



State of Vermont

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-6-1472

PIN: EJ07-0019

Landowner: Charles H. Clark, Paul D. Clark, & Ruth Ann Hackett

Address: 3829 US Route 2
North Hero, VT 05474

This permit affects property referenced in deeds recorded in Book 73 Pages 454 – 456 of the Town of North Hero Land Records in North Hero, Vermont.

This project, consisting of a two lot, single family residence subdivision, Lots #'s 3 (4.2 +/- Acres) & 4 (4.2 +/- Acres), each for a proposed three bedroom single family residence, utilizing municipal water services and a shared, on-site / off-site wastewater disposal system, and Lot #2 (4.2 +/- Acres), with an existing seasonal cottage for use of municipal water services utilizing an existing, individual, on-site wastewater disposal system, located off Northland Lane in the Town of North Hero, Vermont, 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 Act 250 District Environmental Commission, the Department of Environmental Conservation, Water Supply Division – telephone (802) 241-3400, Water Quality Division – telephone (802) 241-3770, the Department Public Safety, Division of Fire Safety– telephone Williston Regional Office (802) 879-2300, the Department of Health – telephone (802) 863-7221, 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 Number 459: "Charles H. Clark, Paul D. Clark & Ruth Ann Hackett".

Plans: Property Plan; Sheet 1 of 4; Dated 12/15/06; Water & Wastewater Plan; Sheet 2 of 4; Dated 12/15/06; Water & Wastewater Details; Sheet 3 of 4; Dated 12/15/06; Wastewater Notes & Disp. Details; Sheet 4 of 4; Dated 12/15/06; prepared Buermann Engineering, LLC.

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 Town of North Hero 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 Lot # 3 and 4 shall be shown copies of the Wastewater System And Potable Water Supply Permit, the approved plans, and **the Innovative/Alternative System Approval letter #2001-01 (2005 Renewal) for the Advantex™ Treatment System** prior to conveyance of the lot.
5. Each prospective purchaser of each lot shall be shown copies of the Wastewater System And Potable Water Supply Permit and the approved plans prior to conveyance of the lot.
6. This project has been reviewed and approved for the construction of one, single family residence on each of the approved lots (Lot #'s 3 and 4). 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.
7. This permit shall in no way relieve you of the obligations of Title 10, Chapter 48, Subchapter 4, for the protection of groundwater.
8. 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.

WATER SUPPLY & WASTEWATER DISPOSAL

9. 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 wastewater disposal system, water service lines and sanitary sewer lines to each structure on Lot # 3 and #4.
10. Each lot is approved for connection to the municipal water system as depicted on the approved plans. No changes to the water supply shall be allowed without prior review and approval by the Wastewater Management Division.


11. Lot #'s 3 and 4 are approved for wastewater disposal by construction and utilization of the site-specific, shared wastewater disposal system depicted on the approved plans. The Wastewater Management Division is to be notified, if at any time this system fails to function properly and/or creates a health hazard. The Wastewater Management Division shall allow no other method, or location of wastewater disposal without prior review and approval.
12. Lot #'s 3 and 4 are approved for an **Innovative/Alternative System** that includes a filtrate disposal system provided the installation is routinely and reliably inspected during construction by a licensed designer who has been determined acceptable by the Wastewater Management Division, who shall, upon completion and prior to placing the system in use, report in writing to the Division that the installation was accomplished in accordance with the approved plans and permit conditions. This inspection shall include, but is not limited to:
 - A. Each tank, such as septic tank, pump chamber, re-circulating tank, shall be tested and proven watertight by filling to a point at least two inches, but not more than three inches, above the point of the riser connection to the top of the tank. During the test, there shall not be a measurable leakage over a twenty-four (24) hour period.
 - B. After installation, the treatment container shall be watertight. The container shall be tested to be watertight by filling to a point at least one foot above the outlet invert, after the outlet has been plugged. There shall not be measurable leakage over a twenty-four (24) hour test period.
 - C. A user's manual for the **Innovative/Alternative** treatment system shall be developed and provided by the system designer at the time the system "as-built" drawings are completed and submitted to the owner. This shall be in accordance with the Wastewater System and Potable Water Supply Rules, Subchapter 5, Technical Standards for Wastewater Disposal Systems and Potable Water Supplies, 1-519 Sand Filters, (a)(6). The owner of a property where an **Innovative/Alternative System** has been installed shall comply with all the conditions in the **Innovative/Alternative Approval letter** that is incorporated with this permit including a maintenance agreement for the system.
13. A licensed designer who has been determined acceptable by the Wastewater Management Division, shall perform an annual inspection of the **Innovative/Alternative** treatment system. At a minimum the following criteria should be addressed in the inspection report:
 - A. Use and age of system including the average daily flows.
 - B. Verification of the re-circulation ratio (if applicable.)
 - C. Observation of any mechanical or electrical malfunctions.
 - D. Observation of any neglect or improper use.
 - E. Observation of the flushing of the laterals (if applicable.)A written report of the annual inspection shall be submitted to the Division within 30 days of the inspection following the first and second years of operation.

14. The soil-based, shared wastewater treatment and disposal system for Lot #'s 3 and 4 approved for this project shall be routinely and reliably inspected during construction by a qualified consultant who has been determined acceptable by the Wastewater Management Division, who shall, upon completion and prior to occupancy, report in writing to the Division that the installation was accomplished in accordance with the approved plans and permit conditions.
15. 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 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.
16. 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. Prior to construction of the replacement wastewater disposal system, the landowner shall submit an application, fee and engineering plans for review and approval by the Wastewater Management Division.
17. The shared approved wastewater disposal system for Lot #'s 3 and 4 has been designed to serve a three bedroom, single family residence on each of the approved lots. 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. A Homeowners' Association or equivalent legal entity shall be established, whose articles of association shall contain all necessary rights and easements for the full operation, maintenance, and repair of the shared wastewater collection, delivery, and disposal system for Lot #'s 3 and 4. Such rights shall also enable the users (and designees) thereof to enter upon the property for construction, inspection, maintenance, and other such reasonable purposes as may arise regarding the wastewater disposal system. Prior to the sale of any of the subject dwelling units, the permittee shall submit a copy of such declaration, bylaws, and articles to the Wastewater Management Division.
19. A Homeowners' Association or equivalent legal entity shall be established, whose articles of association shall contain all necessary rights and easements for the full operation, maintenance, and repair of the shared, replacement wastewater collection, delivery, and disposal system for Lot #'s 2, 3 and 4. Such rights shall also enable the users (and designees) thereof to enter upon the property for construction, inspection, maintenance, and other such reasonable purposes as may arise regarding the wastewater disposal system. Prior to the sale of any of the subject dwelling units, the permittee shall submit a copy of such declaration, bylaws, and articles to the Wastewater Management Division.

20. A Homeowners' Association or equivalent legal entity shall be established, whose articles of association shall contain all necessary rights and easements for the full operation, maintenance, and repair of the shared, water supply system for Lot #'s 2, 3 and 4. Such rights shall also enable the users (and designees) thereof to enter upon the property for construction, inspection, maintenance, and other such reasonable purposes as may arise regarding the water supply system. Prior to the sale of any of the subject dwelling units, the permittee shall submit a copy of such declaration, bylaws, and articles to the Wastewater Management Division.
21. Lot #2 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. Prior to construction of a replacement system, a permit amendment will be needed for the final wastewater system design.

Dated at Essex Junction, Vermont on March 20, 2007.

Jeffrey Wennberg, Commissioner
Department of Environmental Conservation

By 
William Zabiloski
Assistant Regional Engineer

C For the Record
North Hero Planning Commission & Select Board
Buermann Engineering, LLC.