

Town of Cornwall
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2/28/2023

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TOWN OF CORNWALL
CAPITAL FUND ACCOUNT
2629 RTE 30
CORNWALL, VT 05753

DATE February 28, 2023

PAY TO THE ORDER OF Town of Cornwall \$ 90.00
Ninety and 00/100 DOLLARS

NATIONAL BANK OF MIDDLEBURY
MIDDLEBURY, VERMONT

MEMO Permit Sand/Salt [Signature]

00116010871 003 853 800152

DELUXE WALLET OR DUPLICATE SAFETY PAPER

Security Features Included. Details on Back.

James Duclos, ZA
961 Ridge Road
Cornwall VT, 05753

2/21/2023
Town of Cornwall
2629 Route 30
Cornwall, VT 05753

Dear Stu,

I have reviewed your application for a waiver and have found that is nearly complete, but I'd like you to add a paragraph or two regarding Section 392 3,4,6 and 7.

Since this is an existing site I imagine that there is no landscaping plan, new site grading, landscape design or screening planned. A short paragraph stating that this is the case will do.

There should be a paragraph stating your intended Construction Sequence, ie when you plan to build the foundation and when you expect the structure to be delivered and a projected completion date.

A description of hours of operation should be stated even if it's only one sentence saying whenever the need arises.

Another sentence or two saying that there is nothing you can do to mitigate against noise created by the proposed use. The machinery has to operate and there won't be an increase in noise from present levels.

Since you have adjusted the footprint of the proposed new structure there is no longer a problem with the setbacks that I can see. In addition to that there is not or ever was a problem with the height of the new structure. In the definitions section of our Zoning Regulations you will find this:

BUILDING HEIGHT: Vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat and mansard roofs, and to the average height between eaves and ridge for other types of roofs.

Since the new structure has a peaked roof the height is calculated to be the average

between the eaves and the peak, so the structure's height will be well under 35 feet limit.

Thanks for addressing these issues,

James Duclos, assistant ZA

Section 392: APPLICATION FOR SITE PLAN OR OTHER APPROVALS

The owner shall submit eight (8) sets of plan maps and supporting data to the Planning Commission, by delivering the application to the Zoning Administrator or filing the application at the Town Clerk's office. The application shall include the following information, presented in drawn form and accompanied by written text:

1. Property identification numbers of the property taken from the latest tax records; name and address of the owner of record and the owners of adjoining lands; name and address of person or firm preparing the map; scale of map, north point, and date.
2. An accurate map of the property showing existing features, including contours, structures, large trees, streets, utility easements, rights-of-way, land use, and deed restrictions.
3. Plan, showing proposed structure locations and land use areas; streets, driveways, traffic circulation, parking and loading spaces, and pedestrian walks; landscaping plans, including site grading, landscape design, and screening.
4. Construction sequences and time schedules for completion of each phase for buildings, parking spaces, and landscaped areas of the entire development.
5. A description of energy utilization and conservation measures for each heated structure.
6. A description of the hours of operation.
7. A description of signs, lighting and steps taken to mitigate against noise created by the proposed use.

Section 381: APPLICATION

The applicant shall submit the information required to the Zoning Administrator by filing six (6) copies of a letter summarizing the proposed waiver which addresses all elements of this article, and all other information necessary to illustrate compliance with these Regulations, at the Town Clerk's office, at least 25 days prior to the meeting of the Board of Adjustment. Information will include that which is necessary for the Board of Adjustment to make its decision, including property identification numbers of the property taken from the latest tax records; name and address of the owner of record and those of adjoining lands; name and address of person or firm preparing the map; scale of map, north point and date. In addition to the information noted above, the Board of Adjustment may require the following:

1. An accurate map of the property showing existing features, including contours, structures, large trees, streets, utility easements, rights of way, land use and deed restrictions.
2. A scaled plan, showing proposed structure locations and land use areas; streets, driveways, traffic circulation, parking and loading spaces and pedestrian walks; landscaping plans, including site grading, landscape design and screening.
3. Construction sequence and time schedule for completion of each phase for buildings, parking spaces and landscaped areas of the entire development.
4. A description of energy utilization and conservation measures for each heated structure.
5. Other information pertinent to the issue before the Board of Adjustment.

Section 383: REVIEW CRITERIA

The Zoning Board of Adjustment may grant waivers to reduce dimensional requirements, if the applicant can satisfy the following standards:

1. The waiver requested is for a use permitted within the district in question as by right use (as opposed to a conditional use).
2. The waiver requested is in conformance with the Town Plan and the goals set forth in Section 4302 of the Act.
3. The waiver requested is designed to conform to the character of the land use area in which it lies as defined in the Plan and further designed to reasonably limit impact or the potential for impact upon ones neighbors.
4. The design used incorporates design techniques (restricted height, lack of windows) screening (fencing or plantings) or other remedies to reasonably limit impact or the potential for impact upon ones neighbors.
5. The waiver requested accommodates structures providing for disability accessibility, fire safety and other requirements of land or energy conservation or renewable energy structures.

**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**

- The Cornwall Development Review Board usually meets on the first Wednesday of every month.
- A **complete application**, consisting of 10 copies, must be filed with the Town Clerk not less than 25 days prior to the next regular meeting date in order to be eligible to be placed on the agenda. In addition to the completed application, an Application Fee of \$90.00 must also be submitted.
- The Town Clerk will date stamp the application and transmit it to the Town Zoning Administrator (ZA) for review.
- The ZA is responsible for responding to all applications for land use and development and referring them to the DRB when appropriate. **Only complete applications will be forwarded to the DRB for scheduling.** The DRB Chair will contact the applicant concerning scheduling. (Please note that there is no assurance that your matter will be on the agenda for the next meeting.)
- All questions concerning land use regulation and development matters should be directed to the ZA, rather than to the Town Clerk.
- Copies of the Town's Zoning Regulations and Subdivision Regulations, and zoning and subdivision application forms, are available at the Town Hall and on the Town website (www.cornwallvt.com).
- The Town Clerk can provide the applicant with the names and addresses of abutting owners, where required for the application. The Town Clerk may also direct the applicant to the location of other records located at the Cornwall Town Hall which may be needed to complete the application.
- Please review the Town of Cornwall Zoning Regulations for the applicable provisions regarding your application. **Make sure to include all required information and address all applicable criteria.**
 - Variances: Sections 370 – 375
 - Conditional Use Approvals: Sections 350 – 358. Site Plan Review may also be required (see Section 356)
 - Waivers: Sections 380 – 385
 - Non-Conforming Structures and Uses: Section 410. Certain uses of non-conforming structures or land require Conditional Use Approval. Site Plan Review may also be required (see Section 332)
 - Activities in the Floodplain: Sections 901 – 922
 - Appeals from a decision of the Zoning Administrator: Sections 360 – 365
 - Site Plan Review: Sections 390 – 395

**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 Stu Johnson - Capital Committee Chair
Address 2629 Route 30 Cornwall, VT 05753
Phone No. 802-770-8424 Email Address hjalmarnils53@gmail.com
If Corporation, name of Representative N/A
Is this a Corporation registered in Vermont? N/A
2. Name of Record Owner Town of Cornwall
Address 2629 Route 30 Cornwall, VT 05753
Phone No 802-462-2775 Email Address cornwallvt@shoreham.net
If Corporation, name of Representative N/A
Is this Corporation registered in Vermont? N/A
3. Location of Property 1469 South Bingham Street, Cornwall VT
4. Tax Map Description: Map # 11 Block # 01 Lot # 35
5. Type of Application (please check applicable application(s)):
☐ 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:
Sections 380-385 - WAIVER

**TOWN OF CORNWALL
DEVELOPMENT REVIEW BOARD
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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 attached letter.

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):

See attached letter

10. The property is located in the following zoning district: *LDR*

#7

The Town of Cornwall is requesting a waiver to construct a new salt/ sand storage facility. At issue is the surface area criteria required by the town zoning bylaws. The property is already a non-conforming parcel in the LDR zone due to the acreage requirement. This also contributes to the percentage of impervious surface violation that exists.

The current facility was built in the early 80's as the result of salt contamination to the surrounding water table, attributed to outside storage of salted sand. Other mitigation efforts continue and will for the foreseeable future so there is an environmental aspect to maintain.

Due to the complete failure of the back wall and significant degradation of the side walls of the current sand shed, the town's insurance provider will not insure the current structure against failure. This degradation of the concrete and pending replacement of the structure was mentioned in the Town Plan on page 39 under Community Facilities and Services / Town Garage. The town's Selectboard and Capital Committee have decided that replacing the entire structure with a fabric covered structure is the best option. The proposed structure is typical of several sand/salt storage and farm buildings around the area (Addison, Panton, Ferrisburgh, New Haven, Bristol, Starksboro, Brandon, Pittsford, Hinesburg and Middlebury).

The town's highway facility is located at 1469 South Bingham St. on a 2.1-acre parcel where much of it is unusable due to ledge outcroppings. Part of the project will be the demolition of the current structure. The proposed location of the actual structure will be partially where the existing structure stands now. The intention is to move the new structure north 25' in order to accommodate plans for another bay to be added to the existing town garage in the not distant future. The structure will be turned slightly to provide the needed access and loading area.

#9

Beyond the degradation of the current structure, the intention is to increase the onsite storage of sand and especially salt. Due to weaknesses in the supply chain for timely salt deliveries, the conventional wisdom within the DPW community is to have at least half the town's salt supply on hand at the start of the season to provide a buffer for when deliveries are delayed as we have seen several times in the last few years. The proposed structure's dimensions (72' wide x 80' long) will allow for that storage capacity, the anticipated addition to the garage, while minimizing the encroachment on setbacks. The other consideration in locating the structure, is to allow enough room for equipment to load and deliver materials efficiently.

We made the decision to make the building wider and shorter. The structure frame will be on structural concrete blocks stacked 8' high though set into the ground a foot. This will provide the desired storage as well as the clearance for dumping trucks and pushing sand up without damaging the structure itself. There will be an asphalt floor and apron in front of the building approximately 85' wide and 40' long.

This facility should decrease energy consumption due to the translucent nature of the fabric cover and we don't anticipate having power or lighting in the structure.

There is no landscaping or screening plan as the parcel is an existing site with no additional space for this type of planting. The site is quite well screened as it sits with a tree line to the north and south and ledge to the rear.

The typical hours of operation are Monday – Friday from 7 AM – 4 PM. Additional hours of operation are on an as needed basis. For example, a major snow storm could see the highway department personnel working well in to the evening and overnight. This will be no different with the installation of the new sand and salt building.

Once the sand and salt building is replaced, the noise level will be no different than it is currently. The trucks and machinery need to operate at the location in order to perform the duties required. Generally speaking, the equipment will be used during the typical hours of operation and only as needed for storms and emergency situations.

The contracts will allow work to start after May 1, 2023 and to be completed by September 1, 2023. There are four stages involved: Demolition of the existing structure, excavation and setting of the blocks, asphaltting the floor and apron and installation of the fabric structure on the block walls.

A sales agreement and contract have been signed with Lussier Brothers for the purchase and installation of the new sand and salt building. The building has been ordered and it is expected that delivery will be at least 17 weeks out if not longer. A contract is being negotiated with S&J Stearns for the demolition, excavation, paving and setting of blocks. This work is anticipated to begin in May 2023. We are unclear what the duration of this work will be. We will know more when the contract has been presented and signed.

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11. The size of the lot is approximately: 2 acres

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 Known

13. The property has the following road frontage: 600 feet +/-

14. The deed into the current landowner(s) is recorded at Book 24, Page 121-123
and must be attached hereto. *Additional Deeds: Book 21, Pages 366-367, Book 21, Pages 368-369
Book 24, Pages 119-120, Book 24, Pages 123-124*

Signature of Applicant Shant K Johnson

Date February 1, 2023

Please attach:

- Deed. ✓
- A copy of any survey of the property. *Copies of surrounding properties surveys.*
- 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. ✓
- **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.

Current Facility

Overall dimension	Sand 60x45' stacked avg. 10' = 27,000 cubic feet
	Salt 30x14' stacked avg. 4' = 1680 cubic feet
	Total capacity 28,680 cubic ft.

Proposed Facility

Overall dimension

option 1 90' long by 70' wide = 6300 sq ft. 8' avg. = 50,400 cu ft
-1720 cu ft. for interior wall= 48,680 cu ft. total capacity

Option 2 90' long by 65' wide = 5850 sq. ft. x 8' avg. = 46,800 cu ft.
-1720 cu ft. for interior wall = 45,080 cu ft. total capacity

Salt Storage 24' wide x 42' long x 6' avg. stack = 6048 cu ft.
4380 more cubic ft. about 10 loads

Op 1 Sand Storage available $90' \times 42' = 3780 \text{ sq}' + (44' \times 28' = 1232 \text{ sq}') = 5012 \text{ sq}' \times 8' \text{ avg} = 40,096 \text{ cu ft.}$
13096 more cubic ft. sand almost 50% more

Op 2 Sand Storage available $90' \times 37' = 3330 \text{ sq}' + (44' \times 28' = 1232 \text{ sq}') = 4562 \text{ sq}' \times 8' \text{ avg} = 36,496 \text{ cu ft.}$
9,496 more cubic ft. sand, a third more

Option 3 $80' \times 42' = 3360\text{sq}' + (34' \times 28' = 952\text{sq ft.}) = 4312 \text{ sq}' \times 8' \text{ stack} = 34,496 \text{ cubic ft.}$
7496 more cubic ft. about 28% more

Abutting Neighbors Cornwall Town Garage, 1469 South Bingham Street

Town of Cornwall
2629 Route 30
Cornwall, VT 05753

Joan Lynch
1363 South Bingham Street
Cornwall, VT 05753

Andrew & Zara Daly
1559 DeLong Road
Cornwall, VT 05753

Stephen Pratt
40 North Road
Whiting, VT 05778

Florence Gill 1991 Trust
137 Wooster Road
Whiting, VT 05778

Brian Gill
2155 South Bingham Street
Whiting, VT 05778

Know all Men by these Presents

That we, HERMAN HOOPS and GENEVIEVE HOOPS

of Cornwall Vermont in the County of Addison
and State of Vermont Grantors, in the consideration of
paid to our full satisfaction by TEN AND MORE Dollars

Book 24
Pages 121-122

THE TOWN OF CORNWALL
of Vermont in the County of Addison
and State of Vermont Grantee, by these presents, do
freely Give, Grant, Sell, Convey And Confirm unto the said Grantee
The Town of Cornwall
and its heirs and assigns forever, a
certain piece of land in Cornwall and State of Vermont, described as
County of Addison follows, viz:

Being a portion of the lands and premises conveyed to the herein Grantors by Warranty Deed of Frank and Dorothy Lussier dated January 30th, 1967 and recorded in Book 21, Page 368 of the Cornwall Land Records. Said conveyance also being subject to corrective deeds between the Grantors herein and the said Frank and Dorothy Lussier, dated October 11, 1973 and recorded in the Cornwall Land Records. Beginning at the Southwest corner of Parcel B of the lands described in the above mentioned Warranty Deed, also being the Southwest corner of the lands herein conveyed by Herman and Genevieve Hoops also being the Northwest corner of lands presently owned by one Clifford Kitchell, located on the Easterly side of South Bingham Street; thence along a fence line S 72°29' E, 188.74 feet to a point marked by an iron pipe in a stone pile; thence N 6°59' E, 582.83 feet to a point marked by an iron pipe in the Easterly edge of the South Bingham Street right of way; thence along the Easterly edge of the said right of way S 6° 55' W, 578.38 feet to the point and place of beginning; consisting of 2.50 acres, more or less.

Reference is made to the above mentioned deed and its records, and to deeds therein mentioned, and their record, in further aid of a description of the lands and premises hereby conveyed.

Vermont Property Transfer Tax
32 V.S.A. Chap. 231
-ACKNOWLEDGMENT-
Return Rec'd.-Tax Paid-Board of Health Cert. Rec'd.-
Vt. Land Use & Development Plans Act Cert. Rec'd.
Return No. 183973
Signed [Signature] Clerk
Date Oct 2 9 1973

Recorded in the Cornwall Town Clerk's Office
at 11 A.M. Oct. 15, 73

Attest. Ramona D'Angio

122
To Have and to Hold *said granted premises, with all the privileges and appurtenances thereof, to the said Grantee*

The Town of Cornwall, its

heirs and assigns, to their own use and behoof forever;
And we the said Grantor^s

Herman and Genevieve Hoops
for ourselves and our heirs,
executors and administrators, do *covenant with the said Grantee*

The Town of Cornwall, its

heirs and assigns, that until the ensembling of these presents we are the sole owner^s of the premises, and have good right and title to convey the same in manner aforesaid, that they are Free From Every Encumbrance;

except in order to comply with State of Vermont Health Regulations on the sub-division of lands and the disposal of waste, including sewage, the Grantee shall not construct or erect a structure or building on the parcel of land conveyed herein, the useful occupancy of which will require the installation of plumbing and sewage treatment facilities, without first complying with said State regulations.

And we
hereby engage to Warrant And Defend the same against all lawful claims whatever, except as aforesaid.

In Witness Whereof, we hereunto set our hands and seals
this 24th day of October A. D. 1973

In Presence of

Richard C. Ely
Witness
James B. Williams
Witness

Herman R. Hoops Jr.
Herman Hoops
Genevieve R. Hoops
Genevieve Hoops

State Of Vermont,
County Addison

ss. At 24th day of October A. D. 1973 this

Herman Hoops and Genevieve Hoops

*personally appeared, and they acknowledged this instrument, by
them sealed and subscribed, to be their free act and deed.*

Before me

Richard C. Ely
NOTARY PUBLIC

Elaine D. Farrell License to Sell

STATE OF VERMONT

DISTRICT OF ADDISON, SS

THE HONORABLE PROBATE COURT FOR THE DISTRICT AFORESAID:

To Elaine D. Farrell of the estate of Middlebury in said District, deceased,

WHEREAS, application has been made to this Court, in writing, by the said Administratrix for license to sell a portion of the real estate of said deceased, situated in the town of Cornwall in said District, to wit: that part of the real estate of which the said Joseph A. Drolette died seized and known as his home farm setting forth therein, that such sale would be beneficial to the heirs and all those interested in said estate, and also the consent and approbation, in writing, of all the heirs, devisees and legatees interested in the estate to be sold, residing in this State.

THEREFORE, said Court appointed and assigned the 23 day of January, 1967, to hear and decide upon said application, and ordered that public notice thereof be given to all persons interested in said estate, by publishing said order and the nature of said application, and the reason for the same and the time and place of hearing, three weeks successively in the Addison County Independent, a newspaper which circulates in the neighborhood of those persons interested in said estate; all such publications to be previous to the day assigned for said hearing,

AND WHEREAS, also it has been fully proved to the satisfaction of said Court that said order of notice has been complied with and that said sale would be beneficial to the heirs and all others interested in said estate, and that all heirs, devisees, and legatees residing in this State have given their consent and approbation, in writing, signed by them as the law directs; the said Court does hereby order and decree that the said real estate of said deceased, be sold and converted into money, and said Administratrix having been duly sworn to the faithful discharge of said trust in selling such estate.

THEREFORE, the said Court does, by virtue of the power and authority thereunto given, in and by the laws of this State, hereby license, authorize and empower you, the said Administratrix as aforesaid, to sell the said real estate of said deceased, either at auction or private sale.

Should you sell the same at auction, you will give notice of your intentions to do so by posting a notification thereof in four of the most public places in the Town of Cornwall at least twenty days previous to the day of sale.

You will make report to this Court of your proceedings upon this license, in writing, as soon as may be after said sale shall have been completed, particularly stating therein the time and manner of said sale, the sum for which the same was sold, the persons to whom sold, and a description of said estate.

IN TESTIMONY WHEREOF, I hereunto affix the seal of said Court, and subscribe my name at Middlebury in said District, this 23rd day of January 1967.

(Seal)
District of Addison
Probate Court

/s/ Stuart T. Witherell
Judge

STATE OF VERMONT,) In Probate Court.
District of Addison, ss)

I Martha M. Field, Register of Probate for the District aforesaid, hereby certify the foregoing to be a true copy of the original license of sale granted by this Court and subscribe my name at Middlebury in said District, this 23rd day of January, 1967.

Martha M. Field
Register

Cornwall Town Clerk's Office received the above License to Sell Jan. 31, 1967 at 9:30 A.M. the above being a true copy.

Attest Claudia D. King Town Clerk

Book 21

Pages 366-367

Elaine D. Farrell, Administratrix, Estate of Joseph A. Drolette To Frank X, Sr. and Dorothy Lussier Administrators

Deed

TO ALL TO WHOM THESE PRESENTS COME, I Elaine D. Farrell Administratrix of the Goods, Chattels and Estate of Joseph A. Drolette, late of Cornwall in the County of Addison and State of Vermont, deceased, SEND GREETINGS:

WHEREAS, the Honorable the Probate Court for the District of Addison at a session thereof, holden at the Probate office in Middlebury in said District, on the 23rd day of January A.D. 1967 on due application in writing, for that purpose, which said application having been duly published according to law, did license and authorize Elaine D. Farrell to sell at public auction or private sale a portion of the real estate of said deceased, for the purpose of it being beneficial to the estate of said deceased and those interested in said estate, in order to convert said real estate into money.

AND WHEREAS, having previously taken the oath required by law, and fulfilled all the requisitions of the Statute, and of the license aforesaid I have sold a portion of the same real estate to Frank X. Lussier, Sr. and Dorothy Lussier, husband and wife, of Cornwall, in the County of Addison and State of Vermont for the sum of ONE AND MORE -----Dollars.

NOW KNOW YE, That pursuant to the license and authority aforesaid, and not otherwise, and in consideration of the said sum of ONE AND MORE -----Dollars the receipt whereof, I do hereby acknowledge, I do by these presents, Grant, Bargain, Sell, Convey and Confirm unto the said Frank X. Lussier, Sr. and Dorothy Lussier, husband and wife, as tenants by the entirety, their heirs and assigns, the following described Land in Cornwall in the County of Addison and State of Vermont described as follows, viz:

That part of the real estate which Joseph A. Drolette died seized in Cornwall and situated on the easterly side of the highway leading from West Cornwall to Whiting and which had been previously been conveyed by Beatrice A. Norton, Executrix of the Estate of Emma Drolette, to Leon and Clarinda Lamoureux by deed recorded in Book 18 at page 88 of the Cornwall Land Records. Said portion of land was subsequently conveyed by Leon and Clarinda Lamoureux to Frank X. Lussier, Sr. and Dorothy Lussier by deed dated 26 August 1943 and recorded in Book 18 at page 190 of said Cornwall Land Records.

Excepted from this parcel of land are the following two deeds; (1) All and the same lands and premises conveyed by Leon and Clarinda Lamoureux to George and Clarice Farnham by deed dated 28 July 1948 and recorded in Book 16 at Page 165 containing 25 acres, more or less.

(2) An L-shaped parcel of land described in the deed of Frank X and Dorothy Lussier and Joe P. Dapsis dated 21 August 1951 and recorded in Book 16 at Page 257 of the Cornwall Land Records.

Said premises herein conveyed are subject to water rights and utility pole line easements of records being a portion of the real estate whereof the said Joseph A. Drolette died seized and possessed in the said Town of Cornwall, County of Addison, and State of Vermont

TO HAVE AND TO HOLD the said premises, with all the privileges and appurtenances thereof, to the said Frank X. Lussier, Sr. and Dorothy, husband and wife, as tenants by the entirety, their heirs and assigns forever, to them and their own use.

And I the said Elaine D. Farrell Administratrix, do covenant with the said Frank X. Lussier, Sr. and Dorothy Lussier husband and wife, their heirs and assigns, that the said Joseph A. Drolette died seized of the granted premises, that I was duly authorized by the Court aforesaid, to convey the same to the said Frank X. Lussier Sr. and Dorothy Lussier in manner and form aforesaid, that I have in all things observed the direction of the law, and the license aforesaid, in the sale aforesaid that I will, and his heirs executors and administrators shall WARRANT AND DEFEND said premises against all persons claiming the same, by, from or under the said Joseph A. Drolette or me the said Administratrix, but against no other person.

IN WITNESS WHEREOF, I hereunto set my hand and seal this 23 day of January 1967

In Presence of
Sharon Mitchell
Karl W. Neuse

Elaine D. Farrell IS

STATE OF VERMONT, ss. At Middlebury this 23 day of January A.D. 1967
ADDISON COUNTY

Elaine D. Farrell Administratrix of the Estate of Joseph A. Drolette personally appeared, and she acknowledged this instrument, by her sealed and subscribed, to be her free act and deed.

Before me Karl W. Neuse
Notary Public

Cornwall Town Clerk's Office received the above Administratrix's Deed Jan. 31, 1967 at 9:30 A.M. the above being a true copy.

Attest [Signature] Town Clerk

Frank X. Lussier, Sr. and Dorothy Kussier To Herman R. Hoops, Sr and Genevieve E. Hoops

Warranty Deed

KNOW ALL MEN BY THESE PRESENTS

That, Frank X. Lussier, Sr. and Dorothy D. Lussier, husband and wife, of Cornwall in the County of Addison and State of Vermont, Grantors, in the consideration of TEN AND MORE DOLLARS PAID to our full satisfaction by Herman R. Hoops, Sr. and Genevieve E. Hoops, husband and wife, of Slate Hill in the County of Orange and State of New York, Grantees, by these presents, do freely GIVE, GRANT, SELL, CONVEY AND CONFIRM unto the said Grantees, Herman R. Hoops, Sr. and Genevieve E. Hoops and their heirs and assigns forever, a certain piece of land in 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 deed of Leon and Clarinda Lamoureux dated and recorded 26 August 1943 in Book 18 at page 190 of the Cornwall Land Records and in the deed of Elaine D. Farrell, Administratrix of the Estate of Joseph A. Drolette to Frank X. Lussier, Sr. and Dorothy D. Lussier dated 23 January 1967 and recorded in Book 21 at page 367 of the Cornwall Land Records, containing 210 acres more or less.

Said lands and premises are situated on both sides of the highway leading from West Cornwall to Whiting and are bounded as follows:

Parcel A:

NORTHERLY by lands of Jack Norinsberg, Carroll Pratt and Marcel Lussier;
EASTERLY by lands of Harold Stevens, Herman R. Hoops, Sr.;
SOUTHERLY by the highway, known as Parkhill Road which leads from the West Cornwall-Whiting Road to Vermont Route 30, and
WESTERLY by the highway leading from West Cornwall to Whiting.

Parcel B:

NORTHERLY by the Parkhill Road;
EASTERLY by the public highway known as DeLong Road which leads from the Parkhill Road southeasterly to Vermont Route 30;
SOUTHERLY by lands of Judson Severy and Clifford Kitchell, and
WESTERLY by the highway leading from West Cornwall to Whiting.

Parcel C:

NORTHERLY by lands of Ray Gill;
EASTERLY by the highway leading from West Cornwall to Whiting;
SOUTHERLY by lands of Ray Gill, and
WESTERLY by lands of Ray Gill.

EXCEPTING FROM Parcel A, above mentioned, an L-shaped parcel of land described in the deed of Frank X. Lussier, Sr. and Dorothy D. Lussier to Joe P. Dapsis dated 21 August 1951 and recorded in Book 16 at page 257 of the Cornwall Land Records.

EXCEPTING FURTHER FROM Parcel A the lands and premises described in the deed of Frank X. Lussier, Sr. and Dorothy D. Lussier to Marcel O. Lussier and Evelyn M. Lussier dated August 1 1966 and recorded in Book 21 at page 364 of the Cornwall Land Records.

RESERVING from Parcel B to the Grantors herein, their heirs, legal representatives and assigns the following described parcel of land together with the dwelling house thereon;

Commencing at a point at the easterly edge of the right of way leading from West Cornwall to Whiting, which said point is further identified as being the Northwest corner of lands of Clifford Kitchell; thence running in a northerly direction in the line of the highway a distance of 100 feet to a point; thence turning a right angle and running in a straight line in an easterly direction to point in the fence which runs north and south behind the dwelling house and dairy barn; thence running in a southerly direction in the line of said fence to a point where said fence corners, thence running in a westerly direction in the line of a fence to the point or place of beginning.

RESERVING also for the Grantors herein, their heirs, legal representatives and assigns, a right of way for a water pipe line from the dwelling house reserved by the Grantors and running in a northerly direction to a point where it would intersect the present water pipe line leading from a reservoir to the northeast corner of the cow barn, together with the right to draw

Book 21
Pages 368-369

water from said reservoir through said pipe line for domestic use only to one single dwelling house.

FURTHER RESERVING to the herein Grantors for and during the natural life of Frank X. Lussier, Sr. only, and so long as Frank X. Lussier, Sr. shall own and reside in the dwelling house aforementioned, the following described parcel of land;

Commencing at the northwest corner of the above reserved parcel; then running in a northerly direction in the east line of the right of way of the highway leading from West Cornwall to Whiting to the southerly edge of the northern entrance to the driveway leading to the barn and dwelling house; thence following the line of said driveway as it curves easterly and southerly to a point where the westerly edge of said driveway intersects the north line of the parcel of land with dwelling house thereon reserved herein by the Grantors; thence running in a westerly direction in the north line of said dwelling house parcel to the point or place of beginning.

The Grantors shall have the further right during the life time of Frank X. Lussier, Sr. and while he owns and is residing in the dwelling house aforementioned, to use, in common with the Grantees, their heirs, legal representatives, and assigns, that portion of the driveway leading from its northern entrance to the lands reserved herein by the Grantors for a dwelling and the Grantees herein, their heirs, legal representatives and assigns shall have a reciprocal right for the same period of time, to use, in common with the Grantors, that portion of the driveway lying wholly upon the parcel of land reserved by the Grantors herein for a dwelling.

Grantors herein, for themselves, their heirs, legal representatives and assigns, grant to the herein Grantees, their heirs, legal representatives and assigns, a first option to purchase the parcel of land reserved herein by the Grantors for a dwelling, in the event they should elect to sell the same.

Grantors reserve the use of the cow barn for storage purposes until April 1, 1967 and agree to remove all trash, junk and refuse from the area surrounding the cow barn by June 1, 1967 at their own expense.

TO HAVE AND TO HOLD said granted premises, with all the privileges and appurtenances thereof, to the said Grantees, Herman R. Hoops, Sr. and Genevieve E. Hoops, husband and wife, as tenants by the entirety, their heirs and assigns, to their own use and behoof forever; And we the said Grantors Frank X. Lussier, Sr. and Dorothy D. Lussier for ourselves and our executors and administrators, do covenant with the said Grantees Herman R. Hoops, Sr. and Genevieve E. Hoops, their heirs and assigns, that until the sealing of these presents we are the sole owners 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 we do hereby engage to WARRANT AND DEFEND the same against all lawful claims whatever,

IN WITNESS WHEREOF, we hereunto set our hands and seals this 30th day of January 1967

In Presence of
Wynn Underwood
Karl W. Neuse

Frank X. Lussier, Sr. IS
Dorothy D. Lussier IS

STATE OF VERMONT) SS. At Middlebury this 30 day of January A.D. 1967
ADDISON COUNTY,

Frank X. Lussier, Sr. and Dorothy D. Lussier personally appeared, and they acknowledged this instrument, by them sealed and subscribed, to be their free act and deed.

Before me Wynn Underwood
Notary Public

Cornwall Town Clerk's Office received for record Jan. 31, 1967 at 9:30 A.M. the above Warranty Deed of which this is a true copy.

Attest Claire V. Ringey Town Clerk



Know all Men by these Presents

That We, Herman R. Hoops, Sr. and Genevieve E. Hoops,
husband and wife,

of Cornwall in the County of Addison
and State of Vermont Grantors, in the consideration of
-----ONE AND MORE----- Dollars
paid to our full satisfaction by

Frank X. Lussier, Sr. and Dorothy D. Lussier, husband and wife,

of Cornwall in the County of Addison
and State of Vermont Grantees, by these presents, do
freely Grant, Sell, Convey And Confirm unto the said Grantees,
Frank X. Lussier, Sr. and Dorothy D. Lussier,

certain piece of land in and our heirs and assigns forever, a
County of Cornwall in the
follows, viz: and State of Vermont, described as

Being all and the same lands and premises described in warranty deed to
the grantors herein from the grantees herein, which deed is dated January 30,
1967 and is recorded in Book 21 at page 368 of the land records of the Town of
Cornwall.

This deed, taken together with a warranty deed of even date herewith from
the grantees herein to the grantors herein, is given for the purpose of
correcting an error in the above-mentioned deed, recorded in Book 21 at page
368; specifically, an error in the description of the parcel reserved by Frank X.
Lussier, Sr. and Dorothy D. Lussier, from Parcel B as described in said deed.

Recorded at the Cornwall Town Clerk's
Office at 10A.M. Oct. 15, 1973

Attest;

R. D. Angier

Vermont Property Transfer Tax
32 V.S.A. Chap. 231.

ACKNOWLEDGMENT
Return Rec'd.-Tax Paid-Board of Health Cert. Rec'd.-
Vt. Land Use & Development Plans Act Cert. Rec'd.

Return No. 428083
Signed: *R. D. Angier* Clerk
Date Oct. 15, 1973

Book 24

Pages 119-120

120

To Have and to Hold said granted premises, with all the privileges and appurtenances thereof, to the said Grantees Frank X. Lussier, Sr. and Dorothy D. Lussier,

our heirs and assigns, to their own use and behoof forever;
And we the said Grantors,
Herman R. Hoops, Sr. and Genevieve E. Hoops,
for ourselves and our heirs,
executors and administrators, do covenant with the said Grantees,

Frank X. Lussier, Sr. and Dorothy D. Lussier, our
heirs and assigns, that until the en sealing of these presents we are
the sole owners 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 above.

And we do hereby engage to Warrant And Defend the same against all lawful claims
whatever, except as above.

In Witness Whereof, we hereunto set our hands and seals
this 11 day of October A. D. 1973

In Presence of

Thos Wm. Lynch
Jed A. Lively

Herman R. Hoops Sr.
Herman R. Hoops, Sr.

Genevieve E. Hoops
Genevieve E. Hoops

State Of Vermont,
County Addison

At Middlebury this
11 day of October A. D. 1973

Herman R. Hoops, Sr. and Genevieve E. Hoops
personally appeared, and they acknowledged this instrument, by
them sealed and subscribed, to be their free act and deed.

Before me Thos Wm. Lynch
Notary Public

PURCHASE AND SALE AGREEMENT

THIS AGREEMENT is made and entered into by and between Herman and Genevieve Hoops, of Cornwall, Vermont, hereinafter referred to as SELLERS, and the TOWN OF CORNWALL, Vermont, hereinafter referred to as BUYER;

W I T N E S S E T H:

The SELLERS hereby agree to sell and hereby do sell and the BUYER agrees to buy and purchase and hereby does buy and purchase the following described real property situated in Cornwall, Vermont:

Being a portion of the lands and premises conveyed to the herein SELLERS by Warranty Deed of Frank and Dorothy Lussier dated January 30th, 1967 and recorded in Book 21, Page 368 of the Cornwall Land Records. Beginning at the Southwest corner of Parcle B of the lands described in the above mentioned Warranty Deed, said corner also being the Northwest corner of lands presently owned by one Clifford Kitchell, located on the Easterly side of South Bingham Street; thence along a fence line S 72°29' E. 188.74 feet to a point marked by an iron pipe in a stone pile; thence N 6°59' E, 582.83 feet to a point marked by an iron pipe; thence N 80°50' W, 189.00 feet to a point marked by an iron pipe in the Easterly edge of the South Bingham Street right of way; thence along the Easterly edge of the said right of way S 6°55' W, 578.38 feet to the point and place of beginning; consisting of 2.50 acres, more or less.

For the following considerations and subject to the following described conditions:

- (1) Purchase price is to be Five Hundred Dollars (\$500.00), payable on date of closing.
- (2) Date of closing shall be on or before 15 October 1973.
- (3) Prior to closing, the SELLERS shall have executed and exchanged corrective deeds with Frank and Dorothy Lussier to establish record title to the above described parcel.
- (4) Possession is to be given on even date with execution of this PURCHASE AND SALE AGREEMENT. Possession is given with the knowledge that the BUYER intends to immediately begin construction of a Town Shed on the above described parcel.

LAW OFFICES
of
CONLEY & FOOTE
MIDDLEBURY
VERMONT

*Received for record Oct 15, 73 +
Filed Nov. Inst, 1973*

Attest: Ramona D'Angio

123
Book 24

Pages 123-124

- (5) Evidence of title is to be in the form of a Warranty Deed with a description similar to the above description.
- (6) This Agreement is executed in duplicate, each duplicate copy to be treated as an original, and shall bind and inure to the benefit of the parties hereto, their heirs, executors, administrators and assigns.

Dated at Cornwall, in the County of Addison and State of Vermont this 3rd day of October, 1973.

Herman R. Hoops Sr.
Herman Hoops

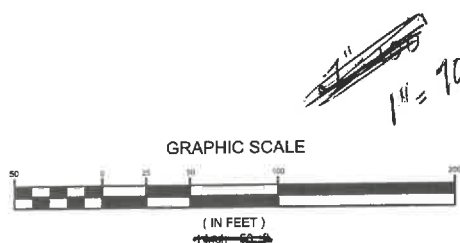
Genevieve E. Hoops
Genevieve Hoops

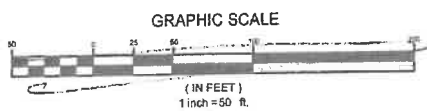
Denton L. Lyons
Denton Lyons, Selectman and
Duly Authorized Agent for the
Town of Cornwall





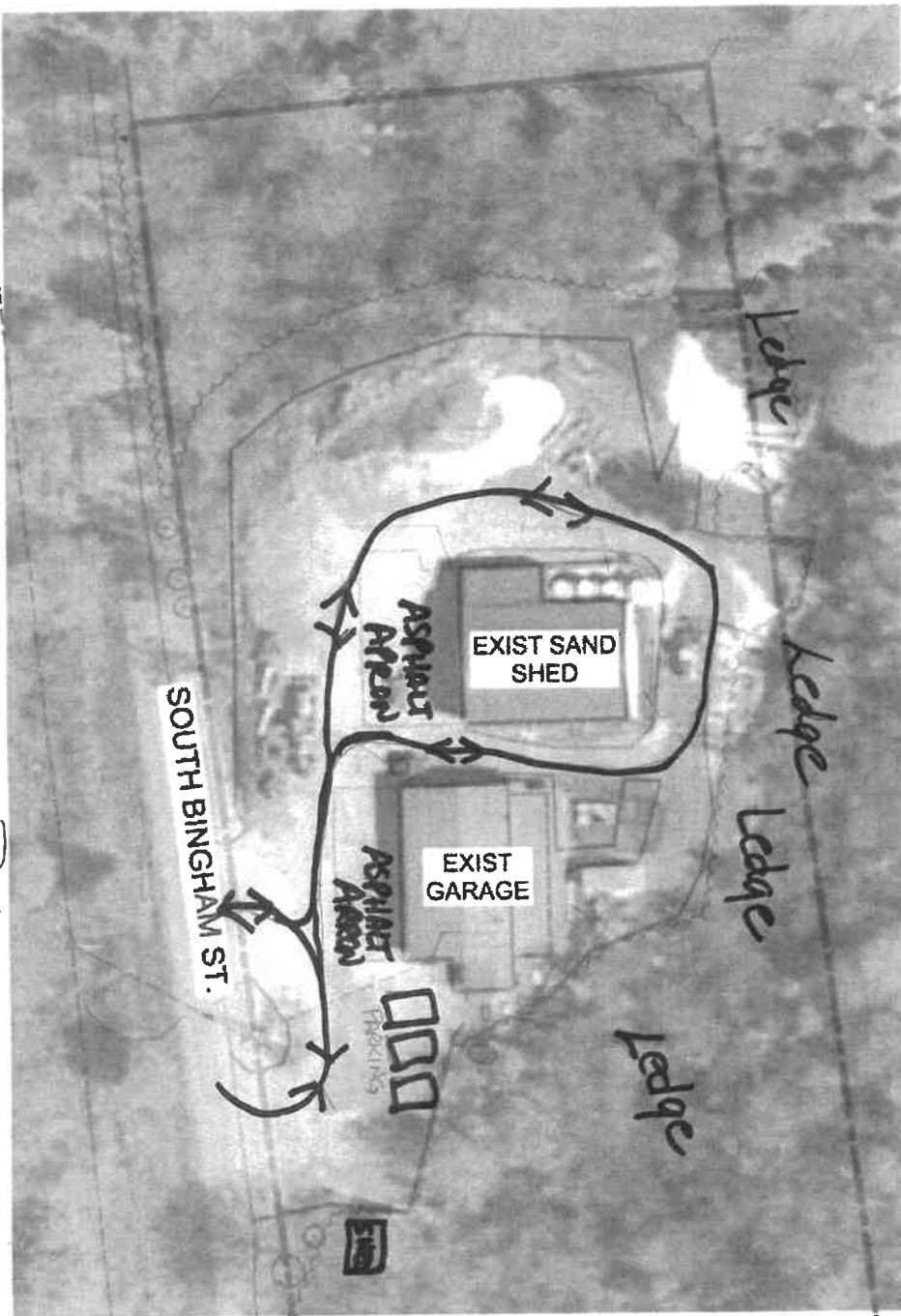
- [illegible]





SHEET DESCRIPTION		0.8" = 100'	JOB NO.	FIGURE 1
AERIAL/TOPOGRAPHIC IMAGE			DATE 9/29/2020	
PREPARED FOR			SCALE 1" = 100'	OF
TOWN OF CORNWALL GARAGE				1
1469 SOUTH BINGHAM RD				
CORNWALL, VT 05753				

Current Traffic Pattern
Ledge Outcroppings

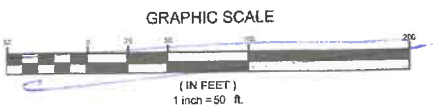


NORTH



Not to Scale



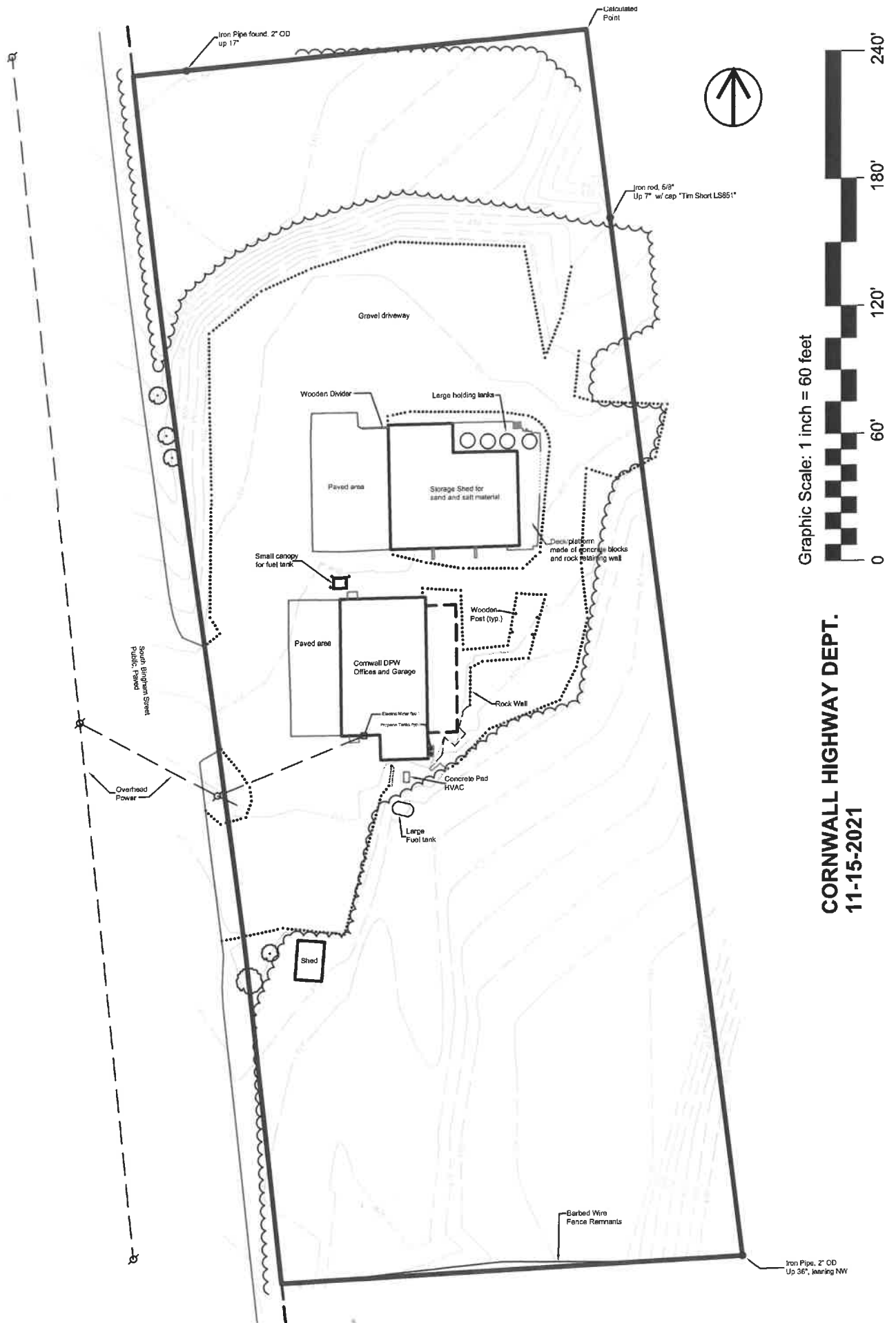


SHEET DESCRIPTION
AERIAL/TOPOGRAPHIC IMAGE

PREPARED FOR
TOWN OF CORNWALL GARAGE
1469 SOUTH BINGHAM RD
CORNWALL, VT 05753

0.8" = 100'

JOB NO.	FIGURE 1 OF
DATE 9/29/2020	
SCALE <i>1" = 100'</i>	1



CORNWALL HIGHWAY DEPT.
11-15-2021

LEGEND

- STONE WALL
- WIRE FENCE
- APPROXIMATE TOWN ROAD RIGHT OF WAY
- IRON STAKE (found)
- IRON PIPE (set)
- POINT (not monumented)
- C.V.P.S. UTILITY POLE AND NUMBER
- TELEPHONE POLE (not numbered)

AREA

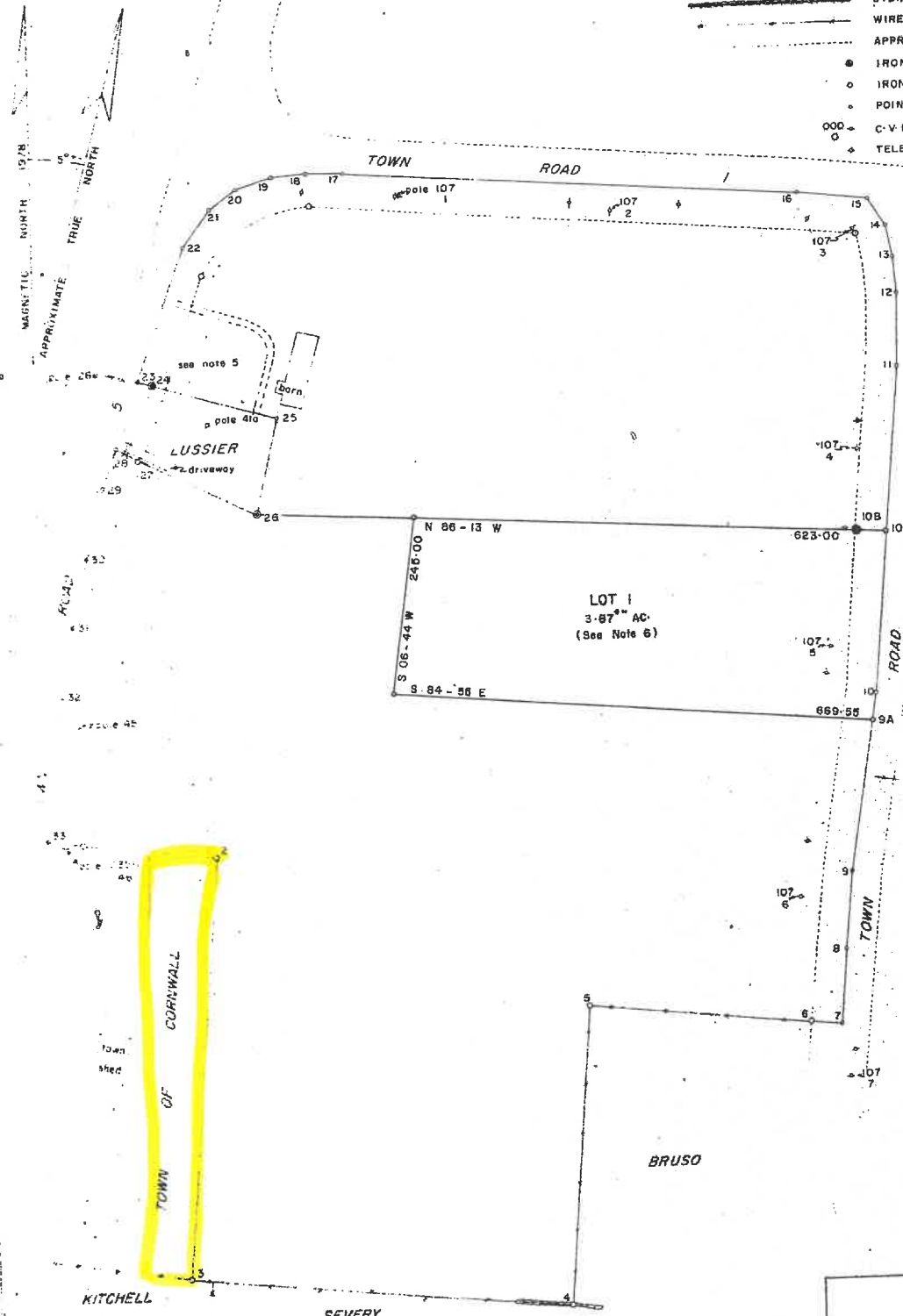
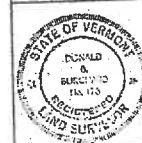
TOTAL ENCLOSED AREA = 31.67 ACRES
TOWN ROAD R.O.W. = 2.91 ACRES

POINT	TO POINT	BEARING	DISTANCE
1	2	S 83 - 01 E	188.88
2	3	S 05 - 03 W	503.31
3	4	S 84 - 35 E	535.43
4	5	N 04 - 50 E	411.09
5	6	S 83 - 55 E	312.31
6	7	S 83 - 55 E	41.25
7	8	N 05 - 31 E	104.56
8	9	N 06 - 48 E	05.76
9	10	N 08 - 59 E	250.03
10	11	N 04 - 52 E	440.72
11	12	N 02 - 02 E	99.70
12	13	N 06 - 20 W	49.23
13	14	N 11 - 12 W	45.70
14	15	N 32 - 53 W	34.95
15	16	N 83 - 14 W	98.36
16	17	N 85 - 25 W	641.22
17	18	N 86 - 53 W	49.91
18	19	S 82 - 38 W	49.56
19	20	S 73 - 58 W	50.91
20	21	S 54 - 33 W	47.81
21	22	S 38 - 37 W	63.51
22	23	S 19 - 55 W	194.30
23	24	S 73 - 21 E	21.88
24	25	S 73 - 21 E	181.06
25	26	S 13 - 21 W	153.40
26	27	N 64 - 59 W	184.61
27	28	N 64 - 59 W	34.05
28	29	S 19 - 55 W	53.19
29	30	S 14 - 39 W	99.97
30	31	S 12 - 42 W	95.58
31	32	S 09 - 23 W	97.27
32	33	S 07 - 32 W	201.92
33	34	S 83 - 01 E	19.50
9A	10	N 08 - 59 E	41.44
10	10A	N 04 - 52 E	216.56
10A	10B	N 86 - 13 W	41.83

PLAN OF LAND

owned by
HERMAN R. & GENEVIEVE E. HOOPS
located in
CORNWALL, VERMONT

SCALE: 1 INCH = 100 FEET
I CERTIFY THAT THIS MAP HAS BEEN
COMPILED FROM FIELD MEASUREMENTS
TAKEN UNDER MY DIRECTION.
R.L.S. 173 28 JANUARY 1978

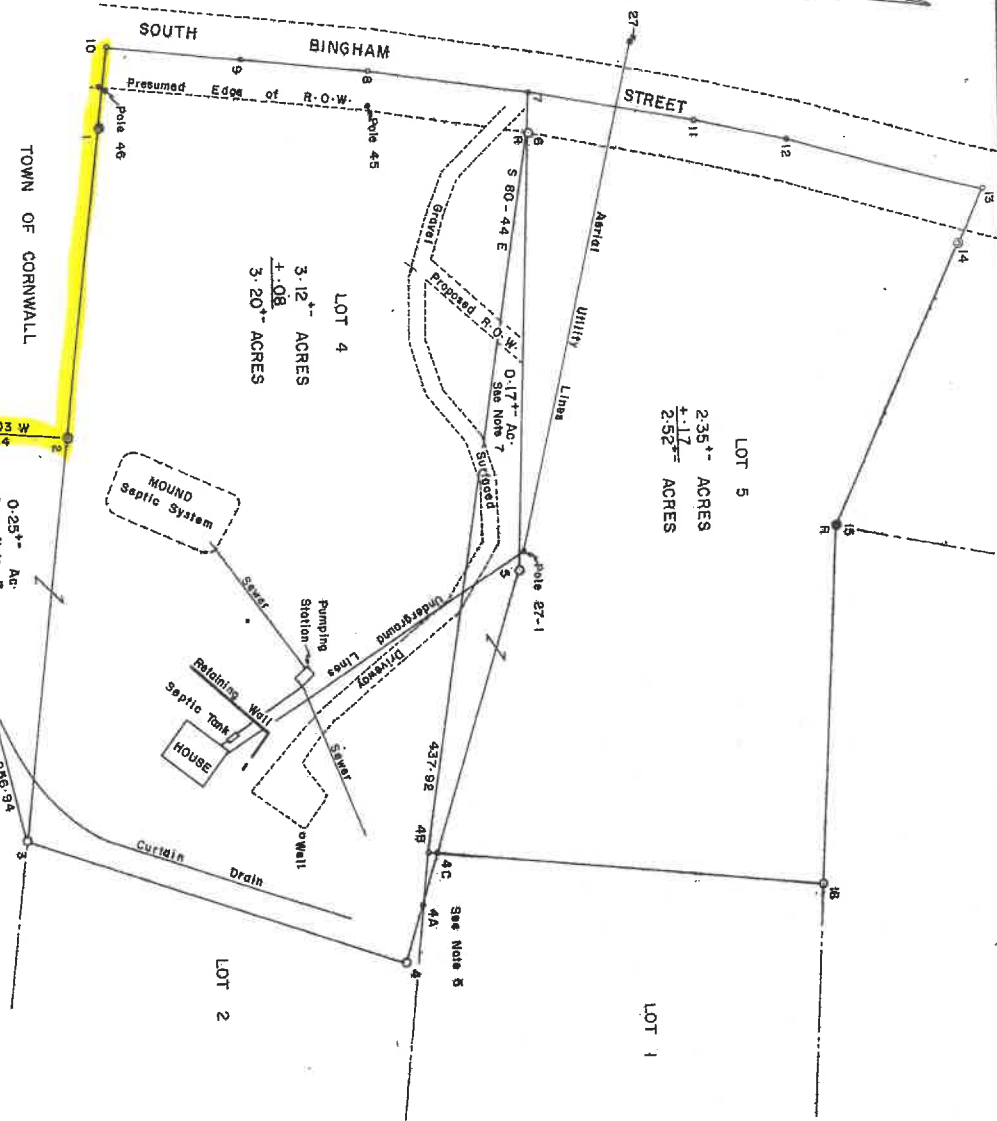
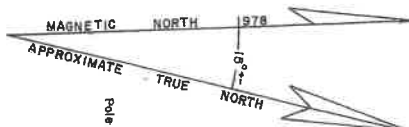


NOTE: BEARINGS ARE REFERENCED TO MAGNETIC NORTH

- THE TOWN OF CORNWALL CLAIMS A 5 ROD R.O.W. FOR ROADS GOING IN A NORTH-SOUTH DIRECTION AND A 6 ROD R.O.W. FOR EAST-WEST ROADS. THE CENTER OF THE R.O.W. IS PRESUMED TO BE THE CENTER OF THE TRAVELLED WAY.
- THE IRON PIPES SET AT CORNERS 1 AND 2 ARE SET BESIDE WOODEN SURVEY STAKES THAT WERE PRESUMED TO MARK THE NORTH CORNERS OF THE TOWN LOT.
- THE IRON PIPE SET AT CORNER 3 IS SET AT THE BASE OF A PAINTED FENCE POST THAT IS PRESUMED TO MARK THE SOUTHEAST CORNER OF THE TOWN LOT.
- THE PLAN IS "PARCEL B" OF A DEED FROM LUSSIER TO HOOPS RECORDED IN BOOK 24 PAGE 115 OF CORNWALL LAND RECORDS. THE DEED CALLS FOR CERTAIN WATER RIGHTS AND THE LIFETIME USE BY X LUSSIER, SR. OF A SMALL PARCEL OF LAND BOUNDED BY TOWN ROAD 5, THE DRIVEWAY TO THE BARN, AND LAND RESERVED BY LUSSIER.

THIS MAP WAS REVISED ON 30-DEC-'85 TO SHOW LOT 1 OF A PROPOSED SUBDIVISION OF THE ONLY PORTION OF THIS PROPERTY. 0.25 AC OF LOT 1 IS PRESUMED SUBJECT TO T.R. 25 R.O.W.

22



NOTE: 1) BEARINGS AND DISTANCES ARE CALCULATED FROM A CLOSED E. D. M. TRAVERSE. BEARINGS ARE REFERENCED TO MAGNETIC NORTH. 2) SOUTH BINGHAM STREET IS PRESUMED TO BE A THREE ROD ROAD AND THE CENTER OF THE TRAVELED WAY IS PRESUMED TO BE THE CENTER OF THE R.O.W. THE TOWN OF CORNWALL MAY CLAIM A WIDER RIGHT OF WAY. 3) 0.18+/- ACRE OF THE TOTAL ENCLOSED AREA OF LOT 4 IS PRESUMED TO BE SUBJECT TO THE R.O.W. OF SOUTH BINGHAM STREET. 4) THIS MAP IS BASED ON PHYSICAL EVIDENCE FOUND AND PERTINENT DEED DESCRIPTIONS AS RECORDED IN THE CORNWALL LAND RECORDS. 5) THIS MAP WAS REVISED ON 9-NOV-1988 TO SHOW THE DIMENSIONS OF LOT 5. POINTS 4A, 4B AND 4C WERE MONUMENTED WITH IRON PIPES ON 8-NOV-1988. 6) 0.13+/- ACRE OF LOT 5 IS PRESUMED TO BE SUBJECT TO THE R.O.W. OF SOUTH BINGHAM STREET. 7) THIS MAP WAS REVISED ON 11-DECEMBER-1988 SO AS TO INCREASE THE SIZE OF LOT 5 TO 2.52 ACRES BY REDUCING THE SIZE OF LOT 4 BY 0.17 ACRE. 0.25 ACRE OF LOT 3 WAS THEN ADDED TO LOT 4 TO MAKE 3.20 ACRES.

POINT TO POINT	BEARING	DISTANCE
1	S 83 - 01 E	188.68
2	S 83 - 01 E	243.94
3	N 19 - 03 E	244.66
4	N 72 - 35 W	245.03
5	N 87 - 43 W	264.62
6	N 87 - 43 W	26.08
7	S 09 - 00 W	100.04
8	S 07 - 13 W	79.73
9	S 06 - 48 W	61.13
10	S 83 - 01 E	49.20
11	N 72 - 35 W	36.72
12	N 84 - 55 W	32.51
13	N 06 - 44 E	7.07
14	N 72 - 35 W	176.73

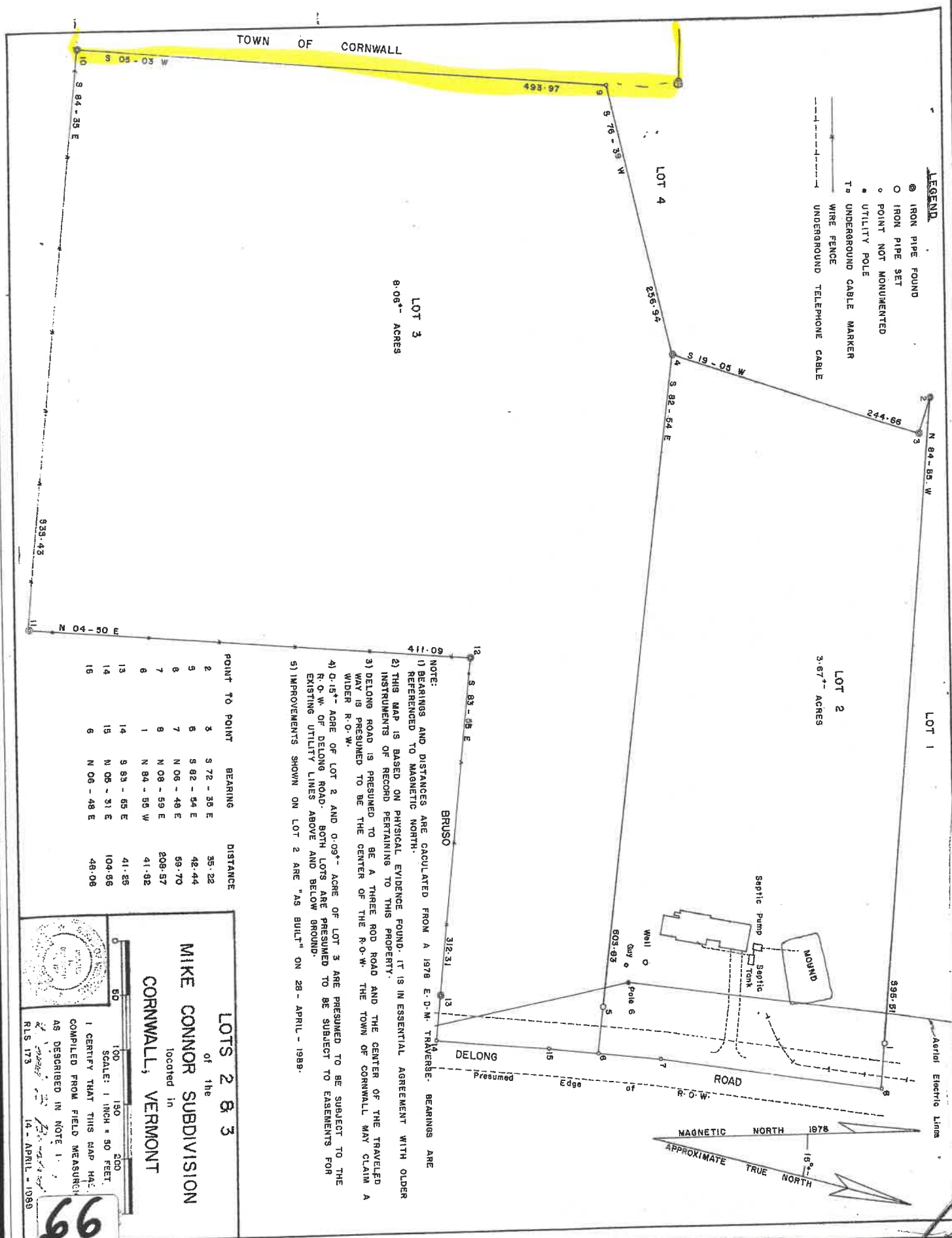
POINT TO POINT	BEARING	DISTANCE
1	N 87 - 43 W	264.62
2	N 87 - 43 W	25.08
3	N 11 - 50 E	103.64
4	N 13 - 52 E	58.63
5	N 16 - 16 E	125.76
6	S 84 - 59 E	34.39
7	S 64 - 59 E	184.61
8	S 86 - 13 E	217.04
9	S 06 - 44 W	237.93
10	N 72 - 35 W	176.73

LEGEND
 @ IRON PIPE FOUND
 O IRON PIPE SET
 R O IRON ROD SET
 * POINT NOT MONUMENTED
 * UTILITY POLE
 OTHER PROPERTY LINES

REVISED: 9-NOV-1988; 11-DEC-1988

LOT 4
 of the
 MIKE CONNOR SUBDIVISION
 located in
 CORNWALL, VERMONT

1 CERTIFY THAT THIS MAP HAS BEEN COMPILED FROM FIELD MEASUREMENTS DESCRIBED IN NOTE 1.
 13 - JULY - 1988
 RLS 173



RLS 173 14 - APRIL - 1985

1. Existing Garage
2. Existing Sand/salt
3. Shipping container
4. Cold storage
5. Generator
6. Well
7. Grader
8. loader
9. Proposed addition to garage
10. Outside storage multi-level
11. Parking
12. Proposed new structure
13. Proposed Apron

