

Andrew Strniste

From: Peter Duval <pkduval@gmail.com>
Sent: Friday, July 19, 2019 1:35 PM
To: Andrew Strniste
Subject: Re: 93-8-18 Vtec Remand Process
Attachments: DUVL0001-SP-Details 1-30-19.pdf; ATT00001.htm

Hi Andrew,

I must preface this message with my continuing objection to the DRB's attempts to regulate wastewater systems:

- 1) The DRB does not have authority to regulate wastewater;
- 2) Giving specific attention to wastewater systems, the ULUDR are inconsistent with Vermont laws;
- 3) Vermont law is clear regarding municipal involvement in wastewater systems — only notice of certain events and coordination of permits is allowed by statute;
- 4) The DRB makes new demands for information that is well-beyond the allowed scope of its review, even after having already reached a final decision.

I filed my application with the DRB, November 2, 2017. The zoning ordinances that were in effect at that time are the ordinances that the DRB may use to review the project. I have provided an engineered drawing of a wastewater system design that I would like to build. The DRB asked for AFTER it made its final decision and well into the appeal process — an outrageous abuse of the process. The wastewater system design speaks for itself. When the DRB is finished with its attempt to regulate the design, I will make my application to ANR and they will determine whether it merits a Wastewater System and Potable Water Supply Permit.

With that out of the way, I have attached page 2 of the wastewater system design, which is merely an update of the system design that was presented at the May 7, 2018 DRB hearing. I hasten to point out that the only competent authority for reviewing wastewater system designs is the Agency of Natural Resources.

The multiple roles (ZA, Planner, DRB Staff, Recording Secretary) required of a single person when a small town like Underhill attempts the Development Review Board review model is a problem.

Best regards,

-Peter