

**TOWN OF CORNWALL
DEVELOPMENT REVIEW BOARD
APPLICATION FOR VARIANCE, CONDITIONAL USE APPROVAL, WAIVER,
NON-CONFORMING STRUCTURES AND USES, ACTIVITIES IN FLOODPLAIN,
APPEALS, AND SITE PLAN REVIEW**

(Please type or print legibly)

1. Applicant RANDY LAFRAMBOISE
 Address 835 MORSE ROAD CORNWALL VT 05753
 Phone No. 802-316-6010 Email Address randy@jdireland.com
 If Corporation, name of Representative _____
 Is this a Corporation registered in Vermont? _____
2. Name of Record Owner RANDY & JUSAN LAFRAMBOISE
 Address 835 MORSE ROAD CORNWALL, VT 05753
 Phone No. 802-316-6010 Email Address randy@jdireland.com
 If Corporation, name of Representative _____
 Is this Corporation registered in Vermont? _____
3. Location of Property 578 MORSE ROAD, CORNWALL VT
4. Tax Map Description: Map # 09 Block # 01 Lot # 14
5. Type of Application (please check applicable application(s)):

DRB To Determine

☒ Application for a variance.
☐ Application for conditional use approval.
☒ Application for a waiver.
☐ Application involving non-conforming structure or use.
☐ Application involving activities in floodplain.
☐ Appeal from decision of the Zoning Administrator. (A copy of this appeal must be filed with the Z.A.)
☐ Application for site plan review.
☐ Other. Please describe: _____
6. Provisions of the Zoning Regulations that are in question:
SECTION 260 LOW DENSITY RESIDENTIAL

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7. Please describe the reason and basis for your application or for your appeal (you may attach additional pages if needed):

SEE ATTACHMENT 1

8. If your application is for conditional use approval, please specify the conditional use, and describe your plans for operation (you may attach additional pages if needed):

N/A

9. Please explain how your application satisfies the "Review Criteria" prescribed by the applicable section(s) of the regulations (you may attach additional pages if needed):

The variance requested is for a use permitted within the district
a waiver

10. The property is located in the following zoning district: LOW DENSITY RESIDENTIAL

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11. The size of the lot is approximately: 1/2 ACRE
12. The property is subject to the following rights-of-way and/or easements (please provide Book and Page Numbers where said easements may be located):
NONE
13. The property has the following road frontage: 140 feet
14. The deed into the current landowner(s) is recorded at Book 84, Page 316, and must be attached hereto.

Signature of Applicant 

Date 12/22/21

Please attach:

- Deed.
- A copy of any survey of the property.
- A copy of the Tax Map marking the subject parcel and the parcels of adjacent owners.
- A complete list of the names and addresses of adjacent landowners.
- PETER LAFRAMBOISE 615 MORSE ROAD CORNWALL VT 05753
- **All additional materials and information required by the applicable regulations.**
(Reminder - Only complete applications will be forwarded to the DRB for scheduling.)

Please note: The DRB may ask for additional information.

List of Attachments:

- Waiver on*
1. Reason for Variance Request
 2. Deed
 3. Tax Map
 4. Boundary Line Adjustment Application

Waiver on
Variance Application

Attachment 1

Waiver on
7. Reason for Variance Request:

Waiver on
I am asking for a variance for a boundary line adjustment on the property located at 578 Morse Road as per the attached boundary line adjustment application (attachment 5). The proposed boundary line adjustment will increase the size of the pre existing lot from $\frac{1}{2}$ acre to 1 acre. This will not meet the LDR requirement of 4 acre lot minimum. The $\frac{1}{2}$ acre proposed increase in lot size is the only available contiguous land as all of the other surrounding land is in the Vermont Land Trust. This proposed $\frac{1}{2}$ acre addition was held out of the Land Trust many years ago in consideration of this prior to the LDR Zoning of this area. The addition of this $\frac{1}{2}$ acre will make the existing lot more in conformity to the goals of the LDR district.

WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS That I, RONALD L. VAN DUSEN of Cornwall in the County of Addison, and State of Vermont, Grantor, in the consideration of TEN (\$10.00) OR MORE DOLLARS paid to my full satisfaction by SUSAN C. BOURDON and RANDY LAFRAMBOISE, husband and wife as tenants by the entirety, of Cornwall in the County of Addison and State of Vermont, Grantees, by these presents, does freely **GIVE, GRANT, SELL, CONVEY AND CONFIRM** unto the said Grantees, SUSAN C. BOURDON and RANDY LAFRAMBOISE, husband and wife, and their heirs and assigns forever, a certain piece of land in the Town of Cornwall in the County of Addison and State of Vermont, described as follows, viz:

Being all and the same lands and premises described in the Warranty Deed of Ronald L. Van Dusen and Elizabeth C. Van Dusen as husband and wife dated October 20, 2010 and recorded at Book 71 Page 333 in the Cornwall Land Records.

Said lands and premises are also described in said deed as follows:

"Being all and the same lands and premises described in the Warranty Deed of Ronald L. Van Dusen and Christina R. Van Dusen to Ronald L. Van Dusen and Christina R. Van Dusen by Quit Claim Deed dated November 11, 1987, recorded at Book 34, Page 206 of the Cornwall Land Records. The lands and premises herein described are commonly known as 578 Morse Road, Cornwall, Vermont, and consist of a parcel of land measuring 140 feet by 158 feet together with a homeplace situated thereon.

Reference should also be made to that certain Vermont Certificate of Death concerning Christina R. Van Dusen dated January 24, 2008, recorded at Vital Records Book 11, Page 9 of the Cornwall Land Records."

Reference should also be made to the residuary interest of Scott C. Van Dusen memorialized in Warranty Deed of Ronald L. Van Dusen and Elizabeth C. Van Dusen to Scott C. Van Dusen dated October 20, 2010 and recorded at Book 71 Page 339 in the Cornwall Land Records."

Reference should also be made to the Quit Claim Deed of Elizabeth V. Van Dusen to Ronald L. Van Dusen dated December 21, 2017 and recorded in Book __ Page __ in the Town of Cornwall Land Records.

TO HAVE AND TO HOLD all of said granted premises, with all the privileges and appurtenances thereof, to the said Grantees, SUSAN C. BOURDON and RANDY LAFRAMBOISE, husband and wife as tenants by the entirety, and their heirs and assigns, to their own use and behoof forever;

And I, the said Grantor, RONALD L. VAN DUSEN, for myself and my heirs and assigns, do covenant with the said Grantees, SUSAN C. BOURDON and RANDY LAFRAMBOISE, husband and wife as tenants by the entirety, and their heirs and assigns, that until the ensealing of these presents I am the sole owner of the premises, and have good right and title to convey the same in manner aforesaid, that they are **FREE FROM EVERY ENCUMBRANCE**; except as aforesaid.

And I hereby engage to **WARRANT AND DEFEND** the same against all lawful claims whatsoever, except as aforesaid.


IN WITNESS WHEREOF, I hereunto set my hands and seal this 27th day of April, A.D. 2018.

 L.S.
RONALD L. VAN DUSEN

STATE OF VERMONT
COUNTY OF ADDISON, SS.

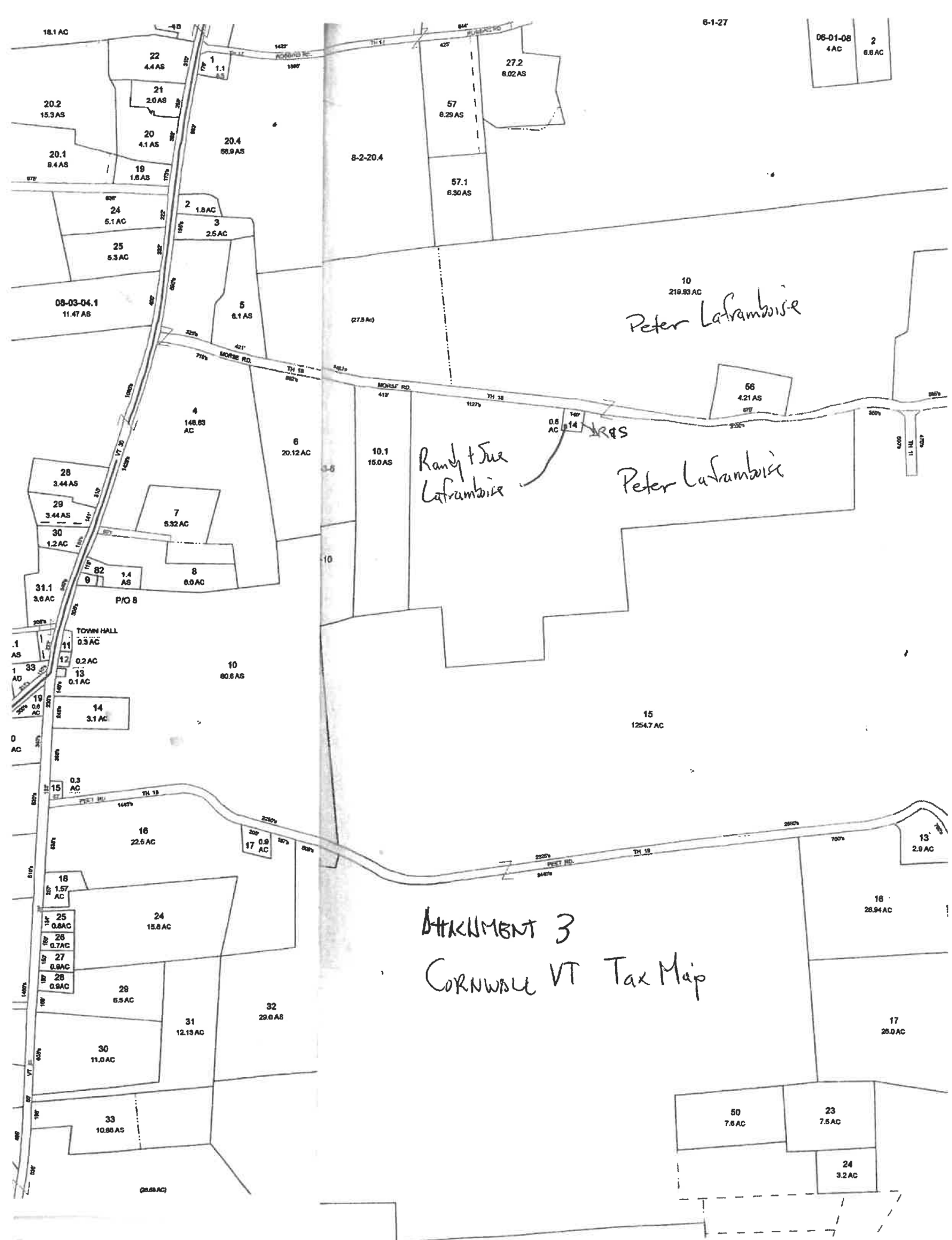
At Middlebury this 27th day of April, A.D. 2018, RONALD L. VAN DUSEN personally appeared, and he acknowledged this instrument, by him sealed and subscribed, to be his free act and deed.

Before me,



Notary Public
My Commission Expires: February 10, 2019

Cornwall Town Clerk's Office
received for record May 3, 2018
at 1:30 p. m. Recorded in Book 84
page 316 of Cornwall Land Records.
Attest: Jean Bingham ^{Asst.} Clerk



ATTACHMENT 4

To: Cornwall VT Zoning Administrator

March 28, 2021

RE: Boundary Line Adjustment 578 Morse Road, Cornwall VT

Randy Laframboise and Susan Bourdon are applying for a boundary line adjustment with Peter Laframboise on 578 Morse Road in order to increase the lot size to enable construction of a garage on the 578 property. The boundary line adjustment will increase the size of the 578 property by $\frac{1}{2}$ acre to 1 acre size.

 4/2/21

Randy Laframboise



Susan C. Bourdon



Peter Laframboise

TO: Town of Cornwall

Zoning Administrator

578 Morse Road Boundary Line Adjustment Application

This is an application for a boundary line adjustment pursuant to Section 220 of the Cornwall Subdivision Regulations. Section 220 grants the Zoning Administrator the ability to grant permits for boundary line adjustments pursuant to 24 V.S. A. 4464(c), without the need for a hearing before the Development review Board.

The proposed boundary line adjustment is depicted on the attached drawing. The proposal is to transfer .5 acres from Parcel 90110 to Parcel 90114. No new parcels will be created. The acreage of the parties parcels before and after the adjustment will be as follows:

Parcel 90110	Before adjustment	192.43	After adjustment	191.93
Parcel 90114	Before adjustment	0.50	After adjustment	1.0

The adjustment will satisfy each of the criteria in Section 222 of the Subdivision Regulations, as follows:

1. The adjustment requested meets the definition of a boundary line adjustment.

A boundary line adjustment is defined in Article V of the Subdivision Regulations as “any revision to a plat record or deed legally filed in the Town’s land records which creates no new building lots and which has no impact on roads, rights of way or other public facilities; (i.e. a case in which the owners of two abutting properties wish to move a common boundary, without the intent to create and additional lot)”

These requirements are met, because the adjustment will not create any new lots and will not impact roads, rights of way, or other public facilities.

2. No new lots are created.

This requirement is met, as explained above.

3. The lots resulting from the Boundary Line Adjustment meet the dimensional requirements for lots within the underlying zoning district.

Does not meet

The current parcel 90114 does not meet the dimensional requirements for lots within the zoning district and was a pre existing lot prior to the adoption of zoning regulations in Cornwall. While the adjustment will not create a compliant lot it will make the lot closer to compliance than it currently is by enlarging it. It is not possible either now, or in the future to make this a compliant lot under the current Zoning regulations as the surrounding land is in the Vermont Land Trust.

4. The adjustment requested is in conformance with the Town Plan and the goals set forth in Section 4302 of the Act.

The proposed adjustment will have little or no impact on the objectives in the Town Plan. The proposed uses of the parcels will not change. The parcels will remain suitable for agricultural and/or residential use, as they are prior to the adjustment.

5. The adjustment requested is designed to conform to the character of the land use area in which it lies as defined in the Town Plan.

As noted above the proposed uses of the parcels will not change.

6. The boundary line adjustment does not cause any structure on either lot to violate any dimensional setback requirements in the Zoning Regulation.

The parcel 90114 will increase in size thus increasing the setbacks for the existing single family residence on the site.

The parcel 90110 has no structures anywhere near the proposed boundary and thus will not affect any setbacks.

7. The applicant demonstrates thru a Permit or Deferral of Permit that the Boundary Line Adjustment is acceptable for State water supply and wastewater permitting purposes.

I submitted a Boundary Line Adjustment Exemption Form (attached) to the State of Vermont Agency of Natural Resources Dept. of Environmental Conservation and have attached a statement from Terence P. Shearer, Regional Engineer, that we are automatically exempt.

To the best of my knowledge the proposed boundary line adjustment meets all criteria for approval and I respectfully request approval of this adjustment as quickly as possible.

Randy Laframboise

**TOWN OF CORNWALL
DEVELOPMENT REVIEW BOARD
APPLICATION FOR SUBDIVISION OF LAND
(Please type or print legibly)**

1. Applicant RANDY LAFRAMBOISE
Address 835 MORSE ROAD, CORNWALL VT 05753
Phone No. 802-316-6010 Email Address randye@ireland.com
If Corporation, name of Representative N/A
Is this a Corporation registered in Vermont? N/A
2. Name of Record Owner JUSTIN C. BURDON / RANDY LAFRAMBOISE
Address 835 MORSE ROAD CORNWALL, VT 05753
Phone No. 802-316-6010 Email Address randye@ireland.com
If Corporation, name of Representative N/A
Is this Corporation registered in Vermont? N/A
3. Names of Advisors and their professional area:
N/A
4. Name of Subdivision 578 MORSE ROAD CORNWALL VT
5. Location of Subdivision BOUNDARY LINE ADJUSTMENT 578 MORSE ROAD CORNWALL, VT.
6. Acreage of Subdivision BOUNDARY LINE ADJUSTMENT 1/2 ACRE
Acreage of Owner's adjoining property 1/2 ACRE
Acreage of Owner's Cornwall property not adjoining 51.81
Acreage of property under option N/A

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7. Property deeds recorded in Town of Cornwall records. (May be found at Town Clerk's office. Contact Clerk for assistance.)

Date 5/3/2018 Book 84 Page 316

Date 7/10/2014 Book 77 Page 207

Date _____ Book _____ Page _____

8. Brief description of size and type of Subdivision:

BOUNDARY LINE ADJUSTMENT TO 578 MARSH ROAD PROPERTY CORNWALL VT
TO CREATE LARGER LOT TO ENABLE CONSTRUCTION OF GARAGE ON 578 PROPERTY.

9. What other local, state, or regional approvals are being applied for?

NONE

10. Signature of Applicant



Date 3/26/21

Please attach additional materials required by applicable regulations.

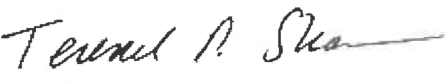



Randy Laframboise

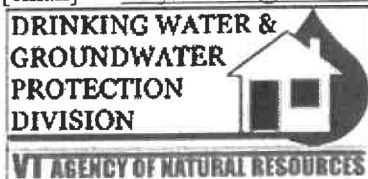
From: Shearer, Terry <Terry.Shearer@vermont.gov>
Sent: Monday, November 22, 2021 7:09 PM
To: Randy Laframboise
Subject: [EXTERNAL]FW: [EXTERNAL]FW: Boundary line adjustment
Attachments: 578 morse boundary line adjustment.pdf

Hi Randy,
Since you have marked (i) & (ii), you are automatically exempt. Please see step 3A.

Thanks

Terence P. Shearer, Regional Engineer
Agency of Natural Resources
Department of Environmental Conservation
Drinking Water & Groundwater Protection Division
Springfield Regional Office
100 Mineral Street
Suite 303
Springfield, VT 05156-3168
[phone] 802-591-0338 (cell phone only)
[email] terry.shearer@vermont.gov



-----Original Message-----

From: Owen, Alicia <Alicia.Owen@vermont.gov>
Sent: Friday, November 19, 2021 1:04 PM
To: Shearer, Terry <Terry.Shearer@vermont.gov>
Subject: FW: [EXTERNAL]FW: Boundary line adjustment

FYI, Boundary line adjustment. These documents will be found in Y drive Town folder under the landowner's last name(s).

Alicia M. Owen | Environmental Tech II Vermont Department of Environmental Conservation Drinking Water and Groundwater Protection Division
450 Asa Bloomer State Office Building | Rutland, VT 05701-5903
802-786-5900 office | 802-558-3030 cell | 802-786-5915 fax

Boundary Line Adjustment Exemption Form

Exemption 1-304(9) - Wastewater System and Potable Water Supply Rules

Step 1: Please provide the following information:

Landowner 1 - Name(s): RANDY LAFRAMBOISE SUSAN C. BOURDON/LAFRAMBOISE		Landowner 2 - Name(s): Peter Laframboise	
Landowner 1 - Mailing Address: 835 MORSE ROAD CORNWALL, VT 05753		Landowner 2 - Mailing Address: 615 MORSE ROAD CORNWALL, VT 05753	
Property 911 Address, if different than Mailing Address: 578 MORSE ROAD CORNWALL VT 05753		Property 911 Address, if different than Mailing Address:	
Landowner 1 - Email: randy@5direland.com		Landowner 2 - Email: petelaframvte@gmail.com	
Landowner 1 - Phone Number: 802-316-6010		Landowner 2 - Phone Number: 802-462-2924	
Landowner 1 - Current Acreage: 1/2 ACRE	Landowner 1 - New Acreage: 1 ACRE	Landowner 2 - Current Acreage: 192.43	Landowner 2 - New Acreage: 191.93
Town(s): CORNWALL		Previous State Permit #'s (if any):	
Lot Number(s) (if any):			

***please note: 27 V.S.A § 341-** requires a survey plat for a boundary line change

Step 2: Please check the box or boxes that apply to the lot line adjustment and attach any requested supporting information.

Check the boxes that apply to this land conveyance:

- ☒ (i) a lot being reduced in size is being reduced by no more than two percent, please include calculations showing percent of lot size reduction. Example: 5.9 acres take away 0.1 acres = 0.1 divided by 5.9 = 0.017 = 1.7 % reduction.; or
- ☒ (ii) a lot is increased in size; $.5 \text{ acres} \div 192.43 \text{ acres} = 0.25\% \text{ reduction}$
- ☐ (iii) the boundary line being adjusted is located, after adjustment, at least 500 feet from the footprint of the building or structure on an improved lot (Please include the footprint of all buildings -except storage buildings- on the diagram that shows the original and the new proposed property lines and show the distance from the building(s) to the new proposed property line.)
- ☒ (iv) the Secretary, on a case-by-case basis, makes a written determination that the proposed adjustment will not have an adverse effect on any existing potable water supply or wastewater system on the affected lots.

Step 3A: For adjustments that meet (i) – (iii) above, please complete this form and submit this form with a plan showing the existing and proposed boundaries to the Regional Office and to the town for recording and indexing in the Town land records. When this is complete, you are exempt, and no written confirmation is required.

Step 3B: For adjustments being submitted for review under (iv) above, please complete this form and submit the form and a plan showing the existing and proposed boundaries and the location of all buildings and existing water supplies and septic systems on the affected lot(s) to the appropriate Regional Office. The Secretary will provide a written determination whether condition iv applies. If the Secretary determines that condition (iv) applies, deliver the written determination and plan to the town for recording and indexing in the town land records. **If the Secretary determines Exemption §1-304(9)(A)(iv) does not apply, a Wastewater System and Potable Water Supply permit will be required prior to adjusting the boundary line(s).**

By signing this form, the landowner is certifying the boundary line adjustment meets the exemption in section §1-304(9) (A) of the Wastewater System and Potable Water Supply Rules, effective April 12, 2019.

_____ Landowner 1 Signature(s)	_____ Landowner 2 Signature(s)	11/14/21 _____ Date 11/14/21 _____ Date
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