

Appeal Period Expires 9/9/15
 Zoning District AK

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

Application Date 1/1
 Permit Number 2015-136

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: Tom H

A Parcel Account Num. (Map-Parcel-Lot) 2-014-023-303
 (found in Town Assessor's Office)
 Property Address: Lot #3 15 Goodrich Ln
 Owner: BlackRock/Brigham Heights, LLC
 Owner Address: 302 Mountain View Dr Ste 300 Colchester, VT
 Owner Phone: (work) 488-3460 (home) _____
 (cell) 578-8451 (Email) tom@tomhergen.com
 Contractors name: BlackRock Construction Phone: 488-3460
 Cell: _____
 Estimated Construction Dates: Start: 9/1/15 Completion: 1/1/16
 Sq. Feet: Approx 2100 Estimated Cost (labor & materials): \$250,000

G

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

Residential:			
Single Family	<u>unfinished basement</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Two-family (duplex)(other)		<input type="checkbox"/>	<input type="checkbox"/>
Multi-family		<input type="checkbox"/>	<input type="checkbox"/>
Condominium / Townhouse		<input type="checkbox"/>	<input type="checkbox"/>
Mobile home		<input type="checkbox"/>	<input type="checkbox"/>
Inclusions or Additions:	<u>2nd story - unfinished</u>		
Garage (attached) (detached)		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Porch (enclosed) (open)		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Deck		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pool (in) (above) ground		<input type="checkbox"/>	<input type="checkbox"/>
Shed		<input type="checkbox"/>	<input type="checkbox"/>
Barn (residential) (agriculture)		<input type="checkbox"/>	<input type="checkbox"/>
Non-residential:			
Commercial / Industrial		<input type="checkbox"/>	<input type="checkbox"/>
Stormwater:			
Stormwater		<input type="checkbox"/>	<input type="checkbox"/>
Erosion Control		<input type="checkbox"/>	<input type="checkbox"/>
Other:			
Change in use		<input type="checkbox"/>	<input type="checkbox"/>
Miscellaneous		<input type="checkbox"/>	<input type="checkbox"/>
Renewal		<input type="checkbox"/>	<input type="checkbox"/>

B Sewage Disposal (Please attach Sewer or Septic Application).
 Public Private Connection Fee \$ _____ Date Paid: 1/1
 Proposed New Bedrooms: 4 Existing Bedrooms N/A
state permit # W-4-3818

C Water (Please attach Water Service Application). attached
 Public Private Fee \$ _____ Date Paid: 1/1
state permit # W-4-3818

D Driveway (Please attach copy of approved Curbcut / Utility Application).
 Date of approval 8/24/15 attached

E Stormwater See file
 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 Signature of Tenant and Signature of Owner
TO BE constructed Pursuant to PC Approval # PC: 2012-19
Tom H

Office Use Only

Fees:	Type	Amount	Date Pd
Permit		\$ <u>625.</u>	<u>1/1</u>
Recreation		\$ <u>628.</u>	<u>8/25/15</u>
Recording		\$ <u>20.</u>	<u>1/1</u>
Certificate of Occ		\$ <u>75.</u>	<u>1/1</u>
Other	<u>traffic</u>	\$ <u>507.50</u>	<u>1/1</u>

Building Permit Approved Rejected Date 8/25/15
 Issued to: BlackRock/Brigham Heights LLC
 Zoning Administrator: Jason L. Kelley
 Notes: Energy code given

C.O. Required Yes No

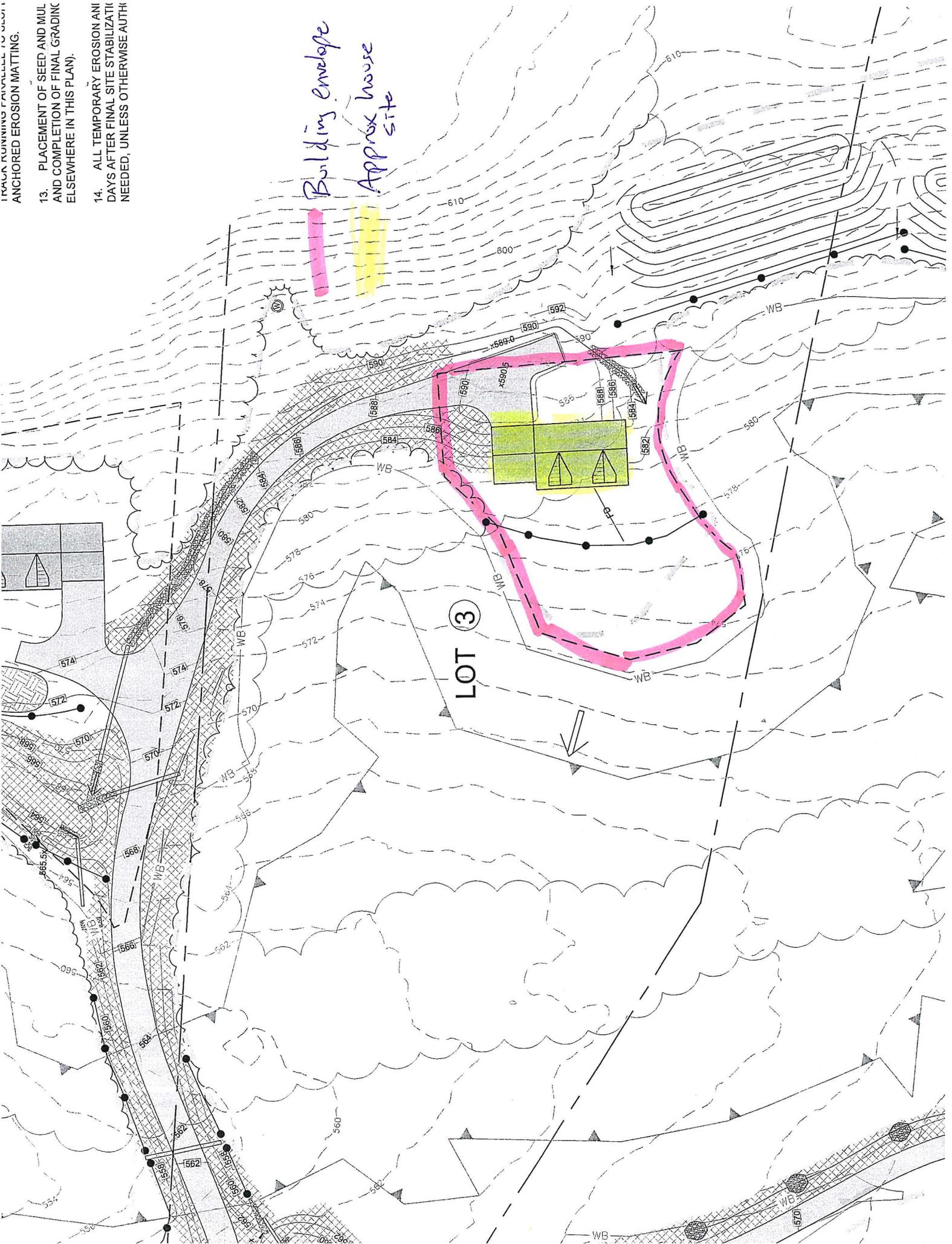
THIS PERMIT VALID FOR TWELVE (12) MONTHS FROM DATE OF ISSUE

1. GRA RUNNING PARALLEL TO LOT 3
ANCHORED EROSION MATTING.

13. PLACEMENT OF SEED AND MUL
AND COMPLETION OF FINAL GRADING
ELSEWHERE IN THIS PLAN).

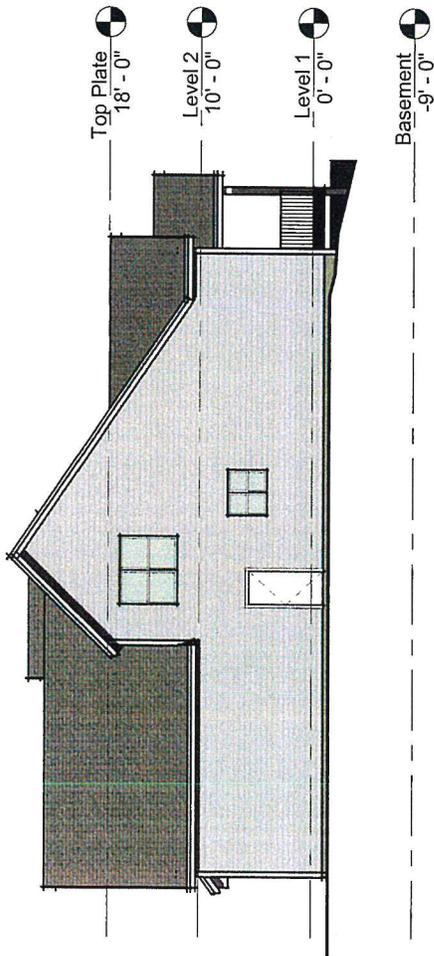
14. ALL TEMPORARY EROSION ANI
DAYS AFTER FINAL SITE STABILIZATI
NEEDED, UNLESS OTHERWISE AUTHI

Building envelope
Approx house
site

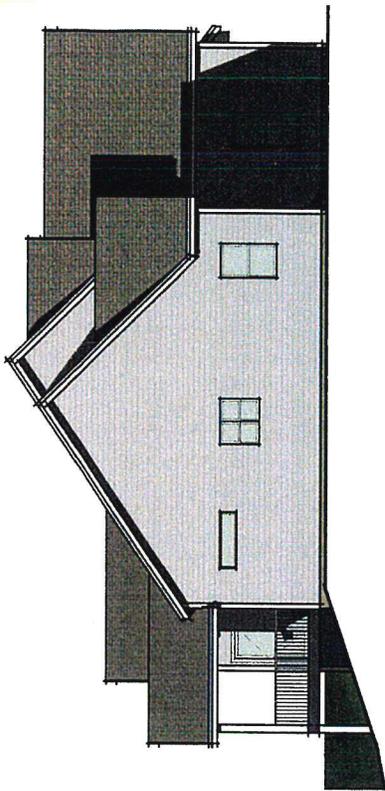


Addendum #3 (G4) (7A)

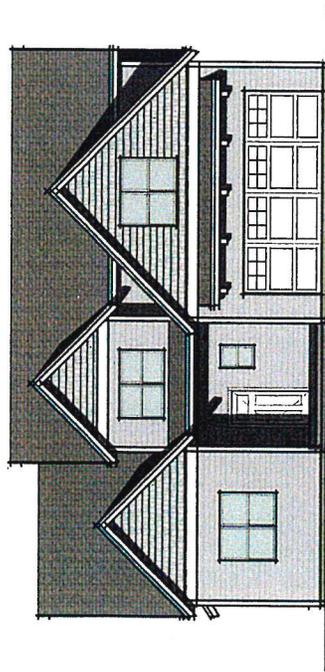
FOR REVIEW ONLY - NOT FOR CONSTRUCTION



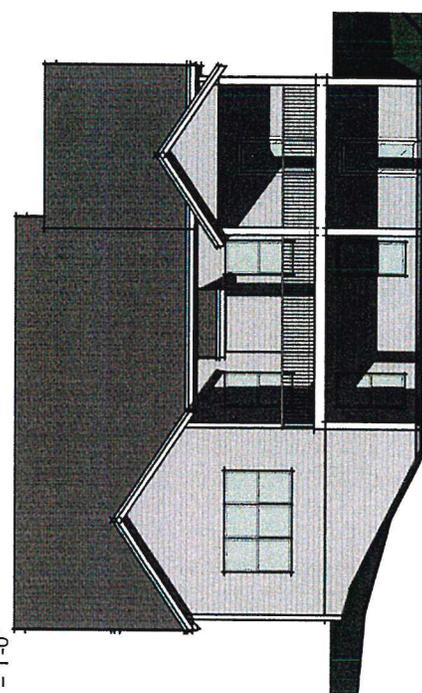
1 Right
3/32" = 1'-0"



2 Left
3/32" = 1'-0"



3 Front
3/32" = 1'-0"



4 Back
3/32" = 1'-0"

THIS DRAWING IS THE PROPERTY OF G4 DESIGN STUDIOS, LLC AND IS NOT TO BE COPIED, REPRODUCED, OR THE CONTENT THEREOF USED, IN WHOLE OR IN PART, WITHOUT THE PRIOR WRITTEN CONSENT OF STEVE GUILD



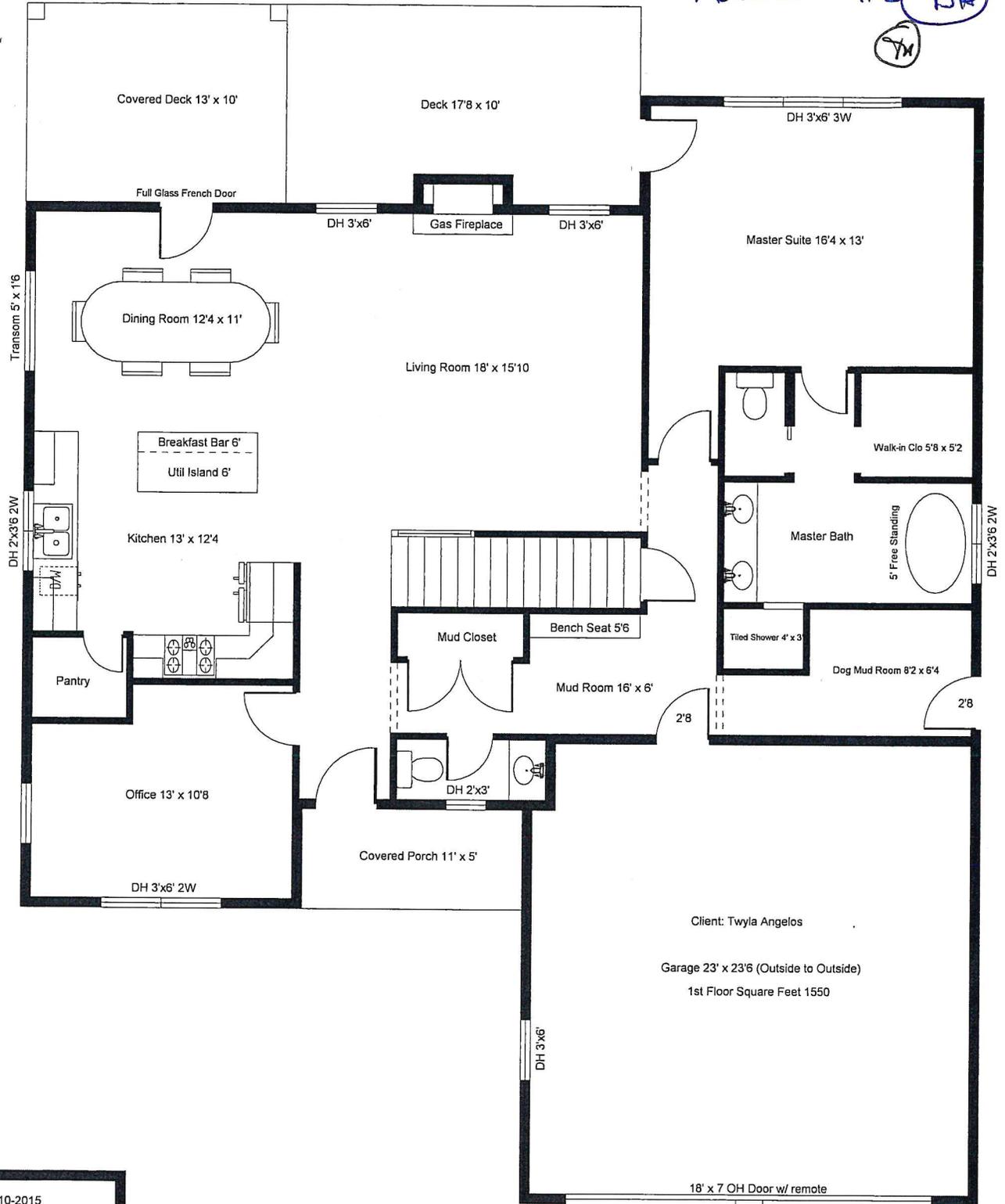
Twyla Angelos
Blackrock Construction

G4 DESIGN STUDIOS
77 COLLEGE STREET, BURLINGTON, VERMONT
802-497-0895

Elevations	
Project number	3
Date	7/16/15
Drawn by	G4
Checked by	G4
A101	
Scale: 3/32" = 1'-0"	

Addendum #3 TJA

TJA



Client: Twyla Angelos

Garage 23' x 23'6 (Outside to Outside)
1st Floor Square Feet 1550

Date: 7-10-2015

Client: Twyla Angelos

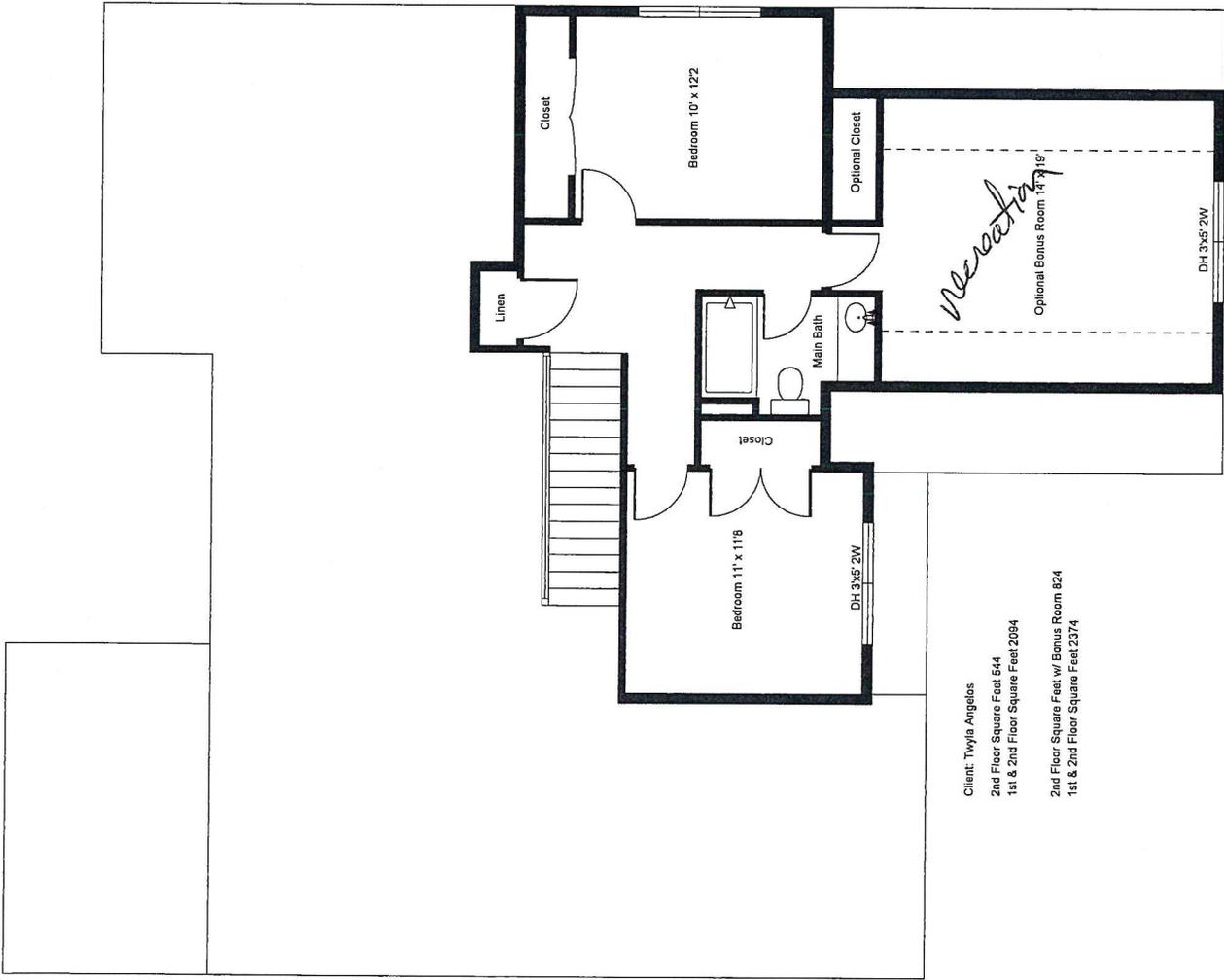
Lot: Lot 3 Brigham Hill

Addendum #3

RTW

DBA

Date:	7-10-2015
Client:	Twyla Angelos
Lot:	Lot 3 Brigham Hill



Client: Twyla Angelos
2nd Floor Square Feet: 544
1st & 2nd Floor Square Feet: 2094
2nd Floor Square Feet w/ Bonus Room: 824
1st & 2nd Floor Square Feet: 2374

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. _____ / _____ Date _____

Property Address: Lot #3 Brisham Heights Development
Owner Address: 502 Mountain View Dr Ste 302
Owner Name: Blacklake/Brisham Heights LLC
Phone Number: (home) _____ (work) 988-3760 (cell) 578-8451
Tax Map # 014 Tax Parcel 023 Tax Lot 303

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 be Director of Public Works / Town Engineer:

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

Culvert Diameter: (18 inch minimum) SEE COMMENTS Total length of Culvert: (30 foot minimum) 200 FEET

*** FOR OFFICE USE ONLY ***

Signature of Owner: [Signature]
Fee Paid \$ _____
Approved Rejected

[Signature] 8-24-15
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.

AS NOTED IN COMMENTS ON BACK OF APPLICATION

RECEIVED
Date 8-20-15 By [Signature]

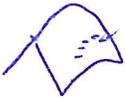
PN 2015-136

TOM@tomburthen.com 3

EPEs, or three units for 2010 and 12 EPEs, or three units for 2011. The applicant is now requesting a change to their preliminary phasing request. The request is for 12 EPEs, or three units for 2012 and 12 EPEs, or three units for 2013. As seen in the attached Phasing Allocation Record, with the 12 EPEs phased for 2012 the total would be 132 for calendar year 2012 and 71 for 2013.

CONDITIONS:

1. All construction shall be in conformance with the plans listed above and as may be amended subject to other conditions and approvals.
2. Prior to the issuance of any Zoning Permits, revised plans shall be submitted incorporating the changes as a result of the Wastewater Management Division review.
3. As shown on the plans, a centralized mailbox for the whole subdivision shall be placed along the road between Brigham Hill Road and before the first house.
4. Sidewalks are not required for this subdivision.
5. Prior to the issuance of individual Zoning Permits the applicant shall pay the road impact fee of \$507.50, or an amount based on any existing fee schedule in place at the time.
6. Prior to the issuance of a Zoning Permit for each lot, a curb cut application shall be submitted for each driveway for inspection and final approval by Public Works.
7. Protective Covenants and Homeowners Association Bylaws shall be submitted prior to the issuance of any Zoning Permits and will be reviewed and approved by the Town attorney and recorded in the Land Records. Language indicating that the Association shall set aside funds for maintenance of all common elements, including the stormwater system components, and that all stormwater detention ponds will be installed correctly and permanently retained and maintained by the homeowners, shall be included.
8. All of the procedures outlined in Section 2.11 (Requirements Following Approval) of the Subdivision Regulations, including but not limited to highway agreement, and a letter of credit, shall be followed as part of this Final Plan approval.
9. Prior to the issuance of Zoning Permits, deeds for the shared driveways and the wastewater system and access to the wastewater systems, no cutting zones, the shared sewage disposal system and access road, restriction of the use of phosphorus, and a 15- foot wide trail easement or right-of-way shall be submitted to staff for review and approval by the Town Attorney and filed in the Land Records.
10. Additional deed language regarding the proximity to the wetlands, to be submitted for



review and approval by the Town Attorney prior to the issuance of a Zoning Permit, shall include the following: *“This property is in proximity to or abuts wetlands and with that comes certain restrictions and homeowner responsibilities. No trees shall be cut and no other ground disturbance shall be allowed within the delineated wetlands or associated buffer. Except for the building envelopes, driveways, access road and septic disposal areas, no clear cutting of trees shall be allowed on the remaining land. Outside these areas only dead, downed, fallen or snapped trees may be cut and removed and non commercial harvesting of firewood is limited for homeowners use. No dwelling or other improvements may be built outside the designated building envelope.”*

11. All street trees shall be guaranteed for a period of five years.
12. Prior to the planting of the street trees, the contractor shall explain to the planting crew how the trees shall be planted based on the approved plans.
13. Any lights shall be fully shielded to prevent excessive glare. The fixtures should have full cut-offs to minimize light spillage onto adjacent properties and streets, and not distort the color rendering of the surrounding landscaping.
14. After the initial lawns are planted and fertilized, no lawn fertilizers containing phosphorous shall be allowed unless a soil test is taken demonstrating the need for added phosphorous.
15. Prior to the issuance of any Zoning Permits, the applicant shall submit draft bylaws for review by the Town Attorney prior to recording in the Land Records.
16. The Town’s limit of participation in any issued individual stormwater permit shall be the public roadway and any culverts located within the public right of way.
17. Any site disturbance relative to the wetlands and wetland buffers shall be in compliance with the State issued CUD.
18. Limits of lawn areas and building envelopes shall be 10 feet beyond (outside of) the wetland buffer.
19. The spacing between the stone monuments shall be set no more than 50 feet apart.
20. Documentation that all CUD conditions have been met shall be submitted prior to the issuance of Certificates of Occupancy for the houses.
21. Documentation shall be proved to the Town indicating that the project engineer was onsite periodically during construction to make sure that the stormwater system components, soil erosion measures, and wetlands mitigation impacts were installed correctly shall be required prior to the issuance of Certificates of Occupancy for the

- houses. The documentation shall include a certification of compliance with the plans.
22. Prior to issuance of Certificates of Occupancies for the houses, documentation of compliance to proper installation of all permanent and construction stormwater mitigation measures and shall be submitted
 23. Prior to the issuance of a Certificate of Occupancy, all driveways shall have reflective numbering of at least four inches to clearly mark every house and properties that share common driveways each post their respective house numbers at the entrance to each individual driveway.
 24. Prior to the issuance of a Zoning Permit, the applicant shall pay the appropriate Recreation Impact Fees.
 25. All utility lines shall be located underground, unless the Town Engineer determines that other conditions make the installation of underground utilities economically infeasible.
 26. 12 EPEs are approved for calendar year 2012 and 12 EPEs are approved for calendar year 2013.
 27. As applicable, all necessary State of Vermont approvals shall be obtained prior to issuance of a zoning permit.
 28. All conditions from previous approvals shall remain in effect as they may still apply.
 29. By acceptance of the conditions of this approval without appeal, the applicant confirms and agrees for himself and all assigns and successors in interest that the conditions of this approval shall run with the land and the land uses herein permitted, and would be binding upon and enforceable against the applicant and all assigns and successors in interest.

Before issuance of any Zoning Permit required of this approval, final plans conforming to the above stipulations must be submitted for review and approval by the Zoning Administrator (ZAO). In addition, before issuance of any Certificate of Occupancy (CO) required of this approval, the ZAO needs to conduct a site visit to assure compliance with the stipulations of this approval. It is the applicant/landowner's responsibility to schedule such site visit. Any deviation from the above stipulations found during the inspection must be made compliant with this approval before a CO will be issued. If any improvements cannot be performed due to inclement weather, the ZAO may issue a CO with conditions including the requirement that the applicant/landowner establish an escrow account covering the cost to carry out such improvements.



RECEIVED

MAY - 4 2012

State of Vermont
Department of Environmental Conservation

Agency of Natural Resources

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: Bouffard Construction Company, Inc.
84 Lower English Settlement Rd
Underhill, VT 05489**

**Permit Number: WW-4-3818
PIN: EJ09-0023**

This permit affects property identified as Town Tax Parcel ID # Essex: 2014023003 referenced in the deed recorded in Book 211 Page 242 of the Land Records in Essex, Vermont.

This project, consisting of a six lot, single family residence subdivision, Lot's 1 - 6 for proposed four bedroom single family residences, utilizing individual, on-site drilled well water supplies and shared, on-site / off-site mound wastewater disposal systems, located off Brigham Hill Road in the Town of 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 following plans and/or documents prepared by Lamoureux & Dickenson Consulting Engineers, Inc., (Douglas J.Goulette), with the stamped plans listed as follows:

Sheet number	Title	Plan Date	Last Plan Revision Date
1	Overall Site Plan	2-22-10	3-28-12
2	Grading & Utility Site Plan	2-22-10	3-28-12
4	Typical Details and Specifications	2-22-10	3/28/12
5	On-site Wastewater Disposal Area Site Plan	2-22-10	
6	Typical Details and Specifications	2-22-10	4-25-2012

1.2 This permit does not relieve the landowner from obtaining all other approvals and permits **PRIOR** to construction including, but not limited to, those that may be required from the Act 250 District Environmental Commission; the Drinking Water and Groundwater Protection Division; the Watershed Management Division; the Division of Fire Safety; the Vermont Department of Health; the Family Services Division; other State departments; or local officials.

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 Town of 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 Town of 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 #2006-03 (2010 Renewal, expires 6/1/2012) for the Infiltrator System** prior to conveyance of the lot. The owner of a property where an Innovative/Alternative System has been installed shall comply with all the conditions in the Innovative/Alternative Approval letter that is incorporated with this permit including a maintenance agreement for the system.
- 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 Each lot is approved for wastewater disposal by construction and utilization of the site-specific **Innovative/Alternative System** wastewater disposal system depicted on the stamped plans. The Drinking Water and Groundwater Protection Division shall allow no other method or location of wastewater disposal without prior review and approval.
- 1.9 A qualified Vermont Licensed Designer, shall, upon completion and prior to placing the system in use, report in writing to the Division that the installation was accomplished in accordance with the **Innovative/Alternative System Approval Letter**, stamped plans and permit conditions. The Drinking Water and Groundwater Protection Division is to be notified if at any time the wastewater disposal system fails to function properly and/or creates a health hazard.
- 1.10 The wastewater system serving the approved lot(s) is an Innovative/Alternative System and there are special requirements that apply. Please refer to the attached document titled Innovative/Alternative System Approval for the additional requirements that apply.
- 1.11 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.
- 1.12 This project is approved for the construction of one, four bedroom single family residence on each of the approved lots. 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.
- 1.13 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.
- 1.14 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 supplies 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 lot is approved for a potable water supply using a drilled or percussion bedrock well for a maximum of **490** gallons of water per day provided the supply is located as shown on the stamped plan(s) and meets or exceeds the isolation distances, construction standards, and water quality standards required in the Water Supply Rule. The landowner shall operate the 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".

- 2.3 The water source location as shown on the stamped plan(s) shall be accurately staked out and flagged prior to any construction on this project with the flagging being maintained until construction is complete.

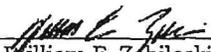
3. WASTEWATER DISPOSAL

- 3.1 Each lot is approved for the disposal of wastewater in accordance with the design depicted on the stamped plan(s) for a maximum of 490 gallons of wastewater per day. The shared 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. 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.
- 3.2 The components of the shared sanitary wastewater systems herein approved (including the force main sheathing for Lot 1), 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.
- 3.3 Each lot is approved for a shared mound wastewater disposal system provided the mound is constructed in strict accordance with the following conditions:
- 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.
 - 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 pump station installation.
 - The construction of the mound shall adhere to the guidelines set forth in Section 1-913(f) of the above referenced rules.
 - Upon completion of construction, and prior to occupancy of any structure being served by the mound system, the inspecting consultant shall submit to the Drinking Water and Groundwater Protection Division a written certification stating the construction has been completed in accordance with the stamped plans and the permit.
- 3.4 The corners of the proposed primary wastewater disposal area(s) shall be accurately staked out and flagged prior to construction with the flagging/staking being maintained until construction is complete.
- 3.5 The wastewater system serving the approved lot(s) is an Innovative/Alternative System and there are special requirements that apply. Please refer to the attached document titled Innovative/Alternative System Approval for the additional requirements that apply.
- 3.6 The shared wastewater disposal systems for the lots are designed using the performance base approach. The use of the performance-based wastewater disposal system approved in this permit requires that an annual inspection be performed by a Vermont Licensed Designer Class 1 or Class B starting when the system is placed in use and continuing for the first three years of operation. The field inspection shall be done in April or May and a written report shall be submitted by the June 15th of each year to the landowner and the Drinking Water and Groundwater Protection Division. The inspection shall consist of a field inspection of the wastewater disposal system and the area within 25' of the system in all directions noting any indication of failure.
- 3.7 The wastewater system for this project is 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.
- 3.8 No buildings, roads, water lines, earthwork, re-grading, excavation or other construction that might interfere with the installation or operation of the wastewater disposal systems are allowed on or near the site-specific wastewater disposal system or replacement area 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.

- 3.9 A Homeowners' or Landowners' Association or equivalent legal entity for **Lot's 1 and 2** shall be established, whose articles of association shall contain all necessary rights and easements for the full operation, maintenance, and repair of the shared wastewater collection, delivery, and disposal system. Such rights shall also enable the users (and designees) thereof to enter upon the property for any construction, inspection, maintenance, and other such reasonable purposes as may arise regarding the shared wastewater disposal system. Prior to the sale of any of the subject dwelling units, the permittee shall submit a copy of such declaration, bylaws, and articles to the Drinking Water and Groundwater Protection Division.
- 3.10 A Homeowners' or Landowners' Association or equivalent legal entity for **Lot's 3 and 4** shall be established, whose articles of association shall contain all necessary rights and easements for the full operation, maintenance, and repair of the shared wastewater collection, delivery, and disposal system. Such rights shall also enable the users (and designees) thereof to enter upon the property for any construction, inspection, maintenance, and other such reasonable purposes as may arise regarding the shared wastewater disposal system. Prior to the sale of any of the subject dwelling units, the permittee shall submit a copy of such declaration, bylaws, and articles to the Drinking Water and Groundwater Protection Division.
- 3.11 A Homeowners' or Landowners' Association or equivalent legal entity for **Lot's 5 and 6** shall be established, whose articles of association shall contain all necessary rights and easements for the full operation, maintenance, and repair of the shared wastewater collection, delivery, and disposal system. Such rights shall also enable the users (and designees) thereof to enter upon the property for any construction, inspection, maintenance, and other such reasonable purposes as may arise regarding the shared wastewater disposal system. Prior to the sale of any of the subject dwelling units, the permittee shall submit a copy of such declaration, bylaws, and articles to the Drinking Water and Groundwater Protection Division.

.12

David K. Mears, Commissioner
Department of Environmental Conservation

By 
William E. Zabiloski, Assistant Regional Engineer
Dated April 30, 2012

cc Essex Planning Commission
Krebs & Lansing Consulting Engineers, Inc.

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): Black Rock/Brigham Heights, LLC
c/o Adam Hergenrother
302 Mountain View Drive
Colchester VT 05446

Permit Number: WW-4-3818-1

This permit affects property identified as Town Tax Parcel ID # Essex: 2014023303 referenced in the deed recorded in Book 915 Pages 621-622 of the Land Records in Essex, Vermont.

This project, consisting of revised locations for the single family residence, drilled well water supply and wastewater tanks for Lot 3, 5.52 acres (previously approved in Permit # WW-4-3818), located off Brigham Hill Road 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 Lamoureux & Dickinson Consulting Engineers, Inc., (Douglas J. Goulette), with the stamped plans listed as follows:

Sheet number	Title	Plan Date	Plan Revision Date
1	Overall Site Plan	2-22-10	11-20-15
2	Grading and Utility Plan	2-22-10	11-20-15

- 1.2 This permit does not relieve the landowner from obtaining all other approvals and permits PRIOR to construction including, but not limited to, those that may be required from the Act 250 Environmental Commission; the Drinking Water and Groundwater Protection Division; the Watershed Management Division; the Division of Fire Safety; the Vermont Department of Health; the Family Services Division; or other State departments and local officials.
- 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.

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- 1.6 The lot is approved for the construction of one, four bedroom single family residence. 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.
- 1.7 Each purchaser of any portion of the project shall be shown a copy of the Wastewater System and Potable Water Supply Permit and the stamped plan(s), if applicable, prior to conveyance of any portion of the project to that purchaser.
- 1.8 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.
- 1.9 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 lot is approved for a potable individual on-site water supply using a drilled or percussion bedrock well for a maximum of **490 gallons** of water per day provided the supply is located as shown on the stamped plan(s) and meets or exceeds the isolation distances, construction standards, and water quality standards required in the Water Supply Rule. The landowner shall operate the 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".
- 2.2 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.
- 2.3 The water source location as shown on the stamped plan(s) shall be staked out and flagged by a qualified Vermont Licensed Designer prior to any construction on this project with the flagging being maintained until construction is complete.

3. WASTEWATER DISPOSAL

- 3.1 The lot is approved for the disposal of wastewater in accordance with the design depicted on the stamped plan(s) for a maximum of **490 gallons** of wastewater per day. The shared 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. 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.
- 3.2 The components of the sanitary wastewater system herein approved shall be routinely and reliably inspected during construction by a 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.
- 3.3 The wastewater system for this project is 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.
- 3.4 No buildings, roads, water lines, earthwork, re-grading, excavation or other construction that might interfere with the installation or operation of the wastewater disposal systems are allowed on or near the site-specific wastewater disposal system or replacement area 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.

3:5 All conditions set forth in **Permit Number WW-4-3818** shall remain in effect except as amended or modified herein.

Alyssa B. Schuren, Commissioner
Department of Environmental Conservation

Dated December 28, 2015

By 
William E. Zabiloski, Assistant Regional Engineer
Essex Regional Office
Drinking Water and Groundwater Protection Division

cc Essex Planning Commission
Lampureux & Dickinson Consulting Engineers, Inc.