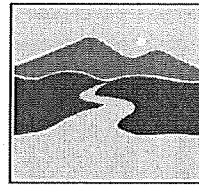


**Individual Permit Application**for a **Lake Encroachment Permit** under  
Chapter 11 of Title 29, § 401 *et seq.**For Lake Encroachment Permitting Use Only*

Application Number: 2015-044

VERMONT DEPARTMENT OF  
ENVIRONMENTAL CONSERVATION**WATERSHED  
MANAGEMENT DIVISION**

LAKES &amp; PONDS PROGRAM

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**

1a. Physical Address (911 Address): 216 Little Rutland Rd

1b. Town - County: Castleton - Rutland



1c. Zip: 05735

2 SPAN\*: 129-040-11384

NA 

3. Name of lake/pond:

Bomoseen Lake - Castleton



4. Is there an existing lake encroachment permit associated with this project location?



Yes



No

Permit #: ~~203-~~ 2015-039**B. Applicant Contact Information**

1. Name: Eric Dutil

2a. Mailing Address: 232 Little Rutland Rd

2b. Municipality: Castleton

2c. State: VT

2d. Zip: 05735

3. Phone: (802) 345-5585

4. Email: edutil@greenmountainfeeds.com

**C. Application Preparer Contact Information**

1. Name: The McKernon Group (Justus Cameron)

2a. Mailing Address: 381 New Rd.

2b. Municipality: Brandon

2c. State: VT

2d. Zip: 05733

3. Phone: (802) 247-8500

4. Email: justus@mckernongroup.com

**D. Abutting Land Owners**Using the abutter addendum available on [watershedmanagement.vt.gov/permits/htm/pm\\_encroachment-application.htm](http://watershedmanagement.vt.gov/permits/htm/pm_encroachment-application.htm), attach a list of land owners who abut the proposed project.

\*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.

**E. Project Description**

1. Describe the proposed project including a 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. On separate pages attach site plans with aerial and cross section views as well as any other relevant supporting documents: Existing failing timber crib will be removed prior to installing the rip rap.

Shoreline rip rap and retaining wall

- removal of existing vegetation as required to complete work (1,050 SF of new cleared area above mean water level)
- Installation of 60+/- linear ft of stone "rip rap" at shoreline to aid in stabilization
- installation of 60+/- linear ft of two tiered slate boulder retaining wall to stabilize the bank. Each tier to be roughly 4-5' in height with 5' in separation between the two.
- Walls will be backfilled with crushed stone for drainage and then topped with soil and planted back to a natural growth vegetation area

\*55 feet of shoreline on the southern side of existing impervious surface and 15' of shoreline north of existing impervious surface is the project area. The rip rap portion of this project is the only piece of this project that is jurisdictional under this application. Slate boulder walls are to be located above mean water level.

2. Describe the purpose of the proposed project:

The rip rap is to stabilize the shoreline that is currently eroding. There is an existing cedar log retaining wall that has rotted and is failing at keeping the bank back from being eroded further by the undermining of the lake waves. The rip rap will help keep this from happening in the new wall.

The new wall will stabilize the terrain from the lake to the upper lawn area. It is currently a very steep pitch and over time continues to erode from the elements. The new retaining wall will help eliminate the erosion from the steep bank and help in filtering the runoff that goes into the lake.

3. Describe what less intrusive feasible alternatives have been considered and what measures are proposed to reduce adverse impacts on the waterbody:

In meeting with Misha on 12/4/15 it was determined that this would work as well if not better than the currently approved Gabion baskets. Both would impact the existing vegetation equally but the impact on the actual water body would be reduced with the rip rap versus the gabion baskets as it only introduces natural rock to the lake's edge and not metal that will eventually deteriorate.

4. Describe the public benefits of the proposed project:

The rip rap and new retaining wall will have a more natural and appealing look as to the currently approved gabion baskets.

**F. Encroachment Effects** (describe how the proposed project will affect the following)

1. Water quality:

The replacement of the failed retaining wall and added rip rap will help in keeping current erosion out of the lake and introduce a cleaner water quality.

2. Fish and wildlife habitat:  
No Effect

3. Aquatic and shoreline vegetation:  
There isn't currently any aquatic shoreline vegetation where the rip rap will be going. Once the shoreline is stabilized it will allow for a lot more vegetation to take root and thrive

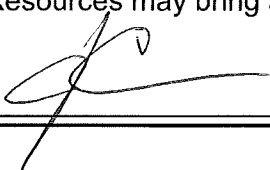
4. Consistency with natural surroundings:  
The rip rap has a natural look found around many other areas of the lake

5. Navigation, recreation, and other public uses:  
No effect

**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 Signature: \_\_\_\_\_



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

12/9/15

**H. 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: \_\_\_\_\_

Date: 12/9/15**I. 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 (3) and (4).

**1. Non-structural erosion control project (e.g., rip rap):**

Non-structural erosion control project: \$155.00		155
<b>Total:</b>		

**2. Structural erosion control project (e.g., concrete wall replacement):**

Structural erosion control project: \$250.00		
<b>Total:</b>		

**3. Other projects (e.g., marina improvements):**

Other Project: \$300.00		
Project Cost Fee: 0.01 times project cost	Project cost (11.) _____ x 0.01	
<b>Total:</b>		\$155

Print Form

**Submit this form and application fee, payable 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.WSMDSshoreland@state.vt.us](mailto:ANR.WSMDSshoreland@state.vt.us)

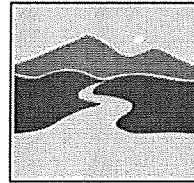
For additional information visit: [www.watershedmanagement.vt.gov](http://www.watershedmanagement.vt.gov)

# Lake Encroachment Application Addendum

for a **Lake Encroachment Permit** under  
Chapter 11 of Title 29, § 401 *et seq.*

*For Lake Encroachment Permitting Use Only*

Application Number:



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

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: William Smith Jr

Address: 158 Little Rutland Rd., Castleton, VT 05735

2. Name: Melinda Quinn Losneck

Address: 396 Winnick Rd., Castleton, VT 05735

3. Name:

Address:

4. Name:

Address:

5. Name:

Address:

6. Name:

Address:

7. Name:

Address:

8. Name:

Address:

9. Name:

Address:

10. Name:

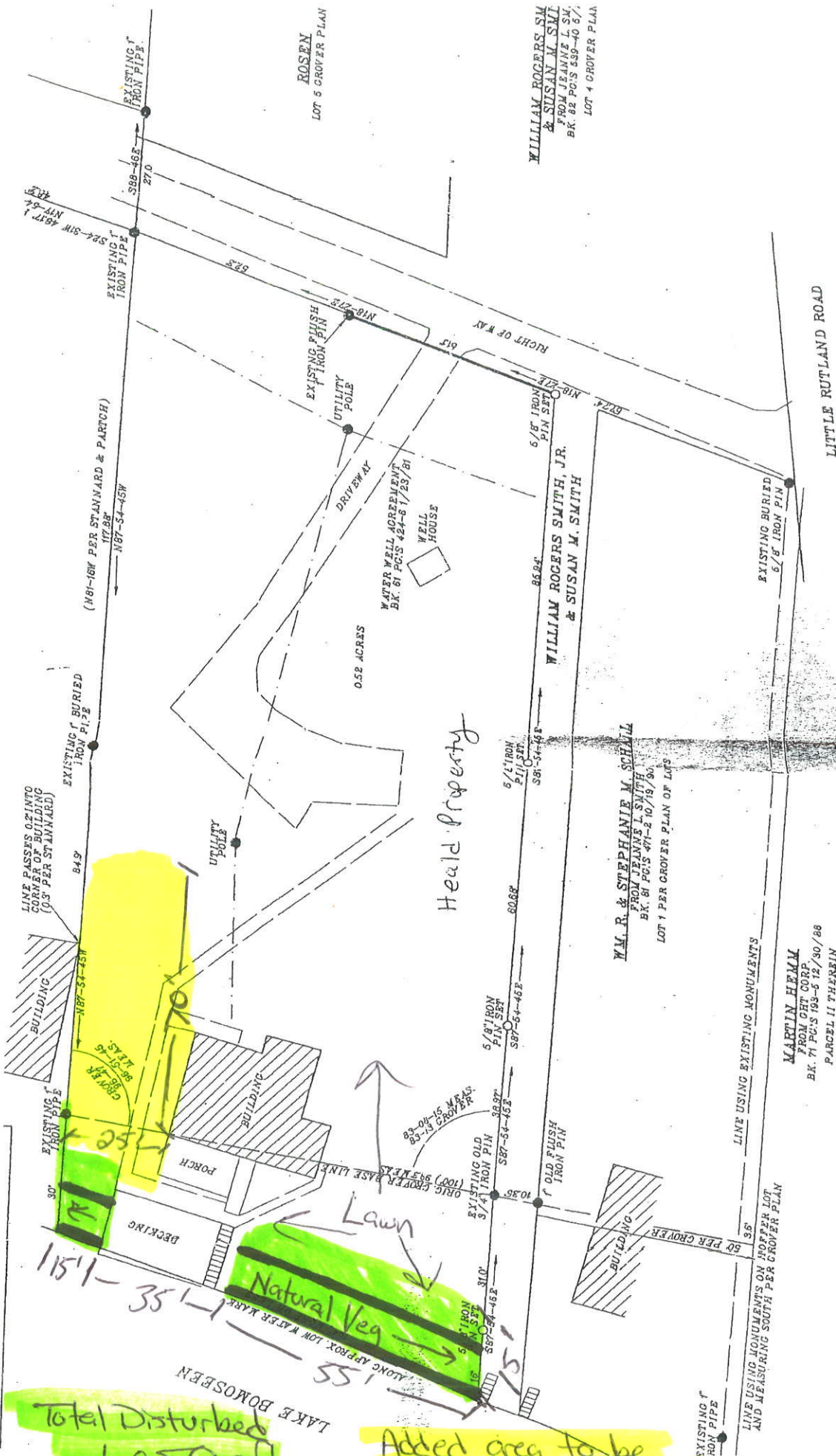
Address:

**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@state.vt.us

For additional information visit: [www.watershedmanagement.vt.gov](http://www.watershedmanagement.vt.gov)



Total Disturbed  
1,050 sq ft

Added area to be  
planted w/ 15-20 evergreens

I HEREBY CERTIFY THAT THIS  
PLAT IS AN ACCURATE REPRESENTATION  
TO THE BEST OF MY KNOWLEDGE, BELIEF, AND  
INFORMATION.

PHILLIP GEO  
PAMELIA COO  
LAKE BOMOSTEN &

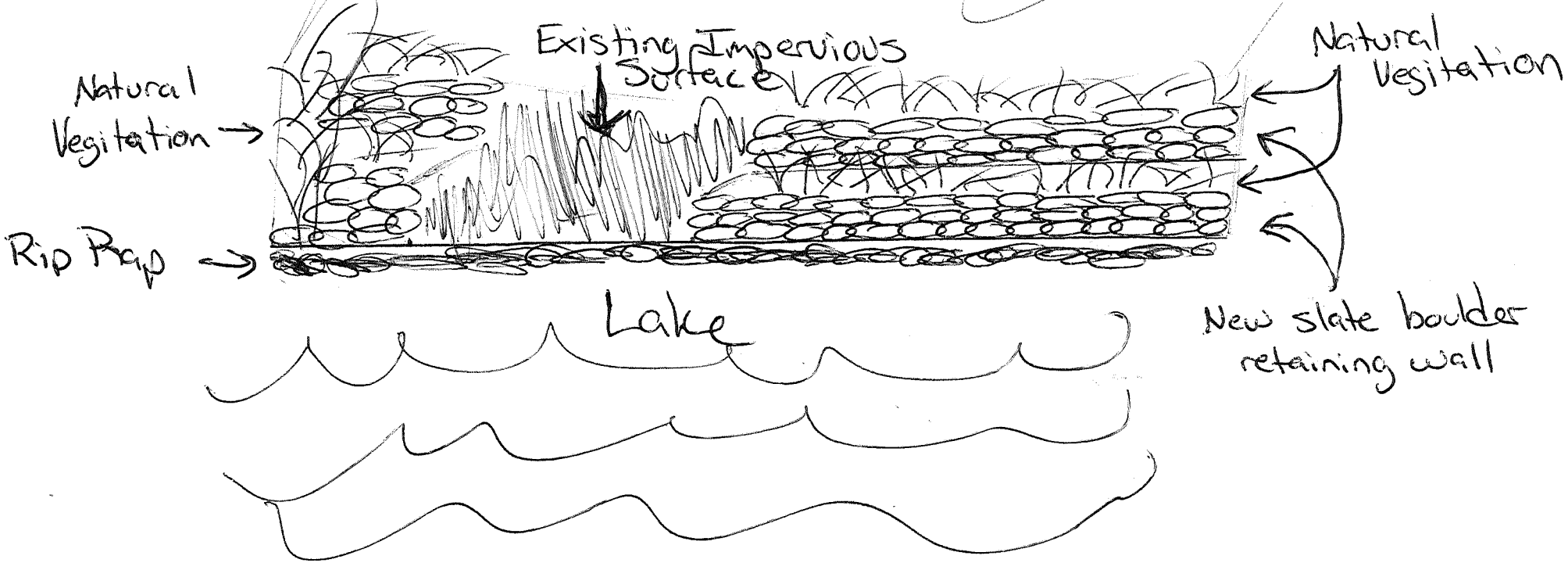
STATE OF VERMONT  
ROBERT N. INKER

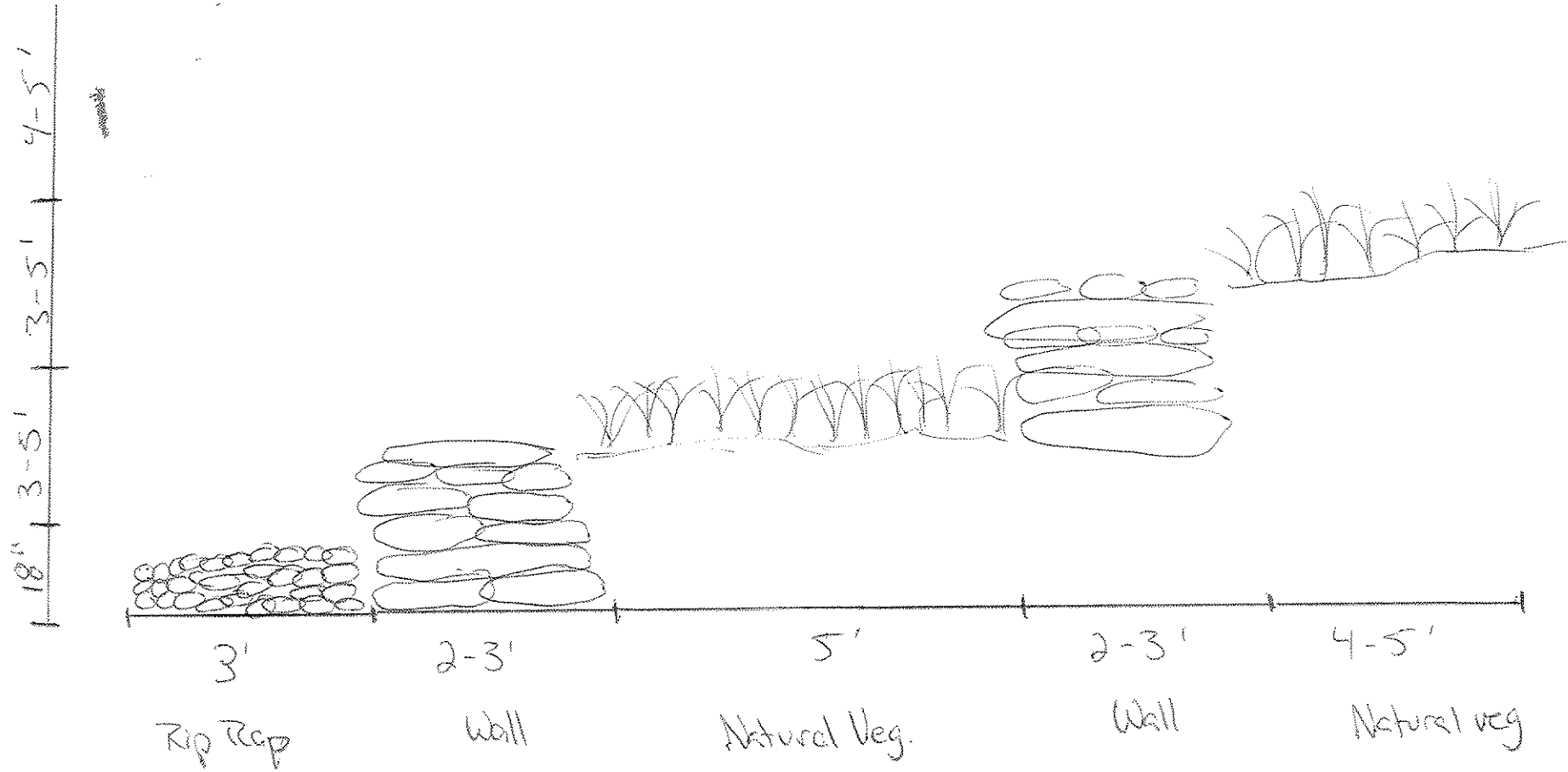
ROBERT N. INKER

FOOTNOTE: THIS INSTRUMENT SURVEY BASED FROM EXISTING MONUMENTS AROUND THE HOFFER PROPERTY REFERENCED  
IF OPINION THAT THE MEASUREMENTS USING THE MONUMENTS BETWEEN THE EXISTING MONUMENTS ON THE PLAT  
REFERENCED HEREON SHOW THAT HERRON ARE CONSIDERED TO BE IN ACCORDANCE WITH THE HOFFER DEED AND THE ORIGINAL  
PLAT BUT TO REFLECT THE DISCREPANCY BETWEEN THE SURVEY AND THE HOFFER DEED AND THE ORIGINAL PLAT  
SPECIFICATION BASED FROM EXISTING MONUMENTS BETWEEN MEASURED LINES FROM THE LOCATION OF THE MONUMENTS  
WATER SURFACE HOFFER PROPERTY. BEARINGS ARE MAGNETIC NORTH 2000 PER SURVEY OF ROSEN PROPERTY NUMBER  
PARCEL II THEREIN

Retaining Walls

Existing Lawn area







**From:** Justus Cameron <justus@mckernongroup.com>  
**Sent:** Thursday, January 28, 2016 2:49 PM  
**To:** Cetner, Misha  
**Cc:** Eric Dutil  
**Subject:** Lake Encroachment & Shoreland Permit App Clarifications  
**Attachments:** 3658\_001.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Misha,

Below are the answers to your inquires. On the square footage of disturbed and re-vegetated area is way of on the 3,150sqft. That was the square footage on the original application that I must have got crisscrossed. In the attached document it has the dimensions so you can calculate it and it is around 1,050 sq.ft.

- There will be approximately 19 yards of rip rap
- The rip rap will be 5"-10" washed crushed slate

I think this answers everything but please give me a call or shoot me an email with anything else.

Thanks,

Justus

Justus Cameron  
Vice President/ Project Manager

**MCKERNON**

381 New Road  
Brandon, VT 05733  
Cell: (802)989-8173  
Phone: (802)247-8500  
Fax: (802)247-8501

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**From:** [scanner@mckernongroup.com](mailto:scanner@mckernongroup.com) [<mailto:scanner@mckernongroup.com>]  
**Sent:** Thursday, January 28, 2016 3:43 PM  
**To:** Justus Cameron  
**Subject:** Attached Image





