



## 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: **2157-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): **380 Leisure Lane**

2a. Town- County: **Salisbury, VT, 05769**      2b. Zip: **561-177-10084**

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 Dunmore**

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: **Jeffrey A Garner**

2a. Mailing Address: **111 Oak Dr**

2b. Town: **Middlebury**      2c. State: **VT**      2d. Zip: **05753**

3. Phone: **802-598-6818**      4. Email: **jeffgarner1968@yahoo.com**

### C. Application Preparer Contact Information:

1. Name: **Jeffrey A Garner**

2a. Mailing Address: **111 Oak Dr**

2b. Town: **Middlebury**      2c. State: **VT**      2d. Zip: **05753**

3. Phone: **802-598-6818**      4. Email: **jeffgarner1968@yahoo.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.

**Wall timbers are 8"x 8"**

The proposed project is to replace an aging and deteriorated concrete seawall with a new wooden wall. We also will remove a set of concrete stairs that are permanently in the lake when it is at MWL. The new wall will be in the exact same location as the current wall. New lake entrance and egress will be from removable stairs and will be removed in the winter season. We are planning this work for late Fall of 2016 after the lake level has been lowered, at this time of year, the entire wall is above the water level and this allows all of the work to be done without entering the lake. At low level times, the wall is approximately six feet (horizontally) from the water's edge.

**Concrete wall is 54 linear feet and 4 feet tall, replacement timber wall will be the same. All heavy equipment will be used from shore and all removed concrete material will be disposed of off-site.**

2. Describe the purpose of the proposed project:

To replace an old wall that is falling apart with a new one that will also match the neighbor's walls in both materials and look. The wall has separated and cracked significantly in the last several seasons while the stairs have shifted and moved to a point they are sloped and the reinforcing bar is sticking out from underneath.

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

none, this project is replacing an existing seawall in its current location relative to MWL

4. Describe the public benefits of the proposed project:

The new wall will be more aesthetically appealing than the current one and the new stairs will be safer for anyone using them.

**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)?

The work will be done at a time that the lower lake level allows full access to the work area completely above the water level. There will be no impact on the water quality.

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)?

The work will be done at a time that the lower lake level allows full access to the work area completely above the water level. There will be no impact on the fish and wildlife habitat.

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

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 new wall will use the same materials and construction style as the neighbor's wall. and in fact will be completed by the same contractor who installed their wall.

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

no

#### 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:  Date: 8/1/16

#### 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: \_\_\_\_\_ Date: \_\_\_\_\_

#### 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.

Update by L.D. 9/16/2016, sent request for \$80 refund on 9/16/16

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		
<b>Total:</b>		
<b>2. Structural erosion control project</b>		
Structural erosion control project: \$250.00		
<b>Total:</b>		\$250.00
<b>3. Other Projects (e.g., marina improvements):</b>		
Other Project: \$300.00		<del>\$300</del>
Project Cost Fee: 0.01 times project cost	Total Project Cost: <u>\$3000</u> x 0.01	<del>\$30</del>
<b>Total:</b>		<del>\$330</del> \$250.00

**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)

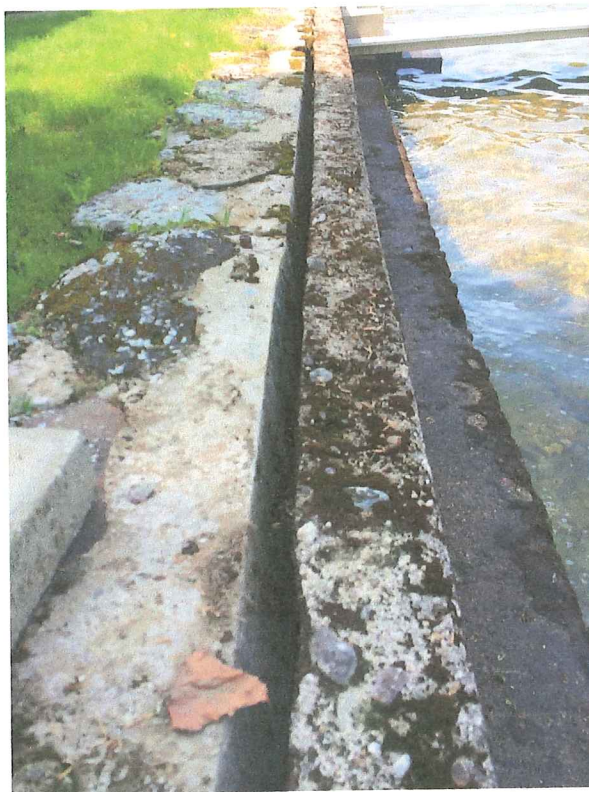
For additional information visit: <http://dec.vermont.gov/watershed/lakes-ponds>



Picture showing overall condition of wall



Picture showing wall separating



Picture of east end showing wall separation



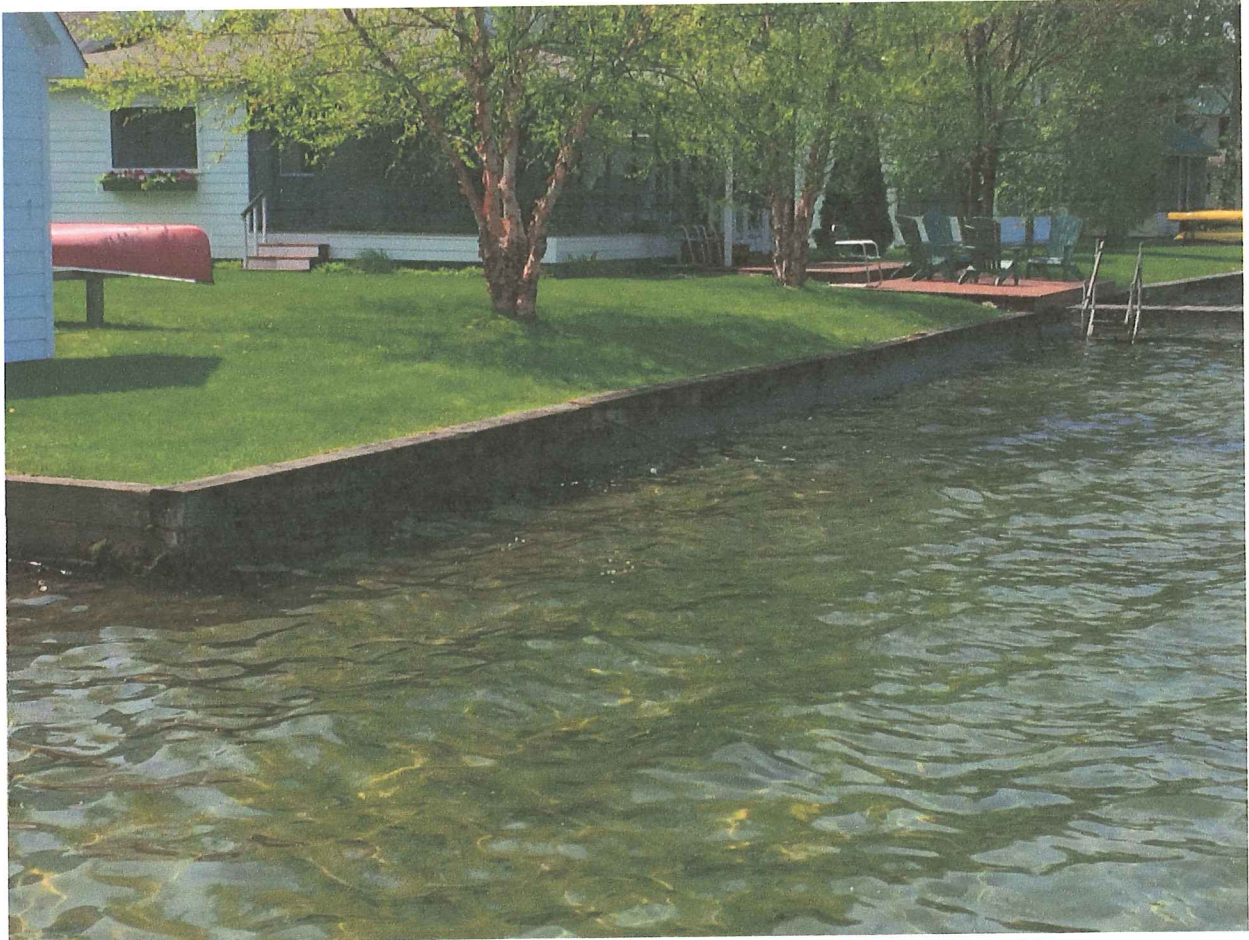
Picture of west showing separation and cracking



Pictures showing crack in wall that is growing annually



Picture showing stairs that are now leaning and moving



Pictures showing neighbors (Smith's) wall that we would like to emulate in architecture



## 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: Philip and Susan Smith

Address: 1385 Main St, Williamstown, MA 01267

2. Name: Archie and Barbara Stone

Address: 3 Conestoga Drive, Madison, CT 06443

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>