



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: **2270-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: **Clintonia, LLC**

2a. Physical Address (911 Address): **237 Dam Road**

2b. Town - County: **Chittenden - Rutland**

2c. Zip: **05737**

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)

4. Phone: **802-362-4254**

5. Email: **ngpeck@gmail.com**

6. Name of Lake/Pond: **Chittenden Reservoir - Chittenden**

7. Total Shore Frontage **0** (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): **56794** (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: **7657** (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: **36616** (square feet)  
 See the [Vermont Shoreland Protection Act - A Handbook for Shoreland Development, Appendix E, Calculating Percent Clearing](#)

### B. Applicant Contact Information

1. Name: **802 Realty**

2a. Mailing Address: **1232 Mckinley Avenue**

2b. Town: **Rutland**

2c. State: **Vermont**

2d. Zip: **05701**

3. Phone: **802-345-2594**

4. Email: **merrillcon@aol.com**

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

1. Name: **John P. Lapre**

2a. Mailing Address: **P.O. Box 380**

2b. Town: **North Clarendon**

2c. State: **Vermont**

2d. Zip: **05759**

3. Phone: **802-775-3385**

4. Email: **spencerlapre@aol.com**

### 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.

Permit the construction of a 530 sf addition to an existing single family home and 1,500 sf parking/driveway expansion.

2. For developed parcels, how far is the existing habitable structure from Mean Water Level 71' (feet), and how far will new cleared area or impervious surface be from MWL 81' (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):

The proposed addition will not configure with the existing structure on the far side.

4a. What is the slope of the project site area: 0-30 %

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):

Dripline trenches are proposed on the downhill side of the construction site and on the uphill side of the new dripedge

5a. What is the surface area of new impervious surface associated with this project: 2,030.00 (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: 9687 (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 = \_\_\_\_\_ %  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):

<b>6a. What is the surface area of new cleared area associated with this project:</b> <u>0</u> (Square Feet) See the <a href="#">Vermont Shoreland Protection Act – A Handbook for Shoreland Development, Appendix E, Calculating Percent Clearing.</a>	<b>6b. What is the total resulting cleared area after completion of the project and prior to implementation of best management practices:</b> <u>36616</u> (Square Feet) For D6b, add A13 to D6a
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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 = 64 %  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).**

No change in cleared area is proposed.

**E. Landowner 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 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:** [Signature] **Date:** 10/6/16

**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:** [Signature] **Date:** 10/6/16

**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) <u>2,030.00</u> x 0.5	1,015.00
<b>Total Fee due:</b>		<b>1,140.00</b>

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

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



DAM ROAD

SIBBEN  
PORCH

PROPERTY

PROPERTY LINE



← PROJECT SITE



DRIVE

PROJECT

SCREEN  
PORCH

LAKE  
75' x 4'

**505D: Berkshire-Colton association, hilly, stony**

The Berkshire component makes up 55 percent of the map unit. The natural drainage class is well drained. Water movement in the most restrictive layer is moderately high. This component is on hills on glaciated uplands, ridges on glaciated uplands, knolls on glaciated uplands. The parent material consists of coarse-loamy till. Depth to a root restrictive layer is greater than 60 inches.

The Colton component makes up 20 percent of the map unit. The natural drainage class is excessively drained. Water movement in the most restrictive layer is high. This component is on knolls on river valleys, terraces on river valleys. The parent material consists of sandy and gravelly glaciofluvial deposits. Depth to a root restrictive layer is greater than 60 inches.

Important farmland classification: NPSL	Land capability: 4 e	Vermont Agricultural Value Group: 10
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Vermont Residential Onsite Waste Disposal Group and Subgroup: Id

This unit is well suited as a site for soil-based residential wastewater disposal systems, based on a review by the Natural Resources Conservation Service of criteria set forth in the Vermont 2007 Environmental Protection Rules. Slopes greater than 20 percent in some areas are a concern. There may be less-sloping areas within the unit that are suitable for siting a septic system, or, if feasible, cut and fill site modifications may produce an acceptable area within the unit. An erosion prevention and sediment control plan is required by the State for construction on sites over 20 percent slope.

**PHYSICAL and CHEMICAL PROPERTIES**

Soil name	Depth (In)	Typical texture	Clay (Pct)	Soil reaction (pH)	Permeability (In/Hr)	Organic matter (Pct)	EROSION FACTORS		
							Kw	Kf	T
Berkshire	0-6	GR-FSL	3-10	4.5 - 6.0	0.6-6	2.0-5.0	.17	.28	5
	6-32	GR-FSL	3-10	4.5 - 6.0	0.6-6	0.5-4.5	.17	.32	
	32-60	GR-FSL	1-10	4.5 - 6.0	0.6-6	0.0-1.0	.24	.43	
Colton	0-6	GRV-SL	1-7	4.5 - 6.0	6-20	2.0-6.0	.05	.17	5
	6-32	GRX-S	0-5	4.5 - 6.0	6-20	0.5-2.0	.02	.02	
	32-60	GRX-S	0-3	4.5 - 6.5	20-100	0.0-0.5	.02	.02	

**WATER FEATURES**

**SOIL FEATURES**

Soil name	Hydrologic group	Depth to seasonal high water table (Feet)	Flooding		Ponding		Hydric soil?	Depth to bedrock (range in inches)
			Frequency	Duration	Frequency	Duration		
Berkshire	B	---	None		None		No	---
Colton	A	---	None		None		No	---

**LAND USE LIMITATIONS**

**AGRICULTURAL YIELD DATA**

Soil name	Land use	Rating	Reason **	Crop name	Yield / acre
Berkshire	Dwellings with basements:	Very limited	Slope		
Colton	Dwellings with basements:	Very limited	Slope		
Berkshire	Pond reservoir areas:	Very limited	Slope		
Colton	Pond reservoir areas:	Very limited	Seepage		

**WOODLAND MANAGEMENT**

Soil name	Management concern	Rating	Reason	Vermont natural communities
Berkshire	Harvest equip operability:	Well suited		Northern Hardwood Forest, Mesic Red Oak-Northern Hardwood Forest, Beech-Red Maple-Hemlock-Northern Hardwood Forest Variant, Hemlock Forest
Colton	Harvest equip operability:	Well suited		
Berkshire	Road suitability:	Poorly suited	Slope	
Colton	Road suitability:	Poorly suited	Slope	
Berkshire	Erosion hazard (off-road):	Moderate	Slope/erodibility	
Colton	Erosion hazard (off-road):	Moderate	Slope/erodibility	

# SPENCER & LAPRE, LLP

A PARTNERSHIP OF SPENCER ENGINEERING AND LAPRE LAND DEVELOPMENT SERVICES, LLC

PHYSICAL ADDRESS: 85 ELM HILL DRIVE, N. CLARENDON, VT 05759-0380

MAILING ADDRESS: PO BOX 380, N. CLARENDON, VT 05759

802-775-3385 • EMAIL: SPENCERLAPRE@AOL.COM

October 7, 2016

State of Vermont  
Watershed Management Division  
Shoreland Permitting  
c/o Laura Dlugolecki  
1 National Life Drive, Main 2  
Montpelier, VT 05620-3522



Re: Shoreland permitting for Clintonia Property, Chittenden Reservoir

Dear Laura,

Attached you will find a Shoreland Permit Application along with accompanying documentation for a property located at 237 Dam Road, Chittenden, Vermont.

This project consists of construction of a 528 sf. addition to an existing structure, and 1500 ft. of driveway expansion. All construction will be in an area that are currently lawn. The existing structure is located 71ft. from the Chittenden Reservoir. The proposed addition will be 78' from the reservoir.

This project is unique, as there is a roadway between the lake and the dwelling. It just happens that the roadway has been legally downgraded to a town trail about 100 yards prior to reaching this parcel. As such, we don't strictly meet the roadway exemption. Another thing this project has going for it is that the contours slope away from the reservoir where the construction is proposed (see the attached plan).

We are proposing the installation of dripline trench along the eastern dripline of the new addition. We are also proposing dripline trench along the downhill side of the proposed driveway. The soils are classified as 505D, Berkshire-Colton association, hilly, stoney. These are well drained gravely soils.

I hope you will find the addition of the dripline trench an adequate best management practice for what should be an exempt project.

Please feel free to call with any questions,

Respectfully,

SPENCER & LAPRE, LLP

John P. Lapre, Partner

Encl.



# SPENCER & LAPRE, LLP

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MAILING ADDRESS: PO BOX 380, N. CLARENDON, VT 05759

802-775-3385 • EMAIL: SPENCERLAPRE@AOL.COM

October 7, 2016

Roberta Janoski, Town Clerk  
260 Chittenden Road  
Chittenden, Vermont 05737

Re: Shoreland permitting, Clintonia Property

Dear Roberta,

Attached you will find a Shoreland Protection Permit Application package for the Clintonia property located at 237 Dam Road. The state requires that we send a copy of the application to the town for posting.

Please let me know if you have any questions.

Respectfully,

SPENCER & LAPRE, LLP

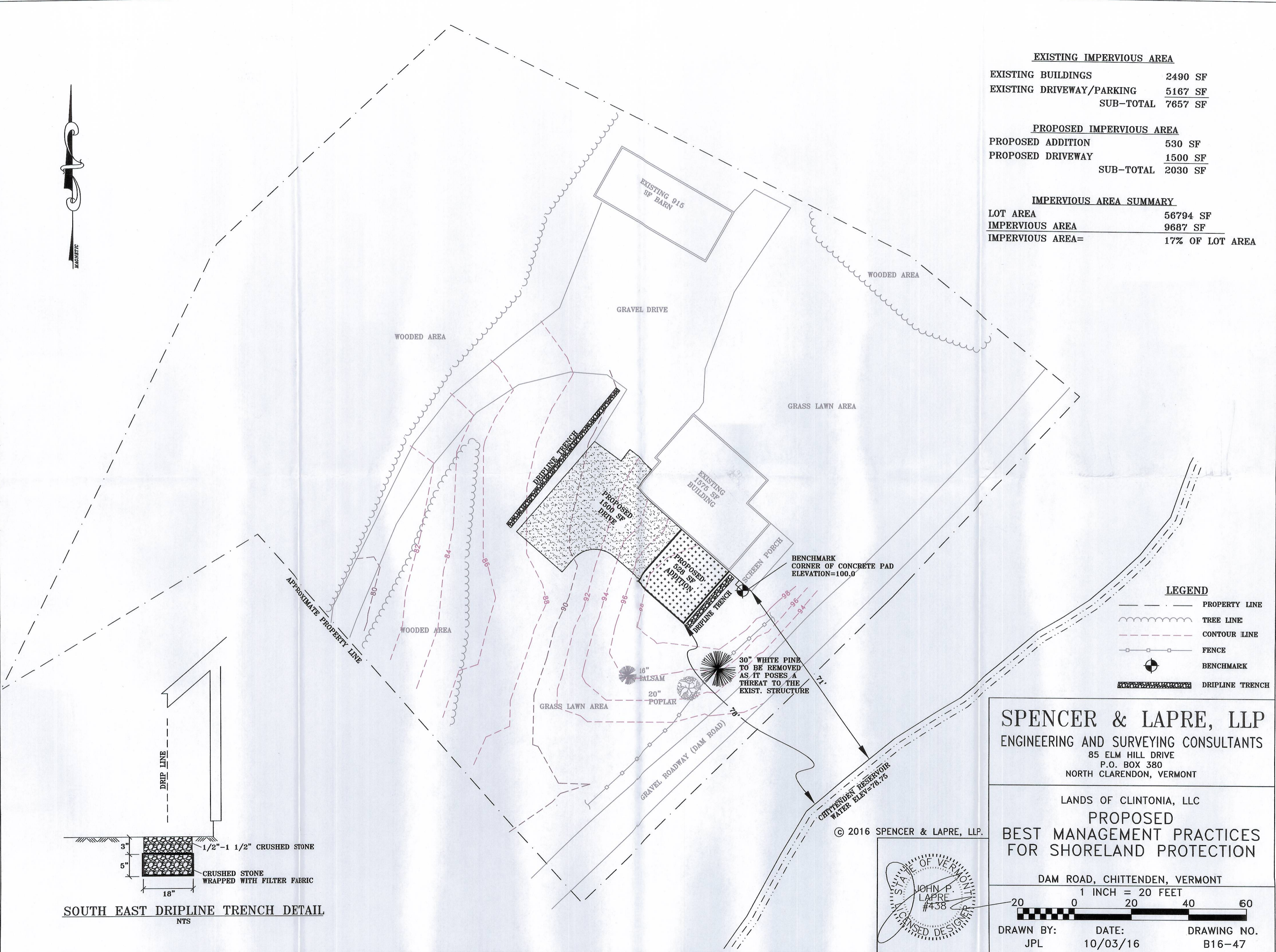


John P. Lapre, Partner

EXISTING IMPERVIOUS AREA	
EXISTING BUILDINGS	2490 SF
EXISTING DRIVEWAY/PARKING	5167 SF
<b>SUB-TOTAL</b>	<b>7657 SF</b>

PROPOSED IMPERVIOUS AREA	
PROPOSED ADDITION	530 SF
PROPOSED DRIVEWAY	1500 SF
<b>SUB-TOTAL</b>	<b>2030 SF</b>

IMPERVIOUS AREA SUMMARY	
LOT AREA	56794 SF
IMPERVIOUS AREA	9687 SF
IMPERVIOUS AREA=	17% OF LOT AREA



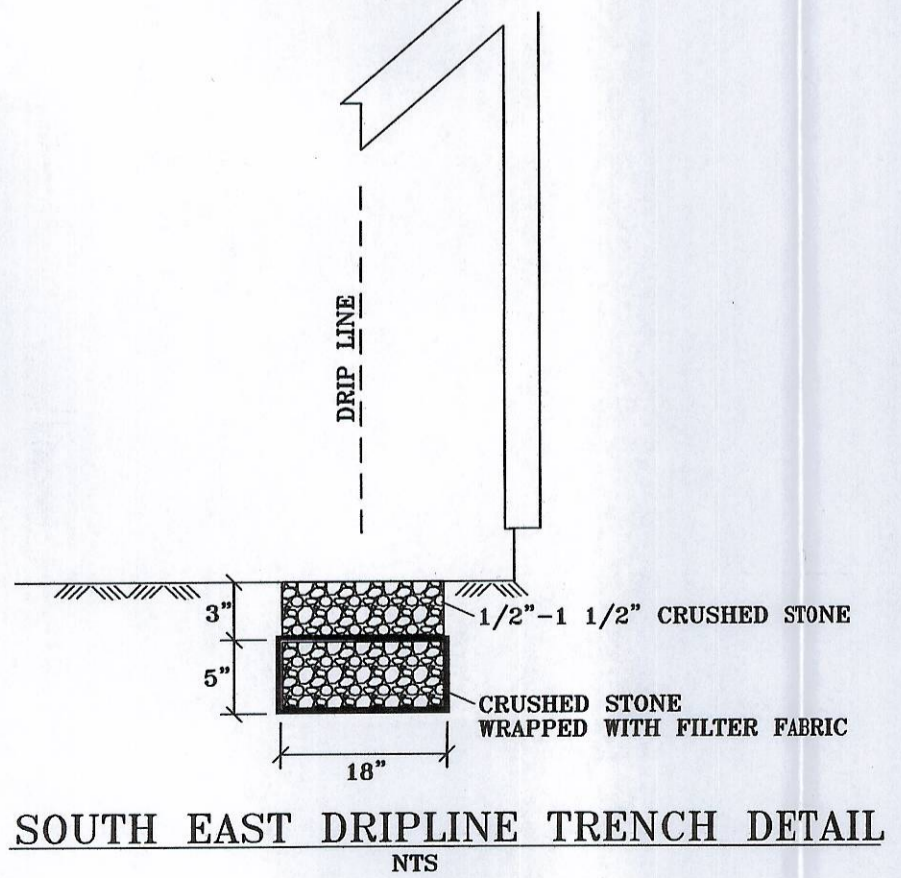
**LEGEND**

- PROPERTY LINE
- TREE LINE
- CONTOUR LINE
- FENCE
- BENCHMARK
- DRIPLINE TRENCH

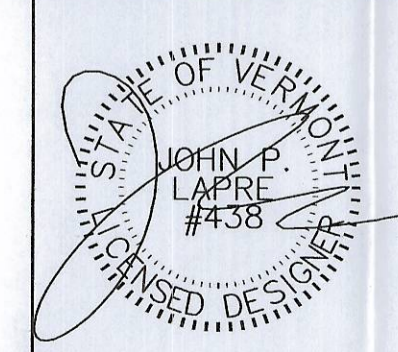
**SPENCER & LAPRE, LLP**  
 ENGINEERING AND SURVEYING CONSULTANTS  
 85 ELM HILL DRIVE  
 P.O. BOX 380  
 NORTH CLARENDON, VERMONT

LANDS OF CLINTONIA, LLC  
**PROPOSED  
 BEST MANAGEMENT PRACTICES  
 FOR SHORELAND PROTECTION**

DAM ROAD, CHITTENDEN, VERMONT  
 1 INCH = 20 FEET  
  
 DRAWN BY: JPL      DATE: 10/03/16      DRAWING NO. B16-47



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#2220-SF