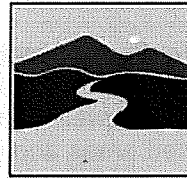


**Shoreland Permit Application**for a **Shoreland Protection Permit** under  
Chapter 49A of Title 10, § 1441 *et seq.***For Shoreland Permitting Use Only**

Application Number:

249

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

LAKES &amp; PONDS PROGRAM

**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**1. Landowner's Name: **Phinney Family Trust (Jean Phinney)**

2a. Physical Address (911 Address): 89 Swift Lane

2b. Municipality: Westmore

2c. Zip: 05822

3. SPAN\*: 729 232 10501

4. Phone: 510-705-1871

5. Email: phinneyjean@gmail.com

6. Name of lake/pond: Lake Willoughby

7. Total shore frontage: 255.00 (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 parcel?  Yes  No Permit #: \_\_\_\_\_Contact Lake Encroachment Permitting: [www.anr.state.vt.us/dec/waterq/permits/html/pm\\_encroachment.htm](http://www.anr.state.vt.us/dec/waterq/permits/html/pm_encroachment.htm)

11. What is the surface area of your parcel within the Protected Shoreland Area (PSA): 74,052 (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: 12,656 (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: 21,780 (square feet)

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

**B. Applicant Contact Information**

1. Name: David and Kim Phinney

2a. Mailing Address: 1301 Allyn Ave.

2b. Municipality: Saint Helena

2c. State: CA

2d. Zip: 94574

3. Phone: 707-815-3085

4. Email: kimbophinney@gmail.com

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

1. Name: Ethan Swift

2a. Mailing Address: 316 Van Cortland RD

2b. Municipality: Brandon

2c. State: VT

2d. Zip: 05733

3. Phone: 802-345-5401

4. Email: ethanswift1@gmail.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.

<p>6a. What is the surface area of new cleared area associated with this project: <u>0.00</u> (square feet) See The Vermont Shoreland Protection Act – A Handbook for Shoreland Development, Appendix E, Calculating Percent Clearing</p>	<p>6b. What is the total resulting cleared area* after completion of the project and prior to implementation of best management practices: <u>12,656.00</u> (square feet) and is that 40% or less of the parcel area within the PSA? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, skip 6c. *Total cleared area includes impervious surface area.</p>
<p>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).</p>	

**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: \_\_\_\_\_ Date: 01/20/2016

**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: 01/20/2016

**G. Permit Application Fees**

Administrative Fee: \$125.00		125.00
Impervious Area Fee: \$0.50 per square foot	New impervious area (5a.) <u>750.00</u> x 0.5	\$ 375.00
<b>Total:</b>		<b>\$ 500.00</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@state.vt.us

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

<p>6a. What is the surface area of new cleared area associated with this project: <u>0.00</u> (square feet) See The Vermont Shoreland Protection Act -- A Handbook for Shoreland Development, Appendix E: Calculating Percent Clearing</p>	<p>6b. What is the total resulting cleared area* after completion of the project and prior to implementation of best management practices: <u>13,050.00</u> (square feet) and is that 40% or less of the parcel area within the PSA? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, skip 6c. *Total cleared area includes impervious surface area.</p>
<p>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).</p>	

**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: *Kimberly Pruney* Date: 01/20/2016

**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: *John Swift* Date: 01/20/2016

**G. Permit Application Fees**

Administrative Fee \$125.00		125.00
Impervious Area Fee: \$0.50 per square foot	New impervious area (Sq. Ft.) <u>750.00</u> x 0.5	\$ 375.00
<b>Total:</b>		<b>\$ 500.00</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@state.vt.us

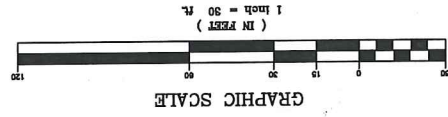
For additional information visit: [www.watershedmanagement.vt.gov](http://www.watershedmanagement.vt.gov)











"THE PROPERTY LINES, EASEMENTS, AND OTHER REAL PROPERTY DESCRIPTIONS PROVIDED IN THIS PERMIT APPLICATION ARE FOR THE USE OF THE AIR ONLY. THEY DO NOT DEFINE LEGAL RIGHTS OR MEET LEGAL REQUIREMENTS FOR A LAND SURVEY AS DESCRIBED IN 26 V.S.A. § 2502(d), AND SHALL NOT BE USED IN LIEU OF ANY PROPERTY RIGHT."

PROPERTY LINE NOTE:  
EXISTING OVERALL LOT PERIMETER PROPERTY LINES OBTAINED FROM A PROGRESS SURVEY PLOT PREPARED BY TRULINE LAND SURVEYORS, DATED DECEMBER 4, 2003. LOT LINES & PERIMETER DIMENSIONS SUBJECT TO CLOSURE ADJUSTMENTS BY A VT. REGISTERED LAND SURVEYOR.

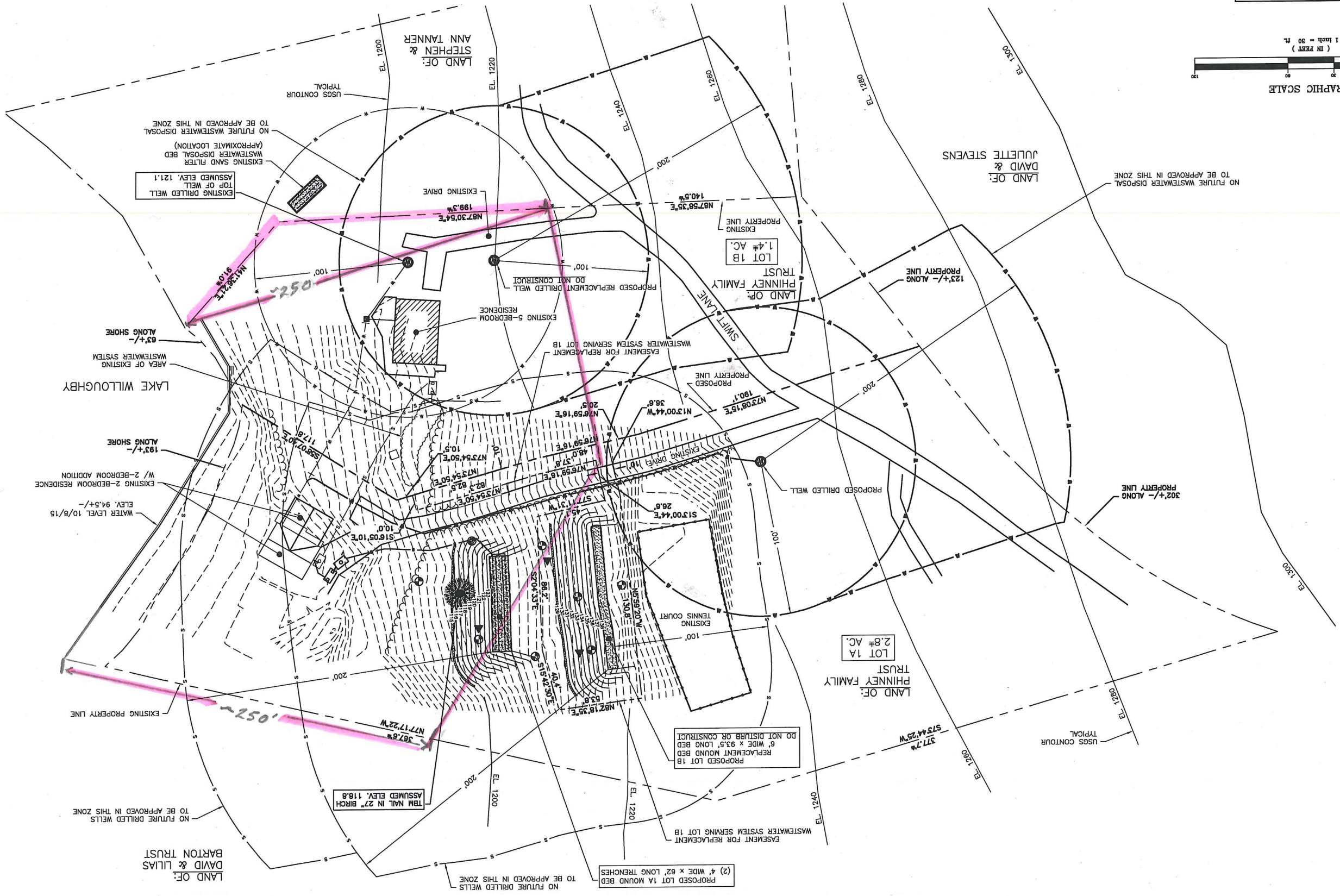
NO.	DESCRIPTION	DATE	BY

Lawes-Donato Engineering  
Act 250 \* Water/Wastewater \* Building Design  
Site Planning \* Permitting \* Stormwater  
103 Church St.  
Barton, Vermont 05851  
802-525-4900  
802-628-0451  
Lyndonville, Vermont 05851  
968 Canler St., P.O. Box 637

PREPARED FOR:  
PHINNEY FAMILY TRUST  
PROPOSED 2-LOT SUBDIVISION  
OVERALL SITE PLAN  
WESTMORE,  
VERMONT

Checked By: D.A.L.  
Drawn By: F.D.  
Scale: As Shown  
Date: 12-16-15  
DRWG. NO. CO

PLAN  
OVERALL PROPERTY  
SCALE: 1" = 30 FT.



PSA

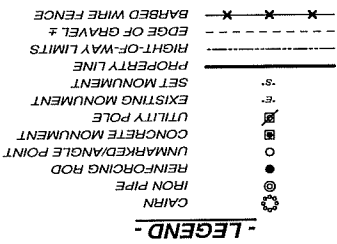






**- REVISIONS -**

MAY 03, 2011  
REVISED WESTERN LINE OF PHINNEY FAMILY TRUST  
AND BARTON FAMILY TRUST. ADDED RIGHT-OF-WAY  
OVER REFORF PROPERTY FROM T.H.#21.  
OVER REFORF PROPERTY. ADDED RIGHT-OF-WAY  
REVISED NORTHEASTERN LINE OF S. KENT. RESET  
MISSING CORNER & UPDATED BROOK LOCATION.  
SPE. 25, 2012



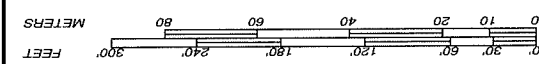
THIS PLAN HAS BEEN REDUCED FOR FILING.



Truline Land Surveyors, Inc.  
446 SUMNER ST., STE. 102  
ST. JOHNSBURY, VT. 05819  
Phone / Fax: (802) 746-3946  
paul@truline.com

LAND SURVEYORS LAND PLANNERS  
SCALE: 1" = 60'  
SURVEY DATE: JUN 1991 / SEP, 2008  
DRAWN BY: S.B.C.  
CHECKED BY: S.B.C.  
REVISED SEPTEMBER 2012  
FILE NO.: OBD-1-1204

**SWIFT FAMILY TRUST**  
LAKE WILLOUGHBY - WESTMORE, VT  
LAKE WILLOUGHBY & OLD COTTAGE ROAD



SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

**- CERTIFICATION -**  
I HEREBY CERTIFY THAT THE PROPERTY LINES SHOWN  
ARE BASED ON AND ARE CONSISTENT WITH THE DEED  
REFERENCES LISTED (EXCEPT WHERE NOTED) AND/OR OTHER  
DOCUMENTS REFERRED TO HEREON AS WELL AS EXISTING  
MONUMENTATION AND OTHER EVIDENCE OBSERVED ON THE  
PROPERTY, AND ARE CORRECT TO THE BEST OF MY  
KNOWLEDGE AS OF SEPTEMBER 25, 2012. THIS PLAN  
CONFORMS WITH THE REQUIREMENTS OF V.S.A. TITLE 27 §1403.  
(SEE NOTES.)

**- NOTES -**  
1. THIS PLAN IS PREPARED FOR THE EXCLUSIVE USE OF THE  
SWIFT FAMILY TRUST AND NO REPRESENTATIONS ARE MADE  
TO, OR ANY RELIANCE JUSTIFIED BY, ANY OTHER INDIVIDUAL  
OR ENTITY.  
2. THE BEARINGS SHOWN ARE BASED ON MAGNETIC  
OBSERVATIONS ON THE ORIGINAL TRAVERSE AND SERVE  
ONLY TO DEFINE THE ANGULAR RELATIONSHIP OF ADJOINING  
COURSES.  
3. THE METES AND BOUNDS SHOWN ARE BASED ON A  
CLOSED TRAVERSE OF AN ELECTRONIC MEASUREMENT SYSTEM  
SURVEY WITH A DEGREE OF PRECISION OF 1 IN 20,000 OR  
BETTER.  
4. ALL EXISTING MONUMENTS AND SET MONUMENTS SHOWN  
ARE STABLE AND PLUMB UNLESS OTHERWISE NOTED.  
5. THE AREA SHOWN HAS BEEN CALCULATED TO THE  
RIGHT-OF-WAY LIMITS OF TOWN HIGHWAY #30 WHICH  
ARE ASSUMED TO BE 24.75 FEET (1 1/2 RODS) FROM THE  
EXISTING CENTERLINE.  
6. NO ATTEMPT WAS MADE TO IDENTIFY OR LOCATE ANY  
UNRECORDED OR OBSERVED EASEMENTS AND/OR RIGHTS,  
OTHER THAN SHOWN, DURING THE COURSE OF THIS SURVEY.  
7. THIS IS A CERTIFIED PLAN WHEN ACCOMPANIED BY AN  
ORIGINAL SIGNATURE, DATE AND REGISTERED SURVEYORS  
STAMP OF A TRULINE REPRESENTATIVE.

**SWIFT FAMILY TRUST**  
TRULINE PLAN  
DATED MARCH 1995  
FILE #91D-1480  
DATED SEP. 2008  
FILE #93D-1-937

**J. PHILIP et al**  
TRULINE PLAN  
DATED DEC. 1991  
FILE #91C-B-679

**SWIFT FAMILY TRUST**  
TRULINE PLAN  
DATED APRIL 1995  
FILE #91D-1-679

**G. H. SWIFT**  
AREA = 4.34 ACRES  
REFER TO BK. 27, PG. 23

**BARTON FAMILY TRUST**  
AREA = 2.40 ACRES  
REFER TO BK. 30, PG. 212

**PHINNEY FAMILY TRUST**  
AREA = 1.40 ACRES  
REFER TO BK. 28, PG. 378

**TANNER FAMILY TRUST**  
AREA = 1.40 ACRES  
REFER TO BK. 401

**BARTON FAMILY TRUST**  
AREA = 1.50 ACRES  
REFER TO BK. 30, PG. 314

**E. H. SWIFT II**  
AREA = 2.10 ACRES  
REFER TO BK. 22, PG. 294

