



U.S. Army Corps  
of Engineers  
Buffalo District

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# Public Notice

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ISSUED: MARCH 25, 2014  
EXPIRES: APRIL 24, 2014

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Application No: 2014-00171 Section: OH

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**THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENTS FROM THE PUBLIC REGARDING THE WORK DESCRIBED BELOW. NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT A PERMIT WILL BE ISSUED AT THIS TIME.**

**Application for Permit under Authority of  
Section 10 of the Rivers and Harbors Act of 1899 and  
Section 404 of the Clean Water Act (33 U.S.C. 1344).**

**APPLICANT:** John and Maria Marzavas, 31836 Lake Road, Avon Lake, Ohio 44012

**WATERWAY & LOCATION:** Lake Erie, 31836 Lake Road, City of Avon Lake, Lorain County, Ohio

**LATITUDE & LONGITUDE:** Latitude North: 41.507938  
Longitude West: -81.978096

**EXISTING CONDITIONS:** The subject parcel consists of a single family residence with a concrete deck on top of a shale bluff along Lake Erie.

Description of delineation of waters of the US, if applicable: Lake Erie is a Section 10 water of the U.S.

**PROPOSED WORK:** The applicants propose to place fills and perform work in a water of the U.S. for the purpose of constructing approximately 106 linear feet of concrete module seawall, 20 linear feet of steel cribbing, a Redi-Rock retaining wall, Redi-Rock stairs, and a steel davit.

The 106 linear foot concrete module seawall will extend approximately 30 feet lakeward of the shale bluff with a cap elevation of 583.5 feet International Great Lakes Datum 1985 (IGLD 1985). The seawall will be constructed with 7-foot long by 4-foot high by 3-foot wide pre-cast concrete modules filled with concrete and will be anchored and grouted into shale bedrock.

Cast concrete stairs, a lower concrete cap, and a steel davit will be constructed at the lakeward

end of the seawall at a cap elevation of 572 feet IGLD 1985 for launching small watercraft.

A steel crib will be constructed along the east face of the seawall and framed with C8x13.75 channels at 16 inches on center and will be anchored with piles driven a minimum of 6 inches into shale bedrock through 8-inch by 8-inch by 5/16-inch thick steel tubes. Approximately 73 cubic yards (32 cubic yards below the ordinary high water mark of Lake Erie, 573.4 feet IGLD 1985 (OHWM)) of ODOT Type "B" stone will be used as crib fill.

The seawall and steel crib will be capped with a 12-inch thick concrete slab reinforced with #5 bars at 12 inches on center in both directions. Approximately 334 cubic yards (167 below the OHWM) of concrete rubble and 3-foot by 3-foot by 3-foot pre-cast concrete blocks will be used as backfill landward of the seawall. The concrete blocks will support a Redi-Rock retaining wall and access stairs extending from the cap of the seawall to the top of the bluff at a maximum elevation of 609 feet IGLD 1985. Approximately 247 cubic yards of ODOT Type 57 gravel will be used above the OHWM as backfill between the existing shale bluff face and the new Redi-Rock retaining wall. The retaining wall will be anchored to the bluff face with #7 bars drilled and grouted a minimum of 3 feet into the shale bluff face.

A total of 1139 cubic yards (387 cubic yards below the OHWM) of concrete will be used to construct the seawall, concrete caps, stairs, backfill, and retaining wall. The overall project will fill 0.043 acre of Lake Erie bottom.

#### **PROJECT PURPOSE**

Basic: Shoreline protection and Lake access

Overall: Provide shoreline protection and Lake access at the applicant's property 31836 Lake Road, City of Avon Lake, Lorain County, Ohio

**AVOIDANCE AND MINIMIZATION INFORMATION:** A vertical faced seawall was selected for the project site in order to allow access to Lake Erie while minimizing the footprint of the structure. The concrete module seawall is being placed as close to the toe of the existing bluff as possible.

**PROPOSED MITIGATION:** No mitigation is proposed.

Location and details of the above described work are shown on the attached maps and drawings.

Comments or questions pertaining to the work described in this notice should be reference the Application Number and be directed to the attention of Susan L. Baker, who can be contacted at the above address, by calling (716) 879-4474, or by e-mail at: Susan.L.Baker@usace.army.mil. A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

The applicant has certified that the proposed activity complies with Ohio's approved Coastal Zone Management Program and will be conducted in a manner consistent with that program. Any comments on the consistency of the proposed activity with Ohio's Coastal Zone

Management Program should be forwarded to:

Mr. John Kessler  
Ohio Department of Natural Resources  
Office of Real Estate  
2045 Morse Rd.  
Columbus, OH 43229-6605  
Phone: 614-265-6621  
Email: john.kessler@dnr.state.oh.us

The following authorization is required for this project:

**Water Quality Certification (or waiver thereof) from the Ohio Environmental Protection Agency**

Based on preliminary findings, there do not appear to be any properties listed in, or eligible for listing in, the National Register of Historic Places within the permit area as shown on Sheet 3 of 6. As no historic properties are identified within a 900 meter radius of the permit area, the shoreline is already highly developed and disturbed, and the project is occurring within the transient littoral zone of Lake Erie, it has been determined that no eligible or listed federal historic properties will be affected by the proposed activity. This notice constitutes initiation of consultation with the Ohio Historic Preservation Office (SHPO) per Section 106 of the National Historic Preservation Act. All currently available historic resource information pertaining to this proposed project if any has been provided to the SHPO. Additional information concerning historic properties should be submitted to the Corps before the end of the comment period of this notice. The Corps will forward that information to the SHPO for their review.

Pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the Corps of Engineers is consulting, under separate cover, with the USFWS to evaluate any potential impacts to: Indiana bat, northern long-eared bat, Kirtland's warbler, piping plover, and rufa red knot and to ensure that the proposed activity is not likely to jeopardize their continued existence or result in the destruction or adverse modification of critical habitat.

This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting their comments, in writing, so that they are received no later than 4:30 pm on the expiration date of this notice.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record which is available to the public under the Freedom of Information Act. The Administrative Record or portions thereof may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any individual may request a public hearing by submitting their written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments.

Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain additional information, not available in written comments, that will aid him in the decision making process for this application. A Corps hearing is not a source of information for the general public, nor a forum for the resolution of issues or conflicting points of view (witnesses are not sworn and cross examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior or actions of the public or applicant on upland property not regulated by the Department of the Army. Information obtained from a public hearing is given no greater weight than that obtained from written comments. Therefore, you should not fail to make timely written comments because a hearing might be held.

The decision to approve or deny this permit request will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

# **SIGNED**

Diane C. Kozlowski  
Chief, Regulatory Branch

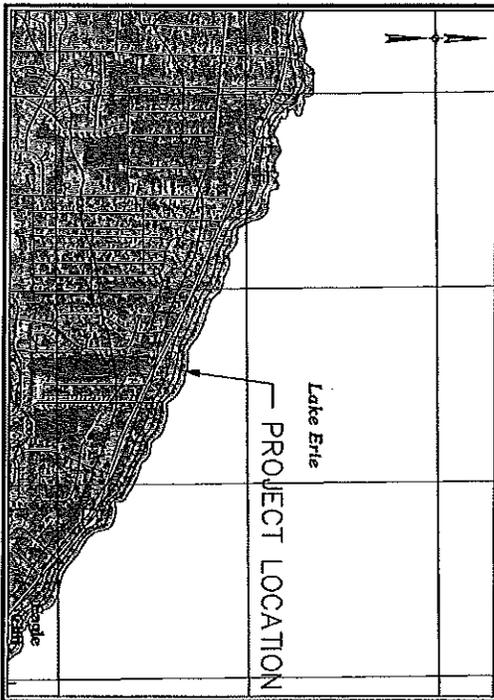
**NOTICE TO POSTMASTER:** It is requested that this notice be posted continuously and conspicuously for 30 days from the date of issuance.

Marzavas, John and Maria  
 D/A Processing No. 2014-00171  
 Lorain County, Ohio  
 Quad: North Olmsted OE N  
 Sheet 1 of 6

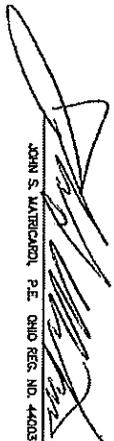


# SHORELINE IMPROVEMENTS

## AT 31836 LAKE ROAD, AVON LAKE, OHIO



DRAWING TITLE	SHEET NO.
TITLE SHEET	1
EXISTING SITE PLAN	2
SITE PLAN	3
SECTION A-A	4
SECTION B-B	5
SECTION C-C	6

  
 JOHN S. MATRICARDI, P.E. OHIO REG. NO. 44003  
 DATE: 2/18/14



- GENERAL NOTES:**
- CONTRACTOR SHALL FIELD VERIFY DIMENSIONS AND ELEVATIONS AS NOTED ON THE DRAWINGS. STAKING SHALL INCLUDE BUT NOT BE LIMITED TO CENTERLINE OF PAVEMENT, MONUMENT BOXES, STORM MANHOLES, STORM TEES, SANITARY MANHOLES, SANITARY VALVES, WATER LINES, SPOUTS, AND FIRE HYDRANTS. ALL LINE VALUES SHALL BE LONG SIGHT MEASUREMENTS. THE CONTRACTOR SHALL NOTIFY THE OWNER IMMEDIATELY OF ANY INCONSISTENCIES BETWEEN THE DRAWINGS AND THE FIELD MEASUREMENTS.
  - PRIOR TO EXCAVATION THE CONTRACTOR SHALL CONTACT OUES TO VERIFY THE LOCATION OF ALL UNDERGROUND UTILITIES PRIOR TO WORK TO DETERMINE THE LOCATION OF ANY UNRECORDED UNDERGROUND UTILITIES NOT INDICATED ON THE PRINTS. IF UNRECORDED UTILITIES ARE ENCOUNTERED THE CONTRACTOR SHALL NOTIFY THE OWNER IMMEDIATELY.

**OUES**  
 Utilities Protection  
 1-800-362-2764  
 4100 W. STATE ST., CLEVELAND, OH 44119

1. UNDERGROUND UTILITIES ARE SHOWN FROM RECORDS AND FIELD WORKS PROVIDED BY UTILITY COMPANIES AND OUES. CONTRACTOR SHALL VERIFY ALL UTILITIES PRIOR TO EXCAVATION AT LEAST 48 HOURS PRIOR TO EXCAVATION.  
 2. VISIBLE SURFACE UTILITIES HAVE BEEN FIELD LOCATED. UNLESS OTHERWISE NOTED.

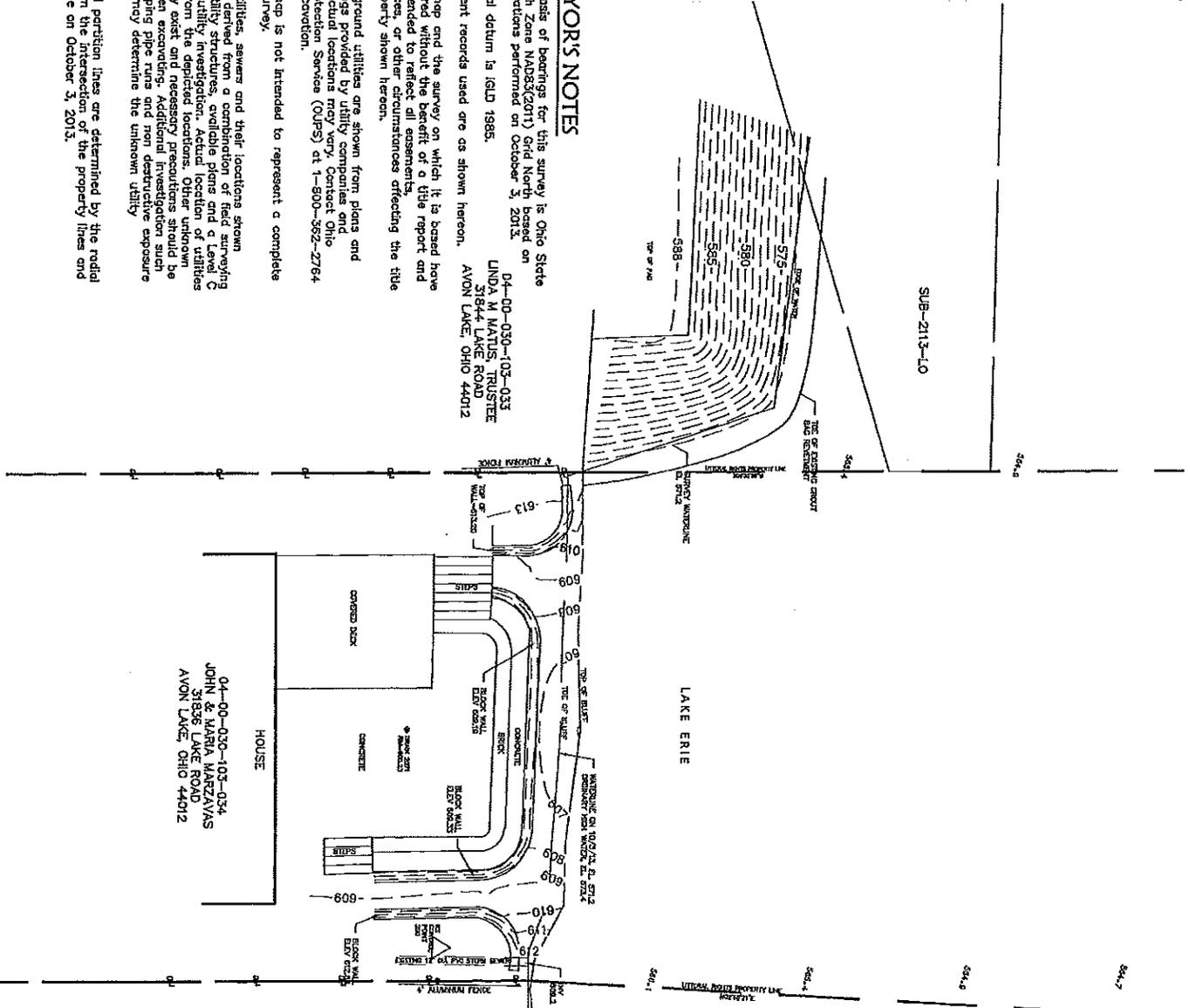
SHEET 1 OF 6 JOB NO. 13313	<b>TITLESHEET</b> <b>JOHN &amp; MARIA MARZAVAS</b> 31836 LAKE ROAD AVON LAKE, OHIO 44012	 <b>KS ASSOCIATES</b> KS Associates, Inc. 260 Burns Road, Suite 100 Elyria, OH 44036 P 440 365 4730 F 440 365 4790 www.ksassociates.com	DATE: 2-5-14 DRAWN BY: JMS CVD BY: JMS DWS NAME: 13313-1 PATH: FD: JMS	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>REVISIONS</th> <th>DATE</th> <th>BY</th> <th>ADJACENT PROPERTY OWNERS</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td>LINDA M. MATUS, TRUSTEE 31844 LAKE ROAD, AVON LAKE, OHIO 44012</td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td>ANN B. COONHELL 31830 LAKE ROAD, AVON LAKE, OHIO 44012</td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td>DATE: 0.0 LWD = 569.2 FEET IGLD 1985</td> </tr> </tbody> </table>	REVISIONS	DATE	BY	ADJACENT PROPERTY OWNERS				LINDA M. MATUS, TRUSTEE 31844 LAKE ROAD, AVON LAKE, OHIO 44012				ANN B. COONHELL 31830 LAKE ROAD, AVON LAKE, OHIO 44012				DATE: 0.0 LWD = 569.2 FEET IGLD 1985
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Marzavas, John and Maria  
 D/A Processing No. 2014-00171  
 Lorain County, Ohio  
 Quad: North Olmsted OE N  
 Sheet 2 of 6



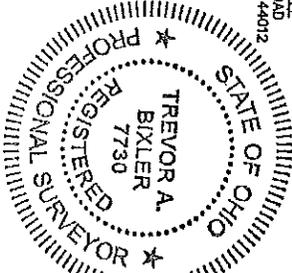
**SURVEYOR'S NOTES**

1. The basis of bearings for this survey is Ohio State Plane, North Zone NAD83(2011) Grid North based on GPS observations performed on October 3, 2013.
2. Vertical datum is ISLD 1985.
3. Pertinent records used are as shown hereon.
4. This map and the survey on which it is based have been prepared without the benefit of a title report and encumbrances, or other circumstances affecting the title to the property shown hereon.
5. Underground utilities are shown from plans and field markings provided by utility companies and agencies. Actual locations may vary. Contact Ohio Utilities Protection Service (OUPS) at 1-800-352-2764 prior to excavation.
6. This map is not intended to represent a complete boundary survey.
7. The utilities, sewers and their locations shown hereon are deemed a continuation of the surveying of visible utility structures, including plans and labels C may vary from the depicted locations. Other utilities may exist and necessary precautions should be followed when excavating. Additional investigation such as video tapping pipe runs and non destructive exposure of utilities may determine the unknown utility information.
8. Lateral partition lines are determined by the radial method from the intersection of the property lines and the shoreline on October 3, 2013.



04-00-030-103-034  
 JOHN & MARIA MARZAVAS  
 31836 LAKE ROAD  
 AVON LAKE, OHIO 44012

04-00-030-103-035  
 ANN B O'DONNELL  
 31830 LAKE ROAD  
 AVON LAKE, OHIO 44012



Trevor A. Bixler  
 Professional Surveyor Ohio No. 7730  
 Date of Survey: October 3, 2013



SCALE IN FEET  
 SCALE 1/16"=1'

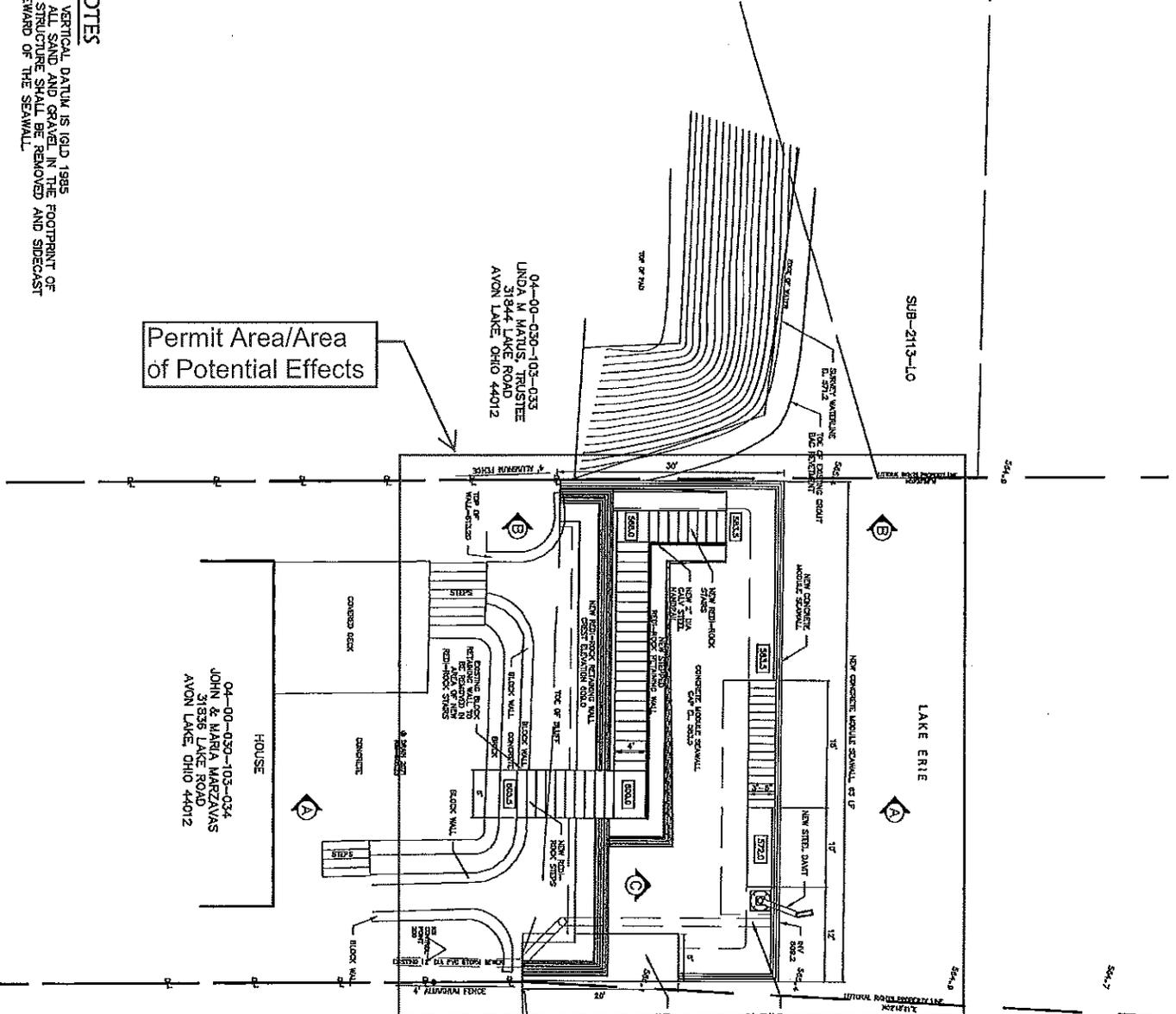
SHEET 2 OF 6 JOB NO. 13315	EXISTING SITE PLAN JOHN & MARIA MARZAVAS 31836 LAKE ROAD AVON LAKE, OHIO 44012	KS Associates, Inc. 260 Burns Road, Suite 100 Elyria, OH 44035 P 440 365 4730 F 440 365 4790 www.kssociates.com	DATE: 2-3-11 DRAWN BY: MFD CVD BY: MFD DTA NAME: 13315-2 PATH: P.A. MFD	DATE BY ADJACENT PROPERTY OWNERS LINDA M. MATUS, TRUSTEE 31844 LAKE ROAD, AVON LAKE, OHIO 44012 ANN B. O'DONNELL 31830 LAKE ROAD, AVON LAKE, OHIO 44012 DATUM: 0.0 LWD = 569.2 FEET ISLD 1985
			REVISIONS	REVISIONS

Marzavas, John and Maria  
 D/A Processing No. 2014-00171  
 Lorain County, Ohio  
 Quad: North Olmsted OE N  
 Sheet 3 of 6



- NOTES**
1. VERTICAL DATUM IS IGLD 1985
  2. ALL SAND AND GRAVEL IN THE FOOTPRINT OF THE STRUCTURE SHALL BE REMOVED AND SIDECAST LAKEWARD OF THE SEAWALL

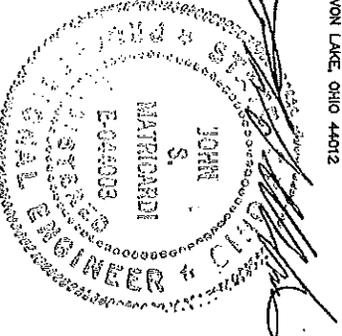
Permit Area/Area of Potential Effects



04-00-030-103-034  
 JOHN & MARIA MARZAVAS  
 31835 LAKE ROAD  
 AVON LAKE, OHIO 44012

04-00-030-103-033  
 LINDA M MATUS, TRUSTEE  
 31844 LAKE ROAD  
 AVON LAKE, OHIO 44012

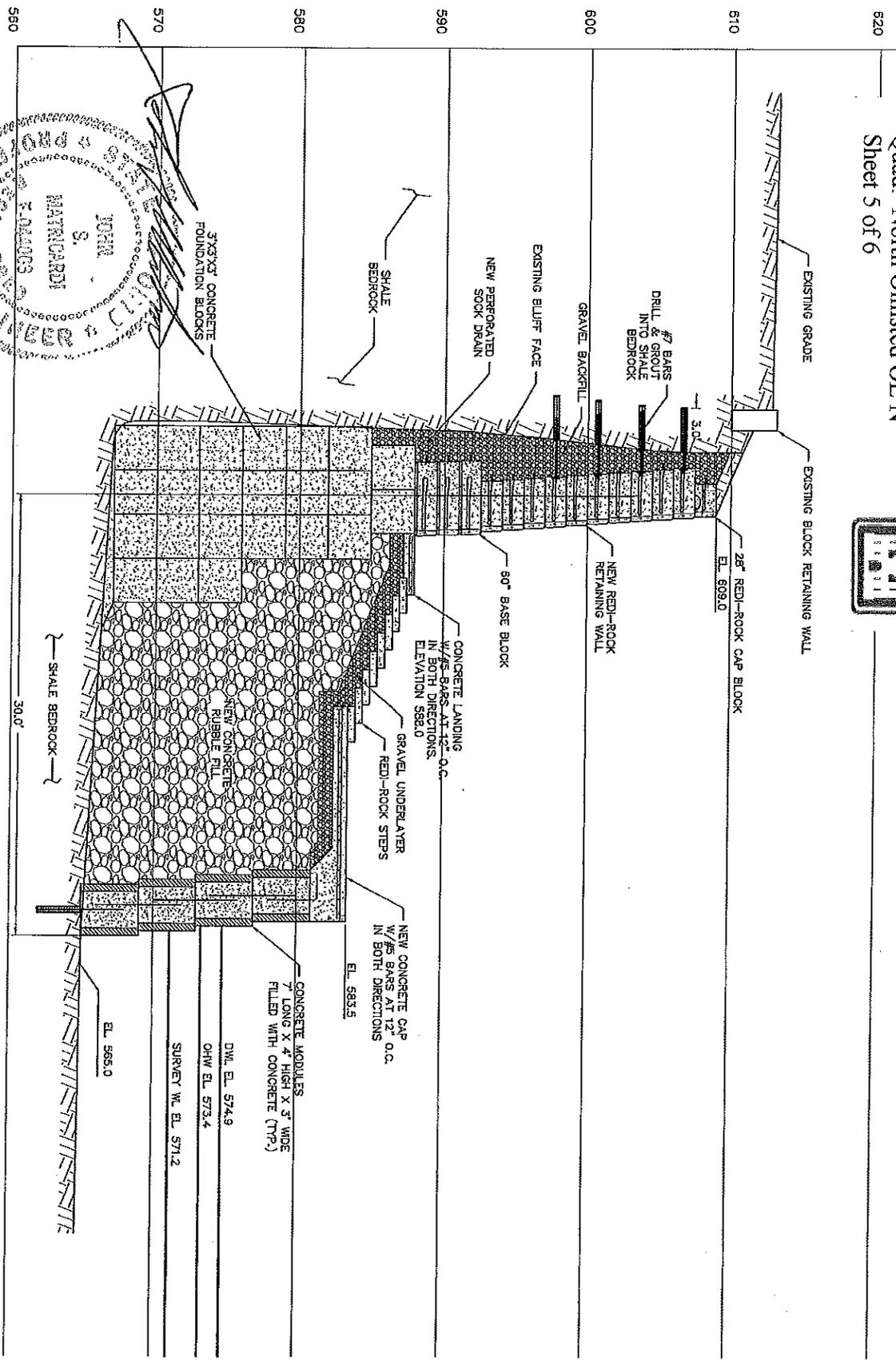
04-00-030-103-035  
 ANN B O'DONNELL  
 31830 LAKE ROAD  
 AVON LAKE, OHIO 44012



SHEET 3 OF 5 JOB NO. 13313	SITE PLAN <b>JOHN &amp; MARIA MARZAVAS</b> 31836 LAKE ROAD AVON LAKE, OHIO 44012	KS Associates, Inc. 260 Burns Road, Suite 100 Elyria, OH 44035 P 440.865.4730 F 440.865.4790 www.ksassociates.com	DATE: 9-5-14	DATE BY: [blank]	ADJACENT PROPERTY OWNERS
			DRAWN BY: JMO CVD BY: JEM CVD NAME: 13313-1 PLOT: [blank] P.A.: [blank]	[blank] [blank] [blank]	LINDA M. MATUS, TRUSTEE 31844 LAKE ROAD, AVON LAKE, OHIO 44012 ANN B. O'DONNELL 31830 LAKE ROAD, AVON LAKE, OHIO 44012 DATUM: 0.0 LWD = 569.2 FEET (IGLD 1985)



Marzavas, John and Maria  
 D/A Processing No. 2014-00171  
 Lorain County, Ohio  
 Quad: North Olmsted OE N  
 Sheet 5 of 6



**NOTES**  
 1. VERTICAL DATUM IS IGLD 1985.  
 2. ALL SAND AND GRAVEL IN THE FOOTPRINT OF THE STRUCTURE SHALL BE SIDECAST LAKEWARD OF THE SEAWALL.

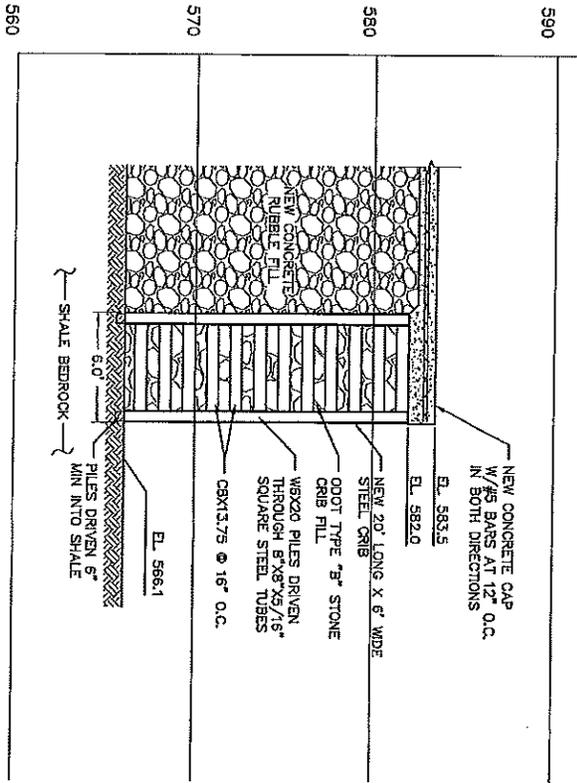


**SECTION B-B**  
 SCALE 1"=10'



SHEET 5 OF 6 JOB NO. 13313	<b>SECTION B-B</b> <b>JOHN &amp; MARIA MARZAVAS</b> 31836 LAKE ROAD AVON LAKE, OHIO 44012	KS Associates, Inc. 260 Burns Road, Suite 100 Elyria, OH 44035 P 440 365 4730 F 440 365 4790 www.ksassociates.com	DATE: 2-2-14 DRAWN BY: JMS CHECKED BY: JMS DATE: 12/13-14 PLOT: JMS P.A.: JMS	<b>ADJACENT PROPERTY OWNERS</b> LINDA N. MATUS, TRUSTEE 31844 LAKE ROAD, AVON LAKE, OHIO 44012 ANN B. O'CONNELL 31830 LAKE ROAD, AVON LAKE, OHIO 44012 DATUM: 0.0 LWD = 569.2 FEET IGLD 1985
			<b>REVISIONS</b>	

Marzavas, John and Maria  
 D/A Processing No. 2014-00171  
 Lorain County, Ohio  
 Quad: North Olmsted OE N  
 Sheet 6 of 6



SECTION C-C  
 SCALE 1"=10'



- NOTES**
1. VERTICAL DATUM IS IGLD 1985.
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*John S. Marzavski*  
 JOHN S. MARZAVSKI  
 PROFESSIONAL ENGINEER  
 E-044008  
 2/10/14

SHEET 6 OF 6	SECTION C-C JOHN & MARIA MARZAVAS 31876 LAKE ROAD AVON LAKE, OHIO 44012	KS Associates, Inc. 260 Burns Road, Suite 100 Elyria, OH 44035 P 440 365 4730 F 440 365 4790 www.kssassociates.com	DATE	2-9-14	ADJACENT PROPERTY OWNERS LINDA M. MATUS, TRUSTEE 31844 LAKE ROAD, AVON LAKE, OHIO 44012 ANN B. O'DONNELL 31830 LAKE ROAD, AVON LAKE, OHIO 44012 DATUM: 0.0 LWD = 569.2 FEET IGLD 1985
			DRAWN BY	MSC	
JOB NO. 13313			CHECK BY	JM	
			DATE	12/13/14	
			BY	MS	