APPRAISAL REPORT

OF THE

MONTOWESE INDUSTRAIL PARK, LLC PROPERTY

80 AND 90 UPPER MAIN STREET

ESSEX, VERMONT

Effective Date: October 29, 2023

By: Michael F. Keller, MAI, AI-GRS
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October 31, 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 October 29, 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 October 29, 2023, is $3,000,000.

Sincerely yours,

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

TABLE OF CONTENTS

	Page
Letter of Transmittal	2
Certification of Value	3
Table of Contents	4
Summary of Important Facts & Conclusions	5
Area and Neighborhood Data	7
Property Description	11
Definitions and Appraisal Process	15
Market Analysis	17
Highest and Best Use	18
Cost Approach	19
Income Capitalization Approach	20
Sales Comparison Approach	21
Reconciliation	36
Qualifications of the Appraiser	37
Assumptions and Limitations of Appraisal	41
End Notes	45
Addenda	
Subject Property Photographs	
Subject Location Maps	
Subject Property Site/Building Sketches	
Deed	
Zoning	
Engagement Letter	

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:	19.46 acres (80) and 12.44 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 - $25,286.55
	90 - $18,903.44
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:	$3,000,000
RECONCILED VALUE:	$3,000,000	
EXPOSURE TIME:	Less than one year	
MARKETING TIME:	Less than one year	
DATE OF VALUE ESTIMATE:	October 29, 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.

The soil survey accomplished by vhb indicates the subject's land area is 31.9 acres. The estimate was used for the valuation.

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:	19.46 acres (80) and 12.44 acres (90) per vhb
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.

The front part of the acreage, that part closet to Upper Main Street, approximates 21 acres while the back part of 80 Upper Main Street approximates 10.9 acres.

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 wetland areas including buffers in the front are 27,900 square feet and 86,420 square feet. The wetland areas with buffers for the back of 80 Upper Main Street are 87,750 and 195,590 square feet. The front wetlands with buffers total 114,320 square feet or 2.62 acres or 12% of the acreage. The very back wetlands with buffer were not considered. The 195,590 square foot wetlands with buffer is a noticeable placement should one seek to utilize this area. This area, 195,590 square feet or 4.49 acres, approximates 41% of the back land.

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: 78%

DATE OF ASSESSMENT: 2007

TAXES: $44,189.99

COMMENTS:

The equalized assessment is $2,281,025. The non-residential tax rate is $2.4837.

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 October 29, 2023. The report was completed on the date shown on the letter of transmittal. The last date of inspection was October 29, 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 comparable sales 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. Each sale was adjusted at the rate of 10% for the subject's wetlands with the front acreage more valuable than the back acreage.

CONCLUSION

The grid analysis produced values for the subject that range from $2,655,000 to $3,265,000. 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 October 29, 2023, is $3,000,000.

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	31.9± 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	October 29, 2023	43 mos. before --	18 mos. before --	18 mos. before --
Adjusted Sale Price/Acre		$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	31.9± acre	43.6 acres --	19.84 acres - 10%	124.46 acres, 62.23 acre usable + 25%
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, 12% front and 41% back wetlands	Adequate for development, 20% wetlands - 10%	Adequate for development - 10%	Part adequate for development, 50% wetlands - 10%
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		- 60%	- 70%	+ 40%
Indicated Value Per Size		$102,271	$83,165	$85,488
Indicated Value of Subject Rounded To:		$3,262,444 $3,265,000	$2,652,963 $2,655,000	$2,727,067 $2,730,000

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 October 29, 2023, is:

THREE MILLION DOLLARS

($3,000,000)

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

Definition	Page
Condominium	Page 46
Cost Approach	Page 54
Date of Report	Page 59
Depreciation	Page 63
Effective Date	Page 74
Entrepreneurial Profit	Page 76
External Obsolescence	Page 83
Exposure Time	Page 83
Fee Simple Estate	Page 90
Functional Obsolescence	Page 97
Highest and Best Use	Page 93
Income Approach	Page 115
Intended Use	Page 119
Intended User	Page 119
Leased Fee Estate	Page 128
Leasehold Interest	Page 128
Market Value	Page 141
Marketing Time	Page 140
Property Rights	Page 179
Purpose	Page 181
Replacement Cost	Page 197
Reproduction Cost New	Page 198
Retrospective Value Opinion	Page 201
Sales Comparison Approach	Page 207
Scope	Page 209
Use of Appraisal	Page 241
Use Value	Page 241
Valuation Process	Page 241

ADDENDA

SUBJECT PROPERTY PHOTOGRAPHS

SUBJECT PROPERTY PHOTOGRAPHS

SUBJECT PROPERTY PHOTOGRAPHS

SUBJECT PROPERTY PHOTOGRAPHS

TOWN HWY. No.	LENGTH IN MILES CLASS 3	LENGTH IN MILES CLASS 4	TOWN HWY. No.	LENGTH IN MILES CLASS 3	LENGTH IN MILES CLASS 4
2	0.21		723	0.06	
3	0.25		724	0.10	
4	0.29		725	0.22	
6	0.15		726	0.05	
8	0.17		727	0.31	
9	0.21		728	0.11	
10	0.33		729	0.18	
11	0.43		730	0.27	
12	0.09		731	0.55	
13	0.15		732	0.11	
14	0.12		733	0.57	
15	0.16		734	0.31	
17	0.34		735	0.37	
18	0.07		736	0.06	
20	0.50		737	0.07	
21	0.50		738	0.13	
23	1.22		739	0.18	
24	0.91		740	0.38	
26	0.20		741	0.39	
27	3.20		742	0.55	
29	0.08	(0.70)	743	0.15	
30	1.25		744	0.72	
32	0.23		745	0.34	
33	3.25	(0.15)	746	0.29	
36	2.95		747	0.24	
38	0.75		748	0.04	(0.05)
39	0.11		749	0.27	
41	1.34		750	0.28	
42	3.53		751	0.29	
44	0.76		752	0.09	
48	0.42		753	0.31	
50	1.10		754	0.57	
51	2.48		755	0.41	
53	0.30	(0.55)	756	0.42	
54	0.10		757	0.44	
56	0.85		758	0.19	
57	0.39		759	0.19	
59	1.04		760	0.19	
60	1.23	(1.97)	761	0.35	
62	0.47		762	0.14	
63	1.50		763	0.43	
65	0.36		764	0.34	
66	0.73		765	0.65	
85	0.13		766	0.54	
86	0.17		767	0.23	
87	0.29		768	0.65	
92	0.04		769	0.49	
105	0.23		770	0.22	
106	0.12		771	0.26	
107	0.11		772	0.07	
108	0.16		773	0.27	
109	0.09		774	0.14	
110	0.17		775	0.10	
120	0.10		776	0.72	
121	0.60		777	0.70	
122	0.08		778	0.21	
123	0.13		779	0.05	
132	0.47		780	0.26	
133	0.18		781	0.17	
136	0.47		782	0.06	
137	0.19		783	0.12	
138	0.08		784	0.29	
139	0.15		785	0.27	
140	0.18		786	0.26	
700	0.55		787	0.36	
701	0.22		788	0.07	
702	0.20		789	0.12	
703	0.27		790	0.04	
704	0.07		791	0.13	
705	0.18		792	0.76	
706	0.21		793	0.13	
707	0.10		794	0.14	
708	0.18		795	0.23	
709	0.05		796	0.26	
710	0.48		797	0.04	
711	0.14		798	0.43	
712	0.07		799	0.22	
713	0.19		800	0.34	
714	0.08		801	0.40	
715	0.08		802	0.19	
716		(0.20)	803	0.41	
717	0.70		805	0.13	
718	0.15		806	0.05	
719	0.35		807	0.17	
720	0.19		808	0.14	
721	0.62		809	0.14	
722	0.39		TOTAL	66.09	3.07

MILEAGE SUMMARY

CLASS 2		
TH-1	0.340	
TH-2	4.000	
TH-3	1.260	
TH-4	2.250	
TH-5	0.560	
TH-6	1.000	
TH-7	0.440	
TH-8	0.930	
	TOTAL CLASS 2	10.790
CLASS 2- Ramps		
TH-4	0.040	
	TOTAL CLASS 2 - Ramps	0.040
CLASS 3		
	TOTAL CLASS 3	66.09
	TOTAL TOWN	76.920
STATE HIGHWAY		
VT-2A	1.807	
VT-15	5.436	
VT-117	3.204	
VT-128	4.402	
VT-289	3.940	
	TOTAL STATE HIGHWAY	18.789
STATE HIGHWAY - Ramps		
VT-289	3.523	
	TOTAL STATE HIGHWAY - Ramps	3.523
	TOTAL STATE	22.312

TOTAL, TRAVELED HIGHWAYS, FEB. 10, 2021: 99.232

(Excludes Class 4 and Legal Trail Mileage)

LEGAL TRAIL No.	LENGTH IN MILES LEGAL TRAIL
1	(0.50)
TOTAL	0.50

TOWN HWY. No.	LENGTH IN MILES "NOT UP TO STANDARD"
16	(0.22)
66	(0.08)
TOTAL	0.30

* The sections of the town highways listed above are legally Class 3, but have been deemed "Not Up To Standard" and are functionally Class 4 Town Highways

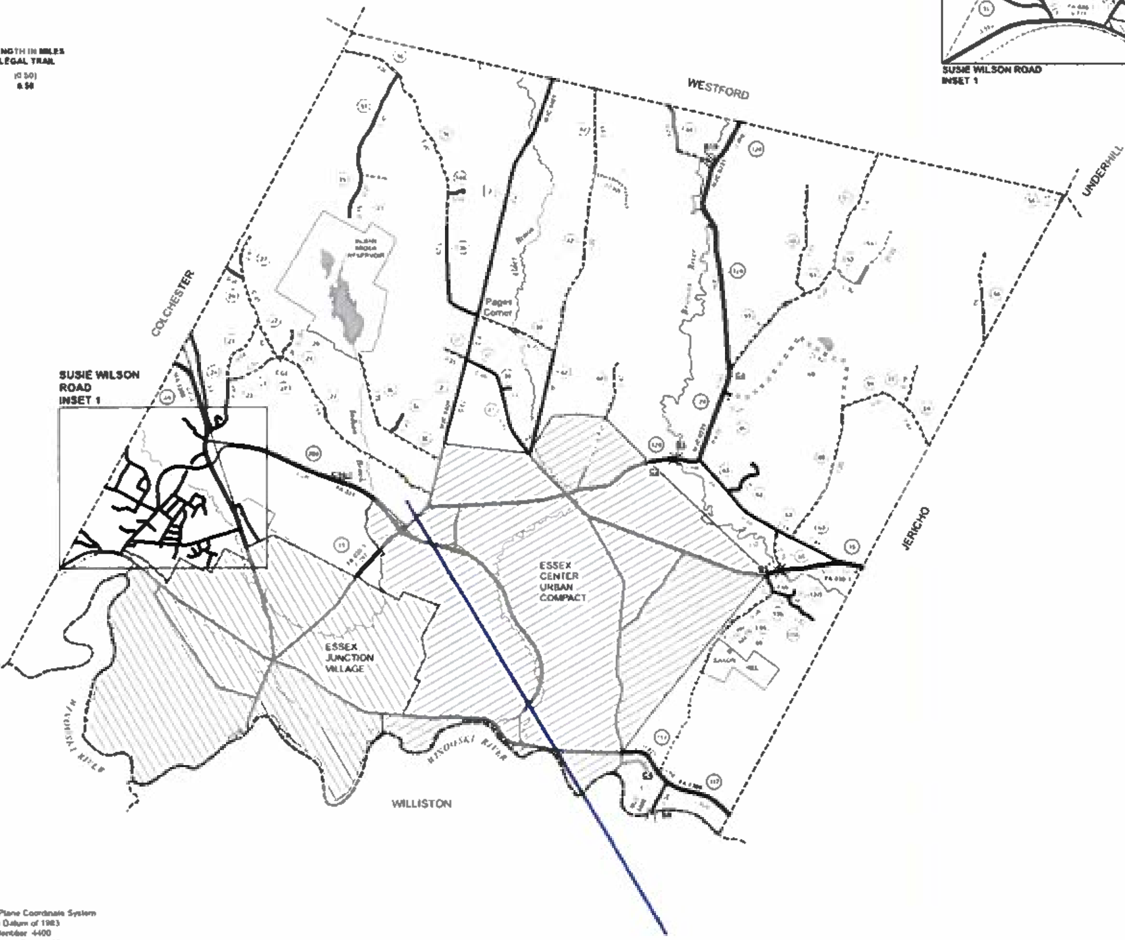
HIGHWAYS
INTERSTATE
U.S. ROUTE
STATE ROUTE
CLASS 1
CLASS 2
CLASS 3
CLASS 4
LEGAL TRAIL
P PARK AND RIDE

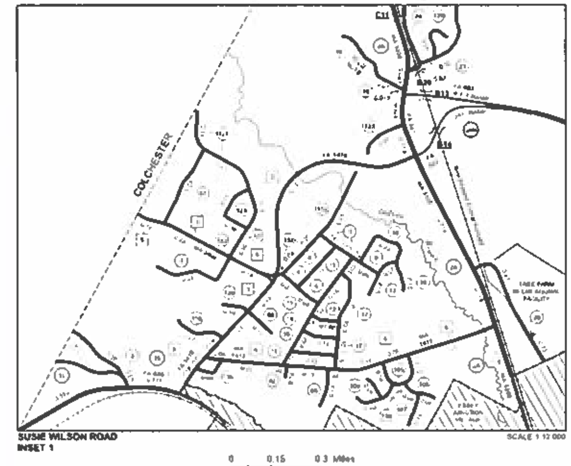
INTERSTATE OR DIVIDED HIGHWAY
STATE - HARD SURFACE OR PAVED
TOWN - HARD SURFACE OR PAVED
GRAVEL
SOIL OR GRADED AND DRAINED EARTH
UNIMPROVED OR PRIMITIVE
IMPASSABLE OR UNTRAVELED
LEGAL TRAIL
DISCONTINUED
HIGHWAY CLASS CHANGE
RAILROAD
INACTIVE RAILROAD
PUBLIC LAND - NATIONAL FOREST
PUBLIC LAND - STATE/MUNICIPAL
NFR NATIONAL FOREST ROAD
SFH STATE FOREST HIGHWAY

POLITICAL SUBDIVISIONS
STATE BOUNDARY
COUNTY BOUNDARY
TOWN BOUNDARY
VILLAGE BOUNDARY
URBAN COMPACT BOUNDARY
WATER BODY
STREAM OR BROOK

BRIDGE OR CULVERT
BRIDGE OR CULVERT > 20'
BRIDGE OR CULVERT < 20
BIKE PATH STRUCTURE
VTCULVERTS BRIDGE
VTCULVERTS CULVERT > 6'
STATE BRIDGE OR CULVERT IDENTIFIER
TOWN BRIDGE OR CULVERT IDENTIFIER

FEDERAL CLASSIFICATION IDENTIFIER
MA MINOR ARTERIAL
MJC MAJOR COLLECTOR
MNC MINOR COLLECTOR
PA PRINCIPAL ARTERIAL





0 0.15 0.3 Miles

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

Mileage as of February 10, 2021
Map prepared June 2021

SCALE 1:31,680

Miles / Kilometers

DISCLAIMER
The untraveled highways (laid-out town highways), discontinued highways, and legal trails hereon are those of which the Agency of Transportation has record; others may exist.

Highway and bridge data by the Agency of Transportation. Town short structures drawn from the VTCULVERTS (formerly VOBCIT) online database. All other data from the Vermont Open Geodata Portal. Only named streams shown.

Vermont State Plane Coordinate System
North American Datum of 1983
SPCS_Zone_Identifier 4400
Geodetic Reference System 80
4,000-meter grid, Easting + Northing

ESSEX CENTER URBAN COMPACT, CHITTENDEN COUNTY - 2021

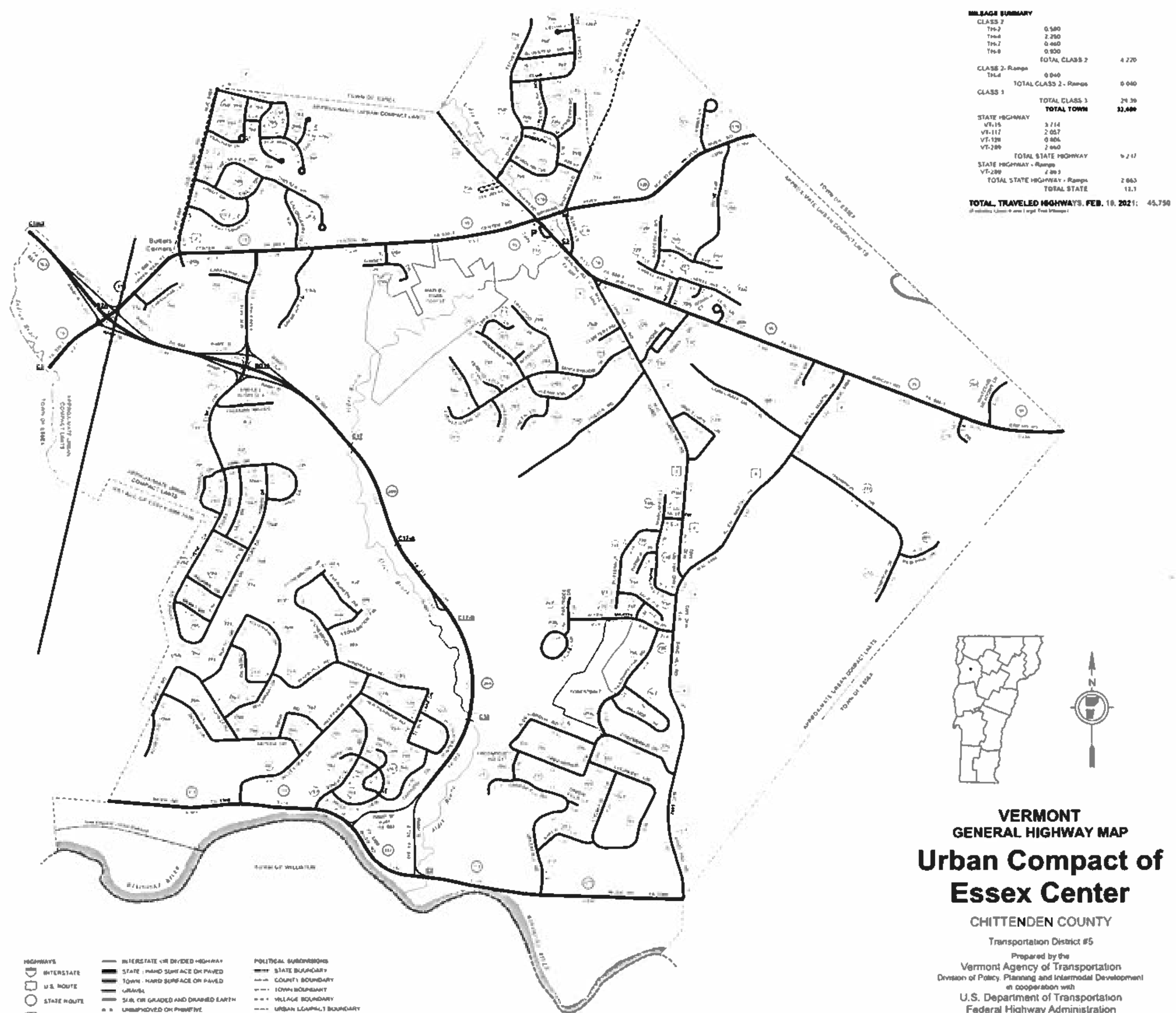
TOWN HWY. No.	LENGTH IN MILES CLASS 3	CLASS 4	TOWN ROAD NAME
700	0.55		CHELSEA RD
701	0.72		WOODLAWN DR
702	0.28		LONDONDERRY LN
703	0.27		GLENWOOD DR
704	0.07		SUNSET DR
705	0.18		LINDEN LN
706	0.21		SUNSET DR
707	0.10		ROSEWOOD TRL
708	0.16		FLEURY RD
709	0.05		WOODLAWN CT
710	0.40		TOWERS RD
711	0.14		CYPRESS LN
712	0.07		THE COMMON
713	0.10		LEO DR
714	0.64		BIXBY HILL RD
715	0.08		IRIS ST
716		(0.20)	TH-716
717	0.70		GREENFIELD RD
718	0.15		ALDER LN
719	0.36		ALDERBROOK RD
720	0.19		FREDERICK RD
721	0.02		LOGWOOD CIR
722	0.19		LAVELL AVE
723	0.06		GREENFIELD CT
724	0.10		RICHARD ST
725	0.22		BAKER ST
726	0.05		RONALD CT
727	0.11		WINTERLANE CIR
728	0.11		LAVIGNE RD
729	0.16		TIMBERLANE DR
730	0.07		LAVIGNE RD
730	0.20		PERRY DR
731	0.54		ESSEX WAY
731	0.01		SYDNEY DR
732	0.11		CIRCLE DR
733	0.57		WINDRIDGE RD
734	0.31		MAPLELAWN DR
735	0.37		ALLEN MARTIN PKWY
736	0.06		LASALLE RD
737	0.07		HICKORY LN
738	0.13		PATRICIA PL
739	0.16		SAGE CIR
740	0.34		MARGARET ST
741	0.39		BUTTERNUT CT
742	0.59		FOSTER RD
743	0.15		BLACKBERRY RD
744	0.72		TANGLEWOOD DR
745	0.14		LANG DR
746	0.20		CINDY LN
747	0.24		LIDA DR
748		(0.05)	FERN HOLLOW RD
748	0.84		FERN HOLLOW RD
749	0.27		CABOT DR
750	0.30		OAKWOOD LN
751	0.29		SHAFTSBURY CT
752	0.80		CEMETERY RD
753	0.31		SAYBROOK RD
754	0.57		CLOVER DR
755	0.41		BOBOLINK CIR
756	0.42		SAXON HOLLOW DR
757	0.44		PINEWOOD DR
758	0.19		WILLOUGHBY DR
759	0.19		PEACHAM LN
760	0.19		BLUESTEM RD
761	0.36		RIVER VIEW DR
762	0.14		PERKINS DR
763	0.43		HILLSIDE CIR
764	0.34		HAGAN DR
765	0.65		VALLEYVIEW DR
766	0.54		SKYLINE DR
767	0.23		RIDGE RD
768	0.85		FOREST RD
769	0.49		WILDWOOD DR
770	0.22		CREEK RD
771	0.28		RUSTIC DR
772	0.07		BILLIE BUTLER DR
773	0.27		THOMAS LN
774	0.13		REPA DR
775	0.18		WOLFF DR
776	0.72		GREENBRIAR DR
777	0.78		THOMPSON DR
778	0.21		HEATHERBUSH RD
779	0.05		GREENFIELD RD EXT
780	0.36		WHITCOMB MEADOWS LN
781	0.17		STEEPLEBUSH RD
782	0.08		KURK DR
783	0.12		POMFRET LN
784	0.29		WEATHERSFIELD BOW
785	0.27		FOX RUN RD
786	0.26		RAYMOND DR
787	0.36		CEDAR ST
788	0.07		CEDAR CT
789	0.12		PEACHAM LN
790	0.04		CAVENDISH DR
791	0.13		THISTLE LN
792	0.76		SYDNEY DR
793	0.13		BASHAW DR
794	0.14		DEBRA DR
795	0.23		STANNARD DR
796	0.26		CARMICHAEL ST
797	0.04		PARTRIDGE DR
798	0.43		IRENE AVE
799	0.22		MARION AVE
800	0.34		LAUREL DR
801	0.40		CORPORATE DR
802	0.19		FREEMAN WOODS
803	0.41		STONEBROOK CIR
805	0.13		LILAC LN
806	0.05		COMMONWEALTH AVE
807	0.17		EVERGREEN DR
808	0.14		STONEBROOK CIR
809	0.14		RED PINE CIR
TOTAL	29.39	0.25	

MILEAGE SUMMARY

CLASS 2			
TH-2	0.580		
TH-6	2.250		
TH-7	0.460		
TH-8	0.930		
		TOTAL CLASS 2	4.220
CLASS 2 - Ramps			
TH-4	0.040		
		TOTAL CLASS 2 - Ramps	0.040
CLASS 3			
		TOTAL CLASS 3	29.39
		TOTAL TOWN	**33.650**
STATE HIGHWAY			
VT-15	3.714		
VT-117	2.057		
VT-128	0.806		
VT-289	2.640		
		TOTAL STATE HIGHWAY	9.217
STATE HIGHWAY - Ramps			
VT-289	2.063		
		TOTAL STATE HIGHWAY - Ramps	2.063
		TOTAL STATE	11.3

TOTAL TRAVELED HIGHWAYS, FEB. 10, 2021: 45.750

(Excludes Class 4 and Legal Trail Mileage)



VERMONT
GENERAL HIGHWAY MAP
Urban Compact of Essex Center
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

SCALE 1:9,000

Vermont State Plane Coordinate System
North American Datum of 1983
SPCS_Zone_Number 4400
Geodetic Reference System 80
1,000-meter grid: Easting - Northing

DISCLAIMER:
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Highway and bridge data by the Agency of Transportation. Town short structures drawn from the VTCULVERTS (formerly VOBCIT) online database. All other data from the Vermont Open Geodata Portal. Only named streams shown.

HIGHWAYS: INTERSTATE; U.S. ROUTE; STATE ROUTE; CLASS 1; CLASS 2; CLASS 3; CLASS 4; LEGAL TRAIL; PARK AND RIDE

INTERSTATE OR DIVIDED HIGHWAY; STATE - HARD SURFACE OR PAVED; TOWN - HARD SURFACE OR PAVED; GRAVEL; SOIL OR GRADED AND DRAINED EARTH; UNIMPROVED OR PRIMITIVE; IMPASSABLE OR UNTRAVELLED; LEGAL TRAIL; DISCONTINUED; HIGHWAY CLASS CHANGE; RAILROAD; INACTIVE RAILROAD; PUBLIC LAND - NATIONAL FOREST; PUBLIC LAND - STATE/MUNICIPAL; NATIONAL FOREST ROAD; STATE FOREST HIGHWAY

POLITICAL SUBDIVISIONS: STATE BOUNDARY; COUNTY BOUNDARY; TOWN BOUNDARY; VILLAGE BOUNDARY; URBAN COMPACT BOUNDARY; WATER BODY; STREAM OR BROOK

BRIDGE OR CULVERT: BRIDGE OR CULVERT > 20'; BRIDGE OR CULVERT 6'-20'; BIKE PATH STRUCTURE; VTCULVERTS BRIDGE; VTCULVERTS CULVERT > 6'; STATE BRIDGE OR CULVERT IDENTIFIER; TOWN BRIDGE OR CULVERT IDENTIFIER

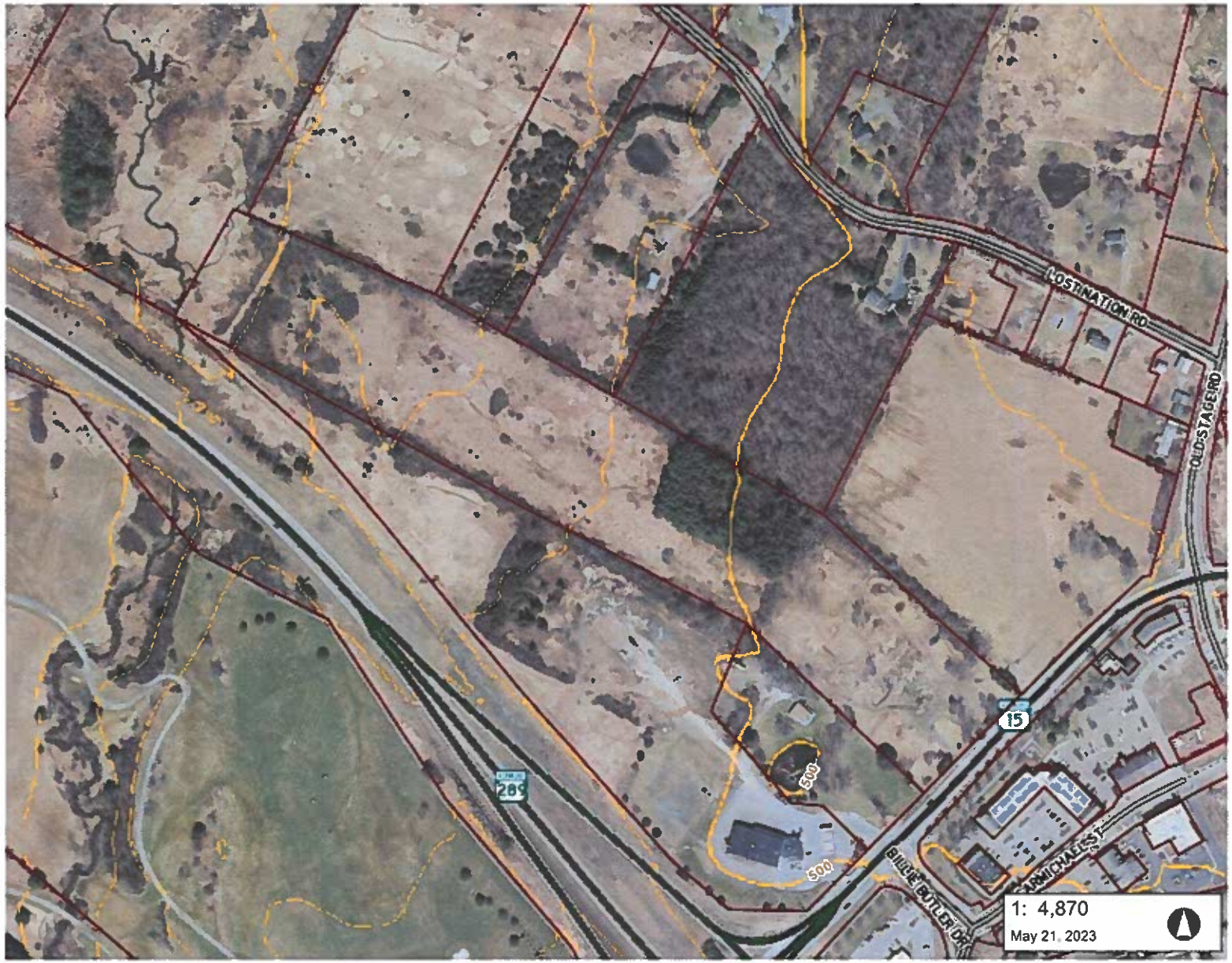
FEDERAL CLASSIFICATION IDENTIFIER

VERMONT

Natural Resources Atlas

Vermont Agency of Natural Resources

vermont.gov



LEGEND

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

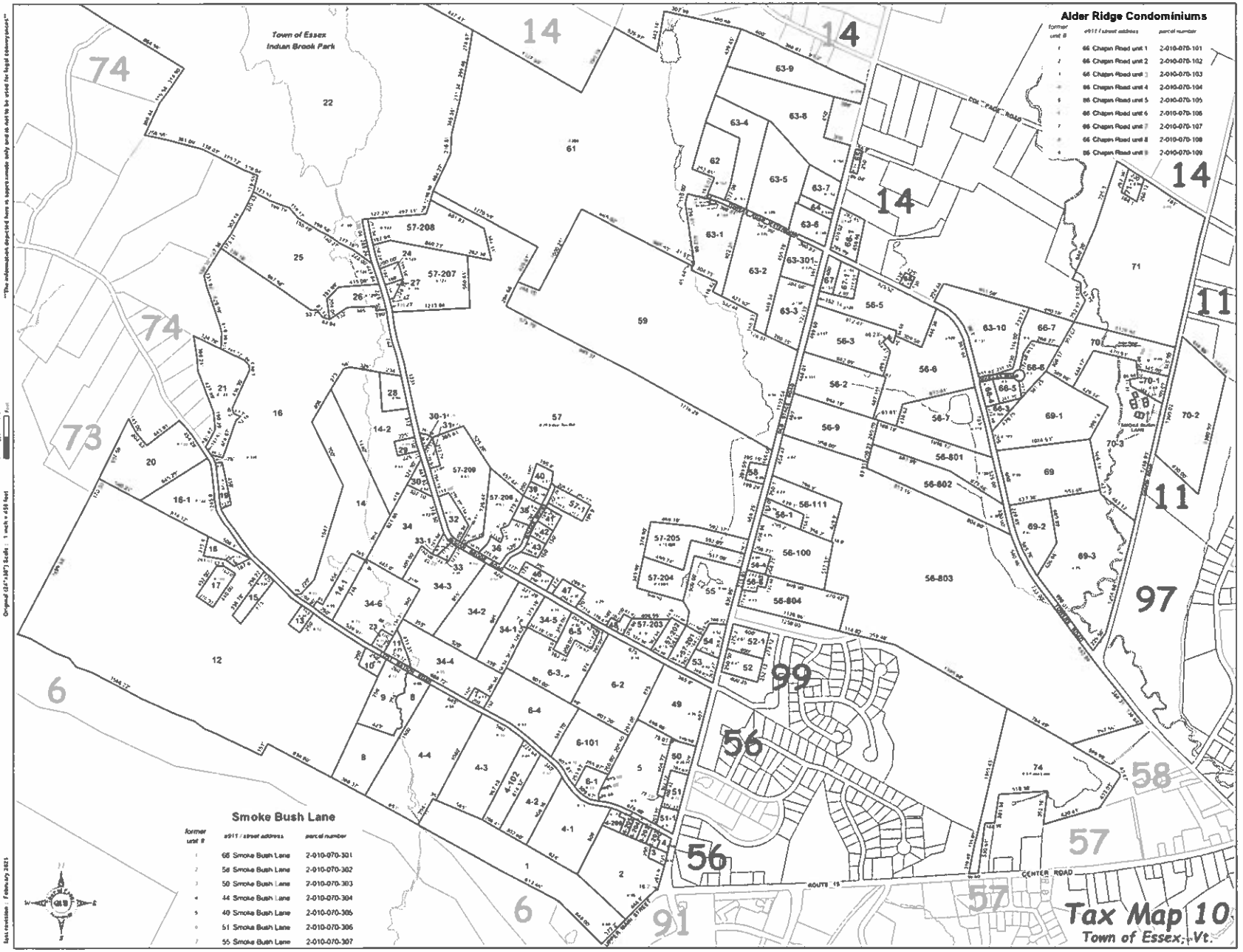
NOTES

Map created using ANR's Natural Resources Atlas

247.0 0 124.00 247.0 Meters

WGS_1984_Web_Mercator_Auxiliary_Sphere 1" = 406 Ft. 1cm = 49 Meters

THIS MAP IS NOT TO BE USED FOR NAVIGATION

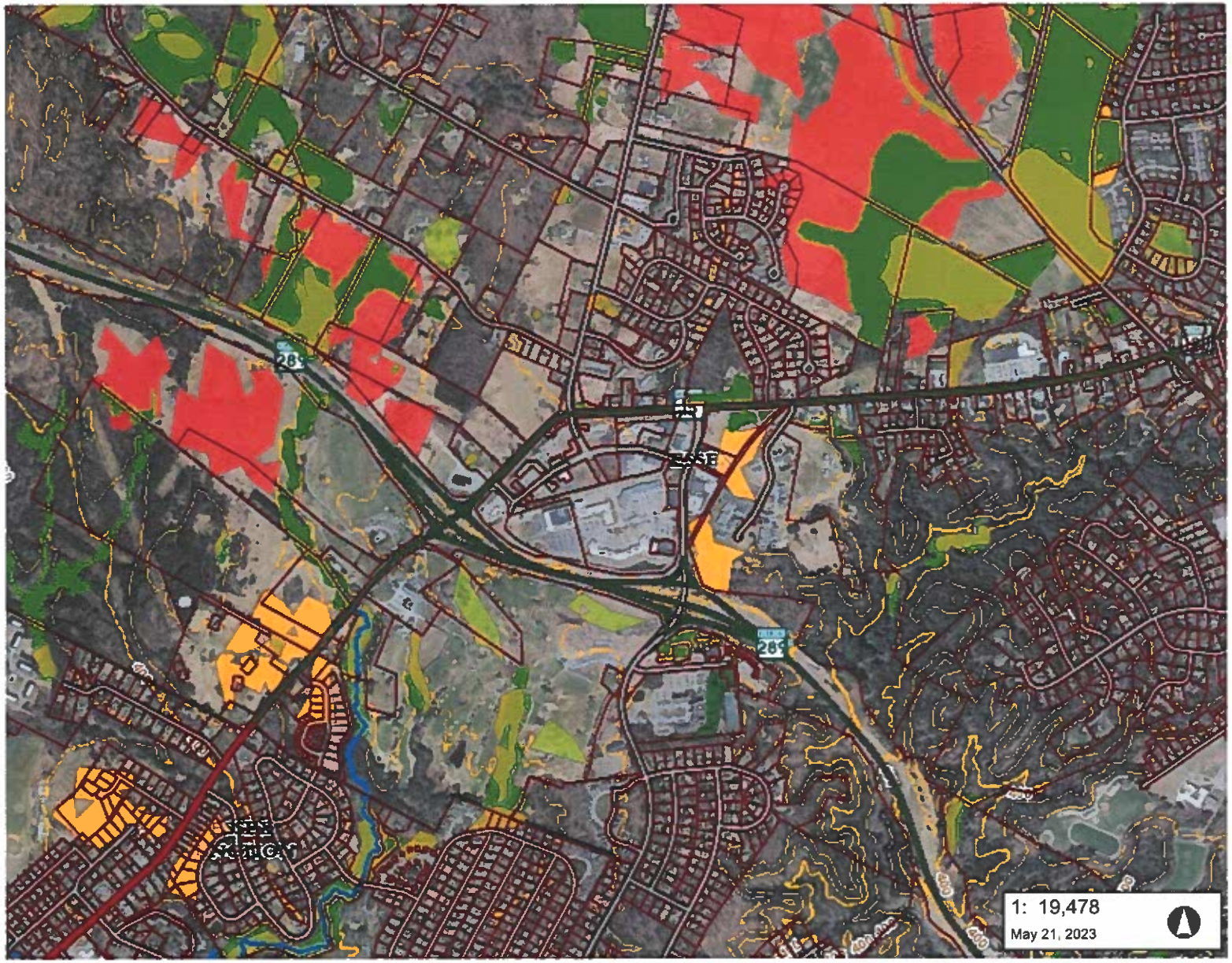

Alder Ridge Condominiums
former unit #
e911 / street address
parcel number
1 66 Chapin Road unit 1 2-010-070-101
2 66 Chapin Road unit 2 2-010-070-102
3 66 Chapin Road unit 3 2-010-070-103
4 66 Chapin Road unit 4 2-010-070-104
5 66 Chapin Road unit 5 2-010-070-105
6 66 Chapin Road unit 6 2-010-070-106
7 66 Chapin Road unit 7 2-010-070-107
8 66 Chapin Road unit 8 2-010-070-108
9 66 Chapin Road unit 9 2-010-070-109
Smoke Bush Lane
former unit #
e911 / street address
parcel number
1 66 Smoke Bush Lane 2-010-070-301
2 58 Smoke Bush Lane 2-010-070-302
3 50 Smoke Bush Lane 2-010-070-303
4 44 Smoke Bush Lane 2-010-070-304
5 40 Smoke Bush Lane 2-010-070-305
6 51 Smoke Bush Lane 2-010-070-306
7 55 Smoke Bush Lane 2-010-070-307
Town of Essex
Indian Brook Park
CENTER ROAD
ROUTE 15
Tax Map 10
Town of Essex, Vt.

VERMONT

Natural Resources Atlas

Vermont Agency of Natural Resources

vermont.gov



LEGEND

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

NOTES

Map created using ANR's Natural Resources Atlas

990.0 0 495.00 990.0 Meters

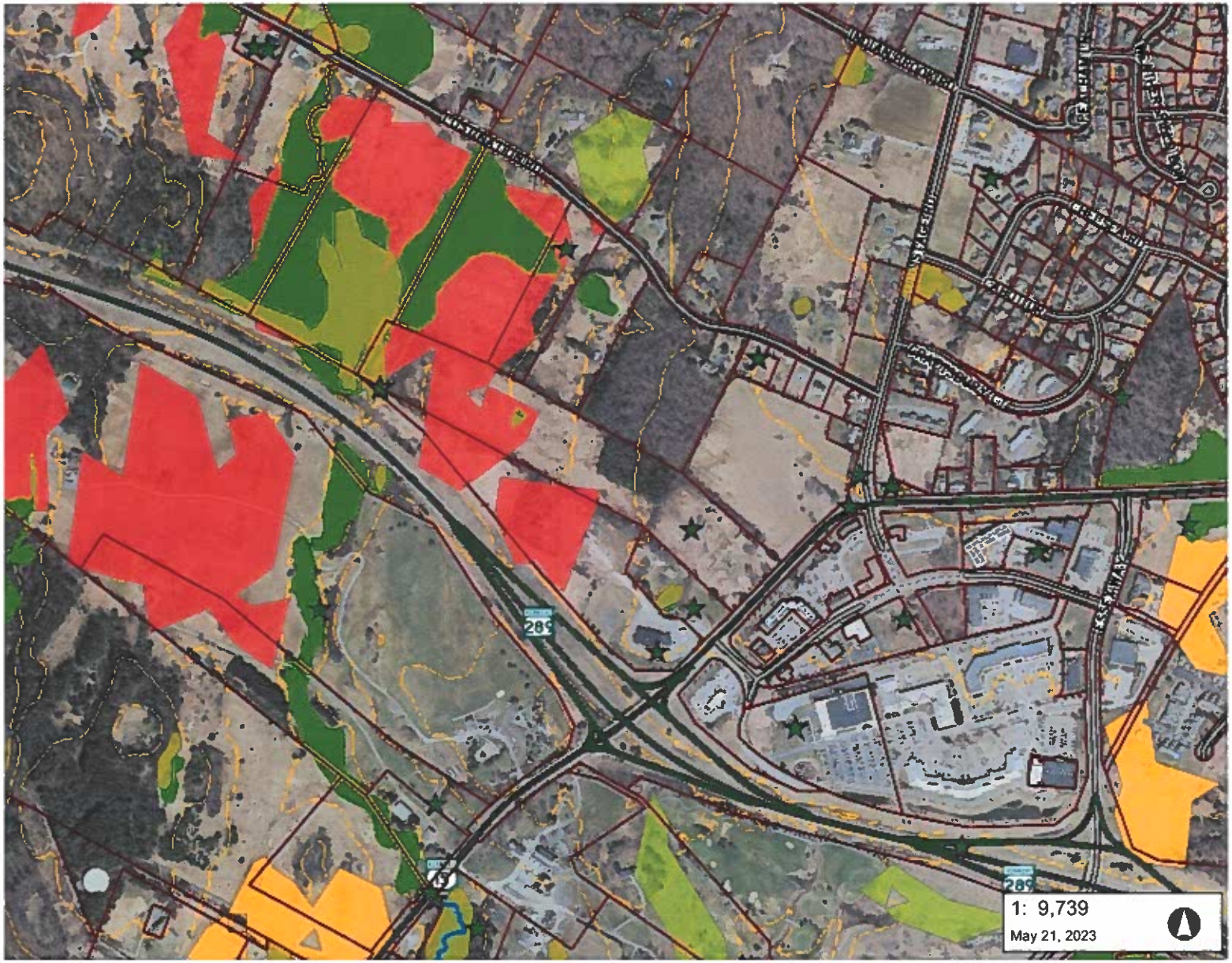
WGS_1984_Web_Mercator_Auxiliary_Sphere 1" = 1623 Ft. 1cm = 195 Meters

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Natural Resources Atlas

Vermont Agency of Natural Resources

vermont.gov



LEGEND

- Wetland Projects
- Lakes and Ponds Permits
  - Aquatic Nuisance
  - Encroachment
  - Shoreland
- 303(d) List of Impaired Stream
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- Mixed Classifications for Uses
- 100' Setback
- 250' Setback
- Wetland - VSWI

NOTES

Map created using ANR's Natural Resources Atlas

495.0 0 248.00 495.0 Meters

WGS_1984_Web_Mercator_Auxiliary_Sphere 1" = 812 Ft. 1cm = 97 Meters

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Soil Map—Chittenden County, Vermont

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

N

Meters: 0 50 100 200 300

Feet: 0 200 400 800 1200

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
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

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 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: 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

AREA WITHIN THE STUDY AREA (WETLAND AREA FROM GIS, BUFFER FROM BLUEBEAM)						
Wetland	**Wetland Area**		**Wetland + Buffer Area**		**Buffer Area**	
	(SF)	(ac)	(SF)	(ac)	(SF)	(ac)
2023-1	10,400	0.24	27,900	0.64	17,500	0.40
2023-2	42,650	0.98	86,420	1.98	43,770	1.00
2023-3	68,100	1.56	87,750	2.01	19,650	0.45
2023-200	77,500	1.78	195,590	4.49	118,090	2.71
TOTAL	198,650	4.56	397,660	9.13	199,010	4.57

Memorandum

To: Project File: Essex Town Site Assessment

Date: September 1, 2023

Project #: 58982.00

From: Ben Galligan, WPIT; Carla Fenner, PWS

Re: Natural Resources Assessment Memorandum

Introduction

At the request of The Town of Essex ("Client"), VHB conducted natural resources assessments to support planning for the potential redevelopment of lots 80 and 90 Upper Main Street located in Essex, Vermont ("Project," see Natural Resources Map, **Attachment 1**). This memorandum summarizes the results of the natural resources assessments and potential implications for regulatory review of and permitting for the Project. The assessments presented herein include natural resource and environmental criteria reviewed by the District Environmental Commission ("Commission") for projects subject to Act 250 jurisdiction per 10 V.S.A. Chapter 151, as well as review by the Vermont Agency of Natural Resources ("ANR") under the Act 250 process. Each of the following criteria are discussed in this memorandum in terms of their presence or absence at the Project site and, if present, the potential regulatory implications for Project planning, design, and permitting:

- Outstanding Resource Waters: 10 V.S.A. § 1424a(d)
- Headwaters: 10 V.S.A. § 6086(a)(1)(A)
- Floodways: 10 V.S.A. § 6086(a)(1)(D)
- Streams: 10 V.S.A. § 6086(a)(1)(E)
- Shorelines: 10 V.S.A. § 6086(a)(1)(F)
- Wetlands: 10 V.S.A. § 6086(a)(1)(G)
- Soil Erosion: 10 V.S.A. § 6086(a)(4)
- Rare and Irreplaceable Natural Areas (significant natural communities): 10 V.S.A. § 6086(a)(8)
- Necessary Wildlife Habitat and Endangered Species: 10 V.S.A. §6086(a)(8)(A)
- Primary Agricultural Soils: 10 V.S.A. §6086(a)(9)(B)

Study Area Description

VHB conducted resource assessments within two undeveloped parcels at 80 and 90 Upper Main Street in Essex and having SPAN 207-067-15958 and 207-067-15959 respectively, consisting of a total of approximately 31.9 acres combined and referred to as the "Study Area." VHB's Study Area is depicted on the Natural Resources Map in **Attachment 1**.

The Study Area occurs near to the mapped boundary between the Champlain Valley and the Champlain Hills biophysical regions of Vermont, which is characterized by a warmer climate and moderate topography and silt and clay dominated soils. The Study Area occurs within the Mallets Bay Watershed (HUC 10 - 0430010809). The Study Area has elevations ranging from approximately 438 to 523 feet above mean sea level (per topographic elevation data from the US Geologic Survey) and includes areas of fallow agricultural fields, a former house site, and naturalized hedgerows and forested areas.

VHB conducted fieldwork to support the natural resource assessments for the Project on June 16, July 3, and August 2, 2023. Representative site photographs are included as **Attachment 2**.

Act 250 Natural Resources Criteria

Outstanding Resource Waters

The Vermont Water Quality Standards ("VWQS", ANR 2017c), under section 29A-105(d), state that the Secretary of the ANR may, under 10 V.S.A. Section 1424(a), designate Outstanding Resource Waters ("ORW"). The following waterways have been designated ORWs:

1. Batten Kill River, Towns of Dorset and Arlington;
2. Pike's Falls/Ball Mountain, Town of Jamaica;
3. Poultney River, Towns of Poultney and Fair Haven; and,
4. Great Falls, Ompompanoosuc River, Town of Thetford.

The Study Area was reviewed against this list to determine if it is located within the vicinity of any listed ORW. None of these waters is within or near the Study Area, and therefore, the Project would not result in any impact to Outstanding Resource Waters.

Headwaters

The Headwaters criterion under Act 250 requires that a project — if located in a headwater area — meet any applicable health and Department of Environmental Conservation ("DEC") regulations regarding reduction of the quality of the ground or surface waters flowing through or upon lands that are not devoted to intensive development, and which lands are:

i. headwaters or watersheds characterized by steep slopes and shallow soils; or

ii. drainage areas of 20 square miles or less; or

iii. above 1,500 feet elevation; or

iv. watersheds of public water supplies designated by ANR; or

v. areas supplying significant amounts of recharge waters to aquifers.

At present, the Study Area is not considered to be devoted to "intensive development," though VHB understands that the Town is pursuing a Growth Center designation for the area to include the two subject parcels. Until that is resolved, the preceding five points would be evaluated by the District Commission to determine the presence of headwaters. VHB reviewed National Resource Conservation Service ("NRCS") soils mapping, topography, and the stream features as included in available databases and as mapped by VHB during onsite delineations.

The subcategories i and iii through v are not met in the Study Area. Subcategory ii is not satisfied, as the Study Area lies within the Mallett's Bay watershed, which has a contributing drainage area of roughly 52.8 square miles just south of the Study Area. Accordingly, it is VHB's opinion that the Study Area would not be considered to be in a Headwaters location.

Floodways

The Floodways criterion under Act 250 takes into consideration a project's effect on both floodways and floodway fringes. The term "floodway" is defined to mean "the channel of a watercourse which is expected to flood on an average of at least once every 100 years and the adjacent land areas which are required to carry and discharge the flood of the watercourse." (10 V.S.A. § 6001(6)). The term "floodway fringe" is defined as "an area which is outside of a floodway and is flooded with an average frequency of once or more in each 100 years." (Id. § 6001(7)). A project's impacts are considered with respect to both flood inundation and fluvial erosion hazards pursuant to Flood Hazard Area and River Corridor Protection ("FHARC") Procedure (ANR 2017a). The FHARC Procedure addresses both inundation risks as represented by Federal Emergency Management Agency ("FEMA")-mapped flood information, and potential fluvial erosion risks associated with fluvial geomorphic processes. In addition to the floodway and floodway fringe, the FHARC procedure also addresses River Corridors. The river corridor consists of the meander belt or fluvial erosion hazard area, which is defined as the lateral width of a stream corridor that may be subject to fluvial erosion from stream channel lateral migration as well as a 50-foot riparian buffer outside of this meander belt (ANR 2017a). The meander belt is typically determined by geomorphic assessments of channel bankfull width, meander centerline, confining lateral topography, channel type, and current channel adjustments, which are then translated into the channel-width-to-belt-width ratio, dependent on stream sensitivity type and adjacent landform.

VHB reviewed available river corridor data from ANR's River Corridor Mapping, and other FEMA floodway and special flood hazard area mapping within the Study Area. Based on this review, there is one FEMA-mapped Zone A Special Flood Hazard Areas ("SFHA," *i.e.*, areas with a one percent chance of annual flooding) within the Study Area, located at the westernmost portion of lot at 80 Main Street associated with Indian Brook and generally coincident with a Class II wetland feature, discussed below (see Natural Resources Map, **Attachment 1**). Zone A floodplains do not have a base flood elevation assigned. Additionally, ANR has mapped a river corridor for Indian Brook

Project activities within the SFHA would require approval under municipal flood hazard regulations, and activities within the river corridor would be subject to review by the state under the Flood Hazard and River Corridor Rule.

Streams

The Streams criterion under Act 250 requires that projects will, when feasible, maintain natural stream channel condition, and will not endanger the health, safety, or welfare of the public or adjoining landowners.

When applicable, VHB's stream delineation is conducted pursuant to ANR's Guidance for Agency Act 250 and Section 248 Comments Regarding Riparian Buffers ("Riparian Buffer Guidance," ANR 2005). Stream and Ordinary High Water ("OHW") width determinations follow guidance provided in the U.S. Army Corps of Engineers ("USACE") Regulatory Guidance Letter: Subject- Ordinary High Water Identification (USACE 2005). Stream top of bank ("TOB") and top of slope ("TOS") are flagged in the field according to the Riparian Buffer Guidance. Stream TOB and TOS are flagged on larger channels, generally wider than six feet, using blue survey tape and labeling that includes the stream ID and flag number. Stream centerline is flagged for smaller channels, generally less than six feet wide, with blue survey tape, and labeling that includes the stream ID and flag number. When applicable, stream TOS, TOB, or OHW limits in the Study Area are marked with blue flagging tape and labeled by stream ID and flag number. Flow regimes are preliminarily classified in the field as ephemeral, intermittent, or perennial, and are determined based on qualitative observations of in-stream hydrology indicators at the time of observation, as well as geomorphic characteristics (*i.e.*, stream bed and bank development), and are subject to professional judgment. When present, stream flagging is mapped in the field using sub-meter capable mobile data collection equipment.

VHB delineated two stream channels within the Study Area, as shown on the Natural Resources Map (**Attachment 1**) and summarized in **Attachment 3**. One delineated stream was found to be perennial and is an unnamed tributary to Indian Brook (Stream 2023-TOB-1). The other delineated stream is an intermittent channel which flows generally west beyond the limit of the Study Area towards the unnamed tributary (Stream 2023-SC-2). Both streams are generally in the western portion of the Study Area. The hydrologic regime of the on-site stream segments is denoted by the suffix in its name [*i.e.*, (E) = ephemeral, (I) = intermittent, (P) = perennial] on the Natural Resources Map (**Attachment 1)**. Per the Riparian Buffer Guidance, a 50-foot riparian buffer is shown for all but ephemeral streams. Where the stream originates at or flows through a wetland, the 50-foot riparian buffer is measured from the wetland boundary.

All streams within the Study Area were found to be subject to USACE jurisdictional definitions. Authorization from the USACE is anticipated to be required for any unavoidable impacts to mapped streams. Additionally, perennial streams would also be subject to Vermont Stream Alteration Permit requirements, with authorization required for the placement of greater than 10 cubic yards of fill within a stream channel. Potential effects on riparian buffers would be reviewed under Act 250 Criterion 1(E). If impacts to Riparian Buffers are unavoidable, the Project may be required to prepare a Riparian Buffer Management Plan for ANR's and the Commission's approval.

Shorelines

Shorelines are defined under Act 250 as the land adjacent to the waters of lakes, ponds, reservoirs, and rivers. Shorelines shall include the land between the mean high-water mark and the mean low water mark of such surface waters (10 V.S.A. § 6001(17); Argentine 2008). The Study Area was reviewed against these criteria to determine if it is located on or adjacent to any shoreline. The Study area is not adjacent to any shoreline.

Wetlands

The Wetlands criterion under Act 250 requires that the proposed project comply with the Vermont Wetland Rules ("VWR") (ANR 2023). The VWR regulations apply to significant wetlands (Class I and Class II wetlands) and their buffers. Impacts to Class III wetlands are not considered under Act 250 Criterion 1(G) but may be reviewed under Criterion 1(E) Streams. Further, all wetlands are regulated by the USACE under Section 404 of the Clean Water Act ("CWA") permit program and the associated DEC CWA Section 401 Water Quality Certification ("WQC") review process.

VHB's wetland delineations are made pursuant to applicable methodologies outlined in the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region Routine Determination Method (USACE 2012). When applicable, wetland boundaries are identified in the field with pink flagging and mapped using sub-meter capable mobile data collection equipment. Field notes are taken to record information such as potential wetland classifications, general characteristics, wetland functions and values, and any unique qualities observed during the site assessment, along with other considerations relevant to support site findings. Wetland types are classified in accordance with the Classification of Wetlands and Deepwater Habitats of the United States (Cowardin *et al.*1979). Wetland functions and value presence and significance are evaluated based on the field notes and observations according to the VWR (ANR 2023).

Prior to field assessments, VHB reviewed the Vermont Significant Wetland Inventory ("VSWI") layer to assess potential wetlands within the Study Area. There are two VSWI wetlands mapped within the Study Area. VHB delineated four wetland areas on site that meet applicable wetland parameters to be considered wetland per regulatory definitions. VHB's delineated wetland features are depicted in **Attachment 1** and summarized in **Attachment 3**. All wetland features are proposed by VHB to be Class II, which are presumed to be significant and therefore regulated under the

VWR. Also as depicted in **Attachment 1** mapping, the Class II wetlands are accorded a 50-foot wetland buffer. On-site wetland features are in the western half of lot 80 and along the northwest perimeter of lot 90, generally away from the Study Area's roadway frontage along Vermont Route 15.

Discharge of fill or other impacts to wetlands are anticipated to be subject to the USACE and DEC jurisdiction. For activities that are not exempt or Allowed Uses, impacts to the 50-foot Class II wetland buffers are subject to DEC jurisdiction under the VWR.

Soil Erosion

The Soil Erosion criterion requires that a project must not cause unreasonable soil erosion or significant drainage or runoff problems. Determination of compliance with this criterion involves two components: (1) preventing soil erosion, and (2) preventing a reduction in the land's capacity to hold water.

The NRCS classifies each soil series in terms of its potential erodibility ("K-factors"). According to the NRCS-mapped K-factors, there are soil series within the Study Area which the Vermont Standards and Specifications for Erosion Prevention and Sediment Control (ANR 2020b) considers to have "low," "medium," and "high" erodibility ranking (Low, $K \leq 0.17$; Medium, $0.17 < K < 0.36$; High, $K \geq 0.36$). Erosion risk is assessed by combining the soil erodibility ranking with slope (ANR 2020c).

The NRCS-mapped soils within the Study Area have K-factor erosion values ranging from 0.24 to 0.49 across the Study Area with the highest K-factor (*e.g.*, highest erodibility) soils located in the western portion of the site, near the mapped stream channels (see **Attachment 1**).

As a preliminary conservative estimate, the Project could exceed one acre of soil disturbance and therefore require a construction stormwater discharge permit from the DEC Stormwater Program, either a General Permit 3-9020 or Individual Permit ("INDC"), depending on the amount of area disturbed and duration of disturbance. In addition to a construction stormwater permit, demonstration of Project design measures to minimize soil erosion and reduce the potential for sediment-laden runoff to reach receiving waters are anticipated to be necessary to satisfy the Commission and ANR's review of the Soil Erosion criterion.

Rare and Irreplaceable Natural Areas, Necessary Wildlife Habitat, and Endangered Species

Under Act 250, a project must be shown to have no undue adverse effect on Rare and Irreplaceable Natural Areas ("RINA"). Additionally, a project must not destroy or significantly endanger Necessary Wildlife Habitat ("NWH") or any Endangered Species.

RINA

To identify potential occurrences of known significant natural communities, VHB queried the Vermont Natural Heritage Inventory ("NHI") database for the presence of known Element Occurrences ("EOs") of significant natural community types within and adjacent to the Study Area. This search determined that there are no such features previously mapped within the Study Area.

Necessary Wildlife Habitat

Necessary Wildlife Habitat ("NWH") is most often defined as deer wintering habitat ("DWH"), black bear forage habitat (beech/oak mast or wetlands), black bear travel corridors, or in some cases moose overwintering areas. VHB reviewed habitat mapping available from ANR to determine if the Study Area is situated within or adjacent to mapped NWH. There is no mapped NWH within the Study Area.

Endangered Species

VHB queried the NHI database for the presence of known EOs of rare, threatened, and endangered ("RTE") and uncommon plant and animal species within and adjacent to the Study Area, to identify the potential occurrence of rare or sensitive species, particularly those that are state or federally-listed threatened or endangered, and to assess available onsite habitat condition relative to each. This search determined that there are no RTE or uncommon plant or animal species previously mapped within the Study Area and no state or federally-listed threatened or endangered species have been previously mapped within one mile of the Study Area.

VHB also queried the U.S. Fish and Wildlife Service's ("USFWS") online Information, Planning, and Conservation System ("IPaC") database for information regarding federally listed species in the Project region, and the Study Areas fall within the potential range of the federally and state-protected northern long-eared bat (*Myotis septentrionalis*, or "MYSE"), a forest-dwelling bat (see IPaC official species list as **Attachment 4**). From the NHI database review, there are no known MYSE occurrences within a one-mile radius of the Study Area. The IPaC database review also identified the Study Area within the range of the Monarch Butterfly (*Danaus plexippus*), a candidate species not yet listed or proposed for listing.

To corroborate the findings of the database query, a VHB Botanist conducted a general (*i.e.*, not exhaustive) plant inventory on August 2, 2023. This plant inventory followed ANR's Guidance for Conducting Rare, Threatened, and Endangered Plant Inventories in Connection with Section 248 Projects (ANR 2016a). All plant species identified in the inventory were checked against the current Rare and Uncommon Native Vascular Plants of Vermont list (ANR 2022a), as well as the Endangered and Threatened Plants of Vermont (ANR 2022b), to determine their rarity rank and any potential protections under endangered species law. No RTE species were observed during the survey. VHB did observe potential bat roost trees suitable for summer use by tree roosting bats within lot 80, clearing of which may be subject to time of year restrictions.

Primary Agricultural Soils

Under 10 V.S.A. § 6001(15), a primary agricultural soil is defined as:

A. An important farmland soils map unit that the Natural Resources Conservation Service of the U.S. Department of Agriculture ("NRCS") has identified and determined to have a rating of prime, statewide, or local importance, unless the Commission determines that the soils within the unit have lost their agricultural potential. In determining that soils within an important farmland soils map unit have lost their agricultural potential, the Commission shall consider:

   i. impacts to the soils relevant to the agricultural potential of the soil from previously constructed improvements;

   ii. the presence on the soils of a Class I or Class II wetland under chapter 37 of this title;

iii. the existence of topographic or physical barriers that reduce the accessibility of the rated soils so as to cause their isolation and that cannot reasonably be overcome; and

iv. other factors relevant to the agricultural potential of the soils, on a site-specific basis, as found by the Commission after considering the recommendation, if any, of the Secretary of Agriculture, Food and Markets.

B. Soils on the project tract that the District Commission finds to be of agricultural importance, due to their present or recent use for agricultural activities and that have not been identified by the NRCS as important farmland soil map units.

VHB's review is limited to examination of NRCS soil map unit designations. As shown on the Natural Resources Map (**Attachment 1**), all but 0.3 ac of the Study Area is mapped as either Prime farmland or soils of Statewide importance. If, based on a consideration of points A. i. through iv. above, that primary agricultural soils are confirmed to be present in the proposed Project area, an Act 250 permit would be granted if the Project would not result in any reduction in the agricultural potential of primary agricultural soils. Impacts to primary agricultural soils may require a finding of appropriate circumstances by the District Commission and, depending on the conceptual plan for the Project, payment of an offsite mitigation fee or some combination of onsite and offsite mitigation.

Conclusion

Based on the results of VHB's field and database assessments, there are natural resources present that will need to be considered during detailed Project planning and design and for which state and/or federal permits would be required for unavoidable impacts. These resources include:

- streams (including riparian buffers);
- wetlands;
- erodible soils; and
- primary agricultural soils.

Given the scope of the Project, VHB recommends proactive outreach to state and federal regulatory agencies to discuss potential impacts and mitigation scenarios. VHB notes that the western half of lot 80 contains the highest density of state and federally regulated natural resources, including Class II wetlands and buffers, riparian buffers, and the floodplain of Indian Brook.

Attachments

1. Natural Resources Map
2. Representative Site Photographs
3. Summary of Onsite Waters and Wetlands
4. USFWS IPaC Official Species List

Resources and References

Agency of Natural Resources (ANR). 2023. Vermont Wetland Rules. Adopted February 7, 1990. Amendments adopted January 23, 2023, effective February 10, 2023.

____. 2022a. *Rare and Uncommon Native Vascular Plants of Vermont.* Fish and Wildlife Department. Effective May 4, 2022

____. 2022b. *Endangered and Threatened Plants of Vermont.* Natural Heritage Inventory, Fish and Wildlife Department. Effective February 10, 2022.

____. 2021 *Guidance for the review and Mitigation of Impacts to Grassland Bird Habitat in Connection with Regulated Projects in Vermont.* Effective October 26, 2021.

____. 2020b. The Low-Risk Site Handbook for Erosion Prevention and Sediment Control. Department of Environmental Conservation. Effective February 2020

____. 2020c. The Vermont Standards and Specifications for Erosion Prevention and Sediment Control. Department of Environmental Conservation. Effective 2020.

____. 2017a. *Flood Hazard Area and River Corridor Protection Procedure.* Environmental Protection Rule Chapter 29. Department of Environmental Conservation. Effective September 7, 2017.

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____. 2005. *Guidance for Agency Act 250 and Section 248 Comments Regarding Riparian Buffers.* Effective December 9, 2005.

____. 1999. *Guidelines for the Review & Mitigation of Impacts to White-Tailed Deer Winter Habitat in Vermont, 1999.* Fish and Wildlife Department. Effective January 26, 2000.

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Thompson, E.H., Sorenson, E.R., and R.J. Zaino. 2019. *Wetland, Woodland, Wildland: A Guide to the Natural Communities of Vermont. Second Edition.* Published by Vermont Fish and Wildlife Department, The Nature Conservancy, and Vermont Land Trust. Distributed by Chesea Green Publishing.

US Army Corps of Engineers (USACE). 2012. *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeastern Region (Version 2.0), Final Report.*

____. 2005. *Regulatory Guidance Letter: Ordinary High Water Mark Identification*. No. 05-05.

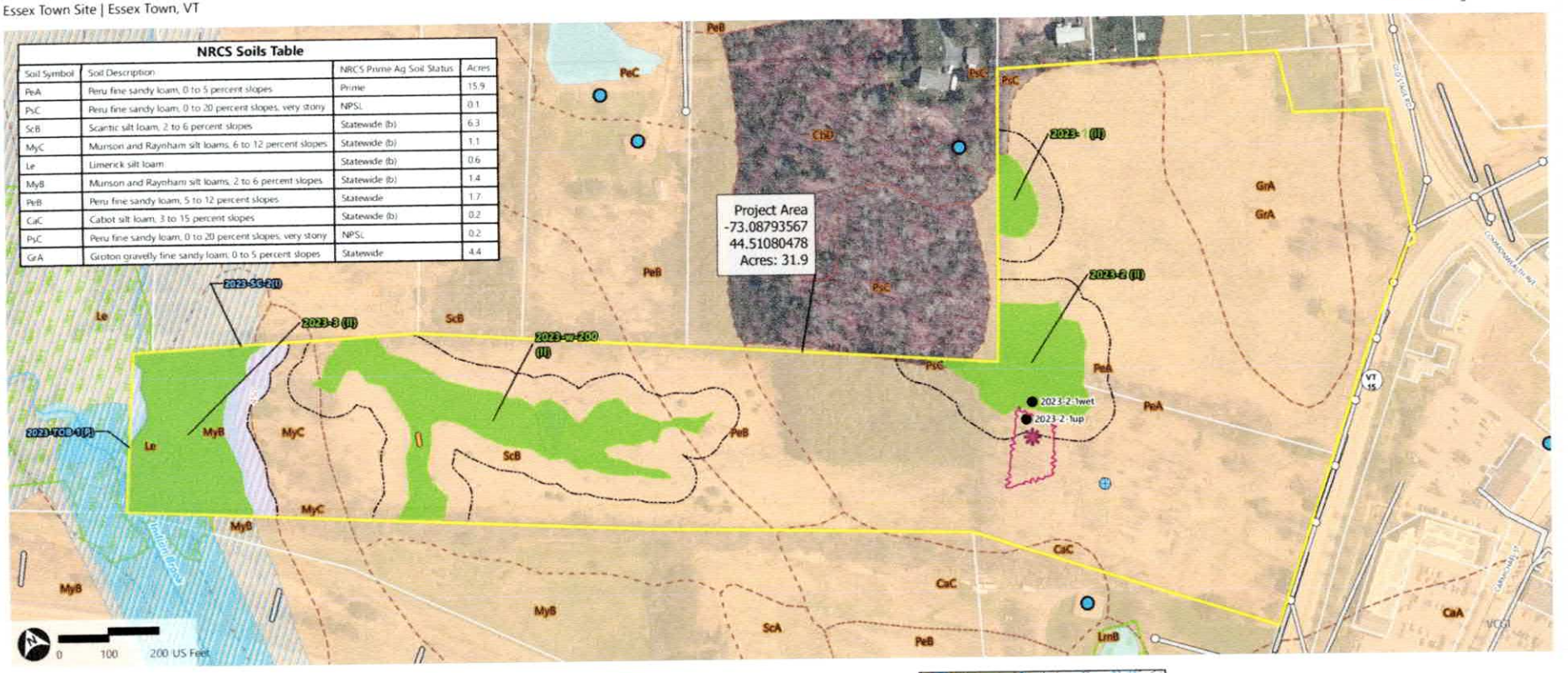
ATTACHMENT 1

Natural Resources Map

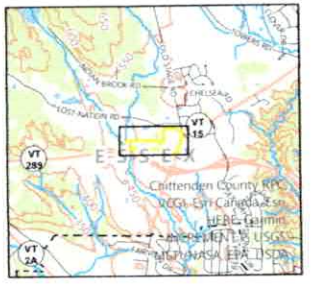
Essex Town Site | Essex Town, VT

DRAFT | August 31, 2023

NRCS Soils Table			
Soil Symbol	Soil Description	NRCS Prime Ag Soil Status	Acres
PeA	Peru fine sandy loam, 0 to 5 percent slopes	Prime	15.9
PsC	Peru fine sandy loam, 0 to 20 percent slopes, very stony	NPSL	0.1
ScB	Scantic silt loam, 2 to 6 percent slopes	Statewide (b)	6.3
MyC	Munson and Raynham silt loams, 6 to 12 percent slopes	Statewide (b)	1.1
Le	Limerick silt loam	Statewide (b)	0.6
MyB	Munson and Raynham silt loams, 2 to 6 percent slopes	Statewide (b)	1.4
PeB	Peru fine sandy loam, 5 to 12 percent slopes	Statewide	1.7
CaC	Cabot silt loam, 3 to 15 percent slopes	Statewide (b)	0.2
PsC	Peru fine sandy loam, 0 to 20 percent slopes, very stony	NPSL	0.2
GrA	Groton gravelly fine sandy loam, 0 to 5 percent slopes	Statewide	4.4



- Project Area
- Delineated Wetland (VHB) (4)
- Presumed Class II Wetland Buffer (VHB)
- Delineated Waters (VHB) (2)
- Riparian Buffer (VHB)
- River Corridor (VHB)
- Potential Roost Trees (VHB) (1)
- Potential Roost Tree (VHB) (1)
- Water Supply (VHB) (1)
- Existing Utility Pole - GMP/VEC (VCGI)
- Delineation Data Point (VHB) (2)
- Culvert (VHB)
- Culvert (VHB)
- Parcel Boundary (VCGI) (55)
- Stream (ANR) (6)
- Waterbody (ANR) (4)
- VSWI (ANR) (3)
- Surface Water SPA (ANR) (0)
- Ground Water SPA (ANR) (0)
- Public Water Source (ANR) (0)
- Private Well (ANR) (5)
- River Corridor (ANR)
- 100 Year Flood Zone (FEMA) (1)
- Bear Feeding (FWD) (0)
- Bear Crossing (FWD) (0)
- AE/VCE Confirmed Vernal Pools (0)
- VT Rare, Threatened and Endangered Species (VCGI) (0)
- VT Uncommon Species (VCGI) (0)
- NRCS Prime Agricultural Soils (VCGI)
- NRCS Soil Boundary (VCGI)
- Town Boundary (VCGI)
- State Highway
- Town Road
- 50 ft Contour (VCGI)
- Culverts (VTrans)



(#) Count of feature visible within map extent

ATTACHMENT 2

Essex Town Site Assessment

Photographs: 6/16, 7/3 2023

PROJECT NUMBER

58982.00

80 Upper Main Street,
Essex, VT 05452

Town of Essex
81 Main Street
Essex Junction, VT 05452

NO. 1 / 6.16.2023

DESCRIPTION

Palustrine Emergent ("PEM") wetland 2023-1 in the northeast portion of the Study Area.

NO. 2 / 6.16.2023

DESCRIPTION

PEM wetland 2023-2 in the northeast portion of the Study Area.

NO. 3 / 7.03.2023

DESCRIPTION

Palustrine Scrub Shrub ("PSS") wetland 2023-3 in the northwest portion of the Study Area.

NO. 4 / 7.03.2023

DESCRIPTION

PEM wetland 2023-200 in the northwest portion of the Study Area.

NO. 5 / 7.03.2023

DESCRIPTION

Perennial Stream 2023-TOB-1, located in the northwest portion of the Study Area.

NO. 6 / 7.03.2023

DESCRIPTION

Intermittent Stream 2023-TOB-1, located in the northwest portion of the Study Area.

NO. 4 / 6.16.2023

DESCRIPTION

A representative photo of the upland in the southeast portion of the Study Area.

ATTACHMENT 3

Summary of Delineated Wetlands
Project: Essex Town Site Assessment
Client: Town of Essex
Location: 80 Upper Main St, Essex Junction VT
Prepared By: VHB (B. Galligan)
Delineation Date(s): 6/16, 7/3, 8/2 2023

VHB Delineated Wetlands												
Wetland ID	Delineated Area (Square Feet)[1]	Cowardin Classification[2]	Hydrology Indicator	Hydric Soil Indicator	Vermont Wetland Rules Classification						Typical Vegetation	Comments
					Contiguous to a VSWI-mapped Wetland?	Riparian Wetland Contiguous to Stream Channel? (Flow Regime)[3]	VWR Section 4.6 Presumptions[4]	VWR Section 5 Functional Criteria Presence / Significance		VHB-Proposed VWR Classification[6]		
								Type[5]	VHB-Proposed Significant?			
2023-1	**10,400**	PEM	Saturation_Visible_on_Aerial_(C9) Geomorphic_Position_(D2)	Depleted_Matrix (F3)	No	No	4.6a	5.1(L), 5.2(P)	Yes	II	*Juncus_effusus* *Onoclea_sensibilis*	A depression on the edge of a field that receives runoff, appears to connect to a larger feature outside the Study Area.
2023-2	**42,650**	PEM/PFO	Saturation_Visible_on_Aerial_(C9) Geomorphic_Position_(D2)	Depleted_Matrix (F3)	No	No	4.6a	5.1(P), 5.2(P)	Yes	II	*Juncus_effusus* *Onoclea_sensibilis*	
2023-3	**68,100**	PEM/PSS	Surface_Water_(A1) Saturation_(A3) Saturation_Visible_on_Aerial_(C9) Geomorphic_Position_(D2) Drainage_Patterns_(B10)	Depleted_Matrix (F3)	Yes	Yes	4.6a, b	5.1(P), 5.2(P), 5.10(P)	Yes	II	*Alnus_incana* *Impatiens_capensis* *Juncus_effusus*	A large wetland feature associated with Indian Brook and smaller streams.
2023-200	**77,500**	PEM/PSS	Surface_Water_(A1) Saturation_(A3) Saturation_Visible_on_Aerial_(C9) Geomorphic_Position_(D2)	Depleted_Matrix (F3)	Yes	No	4.6a	5.1(P), 5.2(P)	Yes	II	*Spiraea_alba* *Onoclea_sensibilis*	A wetland depression in an old field associated with runoff and a farm pond.

[1]All wetlands field delineated per the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northeast and North Central Region, U.S. Army Corps of Engineers. 2011; Delineated Wetlands that extend outside the Study Area are denoted with **bold** text.

[2]Classification follows Cowardin, L.M., Carter, V., Golet, F.C. and E.T. LaRoe. 1979. Classification of Wetlands and Deepwater Habitat of the United States. U.S. Fish and Wildlife Service. FWS/OBD-79/31. 103pp.

[3]Wetland contiguity to streams as defined in the Vermont ANR (2005) *Guidance for Agency Act 250 and Section 248 Comments Regarding Riparian Buffers* and confirmed if a delineated perennial or intermittent stream channel inflows, through flows, and outflows from a delineated wetland (ephemeral channels not typically being subject to ANR Riparian Buffer Guidance). The vegetative assemblage or natural community type is used when determining riparian vegetation function. Flow regime determined based on qualitative observations of instream hydrology indicators and geomorphic characteristic and are subject to professional judgment (P=perennial, I=intermittent, E=ephemeral).

[4]Alpha-numeric codes correspond with Section 4.6 Presumptions of the 2023 Vermont Wetland Rules.

[5]VWR Section 5: Functional Criteria for Evaluating a Wetland's Significance: 5.1=Water Storage for Flood Water and Storm Runoff, 5.2=Surface and Groundwater Protection, 5.3=Fish Habitat, 5.4=Wildlife Habitat, 5.5=Exemplary Wetland Natural Community, 5.6=Rare, Threatened or Endangered Species Habitat, 5.7=Education and Research in Natural Sciences, 5.8=Recreational Value and Economic Benefits, 5.9=Open Space and Aesthetics, 5.10=Erosion Control Through Binding and Stabilizing the Soil. (P)= Present, (H)=High, (L)=Low. Correspond to observed level of functionality.

[6]VHB-Proposed VWR Classification is based on review and application of the VWR, particularly VHB's interpretation of Section 4.6 Presumptions and is subject to final determinations by the ANR-DEC.

Summary of Delineated Streams
Project: Essex Town Site Assessment
Client: Town of Essex
Location: 80 Upper Main St, Essex Junction VT
Prepared By: VHB (B. Galligan)
Delineation Date(s): 6/16, 7/3, 8/2 2023

VHB Delineated Streams													
Stream ID	**Stream Name**	**Associated Wetlands**	**Average Ordinary High Water (OHW) Width (Feet)[1]**	**Dominant Substrate**	**Water Depth (Inches)**	**Bank Height (Feet)**	**Flow Regime (Ephemeral, Intermittent, or Perennial)[2]**	**Watershed Size (Square Miles) [3]**	**VWQS Classification (2022)[4]**	**ANR-Mapped Stream/River (Yes/No)**	**ANR-Mapped River Corridor? (Yes/No)[5]**	**VHB-Proposed Riparian Buffer ? (Yes/No)[6]**	**Comments**
2023-TOB-1	-	2023-3	4.00	Clay	24.00	1.50	Perennial	1.15	B	Yes	No	Yes	A tributary to Indian Brook.
2023-SC-2	-	2023-3	1.00	Silt	1.00	0.25	Intermittent	<0.05	B	No	No	Yes	A small stream that may originate from an agricultural ditch, naturalized within the Study Area then dissipates into the wetland.

[1] U.S. Army Corps of Engineers. 2005. *Regulatory Guidance Letter. Subject: Ordinary High Water Mark Identification. No. 05-05.*

[2] Stream flow regime determined based on qualitative observations of in stream hydrology indicators and geomorphic characteristic and are subject to professional judgment.

[3] Watershed size determined from Vermont Agency of Natural Resources ("ANR") Stream Alteration Regulatory Program mapping or USGS Stream Stats.

[4] From ANR. 2022. *Vermont Water Quality Standards. 303(d) Assessment of the Condition of Vermont Waters. Priority Listing of Vermont Waters. Vermont Department of Environmental Conservation.*

[5] List of River Corridors from the ANR Atlas.

[6] Determined through guidance from Vermont ANR (2005) *Guidance for Agency Act 250 and Section 248 Comments Regarding Riparian Buffers.*

ATTACHMENT 4

United States Department of the Interior

FISH AND WILDLIFE SERVICE
New England Ecological Services Field Office
70 Commercial Street, Suite 300
Concord, NH 03301-5094
Phone: (603) 223-2541 Fax: (603) 223-0104

In Reply Refer To:
Project Code: 2023-0124949
Project Name: Essex Town Site Natural Resources Evaluation

September 01, 2023

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

Updated 4/12/2023 - Please review this letter each time you request an Official Species List, we will continue to update it with additional information and links to websites may change.

About Official Species Lists

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Federal and non-Federal project proponents have responsibilities under the Act to consider effects on listed species.

The enclosed species list identifies threatened, endangered, proposed, and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 et seq.).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested by returning to an existing project's page in IPaC.

Endangered Species Act Project Review

Please visit the "**New England Field Office Endangered Species Project Review and Consultation**" website for step-by-step instructions on how to consider effects on listed

species and prepare and submit a project review package if necessary:

https://www.fws.gov/office/new-england-ecological-services/endangered-species-project-review

NOTE Please do not use the **Consultation Package Builder** tool in IPaC except in specific situations following coordination with our office. Please follow the project review guidance on our website instead and reference your **Project Code** in all correspondence.

Northern Long-eared Bat - (**Updated 4/12/2023**) The Service published a final rule to reclassify the northern long-eared bat (NLEB) as endangered on November 30, 2022. The final rule went into effect on March 31, 2023. You may utilize the **Northern Long-eared Bat Rangewide Determination Key** available in IPaC. More information about this Determination Key and the Interim Consultation Framework are available on the northern long-eared bat species page:

https://www.fws.gov/species/northern-long-eared-bat-myotis-septentrionalis

For projects that previously utilized the 4(d) Determination Key, the change in the species' status may trigger the need to re-initiate consultation for any actions that are not completed and for which the Federal action agency retains discretion once the new listing determination becomes effective. If your project was not completed by March 31, 2023, and may result in incidental take of NLEB, please reach out to our office at newengland@fws.gov to see if reinitiation is necessary.

Additional Info About Section 7 of the Act
Under section 7(a)(2) of the Act and its implementing regulations (50 CFR 402 et seq.), Federal agencies are required to determine whether projects may affect threatened and endangered species and/or designated critical habitat. If a Federal agency, or its non-Federal representative, determines that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Federal agency also may need to consider proposed species and proposed critical habitat in the consultation. 50 CFR 402.14(c)(1) specifies the information required for consultation under the Act regardless of the format of the evaluation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

https://www.fws.gov/service/section-7-consultations

In addition to consultation requirements under Section 7(a)(2) of the ESA, please note that under sections 7(a)(1) of the Act and its implementing regulations (50 CFR 402 et seq.), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species. Please contact NEFO if you would like more information.

Candidate species that appear on the enclosed species list have no current protections under the ESA. The species' occurrence on an official species list does not convey a requirement to

consider impacts to this species as you would a proposed, threatened, or endangered species. The ESA does not provide for interagency consultations on candidate species under section 7, however, the Service recommends that all project proponents incorporate measures into projects to benefit candidate species and their habitats wherever possible.

Migratory Birds

In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see:

https://www.fws.gov/program/migratory-bird-permit

https://www.fws.gov/library/collections/bald-and-golden-eagle-management

Please feel free to contact us at **newengland@fws.gov** with your **Project Code** in the subject line if you need more information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat.

Attachment(s): Official Species List

Attachment(s):

- Official Species List

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

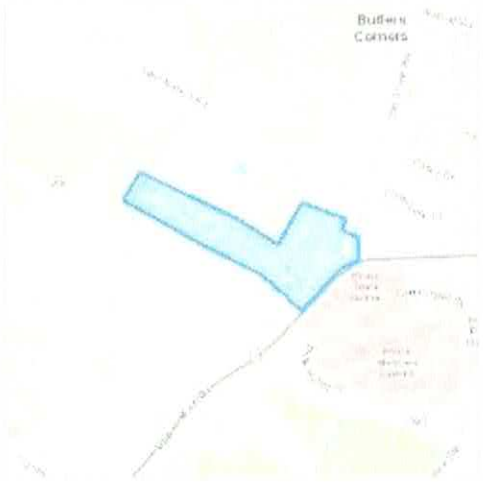
This species list is provided by:

New England Ecological Services Field Office
70 Commercial Street, Suite 300
Concord, NH 03301-5094
(603) 223-2541

PROJECT SUMMARY

Project Code: 2023-0124949
Project Name: Essex Town Site Natural Resources Evaluation
Project Type: Acquisition of Lands
Project Description: Natural Resources Screening for Potential Development
Project Location:

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@44.5108028,-73.08540400042921,14z



Counties: Chittenden County, Vermont

ENDANGERED SPECIES ACT SPECIES

There is a total of 2 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Northern Long-eared Bat *Myotis septentrionalis* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Endangered

INSECTS

NAME	STATUS
Monarch Butterfly *Danaus plexippus* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

IPAC USER CONTACT INFORMATION

Agency: Essex town
Name: Brad Ketterling
Address: 40 IDX Drive, Bldg 100, Suite 200
City: S. Burlington
State: VT
Zip: 05403
Email bketterling@vhb.com
Phone: 8024976153

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Essex town

(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 propertied 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

USES	ZONING DISTRICTS															
	AR	R1	R2	R3	RB	CTR	B1	I1	MXD	MXD-C	MXD-PUD	RPD-I 40%	HP-DC	O1	C1	C2
ACCESSORY STRUCTURE/USE	P	P	P	P	P	P	P	P	P	P	P(4)	P	P	P	P	(1)
AGRICULTURE	P(1, 2)	P(1, 2)	P(1, 2)	P(1, 2)	P(1, 2)	P(1, 2)	P(1, 2)	P(1, 2)	P(1, 2)	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							
AUTOMOTIVE REPAIR SHOP							C(1)	P	C		C(4)					
BANK						P	P		P	P(1)	P(4)					
BANK (Drive-through/>10,000 SF)										C(1)						
BARN STORAGE	C(1)	C(1)												C(1)	C(1)	C(1)
BED & BREAKFAST	C	C	C	C	C	C			C	P					C	
CAMP	C														P	
CAR WASH							C		C							
CARETAKER APARTMENT							P(1)	P(1)	P(1)	P(1)						
CEMETERY	C	C	P												P	
CHURCH		C(1)	C(1)			C(1)	C(1)		C(1)	C(1)						
CONGREGATE HOUSING	C(1)		C(1)	C(1)	C(1)	C(1)	P(1)		C(1)	C(1)	C(3)		C(1)			
CONTRACTOR'S YARD								P								
CONVENIENCE STORE (EXISTING)			C(1)					C								
CONVENIENCE STORE						C	P		P	C						
CULTURAL FACILITIES	P	P			P	P			P	C			P	P	P	P(1)
DAY CARE FACILITY ADULT					C(1)	C(1)	C(1)		C(1)	P(1)	C(4)	P	C(1)			
DAY CARE FACILITY CHILD OR ADULT	C(1)	C(1)	C(1)	C(1)	C(1)	C(1)	C(1)	C(1)	C(1)	P(1)	C(4)	P	C(1)			
DAY CARE HOME	P(1)	P(1)	P(1)	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)	C(1)
DWELLING/SINGLE-FAMILY	P	P	P	P	P	P					P(3)		P		P	
DWELLING/TWO-FAMILY	P	P	P	P	P	P			C	P	P(3)		P			
DWELLING/TWO-FAMILY (PUD ONLY)									P							
DWELLING/MULTI-FAMILY		C	C	P	C	C(1)	P(1)		C	P	C(3)		P			
DWELLING/MULTI-FAMILY (PUD ONLY)	P	P	P						P		P(3)				P	
EQUIPMENT SALES, RENTAL AND SALES							C(1)	P	P		C(4)	P				
ESSENTIAL SERVICES	P	P	P	P	P	P	P	P	P	P	P(4)		P	P	P	P
EXTRACTION OF EARTH RESOURCES	C(1)	C(1)						C(1)								
FARM PRODUCE STAND	P(1)	P(1)	P(1)						P(1)					P(1)	P(1)	
FARM PRODUCE MARKET	C(1)															P(1)
FIREWOOD PROCESSING AND SALES	C	C						C							C	
FORESTRY OPERATION	P(2)	P(2)	P(2)	P(2)	P(2)	P(2)	P(2)	P(2)	P(2)	P(2)	P(2)	P(1)(2)	P(2)	P(2)	P(2)	P(2)
FUNERAL HOME (EXISTING)			C													
FUNERAL HOME						C	P		P	P	P(4)					
GARDEN CENTER	P				P	P	P		P	P	P(4)					
GROUP HOME	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)					P(3)				P(1)	P(1)
HOME BUSINESS	C(1)	C(1)	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)			P(1)	P(1)			P(1)		P(1)	P(1)
HOTEL, MOTEL							C		C		C(4)					
JUNKYARD								C(1)								
KENNEL	C														C	
LIGHT MANUFACTURING							C(1)	P(1)	(C)(1)		C(4)	P				

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

TABLE 2.1 SUMMARY USE CHART, continued

USES	ZONING DISTRICTS															
	AR	R1	R2	R3	RB	CTR	B1	I1	MXD	MXD-C	MXD-PUD	RPD-I 40%	HP-DC	O1	C1	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)					
MASSAGE THERAPY					C	C	C		C	C	C	C				
MEDICAL CLINIC							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		P(4)	P				
OFFICE (Max: 2,000 SF)					P(1)	P(1)										
OFFICE/MAJOR (Min: 15,000 SF gross leasable area)							P	P	P		P(4)	P				
OFFICE (Max: 10,000 SF)										P(1)						
OFFICE (Over 2,000 SF)					C(1)											
OFFICE (Over 10,000 SF)										C(1)						
PARKING FACILITY						C	P	P	C	C	P(4)		C			C
PERSONAL SERVICES					P1/C1	P1	P		P	P1/C1	P(4)	P				
PRIVATE CLUB						C	C		C	C	C(4)		C			
PUBLIC FACILITIES	C(1)	C(1)	C(1)	C(1)	C(1)	C(1)	C(1)	C(1)	C(1)	C(1)	C(4)		C(1)	C(1)	C(1)	C(1)
RECREATION/INDOOR							P	C	P	C	P(4)	P				
RECREATION/PRIVATE OUTDOOR	C						C		C		C(4)	P	C		C	C(1)
RECREATION/PUBLIC OUTDOOR	P	P	P	P	P	P	P	P	P	P		P	C	P		P(1)
RECYCLING ESTABLISHMENT								P								
RESEARCH AND TESTING LABORATORY							C	P	C	C	C(4)	P				
RESTAURANT						C	P		P		P(4)					
RESTAURANT (Max: 8,000 SF)										P						
RESTAURANT (Over 8,000 SF)										C(1)						
RETAIL							P		P		P(4)	P				
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)			P				
SELF SERVICE MACHINE					P	P	P		P	P	P(4)		P			
SMALL PRODUCTION AND SALES					C	P(1)	P	P	P	P(1)	P(4)	P	P			
STORAGE, WAREHOUSE AND DISTRIBUTION							C(1)	P			C(4)	P				
TRUCKING TERMINAL							C(1)	P			C(4)					
VETERINARY CLINIC	C				C	C	C		C	C	C(4)					
WASTE DISPOSAL FACILITY	C(1)															
WHOLESALE ESTABLISHMENT							C(1)	P	C		C(4)	P				

(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 2.2 SUMMARY DIMENSIONAL CHART

	ZONING DISTRICTS								
DIMENSIONAL REQUIREMENTS	AR	R-1	R2	R3	RB	CTR	B1		I1
MINIMUM LOT AREA							EXIST DU	NON-RES	
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	40,000 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	60,000 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	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	150 ft	200 ft
Off-Site Water or Sewer	200 ft	150 ft	100 ft	100 ft	100 ft	75 ft	150 ft	150 ft	200 ft
On-Site Water and Sewer	200 ft	150 ft	200 ft	100 ft	100 ft	75 ft	150 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	50 ft
Off-Site Water or Sewer	50 ft	45 ft	40 ft	25 ft	25 ft	30 ft	50 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	50 ft
MAXIMUM SETBACK/FRONT	NA	NA	NA	35 ft	35 ft	40 ft	NA	NA	NA
MINIMUM SETBACK/SIDE									
Off-Site Water and Sewer	20 ft	20 ft	15 ft	10 ft	10 ft	10 ft	None	None	25 ft
Off-Site Water or Sewer	20 ft	20 ft	15 ft	10 ft	10 ft	10 ft	None	None	25 ft
On-Site Water and Sewer	20 ft	20 ft	15 ft	10 ft	10 ft	10 ft	None	None	25 ft
MINIMUM SETBACK/REAR									
Off-Site Water and Sewer	25 ft	25 ft	20 ft	15 ft	15 ft	15 ft	None	None	25 ft
Off-Site Water or Sewer	25ft	25 ft	25 ft	15 ft	15 ft	15 ft	None	None	25 ft
On-Site Water and Sewer	25 ft	25 ft	25 ft	15 ft	15 ft	15 ft	None	None	25 ft
MINIMUM BUFFER/ADJACENT RESIDENTIAL DISTRICTS	NA	NA	NA	NA	30 ft	NA	30 ft	30 ft	50 ft
MINIMUM BUFFER/SURFACE WATERS	Varies (a)	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	None
MAXIMUM LOT COVERAGE-NON RESIDENTIAL	70%	70%	70%	70%	70%	70%	70%	70%	70%
MAXIMUM LOT COVERAGE-RESIDENTIAL-MULTI FAMILY	NA	40%	40%	40%	40%	40%	70%	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)	40 ft (b)	45 ft (b)
PUD REQUIREMENTS									
MINIMUM LOT FRONTAGE	100 ft	100 ft	75 ft	75 ft	NA	NA	NA	(f)	200 ft
MINIMUM FRONT SETBACK	20 ft (c)	20 ft (c)	20 ft (c)	20 ft (c)	NA	NA	NA	(f)	25 ft
MINIMUM SIDE SETBACK/SINGLE-FAMILY	10 ft	20 ft	10 ft (d)	10 ft (d)	NA	NA	NA	(f)	NA
MINIMUM SIDE SETBACK/MULIT-FAMILY	30 ft	30 ft	30 ft	30 ft	NA	NA	NA	(f)	NA
MINIMUM SIDE SETBACK/NON-RESIDENTIAL	NA	NA	NA	NA	NA	NA	NA	(f)	25 ft (g)
MINIMUM REAR SETBACK	25 ft	25 ft	15 ft	15 ft	NA	NA	NA	(f)	25 ft (g)
MAXIMUM LOT COVERAGE	(e)	(e)	(e)	(e)	NA	NA	NA	(e)	(e)

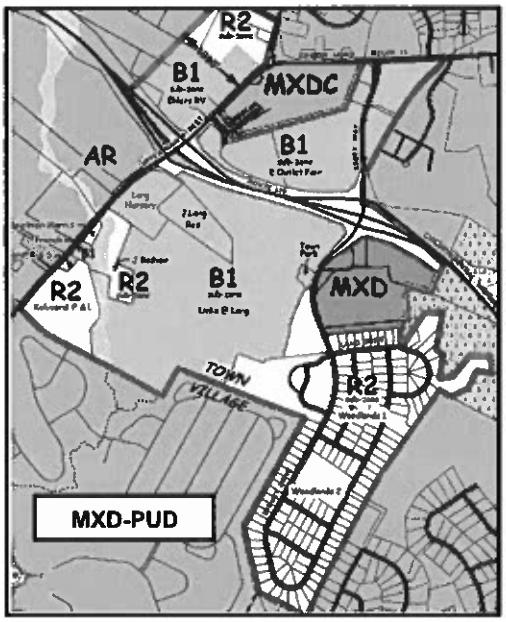
(a) See Section 3.11
(b) See Section 3.6
(c) With Creative Design - See Article VI
(d) For single family dwelling may be reduced to zero feet on one side
(e) See Section 6.0
(f) PUD-Cs may be allowed in B-1 district in accordance with Section 6.6. PUDs must meet buffer requirements of Table 2.7 and Section 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(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 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**
MINIMUM LOT AREA	**RES**	**NON- RES**		**R2**	**B1**	**MXD**				
Off-Site Water and Sewer	20,000 sq ft	30,000 sq ft	7,000 sq ft	20,000 sq ft	30,000 sq ft	(g)	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	30,000 sq ft	40,000 sq ft	(g)	NA	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	(g)	NA	40,000 sq ft	10 Acres	10 Acres
MINIMUM LOT FRONTAGE										
Off-Site Water and Sewer	100 ft	150 ft	50 ft	100 ft	150 ft	(g)	200 ft	None	200 ft	200 ft
Off-Site Water or Sewer	100 ft	150 ft	50 ft	100 ft	150 ft	(g)	NA	None	200 ft	200 ft
On-Site Water and Sewer	200 ft	150 ft	50 ft	200 ft	150 ft	(g)	NA	None	200 ft	200 ft
MINIMUM SETBACK/FRONT										
Off-Site Water and Sewer	40 ft	50 ft	(m)	40 ft (l)	50 ft (l)	(g)	50 ft	None	50 ft	50 ft
Off-Site Water or Sewer	40 ft	50 ft	(m)	40 ft (l)	50 ft (l)	(g)	NA	None	50 ft	50 ft
On-Site Water and Sewer	40 ft	50 ft	(m)	40 ft (l)	50 ft (l)	(g)	NA	None	50 ft	50 ft
MAXIMUM SETBACK/FRONT	NA	NA	(m)	NA	NA	NA	NA	NA	NA	NA
MINIMUM SETBACK/SIDE										
Off-Site Water and Sewer	15 ft	None	None	15 ft	None	(g)	25 ft	None	25 ft	25 ft
Off-Site Water or Sewer	15 ft	None	None	15 ft	None	(g)	NA	None	25 ft	25 ft
On-Site Water and Sewer	15 ft	None	None	15 ft	None	(g)	NA	None	25 ft	25 ft
MINIMUM SETBACK/REAR										
Off-Site Water and Sewer	20 ft	None	None	20 ft	None	(g)	25 ft	None	25 ft	25 ft
Off-Site Water or Sewer	25 ft	None	None	25 ft	None	(g)	NA	None	25 ft	25 ft
On-Site Water and Sewer	25 ft	None	None	25 ft	None	(g)	NA	None	25 ft	25 ft
MINIMUM BUFFER/ADJACENT RESIDENTIAL DISTRICTS	NA	30 ft	NA	NA	30 ft		200 ft	NA	NA	NA
MINIMUM BUFFER/SURFACE WATERS	Varies (a)	Varies (a)	Varies (a)	Varies (a)	Varies (a)	Varies (a)	Varies (a)	Varies (a)	Varies (a)	Varies (a)
MINIMUM BUFFERS/ADJACENT STREETS	None	None	None	NA	NA	NA	(j)	NA	NA	NA
MAXIMUM LOT COVERAGE-NON RESIDENTIAL	70%	70%	70%	70%	70%	70%	60% (i)	70%	70%	70%
MAXIMUM LOT COVERAGE-RESIDENTIAL-MULTI FAMILY	70%	70%	70%	NA	70%	(g)	NA	40%	NA	NA
MAXIMUM HEIGHT	40 ft (b)	40 ft (b)	40 ft (b, g)	40 ft (b)	40 ft (b)	40ft (b)	45 ft (b)	40 ft (b)	40 ft (b)	40 ft (b, g)
PUD REQUIREMENTS										
MINIMUM LOT FRONTAGE	75 ft	(k)	(k)	75	(f)	(g)	NA	(e, g)	NA	NA
MINIMUM FRONT SETBACK	20 ft (c)	(k)	(k)	20 ft (c)	(f)	(g)	NA	(e, g)	NA	NA
MINIMUM SIDE SETBACK/SINGLE-FAMILY	10 ft (d)	(k)	(k)	10 ft (d)	(f)	NA	NA	(e, g)	NA	10 ft
MINIMUM SIDE SETBACK/MULIT-FAMILY	30 ft	(k)	(k)	30 ft	(f)	(g)	NA	(e, g)	NA	30 ft
MINIMUM SIDE SETBACK/NON-RESIDENTIAL	NA	(k)	(k)	NA	NA	(g)	NA	NA	NA	NA
MINIMUM REAR SETBACK	15 ft	(k)	(k)	15 ft	(f)	(g)	NA	(e, g)	NA	25 ft
MAXIMUM LOT COVERAGE	(e)	(e)	(e)	(e)	(e)	(g)	NA	(e, g)	NA	(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 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, pro-rated 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 3rd 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

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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

Essex, Vermont Town Clerk's Office
January 4, 2012 at
11 o'clock 2:50 minutes PM
Received for record and recorded in
book 310 on page 222-226
of Essex Land records
Attest: [signature]
Town Clerk

00346116.DOC/

86100283

FILING #00004301496 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 #00004301496 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 29 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: _____
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 3rd day of January A.D. 20 11

Susan Bysiewicz

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 ensealing 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. Shortle

Hayes I. Sogoloff

Susan H. Sogoloff

STATE OF VERMONT

CHITTENDEN COUNTY, SS

At SBURLINGTON, 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.

Before me, Kevin J. Shortle
Notary Public

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

Essex, Vermont Town Clerk's Office
October 13, 20 04 at
10 o'clock 15 minutes A M
Received for record and recorded in
book 627 on page 657-658
of Essex Land records
Attest: Lynn Romero Asst.
Town Clerk

VOL: 1095 PG: 621

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 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 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

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

426035-00050

RONALD W. RUTH
Notary Public
Commonwealth of Massachusetts
My Commission Expires March 8, 2024

ACKNOWLEDGEMENT
Return Received (Includins
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 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, 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

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

RONALD W. RUTH
Notary Public
Commonwealth of Massachusetts
My Commission Expires March 8, 2024

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.

Mark Sobel
msobel@1stusrealty.com
508.280.4563
508.591.3000

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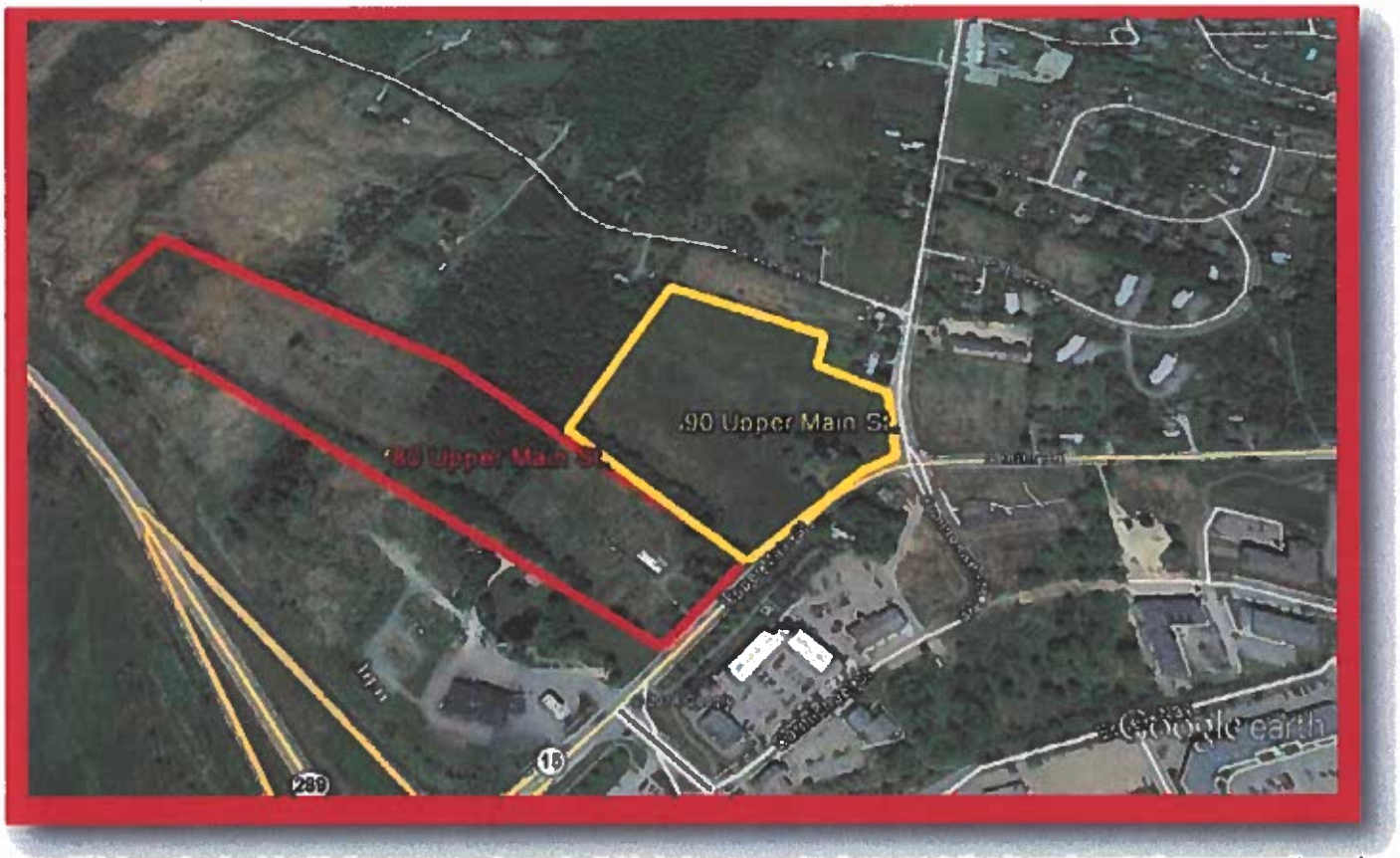
Combination of 33 Acres with Average Daily Traffic of 17,033 directly in front of the site.
Great opportunity for thoughtful mixed use development.



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www.1stusrealty.com