



New England Regional Midweek Update
11/19/2025

As we move through this crisp stretch of late-fall weather and into the busy lead-up to Thanksgiving, this edition of Stewart's mid-week update spotlights a key stormwater-related development for Vermont title professionals. The Agency of Natural Resources' Stormwater Program is providing guidance with respect to recent changes that may affect title work across the state, particularly where Initial Notice of Intent (Initial NOI) permits appear in land records. Additionally, we are highlighting Derek Mazza, a new addition to Asset Preservation Inc., Stewart's 1031 exchange company.

Also, in case you missed it, we are republishing a Special Alert issued last week.



Stormwater Program Update for Vermont Title Professionals By:
Jill Spinelli, Esq., Vermont State Counsel

As part of the Agency of Natural Resources (ANR), the Stormwater Program is sharing an important update for Vermont title attorneys and others who may encounter stormwater-related documentation in land records. Many properties across the state—particularly those with three (3) or more acres of impervious surface—may have an Initial Notice of Intent (Initial NOI) permit recorded under General Permit 3-9050 (2020). These permits, now expired, can raise questions during title review.

Why This Matters

Initial NOI permits were issued to certain identified "3-acre sites" within stormwater-impaired watersheds, including Lake Champlain and Lake Memphremagog. These sites may be subject to stormwater system improvements under Act 64, the Vermont Clean Water Act of 2015. Although these Initial NOI authorizations were short-term (18 months) and have since expired, they often remain visible in land records and may appear to affect a property's compliance status.

Act 37 (2025) and What Has Changed?

Act 37, signed into law in 2025, makes important changes to Vermont's "three-acre" stormwater permitting program under General Permit 3-9050. Among other things, the legislation extends compliance deadlines, pushing the initial October 1, 2023 deadline to October 1, 2028 for impervious surfaces in the Lake Champlain, Lake Memphremagog, and other impaired watersheds.

While Act 37 extends compliance deadlines for 3-acre stormwater sites, it has raised questions about properties that previously obtained coverage under General Permit 3-9050 (2020). To address this, ANR is preparing guidance clarifying that:

- For sites that obtained an Initial NOI under General Permit 3-9050 (2020), coverage will be considered in good standing through October 1, 2028—so long as required inspections and reporting continue.

This guidance will also include a recordable document that property owners may use to confirm compliance status during real estate transactions.

Before Publishing Its Guidance, ANR Wants Your Feedback

ANR is updating its Title Attorney FAQ to respond to the questions practitioners encounter most often. Your input is essential to ensuring this guidance is clear and useful.

Please share questions, comments, or examples from your practice with:

- Kevin Burke, Stormwater Program Manager — kevin.burke@vermont.gov
- Terry Purcell, Stormwater Operational Section Supervisor — terry.purcell@vermont.gov

If ANR receives substantial or repeated questions, they may schedule a virtual Q&A session specifically for title professionals.

Upcoming Public Meeting

ANR also invites title professionals to attend ANR's upcoming public comment meetings regarding the reissuance of General Permit 3-9050 (2025) on November 21, 2025.

This session will address the permit reissuance generally but will also provide an opportunity for discussion around Act 37 and related guidance.

More details and RSVP information for the Public Meeting are available here:

<https://dec.vermont.gov/watershed/stormwater/operational-permits>.



Please Welcome Derek Mazza to Asset Preservation Inc.

Did you know that Stewart can handle your or your client's 1031 exchange? Asset Preservation Inc. ("API"), a subsidiary of Stewart, is one of the most respected 1031 exchange Qualified Intermediaries in the U.S. and has successfully completed over 200,000 §1031 exchanges. Every investor who selects API can be provided a written "Letter of Assurance" from Stewart. API also has a specialized Commercial Division for REITs, corporations, and other institutions.

Derek Mazza is a recent addition to the team, and will be leading the New England Division for Asset Preservation Inc. In this role he'll be a resource for all things relating to a 1031 tax-deferred exchange. He comes from a background in financial services, investment real estate and tax mitigation strategies. Derek attended Austin Prep and went on to Stonehill

College for a degree in Economics. Outside of work, you will find him coaching in a rink or on a softball field. Derek can be reached at derek@apiexchange.com.

To learn more about Asset Preservation Inc., follow this link: [1031 Exchange - Asset Preservation, Inc. | Qualified Intermediary](#)



In Case You Missed It

Special Alert: SA2025325 was issued to all offices on November 13, 2025 concerning the following individuals:

Samuel Eggers or Barbara Gakin

Should you have a transaction where you have been asked to issue Stewart policies involving either of these individuals, please immediately reach out to your Stewart underwriting counsel prior to insuring. To view the complete bulletin, please follow this link: [SA2025325 - SPECIAL ALERT - Samuel Eggers, et al | Virtual Underwriter](#)



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