

**Individual Permit Application**for a **Lake Encroachment Permit** under Chapter 11 of Title 29, § 401 *et seq.**For Lake Encroachment Permitting Use Only*Application Number: **2139-LP**

VERMONT 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 Information**1. Physical Address (911 Address): **227 Westcott Shore RD**

2. Town - County: Franklin - Franklin

2b. Zip: **05457**3. 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) : **243-075-10661** N/A 

4. Name of lake/pond: Carmi Lake - Franklin

**B. Applicant (landowner if applicable) Contact Information**

1. Name: Mullen Lakeshore INC

2a. Mailing Address: **140 s main St Albans city**

2b. Municipality: ST ALBANS

2c. State: vermont

2d. Zip: 05478

3. Phone: **802-527-0121**

4. Email:

**C. Application Preparer Contact Information**

1. Name: Edward Deuso

2a. Mailing Address: **3416 st armand rd**

2b. Municipality: swanton

2c. State: vermont

2d. Zip: 05488

3. Phone:

4. Email: **e.deuso@comcast.net**D. Have you ever applied for a permit with the Department of Environmental Conservation associated with this parcel?  Yes  No**E. Abutting Land Owners**Using the abutter addendum available on [watershedmanagement.vt.gov/permits/html/pm\\_encroachment-application.htm](http://watershedmanagement.vt.gov/permits/html/pm_encroachment-application.htm), attach a list of land owners who abut the proposed project.**F. 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.

1. replacing failing gabion baskets,with natural flat rocks from a pasture aprox 2 miles away.also aprox 5or 6 yds of material to be removed from the mean water level.

2. Anticipate equip used will be one large excavator and one small excavator, also length of time for the project at most one week.

Failed gabion baskets will be removed from the water and failed stacked timbers will be removed from the bank. Behind the removed baskets, a 12"-15" high toe of up to 3' riprap will be added to the toe of the slope. The riprap will extend 20' to the right of the dock (when standing on dock), and extend up to 18' to the left of the dock. The steep slope will be regraded on a 2:1 ratio back about 5' back towards the house. On the regraded sloped area and at the top of the bank. 15-20 berry shrubs, such as blueberries, elderberry or cranberry will be planted. mbs 9/19/16

2. Describe the purpose of the proposed project:

Replace failing gabion baskets to protect the shoreline from eroding into the lake.

Also remove failed stacked timber crib wall. The project will restore the shoreline to a more naturalized condition that will reduce soil erosion and revegetate both the 2:1 slope behind the newly installed riprap, but also the top of the bank. mbs 9/19/16

3. Describe what less intrusive feasible alternatives have been considered:

Amy Picotte visited this site and met with Ed Deuso, the landowner to discuss the preferred solution.

I have been working with ~~Mikaela Stokney~~ on this project, and believe natural flat rocks are the best choice.

While neighbors flanking this property have used concrete or placed modular concrete unit barriers, removing the hazardous(to safety) and failing materials and replacing them with a combination of rock and vegetation is less intrusive than the near vicinity. mbs 10/6/16

4. Describe the public benefits of the proposed project:

By completing this project, it will protect the shoreline from eroding into the lake once the gabion baskets have completely failed.

Enhanced and safer boating access along shore, and reduced erosion from the failed timber crib. mbs 10/6/16

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

1. What measures are proposed to minimize the project's effects on water quality (e.g., use of a turbidity curtain)?:

Yes, we will be using Turbidity Curtains to minimize the soil being swept out into the lake during this project by wave action.

2. How will the project minimize effects to fish and wildlife habitat (e.g., project is not to commence until after fish spawning July 1 of any calendar year)?:

We will not be starting this project oct 2016 Aprox time from start to finish,at most one week.

3. Does the project propose removal of aquatic or shoreline vegetation? If so, what measures are proposed to reduce the effects of vegetation removal?:

There is no vegetation to be removed.

4. Describe the surrounding shoreline. Is the project consistant with these surroundings? What measures are proposed to ensure the project is in-keeping with the surroundings?:

On the south side natural rocks as the shoreline and on the north side it consists of concrete road barricades lining the shoreline.

5. Will the project affect navigation, recreation, and other public uses? If so, how will these effects be minimized?:

N/A

**H. 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 if applicable) Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**I. 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: 7-7-2016

**J. Additional Required Documentation** (Please check to ensure you have completed the following)

- All sections of the application are complete (or otherwise indicate "not applicable")  
 Application includes site plans with aerial and cross section views  
 Application description includes dimensions and surface areas of cleared areas and impervious surfaces  
 Application includes photos of project area

**K. Permit Application Fees**

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 (2) and (3).

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

Non-structural erosion control project: \$155.00		\$ 155.00
<b>Total:</b>		<b>\$ 155.00</b>

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

Structural erosion control project: \$250.00		
<b>Total:</b>		

## 3. Other projects (e.g., marina improvements):

Other Project: \$300.00		
Project Cost Fee: 0.01 times project cost	Project cost _____ x 0.01	
<b>Total:</b>		

**Print Form**

**Submit this form and application fee, payable to:**

**State of Vermont  
Vermont Department of Environmental Conservation  
Watershed Management Division  
1 National Life Dr, Main 2  
Montpelier, VT 05620-3522**

Direct all correspondence or questions to Lake Encroachment Permitting  
at: [ANR.WSMDShoreland@vermont.gov](mailto:ANR.WSMDShoreland@vermont.gov)

For additional information visit: [www.watershedmanagement.vt.gov](http://www.watershedmanagement.vt.gov)



## Lake Encroachment Application Addendum

For a Lake Encroachment Permit

Chapter 11 of Title 29, § 401 *et seq.*

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: N/A Land on both sides owned by Mullen lakeshore INC

Address:

2. Name:

Address:

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.WSMDSshoreland@vermont.gov](mailto:ANR.WSMDSshoreland@vermont.gov)

For additional information visit: <http://dec.vermont.gov/watershed>

2139-LEP.

Hello Michaela

RECEIVED  
AUG 24 2016

1. Excavation is Between Existing Ledge.
2. 250' Sq Ft Approx will be Excavated Approx one foot Deep.
3. Between lawn Area and lake on the slope will be shrubs, I'm going to choose some with a good root system, unsure what kind or how many at this time.
4. Flat Rocks are approx 3' to 5' long
5. I own the lease to the property and this property has been in the family since 1960.
6. Mullen Lake Shore Inc owns the lake shore approx  $\frac{1}{4}$  mile south and  $\frac{1}{4}$  mile north of our property. Also the property behind our property is owned by Mullen Inc. which was the original Mullen farm.

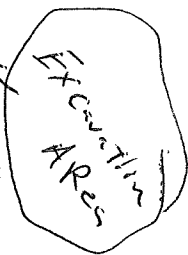
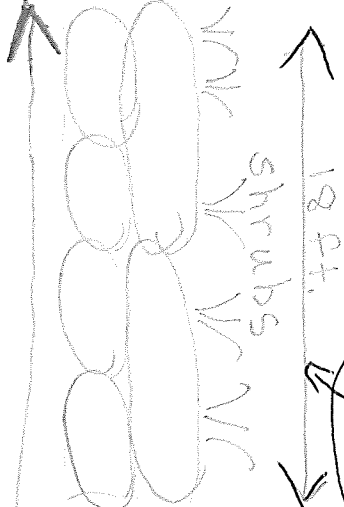
So, I'm not sure who hand Abotts Mullen lake Shore Inc, which is not close to where the work will be Done.

Thank you for Helping me will the permitting process.

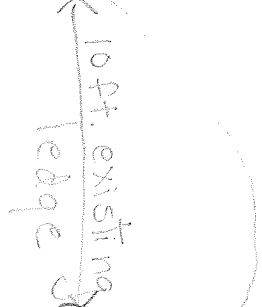
Sincerely Ed

South Boundary

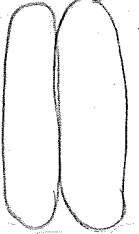
base



Lawn Area



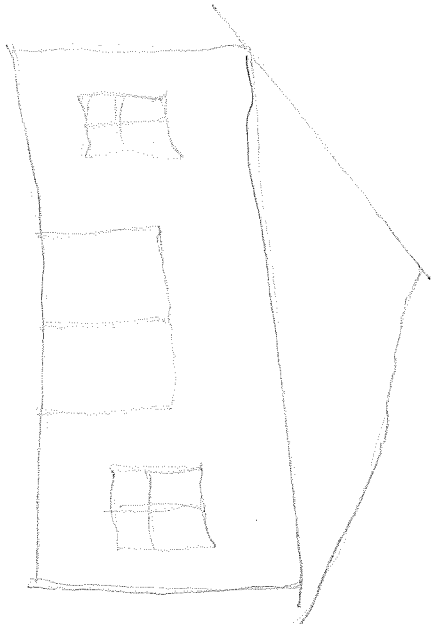
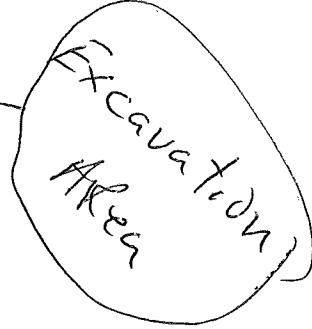
WALKWAY STAIRS



Path

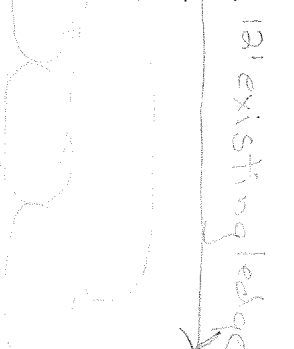
20 ft.

shrubs



West

base

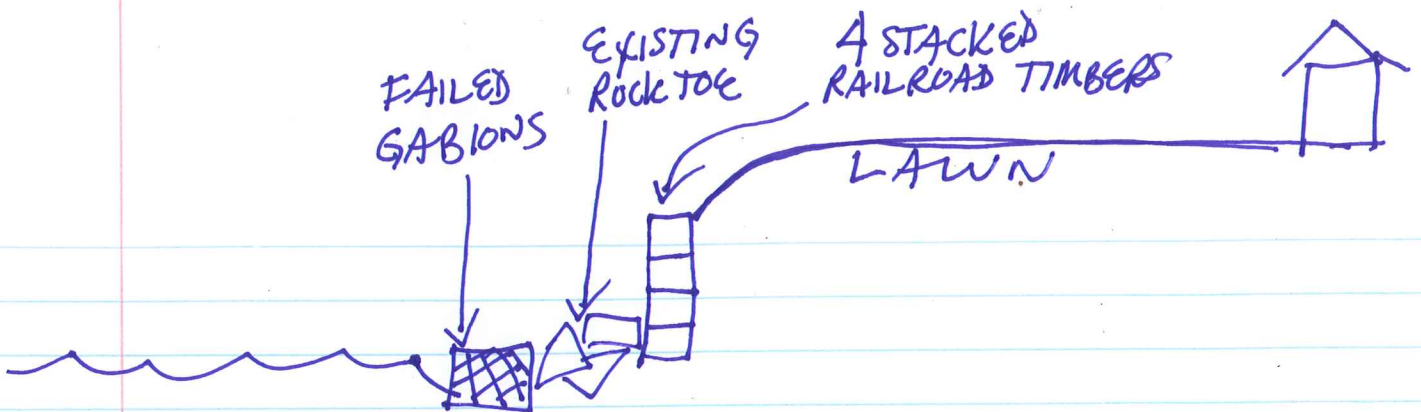


North

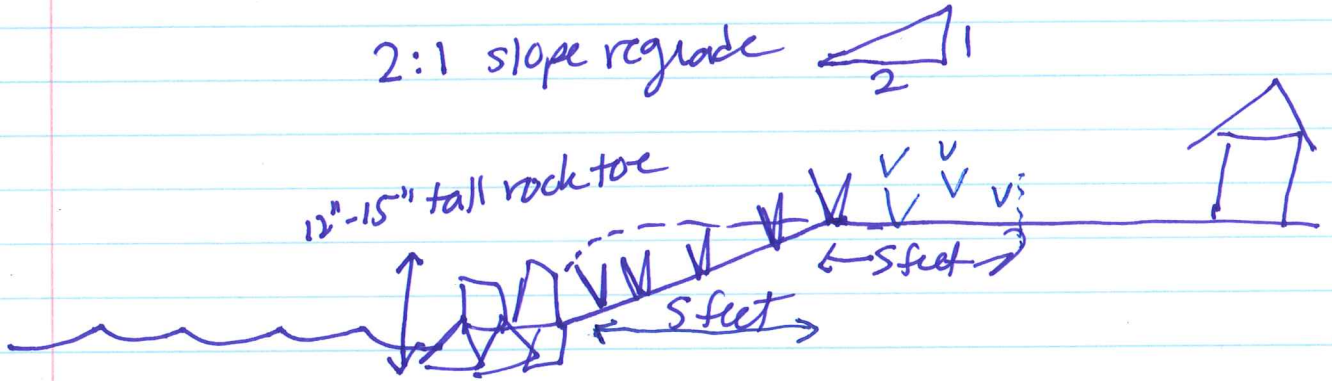
Boundary



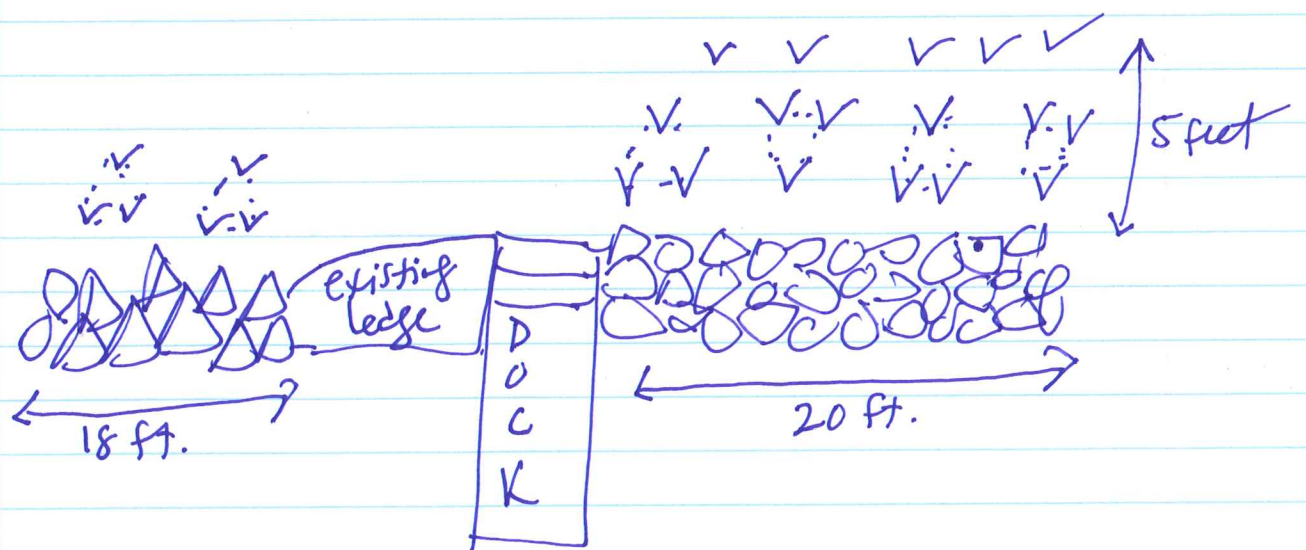




BEFORE  
SIDE VIEW



AFTER  
SIDE VIEW



PLAN VIEW - Planting shrubs in triangles