

Appeal Period Expires <u>9/17/20</u> Zoning District <u>C1</u>	Town of Essex, Vermont Application for Zoning Permit www.essex.org	Application Date <u>8/24/20</u> Permit Number <u>2020-158</u>
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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 during the appeal period and it must remain posted throughout the construction period. **You are required to contact the necessary state agencies to obtain state permits @ 477-2241 (Jeff McMahon, Permit Specialist).**

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.

Signed: Nicholas Cunningham

A	Parcel Account Numb. (Map-Parcel-Lot) <u>2-017-001-003</u> <small>(found in Town Assessor's Office)</small> Property Address : <u>76 Brigham Hill Lane</u> Owner: <u>Cunningham Contractors, LLC</u> Owner Address: <u>22 Faith Street Burlington, VT 05408</u> Owner Phone: (work) <u>802-658-2260</u> (home) _____ (cell) <u>802-598-2107</u> (Email) <u>cunninghamcontractorsvt@gmail.com</u> Contractors name: <u>Cunningham Contractors</u> Phone: <u>802-658-2260</u> Cell: <u>802-598-2107</u> Estimated Construction Dates: Start: <u>9/7/20</u> Completion: <u>12/31/20</u> Sq. Feet: <u>2030 sf</u> Estimated Cost (labor & materials): \$ <u>175,000</u>
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Check box(es) which describe proposed use or construction (circle choice in parenthesis). N = New A = Addition R = Remodel																																																																																								
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B	Sewage Disposal (Please attach Sewer or Septic Application). Public <input type="checkbox"/> Private <input checked="" type="checkbox"/> Connection Fee \$ _____ Date Paid: ___/___/___ Proposed New Bedrooms: <u>3</u> Existing Bedrooms _____
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C	Water (Please attach Water Service Application). Public <input type="checkbox"/> Private <input checked="" type="checkbox"/> Fee \$ _____ Date Paid: ___/___/___
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D	Driveway (Please attach copy of approved Curbcut / Utility Application). Date of approval ___/___/___
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E	Stormwater <input type="checkbox"/> Project disturbs an area greater than or equal to 1 acre – Erosion Control Permit Required. Attach completed permit application. <input type="checkbox"/> 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.
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F	Diagram – Show a sketch of project on reverse of this application with property lines, building, and setbacks or attach separate sheet.
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G	<p style="font-size: 1.2em; font-style: italic;">Construction to be pursuant to Planning Commission approval # 2019-16, issued on 6-13-19. File located at 76 + 118 Brigham Hill Ln. (Boundary Adjst.)</p> Signature of Tenant and Signature of Owner: <u>Nicholas Cunningham</u>
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Office Use Only																								
<table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:15%;">Fees:</td> <td style="width:15%;">Type</td> <td style="width:40%;">Amount</td> <td style="width:30%;">Date Pd</td> </tr> <tr> <td></td> <td>Permit</td> <td style="text-align: right;">\$447.50</td> <td></td> </tr> <tr> <td></td> <td>Recreation</td> <td style="text-align: right;">\$020-</td> <td style="text-align: center;">8/28/20</td> </tr> <tr> <td></td> <td>Recording</td> <td style="text-align: right;">\$ 30-</td> <td></td> </tr> <tr> <td></td> <td>Certificate of Occ</td> <td style="text-align: right;">\$ 75-</td> <td></td> </tr> <tr> <td></td> <td>Other</td> <td style="text-align: right;">\$ _____</td> <td style="text-align: center;">___/___/___</td> </tr> </table>	Fees:	Type	Amount	Date Pd		Permit	\$447.50			Recreation	\$020-	8/28/20		Recording	\$ 30-			Certificate of Occ	\$ 75-			Other	\$ _____	___/___/___
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	Certificate of Occ	\$ 75-																						
	Other	\$ _____	___/___/___																					
Building Permit Approved <input checked="" type="checkbox"/> Rejected <input type="checkbox"/> Date <u>9/2/20</u> Issued to: <u>Cunningham Cont. LLC</u> Zoning Administrator: <u>Shah Kelley / ms</u> Notes: <u>RBES required prior to CO.</u>																								
C.O. Required Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>																								

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

2020-158

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. _____ / 8/24/20
Date

Property Address: 76 Brigham Hill Lane

Owner Address: Cunningham Contractors, LLC

Owner Name: Nic Cunningham

Phone Number: (home) _____ (work) 802-658-2260 (cell) 802-598-2107

Tax Map # 017 Tax Parcel 001 Tax Lot 003

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:

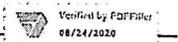
Culvert : Yes No Water Bar(s) : Yes No

Culvert Diameter: (18 inch minimum) _____ Total length of Culvert: (30 foot minimum) _____

*** FOR OFFICE USE ONLY ***

Signature of Owner:

Nicholas Cunningham



Fee Paid \$ _____

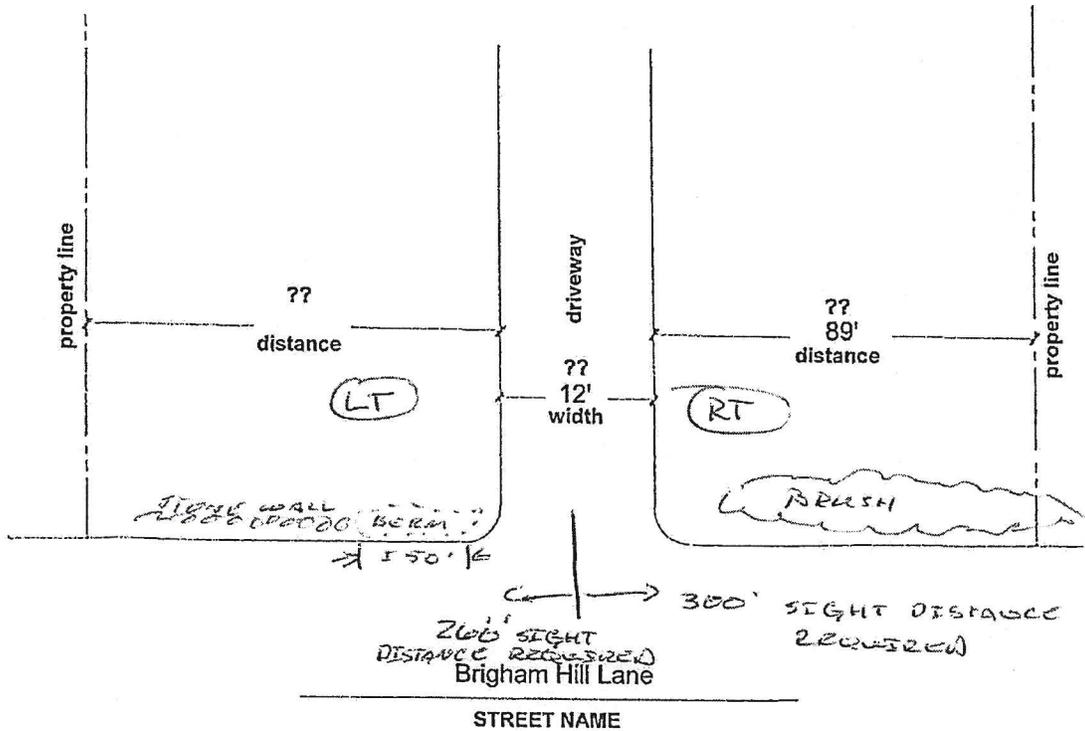
Approved Rejected

[Signature]

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

1. Culvert must be HIGH DENSITY POLYETHYLENE (HDPE) PIPE
2. Culvert will be purchased by the Applicant
3. Culvert will be purchased and installed by the applicant. The Town of Essex Department of Public Works will inspect.

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.



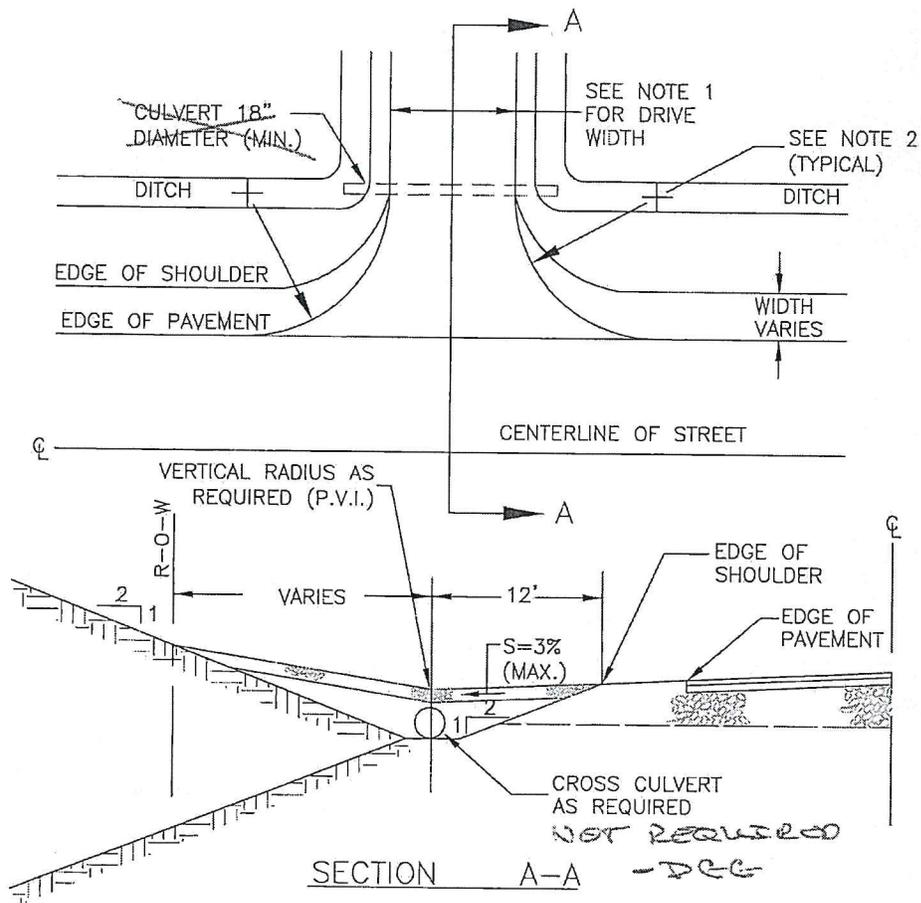
CONDITIONS:

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

- EARTH BERM ON (LT) SIDE NEEDS TO BE REMOVED FOR ~~SEE~~ LINE OF SIGHT.
- ALL TREES BETWEEN STONE WALL AND ROAD MUST BE REMOVED (STUMPS TOO) FOR SIGHT DISTANCE
- ALL BRUSH (RT) ALONG R.O.W MUST BE REMOVED FOR SIGHT DISTANCE.
- DRIVE MUST SLOPE AWAY FROM ROAD (± 3% MIN.)
- NO CULVERT REQUIRED
- CONSTRUCT AS SHOWN (ATTACHED DETAILS ~~SEE~~ A-9)

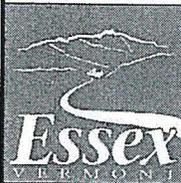
DGG

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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
 81 MAIN STREET
 ESSEX JCT., VT
 05452
 P: 802 878-1344
 F: 802 878-1355
 E: www.essex.org

TOWN OF ESSEX, VERMONT
 STANDARD SPECIFICATIONS FOR CONSTRUCTION

RURAL DRIVEWAY

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

A-9

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 September 29, 2007
 Chapter 21, Water Supply Rules, Effective December 1, 2010

Landowner(s): Brigham Hill Associates, LLC
 75 Brigham Hill Lane
 Essex, VT 05452

Permit Number: WW-4-5052

This permit affects the following properties in Essex, Vermont:

<i>Lot</i>	<i>Parcel</i>	<i>SPAN</i>	<i>Acres</i>	<i>Book(s)/Page(s)#</i>
1	2017001002	207-067-41802	26.60±	Book:741 Page(s):360

This project, to construct two – three bedroom single family residences on an existing lot, served by onsite drilled wells and wastewater systems using Advanced Enviro-Septic (AES) Pipe Leaching Systems, located on Brigham Hill Lane in Essex, Vermont, is hereby approved under the requirements of the regulations named above subject to the following conditions.

1. GENERAL

- 1.1 The project shall be completed as shown on the plans and/or documents prepared by Michael Carbonneau from Connecticut Valley Designs, with the stamped plans listed as follows:

<i>Title</i>	<i>Sheet Number</i>	<i>Plan Date</i>	<i>Revision Date</i>
Proposed Septic Disposal Facilities for Property of: Brigham Hill Associates, LLC	1 of 3	02/28/2018	12/03/2018
Proposed Septic Disposal Facilities for Property of: Brigham Hill Associates, LLC	2 of 3	02/28/2018	12/03/2018

- 1.2 This permit does not relieve the landowner from obtaining any and all other applicable state and local approvals and permits PRIOR to construction.
- 1.3 The conditions of this permit shall run with the land and will be binding upon and enforceable against the landowner and all assigns and successors in interest. The landowner shall record and index this permit in the Essex Land Records within thirty, (30) days of issuance of this permit and prior to the conveyance of any lot subject to the jurisdiction of this permit.
- 1.4 The landowner shall record and index all required installation certifications and other documents that are required to be filed under these Rules or under a specific permit condition in the Essex Land Records and ensure that copies of all certifications are sent to the Secretary.
- 1.5 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) 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 the permit conditions, were inspected, were properly tested, and have successfully met those performance tests",

or which otherwise satisfies the requirements of §1-308 and §1-911 of the referenced rules.



- 1.6 Each purchaser of any portion of the project shall be shown copies of the Wastewater System and Potable Water Supply Permit, the stamped plans, and **Innovative/Alternative System Approval letter #2004-02-R4 for Advanced Enviro-Septic (AES), Enviro-Septic® (ES), and Simple Septic® (SS) Pipe Leaching System** prior to conveyance of the lot. The Innovative/Alternative Approval contains special requirements that need to be complied with for the project to remain in compliance with this permit.
- 1.7 Each new owner of the property shall inform the Drinking Water and Groundwater Protection Division and vendor within 30 days of the transfer of the property and include the name and mailing address of the new owner.
- 1.8 This project is approved for the construction of two – three bedroom single family residences on the lot. Construction of additional nonexempt buildings, including commercial and residential buildings, is not allowed without prior review and approval by the Drinking Water and Groundwater Protection Division and such approval will not be granted unless the proposal conforms to the applicable laws and regulations. No construction is allowed that will cause non-compliance with an existing permit.
- 1.9 By acceptance of this permit, the landowner 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.
- 1.10 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.

2. WATER SUPPLY

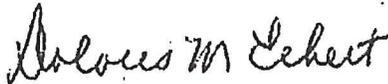
- 2.1 The components of the potable water supply herein approved shall be routinely and reliably inspected during construction by a qualified Vermont Licensed Designer (or where allowed, the installer) who shall, upon completion and prior to occupancy of the associated building, report in writing to the Drinking Water and Groundwater Protection Division that the installation was accomplished in accordance with the referenced plans and permit conditions, as specifically directed in Condition #1.5 herein.
- 2.2 Each three bedroom single family residence is approved for a potable water supply using a drilled or percussion bedrock well for 420 gallons of water per day provided the supply is located as shown on the stamped plans and meets or exceeds the isolation distances, construction standards, and water quality standards required in the Water Supply Rule.
- 2.3 The landowner shall operate each potable water supply in a manner that keeps the supply free from contamination. The landowner shall immediately notify the Division if the water supply system fails to function properly and becomes a "failed supply".
- 2.4 The water source locations as shown on the stamped plans shall be accurately staked out and flagged prior to any construction on this project with the flagging being maintained until construction is complete.

3. WASTEWATER DISPOSAL

- 3.1 The components of the wastewater system herein approved shall be routinely and reliably inspected during construction by a qualified Vermont Licensed Designer who shall, upon completion and prior to occupancy of the associated building, report in writing to the Drinking Water and Groundwater Protection Division that the installation was accomplished in accordance with the referenced plans and permit conditions, as specifically directed in Condition #1.5 herein.
- 3.2 Each three bedroom single family residence is approved for the disposal of wastewater in accordance with the design depicted on the stamped plans for 420 gallons of wastewater per day.
- 3.3 The system(s) shall be operated at all times in a manner that will not permit the discharge of effluent onto the surface of the ground or into the waters of the State. The landowner shall immediately notify the Division if the wastewater system fails to function properly and becomes a "failed system". Should the system fail and not qualify for the minor repair or replacement exemption, the current landowner shall engage a qualified Vermont Licensed Designer to evaluate the cause of the failure and to submit an application to this office and receive written approval prior to correcting the failure.
- 3.4 Each three bedroom single family residence is approved for the mound wastewater system provided the mound is constructed in strict accordance with the following conditions:
 - a. The mound system is to be located and constructed as depicted on the plans that have been stamped by the Drinking Water and Groundwater Protection Division.

- b. A qualified Vermont Licensed Designer shall inspect the mound system during critical stages of construction. This shall include the staking of the location of the mound, ensuring the site has been properly plowed prior to placement of the appropriate sand fill, the installation and testing of the distribution piping, final grading of the mound including side slopes, and, when applicable, pump station installation.
 - c. The construction of the mound shall adhere to the requirements set forth in Section 1-913(f) of the above referenced rules.
- 3.5 The corners of the proposed primary wastewater areas shall be accurately staked out and flagged prior to construction with the flagging/staking being maintained until construction is complete.
- 3.6 The wastewater systems for this project are approved for domestic type wastewater only except as allowed for water treatment discharges. No discharge of other type process wastewater is permitted unless prior written approval is obtained from the Drinking Water and Groundwater Protection Division.
- 3.7 No buildings, roads, water lines, earthwork, re-grading, excavation or other construction that might interfere with the installation or operation of the wastewater systems are allowed on or near the site-specific wastewater disposal systems depicted on the stamped plans. All isolation distances that are set forth in the Wastewater System and Potable Water Supply Rules shall be adhered to and will be incorporated into the construction and installation of the wastewater disposal field.

Emily Boedecker, Commissioner
Department of Environmental Conservation



By _____ Dated December 17, 2018
Dolores M. Eckert, Assistant Regional Engineer
Essex Junction Regional Office
Drinking Water and Groundwater Protection Division

Enclosures: **Innovative/Alternative System Approval letter #2004-02-R4 for Advanced Enviro-Septic (AES), Enviro-Septic® (ES), and Simple Septic® (SS) Pipe Leaching System**

cc: Michael Carbonneau
Essex Planning Commission
Innovative/Alternative Manufacturer – Presby Environmental, Inc.



State of Vermont
 Department of Environmental Conservation
 Drinking Water & Groundwater Protection Division
 1 National Life Drive - Main 2
 Montpelier VT 05620-3521
www.anr.state.vt.us/dec/ww/wwmd.cfm

[phone] 802-585-4911
 [fax] 802-828-1541

Agency of Natural Resources

Innovative/Alternative System Approval
 General Use per §1-1001 of the
 Wastewater System and Potable Water Supply Rules, September 29, 2007

Approval Number 2004-02-R4
 Approval Date January 18, 2017

Vendor Information

Presby Environmental, Inc.
 143 Airport Road
 Whitefield, NH 03598

Technology Name

Advanced Enviro-Septic® (AES);
 Enviro-Septic® (ES) and
 Simple Septic® (SS) Pipe Leaching System

Contact

David W. Presby, President
 Presby Environmental, Inc.
 143 Airport Road
 Whitefield, NH 03598
 Phone (800) 473-5298
 Fax (603) 837-9864
 Web: www.PresbyEnvironmental.com

Technology Type

Gravelless Pipe Distribution System
 for Septic Tank Effluent

Expiration Date

February 23, 2019

Approval

The Advanced Enviro-Septic® (AES), the Enviro-Septic® (ES), and the Simple Septic® (SS) Pipe Leaching Systems may be used as part of a subsurface wastewater disposal system approved under the Wastewater System and Potable Water Supply Rules, effective September 29, 2007 (Rules) under the following conditions:

1. The pipe leaching systems must be designed, installed and operated as described in the Vermont Design and Installation Manual, dated July 2014, filed with the Agency of Natural Resources (Agency).
2. This approval is based on treatment only of domestic wastewater of low and moderate strength as specified in §1-915(a)(1)(C) & (D) of the Rules. No high strength wastewater shall be dispersed using this technology. An AES, ES and SS Pipe Leaching Systems shall not be used as a filtrate effluent disposal system.



3. The system may be used for both new and replacement systems.
4. If the Rules are revised during the term of this approval, this approval shall be revised as needed to conform to the revisions.
5. The Licensed Designer (Designer) shall provide a copy of this approval letter to any landowner who is a prospective purchaser of an AES, ES or SS Pipe Leaching System prior to the sale of the system and prior to the filing of any application for a site-specific approval by the Agency for the purchaser's property. The application filed with the Agency shall include the landowner's written acknowledgement of this approval letter. Prior to any sale of the property or completion of a sales agreement to sell the property, a copy of the site-specific permit shall be provided to the prospective purchaser.
6. When a project is subject to the Rules, site-specific permission for the use of this product is required in the form of a Wastewater System – Potable Water Supply Permit.
7. A site-specific permit for the use of this product may be revoked if the system fails to function properly. Revocation of the permit will require that the use of the building be discontinued unless another wastewater disposal system is installed based on prior written approval by the Agency.
8. This approval is not a representation or guarantee of the effectiveness, efficiency or operation of an ABS, ES or SS Pipe Leaching System.
9. Serial distribution shall be limited to 100 feet of pipe along the contour and 500 feet total.
10. The Advanced Enviro-Septic® (AES) pipe is comprised of corrugated, perforated plastic pipe, Bio-Accelerator® fabric along its bottom which is surrounded by a layer of randomized plastic fibers and a sewn geo-textile fabric which provides over 40 sq. ft. of total surface area. The Enviro-Septic® (ES) pipe is comprised of corrugated, perforated plastic pipe which is surrounded by a layer of randomized plastic fibers and a sewn geo-textile fabric which provides over 25 sq. ft. of total surface area. The Simple Septic® (SS) pipe is comprised of corrugated plastic pipe which is surrounded by a single layer of sewn geo-textile fabric which provides over 15 sq. ft. of total surface area. The limited surface area of the SS as compared with the AES and ES may result in a shorter lifespan than the AES and ES pipe leaching systems.

Landowner Requirements

1. A copy of the permit shall be provided to any prospective purchaser prior to the sale.
2. Each new landowner of the property shall inform the appropriate Regional Environmental Office of the Agency within 30 days of the transfer of the property and include the name and mailing address of the new owner.

Vendor Requirements

1. The vendor shall submit an annual report to the Agency by April 1 of each year containing the following information for the 12-month period ending December 31 of the previous year:
 - A. New permitted systems installed in Vermont for the previous year and shall include:
 - i. Assigned Wastewater Permit Number;
 - ii. Physical and landowner mailing addresses;
 - iii. Name of current landowner;
 - iv. Name of Designer providing the installation certification; and
 - v. Name of installer.
 - B. Existing permitted systems with known changes in ownership shall include the Wastewater Permit Number; the physical and mailing address, and the name of the current landowner.
 - C. All known problems, damages and/or failures, including:
 - i. Description of the issues;
 - ii. Potential/known causes of problems;
 - iii. System operability;
 - iv. Recommended repair/remediation;
 - v. Date(s) of repair/remediation; and
 - vi. System effectiveness.Note: Repairs that are not defined by the Rules as a "Minor Repair" require approval by the Division prior to making the repair.
 - D. A list of names of Designers and Installers trained by the vendor.
2. The vendor shall train and certify Designers and installers in the proper use and installation of the AES, ES or SS pipe leaching systems.

Design and Review Conditions

The following conditions will be used by the Agency in reviewing permit applications that include an Advanced Enviro-Septic®, Enviro-Septic®, or Simple Septic® Pipe Leaching System:

Design and Application

1. The Designer shall specify which pipe leaching system is to be installed; the Advanced Enviro-Septic®, Enviro-Septic®, or Simple Septic® Pipe Leaching System;
2. The leaching system shall be designed in accordance with the approved Vermont Design and Installation Manual.

3. The designer shall assure that the system will properly function in all seasons.
4. The designer must assess the ventilation path for the particular application and make any necessary provisions to assure proper flow and control of odor emissions.
5. The designer shall provide the landowner with written guidance on the maintenance requirements and homeowner responsibilities in the care and use of an onsite wastewater system according to the AES, ES or SS pipe leaching system requirements for use of the product.
6. The designer shall include in the design a septic tank effluent filter with easy access for inspection and cleaning.

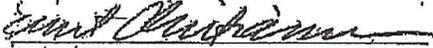
Installation Inspection

1. The specified pipe leaching system shall be installed in accordance with the approved plans and under the instruction and guidance of an installer/inspector trained by the vendor.
2. The leaching system shall be inspected by a Licensed Class 1 Designer or a Licensed Class B Designer, approved by the Vendor, during installation of the system and installation of all tanks before backfilling, and after backfilling and grading is complete. The inspection shall include checking for levelness of the pipes, and inspecting for damage and proper assembly. The Designer shall inspect all transport piping for proper installation and watertightness before backfilling.
3. A letter certifying that the system is correctly installed (including the language specified in §1-308 of the Rules) shall be provided electronically to the vendor and the approving Regional Office that issued the permit.
4. It is acceptable to substitute AES for specified ES or SS pipe; or to substitute ES for specified SS pipe for permitted wastewater designs. The above described substitutions may be accomplished in the installation certification and record drawing. All other substitutions require a Wastewater System and Potable Water Supply Permit amendment.

Permitting

1. The permit shall run with the land.

Effective Date: February 23, 2017

By 
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Regional Office Program Manager

