

**Shoreland Permit Application**for a **Shoreland Protection Permit** under Chapter 49A of Title 10, § 1441 *et seq.***For Shoreland Permit Program Use Only**Application Number: **232**

VERMONT DEPARTMENT OF ENVIRONMENTAL CONSERVATION

**WATERSHED MANAGEMENT DIVISION**

LAKES &amp; PONDS PROGRAM

**Public Notice:** At the same time this application is filed with the Shoreland Permit Program, 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**

1. Landowner's Name: Lighthouse Estates LLC - Partners: Ilmar Vanderer, Tiiu Vanderer, Tonu Vanderer

2a. Physical Address (911 Address): US Route 2

2b. Municipality: South Hero

2c. Zip: 05486

3. SPAN\*: 603 189 10977

4. Phone: (201)906-9308- Ilmar (201)247-7809- Tonu

5. Email: ilmarv@verizon.net  
tvanderer@verizon.net

6. Name of lake/pond: Lake Champlain

7. Total shore frontage: 75 +/- (feet)

8. Was the parcel of land created before July 1, 2014?  Yes  No9. Are there wetlands associated with this parcel?  Yes  NoContact the Wetlands Program: (802) 828-1535 or [www.anr.state.vt.us/dec/waterq/wetlands.htm](http://www.anr.state.vt.us/dec/waterq/wetlands.htm).10. Is there a lake encroachment permit associated with this project?  Yes  No Permit #: \_\_\_\_\_Contact the Lake Encroachment Program: (802) 490-6165 or [www.anr.state.vt.us/dec/waterq/permits/htm/pm\\_encroachment.htm](http://www.anr.state.vt.us/dec/waterq/permits/htm/pm_encroachment.htm)11. What is the surface area of your parcel within the Protected Shoreland Area (PSA): **25,429 +/-** (square feet)

See The Vermont Shoreland Protection Act – A Handbook for Shoreland Development, Appendix C, Determining Lakeside Zone &amp; PSA

12. What is the surface area of existing impervious surface on your parcel within the PSA: **0 +/-** (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 area on your parcel within the PSA: **0 +/-** (square feet)

See The Vermont Shoreland Protection Act – A Handbook for Shoreland Development, Appendix E, Calculating Percent Clearing

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

1. Name: Ilmar Vanderer

2a. Mailing Address: 551 Valley Road, #100

2b. Municipality: Montclair

2c. State: NJ

2d. Zip: 07043

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

1. Name: Joshua Nase (Cedar Ledge Builders)

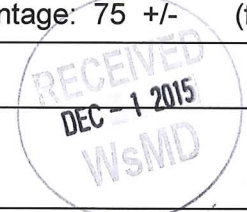
2a. Mailing Address: 328 US Route 2

2b. Municipality: South Hero

2c. State: VT

2d. Zip: 05486

3. Phone: 802-372-6500

4. Email: [joshn@cedarledgebuilders.com](mailto:joshn@cedarledgebuilders.com)

\*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.

#### D. Project Description

1. Describe the proposed project and on separate pages attach site plans, photos, calculations of impervious surface and cleared area, and any other relevant supporting documents:

The current property is an undeveloped building lot. The purpose of this application is to acquire permission to remove the existing railroad berm that is within the PSA. The proposal is to remove ~6 vertical feet of the berm as shown on the drawings. The total material to be removed is estimated to be ~440 cubic yards. The material removed from the berm would then be used as fill to lessen the grade leading up to the berm and create a more gradual slope overall. As the site is currently undeveloped it is without access for vehicles. Therefore the proposed plan includes an excavator disturbance area.

2. How far is existing cleared area or impervious surface from Mean Water Level N/A (feet), **and** how far will new cleared area or impervious surface be from MWL 25 +/- (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 existing abandoned railroad berm is located within 100' of the MWL. This is a pre-existing, manmade condition that has a negative impact on the site. The home owners would like to remove it and re-vegetate the area following its removal.

- 4a. What is the slope of the project site area: 1.667 %

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.

- 14c. 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: 0 +/- (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: 0 +/- (square feet) **and** is that 20% or less of the parcel area within the PSA?  Yes  No If yes, skip 5c.



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

6a. What is the surface area of new cleared area associated with this project: 10,461 (square feet)

See The Vermont Shoreland Protection Act – A Handbook for Shoreland Development, Appendix E, Calculating Percent Clearing

6b. What is the total resulting cleared area\* after completion of the project: 0 (square feet) and is that 40% or less of the parcel area within the PSA?

Yes  No If yes, skip 6c.

\*Total cleared area includes impervious surface area.

6c. If no above (6b), describe the best management practices used to provide erosion control, bank stability, and wildlife habitat functionally equivalent to clearing less than 40% (attach support information as needed).

The proposed berm removal, re-grading and excavator disturbance locations will result in the loss of trees and vegetation in the area, totaling 10,461 SF. This is 41.13% of the PSA. These affected regions have all been shown as new cleared areas on sheet A0.004. The final step of the proposed berm work will include a revegetation plan that follows the Best Management Practices guidelines. The re-vegetation process will consist of either “no mow zones”, a replanting plan utilizing native plant species or a combination of both. Re-vegetation is planned for all new cleared areas once the berm work is finished, therefore the total resulting cleared area after completion of the project is 0.

### E. Landowner Certification

As APPLICANT, I hereby certify that the statements presented on this application are true and accurate; guarantee to hold the State of Vermont harmless from all suits, claims, or causes of action that arise from the permitted activity; 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: \_\_\_\_\_

Date: 11/24/15

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

Date: 11/24/15

### G. Permit Application Fees

Administrative Fee: \$125.00		125.00
Impervious Area Fee: \$0.50 per square foot	New impervious area (5a.) <u>0</u> X .5	00.00
<b>Total:</b>		<b>\$ 125.00</b>

***Submit this form and application fee to:***

**Vermont Department of Environmental Conservation  
Watershed Management Division  
Shoreland Permit Program  
1 National Life Drive, Main 2  
Montpelier, VT 05620-3522**

Direct all correspondence or questions to the Shoreland Permit Program at:  
ANR.WSMDShoreland@state.vt.us or (802) 490-6196

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



Vanderer Building Lot  
US Route 2  
South Hero, VT

### Narrative of Project Details, Methods and Calculation Worksheet

The majority of the information used to calculate the requested values for this application was taken from a site plan generated by Horizons Engineering Inc. The site plan was created as part of the waste water permit for this property, not as a legal land survey. The details contained on that site plan were found to be accurate when compared to multiple site visits by Cedar Ledge Builders and compared to other existing documentation. It is our opinion that the information contained on the site plan is appropriate for use with this permit application. The supplied site plan is a reproduction of the Horizons Engineering Inc site plan, with pertinent notes and values added by CLB for the purpose of the Shoreland Permit Application attached.

The current property is an undeveloped building lot. The purpose of this application is to acquire permission to remove the existing railroad berm that is within the PSA. The proposal is to remove ~6 vertical feet of the berm as shown on the drawings. The total material to be removed is estimated to be ~440 cubic yards. The material removed from the berm would then be used as fill to lessen the grade leading up to the berm and create a more gradual slope overall. As the site is currently undeveloped it is without access for vehicles. Therefore the proposed plan includes an excavator disturbance area. This area is shown on the drawings and is included in the cleared area calculations.

Wetlands are associated with the property and the followings steps have been taken to ensure the project is in compliance with the Wetlands program:

- A wetlands representative (Danielle Owczarski) was invited for a site visit
- Together Horizons Engineering Inc and Danielle Owczarski delineated the current wetlands boundary on site as shown on the drawings.
- The berm removal plan (as outlined above) was discussed and received as feasible in the eyes of the Wetlands program, provided it included the use of best management practices.
- Horizons Engineering Inc has submitted a formal wetlands permit application based on that site visit and resulting parameters for moving forward.

# CedarLEDGE BUILDERS

## MEAN WATER LEVEL

The MWL established for Lake Champlain is 95.5'. The location of the MWL was determined by Horizons Engineering Inc as shown on the drawings.

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### SLOPE MEASUREMENT

TAG	Contours(per 100')	SLOPE
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A	4	8%
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B	2 pos 6 neg	-8%
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C	6 neg 8 pos	5%
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TOTAL	5% / 3 =	<b>1.667% Average Slope</b>
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Slope was measured as per the instructions of Appendix B for Site Plan or Parcel Map by use of contour lines. Contour lines are shown at 2' intervals. Runs are sown at 100' each. 3 locations were calculated and marked on site plan A0.003. As the site approaches the berm it begins to rise and pitch away from the lake. Any slope pitching away from the lake has been expressed as a negative number.

## LAKESIDE ZONE AND PROTECTED SHORELAND AREA

With an average slope of 1.667%, the LZ and PSA were measured at 100' and 250' along the slope from the previously established MWL.

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## PERCENT CLEARED AND PERCENT IMPERVIOUS SURFACES

The current property is an undeveloped building lot. The proposed berm removal, re-grading and excavator disturbance locations will result in the loss of trees and vegetation in the area. These affected regions have all been shown as new cleared areas on sheet A0.004. The final step of the proposed berm work will include a revegetation plan that follows the Best Management Practices guidelines. The re-vegetation process will consist of either "no mow zones", a replanting plan utilizing native plant species or a combination of both. Re-vegetation is planned for all new cleared areas once the berm work is finished.

# CedarLEDGE BUILDERS

All areas were measured on the site plan using area take off aspects of the AutoCAD software.  
The following calculations were generated using the area measurements from this software:

Area of PSA: 25,429 +/- SF total

Area of Existing Cleared: 0 +/- SF total

$(0/25,429) \times 100 = 0\% \text{ total impervious surfaces}$

Proposed Cleared Area (before re-vegetation): 10,461 +/-SF total

Proposed Cleared Area (after re-vegetation): 0 +/-SF total

Berm Removal Area: 2,657 +/-SF

Fill Area: 4,738 +/-SF

Excavator Disturbance Area: 3,066 +/-SF

$(10,461/ 25,429) \times 100 = 41.13\% \text{ total cleared area (Before re-vegetation)}$

$0\% \text{ total cleared area (After re-vegetation)}$

Area of Existing Impervious Surfaces: 0 +/-SF total

New Impervious Surfaces Proposed: 0 +/-SF total

Impervious Surfaces Existing and Proposed: 0 +/-SF total

$(0/25,429) \times 100 = 0\% \text{ total impervious surfaces}$





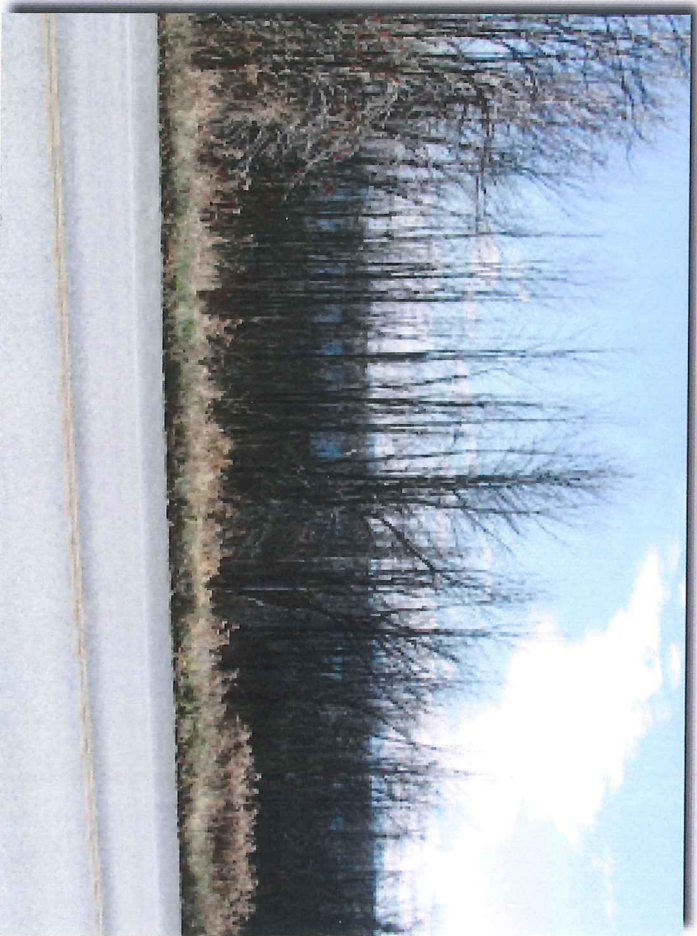
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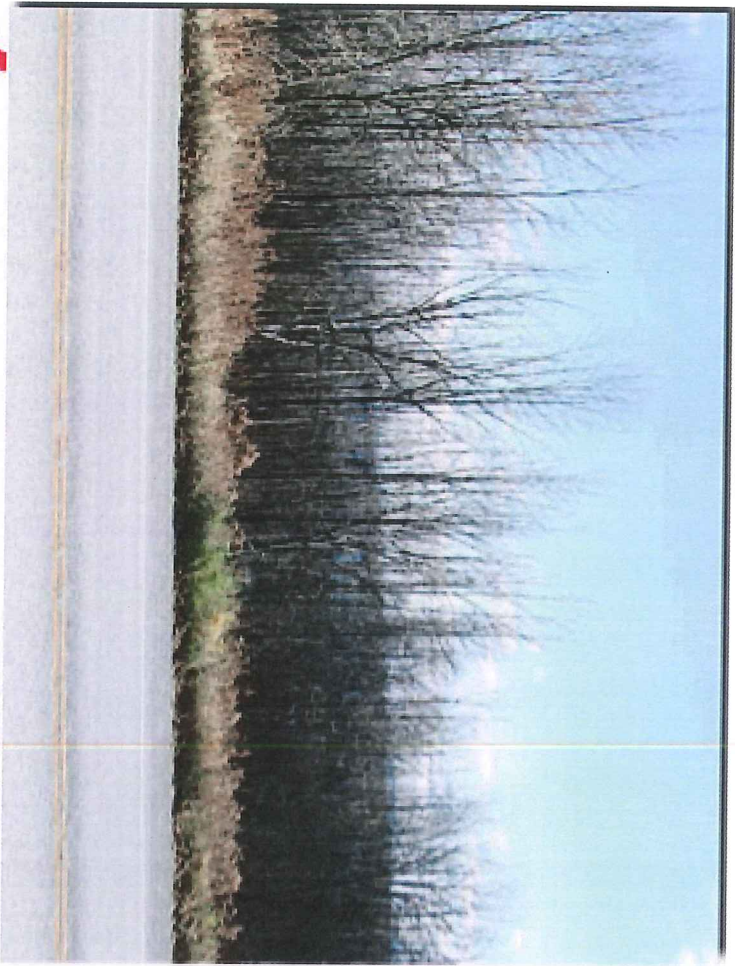


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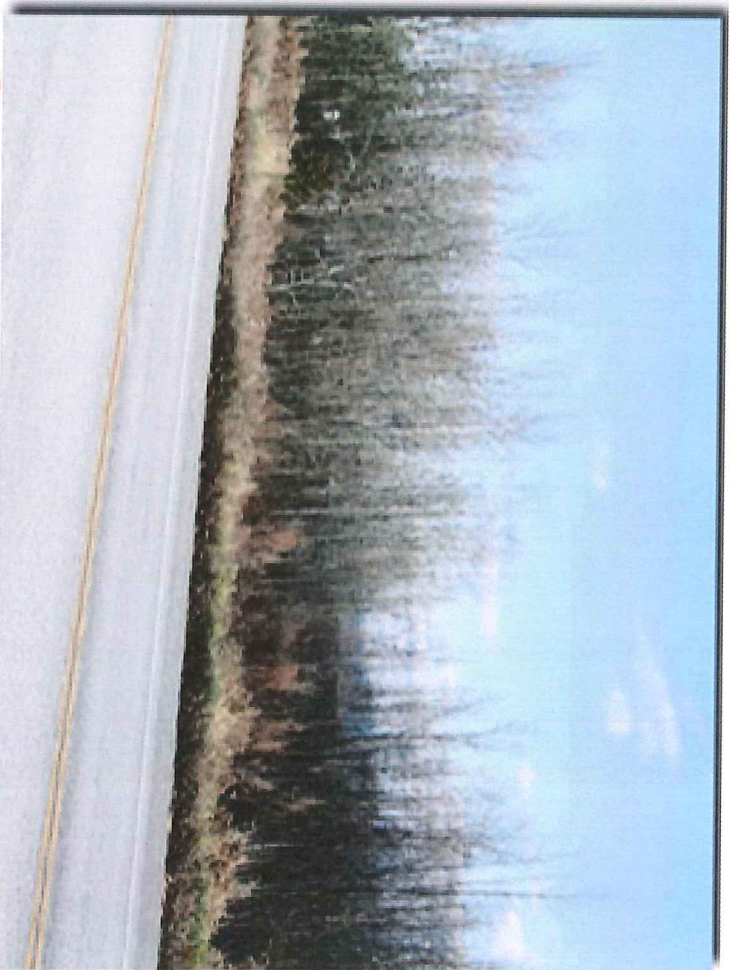


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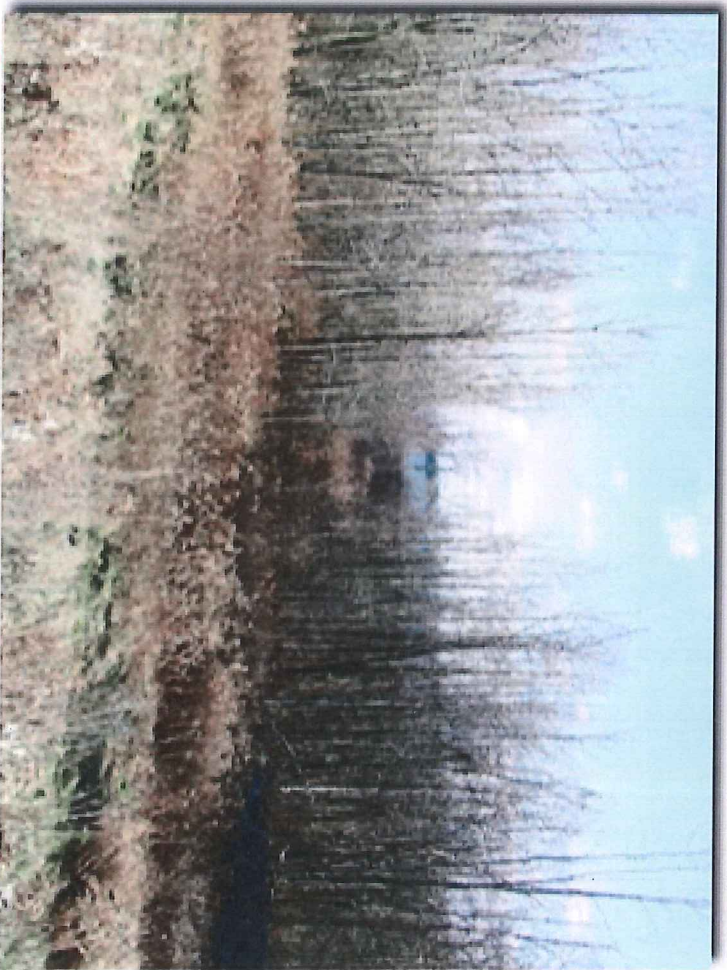
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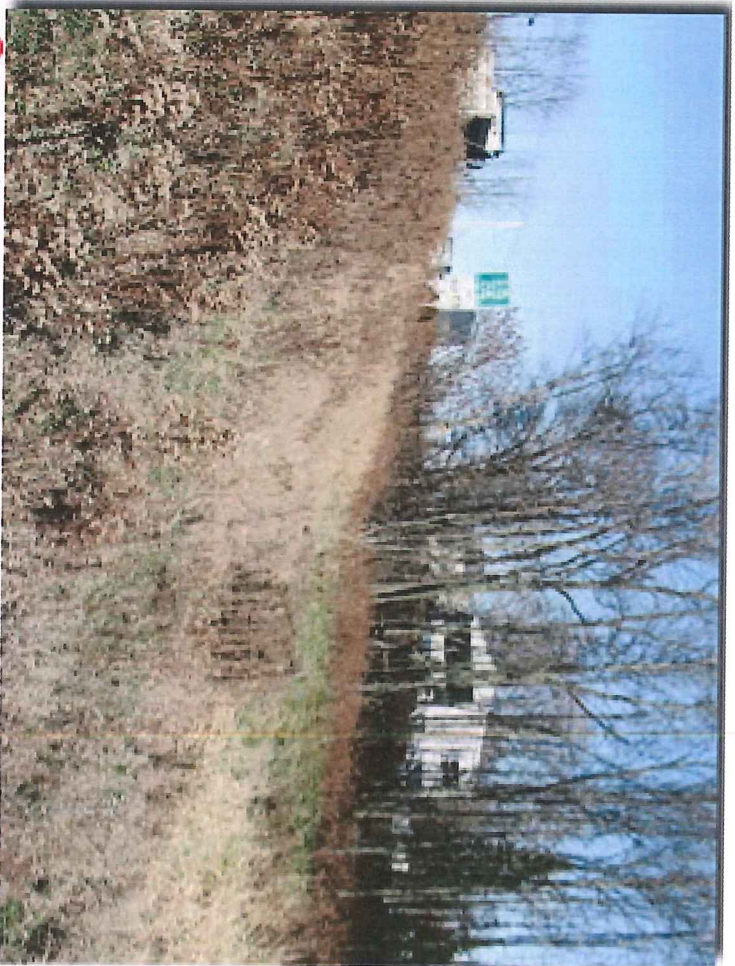


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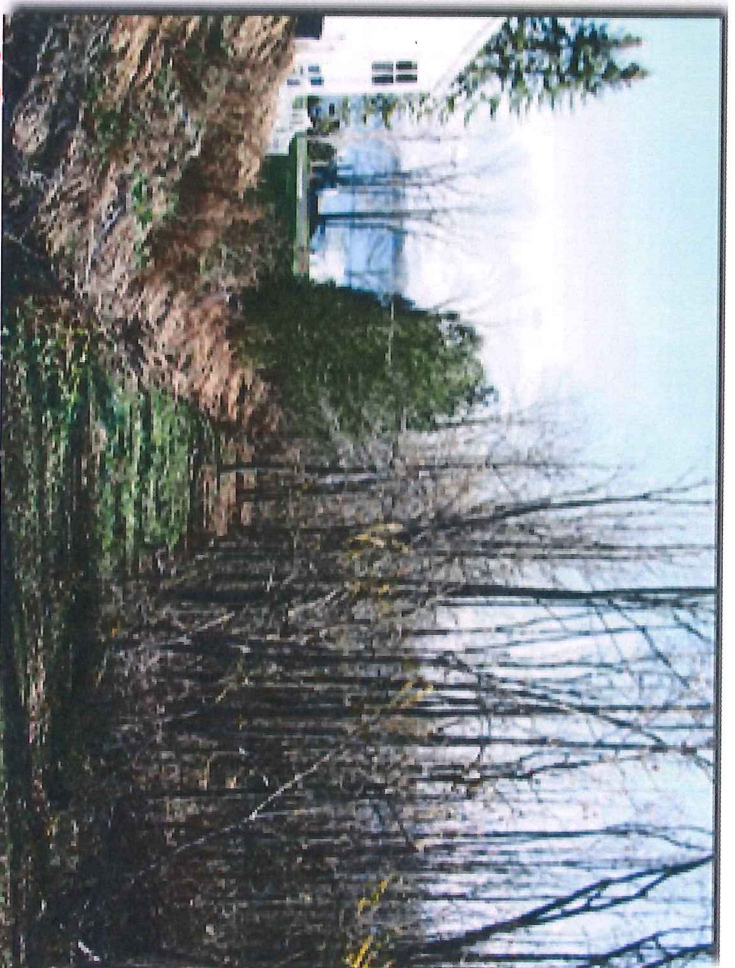


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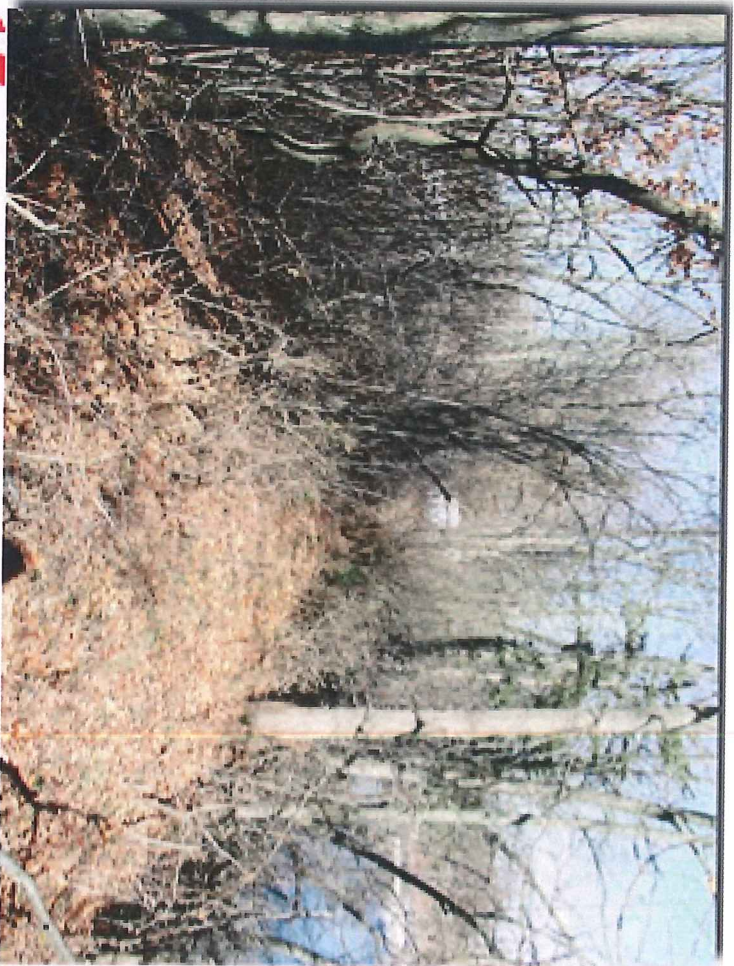


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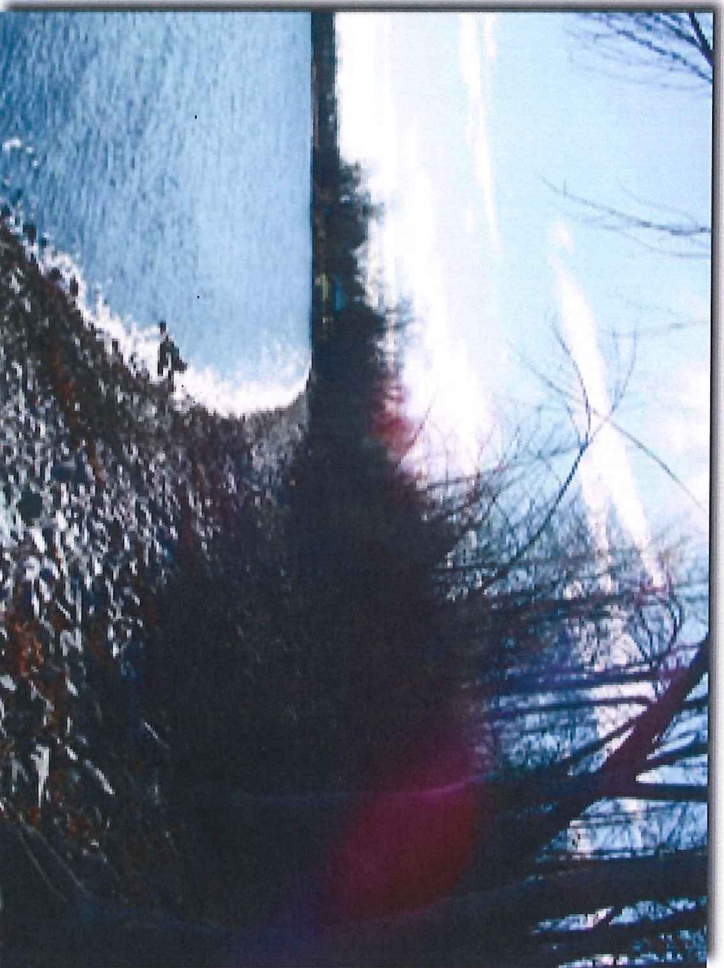
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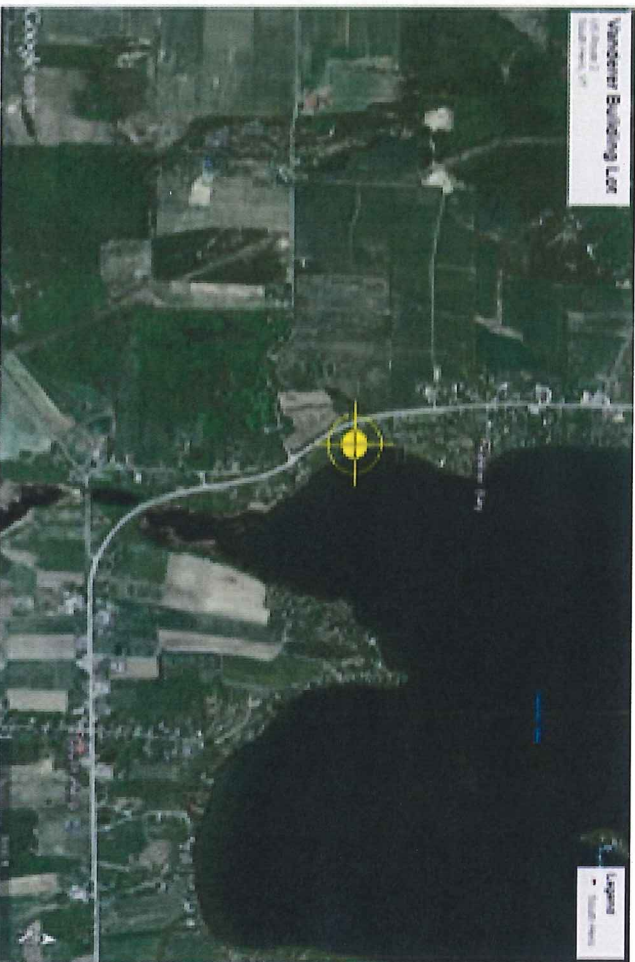
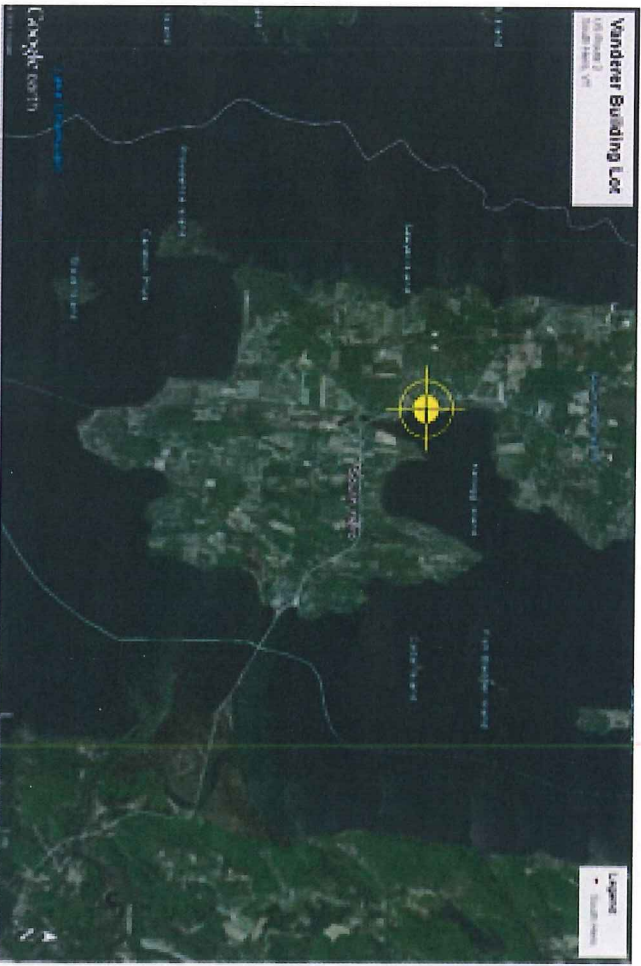




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**Vanderer Building Lot**  
US Route 2  
South Hero, VT



**Legend**  
• South Hero

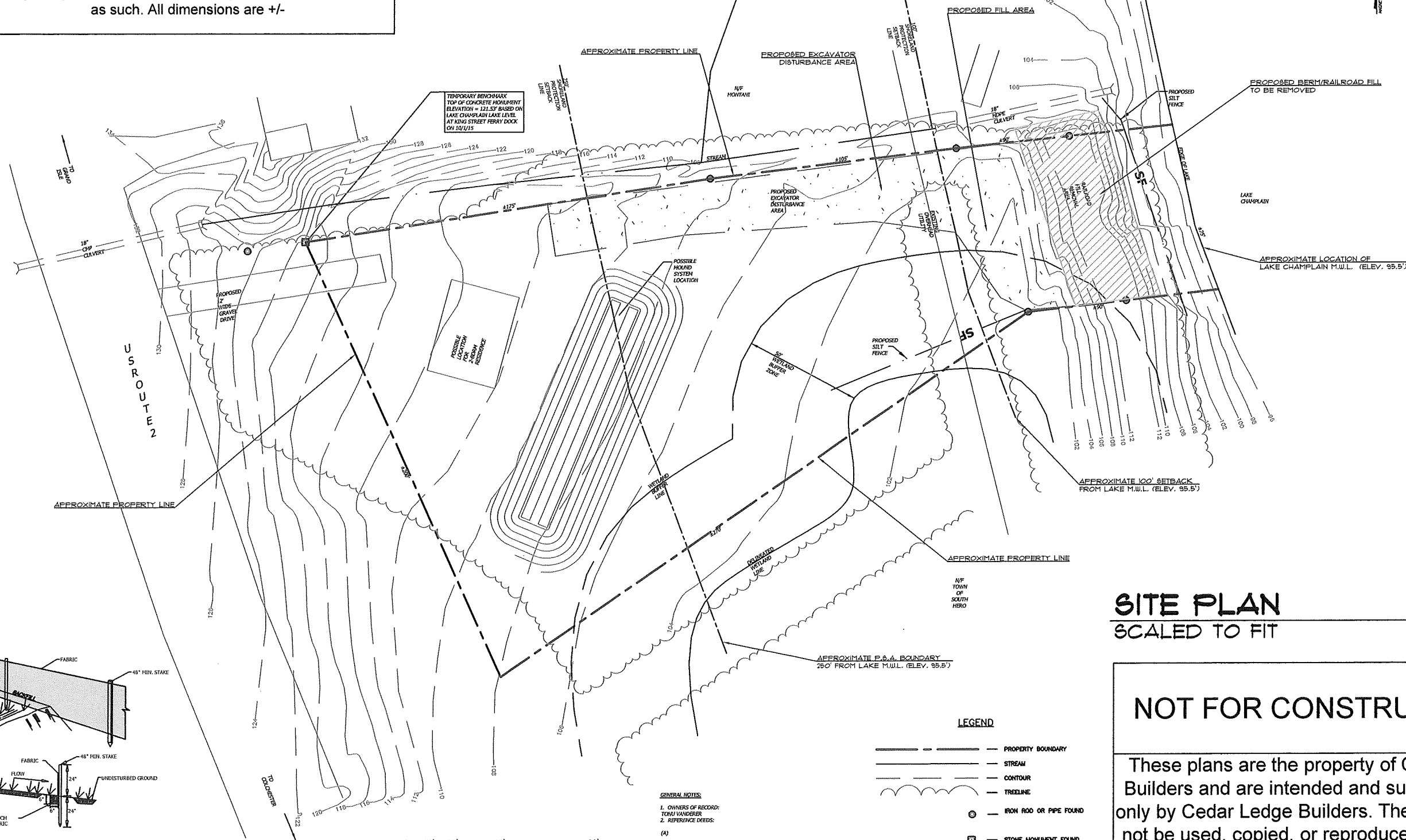
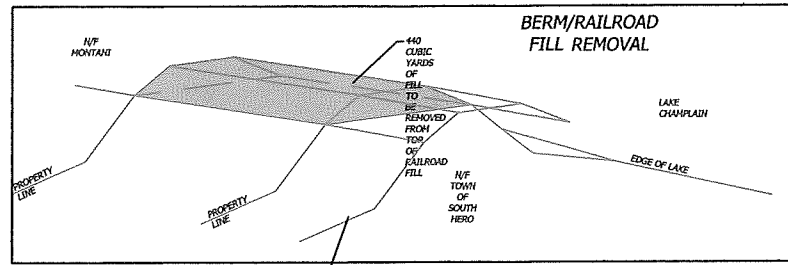
Google earth

200 ft



# NOT A SURVEY

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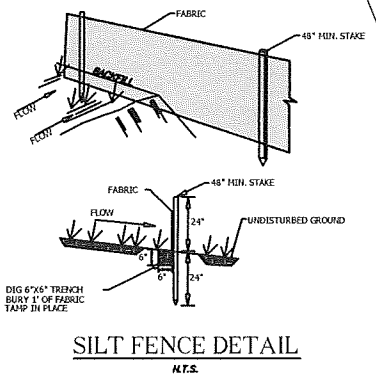
TEMPORARY BENCHMARK  
TOP OF CONCRETE MONUMENT  
ELEVATION = 121.57' BASED ON  
LAKE CHAMPLAIN LAKE LEVEL.  
AT KING STREET FERRY DOCK  
ON 10/1/15



## SITE PLAN SCALED TO FIT

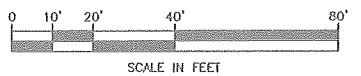
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**LEGEND**

---	PROPERTY BOUNDARY
---	STREAM
---	CONTOUR
---	TREELINE
○	IRON ROD OR PIPE FOUND
■	STONE MONUMENT FOUND



- GENERAL NOTES:**
- OWNERS OF RECORD: TOMMY VANDERER
  - REFERENCE DEEDS: (A)
  - REFERENCE PLANS: (A) "WETLAND PLAN" BY NATURAL RESOURCES CONSULTING SERVICES DATED 11/15/02 (B) "PLAT OF SURVEY ARTHURA CHRISTINA GROENBERG PROP." BY WARREN A. ROBERTSON, L.L.S. DATED JULY 28, 2002 AND LAST REVISED ON JUNE 19, 2006

REVISIONS	MM/DD/YY	REMARKS
1		
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**CedarLEDGE BUILDERS**  
Original Site Plan Drawn By: Horizons Engineering  
Drawn By: Joshua Nasse Date: 11/23/2015

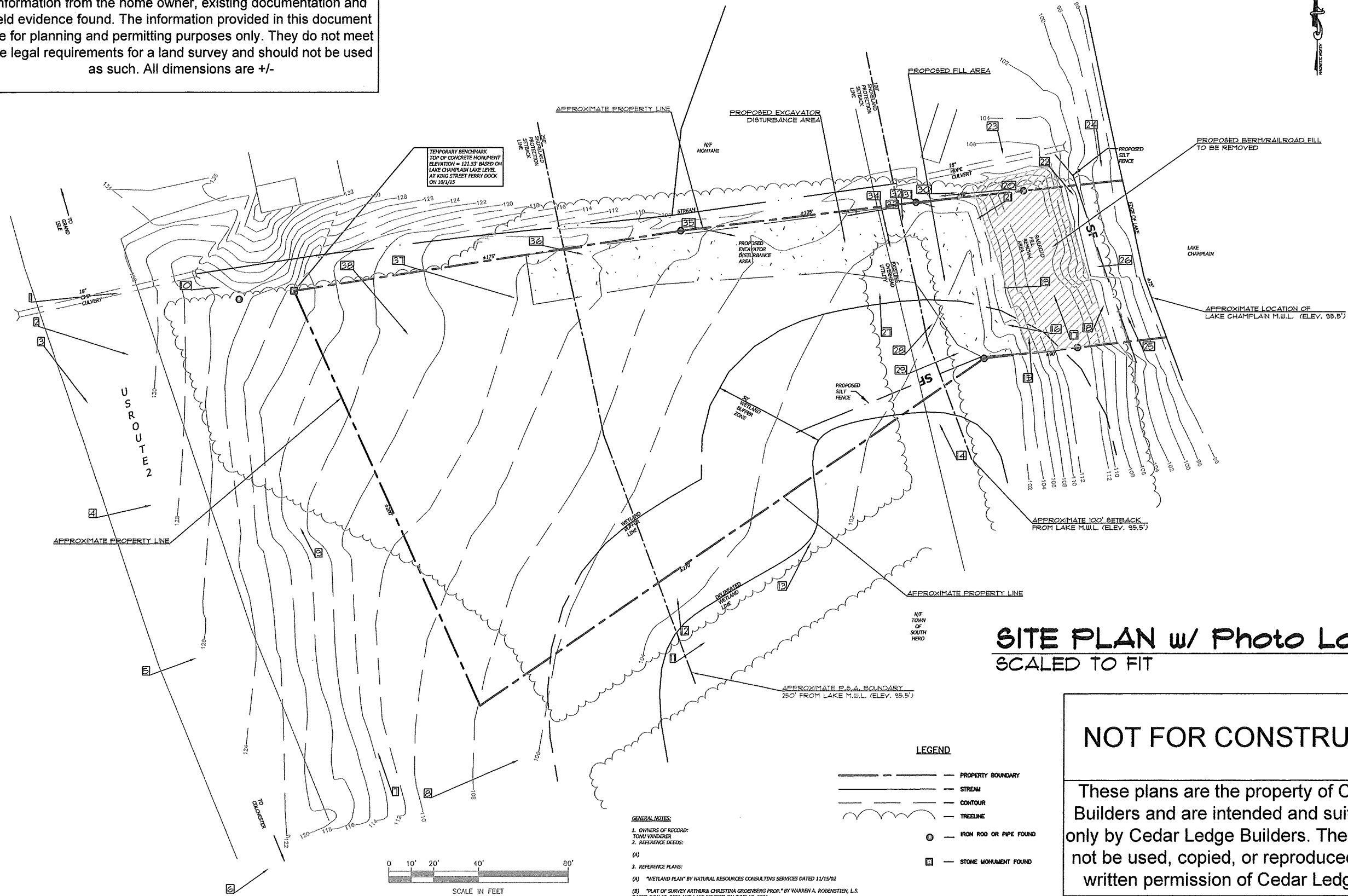
VANDERER BUILDING LOT  
US ROUTE 2  
SOUTH HERO, VT

**A0 001**



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## SITE PLAN w/ Photo Locations SCALED TO FIT

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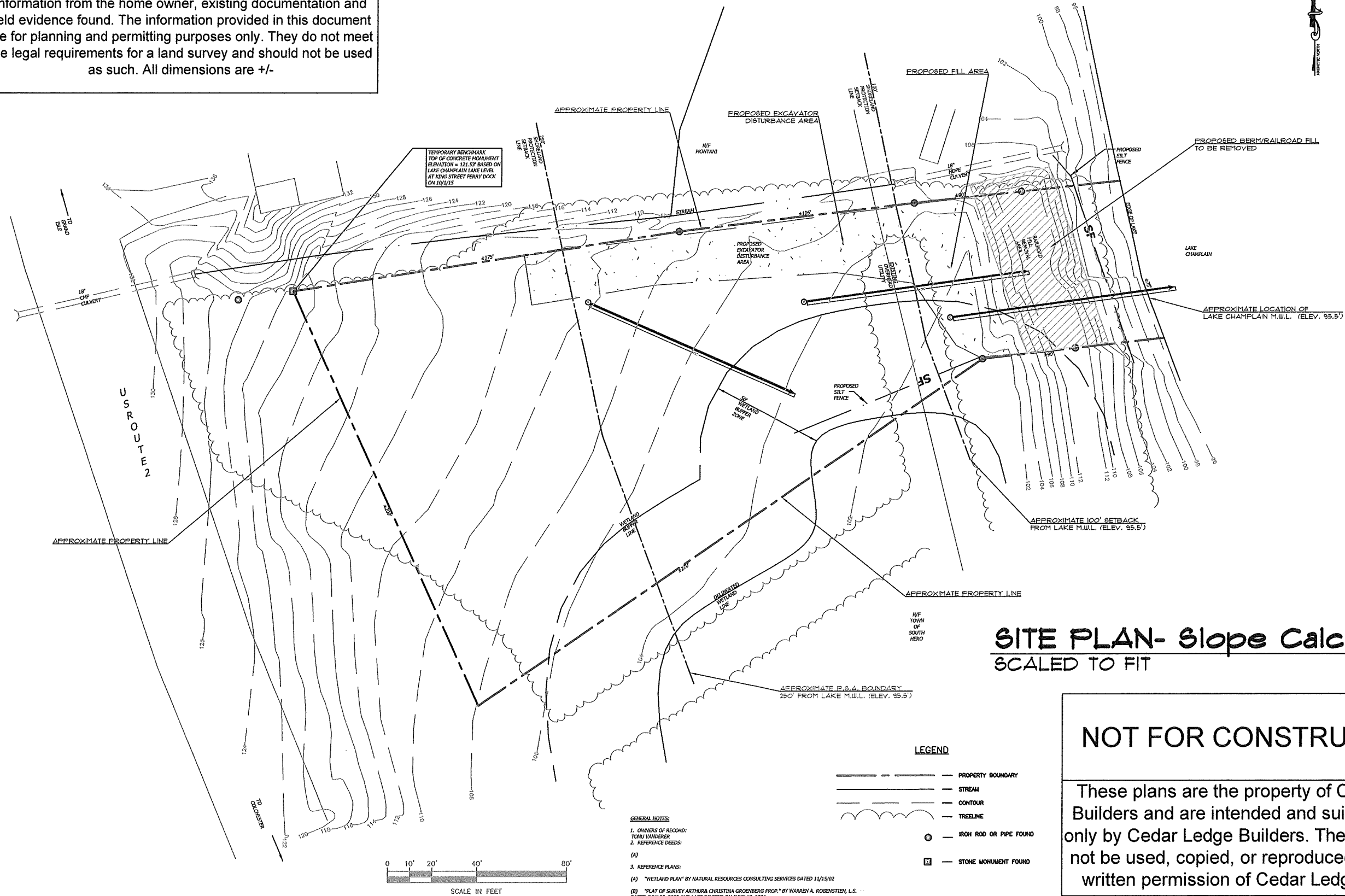
Original Site Plan Drawn By: Horizons Engineering  
Drawn By: Joehua Nase Date: 11/23/2015

VANDERER BUILDING LOT  
US ROUTE 2  
SOUTH HERO, VT



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## SITE PLAN- Slope Calculations SCALED TO FIT

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# CedarLEDGE BUILDERS

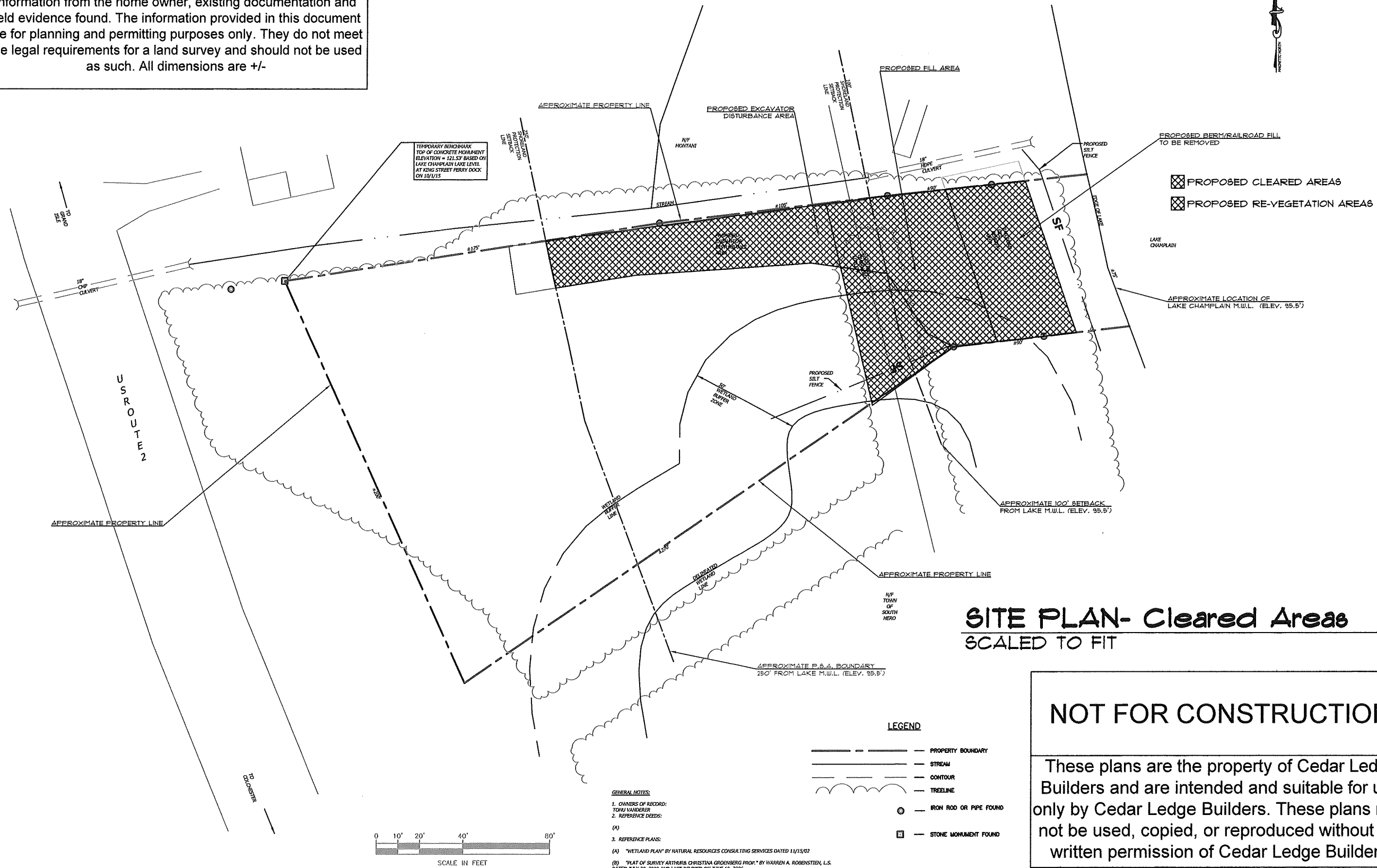
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VANDERER BUILDING LOT  
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## SITE PLAN- Cleared Areas SCALED TO FIT

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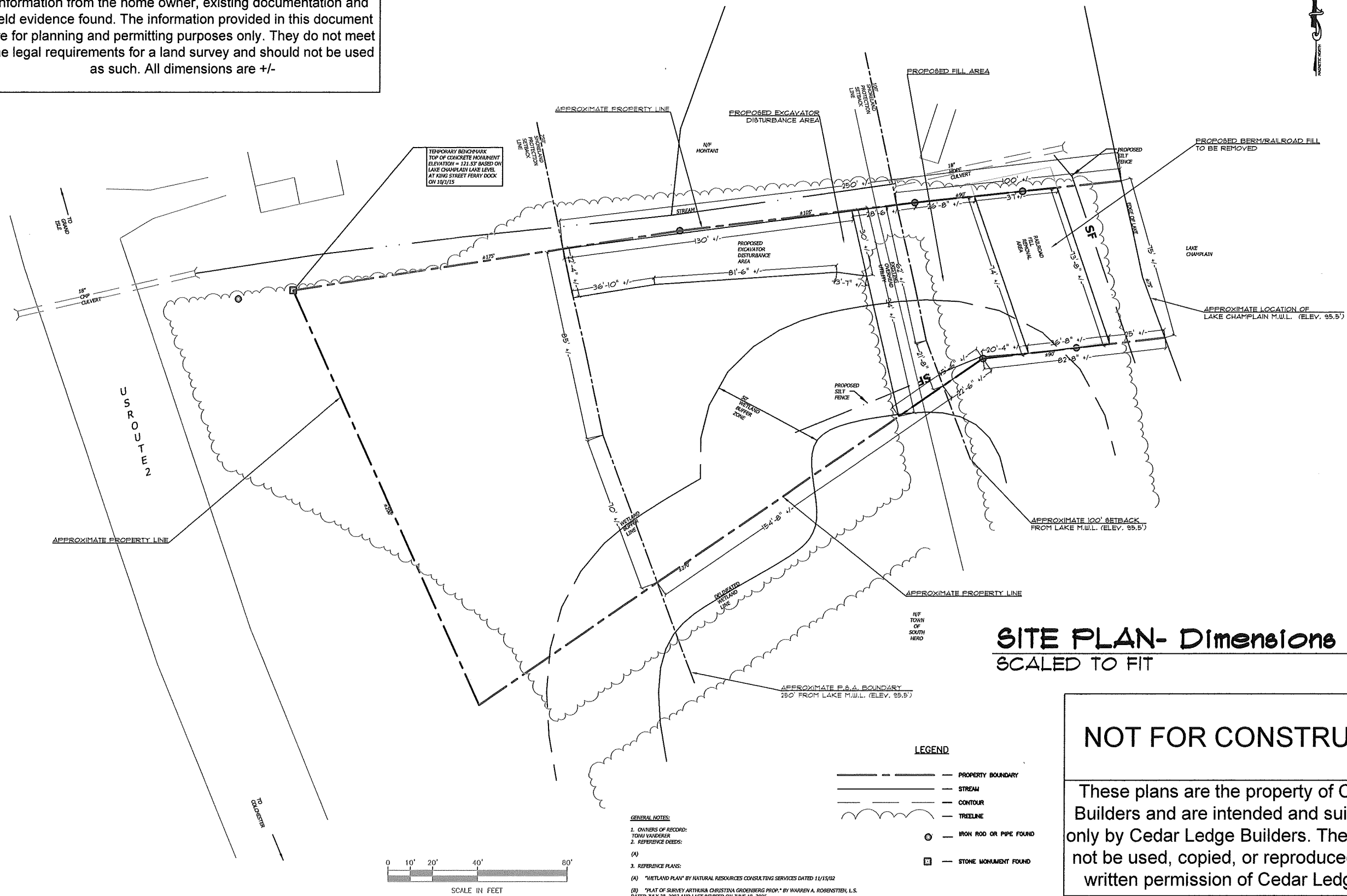
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SOUTH HERO, VT



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## SITE PLAN- Dimensions SCALED TO FIT

**NOT FOR CONSTRUCTION**

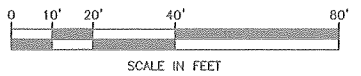
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