

# Exhibit A1

Date:	8/12/2022	Application #:	081-22
Fees Paid:	\$ 350	+ \$15 recording fee =	\$ 365
Parcel ID #:	537-0814		
Tax Map #:	14-057.000		

## TOWN OF WATERBURY ZONING PERMIT APPLICATION

Please provide all of the information requested in this application. Read the Zoning Regulations and familiarize yourself with the requirements. Failure to provide all the required information will delay the process of this application. Based upon the nature of the project you may need to submit additional information. For instructions on how to fill out this form please refer to the *Zoning Permit Application Instructions & Fee Schedule* available on the municipal website or at the municipal offices. Submit one copy of the completed application and a check payable to the *Town of Waterbury* according to the zoning fee schedule. For questions about the permit process, please contact the Zoning Administrator at 802-244-1018.

### CONTACT INFORMATION

#### APPLICANT

Name: Douglas Gentile and Barbara Kennedy  
Mailing Address: 299 South Union St.  
Burlington, VT 05401  
Home Phone : 802-999-5805  
Work/Cell Phone: \_\_\_\_\_  
Email: barbkennedy2@gmail.com

#### PROPERTY OWNER (if different from Applicant)

Name: Same as applicant  
Mailing Address: \_\_\_\_\_  
Home Phone : \_\_\_\_\_  
Work/Cell Phone: \_\_\_\_\_  
Email: \_\_\_\_\_

### PROJECT DESCRIPTION

Physical location of project (E911 address): 814 Bear Creek Lane

Lot size: 78.9- Lot 8 Zoning District: Conservation- Ridgeline Overlay

Existing Use: Residential Proposed Use: Residential- same as existing

Brief description of project: To construct a 1 bedroom accessory dwelling unit on Lot 8 of Bear Creek Lane.

The original building zone is proposed for a small equal area adjustment to accommodate the new unit.

Limited tree clearing is required as shown on the plan, within previously approved cutting zone.

Site was determined to be limited visibility in previous approval and new unit will not cause any impact to views from town vantage points.

Cost of project: \$ TBD Estimated start date: Fall 2022

Water system: on-site Waste water system: On-site

#### EXISTING

Square footage: \_\_\_\_\_ Height: \_\_\_\_\_

Number of bedrooms/baths: \_\_\_\_\_

# of parking spaces: \_\_\_\_\_

Setbacks: front: \_\_\_\_\_

sides: \_\_\_\_\_ / \_\_\_\_\_ rear: \_\_\_\_\_

#### PROPOSED

Square footage: 1150 sf Height: 18' +/-

Number of bedrooms/bath: 1 bed/1 bath

# of parking spaces: 2

Setbacks: front: see site plan

sides: \_\_\_\_\_ / \_\_\_\_\_ rear: see site plan

### ADDITIONAL MUNICIPAL PERMITS REQUIRED:

- Curb Cut / Access permit  E911 Address Request  
 Water & Sewer Allocation  none of the above

[Additional State Permits may also be required]

### CHECK ALL THAT APPLY:

#### NEW CONSTRUCTION

- Single-Family Dwelling  
 Two-Family Dwelling  
 Multi-Family Dwelling  
 Commercial / Industrial Building  
 Residential Building Addition  
 Comm./ Industrial Building Addition  
 Accessory Structure (garage, shed)  
 Accessory Apartment  
 Porch / Deck / Fence / Pool / Ramp  
 Development in SFHA (including repairs and renovation)  
 Other \_\_\_\_\_

#### USE

- Establish new use  
 Change existing use  
 Expand existing use  
 Establish home occupation

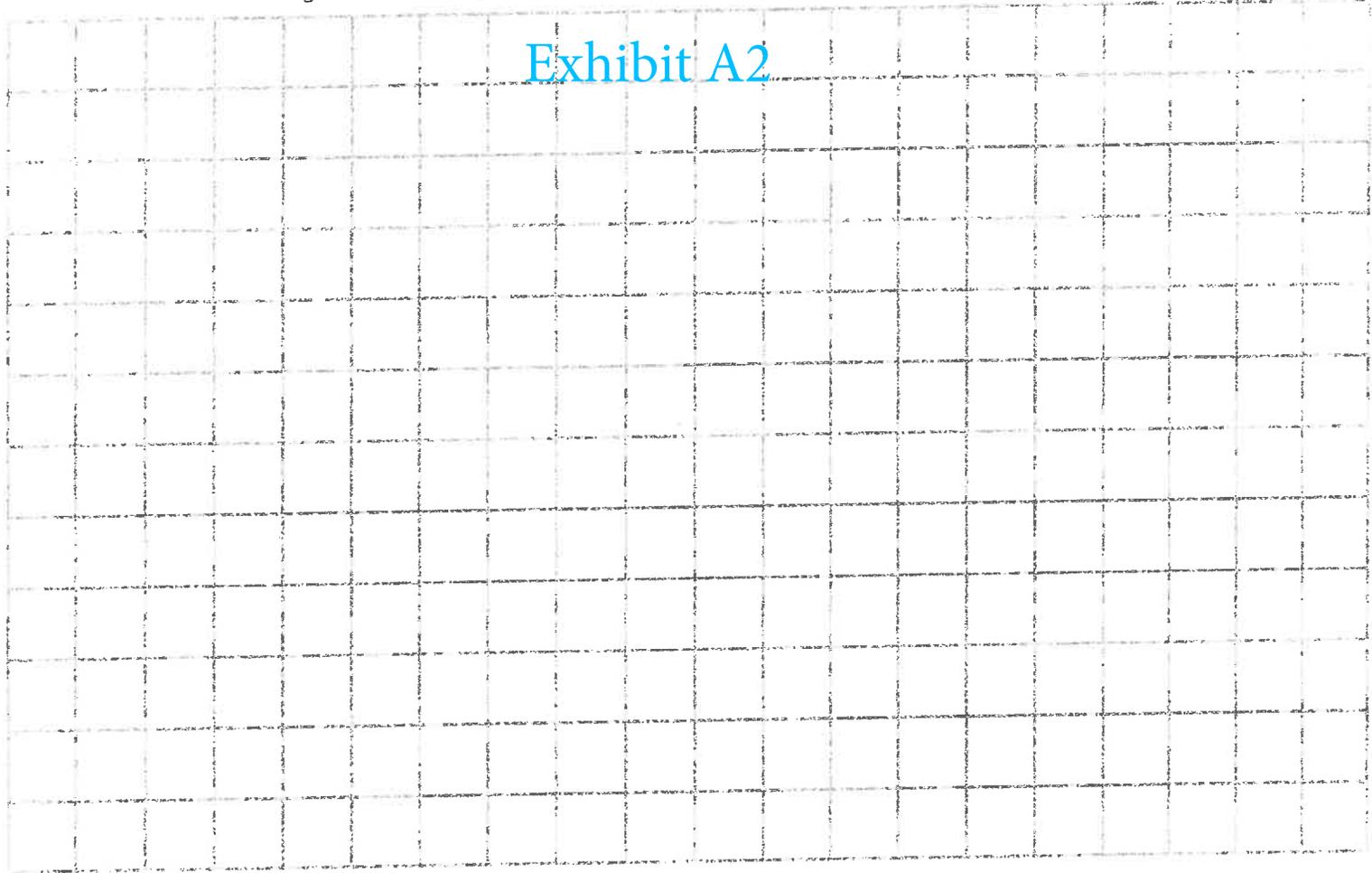
#### OTHER

- Subdivision (# of Lots: \_\_\_\_\_)  
 Boundary Line Adjustment (BLA)  
 Planned Unit Development (PUD)  
 Parking Lot  
 Soil/sand/gravel/mineral extraction  
 Other \_\_\_\_\_

**SKETCH PLAN**

Please include a sketch of your project, drawn to scale, with all required measurements - see *Zoning Permit Application Instructions*. You may use the space below or attach separate sheets. For plans larger than 11"x17" please provide a digital copy (pdf. file format) in addition to a paper copy.

Exhibit A2



**SIGNATURES** The undersigned hereby applies for a Zoning Permit for the use described in this application to be issued on the basis of the representations made herein all of which the applicant swears to be complete and true.

Applicant Signature \_\_\_\_\_ date \_\_\_\_\_  
*Barbara Kennedy* *8/17/22*  
Property Owner Signature \_\_\_\_\_ date \_\_\_\_\_

**CONTACT** Zoning Administrator Phone: (802) 244-1018  
Mailing Address: Waterbury Municipal Offices, 28 North Main Street, Suite 1, Waterbury, VT 05676  
Municipal Website: www.waterburyvt.com

**OFFICE USE ONLY**

Zoning District/Overlay: CNS / RHS  
Review type:  Administrative  DRB Public Warning Required:  Yes  No  
DRB Referral Issued (effective 15-days later): 8.15.22  
DRB Mtg Date: 9.21.22 Decision Date: \_\_\_\_\_  
Date Permit issued (effective 16-days later): \_\_\_\_\_  
Final Plat due (for Subdivision only): \_\_\_\_\_  
Remarks & Conditions: \_\_\_\_\_  
Authorized signature: \_\_\_\_\_ Date: \_\_\_\_\_

REVIEW/APPLICATIONS:  
 Conditional Use  Waiver  
 Site Plan  
 Variance  
Subdivision:  
 Subdv.  BLA  PUD  
Overlay:  
 DDR  SFHA  RHS  CMP  
 Sign  
 Other \_\_\_\_\_  
 n/a

# Exhibit A3

Date:	Application #:
Fees Paid:	(\$15 recording fee already paid)
Parcel ID #:	
Tax Map #:	

## TOWN OF WATERBURY CONDITIONAL USE INFORMATION

This Conditional Use (and Setback Waiver) information sheet supplements the Zoning Permit application. Please provide all of the information requested on each form. Read the Zoning Regulations and familiarize yourself with the requirements. Failure to provide all the required information will delay the process. Submit one copy of the completed forms and a check payable to the *Town of Waterbury* according to the zoning fee schedule. For questions about the permit process, please contact the Zoning Administrator at 802-244-1018.

### PROJECT DESCRIPTION

Brief description of project: To construct a 1 bedroom accessory dwelling unit on existing previously approved Lot 8 of the Bear Creek Lane subdivision.  
The original building zone is proposed for a small equal area adjustment to accommodate the new unit. Limited tree clearing is required as shown on the plan, within previously approved cutting zone.  
Site was determined to be limited visibility in previous approval and new unit will not cause any impact to views from town vantage points. Site photos are included.

### CONDITIONAL USE CRITERIA

Please respond to the following; you may answer on a separate sheet and attach additional pages and supporting materials:

1. Describe how the proposed use will not have an undue adverse impact on the capacity of existing or planned community facilities to accommodate it (including roads and highways, municipal water or sewer systems, school system, fire protection services): The project involves an accessory dwelling unit on a previously approved lot. The existing driveway provides emergency access to the site and the project will use private on-site septic/water.
2. Describe how the proposed use will not have an undue adverse impact on the character of the area affected as defined by the Municipal Plan and the zoning district in which the proposed project is located:  
The character of the area is open rural space with large lot sizes as governed by the conservation zoning district and ridgeline overlay involved with the property. The project requires limited tree clearing and the site will remain screened from off-site vantage points in Waterbury, therefore no undue adverse impact is anticipated.
3. Describe how the proposed use will not violate any municipal bylaws and ordinances in effect:  
The proposed ADU exceeds property line minimum setbacks and will be well below the building height. It is also proposed in conformance with ADU definition, therefore no bylaws or ordinances are violated as result.
4. Describe any devices or methods to prevent or control fumes, gas, dust, smoke, odor, noise, or vibration:  
No sources of odor, fumes, gas, dust, smoke, or noise are anticipated with the proposed ADU.
5. For removal of earth or mineral products which is not incidental to a construction, landscaping, or agricultural operation, a removal project must meet specific conditions outlined within Section 302 of the Waterbury Zoning Regulations. Are the conditions included within the Application Submittals?  
Not applicable. No earth mineral products are involved.

**CONTACT** Zoning Administrator Phone: (802) 244-1018  
Mailing Address: Waterbury Municipal Offices, 28 North Main Street, Waterbury, VT 05676  
Municipal Website: [www.waterburyvt.com](http://www.waterburyvt.com)

Date:	Application #:
Fees Paid:	(\$15 recording fee already paid)
Parcel ID #:	
Tax Map #:	

## TOWN OF WATERBURY OVERLAY DISTRICT INFORMATION

This Overlay District information sheet supplements the Zoning Permit Application. Please provide all of the information requested on both forms. Read the Zoning Regulations and familiarize yourself with the requirements. Failure to provide all the required information will delay the process. Submit one copy of the completed forms and a check payable to the *Town of Waterbury* according to the zoning fee schedule. For questions about the permit process please contact the Zoning Administrator at 244-1018.

### PROJECT DESCRIPTION

Brief description of project: To construct a 1 bedroom accessory dwelling unit on Lot 8 of Bear Creek Lane. The original building zone is proposed for a small equal area adjustment to accommodate the new unit.

Limited tree clearing is required as shown on the plan, within previously approved cutting zone. Site was determined to be limited visibility in previous approval and new unit will not cause any impact to views from town vantage points.

Site photos are included with the application, taken from the new build site. Also included is an existing small shed on the property along the existing driveway.

Fill out only the relevant section(s) & utilize the following checklists to ensure your plans include all the required information.

### DOWNTOWN DESIGN REVIEW OVERLAY DISTRICT (DDR)

#### DESIGN STANDARDS:

For Historic Structures (applying to all structures listed on the National Register of Historic Places):

- Original materials or materials typical of the architectural style are preserved or replaced with like materials to the extent feasible and appropriate.
- Historic building features shall be preserved or replicated to the extent feasible and appropriate.

For projects within the Historic/Commercial Sub-District:

- New building designs shall reinforce historic streetscape patterns, including orientation and setbacks.
- New buildings shall maintain overall height, size, massing, scale, and proportions compatible with those of buildings in the vicinity.
- New additions are designed to complement and be compatible with the original structure.
- Project design reinforces a pedestrian streetscape.
- On-site utilities shall be buried and utility boxes are screened from public view if the utilities along the street serving that structure are also buried.
- Buildings, or portions thereof, having eaves heights of 20-feet or less above ground level incorporate moderately to steeply pitched roofs, unless the another roof type is appropriate.

For projects within the Mixed-Use Sub-District:

- Building sites, including road and pedestrian networks, are designed in a manner that is integrated and compatible with adjoining parcels and areas.
- A proposed project located next to or facing a historic structure incorporates similar or complementary building features.
- New buildings are oriented to front upon, and relate both functionally and visually to, primary access roads.
- On-site parking is situated to the rear or on the sides of structures, where feasible and appropriate.
- The primary facades of principal structures are clearly defined through the placement of one or more prominent entryways, pedestrian walkways, or landscaping features.
- Building facades and rooflines are designed so as to reduce the perceived mass, scale, and uniform impersonal appearance of large buildings and additions, and to provide visual interest.
- Clearly defined pedestrian walkways are provided through parking areas, between buildings, and from public sidewalks to the site.

#### SUBMISSION REQUIREMENTS:

- All information required under Site Plan (see Site Plan Application)
- Proposed architectural elevations (for each exterior wall) showing door and window types and placement, and other exterior details
- A description of all materials to be used on the exterior of building
- Photos of the existing building(s) on the site and adjacent and facing parcels
- For demolition of a structure listed on the National Register of Historic Places see additional requirements within the Regulations.

# Exhibit A5

## RIDGELINE, HILLSIDE, STEEP SLOPE OVERLAY DISTRICT (RHS)

### REVIEW STANDARDS:

- For both Minor & Major Development Projects see Conditional Use Criteria
- For Major Development Projects:
  - Screening
  - Access
  - Placement of Structures
  - Exterior Lighting
  - Clearcutting and Pre-Development Site Preparation
  - Natural Resources
  - Building Design

### SUBMISSION REQUIREMENTS :

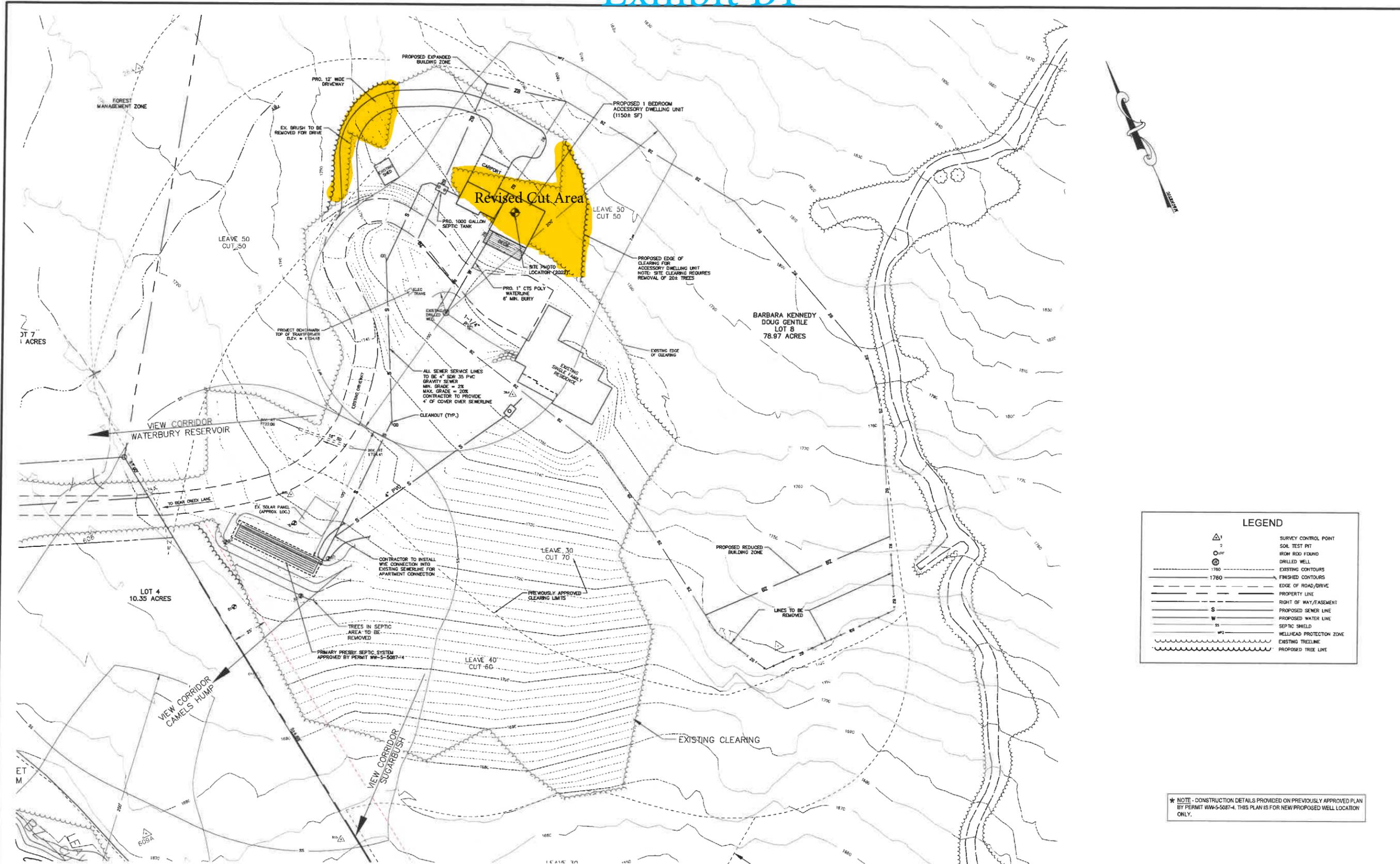
- Minor Development Projects (1,200—1,499 FIE)
  - All information required under Site Plan Review (see Site Plan Review Application)
  - Completed Conditional Use Application
- Major Development Projects (1,500 & up FIE)
  - All information required under Site Plan Review (see Site Plan Review Application)
  - Completed Conditional Use Application
  - Grading Plan
  - Visibility Studies
  - Stormwater Drainage/Erosion Control Plan
  - Landscape Plan
  - Access Plan     Natural Features

## SPECIAL FLOOD HAZARD AREA OVERLAY DISTRICT (SFHA)

### DESIGN STANDARDS:

- All development is reasonably safe from flooding     All fuel storage tanks are either elevated or floodproofed.
- All substantial improvements and new construction (including fuel storage tanks) meet the following criteria:
  - Designed, operated, maintained, modified and adequately anchored to prevent flotation, collapse, release, or lateral movement of the structure
  - Constructed with materials resistant to flood damage
  - Constructed by methods and practices that minimize flood damage
  - Constructed with electrical, heating, ventilation, plumbing and air-conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding
  - All new subdivisions and other proposed developments that are greater than 50 lots or 5 acres, whichever is the lesser shall include within such proposal base flood elevation data. See Regulations for additional subdivision standards.
  - The fully enclosed areas below the lowest floor that are useable solely for parking of vehicles, building access, or storage in an area other than a basement are designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters.
  - A non-residential, appurtenant structure of 500 sf or less need not be elevated to or above the base flood elevation in this area, provided the structure is placed on the building site so as to offer the minimum resistance to the flow of floodwaters
  - In Zones AE, A, and A1 – A30 where base flood elevations and/or floodway limits have not been determined, new construction and substantial improvement shall not be permitted unless it demonstrates additional standards (see Regulations)
  - All new construction and substantial improvements of residential structures within Zones A1-30, and AE must have the lowest floor of all residential structures (including basement) elevated to at least one foot above the base flood level.
  - All manufactured homes are installed using methods and practices which minimize flood damage. Manufactured homes must be elevated on a permanent foundation such that the lowest floor of the manufactured home is at least one foot above base flood elevation, and they must be anchored to an adequately anchored foundation to resist flotation collapse, or lateral movement.
  - All new construction and substantial improvements of non-residential structures within Zones A1-30, and AE shall:
    - Have the lowest floor (including basement) elevated to at least two feet above the base flood level; or
    - Be designed so that below the base flood level the structure is water tight with walls substantially impermeable to the passage of water with structural components having the capability of resisting hydrostatic and hydrodynamic loads and

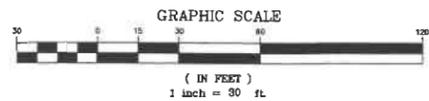
# Exhibit B1



LEGEND	
	SURVEY CONTROL POINT
	SOIL TEST PIT
	IRON ROD FOUND
	DRILLED WELL
	EXISTING CONTOURS
	FINISHED CONTOURS
	EDGE OF ROAD/DRIVE
	PROPERTY LINE
	RIGHT OF WAY/EASEMENT
	PROPOSED SEWER LINE
	PROPOSED WATER LINE
	SEPTIC SHIELD
	WELLHEAD PROTECTION ZONE
	EXISTING TREELINE
	PROPOSED TREE LINE

\* NOTE - CONSTRUCTION DETAILS PROVIDED ON PREVIOUSLY APPROVED PLAN BY PERMIT WW-5-5087-4. THIS PLAN IS FOR NEW PROPOSED WELL LOCATION ONLY.

NOTE: ORIGINAL PLAN 24" x 36", OTHER SIZES NOT TO SCALE

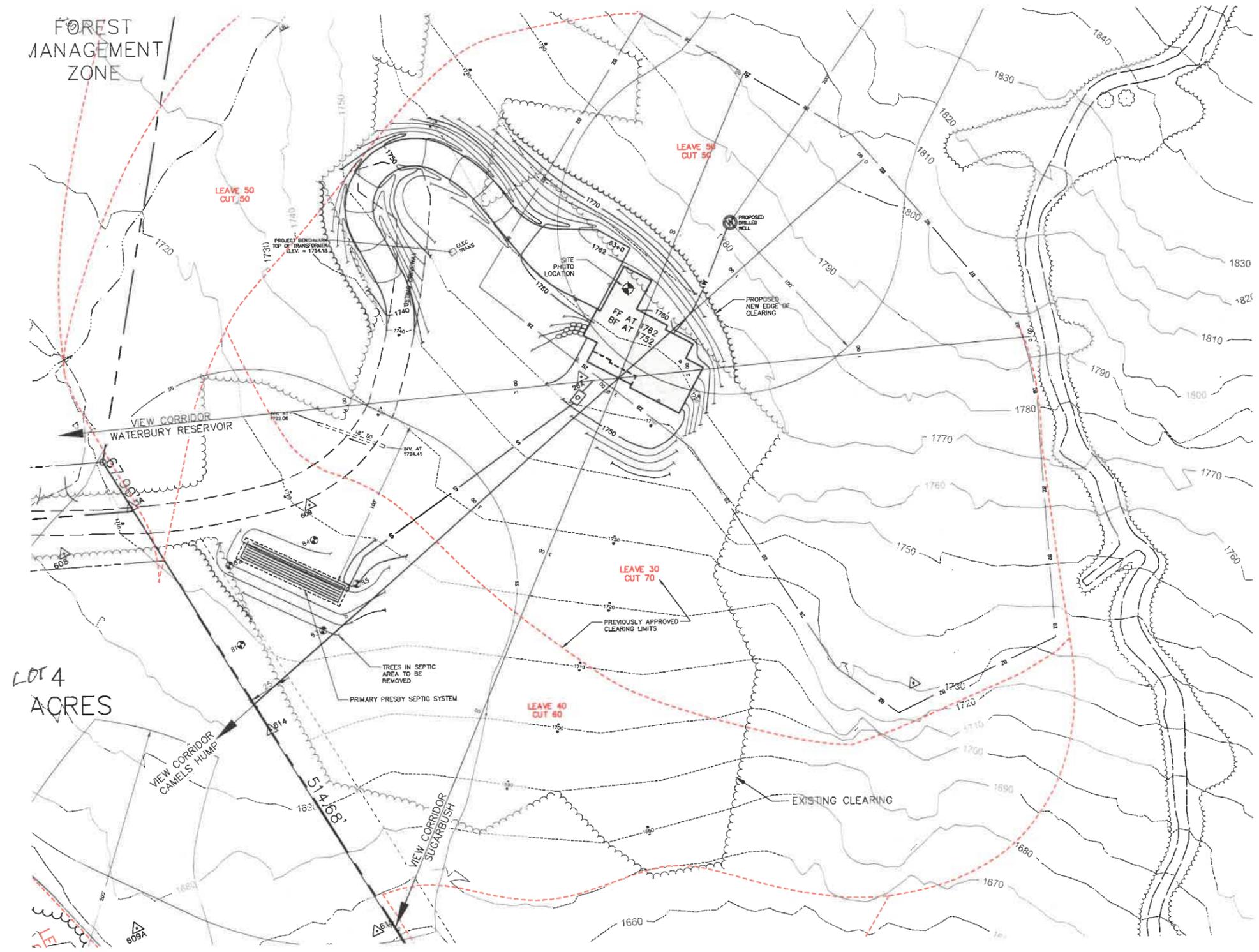


No.	Date	Revision	By
1	8.17.18	NEW DRILLED WELL LOCATION	TJM
2	10.15.20	CORRECTED DRAWING SCALE	TJM
3	7.28.22	ADDED PROPOSED ADU, ADJUSTED BZ	TJM
4	8.11.22	REVISED ADU, ADDED DRIVE, NOTES	TJM

**SITE PLAN**  
**BARBARA KENNEDY & DOUG GENTILE**  
**LOT 8 BEAR CREEK LANE WATERBURY**

	<b>GRENIER</b> ENGINEERING, PC 155 DEMERITT PLACE #2	P.O. Box 445 Waterbury, VT 05676 TEL (802) 244-6413 FAX (802) 244-1572 grenierengineering.com	Date: 5.21.18 Scale: 1" = 30' Designed: JDG Drawn: TJM Checked: JDG Sheet No:
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# Exhibit B2



LEGEND	
	SURVEY CONTROL POINT
	SOIL TEST PIT
	IRON ROD FOUND
	DRILLED WELL
	EXISTING CONTOURS
	FINISHED CONTOURS
	EDGE OF ROAD/DRIVE
	PROPERTY LINE
	RIGHT OF WAY/EASEMENT
	PROPOSED SEWER LINE
	PROPOSED WATER LINE
	SEPTIC SHIELD
	WELLHEAD PROTECTION ZONE
	EXISTING TREELINE
	PROPOSED TREE LINE

**EXHIBIT** *C2*

**SITE PLAN - LOT 8**

**BARBARA KENNEDY & DOUG GENTILE**  
**BEAR CREEK LANE WATERBURY**

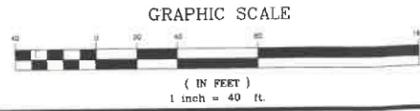


**GRENIER**  
**ENGINEERING, PC**

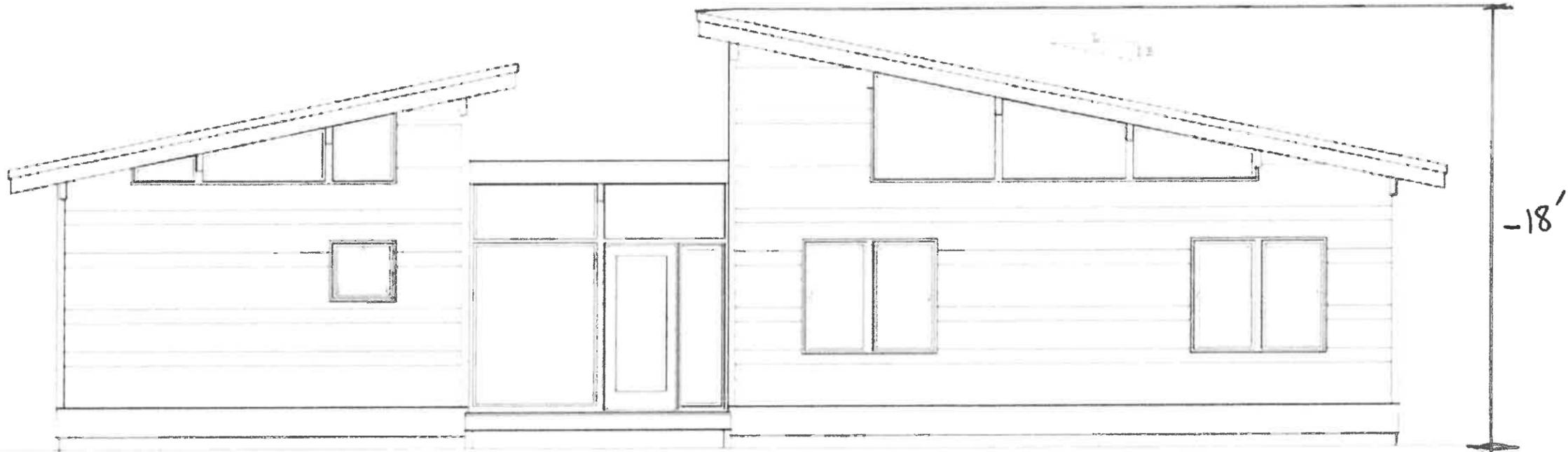
P.O. Box 445  
 Waterbury, VT 05676  
 TEL (802) 244-6413  
 FAX (802) 244-1572  
 grenierengineering.com

Date: 5.21.18  
 Dm By: TJM  
 Scale: 1" = 40'  
 Sheet No: 2 of 5  
 Dwg Name: REED OVERALL  
 File No:

No.	Date	Revision	By

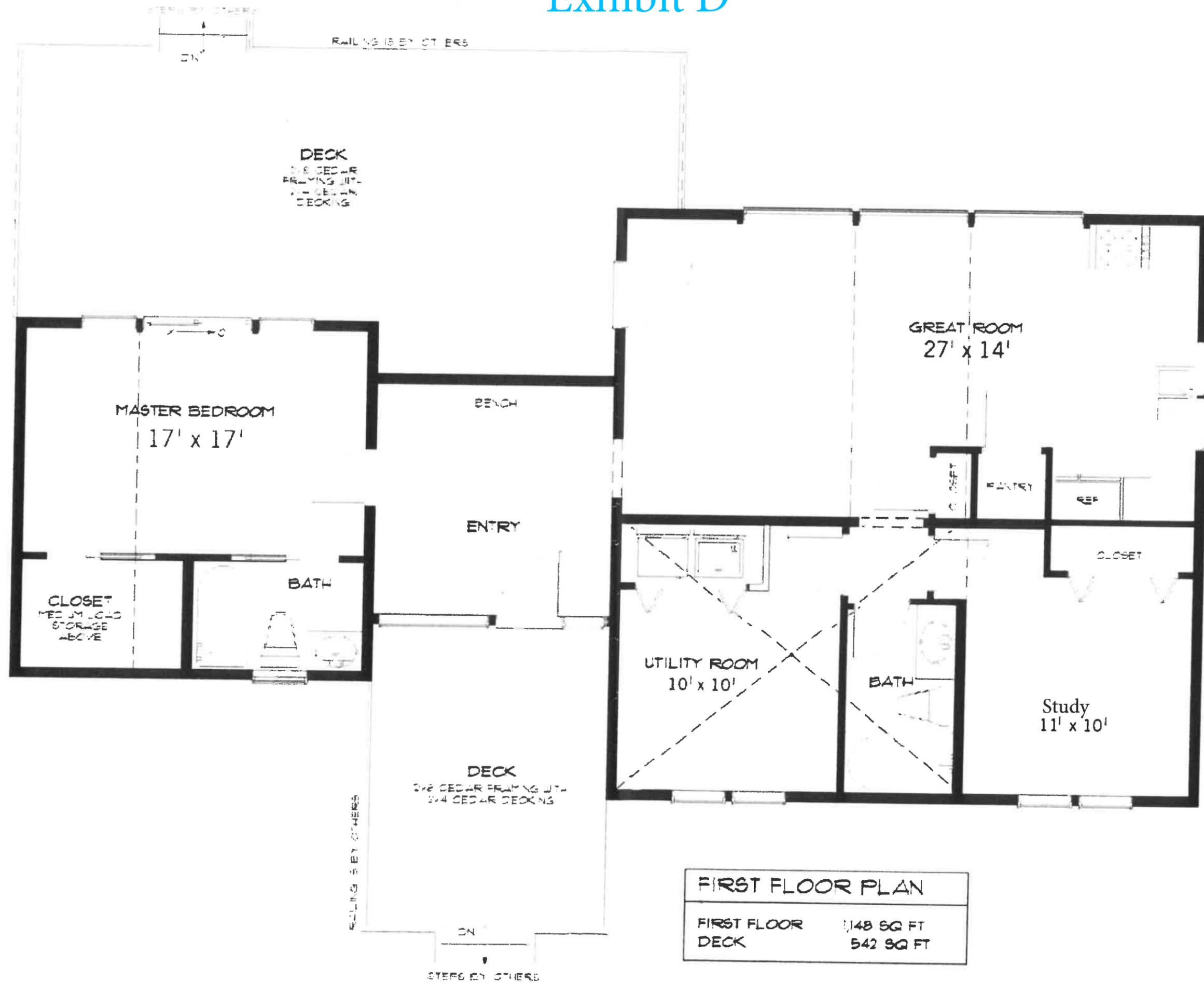


# Exhibit C



FRONT ELEVATION

# Exhibit D



# Exhibit E



Exhibit F1



View to South -  
West from  
proposed ADU  
location

Exhibit F2

View to South from  
proposed ADU  
location

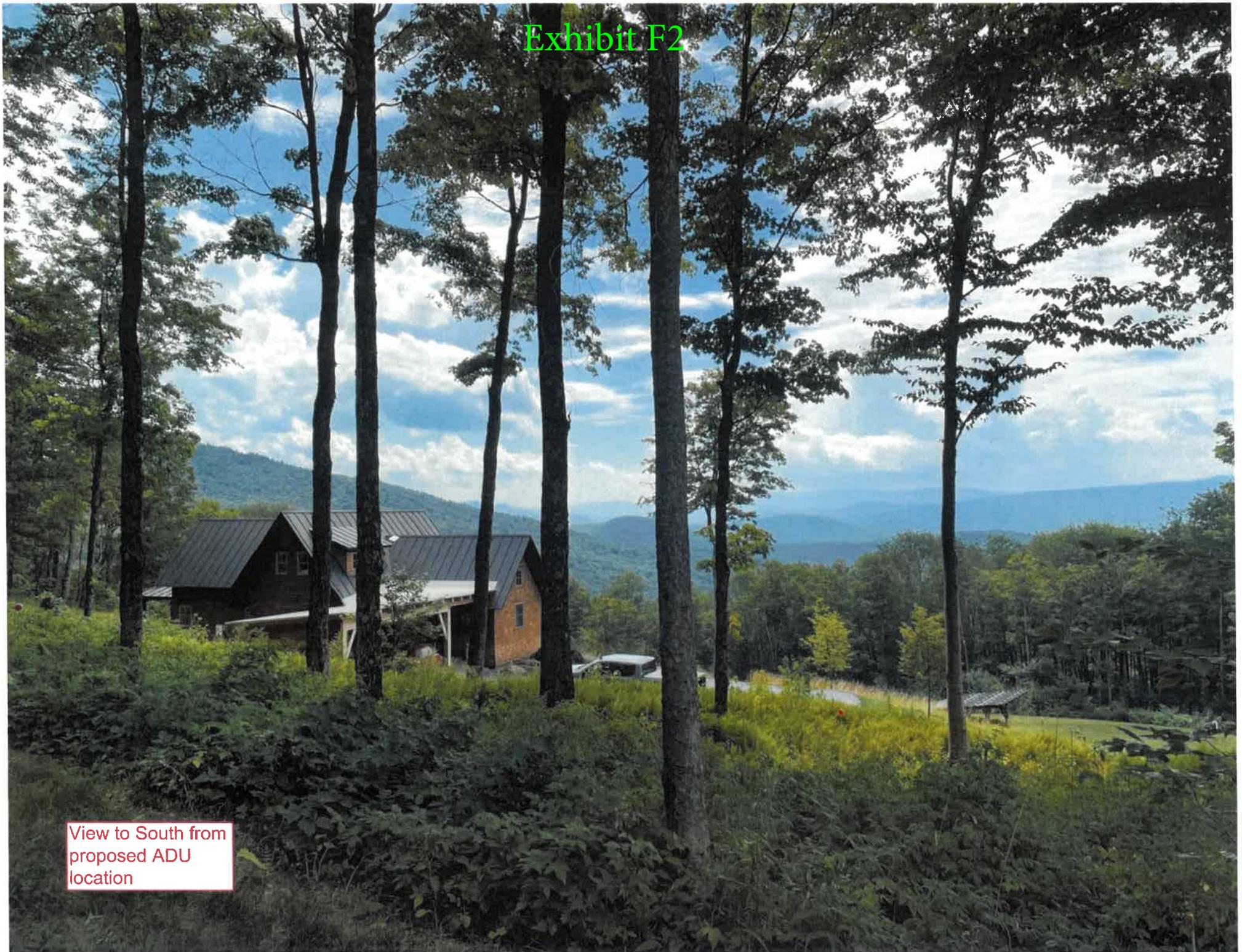
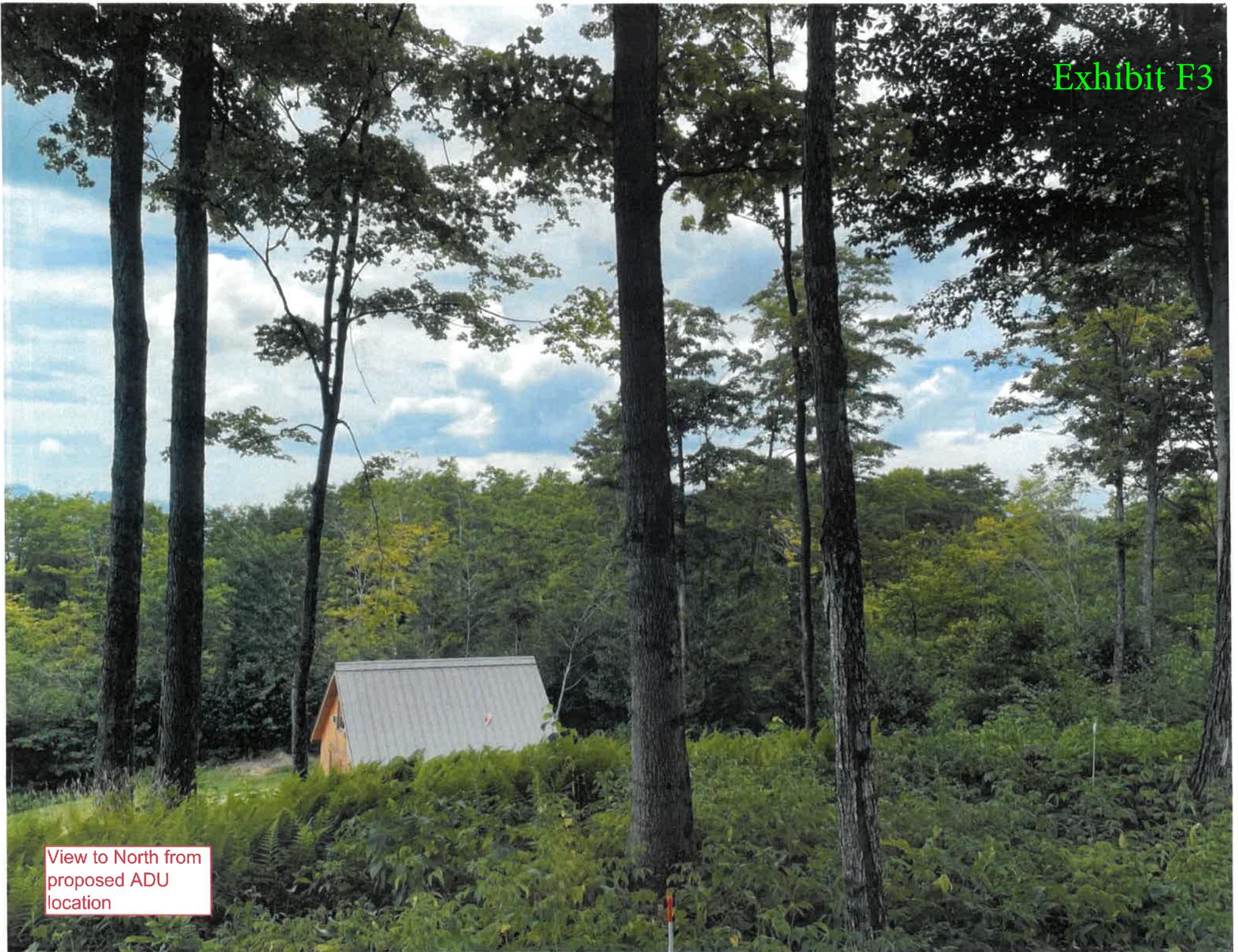
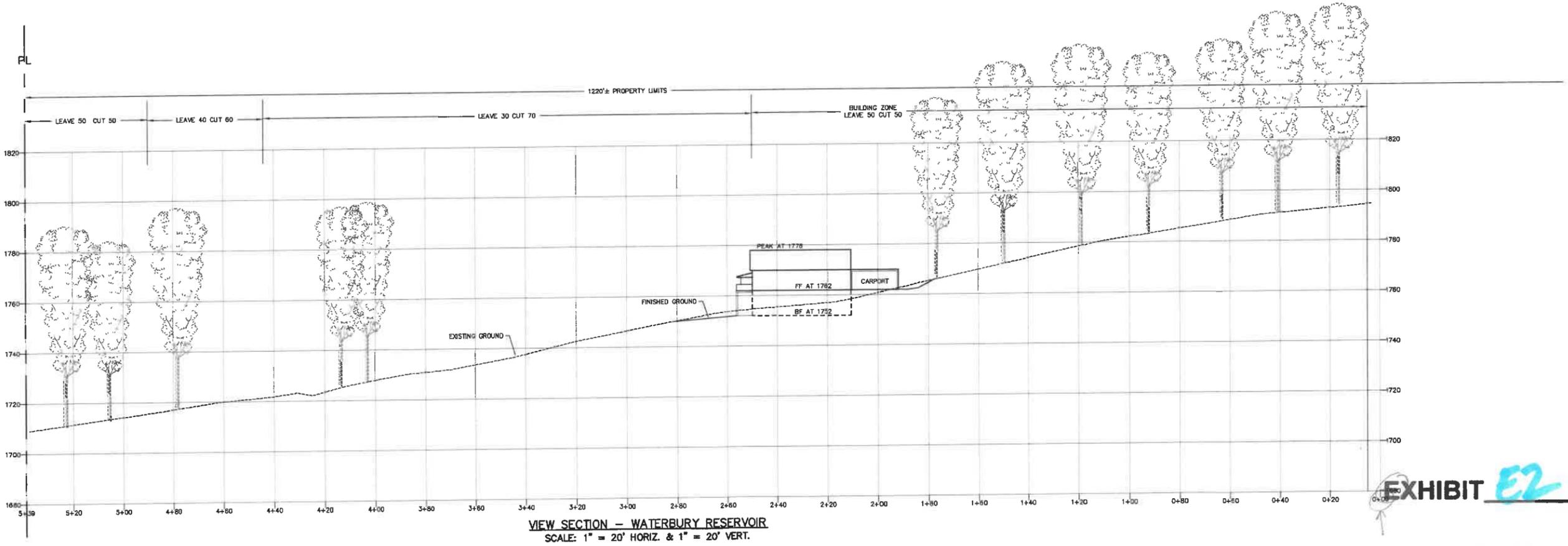


Exhibit F3

View to North from  
proposed ADU  
location



# Exhibit F4



VIEW SECTION - WATERBURY RESERVOIR  
SCALE: 1" = 20' HORIZ. & 1" = 20' VERT.

No.	Date	Revision	By

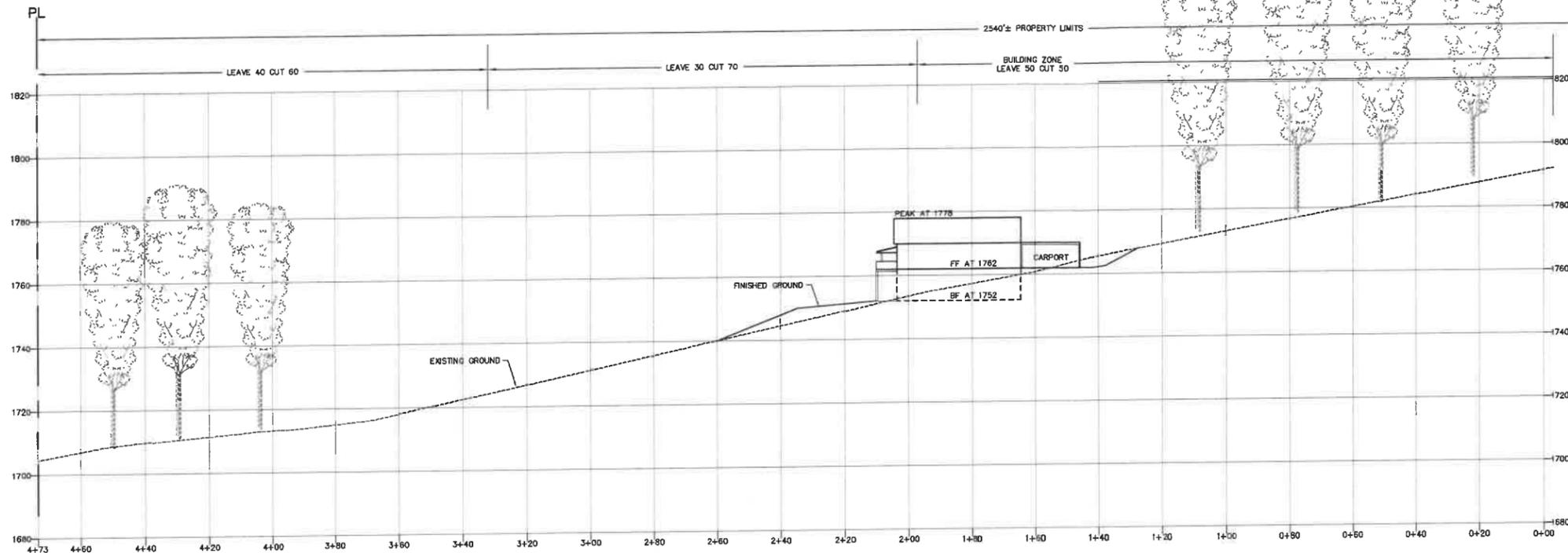
JOHN D. GRENIER  
NO. 9019

**GRENIER**  
ENGINEERING, P.C.

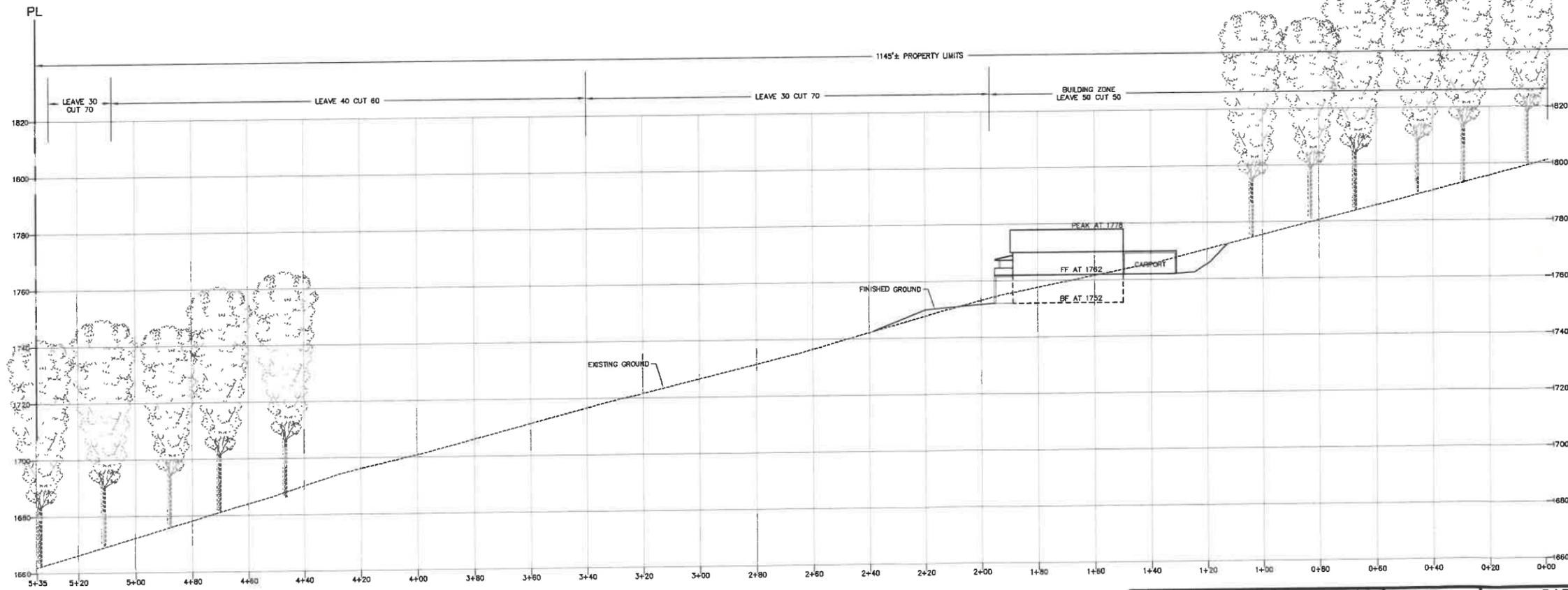
**LOT 8 - VIEW SECTION**  
BARBARA KENNEDY & DOUG GENTILE  
BEAR CREEK LANE WATERBURY

P.O. Box 445  
Waterbury, VT 05676  
TEL (802) 244 - 6413  
FAX (802) 244 - 1572  
grenierengineering.com

Date: 5.21.18  
Dwn By: TJM  
Scale: A/N  
Sheet No: 5 of 5  
Dwg Name: RECD OVERALL  
File No:



**VIEW SECTION - CAMELS HUMP**  
SCALE: 1" = 20' HORIZ. & 1" = 10' VERT.



**VIEW SECTION - SUGARBUSH/MADRIVER VALLEY**  
SCALE: 1" = 20' HORIZ. & 1" = 20' VERT.

EXHIBIT **E1**

No.	Date	Revision	By



**BARBARA KENNEDY & DOUG GENTILE**  
BEAR CREEK LANE WATERBURY  
GRENIER ENGINEERING, PC

P.O. Box 445  
Waterbury, VT 05676  
TEL (802) 244-6413  
FAX (802) 244-1572  
grenierengineering.com

Date: 5.18.18  
Dm By: TJM  
Scale: AN  
Sheet No: 4 of 5  
Dwg Name: REED OVERALL  
File No:

LOT 8 - VIEW SECTIONS

Proposed Exterior  
light fixture for  
each doorway on  
proposed ADU





State of Vermont  
Department of Environmental Conservation

Agency of Natural Resources

## 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 September 29, 2007  
Chapter 21, Water Supply Rules, Effective December 1, 2010

**Landowner(s): Louise Reed Living Trust**  
**Post Office Box 1078**  
**Stowe, VT 05672**

**Permit Number: WW-5-5087-4**

This permit affects the following properties in Waterbury, Vermont:

Lot	Parcel	SPAN	Acres	Book(s)/Page(s)#
A	535-0631	696-221-11892	139.50±	Book:224 Page(s):96

This project, to amend Permit Number #WW-5-5087-3 to subdivide Lot A to create Lot 7 (9.4± acres) for a proposed five bedroom single family residence and Lot 8 (81.7± acres) for a proposed six bedroom single family residence, with each lot served by onsite water supply and a wastewater system using Enviro-Septic® (ES) Pipe Leaching System, located on Bear Creek Lane in Waterbury, Vermont, is hereby approved under the requirements of the regulations named above subject to the following conditions.

### 1. GENERAL

1.1 The project shall be completed as shown on the plans and/or documents prepared by John Grenier from Grenier Engineering, PC, with the stamped plans listed as follows:

Title	Sheet Number	Plan Date	Revision Date
<b>Overall Project Site Plan</b>	1 of 3	12/28/2016	
<b>Lot 7 Septic System Site Plan &amp; Details</b>	2 of 3	12/28/2016	
<b>Lot 8 Septic System Site Plan &amp; Details</b>	3 of 3	12/28/2016	

1.2 This permit does not relieve the landowner from obtaining all other approvals and permits PRIOR to construction including, but not limited to, those that may be required from the Act 250 District Environmental Commission; the Drinking Water and Groundwater Protection Division; the Watershed Management Division; the Division of Fire Safety; the Vermont Department of Health; the Family Services Division; other State departments; or local officials.

1.3 The conditions of this permit shall run with the land and will be binding upon and enforceable against the landowner and all assigns and successors in interest. The landowner shall record and index this permit in the Waterbury Land Records within thirty, (30) days of issuance of this permit and prior to the conveyance of any lot subject to the jurisdiction of this permit.

1.4 The landowner shall record and index all required installation certifications and other documents that are required to be filed under these Rules or under a specific permit condition in the Waterbury Land Records and ensure that copies of all certifications are sent to the Secretary.

1.5 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) 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*



# Exhibit H2

*installed in accordance with the permitted design and all the permit conditions, were inspected, were properly tested, and have successfully met those performance tests”,*

or which otherwise satisfies the requirements of §1-308 and §1-911 of the referenced rules.

- 1.6 Each purchaser of any portion of the project shall be shown copies of the Wastewater System and Potable Water Supply Permit, the stamped plans, and **Innovative/Alternative System Approval letter #2004-02 R3 for Advanced Enviro-Septic (AES), Enviro-Septic® (ES), and Simple Septic® (SS) Pipe Leaching System** prior to conveyance of the lot. The Innovative/Alternative Approval contains special requirements that need to be complied with for the project to remain in compliance with this permit.
- 1.7 Each new owner of the property shall inform the Drinking Water and Groundwater Protection Division and vendor within 30 days of the transfer of the property and include the name and mailing address of the new owner.
- 1.8 All conditions set forth in Permit Number #WW-5-5087-3 shall remain in effect except as amended or modified herein.
- 1.9 Lot 7 is approved for the construction of a five bedroom single family residence and Lot 8 is approved for the construction of a six bedroom single family residence. Construction of additional nonexempt buildings, including commercial and residential buildings, is not allowed without prior review and approval by the Drinking Water and Groundwater Protection Division and such approval will not be granted unless the proposal conforms to the applicable laws and regulations. No construction is allowed that will cause non-compliance with an existing permit.
- 1.10 Lot 9 (48.4± acres) is NOT approved for construction at this time. Any deed for this parcel shall contain the following language until a permit has been obtained from the Drinking Water and Groundwater Protection Division: “Notice of permit requirements. In order to comply with applicable state rules concerning potable water supplies and wastewater disposal systems, a person shall not construct or erect any structure or building on the lot of land described in this deed if the useful occupancy of that structure or building will require the installation or connection to a potable water supply or wastewater disposal system, without first complying with the applicable rules and, if necessary, obtaining the required permit. Any person who owns this property acknowledges that this lot may not be able to meet state standards for a potable water supply or wastewater disposal system and therefore this lot may not be able to be improved.”
- 1.11 By acceptance of this permit, the landowner 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.
- 1.12 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.

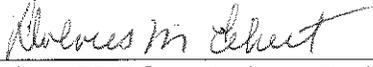
## **2. WATER SUPPLY**

- 2.1 The components of the potable water supply herein approved shall be routinely and reliably inspected during construction by a qualified Vermont Licensed Designer (or where allowed, the installer) who shall, upon completion and prior to occupancy of the associated building, report in writing to the Drinking Water and Groundwater Protection Division that the installation was accomplished in accordance with the referenced plans and permit conditions, as specifically directed in Condition #1.5 herein.
- 2.2 Lot 7 is approved for a potable water supply using a drilled or percussion bedrock well for a maximum of 560 gallons of water per day provided the supply is located as shown on the stamped plans and meets or exceeds the isolation distances, construction standards, and water quality standards required in the Water Supply Rule.
- 2.3 Lot 8 is approved for a potable water supply using a drilled or percussion bedrock well for a maximum of 630 gallons of water per day provided the supply is located as shown on the stamped plans and meets or exceeds the isolation distances, construction standards, and water quality standards required in the Water Supply Rule.
- 2.4 Each landowner shall operate the potable water supply in a manner that keeps the supply free from contamination. The landowner shall immediately notify the Division if the water supply system fails to function properly and becomes a “failed supply”.
- 2.5 The water source locations as shown on the stamped plans shall be accurately staked out and flagged prior to any construction on this project with the flagging being maintained until construction is complete.

### 3. WASTEWATER DISPOSAL

- 3.1 The components of the wastewater system herein approved shall be routinely and reliably inspected during construction by a qualified Vermont Licensed Designer (or when allowed, the installer) who shall, upon completion and prior to occupancy of the associated building, report in writing to the Drinking Water and Groundwater Protection Division that the installation was accomplished in accordance with the referenced plans and permit conditions, as specifically directed in Condition #1.5 herein.
- 3.2 Lot 7 is approved for the disposal of wastewater in accordance with the design depicted on the stamped plans for a maximum of 560 gallons of wastewater per day.
- 3.3 Lot 8 is approved for the disposal of wastewater in accordance with the design depicted on the stamped plans for a maximum of 630 gallons of wastewater per day.
- 3.4 The system(s) shall be operated at all times in a manner that will not permit the discharge of effluent onto the surface of the ground or into the waters of the State. The landowner shall immediately notify the Division if the wastewater system fails to function properly and becomes a "failed system". Should the system fail and not qualify for the minor repair or replacement exemption, the current landowner shall engage a qualified Vermont Licensed Designer to evaluate the cause of the failure and to submit an application to this office and receive written approval prior to correcting the failure.
- 3.5 Lot 7 and Lot 8 are each approved for the mound wastewater disposal system provided the mound is constructed in strict accordance with the following conditions:
- a. The mound system is to be located and constructed as depicted on the plans that have been stamped by the Drinking Water and Groundwater Protection Division.
  - b. A qualified Vermont Licensed Designer shall inspect the mound system during critical stages of construction. This shall include the staking of the location of the mound, ensuring the site has been properly plowed prior to placement of the appropriate sand fill, the installation and testing of the distribution piping, and final grading of the mound including side slopes.
  - c. The construction of the mound shall adhere to the guidelines set forth in Section 1-913(f) of the above referenced rules.
- 3.6 The corners of the proposed primary wastewater areas shall be accurately staked out and flagged prior to construction with the flagging/staking being maintained until construction is complete.
- 3.7 The wastewater systems for this project are approved for domestic type wastewater only except as allowed for water treatment discharges. No discharge of other type process wastewater is permitted unless prior written approval is obtained from the Drinking Water and Groundwater Protection Division.
- 3.8 No buildings, roads, water lines, earthwork, re-grading, excavation or other construction that might interfere with the installation or operation of the wastewater systems are allowed on or near the site-specific wastewater disposal systems depicted on the stamped plans. All isolation distances that are set forth in the Wastewater System and Potable Water Supply Rules shall be adhered to and will be incorporated into the construction and installation of the wastewater disposal field.

Joanna Pallito, Commissioner  
Department of Environmental Conservation

By   
Dolores M. Eckert, Assistant Regional Engineer  
Montpelier Regional Office  
Drinking Water and Groundwater Protection Division

Dated January 18, 2017

Enclosures: **Innovative/Alternative System Approval letter #2004-02 R3 for Advanced Enviro-Septic (AES), Enviro-Septic® (ES), and Simple Septic® (SS) Pipe Leaching System**

cc: John Grenier  
Waterbury Planning Commission  
Innovative/Alternative Manufacturer – Presby Environmental, Inc.

# Exhibit H4



State of Vermont

Department of Environmental Conservation  
Drinking Water & Groundwater Protection Division

1 National Life Drive – Main 2  
Montpelier VT 05620-3521

[www.anr.state.vt.us/dec/ww/wwwmd.cfm](http://www.anr.state.vt.us/dec/ww/wwwmd.cfm)

[phone] 802-585-4911  
[fax] 802-828-1541

Agency of Natural Resources

**Innovative/Alternative System Approval**  
General Use per §1-1001 of the  
Wastewater System and Potable Water Supply Rules, September 29, 2007

Approval Number 2004-02-R3  
Approval Date February 24, 2015

**Vendor Information**

Presby Environmental, Inc.  
143 Airport Road  
Whitefield, NH 03598

**Technology Name**

Advanced Enviro-Septic® (AES);  
Enviro-Septic® (ES) and  
Simple Septic® (SS) Pipe Leaching System

**Contact**

David W. Presby, President  
Presby Environmental, Inc.  
143 Airport Road  
Whitefield, NH 03598  
Phone (800) 473-5298  
Fax (603) 837-9864  
Web: [www.PresbyEnvironmental.com](http://www.PresbyEnvironmental.com)

**Technology Type**

Gravelless Pipe Distribution System  
for Septic Tank Effluent

**Expiration Date**

February 23, 2017

**Approval**

The Advanced Enviro-Septic® (AES), the Enviro-Septic® (ES), and the Simple Septic® (SS) Pipe Leaching Systems may be used as part of a subsurface wastewater disposal system approved under the Wastewater System and Potable Water Supply Rules, effective September 29, 2007 (Rules) under the following conditions:

1. The pipe leaching systems must be designed, installed and operated as described in the Vermont Design and Installation Manual, dated July 2014, filed with the Agency of Natural Resources (Agency).
2. This approval is based on treatment only of domestic wastewater of low and moderate strength as specified in §1-915(a)(1)(C) & (D) of the Rules. No high strength wastewater shall be dispersed using this technology. An AES, ES and SS Pipe Leaching Systems shall not be used as a filtrate effluent disposal system.



# Exhibit H5

Presby Environmental, Inc.  
Innovative/Alternative System Approval  
Approval Number 2004-02-R3

3. The system may be used for both new and replacement systems.
4. If the Rules are revised during the term of this approval, this approval shall be revised as needed to conform to the revisions.
5. The Licensed Designer (Designer) shall provide a copy of this approval letter to any landowner who is a prospective purchaser of an AES, ES or SS Pipe Leaching System prior to the sale of the system and prior to the filing of any application for a site-specific approval by the Agency for the purchaser's property. The application filed with the Agency shall include the landowner's written acknowledgement of this approval letter. Prior to any sale of the property or completion of a sales agreement to sell the property, a copy of the site-specific permit shall be provided to the prospective purchaser.
6. When a project is subject to the Rules, site-specific permission for the use of this product is required in the form of a Wastewater System – Potable Water Supply Permit.
7. A site-specific permit for the use of this product may be revoked if the system fails to function properly. Revocation of the permit will require that the use of the building be discontinued unless another wastewater disposal system is installed based on prior written approval by the Agency.
8. This approval is not a representation or guarantee of the effectiveness, efficiency or operation of an AES, ES or SS Pipe Leaching System.
9. Serial distribution shall be limited to 100 feet of pipe along the contour, and 500 feet total.
10. The Advanced Enviro-Septic® (AES) pipe is comprised of corrugated, perforated plastic pipe, Bio-Accelerator® fabric along its bottom which is surrounded by a layer of randomized plastic fibers and a sewn geo-textile fabric which provides over 40 sq. ft. of total surface area. The Enviro-Septic® (ES) pipe is comprised of corrugated, perforated plastic pipe which is surrounded by a layer of randomized plastic fibers and a sewn geo-textile fabric which provides over 25 sq. ft. of total surface area. The Simple Septic® (SS) pipe is comprised of corrugated plastic pipe which is surrounded by a single layer of sewn geo-textile fabric which provides over 15 sq. ft. of total surface area. The limited surface area of the SS as compared with the AES and ES may result in a shorter lifespan than the AES and ES pipe leaching systems.

## **Landowner Requirements**

1. A copy of the permit shall be provided to any prospective purchaser prior to the sale.
2. Each new landowner of the property shall inform the appropriate Regional Environmental Office of the Agency within 30 days of the transfer of the property and include the name and mailing address of the new owner.

# Exhibit H6

Presby Environmental, Inc.  
Innovative/Alternative System Approval  
Approval Number 2004-02-R3

## Vendor Requirements

1. The vendor shall submit an annual report to the Agency by April 1 of each year containing the following information for the 12 month period ending December 31 of the previous year:
  - A. New permitted systems installed in Vermont for the previous year and shall include:
    - i. Assigned Wastewater Permit Number;
    - ii. Physical and landowner mailing addresses;
    - iii. Name of current landowner;
    - iv. Name of Designer providing the installation certification; and
    - v. Name of installer.
  - B. Existing permitted systems with known changes in ownership shall include the Wastewater Permit Number; the physical and mailing address, and the name of the current landowner.
  - C. All known problems, damages and/or failures, including:
    - i. Description of the issues;
    - ii. Potential/known causes of problems;
    - iii. System operability;
    - iv. Recommended repair/remediation;
    - v. Date(s) of repair/remediation; and
    - vi. System effectiveness.Note: Repairs that are not defined by the Rules as a "Minor Repair" require approval by the Division prior to making the repair.
  - D. A list of names of Designers and Installers trained by the vendor.
2. The vendor shall train and certify Designers and installers in the proper use and installation of the AES, ES or SS pipe leaching systems.

## Design and Review Conditions

The following conditions will be used by the Agency in reviewing permit applications that include an Advanced Enviro-Septic®, Enviro-Septic®, or Simple Septic® Pipe Leaching System:

### Design and Application

1. The Designer shall specify which pipe leaching system is to be installed; the Advanced Enviro-Septic®, Enviro-Septic®, or Simple Septic® Pipe Leaching System;
2. The leaching system shall be designed in accordance with the approved Vermont Design and Installation Manual.
3. The designer shall assure that the system will properly function in all seasons.

# Exhibit H7

Presby Environmental, Inc.  
Innovative/Alternative System Approval  
Approval Number 2004-02-R3

4. The designer must assess the ventilation path for the particular application and make any necessary provisions to assure proper flow and control of odor emissions.
5. The designer shall provide the landowner with written guidance on the maintenance requirements and homeowner responsibilities in the care and use of an onsite wastewater system according to the AES, ES or SS pipe leaching system requirements for use of the product.
6. The designer shall include in the design a septic tank effluent filter with easy access for inspection and cleaning.

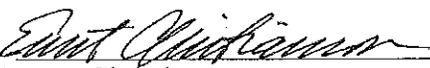
## Installation Inspection

1. The specified pipe leaching system shall be installed in accordance with the approved plans and under the instruction and guidance of an installer/inspector trained by the vendor.
2. The leaching system shall be inspected by a Licensed Class 1 Designer or a Licensed Class B Designer, approved by the Vendor, during installation of the system and installation of all tanks before backfilling, and after backfilling and grading is complete. The inspection shall include checking for levelness of the pipes, and inspecting for damage and proper assembly. The Designer shall inspect all transport piping for proper installation and watertightness before backfilling.
3. A letter certifying that the system is correctly installed (including the language specified in §1-308 of the Rules) shall be provided electronically to the vendor and the approving Regional Office that issued the permit.
4. It is acceptable to substitute AES for specified ES or SS pipe; or to substitute ES for specified SS pipe for permitted wastewater designs. The above described substitutions may be accomplished in the installation certification and record drawing. All other substitutions require a Wastewater System and Potable Water Supply Permit amendment.

## Permitting

1. The permit shall run with the land.

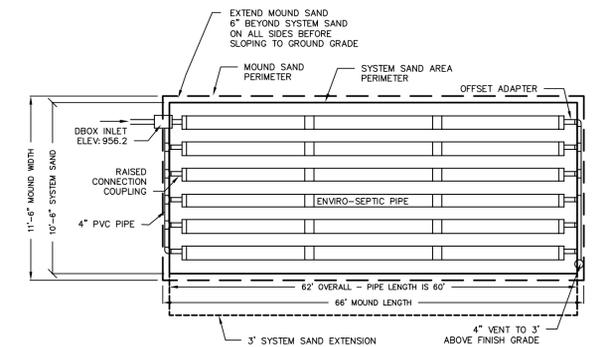
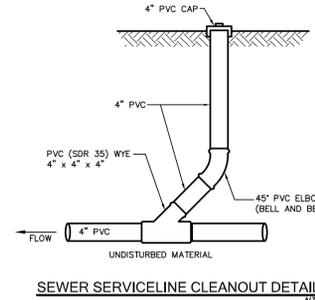
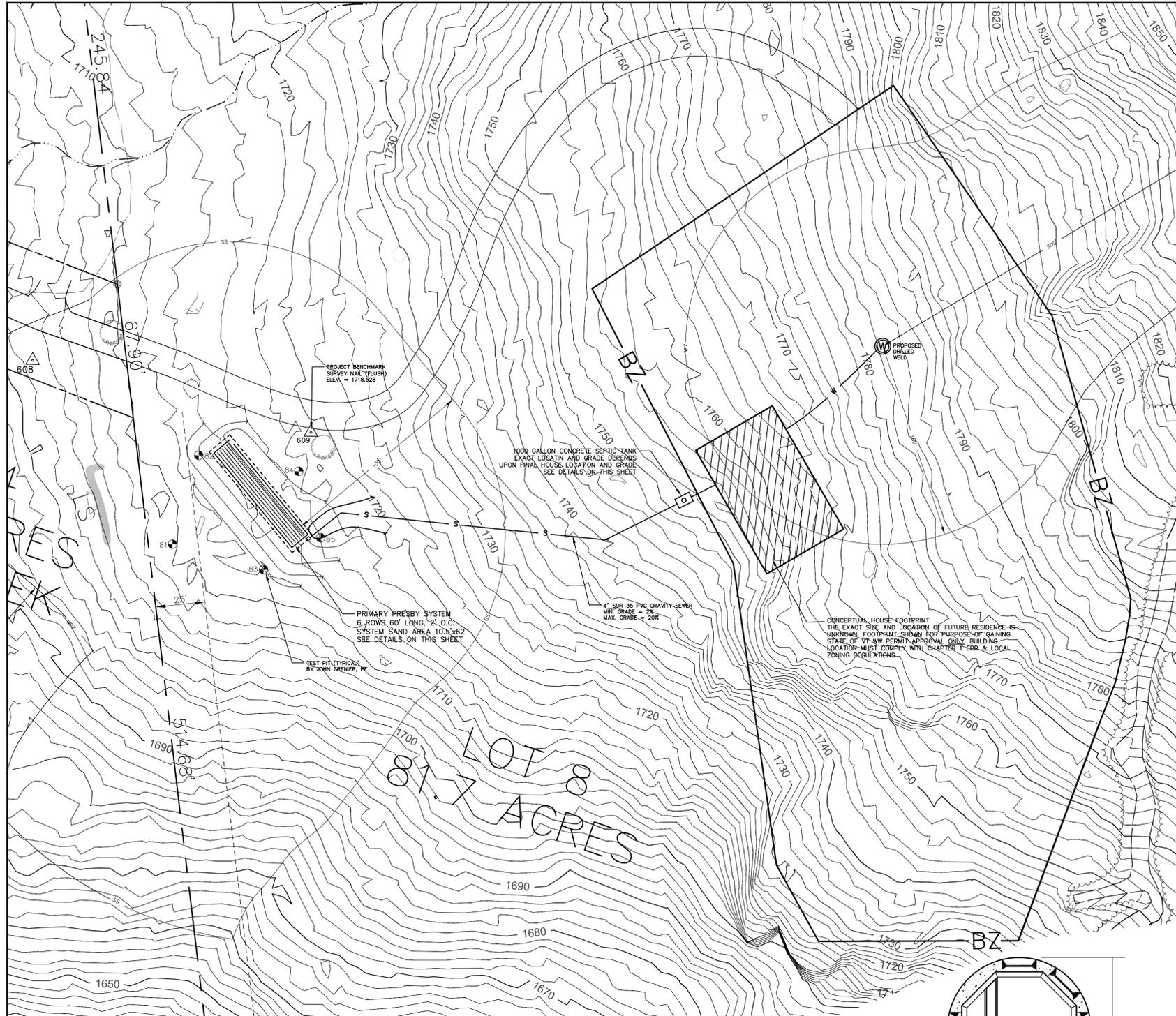
Effective Date: February 24, 2015

By   
Ernest Christianson  
Regional Office Program Manager

# Exhibit I

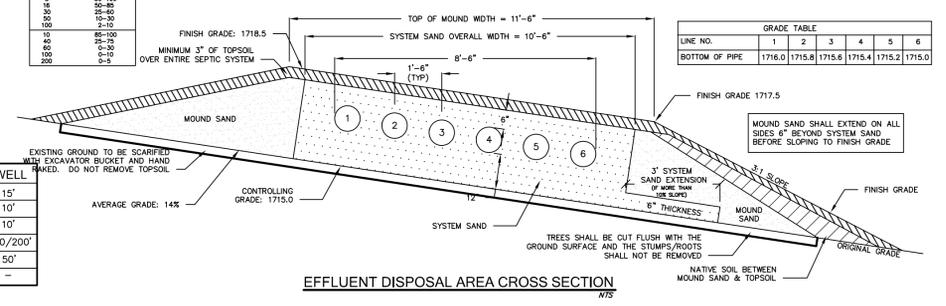
## PRESBY SEPTIC SYSTEM SPECIFICATIONS

- SEPTIC TANKS: ALL TANKS SHALL BE OF WATER TIGHT CONSTRUCTION AND MADE OF REINFORCED CONCRETE WITH A MINIMUM COMPRESSIVE STRENGTH OF 4000 PSI AT 28 DAYS. ALL TANKS SHALL BE REINFORCED USING WIRE MESH OR REINFORCING STEEL AS NECESSARY TO ENSURE STRUCTURAL INTEGRITY. ALL SHIPLAP JOINTS SHALL BE SEALED WITH ASPHALT CEMENT OR EQUIVALENT. THE SEPTIC TANKS SHALL BE AS BUILT BY CAMP PRECAST OF MILTON, OR S.T. GRISWOLD OF WILLISTON, OR APPROVED EQUAL. INCOMING AND EXITING PIPE HOLES SHALL BE SEALED.
- FINAL GRADING: ALL DISTURBED AREA AROUND THE LEACHFIELD SHALL BE FINE GRADED TO ENSURE CONTOURS. THIS AREA SHALL THEN BE SEEDED WITH A GRASS MIXTURE AND A LIGHT COVERING OF MULCH PLACED TO ENSURE GERMINATION OF SEEDS.
- IT SHALL BE THE LOT OWNERS RESPONSIBILITY TO CONFORM TO THE REQUIREMENTS OF THE STATE PERMIT AND INSURE THAT THE PROJECT IS BUILT IN CONFORMANCE TO THE PLANS AND SPECIFICATIONS. A LICENSED SURVEYOR OR ENGINEER SHALL STAKEOUT THE SEPTIC SYSTEM AT THE LOCATION AND ELEVATION SHOWN ON THE PLAN VIEW PRIOR TO CONSTRUCTION. THE ENGINEER SHALL RECEIVE 24 HOURS NOTICE PRIOR TO CONSTRUCTION OF KEY ELEMENTS OF THIS SEPTIC SYSTEM. THE LOT OWNER SHALL BE RESPONSIBLE FOR ARRANGING INSPECTION SERVICES WITH THE ENGINEER, TO SUPPLY AS BUILT CERTIFICATION AS REQUIRED BY THE STATE PERMIT.
- BASIS OF DESIGN SEPTIC SYSTEM:
  - DESIGN FLOW = 630 GPD (6 BEDROOM HOUSE)
  - PERCOLATION TEST = 18 MINUTES/INCH
  - LINEAR FEET OF PIPE REQUIRED (PER PRESBY MANUAL) = 360'
  - LENGTH OF PIPE PROVIDED = 360'
  - SAND AREA REQUIRED = 558 SF (PER VERMONT 50% RULE, PRESBY DESIGN MANUAL)
  - SAND AREA PROVIDED = 551 SF
  - SEPTIC TANK SIZE = 1000 GALLON CONCRETE
  - WASTEWATER PUMPING STATION: NOT REQUIRED

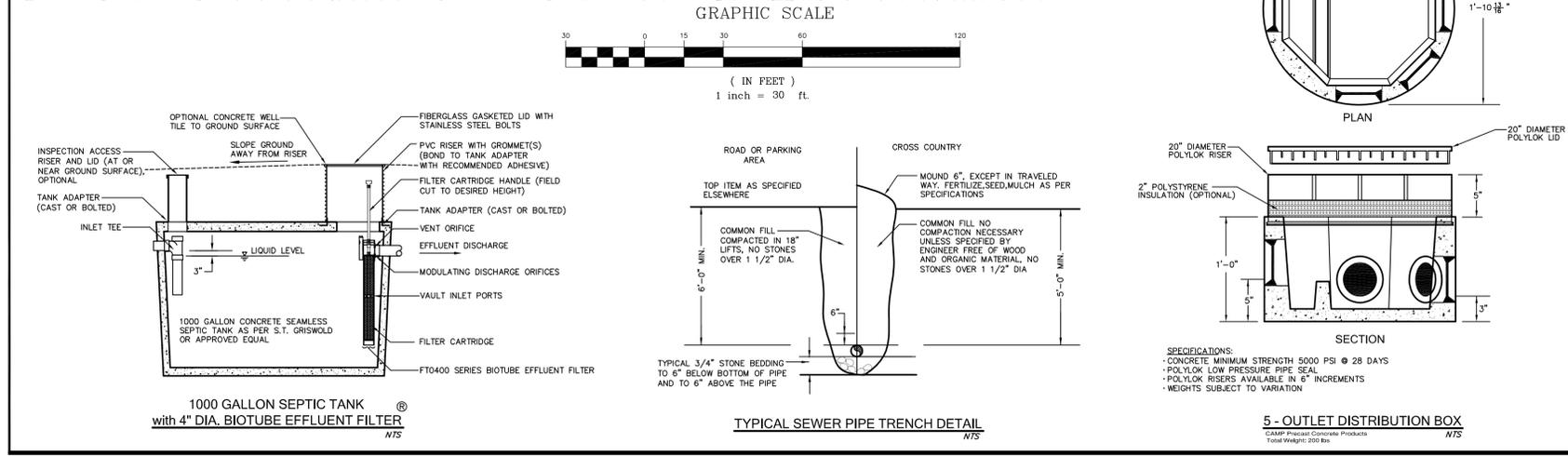
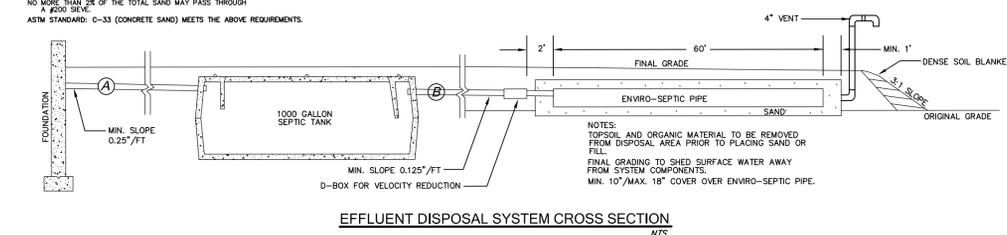


ALL MATERIALS SHALL BE SAND	SECT. SIZE	DEPTH (INCHES)
4	80-100	2-10
8	80-100	2-10
12	80-100	2-10
16	80-100	2-10
20	80-100	2-10
24	80-100	2-10
28	80-100	2-10
32	80-100	2-10
36	80-100	2-10
40	80-100	2-10
44	80-100	2-10
48	80-100	2-10
52	80-100	2-10
56	80-100	2-10
60	80-100	2-10

ITEM	LEACHFIELD	WELL
DRIVEWAY	10'	15'
HOUSE	10'	10'
PROPERTY LINE	10'	10'
LEACHFIELD	100'/200'	
SEPTIC TANK	50'	
WATERLINE	25'	



**SYSTEM SAND SPECIFICATIONS**  
 PERCENTAGE RESTRICTIONS:  
 40% OR LESS OF THE TOTAL SAND MAY BE GRAVEL  
 40% OR MORE OF THE TOTAL SAND IS TO BE COARSE AND VERY COARSE SAND  
 GRAVEL QUALITY RESTRICTIONS:  
 NO GRAVEL IS TO EXCEED 3/4" IN DIAMETER  
 NO GRAVEL IS SMALLER THAN 2MM (20#) IN DIAMETER  
 (IT MUST NOT PASS THROUGH A #10 SIEVE)  
 COARSE SAND QUALITY RESTRICTIONS:  
 NO COARSE SAND IS SMALLER THAN 0.5MM (28#) IN DIAMETER  
 (IT MUST NOT PASS THROUGH A #30 SIEVE)  
 FINE SAND QUALITY RESTRICTIONS:  
 NO MORE THAN 2% OF THE TOTAL SAND MAY PASS THROUGH  
 A #200 SIEVE  
 ASTM STANDARD: C-33 (CONCRETE SAND) MEETS THE ABOVE REQUIREMENTS.



VERMONT  
 DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
 Drinking Water & Groundwater Protection Division  
 THIS IS SUBJECT TO PROVISIONS  
 OR CONDITIONS LISTED IN PERMIT  
 Permit #: WW-5-5087-4  
 Date: 1/18/2017

NOTE: ORIGINAL PLAN 24' x 36'. OTHER SIZES NOT TO SCALE

No.	Date	Revision	By

**LOT 8 SEPTIC SYSTEM SITE PLAN & DETAILS**  
 LOUISE REED LIVING TRUST  
 BEAR CREEK LANE WATERBURY

**GRENIER ENGINEERING, P.C.**  
 P.O. Box 445  
 Waterbury, VT 05676  
 TEL (802) 244-6413  
 FAX (802) 244-1572  
 grenierengineering.com

Date: 12.28.16  
 Dwn By: TJM  
 Scale: 1" = 30'  
 Sheet No: 3 of 3  
 Dwg Name: LOT 8 SP & D  
 File No:



# 814 Bear Creek Ln. - Zoning

Waterbury, VT

1 inch = 538 Feet



September 15, 2022



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.



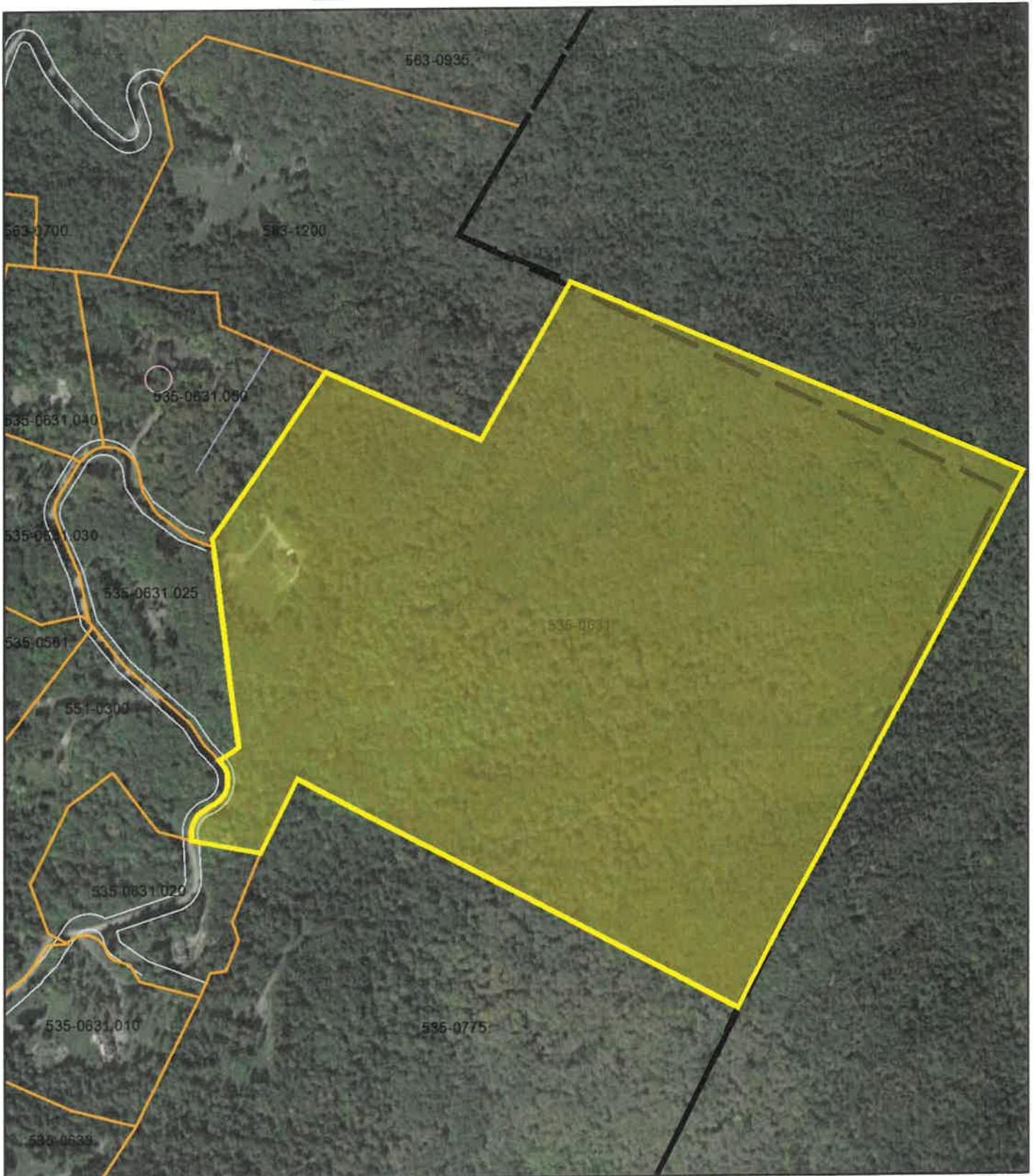
# 814 Bear Creek Ln.

Waterbury, VT

1 inch = 538 Feet



September 15, 2022



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

# Exhibit L

AMENDMENT #1

6-15-2010

**NATURAL RESOURCE ASSESSMENT**

**AND EVALUATION**

**FOR**

**BEAR CREEK LANE**

**LOTS 6, 7 AND 8**

**RING ROAD**

**WATERBURY, VERMONT**

**HUNGER MOUNTAIN FORESTRY, INC.**

P.O. Box 250 • WATERBURY, VT 05676 • PHONE/FAX ~ (802) 244-7344 • HMF@PSHIFT.COM  
FORESTRY, WILDLIFE & GIS SERVICES

AMENDMENT #1

PREPARED BY : \_\_\_\_\_  
DANIEL A. SWEET, WILDLIFE BIOLOGIST DATE

REVIEWED BY: \_\_\_\_\_  
BRIAN T. SWEET, FORESTER DATE

ACCEPTED BY: \_\_\_\_\_  
LOUISE REED LIVING TRUST DATE  
C. PAUL REED, TRUSTEE

## INTRODUCTION

The following amendment to the original report entitled "NATURAL RESOURCE ASSESSMENT and EVALUATION FOR BEAR CREEK LANE LOTS 4 THROUGH 7, RING ROAD, WATERBURY, VT." filed in September 2007 is made necessary by the reconfiguration of lots #6, #7 and #8 and relocation of the proposed house sites on those lots. In addition a proposed 90+ acre Conservation Zone located in the easterly side of the property will be addressed.

Lot #8 and the driveway as originally proposed has been removed from consideration as a result of the impacts to water resources and wildlife travel corridors.

The following amendment addresses the natural resource criteria identified in the Town of Waterbury, Ridgeline/Hillside/Steep Slope Zoning Amendment dated February 21, 2006.

The natural resources addressed in this amendment include wildlife habitat and evidence of travel corridors and other uses by specific wildlife species and unique or fragile resources or water features as a component of wildlife habitat.

## SCOPE OF ASSESSMENT

Review of the project area was conducted during early April 2010. This review focused on determining the travel ways associated with the identified travel corridor in the northerly corner of the property. In addition an office review of the proposed conservation Zone area was conducted to determine its benefits to the greater area.

Assessment involved Global Positioning System location of travel ways within the identified travel corridor to better assess the active corridor use area.

Evidence of the presence of wildlife populations and use was noted during the inventory process.

## DESCRIPTION OF PROPERTY

TOPOGRAPHY AND ELEVATIONS: The elevations of the proposed site #6 is 1620 feet above Mean Sea Level (MSL), proposed site #7 is 1670 feet above MSL and proposed lot #8 is 1780 above MSL.

The topography is moderately steep with slopes in the ranging from 14% to 34%. Slopes in the area of proposed building zones in sites #6, #7 and #8 are all less than 25% as identified by slope data from Grenier engineering.

## NATURAL Resources

EXISTING WATER FEATURES: There is a significant stream located to the north of proposed sites #6 and #7. The distance to the stream varies but is generally located 290 feet north of building

zone site #6 and 150+ feet north of the building zone on site #7. There are no streams located near to the proposed site #8.

VEGETATIVE RESOURCES: The subject area is primarily mature and immature northern hardwood type forest land.

Clearing of over story vegetation for views from the Building Zone (BZ) for sites #6, #7 and #8 and screening of proposed construction from off site visibility will follow engineering site clearing limit plans prepared by Grenier Engineering. The residual tree density will be controlled by methodology keyed to numbers of trees per acre and should adequately protect the on site and off site visual resource.

Lots #6, #7 and #8 and adjacent conservation zones are within a northern hardwood type which was harvested under a timber sale contract in 1999. All trees removed were designated for removal by a professional forester and administration of the harvesting contract was done by a professional forester. The northern hardwood forest in the area of lots #6, #7 and #8 is more mature than the #4 and #5 lot areas.

Construction of the driveway may have a negative impact on visual resources. The existing tree density affords the opportunity to reduce the potential impact of road construction by minimizing clearing limits. Clearing limits should be as narrow as possible in order to mitigate the potential off site visual resource impact.

WILDLIFE HABITAT & MITIGATION MEASURES: Reference is made to the original report prepared in February 2006 for information on wildlife habitat within and adjacent to the proposed development area. This new proposed configuration of lots has taken into account the past wildlife impact review done for this project and an effort has been made to minimize future impacts.

The new configuration of Lots #6, #7 and #8 has clustered the proposed development into an area that has already been permitted for development and therefore reduces the overall additional fragmentation of the habitat on the remaining lands in this ownership.

The Site #6 impact area which includes the building zone as well as the vegetative management zones has been modified to limit impacts to the identified travel ways within the significant travel corridor identified on the north brook. Site #7 has been similarly modified to limit potential impacts to the identified travel corridor. Site #8 has been relocated to an area of similar slope as proposed sites #6 and #7 and the approved lot #4. The relocation of site #8 is an improvement in that it removes direct impacts to the travel corridor area identified on the south brook and lessens the potential impact on wildlife habitats by concentrating proposed development outside of the identified travel corridors. The majority of the 80+/- acre Site #8 as proposed will continue to be actively managed as productive forestland.

TRAVEL CORRIDORS: As identified in the original assessment prepared in 2007 a significant travel corridor is located along the primary stream in the north part of the property. This corridor varies in width depending on terrain and available cover. As a part of this review GPS location information was collected on travel ways within the corridor area. This was done to create a clear picture of where animals were moving within the corridor area and whether some travel ways were being used more than others. It was determined that many of the travel ways identified in 2007 as a part of the corridor were still in place and that the heaviest use areas were those nearest to the stream which also provided the greatest amount of cover for concealment. The most significant use was observed along the south facing slopes on the north side of the stream with the southern most identified travel way showing the lightest use. The proposed development removes all direct impact to these travel ways with the exception of the southern most travel way. This southern most travel way is lightly used and appears to serve as an occasional access way into the development area for feeding activity.

CONSERVATION ZONE: A proposed 98 +/- acre conservation zone that will be removed as a potential area of development is located in the easterly portion of the parcel in the upper elevation areas that reach to the ridgeline of the Worcester Range. This conservation zone area serves the purposes as set out in the David Capen study prepared in April 2005. According to that study the primary function of this areas is connecting the Hunger Mountain area to the north with the Owls Head-Middlesex notch area to the south and the connection to the large unbroken forested areas in Middlesex to the East.

The Conservation Zone is adjacent to protected State of Vermont lands to the north. The block of land owned by the state is identified as part of the CC Putnam State Forest and is calculated to be 125+/- acres. Significantly larger state ownership blocks are located both to the north and south of the Reed property.

The Conservation Zone area is comprised of what can be considered to be climax forest types. These types are very stable and change little from year to year. This stability of forest type and species. The guarantee that this CZ will remain intact will allow continued use and unrestricted movement of existing wildlife populations along the Worcester Mountain Range.

The wildlife found in this area can be identified as the classic species in the state of Vermont. They include forest interior dwellers like the black throated blue warbler, the black throated green warbler, the barred owl, the winter wren, the oven bird, the red eyed vireo, the wood thrush and the Vermont state bird the hermit thrush. Large Mammal populations include the possibility of black bear, moose, fisher cat, bobcat and white tailed deer. Small mammals include a variety of shrews, the red squirrel, varieties of mice species and chipmunks. Additional benefits of this conservation zone include, but are not limited to, the maintenance and protection of a number of stream headwater areas.

ACCESS ROADS: The constructed and proposed access roads like the house sites will create a significant change in the unbroken forest area. Some species will benefit from the change, most will adjust to the change and some will be hurt by the changed conditions. White tailed deer will benefit from the opening where grasses that are planted to stabilize the edges of the road will provide an accessible food resource. If there is little traffic on the road most animals will adjust to the change over time. Some species that are particularly vulnerable to the impacts of the road cut are interior forest dwelling birds that are subject to predation by animals that typically inhabit edge areas of a forest. Minimizing the width of the road where trees on either side have crowns that stretch out and over the road will help to mitigate the impact of the road cut. A number of areas have been identified (see attached map) where tree cover will be maintained or enhanced through active planting designed to minimize the overall width of the maintained road. The remaining area along the road should be treated through reduced maintenance outside of the established ditches. This reduced maintenance will allow these areas to regenerate naturally to a forested condition which in turn will facilitate future access across the development road by local wildlife populations.

RARE AND ENDANGERED PLANTS: The available GIS data base does not indicate the presence of any rare or endangered plants in the area proposed for development. The indicator plants for the possible presence of wild ginseng were found in portions of the property. An investigation did not result in the identification of any wild ginseng.

Maps: A map outlining the proposed development and the wildlife protection measures can be found at the back of this report. The map is a reduced copy of a larger map and is not to scale.

