

**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):** Philo Ridge LLC  
c/o Diana McCargo and Peter Swift  
2766 Mt. Philo Road  
Charlotte, VT 05445

**Permit Number:** WW-138-1609-3  
**PIN:** EJ16-0324

This permit affects property identified as Town Tax Parcel ID 00027-2766 referenced in a deed recorded in Book 190, Page 436 of the Land Records in Charlotte, Vermont.

This project amends WW-138-1609-2 to expand a previously approved wastewater disposal system associated with the re-allocation of design flows away from the existing brick house wastewater system to a new mound system located in the northeast meadow. The wastewater design flows associated with the so-called Brick House will continue to be directed to the existing in-ground disposal field, located to the west of the Brick House. This project also addresses the future wastewater disposal needs of the proposed land uses associated with the Garen Barn, with the understanding that when the Source Permit and Public Water Supply Permit to Construct have been issued by the Drinking Water and Groundwater Protection Division, that a subsequent amendment of this future permit will include both the increased wastewater capacity and the recognized water supply infrastructure requirements for a transient non-community (TNC) water supply system to be integrated into a final permit for the facility. It is hereby approved under the following conditions.

**1. GENERAL**

- 1.1 The project shall be completed as shown on the plans and/or documents prepared by David Marshall of Civil Engineering Associates, Inc., with the stamped plans listed as follows:

Sheet Number	Title	Plan Date	Plan Revision Date(s)
1 of 13	C1.0 Proposed Overall Site Plan	11/28/2018	01/19/2019
2 of 13	C1.1 Proposed Conditions Partial Site Plan	11/15/2018	11/28/2018
3 of 13	C1.2 Proposed Conditions Partial Site Plan	11/28/2018	01/19/2019
4 of 13	Forcemain Profile Across Mt. Philo Road	11/28/2018	N/A
5 of 13	C1.4 Proposed Conditions Partial Site Plan	11/28/2018	01/19/2019
6 of 13	C2.0 Wastewater Details	11/28/2018	01/19/2019; 01/23/2019
7 of 13	C2.1 Wastewater Notes	11/28/2018	N/A



Stamped Plans Continued			
8 of 13	C2.2 Sections	11/28/2018	01/19/2019
9 of 13	C2.3 Pump Station Details	11/28/2018	01/19/2019; 01/23/2019
10 of 13	C3.0 Site Specifications	11/28/2018	N/A
11 of 13	C3.1 Site Specifications	11/28/2018	N/A
12 of 13	C3.2 Site Specifications	11/28/2018	N/A
13 of 13	C3.3 Site Specifications	11/28/2018	N/A

- 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 This permit authorizes the landowner to construct a new wastewater disposal system required to abate a health hazard created by the failure of the existing wastewater disposal system serving the structure. The landowner is required to continue measures to prevent wastewater from surfacing on top of the ground, entering surface waters of the State, or backing up into the existing structure until such time as the approved wastewater disposal system is constructed, activated, and all the conditions of this permit are satisfied. The town may also require steps to mitigate any health hazard associated with the failed system.
- 1.4 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.
- 1.5 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 Town of Charlotte Land Records and ensure that copies of all certifications are sent to the Secretary.
- 1.6 No permit issued by Charlotte shall be valid for a substantially completed potable water supply and wastewater system until the Town receives a signed and dated certification from a qualified 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 wastewater system was 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.
- 1.7 This project is approved for installing additional components to expand a permitted wastewater disposal system (a new mound disposal system, forcemain, pump station, and valve pit), to support the following: (1) the Farm Stand Retail Food Products with a commercial sink, 18 farm production employees, 6 retail employees, commercial catering, commercial deli, and commercial bakery; and (2) the Brick House building as a four-bedroom residence. No alterations to the existing buildings other than those indicated in this permit that would change or affect the water supply or wastewater disposal shall be allowed without prior approval by the Drinking Water and Groundwater Protection Division. Construction of additional nonexempt buildings including commercial and residential buildings is not allowed without

prior permitting by the Drinking Water and Groundwater Protection Division and such permit may not be granted unless the proposal conforms to the applicable laws and regulations.

- 1.8 By acceptance of this permit, the landowner agrees to allow representatives of the State of Vermont and the Town of Charlotte access to the property subject to this permit, at reasonable times, for the purpose of ascertaining compliance with Vermont environmental/health statutes, regulations, and permit conditions, including performing an inspection of the wastewater disposal and water supply systems serving the structure.
- 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 project is approved with existing on site drilled well water supply systems consisting of **790 gallons per day**, provided the water supplies meet or exceed 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.
- 2.2 No changes shall be made to the existing water system unless prior approval is obtained from the Drinking Water and Groundwater Protection Division. No other means of obtaining potable water shall be allowed without prior review and approval by the Drinking Water and Groundwater Protection Division unless otherwise exempt. The landowner shall immediately notify the Division if the water supply system fails to function properly and becomes a “failed supply.”
- 2.3 The components of the potable water supply herein approved shall be routinely and reliably inspected during construction by a qualified 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 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 #1.6 herein.
- 2.4 The water source location as shown on the stamped plan(s) shall be staked out and flagged by a qualified Vermont Licensed Designer prior to any construction on this project with the flagging being maintained until construction is complete.

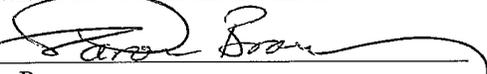
## 3.WASTEWATER DISPOSAL

- 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 **790 gallons of wastewater per day**. The systems 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 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 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.

- 3.3 This permit allows the continued use of the existing failed system or failed supply while the landowner is actively pursuing the cause of and resolution to correcting the failed system or failed supply.
- 3.4 The project is approved for use of the existing wastewater absorption system and a new proposed mound system in strict accordance with the following conditions:
  - a. The system is located as depicted on the plans that have been stamped by the Drinking Water and Groundwater Protection Division.
  - b. A qualified Vermont Licensed Designer shall inspect the system during critical stages of construction.
  - c. Upon completion of construction, and prior to occupancy of any structure being served by the system, the designer shall submit to the Drinking Water and Groundwater Protection Division a written certification stating the construction has been completed in accordance with the stamped plans and the permit.
- 3.5 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.
- 3.6 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.

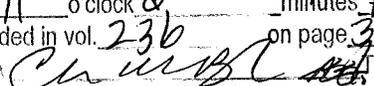
Emily Boedecker, Commissioner  
Department of Environmental Conservation

By   
Aaron Brown  
Sewage Control Officer  
Town of Charlotte

Dated the 29<sup>th</sup> day of January 2019

CC via email

Brian Tremback, Lamoureux & Dickinson Consulting Engineers, Inc.  
David Marshall and Billy Roberts, Civil Engineering Associates, Inc.  
Bobby Harvey, Biological Capital  
Petdia LLC, c/o Diana McCargo  
Drinking Water and Groundwater Protection Division

CHARLOTTE TOWN CLERK'S OFFICE  
RECEIVED FOR RECORD  
This 29<sup>th</sup> day of January A.D. 20 19  
at 11 o'clock 02 minutes 14 m and  
recorded in vol. 236 on page 365-368  
Attn:  Town Clerk