



OTTER CREEK
ENGINEERING

payment received
04/09/2025
\$180.00 ck #27725

April 9, 2025

Mr. Lynn Coale
Town of Cornwall
2629 Route 30
Cornwall, VT 05753
dorseycoale@gmail.com

Via email

Subject: 295 Bardon Drive - 4 Lot Subdivision Sketch Plan Review

Dear Lynn:

On behalf of our client Michael and Gisela Palmer, we are pleased to present the enclosed Sketch Plan Review materials for the subdivision of a 22.18 acre parcel located in the Low Density Residential District.

We have enclosed the following to facilitate your review:

1. Development Review Board Application for Waiver,
2. Development Review Board Application for Subdivision of Land,
3. Check in the amount of \$180.00 (\$90.00 for Subdivision DRB review, \$90.00 for Waiver DRB Review) payable to the "Town of Cornwall", under separate cover,
4. Project Narrative,
5. Existing Property Deed Recorded in the Town of Cornwall Land Records Book 49, Page 73,
6. Location map,
7. Drawing A as prepared by Otter Creek Engineering titled "Michael & Gisela Palmer 295 Bardon Drive" dated 04/07/2025.

Thank you in advance for your review and consideration of this application. Should you have any questions or require additional information, please give me a call.

Sincerely,

Nathan Claessens, E.I.
Staff Engineer II

C: Michael Palmer (via email)
Gisela Palmer (via email)

Enc. /5/
1282-001 P2

With Offices in
East Middlebury, VT | Rutland, VT
www.OtterCrk.com

**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

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NON-CONFORMING STRUCTURES AND USES, ACTIVITIES IN FLOODPLAIN,
APPEALS, AND SITE PLAN REVIEW**

(Please type or print legibly)

1. Applicant Michael and Gisela Palmer

Address 295 Bardon Drive, Cornwall, VT 05753

Phone No. 802-398-7737 Email Address mike@winbeforetrial.com

If Corporation, name of Representative _____

Is this a Corporation registered in Vermont? _____

2. Name of Record Owner Michael and Gisela Palmer

Address 295 Bardon Drive, Cornwall, VT 05753

Phone No 802-398-7737 Email Address mike@winbeforetrial.com

If Corporation, name of Representative _____

Is this Corporation registered in Vermont? _____

3. Location of Property South of VT Route 30, between Bardon Drive and Andrus Pitch

4. Tax Map Description: Map # _____ Block # _____ Lot # _____

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 ZA.)**
- Application for site plan review.
- Other. Please describe: _____

6. Provisions of the Zoning Regulations that are in question:
Interior Lot Front Yard Setback in the LDR

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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):

This application is submitted with a 4 lot subdivision application. All lots are considered interior lots and must meet the front yard setback of 100 feet from centerline of road. This waiver application is submitted to request a setback waiver of 75 feet from the boundary line of the proposed lot 2 and the existing adjoining property of M. Hartley Macfadden Trust. This waiver will increase the available building envelope for lot 2, and improve constructability on this lot in the future.

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):

The waiver requested is for a Single Family Dwelling which is a use permitted within the LDR District.

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 waiver requested is for a Single Family Dwelling which is a use permitted within the LDR District.

10. The property is located in the following zoning district: Low Density Residential (LDR)

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11. The size of the lot is approximately: 22.18 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):
Existing Right of Way/Easement is granted to Bardon Drive and Andrus Pitch.
Existing deed is recorded in the Town of Cornwall Land Records dated February 3, 2000 Book 49, Page 73
13. The property has the following road frontage: 1,000 feet along Andrus Pitch
14. The deed into the current landowner(s) is recorded at Book 49, Page 73,
and must be attached hereto.

Signature of Applicant Michael Palmer, Gisela Palmer
Date April 9, 2025 Gisela Palmer

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.
- **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.

Form updated June 2021

**TOWN OF CORNWALL
DEVELOPMENT REVIEW BOARD
APPLICATION FOR SUBDIVISION OF LAND**

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- 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.
- Additional information concerning Application Procedures may be found in the following sections of the Cornwall Subdivision Regulations:
 - Section 220: Boundary Line Adjustments
 - Section 230: Sketch Plan Phase for Major or Minor Subdivision
 - Section 240: Major Subdivision Application and Procedure
 - Section 250: Minor Subdivision Application and Procedure
- Application Requirements may be found in the following sections of the Cornwall Subdivision Regulations:
 - Section 310: Sketch Plan Review
 - Section 320: Major Subdivision – Preliminary Plan
 - Section 330: Major Subdivision – Final Application
 - Section 340: Minor Subdivision

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

1. Applicant Michael and Gisela Palmer
Address 295 Bardon Drive, Cornwall, VT 05753
Phone No. 802-398-7737 Email Address mike@winbeforetrial.com
If Corporation, name of Representative _____
Is this a Corporation registered in Vermont? _____
2. Name of Record Owner Michael and Gisela Palmer
Address 295 Bardon Drive, Cornwall, VT 05753
Phone No 802-398-7737 Email Address mike@winbeforetrial.com
If Corporation, name of Representative _____
Is this Corporation registered in Vermont? _____
3. Names of Advisors and their professional area:
Nathan Claessens (Otter Creek Engineering) - Civil Engineering

4. Name of Subdivision Palmer Subdivision
5. Location of Subdivision South of VT Route 30, between Bardon Drive and Andrus Pitch
6. Acreage of Subdivision 22.18 acres
Acreage of Owner's adjoining property 8.8 acres
Acreage of Owner's Cornwall property not adjoining _____
Acreage of property under option 13.38 acres

**TOWN OF CORNWALL
DEVELOPMENT REVIEW BOARD
APPLICATION FOR SUBDIVISION OF LAND**

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

Date February 3, 2000 Book 49 Page 73

Date _____ Book _____ Page _____

Date _____ Book _____ Page _____

8. Brief description of size and type of Subdivision:


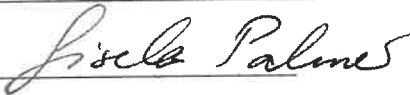
4 lot subdivision of an existing 22.18 acre lot located in the Low Density Residential District.

A setback waiver for the proposed boundary line of lots 1 and 2 is requested.

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

State of Vermont Wastewater and Water Permit

10. Signature of Applicant

 Michael Palmer  Gisela Palmer

Date April 9, 2025

Gisela Palmer

Please attach:

- Deed.
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Is this a Corporation registered in Vermont? _____
2. Name of Record Owner Michael and Gisela Palmer
Address 295 Bardon Drive, Cornwall, VT 05753
Phone No 802-398-7737 Email Address mike@winbeforetrial.com
If Corporation, name of Representative _____
Is this Corporation registered in Vermont? _____
3. Names of Advisors and their professional area:
Nathan Claessens (Otter Creek Engineering) - Civil Engineering

4. Name of Subdivision Palmer Subdivision
5. Location of Subdivision South of VT Route 30, between Bardon Drive and Andrus Pitch
6. Acreage of Subdivision 22.18 acres
Acreage of Owner's adjoining property 8.8 acres
Acreage of Owner's Cornwall property not adjoining _____
Acreage of property under option 13.38 acres

TOWN OF CORNWALL
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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 February 3, 2000 Book 49 Page 73

Date _____ Book _____ Page _____

Date _____ Book _____ Page _____

8. Brief description of size and type of Subdivision:

4 lot subdivision of an existing 22.18 acre lot located in the Low Density Residential District.

A setback waiver for the proposed boundary line of lots 1 and 2 is requested.

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

State of Vermont Wastewater and Water Permit

10. Signature of Applicant

Michael Palmer Gisela Palmer

Date April 9, 2025

Gisela Palmer

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.
- Any and all additional materials and information required by the applicable regulations.

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Please note: The DRB may ask for additional information.

Form updated November 2022



April 9, 2025

Project Narrative

Michael and Gisela Palmer own 295 Bardon Drive (Parcel 060124) in Cornwall, this 22.18 acre property currently consists of an existing single family residence with an attached garage. The owner is requesting approval of a 4-lot subdivision. Lots 1 and 2 will be accessed from the existing Bardon Drive with a 50' access and utility easement. Lots 3 and 4 will be accessed by private driveways to Andrus Pitch. The existing residence at 295 Bardon Drive will remain, and the three additional lots created by this subdivision will remain undeveloped until sold.

With this submission we are seeking approval for subdivision of the lot and an administrative setback waiver to reduce the interior front lot setback distance from 100 feet to 75 feet from the existing property line of M. Hartley Macfadden Trust for the proposed lot 2. We understand that the proposed subdivision is in the Town Designated Low Density Residential (LDR) District and will require a Town of Cornwall DRB Application for Subdivision of Land from the Town of Cornwall. No utility improvements or development of the proposed lots is planned at this time Responses to the applicable subsections of the Cornwall Subdivision Regulations Article III: Application Requirements are provided below and are to be taken into consideration to facilitate the review of this application by the Town of Cornwall.

Section 310 Sketch Plan Review

The proposed subdivision involves four residential lots within the LDR district. Lot 1 is 8.8 acres and is to be considered the primary lot of the subdivision. Lot 2 is 4.6 acres and is located north of Lot 1. Lot 3 is 4.3 acres and is located east of Lot 1. Lot 4 is 4.5 acres and is located northeast of Lot 1. Subdivided lots will require a State of Vermont Wastewater and Water Supply permit prior to construction. The intent of the applicant is to market these lots for sale with an issued Wastewater and Water Supply Permit in hand.

Lot 1 has an existing house at the termination of Bardon Drive. The three other lots, numbered 2, 3, and 4, are located north and east of Lot 1 and each are intended to be used as 5-bedroom single family residences.

The existing Bardon Drive will service lots 1 and 2 with a 50' wide access easement from the centerline of the existing drive. Lot 3 and 4 will be accessed by private driveways to Andrus Pitch. These access points are in keeping with the development patterns along both Bardon Drive and Andrus Pitch where private driveways lead to residential buildings from a road with an access easement. The subject parcel deed grants the applicant with the right to access both Bardon Drive and Andrus Pitch.

WARRANTY DEED

KNOW ALL PEOPLE BY THESE PRESENTS that MERRITT C. CHANDLER, a single person, of Cornwall, in the County of Addison, State of Vermont, Grantor, in consideration of Ten or More Dollars paid to his full satisfaction by MICHAEL P. PALMER and GISELA PALMER, of Middlebury, in the County of Addison, State of Vermont, Grantees, by these presents does freely GIVE, GRANT, SELL, CONVEY AND CONFIRM unto the said Grantees, MICHAEL P. PALMER and GISELA PALMER, husband and wife, their heirs and assigns, forever, certain lands and premises in the Town of Cornwall, County of Addison, and State of Vermont, described as follows, viz:

PARCEL 1:

Being all and the same lands and premises conveyed to Merritt C. Chandler and Ruth B. Chandler (now deceased) by Executrix's Deed of M. Hartley MacFadden, Executrix of the Estate of Barbara A. MacFadden dated May 2, 1983 and recorded in Book 29, Page 436, and being more particularly described therein as follows:

"A portion of all and the same lands and premises conveyed to Donald S. MacFadden and Barbara A. MacFadden by Warranty Deed of Raynold J. and Reseda L. Pratt, dated 10 January 1969, and recorded at Book 22, Page 87 of the Cornwall Land Records, being a parcel of land and dwelling house and other improvements thereon located southerly of Vermont Route 30, said parcel herein conveyed being more particularly described as follows:

Commencing at a point marked by an iron pipe on the line of the southerly or southeasterly edge of the right of way of Vermont Route 30, being the northwesterly corner of a 10.75 acre parcel of land heretofore conveyed by the Grantor to M. Hartley MacFadden;

Thence proceeding in the following courses and distances in M. Hartley MacFadden's westerly line:

S 05° 13' W, 81.72 feet to a point;
 S 06° 55' W, 106.25 feet to a point;
 S 10° 30' W, 73.67 feet to a point;
 S 22° 18' W, 104.35 feet to a point;
 S 29° 49' W, 203.02 feet to a point;
 S 31° 50' W, 176.00 feet to a point;
 S 32° 02' W, 54.19 feet to a point;

S 35° 08' W, 81.48 feet to a point;

Thence proceeding S 82° 16' E, 29.32 feet to a point marked by an iron pipe;

Thence proceeding S 82° 16' E, 327.17 feet to a point marked by an iron pipe;

Thence proceeding S 82° 16' E, 150.00 feet to a point;

Thence proceeding S 21° 00' W, 540.21 feet to a point marked by an iron pipe;

Thence proceeding S 17° 19' W, 275.12 feet to a point marked by an iron pipe;

Thence proceeding S 10° 04' W, 478.69 feet to a point marked by an iron pipe;

Thence proceeding N 75° 05' W, 207.57 feet to a point marked by an iron pipe, being the northeasterly corner of lands now or formerly of Ridgway;

Thence proceeding N 75° 05' W, 701.03 feet to a point marked by an iron pipe;

Thence proceeding N 06° 49' E, 364.24 feet to a point marked by an iron pipe;

Thence proceeding N 26° 41' E, 846.63 feet to a point marked by an iron pipe in the southerly line of lands of Castiglione;

Thence proceeding S 83° 09' E, 176.92 feet to a point marked by an iron pipe in Castigliones' southeasterly corner;

Thence proceeding N 08° 23' E, 357.43 feet to a point marked by an iron pipe;

Thence proceeding N 60° 27' E, 285.80 feet to a point marked by an iron pipe;

Thence proceeding N 11° 53' W, 188.02 feet to a highway monument on the southerly edge of the right of way of Vermont Route 30, being Covey's northeasterly corner;

Thence proceeding N 67° 13' E, 235.08 feet to the point of beginning.

Also conveyed but by quit-claim only are all Grantor's right, title and interest to any lands between the northerly most line of the premises herein conveyed (said line having a bearing of N 67° 13' E, 235.08 feet) from the center line of Vermont Route 30.

Together with the benefit of a restrictive covenant set forth in a Deed from Barbara A. MacFadden to one Ridgway, recorded at Book 28, Page 249 of the Cornwall Land

POWERS, ENGLISH,
CARROLL & RITTER, LTD.
64 COURT STREET
MIDDLEBURY, VT. 05753
(802) 388-6711
FAX 388-2111

Records, which said restriction is more particularly set forth in said Ridgway Deed as follows:

'No buildings shall be constructed within the following described area:

'Commencing at the easterly terminus of the course described above as 'S 84° 48' E, 1,198.38 feet', said easterly terminus being marked by an iron pipe;

'Thence proceeding southerly in the easterly line of the premises herein conveyed, 300 feet to a point;

'Thence proceeding N 84° 48' W, 300 feet to a point;

'Thence proceeding northerly in a line parallel to the easterly line of the premises herein conveyed, 300 feet to said premises' northerly line;

'Thence proceeding S 84° 48' E, approximately 300 feet to the point of beginning.'

Subject to the right of way conveyed by the Grantor herein to M. Hartley MacFadden in the Grantor's Deed of said 10.75 acre parcel.

Together with the benefit of the right of way reserved by the Grantor herein along the westerly line of said 10.75 acre parcel in Grantor's Deed to M. Hartley MacFadden.

Grantor Estate, for itself and its successors and assigns, agrees with the Grantees, their heirs, successors and assigns, that in the event a roadway is opened to the east of the herein conveyed premises along the old road at the foot of the hill, a right of way from the herein conveyed property to said roadway at a location of the Grantees' choice will be provided by the Grantor Estate, its successors or assigns, together with a right of way for ingress and egress in common with Grantor Estate, its successors and assigns, and others, along said roadway to Route 30 (both of said rights of way to be provided by execution and delivery to the Grantees, their heirs, successors and assigns, of a good and sufficient right of way deed in recordable form), provided that at such time as actual use of said roadway by the Grantees, their heirs, successors and assigns, shall commence, the Grantees, their heirs, successors and assigns, shall reimburse the Grantor Estate, its successors or assigns, one-eighth (1/8) the cost of such roadway to the Grantees' driveway location, and likewise the Grantees, their heirs, successors and assigns, after commencing such use shall be responsible for one-eighth (1/8) of the maintenance of said roadway to the point of such driveway entrance. Actual use as used above shall be deemed to commence upon regular usage of such roadway by the Grantees, or their heirs, successors and assigns, to service a dwelling or other principal use on the herein conveyed premises. Without limitation, the occasional use of any such roadway for agricultural purposes, or other similar occasional uses, shall not impose such payment obligation on the Grantees, their heirs, successors or assigns.

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This provision for driveway access and a right of way to and over said old road shall only apply with respect to the herein conveyed lands lying southerly of the following described line, and no benefit of this provision shall inure to the benefit of nor shall any of the burdens of this provision be imposed upon the owners of any lands lying northerly of such line. Said line is described as:

Commencing at a point which bears S 26° 41' W, 265 feet from an iron pipe on the southerly line of lands of Castiglione, said iron pipe lying in the westerly most line of the premises herein conveyed;

From said point which lies 265 feet, S 26° 41' W as aforesaid, the line herein described proceeds S 78° 33' E, 838.29 feet to the easterly most line of the premises herein conveyed.

It is the intention of this provision that no portion of the benefit of said driveway access right of way/roadway payment obligation be imposed upon the owner of lands northerly of said line.

Reference is hereby made to a survey entitled "Plan of Land Owned by the Barbara MacFadden Estate, located in Cornwall, Vermont", prepared by Donald B. Burchard, Land Surveyor, and dated 10 January 1983.

The said Donald S. MacFadden predeceased Barbara A. MacFadden, the date of his death being 12 March 1978 and the date of her death being 27 August 1981.

This being a portion of the real estate whereof the said Barbara A. MacFadden died seized and possessed in the said town of Cornwall, County of Addison and State of Vermont."

EXCLUDING those lands and premises conveyed to M. Hartley MacFadden by Warranty Deed of Merritt C. Chandler and Ruth B. Chandler dated May 2, 1983 and recorded in Book 29, Page 442, and more particularly described therein as follows:

"A portion of all and the same lands and premises conveyed to the herein Grantors by Executrix's Deed of the Estate of Barbara A. MacFadden, dated May 2, 1983 and to be recorded prior to this Deed in the Cornwall Land Records, being a parcel of land located on the southerly or southeasterly side of Vermont Route 30, said parcel being more particularly described as follows:

Commencing at a point marked by an iron pipe on the line of the southerly or southeasterly edge of the right of way of Vermont Route 30, being the northwesterly corner of a 10.75 acre parcel of land heretofore conveyed by the Estate of Barbara A. MacFadden to M. Hartley MacFadden;

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Thence proceeding in the following courses and distances in M. Hartley MacFadden's westerly line:

S 05° 13' W, 81.72 feet to a point;
 S 06° 55' W, 106.25 feet to a point;
 S 10° 30' W, 73.67 feet to a point;
 S 22° 18' W, 104.35 feet to a point;
 S 29° 49' W, 203.02 feet to a point;
 S 31° 50' W, 176.00 feet to a point;
 S 32° 02' W, 54.19 feet to a point;
 S 35° 08' W, 81.48 feet to a point;

Thence proceeding S 82° 16' E, 29.32 feet to a point marked by an iron pipe;

Thence proceeding S 82° 16' E, 327.17 feet to a point marked by an iron pipe;

Thence proceeding S 82° 16' E, 150.00 feet to a point;

Thence proceeding S 21° 00' W, 310.00 feet to a point;

Thence proceeding N 78° 33' W, 838.29 feet to a point in the easterly line of lands now or formerly of Winner;

Thence proceeding N 26° 41' E, 265 feet to a point marked by an iron pipe, said point lying in the southerly line of lands of Castiglione;

Thence proceeding S 83° 09' E, 176.92 feet to a point marked by an iron pipe in Castigliones' southeasterly corner;

Thence proceeding N 08° 23' E, 357.43 feet to a point marked by an iron pipe;

Thence proceeding N 60° 27' E, 285.80 feet to a point marked by an iron pipe;

Thence proceeding N 11° 53' W, 188.02 feet to a highway monument on the southerly edge of the right of way of Vermont Route 30, being Covey's northeasterly corner;

Thence proceeding N 67° 13' E, 235.08 feet to the point of beginning.

Grantors, their heirs, successors and assigns, reserve to themselves the benefit of the driveway access and right of way to and over the old road lying east of the premises described in said Deed from the MacFadden Estate to them, subject to all the provisions thereof, and no portion of the benefit of said provision is transferred to the Grantee herein.

Together with the right, in common with the Grantors, their heirs, successors and assigns, to the benefit of a certain restrictive covenant against the prohibition of buildings set forth in a Deed from Barbara A. MacFadden to one Ridgway, recorded at Book 28, Page 249 of the Cornwall Land Records. It is the intent of this paragraph that both the Grantors and Grantee, their heirs, successors and assigns be able to enforce this restriction."

PARCEL 2:

Being all and the same lands and premises conveyed to Merritt C. Chandler by Warranty Deed of Irene H. Winner, dated September 7, 1995 and recorded in the Town of Cornwall Land Records in Book 43, Page 12, and being more particularly described therein, as follows:

"Being a PORTION ONLY of the lands and premises conveyed to James Robert Winner (now deceased) and Irene Hamilton Winner by the following deeds:

1. Warranty Deed from John E. Post and Margaret E. Post to James Robert Winner and Irene Hamilton Winner, dated July 2, 1962 and recorded in Volume 20 at Page 474 of the Cornwall Land Records; and,
2. Warranty Deed from John E. Post and Margaret E. Post to James Robert Winner and Irene Hamilton Winner, dated July 30, 1962 and recorded in Volume 20 at Page 486 of the Cornwall Land Records.

Beginning at a point lying in the southerly line of lands of the Grantor and in the northerly line of lands of William and Mary Stevenson, said point marked by a rebar and plastic cap; thence,

Proceeding on a bearing of S 84° 29' E along a stone wall marking the southerly line of the parcel described and conveyed hereby and the northerly line of lands of the said Stevensons, a distance of 160.85 feet to a point marked by an iron pipe, said point marking the southeasterly corner of the parcel described and conveyed hereby; thence,

Turning to the left and proceeding on a bearing of N 26° 40' E along a stone wall marking a westerly line of lands of the Grantee herein, a distance of 581.86 feet to a point marked by an iron pipe, said point believed to mark a northwesterly corner of lands of the Grantee and the southwesterly corner of lands of MacFadden; thence,

Proceeding on a bearing of N 26° 41' E along a stone wall marking a westerly line of lands of MacFadden, a distance of 203.24 feet to a point marked by an iron pipe, said point marking the northeasterly corner of the parcel described and conveyed hereby; thence,

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Turning to the left and proceeding on a bearing of N 83° 14' W along the southerly line of lands of Castiglione as marked by a wire fence, a distance of 103.43 feet to a point marked by an iron pipe; thence,

Continuing on said bearing of N 83° 14' W along a southerly line of lands of Conroy, a distance of 56.04 feet to a point marked by a rebar and plastic cap, said point marking the northwesterly corner of the parcel described and conveyed hereby; thence,

Turning to the left and proceeding on a bearing of S 26° 40' W along the easterly line of lands retained by the Grantor and the westerly line of the parcel described and conveyed hereby as marked by a blazed line, a distance of 788.84 feet to the point and place of beginning.

Containing 2.71 acres, more or less.

Said lands are shown as Parcel 2 on a survey map entitled "Plan of Land Owned by J.R. Winner, Jr. & I.H. Winner Located in Cornwall, Vermont", dated July 11, 1995 and drawn by Donald B. Burchard, RLS #173, to be recorded in the Cornwall Land Records.

The herein described and conveyed parcel is subject to the terms and conditions of State of Vermont Agency of Natural Resources Deferral of Permit No. DE-9-1176 dated June 27, 1995, which is intended to be recorded in the Cornwall Land Records, including but not limited to the following:

'In order to comply with the State of Vermont Environmental Protection Rules on the subdivision of lands and 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 or convey this land without first complying with said State regulations. The grantee by acceptance of this deed acknowledges that this lot may not qualify for approval for development under the appropriate environmental protection or health regulations and that the State may deny an application to develop the lot.'

The above parcel does not have frontage on a public highway and no easement, expressed or implied, is intended to be conveyed hereby.

Reference is hereby made to the above mentioned instruments, the records thereof, the references therein made, and their respective records and references in aid of this description."

TOGETHER WITH a 50' wide right of way conveyed to Merritt C. Chandler and Ruth B. Chandler (deceased) by Warranty Deed from M. Hartley MacFadden dated May 2, 1983 and

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recorded in the Cornwall Land Records in Book 29, Page 445, and more particularly described therein as follows:

"A right of way 50 feet in width, to be used in common with the Grantor, her heirs, successors and assigns, for ingress and egress to the Grantees' remaining lands described in a Deed to them from the Estate of Barbara A. MacFadden, such lands lying southerly of a parcel this day conveyed by the Grantees to the Grantor. Also conveyed is the right to construct, reconstruct, maintain and repair a roadway within the right of way limits. The center line of said right of way is more particularly described as follows:

Commencing at a point on the southerly edge of the right of way of Vermont Route 30, being the northwesterly corner of a 10.75 acre parcel heretofore conveyed by the Estate of Barbara A. MacFadden to the Grantor herein;

Thence proceeding along the following courses and distances:

S 05° 13' W, 81.72 feet to a point;
 S 06° 55' W, 106.25 feet to a point;
 S 10° 30' W, 73.67 feet to a point;
 S 22° 18' W, 104.35 feet to a point;
 S 29° 49' W, 203.02 feet to a point;
 S 31° 50' W, 176.00 feet to a point;
 S 32° 02' W, 54.19 feet to a point;
 S 35° 08' W, 81.48 feet to a point;

Thence continuing in a southwesterly direction, following the center line of the existing driveway to the southerly line of said lands conveyed by the Grantees to the Grantor by Deed of even date.

Reference is hereby made to a survey entitled "Plan of Land Owned by the Barbara MacFadden Estate, located in Cornwall, Vermont", prepared by Donald B. Burchard, Land Surveyor, and dated 10 January 1983."

Reference may be had to a Survey Map entitled "Plan of Land owned by Merritt C. Chandler located in Cornwall, Vermont," prepared by Donald B. Burchard, dated August 11, 1995 and filed in the Town of Cornwall Land Records as Map #103, being 22.18 acres, more or less.

Subject to easements, rights of way and restrictive covenants of record, and governmental permits, as of the date hereof, provided, however, that encumbrances otherwise extinguished by the operation of law, including the Vermont Marketable Record Title Act, are not hereby revived.

TO HAVE AND TO HOLD said granted premises, with all the privileges and appurtenances thereof, to the said Grantees, MICHAEL P. PALMER and GISELA

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PALMER, husband and wife, as tenants by the entirety, their heirs and assigns, to their own use and behoof forever; and the said Grantor, MERRITT C. CHANDLER, for himself and his heirs and assigns, does covenant with the said Grantees, MICHAEL P. PALMER and GISELA PALMER, their heirs and assigns, that until the ensealing of these presents, he is the sole owner of the premises and has good right and title to convey the same in manner aforesaid, that they are FREE FROM EVERY ENCUMBRANCE, except as aforesaid. And he does hereby engage to WARRANT AND DEFEND the same against all lawful claims whatever, except as aforesaid.

IN WITNESS WHEREOF, I have hereunto set my hand this 31st day of January, 2000.

IN PRESENCE OF:

Daniel R. Powers
Witness

Merritt C. Chandler
Merritt C. Chandler

STATE OF VERMONT
COUNTY OF ADDISON, SS.

At Middlebury, in said County, this 31st day of January, 2000, personally appeared Merritt C. Chandler, and he acknowledged this instrument, by him subscribed, to be his free act and deed.

Before me, *Daniel R. Powers*
Notary Public
My Commission Expires: 2/10/03

Cornwall Town Clerk's Office
received for record Feb. 3, 2000
at 12:30 p.m.
Attest: *Jeanne Payne* Clerk

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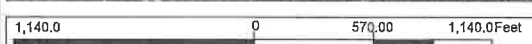
LEGEND

- Parcels (standardized)
- Roads**
 - Interstate
 - US Highway, 1
 - State Highway
 - Town Highway (Class 1)
 - Town Highway (Class 2,3)
 - Town Highway (Class 4)
 - State Forest Trail
 - National Forest Trail
 - Legal Trail
 - Private Road/Driveway
 - Proposed Roads
- Town Boundary

NOTES

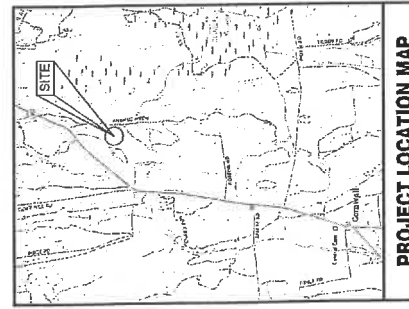
Map created using ANR's Natural Resources Atlas

1: 6,839
February 20, 2025



WGS_1984_Web_Mercator_Auxiliary_Sphere 1" = 570 FL 1cm = 68 Meters
© Vermont Agency of Natural Resources THIS MAP IS NOT TO BE USED FOR NAVIGATION

DISCLAIMER: This map is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. ANR and the State of Vermont make no representations of any kind, including but not limited to, the warranties of merchantability, or fitness for a particular use, nor are any such warranties to be implied with respect to the data on this map.



PROJECT LOCATION MAP

GENERAL NOTES
 1. INFORMATION OF THESE PLANS FROM THE FOLLOWING SOURCES WAS RECORDED IN THE PUBLIC RECORDS OF CORNWALL, VERMONT: RECORDS BOOK NO. 129, PAGE 188 AND RECORDS BOOK NO. 129, PAGE 189. THE RECORDS OF THESE PLANS FROM THE FOLLOWING SOURCES WAS RECORDED IN THE PUBLIC RECORDS OF CORNWALL, VERMONT: RECORDS BOOK NO. 129, PAGE 188 AND RECORDS BOOK NO. 129, PAGE 189.

2. ELEVATION IS BASED ON NAVD 83.

3. CORNWALL, VERMONT IS BASED ON VERMONT STATE PLANS AND 83 US SURVEY FEET.

4. REFER TO LEGEND LOCATED ON THIS SHEET FOR SYMBOL REGULATIONS.

5. THIS IS NOT A SURFACE SPECIFIC.

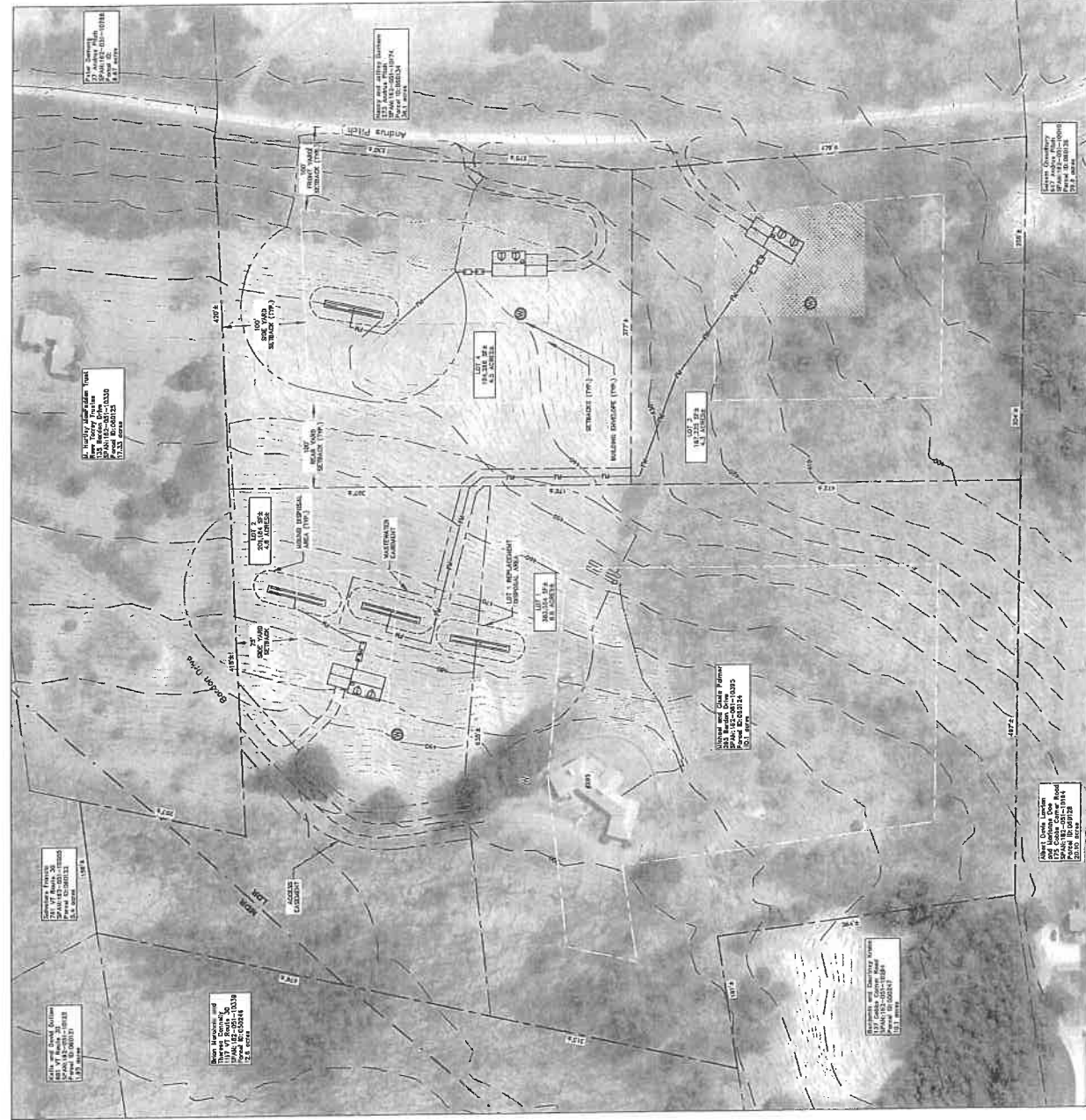
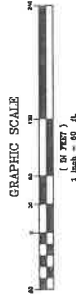
LEGEND

- Boundary 1/4" = 1" = 100'
- - - - - 1" = 1" = 100'
- 1" = 1" = 100'
- 1" = 1" = 100'
- 1" = 1" = 100'

NOTE: COASTLINE DASHING, UNLESS AS SHOWN IN LEGEND CASES, AND DOTTED COASTLINE DASHING SHALL BE APPLICABLE FOR THE PROJECT.

**TOWN OF CORNWALL ZONING REQUIREMENTS
 LOW DENSITY RESIDENTIAL (LDR)**

DESCRIPTION	REQUIRED	REQUIREMENTS
LOT AREA MINIMUM	1 ACRES	
LOT WIDTH MINIMUM	50 FT.	
LOT DEPTH MINIMUM	100 FT.	
PROPERTY BACKSET MINIMUM	100 FT. FROM CENTERLINE OF EXISTING HIGHWAY	
REAR YARD SETBACK MINIMUM	25 FT.	
SIDE YARD SETBACK MINIMUM	5 FT.	
LOT COVERAGE MAXIMUM	30%	
MAXIMUM HEIGHT MAXIMUM	30 FT.	



OTTER CREEK
 ENGINEERING
 100 SOUTH MAIN STREET
 CORNWALL, VERMONT 05753
 TEL: 802-248-5000
 FAX: 802-248-5001
 www.ottercreekeng.com

CHAMP AND ASSOCIATES

DESIGNER/ENGINEER
 THE CORNWALL ZONING BOARD HAS REVIEWED THESE PLANS AND FOUND THEM TO BE IN ACCORDANCE WITH THE TOWN OF CORNWALL ZONING REGULATIONS. THE CORNWALL ZONING BOARD HAS ISSUED A ZONING PERMIT FOR THE PROJECT.

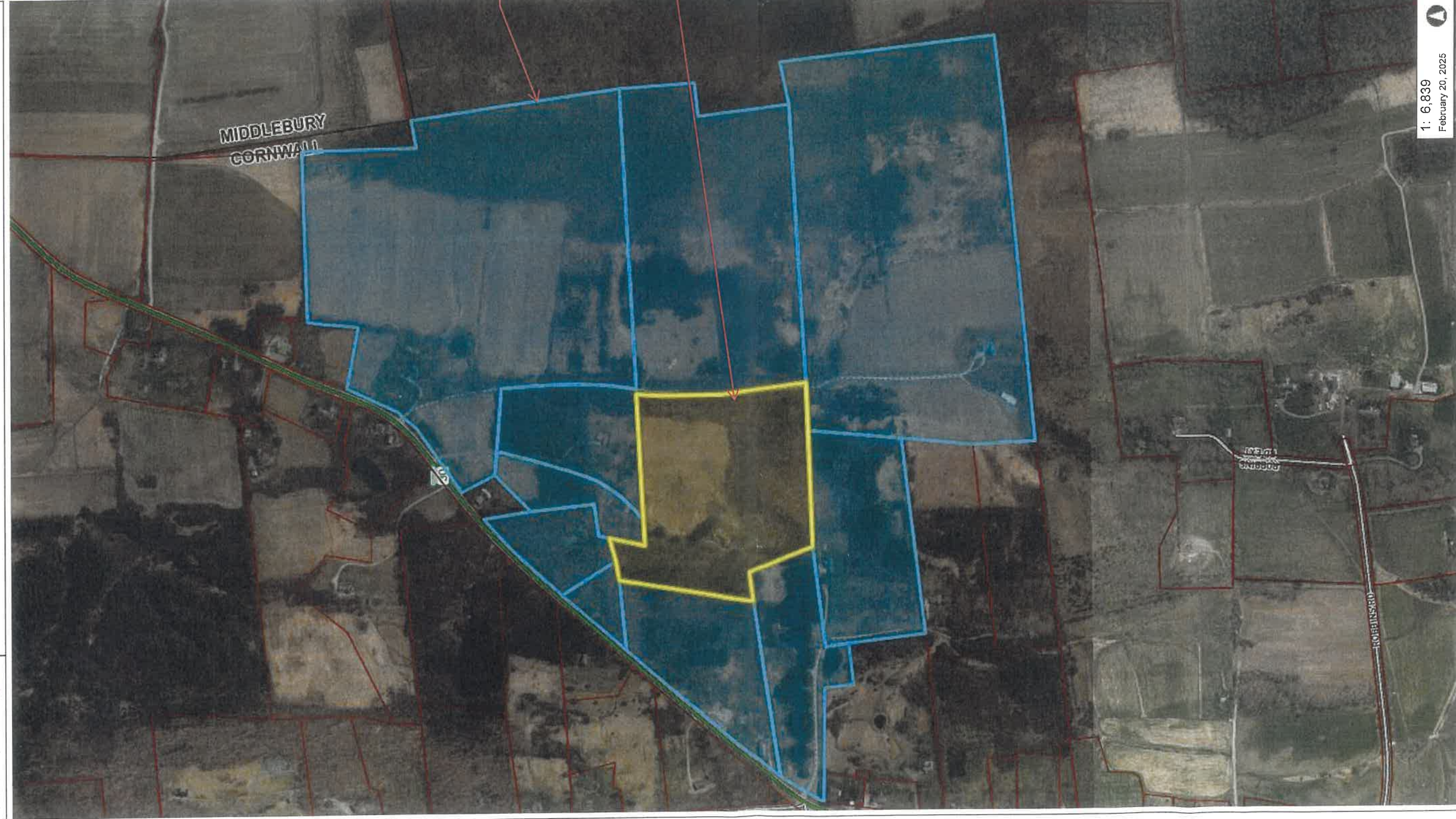


MICHAEL & GISELA PALMER
 295 BARDON DRIVE
 CORNWALL, VERMONT

REVIEW
 DATE: 07/20/23
 REVIEWER: [Signature]

NO.	DESCRIPTION	DATE

OVERALL
 SITE PLAN
 A



LEGEND

Parcels (standardized)

Roads

- Interstate
- US Highway: 1
- State Highway
- Town Highway (Class 1)
- Town Highway (Class 2,3)
- Town Highway (Class 4)
- State Forest Trail
- National Forest Trail
- Legal Trail
- Private Road/Driveway
- Proposed Roads
- Town Boundary

Adjacent Parcel (typ.)

Subject Parcel (typ.)

NOTES
Map created using ANR's Natural Resources Atlas

1: 6,839
February 20, 2025

1,140.0 570.00 1,140.0 Feet
WGS_1984_Web_Mercator_Auxiliary_Sphere
© Vermont Agency of Natural Resources
1" = 570 Ft. 1 cm = 68 Meters
THIS MAP IS NOT TO BE USED FOR NAVIGATION

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PROJECT LOCATION MAP

GENERAL NOTES

- IN THE PREPARATION OF THESE PLANS, DATA FROM THE FOLLOWING SOURCES WAS INCORPORATED:
 - TOWN OF CORNWALL TAX MAPS, ONE FOOT LIDAR CONTOURS AND ORTHOMAGERY DOWNLOADED FROM THE VERMONT CENTER FOR GEOGRAPHIC INFORMATION WEBSITE.
 - SOIL BOUNDARIES DOWNLOADED FROM THE VERMONT AGENCY OF NATURAL RESOURCES ATLAS.
- ELEVATION IS BASED ON NAVD 88.
- COORDINATE SYSTEM IS BASED ON VERMONT STATE PLANE NAD 83, US SURVEY FEET.
- REFER TO LEGEND LOCATED ON THIS SHEET FOR SYMBOL DESIGNATIONS.
- THIS IS NOT A BOUNDARY SURVEY.

LEGEND

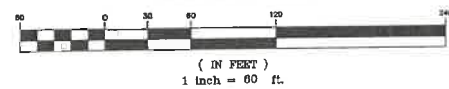
- boundary line/r.o.w.
- - - 1 foot contour
- 10 foot contour
- SUBDIVISION BOUNDARY LINE/R.D.W.
- ZONING SETBACK
- BUILDING ENVELOPE
- EASEMENT

NOTE:
TEXT DENOTING EXISTING ITEMS IS SHOWN IN LOWER CASE, AND
TEXT DENOTING PROPOSED ITEMS IS UPPERCASE AND BOLD.

**TOWN OF CORNWALL ZONING REQUIREMENTS
LOW DENSITY RESIDENTIAL (LDR)**

DESCRIPTION	REQUIRED
LOT AREA MINIMUM	4 ACRES
LOT FRONTAGE MINIMUM	300 FT.
LOT DEPTH MINIMUM	300 FT.
FRONT YARD SETBACK MINIMUM	100 FT. FROM CENTERLINE OF EXISTING ROADWAY
REAR YARD SETBACK MINIMUM	50 FT.
SIDE YARD SETBACK MINIMUM	50 FT.
LOT COVERAGE MAXIMUM	3%
BUILDING HEIGHT MAXIMUM	35 FT.
MINIMUM ACREAGE REQUIRED FOR EACH DWELLING UNIT	4 ACRES

GRAPHIC SCALE



**OTTER CREEK
ENGINEERING**

404 East Main Street
P.O. Box 712
East Middlebury, VT 05740
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Fax: 802 382-6640
110 Merchants Row
4th Floor, Suite 15
Rutland, VT 05701
Telephone: 802 747-3080
Fax: 802 747-4820
Email: info@ottercreek.com

STAMP AND SIGNATURE:

DESIGN ENGINEER

THESE DRAWINGS SHALL NOT
BE ALTERED IN ANY WAY
WITHOUT THE WRITTEN
APPROVAL OF THE ENGINEER.
ANY REVISIONS SHALL BE
MADE BY THE ENGINEER AND
NOTED IN THE REVISION
BLOCK, 9/2025

OTTER CREEK ENGINEERING, INC.



MICHAEL & GISELA PALMER
295 BARDON DRIVE
CORNWALL, VERMONT

REVIEW

DATE ISSUED: 4/7/2025

REVISIONS:

DRAWN BY: RR
CHECKED BY: JL
SCALE: 1"=60'
PROJECT NO.: 1282-001
CADD FILE: 1282-001

TITLE:
**OVERALL
SITE PLAN**

DRAWING NO.

A

