



# State of Vermont

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## LAND USE PERMIT

CASE NO.	<b>4C0424-1-EB</b>	<u>LAWS/REGULATIONS INVOLVED</u>
APPLICANT	Town of Charlotte by	10 V.S.A. Chapter 151
ADDRESS	Steven Stitzel, Esq. McNeil & Murray 271 South Union Street Burlington, VT 05401	(Act 250)

The Vermont Environmental Board hereby issues Amended Land Use Permit **#4C0424-1-EB** pursuant to the authority vested in it by 10 V.S.A. Chapter 151. This permit amendment applies to the lands identified in Book 45, Pages 115-117 of the Land Records of the Town of Charlotte, Vermont, as the subject of a deed to the Town of Charlotte (the Permittee) as grantee. This permit amendment revises the conditions of Land Use Permit **#4C0424-1** which authorizes the operation of a municipal landfill on 80 acres of land off Carpenter Road in Charlotte, Vermont.

The Permittee, and its successors and assigns, is obligated by this permit amendment to complete and maintain the project only as approved by the District **#4** Environmental Commission in accordance with the terms and conditions of Land Use Permit **#4C0424-1** (the Permit), except as amended hereby; in accordance with the plans, **exhibits**, and testimony submitted to the Environmental Board by the Permittee; and in accordance with Findings of Fact and Conclusions of Law **#4C0424-1-EB**.

### CONDITIONS

- A. Condition 7 of the Permit is amended to read:
7. The Permittee is prohibited from using salt on the landfill access road as a de-icing agent at any proportion except one part salt to 32 or more parts sand.
- B. Condition 9 of the Permit is amended to read:
9. The Permittee shall comply with Exhibit **#17** for erosion control. Hay bale dams and silt fences shall be installed and maintained as depicted on the plans. The Permittee shall prevent the transport of any sediment beyond the certified area of the landfill. All refuse shall be compacted and covered at the end of **the** day on which it is deposited, except that where an unforeseeable emergency prevents complete cover of refuse, the Permittee may and must place sufficient intermediate cover over the refuse to prevent its spread **and danger** to public health and the environment, and must complete all cover activities on the following day. All disturbed areas must be seeded and mulched within 14 days of final capping. All erosion control devices shall be periodically cleaned, replaced and **maintained** for their continued effectiveness. Twice each

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year, during April and during November, the Permittee shall submit an erosion control and landfill operations report to the District Commission and the Water Quality Division, Agency of Natural Resources. This report shall be based on an actual site visit and shall state whether the landfill is being operated in compliance with the terms of this permit. In particular, the report shall verify the project's compliance in the areas of burning, tires, and adequate compaction and coverage of the refuse, as **well as** the stated goal of insuring that sediment does not leave the site. The inspection and report shall be performed by a certified professional engineer or professional with similar training and expertise. The District #4 Commission reserves the right to schedule hearings and site inspections to review erosion control and to evaluate and impose additional conditions with respect to erosion control as it deems necessary.


C. Condition #13 of the Permit is amended to read:

13. The operation of heavy equipment such as bulldozers, dump trucks, and backhoes shall be limited to Saturdays and one other day per week, except Sundays. Heavy machinery may be used on a Sunday, however, only if there is an emergency and use of such machinery is needed to protect public health or the environment; such usage of heavy machinery on Sunday **is** limited to the hours of 8:00 a.m. to 4:00 p.m., and limited to those activities which are needed to protect public health or the environment. In any given week, the total number of days on which heavy equipment is used may not exceed two.

D. Condition #15 is deleted from **the Permit.**

Dated at Montpelier, Vermont this 26th day of December, 1990.

ENVIRONMENTAL BOARD

  
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