

Dear Board,

email sent July 10, 2024

**Town of Plainfield, Vermont**

**RE: Notice of rebuttal to the appeal of DRB zoning permit # ZPA-2024-01 dated February 2, 2024.**

Please accept this email as a notice of rebuttal to the appeal of DRB zoning permit # ZPA-2024-01 dated February 2, 2024.

**Name and address of applicant:** Peter Burmeister, 412 Elm Street, Montpelier VT 05602

**Name and address of appellant:** Kayle Hope & Susan Bourque, 3809 E. Hill Road, Plainfield VT 05667

**My property:** 3905 E. Hill Road, Plainfield VT 05667

**Relief requested:** upholding of permit # ZPA-2024-01.

**Based on:**

The site plan submitted for ZPA-2024-01 shows the accurate property boundaries see SP1 attached. Said site plan was prepared by Chase & Chase Land Surveyors & Septic Designers at the same time a boundary survey was conducted. I have attached a copy of both the site plan and boundary survey of even date. A site plan to scale has been provided to address setbacks.

The no build zone or the "Restrictive Area" as referred to in Book 75 Page 850 attached, has been accurately mapped and used in accordance with the "Restrictions on Use" set for Mr. Burmeister's burdened parcel on Page 852 of the same book. No development will take place within this area and will be avoided in the construction of Mr. Burmeister's retirement home. Again, the boundary survey is attached.

On 9-21 & 9-27-2023 a Wetland Delineation was performed for Ms. Hope & Ms. Bourque by Patti Greene-Swift, a wetland consultant, who trespassed on Mr. Burmeister's property to do so. A State Wetland Determination application was submitted sometime after 11-1-23 without consideration of the legal wetland delineation Mr. Burmeister hired Ms. Greene-Swift to do on 10-13-2024, the same was reviewed on-site by a state wetland ecologist, Shannon Morrison. Mr. Burmeister, seeking to appeal the Draft Wetland Determination above, hired a different wetland consultant Peter Spear who delineated the wetland on 11-20-2024. On 6-4-2024 a site meeting was conducted to review the two competing wetland delineations by Shannon Morrison's supervisor the Wetland Program Manager Laura Lapierre. Quoting Laura Lapierre's email, attached, on 6-5-24 "The delineation on the site plan is approved and valid for five years." Chase & Chase has prepared a wetland restoration plan to address the concerns of the wetlands program. All pertinent class II wetlands and buffers have been shown on the site plan. This is a State Wetlands Program matter, has been resolved on that level and should be taken as such by the Development Review Board.

Thank you,

Derek Bevins  
Project Manager  
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