CHARLOTTE TOWN CLERK'S OFFICE
RECEIVED FOR RECORD
This 8th day of January A.D. 2019
at 11 o'clock A minutes A m and
recorded in vol. 236 on page 259-261
Attest Town Clerk

VERMONT

Agency of Natural Resources

State of Vermont
Department of Environmental Conservation

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): **PBM Acquisition, LLC**
1401 Thompson's Point Road
Charlotte, Vermont 05445

Permit Number: WW-4-0209-6
PIN: EJ96-0210

This permit affects property identified as Town Tax Parcel ID 00037-1401 referenced in a deed recorded in Book 71, page 682 of the Land Records in Charlotte, Vermont.

This project, consisting of the relocation of all but one bathroom from the A-Frame Building to the Restaurant Building and a reduction in restaurant seats from 74 to 41 at Point Bay Marina, is hereby approved under the requirements of the regulations named above subject to the following conditions.

1. GENERAL

1.1 The project shall be completed as shown on the plans and/or documents prepared by John Pitrowiski, P.E. of Trudell Consulting Engineers, the stamped plans listed as follows:

Sheet Number	Title	Plan Date	Plan Revision Date
C1-02	Existing Conditions	10/10/2018	--
C2-01	Overall Site Plan	02/01/2016	10/10/2018; 01/03/2019
C3-01	Sanitary Plan	02/01/2016	10/10/2018; 01/03/2019
C3-02	Sanitary Plan	02/01/2016	10/10/2018; 01/03/2019
C8-10	Water and Sanitary Details Bathroom Relocate	10/10/2018	--
C8-11	Notes Bathroom Relocate	10/10/2018	--

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

1.3 The conditions of this permit shall run with the land and will be binding upon and enforceable against the landowner and all assigns and successors in interest. The landowner shall record and index this permit in the 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.

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 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 wastewater or potable water supply system until the Secretary receives a signed and dated certification from a qualified Vermont Licensed Designer that states:

> *"I hereby certify that, in the exercise of my reasonable professional judgment, the installation-related information submitted is true and correct and wastewater and potable water systems were installed in accordance with the permitted design and all the permit conditions, was inspected, was properly tested, and has 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 relocation of all but one bathroom from the A-Frame Building to the Restaurant Building and a reduction in restaurant seats from 74 to 41 at Point Bay Marina. Construction of additional nonexempt buildings, including commercial and residential buildings, is not allowed without prior review and approval by the Drinking Water and Groundwater Protection Division, and such approval will not be granted unless the proposal conforms to the applicable laws and regulations. No construction is allowed that will cause non-compliance with an existing permit.

1.7 Each purchaser of any portion of the project shall be shown a copy of the Wastewater System and Potable Water Supply Permit and stamped plans.

1.8 Each new owner of the property shall inform the Drinking Water and Groundwater Protection Division and vendor within 30 days of the transfer of the property and include the name and mailing address of the new owner.

1.9 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.

1.10 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 All required permitting shall be obtained from the Drinking Water and Groundwater Protection Division for operation of the Public Water Supply. Construction, testing, and operation shall take place as required by and in accordance with the project's Public Water Supply Permits. The Public Water Supply is permitted under WSID 8204.

2.2 This project is approved for a potable water supply using a pre-existing drilled or percussion bedrock well and Lake Champlain surface water for a maximum of 3,085 gallons of water per day provided the supply is located as shown on the stamped plan(s) and meets or exceeds the isolation distances, construction standards, and water quality standards required in the Water Supply Rule. The landowner shall operate the potable water supply in a manner that keeps the supply free from contamination. The landowner shall immediately notify the Division if the water supply system fails to function properly and becomes a "failed supply."

3. WASTEWATER DISPOSAL

3.1 This project is approved for the disposal of wastewater in accordance with the design depicted on the stamped plan(s) for a maximum of 3,085 gallons of wastewater per day. The system(s) shall be operated at all times in a manner that will not permit the discharge of effluent onto the surface of the ground or into the waters of the State. Should the system fail and not qualify for the minor repair or replacement exemption, the current landowner shall engage a qualified Vermont Licensed Designer to evaluate the cause of the failure and to submit an application to this office and receive written approval prior to correcting the failure.

3.2 The wastewater system for this project is approved for domestic type wastewater only except as allowed for water treatment discharges. No discharge of other type process wastewater is permitted unless prior written approval is obtained from the Drinking Water and Groundwater Protection Division.

3.3 When the restaurant is constructed in the remainder of the Restaurant Building, the bathroom and restaurant discharge shall be combined collectively and discharged to the soil based system permitted under WW-4-0209-5, unless otherwise approved.

3.4 No buildings, roads, water lines, earthwork, re-grading, excavation or other construction that might interfere with the installation or operation of the wastewater disposal systems are allowed on or near the site-specific wastewater disposal system or replacement area depicted on the stamped plans. All isolation distances that are set forth in the Wastewater System and Potable Water Supply Rules shall be adhered to and will be incorporated into the construction and installation of the wastewater disposal field.

3.5 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 report in writing to the Drinking Water and Groundwater Protection Division that the installation was accomplished in accordance with the referenced plans and permit conditions, as specifically directed in Condition #1.5 herein.

Emily Boedecker, Commissioner
Department of Environmental Conservation

By _____
Aaron Brown
Sewage Control Officer
Town of Charlotte

CC:
Amanda Raab, Trudell Consulting Engineers
Brian Tremback, Town Wastewater Consultant

Dated the 7h Day of January 2019