

# Notice of Intent (NOI)

for Stormwater Discharges Associated with  
Construction Activity on

## Moderate Risk Sites

Under Vermont Construction General Permit 3-9020

For Department Use Only

NOI Number: 6652-9020

RECEIVED

Department of Environmental Conservation

JAN 24 2012



Submission of this completed Notice of Intent (NOI) constitutes notice that the entity in Section A intends to be authorized to discharge pollutants to waters of the State, from the project identified in Section E, under Vermont's Construction General Permit (CGP). Submission of this NOI also constitutes notice that the party identified in Section A of this form has read, understands and meets the eligibility conditions of the CGP; has determined that the project qualifies for coverage as a Moderate Risk project in conformance with Appendix A of the CGP; agrees to comply with all applicable terms and conditions of the CGP; understands that continued authorization under the CGP is contingent on maintaining eligibility for coverage; and, that the applicable practices within the authorized Erosion Prevention and Sediment Control Plans must be implemented and maintained for the duration of construction activities. In order to be granted coverage, all information required on this form must be provided and an application fee of \$300 payable to the State of Vermont must be submitted.

### A. Landowner Information

1. Name: Sunderland Hill, LLC

2. Mailing Address  
a. Street/P.O. Box: C/O John P. Zampino, The Chrysler Building, 405 Lexington Avenue

b. City/Town: New York c. State: New York d. Zip: 10174

3. Contact Information  
a. Phone: 212.808.4600 b. Fax: \_\_\_\_\_ c. Email: john@jzampino.com

### B. Principal Operator Information (if known)

1. Name: \_\_\_\_\_

2. Mailing Address  
a. Street/P.O. Box: \_\_\_\_\_

b. City/Town: \_\_\_\_\_ c. State: Vermont d. Zip: \_\_\_\_\_

3. Contact Information  
a. Phone: \_\_\_\_\_ b. Fax: \_\_\_\_\_ c. Email: \_\_\_\_\_

### C. On-Site Plan Coordinator Information (if known)

1. Name: \_\_\_\_\_

2. Mailing Address:  
a. Street/P.O. Box: \_\_\_\_\_

b. City/Town: \_\_\_\_\_ c. State: Vermont d. Zip: \_\_\_\_\_

3. Contact Information  
a. Phone: \_\_\_\_\_ b. Fax: \_\_\_\_\_ c. Email: \_\_\_\_\_

### D. EPSC Plan Preparer Information

1. Name: Christopher M. Ponessi

2. Mailing Address  
a. Street/PO Box: Speath Engineering, 111 Harmony Lane

b. City/Town: Manchester Center c. State: Vermont d. Zip: 05255

3. Contact Information  
a. Phone: 802.362.4052 b. Fax: 802.362.4056 c. Email: cponessi@speathengineering.com

### E. Project Information

1. Project Name: Sunderland Hills Residential Subdivision
- 2a. Is this project part of a Common Plan of Development<sup>1</sup>?  Yes  No
- 2b. If Yes, Name of Development: Sunderland Hills Residential Subdivision
- 3a. Does this project have any previously issued or pending stormwater discharge permits?  Yes  No
- 3b. If Yes, Prior NOI Number(s): 6652-9015
4. Location Address
- b. City/Town: Sunderland a. Street: Sunderland Hill Road
- c. Latitude: 43 ° 06 ' 18.51 " d. Longitude: 73 ° 06 ' 55.23 " (center of the project)
5. Project Type:  Residential  Commercial  Industrial  Other: \_\_\_\_\_
6. Description of construction activities to be permitted: Subdivision infrastructure
7. Total Area of Disturbance: 021.58 acres
8. Proposed Start Date: 05-01-2012 10. Proposed End Date: 10-14-2016
11. Name(s) of receiving waters<sup>2</sup>: Unnamed tributary to the Battenkill River
12. Please include a *topographic location map* showing the project boundaries.

### F. Public Notice Requirement

You must provide a copy of this completed NOI form to the municipal clerk for posting in the municipality in which the discharge is to be located. If the project and the related discharge(s) are located in different municipalities, then the completed NOI shall be filed with the municipal clerk in each municipality. The municipal clerk must post the completed NOI. You must include the date on which the NOI was posted.

Date of Posting at Municipal Office(s): Posting to begin on 1/25/12

Information for the Municipal Clerk regarding posting instructions can be found on **Page 4** of this NOI.

### G. Certification Relating to the Accuracy of the Information Submitted

I hereby certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. I also certify that the Erosion Prevention and Sediment Control Plan authorized with this Notice of Intent will be implemented and maintained in accordance with Construction General Permit 3-9020 (amended 2008).

Landowner Name: SUNDERLAND<sup>PLUS</sup> LLC. Title: VICE PRESIDENT

Signature: Debra L. Swell Date: 1/23/12

Principal Operator: \_\_\_\_\_ Title: \_\_\_\_\_  
(if known)

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

<sup>1</sup> "Common Plan of Development" is defined within the CGP 3-9020, Appendix C – Definitions, page A-12

<sup>2</sup> "Waters of the State" is defined within the CGP 3-9020, Appendix C – Definitions, page A-16

*For Department Use Only*

**VERMONT DEPARTMENT OF ENVIRONMENTAL CONSERVATION AUTHORIZATION TO DISCHARGE**

A determination has been made that the proposed construction activities qualify for coverage under General Permit 3-9020 (amended 2008) as a Moderate Risk project. Subject to the conditions of General Permit 3-9020 (amended 2008) the applicant is hereby authorized to discharge stormwater runoff from a construction site as described in this Notice of Intent Number 6652-9020.

Dated at Waterbury, Vermont this 30<sup>th</sup> day of March, 2012

David K. Mears, Commissioner Department of Environmental Conservation

By: Padraic Monks  
Padraic Monks, Program Manager  
Stormwater Management Program

### **PUBLIC COMMENT**

Public comments concerning this Notice of Intent to discharge under CGP 3-9020 (amended 2008) are invited and must be submitted within 10 days of receipt of this Notice by the Municipal Clerk. Comments should address how the application complies or does not comply with the terms and conditions of CGP 3-9020 (amended 2008). A letter of interest should be filed by those persons who elect not to file comments but who wish to be notified if the comment period is extended or reopened for any reason. All written comments received within the time frame described above will be considered by the Department of Environmental Conservation in its final ruling to grant or deny authorization to discharge under CGP 3-9020 (amended 2008). Send written comments to:

VT Department of Environmental Conservation  
Water Quality Division, Stormwater Section  
103 South Main Street, Building 10 North  
Waterbury, VT 05671-0408

*Please cite the NOI number in any correspondence.*

### **APPEALS**

#### **Renewable Energy Projects – Right to Appeal to Public Service Board**

If this decision relates to a renewable energy plant for which a certificate of public good is required under 30 V.S.A. §248, any appeal of this decision must be filed with the Vermont Public Service Board pursuant to 10 V.S.A. §8506. This section does not apply to a facility that is subject to 10 V.S.A. §1004 (dams before the Federal Energy Regulatory Commission), 10 V.S.A. §1006 (certification of hydroelectric projects) or 10 V.S.A. Chapter 43 (dams). Any appeal under this section must be filed with the clerk of the Public Service Board within 30 days of the date of this decision. For further information, see the Public Service Board website at <http://psb.vermont.gov> or call (802) 828-2358. The address for the Public Service Board is 112 State Street Montpelier, Vermont 05620-2701.

#### **All Other Projects – Right to Appeal to 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 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 online at [www.vermontjudiciary.org](http://www.vermontjudiciary.org) or call (802) 828-1660. The address for the Environmental Court is 2418 Airport Road, Suite 1, Barre, Vermont 05641.

A copy of CGP 3-9020 (amended 2008) may be obtained by calling (802) 241-3777; by visiting the Department at the above address between the hours of 7:45 am and 4:30 pm; or by download from the Water Quality Division's Web site at: [www.vtwaterquality.org](http://www.vtwaterquality.org).

### **INFORMATION FOR MUNICIPAL CLERK**

10 V.S.A. Chapter 47 §1263(b) provides for the public notice of an applicant's intent to discharge stormwater runoff associated with construction activity. Please post this notice and instruction sheet in a conspicuous place for 10 days from the date received. If you have any questions, contact the Water Quality Division of the Department of Environmental Conservation at (802) 241-3777.

**Submit this *original* form and the \$300 fee to:**

**Vermont Department of Environmental Conservation  
Water Quality Division, Stormwater Section  
103 South Main Street, Building 10 North  
Waterbury, VT 05671-0408**