

Appeal Period Expires 9/27/08
 Zoning District MKD-PUD(B)
+ B-DC

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

Application Date 9/12/08
 Permit Number 2008-128

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 and it must remain posted throughout the construction period.
 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.
 Occupancy of the premises shall not take place until a Certificate of Occupancy is obtained.
 Approval is subject to accuracy of information provided by the applicant.

A Parcel Account Num. (Map-Parcel-Lot) 2- 090-105-000
 (found in Town Assessor's Office)
 Property Address: 43 upper main
 Owner: Lang Family LLC
 Owner Address: 51 upper main
 Owner Phone: (work) 879-5720 (home) 879-3987
 (cell) 316 1210 (Email) _____
 Contractors name: Jonathan Lang Phone: _____
 Cell: _____
 Estimated Construction Dates: Start: / / Completion: / /
 Sq. Feet: 5000 Estimated Cost (labor & materials): \$200,000

B Sewage Disposal (Please attach Sewer or Septic Application).
 Public Private Connection Fee \$ 2,596 Date Paid: 9/12/08
 Proposed New Bedrooms: 0 Existing Bedrooms: 0

C Water (Please attach Water Service Application).
 Public Private Fee \$ 1,688 Date Paid: 9/12/08

D Driveway (Please attach copy of approved Curbcut / Utility Application).
 Date of approval / / STATE Highway

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 PC2008-18.

G Signature of Owner [Signature]

G

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

Residential:	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"/>
Inclusions or Additions:			
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"/>
Non-residential:			
Commercial / Industrial	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Stormwater:			
Stormwater	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Erosion Control	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other:			
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"/>

Office Use Only

Fees:	Type	Amount	Date Pd
	Permit	\$ <u>600.-</u>	<u>9/12/08</u> SK
	School	\$ _____	<u> </u> / <u> </u> / <u> </u>
	Recreation	\$ _____	<u> </u> / <u> </u> / <u> </u>
	Recording	\$ <u>16.</u>	<u>9/12/08</u> SK
	CO Other	\$ <u>75</u>	<u>9/12/08</u> SK

Building Permit
 Approved Rejected Date 9/12/08
 Issued to: Lang Family LLC
 Zoning Administrator: Shawn L. Kelley
 Notes: Remaining 2 installments due in two parts on 9/12/09 + 9/12/10 see memo attached
 C.O. Required Yes No

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

Memorandum

TO: Sharon Kelley, Zoning Administrator

Doug Fisher, Finance Director

FROM: Dennis Lutz, Public Works Director

DATE: 9 September 2008

SUBJECT: Jonathon Lang's Water/Sewer Connection Fees for the Banquet Barn



The Selectboard approved the following connection fees and basis at their meeting last night for the noted project:

1) The applicant will be open seasonally, which was noted earlier in the PC application as May to October. This is a six month period. The applicant should pay a sewer and water allocation fee of 50% of the noted amounts: \$5,062.50 for water and \$7,787.50 for sewer or \$12,850.

2) The Town will certify to the State that the applicant has been approved for a Town capacity of 2,225 gpd.

3) The Town shall provide a letter to the applicant that the approved sewer and water connection fees have been paid only to the limit of an average daily flow of 1,112.50 gpd. Any average daily usage in excess of this amount over a year's record of flow will require that additional water and sewer fees be collected or that the applicant reduce the sewer and water usage to below the 1,112.50 gpd level within a year.

4) The applicant shall install a water meter as indicated in the supporting Public Works engineering documents to the PC. The water meter shall be monitored for a period of 3 years after the facility has been opened and in full operation. If the average daily usage over this period falls above the 1,112.50 gpd level, the applicant will need to purchase more capacity or cut back flow as noted earlier. If the average daily usage over this period falls below the 1,112.50 gpd estimate, the applicant can elect to

a) maintain some or all of the reserve he has purchased up to 1,125 gpd or

b) request a rebate in the amount of the 2008 initiation fees paid to bring the usage to the actual history of usage level or

c) purchase more capacity at the rate in effect at time of purchase.

5) The applicant can pay the sewer and water initiation fee over 3 years. The payment schedule is as follows:

1) year one with building permit:

Water: \$1688 Sewer: \$2596 Total: \$4284

2) due one year on anniversary of building permit issued:

Water: \$1688 Sewer: \$2596 Total: \$4284

3) due two years on a anniversary of building permit issued:

Water: \$1686.50 Sewer: \$2595.50 Total: \$4282

Total Due \$12,850

Note: the Town will review the flow usage at the end of 3 years and determine if the sewer and water initiations fee tracked with the actual flow.

TO: Zoning Administration / Water/Sewer Bookkeeper

FROM: Public Works Department W/O # _____

The following service has been approved: Permit # 2008-128

Date: September 17, 2008

Name: Lang Family, LLC

Street: 43 Upper Main Street (Barn)

Tax Map #: 090 Tax Map #: 005 Tax Map #: 000

Water Sewer Both

Number of Gallons: 1,688

Initials: DEL

LAMOUREUX & DICKINSON
Consulting Engineers, Inc.

14 Morse Drive Essex Junction, VT 05452
 Tel. (802) 878-4450 Fax (802) 878-3135 LDengineering.com

• Engineering • Planning • Surveying • Soils • Wetlands • Landscape Architecture •

TRANSMITTAL

Mail Fax Hand carried To be picked up Courier service

TO: Sharon / J. Lang		FROM: Andy Rowe		
ADDRESS:		DATE: September 12, 2008		
FAX NO.: 878-1353		RE: <i>6 PAGES TOTAL</i>		
PROJECT NAME: Parcel B - Lang Farm		PROJECT #:		
COPIES	DATE	SHEET	DESCRIPTION	Plans
			Stormwater permit application	Shop drawings
				Report
				Copy of letter
				Change order
COMMENTS: The draft permit is being mailed today. The public notice period will begin on Monday September 15. A copy will be sent to the Town for posting.				Specifications
				Disk
				For your review
				For your use
				For comment
				As requested
				F.Y.I.
				For execution
<i>Signature: Andy</i>				
COPY TO:				

- Front Office Copy
- Project File Copy



September 4, 2008

Dennis Lutz, P.E., Public Works Director /Town Engineer
Town of Essex
81 Main Street
Essex Junction, VT 05452

RE: Site Plan Amendment - 43 Upper Main Street
Lang Farm Parcel B

Dear Dennis,

On May 22, 2008, the Essex Planning Commission approved the above application with several conditions. One of those, Condition #2, required that the applicant provide the traffic information requested by the Town engineer, including:

- a. *The applicant shall consult VTrans about the new use and entrance and provide to the Town evidence of VTrans approval.*

This parcel already has valid VTrans Highway Access Permits for its two driveways. Information concerning this project and its potential traffic impacts was submitted to VTrans on April 29th for their review. After reviewing that information, VTrans determined that the northerly driveway could remain as is, i.e. to serve only the existing duplex. They would not permit the proposed use of the northerly driveway by commercial traffic. The site plan was subsequently modified to eliminate the internal connection between the two driveways. With that, we recently received the attached VTrans Letter of Intent dated September 2, 2008.

- b. *The traffic study shall provide an intersection analysis in terms of the effect of levels of service with the addition of the banquet hall and provide both to the Town and VTrans.*

As was explained in our April 29, 2008 traffic study for this project, this project is too small to trigger VTrans' Level of Service Policy. A level of service analysis for the estimated 2008 design hour volume on Route 15 shows that vehicles exiting the southerly commercial driveway experience LOS B under existing conditions, and LOS C with the addition of the new banquet facility. Both results satisfy VTrans' LOS D standard for higher volume unsignalized intersections. Copies of the level of service worksheets are attached.

- c. *The applicant shall provide information regarding peak hour traffic eastbound queuing on VT Route 15 during the red light cycle, explaining the impact of creating a potential queue on VT Route 15 for left turns into this entrance. This entrance also shall be signed.*

Dennis Lutz, P.E.
September 2, 2008
Page 2

We understand your concern to have been related to the proposed use of the northerly driveway by vehicles entering the new banquet facility (commercial traffic). That has been eliminated as discussed above. All commercial traffic will now enter this parcel via the southerly driveway, which is over 900 ft south of the closest traffic signal at the eastbound Route 289 off-ramp. We submit that the southerly driveway is sufficiently distant to prevent the eastbound Route 15 queue from blocking entering left-turns.

- d. *The "Do Not Enter" sign at the mini-island shall be turned 90 degrees and placed at the entrance to the one-way upper road. The traffic around the circle shall be either two-way or signed for one-way movement.*

With the internal connection between the two driveways having been eliminated, there is no longer a need for a "Do Not Enter" sign. That sign will be replaced by a simple "Keep Right" one way sign at the entrance to the mini-island indicating counter-clockwise rotation.

Should you have any questions concerning the above, please feel free to call us.

Sincerely,



Roger Dickinson, P.E., PTOE

cc. Dana Farley

P:\2004\04109\lutz.wpd

TWO-WAY STOP CONTROL SUMMARY

Analyst: R. Dickinson
 Agency/Co.:
 Date Performed: 9/3/2008
 Analysis Time Period: DHV
 Intersection: Route 15 / Parcel B
 Jurisdiction: Essex
 Units: U. S. Customary
 Analysis Year: 2008
 Project ID: 04109 - existing
 East/West Street: Parcel B
 North/South Street: Route 15
 Intersection Orientation: NS

Study period (hrs): 1.00

Vehicle Volumes and Adjustments

Major Street:	Approach Movement	Northbound			Southbound		
		1 L	2 T	3 R	4 L	5 T	6 R
Volume			7	755	6	445	
Peak-Hour Factor, PHF			1.00	1.00	1.00	1.00	
Hourly Flow Rate, HFR			7	755	6	445	
Percent Heavy Vehicles			--	--	0	--	--
Median Type/Storage		Undivided			/		
RT Channelized?							
Lanes			1	0		0	1
Configuration				TR		LT	
Upstream Signal?			No			No	

Minor Street:	Approach Movement	Westbound			Eastbound		
		7 L	8 T	9 R	10 L	11 T	12 R
Volume		8		5			
Peak Hour Factor, PHF		1.00		1.00			
Hourly Flow Rate, HFR		8		5			
Percent Heavy Vehicles		0		0			
Percent Grade (%)			0			0	
Flared Approach: Exists?/Storage				No	/		/
Lanes		0		0			
Configuration			LR				

Delay, Queue Length, and Level of Service

Approach	NB	SB	Westbound			Eastbound				
			7	8	9	10	11	12		
Movement	1	4		7	8	9		10	11	12
Lane Config		LT			LR					
v (vph)		6			13					
C(m) (vph)		859			415					
v/c		0.01			0.03					
95% queue length		0.02			0.10					
Control Delay		9.2			14.0					
LOS		A			B					
Approach Delay					14.0					
Approach LOS					B					

TWO-WAY STOP CONTROL SUMMARY

Analyst: R. Dickinson
 Agency/Co.:
 Date Performed: 9/3/2008
 Analysis Time Period: DHV
 Intersection: Route 15 / Parcel B
 Jurisdiction: Essex
 Units: U. S. Customary
 Analysis Year: 2008
 Project ID: 04109 - with banquet facility
 East/West Street: Parcel B
 North/South Street: Route 15
 Intersection Orientation: NS
 Study period (hrs): 1.00

Vehicle Volumes and Adjustments

Major Street:	Approach Movement	Northbound			Southbound		
		1 L	2 T	3 R	4 L	5 T	6 R
Volume		18		755	18	445	
Peak-Hour Factor, PHF		1.00		1.00	1.00	1.00	
Hourly Flow Rate, HFR		18		755	18	445	
Percent Heavy Vehicles		--		--	0	--	--
Median Type/Storage		Undivided			/		
RT Channelized?							
Lanes		1	0		0	1	
Configuration				TR		LT	
Upstream Signal?		No				No	

Minor Street:	Approach Movement	Westbound			Eastbound		
		7 L	8 T	9 R	10 L	11 T	12 R
Volume		18		6			
Peak Hour Factor, PHF		1.00		1.00			
Hourly Flow Rate, HFR		18		6			
Percent Heavy Vehicles		0		0			
Percent Grade (%)			0			0	
Flared Approach: Exists?/Storage				No	/		/
Lanes		0		0			
Configuration				LR			

Delay, Queue Length, and Level of Service

Approach Movement	NB	SB	Westbound			Eastbound		
	1	4	7	8	9	10	11	12
Lane Config		LT		LR				
v (vph)		18		24				
C(m) (vph)		851		362				
v/c		0.02		0.07				
95% queue length		0.06		0.21				
Control Delay		9.3		15.7				
LOS		A		C				
Approach Delay				15.7				
Approach LOS				C				



State of Vermont
 Utilities & Permits Unit
 One National Life Drive
 Montpelier, VT 05633-5001
 www.aot.state.vt.us

Agency of Transportation

[phone] 802-828-2653
 [fax] 802-828-5742
 [ttd] 800-253-0191

! LETTER OF INTENT !
THIS IS NOT A PERMIT

RECEIVED
SEP - 4 2008

September 02, 2008

Lang Family, LLC
 Jonathan Lang
 51 Upper Main Street
 Essex Junction, VT 05452

Subject: Essex, VT15, L.S. 189+25 RT ~ 197+15 RT

Dear Jonathan,

Your highway permit application to pave an existing 20-foot wide gravel driveway at L.S. 197+15 RT that now serves a residential duplex and to also approve the change in use of the existing access to the south at L.S. 189+25 RT., has been reviewed and found to meet the requirements for work within the highway right-of-way.

The access at L.S. 189+25 will serve the existing barn after it has been converted into a banquet hall. **The drive at L.S. 197+15 RT will require a new VTrans permit if the property's use ever changes from a residential duplex and/or further development increases the amount of traffic using the access in any way.**

Title 19 VSA § 1111 requires that we ensure compliance with all local ordinances and regulations relating to highways. **Your highway permit application will be processed after you provide us with copies of your Act 250 and/or local approvals, including all conditions.** In cases where local zoning does not exist, a letter from the legislative body of the municipality will be acceptable.

When issued, the permit will contain, but will not be limited to, the attached Special Conditions.

This commitment is valid for two years from the date of this letter. Should your other permits require a longer time period, please contact us relative to an extension of time.

If you have any further questions about this matter, please call me at (802) 828-2487.

Sincerely,

Timothy B. French, Project Supervisor
 Utilities & Permits Unit

Attachment

Reviewed by: Rob Hall Date: 9-2-08
 Rob Hall, Utilities and Permits Supervisor

cc: Town of Essex
 District Environmental Coordinator #4
 Chittenden County MPO
 Lamoureux & Dickinson Consulting Engineers Inc



Lang Family, LLC
Essex, VT15, L.S. 189+25 ~ 197+15 RT
September 02, 2008
Page 1 of 4

SPECIAL CONDITIONS

This permit is granted subject to the restrictions and conditions on the back of the permit, with particular attention given to the Special Conditions listed below. This permit pertains only to the authority exercised by the Agency of Transportation under Vermont Statutes Annotated, Title 19, Section 1111, and does not relieve the Permit Holder from the requirements of otherwise applicable statutes, rules, regulations or ordinances (e.g., Act 250, zoning, etc.). The Permit Holder is fully responsible for securing coverage under and complying with all other applicable statutes, rules, regulations or ordinances prior to initiating construction activities.

All work shall be accomplished in accordance with detail A and the profile and notes of standard drawing B-71, copy attached, and the attached plan dated July 17, 2008.

A preconstruction meeting to discuss work to be completed must be held prior to the Permit Holder's employees or contractor beginning work. The Permit Holder is required to notify the District Transportation Administrator five (5) working days in advance of such meeting.

The drive at L.S. 197+15 RT will require a new VTrans permit if the property's use ever changes from a residential duplex and/or further development increases the amount of traffic using the access in any way. The access at L.S. 197+15 RT. and the access at L.S. 189+25 RT. shall not be connected.

Roadway shoulder areas must be maintained free of unnecessary obstructions, including parked vehicles, at all times while work is being performed under this permit.

All grading within the highway right-of-way associated with the proposed construction shall be subject to inspection and approval by the District Transportation Administrator or their staff. The Permit Holder shall be responsible for ensuring that all grading work in or on the State Highway right-of-way is in compliance with applicable statutes, rules, regulations or ordinances.

In areas to be grass covered, the turf shall be restored by preparing the area and applying the necessary topsoil, limestone, fertilizer, seed, and mulch all to the satisfaction of the District Transportation Administrator. The Permit Holder shall be responsible for ensuring that all turf restoration work in or on the State Highway right-of-way is in compliance with applicable statutes, rules, regulations or ordinances.

Lang Family, LLC
Essex, VT15, L.S. 189+25 ~ 197+15 RT
September 02, 2008
Page 2 of 4

Upon completion of the work, the Permit Holder shall be responsible to schedule and hold a final inspection. The Permit Holder is required to notify the District Transportation Administrator five (5) working days in advance of such inspection.

The Permit Holder shall be responsible for all damages to persons and/or property due to or resulting from any work allowed under this permit. The Permit Holder shall defend, indemnify and save harmless the State, the Agency, and all of their officers, agents, and employees from all suits, actions, or claims of any character, name and description brought for or on account of any injuries or damages received or sustained by any person, persons or property, including all costs or expenses to defend against such suits, actions or claims.

Before starting any work within the State highway right-of-way, the Permit Holder must provide certificates of insurance to show that the following minimum coverages are in effect. It is the responsibility of the Permit Holder to maintain current certificates of insurance on file with the State until final inspection and acceptance of the work by the State's representative.

Workers' Compensation: With respect to all work within the State highway right-of-way by the Permit Holder or a contractor or other entity for the Permit Holder, the Permit Holder or other entity performing the work shall carry workers' compensation insurance for all workers performing the work in accordance with the laws of the State of Vermont.

General Liability and Property Damage: With respect to all work within the State highway right-of-way, the entity performing the work shall carry general liability insurance having all major divisions of coverage including, but not limited to:

Premises - Operations
Products and Completed Operations
Personal Injury Liability
Contractual Liability

The policy shall be on an occurrence form and limits shall not be less than:

\$1,000,000 Per Occurrence
\$1,000,000 General Aggregate
\$1,000,000 Products/Completed Products Aggregate
\$ 50,000 Fire Legal Liability

Lang Family, LLC
Essex, VT15, L.S. 189+25 ~ 197+15 RT
September 02, 2008
Page 3 of 4

Automotive Liability: An entity performing work within the State highway right-of-way shall carry automotive liability insurance covering all owned, non-owned and hired vehicles used to perform work within the State highway right-of-way. Limits of coverage shall not be less than: \$1,000,000 Combined Single Limit.

No warranty is made that the coverages and limits listed herein are adequate to cover and protect the interests of the Permit Holder for the Permit Holder's operations or the entity performing the work for the entity's operations. These are solely minimums that have been set to protect the interests of the State.

This permit does not become effective until the Owner/Applicant records, in the office of the appropriate municipal clerk, the attached "Notice of Permit Action".

The access at L.S. 197+15 RT. must be constructed in such a manner as to prevent water from flowing onto the state highway. If the access is not constructed satisfactorily, the District Transportation Administrator can order reconstruction of the access at the Owner's expense.

These accesses will serve as the only accesses to this property and to any future subdivisions of this property unless approved otherwise by the Vermont Agency of Transportation. The Permit Holder is required to allow a connection and to grant an associated right to pass between the access and adjoining properties (in the future) that will result in a combination of accesses to serve more than one property or lot. By issuance of this permit, all previous permits for access to this property are revoked.

In the event traffic from this project increases to the point where traffic signals, additional lanes for turning or any other modifications are necessary, the expense of such improvements or facilities shall be borne by the Permit Holder, his/her successors, and assigns. The Permit Holder may be required by the Agency to update or provide a traffic study to determine if additional modifications are necessary.

The Permit Holder is responsible for access maintenance (beyond the edge of paved shoulder). "Access maintenance" will include, but not be limited to, the surface of the access, the replacement and maintenance of the culvert, as necessary, the trimming of vegetation, and the removal of snow banks to provide corner sight distance.

In conformance with Title 19 VSA § 1111(f), these accesses may be eliminated in the future where development has burdened the highway system to such an extent that a frontage road or other access improvements (which may serve more than one property or lot) must be constructed to alleviate this burden. The expense of the frontage road or other access improvements shall be borne by the Permit Holder, his/her successors or assigns of

Lang Family, LLC
Essex, VT15, L.S. 189+25 ~ 197+15 RT
September 02, 2008
Page 4 of 4

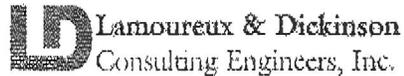
assigns of the properties abutting said frontage road or served by the access. The Agency of Transportation shall determine the need of a frontage road or other improvements based upon and justified by standard Agency procedures.

The accesses (drives) will be paved from the edge of paved shoulder to the highway right-of-way.

In the event of the Permit Holder's failure to complete all the work, approved under this permit, by the "work completion date," the Agency of Transportation, in addition to any other enforcement powers that may be provided for by law, may suspend this permit until compliance is obtained. If there is continued use or activity after suspension, the agency, may physically close the driveway or access point if, in the opinion of the Agency, that safety of highways users is or may be affected.

It is incumbent upon the Permit Holder to verify the appropriate safety measures needed, prior to construction, so proper devices and/or personnel are available when and as needed. Traffic control devices, shall be in conformance with the MUTCD (Manual on Uniform Traffic Control Devices), Agency of Transportation Standards and any additional traffic control deemed necessary by the District Transportation Administrator. Failure to utilize proper measures shall be considered sufficient grounds for the District Transportation Administrator to order cessation of the work immediately.

Construction will be performed in such a way as to minimize conflicts with normal highway traffic. When two-way traffic cannot be maintained, a sign package that conforms to the MUTCD or VAOT Standards, and trained Flaggers shall be provided. The District Transportation Administrator may require a similar sign package with trained Flaggers whenever it is deemed necessary for the protection of the traveling public. In addition, the District Transportation Administrator may require the presence of Uniform Traffic Officers (UTOs); moreover, the presence of UTOs shall not excuse the Permit Holder from its obligation to provide the sign package and Flaggers.



14 Morse Drive
Essex Junction, VT 05452

Tel (802) 878-4450 Fax (802) 878-3135
Email: mail@LDengineering

June 25, 2008

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

RE: Request for coverage under GP 3-9015
48 Upper Main Street, Essex

Dear Matt:

We are writing on behalf of Lang Family, LLC to request coverage under General Permit 3-9015 for new and redeveloped impervious area at 48 Upper Main Street in Essex. In addition to the landscaping nursery and retail space, a duplex and three unit apartment building (the original farmhouse) are located on Parcel B. There is an existing network of gravel drives, parking, and outside storage areas on this parcel having an area of 3.75 acres.

Improvements to the drives and parking areas are proposed in connection with the conversion of the upper level of the larger barn to a banquet hall. Although the drives and parking are generally within the limits of the existing gravel, there are areas of expansion and redevelopment. In most areas, the existing gravel will be regraded, shimmed, and paved. There will be 0.58 acres of redevelopment, and 0.23 acres of new impervious area. A permit is required since the expanded impervious area is greater than 5000 sf and the resulting total impervious area exceeds 1 acre. It should be noted that proposed project will result in a net decrease in lot coverage over existing conditions.

Route 15 is located to the west, and The Links @ Lang Farm golf course is located to the east of Parcel B. The Lang residence is located northeast of, with driveway access through, Parcel B. Portions of the undeveloped land to the south is used by both the golf course and landscaping / nursery business. Indian Brook crosses the parcel to the south, about 200 feet southwest of the entrance off Route 15.

Presently, the westerly portion of the site, including most of the buildings, drives, and gravel parking areas, slope southwesterly to Indian Brook. An existing yard inlet collects runoff on the north side of the drive and conveys it to the vegetated slope leading to Indian Brook. Runoff from Route 15 is collected in a roadside ditch that is conveyed under the project main entrance to Indian Brook.

The easterly portion of the site is directed to an existing swale and piped collection system that flows southerly to the adjacent parcel, and eventually to an existing pond on the golf course. In addition to surface runoff, this pond is also fed by a drilled well to maintain its water level for

Matt DeWolfe

June 25, 2008

Page 2

golf course irrigation. The existing pond outlet consists of a 24" outlet pipe connecting to an outlet structure, with emergency overflow through a grate opening in the top of the structure. This pond discharges to an unnamed tributary that flows southerly through the Countryside residential neighborhood to Indian Brook.

With the proposed improvements, runoff from the three reconstructed parking bays south of the large barn will be directed to catchbasins and conveyed to the existing piped collection system leading to the pond. The piped system currently daylights to a vegetated swale, providing 325 feet of pretreatment before reaching the pond. The existing pond will provide the WQv for SN002. The pond will also be used to meet the 10 year detention requirement for both SN001 & SN002 by reducing the total discharge from the site to Indian Brook. The vegetated channel leading to the wet pond has been evaluated to demonstrate that >10% of the WQv requirement is provided, eliminating the need to provide a forebay in the wet pond.

The remainder of the westerly portion of the site will continue to flow to Indian Brook. Runoff from the other areas of redevelopment and new impervious area will be directed to a wet swale on the south side of the entrance drive. This wet swale will be located in an easement area on the adjacent parcel. The wet swale will meet the WQv requirement for SN001.

The CPv requirement is waived for this project since less than 1 acre of new impervious area is proposed. In addition, the recharge requirement is waived for redevelopment and the hydrologic group D soils. The 100 year storm detention requirement is waived as the total impervious area is less than 10 acres.

Since this project is located within the impaired portion of the Indian Brook watershed, we have enclosed pre and post development sediment loading calculations. The post development sediment load to Indian Brook is reduced from pre development levels with the redirection of runoff from the parking areas to the golf course pond. The sediment removal provided by the pond results in a net decrease in discharge from the site.

We have enclosed the following for your review:

- Notice of intent & \$364 fee
- Schedule A & worksheets with supporting documents
- Sediment loading calculations
- Stormwater Plans
- Plan sheets 1, 2, & 3

Please call our office with any questions.

Sincerely,



Andrew Rowe P.E.

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INDIVIDUAL STORMWATER DISCHARGE PERMIT APPLICATION

1. Applicant Name(s): Lang Family, LLC
2. Is this NOI being submitted in connection with a subdivision?² No (Yes/No)
3. Address of Applicant(s): c/o Jonathan Lang
51 Upper Main Street
Essex Junction, VT 05452
4. Telephone Number: 878-5720
5. Fax: _____
6. E-mail: _____
7. Project Name: Parcel B - Lang Farm
8. Project Location Address: 51 Upper Main Street
9. Project Location Coordinates: Lat: 44 ° 30 ' 18 " Long: 73 ° 05 ' 25 "
10. Act 250 Permit Number (if applicable): 4C0608
11. Existing VTDEC Stormwater Permit Number related to this project (if any): none
12. Number of discharge points for the project: 2
13. Receiving Water(s): Indian Brook and an un-named tributary to Indian Brook
14. If your project will discharge to a stormwater impaired water, you will need to provide an off-set for your project. Please contact the stormwater management section to discuss these requirements.
15. Have or will you be submitting an application for coverage under a construction discharge permit also? Yes No Not Applicable
16. The following items must be included in your application materials for your application to be considered complete:
 - Narrative
 - Provide the information requested on the "State Stormwater Discharge Permit Application Narrative Instructions" _____(✓)
 - Schedule A(s) and STP/Credit worksheets
 - Complete and attach a copy of Schedule A for each discharge point from the project. _____(✓)

¹ If the applicant is a business, the business must be registered with the Secretary of State.

² Includes, but is not limited to, residential or commercial subdivisions, condominiums or industrial parks.

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- Complete and attach STP/Credit/Waiver worksheets for each STP/Credit/Waiver listed on the Schedule A for each discharge point, as well as any necessary WQv calculation sheets. _____ (✓)
- Maps/Site Plans (11" x 17" preferred, all maps must have legend, scale bar, north arrow)
 - Topographic map showing the location of the site, points of discharge, discharge points and receiving water(s). _____ (✓)
 - Soils map (with reference to HSGs), overlaid with site outline. _____ (✓)
 - If existing impervious/stormwater treatment systems are present, a site plan of existing conditions. _____ (✓)
 - Proposed conditions site plan, with existing impervious, redeveloped impervious and new (expanded) impervious clearly identified in the legend, labeled discharge points, and labeled locations of STPs. _____ (✓)
 - Construction detail sheet containing all applicable STPs for your project and demonstrating adherence to the design criteria for the STPs. _____ (✓)
 - Credit design detail sheet (may be a "typical") when and where credits requiring specific design criteria will be used to meet standards. _____ (✓)
- Runoff Modeling (where applicable)
 - Pre-development/Existing conditions sub-watershed delineations with sub-watershed labels and labeled points of interest/discharge points, overlaid over existing site plan with contours. _____ (✓)
 - Pre-development/existing conditions model schematic. _____ (✓)
 - Post-development/Proposed conditions sub-watershed delineations with sub-watershed labels and labeled study points/discharge points, overlaid over proposed site plan with contours. _____ (✓)
 - Post-development/proposed conditions model schematic. _____ (✓)
 - Sub-watershed information (area and curve number assignment) for pre and post scenarios. _____ (✓)
 - Time of concentration calculations for pre and post scenarios. _____ (✓)
 - Runoff calculations for each element in the model. _____ (✓)
 - Calculation time span adjusted to include entire volume of runoff. _____ (✓)
 - Modified CN calculations if Water Quality (<0.9" storm was modeled. _____ (✓)
- Additional Supporting Information
 - Any information/calculations required by STP/Credit/Waiver worksheets

17. Include a check for the appropriate permit fees:

Administrative processing fee (\$100.00): \$ 100.00
plus
 Application review fee (\$ 300 x 0.88 impervious acre³): \$ 264.00

Total Permit Fees (check # _____): \$ 364.00

³ Class A waters: \$1170/impervious acre; Class B waters: \$300/impervious acre; round impervious acreage to nearest 0.01 acre (i.e. 1.35 acres vs. 1.4 acres) to avoid fee accounting issues.

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Date of application: May 30, 2008

18. DESIGNER CERTIFICATION: I hereby certify that the design-related information submitted with this application for permit coverage was prepared under my direction or supervision and that the information is, in the exercise of my reasonable professional judgment, true, accurate and complete. I also hereby certify that the stormwater collection, treatment and control system design submitted with this application **complies with DEC's Stormwater Management Rule and the Vermont Stormwater Management Manual.**

Andrew Rowe

Original Signature of Stormwater Designer

ENGINEER

Title

ANDREW ROWE

Print or Type Name

19. OWNER / OPERATOR CERTIFICATION: I hereby certify that I have read this application and agree to abide by the terms of any Individual Permit issued by DEC.

Jonathan Lang
Original Signature of Owner or Authorized Representative⁴

owner

Title

Jonathan Lang for Lang Family, LLC

Print or Type Name

Original Signature of Operator (if any) or Authorized Representative

Title

Print or Type Name

⁴ If the applicant is an individual, but the NOI is being signed by an authorized representative, then a letter indicating that said person is the authorized representative must accompany this NOI. If the applicant is a business (registered with the Sec. of State) then the signature must be provided by one of the following i) the person listed as the registered agent with the Secretary of State; ii) an executive figure (such as the president, chairperson or superintendent) or iii) an individual whose status as an authorized representative is verified in writing by the registered agent or executive figure.