

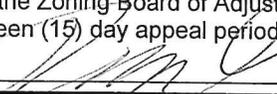
Appeal Period Expires 10, 8, 11  
 Zoning District Industrial (I1)

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

Application Date 10/1/11  
 Permit Number 2011-743

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 @ 879-5676.

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: 

**A** Parcel Account Numb. (Map-Parcel-Lot) 2-009-003-021  
 (found in Town Assessor's Office)  
 Property Address : 47 Gauthier Drive  
 Owner: The Miller Realty Group, LLP  
 Owner Address: 599 Avenue D Williston, VT 05495  
 Owner Phone: (work) 864-5830 (home) \_\_\_\_\_  
 (cell) \_\_\_\_\_ bmillier@rem-development.com  
 Contractors name: S.D. Ireland Companies Phone: 863-6222  
 Cell: \_\_\_\_\_  
 Estimated Construction Dates: Start: 10, 8, 11 Completion: 12, 31, 11  
 Sq. Feet: 5,400 Estimated Cost (labor & materials): \$275,000

**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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Two-family (duplex)(other)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Multi-family	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Condominium / Townhouse	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mobile home	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Inclusions or Additions:</i>			
Garage (attached) (detached)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Porch (enclosed) (open)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Deck	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pool (in) (above) ground	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Shed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Barn (residential) (agriculture)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Non-residential:</i>			
Commercial / Industrial	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stormwater:			
Stormwater <i>5,400 s.f. manufacturing pit/comm. bldg.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Erosion Control	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Other:</i>			
Change in use	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Miscellaneous	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Renewal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

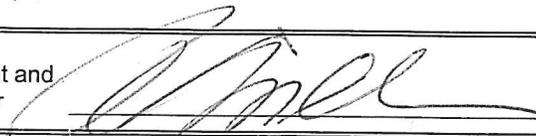
**B** Sewage Disposal (Please attach Sewer or Septic Application).  
 Public  Private  Connection Fee \$ 3,400 Date Paid: 9, 23, 11  
 Proposed New Bedrooms: \_\_\_\_\_ Existing Bedrooms \_\_\_\_\_

**C** Water (Please attach Water Service Application).  
 Public  Private  Fee \$ 2,639.30 Date Paid: 9, 23, 11

**D** Driveway (Please attach copy of approved Curbcut / Utility Application).  
 Date of approval 1/1/11 to R.W.

**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. (Instruction sheet available upon request.)  
TO BE constructed Pursuant to Planning Commission Approval # 2011-21.

**G** Signature of Tenant and Signature of Owner 

**Office Use Only**

Fees	Type	Amount	Date Pd
Permit		\$ <u>225</u>	<u>9, 23, 11</u>
Recreation		\$ _____	<u>1/1</u>
Recording		\$ <u>20</u>	<u>9, 23, 11</u>
Certificate of Occ		\$ <u>75</u>	<u>9, 23, 11</u>
Other		\$ _____	<u>1/1</u>

**Building Permit**  
 Approved  Rejected  Date 9, 23, 11  
 Issued to: The Miller Realty Group LLC  
 Zoning Administrator: Shawn Kelly  
 Notes: EROSION CONTROL  
 pamphlet given

C.O. Required Yes  No

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



Vermont Department of Environmental Conservation  
Water Quality Division  
103 South Main Street, Building 10 North  
Waterbury, VT 05671-0408

47 GAUTHIER  
Agency of Natural Resources

[phone] 802-241-3777  
[fax] 802-241-3287

RECEIVED  
JUN - 8 2011

June 3, 2011

The Miller Realty Group, LLP  
599 Avenue D  
Williston, VT 05495

**Re: Construction General Permit 3-9020 (Amended 2008)  
Authorization of Notice of Intent # 5673-9020.1**

Notice of Intent # 5673-9020.1 for the discharge of stormwater from the construction activities associated with the construction of a commercial building and related site improvements on Lot 21 described in the Notice of Intent you submitted has been authorized. Enclosed are four documents that you will need to maintain compliance with this authorization.

**1. Authorized Notice of Intent (NOI)**

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

**2. Notice of Authorization for Posting**

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

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

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

**4. Notice of Addition of Co-Permittee**

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

For Department Use:

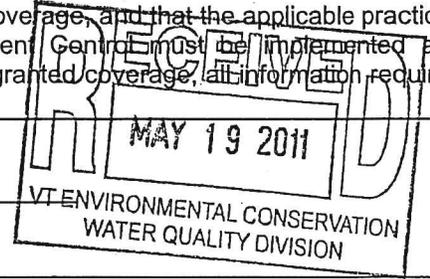
NOI Number: 567340201

## Notice of Intent (NOI)

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



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



### A. Landowner Information

1. Name: The Miller Realty Group, LLP

2. Mailing Address:

a. Street/PO Box: 599 Avenue D

b. City/Town: Williston

c. State: Vermont

d. Zip: 05495

3. Contact Information

a. Phone: 864-5830

b. Fax: 864-4172

c. Email: bmiller@rem-development.com

### B. Principal Operator Information (if known)

1. Name: to be determined

2. Mailing Address:

a. Street/PO Box: \_\_\_\_\_

b. City/Town: \_\_\_\_\_

c. State: \_\_\_\_\_

d. Zip: \_\_\_\_\_

3. Contact Information

a. Phone: \_\_\_\_\_

b. Fax: \_\_\_\_\_

c. Email: \_\_\_\_\_

### C. Project Information

1. Project Name: Lot 21 Gauthier Park

2. Part of Common Plan of Development?:  Yes  No

3. If Yes, Name of Development: Gauthier Industrial Park

4. Location Address

a. Street: Holly Court (off Shunpike Road)

b. City/ Town: Essex

c. Latitude: 44 ° 31 ' 01 " d. Longitude 73 ° 08 ' 13 " (at or near center of the project)

5. Project Type:  Residential  Commercial  Industrial Public  Other: \_\_\_\_\_

6. Description of construction activities to be permitted:

Commercial building and related site improvements on Lot 21

7. Total Area of Disturbance: 1.0 acres

8. Proposed Start Date: June 2011

Proposed End Date: August 2012

9. Has a Topographic Map showing the project boundary been included?\*  Yes  No

10. Name(s) of receiving waters\*: Groundwater & unnamed tributary of Indian Brook

**D. Certification Relating to the Accuracy of the Information Submitted**

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

Landowner Name: Thommas Realty Corp Title: agent

Signature: [Signature] Date: 5-16-11

**E. Public Notice Requirement**

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

**For Department Use Only:**

**VERMONT DEPARTMENT OF ENVIRONMENTAL CONSERVATION AUTHORIZATION TO DISCHARGE** A determination has been made that the proposed construction activities qualify for coverage under General Permit 3-9020 (amended 2008) as a Low Risk project. Subject to the conditions of General Permit 3-9020 (amended 2008), the applicant is hereby authorized to discharge stormwater runoff from a construction site as described in this Notice of Intent Number 5673.1 -9020.

Dated at Waterbury, Vermont this 6<sup>th</sup> day of June, 20 11.

Laura Q. Pelosi, Commissioner Department of Environmental Conservation

By [Signature]  
Padraic Monks,  
Interim Chief, Stormwater Section

## PUBLIC COMMENT

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

Send written comments to: VT Department of Environmental Conservation

Water Quality Division, Stormwater Section

103 South Main Street, Building 10 North

Waterbury, VT 05671-0408

Please cite the NOI number in any correspondence.

## APPEALS

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

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

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

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

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

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

DATE OF POSTING: May 17, 2011

**Submit Original Form to:**  
VT DEC, Water Quality Division  
103 South Main Street, Bldg 10 North  
Waterbury, VT, 05671

47 GAUTHIER

Permit Number 5673-9015.1  
Project ID Number EJ95-0381.11

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

A determination has been made that the applicant:

The Miller Realty Group, LLP  
599 Avenue D  
Williston, VT 05495  
(Impervious area: 0.55 acres)

meets the criteria necessary for inclusion under General Permit 3- 9015. Hereinafter the named applicant shall be referred to as the permittee. Subject to the conditions of General Permit No. 3-9015, the permittee is authorized to discharge stormwater from Lot 21 - Gauthier Industrial Park located on Gauthier Drive in Essex, Vermont to groundwater and unnamed tributary of Indian Brook.

*Manner of Discharge:*

*S/N 001: Stormwater runoff from driveway, parking areas, and sidewalks to an infiltration basin with pretreatment grass swale discharging to groundwater and unnamed tributary of Indian Brook. Rooftop runoff will be piped directly to the infiltration basin.*

*Design:* This project shall be constructed and operated in accordance with the site plans and details designed by Lamoureux & Dickinson Consulting Engineers, Inc. (Sheet 1, titled "Stormwater Plan," dated 5/13/2011; Sheet 1, titled "Site Plan," dated 5/13/2011; Sheet 2, titled "Details & Specifications," dated 5/13/2011;).

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

Compliance with General Permit 3-9015 and this Authorization

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

Transferability

This authorization to discharge is not transferable to any person except in compliance with Part VI.D. of General Permit 3-9015. A copy of General Permit 3-9015 is available from the Department via the internet at

[http://www.anr.state.vt.us/dec/waterq/stormwater/docs/sw\\_3-9015-finalpermit.pdf](http://www.anr.state.vt.us/dec/waterq/stormwater/docs/sw_3-9015-finalpermit.pdf)

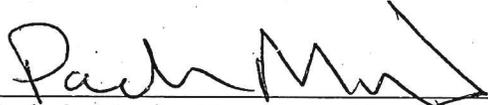
Effective Date and Expiration Date of this Authorization

This authorization to discharge shall become effective on August 15, 2011 and shall continue until August 15, 2021. The permittee shall reapply for coverage at least sixty (60) days prior to August 15, 2021.

Dated at Waterbury, VT this 15<sup>th</sup> day of August, 2011.

David K. Mears, Commissioner  
Department of Environmental Conservation

By



Padraic Monks, Stormwater Program Manager  
Stormwater Management Program

**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):** Theresa Gauthier  
15 Kellogg Road  
Essex VT 05452

**Permit Number:** WW-4-3695  
**PIN:**

This permit affects property identified as Town Tax Parcel ID # Essex: 2009003021 referenced in a deed recorded in Book 145 Page 175 of the Land Records in Essex, Vermont.

This project, to construct a 5400 square foot commercial building with a maximum of twenty five employees on Lot 21 (1.4 acres +/-), served by municipal water supply services and municipal wastewater disposal services, located on 47 Gauthier Drive 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 following plans and/or documents prepared by Andrew Rowe from Lamoureux & Dickinson Consulting Engineers, Inc., with the stamped plans listed as follows:

Sheet Number	Title	Plan Date	Plan Revision Date
1	Site Plan	5/13/2011	/ /
2	Details & Specifications	5/13/2011	/ /

- 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 Water Supply Division; the Water Quality 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 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 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.



This project is approved for the construction of a commercial building on Lot 21. Construction of additional nonexempt buildings, including commercial and residential buildings, is not allowed without prior review and approval by the Wastewater Management 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 components of the potable water supply 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 Division of Wastewater Management that the installation was accomplished in accordance with the referenced plans and permit conditions, as specifically directed in Condition #1.5 herein.
- 2.2 This project is approved for connection to the municipal water supply system as depicted on the plan(s) stamped by the Wastewater Management Division. The project is approved for a maximum of 338 gallons of water per day.
- 2.3 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 a sprinkler fire suppression system to a public drinking water system.
- 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 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 Division of Wastewater Management that the installation was accomplished in accordance with the referenced plans and permit conditions, as specifically directed in Condition #1.5 herein.
- 3.2 This project is approved for connection to the municipal wastewater treatment facility as depicted on the plan(s) stamped by the Wastewater Management Division. The project is approved for a maximum of 300 gallons of wastewater per day.
- 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.

Richard K. Mears, Commissioner  
Department of Environmental Conservation

By Dolores M Eckert

Dolores M. Eckert, Assistant Regional Engineer

Dated June 9, 2011

cc Essex Planning Commission

Andrew Rowe

Act 250 District Environmental Commission (4C0842)

Department of Public Safety, Division of Fire Safety

2011-143  
Permit #**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):** Theresa Gauthier  
15 Kellogg Road  
Essex VT 05452**Permit Number:** WW-4-3695  
**PIN:**

This permit affects property identified as Town Tax Parcel ID # Essex: 2009003021 referenced in a deed recorded in Book 145 Page 175 of the Land Records in Essex, Vermont.

This project, to construct a 5400 square foot commercial building with a maximum of twenty five employees on Lot 21 (1.4 acres +/-), served by municipal water supply services and municipal wastewater disposal services, located on 47 Gauthier Drive 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 following plans and/or documents prepared by Andrew Rowe from Lamoureux & Dickinson Consulting Engineers, Inc., with the stamped plans listed as follows:

Sheet Number	Title	Plan Date	Plan Revision Date
1	Site Plan	5/13/2011	/ /
2	Details & Specifications	5/13/2011	/ /

- 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 Water Supply Division; the Water Quality 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 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 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 This project is approved for the construction of a commercial building on Lot 21. Construction of additional nonexempt buildings, including commercial and residential buildings, is not allowed without prior review and approval by the Wastewater Management 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 components of the potable water supply 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 Division of Wastewater Management that the installation was accomplished in accordance with the referenced plans and permit conditions, as specifically directed in Condition #1.5 herein.
- 2.2 This project is approved for connection to the municipal water supply system as depicted on the plan(s) stamped by the Wastewater Management Division. The project is approved for a maximum of 338 gallons of water per day.
- 2.3 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 a sprinkler fire suppression system to a public drinking water system.
- 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 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 Division of Wastewater Management that the installation was accomplished in accordance with the referenced plans and permit conditions, as specifically directed in Condition #1.5 herein.
- 3.2 This project is approved for connection to the municipal wastewater treatment facility as depicted on the plan(s) stamped by the Wastewater Management Division. The project is approved for a maximum of 300 gallons of wastewater per day.
- 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.

Wastewater System and Potable Water Supply Permit

WW-4-3695

Page 3 of 3

David K. Mears, Commissioner  
Department of Environmental Conservation

By *Dolores M Eckert*

Dolores M. Eckert, Assistant Regional Engineer  
Dated June 9, 2011

cc Essex Planning Commission  
Andrew Rowe  
Act 250 District Environmental Commission (4Co842)  
Department of Public Safety, Division of Fire Safety

MAY 24 2012



# TOWN OF ESSEX VERMONT

RECEIVED

MAY 26 2011

81 MAIN STREET, ESSEX JUNCTION, VERMONT 05452  
Fax: 878-1353 • E-mail: [manager@essex.org](mailto:manager@essex.org) • Website: [www.essex.org](http://www.essex.org)

24 May 2011

Andrew Rowe, P.E.  
Lamoureux and Dickinson  
14 Morse Drive  
Essex, VT 05452

Dear Andrew:

The Gauthier Industrial park was issued a sewer allocation permit on 2 May 2011 in the amount of 6800 gpd or 34 E.U. Your proposed request for 300 gpd of wastewater capacity for Lot #21 is covered under the issued allocation permit and therefore no separate allocation permit is required.

The Gauthier Industrial park sewer allocation is reduced from 6800 gpd to 6500 gpd accordingly.

The Town of Essex has capacity in its municipal system for an additional 338 gpd of water use and 300 gpd of sewer use. Please note that under the new fee schedule recently adopted by the Selectboard, the following initiation fees must be paid at time of building permit application.

- 1) water initiation fee =  $\$1000 + 338 \text{ gpd} \times \$4.85/\text{gpd} = \$2,639.30$
- 2) sewer initiation fee =  $\$1000 + 300 \text{ gpd} \times \$8.00/\text{gpd} = \$3,400.00$

If you have any questions, do not hesitate to contact me.

Sincerely

Dennis Lutz, P.E.  
Public Works Director/Town Engineer

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

**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. \_\_\_\_\_ / September 22, 2011  
Date

Property Address: 47 Gauthier Drive

Owner Address: 599 Avenue D Williston, VT 05495

Owner Name: The Miller Realty Group, LLP

Phone Number: (home) \_\_\_\_\_ (work) 864-5830 (cell) \_\_\_\_\_

Tax Map # 9 Tax Parcel 3 Tax Lot 21

Application is for: (check one)

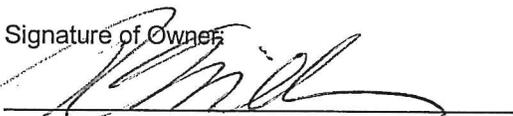
A) New Curb Cut  B) Utility Installation: Overhead  Underground

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) \_\_\_\_\_ Total length of Culvert: (30 foot minimum) \_\_\_\_\_

Signature of Owner  


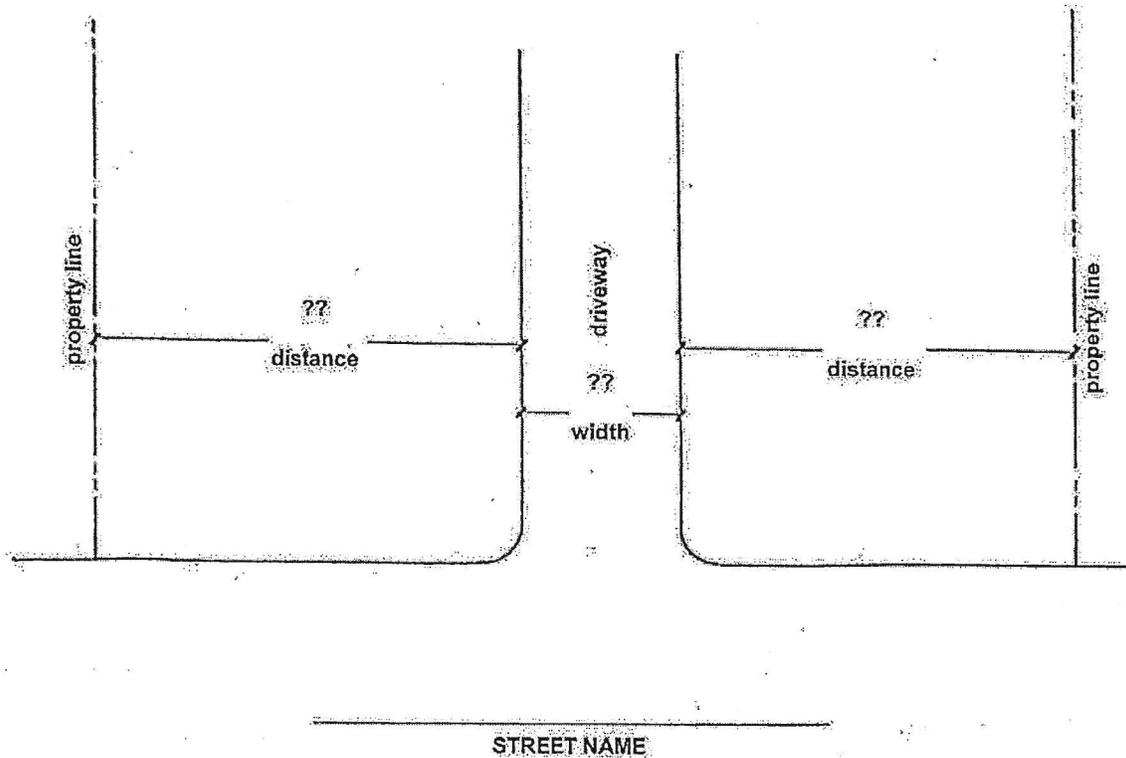
\*\*\* FOR OFFICE USE ONLY \*\*\*

Fee Paid \$ \_\_\_\_\_

Approved  Rejected

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  
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.



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

See attached site plans for underground utility work and proposed curb cut.

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**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.

THE MILLER REALTY GROUP, LLP

Payee: ESSEX WATER&

47 GAUTHIER DR. PROJECT - WATER & SEWER  
FEE \$6,039.30

16742

09/23/11

Check #: 16742

\*\*\*\*\*6,039.30

TRUE WATER RESERVE PAPER - HOLD TO LIGHT TO VIEW - HEAT SENSITIVE INK IMAGE DISAPPEARS WITH HEAT

16742

THE MILLER REALTY GROUP, LLP

599 AVENUE D  
WILLISTON, VERMONT 05495  
TEL. (802) 864-5830

TD BANK  
America's Most Convenient Bank

58-3-116

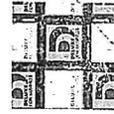
16742

\*\*\*\*\* Six Thousand Thirty Nine & 30/100 Dollars

DATE	AMOUNT
09/23/11	*****6,039.30

PAY  
TO THE  
ORDER  
OF

TOWN OF ESSEX WATER & SEWER



*[Handwritten Signature]*  
AUTHORIZED SIGNATURE

Security features. Details on back.

⑆0⑆6742⑆ ⑆0⑆600033⑆ ⑆0⑆543⑆7⑆

# Town of Essex

## Application for Sewer Service

Revised May 2011

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

Street Address: 47 Gauthier Drive Development: Gauthier Industrial Park

Tax Map # 0 0 9 Tax Parcel 0 0 3 Tax Lot 0 2 1

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

300 GPD required (see attached DPW letter dated May 24, 2011)

<u>Installer / Contractor:</u>	<u>Property Owner:</u>
Name: <u>S.D. Ireland Companies</u>	Name: <u>The Miller Realty Group, LLP</u>
Address: <u>P.O. Box 2286 South Burlington, VT 05407</u>	Address: <u>599 Avenue D Williston, VT 05495</u>
Phone: <u>863-6222</u>	Phone: <u>864-5830</u>
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:  Date: 8-23-11  
 (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.

<b>For Office Use Only</b>			
<u>300</u> gallons / day x \$8 = \$ <u>2,400</u> + \$1,000 = \$ <u>3,400</u>			
Received by: _____	Date: ____-____-____		
Approved by: _____	Date: ____-____-____	<input type="checkbox"/> Letter Sent	<input type="checkbox"/> Finance Notified
Inspected by: _____	Date: ____-____-____	<input type="checkbox"/> Tie Drawing	<input type="checkbox"/> Finance Notified
Master List Updated:	<input type="checkbox"/> Approved	<input type="checkbox"/> Inspected	

**Town of Essex**  
**Application for Water Service**

Revised May 2011

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

Street Address: 47 Gauthier Drive Development: Gauthier Industrial Park

Tax Map # 0 0 9 Tax Parcel 0 0 3 Tax Lot 0 2 1

Does hereby request a permit to initiate water service as noted below to  
serve \_\_\_\_\_ unit(s)  Residential  Commercial  Industrial structure  
338 GPD required (see DPW letter dated May 24, 2011)

Installer / Contractor:

Property Owner:

Name: S.D. Ireland Companies

Name: The Miller Realty Group, LLP

Address: PO Box 2286 South Burlington, VT 05407

Address: 599 Avenue D Williston, VT 05495

Phone: 863-6222

Phone: 864-5830

Cell: \_\_\_\_\_

Cell: \_\_\_\_\_

Firm Performing Main Line Tap:

Name: S.D. Ireland Companies

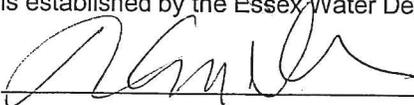
Address: PO Box 2286 South Burlington, VT 05407

Phone: 863-6222

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 from 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.

8.) In consideration of water service supplied by the Town of Essex Water Department, I agree to be responsible for payment of all bills rendered and for all water used by me, my tenants, successors in tenancy or in ownership, and all persons at above locations, unless and until proper notice is given to the Town Water Department of termination of service on a specific date. I also agree to abide by all rules and regulations established by the Essex Water Department.

Signed:  Date: \_\_\_ - \_\_\_ - \_\_\_

PLEASE MAKE CHECK PAYABLE TO TOWN OF ESSEX WATER AND SEWER DEPARTMENT.  
DO NOT COMBINE WITH ZONING PERMIT FEE.

All water services are subject to a service-initiation fee as set by the Water/Sewer Fee Schedule adopted by the Selectboard. The following fee schedule shall apply to all municipal water connections.

**FOR OFFICE USE ONLY:**

338 gallons/day x \$ 4.85 = \$ 1,639.30 + \$1,000 = \$ 2,639.30

Connection Fee: \$ 2,639.30 Rcvd by:  Date: 9-23-11  Finance Notified

Approved by: \_\_\_\_\_ Date: \_\_\_ - \_\_\_ - \_\_\_  Letter Sent  Finance Notified

Inspected by: \_\_\_\_\_ Date: \_\_\_ - \_\_\_ - \_\_\_  Tie Drawing  Finance Notified

Meter Installed Date: \_\_\_ - \_\_\_ - \_\_\_

Master List Updated:  Approved  Inspected  Metered