

Bristol Town Administrator

From: Dustin Corrigan <coachcorrigan@gmail.com>
Sent: Wednesday, September 13, 2023 10:53 PM
To: Bristol Town Administrator
Cc: Bill Mount; Christopher Lampart; Jennifer Corrigan; Kris Perlee; Kristi Mount; Steve Palmer; close2k8@hotmail.com; jill@vtums.com
Subject: Re: Question about Pine/Liberty Street water service

You're welcome Valerie.

When Chad and Michelle Perlee purchased lot 4 they had plans of building a house there, but when they discovered the existence of the misplaced water lines from Liberty Street going through their lot they realized they couldn't meet act 250 requirements for their septic plan design. That prompted the creation of the amended covenants in 2014 to create temporary easements for the existing water lines serving lots 5, 6, and 7 and it also stated that if/when the Pine Street line were to ever be improved to the westmost edge of Lawson Lane with sufficient water supply for the homes on Lawson Lane (happening now) new lines would need to be installed as depicted in the original approved subdivision map, which would then allow for the disconnection of the misplaced lines from Liberty Street and extinguish the easements allowing them to meet act 250 requirements for their septic and bring the rest of our subdivision into compliance with act 250 as well. The Perlee's never built on lot 4 and years later sold it.

We're asking for the town's assistance with installing new water supply to lots 5, 6, and 7 via the Lawson Lane easement as depicted in the original approved subdivision map because the whole mess is largely the fault of the town's water department at the time and we feel the town should help correct it. The town gave the now deceased developer's engineer wrong information about the water supply on Pine Street and then after approving the subdivision map based on that incorrect info, lots were sold, construction had already began, and then when it was discovered that the Pine Street water supply was insufficient to serve lots 5, 6, and 7 the town's water department assisted the developer with installing inaccurately placed water lines from Liberty Street out of compliance with the 250 permit and approved subdivision map and then covered it up.

I've attached a copy of the Declaration of Covenants from 2005, which was attached to the original purchase and sale agreement when I purchased the lot from Bruce Ladeau. I don't think it references anything about this issue.



Declaration of Covenants 2005.pdf

On Wed, Sep 13, 2023 at 11:10 AM Bristol Town Administrator <townadmin@bristolvt.org> wrote:

Thank you, Dustin, for sharing the Amended Covenants with me. Very Interesting. I am curious to know what prompted the development of the Amended Covenants in the first place. Do you have a copy of the original Covenants?

Yes, this can be on the Sept. 25 Selectboard agenda. It's not clear to me what the Town/Water District's involvement was at the time or what is expected of it now beyond the ordinary approval process for a new connection to the water main. Anything else you can pass along in advance would be appreciated.

Thank you,

--Valerie

Valerie Capels, Town Administrator
Town of Bristol
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Bristol, VT 05443
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From: Dustin Corrigan <coachcorrigan@gmail.com>
Sent: Tuesday, September 12, 2023 9:35 PM
To: Bristol Town Administrator <townadmin@bristolvt.org>
Cc: Bill Mount <bill.mount@comcast.net>; Jennifer Corrigan <corrigan.jennifer@gmail.com>; Kris Perlee <zoning@bristolvt.org>; Kristi Mount <kristibmount@gmail.com>; close2k8@hotmail.com; jill@vtums.com
Subject: Re: Question about Pine/Liberty Street water service

Please put us on the agenda for the September 25th select board meeting. Thanks Valerie

On Tue, Sep 12, 2023 at 6:55 PM Dustin Corrigan <coachcorrigan@gmail.com> wrote:

Hi Valerie,

I've attached the amended covenants from 2014 and the original subdivision map from 2004 for your reference. Both should be recorded at the town. Let me see which of those dates works best for my neighbors and I'll get back to you soon. Thank you

 PDF

Amended Covenants Recorded 4-18-2014.pdf

 PDF

Approved Subdivision Survey Map.PDF

On Tue, Sep 12, 2023 at 3:17 PM Bristol Town Administrator <townadmin@bristolvt.org> wrote:

Hi Dustin,

I have spent a fair amount of time locating and going through the [wastewater](#) and [Act 250](#) permits related to the Liberty Street and the Lawson-Hammond subdivision properties. While Tyler Hart's 2004 site plan does seem to show the water service for Lots 5 and 6 going along Lawson Lane to Pine Street, he also

certifies in 2007 that all of the water and wastewater systems were installed properly. I do not have time to do land records research to find the 2014 covenants you reference. If you or someone else has them handy, feel free to share a copy with me. Attached are the 2014 approvals for the Perlee lot clearly showing the water lines going to Liberty Street. It may be a legal question whether that approval supersedes the 2004 plan. None of the documents I found mention future connections to Pine Street either among the supporting documents or approval conditions, nor is the Town's role evident other than supporting the applications.

The next Selectboard/Water Commission meetings are September 25, October 16, and October 30. If you would like to be on an agenda, the deadline for agenda items is the end-of-day Wednesday prior to the Monday meeting. Any supporting documents would be very helpful.

Thanks,

--Valerie

Valerie Capels, Town Administrator
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From: Dustin Corrigan <coachcorrigan@gmail.com>
Sent: Sunday, September 10, 2023 9:44 PM
To: Bristol Town Administrator <townadmin@bristolvt.org>; jill@vtums.com
Cc: Bill Mount <bill.mount@comcast.net>; Jennifer Corrigan <corrigan.jennifer@gmail.com>; Kristi Mount <kristibmount@gmail.com>; close2k8@hotmail.com
Subject: Re: Question about Pine/Liberty Street water service

Hi Valerie,

We believe that we do need to connect to the new Pine Street line once it's improved to Lawson Lane due to errors made in 2005 by both the town and Bruce Ladue, the developer who sold us the lots (now deceased), prior to the construction of our homes. Please reference the engineered sub division map and original act 250 approval on file with the town and you'll see our water service should come from Pine Street, not Liberty Street. Also, reference the amended covenants, on file at the town, which we all signed in 2014 to provide easements for the inaccurately placed water lines from Liberty Street, and you'll see that we're obligated to connect to the new improved Pine Street line via Lawson Lane and discontinued use of the lines from Liberty Street, extinguishing the easements for the inaccurately placed lines and putting us in compliance with the original act 250 permits.

We would like to get on the agenda to speak to the select board to explain our case, including the town's role in creating this undue burden on us, and ask the town for assistance with the installation of new water service via Lawson Lane to the new Pine Street line, assuming the Pine Street line is being improved to sufficiently supply our homes. Please us know when we can do that.

Thank you

Dustin

On Thu, Sep 7, 2023 at 9:33 AM Jennifer Corrigan <corrigan.jennifer@gmail.com> wrote:

Please see the forward message below from Valerie, our town manager.

----- Forwarded message -----

From: **Bristol Town Administrator** <townadmin@bristolvt.org>

Date: Thu, Sep 7, 2023 at 9:23 AM

Subject: Question about Liberty Street water service

To: Jennifer Corrigan <corrigan.jennifer@gmail.com>

CC: Jill Marsano <jill@vtums.com>

Hi Jennifer,

This is in response to your phone message about whether your current water service coming off of Liberty Street is expected to be moved to the new Pine Street water main. The short answer is no. No disturbance is expected on Liberty Street. However, a 2-inch stub will be installed off the Pine Street line to the edge of the right-of-way for future water service in that area. The stub will be approximately ten feet west of the Town Garage gate. We do not have the funding or legal authority under this project to install new services on private property, but this will leave landowners the ability to do so in the future. If that is something you are interested in, we recommend you contact the water system operator VTUMS (copied) to discuss scope and costs.

Let us know if you have any other questions.

Thanks,

--Valerie

Valerie Capels, Town Administrator

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