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March 1, 2021

Mr. Allen E. Simard
E&S Electric
50 Beartown Rd
Underhill, VT 05489

Submitted via email at alsimard@eselectriccompany.com

Re: Summary of Environmental Site Assessment Costs, Affordable Housing Project, Underhill, VT

Dear Mr. Simard:

KAS, Inc. (KAS) is pleased to provide this letter which summarizes the anticipated costs to conduct environmental site assessment activities for the Underhill, VT affordable housing project.

It is our understanding an affordable housing project has been proposed for the Town of Underhill, VT and as part of this work and a VCDP planning grant is being pursued for the project. A Phase I Environmental Site Assessment (ESA) per ASTM E1527-13 is required for the project and should environmental concerns be identified as part of the Phase I ESA, then a Phase II ESA would be needed.

KAS can complete the Phase I ESA for a firm fixed price of \$1,800 and this work would take up to 30 days to complete. The costs to complete a Phase II ESA, should it be necessary, can range depending on the complexity of the Phase II testing. However, the typical Phase II ESA costs range from \$3,000 - \$10,000 and a Phase II ESA can typically be completed within 60 days of commencement.

A more detailed cost proposal for each work scope will be prepared upon request. Please feel free to call (802-383-0486) or email (JeremyR@kas-consulting.com) me with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Roberts", written over a light blue horizontal line.

Jeremy Roberts, P.G.
Principal / Environmental Program Manager

cc. Ms. Sandy Wilmot, United Church of Underhill

From: [David Burke](#)
To: [Allen E. Simard](#)
Cc: [Sandy" via Jacob"s Property Committee](#); [David Mullin](#); [Catherine Stevens](#)
Subject: RE: United Church of Underhill Project
Date: Monday, March 01, 2021 10:39:01 AM

Allen: See below for replies.

David

From: Allen E. Simard [mailto:alsimard@eselectriccompany.com]
Sent: Friday, February 26, 2021 1:53 PM
To: David Burke
Cc: Sandy' via Jacob's Property Committee; David Mullin; Catherine Stevens
Subject: United Church of Underhill Project

Hi David,

How are you? [Good – I hope you are as well.](#) I just left you a voice mail message. I wanted to give you an update on our progress on the housing project we are working on. [Received as well as your statement of following up with e-mail, so I thought replying to the e-mail would be best.](#)

- We are told that the Martelle boundary line adjustment has been delayed until this fall. So Phil Jacobs is going to ask you to begin work on the United Church of Underhill boundary line adjustment. We would like you to get everything ready to submit, but not actually submit it to the Town until after we hear the results from our Grant request we are currently working on. That Grant process should be completed sometime in June. [I spoke with Paul O’Leary and Phil asked that we move forward on his two Lots which require a “Master Plan” which brings in the Church property. This work is on our list but between you and I not high as Phil has a long standing substantial past due and the work will likely just add to it. The Master Plan and his two lots will likely need to be completed before an actual Proposal can be done on the “Church” Parcel. His “Master Plan” work should include and allow for the sale of the yet to be officially created “Church” lot.](#)
- We have already alloyed for a \$10,000 feasibility Grant, which has been approved.
- We are currently applying for a \$60,000 VCDP Planning Grant. We have had several meeting with the people who oversee this grant and they are guiding us through the process to apply for it. In a nut shell we have to meet a number of requirements. Part of this is already getting completed via the Town Selectboard, Planning Commission and DRB.
- We are not allowed to complete the purchase of this property until the Planning Grant has been approved. They know we have a Agreement in place with Phil and that we made a deposit. We cannot actually do the property line adjustment until the Grant is approved,

otherwise we will be disqualified from the Grant. As stated above, the “Master Plan” work for Phil needs to be completed before the “Church” parcel is official and can be conveyed to then start that process. This is likely 6 months.

- As part of the planning grant I need to provide them with a planning budget and back that up with some costs estimates.

So I am wondering if you can provide me with a budget for Engineering work. I’m thinking that the Planning Grant will cover most of your work on this project that comes after the boundary line adjustment. But not cover the actual work that comes with the building process. So we would like some sort of budget that would cover the test pits, septic design, road design, property line layout with building envelopes, surface water management, basically all the engineering work you would be doing for us along with attending the DRB meetings. I had asked you about this earlier, and you had thought it would be something like \$35,000, which in line with my Packard Road project. I suspect there will be a few additional items due to the Grant requirements, so you might like to add to that number for any extra work you would need to do. I would think \$40,000 is a reasonable conservative figure or \$50,000 should Act 250 be required.

I would also would like your feedback on the attached ACT 250 Amendment. It seems to read like Affordable Housing projects don’t have to follow all of the ACT 250 requirements. Do you know anything about this Amendment? The housing for this project will be completed by Habitat for Humanity which do perpetually affordable housing contracts. Do you think this might apply to our project? Could you give me some feedback on what you think this section means? [See reply to separate e-mail.](#)

Future plan: If we receive the Planning Grant or not, we plan to have you move ahead with the engineering work this summer. We plan to apply for another Grant that would help with the actual project. This planning Grant is intended to help get us to the real Grant. It’s all steps along the way. We’re in hopes that the actual building will begin sometime in 2022.

Thank you,

AI



Underhill, VT 05489
(802) 316-6818 (Cell)
(802) 448-3485 ext.106

From: [David Burke](#)
To: [Allen E. Simard](#)
Subject: RE: Act 250 Jurisdiction
Date: Monday, March 01, 2021 9:34:31 AM

Allen: The below is something that we and/or you guys can verify with Act 250, but it sounds as though it should wait so it doesn't affect your desired Grant.

David

From: David Burke
Sent: Wednesday, February 03, 2021 4:02 PM
To: Allen E. Simard
Subject: Re: Act 250 Jurisdiction

Ok!

Sent from my iPhone

On Feb 3, 2021, at 1:25 PM, Allen E. Simard <alsimard@eselectriccompany.com> wrote:

Hi David,

The email below is something I just received and wanted to pass on to you. Looks like it might be a way for us to do the project and avoid the ACT 250 costs and fees.

Al Simard

E&S Electric Company

50 Beartown Road
Underhill, VT 05489
Al Simard
(802) 316-6818 (Cell)
(802) 448-3485 ext.106

From: David Mullin [<mailto:dmullin@vermonthabitat.org>]
Sent: Wednesday, February 03, 2021 12:40 PM
To: Allen E. Simard <alsimard@eselectriccompany.com>
Subject: FW: Act 250 Jurisdiction

Good afternoon Al,

I wanted to pass along to you this Act 250 Amendment. Because the homes we build are perpetually affordable this applies to us.

Amendment language was:

10 VSA Sec 6001(3)(C)(v): Permanently affordable housing. Notwithstanding subdivisions (3)(A)(iv) and (19) of this section, jurisdiction shall be determined exclusively by counting affordable housing units, as defined by this section, that are subject to housing subsidy covenants as defined in 27 V.S.A. § 610 that preserve their affordability for a period of 99 years or longer, provided the affordable housing units are located in a discrete project on a single tract or multiple contiguous tracts of land, regardless of whether located within an area designated under 24 V.S.A. chapter 76A.

10 VSA Sec 6001(3)(A)(iv) defines housing unit jurisdiction as 10 units in 5 yr within 5 miles.

10 VSA Sec 6001(19) defines subdivision jurisdiction as 10 lots in 5 years within district.

So Act 250 jurisdiction over affordable housing projects only applies if the number of contiguous units is greater than 10 in 5 years, whether single family, duplex, or multifamily configuration. That is how we understand this.

The Engineer may not be aware of this because of the unique segment of developer market that it covers. This would not cover anything Phil is doing, but it should apply to the development of the land that the Church owns.

David

David Mullin
Green Mountain Habitat for Humanity
Executive Director
www.vermonthabitat.org
802-872-8726

[<image001.png>](#)

[<image002.png>](#)

BUDGETARY PRICING

E & S ELECTRIC COMPANY, LLC

50 BEARTOWN ROAD, UNDERHILL, VERMONT 05489

Phone (802) 448-3485 / Fax (802) 899-2249

E-MAIL ASimard@ESElectricCompany.com

March 5, 2021

Page 1 of 2

United Church of Underhill
7 Park Street
Underhill, VT 05489
(802) 899-1722 Phone

Attn: Affordable Housing Committee

Re: Test Pits

This is not a fixed price contract. E&S Electric Company LLC is providing this pricing to establish a budget in accordance with the job description. If awarded, this project is expected to be completed for the sum of One Thousand Five Hundred (\$1,500.00) dollars.

Bid Breakdown:

Labor:	\$	1,500.00
Material:	\$	-

Proposal is based on the following:

- Digging of test pit at the direction of the Engineer
- Filling test pit holes
- This proposal does not include finish raking, topsoil or seeded of test pit hole

This work can be done on a T&M basis

WE PROPOSE to perform the work as stated in this contract in accordance with the specifications and plans submitted and completed in a workmanlike manner. This is not a fixed price contract. It is expected that this project could be completed for the sum of:

One Thousand Five Hundred and 00/100 ----- dollars \$ 1,500.00

Payment to be made as follows:

NET 30 DAYS

ACCEPTANCE OF PROPOSAL: The above prices, specifications, terms and conditions are hereby accepted. E&S Electric is authorized to do the work as specified.

It is understood and agreed that this work is not provided for in any other agreement and no other contractual rights arise until this proposal is accepted in writing.

Date of Acceptance _____

By _____

By _____

Respectfully submitted,

By



Allen Simard, Estimator

Note: This proposal may be withdrawn by us if not accepted within 30 days.

From: [Andrew Strniste](#)
To: [Allen E. Simard](#)
Subject: RE: United Church of Underhill - Affordable Housing Project
Date: Friday, March 05, 2021 11:09:54 AM

Good morning Allen,

I want to apologize for my delayed response in getting back to you. At this stage of the process, estimating the cost is somewhat challenging given that the project is more or less in the conceptual stage; however, I will do my best in trying to help navigate through the costs:

- You'll receive an access permit as part of the Development Review Board process, which approve the road layout and each one of the driveways. The cost of the permit itself is \$50.00, a \$15.00 posting fee, as well as \$15.00 per page of recording. The number of pages being recorded is a bit of a wildcard here, as it could potentially be recording the plan relating to the road and then one for each driveway. It will depend on how the site is designed and depicted on the plans.
- You'll be able to calculate the cost of building permits for the structures by referring to the Town's fee schedule (please click [here](#)). The main takeaway of the fee chart is that all living space and attached garages are \$0.50 per square foot, while attached structures like decks and porches are \$0.25 per square foot.
- There are also costs associated with the DRB's applications, such as application fees, notices to the neighbors etc. The application fees can be found within fee schedule itself using the link above. Notice to the neighbors is certified mail, return receipt, which runs around \$7.00 per mailing. Since an application will likely be considered a re-subdivision, there will be somewhere around 30 mailings. There will be posting fees for the hearing itself, the decision, and then every permit issued for the construction at each lot (\$15.00). Additionally, the Burlington Free Press notice runs somewhere between \$200.00 and \$250.00. The decision and associated permits will need to be recorded at \$15.00.
 - As you may be aware, the Development Review Board will be seeking a masterplan as it relates to the subdivision of land in the field. As a result, this may lead to a longer decision due to a greater number exhibits to review. Our subdivision decisions typically range of 15-18 pages; however, given the nature of the project, I envision the decision being between 20 and 22 pages, perhaps longer.

I am not sure if that covers everything you are looking for; however, please be sure to tell me if it does not and I can provide some more insight.

Thank you and kind regards,

Andrew Strniste

Planning Director
Zoning Administrator
Town of Underhill
P.O. Box 120
Underhill, VT 05489
Phone #: (802) 899-4434 x6
Fax #: (802) 899-2137
astrniste@underhillvt.gov

From: Allen E. Simard <alsimard@eselectriccompany.com>
Sent: Saturday, February 27, 2021 10:56 AM
To: Andrew Strniste <astrniste@underhillvt.gov>
Cc: Sandy' via Jacob's Property Committee <land@ucu.church>; David Mullin <dmullin@vermonthabitat.org>; Catherine Stevens <cstevens@vermonthabitat.org>
Subject: United Church of Underhill - Affordable Housing Project

Hello Andrew,

How are you? My name is Al Simard, and you might remember me from my Beartown Road house that was built a few years ago. I have been involved in an affordable housing project with the United Church of Underhill. I believe you have been talking to Sandy Wilmot about this project.

So you know, we are applying for a VCDP Planning Grant to help offset costs for the next stage of the project. As part of this Grant application, I need to include some backup details for our project budget. Could you tell me what we should plan for in regard to fees that we would be paying as part of the review phase to this project? This Grant is only to cover the planning portion of the project. Things like the building and driveway permits would not be part of this Grant application. Having built a single home I remember there were some fees to submit plans for review. I suspect a 7 lot project might have larger fees for the review process, but I am not sure what to expect.

Thank you for your help,

Al Simard



Allen E. Simard

50 Beartown Road

Underhill, VT 05489

(802) 316-6818 (Cell)

(802) 448-3485 ext.106

Town of Underhill Fee Schedule

Adopted May 8, 2008

Amended: 11-11-10, 3-15-12, 7-2-19

	FEE
OFFICE FEES	
Lister Cost Sheet and Drawing	\$1 / page
Grand List and Checklist on CD	\$5
Grand List and Checklist - Paper	\$0.15 / page
Recorded document copies	\$1 / page
Vault Time	\$4 / hour
Landowner copies - 1st copy of deed., tax bill, discharge or release	Free / after 1st copy all fees apply
All other copies	\$0.25 / page
Recording	
Documents - include all items in the land record except PTTR	\$15 / page
Multiple assignments or releases on one document	\$15 / assignment or release
PTTR (Property Transfer Tax Return)	\$15 / document
Survey Plat	\$25 each
TOWN HALL RENTAL	
Municipal / State Government Entity	No fee
Others	
Full day	\$150
Half day	\$75
Hourly Rate	\$25
REGULATIONS	
Unified Land Use and Development Regulations	
Landowner	\$0 (first copy only)
Non-landowner / Additional copies	\$25 paper, \$5 CD
Tax Map	\$5 (free to landowners)
ZONING FEES - All permits and certificates require an additional posting and recording fee.	
Residential	
Dwelling (incl. attached structures, finished basements), camp*	\$0.50 / sq ft
Addition	\$0.50 / sq ft
Conversion / Change of Use*	\$0.25 / sq ft
Unfinished Space (including basements)	\$0.25 / sq.ft.
Outbuildings (detached garages, sheds, barns, etc.), decks, porches	\$0.25 / sq ft, min. \$15
Carports, Roofs (no add'l living space), Pergolas	\$0.10 / sq ft, min. \$10
Tennis court	\$150
Non-exempt fences, walls	\$15
In-ground swimming pool	\$100
Pond*	
Construct, Reconstruct, Expand	\$150
Discontinue, Remove, Deconstruct	\$50
Commercial (new construction, additions, accessory structures)	\$0.50 / sq ft
Group Home*	Posting & recording fees
Home Business	
Issued by DRB	See Conditional Use
Issued by ZA	\$50
Home Child Care*	Posting & recording fees
Signs (permanent)	\$25
Temporary structure / use	\$50
Encroachments (Riparian or Wetland Buffer, Development in SFHA)*	\$75
Boundary Line Adjustment (Administrative)	\$100
Permit Renewal / Extension	\$50
Permit After Construction	2x permit fees
Certificate of Occupancy/Compliance	\$75
DRB Hearings (See Zoning Administrator for additional cost information)	
Site Plan Review, Conditional Use, Waiver/Variance, Appeals of ZA	\$150 + costs
Subdivision, PUD/PRD	
Sketch Plan	\$100 + costs
Preliminary	\$100/new lot + costs
Final	\$300 + \$100/new lot + costs
DRB Subdivision Amendments	\$300 + costs
Administrative Subdivision Amendments	\$150
Independent Consultant Review (As required by DRB)	Fees to be paid by Applicant
SELECTBOARD FEES	
Access/Right-of-Way Permit	\$50 + recording fees
Salvage Yard Certificate of Approved Location	\$25 + hearing fees

*May require additional review by the Development Review Board.

Wick & Maddocks

ATTORNEYS AT LAW

ESSEX OFFICE

JEFFREY J. WICK

1 Grove Street
Essex Jct., VT
05452

p: 802.872.8200
f: 773.913.1770

W&M

EMAIL

jeff@wickandmaddocks.com

WEB

wickandmaddocks.com

March 5, 2021

Al Simard
E&S Electric
50 Beartown Road
Underhill, VT 05489

Re: United Church of Underhill – Housing Project

Dear Mr. Simard:

I look forward to working with you on the United Church of Underhill affordable housing project. You asked me for an estimate of legal and title related fees relating to acquisition of the land for this project. Estimates are below, and they are subject to change:

Legal fees, \$3,500.

Title insurance premium (\$250,000 purchase price), \$895.

Vermont Property Transfer tax, \$2,675.

Town Clerk recording fees, \$105.

Please let me know if you have any questions or need further information.

Thank you,



Jeffrey J. Wick, Esq.