

PARCEL SETBACK WAIVER

As evidenced by the signatures affixed hereto, Kimberly Wendling, the Village of Enosburg Falls Water & Light Department, and the town of Berkshire, Vermont (each individually a "Party" and collectively the "Parties") agree to grant this Parcel Setback Waiver as of the 23 day of January, 2024 ("Effective Date") to Reservoir Road Solar, LLC, a Vermont limited liability company ("Grantee").

A. Per 30 V.S.A. § 248(s)(1)(B), a fifty (50) foot setback is required between the nearest portion of a solar panel or support structure and each property boundary that is not a State or municipal highway

B. Reservoir Road Solar, LLC is developing and permitting a proposed 2.375 Megawatt AC solar array (the "Project") depicted in Exhibit A, which is designed to be one continuous project spanning across two parcels: 004-1524 owned by Kimberly Wendling and 070-0010 owned by the Village of Enosburg Falls Water & Light Department. Both parcels are located in Berkshire, Vermont off of Reservoir Road and are depicted in Exhibit B.

C. The Parties hereby grant a waiver to Reservoir Road Solar, LLC to install the Project across the adjoining property boundaries, as permitted under 30 V.S.A. § 248(s)(3)(B), and in areas on each respective property that would otherwise be within the fifty (50) foot setback area.

D. The Parties acknowledge that this waiver shall only be binding and valid once submitted to and approved by the Vermont Public Utility Commission under 30 V.S.A § 248 and § 8007.

[signature pages follow]

Signature Page

IN WITNESS WHEREOF, the parties, as evidenced by the signatures of their duly authorized agents, do hereby execute this Parcel Setback Waiver as of the Effective Date.

Berkshire Vermont

By: Vincent Hickey Vincent Hickey
Title: Selectboard Chair

Kimberly Wendling

Kimberly Wendling
Owner of Parcel 004-1524

**Village of Enosburg Falls
Water & Light Department**

By: John Dasaro
Title: Village Manager

Reservoir Road Solar, LLC

Phillip D. Foy
By: Phillip D. Foy
Title: General Counsel