006)
Authorization of Notice of Intent # 5370-9020
Chagnon, Gauthier Park**

Dear Mr. and Mrs. Chagnon,

Notice of Intent # 5370-9020 for the discharge of stormwater from the construction activities associated with Chagnon, Gauthier Park described in the Notice of Intent you submitted has been authorized. Enclosed are four documents that you will need to maintain compliance with this authorization.

1. Authorized Notice of Intent (NOI)

The authorized NOI for Low Risk Projects is valid for two years from the date of the authorization. If the project will proceed past the automatic termination date, you must reapply for coverage under this or another construction stormwater permit before that time.

2. Notice of Authorization for Posting

The notice of Authorization, which details the authorization and conditions you selected in completion of Appendix A to the CGP, must be posted in a location visible to the public in accordance with Subpart 4.5.C of the CGP. In accordance with subpart 5.1 of the CGP, the project risk score must be re-evaluated prior to any major changes to the construction plan.

3. Low Risk Site Handbook for Erosion Prevention and Sediment Control



This handbook details the practices that must be implemented throughout the construction project to prevent erosion and the discharge of sediment from the construction site. Some practices must be in place before construction begins, so please review the entire handbook before starting the project.

4. Notice of Addition of Co-Permittee

This form must be submitted for every new landowner or principal operator who joins the project, in accordance with Subpart 7.2 of the CGP.

The CGP, copies of blank forms, and an electronic version of the Low Risk Handbook are available on the stormwater website:

http://www.vtwaterquality.org/stormwater/htm/sw_cgp.htm.

If you have any questions related to this permit authorization, please contact the Stormwater Section at 802-241-3779 or email stormwater@state.vt.us.

Sincerely,

A handwritten signature in black ink, appearing to read "Padraic Monks". The signature is fluid and cursive, with a long horizontal stroke at the end.

Padraic Monks, Interim Section Chief
Stormwater Management Section

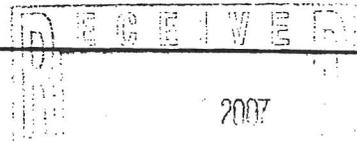
Cc

Notice of Intent (NOI)

for Stormwater Discharges Associated with
Construction Activity on **Low Risk Sites**
under the Vermont Construction General Permit 3-9020



Submission of this completed Notice of Intent (NOI) constitutes notice that the entity in Section A intends to be authorized to discharge pollutants to waters of the State, from the project identified in Section B, under Vermont's Stormwater Construction General Permit (CGP). Submission of the NOI also constitutes notice that the party identified in Section A of this form has read, understands, and meets the eligibility conditions of the CGP and has determined that the project qualifies for coverage as a Low Risk project in conformance with Appendix A of the CGP; agrees to comply with all applicable terms and conditions of the CGP; understands that continued authorization under the CGP is contingent on maintaining eligibility for coverage, and that the applicable practices in the Low Risk Site Handbook for Erosion Prevention and Sediment Control must be implemented and maintained for the duration of the construction activities. In order to be granted coverage, all information required on this form must be provided.



A. Landowner Information

1. Name: Nelson & Patricia Chagnon
2. Mailing Address:
a. Street/PO Box: 22 Morse Drive
b. City/Town: Essex c. State: Vermont d. Zip: 05452
3. Contact Information:
a. Phone: 316-0841 Fax: _____ Email: nlchagnon@hotmail.com

B. Principal Operator Information

1. Name: NL Chagnon, Inc.
2. Mailing Address:
a. Street/ PO Box: 22 Morse Drive
b. City/Town: Essex c. State: Vermont d. Zip: 05452
3. Contact Information:
a. Phone: 316-0841 Fax: _____ Email: nlchagnon@hotmail.com

C. Project Information

1. Project Name: Chagnon/Gauthier Park 2. Part of Common Plan of Development?: Yes No
3. If Yes, Name of Development: Gauthier Industrial Park
4. Location Address:
a. Street: Gauthier Drive b. City/ Town: Essex
c. Latitude: 44° 30' 56" g. Longitude: 73° 8' 3" (at or near the center of the project)
5. Project Type: Residential Commercial Industrial Public Other
6. Description of construction activities to be permitted:
Construction of a new 9000 sf commercial building with associated drives and parking areas
7. Total Area of Disturbance: 0.9 acres
8. Proposed Start Date: September 1, 2007 9. Proposed End Date: October 15, 2008
10. Are land disturbance activities planned between October 15 and April 15? Yes No
11. Name(s) of Receiving Waters(s): Indian Brook (below Susie Wilson Road)

D. Certification Relating to the Accuracy of the Information Submitted

I hereby certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. I also certify that the applicable practices in the *Low Risk Site Handbook for Erosion Prevention and Sediment Control* will be implemented for the duration of the project for which this NOI is submitted.

Landowner Name: Nelson & Patricia Chagnon

Title: owners

Signature: *N.P. Chagnon* Date: 8/16/07

E. Public Notice Requirement

You must provide a copy of this completed NOI form to the municipal clerk for posting in the municipality in which the discharge is to be located. If the project and the related discharge(s) are located in different municipalities, then the completed NOI shall be filed with the municipal clerk in each municipality.

For Department Use Only:

**VERMONT DEPARTMENT OF ENVIRONMENTAL CONSERVATION
AUTHORIZATION TO DISCHARGE**

A determination has been made that the proposed construction activities qualify for coverage under General Permit 3-9020 (2006) as a Low Risk project. Subject to the conditions of General Permit No. 3-9020 (2006), the applicant is hereby authorized to discharge stormwater runoff from a construction site as described in this Notice of Intent Number 5370-9020, including the attached Appendix A.

Dated at Waterbury, Vermont this 21st day of August, 20 07.
Jeffrey Wennberg, Commissioner
Department of Environmental Conservation

By *Padraic Monks*

Padraic Monks
Interim Chief
Stormwater Management Section

PUBLIC NOTICE

Public comments concerning this Notice of Intent to discharge under General Permit No 3-9020 (2006) are invited and must be submitted within 10 days of receipt of this Notice by the Municipal Clerk. Comments should address how the application complies or does not comply with the terms and conditions of General Permit No. 3-9020 (2006). A letter of interest should be filed by those persons who elect not to file comments but who wish to be notified if the comment period is extended or reopened for any reason. All written comments received within the time frame described above will be considered by the Department of Environmental Conservation in its final ruling to grant or deny authorization to discharge under General Permit No. 3-9020 (2006).

Send written comments to: VT Department of Environmental Conservation
Water Quality Division, Stormwater Section
103 South Main Street, Building 10 North
Waterbury, VT 05671-0408

Please cite the NOI number in any correspondence.

APPEALS

Pursuant to 10 V.S.A. Chapter 220, any appeal of this decision must be filed with the clerk of the Environmental Court within 30 days of the date of the decision. The appellant must attach to the Notice of Appeal the entry fee of \$225.00, payable to the state of Vermont.

The Notice of Appeal must specify the parties taking the appeal and the statutory provision under which each party claims party status; must designate the act or decision appealed from; must name the Environmental Court; and must be signed by the appellant or their attorney. In addition, the appeal must give the address or location and description of the property, project or facility with which the appeal is concerned and the name of the applicant or any permit involved in the appeal.

The appellant must also serve a copy of the Notice of Appeal in accordance with Rule 5(b)(4)(B) of the Vermont Rules for Environmental Court Proceedings.

For further information, see the Vermont Rules for Environmental Court Proceedings, available on line at www.vermontjudiciary.org. The address for the Environmental Court is 2418 Airport Road, Suite 1, Barre, VT 05641 (Tel. # 802-828-1660)

A copy of General Permit No. 3-9020 (2003) may be obtained by calling (802) 241-3770; by visiting the Department at the above address between the hours of 7:45 am and 4:30 pm; or by downloading from the Water Quality Division's Web site at www.vtwaterquality.org.

INFORMATION FOR MUNICIPAL CLERK: Title 10 Chapter 47 §1263(b) provides for the public notice of an applicant's intent to discharge stormwater runoff associated with construction activity. Please post this notice and instruction sheet in a conspicuous place for 10 days from the date received. If you have any questions, contact the Water Quality Division of the Department of Environmental Conservation at (802) 241-3771. Please date this below as to when it was posted. Thank you for your assistance.

DATE OF POSTING:

August 8, 2007

APPENDIX A

Part I – Basic Risk Evaluation

A project may automatically be categorized as Low Risk based on a few basic project characteristics. Answer each question below to determine if a project is automatically categorized as Low Risk. For definitions of terms used in the following questions (e.g. disturbance, vegetated buffer) refer to Appendix C.

Basic Risk Evaluation				
	Criteria	Answer	Score Direction	Enter Score
1.	Will the proposed independent project alone disturb more than 2 acres of land?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	If YES, enter 1, if NO enter 0	0
2.	Is the project within a watershed impaired due to stormwater, sediment, or nutrients, as specified on the Vermont 303(d) list?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	If YES, enter 1, if NO enter 0	0
3.	Will the project have any stormwater discharges from the construction site to receiving water(s) that do not first pass through a 50 ft vegetated buffer area?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	If YES, enter 1, if NO enter 0	0
4.	Will the project have disturbed earth in any one location for more than 14 consecutive calendar days without temporary or final stabilization?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	If YES, enter 1, if NO enter 0	0
5.	Will the project have more than five acres of disturbed earth at any one time?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	If YES, enter 1, if NO enter 0	0
Total Score for Low Risk Screen 2 (add score from questions 1-5)				0

If the Total Score for Basic Risk Evaluation is 0, the proposed project is eligible for coverage under this permit as a Low Risk project. Proceed to Part IV of Appendix A for a summary of the application requirements for Low Risk Projects. If not, proceed to Part II.

Criterion 1: Only include the disturbance planned for an independent project. For example, if a lot owner is only building on a single house lot in a residential subdivision, only consider the disturbance associated with that lot, not the entire common plan. Refer to Appendix C for definitions of independent project and disturbance.

Criterion 2: Refer to the following web page for a list of waters in these categories:
http://www.vtwaterquality.org/stormwater/htm/sw_cgpeligibility.htm

Criterion 3: Refer to the Appendix C for the definition of vegetated buffer area.

Criterion 4: Refer to Appendix C for definitions of temporary and final stabilization.

Criterion 5: Refer to Appendix C for the definition of disturbed earth.

Notice of Authorization

Under Vermont Construction General Permit 3-9020
For Low Risk Projects



Project Name: Chagnon, Gauthier Park **Notice of Intent Number: 5370-9020**
Permittee Name: Nelson & Patricia
Chagnon **Date of Authorization: 08/21/2007**

**The project listed above has received authorization under General Permit 3-9020 to discharge stormwater from the following construction activities:
Construction of a new 9000 sf building with associated drives and parking area.**

This authorization includes the following requirements:

1. Implementation of erosion prevention and sediment control practices required by the Low Risk Site Handbook for Erosion Prevention and Sediment Control.
2. All areas of disturbance must have temporary or final stabilization within 14 days of the initial disturbance. After this time, any disturbance in the area must be stabilized at the end of each work day. The following exceptions apply:
 - a. Stabilization is not required if work is to continue in the area within the next 24 hours and there is no precipitation forecast for the next 24 hours.
 - b. Stabilization is not required if the work is occurring in a self-contained excavation (i.e. no outlet) with a depth of 2 feet or greater (e.g. house foundation excavation, utility trenches).
3. No more than 2 acres of land may be disturbed at any one time.
4. All discharges of stormwater must pass through at least 50 ft of vegetated buffer before reaching receiving waters.
5. No disturbance shall occur within 50 ft upslope of any stream or river, or 100 ft upslope of any lake or pond.
6. Inspections shall be conducted at least once every seven (7) calendar days and within twenty-four (24) hours of the end of a storm event resulting in discharge of stormwater from the construction site.
7. If there is a discharge of visibly discolored stormwater from the construction site or from the construction site to waters of the State, the permittee shall take immediate corrective action.
8. If, after completing corrective action, there continues to be a discharge of sediment from the construction site to waters of the state, the permittee shall notify DEC by submitting a report within 72 hours of the discharge.

To request information on this authorization, or to report compliance concerns, please contact the Water Quality Division at (802) 241-3770 or write to:
VT DEC, Water Quality Division
103 South Main Street, Bldg 10 North
Waterbury, VT, 05671
See reverse for posting requirements

Permittee Directions for Posting:

This notice shall be placed near the construction entrance at a location visible to the public. If displaying near the main entrance is infeasible, the notice shall be posted in a local public building such as the town hall or public library. For linear projects, the notice shall be posted at a publicly accessible location near the active part of the construction project (e.g., where a pipeline project crosses a public road).