

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

Shoreland Permit Application
 for a Shoreland Protection Permit under
 Chapter 49A of Title 10, § 1441 et seq.



For Shoreland Permitting Use Only
 Application Number: **2155-SP**

Public Notice: At the same time this application is filed with Shoreland Permitting, a copy of this application must be provided to the municipal clerk for posting in the municipality in which the project is located.

Submission of this application constitutes notice that the person in Section A intends to create impervious surface and/or cleared area within the Protected Shoreland Area, and certifies that the project will comply with Chapter 49A of Title 10, § 1441 et seq. All information required on this form must be provided, and the requisite fees (Section G) must be submitted made payable to the State of Vermont, to be deemed complete. Refer to The Vermont Shoreland Protection Act - A Handbook for Shoreland Development and related instructions for guidance in completing this application.

A. Parcel Information

Landowner's Name: **Irina Mirsky-Zayas and Vladislav Zayas**

2a. Physical Address (911 Address): **70 Cedar Drive**

2b. Town - County: **Ryegate - Caledonia** 2c. Zip: **05069**

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) : **546-172-10245**

4. Phone: **401-524-4213** 5. Email: **upairka@yahoo.com**

6. Name of Lake/Pond: **Ticklenaked Pond - Ryegate** 7. Total Shore Frontage **115** (Feet)

8. Was the parcel of land created before July 1, 2014? Yes No

9. Are there wetlands associated with this parcel? Yes No
 Contact the Wetlands Program (802) 828-1535 or <http://dec.vermont.gov/watershed/wetlands>

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

11. What is the surface area of your parcel within the Protected Shoreland Area (PSA): **38,168** (square feet)
 See the Vermont Shoreland Protection Act - A Handbook for Shoreland Development, Appendix C, Determining Lakeside Zone & PSA

12. What is the surface area of existing impervious surface on your parcel within the PSA: **2006** (square feet)
 See the Vermont Shoreland Protection Act - A Handbook for Shoreland Development, Appendix F, Calculating Percent Impervious Surface

13. What is the surface area of existing cleared are on your parcel within the PSA: **37,628** (square feet)
 See the Vermont Shoreland Protection Act - A Handbook for Shoreland Development, Appendix E, Calculating Percent Clearing

B. Applicant Contact Information

1. Name: **Irina Mirsky-Zayas**

2a. Mailing Address: **40 Emeline St.**

2b. Town: **Providence** 2c. State: **RI** 2d. Zip: **02906**

3. Phone: **401-524-4213** 4. Email: **upairka@yahoo.com**

C. Application Preparer Information (If the individual preparing the application is not the landowner.)

1. Name: **Anthony Iarrapino, Esq.**

2a. Mailing Address: **16 State St. #2**

2b. Town: **Montpelier** 2c. State: **VT** 2d. Zip: **05602**

3. Phone: **802-522-2802** 4. Email: **anthony@ilovt.net**

Updated via email 9/12/2016--L.D.

Updated via email 9/12/2016--L.D.

D. Project Description

1. Describe the proposed project. For this application to be considered administratively complete you must attach site plans that denote existing and proposed cleared areas and impervious surface and their distances from mean water level, no fewer than three photos of the project area, and dimensions and associated surface areas of cleared areas and impervious surfaces.

The project entails removal of existing dwelling structures (an outhouse, shed, and residence) totaling 1156 sq. ft. shown on the attached plan and in the attached photos. The buildings are all set on pilings and after removal the foundation areas will be revegetated as part of the surrounding lawn. The parcel also has 850 sq. ft. of existing impervious (700 existing gravel driveway, 150 patio) that will be left as-is.

The project also includes construction of a new dwelling with a permanent concrete foundation. The new dwelling footprint is 1404 sq. ft., which includes a 100 sq ft. porch. The new dwelling will be located 162 feet from the Mean Water Level (see attached photo demarcating MWL) as adjusted for slope and depicted on the attached plan.

A total of 5 trees will be removed, all of which are located in the Upland Zone in or around the footprint of new dwelling structure. As indicated in the attached photo, two of the trees are partially blown over and are thus damaged and dangerous. The basal area of the trees slated for removal is 2.5 sq. ft.

No vegetation will be cleared within the Lakeside Zone. The applicant proposes to expand the existing lakeside vegetative buffer using native plantings as a best management practice (see 6d below). Vegetated buffer will be 35 square feet

2. For developed parcels, how far is the existing habitable structure from Mean Water Level 132 (feet), and how far will new cleared area or impervious surface be from MWL 162 (feet)?

OR

For undeveloped parcels, how far will new cleared area or impervious surface be from MWL _____ (feet)?

See the Vermont Shoreland Protection Act – A Handbook for Shoreland Development, Appendix A – Estimating Mean Water Level

3. Can all new cleared area or impervious surface be set back at least 100 feet from MWL? Yes No

If no, explain why below (attach support information as needed):

4a. What is the slope of the project site area: 8.0 %

See The Vermont Shoreland Protection Act – A Handbook for Shoreland Development, Appendix B, Determining Slope

4b. Is the slope of the project area less than 20%?

Yes No If yes, skip 4c.

4c. If no above (4b), describe the measures taken to ensure the slope is stable, resulting in minimal erosion and impacts to water quality (attach support information as needed):

5a. What is the surface area of new impervious surface associated with this project: ~~248,000~~ 1,404 (Square Feet)

See the Vermont Shoreland Protection Act – A Handbook for Shoreland Development, Appendix F, Calculating Percent Impervious Surface.

5b. What is the total resulting impervious surface after completion of the project and prior to implementation of best management practices: ~~254~~ 3,410 (Square Feet)

For D5b, add A12 to D5a

5c. Is the total in 5b. 20% or less of the parcel area within the PSA? Yes (if yes, skip 5d.) No

If 5a is 0, check the n/a box, otherwise divide D5b by A11 and multiply by 100 for percentage. Total percentage = ~~3.9~~ 9.1 % N/A

5d. If no above (5c), describe the best management practices used to manage, treat, and control erosion from stormwater from the portion of impervious surface that exceeds 20% (attach support information as needed):

Updated via email 9/12/2016--L.D.

6a. What is the surface area of new cleared area associated with this project: <u>2.5</u> (Square Feet) <small>See the Vermont Shoreland Protection Act – A Handbook for Shoreland Development, Appendix E, Calculating Percent Clearing.</small>	6b. What is the total resulting cleared area after completion of the project and prior to implementation of best management practices: <u>37630.5</u> (Square Feet) <small>For D6b, add A13 to D6a</small>
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6c. Is the total in 6b. 40% or less of the parcel area within the PSA? Yes (if yes, skip 6d.) No
 If 6a is 0, check the n/a box, otherwise divide D6b by A11 and multiply by 100 for percentage. Total percentage = 98.6 % N/A

6d. If no above (6c), establishing vegetative cover (revegetation) is the only applicable best management practice. Please describe a revegetation plan that will be equal to or greater in surface area than the proposed new cleared area as identified in 6a. Identify the location on the parcel where the revegetation will occur and how far from mean water level it will be (attach support information as needed).

The only new clearing that the project will require is removal of five trees totaling 2.5 sq. ft. in basal area, two of which are damaged and dangerous (see attached site plan and photographs). These will be cleared to make room for the new dwelling. To mitigate for this new clearing, Design Ecologist Buzz Ferver will expand the small existing vegetative buffer between the edge of the existing lawn and the mean water level of Ticklenaked Pond. Mr. Ferver will expand the existing buffer in the Lakeside Zone in an area equal to or greater than the basal area of the five trees being removed. (see drawing) The following native plantings will be used to establish the expanded buffer: Red Osier Dogwood, Native Willows, Spirea, Swamp Milkweed, Joe Pie Weed, and carex sedge.

Buffer will be 35 square feet, within 25 feet

E. Landowner Certification from mean water level

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 Shoreland Protection Act, 10 V.S.A. Chapter 49A, 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: *William Guy Verney* Date: 8/3/2016

F. 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: *Antoine* Date: 8/2/16

G. 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 denoting existing and proposed cleared area and impervious surface and distances from mean water level
- Application description includes dimensions and surface areas of cleared areas and impervious surfaces Application includes photos of project area

H. Permit Application Fees

Administrative Fee: \$125.00		125.00
Impervious Area Fee: \$0.50 per square ft.	Enter new impervious area as entered in item (5a) <small>248.00 <u>1,104</u> x 0.5</small>	124.00 702.00
Total Fee due:		249.00 \$827.00

Submit this form and application fee, payable to:
 State of Vermont -Vermont Department of Environmental Conservation
 Watershed Management Division -Shoreland Permitting
 1 National Life Drive, Main 2
 Montpelier, VT 05620-3522

Direct all correspondence or questions to Shoreland Permitting at:
ANR.WSMDShoreland@vermont.gov

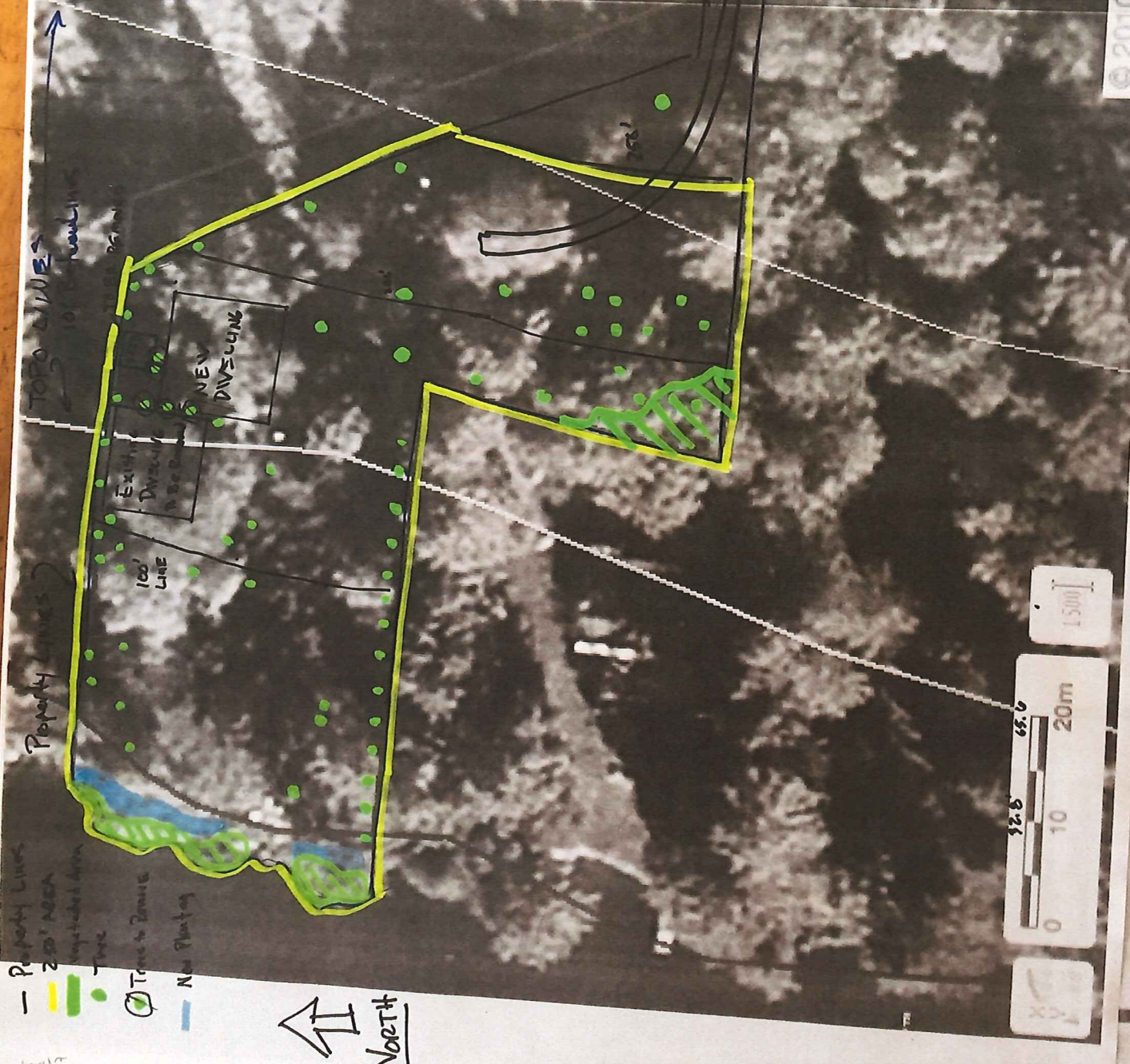
For additional information visit:
<http://dec.vermont.gov/watershed/lakes-ponds>

Revised April 2016

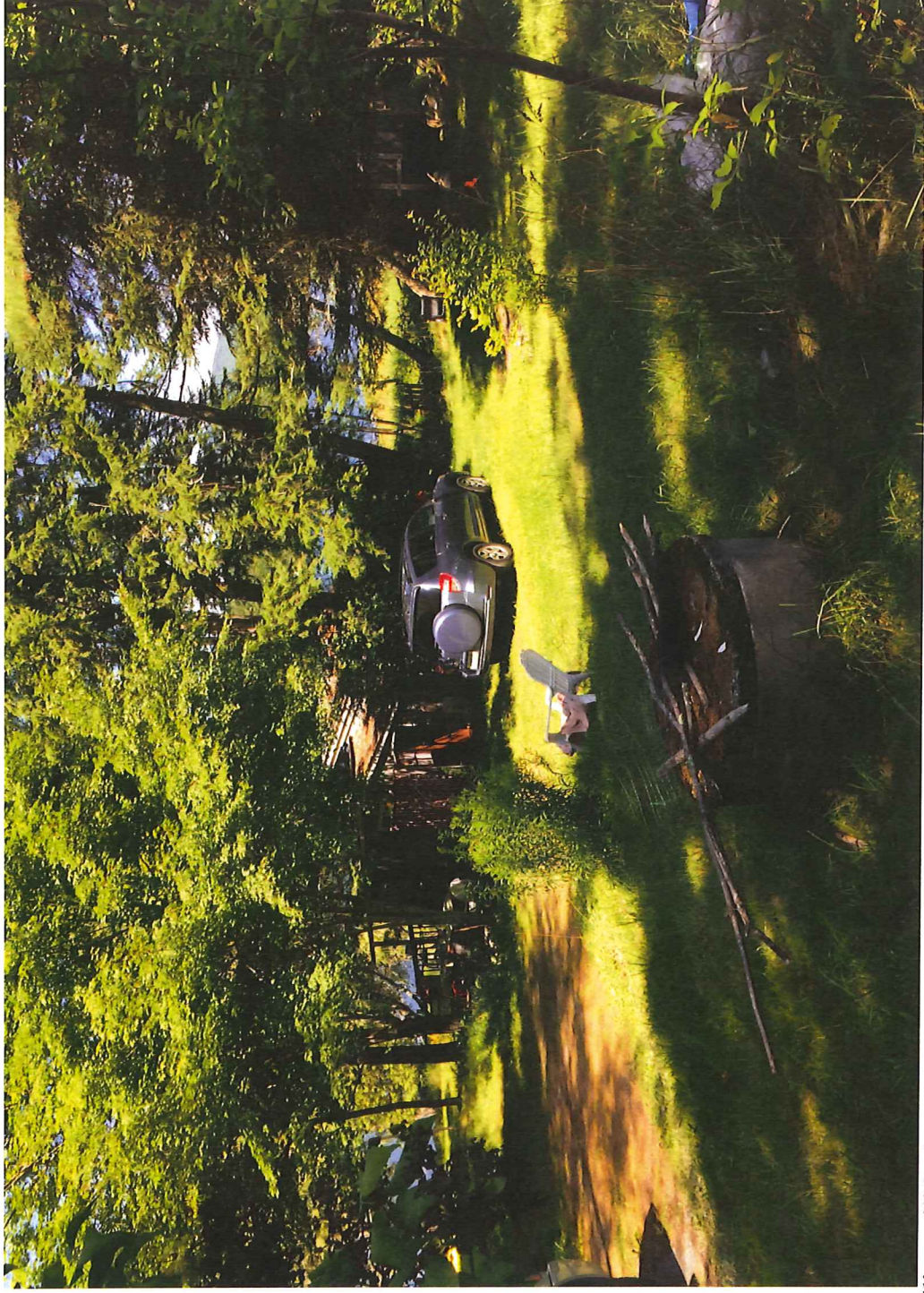
Remaining balance received by check on 9/12/16--L.D.

Property of Irina Mirskiyas
7.27.16

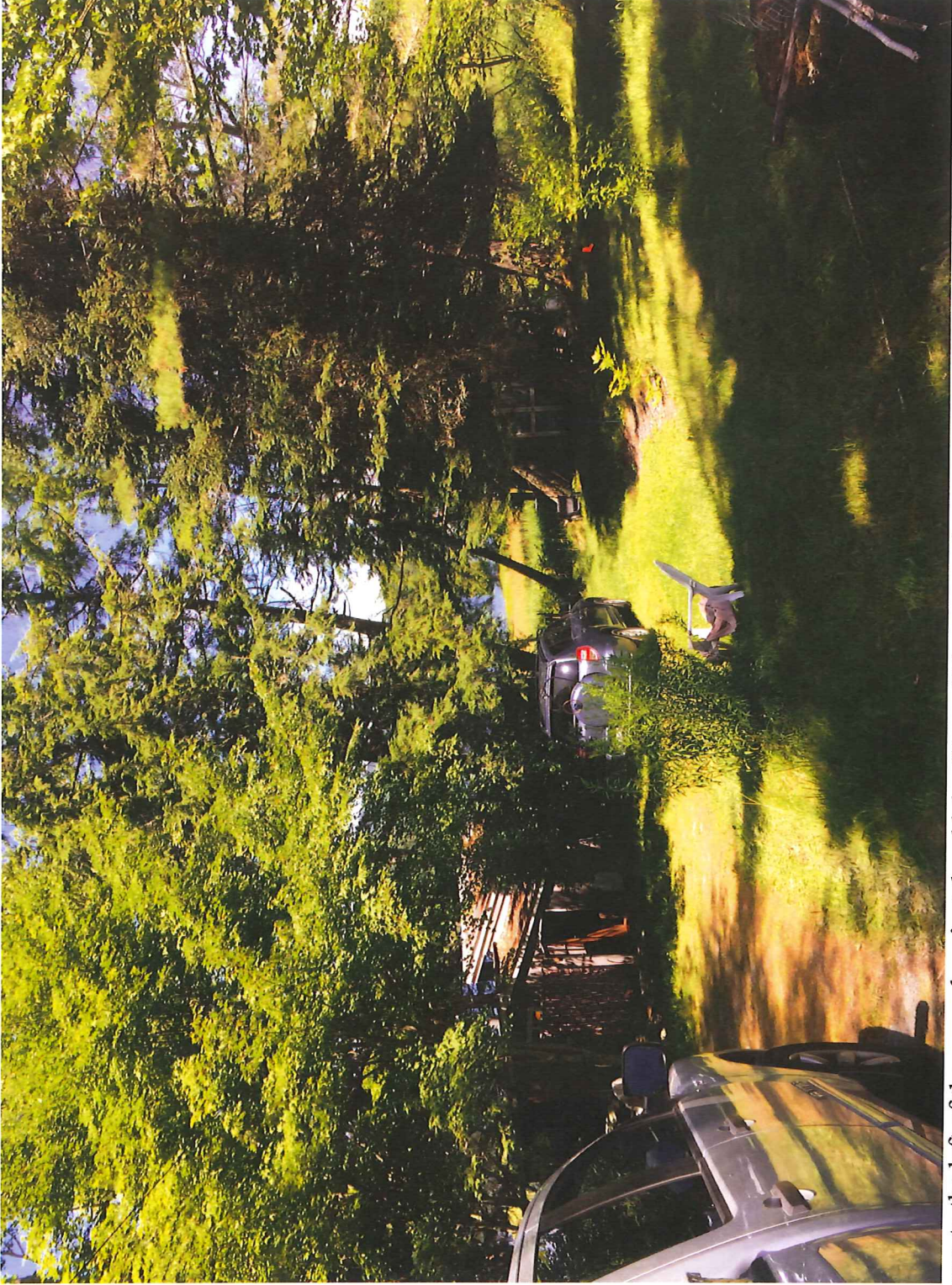
Proposed NEW DWELLING



Pictures of Irina Mirskyzayas Property and Dwelling in Ryegate VT, 7.27.16



The new dwelling will be located in the open area from the car to the right



The three trees to the left of the car and against the old dwelling will be removed.



General conditions in the subject area are lawn with individual trees. Note orange flag in center of frame, this is 100' from MWL .



100 foot from MWL at orange flag



100' from MWL, taken from vegetation edge



Edge of Ticklenaked Pond with existing vegetative buffer. As a best management practice to mitigate for the new cleared area equaling the basal areas of trees that will be removed to make room for the new dwelling, the property owners will expand the existing buffer in the Lakeside Zone. (see drawing) The following native plantings will be used to establish the expanded buffer: Red Osier Dogwood, Native Willows, Spirea, Swamp Milkweed, Joe Pie Weed, Carex sp.