gravel & shea | ATTORNEYS AT LAW

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RECEIVED
FEB 25 2016
TOWN OF ESSEX
COMMUNITY DEV. OFFICE

Robert H. Rushford
Shareholder
rrushford@gravelshea.com

February 25, 2016

HAND DELIVERED

Greg Duggan, Town Planner
Town of Essex
81 Main Street
Essex Junction, VT 05452-3209

Re: Saxon Hill Industrial Park—Four Lot Subdivision

Dear Greg:

Pursuant to the February 5, 2016 Settlement Agreement and proposed Judgment Order between Allen Brook Development Incorporated ("Allen Brook") and the Town of Essex (the "Town") relating to Allen Brook's approval to conduct sand extraction on 27.5 acres of its land in the Saxon Hill Industrial Park, Allen Brook is required to convey approximately 245 acres of its land to the Town for recreation and conservation purposes.

The Settlement Agreement, which was negotiated between Allen Brook and the Town over the course of many months, resulted in the approval of the boundaries of the lands that would be conveyed to the Town and the lands that would be retained by Allen Brook. These boundaries are shown on the enclosed plat entitled: "Subdivision Plat, Allen Brook Development, 31 Allen Martin Drive, Essex, Vermont," prepared by Trudell Consulting Engineers dated February 3, 2016 (the "Subdivision Plat").

Under the Settlement Agreement, Allen Brook will be conveying Parcel C (35.37Acres) and Parcel D (195.05 Acres) as shown on the Subdivision Plat to the Town, and Allen Brook will be retaining Parcel A (8.23 Acres) and Parcel B (162.76 Acres) as shown on the Subdivision Plat, for development purposes. In order to complete the agreed-upon land transfer described in the Settlement Agreement, Allen Brook will need subdivision approval for the four-lot subdivision depicted on the Subdivision Plat (i.e., for Parcels A, B, C and D).

The enclosed application is for the purpose of obtaining formal subdivision approval for the four-lot subdivision depicted on the Subdivision Plat so that Allen Brook can complete the

land transfer required under the Settlement Agreement. Also included with the application are the following:

Copies	Description	Date
3	24" x 36" Subdivision Plat	02/03/16
6	11" x 17" Subdivision Plat	02/03/16
1	Application, abutters list, abutter labels, fee $593.25	02/25/16

Because the Subdivision Plat reflects many months of negotiations and review between Allen Brook and the Town, including the zoning and planning staff, we respectfully request the expedited review of this application.

Thank you for your consideration of this matter.

Very truly yours,

GRAVEL & SHEA PC

Robert H. Rushford

RHR:jar

Enclosures

cc: William F. Ellis, Esq. (w/enclosures) (e-mail)

From: Essex Fire Chief [ccole183@comcast.net]
Sent: Sunday, February 28, 2016 8:55
To: Allyson Vile; Aaron Martin; Brad Larose; Jennifer Booker
Cc: Sharon Kelley; Gregory Duggan
Subject: Re: 31 Allen Martin Drive

This layout appears to try and layout the property boundaries in such a way that the lands will be fully accessible by driveways that would far exceed 1000 feet in length which I am absolutely opposed to. We already have a dead end road system that Community Development is not pushing to have completed on both ends. Adding long paths to access each lot only serves the Applicants self interests and profits and does not put Life Safety as a priority.

This Application should be returned and the Applicant should be made to connect Thompson Drive with the other end off River Road. Then they should plot out all proposed lots so that they do not exceed 1000 feet in length from the public street. Each lot should also include a concept of the type of building that each lot would have on it as that too could make an impact on our comments.

Charlie

Sent from XFINITY Connect Mobile App

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

Jennifer Booker

From: Sharon Kelley
Sent: Tuesday, March 08, 2016 7:55 AM
To: Charlie Cole; Gregory Duggan
Cc: Allyson Vile; Dana Hanley; Dennis Lutz; Aaron Martin; Brad Larose; Jennifer Booker
Subject: RE: 31 Allen Martin Drive

Sounds good!

From: Essex Fire Chief [mailto:ccole183@comcast.net]
Sent: Monday, March 07, 2016 1:44 PM
To: Sharon Kelley; Gregory Duggan
Cc: Allyson Vile; Dana Hanley; Dennis Lutz; Aaron Martin; Brad Larose; Jennifer Booker
Subject: Re: 31 Allen Martin Drive

Tomorrow at 4 will work.

Charles J. Cole, Chief
Essex Fire Department
www.essexfire.com

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

From: Sharon Kelley
To: Gregory Duggan, Charlie Cole
Cc: Allyson Vile, Aaron Martin, Brad Larose, Jennifer Booker, Dana Hanley, Dennis Lutz
Sent: March 7, 2016 at 1:38 PM
Subject: RE: 31 Allen Martin Drive

I can do tomorrow or Friday at 4pm.

From: Gregory Duggan
Sent: Monday, March 07, 2016 1:35 PM
To: Charlie Cole; Sharon Kelley
Cc: Allyson Vile; Aaron Martin; Brad Larose; Jennifer Booker; Dana Hanley; Dennis Lutz
Subject: RE: 31 Allen Martin Drive

If we expect to be fairly quick (I think we can be) I can do 4 p.m. on Tuesday, Thursday or Friday.

GD

Greg Duggan, Planner
Town of Essex, 81 Main St.
Essex Junction, VT 05452
802-878-1343
gduggan@essex.org

From: Essex Fire Chief [mailto:ccole183@comcast.net]
Sent: Monday, March 07, 2016 1:30 PM
To: Sharon Kelley

Cc: Allyson Vile; Aaron Martin; Brad Larose; Jennifer Booker; Gregory Duggan; Dana Hanley; Dennis Lutz
Subject: Re: 31 Allen Martin Drive

Unfortunately Sharon this is too short a notice for me to adjust my work schedule in order to request time off from my current job to meet during the day. If there are any times at around 4 pm or later, I could make it work.

Charlie

From: "Sharon Kelley" <skelley@ESSEX.ORG>
To: "Charlie Cole" <ccole183@comcast.net>, "Allyson Vile" <avile@ESSEX.ORG>, "Aaron Martin" <amartin@ESSEX.ORG>, "Brad Larose" <blarose@ESSEX.ORG>, "Jennifer Booker" <JBooker@ESSEX.ORG>
Cc: "Gregory Duggan" <gduggan@ESSEX.ORG>, "Dana Hanley" <dhanley@ESSEX.ORG>, "Dennis Lutz" <dlutz@ESSEX.ORG>, "Sharon Kelley" <skelley@ESSEX.ORG>, "Sharon Kelley" <skelley@ESSEX.ORG>
Sent: Monday, March 7, 2016 1:27:11 PM
Subject: RE: 31 Allen Martin Drive

All,

For those who have questions or concerns regarding the subdivision proposal regarding the RPD-I lands (Al Senecal), P&Z is able to meet with you tomorrow, Wednesday afternoon or Thursday morning. Charlie, I believe you are the only one who has questions or needs to be brought up to speed. Will any of these dates work?

SK

-----Original Message-----
From: Sharon Kelley
Sent: Sunday, February 28, 2016 11:15 AM
To: Charlie Cole; Allyson Vile; Aaron Martin; Brad Larose; Jennifer Booker
Cc: Gregory Duggan; Dana Hanley; Sharon Kelley; Dennis Lutz
Subject: RE: 31 Allen Martin Drive

From: Sharon Kelley
Sent: Sunday, February 28, 2016 11:12 AM
To: Essex Fire Chief; Allyson Vile; Aaron Martin; Brad Larose; Jennifer Booker
Cc: Gregory Duggan; Dlutx@essex.org; Dana Hanley; skellet@essex.org
Subject: RE: 31 Allen Martin Drive

All,

This subdivision application is part of an agreement by the applicant and Selectboard to settle the sand extraction lawsuit. The Judge has reviewed and instructed that before he signs off, the formality of recording the Mylar must pass by the PC. As you know, another subdivision application off River Road is going through the process. Once final

is approved, Mr. Senecal will purchase the lands. At that time he will be in a position to show a connection from River Road to Thompson Drive. The Allen Martin application does provide an easement to the River Road lands.

I will set up a staff review so that you will all have a better understanding of why and how these lots were created.

SK

From: Essex Fire Chief [ccole183@comcast.net]
Sent: Sunday, February 28, 2016 8:55 AM
To: Allyson Vile; Aaron Martin; Brad Larose; Jennifer Booker
Cc: Sharon Kelley; Gregory Duggan
Subject: Re: 31 Allen Martin Drive

This layout appears to try and layout the property boundaries in such a way that the lands will be fully accessible by driveways that would far exceed 1000 feet in length which I am absolutely opposed to. We already have a dead end road system that Community Development is not pushing to have completed on both ends. Adding long paths to access each lot only serves the Applicants self interests and profits and does not put Life Safety as a priority.

This Application should be returned and the Applicant should be made to connect Thompson Drive with the other end off River Road. Then they should plot out all proposed lots so that they do not exceed 1000 feet in length from the public street. Each lot should also include a concept of the type of building that each lot would have on it as that too could make an impact on our comments.

Charlie

Sent from XFINITY Connect Mobile App

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

From: Jennifer Booker
To: Allyson Vile, Aaron Martin, Charlie Cole, Brad Larose
Cc: Sharon Kelley, Gregory Duggan
Sent: February 25, 2016 at 3:33 PM
Subject: 31 Allen Martin Drive
Good Afternoon,
New application for 31 Allen Martin Drive Final, please have comments back by March 10, 2016. I will place Copies in mailboxes!
Thanks,

Jenn Booker
Community Development Secretary
42 Allen Martin Dr. Essex Junction VT 05452 (temporary location)
802-878-1343
Jbooker@essex.org<mailto:Jbooker@essex.org>

Gregory Duggan

RECEIVED
MAR 17 2016
TOWN OF ESSEX
COMMUNITY DEVELOPMENT OFFICE

From: Essex Fire Chief <ccole183@comcast.net>
Sent: Thursday, March 17, 2016 1:38 PM
To: Gregory Duggan
Subject: Re: 31 Allen Martin Drive comments

Emailed to Bertsch & Senecal
3/17/16 GSD

Hi Greg,

Per our meeting regarding the Saxon Hill subdivision, I concur with the general recommendations of Staff and will provide further comments as to specific building applications for the respective lots.

Charlie

Charles J. Cole, Fire Chief
Essex Fire Department
81 Main St.
Essex Jct., VT 05452

(802) 578-5302 - Cell
(802) 229-7170 - Daytime Direct

From: "Gregory Duggan" <gduggan@ESSEX.ORG>
To: "Charlie Cole" <ccole183@comcast.net>
Sent: Thursday, March 17, 2016 12:44:26 PM
Subject: 31 Allen Martin Drive comments

Charlie,

Please send over revised comments for the Saxon Hill subdivision when you have a chance. I need to get the staff report out no later than tomorrow.

Thanks,
Greg

Greg Duggan, Planner
Town of Essex, 81 Main St.
Essex Junction, VT 05452
802-878-1343
gduggan@essex.org

Sent 3/10/16

Memorandum

To:	Greg Duggan, Town Planner Dana Farley, Community Development Director Sharon Kelley, Town Zoning Administrator
From:	Annie Costandi, E.I., Stormwater Coordinator/Staff Engineer AC Aaron Martin, P.E., Town Engineer and Utilities Director AM
Subject:	31 Allen Martin Drive – Allen Brook Development (Sketch / Final)
Date:	March 10, 2016

Public Works reviewed the plan for the Allen Brook Development and provides the following comments:

Stormwater:

1. The applicant will be required to obtain a state general permit for construction before any sand extraction occurs on Parcel B. The permit must be reviewed by Public Works before final approval.
2. The applicant is required to take preventative action to prevent the tracking of sediment from the construction site onto any Town roads or surrounding streams. Failure to comply will result in a violation of Section 10.20.067 of the Town's Stormwater Ordinance.

Gregory Duggan

From: Brad Larose
Sent: Wednesday, March 16, 2016 7:53 AM
To: Gregory Duggan
Subject: RE: 31 Allen Martin Drive Sketch

RECEIVED
MAR 16 2016
TOWN OF ESSEX
COMMUNITY DEV. OFFICE

Greg –

Sorry for the delay, the police department has no concern regarding this subdivision.

Emailed to B. Bertsch & A Senecal
3/16/16
GSD

Chief Bradley J. LaRose
Essex Police Department
145 Maple Street
Essex Junction, Vermont 05452
blarose@essex.org
(802) 857-0093 direct

From: Gregory Duggan
Sent: Tuesday, March 15, 2016 5:20 PM
To: Allyson Vile; Brad Larose
Subject: FW: 31 Allen Martin Drive Sketch

Ally and Brad,

Please submit comments for 31 Allen Martin Drive. This is the 4-lot subdivision that will resolve the Town's settlement over sand extraction in the RPD-I. I'm working to finish my report by the end of this week.

Thanks,
Greg

Greg Duggan, Planner
Town of Essex, 81 Main St.
Essex Junction, VT 05452
802-878-1343
gduggan@essex.org

From: Jennifer Booker
Sent: Thursday, March 10, 2016 8:29 AM
To: Aaron Martin; Allyson Vile
Cc: Sharon Kelley; Gregory Duggan
Subject: 31 Allen Martin Drive Sketch

Need comments back for 31 Allen Martin Drive asap!
Thanks,

Jenn Booker
Community Development Secretary
81 Main Street. Essex Junction VT 05452
802-878-1343