

TOWN OF CHARLOTTE

P.O. Box 119

Charlotte, VT 05445

Phone: 802-425-3533 Fax: 802-425-4241

APPLICATION FOR

SKETCH PLAN  SUBDIVISION  AMENDMENT

\*Applicant must return complete application and all supporting documents to the Planning & Zoning office in accordance with the annual submission schedule prior to being scheduled for a public hearing.

Office Use Only

Date Received:

RECEIVED

MAY 25 2018

CHARLOTTE PLANNING & ZONING

Sketch Plan Date: \_\_\_\_\_

Classification: \_\_\_\_\_

Fee Paid: \_\_\_\_\_

Receipt #: \_\_\_\_\_

Date Approved: \_\_\_\_\_

PROPERTY OWNER

Name Eric Buttery / Liz Philip-Buttery  
Address 1824 Hinesburg Rd.  
Charlotte 05445  
Phone (H) 802 238 5957 (W) ←

APPLICANT/CONTACT PERSON (if other than owner)

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone (H) \_\_\_\_\_ (W) \_\_\_\_\_

Signature of property owner

If applicant is agent for owner, written authorization signed by owner must be filed with application.

Signature of applicant

Map Reference Slide No. \_\_\_\_\_ Deed Reference: Vol \_\_\_\_\_ Page \_\_\_\_\_  
Parcel ID # \_\_\_\_\_

Total acreage \_\_\_\_\_ Zoning District \_\_\_\_\_

Was this parcel part of a prior subdivision? Yes  No \_\_\_\_\_  
If yes: Date: 4/2018 # of Lots 3  
Name of previous owner or name of previous subdivision  
Hinsdale

When your project is completed how many lots will there be?  
\_\_\_\_\_  
Description: (check where appropriate)  
 Commercial  Industrial  Single family  
 Multi family  Planned Residential Development  
 Major Subdivision  Minor Subdivision  
 Modification  Boundary Adjustment  
 Other, describe \_\_\_\_\_

Describe Intent of Project:

~~INSTALL DRIVEWAY~~  
moving right of way from  
Hinsdale Ben Farnsworth land to 1824 Hinesburg Rd.  
property.

Proposed Dimensional Data

Lot #

Acres

Frontage

**Please describe the following:**

Easements/Right-of-ways: (existing and proposed) delete current curb cut proposal  
and replace with new proposal to move driveway onto 5<sup>ave</sup> Lot.

Existing Structures: n/a

Access: \_\_\_\_\_

Wastewater Disposal System: (existing and proposed) n/a

Water System: n/a

Drainage System: n/a

Development Phasing Schedule: (describe) \_\_\_\_\_

Other unusual circumstances: Previous plan submitted but we  
please would like to amend.

**The following are to be submitted with Subdivision and Amendment applications:**

1. A request for a waiver of any of the requirements not considered applicable to this application. (Those requirements that are allowed waivers are followed by an asterisk [\*]) Waivers for other requirements may be allowed upon written request.
2. Application fee
3. Names and addresses of all adjoining property owners, including those across a road right-of-way, (include stamped, addressed envelopes for each)
4. Plat or plan (1 original [24"X36"] and 10 copies [11"X17"]) with North arrow, Date, Legend, and name of preparer (Scale 1"=100'), to include:
  - a. Vicinity map which may be an inset on plot plan: minimum scale 1"=2000' (may be town parcel map)
  - b. Project boundaries, property lines, existing and proposed, dimensions (drawn for preliminary plan)
  - c. Roads and drainage infrastructure, facilities & improvements in the immediate vicinity of the project

which may be affected or used by the project.

- d. Zoning district designations and boundaries
  - e. General indication of existing land cover (e.g., forested areas, tree lines, land in agricultural use within the last 5 years)
  - f. Location of areas of high public value (refer to Table 7.1 of zoning regulations, page 82)
  - g. Existing conservation & agricultural easement areas or open space areas (Include any on adjacent parcels)
  - h. Proposed conservation & agricultural easement areas or open space areas
  - i. Existing and proposed elevations (contour lines) near the development area \* (5' intervals)
  - j. Existing buildings (footprints) near area to be developed or conserved
  - k. Proposed building envelopes with dimensions
  - l. Existing & proposed roads, parking areas, associated rights-of-way or easements with dimensions & distances (drawn for preliminary plan)
  - m. Existing & proposed park, playground, public access or other recreational areas (drawn for preliminary plan)
  - n. Existing & proposed utility, water & wastewater system locations and associated rights-of-way or easements\*
  - o. Existing and proposed monument locations\*
5. Statement of compliance with town plan & applicable local regulations
  6. Engineering reports (water & wastewater systems) Scale 1"=30' preferred, may be 1"=100'
  7. Existing and proposed traffic generation rates, volumes (Estimated)\*
  8. Road profiles; road intersection and parking area geometry and construction schematics (as shown on plat)\*
  9. Proposed landscaping and screening\*
  10. Off-site easements (e.g. water, wastewater, access)\*
  11. Proposed phasing schedule\*
  12. Proposed covenants, easements, conserved land agreements, road maintenance agreements, roadway waivers, wastewater system maintenance agreements, wastewater waivers, fire pond agreements, trail easements and offers, and other associated deed restrictions, in both paper & electronic format (Microsoft Word) (In draft form for preliminary plat hearing)\*
  13. Proposed homeowner or tenant association or agreements\*
  14. Proposed performance bonds or sureties\*

**Any other Planning Commission recommendations or requirements from sketch plan review or the preliminary decision.**

**Copies of Land Use Regulations and the Town Plan are available at [www.charlottevt.org](http://www.charlottevt.org) and at the Planning and Zoning Office.**

**Any application that does not contain all information required, or a reasonable explanation why it does not apply, will be returned to the applicant.**

WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS that NORDIC HOLSTEINS, LLC, a Vermont Limited Liability Company, of Charlotte, in the County of Chittenden, and State of Vermont, Grantor, in the consideration of one or more dollars or other valuable considerations paid to its full satisfaction by ERIC BUTTERY and ELIZABETH PHILIP-BUTTERY, of Charlotte, in the County of Chittenden, and State of Vermont, Grantees, by these presents, do freely GIVE, GRANT, SELL, CONVEY AND CONFIRM unto the said Grantees, ERIC BUTTERY and ELIZABETH PHILIP-BUTTERY, husband and wife as tenants by the entirety, and their heirs and assigns forever a certain piece of land in Charlotte, in the County of Chittenden, and State of Vermont, described as follows, viz:

Being a part of the lands and premises conveyed to Nordic Holsteins, LLC, by Warranty Deed of Norman Bean dated July 30, 2004, and recorded at Book 151 Pages 68-69 Charlotte Land Records, and being more particularly described as follows:

Being "Lot 2, 17.35 Acres" and "Lot 3, 7.59 Acres" as shown and depicted on a survey map entitled "Final Plat Minor Subdivision, Property of Nordic Holsteins, LLC, Hinesburg Road, Charlotte, Vermont" prepared by Stuart J. Morrow, dated November, 2017, and recorded at Map Slide 195 Page 5 in the Charlotte Land Map Records (the Morrow Plat)". Lot 2 and Lot 3 may be more particularly described by reference to the Morrow Plat as follows:

Beginning at a point marked by a 1 inch iron pin found 0.5' above ground disturbed, said point marking the northeasterly corner of Lot 3 herein conveyed and the southeasterly corner of lands shown and depicted on the Morrow Plat as "Hinsdale Trust, Vol. 183 Pgs. 657-675, Misc. Map Vol. Pg. 15", said point also lying in the westerly line of lands shown and depicted on the Morrow Plat as "Peter K. and Margaret Walker, Vol. 32 Pgs. 237-238, Map Slide 47";

Thence in and along the westerly line of said Walker lands the following courses and distances:

1. S 09° 32' 20" E, 486.26 feet, more or less, to a point marked by a 5/8 inch reinforcement bar with survey marker set 0.2' above ground, said point marking the southeasterly corner of Lot 3 herein conveyed and the northeasterly corner of Lot 2 herein conveyed;
2. S 09° 32' 20" E, 1112.67 feet, more or less, to a point marked by a 1.25 inch iron pin found 1.0' above ground with survey marker "AW Harris", said point marking the southeasterly corner of Lot 2 herein conveyed and the southwesterly corner of said Walker lands, said point also lying in the northerly boundary of lands shown and depicted on the Morrow Plat as "David C. and Diane B. Nichols, Vol. 37 Pg. 23, Vol. 46 Pgs. 571-573, Vol. 46 Pgs. 588-589, Vol. 62 Pgs. 108-109, Map Slide 42";

Thence in and along the northerly boundary of said Nichols lands, S 80° 49' 20" W, 681.36 feet, more or less to a point marked by a 5/8 inch reinforcement bar with survey marker set 0.1' above ground, said point marking the southwesterly corner of said Lot 2

herein conveyed and the most southerly southeasterly corner of "Lot 1, Vol. 192 Pgs 677-691, Vol. 151 Pgs 68-69, Map Slide 175, 71.90 Acres" as shown and depicted on the Morrow Plat;

Thence in and along the easterly and southerly boundaries of said Lot 1 the following courses and distances:

1. N 09° 32' 20" W, 1108.38 feet, more or less, to a point marked by a 5/8 inch reinforcement bar with survey marker set 0.1' below ground, said point marking the northwesterly corner of said Lot 2 herein conveyed and the southwest corner of Lot 3 herein conveyed;
2. N 09° 32' 20" W, 484.57 feet, more or less, to a point marked by a 5/8 inch reinforcement bar with survey marker set 0.1 below ground, said point marking the northwesterly corner of said Lot 3 herein conveyed;
3. N 80° 27' 40" E, 377.22 feet, more or less, to a point marked by a 1 inch iron pin found 0.5 below ground, said point marking the most northerly southeasterly corner of said Lot 1 and the southwest corner of lands shown and depicted on the Morrow Plat as "Hinsdale Trust, Vol. 183 Pgs. 657-675, Misc. Map Vol. Pg. 15";

Thence in and along the southerly boundary of said Hinsdale Trust lands S 80° 08' 30" E, 304.14 feet, more or less, to the point or place of beginning.

Lot 2 herein conveyed contains 17.35 acres, more or less.

Lot 3 herein conveyed contains 7.59 acres, more or less.

There is also conveyed herewith a non-exclusive easement and right of way in common with the Grantor herein, its successors heirs and assigns, for ingress, egress and the installation of underground utilities, crossing a portion of Lot 1 as shown and depicted on the Morrow Plat along its easterly boundary and then the southwest corner of lands shown and depicted on the Morrow Plat as "Hinsdale Trust, Vol. 183 Pgs. 657-675, Misc. Map Vol. Pg. 15" in the location as shown and depicted on the Morrow Plat as "Proposed 50 Foot Wide Right of Way & Utility Easement". If Lot 1 damages the roadway ~~located~~ <sup>located</sup> beyond normal wear and tear, Lot 1 shall promptly repair that damage, at Lot 1's sole expense. Grantor, for itself and its successors and assigns, agrees to limit its use of the non-exclusive easement and right of way to those uses permitted by and under the Grant of Development Rights, Conservation Restrictions, Option to Purchase, and Right of Enforcement of the United States of America conveyed by Nordic Holsteins, LLC, to Vermont Land Trust, Inc., Vermont Agency of Agriculture, Food and Markets, and Vermont Housing and Conservation Board, and the United States of America, by and through the Natural Resources Conservation Service acting on behalf of the Commodity Credit Corporation, dated April 29, 2011, and recorded at Book 192 Pages 677-691 Charlotte Land Records. Clark W. Hinsdale, III, Trustee of the Clark W. Hinsdale, Jr., Testamentary Trust established under Article Fifth (b) of the Last Will and Testament of

Clark W. Hinsdale, Jr., dated October 4, 2007, allowed by the Chittenden Probate Court on June 3, 2008, joins in the execution of this Warranty Deed for the sole purpose of conveying that portion of said easement and right of way that crosses the southwesterly corner of said Hinsdale Trust lands.

Subject to and with the benefit of the terms and conditions of Charlotte Planning Commission Subdivision Review Findings of Fact and Decision, In re: "Eric & Liz Buttery/ Clark Hinsdale request for a 3-lot Minor Subdivision at 1711 Hinesburg Rd., Permit Application PC-17-181-SD dated March 1, 2018, and recorded at Book 232 Pages 141-145 Charlotte Land Records.

Subject to and with the benefit of the terms and conditions of State of Vermont Wastewater System and Potable Water Supply Permit WW-138-1801 dated March 27, 2018, and recorded at Book 232 Pages 372-373 Charlotte Land Records. Pursuant to said State of Vermont Wastewater System and Potable Water Supply Permit WW-138-1801, Lot 2 herein conveyed is subject to and Lot 3 herein conveyed has the benefit of a Wastewater Disposal Easement shown and depicted on the Morrow Plat as "Proposed Wastewater Disposal Easement".

**Subject to the terms and conditions of Highway Access Permit HAP-17-11 issued by the Town of Charlotte Selectboard dated January 17, January 18, and January 22, 2018.**

Subject to all matters as shown and depicted on the Morrow Plat.

Subject to utility easements of record.

Reference is hereby made to said Deed, the Morrow Plat, and said Permits, Approvals and other Instruments above referenced and their records, and to all prior deeds, survey maps, documents and instruments and their records for further aid in the description of the lands and premises herein conveyed.

TO HAVE AND TO HOLD said granted premises, with all the privileges and appurtenances thereof, to the said Grantees, ERIC BUTTERY and ELIZABETH PHILIP-BUTTERY, husband and wife as tenants by the entirety, and their heirs and assigns, to their own use and behoof forever; and the said Grantor, NORDIC HOLSTEINS, LLC, for itself and its successors and assigns, does covenant with the said Grantees, ERIC BUTTERY and ELIZABETH PHILIP-BUTTERY, and their heirs and assigns, that until the ensembling of these presents it 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 NORDIC HOLSTEINS, LLC, hereby engages to warrant and defend the same against all lawful claims whatever, except as aforesaid.

IN WITNESS WHEREOF, NORDIC HOLSTEINS, LLC, hereunto set its hand and seal this 22<sup>nd</sup> day of May, 2018.

NORDIC HOLSTEINS, LLC

By: Clark W. Hinsdale III L.S.  
Managing Member and Duly Authorized Agent

STATE OF VERMONT  
CHITTENDEN COUNTY, SS.

At Burlington, Vermont, this 22<sup>nd</sup> day of May, 2018, Clark W. Hinsdale, III, Managing Member and Duly Authorized Agent of NORDIC HOLSTEINS, LLC, personally appeared, and he acknowledged this instrument, by him sealed and subscribed to be his free act and deed, and the free act and deed of NORDIC HOLSTEINS, LLC.

Before me, James A. Quinette  
NOTARY PUBLIC  
My Commission Expires 2/10/2019

IN WITNESS WHEREOF, I hereunto set my hand and seal this 22<sup>nd</sup> day of May, 2018.

Clark W. Hinsdale III <sup>Trustee</sup> L.S.  
CLARK W. HINSDALE, III, Trustee of the Clark W. Hinsdale, Jr., Testamentary Trust established under Article Fifth (b) of the Last Will and Testament of Clark W. Hinsdale, Jr., dated October 4, 2007, allowed by the Chittenden Probate Court on June 3, 2008

STATE OF VERMONT  
CHITTENDEN COUNTY, SS.

At Burlington, Vermont, this 22<sup>nd</sup> day of May, 2018, CLARK W. HINSDALE, III, Trustee of the Clark W. Hinsdale, Jr., Testamentary Trust established under Article Fifth (b) of the Last Will and Testament of Clark W. Hinsdale, Jr., dated October 4, 2007, allowed by the Chittenden Probate Court on June 3, 2008, personally appeared, and he acknowledged this instrument, by him sealed and subscribed to be his free act and deed, and the free act and deed of the Clark W. Hinsdale, Jr., Testamentary Trust established under Article Fifth (b) of the Last Will and Testament of Clark W. Hinsdale, Jr., dated October 4, 2007, allowed by the Chittenden Probate Court on June 3, 2008.

Before me, James A. Quinette  
NOTARY PUBLIC  
My Commission Expires 2/10/2019