



TOWN OF ESSEX VERMONT

81 MAIN STREET, ESSEX JUNCTION, VERMONT 05452
Fax: 878-1353 • E-mail: manager@essex.org • Website: www.essex.org

*Filed
use permit*

2014-35

April 21, 2014

Lamoureux & Dickinson
Attn: Doug Goulette, P.E.
14 Morse Drive
Essex Junction, Vermont 05452



Re: UPP Limited Co. – 1 Marketplace, Unit #25
Water and Wastewater Ability to Serve

Dear Doug,

The Town of Essex has sufficient capacity within both its water and sewer systems to accommodate the current approved use of a 25-seat restaurant for Unit #25 in the 1 Marketplace complex. Unit #25 now has purchased water and sewer capacity in the amount of 625 GPD.

Please contact the office if you have any questions or comments regarding the content of this letter.

Sincerely;

Aaron K. Martin, P.E.
Utilities Director / Town Engineer

Cc: Dennis Lutz, P.E., Public Works Director
Sharon Kelley, Zoning Administrator
File

W:\WPDOCS\WTR&SWR\Allocation\Towne Marketplace\Unit 25 Ability to Serve LTR 042214.doc

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|-----------------|-------------------------|--------------------------|-----------------|----------|----------|------------|----------|----------|
| TOWN MANAGER | PARKS AND RECREATION | COMMUNITY DEVELOPMENT | PUBLIC WORKS | ASSESSOR | FINANCE | TOWN CLERK | LIBRARY | POLICE |
| 878-1341 | 878-1342 | 878-1343 | 878-1344 | 878-1345 | 878-1359 | 879-0413 | 879-0313 | 878-8331 |

Dana Greg SK The to file

State of Vermont
Department of Environmental Conservation

Agency of Natural Resources

Jeff
Horton
2014-35
Uncle Pops Pop

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): Towne Marketplace Unit #25 LLC
c/o Jeffrey Harton
57 River Road
Suite 1017
Essex Jct. VT 05452

Permit Number: WW-4-3916-2
PIN:

Market Place Unit Owners Assoc.
c/o Richard Wheatley
Town Marketplace Suite 31
Essex Jct. VT 05452



This permit affects property identified as Town Tax Parcel ID # Essex: 2047012838 referenced in a deed recorded in Book 368 Page(s) 192 of the Land Records in Essex, Vermont.

This project, consisting of amending Permit #WW-4-3916-1 for change of use in Unit #25 from retail use with 4 employees to a twenty five seat restaurant serving two meals a day, served by municipal water supply services and municipal wastewater disposal services located on 1 Marketplace, #25 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 described in the application prepared by Douglas Goulette, P.E. of Lamoureux & Dickinson. The project shall not deviate from the approved proposal without prior written approval from the Drinking Water and Groundwater Protection Division. **(No Plans)**
- 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 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 All conditions set forth in **Permit Number WW-4-3916-1** shall remain in effect except as amended or modified herein. This project is approved for the change of use from retail with 4 employees to a 25 seat restaurant serving 2 meals per day in Unit #25.
- 1.5 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.
- 1.6 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.



- 1.7 By acceptance of this permit, the landowner agrees to allow representatives of the State of Vermont access to the property subject to this permit, at reasonable times, for the purpose of ascertaining compliance with Vermont environmental/health statutes, regulations, and permit conditions, including performing an inspection of the wastewater disposal and water supply systems serving the/each structure.
- 1.8 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 This project is approved with the existing connection to the water supply system owned by the Town of Essex for a maximum of 675 gallons of water per day.
- 2.2 The landowner shall install and maintain backflow prevention devices that conform to Vermont Department of Public Safety standards and NFPA 13 for the connection of any sprinkler fire suppression system to a public drinking water system.
- 2.3 This project is approved with an existing building water line. The Drinking Water and Groundwater Protection Division assumes no liability for the adequacy of this water line. Should the line fail and not qualify for the minor repair or replacement exemption, the landowner shall engage a Licensed Designer to evaluate the cause of the failure and to submit an amendment application to this office prior to correcting the failure.
- 2.4 This permit is based, in part, on a municipal approval for connection to their water distribution system. If the municipal approval expires, this permit shall be invalid unless the municipality renews its approval. If the municipality approval expires, a new permit must be issued for the project. An updated application form and an application fee will be required for the project. A new municipal approval letter shall be required. The rules in effect at the time of the filing of the application for a new permit will be applied to the project.

3. WASTEWATER DISPOSAL

- 3.1 This project is approved with the existing connection to the Town of Essex wastewater treatment facility for a maximum of 600 gallons of wastewater per day.
- 3.2 This project is approved with an existing building sewer line. The Drinking Water and Groundwater Protection Division assumes no liability for the adequacy of this sewer line. Should the line fail and not qualify for the minor repair or replacement exemption, the landowner shall engage a Licensed Designer to evaluate the cause of the failure and to submit an amendment application to this office prior to correcting the failure.
- 3.3 This permit is based, in part, on a municipal approval for connection to their wastewater treatment facility. If the municipal approval expires, this permit shall be invalid unless the municipality renews its approval. If the municipality approval expires, a new permit must be issued for the project. An updated application form and an application fee will be required for the project. A new municipal approval letter shall be required if the project is served by the municipal wastewater collection system. The rules in effect at the time of the filing of the application for a new permit will be applied to the project.

David K. Mears, Commissioner
Department of Environmental Conservation

By Jessanne Wyman

Dated May 1, 2014

Jessanne Wyman, Regional Engineer
Essex Regional Office
Drinking Water and Groundwater Protection Division

cc Essex Planning Commission
Douglas Goulette
Act 250 District Environmental Commission-4C0550
Department of Public Safety, Division of Fire Safety
Department of Health – Food & Lodging Licenses

TOWN OF ESSEX

Application Date 03 / 26 / 14

Outside the Village of Essex Junction

81 Main Street, Essex Junction, VT 05452 (802) 878-1344 www.essex.org

WASTEWATER ALLOCATION PERMIT APPLICATION

Applicant Name UPP Limited Co. Property Street Address for Allocation 1 Marketplace, Unit 25
 Project Name/Description Proposed 25 Seat Restaurant with bar serving two meals per day
 Parcel Account Number from tax maps (map- parcel-lot) 47 - 12-8 - unit 838
 Mailing Address of Applicant 1 Marketplace, Unit #25, Essex Junction, VT 05452
 Applicant Contacts: Work Phone _____ Cell Phone _____ e-mail a.mcginis@gmail.com

REQUIRED INFORMATION FOR ALL WASTEWATER ALLOCATION APPLICATIONS:

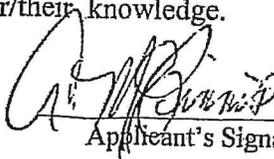
- 1) Requested volume of wastewater (in gallons per day and equivalent user units) 125 gpd 0.63 EU
(Note: 1 EU equals 200gpd)
- 2) Documentation/calculations on the basis of the wastewater flow estimate, including information on the characteristics of the wastewater in cases other than normal domestic wastewater.
- 3) Certification by a Vermont licensed civil or environmental PE for developments generating more than 1000 gpd of estimated wastewater flow.
- 4) Documentation on the number of EU's for the requested parcel as identified on the current Wastewater Allocation Map
- 5) Supporting documentation on Town or State project approval and date of approval _____

ADDITIONAL REQUIRED INFORMATION

Check One of the following:

- The permit application is for development on land area with designated allocation capacity equal to or less than 100% of the EU's identified for the parcel on the current Wastewater Allocation Map in categories C, D and E. *No additional information is required.*
- The permit application is for development on land area with designated capacity over 100% but less than 125% of the EU's identified for the parcel on the Feb 2011 allocation map in categories C, D and E. *Additional requirements must be met per Section 10.18.060 of the Wastewater Allocation Ordinance.*
- The permit application is for a) appeal of a Town Manager denial, b) the application is for more than 125% of the maximum number of EU's depicted on the current approved Wastewater Allocation Map, c) the application is for more than 125% of the previously approved sewer allocation for the property except in the case where the added E.U is less than 1 or d) the allocation is for category B. *Additional requirements must be met per Section 10.18.070 B of the Wastewater Allocation Ordinance.*

By signature, the Applicant(s) agrees that the information contained in this application and any related attachments is accurate to the best of his/her/their knowledge.



Applicant's Signature

3.27.14
Date

(continued on reverse)

Town of Essex
Application for Sewer Service

Revised May 2013

The undersigned, being the owner / owner's agent of the property located at:

Street Address: 1 Marketplace, Unit 25 Development: Market Place
Tax Map # 047 Tax Parcel 012 Tax Lot 838

Does hereby request a permit to install and connect a building sewer to
serve _____ unit(s) Residential Commercial Industrial structure

Installer / Contractor:

Property Owner:

Name: Existing

Name: Jeff Horton

Address: _____

Address: 57 River Road, Box 1017, Essex Junction

Phone: _____

Phone: 802.879.4453

Cell: _____

Cell: _____

The owner / agent agrees:

- a) That all work shall be in accordance with the Town Sewer Ordinance, the Town Public Works Specifications, and all other pertinent ordinances or regulations of the Town of Essex.
- b) To install and maintain the private building sewer at no expense to the Town.
- c) To notify the Public Works Office twenty four hours prior to the start of construction for inspection purposes. No part of the sewer line may be covered until it has been inspected by the Town Representative.
- d) To pay the sewer charges (construction and operations) which are billed as set forth in the water/sewer fee schedule.

Signed: [Signature]
(Signature of Owner / Agent)

Date: 04-11-14

PLEASE MAKE CHECK PAYABLE TO TOWN OF ESSEX WATER AND SEWER DEPARTMENT AND RETURN ALONG WITH APPLICATION TO THE COMMUNITY DEVELOPMENT OFFICE. DO NOT COMBINE WITH ZONING PERMIT FEE.

For Office Use Only

4103 gallons / day x \$9.00 = \$ 4107.00 + \$1,000 = \$ 4107.00

Received by: JR

Date: 4-11-14

Approved by: _____

Date: _____

Letter Sent

Finance Notified

Inspected by: _____

Date: _____

Tie Drawing

Finance Notified

Master List Updated:

Approved

Inspected

Town of Essex
Application for Water Service

Revised May 2013

The undersigned, being the owner / owner's agent of the property located at:

Street Address: 1 Marketplace, Unit 25 Development: Market Place
Tax Map # 047 Tax Parcel 012 Tax Lot 838

Does hereby request a permit to initiate water service as noted below to
serve _____ unit(s) Residential Commercial Industrial structure

Installer / Contractor:

Property Owner:

Name: Existing

Name: Jeff Harton

Address: _____

Address: 57 River Road, Box 1017, Essex Junction

Phone: _____

Phone: 802.878.4458

Cell: _____

Cell: _____

Firm Performing Main Line Tap:

Name: _____

Address: _____

Phone: _____

Cell: _____

- 1.) The above requested service includes the installation of a 3/4" x 5/8" water meter for residential use and up to a 2" simple meter for non-residential use. The information necessary to determine the correct meter size shall be supplied by the applicant (minimum to maximum range of use). Meters 5/8", 3/4" and 1" shall be installed by the Town. Meters above 1" shall be installed by the owner/applicant or qualified representative.
- 2.) Property owner / agent is responsible for and must provide all necessary excavation form the main to the building or structure.
- 3.) Property owner / agent agrees to provide the Town a minimum of 24 hours notice prior to installation for inspection purposes. No part of the water line may be covered until it has been inspected by the Town Representative.
- 4.) Property owner / agent agrees to restore all disturbed areas to original condition after the installation of said water service.
- 5.) The water service can be turned on only by an employee of the Town of Essex Water Department.
- 6.) Meter spacers must be obtained from the Town of Essex Water Department.
- 7.) The owner / agent agrees that all installation and work will conform to the Town Public Works Specifications and the Water Ordinance and Regulations of the Town of Essex.

Town of Essex
Application for Sewer Service

Revised May 2013

The undersigned, being the owner / owner's agent of the property located at:

Street Address: 1 Marketplace, Unit 25 Development: Marketplace
Tax Map # 047 Tax Parcel 012 Tax Lot 838

Does hereby request a permit to install and connect a building sewer to
serve _____ unit(s) Residential Commercial Industrial structure

Installer / Contractor:

Property Owner:

Name: Existing Name: Jeff Horton
Address: _____ Address: 57 River Road, Box 1617, Essex Junction
Phone: _____ Phone: 802.873.4453
Cell: _____ Cell: _____

The owner / agent agrees:

- a) That all work shall be in accordance with the Town Sewer Ordinance, the Town Public Works Specifications, and all other pertinent ordinances or regulations of the Town of Essex.
- b) To install and maintain the private building sewer at no expense to the Town.
- c) To notify the Public Works Office twenty four hours prior to the start of construction for inspection purposes. No part of the sewer line may be covered until it has been inspected by the Town Representative.
- d) To pay the sewer charges (construction and operations) which are billed as set forth in the water/sewer fee schedule.

Signed: [Signature] Date: 04-11-14
(Signature of Owner / Agent)

PLEASE MAKE CHECK PAYABLE TO TOWN OF ESSEX WATER AND SEWER DEPARTMENT AND RETURN ALONG WITH APPLICATION TO THE COMMUNITY DEVELOPMENT OFFICE. DO NOT COMBINE WITH ZONING PERMIT FEE.

For Office Use Only

463 gallons / day x \$9.00 = \$ 4167.00 + \$1,000 = \$ 4167.00

Received by: JR Date: 4-11-14

Approved by: _____ Date: _____ Letter Sent Finance Notified

Inspected by: _____ Date: _____ Tie Drawing Finance Notified

Master List Updated: Approved Inspected

Plz attach to Bld. Permit

STATE OF VERMONT - AGENCY OF HUMAN SERVICES
STATE BOARD OF HEALTH
License to Operate

I.D. # 16050 LINK I.D. #
LICENSE TYPE: RESTAURANT
EFFECTIVE DATE: 10/07/2015
ESTABLISHMENT NAME & LOCATION:
WICKED WINGS
1 MARKET PL SUITE 25
ESSEX

CAPACITY: 25 FEE: \$ 105.00

EXPIRATION DATE: 09/30/2016

THIS IS TO CERTIFY THAT ABOVE ESTABLISHMENT IS LICENSED TO OPERATE UNDER THE PROVISIONS OF TITLE 18 SECTIONS 4351-4451 VERMONT STATUTES ANNOTATED. THIS LICENSE IS VALID PENDING RATIFICATION BY THE VERMONT BOARD OF HEALTH.
THIS LICENSE IS NOT TRANSFERABLE AND IS VALID ONLY FOR THE LICENSEE LISTED BELOW.

LICENSEE NAME & ADDRESS:
SOUR HALL FOODS LLC
PO BOX 602
JOHNSON, VT 05656

THIS LICENSE SHALL BE CONSPICUOUSLY POSTED.