



## 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: **2178-LEP**

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): AIR Development, LLC

2a. Town- County: 71 U.S. Route 2

2b. Zip: 05486

3. Span (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)

4. Name of Lake/Pond: Lake Champlain

5. Have you ever applied for a permit with the Department of Environmental Conservation associated with this parcel?  
 Yes  No

### B. Applicant (Landowner if applicable) Contact Information

1. Name: AIR Development, LLC **also known as Apple Island Resort**

2a. Mailing Address: 280 Daines Street, Suite 300

2b. Town: Birmingham

2c. State: MI

2d. Zip: 48009

3. Phone: 245-645-9220

4. Email: [chris@uniprop.com](mailto:chris@uniprop.com)

### C. Application Preparer Contact Information:

1. Name: Donald L Hamlin Consulting Engineers, Inc

2a. Mailing Address: 136 Pearl Street

2b. Town: Essex Junction

2c. State: VT

2d. Zip: 05452

3. Phone: 802-878-3956

4. Email: [rhamlin@dlhce.com](mailto:rhamlin@dlhce.com)

### D. Abutting Land Owners

Using the abutter addendum available on [dec.vermont.gov](http://dec.vermont.gov), attach a list of land owners who abut the proposed project.

### E. Project Description

1. Describe the proposed project including the 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.

Applicant proposes two projects, one to remove lake bottom material and the other to add stone stabilization to the shoreline. Both are shown on the attached aerial photo-based site plan. **The accumulated sediment depth is 93' elevation before excavation and will be 92' afterwards, mbs 11/22/16**

The purpose of the first project is to mitigate the adverse (too shallow) launch/landing conditions of the lake bottom just offshore of the privately owned, public boat launch on the east shore of South Hero at Apple Island Resort Marina. The proposed area to be dredged is highlighted on the attached plan. The contrast in water depth between the applicant's boat launch and the adjacent State boat launch is evident in the recent Google aerial photography used in the attached plan. The proposed area of dredging is 0.05 ac, and the volume of material to be removed from the lake is estimated to be 242 cubic yards. The applicant would like to accomplish the work in the fall of 2016.

The second project proposes to add an area of stabilizing stone material along **the eroded toe of the existing boat ramp** the shore, immediately north of applicant's boat launch. The area is stone proposed is 38'x25'x3'deep, 105 cubic yards, and is shown on the attached plan.

**Erosion created by boat propeller wash due to shallow conditions at the toe of the existing boat ramp with a depth of 91' elevation will be filled with crushed dimensional stone placed at more of a 2:1 grade than currently exists. mbs 11/22/16**

2. Describe the purpose of the proposed project:

The lake bottom just offshore of applicant's public boat launch is currently too shallow and overly prone to material transport and turbidity from propeller action. The shallow depth also hinders boat ingress and egress from the launch area. Applicant would like deepen the lake bottom just offshore of the boat launch and adjacent to the dock, to alleviate these problems.

The purpose of placing stone in the area described above is to stabilize ~~ongoing shoreline erosion near the docks and~~ <sup>the eroded toe of the existing</sup> boat launch.

mbs  
11/22/16

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

No less intrusive alternatives are known while the lake is below 95.5 elevation.

4. Describe the public benefits of the proposed project:

The applicant operates a marina and public boat launch which has existed for 50 years. It serves both guests of Apple Island Resort and the general boating public, and helps to alleviate long backups at peak times during the boating season at this historically popular lake access.

The addition of stone along the shore will stabilize ~~and protect the shoreline~~ <sup>the eroded toe of the boat ramp</sup> from erosion caused by boat wakes. ~~and improve the entry of boat trailers down the boat ramp and into the water.~~  
mbs 11/22/16

**F. 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)?

Prior to lake bottom disturbance and material removal, a turbidity curtain will be installed around the entire area, extending to the shore on both ends, and remaining in place until removal and placement operations are completed. The removed material will be taken offsite.

Dredged material will be transported to a dry upland site, at least 50 feet from surface waters. Dredged material will not be dewatered to a waterbody, wetland, wetland buffer, or conveyance without treatment. The wetland advisory layer in the ANR Atlas covers the surrounding area and will need to be checked by a VTDEC wetland specialist before dredged material placement. mbs 11/22/16

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)?

Negative impacts to fish and habitat will be minimized by use of a turbidity curtain around the area of material removal and placement, and by confining work to the fall of the year.

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

No removal of aquatic or shoreline vegetation is proposed.

The emergent and standing vegetation along shore adjacent to the boat launch area is adjacent to wetland advisory layers on the ANR Atlas. mbs 11/22/16

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

The projects propose to maintain and protect the historical uses and services offered by the existing marina and boat launch.

The small cove where AIR is located is immediately adjacent to the VT Fish and Wildlife Department boat launch, and also near a smaller marina that is currently unpermitted. All are located within the same small cove. mbs 11/22/16

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

The projects will not negatively affect any of the lake shore amenities historically enjoyed by the public. The project will allow the continued use of the boat launch and marina, thereby allowing continued public access for recreational use of the lake.

#### 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 if applicable) Signature: Chris R. Anderson Date: 8-18-16

#### I. Applicant 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: Richard F. Hamilton, P.E. Date: 8-18-16

#### 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; and

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).		
<b>1. Non-structural erosion control project (e.g., rip rap):</b>		
Non-structural erosion control project: \$155.00		\$155.00
<b>Total:</b>		\$155.00
<b>2. Structural erosion control project</b>		
Structural erosion control project: \$250.00		
<b>Total:</b>		
<b>3. Other Projects (e.g., marina improvements):</b>		
Other Project: \$300.00		\$300.00
Project Cost Fee: 0.01 times project cost	Total Project Cost: <u>\$10,000</u> x 0.01	\$100.00
<b>Total:</b>		
	<b>Grand Total Due:</b>	\$555.00

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





## 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: Paul S & Deborah A Parrotte

Address: 159 Landon Rd, South Hero, VT 05486

2. Name: Zlotoff Foundation

Address: 280 Daines St, Suite 300, Birmingham, MI 48009

3. Name: Eugene & Brenda Fodor

Address: 174 Landon Rd, South Hero, VT 05486

4. Name: Vermont Land Trust

Address: 8 Baily Ave, Montpelier, VT 05602

5. Name: State of Vermont ANR

Address: 109 State St, Montpelier, VT 05609-1401

6. Name: Susan M McGovern

Address: 161 Landon Rd, South Hero, VT 05486

7. Name: Stiles Revocable Living Trust

Address: 9 Old Farm Rd, South Hero, VT 05486

8. Name: Ross Brown

Address: 9 Peter's Farm Rd, South Hero, VT 05486

9. Name: Jeffrey & Cynthia Seguin

Address: 2 Peter's Farm Rd, South Hero, VT 05486

10. Name: State of Vermont Fish & Wildlife

Address: 103 South Main St, Bldg 10 South, Waterbury, VT 05671-0501

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

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#### I. Abutting Land Owner Information

1. Name: Near Coastal Holdings, Inc, Attn: Mark Naud

Address: 78 Landon Rd, South Hero, VT 05486

2. Name: Fairpoint Communications, Inc

Address: 770 Elm St, Manchester, NH 03101

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

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





 Proposed stone fill area  
 Proposed area to be dredged



Proposed area where fill will be added. mbs 11/3/16

Proposed area that will be dredged. mbs 11/3/16

0.05 ac  
242 cu yd

0.02 ac  
105 cu yd



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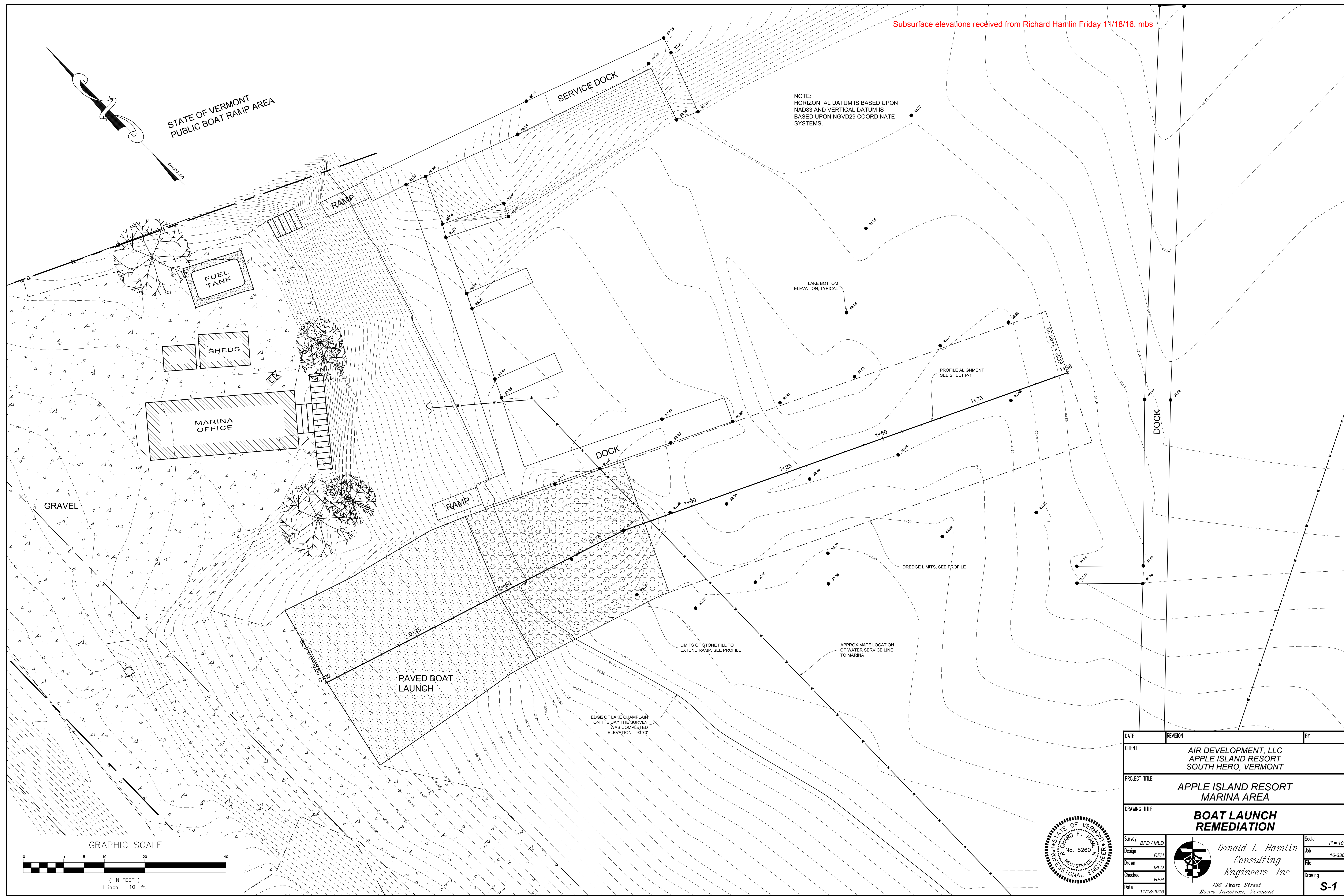
DATE	REVISION	BY
CLIENT AIR DEVELOPMENT, LLC APPLE ISLAND RESORT SOUTH HERO, VERMONT		
PROJECT TITLE APPLE ISLAND RESORT MARINA AREA		
DRAWING TITLE <b>PROPOSED LAKESHORE REMEDATION</b>		
Survey		Scale 1" = 20'
Design	BFD	Site
Drawn	RFH	Plan
Checked		Detail
Date	8/17/2016	
 Donald L. Hamlin Consulting Engineers, Inc. 136 Pearl Street Essex Junction, Vermont		



Subsurface elevations received from Richard Hamlin Friday 11/18/16. mbs

NOTE:  
HORIZONTAL DATUM IS BASED UPON  
NAD83 AND VERTICAL DATUM IS  
BASED UPON NGVD29 COORDINATE  
SYSTEMS.

STATE OF VERMONT  
PUBLIC BOAT RAMP AREA



GRAVEL

FUEL TANK

SHEDS

MARINA OFFICE

SERVICE DOCK

RAMP

RAMP

DOCK

RAVED BOAT LAUNCH

DOCK

PROFILE ALIGNMENT  
SEE SHEET P-1

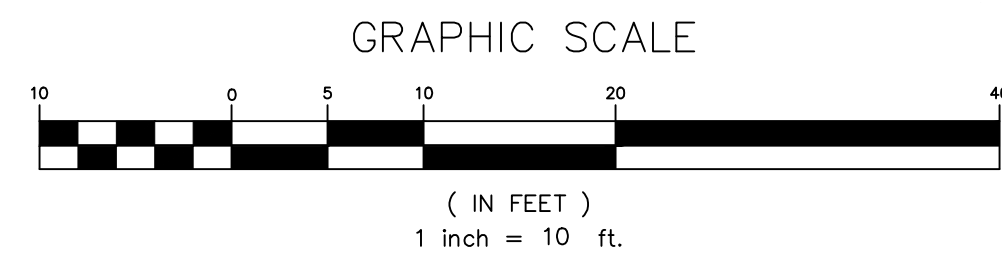
LAKE BOTTOM  
ELEVATION, TYPICAL

DREDGE LIMITS, SEE PROFILE

LIMITS OF STONE FILL TO  
EXTEND RAMP, SEE PROFILE

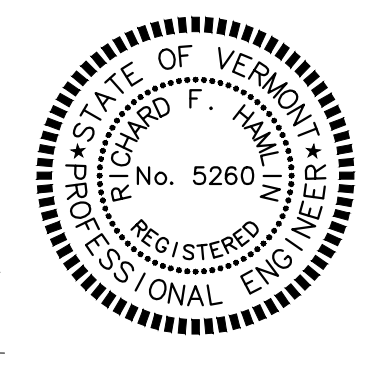
APPROXIMATE LOCATION  
OF WATER SERVICE LINE  
TO MARINA

EDGE OF LAKE CHAMPLAIN  
ON THE DAY THE SURVEY  
WAS COMPLETED  
ELEVATION = 93.70'



GRAPHIC SCALE

( IN FEET )  
1 inch = 10 ft.



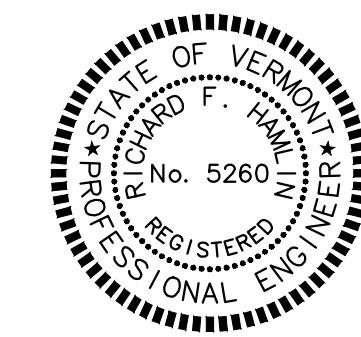
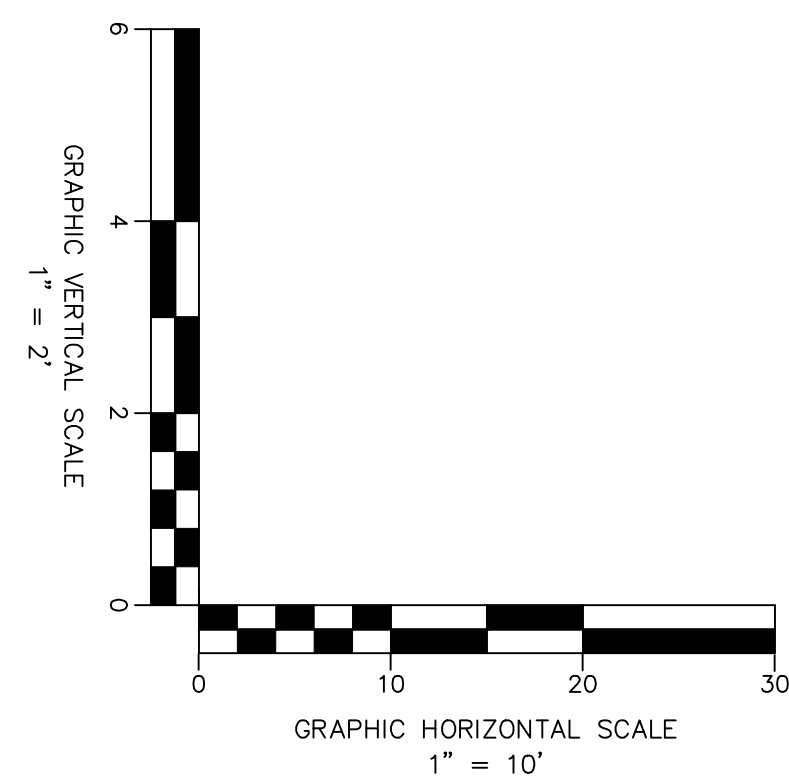
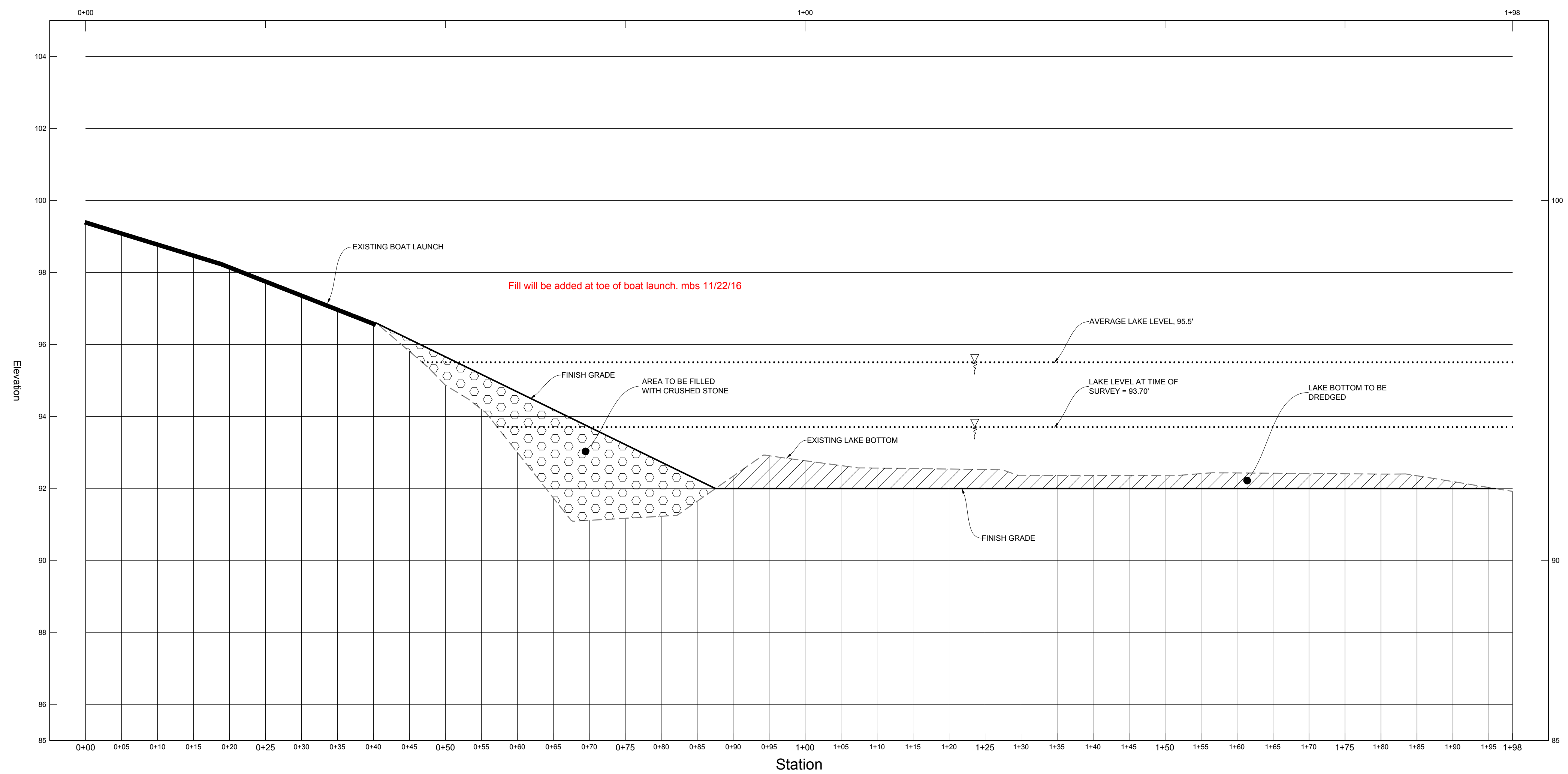
DATE	REVISION	BY
CLIENT AIR DEVELOPMENT, LLC APPLE ISLAND RESORT SOUTH HERO, VERMONT		
PROJECT TITLE APPLE ISLAND RESORT MARINA AREA		
DRAWING TITLE <b>BOAT LAUNCH REMEDATION</b>		
Survey	BFD / MLD	Scale 1" = 10'
Design	RFH	Job 16-330
Drawn	MLD	File
Checked	RFH	Drawing
Date	11/18/2016	<b>S-1</b>

Donald L. Hamlin  
Consulting  
Engineers, Inc.  
136 Pearl Street  
Essex Junction, Vermont

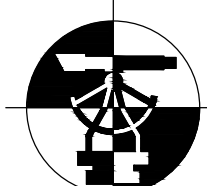


Cross-section received from Richard Hamlin Friday 11/18/16. mbs

APPLE ISLAND BOAT LAUNCH - PROFILE



DATE	REVISION	BY
CLIENT	AIR DEVELOPMENT, LLC APPLE ISLAND RESORT SOUTH HERO, VERMONT	
PROJECT TITLE	APPLE ISLAND RESORT MARINA AREA	
DRAWING TITLE	BOAT LAUNCH	
Survey	BFD / MLD	Scale 1" = 10'
Design	RFH	Job 16-330
Drawn	MLD	File
Checked	RFH	Drawing
Date	11/18/2016	<b>P-1</b>


 Donald L. Hamlin  
 Consulting  
 Engineers, Inc.  
 136 Pearl Street  
 Essez Junction, Vermont



9/7/16 Site visit with Mike Adams of USACE in anticipation of application submission. View looking SW of boat ramp proposed for dredging. mbs





9/7/16 Site visit with Mike Adams of USACE in anticipation of application submission. View looking down at eroded hole created by prop wash and material accumulating next to hole creating very shallow area. mbs 11/3/16





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