

Town of Cornwall

From: Barbara Greenwood <bgreenwoodcornwall@gmail.com>
Sent: Monday, May 3, 2021 11:34 AM
To: Sue Johnson
Cc: Barbara Greenwood
Subject: Fwd: 5 Trillium subdivision on Cider Mill Road, Cornwall
Attachments: 5 Trillium - 2018 - Revised - Figure 1 - Site Plan.pdf

Hi Sue. Could you please post this email and the attachment (regarding revised WW plan) on the website? I will put hard copies in the Town file. Thanks. Barbara

----- Forwarded message -----

From: **Adam Powers** <adam@powerslawvt.com>
Date: Mon, May 3, 2021 at 11:19 AM
Subject: Fwd: 5 Trillium subdivision on Cider Mill Road, Cornwall
To: Barbara Greenwood <bgreenwoodcornwall@gmail.com>

Hi Barbara,

I noticed that the lot boundary as depicted on the 2016 WW Plan looks different from the boundary as shown on the Survey, and found that the boundary on the Plan was revised in 2018 to conform to the Survey. See revised Plan attached which I'd like to add as an Exhibit for Wednesday's meeting. My email correspondence with Jeremy Revell at Lincoln Applied Geology is also below on the issue, which may be helpful.

Looking forward to seeing you (virtually) on Wednesday. Thanks for your help with this.

Adam

----- Forwarded message -----

From: **Jeremy Revell** <jrevell@lagvt.com>
Date: Mon, May 3, 2021 at 11:12 AM
Subject: RE: 5 Trillium subdivision on Cider Mill Road, Cornwall
To: Adam Powers <adam@powerslawvt.com>

It doesn't need to.

Thank You,

Jeremy Revell

Vice President

Class 3 Water Operator #2526

Licensed Designer #611 BW

jrevell@lagvt.com

Lincoln Applied Geology

163 Revell Drive

Lincoln, Vermont 05443

802-453-4384

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From: Adam Powers <adam@powerslawvt.com>
Sent: Monday, May 3, 2021 11:12 AM
To: Jeremy Revell <jrevell@lagvt.com>
Subject: Re: 5 Trillium subdivision on Cider Mill Road, Cornwall

Great, thanks Jeremy, This is helpful. Did this revised Plan get filed with the State, or does it not need to?

I appreciate your help on this.

Adam

On Mon, May 3, 2021 at 8:20 AM Jeremy Revell <jrevell@lagvt.com> wrote:

Hi Adam, this is the map we revised for the boundary line change back in 2018. Your correct that the survey would govern, and the lot sizes don't change just the boundary which doesn't affect the disposal or replacement areas.

Thank You,

Jeremy Revell

Vice President

Class 3 Water Operator #2526

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From: Adam Powers <adam@powerslawvt.com>
Sent: Sunday, May 2, 2021 8:24 AM
To: Jeremy Revell <jrevell@lagvt.com>
Subject: 5 Trillium subdivision on Cider Mill Road, Cornwall

Hi Jeremy,

Hope all is well. Writing with a question on a project we worked on for 5 Trillium Partners (Jay Fritz) on Cider Mill Road in Cornwall, in 2017.

I'm asking the DRB to re-approve the Town permit because the mylar wasn't recorded within the 180 days required in the town ordinance, which I think should be straightforward because the neither the regs nor the project have changed since it was approved in 2017, but looking at the boundary line as depicted on the plan and the boundary as depicted on the survey, the DRB may note the difference and have questions. Those are attached for your easy reference.

My understanding has been that variations on the plan and mylar are typical and not a problem if the acreage of the resulting lots is more or less consistent and the location of the wastewater system and well are consistent. Is that your take?

Another way of looking at it, is that if the boundary were controlling, and the difference between the Plan and the survey constituted a boundary amendment, Section 1-304(9) of the WW Rules would make that kind of amendment exempt from WW permitting action because the acreage of the two lots doesn't change, and the Survey is recorded. Is that right?

Thanks for your thoughts on this.

Adam

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To our valued clients and friends: Thanks for your patience while we work around the challenges of Covid-19. We are continuing to work and mediate remotely. We are still available by email and phone, and we are committed to continuing to serve you. Please let us know how we can help. Thanks!

Adam L. Powers, Esq.

Powers & Powers P.C.

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