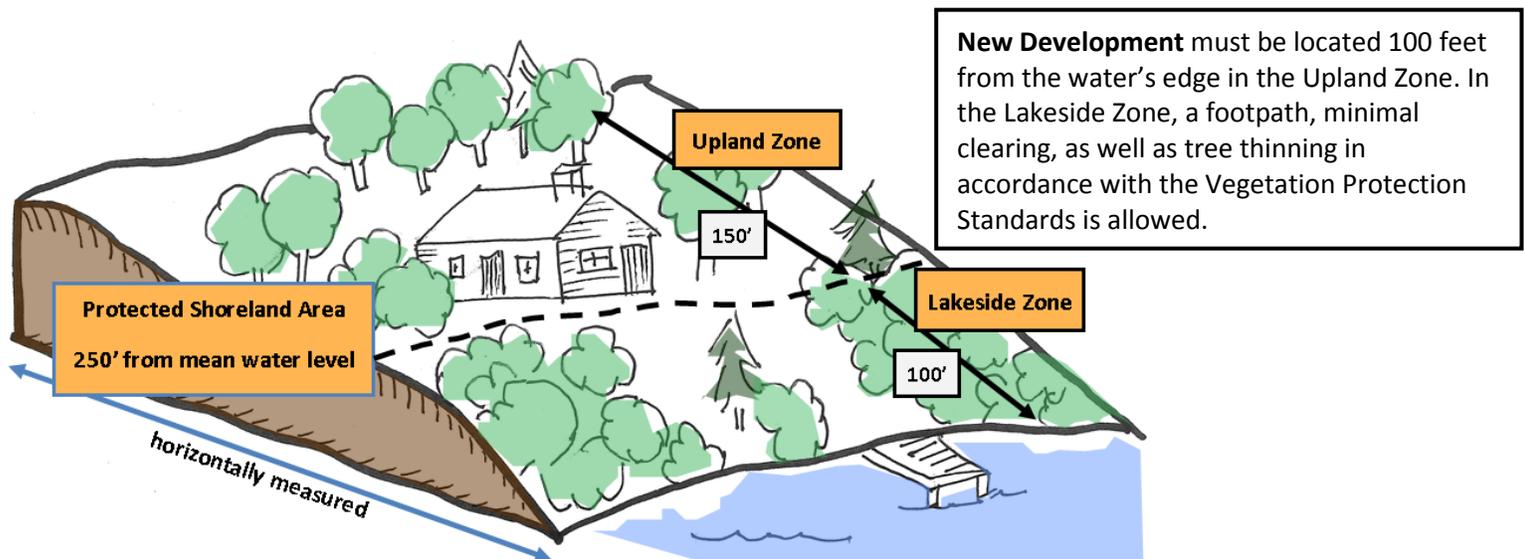


The Vermont Shoreland Protection Act

The Shoreland Protection Act (Chapter 49A of Title 10 §1441 *et seq.*) establishes a state regulation for guiding development within Protected Shoreland Area (PSA), 250 feet from the mean water level, of 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 Shoreland Protection Act recognizes that many shoreland properties in Vermont are already developed or are small lots that cannot meet the standards. Developed properties are “grandfathered” unless the owner proposes redevelopment. In the case of small lots, Shoreland Permit Program staff will work with homeowners so that standards are met to the best extent possible. The table below summarizes the standards in the Act.

Shoreland Protection Act Standards	Why
Development on slopes greater than 20% requires demonstrating the project will not compromise bank stability and contribute to erosion.	Steeper slopes are more prone to erosion and instability. A wider Lakeside Zone, and/or other best management practices (BMPs) may be required to help reduce these impacts.
Within the PSA, the Act establishes a maximum of 20% impervious surface. BMPs must be used for development that exceeds this standard.	Hard surfaces (roofs, driveways, decks, etc.) result in increased runoff during storms events which can result in erosion and reduce the absorption and filtration functions of natural vegetation.
Within the PSA, the Act establishes a maximum of 40% cleared area. BMPs must be used for development that exceeds this standard.	Clearing the shoreland of its natural vegetation increases stormwater runoff and reduces the lake’s natural defense in protecting itself from pollution and eroding banks.
Naturally vegetated areas within 100 feet of the mean water level must be maintained according to the Vegetation Protection Standards.	<ul style="list-style-type: none"> • A wooded shoreland is essential for a healthy lake ecosystem. Most animal and plant life in a lake utilizes the shaded shallow water along the lakeshore. • A buffer of natural vegetation and duff absorbs and filters runoff much more effectively than a lawn. • Tree roots, trunks, and branches hold the bank together, protecting against erosion while shading the shallow waters.



Existing Development within the Lakeside Zone may continue to be maintained and new substantial development may not be closer to the water than what currently exists. BMPs must be used for development that exceeds the standards listed above.

The Vermont Shoreland Protection Act

For a project occurring in the Protected Shoreland Area, with some exemptions, the Shoreland Protection Act requires all shoreland owners to either register or apply for a permit. Explained below are what activities are exempt, can be registered, or will require a permit. Please contact the Shoreland Permit Program for more information.

Permit Exemptions (*These projects do not need to be registered or permitted through the Shoreland Permit Program.*)

- Maintenance of existing buildings, gardens, and lawns, without enlarging them.
- Creation of a six foot wide footpath to access the lake through the Protected Shoreland Area.
- Reconstruction of existing impervious areas without increasing or changing the existing footprint, such as rebuilding a house, deck, or driveway in the exact same spot.
- Removal of 250 square feet of vegetation under three feet in height, at least 25 feet from the mean water level, is allowed as long as the Vegetation Protection Standards are otherwise met and the duff layer is not removed.
- Tree removal and pruning using the Vegetation Protection Standards.

Registrations (*Projects that require the landowner to submit a registration form.*) The limits described below are the total allowed for the lifetime of the property, regardless of ownership.

- Creation of less than or equal to 100 square feet of new cleared area or impervious surface, such as a gazebo or shed, located between 25 feet and 100 feet from mean water level.
- Less than or equal to 500 square feet of new cleared area or impervious surface located between 100 feet and 250 feet from mean water level as long as the parcel currently meets the standards of the Act.

Permits (*Projects that require a landowner to fill out a permit application and obtain a permit before proceeding.*)

Redevelopment of existing developed shorelands

If a property does not meet the new standards, redevelopment proposals will be reviewed to ensure:

- Any existing vegetated areas are maintained according to the Vegetation Protection Standards;
- New buildings, decks, or driveways are not closer to the mean water level than currently located, and;
- Best management practices are used to emulate the 20% slope, 20% impervious surface, and 40% percent cleared area standards, as described on the first page.

Development of undeveloped shorelands

Undeveloped properties, both existing small lots and lots that can meet all the standards, will be reviewed to ensure:

- The 100 foot wide Lakeside Zone is maintained using the Vegetation Protection Standards. For existing small lots, the width of the Lakeside Zone will be scaled down to allow development on the property;
- New buildings, driveways, and other surfaces are created above the 100 foot wide Lakeside Zone, and;
- Compliance with the 20% slope, 20% impervious surface, and 40% cleared area standards, as described on the first page.

Vegetation Protection Standards

The Vegetation Protection Standards guide the maintenance of vegetation in the Protected Shoreland Area using a point and grid system. Trees can be thinned as long as the minimum number of points, 12, is met for each 25 foot by 25 foot plot – as established in accordance with the Vegetation Protection Standards. The diameter of each tree is measured to calculate the number of points. In addition to a minimum of 12 points, at least five saplings and vegetation less than three feet in height must be retained in each plot. The lower 1/3 of a tree's branches may be pruned, and dead, diseased, or unsafe trees may be removed, regardless of points.

Contact Information for Guidance Materials and Questions

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

Web Page: <http://dec.vermont.gov/watershed/lakes-ponds>

Email: ANR.WSMDSshoreland@vermont.gov

Guidance Materials Available Online

- Frequently Asked Questions
- The Vermont Shoreland Protection Act: A Handbook for Shoreland Development
- List of Vermont Lakes Greater than 10 Acres
- Permit Applications, Application Instructions, and Project Worksheets