TOWN OF ELMORE, VT Special Select Board Meeting

Meeting Minutes – prepared by G. Schwartz Status: Approved

Meeting Date: November 23, 2021 Start Time: 6:00 pm Adjourn: 7:30 pm

Meeting Attendees: See Attendance Sheet.

1. SPECIAL TOPICS (Note: Topic will be addressed for no more than 15 minutes with follow-up as needed and noted by the SB.)

2. ACTIVE ITEMS

a. DISCUSSION: Elmore highway maintenance facility – site engineering study results and next steps.

Notes: Peter Garceau from Cross consulting Engineers presented the attached report regarding the proposed Highway maintenance facility. The three sites that were reviewed in this report were a result of a long process that has lasted almost 2 years. The engineering report looked at the following items;

- General requirements of the Town
- Zoning Requirements
- Wind Exposure
- Act 250 Permitting
- Access to the properties
- Environmental Constraints
- Building Design

The report provides the following recommendation;

The State Park property is not recommended for various reasons. The lack of sight distance at the entrance is not easy to remedy. The steep slopes on site will require extensive earthworks to provide a suitable buildable area. The rocky soils and depth to bedrock will also increase construction costs. The loss of forest areas should also be a consideration of the Town. For these reasons, we consider the Keith Family Farm property to be a better choice. It is difficult to choose a preferred site on the Keith Farm property; however, we would recommend the northern site be chosen. Both are very similar, but the northern site would reduce the length of the access drive. Additionally, the best soils for the sewer disposal field are closer to Route 12, at the northern site location. Both sites would be visible from the road and surrounding areas. The southern site does have an advantage of having flatter slopes in general compared to the northern site. More earthwork will be required at the northern site but it appears that the on-site material may be suitable for reuse on site. A proposed site map is included in the report.

The report also provided an estimate for the total construction cost of approximately \$2,085,400.00. This would be in addition to the land purchase cost of approximately \$500,000.00 making the total project cost of approximately \$2,585,400.00. The amount of land that is required is larger than anticipated due to zoning requirements. The forest district would require

TOWN OF ELMORE, VT Special Select Board Meeting

25 acres and the rural east district would require 18 acres. Both of these areas are larger than anticipated. It was suggested that the excess property be used as a public park or possibly a solar field that would generate revenue for the Town.

Due to the high cost of this potential project. A motion was made to hire a financial advisor to evaluate the impact of this project on the taxes of the Town. In addition, the motion included having Cross Consulting re-evaluate the existing facility for possible use. The Select Board voted and unamously approved both items. C. Devore to check on the financial consultant and G. Schwartz to meet with M. LaCasse and Peter from Cross on Tuesday November 30th at 4:00pm

b. UPDATE: Lamoille FiberNet CUD – impact / process for Elmore joining (Brian Evans-Mongeon)

Notes: Brian Evans-Mongeon presented the following;

- Elmore has been in the CV Fiber CUD however, it does not appear that their timeline is in the near future.
- Lamoille Fibernet CUD appears to be moving at a quicker pace and may be able to provide service in a timelier manner to the majority of Elmore.
- It is anticipated that Kingdom Fiber that is located in Hardwick will service the eastern part of Elmore.
- As more people move to Elmore they are looking for a more reliable faster service
- The Town can Join as many CUD's as it wants

The attached resolution renewing participation in the Lamoille Fibernet communications union district and appointing a representative to the governing board was voted on and unamously approved by the Select Board. The letter was signed and returned to B. Evans-Mongeon

c. Update: Procedure for 11/30/21 Information Meeting

Notes: As of today, the following three people, Non-petitioners, requested to be speakers at the meeting. Susan Southall, Stuart Weppler and Warren West. We have not heard anything from any of the Petitioners. It is anticipated that Peter Thorndike will present if favor of Stowe leaving the union. Marina Meerburg from Stowe is willing to speak against the Stowe vote. Ryan Heraty Superintendent of the Lamoille South Unified Union School District has confirmed that he will be present at the meeting.

- G. Schwartz spoke to Dolan Patrick and he is available to assist and video tape the meeting.
- **d. DISCUSSION:** Requirement for masks at any indoor location that is open to the public, including the church

Notes: The Legislature passed a law allowing a Town to implement a mask-mandate anywhere in that Town (not just Town-owned building) without approval of the State. The Governor is set to sign the bill today. That would allow the Town to require masks at any indoor location that is open to the public, including the church. The mandate will expire after

TOWN OF ELMORE, VT Special Select Board Meeting

45 days. The Town can renew it for additional 30 day-periods until April 30, 2022. Then it will expire for good. It can apply in any public spaces in Town except schools. The school boards have control over the school buildings. The Select Board voted and unamously approved the requirement to use masks in all town offices and Town Meetings effective 11/24/21.

e. DISCUSSION: ARPA Funding

Notes: G. Schwartz met with Seth Jensen on November 18, 2021 to discuss the American Rescue Plan Act Eligibility requirements. The ZOOM meeting equipment that was previously discussed for the Town offices and Town Hall will be covered 100% including the installation/setup costs. G. Schwartz has a code list that he will discuss with Sharon to properly document any expenditures that we make. Any purchases over \$3,000.00 must have the backup of 3 quotes. All money must be used by 2026. G. Schwartz spoke to Dolan Patrick and will meet him on Wednesday 11/24/21 to discuss his ability to perform the installation of this equipment.

f. Update: Zoning Administrator Update

- C. DeVore spoke to Stuart Weppler to help support the ZA role until we can find a permanent replacement for Kristen Rose. He declined the position for various reasons.
- G. Schwartz to reach out to Ray Boutin, an Elmore resident that expressed interest in filling the ZA position.
- C. Devore to contact Hyde Park to see if they are still interested in sharing a full time zone administrator.

Town of Elmore Meeting Attendance Record

| ENTER MEETING DATE | 11/23 | 121 | | | | | |
|---------------------|----------|----------------|----------|---------------------|--------------------------|--|--|
| ENTER MEETING NAME | , | | AL | Sel | ect BOARD Meeting | | |
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| Robb Wills | | | / | , | SB Member | | |
| PETER GARCEAU | | | ļ | / | | | |
| Michel LACASS | | | V | | Road Commissioner | | |
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A RESOLUTION RENEWING PARTICIPATION IN THE LAMOILLE FIBERNET COMMUNICATIONS UNION DISTRICT AND APPOINTING A REPRESENTATIVE TO THE GOVERNING BOARD THEREOF

WHEREAS, the Town of Elmore, Vermont Selectboard desires to participate in the Lamoille FiberNet Communications Union District ("District", "Lamoille FiberNet") under the provisions of 30 V.S.A. chapter 82 and

WHEREAS, as provided in Section 3059 of said chapter, annually on or before the last Monday in April, the legislative body of each member shall appoint a representative and one or more alternates to the governing board for one-year terms, with appointments of representatives and alternates in writing, signed by the chair of the legislative body of the appointing member, and presented to the clerk of the district, and

WHEREAS, as provided in Section 3064 of said chapter, any vacancy on the board shall be filled within 30 days after such vacancy occurs by appointment by the authority which appointed the representative or alternate whose position has become vacant. An appointee to a vacancy shall serve until the expiration of the term of the representative or alternate to whose position the appointment was made and may thereafter be reappointed. (Added 2015, No. 41, § 20, eff. June 1, 2015.)

NOW, THEREFORE, BE IT RESOLVED THAT:

- (1) The Selectboard of the Town of Elmore hereby approves the participation in the Lamoille FiberNet Communications Union District, and its qualification as a communications union district under the provisions of 30 V.S.A. chapter 82.
- (2) The Selectboard of the Town of Elmore hereby appoints the following representative and one or more alternates to the Governing Board of the Lamoille FiberNet Communications Union District for the term ending on or before the last Monday in April 2022:

Representative: Brian Evans-Mongeon

Alternate: Johannes de Boer

Adopted at a regular meeting of the Selectboard of the Town of Elmore duly held on the 23rd day of November 2021.

ATTEST:

Authorized Select Board Representative

C b Town Clerk

Date

Town of Elmore

New Highway Maintenance Facility Elmore, Vermont

* * * * * * * * * *

Due Diligence Report

Prepared October 2021 Revised November 2, 2021

CROSS CONSULTING ENGINEERS, P.C.

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E-mail: dwoolridge@crossconsultingengineers.com

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As Project Number 21086

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Introduction

The Town of Elmore requires a new highway maintenance facility as their current facility has been deemed structurally unsound. Cross Consulting Engineers was asked to evaluate three potential sites for the new facility.

One of the sites involves a land swap with the State Park. The other two sites are located on the property owned by the Keith Family Farm on VT Route 12.

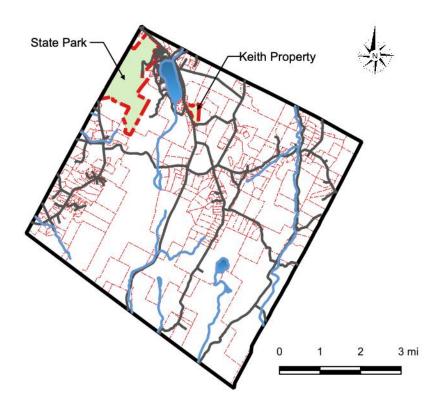


Figure 1 - Properties under Consideration

General Requirements

The Town will construct a building similar in size to the facility in the Town of Montgomery, a 5-bay building 120 feet by 60 feet, with office space and an employee breakroom. The garage would include a service bay with a lift and oil-water separator. Additionally, a new salt storage building of 55 feet by 80 feet is proposed. A temporary 32 feet by 48 feet building will be moved to the site to provide additional storage. Future expansion of the main building may include two additional bays.

Material storage will also be required. It is estimated that various quantities of gravel, stone, culvert pipe, and other miscellaneous materials will be stored outside on the

property. Various pieces of equipment will also be stored on site. An area of 1 to 2 acres may be required.

The Town also requires that the proposed location be within two miles of the Town center. It is assumed that the Town center is at the intersection of VT Route 12 and Beach Road. The two properties under consideration meet this requirement.

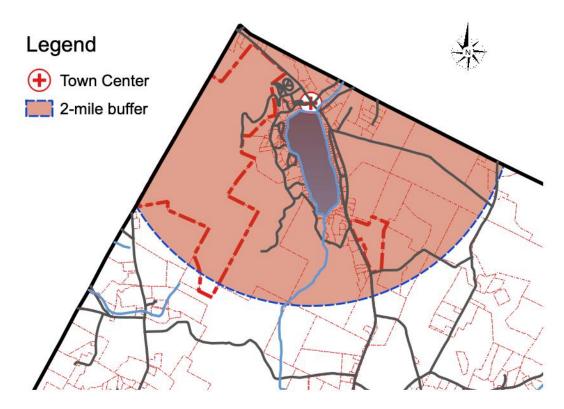


Figure 2 - Two-mile Radius from Town Center

Town Zoning Requirements

The Elmore Unified Bylaws has certain sections that apply to the project regardless of the location. The following is a summary of those requirements that may impact the proposed facility.

The proposed use best fits the *Community Services* land use described as:

Services and associated facilities maintained by municipal, state or federal government, community non-profit agencies or regulated utilities which serve but are typically not open to the general public, including but not limited to ambulance and fire stations, garages and equipment sheds, water and wastewater facilities, solid waste management facilities, and other institutional facilities where public access is prohibited, limited or controlled.

Development on slopes greater than 15% is discouraged and require DRB approval. Access roads have a maximum grade requirement of 10% and a maximum length of 1500 feet. The width of the road will likely be nine-foot lanes with two-foot shoulders, for a total width of twenty-two feet. We recommend widening the shoulders at horizontal curves to accommodate larger vehicles with trailers.

Area-wide Environmental Considerations

Based on data from the Morrisville airport, the winds in the winter months area generally from the north, about 20 degrees west, while during the summer months prevailing wind direction is from the south, about 20 degrees west. Ideally, the building should be shielded from the winter winds, if possible.

MORRISVILLE STOWE STATE AP (VT) Wind Rose

Jan. 1, 2020 - Dec. 31, 2020 Sub-Interval: Jan. 1 - Dec. 31, 0 - 23

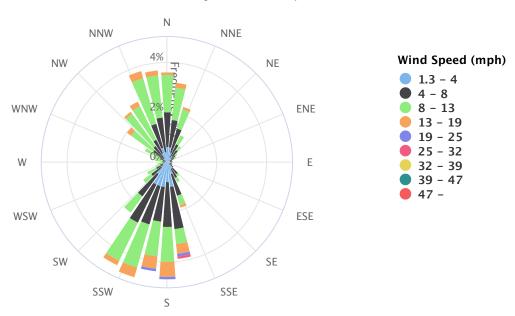


Figure 3 - Prevailing Wind Direction and Speed

In general, if solar arrays are provided, they should be oriented 14 degrees west of due south for the best exposure. This is important to note when orienting the building in case roof-top solar is anticipated. However, the topography of the building location may require the orientation of the building to be less than optimal for roof top solar.

Act 250 Permitting

The statute requires an Act 250 land use permit for development of involved lands greater than 10 acres for municipal projects. It is unlikely that the proposed development will have involved lands greater than 10 acres, and therefore an Act 250 permit should not be required. It is recommended that a jurisdictional opinion be obtained to confirm this assumption.

State Park Property

The State Park property would be subdivided to allow for the development of the highway maintenance facility. The following is a review of the possible development of the eastern most portion of the overall property.

Access

The property access would be off VT Route 12, approximately 1300 feet south of Tjader Road. Sight distance in both directions may not be adequate, especially for heavy vehicles, which require longer distances. To the north, the slight bend and crest in the road limits the sight distance, while to the right, a dip in the road creates a blind spot where vehicles lose sight of the access.



Figure 4 - Sight Distance Looking North

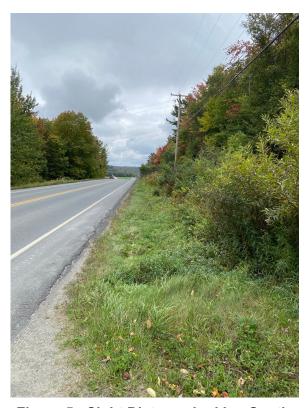


Figure 5 - Sight Distance looking South

The grade of the proposed access may be an issue as the existing grades are steeper than desired. This will require more effort to access the site and be a potential maintenance issue due to erosion from runoff.

Environmental Constraints

Wetlands

There are mapped wetlands on the property, but not within the area to be considered for development. A survey of the land is needed to ensure that unmapped wetlands, if any, will not be impacted.

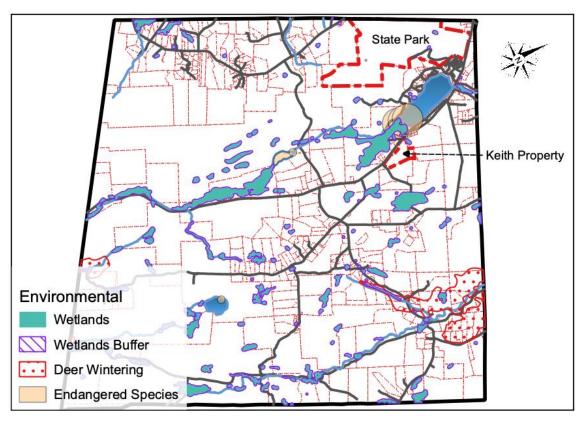


Figure 6 - Environmental Constraints

Other Environmental Constraints

At the State Park property, there are no deer wintering areas, flood plains, or endangered species near or within the property limits. The existing ground cover is mostly younger growth stands of trees (see Figure 7).

The site slopes are generally around 6 percent near VT Route 12 but become steeper the farther west from the roadway. At about 700 feet from the roadway, the slopes are greater than 15%. Soils near the roadway are fine sandy loams, becoming rockier further into the site. At the western edge of the potential development area, the ledge depths are within 2 to 4 feet of the surface.

On-lot Septic

Based on the NRCS soil surveys, the soils are listed as moderately suited to soil-based disposal systems, with the best soils closest to VT Route 12.

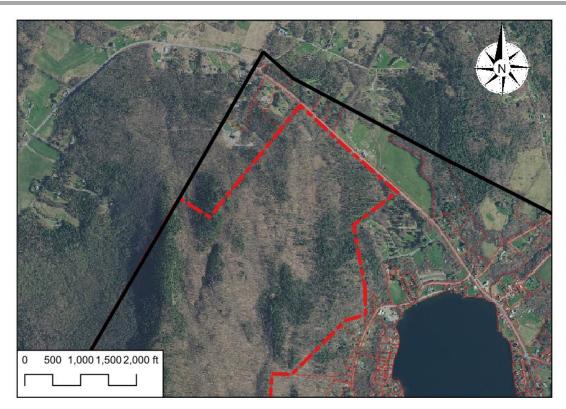


Figure 7 - Aerial Photograph of Northern Portion of State Park Property

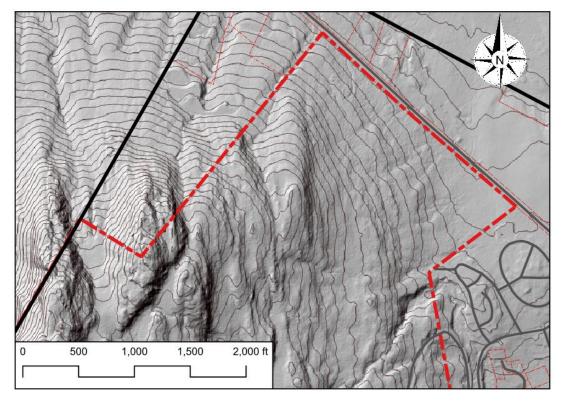


Figure 8 – Topographic Map of Northern Portion of State Park Property

Land Use Permitting Requirements

Town Zoning Permit

The property is located within the Forest Reserve District, which requires a minimum lot size of 25 acres and has a maximum lot coverage of 1.5%. The purpose of this district is to preserve forested areas. The proposed use is not listed in Table 2.4, and may not be allowed; however, Article 4, Section 4.8 states that public facilities cannot be excluded. It is not clear if this article refers to a particular zoning district or the Town in general.

A dry hydrant or fire pond may be required upon review by the Elmore Fire Department. The placement of the buildings will need to consider the visibility, height of tree canopy, natural and scenic areas, ridgelines, knolls, and fragile areas.

State Permitting Requirements

As stated previously, an Act 250 permit should not be required if the involved lands are less than 10 acres.

Stormwater permits, both operational and construction, would be required. A wastewater permit would also be required. The soils appear to have good infiltration rates and a deep ground water table that would allow for the construction of infiltration systems.

Permits for the dry hydrant may also be required. If wetlands are found on the portion of the property to be developed, permits would be required if the development impacts the wetland or its buffer.

Keith Family Farm Property

The Keith Family Farm property would be subdivided to allow for the development of the highway maintenance facility. The Town is considering one of two locations on the property, which are very similar. The following is a review of the possible development. Where there is an advantage over one of the locations, it is described in more detail.

Access

The property would be accessed off VT Route 12, approximately 1900 feet north of Lakeview Lane (TH-11). Sight distance in both directions appears to be adequate, but should be verified for heavy vehicles, which require longer distances (refer to Figure 9 and Figure 10). This location would serve either of the two locations.

The grade of the proposed access would be mild, generally between 2 and 3 percent.

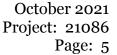




Figure 9 - Sight Distance Looking South



Figure 10 - Sight Distance looking North

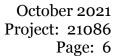
Environmental Constraints

Wetlands

There are mapped wetlands at the northern edge of the property, but not within the areas to be considered for development. A survey of the land is needed to ensure that unmapped wetlands, if any, will not be impacted (refer to Figure 6 for details).

Other Environmental Constraints

At the Keith Family Farm property, there are no deer wintering areas, or flood plains near or within the property limits. Across Route 12, at the southern end of Lake Elmore, are possible locations of endangered species. The Department of Fish and Wildlife may require additional measures to ensure the species are not impacted. The existing ground cover is mostly grassy meadows, with small stands of trees. The northern site may have some rock outcrops as there are small areas of steeper grades that have not been cleared of trees.



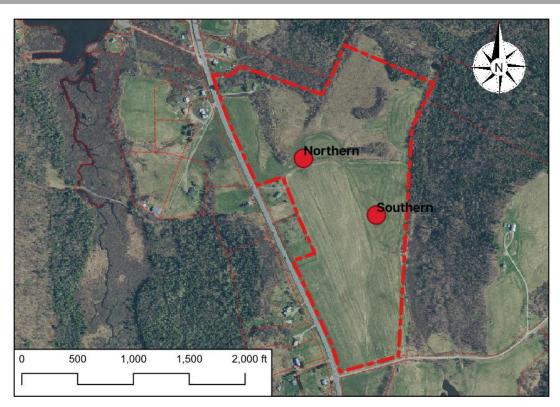


Figure 11 - Aerial Photograph of Keith Farm Property

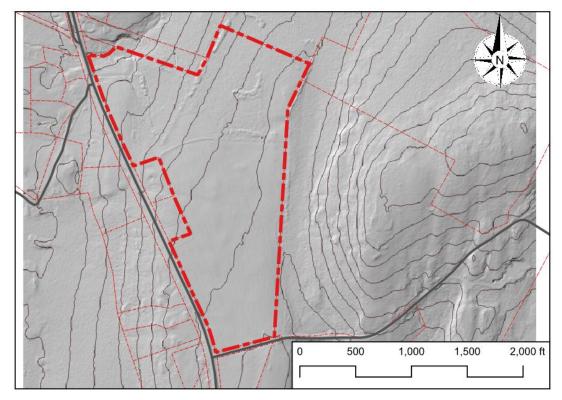


Figure 12 - Topography of Keith Farm Property

The site slopes are generally mild ranging between 2 and 6 percent; however, at the northern site there are small pockets of steeper slopes that range between 10 and 15%. The northern site is more visible from Route 12 and the surrounding area. The southern site is further away from Route 12, but would be at a higher elevation. The northern site would be closer to the adjacent residential property, so noise mitigation and visual impacts need to be addressed during planning and permitting.

Site soils are silt loams closer to Route 12, and a fine sandy loam in the areas of potential development. At the development sites, the water table is expected within 17 and 34 inches of the surface, which may limit the use of infiltration systems for treating stormwater runoff. The soils closer to Route 12 are listed as agricultural soils of statewide importance.

On-lot Septic

Based on the NRCS soil surveys, the soils within the development areas are listed as moderately suited to soil-based disposal systems but may be limited due to the high groundwater table. CCE performed soil testing on October 22 and found that the best soils were located closer to Route 12.

Land Use Permitting Requirements

Town Zoning Permit

The property is located within the Rural East District, which requires a minimum lot size of 2 acres and has a maximum lot coverage of 6%. The proposed use is listed in Table 2.2 and may be permitted as a Conditional Use. Setbacks are 25 feet and the maximum building height is 35 feet.

State Permitting Requirements

As stated previously, an Act 250 permit should not be required if the involved lands are less than 10 acres.

Stormwater permits, both operational and construction, would be required. A wastewater permit would also be required. The soils appear to have good infiltration rates but the high groundwater table may limit the use of infiltration systems.

If wetlands are found on the portion of the property to be developed, permits would be required if the development impacts the wetland or its buffer.

Recommendations

The State Park property is not recommended for various reasons. The lack of sight distance at the entrance is not easy to remedy. The steep slopes on site will require extensive earthworks to provide a suitable buildable area. The rocky soils and depth to bedrock will also increase construction costs. The loss of forest areas should also be a

consideration of the Town. For these reasons, we consider the Keith Family Farm property to be a better choice.

It is difficult to choose a preferred site on the Keith Farm property; however, we would recommend the northern site be chosen. Both are very similar, but the northern site would reduce the length of the access drive. Additionally, the best soils for the sewer disposal field are closer to Route 12, at the northern site location. Both sites would be visible from the road and surrounding areas. The southern site does have an advantage of having flatter slopes in general compared to the northern site. More earthwork will be required at the northern site but it appears that the on-site material may be suitable for reuse on site.

Building Design Review

The proposed building is planned to be a 120-feet long by 60-feet deep, with 5 bays initially, and possibly 2 future bays (7200 SF initially, 9720 SF future). One of the bays will be a service bay with a lift. An office space that includes an office, an employee breakroom, and a bathroom with shower facility.

A wood framed structure would be less expensive than a steel framed building; however, a sprinkler system is required in a wood framed building greater than 9000 SF in size, per the 2015 International Building Code (IBC). The addition of fire walls to break up the building into areas of less than 9000 SF would allow wood framed building greater than 9000 SF in total area. A steel framed building may be up to 17,500 SF before requiring a sprinkler system.

The maximum height is 40 feet, per the IBC, but the Town of Elmore zoning regulations further limit the height of the building to 35 feet.

An area with a repair bay is limited to 5000 SF (regardless of the construction type) unless a sprinkler system is proposed. A fire wall separating spaces would be an economical way to reducing the "fire area" to less than 5000 SF.

The proposed amount and type of hazardous storage would not require a sprinkler system.

The clear height inside the garage should be at least 20 feet, which would allow for a tandem axle dump truck to be lifted 7 feet while providing clearance for lighting and other ceiling mounted fixtures.

Engineer's Opinion of Probable Cost

Based on the concept plan included with this report, we estimate that the total construction cost of the project to be \$2,085,400. The site work costs amount to \$640,000, of which about a third of this is the pavement structure. The concept grading shows the deepest cut of about 13.5 feet, while the maximum fill depth is about 13 feet. The site balance was about 3350 cubic yards net cut. While the site could be raised about a foot to balance, there would be additional structural fill required and this may be more

expensive than the additional earthwork to dispose of the cut material on site. There is about 1400 CY of imported structural fill required under this concept grading.

The building cost is approximately \$ 1,261,000, not including the firewall, mezzanine, or generator. The construction of the salt shed and the relocation of the storage building are also not included in the estimate.

Please note that these estimates are based on concept designs and are purposely estimated on the high side. As the Town works through the design process, more accurate estimates will be made available. Engineering and architectural fees, permitting fees, and land costs are not included in the estimate. Additionally, costs associated with special funding source requirements are not included. Also not included is the cost of extending 3-phase power into the site.

Note that we estimate the access road to cost about \$125 per linear foot, assuming minimal earthwork. To extend the access road to the southern site would increase the length of the access road by about 750 feet, at a cost close to \$100,000. The remaining site costs would be similar. Extending 3-phase power would be more expensive for a longer access road. We conclude that the southern site would generally be more expensive to develop.

Town of Elmore New Highway Maintenance Facility Engineer's Opinion of Probable Construction Cost for Conceptual Project Cost

CCE Project No.: 21086 Date: November 1, 2021

\$347,556

| Item No. | Description/Item | Estimated Quantity | Units | Unit Price | Total Cost |
|-------------|--|-----------------------|-------|-----------------|-------------|
| Site | Work | | | | |
| 1 | Mobilization | 1.0 | LS | \$5,000.00 | \$5,000 |
| 2 | Topsoil Stripping | 8600.0 | CY | \$1.50 | \$12,900 |
| 3 | Earthwork | 14820.0 | CY | \$4.00 | \$59,280 |
| 4 | Footing Excavation and Backfill (1'-4' deep) | 160.0 | CY | \$10.00 | \$1,600 |
| 5 | Structural Fill | 1410.0 | CY | \$25.00 | \$35,250 |
| 6 | Building Slab Subbase - 12" Sand | 490.0 | CY | \$25.00 | \$12,250 |
| 7 | Catchbasins - 48-inch diameter | 4.0 | EA | \$1,850.00 | \$7,400 |
| 8 | Endsections | 2.0 | EA | \$500.00 | \$1,000 |
| 9 | Pipe Trenching and Backfill | 550.0 | LF | \$25.00 | \$13,750 |
| 10 | 18-inch PE Pipe | 400.0 | LF | \$30.00 | \$12,000 |
| 11 | Drilled well | 1.0 | LS | \$20,000.00 | \$20,000 |
| 12 | 6-inch SDR-35 Sewer Pipe | 150.0 | LF | \$10.00 | \$1,500 |
| 13 | Septic Disposal System | 1.0 | LS | \$30,000.00 | \$30,000 |
| 14 | Stormwater Basin and Plantings | 1.0 | LS | \$40,000.00 | \$40,000 |
| 15 | Heavy Duty Pavement (4" asphalt with 18" of stone) | 4100.0 | SY | \$50.00 | \$205,000 |
| 16 | Landscaping | 1.0 | LS | \$25,000.00 | \$25,000 |
| 17 | Sidewalk, concrete | 300.0 | SF | \$15.00 | \$4,500 |
| 18 | Signage and Pavement Markings | 1.0 | LS | \$3,500.00 | \$3,500 |
| 19 | Utility Trenching and Backfill | 500.0 | LF | \$5.00 | \$2,500 |
| 20 | Electric Service (underground conduit, 3/0 cable) | 500.0 | LF | \$20.00 | \$10,000 |
| 21 | Electrical Transformer | 1.0 | EA | \$7,500.00 | \$7,500 |
| 22 | Lighting | 3.0 | EA | \$2,500.00 | \$7,500 |
| 23 | Rough and Fine grade of topsoil, Seed and Mulch | 4500.0 | SY | \$3.50 | \$15,750 |
| | | | Subto | otal, Site Work | \$533,180 |
| Buil | ding | | | | |
| 24 | Wood framed building | 7200.0 | SF | \$146.00 | \$1,051,200 |
| 25 | Mezzanine | 1000.0 | SF | \$50.00 | \$50,000 |
| 26 | Fire wall with 3-hour rated man doors | 1.0 | LS | \$68,400.00 | \$68,400 |
| 27 | Generator, 50kW | 1.0 | LS | \$35,000.00 | \$35,000 |
| | | | Sub | total, Building | \$1,204,600 |
| | Subtotal | | | | \$1,737,780 |

TOTAL \$2,085,336

Notes: Opinion of probable cost Does not include land costs, design fees, permitting fees, special funding source requirements, 3-phase power line extentions

20% Contingency

Cross Consulting Engineers, P.C. (CCE), is not a construction cost estimator nor a construction contractor, nor should CCE's rendering an opinion of probable construction costs be considered equivalent to the nature and extent of service a construction estimator or construction contractor would provide. CCE's opinion is based solely upon his or her own experience with construction. This requires CCE to make a number of assumptions to actual conditions that will be encountered on site; the specific decisions of other design professionals engaged; the means and methods of construction the contractor will employ; contractors techniques in determining prices and market conditions at the time; and other factors over which CCE has no control. Given these assumptions that must be made, CCE states that the above probable construction cost opinion is a fair and reasonable estimate for construction costs of the required site improvements in accordance with the applicable rules and regulations.

