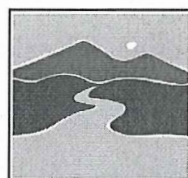


Individual Permit Applicationfor a **Lake Encroachment Permit** under
Chapter 11 of Title 29, § 401 *et seq.***For Lake Encroachment Permitting Use Only**Application Number: 2016-010VERMONT DEPARTMENT OF
ENVIRONMENTAL CONSERVATION
**WATERSHED
MANAGEMENT DIVISION**
LAKES & PONDS PROGRAM

Submission of this application constitutes notice that the person in Section B intends to encroach beyond the mean water level of a lake or pond, and certifies that the project will comply with Chapter 11 of Title 29, § 401 *et seq.* All information required on this form must be provided, and the requisite fees (Section I) must be submitted made payable to the State of Vermont, to be deemed complete.

A. Project Information1a. Physical Address (911 Address): 4012 VT Rte 114, Canaan, VT1b. Municipality: Canaan1c. Zip: 059032. SPAN*: 126-039-10178 NA

3. Name of lake/pond:

Wallace Pond

4. Is there an existing lake encroachment permit associated with this project location?

 Yes No Permit #:**B. Applicant Contact Information**1. Name: Girish Luthra & Tetyana Gumenyuk2a. Mailing Address: 1512 Park View Ln, NE Sauk Rapids2b. Municipality: Sauk Rapids2c. State: MN2d. Zip: 563793. Phone: 603-237-11904. Email: tat152002@yahoo.com**C. Application Preparer Contact Information**1. Name: James Belknap2a. Mailing Address: P.O. Box 327 West Stewartstown

2b. Municipality:

2c. State: NH2d. Zip: 035973. Phone: 603-246-70574. Email: belknapseptic@yahoo.com**D. Abutting Land Owners**Using the abutter addendum available on watershedmanagement.vt.gov/permits/htm/pm_encroachment-application.htm, attach a list of land owners who abut the proposed project.

*SPAN: The "School Parcel Account Number" is required for your application to be deemed complete. It can be obtained from your property tax bill. If you cannot locate your property tax bill, please obtain this information from your Town Clerk. SPAN is a unique identification number for each parcel of property in the State of Vermont consisting of eleven digits. The first three digits identify the town; the next three digits identify the school district; and the last five digits represent the unique parcel or property.

E. Project Description

1. Describe the proposed project including a description of the materials and mechanical equipment which may be used during construction and the anticipated work schedule. Identify whether or not the project includes placement or removal of fill and if so, specify the number of cubic yards of fill or dredged materials to be placed or removed beyond the shoreline at mean water level. On separate pages attach site plans with aerial and cross section views as well as any other relevant supporting documents: Remove existing 150' long rock wall and replace with Gabion baskets and fill with rip rap ledge. Small excavator, skidsteer will be used to remove and construct new wall. Looking at removing 170 cubic yards and replacing with baskets filled with rip rap and stone behind the baskets for drainage purposes.

Approximately 22.5 cubic yards of 6" stone will be placed beyond MWL.

-M.C. 7/18/2016

2. Describe the purpose of the proposed project:

To fix the structural support of an existing wall with a solution that meets the needs of the problem without disturbing the natural beauty of the shoreline.

3. Describe what less intrusive feasible alternatives have been considered and what measures are proposed to reduce adverse impacts on the waterbody:

There will be a silt fence with sand bags used to contain and sediments to a confined area.

4. Describe the public benefits of the proposed project:

Existing wall is falling into lake making it safer for those who use the lake and safer for property owners.

F. Encroachment Effects (describe how the proposed project will affect the following)

1. Water quality:

Fines may be stirred when placing new wall but silt fence should keep this contained in a reasonable manner.

2. Fish and wildlife habitat:

The overall project should have no affect on the fish and wildlife habitat.

3. Aquatic and shoreline vegetation:

Should have no affect on Aquatic and shoreline vegetation.

4. Consistency with natural surroundings:

Using natural stone will enhance the natural look that's already existing.

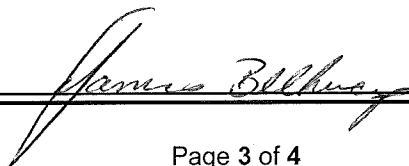
5. Navigation, recreation, and other public uses:

will not be affected by project

G. Applicant Certification

As APPLICANT, I hereby certify that the statements presented on this application are true and accurate and recognize that by signing this application, I agree to complete all aspects of the project as authorized. I understand that failure to comply with the foregoing may result in violation of the Chapter 11 of Title 29, § 401 *et seq.*, and the Vermont Agency of Natural Resources may bring an enforcement action for violations of the Act pursuant to 10 V.S.A. chapter 201.

Applicant/Landowner Signature: _____

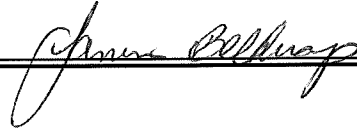


Date: 5-2-16

H. Application Preparer Certification (if applicable)

As APPLICATION PREPARER, 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.

Application Preparer Signature: _____


Date: 5-2-16**I. Permit Application Fees**

1. Estimated project cost:

Select the most applicable permit description and requisite fee. If the proposed project involves more than one of the project types, multiple fees may apply. For example, a project involving structural erosion control and marina improvement will require both fees (3) and (4).

2. Non-structural erosion control project (e.g., rip rap):

Non-structural erosion control project: \$155.00		
Total:		\$ 155.00

3. Structural erosion control project (e.g., concrete wall replacement):

Structural erosion control project: \$250.00		
Total:		\$

4. Other projects (e.g., marina improvements):

Other Project: \$300.00		
Project Cost Fee: 0.01 times project cost	Project cost (H1.) _____ X 0.01	
Total:		\$

Submit this form and application fee, payable to:

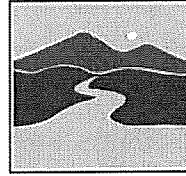
State of Vermont
Vermont Department of Environmental Conservation
Watershed Management Division
Lake Encroachment Permitting
1 National Life Drive, Main 2
Montpelier, VT 05620-3522

Direct all correspondence or questions to Lake Encroachment Permitting at:
 ANR.WSMDSshoreland@state.vt.us

For additional information visit: www.watershedmanagement.vt.gov

Lake Encroachment Application Addendum

for a Lake Encroachment Permit under
Chapter 11 of Title 29, § 401 et seq.

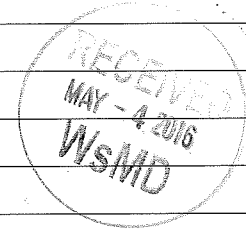


VERMONT DEPARTMENT OF
ENVIRONMENTAL CONSERVATION
**WATERSHED
MANAGEMENT DIVISION**
LAKES & PONDS PROGRAM

For Lake Encroachment Permitting Use Only
Application Number:

This Abutting Land Owner Addendum is intended to accompany a completed *Lake Encroachment Permit Application* in instances of a proposed lake encroachment abutting land owners other than the applicant.

I. Abutting Land Owner Information	
1. Name:	Margaret Knapp
Address:	4047 VT Rte 114, Canaan, VT 05903
2. Name:	Terri Herr
Address:	3998 VT Rte 114, Canaan, VT 05903
3. Name:	
Address:	
4. Name:	
Address:	
5. Name:	
Address:	
6. Name:	
Address:	
7. Name:	
Address:	
8. Name:	
Address:	
9. Name:	
Address:	
10. Name:	
Address:	



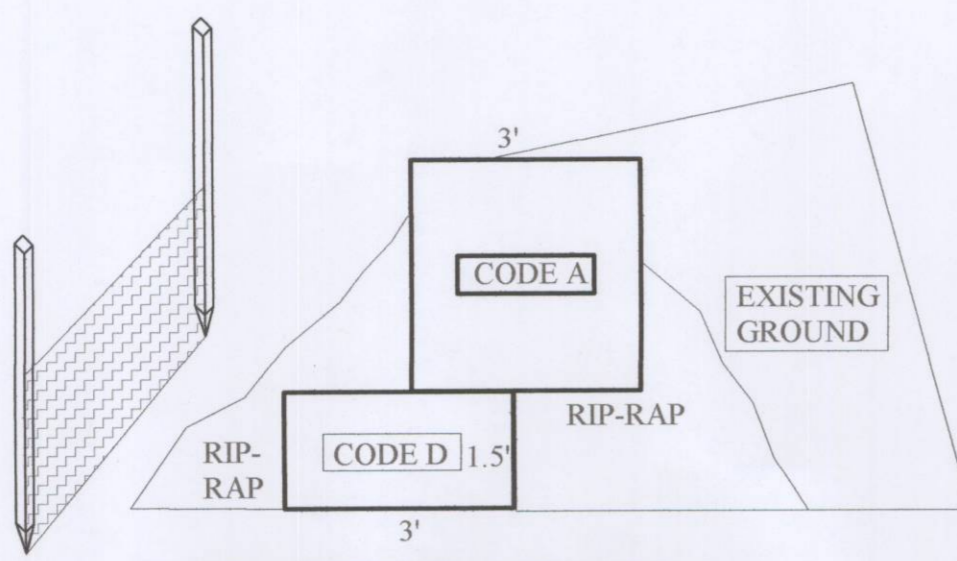
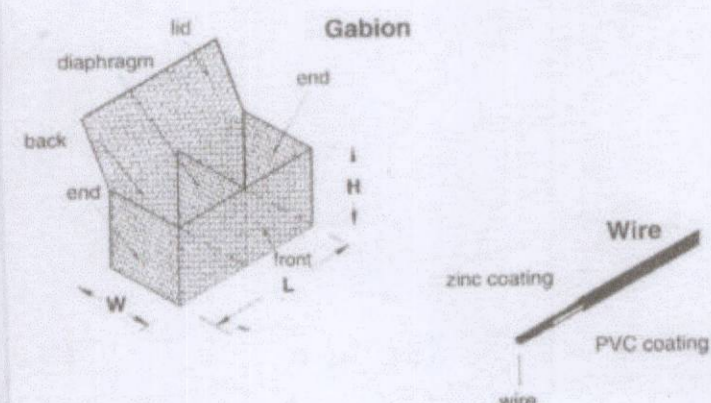
Submit this form as an addendum to a complete Lake Encroachment Application to:

State of Vermont
Vermont Department of Environmental Conservation
Watershed Management Division
Lake Encroachment Permitting
1 National Life Drive, Main 2
Montpelier, VT 05620-3522

Direct all correspondence or questions to Lake Encroachment Permitting at:
ANR.WSMDShoreland@state.vt.us

For additional information visit: www.watershedmanagement.vt.gov

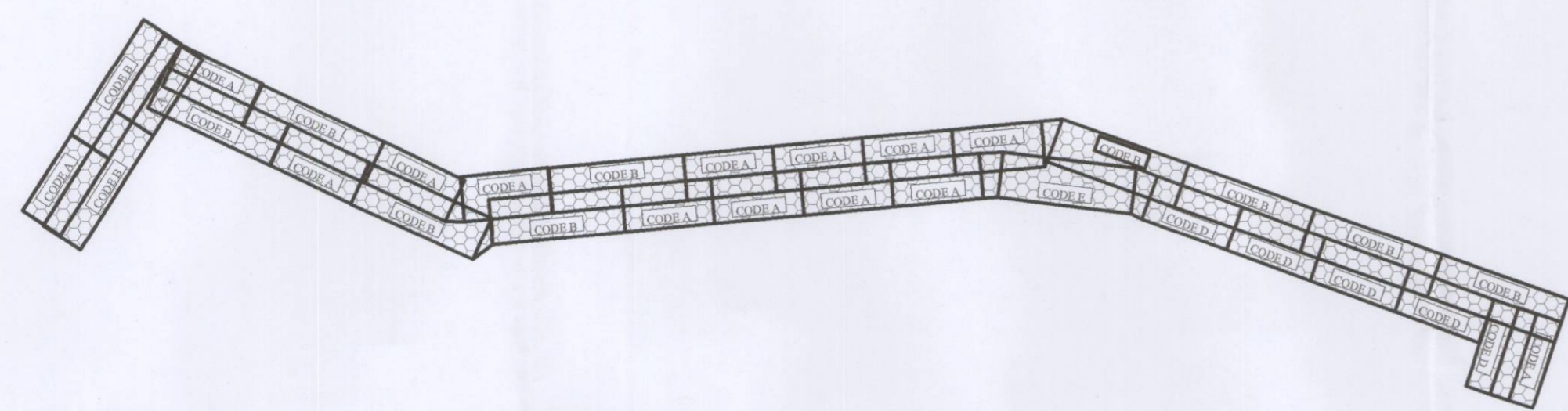
GABIONS* (8 x 10 MESH TYPE)						
Letter Code	Length ft.	Width ft.	Height ft.	# of Cells	Capacity Yds ³	Color Code
A	6	3	3	2	2.0	Blue
B	9	3	3	3	3.0	White
C	12	3	3	4	4.0	Black
D	6	3	1.5	2	1.0	Red
E	9	3	1.5	3	1.5	Green
F	12	3	1.5	4	2.0	Yellow
G	6	3	1	2	0.66	Blu/Red
H	9	3	1	3	1.0	Blu/Yel
I	12	3	1	4	1.33	Blu/Grn
SP	4.5	3	3	1	1.5	Brown



MACCAFERRI PVC COATED GABION STRUCTURES

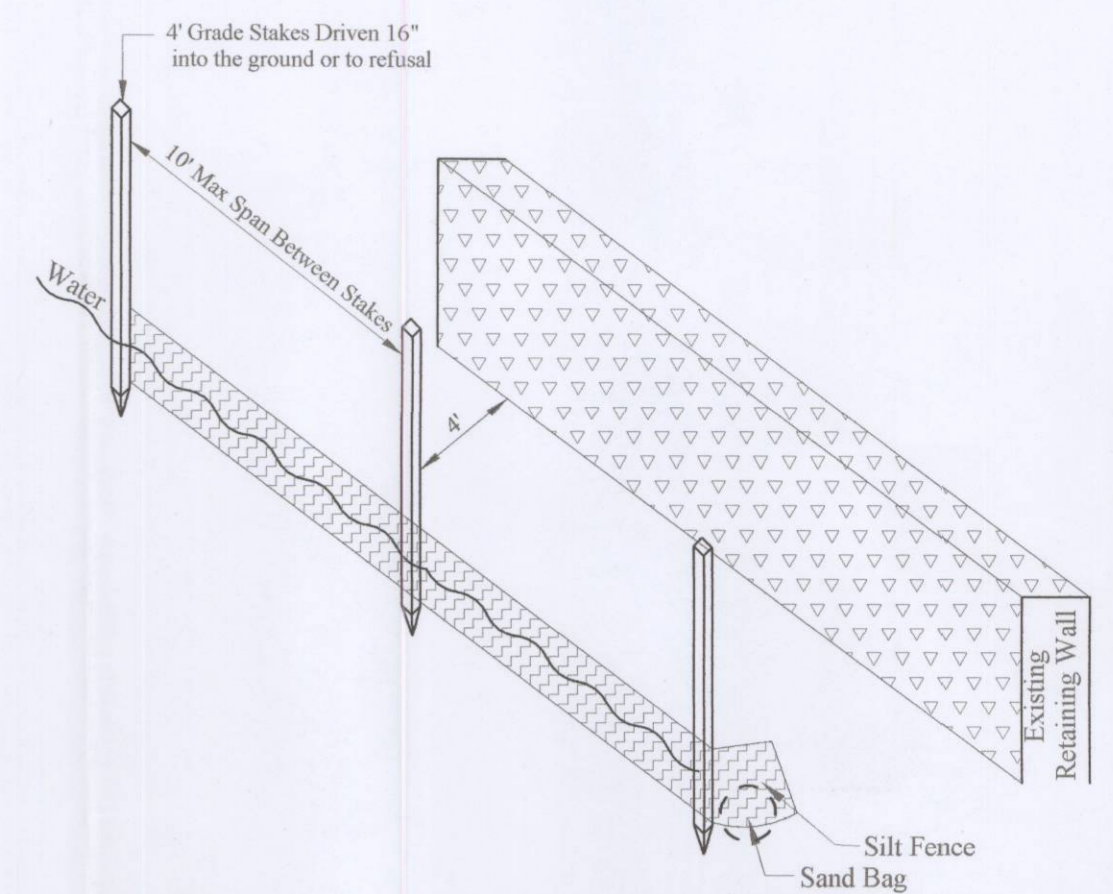
Not To Scale:

- 15 CODE A BASKETS = (6' Long) X (3' Wide) X (3' High)
- 11 CODE B BASKETS = (9' Long) X (3' Wide) X (3' High)
- 5 CODE D BASKETS = (6' Long) X (3' Wide) X (1.5' High)
- 1 CODE E BASKET = (9' Long) X (3' Wide) X (1.5' High)



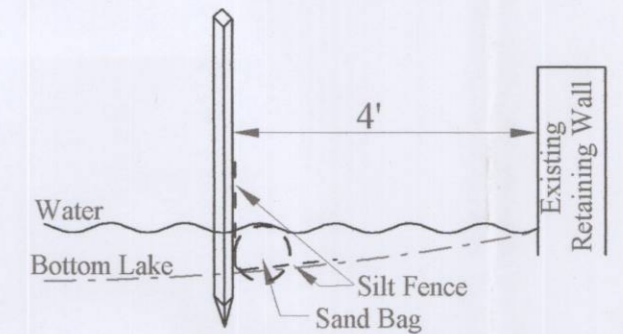
CONSTRUCTION NOTES FOR SEDIMENT FENCE:

- 1> WOVEN WIRE FENCE, IF REQUIRED, TO BE FASTENED SECURELY TO FENCE POSTS WITH WIRE TIES OR STAPLES.
- 2> FILTER CLOTH TO BE FASTENED SECURELY TO WOVEN WIRE FENCE WITH TIES SPACED EVERY 24" AT TOP, MID SECTION AND BOTTOM.
- 3> WHEN TWO SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER, THEY SHALL BE OVERLAPPED BY 6 INCHES, FOLDED AND STAPLED.
- 4> MAINTENANCE SHALL BE PERFORMED AS NEEDED AND MATERIAL REMOVED WHEN "BULGES" DEVELOP IN THE SILT FENCE, OR 50% OF ITS STORAGE IS USED.
- 5> INSPECT ALL EROSION CONTROL MEASURES ON A DIALY BASIS AND AFTER EVERY 0.5 INCHES OF PRECIPITATION. MAINTAIN SILT FENCE, SEDIMENT TRAPS, HAY BAILS, ETC. AS NECESSARY.



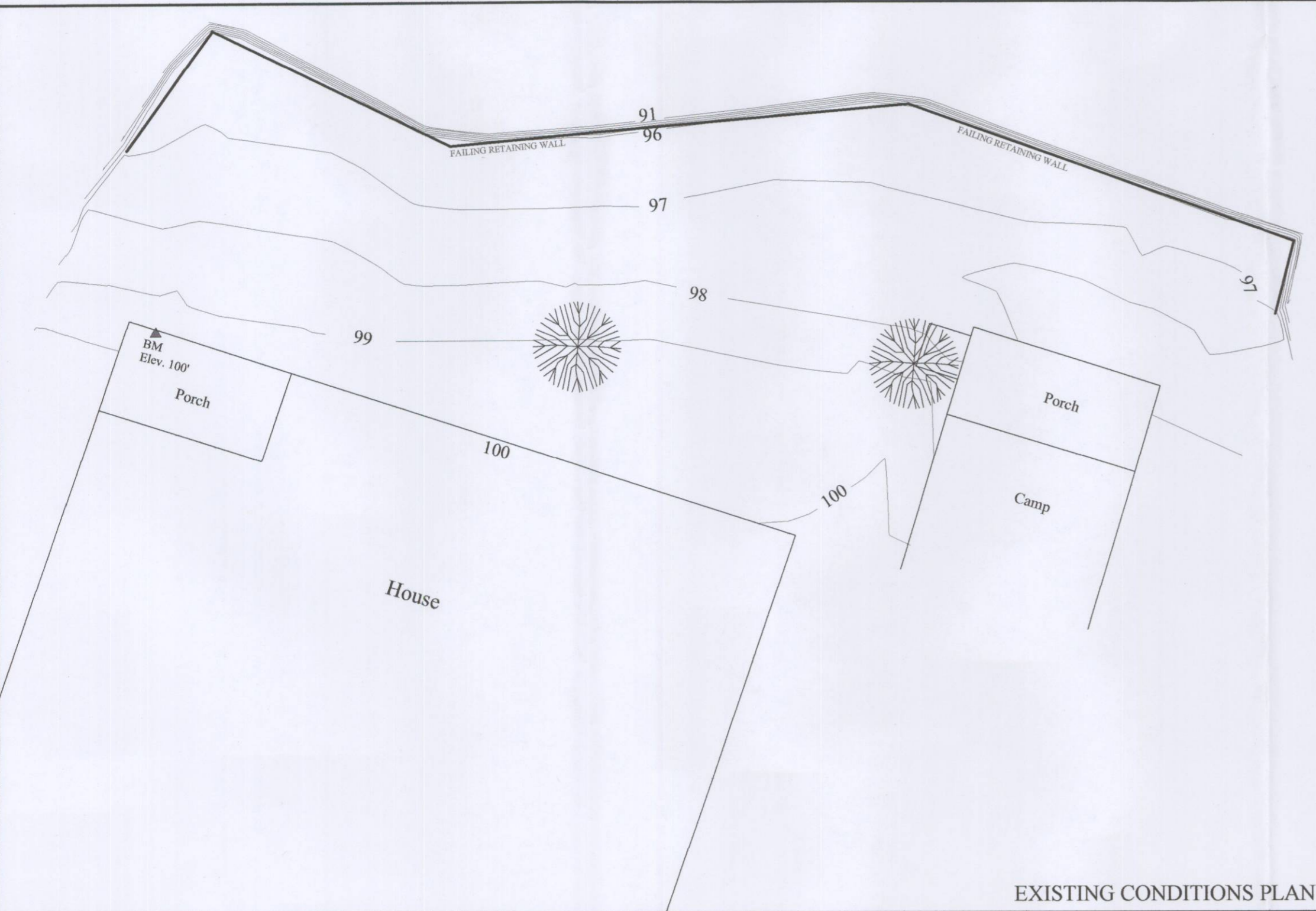
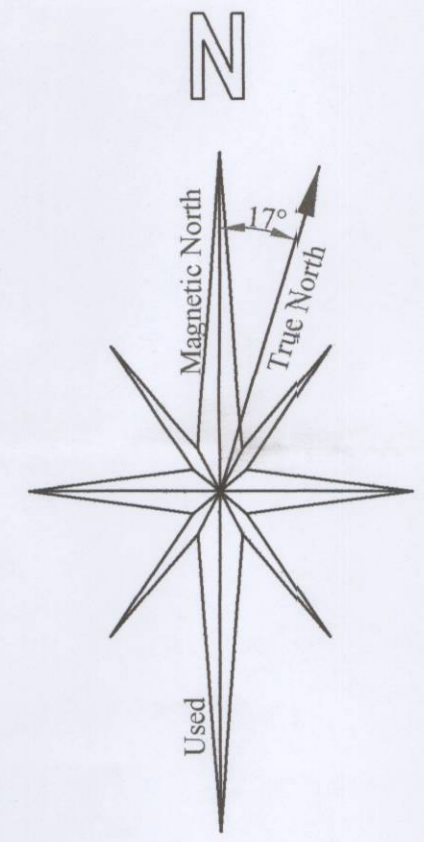
SEDIMENT FENCE

Not To Scale:

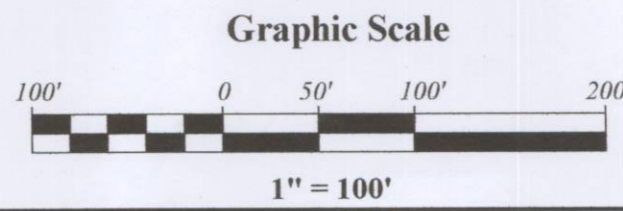


SEDIMENT FENCE

Not To Scale:



EXISTING CONDITIONS PLAN



Amended Plans
 Changed Block Layout
 18" Basket on Bottom
 With 3' Basket on Top
 This Will reduce the amount
 of Rip Rap in front
 of the Baskets

PROPOSED RETAINING WALL
 DATE: 4/25/16
 Revised July 13, 2016

OWNER:
 Girish Luthra & Tetyana Gumenyuk
 1512 Park View Ln,
 Sauk Rapids
 MN. 56379
 1-603-237-1190
 Project Location:
 4012 VT. Route 114
 Canaan, VT. 05903

APPLICANT:
 JAMES BELKNAP
 BELKNAP SEPTIC LLC.
 P.O. BOX 327
 WEST STEWARTSTOWN, N.H. 03597







From: James Belknap <belknapseptic@yahoo.com>
Sent: Monday, July 18, 2016 2:32 PM
To: Cetner, Misha
Subject: Re: Lake Wallace Encroachment Application 2016-010

Hi Misha, having changed the size of basket to 18" on the bottom should cut the amount of stone in half that will be used to slope down in front of them. We proposed 45 yards with the 3' baskets so now it would be reduced to 22.5 yards. Let me know if you have any other questions. Thanks Jimmy

On Jul 14, 2016, at 1:18 PM, Cetner, Misha <Misha.Cetner@vermont.gov> wrote:

Jimmy,

I'm following up on the conversation we had last week. Per our discussion, we concluded an updated site plan would be produced that shows the gabion basket at the mean water level to be 18" tall as opposed to original design of 3' tall. Please also include with these updates how the rip rap in front of the baskets will be reduced in volume as well as reducing the distance out into the lake beyond mean water level the rip rap will go by providing updated values where applicable.

Please also provide additional photos of the project site per my third bullet point (listed below). Once an updated site plan with updated project values and additional photos are received, that should make the project technically complete and I will then be able to issue a permit.

Let me know if you have any additional questions.

Thanks,
Misha

<image001.jpg>

**Misha Cetner, Permit Analyst
Lake & Shoreland Permitting**

1 National Life Drive, Main 2
Montpelier, VT 05620-3522
802-490-6199 / Misha.Cetner@vermont.gov
www.watershedmanagement.vt.gov

From: Cetner, Misha
Sent: Friday, July 08, 2016 10:51 AM
To: 'James Belknap' <belknapseptic@yahoo.com>
Subject: RE: Lake Wallace

Jimmy,

Apologies for the delay in getting back to you. I'm temporarily filling in for Mark's region until a replacement can be hired. After reviewing where Mark had left off, I have additional technical questions.

- The photos you provided show a deteriorating wall that has fill and a lawn on top of it. This appears to be an unnatural addition/creation of land beyond mean water level and an encroachment going out into the lake in comparison with the natural shoreline. You identified that there was no previous permit issued for this project. Do you know when this was initially built?
- If this project were to be approved as currently proposed, the ~45 cubic yards of rip rap placed in front of the existing wall would extend several additional feet off of the already existing encroachment. This is unlikely to be approved unless the whole project can be pulled back to reduce the extent of the

encroachment. I realize you would be losing lawn in front of the home if you were to pull the project back, but this would come closer to reestablish the natural shoreline. Please identify the feasibility of pulling the project back to reduce the overall encroachment beyond mean water level.

- Do you have any additional photos you could provide that show the full extent of the existing wall and the existing structures and distances to those structures? A photo of the whole 150' wall from a vantage point on the water would be helpful. Additional photos would also help identify the shoreline on either side of existing wall.

I've attached the most up to date copy of your application as a reference.

Please get back to me when you can.

Thank you,
Misha Cetner

<image001.jpg>

**Misha Cetner, Permit Analyst
Lake & Shoreland Permitting**

1 National Life Drive, Main 2

Montpelier, VT 05620-3522

802-490-6199 / Misha.Cetner@vermont.gov

www.watershedmanagement.vt.gov

-----Original Message-----

From: James Belknap [<mailto:belknapseptic@yahoo.com>]

Sent: Monday, June 27, 2016 5:27 PM

To: Cetner, Misha <Misha.Cetner@vermont.gov>

Subject: Lake Wallace

Hi Misha, my name is Jimmy Belknap I'm working on a permit to replace a wall on lake wallace. Was told you are replacing Mark and was wondering what the status was it has been quite some time and haven't heard anything. I hope the project can be started without anymore delays. Talk to you soon. Jimmy Belknap

<2016-010_Luthra_Wallace_05192016.pdf>

From: James Belknap <belknapseptic@yahoo.com>
Sent: Thursday, May 19, 2016 8:59 AM
To: Mitchell, Mark
Subject: Re: Lake Encroachment Permit Application 2016-010, Luthra (Wallace Pond)

Follow Up Flag: Follow up
Flag Status: Completed

Yes. Thank You

On May 19, 2016, at 8:58 AM, Mitchell, Mark <Mark.Mitchell@vermont.gov> wrote:

Hi Jimmy,

This should be all the information I need to add to the permit application for me to draft a permit, which will then be reviewed internally before issuance. Does this answer your question?

Mark

<image001.jpg>

Mark Mitchell, Environmental Scientist
Lay Monitoring Program Coordinator

1 National Life Drive, Main 2

Montpelier, VT 05620-3522

802-490-6129 / Mark.Mitchell@vermont.gov

Check out our new website: <http://dec.vermont.gov/watershed/lakes-ponds>

And, we have a [blog](#) ...

From: James Belknap [<mailto:belknapseptic@yahoo.com>]
Sent: Thursday, May 19, 2016 7:33 AM
To: Mitchell, Mark <Mark.Mitchell@vermont.gov>
Subject: Re: Lake Encroachment Permit Application 2016-010, Luthra (Wallace Pond)

Hi Mark, will I get anything on this permit. Thanks Jimmy

On May 18, 2016, at 8:55 AM, Mitchell, Mark <Mark.Mitchell@vermont.gov> wrote:

Thanks for the clarifications Jimmy.

Mark

<image001.jpg>

Mark Mitchell, Environmental Analyst
Lay Monitoring Program Coordinator
Lake and Shoreland Permit Analyst

1 National Life Drive, Main 2

Montpelier, VT 05620-3522

802-490-6200 / Mark.Mitchell@vermont.gov

Check out our new website: <http://dec.vermont.gov/watershed/lakes-ponds>

And, we have a [blog](#) ...

From: James Belknap [<mailto:belknapseptic@yahoo.com>]
Sent: Wednesday, May 18, 2016 8:48 AM
To: Mitchell, Mark <Mark.Mitchell@vermont.gov>
Subject: Re: Lake Encroachment Permit Application 2016-010, Luthra (Wallace Pond)

*22.5 cubic yards
Update via email on 7/18/2016
-M.C.

Hi Mark, the amount of stone placed in front of baskets will be approximately 45* yards however stone will be placed on top of the first basket which on the project plans is stepped back to keep baskets from wanting to tip forward. Thank You Jimmy

On May 18, 2016, at 8:37 AM, Mitchell, Mark <Mark.Mitchell@vermont.gov> wrote:

Good morning Jimmy,

Thanks for provided the rock size and total cubic yards. Can you estimate the number of cubic yards of 6" rocks that will be sloped in front of the baskets beyond mean water level?

Thanks,
Mark

<image001.jpg>

Mark Mitchell, Environmental Analyst
Lay Monitoring Program Coordinator
Lake and Shoreland Permit Analyst

1 National Life Drive, Main 2

Montpelier, VT 05620-3522

802-490-6200 / Mark.Mitchell@vermont.gov

Check out our new website: <http://dec.vermont.gov/watershed/lakes-ponds>

And, we have a [blog](#) ...

From: James Belknap [<mailto:belknapseptic@yahoo.com>]

Sent: Wednesday, May 18, 2016 7:02 AM

To: Mitchell, Mark <Mark.Mitchell@vermont.gov>

Subject: Re: Lake Encroachment Permit Application 2016-010, Luthra (Wallace Pond)

Good Morning Mark, the rock used to fill Gibeon Baskets will be no smaller than 6" and no bigger than 2' but the rock used to slope in front of baskets will be 6". Approximately 250 yards of stone will be used on project. I have talked to Norman Brooks he's a foreman for winterset Construction he has installed these baskets through the state of Vermont and NH and was very helpful in giving me some good pointers in installing these baskets. Thank You Jimmy

On May 16, 2016, at 11:43 AM, Mitchell, Mark

<Mark.Mitchell@vermont.gov> wrote:

Hi Jimmy,

Thank you for the information and photos you provided. For the application to be complete, the project description needs to include the rock size and amount (in cubic yards) that will be placed at or beyond the shoreline at mean water level. This should also be shown in the site plan in relation to the existing wall. Please note that shoreline stabilization projects shall not reclaim lost land through placement of new fill beyond the location of the existing shoreline or create new land lakeward of the existing shoreline. Let me know if you have any questions.

Thanks,
Mark

<image001.jpg>

Mark Mitchell, Environmental Analyst
Lake and Shoreland Permitting

1 National Life Drive, Main 2

Montpelier, VT 05620-3522

802-490-6200 / Mark.Mitchell@vermont.gov

Check out our new website: <http://dec.vermont.gov/watershed/lakes-ponds>

From: Jimmy Belknap [<mailto:belknapseptic@yahoo.com>]

Sent: Monday, May 16, 2016 10:46 AM

To: Mitchell, Mark <Mark.Mitchell@vermont.gov>

Subject: Re: Lake Encroachment Permit Application 2016-010, Luthra (Wallace Pond)

The reason for baskets is because of height of wall. The slope will be between 3/1 but at no time more than 2/1. The shoreline distance is roughly 150 feet. Grass will be planted over top of baskets. Project would begin in July. I'll send pics when I get chance. Thanks Jimmy

Sent from my iPhone

On May 10, 2016, at 3:27 PM, Mitchell, Mark <Mark.Mitchell@vermont.gov> wrote:

Hi James,

In reviewing the Lake Encroachment Permit Application for Girish Luthra and Tetyana Bumenyuk on Wallace Pond, a few clarifications are needed:

- 1) Replacing a vertical wall with sloped rip-rap is a preferable alternative for shoreline stabilization projects, but can you please state the purpose of also using gabion baskets?
- 2) What is the size, amount, and overall slope of the fill material (rip-rap) placed beyond the shoreline at mean water level?
- 3) What is the length of shoreline associated with this project?
- 4) Will there be vegetation planted on top to aid in stabilization?
- 5) When is the project planned to begin? (Note: Lake Encroachment projects are not to commence until after fish spawning July 1 of any calendar year.)
- 6) Can you please provide photos of the project area?

Please let me know if you have any questions. Also, I'm available to do a site visit if it may help with these clarifications.

Thanks,
Mark

<image001.jpg>

Mark Mitchell, Environmental Analyst

Lake and Shoreland Permitting

1 National Life Drive, Main 2

Montpelier, VT 05620-3522

802-490-6200 / Mark.Mitchell@vermont.gov

Check out our new

website: <http://dec.vermont.gov/watershed/lakes-ponds>