

Permit No.3928-INDO.R1
Project ID No. EJ05-0158

STATE OF VERMONT
AGENCY OF NATURAL RESOURCES
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

TOWN CLERK'S OFFICE
Received Nov 18, 2016 12:00P
Recorded in VOL: 437 PG: 215- 218
OF Shelburne Land Records
Attest:
Colleen T Haas
Town Clerk

STORMWATER OFFSET PROJECT PERMIT

In compliance with provisions of 10 V.S.A. §1264, the Stormwater Management Rule for Stormwater-Impaired Waters and in accordance with "Terms and Conditions" hereinafter specified,

Town of Shelburne
P.O. Box 88
Shelburne, VT 05482

the permittee, is hereby granted permission for stormwater offset project located in the Monroe Brook watershed, at 62 Pinehurst Drive and Hullcrest Park, in Shelburne, Vermont. Stormwater Offset Project Permit #3928-INDO.R1 renews and replaces previously issued Stormwater Offset Project Permit #3928-INDO.R issued for the same project.

1. **Expiration Date:** Five years from issuance date of final permit. Note: This permit, unless revoked, modified or suspended, shall be valid until the designated expiration date notwithstanding any intervening change in water quality, treatment standards, or classification of the receiving waters including groundwater. However, any such change in water quality or changes in standard or classification, and any applicable requirements in a TMDL issued for the receiving water(s), shall be applied in determining whether or not to renew this offset permit and in determining the conditions of a renewed offset permit.
2. **Description of Offset Project:** The offset consists of the installation of a subsurface stormwater treatment system, manufactured by StormTech™ or equal, treating runoff from portions of Martindale Road, Summit Circle, Oak Hill, Juniper Ridge, Woodbine Road, Brook Lane, and Birch Road, all as set forth in the plans specified in paragraph #10 of this permit.
3. **Offset Charges, Offset Charge Capacity and Margin of Safety:** This offset project is eligible to receive offset charges as provided in the Stormwater Management Rule for Stormwater-Impaired Waters. The Secretary of the Agency of Natural Resources ("Secretary") has allocated this offset project an offset charge capacity of 7,278 pounds of sediment per year, and 1.56 acre-feet of Channel-Protection Volume detention. Any discharge that is mitigated by this Offset Permit shall be located in the Monroe Brook watershed. The Secretary has determined that an appropriate margin of safety was applied in evaluating and approving this offset project.
4. **Secretary's Determination:** The Secretary has determined that this offset project will not violate any applicable provisions of state or federal law or regulation.
5. **Assignment of Offset Charge Capacity:** The Secretary shall assign offset charge capacity generated by this offset project. The Secretary may only assign the offset charge capacity generated by this offset project to discharges of regulated stormwater runoff to Monroe Brook.
6. **Right of Entry:** The permittee shall allow the Secretary, or his or her authorized representative, at reasonable times, and upon presentation of credentials, to enter the permitted property to inspect the offset project. The permittee shall allow the Secretary, or his or her authorized representatives, at reasonable times, and upon presentation of credentials, to have access to and inspect and copy any records required to be kept pursuant to this offset permit.

7. **Revocation:** The Secretary may revoke, modify or suspend this offset permit if it is found that the permittee submitted false or inaccurate information in its application, has violated any requirement, restrictions, or condition of this offset permit, or if there is any change in any condition that requires a change in or elimination of the offset project. The Secretary shall impose conditions as the Secretary deems necessary for regulating the offset project if this permit is revoked, modified or suspended.
8. **Recording in Land Records:** The permittee shall record a one-page notice of issuance of this stand-alone offset permit in the local land records within fourteen (14) days of issuance of this permit on the form provided by the Secretary, per §22-509 of Stormwater Management Rule For Stormwater Impaired Waters. 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.
9. **Transfer of Permit:** This permit is not transferable without prior written approval of the Secretary. Provided all applicable fees under 3 V.S.A. §2822 have been paid, a permittee may transfer this permit by submitting a notice of transfer on a form provided by the Secretary. The applicable transfer form is available on the Stormwater Management Program website. The notice shall be submitted to the Stormwater Management Program at least five (5) days prior to the proposed date of transfer. The permittee shall provide a copy of this permit to the prospective permittee and inform it of the responsibility to make application for a permit which shall be issued in its name. Any failure to do so shall be considered a violation of this permit.
10. **Approved Project Design:** This project shall be constructed and operated in accordance with the following site plans and details prepared by Trudell Consulting Engineers: (Sheet SP1, Overall Watershed Area, dated 4/05/05; SP2, Existing Conditions Site Plan, dated 4/5/05; SP3, Stormwater Management Site Plan, dated 4/5/05; SP5, Erosion Control Plan, dated 4/5/05; SP6, Sub Watersheds & Existing Drainage Plan, dated 4/5/05) and all supporting information.

By reference, the above noted plans are made a part of this offset permit.

11. **Inspection and Maintenance Reporting Requirements:**
 - a. The offset project shall be maintained in good operating condition at all times in conformance with design standards and **shall be inspected annually and cleaned as necessary to maintain design specifications. The inspections shall be conducted between the conclusion of spring snow melt and June 15th of each year annually.**
 - b. Any sediment removed from the treatment device shall be disposed of properly in accordance with state and federal statutes and regulations.
 - c. **By July 15 of each year the permittee shall submit a written report to:**

**Department of Environmental Conservation
Watershed Management Division
Main Building, 2nd Floor
One National Life Drive
Montpelier, VT 05620-3522**

This report shall include, at a minimum:

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- i. Unless previously submitted by the permittee(s) under a previously issued authorization or discharge permit, the first report shall include an inspection and designer's certification that the project was built in compliance with the Approved Project Design per #10 above;
 - ii. the dates and details of any cleaning and maintenance operations carried out in the preceding year;
 - iii. a narrative summarizing the results of any inspections conducted in the preceding year and highlighting any stormwater related problems encountered, and all remedial steps taken in response;
- d. Should any erosional problems occur, the permittee is required to immediately correct any such problems.
12. Personnel and Training Requirements: Such personnel and training as necessary to fulfill the requirements of this offset permit.
13. Monitoring and Reporting Requirement: No monitoring required; reporting requirement as specified in #11 above.
14. Renewal of Offset Permit: The permittee shall reapply for a renewed offset permit at least ninety (90) days prior to the expiration date.
15. Other permits: The permittee should be aware that the issuance of this permit does not relieve the permittee from the responsibility to obtain any other local, state or federal permits required by law.
16. Rights to Appeal to the Environmental Court: Pursuant to 10 V.S.A. Chapter 220, if this decision relates to all other projects, any appeal of this decision must be filed with the clerk of the Environmental Court within 30 days of the date of the decision. The appellant must attach to the Notice of Appeal the entry fee of \$250.00 payable to the State of Vermont. 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 Court; and must be signed by the appellant or their 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 additional information, see the Vermont Rules for Environmental Court Proceedings, available online at www.vermontjudiciary.org or call (802) 951-1740. The address for the Environmental Court is 32 Cherry Street, 2nd Floor Suite 303 Burlington, Vermont 05401.

Dated this 15th day of November, 2016

Alyssa Schuren, Commissioner
Department of Environmental Conservation

By: 
Padraic Monks, Program Manager
Stormwater Management Program

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**NOTICE OF ISSUANCE OF STORMWATER DISCHARGE PERMIT
BY THE VERMONT DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

Notice is hereby given that an individual stormwater discharge permit or an authorization to discharge pursuant to a general stormwater discharge permit has been issued by the Vermont Department of Environmental Conservation to Permittee(s) named herein for the discharge of stormwater runoff from impervious surfaces (e.g. roadways, rooftops, parking lots, walkways) pursuant to 10 V.S.A. Section 1264 for the property identified below. The permit/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): **Town of Shelburne**

Permit/Authorization Number: **3928-INDO.R1**

911 Address of Property: **62 Pinehurst Drive at Hullcrest Park**

Signature of Permittee or Authorized Representative: 

Printed Name of Permittee or Authorized Representative: CHRISTOPHER ROBINSON

Date of Signature: 11/18/16

Recording information: Municipal clerks - please index this document listing the State of Vermont, Department of Environmental Conservation as "Grantee". Please index this document 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".

Please mail this stamped/recorded/completed form to:

**DEC – Watershed Management Division
Stormwater Management Program
1 National Life Drive, Main 2
Montpelier, VT 05620-3522**

Or email to: anr.wsmdstormwatergeneral@vermont.gov

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