

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): Judith Kerrigan
Kerrigan Family Holdings
4015 US Rt. 5
West Burke, VT 05871

Permit Number: WW-7-3468
PIN: SJ97-0151

This permit affects property identified as Town Tax Parcel ID. #03050019.000 referenced in a deed recorded in the Land Records of Burke, Vermont as follows:

Deed Book	Deed Page
124	544-546

This project, consisting of adding a 14-seat restaurant to an existing gas station with one pump island and up to 4 employees, to be served by proposed **Public Transient Non-Community water and Filtrate, In-ground wastewater systems** - both located on an adjoining lot, located on 4015 US Route 5 in Burke, 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 Foresite Engineering Services, PLC, Shannon J. Larocque, P.E., with the stamped plans listed as follows:

Sheet Number	Title	Plan Date	Plan Revision Date
1	Site Plan	2/28/2012	As Revised.
2	Notes & Water System Details	2/28/2012	3/5/2012
3	Details	2/28/2012	None.

- 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 Waste Management Division; the Division of Fire Safety; the Vermont Department of Health; the Department of Agriculture; 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 Burke 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 Burke 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 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.

- 1.6 This project is approved for the addition of a 14-seat restaurant to an existing gas station (on a 0.65± acre lot) with one pump island and up to 4 employees. 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.
- 1.7 Each purchaser of any portion of the project shall be shown copies of the Wastewater System And Potable Water Supply Permit, the stamped plans, and **Innovative/Alternative System Approval #2007-01-R2 (2011 Renewal, expires 2/1/2013) for the Cromaglass™ Wastewater System** prior to conveyance of the lot. 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.
- 1.8 Each new owner of the property shall inform the Drinking Water and Groundwater Protection Division and vendor within 30 days of the transfer of the property and include the name and mailing address of the new owner.
- 1.9 This project is approved for wastewater disposal by construction and utilization of the site-specific **Innovative/Alternative System** wastewater disposal system depicted on the stamped plans. The Drinking Water and Groundwater Protection Division shall allow no other method or location of wastewater disposal without prior review and approval.
- 1.10 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.
- 1.11 A qualified Vermont Licensed Designer, 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 **Innovative/Alternative System Approval Letter**, stamped plans and permit conditions. The Drinking Water and Groundwater Protection Division is to be notified if at any time the wastewater disposal system fails to function properly and/or creates a health hazard.
- 1.12 A qualified Vermont Licensed Designer shall perform all periodic inspections of the **Innovative/Alternative** treatment system pursuant to the requirements as outlined in the **Innovative/Alternative System Approval Letter**. A written report of the inspection shall be submitted to the Division within 30 days of the inspection.
- 1.13 The wastewater system serving the approved lot(s) is an Innovative/Alternative System and there are special requirements that apply. Please refer to the attached document titled Innovative/Alternative System Approval for the additional requirements that apply.
- 1.14 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.
- 1.15 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.
- 1.16 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

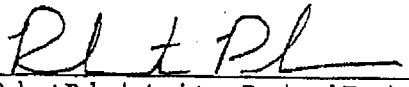
- 2.1 This project is approved for connection to a **Public Transient Non-Community** water system. The installation of the public water system shall be completed in accordance with the conditions of Source and Construction Permit PID #T-2804-12.0 and WSID #VT0021362, dated 3/29/2012, or any subsequent approvals for this system issued by the Drinking Water and Groundwater Protection Division.
- 2.2 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 #1.5 herein.
- 2.3 The water supply system for this project is subject to an easement against adjoining lands. The ownership of this project, or portion thereof, shall not be transferred without water rights to the approved water supply. The water rights shall provide for an uninterrupted supply of water together with the right to enter upon the property for the construction, repair, maintenance and other such reasonable purposes as may arise regarding the potable water supply. No construction on or conveyance of the approved lot(s)/project is allowed until such time as a copy of the executed easement has been recorded in the Burke land records. Failure to properly execute the easement renders this permit null and void for any lot/the project conveyed without the proper easement. It is recommended that a copy of the executed easement be sent to the Drinking Water and Groundwater Protection Division.
- 2.4 The landowner shall abandon the existing wells in accordance with the Vermont Water Supply Rule and/or stamped plan(s). The landowner shall submit the designer's written report to the Drinking Water and Groundwater Protection Division certifying that the abandonment was accomplished in accordance with the approved plans and permit conditions.

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 **980 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 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 The wastewater disposal system for this project is located subject to an easement against adjoining lands. 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. It is recommended that a copy of the executed easement be sent to the Drinking Water and Groundwater Protection Division.
- 3.4 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.

- 3-5 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.

David K. Mears, Commissioner
Department of Environmental Conservation

By 
Robert Pelosi, Assistant Regional Engineer
Dated March 29, 2012

cc Burke Planning Commission
Foresite Engineering Services, PLC
Waste Management Division - June Reilly
Department of Public Safety, Division of Fire Safety
Department of Health - Food & Lodging Licenses
Department of Agriculture - Marc Paquette