

Lake Encroachment Individual Permit Application

Under Chapter 11 of Title 29, § 401 *et seq.*



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

Submission of this application constitutes notice that the person in Section H intends to encroach on or lakeward of the mean water level of a public lake or pond.

For this application to be deemed administratively complete, all applicable fields on this form must be answered and the required fee (Section K) must be submitted.

Administratively incomplete applications will be returned to the applicant. Technical review of the application will not occur until the application is deemed administratively complete.

For Lake Encroachment Permitting Use Only

Application Number: 4883-LEP
Application Received:



Approved Application (if applicable):

A. General Project Information

1. Physical Address (911 Address – if applicable): **79 VAN HOOK ROAD**

2. Town - County: **GREENSBORO - ORLEANS**

3. Zip: **05841**

4. SPAN (###-###-####) – if applicable: **264-083-10741**

The School Parcel Account Number can be obtained from your property tax bill or requested from your Town

5. Identify the coordinates (in decimal degrees/e.g., 44.2622532, -72.5806714) for where the project is located.

Latitude: **44.5937026**

Longitude: **-72.3179364**

6. Name of Lake/Pond: **CASPIAN LAKE**

7. Are there Class I or Class II wetlands within or adjacent to the project area?

Wetlands may be identified on the Wetland – VSWI layer on the ANR Atlas

☐ Yes

☒ No

8. Have any Agency of Natural Resources permits or approvals been issued or applied for at this parcel? If so, please describe and include an application or permit number when applicable (e.g., Wetlands permit, Act 250 permit, Wastewater permit, Stormwater ½ acre permit, etc.):

9. Is this project receiving funding through the American Rescue Plan Act (ARPA)?

☐ Yes

☒ No

10a. Is this application for a Lake Encroachment permit amendment or renewal? ☒ Yes ☐ No

10b. What is the permit number being amended or renewed (leave blank if N/A)?

11. Project type. Check the box(es) to identify the type of project being applied for and fill out the corresponding Section(s) of this application. Skip any Section that is not applicable to the project and proceed to Section G.

☒ Shoreline stabilization, complete Section B.

☐ Marina or docks, complete Section C.

☐ Structures (e.g., repairs to a boat ramp, boathouse, bridge, culvert, or concrete dock), complete Section D.

☐ Dredging or lakebed excavation, complete Section E.

☐ Other (e.g., water intake, utility line, dry hydrant), complete Section F.

B. Project Type – Shoreline Stabilization

1. Current shoreline conditions.

- a. Describe the current condition of the shoreline where the project is proposed and identify any erosion issues. Submit additional documentation (e.g., photos) of the erosion issue with this application.

Wall is bounded at each end by massive granite rocks left there by the glacier.

- b. Describe the potential causes of erosion¹ at the project area.

Wave action, seasonal changes in lake level as per the dam at the lake outlet,

- c. Describe the condition of any existing shoreline stabilization measures (e.g., riprap, concrete wall).

100 year old stone wall holding up front yard. Stones falling out. See photos.

- d. Identify any structures adjacent to the shoreline and their distance to the project area.

27 to 30 feet - front porch of house to the wall.

- e. Identify the slope of the project area as a percentage.

3 to 1

- f. Identify the amount of vegetative cover (e.g., trees, shrubs, groundcover, duff) and/or grass lawn within the project area.

grass lawn, one clump of 20 foot cedars in the middle of the lawn. One dead cedar that will be removed at the same time as the wall repair

2. Describe the project (e.g., replacement/repair of a failing stabilization project, new stabilization project).

Replace/repair of existing stone wall with stone. Plant perennials in a 5 foot band along the 50 foot wall.

Section continues to next page

¹ To identify the potential causes of erosion affecting the proposed project location, see pages 4-6 in The Shoreline Stabilization Handbook for Lake Champlain and Other Inland Lakes. Causes may include human activities (e.g., removal of shoreline vegetation, stormwater runoff, shoreline development), aquatic forces (e.g., wave action, ice push), and/or terrestrial forces.

3. Describe the purpose of the project and identify any intended public purpose(s), public benefit(s), or both.²

Repair/replace existing 100 year/old
stone retaining wall at private residence.

4. Describe the materials proposed to be used to complete the project, including material dimensions³ and approximate quantity (e.g., 5 cubic yards of 12-inch minus riprap).

Remove and replace 30 yds ~~of~~ (15 yds wall stone)
10 yds. 4 to 6" drainage stone
5 yds screened top soil

5. Describe any required construction access to the project area, construction staging areas, and construction sequencing. Identify construction access and staging areas on the site plan (Section G).

Lawn and driveway are open and available to
truck and excavator access.

6. Describe the sediment/turbidity control measures that will be used (e.g., turbidity curtain, cofferdam). Identify where sediment/turbidity control measures will be located on the site plan (Section G).

Silt fence in lake 3' high

7. Provide the following:

- a. Length of the project along the shoreline: 50 (feet)
- b. Distance the project encroaches lakeward of the mean water level⁴: 0 (feet)
- c. Volume of fill to be removed (if applicable): 30 (cubic yards)
- d. Volume of fill to be added: 30 (cubic yards)
- e. Will any shoreline vegetation (e.g., trees or forested area) be temporarily or permanently removed to complete the project? ☐ Yes⁵ ☒ No
- f. Anticipated start date for project construction⁶: Sept. 2026
- g. Anticipated duration of construction: 7-10 days

² Lake Encroachment Individual Permit Application Public Trust Review Procedure

³ If poured or pre-cast concrete is proposed (or any similar manmade material), any expansion of an impervious surface footprint may also require a Shoreland Protection approval.

⁴ An answer of "0" would indicate the project encroaches on the mean water level but no further lakeward.

⁵ If Yes, this project may also require a Shoreland Protection approval.

⁶ The construction window is typically allowed to occur from July 1st to March 15th only.

8. Describe any feasible alternatives to the proposed shoreline stabilization project (see the Lakes and Ponds Program's webpage on Shoreline Stabilization and pages 13-17 in The Shoreline Stabilization Handbook for Lake Champlain and Other Inland Lakes). Alternatives considered include no action, partial repair, or replacement. These were rejected due to greater shoreline disturbance, loss of historic stonework, or continued deterioration. The preferred plan is to repair and stabilize the existing wall within its current footprint using existing stone where practical to minimize disturbance and preserve historic character.

9. Describe how the project has been designed to address the cause(s) of erosion (e.g., project design includes management of upland stormwater runoff through the establishment of vegetation and/or other infiltration practices).

5 foot wide vegetation to be planted behind the repaired wall.

10. Describe how the extent of the project encroaching into the lake has been minimized to the greatest extent possible while still achieving the project purpose.

footprint of project is exactly the same

C. Project Type – Marina or Docks

1. Describe the project (e.g., commercial marina, public marina/docks).

2. Describe the purpose of the project and identify any intended public purpose(s), public benefit(s), or both.⁷

Section continues to next page

⁷ Lake Encroachment Individual Permit Application Public Trust Review Procedure

3. Provide the following:

- a.** Total surface area of dock space: _____ (square feet)
- b.** Greatest width of the project area (e.g., a measurement parallel to the shoreline): _____ (feet)
- c.** Greatest extent lakeward of the mean water level where docks will be placed: _____ (feet)
- d.** Identify the anticipated operating season: _____
- e.** Number of and description of slips (if applicable):

- f.** Number of and description of transient slips (if applicable):

4. How has the layout of the project been designed to minimize impacts on navigation or other public good uses of the project area?

5. Will pumpout or fuel services be provided? If yes to either, identify how those services will be provided as well as identifying any spill prevention and mitigation plans that will be followed. Attach any specific plans to this application.

6. Will any boat rentals, tours/cruises, educational programs, or any other similar actions associated with the operation of the project be provided to the general public? If yes, please describe.

7. Will docks be removed from the water during the nonoperating/winter season or remain in the waterbody? If docks are proposed to be left in the waterbody during the nonoperating/winter season, identify how these docks will be managed (e.g., freeze in place or use ice-eaters/de-icers) and where docks will be located. Include a winter configuration site plan under Section G if applicable.

D. Project Type – Structures

1. Is the project for the repair or replacement of an existing structure?

☐ No

☐ Yes

If yes:

a. Describe the current condition of the structure:

b. Identify the dimensions of the existing structure (i.e., L x W x H): _____

c. Identify the distance the structure extends lakeward of the mean water level: _____ (feet)

2. Describe the project.

3. Describe the purpose of the project and identify any intended public purpose(s), public benefit(s), or both.⁸

4. Describe the materials proposed to be used to complete the project, including the dimensions and/or the type and volume of additional fill (if applicable).

5. Describe any required construction access to the project area, construction staging areas, and construction sequencing. Identify construction access and staging areas on the site plan (Section G).

Section continues to next page

⁸ Lake Encroachment Individual Permit Application Public Trust Review Procedure

6. Describe the sediment/turbidity control measures that will be used (e.g., turbidity curtain, cofferdam). Identify where sediment/turbidity control measures will be located on the site plan (Section G).

7. Is lakebed excavation required to complete this project type? ☐ No ☐ Yes

If yes:

a. Identify the location and volume of fill to be removed:

b. Describe how the dewatering of lakebed sediments will be managed (e.g., contained within hay bales):

Complete this question and skip Section E if lakebed excavation is required to complete this project type only.

8. Describe any feasible alternatives to the proposed project.

9. Describe how the extent of the project encroaching into the lake has been minimized to the greatest extent possible while still achieving the project purpose (e.g., concrete repairs do not exceed 6 inches, private boathouse replacement is no larger in any dimension).

E. Project Type – Dredging or Lakebed Excavation

1. Current project area conditions.

- a. Describe the current condition of the lakebed where the project is proposed.
- b. Describe the potential causes of sedimentation (e.g., shoreline erosion or erosion higher up in the watershed).
- c. Is this project in response to the area filling in over time, rapid sedimentation (e.g., from a severe storm), or some other reason?
- d. Has the project area been dredged previously? ☐ No ☐ Yes
If yes, describe the project and identify the associated Lake Encroachment permit number(s):
- e. Are there any rare, threatened, or endangered (RTE) aquatic plants or animals (e.g., mussels) within or adjacent to the project area⁹? ☐ No ☐ Yes
If yes, describe any coordination with the Vermont Fish and Wildlife Department on avoidance and/or minimization of an impact, identify a Takings Permit, or both:

2. Describe the project.

Section continues to next page

⁹ General locations for RTE species may be identified using the *RTE Animal* and *RTE Plant* layers on the [ANR Atlas](#).

3. Describe the purpose of the project and identify any intended public purpose(s), public benefit(s), or both.¹⁰

4. Describe the equipment proposed to be used to complete the project and whether the project will be completed from the water, the shoreline, or a combination of both.

5. Describe any required access to the project area (e.g., temporary fill access road into the waterbody), staging areas, and project sequencing. Identify access and staging areas on the site plan (Section G).

6. Describe the sediment/turbidity control measures that will be used (e.g., turbidity curtain, cofferdam). Identify where sediment/turbidity control measures will be located on the site plan (Section G).

7. Describe how dredged sediments will be dewatered and where dewatered sediments will be permanently disposed of. Identify where and how dredged sediments will be dewatered on the site plan (Section G.).

Section continues to next page

¹⁰ Lake Encroachment Individual Permit Application Public Trust Review Procedure

8. Provide the following:

- a. Furthest distance dredging will occur lakeward of the mean water level: _____ (feet)
- b. Surface area of the waterbody to be dredged: _____ (square feet)
- c. Current average depth of the project area¹¹: _____ (feet or NGVD 1929)
- d. Target average depth for the project area: _____ (feet or NGVD 1929)
- e. Volume of fill to be removed: _____ (cubic yards)
- f. Anticipated project start date¹²: _____
- g. Anticipated timeframe to complete the project: _____

9. Describe any measures being taken to reduce future sedimentation of the project area (e.g., shoreline restoration, watershed management activities).

F. Project Type - Other

1. Describe the project, including any addition and/or removal of fill, and where the project will take place in relation to the mean water level (e.g., the distance the project encroaches beyond the mean water level).

2. Describe the purpose of the project and identify any intended public purpose(s), public benefit(s), or both.¹³

Section continues to next page

¹¹ Identify the average depth of the water column or the elevation of the lakebed using NGVD 1929.

¹² Lakebed disturbing activities are typically allowed to occur from July 1st to March 15th only.

¹³ Lake Encroachment Individual Permit Application Public Trust Review Procedure



including any required equipment, access, staging areas, construction staging, and materials that will be used.

4. Describe any feasible alternatives to the proposed project.

5. Describe what measures will be taken to reduce impacts on the public good (e.g., measures that minimize impacts on water quality, fish and wildlife habitat, aquatic and shoreline vegetation, navigation and other recreational use).

G. Project Site Plan

1. Include a minimum of three color photos of the project area, including the construction staging area(s) if applicable.

2. Project site plan. At a minimum, include:

- a. Identification of where the mean water level is located.
- b. Dimensions, surface areas, and volumes of material to be added and/or removed (if applicable).
- c. Identification of wetlands relative to the project area (if applicable).
- d. Identification of any applicable existing conditions or structures.
- e. An overhead/site plan view of the proposed project, including winter configuration (if applicable).
- f. A depth profile/cross section view of the proposed project.
- g. Identification of the limits of construction or the maximum extent of the encroachment, including locations of any:
 - i. Sediment control measures.
 - ii. Construction staging areas.
 - iii. Required access to the project area.
 - iv. Dewatering schematics and locations.

H. Landowner/Applicant Information and Certification

If applicable, all landowners must sign the application. Submit additional pages if necessary.

Name: <u>STEPHEN L FERBER</u>			
Mailing Address: <u>PO BOX 1085</u>	City/Town: <u>Lyndonville</u>	State: <u>VT.</u>	Zip: <u>05851</u>
Phone Number: <u>802 323-8281</u>	Email Address: <u>slf@vtlink.net</u>		
Have you completed the voluntary <u>Natural Shoreland Erosion Control Certification</u> course? ☐ Yes ☒ No			
If yes, please include the location and year you attended the course. Year and location: A <u>list of certified contractors</u> is available online.			

Landowner/Applicant Certification:

As LANDOWNER/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.

Landowner/Applicant Signature Stephen L Ferber Date: 8/26/2026**I. Application Preparer and/or Co-Applicant Information and Certification (check this box if the same as Section H. ☐)**

Name: <u>Cornelia V. H. Potter Trust</u>			
Mailing Address: <u>22 Pleasant St</u>	City/Town: <u>Arlington</u>	State: <u>MA</u>	Zip: <u>02476</u>
Phone Number: <u>617-999-3202</u>	Email Address: <u>potter.diana@gmail.com</u>		
Have you completed the voluntary <u>Natural Shoreland Erosion Control Certification</u> course? ☐ Yes ☒ No			
If yes, please include the location and year you attended the course. Year and location: A <u>list of certified contractors</u> is available online.			

Co-permittee status will likely be required as a permit condition for any individual or entity other than the permittee for construction based/lakebed disturbing encroachments (e.g., shoreline stabilization, dredging, boathouse repair, concrete wall/dock repair, etc.). A co-permittee shall be subject to all terms and conditions in the permit.

To obtain co-applicant/co-permittee status, sign below.¹⁴ By signing, as CO-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.

If the application preparer does not wish to be a co-applicant/co-permittee, skip this signature section.

Co-Applicant Signature Diana Potter, trustee of CVHP Her Trust Date: 8/26/26

¹⁴ Addition or termination of co-permittee status can be done at any time using the Notice of Co-Permittee Status Form.

J. Adjoining Property Owner Notification

For the application to be administratively complete, the applicant must use this letter template [\(link\)](#) to notify all applicable adjoining property owners of this application by U.S. mail at the time the application is submitted. Refer to the [Adjoining Property Owner Notification Guidance](#) for a description of applicable adjoining property owners.

SLF

Initial to the left to certify that all applicable adjoining property owners have been notified. The application will be returned as administratively incomplete if this is not initialed.

K. Permit Application Fee

Check the box(es) for the most applicable permit description(s) and requisite fee(s). If the proposed project involves more than one of the project types, multiple fees may apply. For example, a project involving structural shoreline stabilization and marina improvements will require both fees (2) and (3).

☐

(1) Non-structural erosion control project (Section B)

Administrative Processing Fee: \$155.00

(1) Total: \$ 0.00



(2) Structural erosion control project (Section B)

Administrative Processing Fee: \$250.00

(2) Total: \$ ~~0.00~~ 250.00

☐

(3) Other projects (Sections C through F)

Administrative Processing Fee: \$300.00

\$ 0.00

Application Review Fee: 1% of Total Project Cost
(*\$20,000 max fee, check box if project cost is over \$2,000,000*) ☐

Enter the Total Project Cost:

\$ ~~7,000.00~~

\$ 0.00

Administrative Processing Fee + Application Review Fee:

(3) Total:

\$ 0.00

Total Fee:

\$ ~~0.00~~ 250.00

Submit your application and fee payment via our [secure online intake portal](#). Scroll to the bottom of the landing page, click "begin form entry" in blue, and then proceed with the "permit application" option for the Lakes & Ponds Program.

Please note: You will need to register an account before you begin your submission. If you ever need to revise a submission, you will not be able to unless you are registered and logged in.

NOTICE: Effective July 1, 2026, all fees to the Watershed Management Division must be paid electronically.

ANROnline accepts credit, debit, or eCheck. Mailed checks will not be accepted. If e-payment is a hardship, contact us. This change follows the VT DEC Electronic Submission Policy (May 8, 2023).

Refund Policy

- If an application is modified, withdrawn, or denied after technical review has commenced; all fees are retained.
- If an application is withdrawn prior to administrative review; all fees will be refunded.
- If an application is withdrawn after administrative review but prior to commencement of technical review, deemed administratively incomplete and returned to applicant, or determined that a permit is not required; administrative fees are retained, and application review fees will be refunded.



Department of Environmental Conservation

OFFICIAL NOTICE

Hello Neighbor,

This letter is to let you know that Stephen L. Ferber plans to apply for permits from the Agency of Natural Resources, Department of Environmental Conservation (DEC). As your property borders where this activity will happen, Vermont law requires that you be informed about the application(s).

Once the application is accepted by the DEC, it will be posted on the DEC Environmental Notice Bulletin (ENB) website at ENB.VERMONT.GOV. You can sign up there to get updates as the application goes through the review process. Even if the application hasn't been sent in yet, you can still register for notifications in your area. Instructions can be found on the next page.

You may contact the property owner/applicant with questions about the activity. The contact information is listed below. The permit process includes a time for public comments and a chance to ask for a public meeting. This can be done through the ENB website once the applications are posted. Note that to appeal the final permit decision, you must submit a comment during the public comment period.

For more information, please visit DEC.VERMONT.GOV/PERMITS/ENB/GENERAL. If you have questions or need help signing up on the ENB, call the DEC at (802) 828-1556 with the information below.

PROPERTY OWNER(S)/APPLICANT(S) NAME STEPHEN L. FERBER

PROPERTY OWNER(S)/APPLICANT(S) CONTACT INFORMATION (MUST PROVIDE TELEPHONE NUMBER AND/OR EMAIL) 802 323-8281 slf@vtlink.net

PROPOSED ACTIVITY STREET ADDRESS/ROUTE 79 VAN HOOK ROAD
GREENSBORO, VT. 05841

PROPOSED TOWN(S)

PERMIT TYPE(S) (INDICATE FOR EACH PERMIT TYPE NEW OR RENEWAL)

LAKE ENCRoACHMENT INDIVIDUAL PERMIT

DATE NOTICE GENERATED

8/26/2026

Understanding when permit applications will be shown on the ENB

- Permit applications are posted on the ENB website after all necessary information is received by the DEC. This means it might take a few weeks for the noticed activity to show up on ENB. Nearby property owners should check the website again one or two weeks after getting a notice in the mail. You can also sign up on the ENB to get updates about new activities in your town.

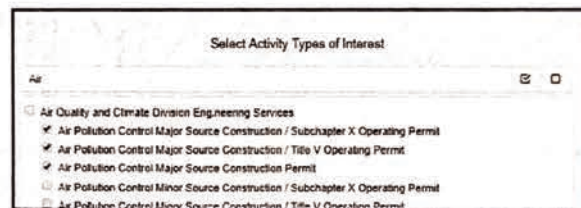
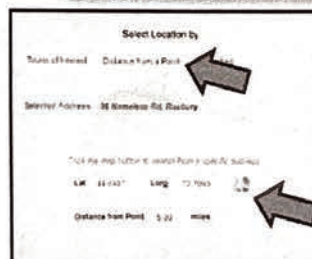
Register with the ENB

To register on the ENB and set up your subscription: please go through the following steps. There are illustrated instructions on Page 16 of [the ENB User Guide](#):

- Go to ENB.VERMONT.GOV
- Click **Register** on the upper right-hand side of the home page
- Enter the required information (name, email address and create password) and click **Register**
- You will receive an email confirmation for your email address. Once confirmed you will be able to log-in and set up your subscription.

Subscribe to ENB Notifications for New Activities in your Area

- Log into ENB and then click **My Subscription** at the top left-hand side of the home page
- Click **Modify Alerts** on the My Subscription page
- Click **Edit** for Alert #1
- Check the box next to the permits you are interested in receiving alerts for from the **Select Activity Types of Interest** list.
- Next, click the **Distance from a Point** tab under **Select Location by...** and click the **map** icon to set your location.
- Enter your own address in the **Search Address** field. Set the distance large enough to capture the project activity (1 mile, 5 miles, etc.)
- Click **OK** once the radius has been set
- Click **SAVE** on the next page, then Click **OK** to return the main subscription page.
- Once you receive an alert for an activity, you can choose to **Follow** the activity from your subscription page on the ENB


For additional instructions see the **User Guide** on ENB.VERMONT.GOV.

For help with registration please contact the ENB Administrator: ANR.ENBAdministrator@vermont.gov.

