

# Vermont Shoreland Protection Act (#172)



# Presentation Outline

## Part 1: Shoreland Standards

- Exemptions
- Registrations
- Permits
- Shoreland standards overview

## Part 2: State Permit Process

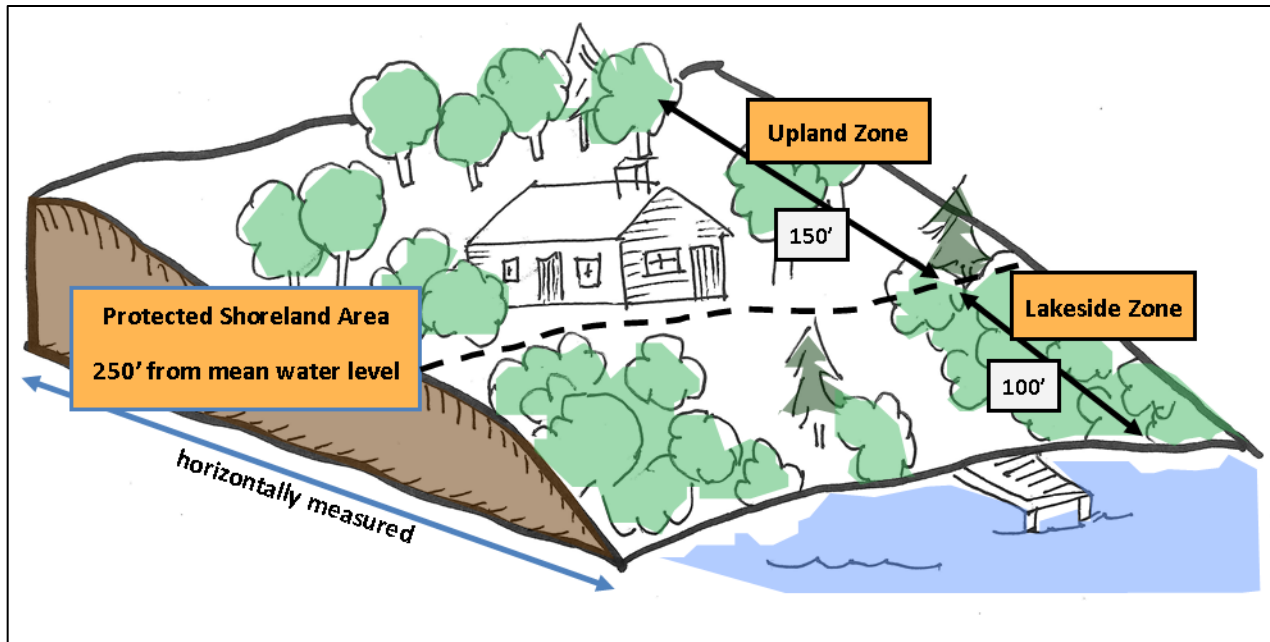
- Handbook and application forms
- Application and notification process

## Part 3: Town Permit Process

- Delegation

*Part 1*  
Shoreland  
Standards

# Jurisdictional Area on Lakes Greater than 10 Acres



Jurisdictional triggers: **new cleared area** or **new impervious surface**

# Exemptions

- Repair and maintenance
- Reconstruction in existing footprint
- Removal of dead, diseased or unsafe trees
- Within Lakeside Zone:
  - Six foot path
  - Tree pruning and thinning
- Parcels intersected by a public highway  
(projects on the portion of the parcel on the side of the highway away from the mean water level)

## Exemptions – Other Permits or Rules

- Wastewater/potable water supply
- Stormwater discharges and treatment facilities
- Designated downtowns, village centers, and urban and industrial redevelopment
- Act 250 and Section 248 (utility projects)
- Forestry in accordance with AMPs and an approved plan
- Existing agriculture in accordance with AAPs

# Registrations

**Lakeside Zone:** Up to 100 square feet of cleared/impervious area

– At least 25 feet from MWL

**Upland Zone:** Up to 500 square feet of cleared/impervious area

Fee: \$100

Review time: 15 days

# Permits

Lakeside and Upland Zones:  
Projects must meet 20, 20,  
40, & 100 standards

Fee: \$125 plus \$0.50 per  
square foot of proposed  
impervious surface

Review time: 40 days





# New development sited on areas with less than 20% slope...



...or demonstrate the slope will be stable with minimal erosion and impact to water quality

# Slope BMPs



# Max 20% Impervious Surface



Impervious surfaces take up **less than 20%** of parcel area or BMPs are used

# Impervious Surface BMPs



# Max 40% Cleared Area

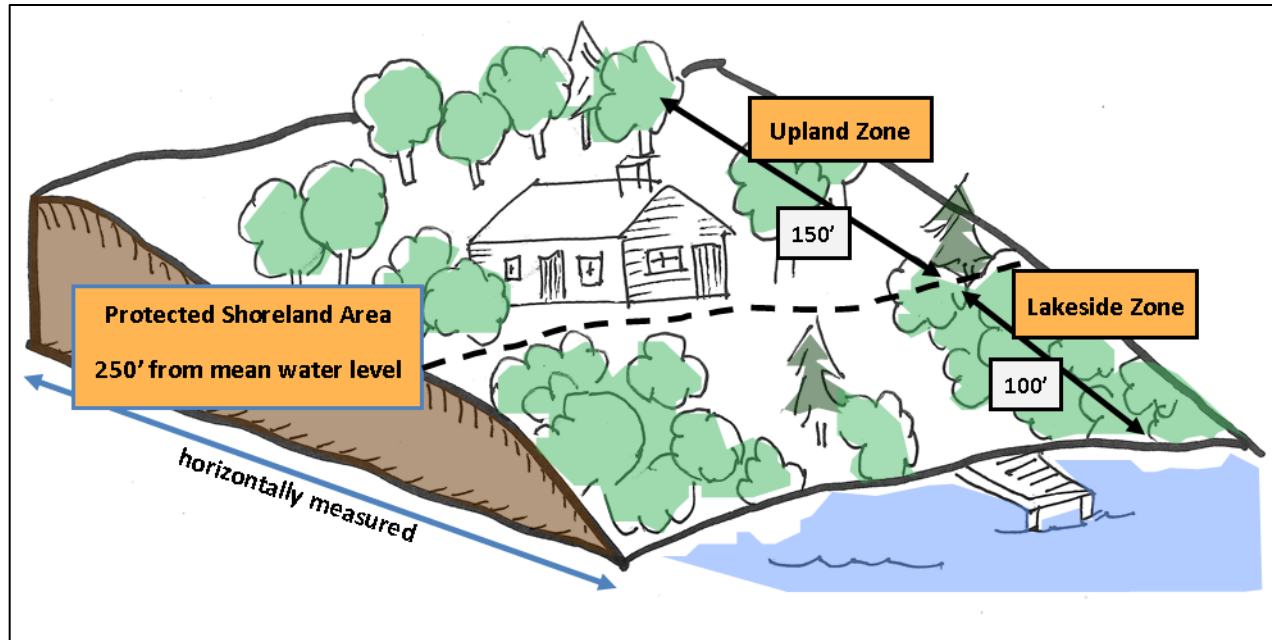


Cleared area takes up **less than 40%** of parcel area or BMPs are used

# Cleared Area BMPs



# 100' Setback



New cleared areas and impervious surfaces must be set out of the Lakeside Zone

# Vegetation Protection Standards

Each 25' plot must maintain:

**3:** Vegetation 3' and lower

**5:** A minimum of 5  
saplings (<2" diameter)

**12:** A minimum of 12 tree  
diameter points

Tree Diameter (inches)	Points
< 2	0
2 < 4	1
4 < 8	2
8 < 12	4
≥ 12	8





# Redevelopment Example: The Mayor's Camp

## Existing conditions:

- Lot size: 20,000 ft<sup>2</sup>
- Impervious area: 1,980 ft<sup>2</sup> (10%)
- Cleared area: 9,200 ft<sup>2</sup> (46%)

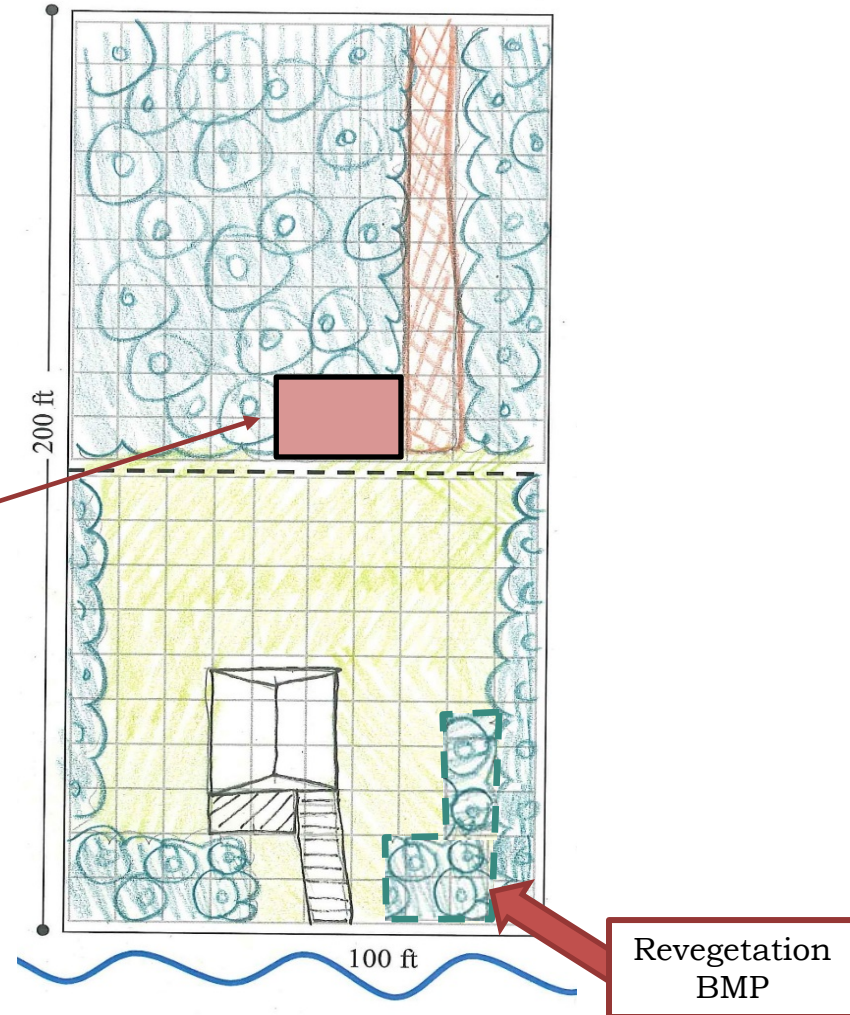
## Proposal:

- Add a 600 ft<sup>2</sup> garage in wooded area

## New conditions:

- Impervious area: 2,580 ft<sup>2</sup> (13%)
- Cleared area: 9,800 ft<sup>2</sup> (49%)

Permit & BMPs required



# Redevelopment Example: Uncle Eddie's Camp

## Existing conditions:

- Parcel size: 10,000 ft<sup>2</sup>
- Impervious area: 1,556 ft<sup>2</sup> (15%)
- Cleared area: 7,400 ft<sup>2</sup> (74%)

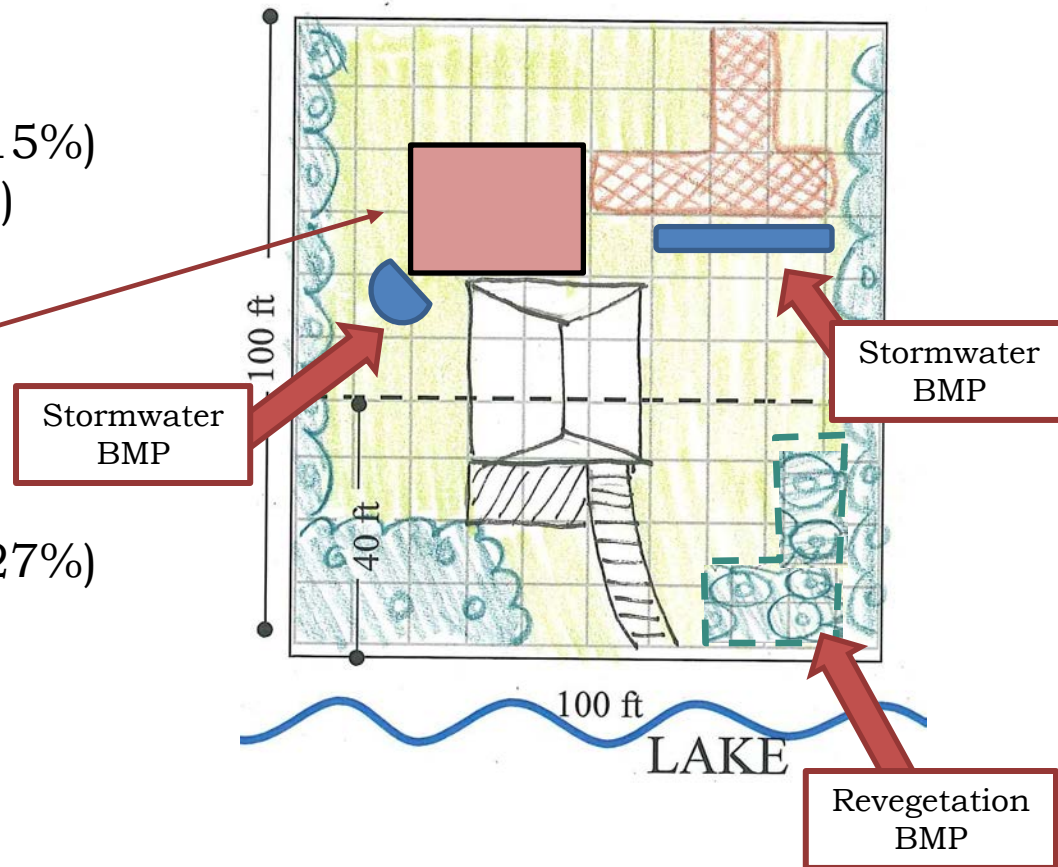
## Proposal:

- Addition of 600 ft<sup>2</sup>

## New conditions:

- Impervious area: 2,800 ft<sup>2</sup> (27%)
- Cleared area: no change

Permit & BMPs required




*Part 2*  
State Permit  
Process

# Application & Application Tools

Version: July 2014

**Shoreland Project Registration**  
for a Shoreland Project Registration under  
Chapter 49A of Title 10, § 1446(a)

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

**For Shoreland Permit Program Use Only**

Application Number: \_\_\_\_\_

**Public Recording:** To prevent a potential title encumbrance, an approved copy of this registration form must be recorded in the land records of the municipality (or municipalities) in which the project is located. Be advised that registrations shall take effect 15 days after being accepted by the Shoreland Permit Program unless additional information is requested or the applicant is notified that an individual permit is required for the proposed project.

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, § 1446(a). All information requested on this registration form must be provided, and the requisite **\$100** registration fee 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 registration application.

**Limitation:** The registration process *cannot* be used to create more than a *maximum total per parcel* of:

- Category A: 100 square feet of impervious surface or cleared area within 100 feet of the mean water level; **and**
- Category B: 500 square feet of impervious surface or cleared area within the Protected Shoreland Area at least 100 feet away from mean water level.

**A. Parcel Information**

1. Landowner's Name: \_\_\_\_\_

2a. Physical Address (911 Address): \_\_\_\_\_

2b. City/Town: \_\_\_\_\_ 2c. Zip: \_\_\_\_\_ 3. SPAN\*: \_\_\_\_\_

4. Name of lake/pond: \_\_\_\_\_ 5. Total shore frontage: \_\_\_\_\_ (feet)

6. Are there wetlands associated with this parcel?  Yes  No  
Contact the Wetland Program at: (802) 928-1535 or [www.anr.state.vt.us/dec/waterq/wetlands.htm](http://www.anr.state.vt.us/dec/waterq/wetlands.htm).

7. Are there previously issued shoreland permits or registrations associated with this parcel?  Yes  No

**B. Registrant Contact Information** (Check box if address is the same as above in Section A: )

1. Name: \_\_\_\_\_

2a. Mailing Address: \_\_\_\_\_

2b. Municipality: \_\_\_\_\_ 2c. State: \_\_\_\_\_ 2d. Zip: \_\_\_\_\_

3. Phone: \_\_\_\_\_ 4. Email: \_\_\_\_\_

**C. Project Description**

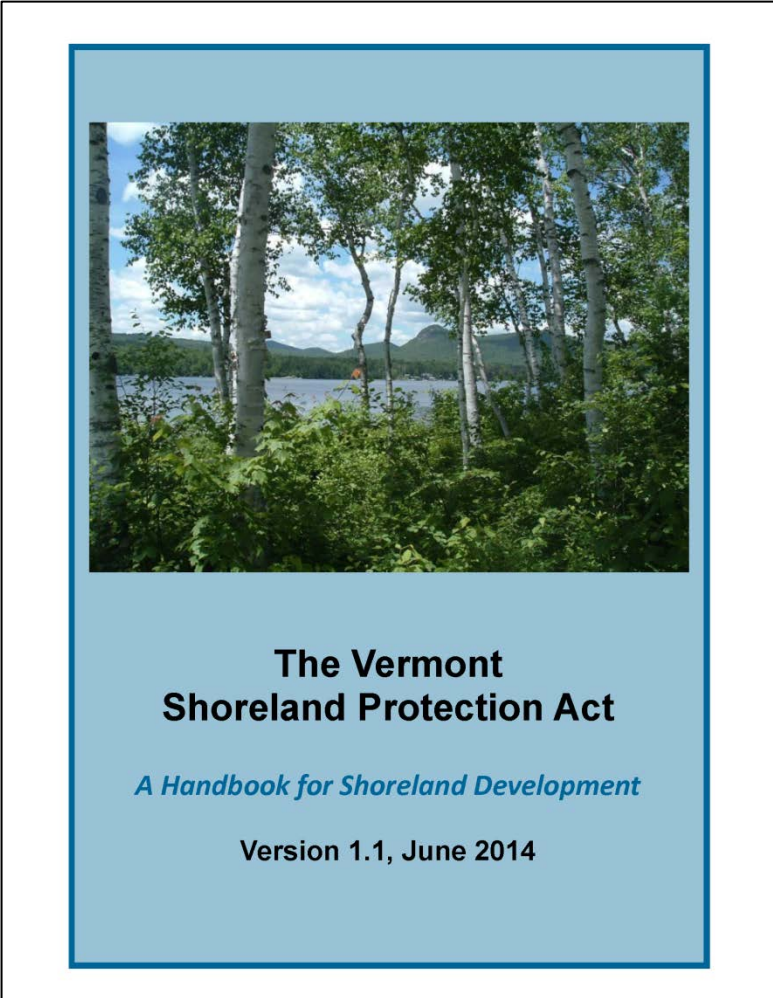
1. Briefly describe the proposed project below:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

[Note: Registrants are strongly encouraged to document through photographs, project plans, and writing relevant information that they provide in this registration. This information does not need to be provided with this application, but should be maintained by the registrant.]

\*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. SPAN is a unique identification number for each parcel of property in the State of Vermont consisting of eleven digits. The first three digits identify the town, the next three digits identify the school district, and the last five digits represent the unique parcel or property.

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# Application & Notification Process



1. Find out about **all** requirements before applying
2. Complete and submit application
3. 30 day public notice period required
  - a. Application available online and in town office
  - b. Notify interested parties

*Part 3*  
Municipal  
Permit Process

Shoreland Permit Program must delegate permit authority to municipalities, as long as the municipality has:

- Requested delegation
- Adopted a bylaw or ordinance **functionally equivalent** to the shoreland standards
- Has **adequate resources** for administration and enforcement of the bylaw or ordinance

With delegation questions, contact:

Susan Warren (DEC)

802.490.6134

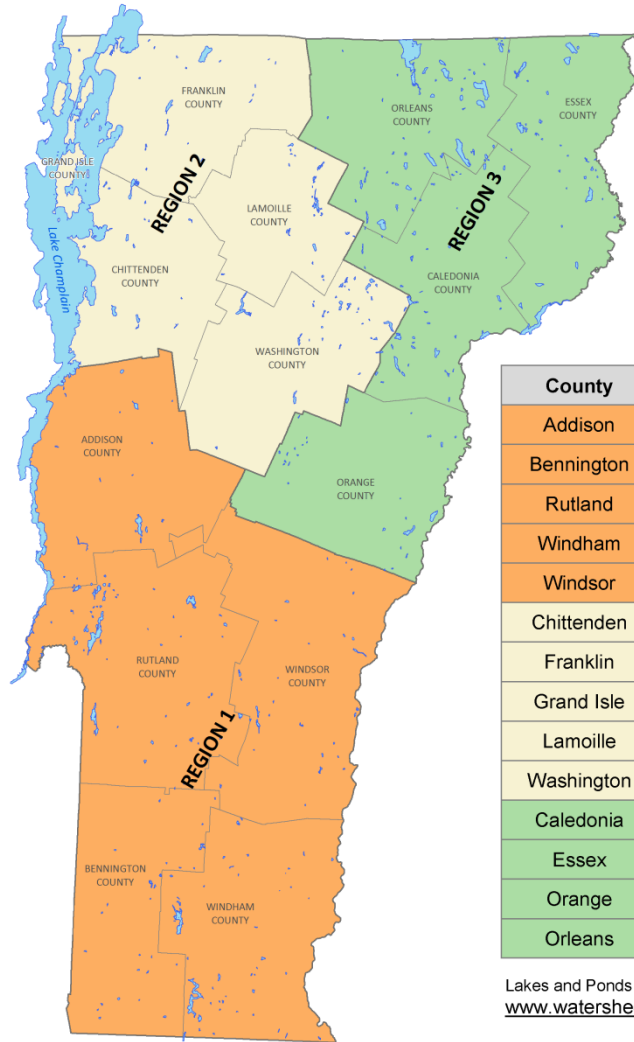
Susan.Warren@state.vt.us

Local Regional Planning Commission



# Shoreland Permit Program

## Regional Contacts



County	Contact
Addison	<b>Region 1</b> Misha Cetner misha.cetner@state.vt.us 802-490-6199
Bennington	
Rutland	
Windham	
Windsor	
Chittenden	<b>Region 2</b> Kevin Burke kevin.burke@state.vt.us 802-490-6165
Franklin	
Grand Isle	
Lamoille	
Washington	<b>Region 3</b> Dan Homeier dan.homeier@state.vt.us 802-490-6200
Caledonia	
Essex	
Orange	
Orleans	

Lakes and Ponds Program website:  
[www.watershedmanagement.vt.gov/lakes.htm](http://www.watershedmanagement.vt.gov/lakes.htm)