



P.O. Box 351, Vergennes, Vermont 05491

H.J. LeBoeuf & Son, Inc.

(802)877-3098

Michael Garner / Susan Bayer Shoreline Improvement Project

ZBA Application

910 Flat Rock Rd., Thompson's Point, Charlotte, VT

July 11, 2014

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7. Response to Table 2.7 D6, F4, F6, F11
8. Response to Sections 3.15 G1, G2, G3, G4
9. Response to Sections 5.4 A, B, C, D
10. Photographs of embankment after high water event
11. Photograph showing the proposed natural stone wall and replacement vegetation
12. Project location map - need to obtain at Town Offices
13. Design plan prepared by Engineers Construction, Inc. - need to reduce to 11 x 17 format



Town of Charlotte

ESTABLISHED 1762

October 21, 2014

Mr. Norman LeBoeuf
H.J. LeBoeuf & Son, Inc.
P.O. Box 351
Vergennes, VT 05491

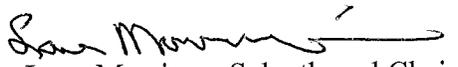
Re: Garner & Bayer; Conditional Use Review Application

Dear Mr. LeBoeuf,

At its meeting on October 20, 2014, the Selectboard voted to authorize the submission of an application for Conditional Use Review by Michael Garner and Susan Bayer to the Zoning Board of Adjustment for the purpose of constructing a "seawall." The parcel at 910 Flat Rock Road is owned by the Town of Charlotte and leased to Michael Garner and Susan Bayer,

Please contact Dean Bloch, Town Administrator, should you have any questions.

Sincerely,


Lane Morrison, Selectboard Chair
Town of Charlotte

Michael Garner / Susan Bayer
1133 New Hampton
Sanbornton, NH 03269

February 20, 2014

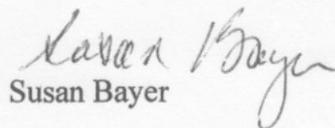
Zoning Board of Adjustment
Town of Charlotte
PO Box 119
Charlotte, VT 05445

We authorize Norman LeBoeuf of H. J. LeBoeuf & Son, Inc. to act on our behalf to secure a ZBA Permit for the Proposed Revised Shoreline Damage Plan.

Sincerely,



Michael Garner


Susan Bayer

OCT 29 2014

TOWN OF CHARLOTTE

Planning & Zoning
P.O. Box 119
159 Ferry Road
Charlotte, VT 05445
Phone: 802-425-3533
Fax: 802-425-4241
E-Mail: Gloria@townofcharlotte.com

CHARLOTTE
PLANNING & ZONING

Office Use Only #ZBA-14-08
Date Received:

Note: Decisions of the Zoning Board of Adjustment may be appealed to the Vermont Environmental Court within 30 days of the date of the Board's written decision. Zoning Permits will not be issued so as to become effective prior to the end of that appeal period.

Receipt # _____ Application Fee \$200 _____ Appeal Fee \$150 _____ Hearing Date: _____
Telecommunications Facilities Fee \$1,000 _____

***APPLICANT/REPRESENTATIVE (if different from owner)**

Name Michael Garner, Susan Bayer Name Norman LeBoeuf
Address 1133 New Hampton Address PO Box 351
Sanbornton, NH 03269 Vergennes, VT 05491
Phone 603-286-3795 Phone 802-877-3098

*Representative must submit a letter from the owner of the property authorizing him/her to represent them for permits, hearings, etc.

Map 43 Block 50 Lot 2 Parcel ID # 00025-0910 Property address 910 Flat Rock Road, Thompson's Pt.
Lot size .36A Lot frontage 105'+/- % of Lot coverage (building) 8.4 (overall) 9.3 Building height _____ Front yard setback _____
Side yard setback _____ Rear yard setback _____ Zoning District SSHND Note: all setbacks are existing
This application references Zoning Bylaw section(s) Sec. 2.7.D.6; F.4.6.11 & Sec 3.15.G.1,2,3,4; Sec.5.4A,B,C1,2,3,4,5,D1,2,3
 Plot Plan must be submitted showing the lot, existing structures and setbacks, easements, right-of-ways on or abutting the lot, septic primary and replacement areas, well, streams and any other information significant to this application) Submittals no larger 11" x 17".
 Use attached sheet to list all abutting property owners. Include those across any street, private road or right-of-way.
 Applicant will be required to notify adjoining property owners, by certified mail or certificate of service, after a hearing date has been set.
 Submit (1) original (5) copies complete application.

Conditional Use: Variance: _____ Thompson's Point: _____ Special Dist: Appeal: _____ Other: (describe) _____

Describe your request: (When appropriate, make reference to attached documents, letters, photographs, etc.)

Please refer to the enclosed Scope of Project and History and Project Summary.

APPLICATION MUST BE RECEIVED AT LEAST 23 DAYS PRIOR TO THE HEARING DATE.
BE SURE TO COMPLETE ALL SECTIONS OF THE NECESSARY FORMS AND ATTACHMENTS. ONLY COMPLETE APPLICATIONS WILL BE ACCEPTED.

Signature of applicant

Norman LeBoeuf

Date

10/29/14

Information Available from Town Lister and Tax Map.

Name <u>Bird Family Realty Trust, Richard Waters</u> Address <u>65 Captain Miles Lane</u> <u>Concord, MA 01742</u> Parcel # Map <u>43</u> Block <u>50</u> Lot <u>03</u>	Name _____ Address _____ Parcel # Map _____ Block _____ Lot _____
Name <u>Margaret Clark</u> Address <u>PO Box 743</u> <u>Saxton River, VT 05154</u> Parcel # Map <u>43</u> Block <u>50</u> Lot <u>01</u>	Name _____ Address _____ Parcel # Map _____ Block _____ Lot _____
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July 11, 2014

History / Scope

During the historic high water event in April 2011 the south facing shore suffered extensive undermining of the embankment along the entire length of the property. This caused the embankment to be seriously cantilevered resulting in the curling over of the edge of the bank with some trees gradually rotating towards the shoreline below. Four trees were located directly in the erosion zone. One of the four trees (a small cedar) was already dead. These flagged trees are shown in the accompanying photos. Left unattended the embankment will eventually drop to the shoreline along with most if not all of the trees that presently define the upper portion of the embankment.

The proposed Shoreline Improvement Plan includes a stone faced concrete wall approximately 85 ft. long by 36 inches high including a stone cap. This structure is located in the most severely impacted section of the embankment. This severely damaged section starts at the Garner / Clark property line and is directly below the cottage above. It continues in a westerly direction approximately 25 ft. beyond the cottage. The wall is approximately the same height and will be faced with the same Corinthian Seam Face Granite as the recently completed Waters seawall to the immediate west. This stone will blend in with the existing rock that presently dot the shoreline.

Continuing from the west end of the wall a natural riprap stone feature will be placed along the slope for a distance of about 25 ft. This will tie into a similar feature that is at the east end of the Waters seawall system. This design will create visual continuity between the Garner and Waters shoreline. As with the Waters project both the stone wall and riprap features are designed to be as low as possible.

Landscape Plan

No clearing of vegetation will occur for the sake of creating additional view to the water. As mentioned previously, four trees are directly in the impact zone of the undermined area and must be removed in order to stabilize the embankment. Some ground cover will be disturbed as a result of the stabilizing effort.

The natural ground cover vegetation will be re-established and encouraged to cascade down the embankment and over the new wall creating a further harmonious blend with the existing landscape. This vegetation includes the existing vinca and day lilies which grow throughout the point. This will not only stabilize the upper portions of the embankment but will infill the voids between the riprap stone so as to create an unobtrusive natural look matching the recently completed Waters Seawall system.

Office at 149 Pine Cone Lane, New Haven, VT
hjlboeuf@myfairpoint.net

FAX: (802)877-3178
www.hjlboeuf.com

It is the intent of the Owners to accomplish this work in such a way that the setting, as much as possible, looks as before.

Tree Replacement

The previously mentioned affected live trees will be replaced with young saplings of a similar species. They will be placed at the top of the embankment in line with their predecessors.



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July 7, 2014

Response to Section 5.4 Conditional Use Review

5.4 A

Recognize the requirement to obtain ZBA approval. See below.

5.4 B

Recognize the requirement for a public hearing.

5.4 C1

Does not apply - this is a Shoreline Stabilization measure.

5.4 C2

The revised - scaled back natural stone retaining wall is designed to be a low, unobstructive element that appears to grow out of the rock shoreline. Stone have been selected that are similar in color and texture to the existing stone found on the shoreline. The natural ground cover and vegetation will be encouraged to cascade down over the stone work so as to re-create the former natural appearance of the embankment.

5.4 C3

Any increased traffic will be minimal, restricted to the duration of the project and limited to the few on site workers.

5.4 C4

The proposed project does not affect any roads, water or wastewater areas.

5.4 C5

The proposed project is unrelated to renewable energy resources.

5.4 D1

The proposed Shoreline Improvement Project does not come in contact with any wildlife habitats, productive forests and farmlands, wetlands, aquifers and historic sites. The proposed project is above elevation 100 ft. Views will be unaffected as the low structure is designed to carefully blend in with the embankment.

5.4 D2

The proposed project has been scaled back so as to have little or no visual impact on adjoining properties.

5.4 D3

The proposed project does not apply as it is a Shoreline Improvement measure only.

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July 7, 2014

Response to Section 3.15 Surface Waters & Wetlands

3.15 G1

All potentially affected trees are above elevation 100 ft., therefore the Town has determined that the Tree Warden will have jurisdiction over the cutting and removal of any trees.

3.15 G2

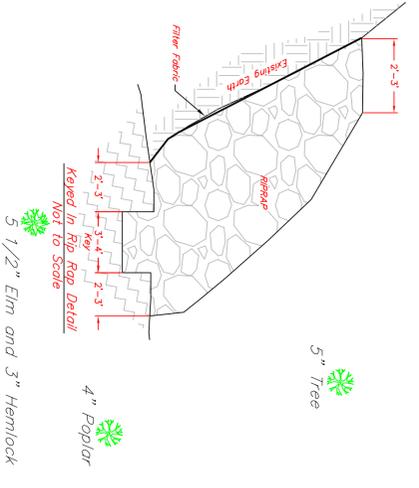
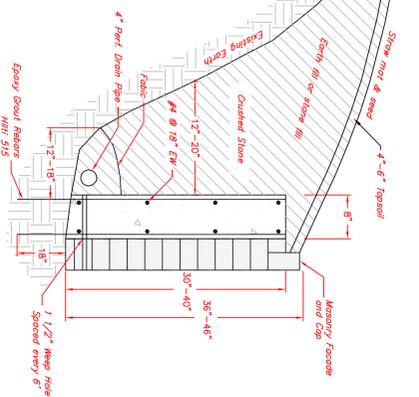
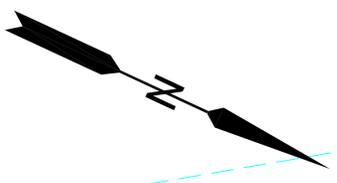
It is anticipated that the trimming or pruning of trees would be limited if not required at all. Again, the Tree Warden will be consulted on these matters.

3.15 G3

Again, the Tree Warden will be consulted regarding any potential tree work.

3.15 G4

Does not apply.



ANCHORED CONCRETE MASONRY RETAINING WALL
Not to Scale

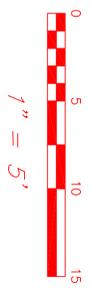
Keyed in Rip-Rap Detail
Not to Scale

Septic pump station

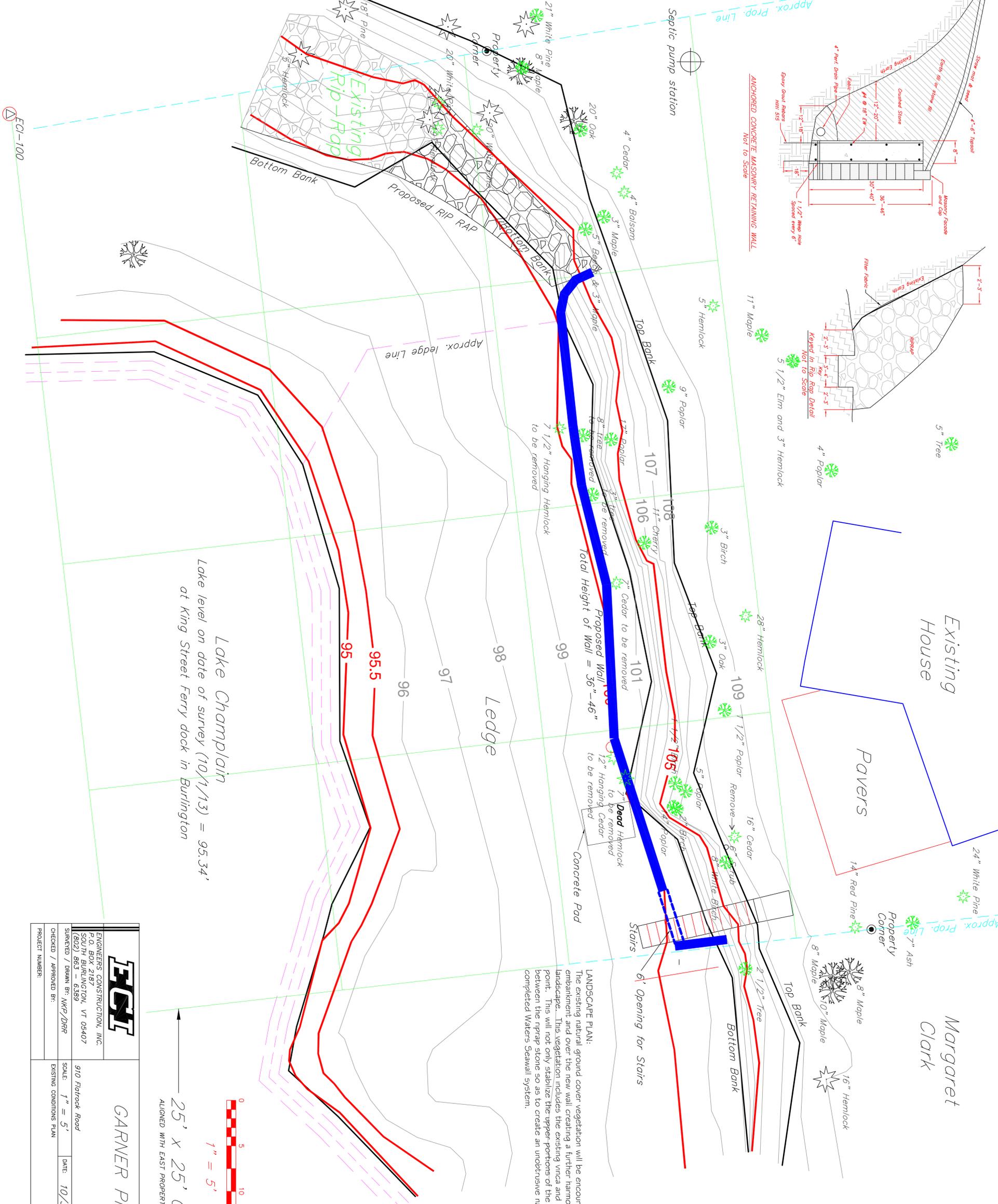
6' Opening for Stairs

LANDSCAPE PLAN:
The existing natural ground cover vegetation will be encouraged to cascade down the embankment and over the new wall creating a further harmonious blend with the existing landscape. This vegetation includes the existing vinca and day lilies which grow throughout the point. This will not only stabilize the upper portions of the embankment but will infill the voids between the riprap stone so as to create an unobtrusive natural look matching the recently completed Waters Seawall system.

Lake Champlain
Lake level on date of survey (10/1/13) = 95.34'
at King Street Ferry dock in Burlington



25' X 25' GRID
ALIGNED WITH EAST PROPERTY LINE



		GARNER PROPERTY	
ENGINEERS CONSTRUCTION, INC. P.O. BOX 2187 SOUTH BURLINGTON, VT 05407 (802) 863-6389			
910 Flatrock Road SCALE: 1" = 5' DATE: 10/30/13		Charlotte, Vermont SHEET: 1 OF 1 EGD DWG NO.:	
CHECKED / DRAWN BY: NKP/DJR PROJECT NUMBERS:		REV: 0	

Light
12" Red Pine
Bottom

ECL-100



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Response to Table 2.7 Shoreline Improvements

2.7 D6

The proposed Shoreline Improvement Project is sensitive to and consistent with all items listed under A Purpose. By stabilizing the embankment disturbed by the high water event of 2011, the long term continued use of the seasonal cottage is insured. Many alternatives were considered in the interest of finding a solution that was as harmonious and discrete as possible both from the lake shore and water. The stabilization of the embankment is critical in preventing further erosion into the lake.

2.7 F4

It is proposed to retain and encourage all existing vegetation and ground cover so as to re-establish the natural look of the embankment before the 2011 high water event. Four trees are designated for removal and are indicated as such on the Site Plan. These trees have sustained irreversible damage. The Tree Warden will have the final say regarding the disposition of these and any other trees in the affected area.

2.7 F6

Subject to permitting, weather and lake level, it is hoped to undertake and complete the project this spring before the July / August construction moratorium is in effect. Temporary access to the shoreline will be developed for small equipment necessary for the movement of materials, etc.

2.7 F11

It is believed that no wetlands or wildlife habitats is affected by this project. Engineers Construction will be the primary contractor and has extensive experience doing shoreline work, thus erosion control protocol will be strictly observed.

Michael Garner / Susan Bayer Shoreline Stabilization Project Lot Coverage Schedule
910 Flat Rock Rd., Thompson's Point, Charlotte, VT November 6, 2014

Lot	.36 acres	15,684.6 SF
House footprint (from Town Area Table Addendum)		1,118 SF
Porch		<u>201 SF</u>
	8.4% lot coverage	1,319 SF
Storage shed (not included in Town Addendum)		96 SF
Seawall		<u>42.5 SF</u>
	<u>.9% lot coverage</u>	138.5 SF
	9.3 % lot coverage < 10%	



254.0

0

127.00

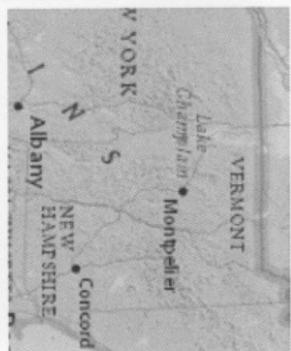
254.0 Meters

WGS_1984_Web_Mercator_Auxiliary_Sphere
© Vermont Agency of Natural Resources

1" = 417 Ft.
1cm = 50 Meters
THIS MAP IS NOT TO BE USED FOR NAVIGATION

DISCLAIMER: This map is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. ANR and the State of Vermont make no representations of any kind, including but not limited to, the warranties of merchantability, or fitness for a particular use, nor are any such warranties to be implied with respect to the data on this map.

1: 5,000
March 24, 2014



LEGEND

- Parcels (where available)
- Town Boundary

NOTES

Map created using ANR's Natural Resources Atlas
March 2014

detail of erosion



2 trees east end



proposed seawall



west and center affected trees



detail of erosion & flagged trees

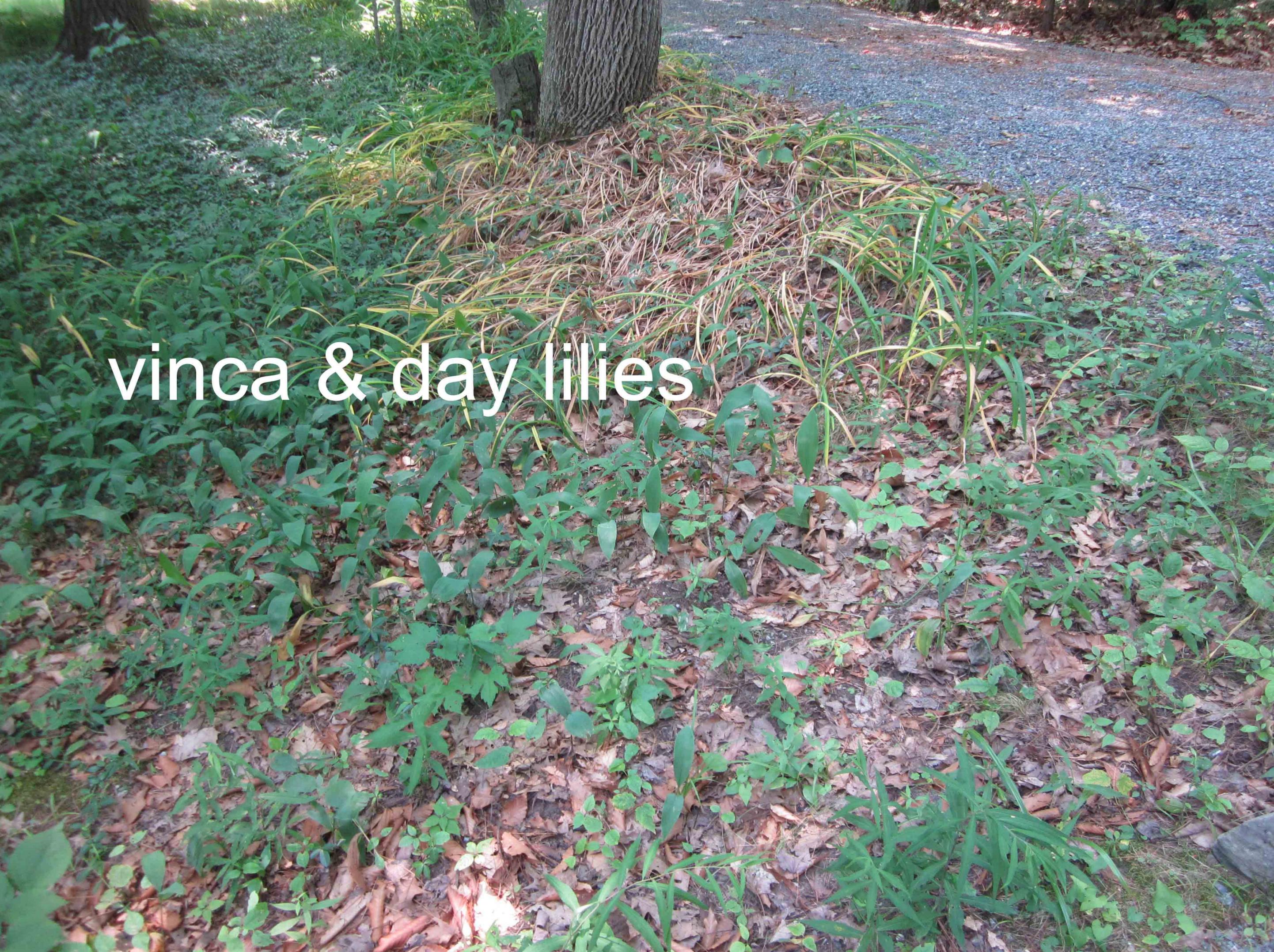


detail of erosion



A photograph of a wooded area with a house in the background and the word 'vinca' overlaid in white text. The scene is a dense forest with various trees, including a large tree on the left and a house with light blue siding on the right. The ground is covered in green plants and brown leaves. The word 'vinca' is written in a simple, white, sans-serif font in the center of the image.

vinca

A photograph of a garden bed. In the upper center, a tree trunk is visible. To the right, a gravel path leads away. The ground is covered with a mix of green plants, including vinca and day lilies, and a layer of brown, fallen leaves. The text "vinca & day lilies" is overlaid in white on the left side of the image.

vinca & day lilies