

Permit Number 3784-9010  
Project ID Number EJ04-0440

VERMONT DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
AUTHORIZATION TO DISCHARGE UNDER  
GENERAL PERMIT 3-9010

A determination has been made that the applicant:

Town of Shelburne  
5420 Shelburne Road  
Shelburne VT 05482

meets the criteria necessary for inclusion under General Permit 3-9010. Here after the named applicant shall be referred to as the permittee. Subject to the conditions of General Permit No. 3-9010, the permittee is authorized to discharge stormwater from the Upper Meadows Development located on Upper Meadows, Wild Ginger and Steeplebush Lanes in Shelburne, Vermont to the LaPlatte River as previously described in Individual Permit No. 2-0746 and modified as follows:

*Manner of Discharge:*

*S/N 001: Stormwater runoff from roofs, parking and access road via catch basins to a stone-lined swale with discharge to the LaPlatte River.*

*S/N 002: Stormwater runoff from roofs, parking and access road via catch basins to a detention pond which discharges to the LaPlatte River via a stone-lined swale.*

Compliance with General Permit 3-9010 and this Authorization

The permittee shall comply with this authorization and all the terms and conditions of General Permit 3-9010, including the payment of annual operating fees to the Department. A billing statement for such fees will be sent to the permittee each year. The first year's statement is enclosed. 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 3-9010. A copy of General Permit 3-9010 is available from the Department via the internet at <http://www.vtwaterquality.org/Stormwater/GenPermitUnimpairedWaters.pdf>.

Changes to Permitted Development

In accordance with Part V.G. of General Permit 3-9010, 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 3-9010 by the modified development or facility.

#### Semi-Annual Inspection and Report

The stormwater collection, treatment and control system authorized herein shall be properly operated and maintained and shall be inspected at least twice per year, once in the spring after snowmelt and one in the fall prior to snow fall. The inspection shall evaluate the operation and maintenance and condition of the stormwater collection, treatment and control system. The permittee shall prepare a semiannual inspection report on a form available from the Department. The permittee shall, by November 1<sup>st</sup> and June 1<sup>st</sup> of each year, submit an inspection report to the Department.

#### Restatement of Compliance

Every 3 years, the permittee shall submit to the Department a written statement signed by a designer that the stormwater collection, treatment and control system authorized herein is properly operating and maintained. The first re-statement of compliance is due March 31, 2008. Failure to submit a designer's restatement of compliance shall constitute a violation of General Permit 3-9010 and may result in the revocation of this authorization to discharge.

#### Filing of this Authorization with Local Land Records

In accordance with Part VI.M. of General Permit 3-9010, the permittee shall file a copy of this authorization to discharge in the land records within seven (7) days of its issuance and a copy of the recording shall be provided to the Department within fourteen (14) days of the permittee's receipt of a copy of the recording from the local land records.

#### Rights to Appeal to the Environmental Court

Pursuant to 10 V.S.A. Chapter 220, 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 \$225.00, 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 further information, see the Vermont Rules for Environmental Court Proceedings, available on line at [www.vermontjudiciary.org](http://www.vermontjudiciary.org). The address for the Environmental Court is 225 North Main Street, Suite 1, Barre, VT 05641 (Tel. # 802-479-4487).

Effective Date and Expiration Date of this Authorization

This authorization to discharge shall become effective on March 31, 2005 and shall continue until August 5, 2010. The permittee shall reapply for coverage at least sixty (60) days prior to August 5, 2010.

Dated at Waterbury, VT this 31<sup>st</sup> day of March, 2005.

Jeffrey Wennberg, Commissioner  
Department of Environmental Conservation

Handwritten signature of Wallace McLean in black ink, followed by a horizontal line.

By \_\_\_\_\_

Wallace McLean, Director  
Water Quality Division