

**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 November 6, 2023

**Permittee(s):** David M. Sunshine  
Carol B. Jordan  
1582 Jericho Road  
Richmond, VT 05477

**Permit Number:** WW-4-2451-1

This permit affects the following properties in Richmond, Vermont:

Lot	Parcel	SPAN	Acres	Book(s)/Page(s)#
Parcel 3	JR1582	519-163-11486	171.30	Book:30 Page(s):100, Book:30 Page(s):320
Parcel 3			168.70	Book:30 Page(s):100, Book:30 Page(s):320
Parcel 5			2.57	

This application consists of amending Permit WW-4-2451 for the subdivision of existing Parcel 3, 171.3-acre undeveloped parcel into two lots. New Parcel 3 will consist of 168.7-acres with a new 4-bedroom single-family residence served by a new on-site wastewater disposal system and new on-site drilled well water supply. Parcel 5 will consist of 2.57-acres with a new 5-bedroom single-family residence served by a new on-site wastewater disposal system and new on-site drilled well water supply, located at 1582 Jericho Road in Richmond, Vermont, is hereby approved under the requirements of the regulations named above subject to the following conditions. 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.

**1. GENERAL**

- 1.1. The permittee is responsible for recording this permit in the Richmond Land Records within 30 days of issuance of this permit and prior to the conveyance of any lot subject to the jurisdiction of this permit.
- 1.2. The permittee is responsible for recording the design and installation certifications and other documents that are required to be filed under these Rules or under a permit condition in the Richmond Land Records.
- 1.3. Each assign or successor in interest shall be shown a copy of the Wastewater System and Potable Water Supply Permit and the stamped plan(s) prior to the conveyance of a lot.
- 1.4. The landowner is responsible for establishing any easement(s) shown on the approved plans. The land deeds that establish and transfer ownership of the approved lot(s) shall allow future owner(s) the right to construct, maintain, and repair the wastewater and/or potable water supply systems approved herein. If the landowner does not properly execute said easement(s), this permit becomes null and void for any subject lot conveyed without easement(s).
- 1.5. By acceptance of this permit, the permittee 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.



- 1.6. The Drinking Water and Groundwater Protection Division relied upon the Vermont Licensed Designer's certification that the design-related information submitted is true and correct and complies with the Wastewater System and Potable Water Supply Rules. This permit may be revoked if it is determined the design of the wastewater system or potable water supply does not comply with these rules.
- 1.7. This permit does not relieve the landowner from obtaining all other approvals and permits from other State Agencies or Departments, or local officials prior to construction.
- 1.8. All conditions set forth in WW-4-2451 shall remain in effect except as amended or modified herein.

## 2. SUBDIVISION AND CONSTRUCTION

- 2.1. Subdivision and construction shall be completed as shown on the plans and/or documents prepared by Justin Willis, LD and Jason Barnard, LD with the stamped plans listed as follows:

Title	Sheet #	Plan Date	Revision
Site Plan, Wastewater System & Water Supply	1	09/30/2024	N/A
Site Plan, Wastewater System & Water Supply	1A	09/30/2024	N/A
Parcel 3 Details, Wastewater System & Water Supply	2	09/30/2024	N/A
Parcel 5 Details, Wastewater System & Water Supply	3	09/30/2024	N/A
Overall Subdivision Plan	S-1	12/05/2025	N/A

- 2.2. Construction of wastewater systems or potable water supplies, or buildings or structures (as defined by the Wastewater System and Potable Water Supply Rules), or campgrounds, not depicted on the stamped plans, or identified in this permit, is not allowed without prior approval by the Drinking Water and Groundwater Protection Division.
- 2.3. No buildings, roads, water pipes, sewer services, earthwork, re-grading, excavation, or other construction that might interfere with the operation of a wastewater system or a potable water supply are allowed on or near the site-specific wastewater system, wastewater replacement area, or potable water supply depicted on the stamped plans. Adherence to all isolation distances that are set forth in the Wastewater System and Potable Water Supply Rules is required.

## 3. INSPECTIONS

- 3.1. 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) on a Secretary-approved form 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 permit conditions, were inspected, were properly tested, and have successfully met those performance tests."*

or which satisfies the requirements of §1-311 of the referenced rules.

- 3.2. Prior to the use of the potable water supply, the permittee shall test the water for Arsenic, Escherichia coli (E. coli), Fluoride, Lead, Manganese, Nitrate as N, Nitrite as N, Total Coliform Bacteria, Uranium, Adjusted Gross Alpha Particle Activity, Chloride, Sodium, Iron, and pH. The Lead sample shall be a first-draw. All water quality tests shall be conducted at a laboratory certified by the Vermont Department of Health (a list of which can be found on the VDH website). Results of the water tests shall be submitted to the Drinking Water and Groundwater Protection Division and the Vermont Department of Health prior to use or within 60 days of the submission of the Installation Certification required in Condition 3.1, whichever comes first.

**4. DESIGN FLOW**

- 4.1. The following table provides the flows that the wastewater system and potable water supply are designed to accept based on existing and proposed lot and building uses. The design flows in gallons per day (gpd) in the following table are derived from section 1-803 of the Rules:

Lot	Building	Building Use / Design Flow Basis	Wastewater (gpd)	Water (gpd)
Parcel 3	Proposed	Residential Living Unit with 4-bedrooms (based on 7-person occupancy)	490	490
Parcel 5	Proposed	Residential Living Unit with 5-bedrooms (based on 8-person occupancy)	560	560

- 4.2. The table above reflects the designed capacity for wastewater systems and potable water supplies derived from the uses documented in the permit application. If additional capacities are needed, a permit amendment will be required for the total design flows.

**5. WASTEWATER SYSTEM**

- 5.1. Prior to construction or site work, a designer shall flag the proposed leachfield, and the owner shall maintain the flags until commencement of construction of the system.
- 5.2. This project includes the approval of a designated replacement area for Parcel 3, the Licensed Designer shall be accurately flag/stake-out the corners of designated replacement area prior to construction with the flagging/staking being maintained until construction is complete.
- 5.3. Prior to the construction of a replacement wastewater system in the replacement area for Parcel 3, the landowner shall file an application with the Drinking Water and Groundwater Protection Division pursuant to the Wastewater System and Potable Water Supply Rules.
- 5.4. Should the wastewater system fail and not qualify as a minor repair or for an exemption, the landowner shall engage a qualified Licensed Designer to evaluate the cause of the failure and submit an application to the Drinking Water and Groundwater Protection Division, and obtain approval thereof, prior to correcting the failure.
- 5.5. This permit does not relieve the permittee of the obligations of Title 10, Chapter 48, Subchapter 4, for the protection of groundwater.

**6. POTABLE WATER SUPPLY**

- 6.1. Prior to construction or site work, a designer shall flag the center of the proposed potable water source and the owner shall maintain the flag until commencement of construction of the source.
- 6.2. Should the potable water supply fail and not qualify as a minor repair or for an exemption, the landowner shall engage a qualified Licensed Designer to evaluate the cause of the failure and submit an application to the Drinking Water and Groundwater Protection Division, and obtain approval thereof, prior to correcting the failure.

Julia S. Moore, Secretary  
Agency of Natural Resources

By Denise Johnson-Terk  
Denise Johnson-Terk  
Environmental Analyst VI  
Essex Junction Regional Office  
Drinking Water and Groundwater Protection Division

Dated January 8, 2025

cc: Justin Willis