

**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): Christopher and Maria Burfoot**  
**PO Box 284**  
**Warren VT 05674**

**Permit Number: WW-5-6876**  
**PIN: BR15-0097**

This permit affects property identified as Town Tax Parcel ID # Warren: 100006.102 referenced in a deed recorded in Book 179 Page(s) 4 of the Land Records in Warren, Vermont.

This project, consisting of a 3-lot subdivision with Lot #1 being 13.5± acres for construction of a 3-bedroom single family residence, Lot #2 being 4.7± acres and Lot #3 being 6.4± acres, each with an existing 3-bedroom single family residence, located on VT Route 100 in Warren, 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 Dexter Lefavour, with the stamped plans listed as follows:

Sheet Number	Title	Plan Date	Plan Revision Date
C-1	PLANS AND DETAILS	6/01/2006	6/23/2015
C-2	PLANS AND DETAILS	6/01/2006	9/27/2015

- 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 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 Warren 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 Warren 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 Lot #1, being 13.5 acres, is approved for the construction of a 3-bedroom single family residence. Construction of additional nonexempt buildings, including commercial and residential buildings, is not allowed without prior review and approval by the Drinking Water and Groundwater Protection Division and such approval will not be granted unless the proposal conforms to the applicable laws and regulations. No construction is allowed that will cause non-compliance with an existing permit.
- 1.7 Lot #2, being 4.7± acres and Lot# 3 being 6.4± acres are each approved with an existing 3-bedroom single family residence. 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.
- 1.8 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 #1 is approved for a potable water supply using a drilled or percussion bedrock well for a maximum of **420 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”.
- 2.2 Lot # 2 is authorized to utilize the existing on-site water supply system having a maximum design flow of **420 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 unless prior approval is obtained from the Drinking Water and Groundwater Protection Division. 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”.
- 2.3 Lot # 3 is authorized to utilize the existing on-site water supply system having a maximum design flow of **420 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 unless prior approval is obtained from the Drinking Water and Groundwater Protection Division. 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”.


- 2.4 Lot #2 and Lot #3 subject to an easement onto the lands identified as "Lot #1". 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 town of Warren 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.
- 2.5 The new 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.
- 2.6 The new water source location as shown on the stamped plan(s) shall be staked out and flagged by a qualified Vermont Licensed Designer prior to any construction on this project with the flagging being maintained until construction is complete.

### **3.WASTEWATER DISPOSAL**

- 3.1 Lot #1 is approved for the disposal of wastewater in accordance with the design depicted on the stamped plan(s) for a maximum of **420 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 Lot #2 and Lot #3 are approved with an existing wastewater disposal system each with a maximum design flow of **420 gallons** per day. No changes shall be made to the existing wastewater system unless prior approval is obtained from the Drinking Water and Groundwater Protection Division. Should the system fail and not qualify for the minor repair or replacement exemption, the landowner shall engage a qualified Vermont Licensed Designer to evaluate the cause of the failure and to submit an application to Drinking Water and Groundwater Protection Division and receive written approval prior to correcting the failure.
- 3.3 The new 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.
- 3.4 A qualified licensed designer shall, upon completion and prior to placing the system in use, report in writing to the Division that the installation of the sand filter was accomplished in accordance with the stamped plans and permit conditions. The sand filter is to be constructed and located as depicted on the stamped plans. 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.
- 3.5 An annual inspection of the sand filter shall be performed by a qualified Licensed Designer. A written report of the annual inspection shall be submitted to the Division within 30 days of the inspection. At a minimum the following criteria should be addressed in the inspection report:
- a. Observation of any debris or lack of vegetative growth on top of the sand filter surface.
  - b. Observation of any mechanical or electrical malfunctions.
  - c. Observation of any neglect or improper use.
  - d. Observation of the flushing of the laterals.
  - e. Observation of any ponding on top of the sand filter.

- 3.6 Future replacement wastewater disposal areas for lot 1, 2 and 3 have been identified on the stamped plan(s). There shall be no construction or other activities that would impact the suitability of this replacement area for wastewater disposal. Should the existing system fail, 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 repair or replacement of the system.
- 3.7 The corners of the proposed primary and replacement wastewater disposal area(s) shall be accurately staked out and flagged prior to construction with the flagging/staking being maintained until construction is complete.
- 3.8 The replacement wastewater disposal systems for lot 2 and 3 are located on lands identified as lot 1. 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.
- 3.9 The portions of the replacement wastewater disposal system for lot 3 is located on lands identified as 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. It is recommended that a copy of the executed easement be sent to the Drinking Water and Groundwater Protection Division.
- 3.10 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.
- 3.11 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  Dated October 28, 2015  
Carl Fuller PE Regional Engineer  
Barre Regional Office  
Drinking Water and Groundwater Protection Division

cc Warren Planning Commission  
Dexter Lefavour