

Permit Number: 8949-9015

PIN: EJ18-0298

VERMONT DEPARTMENT OF ENVIRONMENTAL CONSERVATION
AUTHORIZATION TO DISCHARGE UNDER
GENERAL PERMIT 3-9015

A determination has been made that the applicant(s):

Noyes Properties, LLC
PO Box 42
Richmond, VT 05477

Impervious Area: 1.31 acres

meets the criteria necessary for inclusion under General Permit 3-9015. Hereinafter, the named applicant shall be referred to as the permittee. Subject to the conditions of General Permit No. 3-9015, the permittee is authorized to discharge stormwater as described herein:

Project Name: Whistle Stop Lane

Project Location: 198 Railroad Street in Richmond, Vermont

Receiving Waters:

- Groundwater in the Winooski River watershed
- Unnamed tributary to Winooski River

Manner of Discharge: S/N 001: Stormwater runoff from buildings, driveways, and associated parking lots flow via grassed channels to an infiltration basin discharging to groundwater associated with a tributary of the Winooski River.

S/N 002: Stormwater runoff from the access road flows via a roadside ditch to a sediment forebay associated with a gavel wetland that discharges to a tributary of the Winooski River.

Design: This project shall be constructed and operated in accordance with the site plans and details designed by O'Leary-Burke Civil Associates:
SH 1 - Overall Subdivision Plan, dated 10-2-19, last revised 3-27-20;
SH 2 - Subdivision Utility Plan, dated 9-16-19, last revised 1-21-21;
SH 4 - Roadway & Underground Storm System Details, dated 9-16-19, last revised 5-27-20;
SH 5 - Stormwater Details, dated 9-16-19, last revised 9-03-20;
SH 7 - Site Plan (Lot #1), dated 3-27-20;
SH ST1 - Stormwater Management Plan, dated 3-27-20;
SH ST2 - Post Construction Soils Testing & Maintenance Plan, dated 3-27-20; and all supporting information.

By reference, the above noted plans are made part of this authorization.

Compliance with General Permit 3-9015 and this Authorization

The permittee shall comply with this authorization and all the terms and conditions of General Permit 3-9015, including the payment of annual operating fees to the Department. A billing statement for such fees will be sent to the permittee each year. An invoice for the first year's operating fee will be sent separately. Any permit non-compliance, including a failure to pay the annual operating fee, constitutes a violation of 10 V.S.A. Chapter 47 and may be grounds for an enforcement action or revocation of this authorization to discharge.

Transferability

This authorization to discharge is not transferable to any person except in compliance with Part VI.D. of General Permit 3-9015. A copy of General Permit 3-9015 is available from the Department via the internet at https://dec.vermont.gov/sites/dec/files/wsm/stormwater/docs/GeneralPermit9015/sw_3-9015_final_signed.pdf

Changes to Permitted Development

In accordance with Part V.G. of General Permit 3-9015, the permittee shall notify the Department of any planned development or facility expansions or changes that may result in new or increased stormwater discharges. The Department shall determine the appropriateness of continued inclusion under General Permit 3-9015 by the modified development or facility.

Annual Inspection and Report

The stormwater collection, treatment and control system shall be properly operated. The permittee shall submit an annual inspection report on the operation, maintenance and condition of the stormwater collection, treatment and control system. The inspection report shall be submitted regardless of whether the project has been constructed. The inspection shall be conducted between the conclusion of spring snow melt and June 15th of each year and the inspection report shall be submitted to the Secretary by July 15th of each year, or by July 30th if performed by a utility or municipality pursuant to a duly adopted stormwater management ordinance. The inspection report shall note all problem areas and all measures taken to correct any problems and to prevent future problems. The online submittal system, ANR Online, can be accessed at <https://anronline.vermont.gov>.

Initial Statement of Compliance

An initial statement of compliance, signed by a designer, must be submitted to the Stormwater Management Program no later than 6 months following completion of construction of the stormwater management system. Failure to submit an initial statement of compliance shall constitute a violation of General Permit 3-9015 and may result in the revocation of this authorization to discharge. Forms for completing this requirement are available on the Stormwater Management Program's website. The online submittal system, ANR Online, can be accessed at <https://anronline.vermont.gov>.

Recording in Land Records

The permittee shall record a one-page town recording form for this discharge permit in the local land records within fourteen (14) days of issuance of this authorization to discharge on the form provided by the Secretary, per §22-901 of Stormwater Permitting Rule. The permittee shall provide a copy of the recording to the Stormwater Management Program within fourteen (14) days of the permittee's receipt of the copy of the recording from the local land records.

Right to Appeal

(A) Pursuant to 10 V.S.A. Chapter 220, any appeal of this permit, except for appeal of a renewable energy plant as described in (B), must be filed with the clerk of the Environmental Division of the Superior Court within 30 days of the date of the decision. The notice of appeal must specify the parties taking the appeal and the statutory provision under which each party claims party status; must designate the act or decision appealed from; must name the Environmental Division; and must be signed by the appellant or the appellant's attorney. In addition, the appeal must give the address or location and description of the property, project, or facility with which the appeal is concerned and the name of the applicant or any permit involved in the appeal. The appellant must also serve a copy of the notice of appeal in accordance with Rule 5(b)(4)(B) of the Vermont Rules for Environmental Court Proceedings. For further information, see the Vermont Rules for Environmental Court Proceedings.

(B) If this permit relates to a renewable energy plant for which a certificate of public good is required under 30 V.S.A. § 248, any appeal of this decision must be filed with the Vermont Public Utility Commission pursuant to 10 V.S.A. § 8506. This section does not apply to a facility that is subject to 10 V.S.A. § 1004 (dams before the Federal Energy Regulatory Commission), 10 V.S.A. § 1006 (certification of hydroelectric projects), or 10 V.S.A. Chapter 43 (dams). Any appeal under this section must be filed with the clerk of the Public Utility Commission within 30 days of the date of this decision; the appellant must file with the clerk an original and six copies of its appeal. The appellant shall provide notice of the filing of an appeal in accordance with 10 V.S.A. § 8504(c)(2) and shall also serve a copy of the notice of appeal on the Vermont Public Service Department. For further information, see the Rules and General Orders of the Public Utility Commission.

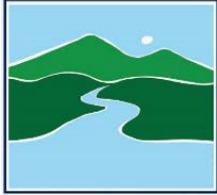
Effective Date and Expiration Date of this Authorization

This authorization to discharge shall become effective on February 8, 2021 and shall expire on February 7, 2026. The permittee shall reapply for coverage at least sixty (60) days prior to February 7, 2026.

Dated February 8, 2021.

Peter Walke, Commissioner
Department of Environmental Conservation

By: 
Padraic Monks, Stormwater Program Manager



VERMONT DEPARTMENT OF ENVIRONMENTAL CONSERVATION
WATERSHED MANAGEMENT DIVISION
STORMWATER PROGRAM

Town Recording of Permit Issued

FOR STORMWATER DISCHARGE PERMIT BY THE VERMONT DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Notice is hereby given that the Vermont Department of Environmental Conservation gives authorization to discharge pursuant to a general stormwater discharge permit that has been issued to Permittee(s) named herein for the discharge of stormwater runoff for the property identified below from impervious surfaces (e.g. roadways, rooftops, parking lots, walkways) pursuant to 10 V.S.A. 1264. The authorization requires treatment and control of stormwater runoff, long-term maintenance of the treatment and control structures and payment of yearly operational fees.

Permittee(s): **Noyes Properties, LLC**

Permit/Authorization Number: **8949-9015**

911 Address of Property: **198 Railroad Street, Richmond**

Name of association (if applicable): _____
(condominium, subdivision or planned community)

Printed Name of Permittee or Authorized Representative: _____

Signature of Permittee or Authorized Representative: _____ Date: _____

FOR TOWN CLERK USE ONLY:

Recorded under Book: _____ Page: _____

Date Recorded with Town: _____ Signature / Stamp: _____

Recording information for Municipal Clerks - please index this document listing the State of Vermont, Department of Environmental Conservation as "Grantee," and listing the above-named Permittee(s) as "Grantor(s)." Additionally, if this notice lists the name of a condominium, subdivision or planned community association, please list the named association as an additional "Grantor."

Can be Completed by Clerk or Permittee:
Please upload this completed form to ANR Online by visiting the following link
<https://anronline.vermont.gov>