



## MEMORANDUM

To: Hinesburg Development Review Board

From: Stephanie Hainley

Date: October 15, 2013

Re: Commerce Park Subdivision Revision to Final Plat - Submission Materials List

Enclosed please find the following application materials for the subdivision revision to final plat for the tax parcels 20-50-02.100 (Commerce Park Lot 15) and 20-50-02.200 (Automotion):

- 1) Memo re: "Commerce Park Subdivision - Revision to Final Plat," from Stephanie Hainley, and dated October 14, 2013.
- 2) Hinesburg Development Review Board subdivision revision application form, signed and dated October 10, 2013 and October 14, 2013.
- 3) Check #16427 for \$310 (\$300 Subdivision Revision fee + \$10 Recording fee) and dated October 10, 2013.
- 4) Sheet SH1 "Boundary Line Adjustment Survey," prepared by O'Leary-Burke Civil Associates, and dated 2/2/12.
- 5) Plan "Giroux Commercial Subdivision," prepared by G.E. Bedard Inc., and dated December 27, 1987.



## MEMORANDUM

To: Hinesburg Development Review Board

From: Stephanie Hainley

Date: October 14, 2013

Re: Commerce Park Subdivision - Revision to Final Plat

On behalf of the Giroux's, this application is being submitted for the revision to the final plat for the tax parcels 20-50-02.100 (Commerce Park Lot 15) and 20-50-02.200 (Automotion). The Commerce Park Lot 15 is located on Commerce Street Extension and is a part of the Commerce Park Subdivision, as shown on the attached Commercial Subdivision plan, dated December 27, 1987. The Automotion lot is located on Route 116 and is part of a separate subdivision, which includes the Giroux Storage Yard lot to the south.

This application proposes to revise the boundary between Lot 15 and the Automotion lot. A 0.32 acre area - depicted on the attached Sheet SH1 Boundary Line Adjustment - will be conveyed from the Automotion lot to the Commerce Park Lot 15. This 0.32 acre area will become part of Lot 15. The Automotion lot will become a 1.31 acre parcel<sup>1</sup> and Lot 15 will become 4.88 acre parcel, both of which will comply with the dimensional requirements for the Village and Commercial Zoning Districts respectively.

Please do not hesitate to contact me with any questions or concerns.

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<sup>1</sup> The applicant is also proposing a separate boundary line adjustment to the Automotion lot - reducing the lot by an additional 0.13 acres - so the final lot size will be 1.31 acres. This is shown on Sheet SH1 Boundary Line Adjustment.

HINESBURG DEVELOPMENT REVIEW BOARD

COMMERCE PARK SUBDIVISION - APPLICATION FORM

Please complete this application thoroughly, accurately, and attach the required information. Please note incomplete applications will not be accepted for processing and may delay your hearing before the Development Review Board. If you have any questions please call the Zoning Administrator's office: 802-482-3619

Tax Map # 20-50-02.100 & 20-50-02.200

Project Location: Lot 15 (Commerce Street) and Automotion (10365 Route 116)

Applicant: Tyler Sterling (Hannaford Bros. Co.) / Contact: Stephanie Hainley (White + Burke)

Phone #: 802.862.1225 x16 Fax #: 802.862.3601 Cell #: \_\_\_\_\_

Address: P.O. Box 1007 City: Burlington ST: VT Zip: 05401

Email: shainley@whiteandburke.com

Property Owner (if different from Applicant): Bernard A. Giroux Trust, June T. Giroux Trust, Victor J. Giroux Trust, Ramona M. Giroux Trust

Phone #: 802.482.2179 Fax #: \_\_\_\_\_ Cell #: \_\_\_\_\_

Address: 9318 Route 116 City: Hinesburg ST: VT Zip: 05461

Email: \_\_\_\_\_

SUBDIVISION REVIEW
Revision to Subdivision Final Plat

Please be sure to receive and review the appropriate application checklist for submission requirements and other information.

Signature of Landowner(s) with handwritten signature of Victor Giroux

Date 10-10-13

Signature of Applicant(s) (If different from Landowner) with handwritten signature of Tyler Sterling

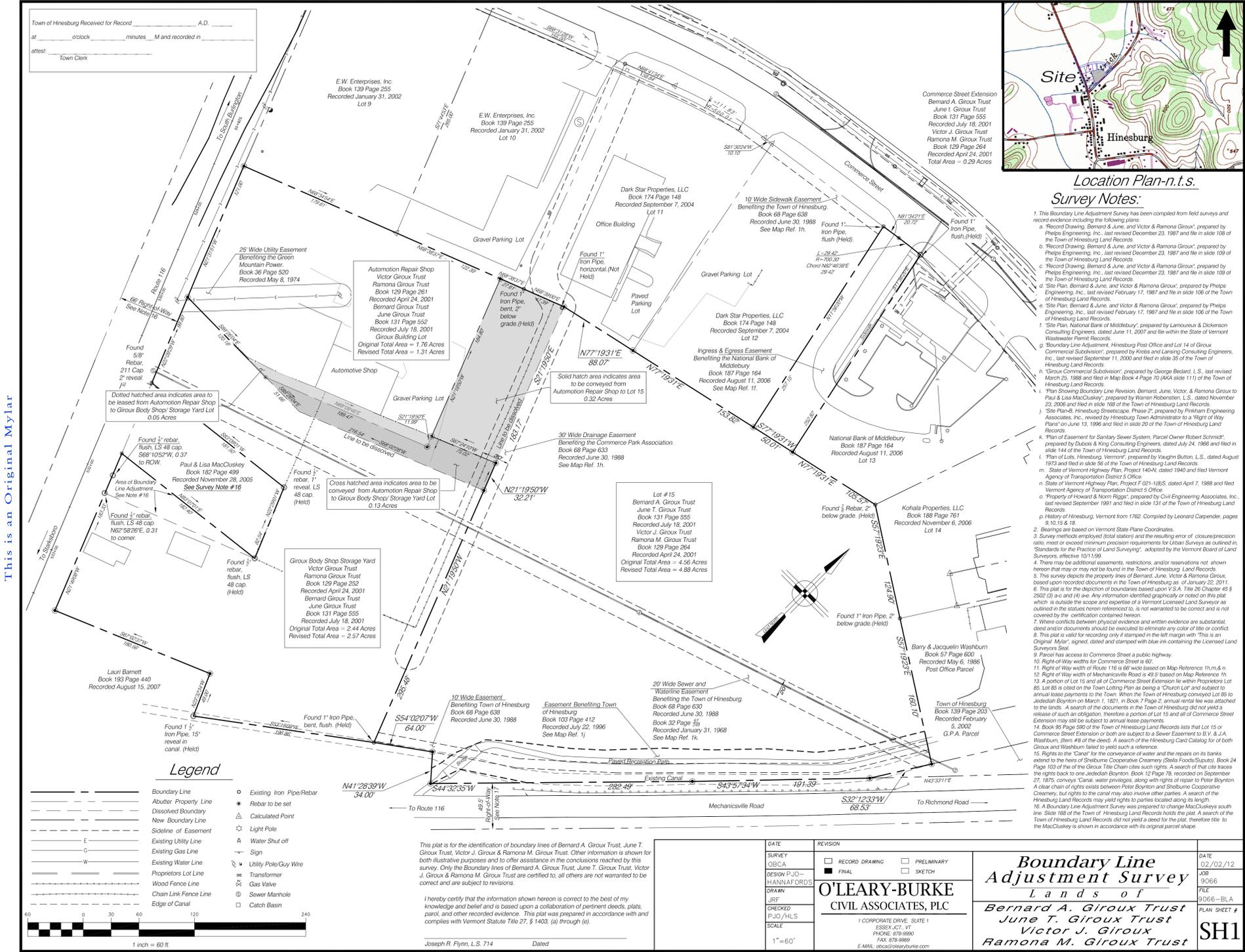
Date 10-14-13

Do Not Write Below This Line

Date Application Submitted: \_\_\_\_\_ Zoning District \_\_\_\_\_ Parcel Acreage \_\_\_\_\_

Received on: \_\_\_\_\_ Staff Contact: \_\_\_\_\_

All of the above documents and materials, when submitted, shall be retained by the Zoning Administrator as part



This is an Original Mylar

Town of Hinesburg Received for Record \_\_\_\_\_ A.D. \_\_\_\_\_  
 at \_\_\_\_\_ o'clock \_\_\_\_\_ minutes \_\_\_\_\_ M and recorded in \_\_\_\_\_  
 attest: \_\_\_\_\_  
 Town Clerk



**Survey Notes:**

- This Boundary Line Adjustment Survey has been compiled from field surveys and record evidence including the following plans:
  - Record Drawing, Bernard & June, and Victor & Ramona Giroux, prepared by Phelps Engineering, Inc., last revised December 23, 1987 and filed in slide 108 of the Town of Hinesburg Land Records.
  - Record Drawing, Bernard & June, and Victor & Ramona Giroux, prepared by Phelps Engineering, Inc., last revised December 23, 1987 and filed in slide 109 of the Town of Hinesburg Land Records.
  - Record Drawing, Bernard & June, and Victor & Ramona Giroux, prepared by Phelps Engineering, Inc., last revised December 23, 1987 and filed in slide 109 of the Town of Hinesburg Land Records.
  - Site Plan, Bernard & June, and Victor & Ramona Giroux, prepared by Phelps Engineering, Inc., last revised February 17, 1987 and filed in slide 106 of the Town of Hinesburg Land Records.
  - Site Plan, Bernard & June, and Victor & Ramona Giroux, prepared by Phelps Engineering, Inc., last revised February 17, 1987 and filed in slide 106 of the Town of Hinesburg Land Records.
- Site Plan, National Bank of Middlebury, prepared by Lamoureux & Dickenson Consulting Engineers, dated June 11, 2007 and filed within the State of Vermont Hinesburg Land Records.
- Boundary Line Adjustment, Hinesburg Post Office and Lot 14 of Giroux Commercial Subdivision, prepared by Kretz and Lansing Consulting Engineers, Inc., last revised September 11, 2000 and filed in slide 35 of the Town of Hinesburg Land Records.
- Giroux Commercial Subdivision, prepared by George Beclard, L.S., last revised March 25, 1988 and filed in Map Book 4 Page 70 (AKA slide 111) of the Town of Hinesburg Land Records.
- Plan Showing Boundary Line Revision, Bernard, June, Victor, & Ramona Giroux to Paul & Lisa MacCluskey, prepared by Warren Robersten, L.S., dated November 23, 2006 and filed in slide 168 of the Town of Hinesburg Land Records.
- Site Plan, Hinesburg Streetscape, Phase 2, prepared by Pirkham Engineering Associates, Inc., revised by Hinesburg Town Administrator to a "Right of Way Plan" on June 13, 1986 and filed in slide 20 of the Town of Hinesburg Land Records.
- Plan of Easement for Sanitary Sewer System, Parcel Owner Robert Schmidt, prepared by Dubois & King Consulting Engineers, dated July 24, 1986 and filed in slide 144 of the Town of Hinesburg Land Records.
- Plan of Lots, Hinesburg, Vermont, prepared by Vaughn Button, L.S., dated August 1973 and filed in slide 56 of the Town of Hinesburg Land Records.
- State of Vermont Highway Plan, Project 140-N, dated 1940 and filed Vermont Agency of Transportation District 5 Office.
- State of Vermont Highway Plan, Project F 021-1(8)S, dated April 7, 1988 and filed Vermont Agency of Transportation District 5 Office.
- Property of Howard & Norm Riggs, prepared by Civil Engineering Associates, Inc., last revised September 1991 and filed in slide 131 of the Town of Hinesburg Land Records.
- History of Hinesburg, Vermont from 1762. Compiled by Leonard Carpenter, pages 9, 10, 15 & 18.
- Bearings are based on Vermont State Plane Coordinates.
- Survey methods employed (total station) and the resulting error of closure/precision ratio, meet or exceed minimum precision requirements for Urban Surveys as outlined in "Standards for the Practice of Land Surveying", adopted by the Vermont Board of Land Surveyors, effective 10/11/99.
- There may be additional easements, restrictions, and/or reservations not shown herein that may or may not be found in the Town of Hinesburg Land Records.
- This survey depicts the property lines of Bernard, June, Victor & Ramona Giroux, based upon recorded documents in the Town of Hinesburg as of January 22, 2011.
- This plat is for the depiction of boundaries based upon V.S.A. Title 26 Chapter 45 § 2002 (3) a-c and (4) a-e. Any information identified graphically or noted on this plat which is outside the scope and expertise of a Vermont Licensed Land Surveyor as outlined in the statutes herein referenced to, is not warranted to be correct and is not covered by the certification contained herein.
- Where conflicts between physical evidence and written evidence are substantial, deed and/or documents should be executed to eliminate any color of title or conflict.
- This plat is valid for recording only if stamped in the left margin with "This is an Original Mylar", signed, dated and stamped with seal of the Licensed Land Surveyors Seal.
- Plat fee access to Commerce Street a public highway.
- Right-of-Way widths for Commerce Street is 60'.
- Right of Way width of Route 116 is 66' wide based on Map Reference 10.m & n.
- Right of Way width of Mechanicville Road is 49' based on Map Reference 10.
- A portion of Lot 15 and all of Commerce Street Extension lie within Proprietors Lot 85. Lot 85 is cited on the Town Lotting Plan as being a "Church Lot" and subject to annual lease payments to the Town. When the Town of Hinesburg conveyed Lot 85 to Jedediah Boynton on March 1, 1821, in Book 7 Page 2, annual rental fee was attached to the lands. A search of the documents in the Town of Hinesburg did not yield a release of such an obligation, therefore a portion of Lot 15 and all of Commerce Street Extension may still be subject to annual lease payments.
- Book 95 Page 590 of the Town of Hinesburg Land Records lists that Lot 15 or Commerce Street Extension or both are subject to a Sewer Easement to B.V. & J.A. Washburn, (Item #8 of the deed). A search of the Hinesburg Card Catalog for both Giroux and Washburn failed to yield such a reference.
- Rights to the "Canal" for the conveyance of water and the repairs on its banks extend to the heirs of Shelburne Cooperative Creamery (State Foods/Suputo). Book 24 Page 102 of the Giroux Title Chain cites such rights. A search of that title traces the rights back to one Jedediah Boynton. Book 12 Page 78, recorded on September 27, 1875, conveys "Canal" water privileges, along with rights of repair to Peter Boynton. A clear chain of rights exists between Peter Boynton and Shelburne Cooperative Creamery, but rights to the canal may also involve other parties. A search of the Hinesburg Land Records may yield rights to parties located along its length.
- A Boundary Line Adjustment Survey was prepared to change MacCluskeys south line. Slide 168 of the Town of Hinesburg Land Records holds the plat. A search of the Town of Hinesburg Land Records did not yield a deed for the plat, therefore title to the MacCluskey is shown in accordance with its original parcel shape.

**Legend**

- Boundary Line
- - - - Abuttal Property Line
- - - - Dissolved Boundary
- - - - New Boundary Line
- - - - Sideline of Easement
- - - - Existing Utility Line
- - - - Existing Gas Line
- - - - Existing Water Line
- - - - Proprietors Lot Line
- - - - Wood Fence Line
- - - - Chain Link Fence Line
- - - - Edge of Canal
- o Existing Iron Pipe/Rebar
- Rebar to be set
- △ Calculated Point
- ⊙ Light Pole
- ⊙ Water Shut off
- ⊙ Sign
- ⊙ Utility Pole/Guy Wire
- ⊙ Transformer
- ⊙ Gas Valve
- ⊙ Sewer Manhole
- ⊙ Catch Basin



This plat is for the identification of boundary lines of Bernard A. Giroux Trust, June T. Giroux Trust, Victor J. Giroux & Ramona M. Giroux Trust. Other information is shown for both illustrative purposes and to offer assistance in the conclusions reached by this survey. Only the Boundary lines of Bernard A. Giroux Trust, June T. Giroux Trust, Victor J. Giroux & Ramona M. Giroux Trust are certified to, all others are not warranted to be correct and are subject to revisions.

I hereby certify that the information shown hereon is correct to the best of my knowledge and belief and is based upon a collaboration of pertinent deeds, plats, plans, and other recorded evidence. This plat was prepared in accordance with and complies with Vermont Statute Title 27, § 1403, (a) through (e).

Joseph R. Flynn, L.S. 714 Dated \_\_\_\_\_

DATE	REVISION
SURVEY	RECORD DRAWING
DESIGN P.J.O., HANNAFORDS	PRELIMINARY
DRAWN	SKETCH
CHECKED	
F.L.O./HLS	
SCALE	
1"=60'	

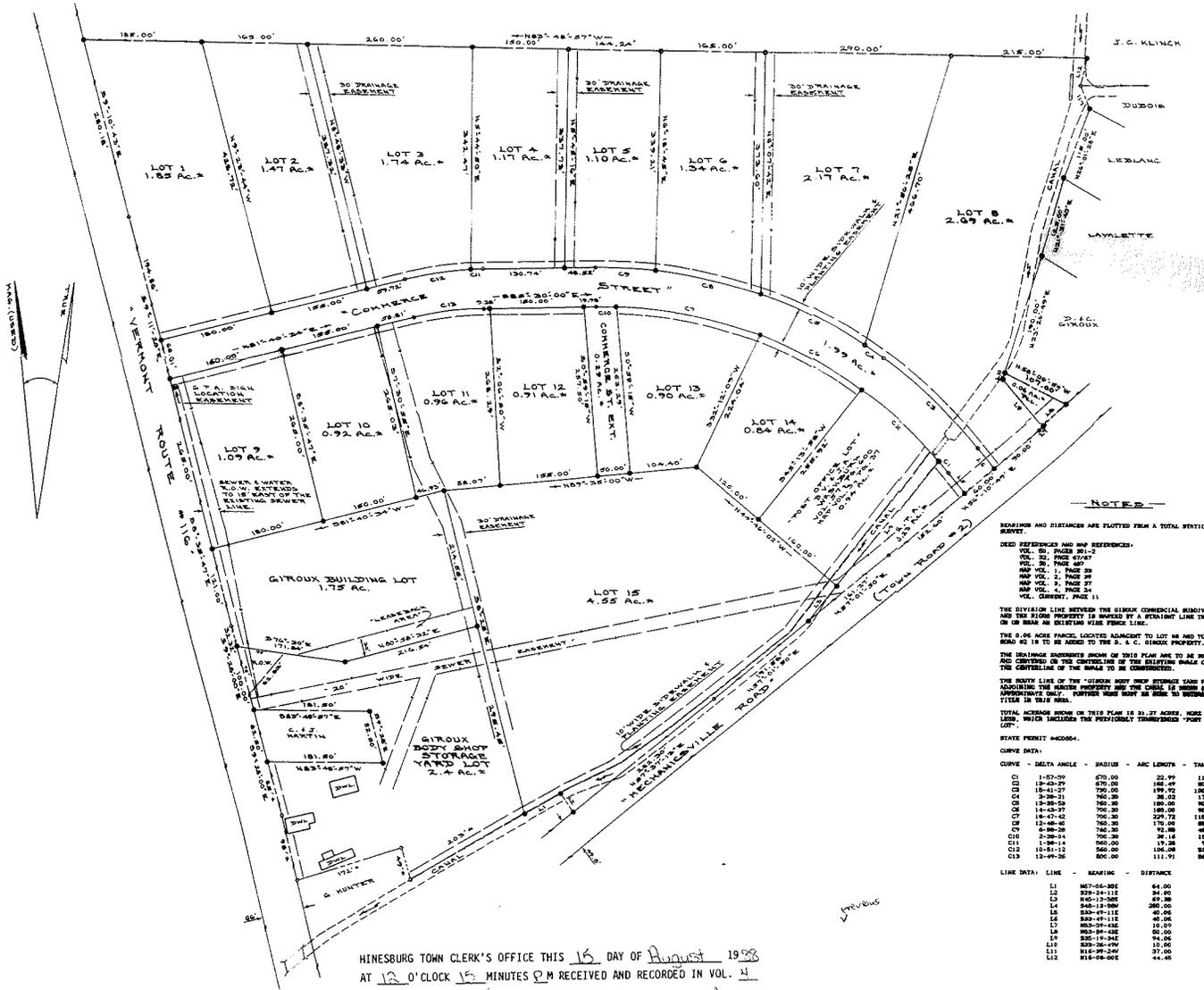
**Boundary Line Adjustment Survey**  
 Lands of  
**Bernard A. Giroux Trust**  
**June T. Giroux Trust**  
**Victor J. Giroux**  
**Ramona M. Giroux Trust**

**O'LEARY-BURKE CIVIL ASSOCIATES, PLC**

1 CORPORATE DRIVE, SUITE 1  
 ESSIEX, VT.  
 PHONE: 878-9990  
 FAX: 878-9899  
 E-MAIL: ocb@olearyburke.com

DATE: 02/02/12  
 JOB: 9066  
 FILE: 3066-BLA  
 PLAN SHEET # **SH1**

H. & N. 11655



NOTES

BEARINGS AND DISTANCES ARE PLOTTED FROM A TOTAL STATIC SURVEY.

DEED REFERENCES AND MAP REFERENCES:  
 VOL. 50, PAGE 201-2  
 VOL. 25, PAGE 57-57  
 VOL. 20, PAGE 407  
 MAP VOL. 1, PAGE 20  
 MAP VOL. 2, PAGE 27  
 MAP VOL. 6, PAGE 24  
 VOL. CLERK, PAGE 11

THE DIVISION LINE BETWEEN THE GIROUX COMMERCIAL SUBDIVISION AND THE FEENE PROPERTY IS MARKED BY A DOTTED LINE TO OR ON OR NEAR AN EXISTING WIDE FENCE LINE.

THE 0.06 ACRE SPACE LOCATED ADJACENT TO LOT 14 AND TO ROAD 82 IS TO BE ADDED TO THE S. & C. GIROUX PROPERTY.

THE DRAINAGE EASEMENTS SHOWN ON THIS PLAN ARE TO BE AS SHOWN ON THE COMPLETION OF THE SEWER MAIN & THE CENTERLINE OF THE MAIN TO BE CONSIDERED.

THE SOUTH LINE OF THE "GIROUX BODY SHOP STORAGE YARD" ADJOINING THE FEENE PROPERTY AND THE CORNER 12 NORTH 1 APPROXIMATE ONLY. FURTHER MEASUREMENTS TO BE MADE TO BEING LINES IN THIS AREA.

TOTAL ACRES SHOWN ON THIS PLAN IS 31.27 ACRES, MORE OR LESS, WHICH INCLUDES THE PREVIOUSLY TRANSFERRED "PORT LOT".

STATE PERMIT #40064.

CURVE DATA:

CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	TAN
C1	1-07-00	470.00	22.99	11
C2	12-43-27	470.00	148.00	86
C3	10-11-11	700.00	136.02	100
C4	3-28-21	700.00	126.02	11
C5	10-11-11	700.00	136.02	100
C6	14-43-27	700.00	189.00	96
C7	10-11-11	700.00	136.02	100
C8	12-48-00	700.00	170.00	86
C9	6-40-20	742.00	25.00	40
C10	2-08-14	700.00	26.14	11
C11	1-08-14	560.00	10.00	1
C12	10-51-12	560.00	106.00	50
C13	12-49-36	800.00	111.00	60

LINE DATA: LINE - BEARING - DISTANCE

L1	N67-04-00E	64.00
L2	S70-24-11E	34.00
L3	S40-13-00E	89.00
L4	S40-13-00W	280.00
L5	S30-07-11E	40.00
L6	S20-07-11E	40.00
L7	S20-07-11E	10.00
L8	S20-07-11E	10.00
L9	S20-19-34E	94.00
L10	S20-07-11E	10.00
L11	N10-09-24W	37.00
L12	N10-09-24E	44.00

HINESBURG TOWN CLERK'S OFFICE THIS 16 DAY OF August 1928  
 AT 12 O'CLOCK 15 MINUTES P.M. RECEIVED AND RECORDED IN VOL. 4  
 PAGE 70 MAP # 415  
 Antoinette A. Lucidok Asst. TOWN CLERK

Walter E. Blawiehart Jefe

- LEGEND
- PROPERTY LINE
  - LOT LINE
  - 10' WIDE R.O.W. LIMIT
  - 10' WIDE EASEMENT
  - 10' WIDE EASEMENT LIMIT - 10' WIDE
  - 20' WIDE SEWER EASEMENT LIMIT - 20' WIDE
  - 20' WIDE DRAINAGE EASEMENT LIMIT - 20' WIDE
  - CANAL OR DITCH
  - ROAD
  - EXISTING BEFORE SURVEY
  - CURVE DESIGNATION
  - LINE DESIGNATION
  - GIROUX TOWN ASSOCIATION
  - LEASEBACK AREA LIMIT
  - WATER EASEMENT LIMIT



I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON IS BASED ON AN ACTUAL SURVEY AND IS CORRECT TO THE BEST OF MY KNOWLEDGE

GIROUX COMMERCIAL SUBDIVISION  
 HINESBURG VERMONT  
 SCALE - 1"=60' Dec. 25, 1928  
 C. E. DEBARD, INC., HINESBURG, VT.  
 REVISED: 3/22/28

