

WASTEWATER SYSTEM AND POTABLE WATER SUPPLY PERMIT

LAWS/REGULATIONS INVOLVED

Environmental Protection Rules

Chapter 1, Wastewater System and Potable Water Supply Rules, Effective January 1, 2005
Chapter 21, Water Supply Rules, Effective April 25, 2005

Case Number: WW-4-2649-1

PIN: EJ06-0254

Landowner: David Fassler
Kathy Gutting
4047 Mt. Philo Road
Charlotte, VT 05445

This permit affects property referenced in deeds recorded in Book 53 Page(s) 418 of the Land Records in Charlotte, Vermont.

This project, consisting of amending Permit WW-4-2649 for the purpose of reference to a survey of the subject property, a 3 lot subdivision; Lot #1 being 5.05 acres with an existing 3 bedroom single family residence, Lot #2 being 12.7 acres and Lot #3 being 5.05 acres each for a proposed 4 bedroom single family residence, served by individual drilled wells and mound wastewater disposal systems, located on Mt. Philo Road in Charlotte, Vermont, a survey heretofore not identified in the permit, is hereby approved under the requirements of the regulations named above, subject to the following conditions.

GENERAL

1. This permit does not relieve the permittee from obtaining all other approvals and permits as may be required from the Department of Environmental Conservation, Water Quality Division-telephone (802)241-3770, and local officials prior to proceeding with this project.
2. The project shall be completed as shown on the following plans which have been stamped "approved" by the Wastewater Management Division:

Project-5112: Kathy Gutting and David Fassler Property 4047 Mt. Philo Road Charlotte, Vermont. Sheet S.1 "Proposed Site Plan with Wastewater and Water Systems" dated May 24, 2006; Sheet S.1A "Lot 1-Proposed Site Plan with Wastewater System and Water Systems" dated May 24, 2006; Sheet S.1B "Lot 2-Proposed site Plan with Wastewater and Water Systems" dated May 24, 2006; Sheet S.1C "Lot 3-Proposed Site Plan with Wastewater and Water Systems" dated May 24, 2006; Sheet

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S.2 “Lot 1 Replacement Mound Details and Standards Wastewater System Details” dated May 24, 2006; Sheet S.3 “Lots 2 and 3 Mound Details” dated May 24, 2006; Sheet S.4 “Standard Water Supply and Standard Site Details” dated May 24, 2006 prepared by Stephen Revell of Lincoln Applied Geology; and, “Final Plat Minor Subdivision” dated May, 2006, last revised 10-12-06 prepared by Stuart J. Morrow, Consulting Land Surveyor, L.L.S. 565.

The project shall not deviate from the approved plans in a manner that would change or affect the exterior water supply or wastewater disposal system, building location or the approved use of the building without prior written approval from the Wastewater Management Division.

3. The conditions of this permit shall run with the land and will be binding upon and enforceable against the permittee and all assigns and successors in interest. The permittee shall be responsible for the recording of this permit in the Charlotte 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.
4. Each prospective purchaser of the lot shall be shown copies of the Wastewater System and Potable Water Supply Permit and the approved plans prior to conveyance of the lot.
5. This project has been reviewed and approved for the existing/construction of one single-family residence on each lot. The permittee shall not construct any other type of structure requiring plumbing, including public buildings, duplexes, condominium units, or commercial buildings, without prior review and approval by the Wastewater Management Division. Such approvals will not be granted unless the proposal conforms to the applicable laws and regulations.
6. All conditions set forth in Permit #WW-4-2649 shall remain in effect except as modified or amended herein.
7. The Wastewater Management Division now reviews the water supply and wastewater disposal systems for all buildings under 10 V.S.A., Chapter 64-Potable Water Supply and Wastewater System Permit.
8. This permit shall in no way relieve you of the obligations of Title 10, Chapter 48, Subchapter 4, for the protection of groundwater.
9. A copy of the approved plans and this permit shall remain on the project during all phases of construction and, upon request, shall be made available for inspection by State or local personnel.

10. Any lot depicted on the plans and not specifically referenced as being approved for a use requiring a potable water supply and wastewater disposal system shall comply with the Environmental Protection Rules, Chapter 1, Wastewater System and Potable Water Supply Rules, Effective January 1, 2005, Section 1-403 (a)(5) for the creation of unimproved lots.

WATER SUPPLY & WASTEWATER DISPOSAL

11. No permit issued by the Secretary shall be valid for a substantially completed potable water supply and wastewater system until the Secretary receives a certification from a designer or the installer, signed and dated, 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 permit conditions, were inspected, were properly tested, and have successfully met those performance tests.”

This shall include the water supply and wastewater disposal systems, and, water service and sanitary sewer lines to each structure.

12. The project/each lot is approved for an on-site water supply system from a drilled well provided that the well is located as shown on the approved plan. The Wastewater Management Division shall allow no other method, or location of obtaining potable water without prior review and approval.
13. Lot 1 is authorized to utilize the existing on-site water supply system provided the water is sampled and meets or exceeds potable water standards set forth by the Chapter 21, Water Supply Rules. No other means of obtaining potable water shall be allowed without prior review and approval by the Wastewater Management Division. If the water supply system fails to function properly and becomes a “failed supply” the permittee shall immediately notify the Division.
14. The well location shall meet all minimum separation distances required by the Environmental Protection Rules, Chapter 21, Water Supply Rule, Appendix A, Part 11- Small Scale Water Systems, Section 11.4. The well shall be constructed in accordance with the Appendix A, Part 12.
15. The project/each lot is approved for wastewater disposal by construction and utilization of the site-specific wastewater disposal systems depicted on the approved plans. The

Wastewater Management Division shall allow no other method, or location of wastewater disposal without prior review and approval.

16. Lots 2 and 3 are approved for the mound wastewater disposal systems provided each mound is constructed in strict accordance with the following conditions:
 - A. The mound system is to be located and constructed as depicted on the plans that have been stamped "approved" by the Wastewater Management Division.
 - B. A licensed designer, who has been determined acceptable by the Wastewater Management Division, shall inspect the mound system during critical stages of construction. This shall include the staking of the location of the mound, ensuring the site has been properly plowed prior to placement of the appropriate sand fill, the installation and testing of the distribution piping, final grading of the mound including side slopes, and pump station installation.
 - C. The construction of each mound shall adhere to the guidelines set forth in Section 1-517 (f) of the Wastewater System and Potable Water Supply Rules.
 - D. The qualified consultant shall inspect the construction of the curtain drain if required.
 - E. Upon completion of construction, and prior to occupancy of any structure being served by the mound system, the licensed designer, who has been determined acceptable by the Wastewater Management Division, shall submit a written certification stating the construction has been completed in accordance with the stamped plans and the permit.
17. Each approved wastewater disposal system has been designed to serve a three-bedroom single-family residence. Prior to any increase in bedrooms, the landowner shall submit an application, fee, and engineering plans for review and approval by the Wastewater Management Division.
18. The Wastewater Management Division is to be notified, if at any time the wastewater disposal system fails to function properly and/or creates a health hazard.
19. The future wastewater disposal "replacement area" designated on the approved plans shall be held in reserve for the eventual construction of a replacement wastewater disposal system in the event of the failure of the primary wastewater disposal system. No construction, earthwork, re-grading, excavation, or activity shall be allowed within the replacement area that would diminish its natural suitability for such eventual use as a wastewater disposal site. Prior to construction of the replacement wastewater disposal system, the landowner shall

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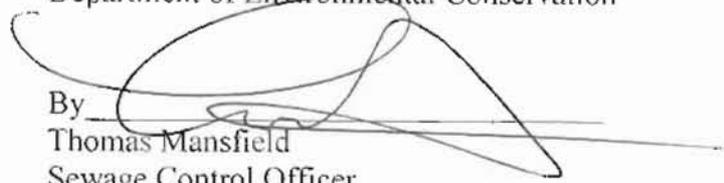
submit an application, fee and engineering plans for review and approval by the Wastewater Management Division.

20. No buildings, roads, water lines, or other construction that might interfere with the installation or operation of the wastewater disposal system is allowed on or near the site-specific wastewater disposal system or replacement area depicted on the approved plans. All isolation distances, which are set forth in the Wastewater System and Potable Water Supply Rules, will be incorporated into the construction and installation of the wastewater disposal field. Compliance with these isolation distances is required.
21. The wastewater disposal/water supply system for the lot is subject to an easement onto the lands identified as &. No construction on or conveyance of the approved lots is allowed until such time as a copy of the executed easement has been recorded and indexed in the town land records. It is recommended that a copy of the executed easement be sent to the Wastewater Management Division.
22. Lot 1 is authorized to utilize the existing on-site wastewater disposal system provided it is operated at all times in a manner that will not discharge wastewater/effluent onto the ground surface or into the waters of the State. If at any time this system fails to function properly and/or creates a health hazard, the Division is to be immediately notified. A complying replacement area has been identified on the plans based on a performance based mound system with 2.25 feet of sand fill. Prior to construction of a replacement system, a permit amendment will be needed for the final wastewater system design.
23. The use of the performance-based wastewater disposal system approved in this permit requires that an annual inspection be performed by a class 1 or class B designer starting when the system is placed in use. The field inspection shall be done in April or May of each year and a written report shall be submitted to the permittee and the regional office that issued the permit by the following June 15th. The inspection shall consist of a field inspection of the area where the leachfield has been installed. A visual observation of the surface area over the system and the area within 25' of the system in all directions shall be made for any indication of failure. This inspection requirement does not require the installation or observation of groundwater monitors and does not require inspection of other component of the wastewater system such as septic tanks, pump stations or advanced treatment systems. Such inspections may be required if they are part of the approved design, including any operation manuals or written instructions, or if they are required in another permit condition. This condition remains in effect until three inspection cycles have been completed as specified in this condition.

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Dated at Charlotte, Vermont on January 29, 2008

Justin G. Johnson, Acting Commissioner
Department of Environmental Conservation

A handwritten signature in black ink, appearing to read 'T. Mansfield', is written over a horizontal line. The signature is stylized and somewhat cursive.

By
Thomas Mansfield
Sewage Control Officer
Town of Charlotte, Vermont

Cc: For the Record
Town of Charlotte
David Fassler
Kathy Gutting
Thomas Z. Carlson, Esq.