

APPRAISAL REPORT
OF THE
MONTOWESE INDUSTRIAL PARK, LLC PROPERTY
80 AND 90 UPPER MAIN STREET
ESSEX, VERMONT
Effective Date: May 21, 2023

By: Michael F. Keller, MAI, AI-GRS
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May 26, 2023

Tom Yandow
Facilities Manager
Town of Essex
Public Works
5 Jericho Road
Essex, Vermont 05452

Dear Mr. Yandow:

At your request, I hereby submit a PDF of a real estate appraisal report on the market value of the Montowese Industrial Park, LLC property located at 80 and 90 Upper Main Street in Essex, Vermont. An inspection of the property for the appraisal was conducted on May 21, 2023.

The purpose of this report is to estimate the market value of the property's fee simple estate according to the definition thereof stated in the report, subject to the assumptions, limitations, and certification therein.

After analyzing all available information, it is the appraiser's opinion that the market value of the property herein described, as of May 21, 2023, is \$3,500,000.

Sincerely yours,

A handwritten signature in red ink, appearing to be 'M. Keller', written over a light blue horizontal line.

Michael F. Keller, MAI, AI-GRS

CERTIFICATION OF VALUE

I certify that, to the best of my knowledge and belief:

- the statements of fact contained in this report are true and correct.
- the reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved.
- I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- my compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- the reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute, which include the Uniform Standards of Professional Appraisal Practice.
- I have made a personal inspection of the property that is the subject of this report.
- no one provided significant professional assistance to the person signing this report.
- the use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- as of the date of this report, I have completed the continuing education program for Designated Members of the Appraisal Institute.
- my engagement in this assignment was not contingent upon developing or reporting predetermined results.
- no services have been performed regarding the subject property within the three year period immediately preceding acceptance of this assignment, as an appraiser or in any other capacity.
- the appraiser has experience in the appraisal of the subject's property type and considers himself qualified to complete the appraisal assignment, or has taken the appropriate steps required to meet the competency provision of USPAP.



Michael F. Keller, MAI, AI-GRS

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SUMMARY OF IMPORTANT FACTS AND CONCLUSIONS

PROPERTY IDENTIFICATION

PROPERTY OWNER: Montowese Industrial Park, LLC
PROPERTY ADDRESS: 80 and 90 Upper Main Street
TAX MAP ID: 10-1 (80) and 10-2 (90)
CITY/TOWN: Essex
COUNTY: Chittenden
STATE: Vermont

LAND

SIZE: 20.25 acres (80) and 12.89 acres (90)
ACCESS: Good with one vacated curb cut for each parcel
SHAPE: Irregular
TOPOGRAPHY: Predominately level to gently sloping
COVER: Part forested
SOILS: Moderate to favorable for development
UTILITIES: Electricity, communication cables, municipal water and municipal sewer available, subject to allocations

USE, RIGHTS AND RESTRICTIONS

HIGHEST & BEST USE: Mixed use
PURPOSE OF THE APPRAISAL: Estimation of market value
USE OF THE APPRAISAL: Potential acquisition
PROPERTY RIGHTS APPRAISED: Fee simple
ASSESSMENT: 80 - \$1,018,100
90 - \$761,100
TAXES: 80 - \$23,380.67
90 - \$17,478.66
ZONING: Mixed Use Development – PUD and Agricultural Residential
FLOOD PLAIN: Possible at the back of 80 Upper Main Street
OTHER RESTRICTIONS: Limited wetlands and two waterline easements to the Town of Essex. Possible

flood hazard area with buffer at the back of
80

VALUATION AND MARKETING TIME

ESTIMATES OF VALUE:	Cost Approach:	Not applicable
	Income Capitalization Approach:	Not applicable
	Sales Comparison Approach:	\$3,500,000
RECONCILED VALUE:		\$3,500,000
EXPOSURE TIME:		Less than one year
MARKETING TIME:		Less than one year
DATE OF VALUE ESTIMATE:		May 21, 2023

AREA DATA

COUNTY:	Chittenden		
MARKET AREA:	Greater Burlington		
PRIMARY ACCESS ROUTES:	Vermont Routes 15, 2A and 289, and Interstate 89		
POPULATION:	Chittenden County	1980	115,534
		1990	131,761
		2000	146,571
		2010	156,545
		2020	168,323
	Essex	1980	14,392
		1990	16,498
		2000	18,626
		2010	19,587
		2020	22,094
	Essex Junction	1990	8,396
		2000	8,591
		2010	9,271
		2020	10,761
HOUSING UNITS:	Chittenden County	1980	41,347
		1990	52,095
		2000	58,864
		2010	65,722
		2020	73,085
	Essex	1980	4,826
		1990	6,310
		2000	7,170
		2010	8,146
		2020	9,588
	Essex Junction	2000	NA
		2010	NA
		2020	4,789
ECONOMIC BASE:	Medical (University of Vermont Medical Center, etc.), institutional (University of Vermont, etc.), manufacturing (Globalfoundries, General Dynamics, etc.), government (INS, etc.), technology (Dealer.com), retail and service.		

COMMENTS

Chittenden County is the most urban county in the state and is centered on the city of Burlington. This County is the state's population, employment, commerce and cultural center and is served by an extensive transportation network. Developed are Interstate 89, US Routes 7 and 2, freight rail by Vermont Railway, Inc. passenger rail by Amtrack, bus service by several carriers and air services at Burlington International Airport.

Four of the state's most populated municipalities are located in Chittenden County whose population increased by approximately 11% between 1990 and 2000, 6% between 2000 and 2010 and 7.5% for the past decade. During the 1990's, housing in the county increased at 13% versus 11% during the 2000's. Between 2010 and 2020, housing increased by 11%.

Chittenden County's economy draws support from a variety of industrial, service, retail, health and educational enterprises and accounts for approximately 90,000 jobs. The largest employers in the county and state are located in the Burlington labor market area and include Globalfoundries with 2,100 employees, University of Vermont Medical Center at 8,800 employees, the University of Vermont with approximately 3,172 full time employees and Dealer.com with 1,100. The service industries comprise the greatest percentage of jobs (27%), followed by sales and administration (22%), management and finance (17%), manufacturing and construction (14%) and other at 20%.

The labor force within greater Burlington is adequate, is drawn from a large pool of skilled and unskilled workers, and historically had the lowest or second lowest unemployment rate in the state. As of April of 2023, Vermont had an unemployment rate of 2.4% while Chittenden County and the Town of Essex each had a rate of 1.3%.

Commercial and industrial development occurred from the 1980's to the mid 2000's throughout the subject's market area, with the highest concentration of development noted within the northwesterly segment of the town of Williston, the northerly sector of the city of South Burlington, the southeasterly part of the town of Colchester, and in the commercial core of the city of Burlington. Retail and service oriented commercial development can also be noted along or within close proximity to the major traffic arteries. Predominant retail and office markets are the central core of the city of Burlington; Shelburne Road, Williston Road, Dorset Street, and Kennedy Drive in South Burlington; Susie Wilson Road and Vermont Route 15 in Essex; Taft's Corners (U.S. Route 2 and Vermont Route 2A) in Williston; and Exit 16 at U.S. Routes 2 and 7 in Colchester.

Significant retail development occurred at Taft's Corners in Williston. Construction included Wal-Mart, Home Depot, Best Buy, Old Navy, Dick's, Marshall's, a Hannaford Brothers supermarket and Maple Tree Place.

Industrial development can also be noted in the market over the two plus decades. Within the towns of Williston and Essex, over 1,000,000 square feet of commercial/light industrial space has been developed and absorbed. Limited industrial development was noted in the towns of Colchester and the city of Burlington.

The office market expanded over the two plus decades. The suburban market was developed with over 700,000 square feet of Class A office space during this time frame with the majority pre-leased or developed for owner occupancy. Greatest growth was noted at Water Tower Hill in Colchester, adjacent to Exit 16 of Interstate 89. Other development areas are central Burlington, Swift/Farrell Streets, Hinesburg Road and Shelburne Road in South Burlington and the general vicinity of Taft's Corners in Williston.

The residential sector also underwent growth during this time frame. Burlington and the suburban markets of Shelburne, Essex, Williston, South Burlington, and Colchester received the greatest development as a result of the availability of land and infrastructure, and their proximity to area employment centers.

As of July 1, 2022, Essex Junction became a city. Prior to this, Essex Junction was a village and shared items with the town. With the passage to a city, the forecast is that the town will have a 20% tax rate increase in 2024.

Summary

The greater Burlington market has been spared from significant adverse effects as a result of the recent recession. Jobs within this market are sheltered by the major employers such as Globalfoundries, University of Vermont Medical Center, federal government and the University of Vermont. This market does not benefit from peaks nor is it harmed by troughs of economic fluctuations.

NEIGHBORHOOD DATA

ACCESS:	Good via Vermont Routes 289 and 15
BUILT-UP:	Approximately 80%
USES:	Mixed
OCCUPANCY:	At or near 100%
BUILDING CHARACTERISTICS:	Vary for design and use
UTILITIES:	Electricity, communication cables, natural gas, municipal water and municipal sewer
ADVERSE INFLUENCES:	None observed
TREND:	Slowly developing

COMMENTS

The subject neighborhood is formed by those properties that are located proximate to the intersection of Vermont Route 15 with Vermont Route 289 (Circumferential Highway). Developed on the inside, south and west, of Vermont Route 15 are a mix of properties that include a McDonalds, The Essex Experience, the Inn at Essex, multi-family, an Ace Hardware, medical clinic, office, a supermarket, pharmacy and two bank branches for a partial listing.

The Essex Experience was originally a manufacturer's retail center and now housing mostly local entrepreneurs offering unique products, services and entertainment.

The subject lies on the outside or north side of Vermont Route 15 between Vermont Route 289 and Old Stage Road. Developed are a small engine sales and service property in conjunction with a convenience store and a single family residence.

The subject's location is between two signal lights and is a relatively large parcel of undeveloped land.

PROPERTY DESCRIPTION

HISTORY OF CONVEYANCE AND USE

The current owner of the subject property acquired title through a warranty deed that is summarized as follows:

GRANTOR:	Hayes L. and Susan H. Sogoloff
GRANTEE:	Cedar Springs LLC
DATE OF DEED:	October 14, 2004
RECORDED SALE PRICE:	\$3,000,000
RECORDING:	Essex
BOOK:	627
PAGE:	657

The subject, according to the deed, consists of Parcel I with 19 acres and Parcel II with 12 acres and house, horse stable and outbuildings. The buildings have since been removed.

PROPERTY IDENTIFICATION

The subject is identified by lot numbers 1 and 2 on map 10 of the Essex tax maps.

LAND ANALYSIS

LOCATION:	80 and 90 Upper Main Street
SIZE:	20.25 acres (80) and 12.89 acres (90) per the Grand List
FRONTAGE:	Upper Main Street - 372 feet (80) and 448 feet (90) per tax map Old Stage Road – 261 feet (90) per tax map
ACCESS:	Good with two vacated curb cuts. Curb cuts along the state highway are controlled by the State of Vermont
ROADS:	Upper Main Street (Vermont Route 15, State Highway) Old Stage Road (Town road)
EXPOSURE:	Good from Upper Main Street
TOPOGRAPHY:	Predominately level to gently sloping
GRADE:	At grade with the abutting roads
COVER:	Part open
SOILS:	Moderate to predominately favorable for development
SHAPE:	Irregular
ELECTRICITY:	Green Mountain Power Corporation
GAS:	VGS
WATER:	Municipal
SEWER:	Municipal (subject to allocation)
RESTRICTIONS:	Limited wetlands, two water line easements to the Town of Essex and possibly flood hazard and buffer at the back of 80

COMMENTS

The land is composed to two parcels, 80 and 90 Upper Main Street. A survey of the land was not found and therefore the metes and bounds description is approximate and subject to change.

80 Upper Main Street is an elongated parcel with frontage of 372± feet and an average depth of roughly 3,000 feet. This partial is a mix of open and forested land with varying topography.

90 Upper Main Street is somewhat similar to a square for shape with frontage on two roads, 448 feet Upper Main Street (VT Route 15) and 261 feet on Old Stage Road. The depth of this parcel approximates 1,000 feet. This part of the subject is predominately level and open.

Soils for the subject are predominately sandy loams and gravelly fine sandy loam. These soils are generally favorable for development because of the good permeability and favorable physical characteristics for development.

The subject property has water and sewer allocations. 80 Upper Main Street has 18.4 EUs and 90 Upper Main Street has 25.7 EUs. One EU equals 200 gallons per day. The approximate cost of a EU is currently \$10.60 per gallon for sewer and \$5.90 per gallon for water and one must buy both. There is ample water to purchase but availability of sewer is more restricted.

A wastewater flow table is attached to the addenda of this report. The gallons attributed to the subject are 44.1 times 200 gallons equals 8,820 gallons per day. Examples of consumption are 140 gallons per day for an apartment, 80 gallons per day for hotel rental unit, 60 gallons per bed per day for nursing home, 200 gallons per day for single family and 25 gallons per day for staff at a doctor's office plus 5 gallons per day per patient.

To maximize some potential uses would require additional allocations.

ZONING

ZONE: Mixed Use Development – PUD and Agricultural Residential. The back of the land at 80 might be within a Floodplain district with buffer.

CONFORMANCE: Yes

COMMENTS:

The Mixed Use Development district extends for 1,000 feet from the Upper Main Street. For a property located within two zones, the appropriate board can elect to have one zone control. Segments of the zoning ordinance pertinent to the subject have been photocopied and are contained within the Addenda of this report.

ASSESSMENT AND TAXES

ASSESSMENT: \$1,779,200

**MUNICIPALITY'S REPORTED
EQUALIZATION RATE:** 85%

DATE OF ASSESSMENT: 2007

TAXES: \$40,859.33

COMMENTS:

The equalized assessment is \$2,093,176. The non-residential tax rate is \$2.2965.

DEFINITIONS

PURPOSE

The purpose of this appraisal is to “develop an opinion of the defined value of a specific interest in real estate.”

MARKET VALUE

Market value is defined as "The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

1. buyer and seller are typically motivated;
2. both parties are well informed or well advised, and acting in what they consider their best interests;
3. a reasonable time is allowed for exposure in the open market;
4. payment is made in terms of cash in United States dollars or in terms of financial arrangements comparable thereto; and
5. the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale."

PROPERTY RIGHTS APPRAISED

The property rights, “an enforceable, legal claim to title of or interest in property.”

INTENDED USE AND INTENDED USERS

The “intended use is “the valuer’s intent as to how the report will be used.” The intended user is “the party or parties the valuer intends will use the report.” The appraiser is of the understanding that the intended use of the appraisal is for the possible acquisition of the property. The intended user is Town of Essex.

EFFECTIVE DATE OF THE APPRAISAL AND DATE OF REPORT

The effective date of the appraisal is May 21, 2023. The report was completed on the date shown on the letter of transmittal. The last date of inspection was May 21, 2023.

MARKETING AND EXPOSURE TIME

Exposure time is "the estimated length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal; a retrospective opinion based on an analysis of past events assuming a competitive and open market." A

reasonable exposure time for the subject's value estimate as rendered herein is estimated at less than one year.

Marketing time is "an opinion of the amount of time it might take to sell a real or personal property interest at the concluded market value level during the period immediately after the effective date of an appraisal." A reasonable marketing time for the subject property is estimated at less than one year.

SCOPE OF WORK

The scope of work relates to "the type of data and the extent of research and analysis." The appraisal problem was addressed by way of a thorough investigation and analysis of the subject's market area. The area was searched for data applicable for the valuation of the subject. All information was confirmed when possible. Reliance has been placed on information provided by a number of sources, possibly including the property owner, buyers, sellers, lessees, etc. and is assumed to be accurate. The information reported herein is a portion of the data considered and is believed to be representative of market conditions.

VALUATION PROCESS

"A systematic set of procedures an appraiser follows to provide answers to a client's questions about real property value." One must define the problem, research and acquire data necessary to solve the problem, classify, analyze and interpret said data into an estimate of value. The process involves an analysis of the subject's competitive market, highest and best use, and the three recognized approaches to value: the Sales Comparison Approach, the Income Capitalization Approach, and the Cost Approach. A detailed presentation of each area of the appraisal process is provided in the sections which follow.

MARKET ANALYSIS

PROPERTY TYPE:	Commercial development land
MARKETING TIME:	One year or less if priced to reflect market value
MARKET AREA:	Greater Burlington
TYPICAL OCCUPANT:	See comments
SUPPLY:	Limited
DEMAND:	At or slightly less than supply
TREND:	Period offerings of large acreage parcels like the subject

COMMENTS

The subject is a relatively large acreage parcel of land that is located across the road from a newer mixed use commercial and residential neighborhood. The subject's 33.14 acres are located within two zoning districts, one with commercial and residential uses and the other with less intense uses such as residential, garden center and forestry.

The subject's location, at the intersection of Vermont Route 15 (Upper Main Street) with Vermont Route 289 (Circumferential Highway) is a slowly growing demand area and is located a short distance to the southwest from the center of the Town. The area or market cannot support a manufacturers' retail center but is sufficient to for the current uses including the Hannaford supermarket.

Benefitting the subject's location for commercial enterprise is the traffic along Vermont Route 15 generated by the population located to the east of Essex within the bedroom communities of Westford, w3Jericho, Underhill and Cambridge. In the vicinity of the subject, the average daily traffic flow for 2021 approximated 18,000 vehicles per day, mostly commuter traffic.

HIGHEST AND BEST USE

The highest and best use of the subject property has been carefully considered. Highest and best use has been defined as “The reasonably probable use of property that results in the highest value. The four criteria that the highest and best use must meet are legal permissibility, physical possibility, financial feasibility, and maximum productivity.” Within the highest and best use analysis, consideration is given to the physical adaptability of the property to alternative uses, legal influences such as zoning, as well as market demand for competitive properties.

The subject is located adjacent to Vermont Route 15 and Old Stage Road and is proximate to the intersection of Upper Main Street and Vermont Route 289. Located across the road from the subject is a mixed use development with uses varying from a McDonalds to a medical office to a movie theatre to elderly housing, to an Inn. Located adjacent to the subject are a convenience store with small engine sales and service and single family.

The front part of the subject’s 33.14 acres are zoned Mixed Use Development – PUD. This zones provides for a mix of uses. Permitted uses within the zone are a bank, residential, group home, municipal, office, neighborhood shopping center, restaurant, retail, personal service and small production with sales. The reader is referred to the attached copies of zoning documents for more specifics.

All or most of the theoretical development would likely occur within the first 1,000 feet. Assumed, if needed, would be a right to extend the development into the Agricultural Residential district.

Demand for retail is soft as is the demand for office. With time, said demands will resurface as the population expands. Limited demand can be identified for service and good demand can be noted for residential, all forms.

Retail is not totally out of the development picture as one should not count out Tractor Supply, Aldi’s and Little Caesars to name a few.

The subject is being viewed as a possible site for municipal offices for the Town of Essex. This use would consume the entire subject if added to the municipal office structure were a library and athletic fields and facilities.

Demand for property like the subject is reasonably good provided said property is priced to reflect market value.

A review of the available market information has led this appraiser to conclude that the highest and best use of the subject is a mix of uses with market and exposure times of one year or less if priced to reflect market value.

The mix of uses could entertain retail, service, residential and possibly municipal offices.

VALUATION

COST APPROACH

The cost approach to value is defined as "A set of procedures through which a value indication is derived for the fee simple estate by estimating the current cost to construct a reproduction of (or replacement for) the existing structure including an entrepreneurial incentive or profit; deducting depreciation from the total cost; and adding the estimated land value. Adjustments may then be made to the indicated fee simple value of the subject property to reflect the value of the property interest being appraised."

The cost approach is not applicable for the valuation of land.

INCOME CAPITALIZATION APPROACH

The Appraisal Institute defines the income capitalization approach as "Specific appraisal techniques applied to develop a value indication for a property based on its earning capability and calculated by the capitalization of the property income." This conversion can be accomplished in two ways: One year's income expectancy can be capitalized at a market derived capitalization rate or a capitalization rate that reflects a specified income pattern, return on investment, and change in the value of the investment. Alternatively, the annual cash flows for the holding period and the reversion can be discounted at a specified yield rate."

The income capitalization approach is generally not used for the valuation of land comparable to and competitive with the subject. Therefore, this approach to value was omitted.

SALES COMPARISON APPROACH

The Appraisal Institute defines the Sales Comparison Approach as "A set of procedures in which a value indication is derived by comparing the property being appraised to similar properties that have been sold recently, applying appropriate units of comparison, and making adjustments to the sale prices of the comparables based on the elements of comparison."

The sales comparison approach was used to estimate the subject's value. This method involved the research for and collection of comparable sale data, an analysis of the data, and the application of adjustments to the comparables to arrive at value indicators. The research provided a series of sales of which three were deemed to have common bonds with the subject. Selected for direct comparison were Sales VL-1, VL-3 and VL-6. These sales were selected because date of sale and utility and are presented within a grid on a following page.

The sales were analyzed on a sale price per acre basis with percentage adjustments. This unit of comparison was deemed appropriate for the analysis. Considered for adjustments were financing, time/market conditions, location, size, frontage/access, shape, topography, cover, soils, zoning, improvements and utilities.

FINANCING

Financing was first considered and adjustments were not made as the sales were conveyed with cash to seller and the subject was analyzed on a cash equivalent basis.

TIME/MARKET CONDITIONS

The comparable sales are reasonably recent transfers and did not necessitate adjustment for value changes over time. Large acreage parcels are less sensitive to time, particularly with Covid-19 interfering with the market, as there are few participants within the market.

LOCATION

Each sale was heavily adjusted for location. Sales VL-1 and VL-3 were negatively adjusted because these properties lie next to I-89 within South Burlington and have very good exposure and access. In addition, said sales are located within an upscale commercial park.

Sale VL-6 was positively adjusted as this sale is located within Milton and adjacent to U.S. Route 7 as one enters the "village" district. The traffic flow for this property is limited primarily to the citizens of Milton.

The subject property does not have Interstate access and exposure and is located on the outskirts of the greater Burlington market but is adjacent to a reasonably active traffic artery and across the road from a developed mixed use neighborhood.

SIZE

Sale VL-1 and the subject are reasonably similar for acreage, on a price per acre basis. Sale VL-3 was negatively adjusted for size because of the smaller size and the resulting higher per unit value. Sale VL-6 was positively adjusted for the opposite reason.

FRONTAGE/ACCESS, SHAPE, TOPOGRAPHY, COVER, SOILS, ZONING, IMPROVEMENTS AND UTILITIES

The subject and the sales are reasonably similar for these value factors. The wetlands for Sale VL-1 did not require adjustment because there were located within an area that did not interfere with the utility of the parcel. Sale VL-6's wetlands were accounted for through the use of price per acre of usable land.

CONCLUSION

The grid analysis produced values for the subject that range from \$3,065,000 to \$4,240,000. Sales VL-3 and VL-6 were judged to be most similar with Sale VL-6 a less desirable property and Sale VL-3 a more desirable property.

A review of the available information has led this appraiser to conclude that a reasonable value estimate for the subject, as of May 21, 2023, is \$3,500,000.

VALUE FACTORS	SUBJECT	SALE VL-1	SALE VL-3	SALE VL-6
Sale Price		\$11,147,618	\$5,500,000	\$3,800,000
Sale Date		3-18-20	5-10-22	5-6-22
Size	33.14± A	43.6 A	19.84 A	62.23 A usable
Sale Price/Size		\$255,679	\$277,217	\$61,063
Financing		Cash to seller	Cash to seller	Cash to seller
Time/Market Conditions	May 2, 2023	37 mos. before	12 mos. before	12 mos. before
		--	--	--
Adjusted Price/Acre	Sale	\$255,679	\$277,217	\$61,063
Location	Upper Main Street, Essex, Vermont	Community Drive, South Burlington, Vermont - 50%	Community Drive, South Burlington, Vermont - 50%	U.S. Route 7, Milton, Vermont + 25%
Size	33.14± acre	43.6 acres	19.84 acres	124.46 acres, 62.23 acre usable + 25%
		--	- 10%	
Frontage/Access	1.080± feet, adequate access	279 feet, adequate access	1,068 feet, adequate access	877 feet, adequate access
		--	--	--
Shape	Irregular	Irregular	Irregular	Irregular
		--	--	--
Topography	Level to gently sloping	Level to gently sloping	Pred. level to gently sloping	Level
		--	--	--
Cover	Part forested	Pred. open	Open	Pred. open
		--	--	--
Soils	Moderate to favorable for development	Adequate development, wetlands for 20%	Adequate development for	Part adequate for development, wetlands 50%
		--	--	--
Zoning	Mixed Use Development – PUD and Agricultural Residential	Mixed Use Commercial	Mixed Use Commercial	R3, M4-C, M4-R and NC1
		--	--	--
Improvements	None	None	None	None
		--	--	--
Utilities	Elec., comm. cables, gas, munic. water & munic. sewer	Elec., comm. cables, gas, munic. water & munic. sewer	Elec.,comm. cables, gas, munic. water & munic. sewer	Elec, comm. cables, gas, munic. water and munic. sewer
		--	--	--
Net Adjustment		- 50%	- 60%	+ 50%
Indicated Value Per Size		\$127,839	\$110,885	\$92,404
Indicated Value of Subject Rounded To:		\$4,236,854 \$4,240,000	\$3,674,728 \$3,675,000	\$3,062,226 \$3,065,000

SALE NO. VL-1

TYPE OF PROPERTY: Land
HIGHEST & BEST USE: Commercial/light industrial site
LOCATION: Community Drive, South Burlington, Vermont
GRANTOR: 55 Community Drive LLC
GRANTEE: Community Drive Burlington, LLC
DATE OF DEED: March 18, 2020
MUNICIPALITY RECORDED: South Burlington **Book:** 2020 **Page:** 142
SALES PRICE: \$11,147,618
UNIT PRICE: \$255,679/acre
ZONING: Mixed Industrial-Commercial
FINANCING: Cash to seller
PRICE CONFIRMED WITH: Michael Biama

REMARKS:

This is sale of the land for the FedEx building with a one story floor area that approximates 143,794 square feet. This bona-fide sale represents \$77.52 per square foot of building floor area for a FedEx distribution property. Approximately 20% of the land is restricted by wetlands and easements.

SITE DESCRIPTION

NEIGHBORHOOD: Technology Park
SHAPE: Irregular
SIZE: 43.6 acres
TOPOGRAPHY: Level to gently sloping
COVER: Predominately open
SOILS: Adequate for development with wetlands noted
FRONTAGE & ACCESS: 279.54 feet, adequate access
SITE IMPROVEMENTS: None
UTILITIES: Electricity, communication cables, natural gas, municipal water and municipal sewer

SALE NO. VL-2

TYPE OF PROPERTY: Land
HIGHEST & BEST USE: Commercial/light industrial site
LOCATION: 125 Lakeside Avenue, Burlington, Vermont
GRANTOR: Holly and Bob Miller 2017 Charitable Trust
GRANTEE: Ride Your Bike, LLC
DATE OF DEED: March 25, 2020
MUNICIPALITY RECORDED: Burlington **Book:** 1498 **Page:** 316
SALES PRICE: \$12,000,000
UNIT PRICE: \$1,898,734/acre
ZONING: Industrial
FINANCING: Cash to seller
PRICE CONFIRMED WITH: Tim Miller

REMARKS:

This sale was reported to be a bona-fide transaction. The grantee owned the property at 124 Lakeside Avenue and acquired this property for parking and potential future development. This property previously sold for \$2,350,000 on December 23, 2013 or \$371,835 per acre.

SITE DESCRIPTION

NEIGHBORHOOD: Mixed use
SHAPE: Irregular
SIZE: 6.32 acres
TOPOGRAPHY: Level to slightly sloping
COVER: Open
SOILS: Adequate for development
FRONTAGE & ACCESS: 496.44 feet, adequate access
SITE IMPROVEMENTS: Paved surface
UTILITIES: Electricity, communication cables, natural gas, municipal water and municipal sewer

SALE NO. VL-3

TYPE OF PROPERTY: Land
HIGHEST & BEST USE: Commercial/light industrial site
LOCATION: 435 Community Drive, South Burlington, Vermont
GRANTOR: 55 Community Drive LLC
GRANTEE: Greenfield Capital, LLC
DATE OF DEED: May 10, 2022
MUNICIPALITY RECORDED: South Burlington Book: 1657 Page: 180
SALE PRICE: \$5,500,000
UNIT PRICE: \$277,217/acre
ZONING: Mixed Industrial-Commercial
FINANCING: Cash to seller
PRICE CONFIRMED WITH: Jess Damon

REMARKS:

This is contract is for the subject's land. Developed was a 1 to 2 story 143,712 square foot building with expansion potential. The cost per building floor area is \$29.12 per square foot and being used for research and development.

SITE DESCRIPTION

NEIGHBORHOOD: Technology Park
SHAPE: Irregular
SIZE: 19.84 acres
TOPOGRAPHY: Predominately level to gently sloping
COVER: Open
SOILS: Adequate for development
FRONTAGE & ACCESS: 1,068.38 feet, adequate access
SITE IMPROVEMENTS: None
UTILITIES: Electricity, communication cables, natural gas, municipal water and municipal sewer

SALE NO. VL-4

TYPE OF PROPERTY: Land
LOCATION: Lot 12C, Haydenberry Park, U.S. Route 7, Milton, Vermont
HIGHEST & BEST USE: Commercial development site
GRANTOR: C-11 Corp.
RESIDENCE: South Burlington, Vermont
GRANTEE: Milton Shopping Center, LLC
RESIDENCE: Burlington, Vermont
DATE OF DEED: May 28, 2009
DATE OF RECORD: May 28, 2009
MUNICIPALITY RECORDED: Milton **Book:** 376 **Page:** 414
V.P.T.T.: \$16,375
CONFIRMED SALES PRICE: \$1,310,000
ZONING: Downtown Business District
LAND AREA: 13.78 acres
INDICATED UNIT VALUE: \$95,065/acre
INSPECTED BY: Michael Keller
DATE INSPECTED: Michael Keller
PERSON INTERVIEWED: Ernest Pomerleau (Grantee)
PRICE CONFIRMED BY: Ernest Pomerleau (Grantee)
TO: Michael Keller
REASON FOR PURCHASE: Expansion of shopping center
FINANCING: Cash to seller

REMARKS:

This sale was reported to have been an arms-length transaction. At the time of sale the grantee owned the adjacent shopping center consisting of 10.65 acres and 61,683 square feet of commercial space. Approved in August of 2008 was the right to expand the center to 25.77 acres with 166,000 square feet of building base area. Developed was a free standing supermarket.

Code: 850
File: 565

DESCRIPTION - SALE NO. VL-4

NEIGHBORHOOD: Commercial

SHAPE: Irregular, easements and restrictions noted

FRONTAGE: U.S. Route 7 - 452.63 feet
Haydenberry Drive - 597.44 feet

GRADE: Predominately at grade with a part ravine

ACCESS: Good

SIZE: 13.78 acres

TOPOGRAPHY: Predominately level to slightly sloping with part a ravine

SOILS: Adequate for development

COVER: Part forested

IMPROVEMENTS: None

UTILITIES: Electricity, telephone, natural gas, municipal water and municipal sewerage

SALE NO. VL-5

TYPE OF PROPERTY: Land
HIGHEST & BEST USE: Commercial/light industrial development site
LOCATION: 30-42 Allen Martin Drive, Essex, Vermont
GRANTOR: State of Vermont
GRANTEE: The Miller Realty Group, LLP
DATE OF DEED: May 6, 2013
MUNICIPALITY RECORDED: Essex **Book:** 879 **Pages:** 747 & 751
SALES PRICE: \$2,095,000
UNIT PRICE: \$40,440/acre
ZONING: RPI
FINANCING: Cash to seller
PRICE CONFIRMED WITH: Robert Miller

REMARKS:

This sale was reported to have been an arms-length transaction. An office/laboratory building was removed by the grantee with the cost to remove offset by the salvage value. The two lots, A and B, were merged and approved for three buildings that equaled 420,000 square feet.

SITE DESCRIPTION

NEIGHBORHOOD: Commercial/industrial park
SHAPE: Irregular
SIZE: 51.8 (deeds)
TOPOGRAPHY: Level to gently sloping
COVER: Part forested
SOILS: Favorable for development
FRONTAGE & ACCESS: 2,855± feet, adequate access
SITE IMPROVEMENTS: Office/Laboratory building that required removal
UTILITIES: Electricity, telephone, natural gas, municipal water and municipal sewerage

Code: 840
File: 2001

SALE NO. VL-6

TYPE OF PROPERTY: Land
HIGHEST & BEST USE: Commercial development land
LOCATION: U.S. Route 7, Milton, Vermont
GRANTOR: Milton 400 L.L.C.
GRANTEE: MACTAW VT REALTY, LLC
DATE OF DEED: May 6, 2022
MUNICIPALITY RECORDED: Milton **Book:** 530 **Page:** 806
SALES PRICE: \$3,800,000
UNIT PRICE: \$30,531/acre
ZONING: R3, M4-C, M4-R and NC1
FINANCING: Cash to seller
PRICE CONFIRMED WITH: Sue Oliveira

REMARKS:

This sale was an arms-length transaction. The property was acquired for the display and sale of trailers and RVs. Wetlands were identified for approximately half of the land. The sale price per acre for the approximated usable land is \$61,063.

SITE DESCRIPTION

NEIGHBORHOOD: Commercial
SHAPE: Irregular
SIZE: 124.46± acres
TOPOGRAPHY: Level
COVER: Part open
SOILS: Moderately restrictive to restrictive with 50% wetlands
FRONTAGE & ACCESS: 499.27 feet U.S. Route 7, 378.65 feet Racine Road, adequate access
SITE IMPROVEMENTS: None
UTILITIES: Electricity, communication cables, natural gas, municipal water and municipal sewer

SALE NO. VL-7

TYPE OF PROPERTY: Land
HIGHEST & BEST USE: Commercial site
LOCATION: Lots B1 and B2, Market Street, South Burlington, Vermont
GRANTOR: South Burlington City Center, LLC
GRANTEE: City of South Burlington
DATES OF DEED: November 8, 2019 and October 10, 2019
MUNICIPALITY RECORDED: South Burlington Book/Page: see remarks
SALES PRICES: \$990,000 (\$682,000 and \$308,000)
UNIT PRICE: \$1,100,000/acre
ZONING: Form Based FBC T-5
FINANCING: Cash to seller
PRICE CONFIRMED WITH: Ilona Blanchard

REMARKS:

This sale was reported to be an arms-length transaction. The property was acquired for the development of a city hall with library and community center approximating 49,750 square feet. The recordings are Volume 1489, Page 251 and Volume 1493, Page 117.

SITE DESCRIPTION

NEIGHBORHOOD: Developing city center
SHAPE: Irregular
SIZE: 0.90 acre (0.62 and 0.28 acre)
TOPOGRAPHY: Level
COVER: Open
SOILS: Adequate for development
FRONTAGE & ACCESS: 178.22 feet and 60 feet
SITE IMPROVEMENTS: None
UTILITIES: Electricity, communication cables, natural gas, municipal water and municipal sewer

SALE NO. R-1

TYPE OF PROPERTY: Land
HIGHEST & BEST USE: Residential development
LOCATION: 5760 Spear Street, Shelburne, Vermont
GRANTOR: ABC/MRC, Inc.
GRANTEE: The Snyder Shelburne Properties, LLC
DATE OF DEED: November 6, 2019
MUNICIPALITY RECORDED: Shelburne **Book:** 455 **Page:** 314
SALE PRICE: \$2,003,000
UNIT PRICE: \$22,010/acre
PRICE PER ACRE: \$39,243
ZONING: Residential
FINANCING: Cash to seller
PRICE CONFIRMED WITH: Chris Snyder

REMARKS: The vendee received approvals for 91 residential units, 27 single family, 28 carriage houses and 36 townhouses. This property occupies 6 hole of Kwiniaska Golf Course and as a result the golf course across the street has been converted from 12 to 18 holes. The vendee is to deed back 2.46 acre with the Webster Road frontage at no charge to the vendor and the adjacent neighbor.

SITE DESCRIPTION

NEIGHBORHOOD: Residential
SHAPE: Irregular
SIZE: 51.04 acres
TOPOGRAPHY: Level to sloping
COVER: Predominately open
VIEW: Good from sections of the land
SOILS: Adequate for development, blasting required
FRONTAGE & ACCESS: Estimated at 2,328.56 feet Spear Street, 107.76 feet Webster Road, adequate access
SITE IMPROVEMENTS: None
UTILITIES: Electricity, communication cables, municipal water and municipal sewer

SALE NO. R-2

TYPE OF PROPERTY: Land
HIGHEST & BEST USE: Residential Development
LOCATION: Webster Road, Shelburne, Vermont
GRANTOR: Jeffrey S. Haddock, Deborah Pyle and Christopher T. Haddock
GRANTEE: Gardenside Properties LLC
DATE OF DEED: April 6, 2021
MUNICIPALITY RECORDED: Shelburne **Book:** 469 **Page:** 751
SALES PRICE: \$760,000
UNIT PRICE: \$42,222/site
PRICE PER ACRE: \$87,155
ZONING: Residential
FINANCING: \$510,000 by the grantor
PRICE CONFIRMED WITH: Call Bart Frisbee at Sterling

REMARKS:

This sale was reported to have been an arms-length transaction. Approved at the cost of the grantee is the demolition of the existing structures and the creation of 17 single family lots and 1 duplex lot.

SITE DESCRIPTION

NEIGHBORHOOD: Residential
SHAPE: Slightly irregular
SIZE: 8.72 acres
TOPOGRAPHY: Level
COVER: Predominately open
SOILS: Adequate for development
FRONTAGE & ACCESS: Webster Road – 562.69 feet
Acorn Lane – 622.5 feet
SITE IMPROVEMENTS: Single family and outbuildings
UTILITIES: Electricity, communication cables, municipal water and municipal sewer

SALE NO. R-3

TYPE OF PROPERTY: Land
HIGHEST & BEST USE: Residential development
LOCATION: Metcalf Drive, Williston, Vermont
GRANTOR: William W. and Gail S. Savage, John N. Evans Living Trust and Ellen Seuss Evans 1998 Trust
GRANTEE: Northridge – Williston, LLC
DATE OF DEED: June 10, 2020 and March 29, 2021
MUNICIPALITY RECORDED: Williston **Book:** 573 **Page:** 977
Book: 586 **Page:** 177
SALES PRICE: \$472,500 plus \$675,000 = 1,147,500
UNIT PRICE: \$30,364 per unit or \$34,829 per lot
PRICE PER ACRE: \$26,061
ZONING: Residential
FINANCING: \$877,500 by grantor
PRICE CONFIRMED WITH: Call Tom Hergenrother or Bill Savage

REMARKS:

This sale was reported to have been an arms-length sale. The property was purchased for the development of 30 single family, three-duplex buildings and one three-plex structure for a total of 39 units. Addition land was acquire for access for a net cost of \$36,712. The adjusted per acre cost is \$26,895.

SITE DESCRIPTION

NEIGHBORHOOD: Residential
SHAPE: Irregular
SIZE: 44 acres plus 0.03 acre
TOPOGRAPHY: Level to sloping
COVER: Part forested
SOILS: Moderately restrictive
FRONTAGE & ACCESS: 62+ feet
SITE IMPROVEMENTS: None
UTILITIES: Electricity, communication cables, municipal water and municipal sewer

SALE NO. R-4

TYPE OF PROPERTY: Land
HIGHEST & BEST USE: Residential development
LOCATION: Upper Main Street, Essex, Vermont
GRANTOR: Louise B. Kolvoord
GRANTEE: JD Essex, LLC
DATE OF DEED: February 5, 2019
MUNICIPALITY RECORDED: Essex **Book:** 1008 **Page:** 223
SALES PRICE: \$868,000
UNIT PRICE: \$28,000/unit (including house)
PRICE PER ACRE: \$53,646
ZONING: MXD-PUD (R2 sub zone)
FINANCING: \$838,000 by grantor
PRICE CONFIRMED WITH: Not confirmed

REMARKS: The grantee received approvals for 14 carriage houses, 17 single family plus 1 existing single family. The contribution of the existing home is not known.

SITE DESCRIPTION

NEIGHBORHOOD: Mixed use
SHAPE: Irregular
SIZE: 16.18 acre
TOPOGRAPHY: Slightly sloping to sloping
COVER: Part open
SOILS: Adequate for development
FRONTAGE & ACCESS: 658.92 feet, adequate access
SITE IMPROVEMENTS: Single family house
UTILITIES: Electricity, telephone, municipal water and municipal sewer

RECONCILIATION

The cost and income capitalization approaches were not used for reasons previously stated. The sales comparison approach is presented and relied on for the valuation.

After considering all of the available data and indications of value contained within this report, the appraiser is of the opinion that the market value for the subject property, as of May 21, 2023, is:

THREE MILLION FIVE HUNDRED THOUSAND DOLLARS

(\$3,500,000)

QUALIFICATIONS OF THE APPRAISER

Michael F. Keller, MAI, AI-GRS

I.	Education:		Year
	Bachelor of Arts, Economics, University of Vermont		1971
II.	Technical Training:		
	Courses	Sponsoring Institution	
	Course 101	Society of Real Estate Appraisers	1973
	Course 201	Society of Real Estate Appraisers	1974
	Course 410 - Standards of Professional Practice - Part A	Appraisal Institute	1995
	Course 420 - Standards of Professional Practice - Part B	Appraisal Institute	1995
	Course 430 - Standards of Professional Practice - Part C	Appraisal Institute	1998
	Course 620 - Sales Comparison Valuation of Small, Mixed-Use Properties	Appraisal Institute	1998
	Course II430 – Standards Of Professional Practice – Part C	Appraisal Institute	2002
	Course 400 - Standards of Professional Practice	Appraisal Institute	2004
	Valuation of Conservation Easements	Appraisal Institute	2008

Seminars - Partial List

Appraising Apartments	Society of Real Estate Appraisers	1978
Narrative Report Writing	Society of Real Estate Appraisers	1980
Creative Financing/ Cash Equivalency	Society of Real Estate Appraisers	1981
Marketability & Market Analysis	Society of Real Estate Appraisers	1984
Cash Flow & Risk Analysis	Society of Real Estate Appraisers	1984
Investment Feasibility Feasibility Analysis	Society of Real Estate Appraisers	1984
R-41-B & The Appraiser	Society of Real Estate Appraisers	1985
Professional Practice Seminar	Society of Real Estate Appraisers	1988
Discounted Cash Flow Analysis	American Institute of Real Estate Appraisers	1988
Hotel/Motel Valuation	Appraisal Institute	1992
The Internet and Appraising	Appraisal Institute	1998
Litigation Skills for the Appraiser	Appraisal Institute	1998
Appraisal of Nursing Facilities	Appraisal Institute	2000
Appraising from Blueprints And Specifications	Appraisal Institute	2000
Residential Property Construction	Appraisal Institute	2001
Valuation of Detrimental Conditions in Real Estate	Appraisal Institute	2001
Analyzing Operating Expenses	Appraisal Institute	2003
Attacking and Defending an Appraisal in Litigation	Appraisal Institute	2003

Case Studies in Partnership and Common Tenancy Valuation	Appraisal Institute	2004
Appraising Convenience Stores	Appraisal Institute	2006
Rates & Ratios	Appraisal Institute	2007
Valuation of Conservation Easements	Appraisal Institute	2008
Uniform Appraisal Standards For Federal Land Acquisitions	Appraisal Institute	2009
Condemnation Appraising: Principles & Applications	Appraisal Institute	2014
Review Theory - General	Appraisal Institute	2014

III. Experience & Current Status:

January 1972 - November 1972	Real Estate Salesman for The Allen Agency Real Estate, Inc.
November 1972 - February 1975	Staff Appraiser, Office of George F. Silver
February 1975 - November 2006	Independent Fee Appraiser, Partner Keller O'Brien & Kaffenberger, Inc.
December 2006 - Present	Independent Fee Appraiser Keller & Associates, Inc.

IV. Licensee:

Licensed as Certified General Real Estate Appraiser, #80-10, State of Vermont, 6/1/24-5/31/24

V. Professional Membership:

Member Appraisal Institute - MAI and AI-GRS designations; currently certified under the Appraisal Institute Continuing Education Program

ASSUMPTIONS AND LIMITATIONS OF APPRAISAL

Appraisal is not a Survey

No survey of the property has been made by the appraiser and no responsibility is assumed in connection with such matters. Any maps, plats, or drawings reproduced and included in this report are intended only for the purpose of showing spatial relationships. The reliability of the information contained on any such map or drawing is assumed by the appraiser and cannot be guaranteed to be correct.

It is assumed that the utilization of the land and improvements is within the boundaries of the property lines of the property described and that there is no encroachment or trespass unless noted within the report.

Appraisal is not a Legal Opinion

No responsibility is assumed for matters of legal nature affecting title to the property nor is an opinion of title rendered. The title is assumed to be good and marketable. The value estimate is given without regard to any questions of title, boundaries, encumbrances, or encroachments.

It is assumed that there is full compliance with all applicable federal, state, and local environmental regulations and laws unless noncompliance is stated, defined, and considered in the appraisal report. It is assumed that all applicable zoning and use of regulations and restrictions have been complied with, unless a non-conformity has been stated, defined, and considered in the appraisal report.

It is assumed that all required licenses, consents, or other legislative or administrative authority from any local, state, or national government or private entity or organization have been or can be obtained or renewed for any use on which the value estimate contained in this report is based.

It is assumed that lease encumbrances on the subject property, if present, are legally binding contracts between the lessee and the lessor. It is further assumed that all information transmitted to the appraiser regarding the lease documents is accurate and representative.

It is assumed that the subject property conforms to all land use and building regulations and codes.

Appraisal is not an Engineering Report

This appraisal should not be considered a report on the physical items that are a part of this property. Although the appraisal may contain information about the physical items being appraised (including their adequacy and/or condition), it should be clearly understood that this information is only to be used as a general guide for property valuation and not as a complete or detailed physical report. The appraiser is not a construction, engineering, or legal expert, and any opinion given on these matters in this report should be considered preliminary in nature.

It is assumed that there are no hidden or inapparent conditions of the property, sub-soil, or structures which would render it more or less valuable. No responsibility is assumed for such conditions or the engineering which may be required to discover such factors. Since no engineering or percolation tests were made, no liability is assumed for soil conditions. Sub-surface rights (mineral and oil) were not considered in making this appraisal.

For properties with structures: The observed condition of the foundation, roof, exterior walls, interior walls, floors, heating system, plumbing, insulation, electrical service, and all mechanicals and construction is based on a casual inspection only and no detailed inspection was made. For instance, we are not experts on heating systems and no attempt was made to inspect the interior of the furnace. The structures were not checked for building code violations and it is assumed that all buildings meet the building codes unless so stated in the report.

Some items such as conditions behind walls, above ceilings, behind locked doors, or under the ground are not exposed to casual view and, therefore, were not inspected. The existence of insulation (if any is mentioned) was found by conversation with others and/or circumstantial evidence. Since it is not exposed to view, the accuracy of any statements about insulation cannot be guaranteed.

Because no detailed inspection was made, and because such knowledge goes beyond the scope of this appraisal, any observed condition comments given in this appraisal report should not be taken as a guarantee that a problem does not exist. Specifically, no guarantee is made as to the adequacy or condition of the foundation, roof, exterior walls, interior walls, floors, heating system, air conditioning system, plumbing, electrical service, insulation or any other detailed construction matters. If any interested party is concerned about the existence, condition, or adequacy of any particular item, we would strongly suggest that a construction expert be hired for a detailed investigation.

Unless otherwise stated in this report, the existence of hazardous material, which may or may not be present on the property, was not observed by the appraiser. The appraiser has no knowledge of the existence of such materials on or in the property. The appraiser, however, is not qualified to detect such substances. The presence of substances such as asbestos, urea-formaldehyde foam insulation, or other potentially hazardous materials may affect the value of the property. The value estimate is predicated on the assumption that there is no such material on or in the property that would cause a loss in value. No responsibility is assumed for any such conditions, or for any expertise or engineering knowledge required to discover them. The client is urged to retain an expert in this field, if desired.

Americans with Disabilities Act of 1990

The Americans with Disabilities Act ("ADA") became effective January 26, 1992. I have not made a specific compliance survey and analysis of this property to determine whether or not it is in conformity with the various detailed requirements of the ADA. It is possible that a compliance survey of the property, together with a detailed analysis of the requirements of the ADA, could reveal that the property is not in compliance with one or more of the requirements of the Act. The lack of compliance may or may not require modification to the property and may impact the property's value and marketability. Unless otherwise indicated in the report, value reductions resulting from the ADA have not been

considered in this appraisal because of the uncertainties regarding the property's compliance with the Act, the administration of enforcement and waivers, and the resulting value impacts.

Appraisal is Made Under Conditions of Uncertainty

Information (including projections of income and expenses) provided by informed local sources, such as government agencies, financial institutions, realtors, buyers, sellers, property owners, bookkeepers, accountants, attorneys, and others is assumed to be true, correct, and reliable. No responsibility for the accuracy of such information is assumed by the appraiser.

The comparable sales data relied upon in the appraisal is believed to be from reliable sources. Though all the comparables were examined, it was not possible to inspect them all in detail. The value conclusions are subject to the accuracy of said data.

Engineering analyses of the subject property were neither provided for use nor made as a part of this appraisal contract. Any representation as to the suitability of the property for uses suggested in this analysis is therefore based only on a rudimentary investigation by the appraiser and the value conclusions are subject to said limitations.

All values shown in the appraisal report are projections based on my analysis as of the date of the appraisal. These values may not be valid in other time periods or as conditions change. Since the projected mathematical models are based on estimates and assumptions which are inherently subject to uncertainty and variation depending upon evolving events, I do not represent them as results that will actually be achieved.

This appraisal is an estimate of value based on an analysis of information known to us at the time the appraisal was made. I do not assume any responsibility for incorrect analysis because of incorrect or incomplete information. If new information of significance comes to light, the value given in this report is subject to change without notice.

Use of the Appraisal Report

The appraisal report, or any parts thereof, may not be reproduced in any form without permission of the appraiser.

The appraisal report, and any parts thereof, is intended for the sole use of the client and the appraiser. Information relating to the analysis or value conclusions contained herein will not be released by this office except under the following conditions:

- 1) Permission of the client to release a copy of this report to any authorized individual or individuals,
- 2) Use by the appraiser or member of his/her immediate office in a professional capacity, however, never revealing the analysis of data or value conclusions contained herein,
- 3) Use by approved representatives of Appraisal Institute as required and in observance of the code of ethics and standards of professional practice of said organization.

Testimony or attendance in court or at any other hearing is not required by reason of rendering this appraisal unless such arrangements are made in a reasonable time in advance. In addition, the appraiser reserves the right to consider and evaluate additional data that becomes available between the date of evaluation and the date of any trial and to make any adjustments to the value opinions that may be required.

Personal Property

Unless otherwise indicated, the appraisal has not given consideration to personal property located on the premises or to the cost of moving or relocating such personal property; only the real property has been considered in the analysis.

Hypothetical Condition

The appraisal estimates the value of the property as of the date of inspection and, per a hypothetical condition, estimates the value of the property after the placement of an avigation easement. Hypothetical condition is "a condition that is presumed to be true when it is known to be false."

Extraordinary Assumptions

An extraordinary assumption is defined in the Uniform Standards of Professional Appraisal Practice (USPAP) as "an assumption, directly related to a specific assignment, as of the effective date of the assignment results, which, if found to be false, could alter the appraiser's opinions or conclusions." The analysis includes no extraordinary assumptions.

END NOTES

Appraisal Institute, *The Dictionary of Real Estate Appraisal*, 6th Edition, Chicago, Illinois, 2015

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ADDENDA

SUBJECT PROPERTY PHOTOGRAPHS



SUBJECT PROPERTY PHOTOGRAPHS



SUBJECT PROPERTY PHOTOGRAPHS



SUBJECT PROPERTY PHOTOGRAPHS

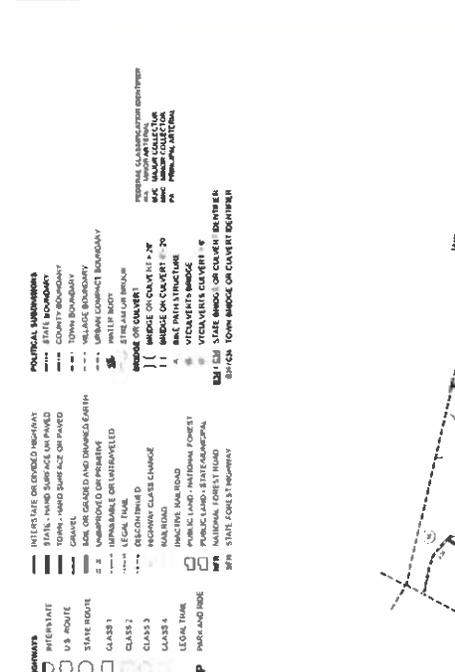
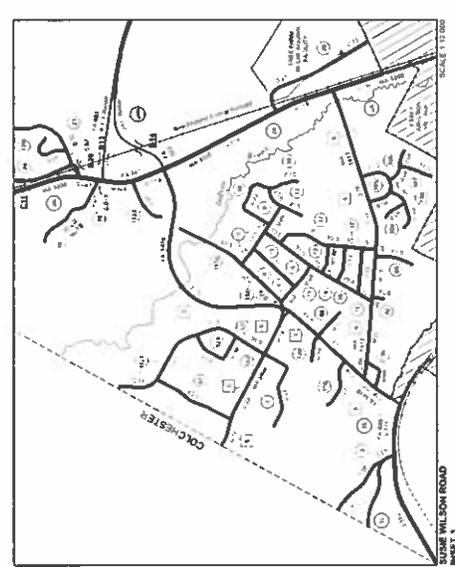


SUBJECT PROPERTY PHOTOGRAPHS

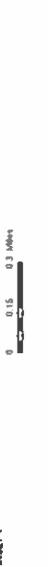


SUBJECT PROPERTY PHOTOGRAPHS





TOWN	CHITTENDEN COUNTY	ESSEX	TOTAL
1	0.21	0.340	0.550
2	0.21	0.340	0.550
3	0.21	0.340	0.550
4	0.21	0.340	0.550
5	0.21	0.340	0.550
6	0.21	0.340	0.550
7	0.21	0.340	0.550
8	0.21	0.340	0.550
9	0.21	0.340	0.550
10	0.21	0.340	0.550
11	0.21	0.340	0.550
12	0.21	0.340	0.550
13	0.21	0.340	0.550
14	0.21	0.340	0.550
15	0.21	0.340	0.550
16	0.21	0.340	0.550
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24	0.21	0.340	0.550
25	0.21	0.340	0.550
26	0.21	0.340	0.550
27	0.21	0.340	0.550
28	0.21	0.340	0.550
29	0.21	0.340	0.550
30	0.21	0.340	0.550
31	0.21	0.340	0.550
32	0.21	0.340	0.550
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36	0.21	0.340	0.550
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38	0.21	0.340	0.550
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40	0.21	0.340	0.550
41	0.21	0.340	0.550
42	0.21	0.340	0.550
43	0.21	0.340	0.550
44	0.21	0.340	0.550
45	0.21	0.340	0.550
46	0.21	0.340	0.550
47	0.21	0.340	0.550
48	0.21	0.340	0.550
49	0.21	0.340	0.550
50	0.21	0.340	0.550
51	0.21	0.340	0.550
52	0.21	0.340	0.550
53	0.21	0.340	0.550
54	0.21	0.340	0.550
55	0.21	0.340	0.550
56	0.21	0.340	0.550
57	0.21	0.340	0.550
58	0.21	0.340	0.550
59	0.21	0.340	0.550
60	0.21	0.340	0.550
61	0.21	0.340	0.550
62	0.21	0.340	0.550
63	0.21	0.340	0.550
64	0.21	0.340	0.550
65	0.21	0.340	0.550
66	0.21	0.340	0.550
67	0.21	0.340	0.550
68	0.21	0.340	0.550
69	0.21	0.340	0.550
70	0.21	0.340	0.550
71	0.21	0.340	0.550
72	0.21	0.340	0.550
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74	0.21	0.340	0.550
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76	0.21	0.340	0.550
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80	0.21	0.340	0.550
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82	0.21	0.340	0.550
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85	0.21	0.340	0.550
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89	0.21	0.340	0.550
90	0.21	0.340	0.550
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97	0.21	0.340	0.550
98	0.21	0.340	0.550
99	0.21	0.340	0.550
100	0.21	0.340	0.550



VERMONT GENERAL HIGHWAY MAP
Town of Essex
 CHITTENDEN COUNTY
 Transportation District #5

Prepared by the
 Vermont Agency of Transportation
 Division of Policy, Planning and Intermodal Development
 in cooperation with
 U.S. Department of Transportation
 Federal Highway Administration

Map prepared June 10, 2021
 Scale 1:31,680

LEGEND

ROADWAYS

- INTERSTATE OR DIVIDED HIGHWAY
- STATE-MAINTAINED SURFACE OR PAVED ROADWAY
- GRAVEL
- ROAD ON GRAVEL AND DRAINED EARTH
- UNIMPROVED OR PERMIT
- UNPAVED OR UNWEED
- ROADWAY CLASS CHANGE
- INACTIVE ROADWAY
- NATIONAL FOREST ROAD
- STATE FOREST HIGHWAY

POLITICAL BOUNDARIES

- COUNTY BOUNDARY
- TOWN BOUNDARY
- WATER BOUNDARY
- URBAN COMPACT BOUNDARY
- UNINCORPORATED TOWN BOUNDARY
- UNINCORPORATED VILLAGE BOUNDARY
- UNINCORPORATED WILDERNESS BOUNDARY

ROADWAY CLASSIFICATION

- CLASS 1: INTERSTATE OR DIVIDED HIGHWAY
- CLASS 2: STATE-MAINTAINED SURFACE OR PAVED ROADWAY
- CLASS 3: GRAVEL
- CLASS 4: ROAD ON GRAVEL AND DRAINED EARTH
- CLASS 5: UNIMPROVED OR PERMIT
- CLASS 6: UNPAVED OR UNWEED
- CLASS 7: ROADWAY CLASS CHANGE
- CLASS 8: INACTIVE ROADWAY
- CLASS 9: NATIONAL FOREST ROAD
- CLASS 10: STATE FOREST HIGHWAY

OTHER FEATURES

- WATER
- WATER COLLECTION
- WATER TREATMENT PLANT
- WATER TOWER
- WATER PUMP
- WATER MAIN
- WATER VALVE
- WATER METER
- WATER SERVICE
- WATER DISTRIBUTION
- WATER COLLECTION
- WATER TREATMENT PLANT
- WATER TOWER
- WATER PUMP
- WATER MAIN
- WATER VALVE
- WATER METER
- WATER SERVICE
- WATER DISTRIBUTION

RELEASE SUMMARY

CLASS	LENGTH IN MILES
CLASS 1	0.340
CLASS 2	4.900
CLASS 3	2.750
CLASS 4	1.000
CLASS 5	0.660
CLASS 6	10.790
CLASS 7	0.040
CLASS 8	0.040
CLASS 9	0.040
CLASS 10	0.040
TOTAL CLASS 2+HURPS	68.65
TOTAL CLASS 3	78.829
TOTAL CLASS 4	19.799
TOTAL CLASS 5	3.523
TOTAL CLASS 6	22.312
TOTAL CLASS 7	0.040
TOTAL CLASS 8	0.040
TOTAL CLASS 9	0.040
TOTAL CLASS 10	0.040
TOTAL CLASS 2+HURPS	99.232

LEGAL LENGTH IN MILES

TOWN	LENGTH IN MILES	PERCENT
1	0.21	0.61
2	0.21	0.61
3	0.21	0.61
4	0.21	0.61
5	0.21	0.61
6	0.21	0.61
7	0.21	0.61
8	0.21	0.61
9	0.21	0.61
10	0.21	0.61
11	0.21	0.61
12	0.21	0.61
13	0.21	0.61
14	0.21	0.61
15	0.21	0.61
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94	0.21	0.61
95	0.21	0.61
96	0.21	0.61
97	0.21	0.61
98	0.21	0.61
99	0.21	0.61
100	0.21	0.61

For more information contact: Vermont Agency of Transportation, Division of Policy, Planning & Intermodal Development, 110 North Main Street, Room 310, Essex, VT 05732. Telephone: 802-253-7600. The map was updated to reflect changes from the Federal Highway Administration. U.S. Department of Transportation. The representation of the agency expressed herein does not necessarily state or reflect those of the U.S. Department of Transportation.



Natural Resources Atlas
Vermont Agency of Natural Resources

vermont.gov



1: 4,870
May 21, 2023

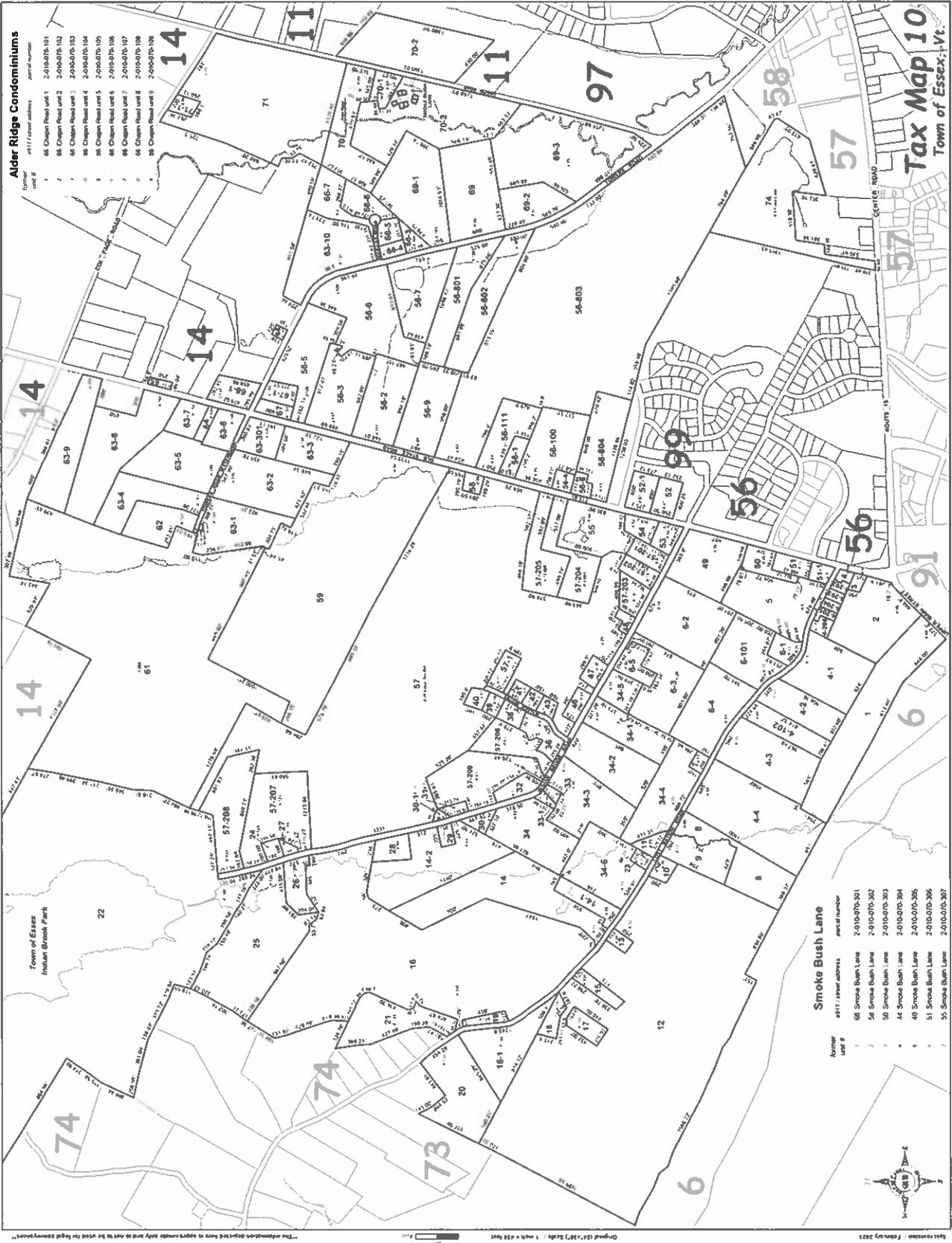
247.0 124.00 247.0 Meters
 1" = 406 Ft. 1cm = 49 Meters
 THIS MAP IS NOT TO BE USED FOR NAVIGATION
 WGS_1984_Web_Mercator_Auxiliary_Sphere
 © Vermont Agency of Natural Resources

LEGEND

- Parcels (standardized)
- Roads
 - Interstate
 - US Highway: 1
 - Slate Highway
 - Town Highway (Class 1)
 - Town Highway (Class 2,3)
 - Town Highway (Class 4)
 - Slate Forest Trail
 - National Forest Trail
 - Legal Trail
 - Private Road/Driveway
 - Proposed Roads
- Town Boundary

NOTES
Map created using ANR's Natural Resources Atlas

DISCLAIMER This map is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. ANR and the State of Vermont make no representations of any kind, including but not limited to, the warranties of merchantability, or fitness for a particular use, nor are any such warranties to be implied with respect to the data on this map.



Alder Ridge Condominiums
 parcel number
 lot #

- 46 Alder Ridge unit 1 2-010-070-101
- 46 Alder Ridge unit 2 2-010-070-102
- 46 Alder Ridge unit 3 2-010-070-103
- 46 Alder Ridge unit 4 2-010-070-104
- 46 Alder Ridge unit 5 2-010-070-105
- 46 Alder Ridge unit 6 2-010-070-106
- 46 Alder Ridge unit 7 2-010-070-107
- 46 Alder Ridge unit 8 2-010-070-108
- 46 Alder Ridge unit 9 2-010-070-109

Smoke Bush Lane
 parcel number
 lot #

- 66 Smoke Bush Lane 2-010-070-301
- 50 Smoke Bush Lane 2-010-070-302
- 50 Smoke Bush Lane 2-010-070-303
- 44 Smoke Bush Lane 2-010-070-304
- 40 Smoke Bush Lane 2-010-070-305
- 51 Smoke Bush Lane 2-010-070-306
- 55 Smoke Bush Lane 2-010-070-307



Tax Map 10
 Town of Essex, Vt.

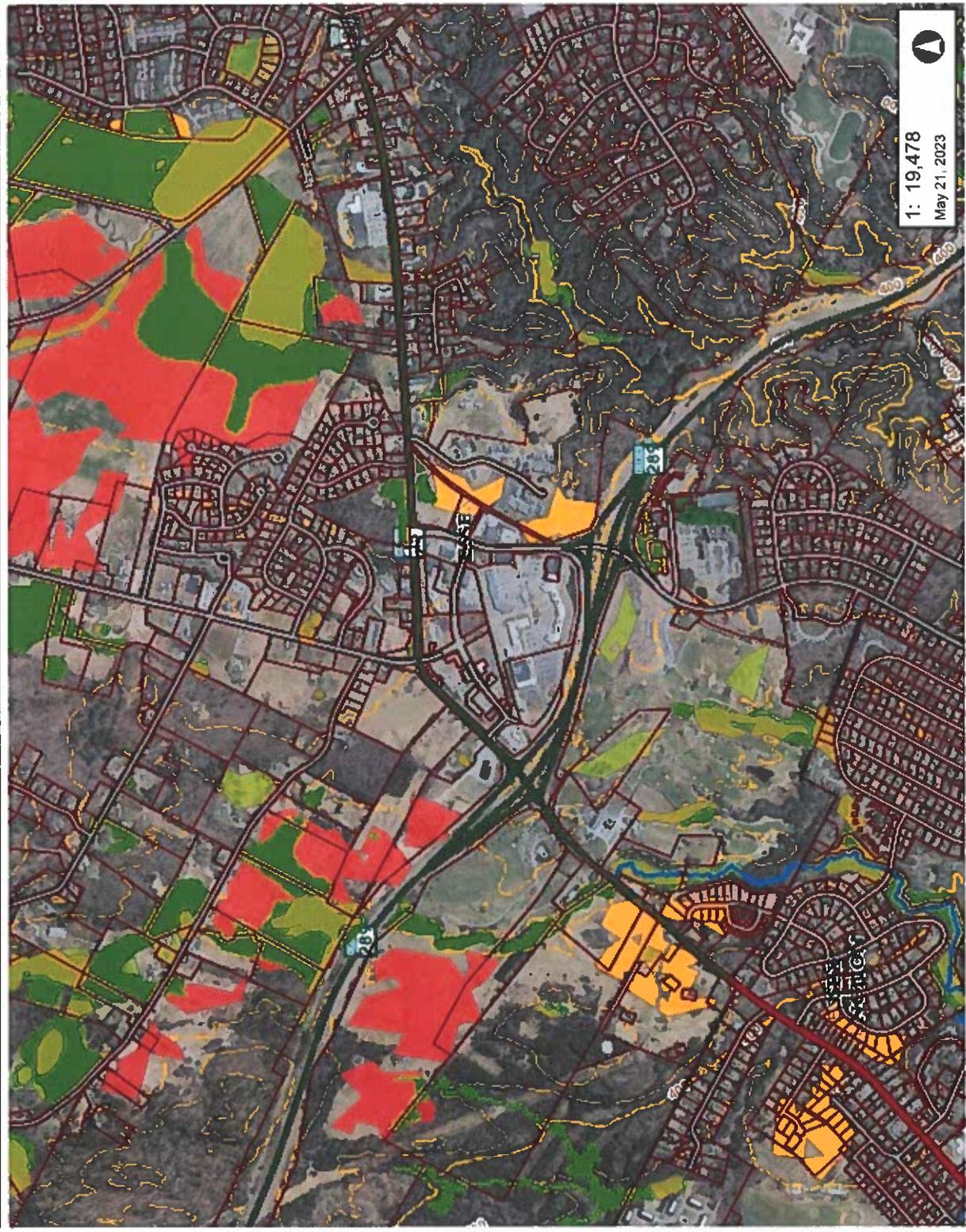
Original (12" x 18") scale: 1 inch = 550 feet
 0 25 50 Feet
 "The information depicted here is approximate only and is not to be used for legal conveyance."



Natural Resources Atlas

Vermont Agency of Natural Resources

vermont.gov



1: 19,478
May 21, 2023

LEGEND

- ★ Wetland Projects
- Lakes and Ponds Permits
 - Aquatic Nuisance
 - Encroachment
 - Shoreland
- 303(d) List of Impaired Stream
- 303(d) List of Impaired Lakes & Priority Waters List (Streams a)
 - Part B (impaired TMDL not required)
 - Part D (impaired with approved TM)
 - Part E (altered exotic species)
 - Part F (altered flow regulation)
- Priority Waters List (Lakes and Streams)
 - Part B (impaired TMDL not required)
 - Part D (impaired with approved TM)
 - Part E (altered exotic species)
 - Part F (altered flow regulation)
- Stressed Waters List (Streams)
 - Designated ORW (Streams and Prospective ORW (Streams and Lakes and Class A(1) Ecological Waters and Class A(2) Public Water Supply)
 - Mixed Classifications for Uses
 - 100' Setback
 - 250' Setback
 - Wetland - VSWI

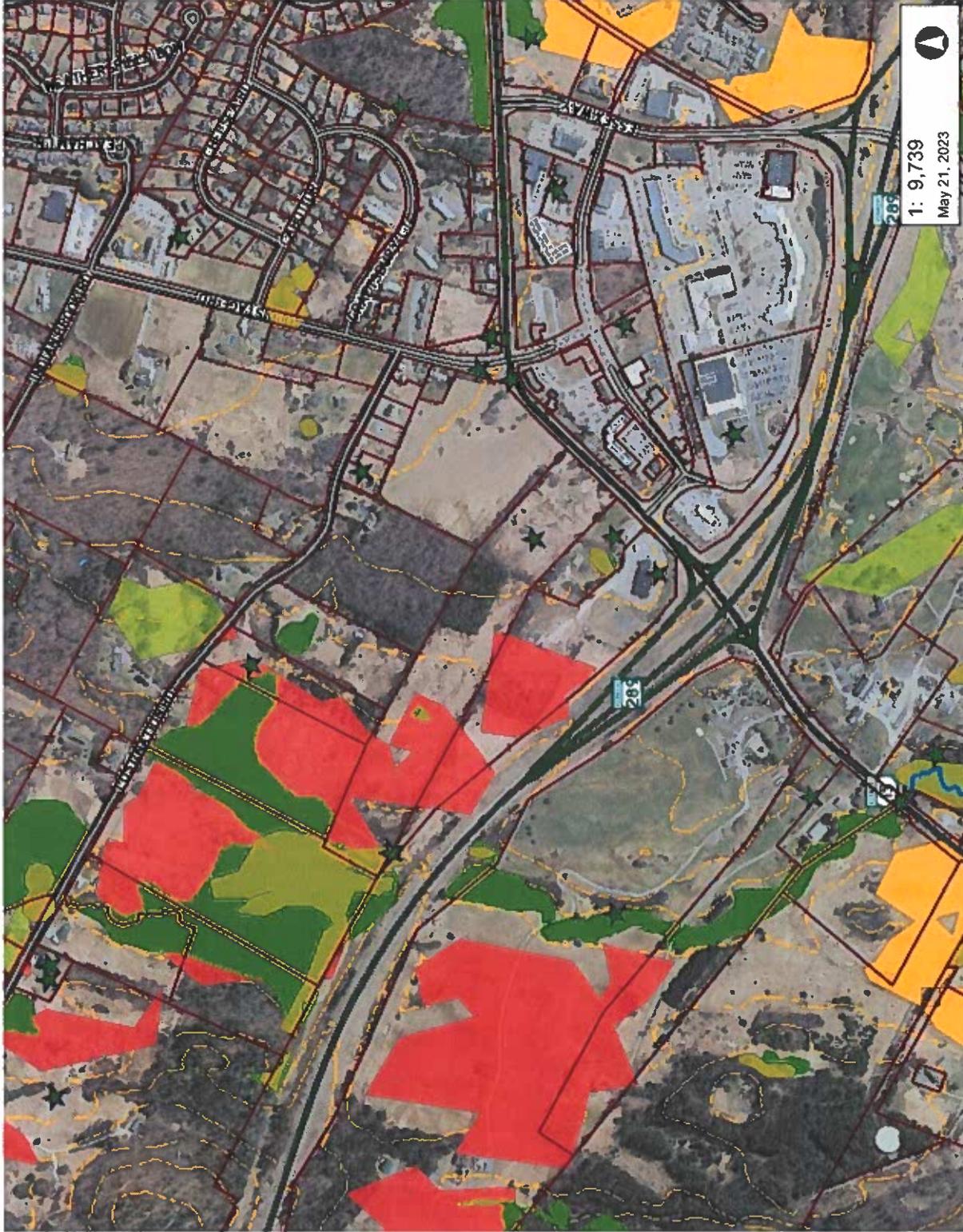
NOTES

Map created using ANR's Natural Resources Atlas

990.0 495.00 990.0 Meters
1" = 1623 Ft. 1cm = 195 Meters
THIS MAP IS NOT TO BE USED FOR NAVIGATION

DISCLAIMER: This map is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. ANR and the State of Vermont make no representations of any kind, including but not limited to, the warranties of merchantability, or fitness for a particular use, nor are any such warranties to be implied with respect to the data on this map.

WGS_1984_Web_Mercator_Auxiliary_Sphere
© Vermont Agency of Natural Resources



1: 9,739
May 21, 2023

495.0 0 248.00 495.0 Meters
 1" = 812 Ft. 1cm = 97 Meters
 THIS MAP IS NOT TO BE USED FOR NAVIGATION
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LEGEND

- ★ Wetland Projects
- Lakes and Ponds Permits
- Aquatic Nuisance
- Encroachment
- Shoreland
- 303(d) List of Impaired Stream
- 303(d) List of Impaired Lakes & Priority Waters List (Streams & Lakes)
- Part B (impaired TMDL not required)
- Part D (impaired with approved TM)
- Part E (altered exotic species)
- Part F (altered flow regulation)
- Priority Waters List (Lakes and Streams)
- Part B (impaired TMDL not required)
- Part D (impaired with approved TM)
- Part E (altered exotic species)
- Part F (altered flow regulation)
- Stressed Waters List (Streams and Lakes)
- Designated ORW (Streams and Lakes)
- Prospective ORW (Streams and Lakes)
- Prospective ORW (Lakes and Streams)
- Class A(1) Ecological Waters
- Class A(2) Public Water Supply
- Mixed Classifications for Uses
- 100' Setback
- 250' Setback
- Wetland - VSWI

NOTES

Map created using ANR's Natural Resources Atlas

Soil Map—Chittenden County, Vermont



Soil Map may not be valid at this scale.

Map Scale: 1:4,370 if printed on A landscape (11" x 8.5") sheet.

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 18N WGS84

MAP LEGEND

- Area of Interest (AOI)
 - Area of Interest (AOI)
- Soils
 - Soil Map Unit Polygons
 - Soil Map Unit Lines
 - Soil Map Unit Points
- Special Point Features
 - Blowout
 - Borrow Pit
 - Clay Spot
 - Closed Depression
 - Gravel Pit
 - Gravelly Spot
 - Landfill
 - Lava Flow
 - Marsh or swamp
 - Mine or Quarry
 - Miscellaneous Water
 - Perennial Water
 - Rock Outcrop
 - Saline Spot
 - Sandy Spot
 - Severely Eroded Spot
 - Sinkhole
 - Slide or Slip
 - Sodic Spot
- Water Features
 - Streams and Canals
- Transportation
 - Rails
 - Interstate Highways
 - US Routes
 - Major Roads
 - Local Roads
- Background
 - Aerial Photography
- Spot Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:15,800.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL:
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Chittenden County, Vermont
 Survey Area Data: Version 26, Feb 17, 2023

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jun 18, 2020—Jun 20, 2020

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
CaC	Cabot silt loam, 3 to 15 percent slopes	0.3	1.0%
GrA	Groton gravelly fine sandy loam, 0 to 5 percent slopes	4.5	14.1%
Le	Limerick silt loam	0.6	1.9%
MyB	Munson and Raynham silt loams, 2 to 6 percent slopes	1.4	4.3%
MyC	Munson and Raynham silt loams, 6 to 12 percent slopes	1.1	3.4%
PeA	Peru fine sandy loam, 0 to 5 percent slopes	15.7	49.6%
PeB	Peru fine sandy loam, 5 to 12 percent slopes	1.7	5.5%
PsC	Peru fine sandy loam, 0 to 20 percent slopes, very stony	0.4	1.1%
ScB	Scantic silt loam, 2 to 6 percent slopes	6.0	19.0%
Totals for Area of Interest		31.7	100.0%

Chittenden County, Vermont

CaC—Cabot silt loam, 3 to 15 percent slopes

Map Unit Setting

National map unit symbol: 2ty50

Elevation: 260 to 1,210 feet

Mean annual precipitation: 31 to 95 inches

Mean annual air temperature: 27 to 48 degrees F

Frost-free period: 70 to 135 days

Farmland classification: Farmland of statewide importance, if drained

Map Unit Composition

Cabot and similar soils: 82 percent

Minor components: 18 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Cabot

Setting

Landform: Hills, mountains

Landform position (two-dimensional): Toeslope

Landform position (three-dimensional): Mountainbase, base slope

Down-slope shape: Concave

Across-slope shape: Concave

Parent material: Loamy lodgment till derived from mica schist and/or loamy lodgment till derived from limestone

Typical profile

Ap - 0 to 7 inches: silt loam

Bg - 7 to 13 inches: fine sandy loam

Cdg - 13 to 65 inches: fine sandy loam

Properties and qualities

Slope: 3 to 15 percent

Depth to restrictive feature: 6 to 20 inches to densic material

Drainage class: Poorly drained

Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately high (0.00 to 1.42 in/hr)

Depth to water table: About 0 to 18 inches

Frequency of flooding: None

Frequency of ponding: None

Available water supply, 0 to 60 inches: Very low (about 2.1 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 3e

Hydrologic Soil Group: D

Ecological site: F143XY304ME - Wet Flat

Hydric soil rating: Yes

Minor Components

Peru

Percent of map unit: 6 percent
Landform: Hills, mountains
Landform position (two-dimensional): Backslope
Landform position (three-dimensional): Mountainbase, base slope
Microfeatures of landform position: Rises, rises
Down-slope shape: Convex
Across-slope shape: Convex
Hydric soil rating: No

Westbury

Percent of map unit: 6 percent
Landform: Hills, mountains
Landform position (two-dimensional): Footslope
Landform position (three-dimensional): Mountainbase, base slope
Microfeatures of landform position: Rises, rises
Down-slope shape: Convex
Across-slope shape: Convex
Hydric soil rating: No

Peacham

Percent of map unit: 4 percent
Landform: Hills, mountains
Landform position (two-dimensional): Toeslope
Landform position (three-dimensional): Mountainbase, base slope
Microfeatures of landform position: Closed depressions, closed depressions
Down-slope shape: Concave
Across-slope shape: Concave
Hydric soil rating: Yes

Tunbridge

Percent of map unit: 2 percent
Landform: Hills, mountains
Landform position (two-dimensional): Backslope
Landform position (three-dimensional): Mountainbase, base slope
Microfeatures of landform position: Rises, rises
Down-slope shape: Convex
Across-slope shape: Convex
Hydric soil rating: No

Data Source Information

Soil Survey Area: Chittenden County, Vermont
Survey Area Data: Version 26, Feb 17, 2023

Chittenden County, Vermont

GrA—Groton gravelly fine sandy loam, 0 to 5 percent slopes

Map Unit Setting

National map unit symbol: 9g43

Elevation: 90 to 1,200 feet

Mean annual precipitation: 30 to 50 inches

Mean annual air temperature: 37 to 52 degrees F

Frost-free period: 90 to 180 days

Farmland classification: Farmland of statewide importance

Map Unit Composition

Groton and similar soils: 85 percent

Minor components: 15 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Groton

Setting

Landform: Terraces

Landform position (three-dimensional): Tread

Down-slope shape: Linear

Across-slope shape: Concave, linear

Parent material: Sandy and gravelly glaciofluvial deposits

Typical profile

H1 - 0 to 9 inches: gravelly fine sandy loam

H2 - 9 to 15 inches: gravelly sandy loam

H3 - 15 to 24 inches: very gravelly loamy coarse sand

H4 - 24 to 65 inches: extremely gravelly coarse sand

Properties and qualities

Slope: 0 to 5 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Excessively drained

Runoff class: Very low

Capacity of the most limiting layer to transmit water (Ksat): High to very high (2.00 to 20.00 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Available water supply, 0 to 60 inches: Low (about 3.4 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 3s

Hydrologic Soil Group: A

Ecological site: F142XB002VT - Dry Outwash

Hydric soil rating: No

Minor Components

Agawam

Percent of map unit: 8 percent

Hydric soil rating: No

Colton

Percent of map unit: 7 percent

Landform: Terraces

Hydric soil rating: No

Data Source Information

Soil Survey Area: Chittenden County, Vermont

Survey Area Data: Version 26, Feb 17, 2023

Chittenden County, Vermont

Le—Limerick silt loam

Map Unit Setting

National map unit symbol: 9g4m

Elevation: 90 to 1,000 feet

Mean annual precipitation: 30 to 50 inches

Mean annual air temperature: 45 to 52 degrees F

Frost-free period: 120 to 180 days

Farmland classification: Farmland of statewide importance, if drained

Map Unit Composition

Limerick and similar soils: 85 percent

Minor components: 15 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Limerick

Setting

Landform: Flood plains

Landform position (three-dimensional): Tread

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Coarse-silty alluvium

Typical profile

H1 - 0 to 5 inches: silt loam

H2 - 5 to 28 inches: silt loam

H3 - 28 to 65 inches: silt loam

Properties and qualities

Slope: 0 to 3 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Poorly drained

Runoff class: Low

Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.60 to 2.00 in/hr)

Depth to water table: About 0 to 18 inches

Frequency of flooding: FrequentNone

Frequency of ponding: None

Available water supply, 0 to 60 inches: Very high (about 13.3 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 3w

Hydrologic Soil Group: B/D

Ecological site: F142XB004VT - Wet Outwash Depression

Hydric soil rating: Yes

Minor Components

Winooski

Percent of map unit: 8 percent

Landform: Flood plains

Hydric soil rating: No

Rippowam

Percent of map unit: 7 percent

Landform: Flood plains

Hydric soil rating: Yes

Data Source Information

Soil Survey Area: Chittenden County, Vermont

Survey Area Data: Version 26, Feb 17, 2023

Chittenden County, Vermont

MyB—Munson and Raynham silt loams, 2 to 6 percent slopes

Map Unit Setting

National map unit symbol: 9g56

Elevation: 90 to 1,000 feet

Mean annual precipitation: 30 to 50 inches

Mean annual air temperature: 45 to 52 degrees F

Frost-free period: 120 to 180 days

Farmland classification: Farmland of statewide importance, if drained

Map Unit Composition

Munson and similar soils: 46 percent

Raynham and similar soils: 44 percent

Minor components: 10 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Munson

Setting

Landform: Terraces

Landform position (three-dimensional): Tread

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Coarse-silty glaciolacustrine deposits over clayey glaciolacustrine deposits

Typical profile

H1 - 0 to 8 inches: silt loam

H2 - 8 to 15 inches: silt loam

H3 - 15 to 65 inches: silty clay

Properties and qualities

Slope: 2 to 6 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Somewhat poorly drained

Runoff class: High

Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately high (0.00 to 0.20 in/hr)

Depth to water table: About 6 to 24 inches

Frequency of flooding: None

Frequency of ponding: None

Available water supply, 0 to 60 inches: High (about 10.6 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 3w

Hydrologic Soil Group: C/D

Ecological site: F142XB018VT - Moist Lake Plain

Hydric soil rating: No

Description of Raynham

Setting

Landform: Terraces

Landform position (three-dimensional): Tread

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Coarse-silty glaciolacustrine deposits

Typical profile

H1 - 0 to 6 inches: silt loam

H2 - 6 to 22 inches: silt loam

H3 - 22 to 65 inches: silt loam

Properties and qualities

Slope: 2 to 6 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Poorly drained

Runoff class: Medium

Capacity of the most limiting layer to transmit water

(Ksat): Moderately low to moderately high (0.06 to 0.20 in/hr)

Depth to water table: About 0 to 24 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum content: 5 percent

Available water supply, 0 to 60 inches: High (about 11.6 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 3w

Hydrologic Soil Group: C/D

Ecological site: F144AY019NH - Wet Lake Plain

Hydric soil rating: Yes

Minor Components

Hartland

Percent of map unit: 5 percent

Hydric soil rating: No

Belgrade

Percent of map unit: 5 percent

Hydric soil rating: No

Data Source Information

Soil Survey Area: Chittenden County, Vermont

Survey Area Data: Version 26, Feb 17, 2023

Chittenden County, Vermont

MyC—Munson and Raynham silt loams, 6 to 12 percent slopes

Map Unit Setting

National map unit symbol: 9g57

Elevation: 90 to 1,000 feet

Mean annual precipitation: 30 to 50 inches

Mean annual air temperature: 45 to 52 degrees F

Frost-free period: 120 to 180 days

Farmland classification: Farmland of statewide importance, if drained

Map Unit Composition

Munson and similar soils: 46 percent

Raynham and similar soils: 44 percent

Minor components: 10 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Munson

Setting

Landform: Terraces

Landform position (three-dimensional): Tread

Down-slope shape: Concave

Across-slope shape: Concave

Parent material: Coarse-silty glaciolacustrine deposits over clayey glaciolacustrine deposits

Typical profile

H1 - 0 to 8 inches: silt loam

H2 - 8 to 15 inches: silt loam

H3 - 15 to 65 inches: silty clay

Properties and qualities

Slope: 6 to 12 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Somewhat poorly drained

Runoff class: Very high

Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately high (0.00 to 0.20 in/hr)

Depth to water table: About 6 to 24 inches

Frequency of flooding: None

Frequency of ponding: None

Available water supply, 0 to 60 inches: High (about 10.6 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 3e

Hydrologic Soil Group: C/D

Ecological site: F142XB018VT - Moist Lake Plain

Hydric soil rating: No

Description of Raynham

Setting

Landform: Terraces
Landform position (three-dimensional): Tread
Down-slope shape: Concave
Across-slope shape: Concave
Parent material: Coarse-silty glaciolacustrine deposits

Typical profile

H1 - 0 to 6 inches: silt loam
H2 - 6 to 22 inches: silt loam
H3 - 22 to 65 inches: silt loam

Properties and qualities

Slope: 6 to 12 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Poorly drained
Runoff class: High
Capacity of the most limiting layer to transmit water (Ksat): Moderately low to moderately high (0.06 to 0.20 in/hr)
Depth to water table: About 0 to 24 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 5 percent
Available water supply, 0 to 60 inches: High (about 11.6 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 3w
Hydrologic Soil Group: C/D
Ecological site: F144AY019NH - Wet Lake Plain
Hydric soil rating: Yes

Minor Components

Hartland

Percent of map unit: 5 percent
Hydric soil rating: No

Belgrade

Percent of map unit: 5 percent
Hydric soil rating: No

Data Source Information

Soil Survey Area: Chittenden County, Vermont
Survey Area Data: Version 26, Feb 17, 2023

Chittenden County, Vermont

PeA—Peru fine sandy loam, 0 to 5 percent slopes

Map Unit Setting

National map unit symbol: 2trr0
Elevation: 200 to 1,440 feet
Mean annual precipitation: 31 to 95 inches
Mean annual air temperature: 27 to 48 degrees F
Frost-free period: 90 to 160 days
Farmland classification: All areas are prime farmland

Map Unit Composition

Peru and similar soils: 84 percent
Minor components: 16 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Peru

Setting

Landform: Hills, mountains
Landform position (two-dimensional): Backslope, footslope
Landform position (three-dimensional): Mountainbase, interfluve
Down-slope shape: Convex
Across-slope shape: Linear
Parent material: Loamy lodgment till derived from granite and/or loamy lodgment till derived from mica schist and/or loamy lodgment till derived from phyllite

Typical profile

Ap - 0 to 6 inches: fine sandy loam
Bhs - 6 to 8 inches: fine sandy loam
Bs1 - 8 to 12 inches: fine sandy loam
Bs2 - 12 to 18 inches: fine sandy loam
Bs3 - 18 to 21 inches: fine sandy loam
BC - 21 to 24 inches: fine sandy loam
Cd - 24 to 65 inches: sandy loam

Properties and qualities

Slope: 0 to 5 percent
Depth to restrictive feature: 20 to 39 inches to densic material
Drainage class: Moderately well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately low to moderately high (0.01 to 1.42 in/hr)
Depth to water table: About 16 to 30 inches
Frequency of flooding: None
Frequency of ponding: None
Maximum salinity: Nonsaline (0.0 to 1.9 mmhos/cm)
Available water supply, 0 to 60 inches: Low (about 3.7 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 2w
Hydrologic Soil Group: C/D
Ecological site: F142XA020NY - Rich Moist Till Frigid
Hydric soil rating: No

Minor Components

Pillsbury

Percent of map unit: 7 percent
Landform: Hills, mountains
Landform position (two-dimensional): Footslope, toeslope
Landform position (three-dimensional): Mountainbase, interfluve
Microfeatures of landform position: Closed depressions, closed depressions
Down-slope shape: Concave
Across-slope shape: Concave
Hydric soil rating: Yes

Marlow

Percent of map unit: 6 percent
Landform: Hills, mountains
Landform position (two-dimensional): Summit, shoulder, backslope
Landform position (three-dimensional): Mountainbase, interfluve
Microfeatures of landform position: Rises, rises
Down-slope shape: Convex
Across-slope shape: Convex
Hydric soil rating: No

Lyman

Percent of map unit: 2 percent
Landform: Hills, mountains
Landform position (two-dimensional): Summit, shoulder, backslope
Landform position (three-dimensional): Mountainbase, interfluve
Microfeatures of landform position: Rises, rises
Down-slope shape: Convex
Across-slope shape: Convex
Hydric soil rating: No

Sunapee

Percent of map unit: 1 percent
Landform: Hills, mountains
Landform position (two-dimensional): Backslope, footslope
Landform position (three-dimensional): Mountainbase, interfluve
Down-slope shape: Convex
Across-slope shape: Linear

Hydric soil rating: No

Data Source Information

Soil Survey Area: Chittenden County, Vermont
Survey Area Data: Version 26, Feb 17, 2023

Chittenden County, Vermont

PeB—Peru fine sandy loam, 5 to 12 percent slopes

Map Unit Setting

National map unit symbol: 2trr1

Elevation: 160 to 1,480 feet

Mean annual precipitation: 31 to 95 inches

Mean annual air temperature: 27 to 48 degrees F

Frost-free period: 90 to 160 days

Farmland classification: Farmland of statewide importance

Map Unit Composition

Peru and similar soils: 84 percent

Minor components: 16 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Peru

Setting

Landform: Hills, mountains

Landform position (two-dimensional): Backslope, footslope

Landform position (three-dimensional): Mountainflank, mountainbase, interfluve, nose slope, side slope

Down-slope shape: Convex

Across-slope shape: Linear

Parent material: Loamy lodgment till derived from granite and/or loamy lodgment till derived from mica schist and/or lodgment till derived from phyllite

Typical profile

Ap - 0 to 6 inches: fine sandy loam

Bhs - 6 to 8 inches: fine sandy loam

Bs1 - 8 to 12 inches: fine sandy loam

Bs2 - 12 to 18 inches: fine sandy loam

Bs3 - 18 to 21 inches: fine sandy loam

BC - 21 to 24 inches: fine sandy loam

Cd - 24 to 65 inches: sandy loam

Properties and qualities

Slope: 5 to 12 percent

Depth to restrictive feature: 20 to 39 inches to densic material

Drainage class: Moderately well drained

Capacity of the most limiting layer to transmit water

(Ksat): Moderately low to moderately high (0.01 to 1.42 in/hr)

Depth to water table: About 16 to 30 inches

Frequency of flooding: None

Frequency of ponding: None

Maximum salinity: Nonsaline (0.0 to 1.9 mmhos/cm)

Available water supply, 0 to 60 inches: Low (about 3.7 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 3e

Hydrologic Soil Group: C/D

Ecological site: F142XA020NY - Rich Moist Till Frigid

Hydric soil rating: No

Minor Components

Marlow

Percent of map unit: 6 percent

Landform: Hills, mountains

Landform position (two-dimensional): Summit, shoulder, backslope

Landform position (three-dimensional): Mountainbase, interfluve, nose slope, side slope

Microfeatures of landform position: Rises, rises

Down-slope shape: Convex

Across-slope shape: Convex

Hydric soil rating: No

Colonel

Percent of map unit: 4 percent

Landform: Hills, mountains

Landform position (two-dimensional): Footslope

Landform position (three-dimensional): Mountainbase, interfluve, nose slope, side slope

Microfeatures of landform position: Open depressions, open depressions, closed depressions, closed depressions

Down-slope shape: Linear, concave

Across-slope shape: Concave

Hydric soil rating: No

Cabot

Percent of map unit: 4 percent

Landform: Hills, mountains

Landform position (two-dimensional): Footslope, toeslope

Landform position (three-dimensional): Mountainbase, interfluve, nose slope, side slope

Microfeatures of landform position: Open depressions, open depressions, closed depressions, closed depressions

Down-slope shape: Concave

Across-slope shape: Concave

Hydric soil rating: Yes

Lyman

Percent of map unit: 2 percent

Landform: Hills, mountains

Landform position (two-dimensional): Summit, shoulder, backslope

Landform position (three-dimensional): Mountainbase, interfluve, nose slope, side slope

Microfeatures of landform position: Rises, rises

Down-slope shape: Convex

Across-slope shape: Convex

Hydric soil rating: No

Data Source Information

Soil Survey Area: Chittenden County, Vermont
Survey Area Data: Version 26, Feb 17, 2023

Chittenden County, Vermont

PsC—Peru fine sandy loam, 0 to 20 percent slopes, very stony

Map Unit Setting

National map unit symbol: 2trr3
Elevation: 260 to 2,300 feet
Mean annual precipitation: 31 to 95 inches
Mean annual air temperature: 27 to 48 degrees F
Frost-free period: 90 to 160 days
Farmland classification: Not prime farmland

Map Unit Composition

Peru, very stony, and similar soils: 84 percent
Minor components: 16 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Peru, Very Stony

Setting

Landform: Hills, mountains
Landform position (two-dimensional): Backslope, footslope
Landform position (three-dimensional): Mountainflank, mountainbase, interfluve, nose slope, side slope
Down-slope shape: Convex
Across-slope shape: Linear
Parent material: Loamy lodgment till derived from granite and/or loamy lodgment till derived from mica schist and/or loamy lodgment till derived from phyllite

Typical profile

Oe - 0 to 1 inches: moderately decomposed plant material
A - 1 to 5 inches: fine sandy loam
E - 5 to 6 inches: fine sandy loam
Bs1 - 6 to 7 inches: fine sandy loam
Bs2 - 7 to 13 inches: fine sandy loam
Bs3 - 13 to 18 inches: fine sandy loam
BC - 18 to 21 inches: fine sandy loam
Cd1 - 21 to 37 inches: fine sandy loam
Cd2 - 37 to 65 inches: fine sandy loam

Properties and qualities

Slope: 0 to 20 percent
Surface area covered with cobbles, stones or boulders: 1.1 percent
Depth to restrictive feature: 21 to 43 inches to densic material
Drainage class: Moderately well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately low to moderately high (0.01 to 1.42 in/hr)
Depth to water table: About 17 to 34 inches
Frequency of flooding: None

Frequency of ponding: None
Maximum salinity: Nonsaline (0.0 to 1.9 mmhos/cm)
Available water supply, 0 to 60 inches: Low (about 3.6 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 6s
Hydrologic Soil Group: C/D
Ecological site: F143XY501ME - Loamy Slope
Hydric soil rating: No

Minor Components

Marlow, very stony

Percent of map unit: 6 percent
Landform: Hills, mountains
Landform position (two-dimensional): Summit, shoulder, backslope
Landform position (three-dimensional): Mountainflank, mountainbase, interfluve, nose slope, side slope
Microfeatures of landform position: Rises, rises
Down-slope shape: Convex
Across-slope shape: Convex
Hydric soil rating: No

Cabot, very stony

Percent of map unit: 4 percent
Landform: Hills, mountains
Landform position (two-dimensional): Footslope, toeslope
Landform position (three-dimensional): Mountainflank, mountainbase, interfluve, nose slope, side slope
Microfeatures of landform position: Open depressions, open depressions, closed depressions, closed depressions
Down-slope shape: Concave
Across-slope shape: Concave
Hydric soil rating: Yes

Colonel, very stony

Percent of map unit: 3 percent
Landform: Hills, mountains
Landform position (two-dimensional): Footslope
Landform position (three-dimensional): Mountainflank, mountainbase, interfluve, nose slope, side slope
Microfeatures of landform position: Open depressions, open depressions, closed depressions, closed depressions
Down-slope shape: Concave, linear
Across-slope shape: Concave
Hydric soil rating: No

Lyman, very stony

Percent of map unit: 3 percent
Landform: Hills, mountains
Landform position (two-dimensional): Summit, shoulder, backslope
Landform position (three-dimensional): Mountainflank, mountainbase, interfluve, nose slope, side slope

Microfeatures of landform position: Rises, rises
Down-slope shape: Convex
Across-slope shape: Convex
Hydric soil rating: No

Data Source Information

Soil Survey Area: Chittenden County, Vermont
Survey Area Data: Version 26, Feb 17, 2023

Chittenden County, Vermont

ScB—Scantic silt loam, 2 to 6 percent slopes

Map Unit Setting

National map unit symbol: 9g5q
Elevation: 90 to 1,200 feet
Mean annual precipitation: 30 to 50 inches
Mean annual air temperature: 37 to 52 degrees F
Frost-free period: 90 to 180 days
Farmland classification: Farmland of statewide importance, if drained

Map Unit Composition

Scantic and similar soils: 85 percent
Minor components: 15 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Scantic

Setting

Landform: Terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear, concave
Parent material: Clayey glaciolacustrine deposits

Typical profile

H1 - 0 to 13 inches: silt loam
H2 - 13 to 26 inches: silty clay loam
H3 - 26 to 65 inches: silty clay

Properties and qualities

Slope: 2 to 6 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Poorly drained
Runoff class: High
Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately high (0.00 to 0.20 in/hr)
Depth to water table: About 0 to 12 inches
Frequency of flooding: None
Frequency of ponding: None
Available water supply, 0 to 60 inches: High (about 10.2 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 3w
Hydrologic Soil Group: C/D
Ecological site: F142XA014NY - Wet Lacustrine Depression
Hydric soil rating: Yes

Minor Components

Enosburg

Percent of map unit: 3 percent

Landform: Knolls

Hydric soil rating: Yes

Raynham

Percent of map unit: 3 percent

Landform: Knolls

Hydric soil rating: Yes

Munson

Percent of map unit: 3 percent

Hydric soil rating: No

Covington

Percent of map unit: 3 percent

Landform: Depressions

Hydric soil rating: Yes

Eldridge

Percent of map unit: 3 percent

Hydric soil rating: No

Data Source Information

Soil Survey Area: Chittenden County, Vermont

Survey Area Data: Version 26, Feb 17, 2023

- (C) Changes may be made to the Official Zoning Map only in accordance with the bylaw amendment process specified in the Act [§§ 4441, 4442] and Section 1.4 of these Regulations.

2.2 Interpretation of District Boundaries:

- (A) Where uncertainty exists as to the boundaries of zoning districts shown on the Official Zoning Map, the following rules shall apply:
- (1) Boundaries indicated as approximately following the centerlines of streets, roads, highways, or alleys shall be construed to follow such centerlines.
 - (2) Boundaries indicated as approximately following plotted lot lines shall be construed as following such lot lines.
 - (3) Boundaries indicated as approximately following Town limits shall be construed as following Town limits.
 - (4) Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks, or to follow the centerline of the right-of-way if no track exists or if more than one track exists.
 - (5) Boundaries indicated as following shorelines of lakes or ponds shall be construed to follow the mean water mark of such shore lines, even in the event of changes in the shore line; boundaries indicated as approximately following the center lines of streams, rivers or canals shall be construed to follow such center lines.
 - (6) Boundaries indicated as following existing contour lines shall be construed to follow the lines of the specified elevation, as determined on the ground.
 - (7) Boundaries indicated as parallel to or extensions of features indicated in Subsections (A)(1) through (A)(6) above shall be construed as indicated.
 - (8) For areas of special flood hazard within the Floodplain Overlay (C2) District, where available (i.e., in Zones A1-A30, AE and AH), base flood elevations and floodway limits provided by the National Flood Insurance Program (NFIP), in the Flood Insurance Study for the Town of Essex and accompanying maps, available at the Town Office, shall be used to administer and enforce these Regulations. Where base flood elevations and floodway limits are not provided (i.e., Zone A), base flood elevations and floodway data provided by FEMA or available from state or federal agencies or other sources, shall be obtained and used to administer and enforce these regulations.
 - (9) Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map and the written descriptions appended to these Regulations.

- (10) The abandonment or relocation of a right-of-way or the change in a line or feature that references a district boundary after the effective date of these Regulations shall not affect the location of the district boundary, except as specified for streams, rivers and shorelines under Subsection (A)(5).
- (11) Where physical or cultural features existing on the ground are at variance with those shown on the Official Zoning Map, or any conflict exists within any of the provisions hereof, or in other circumstances not covered by Subsections (A)(1) through (A)(10) above, the Zoning Administrator shall interpret the boundaries.
- (B) Any district boundary determination by the Zoning Administrator under this Section may be appealed to the Board of Adjustment under Section 7.4 (Appeals). The Board shall interpret the location of the district boundary with reference to the written descriptions appended to these Regulations, the scale of the Official Zoning Map and the purposes set forth in all relevant provisions of these Regulations.
- (C) Any areas shown on the Official Zoning Map as park, playground, school, cemetery, water, streets, or right-of-way shall be subject to the zoning regulations of the district in which they are located.
- (D) Where a district boundary line divides a lot which was in single ownership at the time of passage of these Regulations, the Board of Adjustment may permit, as a conditional use, the extension of either district for either portion of the lot not to exceed one hundred feet (100') beyond the existing district line into the remaining portion of the lot.
- (E) When a zoning district boundary established by these regulations divides a lot, the dimensional requirements for the more restrictive zone may be applied to the lot. Criteria such as site conditions, location of sewage disposal and water systems, and house siting may be factored into the decision by the Planning Commission.

2.3 Application of District Standards: Tables 2.3 through 2.19 set forth the stated purposes, allowed uses, and specified dimensional and development standards for each zoning district. Allowed uses and district dimensional standards are summarized in Tables 2.1 (Uses) and 2.2 (Dimensional Standards).

- (A) All lots, uses and structures, unless specifically exempted from these regulations under Table 1.1 (Exemptions), must conform to applicable standards for the district(s) in which they are located. The standards for each district shall apply uniformly to each class of use or structure, unless otherwise specified for a particular use. Nonconforming lots, uses and structures must meet the requirements of Section 3.8 (Nonconformities).
- (B) Overlay district standards shall be applied concurrently with the standards for the underlying zoning district(s). Where district standards conflict, the more restrictive standard shall apply.

- (C) Uses allowed in each district are classified as either “**permitted uses**” subject to administrative review by the Zoning Administrator under Section 7.2 and, where required, site plan review by the Planning Commission, prior to the issuance of a zoning permit (see Section 5.6); or as “**conditional uses**” subject to both site plan review by the Planning Commission (Section 5.6) and conditional use review by the Board of Adjustment (Section 5.7) prior to the issuance of a zoning permit.
- (1) Permitted and conditional uses must meet all applicable zoning district requirements, general standards (Article III) and specific use standards (Article IV) under these Regulations.
 - (2) Site plan review under Section 5.6 is required for all permitted and conditional uses except for: single-and two-family dwellings and associated accessory dwellings, structures, and uses as specified in these Regulations; below ground essential services, and agriculture, forestry operation, and other uses specifically exempted from these Regulations (see Table 1.1).
 - (3) **Unspecified Use:** In the event that a particular use is not set forth in the Use Chart as defined in Section 8.1, but is, in the opinion of the Board of Adjustment, consistent with the philosophy as set forth in these Regulations for the district in which it is proposed and of similar impact in terms of the potential for intrusion on abutting properties, the Board of Adjustment may allow the use as a conditional use after public hearing, duly noticed. In such an event, notice shall be sent to the Planning Commission of such hearing, and the Planning Commission may submit its written or oral recommendations to the Board of Adjustment relative to the proposed use. A use which is philosophically not consistent with the purpose of the district, or which is judged to have a more significant impact on abutting properties than uses normally allowed in the district, as set forth in these Regulations, shall not be allowed under this Section.
- (D) Any Zoning Administrator determination regarding an allowed use under this section may be appealed to the Board of Adjustment under Section 7.4 (Appeals).
- (1) If, in the opinion of the Board, the proposed use is consistent with the stated district purpose and similar to other uses listed for the district in which it is proposed, the Board may consider the use as a conditional use subject to review under Section 5.7. A copy of the hearing notice shall be sent to the Planning Commission. The Commission may submit its written or oral recommendations to the Board of Adjustment relative to the proposed use.
 - (2) A use which is found not to be consistent with the purpose of the district, or which is judged to have a more significant impact on abutting properties and community facilities than other uses allowed in the district, as set forth in these Regulations, shall not be allowed under this provision.

TABLE 2.1 SUMMARY USE CHART

ZONING DISTRICTS

USES	AR	R1	R2	R3	RB	CTR	BJ	II	MXD	MXD-C	MXD-PUD	RPD-I 40%	HP-DC	O1	C1	C2
ACCESSORY STRUCTURE/USE	P	P														
AGRICULTURE	P(1,2)		P(1,2)	P(1,2)	P(1,2)	P(1,2)	P(1,2)									
AUTOMOBILE SERVICE STATION (EXISTING)	C(1)		C(1)													
AUTOMOBILE SERVICE STATION							C	C	C							
AUTOMOTIVE REPAIR SHOP						P	C(1)	P	C	C(4)						
BANK										P(1)						
BANK (Drive-through >10,000 SF)										P(1)						
BARN STORAGE	C(1)	C(1)								C(1)						
BED & BREAKFAST	C	C	C	C	C	C				P				C(1)	C(1)	C(1)
CAMP	C															
CAR WASH							C	C	C							
CARETAKER APARTMENT							P(1)	P(1)	P(1)							
CEMETERY	C	C	P													
CHURCH		C(1)	C(1)			C(1)	C(1)	C(1)	C(1)	C(1)						P
CONGREGATE HOUSING	C(1)		C(1)	C(1)	C(1)	C(1)	P(1)			C(1)			C(1)			
CONTRACTOR'S YARD								P								
CONVENIENCE STORE (EXISTING)			C(1)					C								
CONVENIENCE STORE																
CULTURAL FACILITIES	P	P				C	P	P	C							
CULTURAL FACILITIES																
DAY CARE FACILITY ADULT																
DAY CARE FACILITY CHILD OR ADULT	C(1)	P(1)	C(4)	P	C(1)			P(1)								
DAY CARE HOME	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)										
DWELLING/ACCESSORY	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)					P(3)	P(1)	P(1)	P(1)	P(1)	C(1)
DWELLING/SINGLE-FAMILY	P	P	P	P	P	P					P(3)	P	P			
DWELLING/TWO-FAMILY	P	P	P	P	P	P					P(3)	P	P			
DWELLING/TWO-FAMILY (PUD ONLY)																
DWELLING/MULTI-FAMILY																
DWELLING/MULTI-FAMILY (PUD ONLY)	P	P	P	P	P											
EQUIPMENT SALES, RENTAL AND SALES							C(1)	P	P		C(4)	P				
ESSENTIAL SERVICES	P	P	P	P	P	P										
EXTRACTION OF EARTH RESOURCES	C(1)	C(1)														
FARM PRODUCE STAND	P(1)	P(1)	P(1)													
FARM PRODUCE MARKET	C(1)															
FIREWOOD PROCESSING AND SALES	C	C														
FORESTRY OPERATION	P(2)	P(1/2)	P(2)	P(2)	P(2)	P(2)										
FUNERAL HOME (EXISTING)																
FUNERAL HOME																
GARDEN CENTER	P						C	P	P	P(4)						
GROUP HOME	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)										
HOME BUSINESS	C(1)	C(1)	C(1)	C(1)	C(1)	C(1)										
HOME OCCUPATION	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)										
HOTEL, MOTEL							C	C			C(4)					
JUNKYARD																
KENNEL	C															
LIGHT MANUFACTURING																

(1) Allowed with Specific Restrictions. See Individual District Tables.

(3) Residential Development Conforms to R2 District Standards. See Table 2.5

(2) See Table 1.1

(4) Commercial Development Conforms to B1 District Standards. See Table 2.9.

TABLE 2.1 SUMMARY USE CHART, continued

ZONING DISTRICTS

USES	AR	R1	R2	R3	RB	CTR	B1	II	MXD	MXD-C	MXD-PUD	RPD-I 40%	HP-DC	OI	CI	C2
LUMBER PROCESSING	C(1)														C(1)	C(1)
MACHINERY REPAIR SHOP (MAJOR)							C(1)	P	C		C(4)					
MACHINERY REPAIR SHOP (MINOR)							C	P	C		C(4)					
MESSAGE THERAPY					C	C	C	C	C	C	C	C				
MEDICAL CLINIC							C	C	C	C	C(4)		C			
MOBILE HOME PARK		P(1)	P(1)													
MUNICIPAL SERVICES AND FACILITIES	C(1)	C(1)	C(1)	C(1)	C(1)	P(1)	P(1)	P(1)	P(1)	P(1)	P(4)	P(1)	P(1)	C(1)	C(1)	C(1)
NEIGHBORHOOD SHOPPING CENTER						C(1)	P	P	P	P	P(4)					
OFFICE							P	P	P							
OFFICE (Max: 2,000 SF)							P(1)	P	P		P(4)					
OFFICE/MAJOR (Min: 15,000 SF gross leasable area)										P(1)						
OFFICE (Max: 10,000 SF)							C(1)									
OFFICE (Over 2,000 SF)																
OFFICE (Over 10,000 SF)							C	P	C	C	P(4)					C
PARKING FACILITY							P	P	P	P	P(4)					
PERSONAL SERVICES					P	C	C	C	C	P	P(4)	P				
PRIVATE CLUB							C	C	C	C	C(4)					
PUBLIC FACILITIES	C(1)	C(4)		C(1)	C(1)	C(1)	C(1)									
RECREATION/INDOOR							P	C	P	C	P(4)					
RECREATION/PRIVATE OUTDOOR	C						C	C	C	C	C(4)				C	C(1)
RECREATION/PUBLIC OUTDOOR	P	P	P	P	P	P	P	P	P	P	P	P	C	P	P	P(1)
RECYCLING ESTABLISHMENT																
RESEARCH AND TESTING LABORATORY							C	P	C	C	C(4)					
RESTAURANT							C	P	P	P	P(4)					
RESTAURANT (Max: 8,000 SF)										P						
RESTAURANT (Over 8,000 SF)										C(1)						
RETAIL							P	P	P		P(4)					
RETAIL STORE (Max: 2,000 SF)							P(1)	P(1)								
RETAIL STORE (Over 2,000 SF)							C(1)									
RETAIL STORE (Max: 10,000 SF)									P							
RETAIL STORE (Over 10,000 SF)										C(1)						
SCHOOL, CERTIFIED	C(1)	P(1)	P(1)				C(1)	C(1)	P(1)	P(1)			P(1)			
SCHOOL, NON-CERTIFIED							C	C	C	C						
SCHOOL/TECHNICAL, VOCATIONAL							P(1)	P(1)	C(1)							
SELF SERVICE MACHINE							P	P	P	P	P(4)					
SMALL PRODUCTION AND SALES							C	P	P	P	P(4)					
STORAGE, WAREHOUSE AND DISTRIBUTION							C(1)	P			C(4)					
TRUCKING TERMINAL							C(1)	P			C(4)					
VETERINARY CLINIC	C						C	C	C	C	C(4)					
WASTE DISPOSAL FACILITY																
WHOLESALE ESTABLISHMENT	C(1)						C(1)	P	C		C(4)					

(1) Allowed with Specific Restrictions. See Individual District Tables.

(2) See Table 1.1.

(3) Residential Development Conforms To R2 District Standards. See Table 2.5

(4) Commercial Development Conforms to B1 District Standards. See Table 2.9

Table 2.2 SUMMARY DIMENSIONAL CHART

ZONING DISTRICTS

DIMENSIONAL REQUIREMENTS	AR	R-1	R2	R3	RB	CTR	B1	II
MINIMUM LOT AREA								
Off-Site Water and Sewer	3 Acres	1 Acre	20,000 sq ft	10,000 sq ft	10,000 sq ft	10,000 sq ft	20,000 sq ft	30,000 sq ft
Off-Site Water or Sewer	3 Acres	1 Acre	30,000 sq ft	10,000 sq ft	10,000 sq ft	10,000 sq ft	30,000 sq ft	40,000 sq ft
On-Site Water and Sewer	3 Acres	1 Acre	40,000 sq ft	10,000 sq ft	10,000 sq ft	10,000 sq ft	40,000 sq ft	100,000 sq ft
MINIMUM LOT FRONTAGE								
Off-Site Water and Sewer	200 Ft	150 ft	100 ft	100 ft	100 ft	75 ft	150 ft	200 ft
Off-Site Water or Sewer	200 ft	150 ft	100 ft	100 ft	100 ft	75 ft	150 ft	200 ft
On-Site Water and Sewer	200 ft	150 ft	200 ft	100 ft	100 ft	75 ft	150 ft	200 ft
MINIMUM SETBACK/FRONT								
Off-Site Water and Sewer	50 ft	45 ft	40 ft	25 ft	25 ft	30 ft	50 ft	50 ft
Off-Site Water or Sewer	50 ft	45 ft	40 ft	25 ft	25 ft	30 ft	50 ft	50 ft
On-Site Water and Sewer	50 ft	45 ft	40 ft	25 ft	25 ft	30 ft	50 ft	50 ft
MAXIMUM SETBACK/FRONT	NA	NA	NA	35 ft	35 ft	40 ft	NA	NA
MINIMUM SETBACK/SIDE								
Off-Site Water and Sewer	20 ft	20 ft	15 ft	10 ft	10 ft	10 ft	None	None
Off-Site Water or Sewer	20 ft	20 ft	15 ft	10 ft	10 ft	10 ft	None	None
On-Site Water and Sewer	20 ft	20 ft	15 ft	10 ft	10 ft	10 ft	None	None
MINIMUM SETBACK/REAR								
Off-Site Water and Sewer	25 ft	25 ft	20 ft	15 ft	15 ft	15 ft	None	None
Off-Site Water or Sewer	25 ft	25 ft	25 ft	15 ft	15 ft	15 ft	None	None
On-Site Water and Sewer	25 ft	25 ft	25 ft	15 ft	15 ft	15 ft	None	None
MINIMUM BUFFER/ADJACENT RESIDENTIAL DISTRICTS	NA	NA	NA	NA	30 ft	NA	30 ft	50 ft
MINIMUM BUFFER/SURFACE WATERS	Varies (a)	Varies (a)	Varies (a)	Varies (a)	Varies (a)	Varies (a)	Varies (a)	Varies (a)
MINIMUM BUFFERS/ADJACENT STREETS	None	None	None	None	None	None	None	None
MAXIMUM LOT COVERAGE-NON RESIDENTIAL	70%	70%	70%	70%	70%	70%	70%	70%
MAXIMUM LOT COVERAGE-RESIDENTIAL-MULTI FAMILY	NA	40%	40%	40%	40%	40%	70%	70%
MAXIMUM HEIGHT	40 ft (b)	40 ft (b)	40 ft (b)	40 ft (b)	40 ft (b)	40 ft (b)	40 ft (b)	45 ft (b)
PUD REQUIREMENTS								
MINIMUM LOT FRONTAGE	100 ft	100 ft	75 ft	75 ft	NA	NA	NA	200 ft
MINIMUM FRONT SETBACK	20 ft (c)	20 ft (c)	20 ft (c)	20 ft (c)	NA	NA	NA	25 ft
MINIMUM SIDE SETBACK/SINGLE-FAMILY	10 ft	20 ft	10 ft (d)	10 ft (d)	NA	NA	NA	NA
MINIMUM SIDE SETBACK/MULTI-FAMILY	30 ft	30 ft	30 ft	30 ft	NA	NA	NA	NA
MINIMUM SIDE SETBACK/NON-RESIDENTIAL	NA	NA	NA	NA	NA	NA	NA	25 ft (g)
MINIMUM REAR SETBACK	25 ft	25 ft	15 ft	15 ft	NA	NA	NA	25 ft (g)
MAXIMUM LOT COVERAGE	(e)	(e)	(e)	(e)	(e)	(e)	(e)	(e)

(a) See Section 3.11
 (b) See Section 3.6
 (c) With Creative Design - See Article VI
 (d) For single family dwelling may be reduced to zero feet on one side
 (e) See Section 6.0
 (f) PUD-Cs may be allowed in B-1 district in accordance with Section 6.6.
 PUDs must meet buffer requirements of Table 2.7 and Section 3.2.
 (g) Specific Restrictions Apply. See Specific District Tables
 (h) See Table 2.10(D) for greater detail building Area/Floor
 (i) Includes Buffer Areas
 (j) 100 feet along Allen Martin Drive, 50 feet along all other interior streets. See Table 2.12(k) for more detail
 (k) PUD-IMU allowed. See Section 6.7.
 (l) 75 ft Setback along R1 15 - See Section 3.7(b)(2)
 (m) 75 ft from Rt 15, 42 ft from "Main" street, 36 from all other streets

Table 2.2 SUMMARY DIMENSIONAL CHART, continued

ZONING DISTRICTS

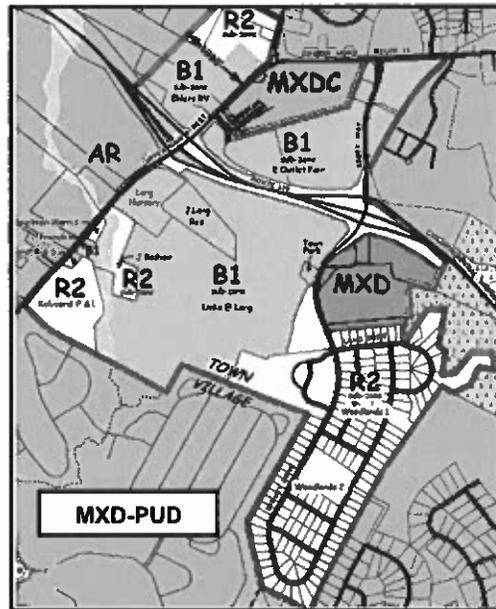
DIMENSIONAL REQUIREMENTS	MXD		MXD-C (h)		MXD-PUD (g)			RPD-I 40%	HP-DC	O1	C1
	RES	NON- RES	R2	B1	B1	MXD	MXD				
MINIMUM LOT AREA											
Off-Site Water and Sewer	20,000 sq ft	30,000 sq ft	7,000 sq ft	30,000 sq ft	20,000 sq ft	30,000 sq ft	40,000	20,000 sq ft	10 Acres	10 Acres	
Off-Site Water or Sewer	30,000 sq ft	40,000 sq ft	7,000 sq ft	40,000 sq ft	30,000 sq ft	40,000 sq ft	N/A	30,000 sq ft	10 Acres	10 Acres	
On-Site Water and Sewer	40,000 sq ft	40,000 sq ft	7,000 sq ft	40,000 sq ft	40,000 sq ft	40,000 sq ft	N/A	40,000 sq ft	10 Acres	10 Acres	
MINIMUM LOT FRONTAGE											
Off-Site Water and Sewer	100 ft	150 ft	50 ft	150 ft	100 ft	150 ft	200 ft	None	200 ft	200 ft	
Off-Site Water or Sewer	100 ft	150 ft	50 ft	150 ft	100 ft	150 ft	N/A	None	200 ft	200 ft	
On-Site Water and Sewer	200 ft	150 ft	50 ft	150 ft	200 ft	150 ft	N/A	None	200 ft	200 ft	
MINIMUM SETBACK/FRONT											
Off-Site Water and Sewer	40 ft	50 ft	(m)	50 ft (l)	40 ft (l)	50 ft (l)	(g)	50 ft	50 ft	50 ft	
Off-Site Water or Sewer	40 ft	50 ft	(m)	50 ft (l)	40 ft (l)	50 ft (l)	(g)	None	50 ft	50 ft	
On-Site Water and Sewer	40 ft	50 ft	(m)	50 ft (l)	40 ft (l)	50 ft (l)	(g)	None	50 ft	50 ft	
MAXIMUM SETBACK/FRONT											
On-Site Water and Sewer	NA	NA	(m)	NA	NA	NA	NA	NA	NA	NA	
MINIMUM SETBACK/SIDE											
Off-Site Water and Sewer	15 ft	None	None	None	15 ft	None	(g)	25 ft	25 ft	25 ft	
Off-Site Water or Sewer	15 ft	None	None	None	15 ft	None	(g)	None	25 ft	25 ft	
On-Site Water and Sewer	15 ft	None	None	None	15 ft	None	(g)	None	25 ft	25 ft	
MINIMUM SETBACK/REAR											
Off-Site Water and Sewer	20 ft	None	None	None	20 ft	None	(g)	None	25 ft	25 ft	
Off-Site Water or Sewer	25 ft	None	None	None	25 ft	None	(g)	None	25 ft	25 ft	
On-Site Water and Sewer	25 ft	None	None	None	25 ft	None	(g)	None	25 ft	25 ft	
MINIMUM BUFFER/ADJACENT RESIDENTIAL DISTRICTS											
On-Site Water and Sewer	Varies (a)	Varies (a)	NA	30 ft	Varies (a)	Varies (a)	Varies (a)	Varies (a)	Varies (a)	Varies (a)	
MINIMUM BUFFER/SURFACE WATERS											
On-Site Water and Sewer	None	None	None	None	NA	NA	(j)	NA	NA	NA	
MINIMUM BUFFER/ADJACENT STREETS											
On-Site Water and Sewer	70%	70%	70%	70%	70%	70%	70%	70%	70%	70%	
MAXIMUM LOT COVERAGE-NON RESIDENTIAL											
On-Site Water and Sewer	70%	70%	70%	70%	70%	70%	(g)	40%	NA	NA	
MAXIMUM LOT COVERAGE-RESIDENTIAL-MULTI FAMILY											
On-Site Water and Sewer	40 ft (b)	40 ft (b)	40 ft (b, g)	40 ft (b)	40 ft (b)	40 ft (b)	40 ft (b)	40 ft (b)	40 ft (b)	40 ft (b, g)	
MAXIMUM HEIGHT											
PUD REQUIREMENTS											
MINIMUM LOT FRONTAGE											
On-Site Water and Sewer	75 ft	(k)	(k)	(l)	75	(f)	(g)	(e, g)	NA	NA	
MINIMUM FRONT SETBACK											
On-Site Water and Sewer	20 ft (c)	(k)	(k)	(f)	20 ft (c)	(f)	(g)	(e, g)	NA	NA	
MINIMUM SIDE SETBACK/SINGLE-FAMILY											
On-Site Water and Sewer	10 ft (d)	(k)	(k)	(f)	10 ft (d)	(f)	NA	(e, g)	NA	10 ft	
MINIMUM SIDE SETBACK/MULTI-FAMILY											
On-Site Water and Sewer	30 ft	(k)	(k)	(f)	30 ft	(f)	(g)	(e, g)	NA	30 ft	
MINIMUM SIDE SETBACK/NON-RESIDENTIAL											
On-Site Water and Sewer	NA	(k)	(k)	NA	NA	NA	(g)	NA	NA	NA	
MINIMUM REAR SETBACK											
On-Site Water and Sewer	15 ft	(k)	(k)	(f)	15 ft	(f)	(g)	(e, g)	NA	25 ft	
MAXIMUM LOT COVERAGE											
On-Site Water and Sewer	(e)	(e)	(e)	(e)	(e)	(e)	(g)	(e, g)	NA	(e)	

(a) See Section 3.11
 (b) See Section 3.6
 (c) With Creative Design - See Article V1
 (d) For single family dwelling may be reduced to zero feet on one side
 (e) See Section 6.0
 (f) PUD-Cs may be allowed in B-1 district in accordance with Section PUDs must meet buffer requirements of table 2.7 and Section 3.2.
 (g) Specific Restrictions Apply. See Specific District Tables
 (h) See Table 2.10(D) for greater detail building Area/Floor
 (i) Includes Buffer Areas
 (j) 100 feet along Allen Martin Drive, 50 feet along all other interior streets. See Table 2.12(4) for more detail
 (k) PUD-MU allowed. See Section 6.7.
 (l) 75 ft Setback along RT 15 - See Section 3.7(B)2
 (m) 75 ft from RT 15, 42 ft from "Main" street, 36 ft from other streets

Table 2.13 MIXED USE DEVELOPMENT–PLANNED UNIT DEVELOPMENT DISTRICT (MXD-PUD)

(A) **Purpose:** This district has a combination of residential, commercial and mixed use development on a large tract of land where a comprehensive planning effort has been undertaken. Because of its proximity to major roadways and the availability of municipal water and sewer, this district is uniquely qualified to provide a combination of residential and commercial development as approved by the Planning Commission or as specified in the Essex Town Plan.

(B) **Area Designations:** The boundary and “subzones” of the MXD-PUD are generally illustrated in the accompanying figure, and more specifically depicted on the Official Zoning Map.



(C) **District Development Standards:**

- (1) **Residential Development.** In addition to requiring subdivision approval in accordance with the Town of Essex Subdivision Regulations, residential development in this district shall comply with the use and dimensional requirements for the **Medium Density Residential (R2) District** (Table 2.5). Allowable uses shall include those residential uses listed in Table 2.5, except for mobile home parks which are not allowed in the MXD-PUD district. Planned Residential Developments (PUD-Rs) are encouraged in accordance with Section 6.8 of these Regulations. Where applicable, conditional use approval shall also be obtained pursuant to Section 5.7 of these Regulations.
- (2) **Commercial Development.** Commercial development planned for this district shall conform to the use and dimensional requirements of the **Retail Business (B1) District** (Table 2.9). Allowable uses shall include those nonresidential uses listed in Table 2.9, except that automobile service stations, car washes and convenience stores shall not be allowed in the MXD-PUD District. If applicable, subdivision approval in accordance with the Town of Essex Subdivision Regulations is required. Planned Unit Developments are encouraged in accordance with Subsection (4). In addition, site plan approval in accordance with Section 5.6 is required. Where applicable, conditional use approval shall also be obtained pursuant to Section 5.7 of these Regulations.
- (3) **Mixed Use Development.** Mixed used development planned for this district shall conform to the requirements of the Mixed Use Development (MXD) district (Table 2.11).
- (4) **PUD Requirements:** Planned Unit Developments are encouraged in subzones of this district as allowed in those zoning districts, in accordance with the provisions of Article VI of these Regulations and related district requirements.
- (5) **Buffer requirements.** The requirements of Section 3.2 (Buffers) shall apply between the areas of the MXD-PUD that are designated residential and commercial as if they, in fact, were zoned R2, B1, and MXD.

Table 2.3 AGRICULTURAL RESIDENTIAL DISTRICT (AR)

(A) **Purpose:** The purpose of this district is to protect lands with an economic capability for agriculture and which are now essentially undeveloped except for uses associated with agriculture or forestry operation. In this district, planned unit developments which do not remove the potential of the land for agricultural production such as open space, conservation and certain forms of outdoor recreation, are encouraged. Further road development and the extension of public water supply and sewage disposal systems are not planned for this district. Therefore only low density residential and recreation development which uses existing facilities, which can adequately dispose of its sewage, and is compatible with the district’s purpose and guidelines should be allowed.

(B) **Permitted Uses** (see definitions, use standards):

- (1) Accessory Structure/Use
- (2) Agriculture (Table 1.1; Section 4.2)
- (3) Cultural Facility
- (4) Day Care Home (Section 4.5)
- (5) Dwelling/Accessory (Section 4.1)
- (6) Dwelling/Single-Family
- (7) Dwelling/Two-Family
- (8) Dwelling/Multi-Family (only within a PUD-R)
- (9) Essential Services
- (10) Farm Produce Stand (Section 4.7)
- (11) Forestry Operation (Table 1.1)
- (12) Garden Center
- (13) Group Home (Section 4.8)
- (14) Home Occupation (Section 4.9)
- (15) Recreation/Public Outdoor

(C) **Conditional Uses** (see definitions, use standards):

- (1) Automobile Service Station/ Existing (Section 3.8)
- (2) Barn Storage (Section 4.3)
- (3) Bed and Breakfast
- (4) Camp
- (5) Cemetery
- (6) Congregate Housing (Section 4.4)
- (7) Day Care Facility, Child (Section 4.5)
- (8) Extraction of Earth Resources (Section 4.6)
- (9) Farm Produce Market (Section 4.7)
- (10) Firewood Processing and Sales
- (11) Home Business (Section 4.9)
- (12) Kennel
- (13) Lumber Processing (Section 4.11)
- (14) Municipal Facilities (Section 4.14)
- (15) Public Facilities (Section 4.14)
- (16) Recreation/Private Outdoor
- (17) School, Certified (Section 4.14)
- (18) Veterinary Clinic
- (19) Waste Disposal Facility (Section 4.1)

(D) **District Dimensional Requirements** (unless otherwise specified for a particular use):

Dimension	Standard
Minimum Lot Area	3 acres
Minimum Lot Area per Dwelling Unit	3 acres
Minimum Lot Frontage	200 feet
Minimum Front Setback (from ROW)	50 feet
Minimum Side Setback	20 feet
Minimum Rear Setback	25 feet
Minimum Buffer/ Surface Waters (see Section 3.11)	Varies
Maximum Lot Coverage/ Nonresidential	70%
Maximum Height (see Section 3.6)	40 feet

(E) **PUD Requirements:** Planned unit developments (PUD-Rs) are encouraged in this district in accordance with the provisions of Section 6.8 of these Regulations and the following dimensional standards, which may supersede the above district dimensional standards to allow for more creative design:

Dimension	PUD-R Standard
Minimum Lot Frontage	100 feet
Minimum Setback/Front	20 feet ^(a)
Minimum Setback/Side – Single Family	10 feet
Minimum Setback/Side – Multifamily	30 feet
Minimum Rear Setback	25 feet
Maximum Lot Coverage	PUD Requirements Apply

(a) With creative design.

(F) **District Development Standards:** None

minimum lot area per dwelling in Article II of these Regulations. Any density bonuses as may be authorized in Subsection 6.4(K), above may then be added to the maximum computed per this section. The dwellings may be clustered as appropriate to meet the design objectives of the district.

- (2) Nonresidential – Other than the use mixture, floor and building area, and open space requirements set forth for the MXD-C District in Article II, and the need to provide required parking, there are no density requirements for nonresidential development.
 - (3) If a proposed PUD-MU includes a building or buildings that do not include residential uses, the land devoted to such building(s), associated parking and open space shall only be counted at two-thirds (2/3) value in computing the maximum residential dwelling units under subparagraph (1) above.
 - (4) Mixed use buildings on lots fronting on "Main Street" may be allowed a net density bonus of up to two (2) dwelling units per acre, providing that this falls within the overall density bonus limit of twenty-five percent (25%).
- (E) Within a PUD-MU, the net residential density on any single parcel or block (whichever is smaller) shall not exceed ten (10) dwelling units per acre, except as may be allowed under Subsection (D)(4) above.
- (F) As part of a PUD-MU, a phasing plan shall be developed and approved by the Planning Commission which shows the land areas, the gross residential floor area and the gross total floor area to be developed in each phase. The proportion of gross floor area devoted to residential uses in each phase shall approximate that for the entire project. Construction of any phase other than the first shall not commence until all previous phases are complete. This phasing plan shall be consistent with any master plan approval and/or preliminary residential phasing allocation granted to the development under Article III of the Town's Subdivision Regulations.
- (G) Within a PUD-MU, the Planning Commission may approve a small number of uses that exceed the 10,000 square foot per floor limitation set forth for the MXD-C District in Article II, provided that the uses are allowed in the district, and that the proposed structure is designed to convey the visual image of small establishments, as set forth in *The Town Center Master Plan* (1991).

6.8 Planned Unit Development – Residential (PUD-R): In accordance with the Act [§ 4417], PUD-Rs may be allowed in zoning districts designated under Article II of these Regulations, if the project meets the requirements and intent of this article.

- (A) The purposes of the PUD-R provision are to promote the creative and efficient use of land which respects the topography and other natural features, to encourage the preservation of open space, to provide for the efficient development of the site and use of public services and facilities, to minimize the visual impact of the development, to encourage creative design, appropriate variety and aesthetic development, and to provide greater housing opportunities.

- (B) A PUD-R is a residential development in which the dwelling units in some portions of the development may have a density higher than normally allowed in the district, which provides open spaces for recreational purposes in sufficient area so that the average density of the entire development (including open space) does not exceed that stated in these Zoning Regulations, and which demonstrates exceptional design in terms of respect for natural features of the site, innovative layout and efficient use of land.
- (C) A PUD-R shall have a minimum two (2) dwelling units.
- (D) A PUD-R may consist of single-family dwellings, two-family dwellings and multifamily dwellings, provided that those uses are allowed in the district in which the development is to be located. The dwelling units may be owner or renter occupied. Any multifamily building in conjunction with a PUD-R will be exempt from conditional use review by the Board of Adjustment.
- (E) In addition to application requirements under Section 6.3 above, plans submitted by a developer for approval as a PUD-R shall include:
- (1) Elevations for multifamily structures only.
 - (2) A computation of the maximum number of dwelling units allowable in the proposed development, set forth as follows:
 - (a) Net developable area, computed in accordance with Subsection 6.4(E), above, divided by the smallest minimum lot size for the district in which the proposed development is located equals the maximum number of dwelling units allowed.
 - (b) It is the applicant's responsibility to demonstrate to the Planning Commission that this requirement is satisfied, and the Planning Commission must agree that all undevelopable land has been identified and that the amount of land devoted to roads and streets is reasonable.
- (F) **Minimum Lot Size and Lot Area per Dwelling.** The Planning Commission may authorize a reduction of the minimum lot size and minimum lot area per dwelling normally required in the district in which the development is to be located, if the Planning Commission determines that the reduction is necessary to enable a creative and efficient use of the site and to provide for useful open space, that the design satisfies all purposes and intents of these Regulations, that all relevant health standards are satisfied, and that the reduction meets the requirements of Section 6.4(F) of these regulations.
- (G) **Front, Side, Rear Yard and Frontage Minimums** (see also Article II District Tables).
- (1) **Front Yard.** The Planning Commission may approve the reduction of the minimum front yard setback to 20 feet where the plan presents a creative design.

- (2) **Side Yard.** The minimum side yard setback shall be as follows:
 - (a) Single family and two-family dwellings – ten feet (10')
 - (b) Multifamily dwellings – thirty feet (30')
 - (c) In the R2, R3, and HP-DC Districts, the Planning Commission may allow one minimum side yard setback of a lot for a single family residence to be reduced to zero feet (0') if it determines that doing so will allow the implementation of an innovative and effective PUD-R design that is consistent with the purposes of this section. Access easements on adjoining properties may be required as necessary to allow for the maintenance and repair of structures located on lot lines.
- (3) **Rear Yard:** The minimum rear yard setback shall be the same as specified for the district; it may not be reduced for a PUD-R, unless permitted by the dimensional requirements for specific districts.
- (4) **Frontage.** The minimum frontage for single family dwellings shall be seventy-five feet (75') in the R2 District and 100 feet in the R1 and AR Districts.
- (5) **Multifamily Townhouse Developments.** To provide for the development and sale of land under townhouse units as lots, the footprints of individual units may be approved as lots and the minimum frontage, setback and size provisions specifically waived by the Planning Commission as part of project approval. Said lots shall have no independent existence as a property interest apart from the unit with which they are initially conveyed and may not be conveyed separately there from. The lots under townhouse units that may have been damaged or destroyed may be sold only with a deed restriction limiting future use of the lot to the reconstruction of the units, the format and content of which shall be approved by the Town Attorney prior to conveyance.
- (H) **Buffers.** Where multiple family dwellings are proposed in a location which is adjacent to existing single family dwellings, a buffer area of fifty feet (50') in width shall be provided along the peripheral boundary of the project. Said buffer shall be planted with trees, evergreens or landforms as approved by the Planning Commission and said buffer may be required separate and apart from any setback requirements.
- (I) **Mobile Home Parks.** Mobile home parks may be allowed as PUD-Rs in designated zoning districts, in accordance with the following standards:
 - (1) **General Standards.**
 - (a) The minimum size for a mobile home park shall be ten (10) acres.
 - (b) The number of individual mobile home sites shall not exceed the number of dwelling units allowed as computed under Subsection (E) above.
 - (c) There shall be buffer strips around the periphery of the mobile home park which shall be 100 feet in depth and shall be landscaped with existing or newly planted trees as approved by the Planning Commission.

- (2) Specific Site Standards.
 - (a) The minimum size of each mobile home site shall be five thousand square feet (5,000 SF).
 - (b) The minimum lot frontage of each mobile home site shall be fifty feet (50').
 - (c) The placement of mobile homes on the sites shall reflect the following setback requirements:
 - (i) Minimum front yard setback from streets in the park shall be thirty feet (30').
 - (ii) Minimum side and rear yard setback shall be ten feet (10').
- (3) Other Improvements.
 - (a) Individual tenants of the mobile home sites may construct attached enclosures to mobile homes or accessory structures without seeking an amendment to the PUD approval, provided that such enclosures or structures conform to all setbacks as set forth in Subsection 6.7(G), above and the following:
 - (i) Attached enclosures shall not exceed 100 percent of the floor area of the mobile home.
 - (ii) Construction of attached enclosures or accessory structures shall require a zoning permit under Section 7.2.
 - (b) There shall be provided in each mobile home park such other improvements as the Planning Commission may require, providing such requirements shall be in the interests of the residents of the park.
- (J) **Open Space.** In addition to the requirements set forth in Subsection 6.4(H) of these Regulations, the following shall apply to all PUD-Rs:
 - (1) General Requirements:
 - (a) Open space shall be planned so that parcels set aside as open space are at least one (1) acre in area.
 - (b) Open spaces within the development must have a general flowing pattern so they are connected one with another. Exceptions may be made for intentionally “enclosed” open space areas (e.g., central greens, neighborhood parks).
 - (c) Land which is not reasonably adaptable for recreational purposes may be excluded from density considerations at the Planning Commission’s discretion.
 - (d) Plans for development of recreational areas must be presented simultaneously with the presentation of all plans for the development.
 - (e) Open spaces must be located with respect to the dwellings in such a manner that no individual dwelling unit occupant will be unfairly deprived of equal use or benefit of the facilities.

- (f) The open space must be an integral part of the design of the whole development and intended to achieve the open space protection goals set forth in the Town Plan, not simply a tract of land included in the plan to meet density requirements.
- (g) Open spaces established to protect agricultural soils or features identified on the Significant Natural Features Reference Map shall be located, sized, and restricted to adequately protect the identified resources.

(2) Management of Open Space.

- (a) Protective covenants specifying the restrictions and uses of open space, the ownership thereof and the manner of maintenance and control shall be submitted to the Planning Commission and approved prior to approval of the development. These covenants may include the provision that a representative of the Town shall be an ex-officio member of the body which manages the open space.
- (b) The Selectboard may appoint a representative of the Town to be an ex-officio member of the body which manages the open space. This will serve to give continuity to the community for the handling and regulating of open space.
- (c) The Planning Commission, when granting approval of a proposed PUD-R, shall determine when the development of the open space will be completed. If development is not required prior to the conveyance of lots, a satisfactory cash escrow or performance bond shall be posted with the Town to insure completion of the development of the open space within the time stipulated.
- (d) In the event that the open space includes parts of the individual parcels, covenants must be placed in the deeds of those individual parcels, designating the portions of the parcel that are to be part of the open space and usable by all homeowners.

(K) Justification.

- (1) The developer must clearly demonstrate that the PUD-R will be coordinated with proposed development of surrounding land and be compatible in use to surrounding land.
- (2) The developer must submit a statement indicating the planned rate of development and an assessment of the impact of the development on the community and region. Such assessment should consider, among other things, schools, traffic, water, etc.

(L) Flexibility. The Planning Commission may apply a degree of flexibility and discretion in establishing additional requirements or conditions that ensure the development will be in harmony with the surrounding area. In permitting a PUD-R the Planning Commission or, where applicable, the Board of Adjustment, may impose conditions necessary to protect the best interest of the surrounding property, the neighborhood, or the municipality as a whole. These conditions may include the following:

- (1) Preservation of light, air and view.

- (2) Elimination of undue congestion.
- (3) Designation of sites for recreational facilities.
- (4) Designation of school sites.
- (5) Provision of adequate internal traffic circulation.
- (6) Provision of suitable landscaping and/or screening both internally and around the perimeter of the development.

6.9 Master Site Plan Approval: An applicant may request that a proposed PUD-I or PUD-C be reviewed by the Planning Commission for a Master Site Plan Approval in accordance with this section. Master Site Plan Approval establishes overall parameters for the subsequent development of individual lots within the PUD. Proposed development on an individual lot in a PUD having received a Master Site Plan Approval will not require additional site plan approval by the Planning Commission under Section 5.6, but will require administrative "Project Plan Approval" by the Administrative Officer to determine that it is consistent with the parameters of the Master Site Plan Approval.

- (A) In addition to all applicable site plan approval requirements in this section, any Master Site Plan approval shall at minimum address the following overall parameters:
 - (1) Total sanitary sewage flow and allocation for the entire project;
 - (2) Total water flow requirements for the entire project;
 - (3) Total peak hour and total daily trip ends to be generated by the entire project;
 - (4) Total parking needs for the entire project;
 - (5) An overall landscaping plan for the entire project;
 - (6) An overall stormwater management plan for the entire project, and
 - (7) A general land use allocation indicating the types and amounts of activities to be expected on the various individual lots.
- (B) In order to ensure that the development on individual lots is consistent with the total development, internal access, circulation, landscaping and organization envisioned in the overall plan for the development, the overall plan shall include general allocations of such quantities as sewer flow, water demand, parking and trip ends (and others as may be required by the Planning Commission) among the various individual lots.
- (C) The comprehensive stormwater management plan, and associated plans for individual lots, shall meet the requirements of the Essex Stormwater Ordinance, and include a regular maintenance plan.

Wastewater Flows by Category of Use

Table 10.16.510

Category of Use	Wastewater Flows in Gallons per Day
Apartment, Accessory, in connection with a single-family dwelling	60 gpd per apartment
Apartment, condominium dwelling unit, with non-shared building entrance and single vertical living unit	140 gpd per unit
Apartment, condominium, long-term rental units in hotels/motels, congregate-housing dwelling unit all with a shared common entry in a multi-level, multi-dwelling unit building	100 gpd for two bedrooms or less per unit 140 gpd for more than two bedrooms per unit
Car wash (non-recirculating) Automatic bay Manual bay	2600 gpd per bay 1100 gpd per bay
Churches Sanctuary seating Other church uses	1.5 gpd per sanctuary seat add flow from other designated categories based on use of facility as school, kitchen or office area, prorated for part-time occupancy
Day Care Centers/Facilities Without meals With one meal With two meals	12 gpd per person 16 gpd per person 20 gpd per person
Dentist	60 gpd per dental chair
Doctor's Office Staff member Patient	25 gpd per person 5 gpd per patient
Dormitory	60 gpd per bedroom
Factories, offices, manufacturing facilities, occupied warehouses Other wastes	15 gpd per person, per shift, exclusive of industrial waste add flow for any waste from cafeteria, industrial process or other use
Gyms or athletic clubs (with showers)	50 gpd per 1000 sf of building footprint
Hairdressers	50 gpd per chair
Hotels/motels with private bath facilities	80 gpd per rental unit
Laundries, self service	250 gpd per machine
Mobile Home	200 gpd per mobile home
Nursing Home/Elderly Care Facility	60 gpd per bed-space
Restaurant (toilet and kitchen wastes) Serving 1 or 2 meals per day	20 gpd per seat

SEATS

Add for 3 rd meal per day Lounge/bar	10 gpd per seat 5 gpd per seat
Schools (administration and teachers included in the calculation) Day, without gyms, cafeterias or showers Day, with cafeteria, but without gyms or showers Day, with gyms, cafeterias and showers	12 gpd per student 15 gpd per student 20 gpd per student
Service Station with bathroom facilities, without car wash	125 gpd per gas pump set (dual)
Service Station/Convenience store combination, without car wash	250 gpd per gas pump set (dual)
Shopping Center/Stores Dry Goods Supermarkets	4 gpd/100sf , minimum of 50 gpd per store 7 gpd/100 sf
Single family Residence	200 gpd per residence
Theatres	1.5 gpd per auditorium seat
Veterinary Clinic	150 gpd per clinic
Other Undefined Uses or Combination of Uses	As determined by the Town Engineer

86100282

FILING #0004301496 PG 01 OF 04 VOL B-01481
FILED 12/30/2010 01:00 PM PAGE 02115
SECRETARY OF THE STATE
CONNECTICUT SECRETARY OF THE STATE

CERTIFICATE OF MERGER

OF

CEDAR SPRING LLC
(a Delaware limited liability company)

AND

MONTOWESE INDUSTRIAL PARK LLC
(a Connecticut limited liability company)

To the Secretary of the State
State of Connecticut

Pursuant to sections 34-100 to 34-242, inclusive, of the Connecticut Limited Liability Company Act, the domestic limited liability company and the foreign limited liability company herein named do hereby submit the following certificate of merger:

1. The constituent entities participating in the merger herein certified are:

(i) Cedar Spring LLC, which is a limited liability company organized under the laws of the State of Delaware; and

(ii) Montowese Industrial Park LLC, which is a limited liability company organized under the laws of the State of Connecticut.

2. The name of the surviving entity in the merger herein certified is Montowese Industrial Park LLC, which will continue its existence as said surviving limited liability company under its present name upon the effective date of said merger.

3. The articles of organization of Montowese Industrial Park LLC, as now in force and effect, shall continue to be the articles of organization of said surviving limited liability company until amended and changed pursuant to the provisions of sections 34-100 to 34-242, inclusive, of the Connecticut Limited Liability Company Act.

4. An Agreement and Plan of Merger has been approved, adopted, and executed by Montowese Industrial Park LLC in accordance with the provisions of section 34-194 of the Connecticut Limited Liability Company Act. The Agreement and Plan of Merger was approved by the sole member of Montowese Industrial Park LLC.

5. The Agreement and Plan of Merger has been approved, adopted, and executed by Cedar Spring LLC in accordance with the provisions of Delaware Limited Liability Company Act and the entity's operating agreement.

6. The executed Agreement and Plan of Merger between the aforesaid constituent entities is on file at the office of the aforesaid surviving entity, the address of which is as follows:

Montowese Industrial Park LLC
1385 Hancock Street
Quincy, MA 02169

00346116.DOC

1

Essex, Vermont Town Clerk's Office
January 9, 2012 at
11 o'clock 30 minutes AM
Received for record and recorded in
book 111 on page 222
of Essex land records
Attest: [Signature]
Town Clerk

86100283

FILING #0004301496 PG 02 OF 04 VOL B-01481
FILED 12/30/2010 01:00 PM PAGE 02116
SECRETARY OF THE STATE
CONNECTICUT SECRETARY OF THE STATE

7. A copy of the aforesaid Agreement and Plan of Merger will be furnished by the aforesaid surviving domestic limited liability company, on request, and without cost, to any member of the merging foreign limited liability company.

8. The merger herein certified shall be effective at 11:59 p.m. on December 31, 2010.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

86100284

FILING #0004301496 PG 03 OF 04 VOL B-01481
FILED 12/30/2010 01:00 PM PAGE 02117
SECRETARY OF THE STATE
CONNECTICUT SECRETARY OF THE STATE

IN WITNESS WHEREOF, the surviving domestic limited liability company and the merging foreign limited liability company have caused this certificate to be signed by an authorized person, the 21 day of December, 2010.

MONTOWESE INDUSTRIAL PARK LLC

By: Thomas A. Hippler
Name: Thomas A. Hippler
Title: Executive Vice President, General Counsel,
and Secretary

CEDAR STREET LLC

By: _____
Name: Joy A. Beatrice
Title: Manager

86100285

FILING #0004301496 PG 04 OF 04 VOL B-01481
FILED 12/30/2010 01:00 PM PAGE 02118
SECRETARY OF THE STATE
CONNECTICUT SECRETARY OF THE STATE

IN WITNESS WHEREOF, the surviving domestic limited liability company and the merging foreign limited liability company have caused this certificate to be signed by an authorized person, the 29 day of December, 2010.

MONTOWESE INDUSTRIAL PARK LLC

By: _____
Name: Thomas A. Hippler
Title: Executive Vice President, General Counsel,
and Secretary

CEDAR STREET LLC

By: Joy A. Beatrice
Name: Joy A. Beatrice
Title: Manager

86100286

STATE OF CONNECTICUT
OFFICE OF THE SECRETARY OF THE STATE } SS. HARTFORD

I hereby certify that this is a true copy of record
in this Office

In Testimony whereof, I have hereunto set my hand,
and affixed the Seal of said State, at Hartford,
this 2nd day of January A.D. 2011

Susan Byrnes
SECRETARY OF THE STATE

WARRANTY DEED

KNOW ALL BY THESE PRESENTS,

THAT We, HAYES I. SOGOLOFF AND SUSAN H. SOGOLOFF, husband and wife of Essex, Vermont (hereinafter Grantor), in the consideration of ten and more dollars, paid to Grantor's full satisfaction by CEDAR SPRING LLC, a Delaware limited liability company with offices in Boston, Massachusetts (hereinafter Grantee), by these presents do freely Give, Grant, Sell, Convey and Confirm unto the said Grantee and Grantee's successors and assigns forever, certain lands and premises located in the Town of Essex in the County of Chittenden and State of Vermont, and being more fully described as follows, viz:

Lands and premises commonly known and designated as 80 and 90 Upper Main Street.

Being all and the same lands and premises conveyed to Hayes I. and Susan H. Sogoloff through the two following Warranty Deeds:

Parcel 1: Warranty Deed of Virginia W. Herchede (a/ka Virginia W. Herschede) dated June 30, 1977 and recorded in Book 132 at Page 137 in the Land Records of the Town of Essex, which lands and premises are further described as follows:

Being a lot of land with all buildings thereon consisting of 19 acres, more or less and being all and the same lands and premises conveyed to Virginia W. Herschede by Warranty Deed of Clyde L. and Ardelle H. Wells dated July 8, 1959 and recorded in Book 62 at Page 269 in the said Essex Land Records.

Parcel 2: Warranty Deed of Edith M. Fiske dated September 2, 1988 and recorded in Book 234 at Page 434 in the said Essex Land Records. The lands and premises are situated on the westerly side of Route 15, consist of 12 acres, more or less, and have situated thereon a dwelling house, a barn, and outbuildings.

EXCEPTED from the above two parcels are all lands and premises which have previously been conveyed to or taken by the State of Vermont for highway purposes.

Reference is hereby made to the above-mentioned instruments, and to the records and references contained therein, all in further aid of this description.

TO HAVE AND TO HOLD said granted premises with all the privileges and appurtenances thereof, to the said Grantee, CEDAR SPRING LLC, a Delaware limited liability company, and Grantee's successors and assigns, to Grantee's own use and behoof forever; And Grantor for Grantor and Grantor's heirs, executors and administrators, does covenant with the said Grantee and Grantee's successors and assigns, that until the ensembling of these presents, Grantor is the sole owner of the premises, and Grantor has good right and title to convey the same in manner aforesaid, that they are free from every encumbrance, except as stated, and Grantor hereby engages to warrant and defend the same against all lawful claims whatever, except as stated.

IN WITNESS WHEREOF, Grantor hereunto sets their hands and seals this 13th day of October, 2004.

IN THE PRESENCE OF:

Kevin J. Shatto

Hayes I. Sogoloff
Hayes I. Sogoloff

Susan H. Sogoloff
Susan H. Sogoloff

STATE OF VERMONT

CHITTENDEN COUNTY, SS

At 5 RUELINGTON, in said County and State, on this 13th day of October, 2004, HAYES I. SOGOLOFF AND SUSAN H. SOGOLOFF personally appeared and acknowledged the signing of this instrument to be their free act and deed.

ACKNOWLEDGEMENT
Return Received (including Certificates and, if Required, Act 250 Disclosure Statement) and Tax Paid: 04-690
Signed Dynn Romero ^{Asst.} Clerk
Date October 13, 2004

Before me, Kevin J. Shatto
Notary Public

Essex, Vermont Town Clerk's Office
October 13, 2004 at
10 o'clock 15 minutes AM
Received for record and recorded in
book 627 on page 657-658
of Essex Land records
Attest: Dynn Romero
Asst. Town Clerk

Essex, Vermont Town Clerk's Office
SEP 22, 2022 11:00 AM
Received for record and recorded in
book: 1095 on page: 621 - 623
Of Essex Land Records
Attest: Susan McNamara-Hill
Town Clerk

TOWN OF ESSEX

DEED OF EASEMENT

KNOW ALL PERSONS BY THESE PRESENTS THAT MONTOWESE INDUSTRIAL PARK LLC, with its principal place of business in the City of Quincy, in the County of Norfolk and Commonwealth of Massachusetts, Grantor, in consideration of TEN AND MORE Dollars and other good and valuable consideration paid to its full satisfaction by the TOWN OF ESSEX, a municipal corporation situated in the County of Chittenden and State of Vermont, Grantee, by these presents has REMISED, RELEASED AND FOREVER QUIT-CLAIMED unto the said Grantee, and its successors and assigns, such right and easement as the public has the right to condemn and take for the purposes of a water main on and beneath that certain land situated in the Town of Essex, in the County of Chittenden and State of Vermont, and being further described as follows, viz:

Being a portion of the land and premises conveyed by Certificate of Merger of Cedar Spring LLC and Montowese Industrial Park, LLC, dated December 30, 2010, and recorded in Volume 861 at Page 282 of the Town of Essex Land Records.

Also, being a portion of the same lands and premises known as 80 Upper Main Street, Essex, Vermont, Parcel ID #2010001000, conveyed to Cedar Spring LLC by Warranty Deed of Hayes I. Sogoloff and Susan H. Sogoloff, dated December 30, 2005, recorded in Volume 676 at Page 335 of the Town of Essex Land Records and being more particularly described as follows:

Said Parcel, located on the northerly side of Route 15, consisting of a Temporary Easement and a Permanent Easement and/or rights on the lands of the Grantor, as shown and further depicted on a plan prepared by Aldrich + Elliot and entitled #80 Upper Main Street Easement Plan, Route 15 Watermain Upgrade Contract No. 1, dated December 2020, for the Town of Essex. Said Plan to be recorded in the Town of Essex Land Records at Map Slide ____.

In connection with the above parcel, the following easements and/or rights are conveyed:

A permanent easement for the purpose of installing, at no cost to Grantor, a new 12-inch waterline and total of three (3) eight-inch taps (with chlorinators) at locations on 80 and/or 90 Upper Main Street to be agreed upon by Grantor and Grantee, running from the intersection of Billie Butler Drive along the north side of Vermont Route 15, connecting to the existing waterline east of #20 Center Road. Said permanent easement for the lands and premises known as 80 Upper Main Street, Essex, Vermont is further depicted and shown on the aforementioned plan in an area of 6,679 square feet, more or less.

A temporary easement to enter upon the land of the Grantor, during the period of construction, to install the waterline as shown on the aforementioned plan in an area of 1,819 square feet, more or less.

Upon completion of construction, which will be carried out with due diligence, the herein-granted temporary easement shall terminate and the land of the Grantor shall be restored

to its previous condition, and anything installed on the Grantor's property by the Grantee during construction of this project shall become property of the Grantor, with no further action to effectuate such conveyance, and no further obligation on the part of the Grantee to maintain what was installed.

Grantor, and its successors and assigns, shall have the right to enter upon, cross over and make use of such easement area except Grantor, for itself and its successors and assigns, hereby covenants that it will not erect or permit any building, landscaping, or other improvements upon the easement area which, in the judgment of Grantor, and its successors and assigns, might materially interfere with its use of the easement.

Reference is hereby made to the aforementioned instruments, the records thereof, the references therein contained, and to their respective records and references, all in further aid of this description.

TO HAVE AND TO HOLD said granted rights and easements, with all the privileges and appurtenances thereof, unto the said TOWN OF ESSEX and its successors and assigns, to their own use and behoof forever.

AND FURTHERMORE, having been fully informed of its right to receive just compensation for the acquisition of its property, it hereby acknowledges, waives and releases the Town of Essex from any rights to receive just compensation determined by an appraisal as well as the Town of Essex's obligation (if applicable) to perform and provide an appraisal and it hereby donates the herein easements to the Town of Essex, subject to the obligation of the Town of Essex to install a total of three (3) eight-inch taps (with chlorinators) at locations on 80 and/or 90 Upper Main Street to be agreed upon by Grantor and the Town of Essex.

[Remainder of page intentionally left blank Signatures follow.]

IN WITNESS WHEREOF, I hereunto set my hand and seal this ___ day of September, 2022.

MONTOWESE INDUSTRIAL PARK LLC

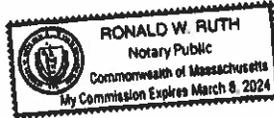
Gordon Reid
By: Gordon Reid, Manager
Its duly authorized agent

STATE OF Massachusetts
Suffolk COUNTY, SS.

At Barnstable this 14th day of September, 2022, Gordon Reid, Manager and duly authorized agent of Montowese Industrial Park LLC, personally appeared, and he acknowledged this instrument, by him sealed and subscribed, to be his free act and deed and the free act and deed of Montowese Industrial Park LLC.

Before me, Ronald W. Ruth
Notary Public
Print Name: Ronald W. Ruth
Commission Expires:

426035-00050



ACKNOWLEDGEMENT
Return Received (includes
Certificates and, if Required
Act 250 Disclosure Statement)
PTTR # 2022-318
Signed Susan McNamara-Hill, Town Clerk
Date: SEP 22, 2022

Essex, Vermont Town Clerk's Office
SEP 22, 2022 11:00 AM
Received for record and recorded in
book: 1095 on page: 624 - 626
Of Essex Land Records
Attest: Susan McNaughton-Hill
Town Clerk

TOWN OF ESSEX

DEED OF EASEMENT

KNOW ALL PERSONS BY THESE PRESENTS THAT MONTOWESE

INDUSTRIAL PARK LLC, with its principal place of business in the City of Quincy, in the County of Norfolk and Commonwealth of Massachusetts, Grantor, in consideration of TEN AND MORE Dollars and other good and valuable consideration paid to its full satisfaction by the TOWN OF ESSEX, a municipal corporation situated in the County of Chittenden and State of Vermont, Grantee, by these presents has REMISED, RELEASED AND FOREVER QUIT-CLAIMED unto the said Grantee, TOWN OF ESSEX, and its successors and assigns, such right and easement as the public has the right to condemn and take for the purposes of a water main on and beneath that certain land situated in the Town of Essex, in the County of Chittenden and State of Vermont, and being further described as follows, viz:

Being a portion of the land and premises conveyed by Certificate of Merger of Cedar Spring LLC and Montowese Industrial Park, LLC, dated December 30, 2010, and recorded in Volume 861 at Page 282 of the Town of Essex Land Records.

Also, being a portion of the same lands and premises known as 90 Upper Main Street, Essex, Vermont, Parcel ID #2010001000, conveyed to Cedar Spring LLC by Warranty Deed of Hayes I. Sogoloff and Susan H. Sogoloff, dated December 30, 2005, recorded in Volume 676 at Page 335 of the Town of Essex Land Records and being more particularly described as follows:

Said Parcel, located on the northerly side of Route 15, consisting of a Temporary Easement and a Permanent Easement and/or rights on the lands of the Grantor, as shown and further depicted on a plan prepared by Aldrich + Elliot and entitled #90 Upper Main St., Route 15 Watermain Upgrade Contract No. 1, dated December 2020, for the Town of Essex. Said Plan to be recorded in the Town of Essex Land Records at Map Slide _____.

In connection with the above parcel, the following easements and/or rights are conveyed:

A permanent easement for the purpose of installing, at no cost to Grantor, a new 12-inch waterline and a total of three (3) eight-inch taps at locations on 80 and/or 90 Upper Main Street to be agreed upon by Grantor and Grantee, running from the intersection of Billie Butler Drive along the north side of Vermont Route 15, connecting to the existing waterline east of #20 Center Road. Said permanent easement for the lands and premises known as 90 Upper Main Street, Essex, Vermont is further depicted and shown on the aforementioned plan in an area of 5,272 square feet, more or less.

A temporary easement to enter upon the land of the Grantor, during the period of construction, to install the waterline as shown on project plans in an area of 2,286 square feet, more or less.

Upon completion of construction, which will be carried out with due diligence, the herein-granted temporary easement shall terminate and the land of the Grantor shall be restored

to its previous condition, and anything installed on the Grantor's property by the Grantee during construction of this project shall become property of the Grantor, with no further action to effectuate such conveyance, and no further obligation on the part of the Grantee to maintain what was installed.

Grantor, and its successors and assigns, shall have the right to enter upon, cross over and make use of such easement area except Grantor, for itself and its successors and assigns, hereby covenants that it will not erect or permit any building, landscaping, or other improvements upon the easement area which, in the judgment of Grantee, and its successors and assigns, might materially interfere with its use of the easement.

Reference is hereby made to the aforementioned instruments, the records thereof, the references therein contained, and to their respective records and references, all in further aid of this description.

TO HAVE AND TO HOLD all right and title in and to said quitclaimed premises, with the appurtenances thereof, to the said Town of Essex, and its successors and assigns forever.

AND FURTHERMORE, having been fully informed of its right to receive just compensation for the acquisition of its property, it hereby acknowledges, waives and releases the Town of Essex from any rights to receive just compensation determined by an appraisal as well as the Town of Essex's obligation (if applicable) to perform and provide an appraisal and it hereby donates the herein easements to the Town of Essex, subject to the obligation of the Town of Essex to install a total of three (3) eight-inch taps (with chlorinators) at locations on 80 and/or 90 Upper Main Street to be agreed upon by Grantor and the Town of Essex.

[Remainder of page intentionally left blank. Signatures follow.]

IN WITNESS WHEREOF, I hereunto set my hand and seal this ___ day of September, 2022.

MONTOWESE INDUSTRIAL PARK LLC

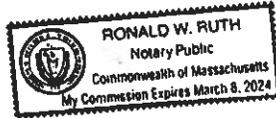
Gordon Reid
By: Gordon Reid, Manager
Its duly authorized agent

STATE OF Massachusetts
Suffolk COUNTY, SS.

At Boston, Massachusetts this 14th day of September, 2022, Gordon Reid, Manager and duly authorized agent of Montowese Industrial Park LLC, personally appeared, and he acknowledged this instrument, by him sealed and subscribed, to be his free act and deed and the free act and deed of Montowese Industrial Park LLC.

Before me, Ronald W Ruth
Notary Public
Print Name: Ronald W Ruth
Commission Expires:

426035-00050



ACKNOWLEDGEMENT
Return Received (including
Certificates and, if Required
Act 250 Disclosure Statement)
PTTR # 2022-319
Signed Susan McNamara-Hill, Town Clerk
Date: SEP 22, 2022

Developable Acreage on Route 15 For Sale Essex, VT



AVAILABLE SPACE OVERVIEW

2 SEPARATE CONTIGUOUS PARCELS
 80 Upper Main St. 20+ AC
 90 Upper Main St. 12+ AC
 Can be combined to 33 Acres

ADT Count (Route 15) 17,033

TRADE AREA DEMOGRAPHICS

Radius	Population	Med. HH Income
3 miles	19,828	\$75,726
5 miles	41,058	\$67,682
10 miles	138,502	\$61,145



Mark Sobel
msobel@1stusrealty.com
 508.280.4563
 508.591.3000

www.1stusrealty.com

Developable Acreage on Route 15 For Sale Essex, VT

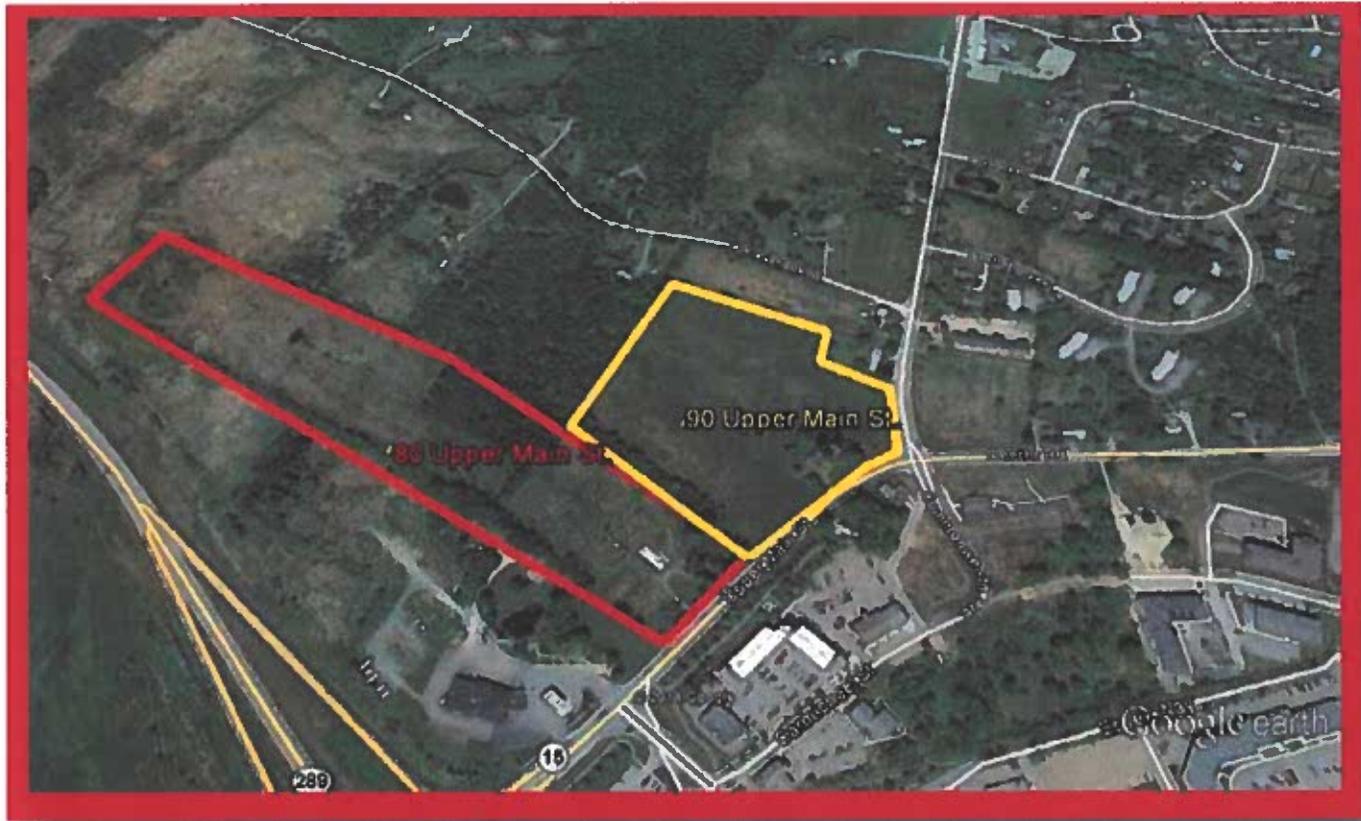


1st U S Realty offers 2 parcels of developable land for sale in Essex VT which can be purchased individually or in combination. This highly visible location on Route 15, close to Route 289, was the former location of the Cedar Springs Horse Farm.

Lot 1- 80 Upper Main St. 20.25 Acres 372 linear foot frontage on Route 15.
Mixed-PUD and AR Zoning

Lot 2- 90 Upper Main St. 12.89 Acres - 706 linear foot frontage on Route 15 and Old Stage Rd.
Mixed -PUD Zoning

Combination of 33 Acres with Average Daily Traffic of 17,033 directly in front of the site.
Great opportunity for thoughtful mixed use development.



All information furnished is from sources deemed reliable but no warranty of representation is made as to the accuracy thereof and information is submitted subject to errors, omissions, change of price, rental or other conditions, prior sale or lease, or withdrawal without notice. Inquiring parties should make judgements and decisions based solely on their own due diligence.



Mark Sobel
msobel@1stusrealty.com
508.280.4563
508.591.3000

www.1stusrealty.com