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## Old Stage Road - Boundary Survey Results

1 message

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**Christopher Haggerty** [REDACTED]

Tue, Nov 4, 2025 at 1:48 PM

To: Baktash Fattahi [REDACTED] Laurie Nelson [REDACTED]

Cc: Leonard Amblo [REDACTED]

Hi Baki and Laurie,

Please find attached a sketch showing the results of our survey. The yellow lines represent the boundaries as retraced by Terry Wilson, LS, with which I'm largely in agreement with. However, you can see that the sporadic evidence of barbed wire fence line recovered on the ground did appear to lead to the location of the iron pipe you reported to me, which is no longer there. This recovered physical evidence is consistent with your testimony of the initial layout of the shed, being 25'+ from said evidence. I understand that you used what you believed, in good faith, to be reliable evidence of the boundary. It's unfortunate that no objection from neighbors was raised during your permit appeal period, especially if they had a different understanding of the actual boundary location. This costly situation likely could have been avoided if contrary evidence had been brought to you and the Town's attention in a more timely fashion.

Thanks,  
Chris

Christopher Haggerty, LS



Cell: 802-324-2641

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 **Sketch to Baki 10-30-25.pdf**  
1063K

**AFFIDAVIT OF RICHARD WESTON**

STATE OF VERMONT  
CHITTENDEN COUNTY  
TOWN OF ESSEX

I, RICHARD WESTON, being duly sworn, depose and state as follows:

1. I am over the age of 18, competent to testify, and make this affidavit of my own personal knowledge.

2. I am a contractor by trade, and in that capacity, I was retained by Laurie and Baki Nelson (Baktash Fattahi) to build a shed on their property located at 152 Old Stage Road, Essex, VT 05452.

3. In October of 2023, in anticipation of building a 24x14 shed on Nelsons property, I located the iron pipe (survey pin) on South-West corner and then walked down the boundary line from South to the East where I found the South-East iron pipe. I used those original property survey pins to mark the boundary line along the southern edge of the property and measured thirty (30) feet from that boundary line to ensure that the shed would be constructed in compliance with zoning setback regulations.

4. I waited until Mr. & Ms. Nelson obtained the permit from the Town of Essex in mid-November of 2023. I personally helped Mr. Nelson to hang the permit which stayed in place from mid-November 2023 to the end of February 2024.

5. The construction of shed was completed in April of 2024. On October 4, 2024, Ms. Nelson called me about the presence of a surveyor on her property and a new boundary line. I returned to the property and observed that the original survey pin I had used to take measurements (South-West pin) was no longer present. Instead, there was a new pin and wooden sticks that were less than a few feet from the shed. This was very confusing to witness how suddenly the boundary line had moved into Nelsons' property.

6. I make this affidavit voluntarily and without any promise of benefit or inducement. As the contractor for the shed I confirm that the pin I used to measure the setback went missing and a new pin and boundary line appeared on the Nelsons' property.

FURTHER AFFIANT SAYETH NAUGHT.

Dated: 8-24, 2025

Town of Essex, Vermont

  
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RICHARD WESTON

Affiant

**AFFIDAVIT OF HEIDI HULSE**

STATE OF VERMONT  
CHITTENDEN COUNTY  
TOWN OF ESSEX

I, HEIDI HULSE, being duly sworn, depose and state as follows:

1. I am over the age of 18, competent to testify, and make this affidavit of my own personal knowledge.

2. I worked with Mr. Richard Weston on the construction of a 24x14 shed on Nelsons' property (Laurie and Baki Nelson) located at 152 Old Stage Road, Essex, VT 05452.

3. I was present at Nelson's property in October of 2023 and accompanied Richard there. He used the town map and walked the Southern boundary line of the property and found the pins on two ends (South-West and South- East). Richard then measured thirty feet from the Southern boundary to make sure proper setbacks are in place.

4. After Mr. & Ms. Nelson obtained the permit from the Town of Essex in mid-November of 2023 we went back to their property and started the project. The town permit was exhibited on the property for about three months.

5. We finished building the shed in April of 2024. On October 4, 2024, Ms. Nelson reached out to Richard, concerned about a new boundary line that was put on by a new surveyor. We returned to the property and Richard found out that the original survey pin

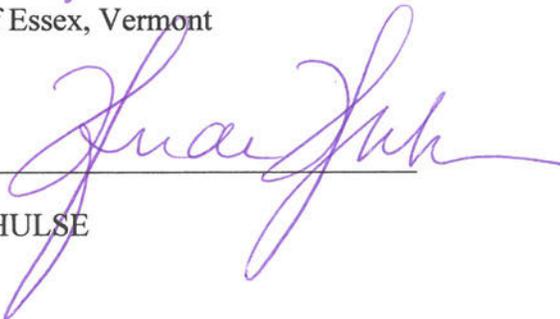
on the South-West was missing. Now there was a new pin very close to the shed, and a line of wooden sticks placed a few feet from the shed.

6. I make this affidavit voluntarily and without any promise of benefit or inducement, for the purpose of confirming my observations regarding the use of the survey pin, the setback measurements, and the fact that the pin was subsequently missing.

FURTHER AFFIANT SAYETH NAUGHT.

Dated: Aug 24, 2025

Town of Essex, Vermont

  
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HEIDI HULSE

Affiant

**AFFIDAVIT OF JAMES WESTON**

STATE OF VERMONT  
CHITTENDEN COUNTY  
TOWN OF ESSEX

I, JAMES WESTON, being duly sworn, depose and state as follows:

1. I am over the age of 18, competent to testify, and make this affidavit of my own personal knowledge.

2. I reside at 175 Towers Road Extension, Essex, VT 05452 which is adjacent to the property located at 152 Old Stage Road, Essex, VT 05452 owned by Laurie and Baki Nelson (Baktash Fattahi).

3. In connection with the zoning permit for the construction of a shed on Nelson's property, I personally observed that the zoning permit was posted in a visible location on the property where I could see it every day for about three months. I believe the permit sign was there from November of 2023 until late February 2024.

4. I have lived at my current house for decades and know every iron pipe (survey pin) around my property and my neighbors. There was an iron pipe on the east side of my property line where I store some of my equipment. But after Nelsons built a shed on their property, that original survey pin was no longer in place. This pin had been present prior to the construction but was later discovered to have been removed under unknown circumstances.

6. I make this affidavit voluntarily and without any promise of benefit or inducement, for the purpose of confirming my observations regarding the zoning permit posting and the survey pin.

FURTHER AFFIANT SAYETH NAUGHT.

Dated: 8/24, 2025

Town of Essex, Vermont

A handwritten signature in blue ink that reads "James Weston" is written over a horizontal line.

JAMES WESTON

Affiant

**AFFIDAVIT OF RUTH MACK**

STATE OF VERMONT  
CHITTENDEN COUNTY  
TOWN OF ESSEX

I, RUTH ANN MACK, being duly sworn, depose and state as follows:

1. I am over the age of 18, competent to testify, and make this affidavit of my own personal knowledge.

2. I reside at 175 Towers Road Extension, Essex, VT 05452 which is adjacent to the property located at 152 Old Stage Road, Essex, VT 05452 owned by Laurie and Baki Nelson (Baktash Fattahi).

3. In connection with the zoning permit for the construction of a shed on Nelson's property, I personally observed that the zoning permit was posted in a visible location on the property where I could see it every day for about three months.

4. I have lived at the address above for few years and know the property boundaries are marked with iron pipes (survey pin) in this neighborhood. There was an iron pipe on the east side of my property line where my partner Jim Weston often stores some of his equipment. But after Nelsons built a shed on their property, that original survey pin was no longer in place. This pin had been present prior to the construction but was later discovered to have been removed under unknown circumstances.

5. I make this affidavit voluntarily and without any promise of benefit or inducement, for the purpose of confirming my observations regarding the zoning permit posting and the survey pin.

FURTHER AFFIANT SAYETH NAUGHT.

Dated: 8-24, 2025

Town of Essex, Vermont

Ruth Ann Mack

Ruth Ann Mack

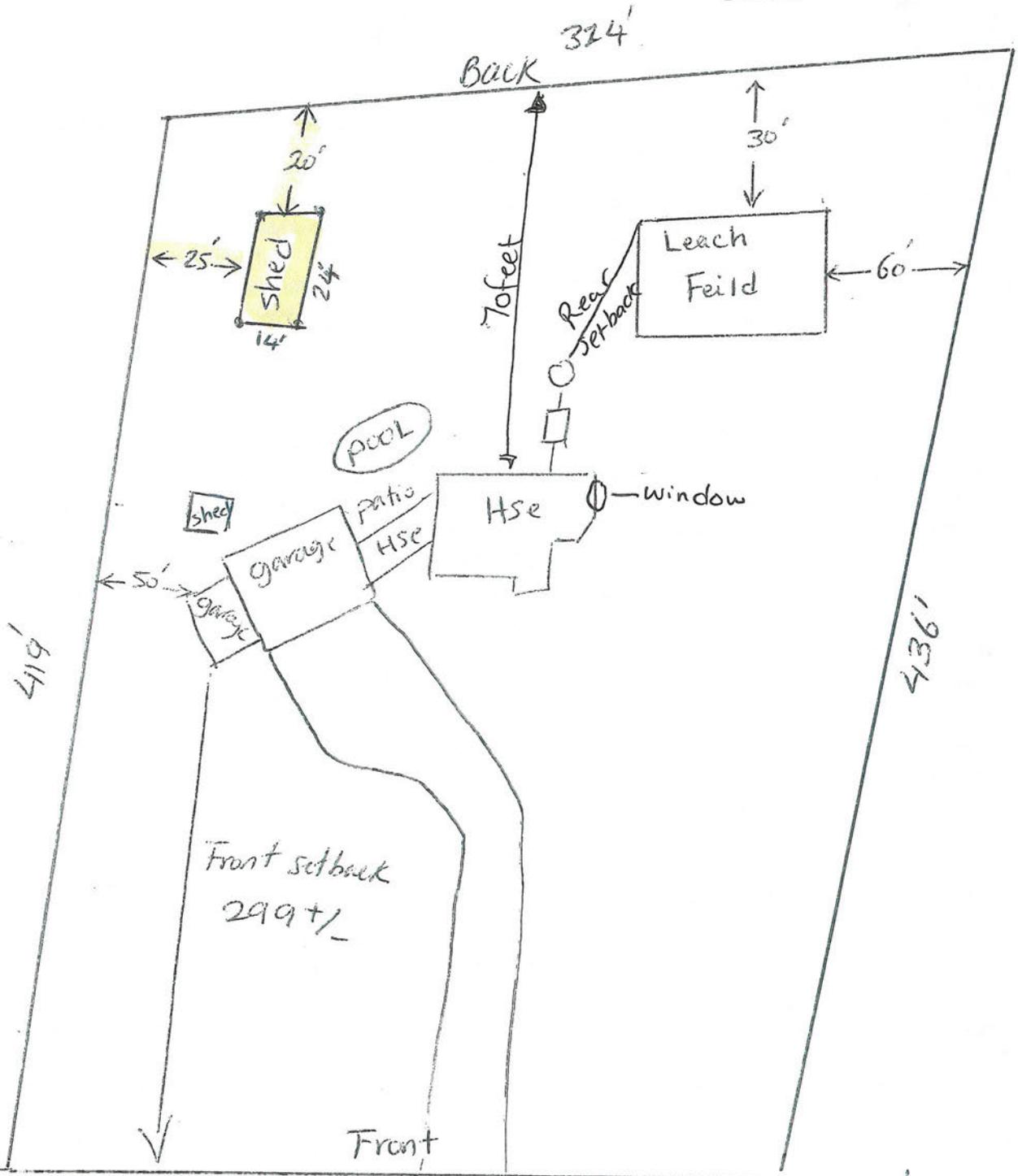
Affiant



The shed is 14'x24'.

Add Additional window in Basement.

Diagram - Provide diagram here and include all setbacks



old stage Rd

F

• 152 Old Stage  
Iron pin placed  
by John Marsh





PARCEL #2010063005  
N/F JAMES P. RESTON  
VOL. 887, PG. 511

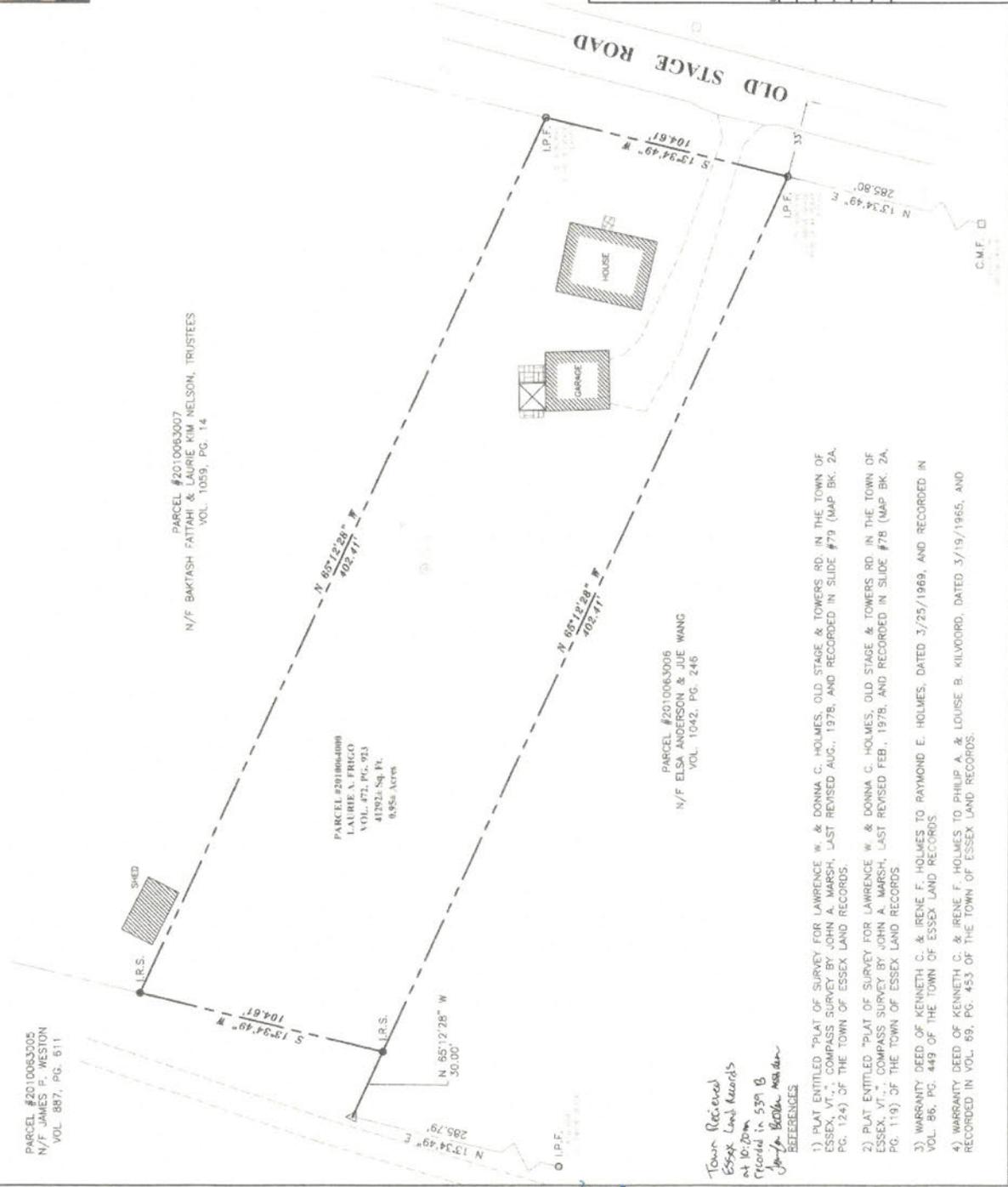
**NOTES**

- 1) BEARINGS ARE BASED ON VERMONT STATE PLANE GRID DERIVED FROM GNSS OBSERVATIONS TAKEN AT THE TIME OF THIS SURVEY.
- 2) EASEMENTS, OTHER THAN DEPICTED HEREON, MAY EXIST.
- 3) NO ENCROACHMENTS WERE OBSERVED.
- 4) REFERENCES #1 & #2 WERE FOUND NOT TO CLOSE WITH MULTIPLE MATHEMATICAL ERRORS. EXISTING MONUMENTATION WAS HELD ACCORDINGLY.

PARCEL #2010063007  
N/F BAKTASH FAITAH & LAURIE KM NELSON, TRUSTEES  
VOL. 1059, PG. 14

PARCEL #2010064008  
LAURIE A. FRIGO  
VOL. 473, PG. 913  
412021 Sq Ft  
0.9354 Acres

PARCEL #2010063006  
N/F ELSA ANDERSON & JUE WANG  
VOL. 1042, PG. 246



*Town Records  
Essex Land Records  
at 10:20am  
Record in 539 B  
John-Joe Bollen was the  
REFEREE*

- 1) PLAT ENTITLED "PLAT OF SURVEY FOR LAWRENCE W. & DONNA C. HOLMES, OLD STAGE & TOWERS RD. IN THE TOWN OF ESSEX, VT.," COMPASS SURVEY BY JOHN A. MARSH, LAST REVISED AUG., 1978, AND RECORDED IN SLIDE #79 (MAP BK. 2A, PG. 124) OF THE TOWN OF ESSEX LAND RECORDS.
- 2) PLAT ENTITLED "PLAT OF SURVEY FOR LAWRENCE W. & DONNA C. HOLMES, OLD STAGE & TOWERS RD. IN THE TOWN OF ESSEX, VT.," COMPASS SURVEY BY JOHN A. MARSH, LAST REVISED FEB., 1978, AND RECORDED IN SLIDE #78 (MAP BK. 2A, PG. 119) OF THE TOWN OF ESSEX LAND RECORDS.
- 3) WARRANTY DEED OF KENNETH C. & IRENE F. HOLMES TO RAYMOND E. HOLMES, DATED 3/25/1969, AND RECORDED IN VOL. 86, PG. 449 OF THE TOWN OF ESSEX LAND RECORDS.
- 4) WARRANTY DEED OF KENNETH C. & IRENE F. HOLMES TO PHILIP A. & LOUISE B. KILWOOD, DATED 3/19/1965, AND RECORDED IN VOL. 89, PG. 453 OF THE TOWN OF ESSEX LAND RECORDS.



**LOCUS**  
NOT TO SCALE

**LEGEND**

- PROPERTY LINE
- RIGHT OF WAY OR PARCEL LINE
- TREELINE
- UTILITY POLE
- GUY WIRE
- IRON ROD FOUND
- IRON ROD SET
- IRON PIPE FOUND
- CONCRETE MONUMENT FOUND
- CALCULATED POINT



**CERTIFICATION**

I HEREBY CERTIFY THAT THE SUBJECT PARCEL BOUNDARIES SHOWN HEREON ARE TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF. SAID BOUNDARIES WERE DETERMINED FROM PERTINENT RECORDS AND RESOURCES AND EVIDENCE FOUND IN THE FIELD. THIS SURVEY WAS PERFORMED WITH AN ELECTRONIC TOTAL STATION WITH A POSITIONAL TOLERANCE LEVEL EXCEEDING 98%. I FURTHER CERTIFY THAT THIS PLAT MEETS ALL THE REQUIREMENTS OF TITLE 27 V.S.A., SECTION 1403.

DATED Nov. 8, 2024  
TERRY W. WILSON, L.S. #60812 VT

PROJ. #24947  
DATE: OCTOBER, 2024  
SCALE: 1"=30'  
SURVEYED BY: TWW  
DRAWN BY: TWW  
CHECKED BY: TWW

SHEET 1 OF 1 DWG. # M-947



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