

---

**RE: A Few Stormwater Questions**

---

**From** Purcell, Terry <Terry.Purcell@vermont.gov>  
**Date** Thu 10/17/2024 4:07 PM  
**To** Josh Arneson <jarneson@richmondvt.gov>  
**Cc** Haenke, Brodie <Brodie.Haenke@vermont.gov>

Hi Josh,

I have asked our administrative staff to contact you regarding what items or content will be needed in terms of submittals or additional information to complete our review for 6606/Jericho Road and the Hidden Pines and Mary Drive permits.

For 6605/Jericho Road, the permitted area was to my knowledge only Town property and likely all municipal road surface as it was in a specific category of a Linear Public Transportation project.

When I mentioned no new standards or analysis required for Hidden Pines and Mary Drive, I meant 3-acre site standards or analysis such as an Engineering Feasibility Analysis specific to 3-acre retrofit projects, which is typically a much more in-depth level of consulting work needed. While I don't know what may have been completed already in the past by other engineers, the tasks identified in Watershed Consulting's scope of work are likely all necessary for Hidden Pines and Mary Drive. Numbers 2 and 3 (maintenance inspection and 3-9050 application) are basic permit renewal requirements needed because Watershed Consulting will need to certify the stormwater system as being in compliance with the permit and complete the necessary application forms in coordination with the applicant. For number 1, existing conditions analysis, my guess is this may have never been done by previous consultants making it even more important to understand how much impervious surface was actually constructed for the entire development including on private property, and to confirm the as-built condition (including the authorized impervious for permit coverage as well as the stormwater system) conforms with the permit.

Thanks,

Terry



---

**Terry Purcell** | Operational Section Supervisor (he, him)  
Vermont Department of Environmental Conservation  
Watershed Management Division, Stormwater Program  
Davis 3, 1 National Life Drive | Montpelier, VT 05620-3522  
802-490-6166 cell | [terry.purcell@vermont.gov](mailto:terry.purcell@vermont.gov)  
<https://dec.vermont.gov/watershed>

*The Agency of Natural Resources supports telework, and there are times when I may be working from another office location. I am available to connect by phone and email. I am also available to connect in-person upon request.*

*Vermonters, businesses, and communities impacted by the July 2024 flood should report damage to [Vermont 211](#). Find resources, guidance and referral information at*

[vermont.gov/Flood](http://vermont.gov/Flood). [Volunteer to help](#) or [donate to the Vermont Flood Response and Recovery Fund](#) to support all those impacted.

---

**From:** Josh Arneson <jarneson@richmondvt.gov>  
**Sent:** Thursday, October 17, 2024 1:17 PM  
**To:** Purcell, Terry <Terry.Purcell@vermont.gov>  
**Cc:** Haenke, Brodie <Brodie.Haenke@vermont.gov>  
**Subject:** Re: A Few Stormwater Questions

**EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.**

Terry,

Thank you for the follow up. A few more questions:

Per Jericho Rd.

- Please do let me know next steps to complete the permit for Jericho Rd.
- Does this permit area encompass any private property or is this limited to the municipal road?

On Hidden Pines and Mary Dr.

- Thank you for waiving the \$860/acre of permitted impervious surface fee.
- You mention "no new standards or analyses required". Attached is the scope of work that I have for Hidden Pines and Mary Dr. from Watershed Consulting. Andres from Watershed said this level of work was necessary because the permit needs to be changed from a 9010 to a 9050, and that every five years this level of work needs to be submitted for the renewal of the permit. Is there any work on this scope of work that the State does not need for Hidden Pines and Mary Dr.?

Thank you,

Josh Arneson (he/him)

Town Manager  
Town of Richmond  
P.O. Box 285  
Richmond, VT 05477  
(802) 434-5170

---

**From:** Purcell, Terry <[Terry.Purcell@vermont.gov](mailto:Terry.Purcell@vermont.gov)>  
**Sent:** Monday, October 14, 2024 4:53 PM  
**To:** Josh Arneson <[jarneson@richmondvt.gov](mailto:jarneson@richmondvt.gov)>  
**Cc:** Haenke, Brodie <[Brodie.Haenke@vermont.gov](mailto:Brodie.Haenke@vermont.gov)>  
**Subject:** RE: A Few Stormwater Questions

Hi Josh,

The list of Southview lot owners shared in the prior email was generated from the Vermont grand list. There are a couple of mailing addresses (Cincinnati OH, a PO Box in Richmond) that must not be the actual lot addresses, and we are looking into Robin Pesci's lot at 145 Southview Drive at her request to confirm whether it should have been included. Otherwise this appears to be an accurate list of the lots.

The road names for the addresses (Southview Dr, Westall Dr, Joan Ave, Overlook Ln) correspond to the boundaries of the subdivision 3-acre site area.

6605 permit: the most recent 9010 permit is attached. A renewal application for permit coverage under General Permit 3-9050 was submitted by the Town 4/15/22 (prior to the 9010 expiration date) and has a status of administratively incomplete. Currently there is Title 3 permit coverage which administratively continues the permit, because an application was submitted prior to expiration. The 9050 permit was never issued due to the incomplete status and I can check in with our administrative staff regarding next steps to move things forward. Permit coverage to renew under GP 3-9050 is needed because the permit relied entirely on a removal of 8,302 sf of impervious surface (and restoration of that area to a pervious surface) to meet the water quality treatment standard applicable at the time for a public linear transportation redevelopment project. The existence of the operational permit ensures that this 8,302 sf area remains an undeveloped pervious surface to meet that water quality treatment standard. There is not a requirement for municipal roads under the MRGP that would be equivalent to that requirement.

I had mentioned previously the withdrawal of the Initial NOI permit covering Southview, Hidden Pines, and Mary Drive permits resulted in there being no valid stormwater permit coverage for these developments. Normally this would result in an expired permit status and application review fees (\$860/acre of permitted impervious surface) needing to be paid. We will agree to waive those fees for Hidden Pines and Mary Drive, such that only the administrative processing fee (\$240 for one permit or \$480 if two separate applications are submitted) will need to be paid. For the Southview 3-acre site permit, the application review fees will still be needed because it will be a new application requiring technical review, rather than a simple renewal of an existing permit where there are no new standards or analyses required.

Thanks,

Terry



---

**Terry Purcell** | Operational Section Supervisor (he, him)  
Vermont Department of Environmental Conservation  
Watershed Management Division, Stormwater Program  
Davis 3, 1 National Life Drive | Montpelier, VT 05620-3522  
802-490-6166 cell | [terry.purcell@vermont.gov](mailto:terry.purcell@vermont.gov)  
<https://dec.vermont.gov/watershed>

*The Agency of Natural Resources supports telework, and there are times when I may be working from another office location. I am available to connect by phone and email. I am also available to connect in-person upon request.*

*Vermonters, businesses, and communities impacted by the July 2024 flood should report damage to [Vermont 211](#). Find resources, guidance and referral information at [vermont.gov/Flood](https://vermont.gov/Flood). [Volunteer to help](#) or [donate to the Vermont Flood Response and Recovery Fund](#) to support all those impacted.*

---

**From:** Josh Arneson <[jarneson@richmondvt.gov](mailto:jarneson@richmondvt.gov)>  
**Sent:** Monday, October 14, 2024 3:36 PM  
**To:** Purcell, Terry <[Terry.Purcell@vermont.gov](mailto:Terry.Purcell@vermont.gov)>  
**Cc:** Haenke, Brodie <[Brodie.Haenke@vermont.gov](mailto:Brodie.Haenke@vermont.gov)>  
**Subject:** Re: A Few Stormwater Questions

**EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.**

Terry,

Thanks for the info.

Is the list of the 44 properties the list that was in the attached email?

For Jericho Rd, attached is the latest inspection that I have for it. Looks like it is permit number 6605-9010

Josh Arneson (he/him)

Town Manager  
Town of Richmond  
P.O. Box 285  
Richmond, VT 05477  
(802) 434-5170

---

**From:** Purcell, Terry <[Terry.Purcell@vermont.gov](mailto:Terry.Purcell@vermont.gov)>  
**Sent:** Friday, October 11, 2024 2:12 PM  
**To:** Josh Arneson <[jarneson@richmondvt.gov](mailto:jarneson@richmondvt.gov)>  
**Cc:** Haenke, Brodie <[Brodie.Haenke@vermont.gov](mailto:Brodie.Haenke@vermont.gov)>  
**Subject:** RE: A Few Stormwater Questions

Hi Josh,

- After a 3-acre project/stormwater system has been constructed there is a requirement for a professional engineer to inspect the built stormwater system and submit a statement of compliance to our Department, within 30 days following completion of construction. There is no DEC fee to submit this "Initial Statement of Compliance" but the engineer would need to be paid for their services unless that payment had already been made previously. The annual operating fee for most operational permits is \$160 x the acreage of permitted impervious surface and that would be the annual fee for Southview, and likely any other operational permits in Richmond. Permit terms are 5 years and before the permit expires an application to renew the permit coverage is required. The renewal application fee is \$240 if the application is submitted prior to the permit expiration date. If the application is submitted after the expiration date application review fees apply at \$860 per acre of permitted impervious surface, in addition to the \$240 fee. As part of the renewal every 5 years, a designer's Restatement of Compliance is needed – this is a certification from a professional engineer that the system is being maintained and operated in accordance with the permit. There is no DEC fee for this statement of compliance but the engineer will presumably need to be paid. Some Towns do have their own professional civil engineers on staff who could complete this task but it's best to have someone who knows the system well (and knows civil stormwater engineering well) inspecting and submitting a statement of compliance.

Most importantly, post-construction these systems will in most cases need some level of maintenance which will vary depending on the type of practice. Annual inspections are required and an annual inspection report needs to be submitted each year to DEC. The annual inspections can be completed by the permittee rather than a professional engineer but it's best to have someone doing so who knows generally what to look for and is familiar with the stormwater design. Each new permit also needs to be recorded in the local land records (including permits that have been renewed) and there is a form to do this in ANR Online.

This is not an all-encompassing summary of requirements that may apply going forward after a system is built and permittees need to be aware of the language in General Permit 3-9050, particularly Part 7: Operation and Maintenance. The permitted plan set is also required to have maintenance content that is intended to assist the permittee in completing inspection reports and generally knowing what to look for and when they need to contact their engineer to report issues.

- List of the 44 lots that make up the Southview Development: in a previous email I had provided a list of the names and mailing addresses for the owners of the lots comprising the Southview Development, with a map showing the boundary. We are looking into one of the lots included within the boundary, 145 Southview Drive, currently to determine if it was incorrectly included and I am waiting for the Act 250 staff to post older project materials for the development onto their online permit database. Otherwise we believe that list is generally accurate in capturing the lots that make up the development.
- Can you tell me the permit number for Jericho Road, or do you have a copy of the inspection report you referenced? When I look in our ANR Atlas and turn on the operational permits layer I'm not seeing an operational permit issued to the Town for Jericho Road or for a project (like a subdivision) located off Jericho Road.

Thanks,

Terry



---

**Terry Purcell** | Operational Section Supervisor (he, him)  
Vermont Department of Environmental Conservation  
Watershed Management Division, Stormwater Program  
Davis 3, 1 National Life Drive | Montpelier, VT 05620-3522  
802-490-6166 cell | [terry.purcell@vermont.gov](mailto:terry.purcell@vermont.gov)  
<https://dec.vermont.gov/watershed>

*The Agency of Natural Resources supports telework, and there are times when I may be working from another office location. I am available to connect by phone and email. I am also available to connect in-person upon request.*

*Vermonters, businesses, and communities impacted by the July 2024 flood should report damage to [Vermont 211](#). Find resources, guidance and referral information at [vermont.gov/Flood](https://vermont.gov/Flood). [Volunteer to help](#) or [donate to the Vermont Flood Response and Recovery Fund](#) to support all those impacted.*

---

**From:** Josh Arneson <[jarneson@richmondvt.gov](mailto:jarneson@richmondvt.gov)>  
**Sent:** Wednesday, October 9, 2024 11:02 AM  
**To:** Purcell, Terry <[Terry.Purcell@vermont.gov](mailto:Terry.Purcell@vermont.gov)>  
**Subject:** A Few Stormwater Questions

**EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.**

Terry,

I have a few follow up questions for you related to Stormwater:

- Once a 3-acre site has completed construction to come into compliance, what are the permit fees going forward? Also, what other requirements are there going forward, such as annual inspections?
- Do you have a list of the 44 lots that make up the Southview Development? I think you had said you were working on this but I wanted to check back in to see if you have been able to create this list.
- For the past several years we have also been submitting an annual inspection report for Jericho Rd. This has not been on your list of orphan permits. Is it still required to be permitted and inspected or could this site be considered covered by MRGP? If it still needs to be permitted can you send me a copy of the permit and let me know when it is due to be renewed?

Thanks,

Josh Arneson (he/him)

Town Manager  
Town of Richmond  
P.O. Box 285  
Richmond, VT 05477  
(802) 434-5170