



State of Vermont
Department of Environmental Conservation

Agency of Natural Resources
Drinking Water and Groundwater Protection Division

EXHIBIT
I

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 April 12, 2019

Landowners: **Chris Wells**
493 VT Route 15
Underhill VT 05489

Permit Number: WW-4-5222

Heidi McLaughlin
493 VT Route 15
Underhill VT 05489

This permit affects the following properties in the Town of Underhill, Vermont:

<i>Lot</i>	<i>Parcel</i>	<i>SPAN</i>	<i>Acres</i>	<i>Book/Page#’s</i>
Lot 1	RA028	660-209-10745	0.50	Book:235 Page:125-126

This project, consisting of a replacement wastewater disposal system for an existing, two bedroom single family residence on an existing, 0.50 acre parcel utilizing an existing, individual, on-site shallow well water supply, located at 28 Range Road, in the Town of Underhill, Vermont, 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 Marsh Septic & Design, LLC (Ryan L. Marsh), with the stamped plans listed as follows:

<i>Title</i>	<i>Sheet #</i>	<i>Plan Date</i>	<i>Revision</i>
Replacement Septic Design - Site Plan	1 of 2	04/09/2019	5/13/19
Replacement Septic Design - Detail Sheet	2 of 2	04/09/2019	5/13/19

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 Town of Underhill 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 Town of Underhill 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 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 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 §1-311 of the referenced rules.

1.6 The lot is approved for one, two bedroom single family residence. No alterations to the existing building 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.

- 1.7 Each purchaser of any portion of the project shall be shown a copy of the Wastewater System and Potable Water Supply Permit, the **Innovative/Alternative System Approval letter #2004-02-R5 2019 Renewal for Enviro-Septic® (ES)** and the stamped plan(s), if applicable, prior to conveyance of any portion of the project to that purchaser. If the licensed designer specified AES or ES Pipe Leaching System, a permit is required to change to SS Pipe Leaching System.
- 1.8 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.
- 1.9 Any person aggrieved by this permit may appeal to the Environmental Court within 30 days of issuance of this permit in accordance with 10 V.S.A. Chapter 220 and the Vermont Rules of Environmental Court Proceedings.
- 1.10 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/residence. 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 residence until such time as the approved wastewater system is constructed, activated, and all the conditions of this permit are satisfied.
- 1.11 The landowner shall complete construction of the wastewater system approved by this permit **no later than November 20, 2019** The landowner may request one extension of this deadline, provided the landowner makes the request in writing prior to the specified date, and shows good cause why construction was not complete by the stated date.

2.WATER SUPPLY

- 2.1 The lot is authorized to utilize the existing on-site water supply system for 280 gallons per day provided the potable water supply is operated at all times in a manner that keeps the supply free from contamination. No changes shall be made to the existing water system, and 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".

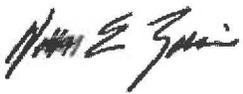
3.WASTEWATER DISPOSAL

- 3.1 The lot project is approved for the disposal of wastewater in accordance with the design depicted on the stamped plan(s) for 280 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 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.
- 3.3 The corners of the proposed replacement wastewater disposal system shall be accurately staked out and flagged prior to construction with the flagging/staking being maintained until construction is complete.
- 3.4 The lot is approved for a mound wastewater system provided the 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 by the Drinking Water and Groundwater Protection Division.
 - b. A qualified Vermont Licensed Designer 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 the mound shall adhere to the guidelines set forth in Section 1-921(k) of the above referenced rules.

- d. Upon completion of construction, and prior to occupancy of any structure being served by the mound system, the inspecting consultant 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 A qualified Vermont Licensed Designer shall inspect the installation of the curtain drain during critical stages of construction and shall submit a written certification stating the construction has been completed in accordance with the stamped plans and the permit.
- 3.6 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.
- 3.7 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.
- 3.8 Variances have been granted from the Technical Standards in accordance with the Wastewater System and Potable Water Supply Rules, Section 1-802 for the replacement wastewater system for the purpose of eliminating a health hazard. Certain design aspects of the approved replacement wastewater system may not adhere to the minimum standards required by the Wastewater System and Potable Water Supply Rules. The design flows for this building may not be increased until a fully complying wastewater system design prepared by a qualified Vermont Licensed Designer is submitted for review and approved by the Drinking Water and Groundwater Protection Division.

Emily Boedecker, Commissioner
Department of Environmental Conservation

Dated May 20, 2019

By 
William E. Zabiloski
Regional Engineer
Essex Junction Regional Office
Drinking Water and Groundwater Protection Division

Enclosures:

cc: Marsh Septic & Design, LLC
Town of Underhill Planning Commission
Innovative/Alternative Manufacturer – Presby Environmental, Inc.