

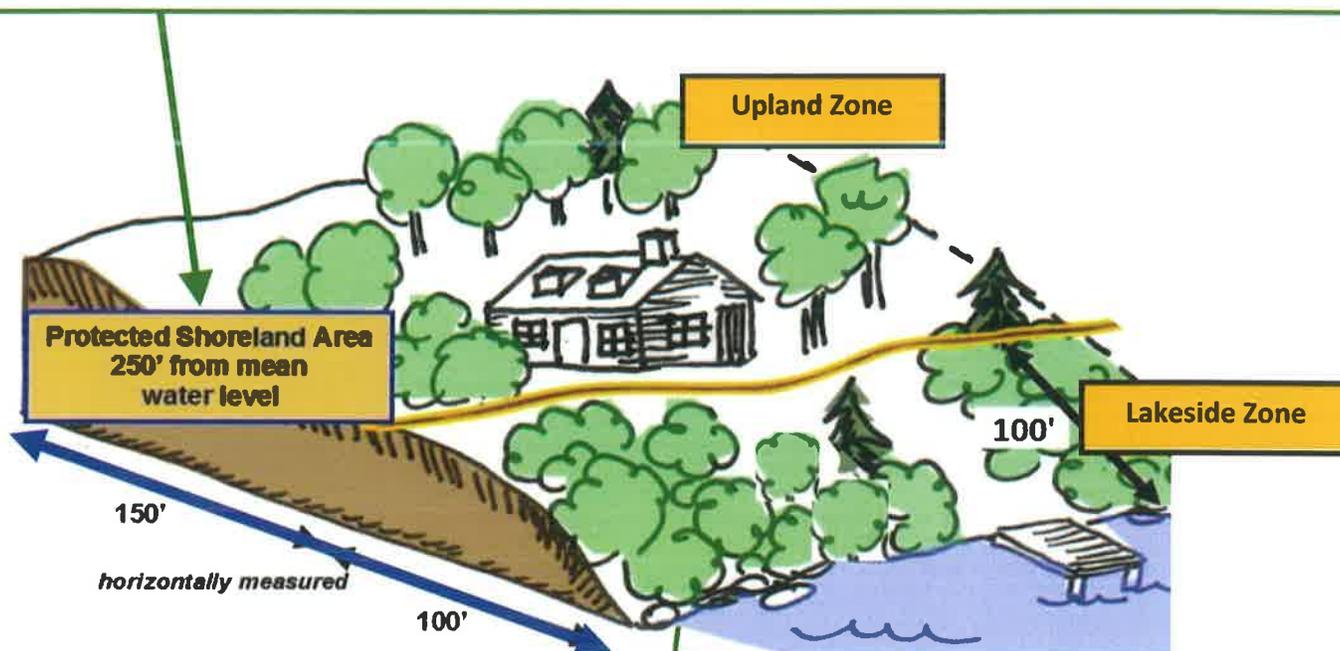
# Shoreland Development: When do you need a state permit?

## *The Vermont Shoreland Permit Program is Effective July 1, 2014*

The Vermont Shoreland Protection Act was designed to permit environmentally responsible development around the shores of lakes and ponds. The creation of cleared area or impervious surface within 250 feet of the mean water level on lakes greater than 10 acres in size is now regulated. This new permit program has been developed to help landowners facilitate development within the Protected Shoreland Area according to the Act. New and existing development within the Upland and Lakeside Zones may now require a permit or registration from the Shoreland Permit Program.

### **Vermont Shoreland Permit Program**

(802) 490-6196 - [ANR.WSMDShoreland@state.vt.us](mailto:ANR.WSMDShoreland@state.vt.us) - [www.watershedmanagement.vt.gov/lakes.htm](http://www.watershedmanagement.vt.gov/lakes.htm)



### ***Have a project in the lake (beyond mean water level)?***

The **Vermont Lake Encroachment Permit Program** regulates projects within this zone. The goals of this program are to minimize the encroachment on public waters as well as ensure that projects do not adversely affect the public good and are consistent with the Public Trust Doctrine. Projects encroaching on public waters such as docks, retaining walls and shoreline stabilization, water intakes, dredging, or fill, may require a permit.

### **Vermont Lake Encroachment Permit Program**

(802) 490-6165 - [Kevin.burke@state.vt.us](mailto:Kevin.burke@state.vt.us)  
[www.watershedmanagement.vt.gov/lakes.htm](http://www.watershedmanagement.vt.gov/lakes.htm)

### **Looking to develop? Altering your parcel? Questions regarding permits?**

Please contact the appropriate permit program to assist you with any inquiries or visit the Vermont DEC Lakes and Ponds Program webpage for further information.



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

# Shoreland Permit Program

Effective July 1, 2014, the Vermont Legislature passed the [Shoreland Protection Act](#) (Chapter 49A of Title 10, §1441 *et seq*), which regulates shoreland development within 250 feet of a lake's mean water level for all lakes greater than 10 acres in size. The intent of the Act is to prevent degradation of water quality in lakes, preserve habitat and natural stability of shorelines, and maintain the economic benefits of lakes and their shorelands. The Act seeks to balance good shoreland management and shoreland development.

- [What Activities Need a Permit](#)
- [Review & Public Notice](#)
- [Appeal](#)
- [Shoreland Application Resources](#)
- [Delegated Municipal Authority](#)
- [Contacts](#)



Chance to Win a  
Free State Parks Pass!  
Take the [DEC Web Survey](#)

This permit program is managed by the Vermont Department of Environmental Conservation (DEC), Watershed Management Division. Contact:

**Dan Homeier or Misha Cetner**  
**Shoreland Permit Analysts**  
**(802) 490-6196**  
[ANR.WSMDSshoreland@state.vt.us](mailto:ANR.WSMDSshoreland@state.vt.us)

Use the new [Shoreland Project Worksheet](#) (PDF, 218 KB) to determine if your residential project needs a permit or registration.

If you would like to schedule a site visit or have a question, click [here](#)!

We have also developed [The Vermont Shoreland Protection Act: A Handbook for Shoreland Development](#) (PDF, 2.3 MB) to help explain the Shoreland Protection Act and the permit or registration process.

## What activities need a permit or registration

Any new development, redevelopment, or clearing of a property, may require a permit or registration. A permit or registration is not required for a projects that qualify under the following transition language:

### [Section. 9 Transition](#) (PDF, 81KB)

#### Exemptions

The following are examples of projects that do not need to be registered or permitted through the Shoreland Permit Program. Refer also to 10 V.S.A Chapter 49A, Section 9. TRANSITION.

- Maintenance of existing buildings, gardens, and lawns, without enlarging them.
- Creation of a single six foot wide footpath to access the lake.
- Re-construction of existing impervious areas without increasing or changing the current footprint, such as rebuilding a house, deck, or driveway within the exact same footprint.
- Removal of 250 square feet of vegetation under three feet in height, 25 feet from the mean water level, is allowed as long as the Vegetation Management Practices are met and the duff layer is not removed.
- Tree removal and pruning within 100 feet of the mean water level using the Vegetation Management Practices.

## Application (Instructions, Registrations, Permits & Fees)

It is strongly recommended that applications be submitted at least 30 days before the proposed beginning date of the project. The standard minimum review times is 15 days for registrations and 40 days for permit applications.

[Registration form](#) (PDF, 117 KB) or [Registration form](#) (Word, 127 KB)

[Application form](#) (PDF, 116 KB) or [Application form](#) (Word, 736 KB)

[Application Instructions](#) (PDF, 235 KB)

[Jurisdictional Determination Request form](#) (103, PDF, KB)

[The Vermont Shoreland Protection Act: A Handbook for Shoreland Development](#) (PDF, 2.3 MB)

Use the following Handbook Appendices for guidance:

- [Appendix A - Estimating Mean Water Level](#) (PDF, 2.7 MB)
- [Appendix B - Determining the Slope of Your Shoreland](#) (PDF, 1.6 MB)
- [Appendix C - Determining Lakeside Zone and Protected Shoreland Area](#) (PDF, 569 KB)
- [Appendix D - Vegetation Management Practices](#) (PDF, 1.7 MB)
- [Appendix E - Calculating Percent Clearing](#) (PDF, 964 KB)
- [Appendix F - Calculating Percent Impervious Surface](#) (PDF, 847 KB)

**Fee schedule:** The appropriate application fees, pursuant to 3 V.S.A. Section 2822(j) (32), are listed below.

Description	Fee
<b>Registration Application</b>	<b>\$100</b>
<b>Permit Application</b>	<b>\$125</b>
<i>Administrative</i> <i>New Impervious Surface Area</i>	<b>\$0.50 per square foot</b>

## The Vermont Shoreland Protection Act Project Worksheet

This worksheet assists in determining whether or not a registration or permit is required for a shoreland project. Guidance materials to answer the questions below are available on the Shoreland Permit Program's webpage: [http://www.anr.state.vt.us/dec/waterq/permits/htm/pm\\_shoreland.htm](http://www.anr.state.vt.us/dec/waterq/permits/htm/pm_shoreland.htm). Please contact the Shoreland Permit Program at [ANR.WSMDShoreland@state.vt.us](mailto:ANR.WSMDShoreland@state.vt.us) or (802) 490-6196 with any questions.

Yes, I have a project involving the creation of new cleared area or impervious surface on a shoreland property.

1. Is your property on a lake greater than 10 acres in size ([list of lakes greater than 10 acres](#))?
  - If yes, PROCEED to question 2.
  - If no, STOP: You do not need a shoreland permit.
  
2. Is your project located within 250 feet of the lake's mean water level (MWL)?
  - If yes, PROCEED to question 3.
  - If no, STOP: You do not need a shoreland permit.
  
3. Are you conducting any of the following activities?
  - ❖ *Maintaining existing buildings, gardens, and lawns without enlarging them.*
  - ❖ *Creating a single six foot wide footpath to access the lake.*
  - ❖ *Reconstructing existing impervious areas without increasing or changing the current footprint, such as rebuilding a house, deck, or driveway in exactly the same location.*
  - ❖ *Removing 250 square feet of vegetation under three feet in height, 25 feet from the MWL, in accordance with the Vegetation Protection Standards.*
  - ❖ *Pruning and/or removing trees within 100 feet of the MWL in accordance with the Vegetation Protection Standards.*
  - ❖ *Installing or repairing a wastewater system or potable water supply.*

*Note: A wastewater/water supply permit may be required from the [Drinking Water and Groundwater Protection Division](#). For licensed designers and installers, a factsheet on the Shoreland Permit Program is available here: <http://drinkingwater.vt.gov/ro/pdf/shorelandprotectionact.fs.2014.06.13.pdf>.*

  - If yes, STOP: You do not need a shoreland permit.
  - If no, PROCEED to question 4.
  
4. Is your property intersected by a public highway?
  - If yes, PROCEED to question 5.
  - If no, SKIP to question 6.
  
5. Is your project located on the non-lake side of a public highway?
  - If yes, STOP: you do not need a shoreland permit.
  - If no, PROCEED to question 6.
  
6. Is your property at least 100 feet in depth from MWL?
  - If yes, SKIP to question 8.
  - If no, PROCEED to question 7.
  
7. Does your project involve the creation of more than 100 square feet of new cleared area or impervious surface within 100 feet, but at least 25 feet away from MWL for the first time since July 1, 2014?
  - If yes, you need to apply for a shoreland permit (Application form), PROCEED to question 8.
  - If no, you need to register the project (Registration form), and PROCEED to question 8.
  
8. Does the project involve the creation of more than 500 square feet of new cleared area or impervious surface at least 100 feet away from MWL for the first time since July 1, 2014?
  - If yes, you need to apply for a shoreland permit (Application form).
  - If no, you need to register the project (Registration form).