

GEORGE E. RICE  
ATTORNEY AT LAW  
137 ELM STREET Box 808  
MONTPELIER, VERMONT 05602

COPY ✓

802-229-0364  
FAX 802-223-1095

11 June 1998

TOWN CLERKS OFFICE  
EAST MONTPELIER, VT  
RECEIVED

JUN 15 1998  
AM  
7 8 9 10 11 12 1 2 3 4 5 6 PM

Mr. Edward Stanak  
District Coordinator  
District 5 Environmental Commission  
324 North Main Street  
Barre, VT 05641

Re: Casavant Pines Development

Dear Mr. Stanak:

I was copied with William Bryant's letter to you dated 4 June. As you know, I represent Ellery and Jennifer Packard. I believe that you've had prior correspondence from both Richard Casavant and our office or from Ellery Packard directly as it pertains to this potential problem. Our view is that the erosion which first appeared was immediately after a very bad rain storm in 1997 while Richard Casavant still owned the road and the adjacent lot.

It is our understanding that the Town has accepted the road with full knowledge of this problem which we believe is a direct result of the design and construction of the road by Mr. Casavant. Mr. and Mrs. Packard bought a lot from Mr. Casavant and the erosion which Mr. Bryant refers to is exactly at the point where the Packard lot abuts the remaining lot which is still owned by Casavant. Mr. and Mrs. Packard continue to be of the opinion that they are not responsible for the initial erosion nor are they responsible for any remediation which may be required.

Obviously, the Packards would also like to see this matter resolved but they understand that the District Commission has already decided to leave it in the hands of the two landowners. We hope that the Commission may review this matter and determine what remedial action should be taken if it still has jurisdiction.

Very truly yours,

George E. Rice

GER/nma

cc: William Bryant  
Town of East Montpelier

Savoy (6 hours) -1

proposed investment  
plan to Casavant

\$5-10,000

may not work

may not stop upper bank  
erosion or other scouring  
along the way.

Traditional rip-rap solution

could go as high as

\$100,000

Will send us plan