



This 21st day of February A.D. 20 19

at 11 o'clock @ minutes 49 in and

recorded in vol. 236 on page 493-494

Attest: [Signature] Town Clerk

State of Vermont
Department of Environmental Conservation

Agency of Natural Resources

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): KyToad, LLC
915 Old Hollow Road
North Ferrisburgh, VT 05473

Permit Number: WW-4-2249-2
PIN: EJo4-0391

This permit affects property identified as Town Tax Parcel ID 00100-3795 referenced in a deed recorded in Book 205, Pages 326-330 of the Land Records in Charlotte, Vermont.

This project consisting of a the conversion of a 5-bedroom single family dwelling to a 3-bedroom single family dwelling with an attached 1-bedroom accessory apartment, located on Lot 2A within a 2-lot subdivision at 3795 Ethan Allen Highway, 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 Jason Barnard of Barnard & Gervais, LLC, with the stamped plans listed as follows:

Sheet	Title	Plan Date	Plan Revision Date
S-1	Site Plan	01/25/2019	

1.2 This project is approved for the existing single-family dwelling on Lot 2A with up to 5 bedrooms¹ and for the conversion of the dwelling to a 3-bedroom single family residence with an attached 1-bedroom accessory apartment. No alterations to the existing building 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.

1.3 All conditions set forth in WW-4-2249-1 shall remain in effect except as amended or modified herein.

1.4 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.

1.5 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

¹ Previously permitted for 560 GPD as a 4-bedroom dwelling with one bedroom denoted as 'high volume'.



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.

- 1.6 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.
- 1.7 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 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 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.

- 1.8 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.
- 1.9 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 Lot 2A is authorized to use the existing onsite water supply system for a maximum of **560 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 The 3-bedroom single-family dwelling with attached 1-bedroom accessory apartment on Lot 2A is authorized to utilize the existing on-site wastewater disposal system for a maximum of **560 gallons** of wastewater per day. The system 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 Future replacement wastewater disposal areas have been identified on the stamped plan(s). There shall be no construction or other activities that would impact the suitability of these replacement areas for wastewater disposal. Should either existing system fail, the 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 repair or replacement of the system.
- 3.3 The future replacement area for Lot 2A is located on the lands of Lot 2. The land deeds that establish and transfer ownership of these parcels shall contain a legal easement which grants the purchaser(s) and any future owner(s) the right to enter upon the property for the construction, repair, maintenance and other such

reasonable purposes as may arise regarding the wastewater disposal system. Failure to properly execute the easement renders this permit null and void for any lot/the project conveyed without the proper easement.

- 3.4 The wastewater system(s) for this project are 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.
- 3.5 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 Officer
Town of Charlotte

Dated the 21st day of February 2019

- c Brian Tremback, Charlotte Septic Consultant *via email*
Jason Barnard, Barnard & Gervais *via email*
Kytoad LLC, Landowner
Drinking Water and Groundwater Protection Division *via email*