

Appeal Period Expires <u>9/19/21</u> Zoning District <u>C1</u>	Town of Essex, Vermont Application for Zoning Permit (Building Permit)	Application Date <u>9/1/21</u> Permit Number <u>2021-1108</u>
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- Contact State Permit Specialist Jeff McMahon (477-2241) to check for state permitting and/or setbacks.
- Post permit card visible to the road immediately upon issuance.
- Permit is appealable within 15 days of issuance.
- Call 878-1343 to schedule a Certificate of Occupancy inspection if indicated below as required.

Signed: [Signature]

A Parcel Account Numb. (Map-Parcel-Lot) 2-010-057-208

Property Address: 133 INDIAN BROOK ROAD

Owner: MATHEW WHEELER & REGINA LIMOGÉ

Owner Address: 359 BROWNS TRAIL RD., JERICHO, VT 05464

Owner Phone: (work) _____ (home) _____
 (cell) 802-324-5726 (Email) MATTC@SDIRELAND.COM

Tenants name: _____ Phone: _____
 Cell: _____

Estimated Construction Dates: Start: 9/3/21 Completion: 9/3/22

Sq. Feet: _____ Estimated Cost (labor & materials): \$20,000

G

Check box(es) which describe proposed use or construction (circle choice in parenthesis).

N = New A = Addition R = Remodel

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

Site work only

B Sewage Disposal (Please attach Sewer or Septic Application).

Public Septic Connection Fee \$ _____ Date Paid: / /

Proposed New Bedrooms: 4 Existing Bedrooms _____

C Water (Please attach Water Service Application).

Public Well Fee \$ _____ Date Paid: / /

D Driveway (Please attach copy of approved Curbcut / Utility Application).

Date of approval 8/17/21

E Stormwater

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.

G THIS APPLICATION IS FOR TREE CLEANING, DRIVEWAY, SITEWORK & SEPTIC CONSTRUCTION ONLY. 2015-22 ON 12-10-15. Reference PC APPROVAL # PC2017-7; 2017-44 ON 3-23-2017; 2017-44 ON 1-25-18.

Signature of Tenant and Signature of Owner [Signature]

Office Use Only

Fees:	Type	Amount	Date Pd
Permit		\$ <u>50-</u>	<u> / /</u>
Recreation		\$ _____	<u>9/1/21</u> oms
Recording		\$ <u>15</u>	<u> / /</u>
Certificate of Occ		\$ _____	<u> / /</u>
Other		\$ _____	<u> / /</u>

Building Permit

Approved Rejected Date 9/3/21

Issued to: M. Wheeler & R. Limogé

Zoning Administrator: Shirley Kelly

Notes: Shall adhere to Planning Commission Conditions.

C.O. Required Yes No

**THIS PERMIT VALID FOR TWELVE (12) MONTHS FROM DATE OF ISSUE
 RENEW FOR 1 YEAR (FREE) IF NOT EXPIRED**

F Diagram – Provide diagram here and include all setbacks

SEE ENCLOSED

**TOWN OF ESSEX, VERMONT
APPLICATION FOR CURB CUT / UTILITY PERMIT**

Pursuant to Title 19 V.S.A. Section 43. Application for curb cut and Utility Installation in Town Right-of-Way

All applications for curb cuts and utility installations shall be submitted to the Director of Public Works / Town Engineer for review. Applicants shall submit the information requested on this form and any additional information requested by the Director of Public Works / Town Engineer for a clear understanding of this application. The permit is issued under authority of the Town Manager in accordance with Section 601 of the Town Charter and 24 V.S.A. paragraph 1236 (2).

Application No. 1 / 8-12-21
Date

Property Address: 133 INDIAN BROOK ROAD

Owner Address: 359 BROWNS TRACE ROAD, JERUSALEM, VT 05485

Owner Name: MATTHEW WHEELER + REGINA LIMDGE

Phone Number: (home) 802-324-5726 (work) _____ (cell) 802-324-5726

Tax Map # 010 Tax Parcel 057 Tax Lot 208

Application is for: (check one)

A) New Curb Cut B) Utility Installation: Overhead Underground

Please use attached diagram to describe location and type of installation.

Comments by Director of Public Works / Town Engineer:

Culvert: Yes No

Water Bar(s): Yes No

Culvert Diameter: (18 inch minimum) 18"

Total length of Culvert: (30 foot minimum) _____

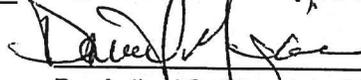
*** FOR OFFICE USE ONLY ***

Signature of Owner:



Fee Paid \$ N/A

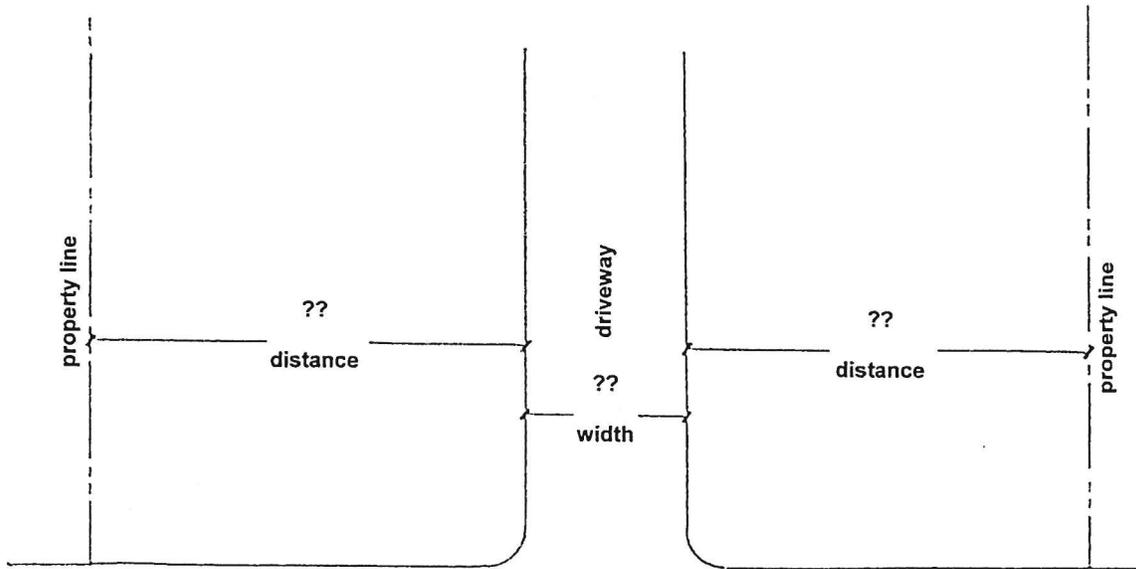
Approved Rejected

 Aug 17 2021

Per Authority of the Town Manager by the
Director of Public Works / Town Engineer

SEE
CONDITIONS

1. Culvert must be HIGH DENSITY POLYETHYLENE (HDPE) PIPE
2. Culvert will be purchased by the Applicant
Culvert will be purchased and installed by the applicant. The Town of Essex Department of Public Works will inspect.
3. Note: A MINIMUM OF 24 HOURS NOTICE IS REQUIRED PRIOR TO COMMENCEMENT OF CONSTRUCTION. WITHIN 24 HOURS OF COMPLETION, THE APPLICANT IS REQUIRED TO NOTIFY THE DIRECTOR OF PUBLIC WORKS / TOWN ENGINEER FOR INSPECTION PURPOSES.



INDIAN BROOK ROAD

STREET NAME

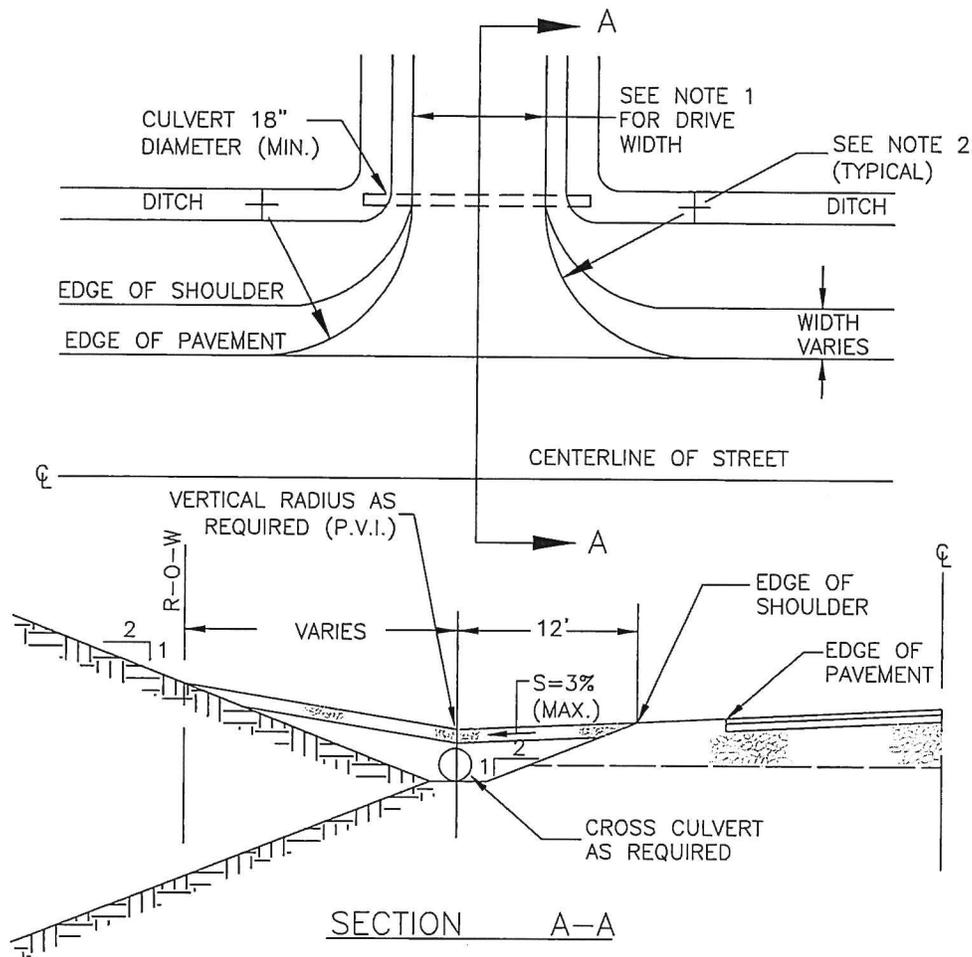
Comments and / or special instructions from Director of Public Works / Town Engineer :

CONCRETE

SEE ENCLOSED PLAN FOR CURB LOT LOCATION,
CULVERT LOCATION + DRIVEWAY DETAILS

- CLEAR TREES FROM TRAVELWAY TO THE ROW LINE.
- ROAD SIDE DITCHING REQUIRED ALONG ENTIRE FRONTAGE.
- DRIVE APRON TO ROW ~~AS~~ CROSS SECTION AS PER DETAIL 100.10, ATTACHED, NOTE #6 DOES NOT APPLY.
- LAYOUT AND GRADES OF APRON AS PER DETAIL 100.09, ATTACHED.

NOTE: A MINIMUM OF 24 HOURS IS REQUIRED PRIOR TO COMMENCEMENT OF CONSTRUCTION. WITHIN 24 HOURS OF COMPLETION, THE APPLICANT IS REQUIRED TO NOTIFY THE DIRECTOR OF PUBLIC WORKS / TOWN ENGINEER FOR INSPECTION PURPOSES.

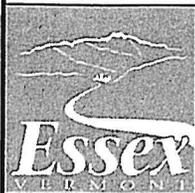


NOTES :

- 1) DRIVE WIDTHS SHALL BE AS FOLLOWS
 SINGLE DRIVE: 10 FEET (MIN.)
 DOUBLE DRIVE: 15 FEET (MAX.)
 COMMERCIAL DRIVE: 40 FEET (MAX.)

- 2) EDGE OF PAVEMENT RADII
 MAJOR / COLLECTOR ROAD: 30 FEET
 MINOR ROAD / DEAD END: 25 FEET
 COMMERCIAL / INDUSTRIAL: 30 FEET (MIN.)

- 3) MAXIMUM DRIVE GRADE SHALL BE 3%
 FROM PVI TO EDGE OF SHOULDER



TOWN OF ESSEX
 PUBLIC WORKS
 91 MAIN STREET
 ESSEX JCT., VT
 05452
 P: 802 878-1344
 F: 802 878-1355
 E: www.essex.vt.gov

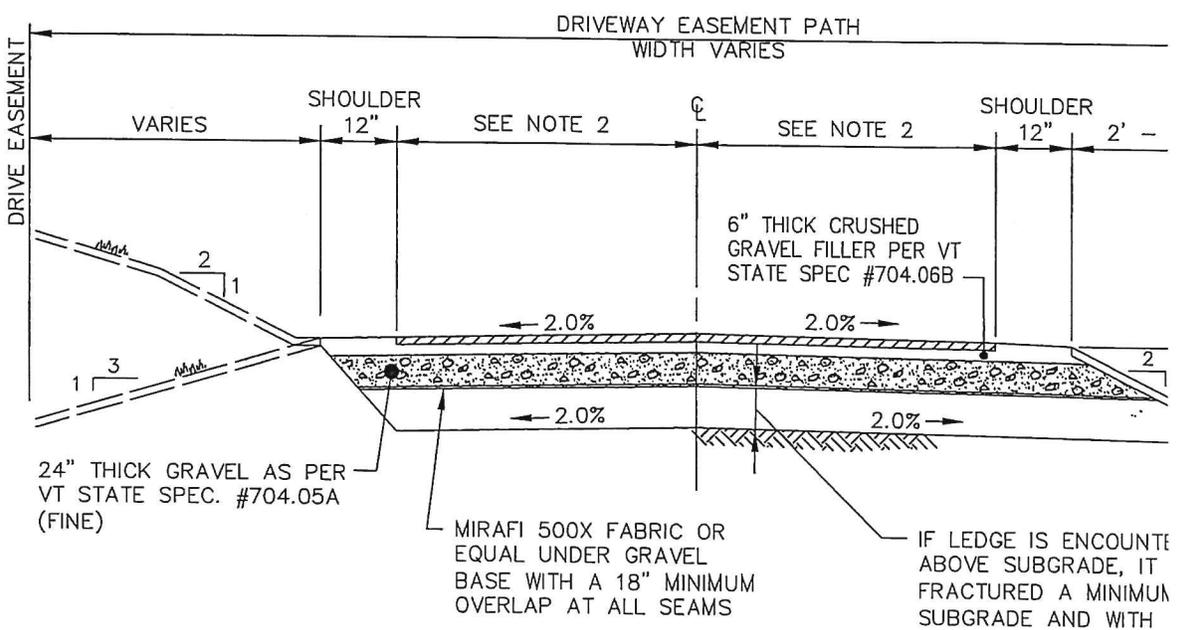
TOWN OF ESSEX, VERMONT
 STANDARD SPECIFICATIONS FOR CONSTRUCTION

RURAL DRIVEWAY

Detail No: 100.09
 Scale: NOT TO SCALE
 Date: JAN. 2017

A-9

	
TOWN OF ESSEX PUBLIC WORKS 81 MAIN STREET ESSEX JCT., VT 05452 P: 802 878-1344 F: 802 878-1365 E: WWW.ESSEX.VT	
TOWN OF ESSEX, VERMONT STANDARD SPECIFICATIONS FOR CONSTRUCTION DRIVEWAY (TYPE A)	
Detail No:	100.10
Scale:	NOT TO SCALE
Date:	JAN. 2017
A-10	



NOTES:

1. THE TYPE A STANDARD DRIVEWAY SECTION IS TO BE USED FOR DRIVEWAYS SERVING ONE TO TWO DWELLINGS.
2. THE MINIMUM WIDTH OF A TYPE A DRIVE SHALL BE 10' AND THE MAXIMUM WIDTH SHALL BE 15'
3. INSTALL SURFACE DRAINAGE AS REQUIRED. REFER TO DETAIL 200.06 FOR SPECIFIC INFORMATION REGARDING DRAINAGE.
4. THE DRIVEWAY GRADES SHALL NOT EXCEED 3.0% WITHIN THE FIRST 20' OFF OF THE EDGE OF THE TRAVELED WAY. BEYOND THAT, THE MAXIMUM GRADE SHALL BE 14%.
5. DRIVEWAYS EXCEEDING 900' IN LENGTH SHALL INCLUDE PULL-OFFS FOR EMERGENCY VEHICLES. THE NUMBER AND PLACEMENT OF PULL-OFFS SHALL BE DETERMINED BY THE TOWN OF ESSEX.



ALL CURB CUT DRIVE APRONS SHALL BE PAVED. FOR DRIVES WITH SIDEWALKS WITHIN THE RIGHT-OF-WAY, THE PAVED APRON SHALL EXTEND 30' BACK FROM THE BACK EDGE OF THE SIDEWALK. FOR DRIVES WITH NO PEDESTRIAN FACILITY, THE APRON SHALL EXTEND 50' FROM THE EDGE OF THE TRAVELED WAY.



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: Matt Wheeler
359 Browns Trace Road
Jericho, VT 05465

Permit Number: WW-4-4538-2

Regina Limoge
359 Browns Trace Road
Jericho, VT 05465

This permit affects the following property/properties in the Town of Essex, Vermont:

Lot	Parcel	SPAN	Acres	Book/Page #'s
8	2010057208	207-067-42284	10.20	Book:1060 Page:565

This application, consisting of a three bedroom, single family residence with a one bedroom, accessory apartment on an existing, 10.20 acre parcel utilizing a shared, on-site drilled well water supply and shared, on-site wastewater disposal system, located at 133 Indian Brook Road in the Town of Essex, 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 Town of Essex 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 Town of Essex Land Records.
- 1.3 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.
- 1.4 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.
- 1.5 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.
- 1.6 All conditions set forth in Permit Number's WW-4-4538 and WW-4-4538-1 shall remain in effect except as amended or modified herein.
- 1.7 A Homeowners' or Landowners' Association or equivalent legal entity shall be established (if applicable), and registered with the Secretary of State, **or other legal mechanism shall be implemented**, that shall provide for all the necessary rights and easements for the full operation, maintenance, and repair of the water supply system and shared wastewater disposal system.



2. CONSTRUCTION

- 2.1 Construction shall be completed as shown on the plans and/or documents prepared by Lamoureux & Dickinson Consulting Engineers, Inc. (Douglas Goulette P.E.), with the stamped plans listed as follows:

Title	Sheet number	Plan Date	Revision
Lot 8 Site & Grading Plan	1	03/15/2021	04-13-21
Lot 8 Wastewater Disposal & Potable Water Supply Details & Specifications	2	03/15/2021	

- 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 the 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 Drinking Water and Groundwater Protection Division and the Vermont Department of Health prior to use.
- 3.3 Prior to constructing the potable water supply, other than drilling of the water source, the permittee shall submit to the Drinking Water and Groundwater Protection Division a report by a Class I or Class BW Designer that includes the estimated yield of the source, specifications for the pump, and the design flow, design rate, and peak instantaneous demand of the potable water supply. If the estimated yield of the source cannot provide water in a quantity that satisfies the design flow, design rate, and instantaneous peak demand, the permittee shall submit an application to the Drinking Water and Groundwater Protection Division that includes a design prepared by a Class I or Class BW Designer for the water distribution system, including sizing calculations, specifications for pumps, hydropneumatic tanks, and storage facilities.

4. DESIGN FLOW

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

Lot	Building Use / Design Flow Basis	Wastewater	Water
8	Three bedroom, single family residence with a one bedroom, accessory apartment	560	560

WASTEWATER SYSTEM

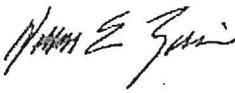
- 5.1 Prior to construction or site work, a designer shall flag the proposed leachfield, and the owner shall maintain the flags until commencement of construction of the system.
- 5.2 Should the wastewater system fail and not qualify as a minor repair or for an exemption, the landowner shall engage a 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.
- 5.3 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 source and the owner shall maintain the flag until commencement of construction of the source.
- 6.2 Should the 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.

Peter Walke, Commissioner
Department of Environmental Conservation

Dated April 14, 2021

By 

William E. Zabiloski
Environmental Analyst VI
Essex Junction Regional Office
Drinking Water and Groundwater Protection Division

Essex, Vermont Town Clerk's Office
APR 16, 2021 12:33 PM
Received for record and recorded in
book: 1066 on page: 347 - 349
Of Essex Land Records
Attest: Susan McNamara-Hill
Town Clerk

cc: Lamoureux & Dickinson Consulting Engineers, Inc.



LAND USE PERMIT AMENDMENT

State of Vermont
Natural Resources Board
District 4 Environmental Commission
111 West Street
Essex Junction, VT 05452
<https://nrb.vermont.gov/>

[phone] 802-879-5614

CASE NO: 4C1289R-3

Matt Wheeler and Regina Limoge
359 Browns Trace Road
Jericho, VT 05465

LAWS/REGULATIONS INVOLVED

10 V.S.A. §§ 6001 - 6111 (Act 250)

The District 4 Environmental Commission hereby issues Land Use Permit Amendment #4C1289R-3, pursuant to the authority vested in it by 10 V.S.A. §§ 6001-6111. This permit amendment applies to the lands identified in Book 1060, Page 565, of the land records of the Town of Essex, Vermont, as the subject of a deed to Matt Wheeler and Regina Limoge.

This permit specifically authorizes the construction of a 1-bedroom accessory residence over a detached barn, enlargement of the wastewater mound system, and revised locations of the single family residence and driveway on Lot 8. The project is located at 133 Indian Brook Road in Essex, Vermont.

Jurisdiction attaches because the Project constitutes a material change to a permitted development or subdivision, and thus requires a permit amendment pursuant to Act 250 Rule 34.

1. The Permittees, and their assigns and successors in interest, are obligated by this permit to complete, operate and maintain the project as approved by the District 4 Environmental Commission (the "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, (b) the District Commission's April 14, 2017 Findings of Fact and Conclusions of Law #4C1289R (excepting the Commission's findings and conclusions under Criterion 9(B)), and the Vermont Superior Court Environmental Division's September 11, 2017 Stipulation and Order (including its findings and conclusions under Criterion 9(B)), In re: Indian Brook Properties, LLP, Docket No. 50-4-17 Vtec., and (c) the permit application, plans, and exhibits on file with the District Commission and the Court, and other material representations.



The approved plans are:

Sheet 1A – “Lot 8 Site Plan,” dated 3/15/21 (Exhibit #006);

Sheet 1 – “Lot 8 Site & Grading Plan,” dated 3/15/21, last revision 6/11/21 (Exhibit #007);
and

Sheet 8 – “Typical Details & Specifications - Erosion Prevention & Sediment Control,”
dated 7/1/15 (Exhibit #008).

3. All conditions of Land Use Permit #4C1289R and amendments are in full force and effect except as further amended herein.
4. The Permittees shall comply with all of the conditions of the following Agency of Natural Resources Permits:
 - a. Wastewater System and Potable Water Supply Permit #WW-4-4538-2 issued on April 14, 2021 by the ANR Drinking Water and Groundwater Protection Division; and
 - b. Authorization of Notice of Intent (NOI #7475-9020.1) under Construction General Permit 3-9020 issued on May 10, 2021 by the ANR Watershed Management Division.
5. Any nonmaterial changes to the permits listed in the preceding condition shall be automatically incorporated herein upon issuance by the Agency of Natural Resources.
6. 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.
7. A copy of this permit and plans shall be on the site at all times throughout the construction process.
8. 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 is not required.
9. Pursuant to 10 V.S.A. § 8005(c), the Commission or the Natural Resources 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.
10. The conditions of this permit and the land uses permitted herein shall run with the land and are binding upon and enforceable against the Permittees and their successors and assigns.
11. Construction hours shall be limited to Monday through Friday from 7:00AM to 6:00PM, Saturdays from 8:00AM to 4:00PM, and no construction on Sundays or State/Federal holidays.

12. The Permittees shall apply and maintain water and/or other agents approved by the Watershed Management Division on all roadways or disturbed areas within the project during construction and until pavement and/or vegetation is fully established to control dust.
13. No floor drains shall be installed without first obtaining a permit or submitting other necessary documentation, as required by the Vermont Department of Environmental Conservation.
14. The Permittees and all subsequent owners or lessees shall install and maintain only low-flow plumbing fixtures in any buildings. Any failed water conservation measures shall be promptly replaced with products of equal or better performance.
15. At a minimum, the Permittees shall comply with the Vermont Department of Environmental Conservation's *Low Risk Site Handbook for Erosion Prevention and Sediment Control* (February 2020).
16. The Permittees shall comply with Exhibit #010 (Blasting and Rock Excavation) and implement the Vermont Department of Environmental Conservation's *Best Management Practices for Blasting Activities to Avoid Environmental Contamination (2016)*^a.
17. The Permittees shall comply with Exhibits #001, 006 and 008 (Schedule B; Site Plan; and Typical Details and Specifications Erosion Prevention and Sediment Control) for erosion prevention and sediment control. The Permittees 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.
18. All mulch, siltation dams, water bars and other temporary devices shall be installed immediately upon grading and shall be maintained until all roads are permanently surfaced and all permanent vegetation is established on all slopes and disturbed areas. Topsoil stockpiles shall have the exposed earth completely mulched and have siltation checks around the base.
19. All areas of disturbance must have temporary or permanent stabilization within 14 days of the initial disturbance. After this time, any disturbance in the area must be stabilized at the end of each workday. The following exceptions apply: i) Stabilization is not required if work is to continue in the area within the next 24 hours and there is no

^a 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>

- precipitation forecast for the next 24 hours. ii) 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).
20. All disturbed areas of the site shall be stabilized, seeded, and mulched immediately upon completion of final grading. All disturbed areas not involved in winter construction shall be mulched and seeded before October 15. Between the periods of October 15 to April 15, all earth disturbing work shall conform with the "Requirements for Winter Construction" standards and specifications of the Vermont Department of Environmental Conservation's *Low Risk Site Handbook for Erosion Prevention and Sediment Control* (February 2020).
 21. In addition to conformance with all erosion prevention and sediment control conditions, the Permittees 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.
 22. The Permittees shall maintain an undisturbed, naturally vegetated, unmowed 50-foot buffer from the edge of wetlands and any disturbed areas. 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.
 23. 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, so as to prevent groundwater pollution.
 24. Prior to any site work, the Permittees shall install and maintain temporary fencing along the tree line to be retained as depicted on Exhibit #006 (Site Plan).
 25. All exterior lighting shall be installed or shielded in such a manner as to conceal light sources and reflector surfaces from view beyond the perimeter of the area to be illuminated.
 26. The Permittees shall not erect exterior signage without prior written approval from the District Coordinator or the District Commission, whichever is appropriate under the Act 250 Rules. Signage includes banners, flags, and other advertising displays, excepting temporary real estate marketing signs and temporary Grand Opening signs.
 27. Pursuant to 30 V.S.A. Section 51(e), the Permittees and/or subsequent lot owner, at a minimum, shall construct the single family home and detached barn with accessory dwelling in accordance with Vermont's Residential Building Energy Standards (RBES) Stretch Code effective at the time of construction.

28. Manufactured housing (mobile homes) shall, at a minimum, meet the requirements of Title VI of the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. Sections 5421-5426).
29. The installation and/or use of electric resistance space heat is specifically prohibited without prior written approval from the District Environmental Commission.
30. The Permittees shall provide each prospective purchaser of any interest in this Project a copy of the Land Use Permit Amendment before any written contract of sale is entered into.
31. 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. Notwithstanding any other provision herein, this permit shall expire three years from the date of issuance if the Permittees have not commenced construction and made substantial progress toward completion within the three-year period in accordance with 10 V.S.A. § 6091(b).
32. All site work and construction shall be completed in accordance with the approved plans by **October 1, 2024**, 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 a public hearing.
33. The Permittees shall file a Certificate of Actual Construction Costs, on forms available from the Natural Resources 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 Permittees 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: Natural Resources Board, 10 Baldwin Street, Montpelier, VT 05633-3201; Attention: Certification.
34. Failure to comply with any condition herein may be grounds for permit revocation pursuant to 10 V.S.A. sec. 6027(g).

Dated this 16th day of June, 2021.

By /s/Thomas A. Little
Thomas A. Little, Chair
District 4 Commission

Members participating in this decision:

Parker Riehle

Pam Loranger

Any party may file a motion to alter with the District Commission within 15 days from the date of this decision, pursuant to Act 250 Rule 31(A).

Any appeal of this decision must be filed with the Superior Court, Environmental Division within 30 days of the date the decision was issued, pursuant to 10 V.S.A. Chapter 220. The Notice of Appeal must comply with the Vermont Rules for Environmental Court Proceedings. The appellant must file with the Notice of Appeal the relevant entry fee required by 32 V.S.A. § 1431.

The appellant must also serve a copy of the Notice of Appeal on the Natural Resources Board, 10 Baldwin Street, Montpelier, VT 05633-3201, and on other parties in accordance with Rule 5(b)(4)(B) of the Vermont Rules for Environmental Court Proceedings.

Decisions on minor applications may be appealed only if a hearing was held by the district commission. Please note that there are certain limitations on the right to appeal, including appeals from Administrative Amendments and interlocutory appeals. See 10 V.S.A. § 8504(k), 3 V.S.A. § 815, and Vermont Rule of Appellate Procedure 5.

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.

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