

TOWN OF STARKSBORO
DEVELOPMENT REVIEW BOARD
NOTICE OF HEARING

Taylor and Jake Mendell submitted application 26-DRB-03CU-01SP to amend Conditional Use Approval 17-DRB-06CU to build a processing room addition and obtain Site Plan Review approval for an On-Farm Business. The proposed development is located on a 30.95+/- acre parcel #11101 at 760 Tatro Road and is located in the FC district. The Conditional Use and Site Plan Review Hearing on this application will be held per the 2020 Starksboro Land Use and Development Regulations (SLUDR).

The Starksboro Development Review Board will conduct the hearing on **June 11, 2026**, starting at 6:30p.m. at the Starksboro Town Office with remote access (info below). The full application is available to review by request of the Starksboro zoning office, and on the website at <https://www.starksborovt.org/agendas-and-minutes>

Pursuant to 24 V.S.A. §§ 4464(a)(1)(C) participation in this local proceeding is prerequisite to the right to take any subsequent appeal.

Town of Starksboro is inviting you to a scheduled Zoom meeting.

<https://us02web.zoom.us/j/89617415124>

Meeting ID: 896 1741 5124

Or by Phone: +13052241968

Warning Date : May 14, 2026

SPAN: 615-193-10924

STARKSBORO | PARCEL

600 PARSONAGE ROAD

OWNERSHIP

**WARREN RICHARD R
TRUST
MCCLEERY JANET P
TRUST**

VALU

Full V
Land
Impr

SPAN: 615-193-11101

STARKSBORO | PARCEL

760 TATRO ROAD

OWNERSHIP

**MENDELL JAKE
HUTCHISON TAYLOR**
760 TATRO ROAD
STARKSBORO, VT 05487

SPAN: 615-193-10548

STARKSBORO | PARCEL

473 TATRO ROAD

OWNERSHIP

**HOGBACK HEAVEN
FARM LLC**

473 TATRO ROAD
STARKSBORO, VT 05487

26-DRB-03CU-1SP
ABUTTERS MAP
5/8/2026

Apr 14, 2026

Steven Rooney
Zoning Administrator
Town of Starksboro



Subject: Submission of Documents for Parcel No. 11101

Dear Zoning Administrator,

Please accept this formal letter and the enclosed documents for the permit application concerning parcel number 11101 located at 760 Tatro Rd, Starksboro VT 05487. This submission is intended to approve an expansion of our vegetable processing area, approve our AOFB in the Forest and Conservation District, to amend our previous conditional use approval to add the AOFB and to gain relief from the 100ft. Wetlands buffer condition.

I have compiled the necessary documentation as outlined in your department's checklist to ensure a thorough and efficient review.

The following is an itemized list of the documents enclosed with this submission:

Document Title	Description	Included
Completed Zoning Permit Application Form	Completed Zoning Permit application for proposed addition	<input type="checkbox"/> File
Site map	Site plan showing property lines, existing and proposed structures, and approx. wetland boundaries.	<input type="checkbox"/> File
Architectural Drawings of proposed addition	Comprehensive drawings including elevations, floor plans, and cross-sections.	<input type="checkbox"/> File
DRB Application for AOFB Site Plan Review and Conditional Use Approval Amendment	Completed DRB application	<input type="checkbox"/> File

Document Title	Description	Included
Site Plan of parcel	Two annotated site plans, one showing the entire parcel and one showing the addition site in more detail.	<input type="checkbox"/> File
Narratives	Narratives describing AOFB related activities at Footprint Farm, the relief requested for the wetlands setback, responses to review criteria in Site Plan Review Section 424.D, and in Conditional Use Criteria 245.D	<input type="checkbox"/> File
Supporting Documents	Emails from Zapata Courage regarding wetland setback	<input type="checkbox"/> File

I understand that additional information may be required during the review process, and I am prepared to provide any further clarification or supplementary materials needed in a timely manner. I can be reached at 802-385-3078 or taylor@footprintfarmvt.com for any questions regarding this application.

Thank you for your time and assistance with this important process.

Sincerely,

Taylor Mendell
Footprint Farm
760 Tatro Rd
Starksboro, VT 05487



P.O. Box 91 Starksboro, VT 05487
Zoning Phone: 802-453-2768
www.starksborovt.org/zoning

ZONING PERMIT APPLICATION

A Zoning Permit is required **prior** to any land development, as defined in the Starksboro Land Use & Development Regulations. Contact the Zoning Administrator prior to filing this form to confirm your permitting requirements and fees.

Site Information:

Physical Address of Property: 760 Tatro Rd Parcel ID (last 5 digits of SPAN): 11101
Zoning District: Forest + Conservation Overlay District (if applicable): _____ Lot Size (acres): 30.95

Property Owner(s) Information (see definition next page):

Property Owner(s) Name: Taylor Mendell
Property Owner(s) Name: Jake Mendell
Owner Mailing Address: 760 Tatro Rd
Starksboro VT 05487

Applicant Information (see definition next page):

Applicant Name: SAME
Applicant Mailing Address: _____
Email: _____

Project Information :

Description of Project: Addition to vegetable processing portion of existing building

ACKNOWLEDGEMENTS:

The Administrative Officer has 30 days to act on a complete permit application. Permit approvals will be effective at the end of the 15-day appeal period. **No construction is allowed during the appeal period.** The applicant or an interested party has the right to appeal this permit decision within 15-days of issuance to the Starksboro Development Review Board. Local, state, and federal regulations may apply to projects and additional local, state and federal permits may be required. **It is the applicant's responsibility to acquire additional local, state, and federal permits.** If those regulations are not as restrictive as the Starksboro Land Use & Development Regulations, the Starksboro Regulations will apply. Please contact the State of Vermont Permit Specialist (802-477-2241) for more information on state permits. Any work in the Road or Highway Right-of-Way requires a Town or State Driveway/Access permit be filed with the Zoning Administrator. All residential projects must comply with the Vermont Residential Building Energy Standards. All representations made on application forms, drawings, and attachments are binding. Failure to build according to the approved zoning permit application is a violation of the Starksboro Land Use & Development Regulations. The Administrative Officer shall have the right to conduct inspections at any time during construction. A Certificate of Occupancy is required for new single-family home.

Signatures: The undersigned hereby certifies the information within this application to be true and accurate, and accepts the acknowledgements as noted above and in the Starksboro Land Use and Development Regulations.

[Signature] 4/16/2026
Property Owner Signature Date
[Signature] 4/17/26
Property Owner Signature Date

Applicant Signature Date

OFFICE USE BELOW ONLY

Date received: 4/20/27 Date Application Deemed Complete 4/27/26 Fee: \$ _____ Paid via: Check #: _____ Online _____

PERMIT DECISION

Decision: DENIED/ APPROVED / REFERRED TO DRB

Zoning Administrator signature: _____ Cert. of Occupancy req? Yes No

Date of Signature: _____ Date Zoning Permit takes effect: _____ Permit Expiration Date: _____

Zoning Administrator's Comments: _____

TOWN CLERK'S OFFICE Received for Record: _____ A.D. _____ at _____ o'clock AM / PM
And Recorded in Book _____ page _____ Attest: _____ Town Clerk/Assistant Town Clerk

Review Checklist to be completed by the applicant:

Type of Project (check all that apply): New Construction / Sitework Change in Use Addition/Alteration Sign
 Accessory Dwelling Unit Home Business Renovation Other: _____

Related Prior DRB Approval Numbers # _____

For New Structures or Additions:

Total new square footage: 480 ft² **Size in ft:** Length 24' Width 20' Height 12'5"

Total Lot Coverage (includes driveways and other impervious surfaces) 3 %

Project setbacks: Show distance from the property boundaries in feet on an attached diagram (see below and next page).

Show any of the following conditions and / or note if the property is located within these protection areas:

- | | |
|--|--|
| <input type="checkbox"/> Floodplain | <input checked="" type="checkbox"/> 50 feet from a waterbody, stream, etc. |
| <input checked="" type="checkbox"/> Wetlands (Class I or II) | <input type="checkbox"/> Water Source Protection Area |
| <input type="checkbox"/> Steep Slopes (20% or greater) | <input type="checkbox"/> Conservation Easement lands |

Other regulatory permits (note NA if not applicable):

New E-911 Address Required? N/A

State Highway Right-of-Way Access Permit Number:

Town Driveway/Right-of-Way Access Permit Number:

State Water / Wastewater Permit Number :

State Stormwater Discharge Permit Number:

Prior or New State Act 250 Permit Number(s):

State Building Construction Permit Number:

Definitions:

Property Owner (also referred to as "owner" or "landowner" or "Owner of Record" or "developer"): Name of Person(s) or Entities noted as the Owner of the Parcel on the current Grand List or most recent Warranty Deed Filing. If multiple names are provided, all must be noted and must sign all applications. If an Entity is noted (i.e. Star Farms, LLC), then the contact information for the person authorized to represent the entity must be provided.

Applicant: The person(s) or entity or firm authorized by the Owner to submit the application, act on the Owner's behalf in all matters relating to the application, and be responsible for communications between the Town and the Owner. If the person(s) or entity or firm submitting the application and acting on the Owner's behalf does not wish to be is not listed as the Applicant, then a separate letter of authorization signed by the Owner must accompany the application allowing this party to act on the Owner's behalf.

Site Diagram Base Plan Hint:

If you do not have a survey or map of your property to sketch a site diagram on, you can go online to the Vermont Parcel Viewer Program (see link at www.starksborovt.org/zoning). Type your Parcel Number into the search bar (193 - last 5 digits of your SPAN number from your tax bill, example 193-10454). Confirm the new view matches your parcel and Owner information. Click on the Print icon at the bottom of the screen. In the Print dialog box that appears, click on Print, then click the Results tab. Print the map that appears in the pop-up window using your browser's print commands. Use this diagram to sketch your proposed project and attach in lieu of the diagram sheet on the next page.

Diagram:

Please include a sketch of the proposed development. You may use the space below to sketch your plan or provide a professionally prepared plan.

Include the following property information: boundary lines and rights-of-ways, setbacks, surface waters and wetlands, dimensions of existing and proposed structures, existing /proposed accesses (curb cuts) driveways and parking areas, existing /proposed utilities, existing / proposed water and wastewater systems. Additional information may be required depending on the nature of the project.

Diagram example:

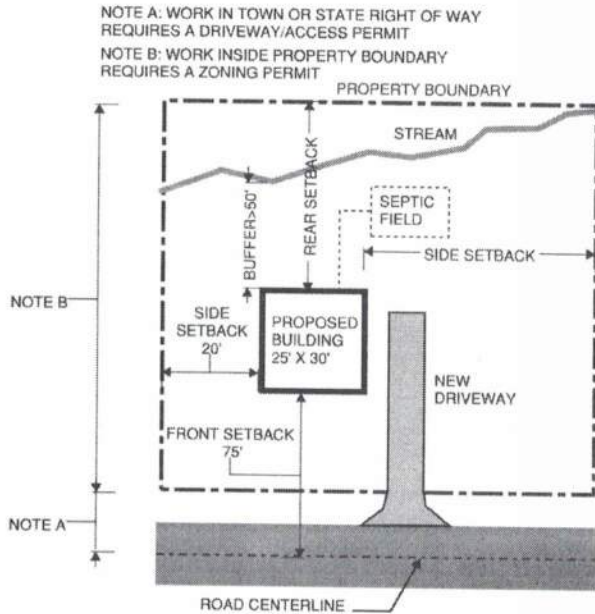
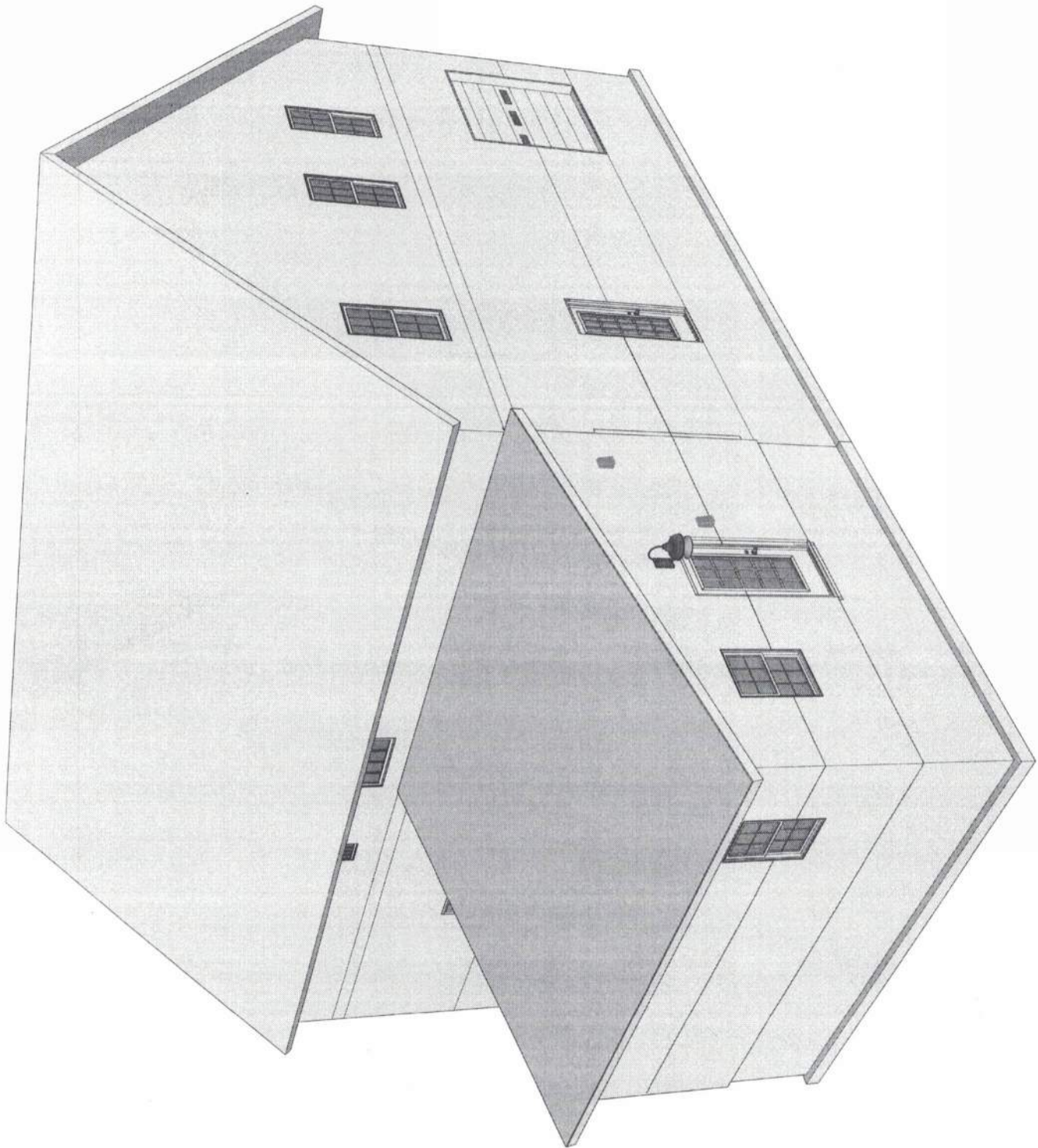


Diagram:

SEE ATTACHED PAGES

26-ZP-11

Town of Starksboro
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4/20/2027

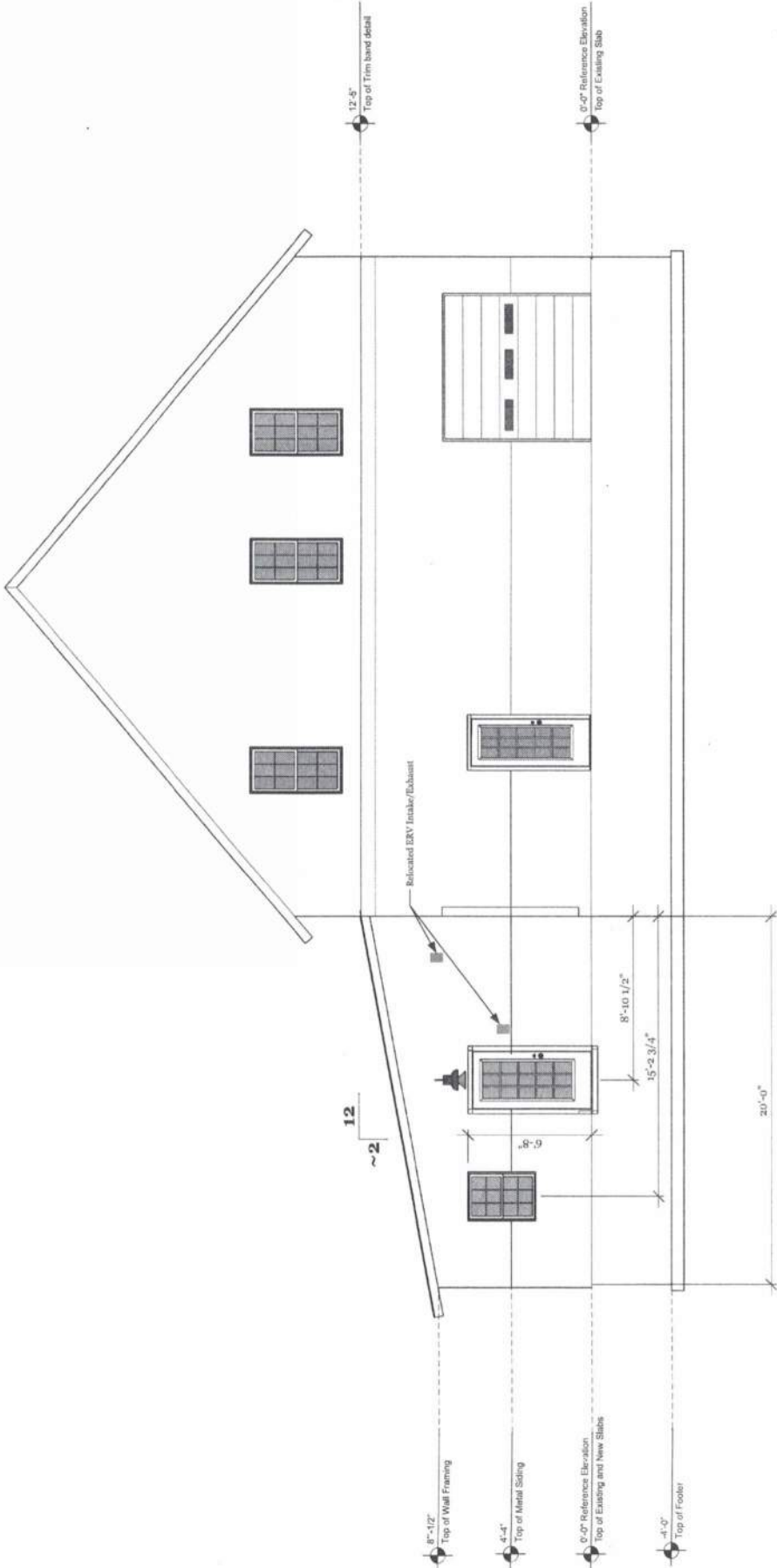


Amadon Woodworks and Design, LLC
Michael Shepard
amadonwoodworks@gmail.com
802-349-5785

Footprint Farm Wash/Pack Addition

March 23, 2026

Town of Starksboro
RECEIVED
4/20/2027

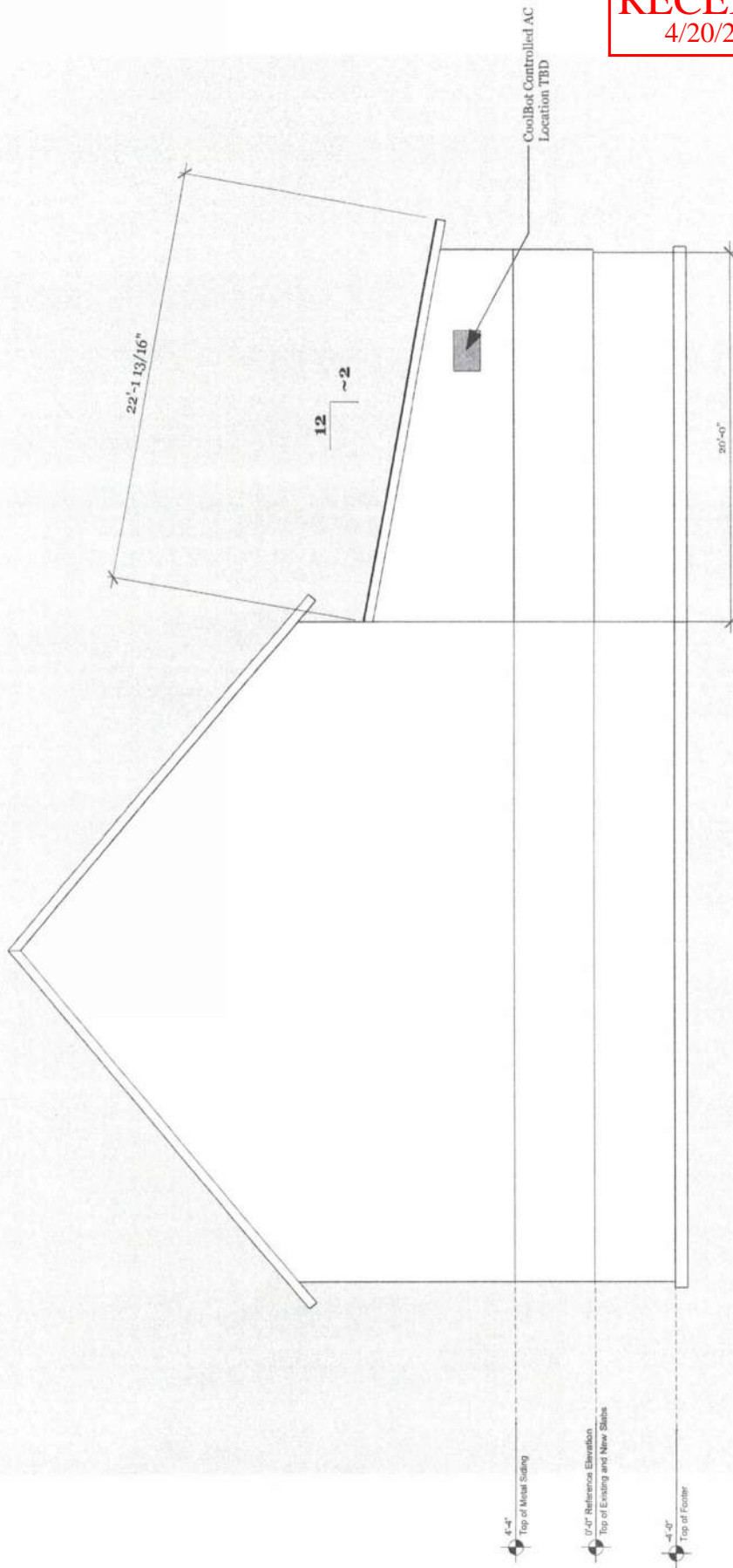


NO.	DATE	REVISIONS	REMARKS
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Amadon Woodworks and Design
Footprint Farm Wash/Pack Addition

East Elevation

Town of Starksboro
RECEIVED
4/20/2027

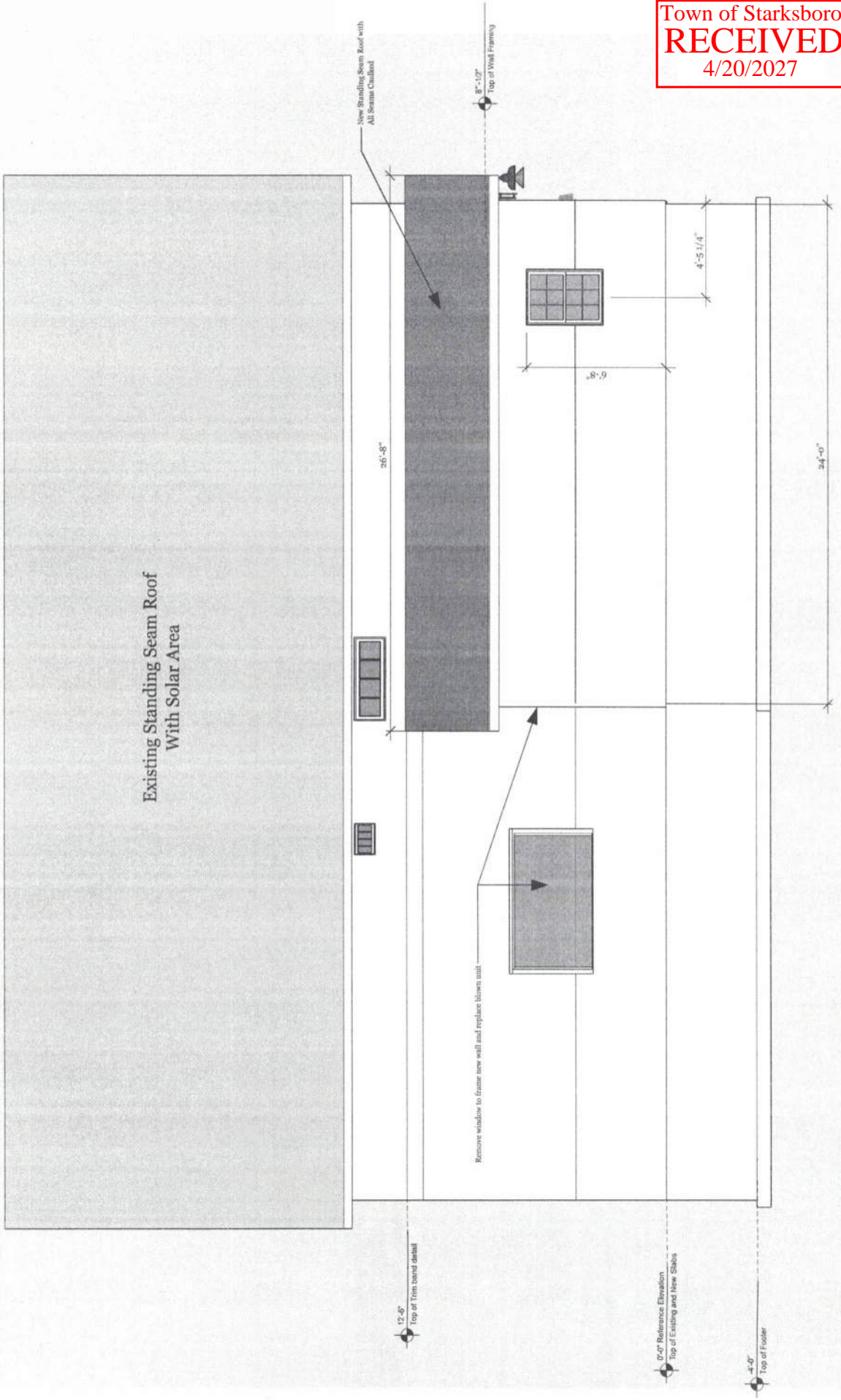


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Amadon Woodworks and Design
Footprint Farm Wash/Pack Addition

West Elevation

Town of Starksboro
RECEIVED
4/20/2027



Existing Standing Seam Roof
With Solar Area

26'-8"

Remove window to frame new wall and replace blown unit

8'-9"

4'-5 1/4"

24'-0"

12'-6"
Top of Trim band detail

0'-0"
Reference Elevation
Top of Existing and New Sills

4'-0"
Top of Footer

REVISIONS

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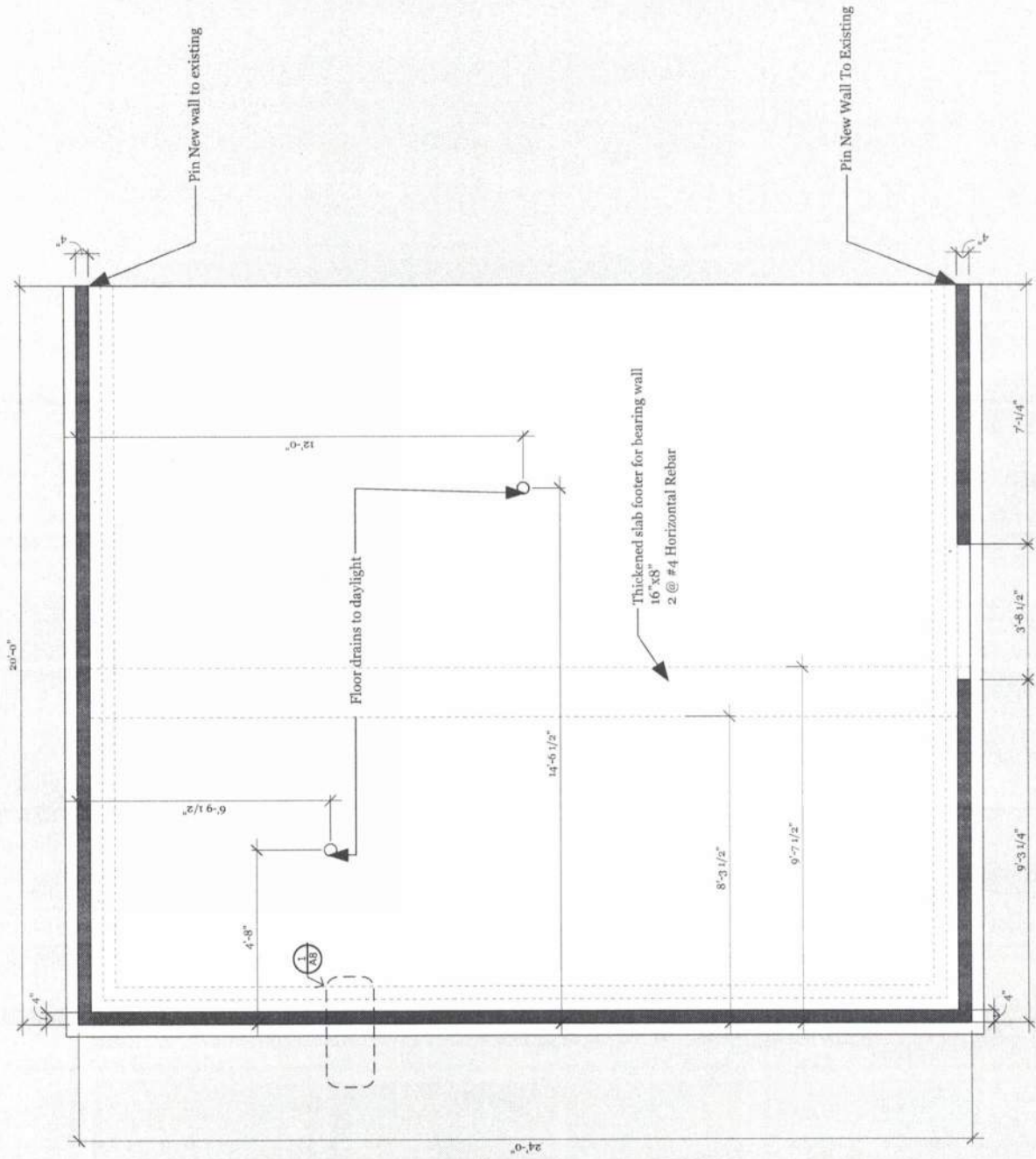
Amadon Woodworks and Design

Footprint Farm Wash/Pack Addition

South Elevation



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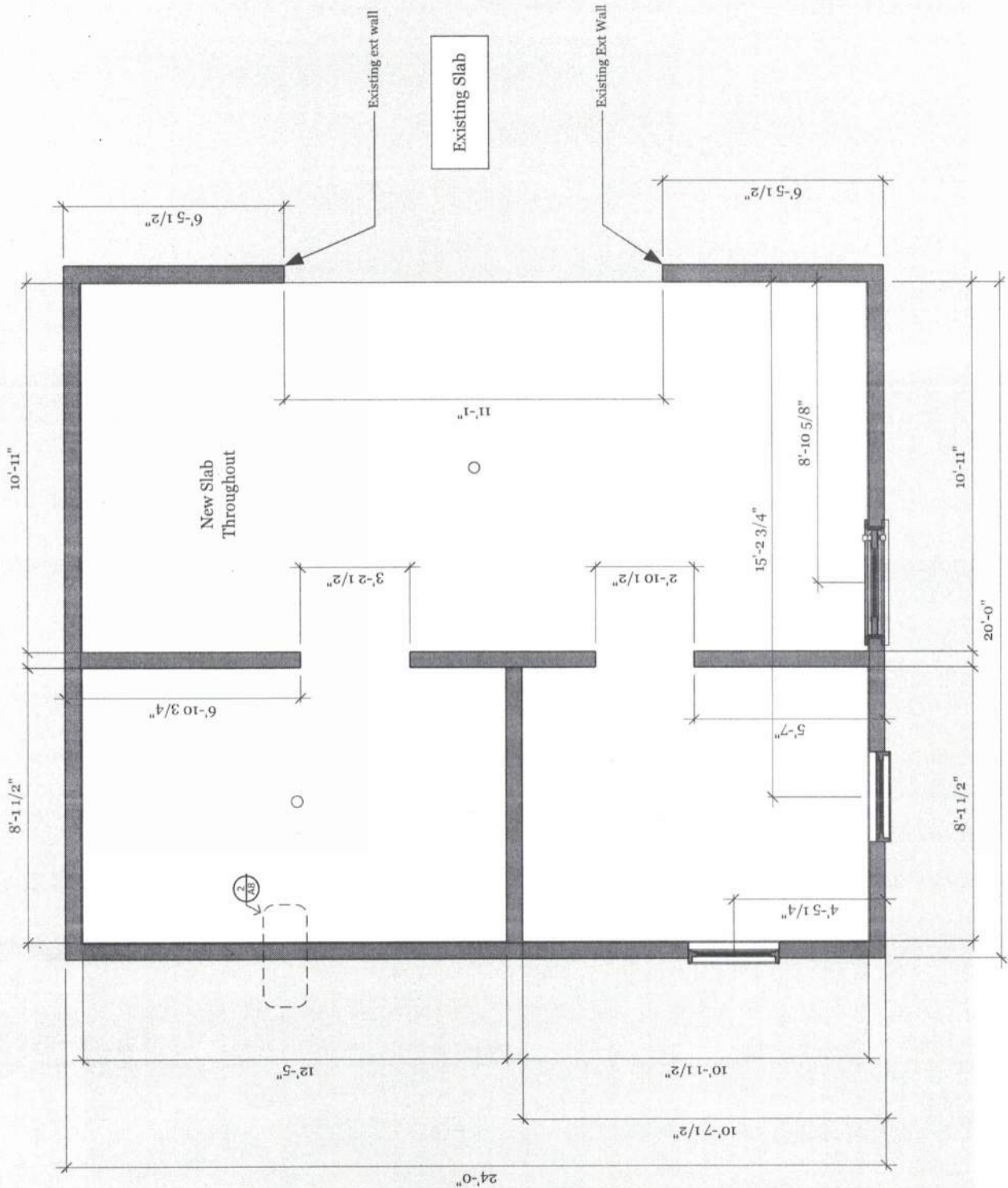
Amadon Woodworks and Design

Footprint Farm Wash/Pack Addition

Foundation Plan



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1	March 13, 2026		REVISIONS
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26-ZP-11

Town of Starksboro
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4/20/2027



REVISIONS

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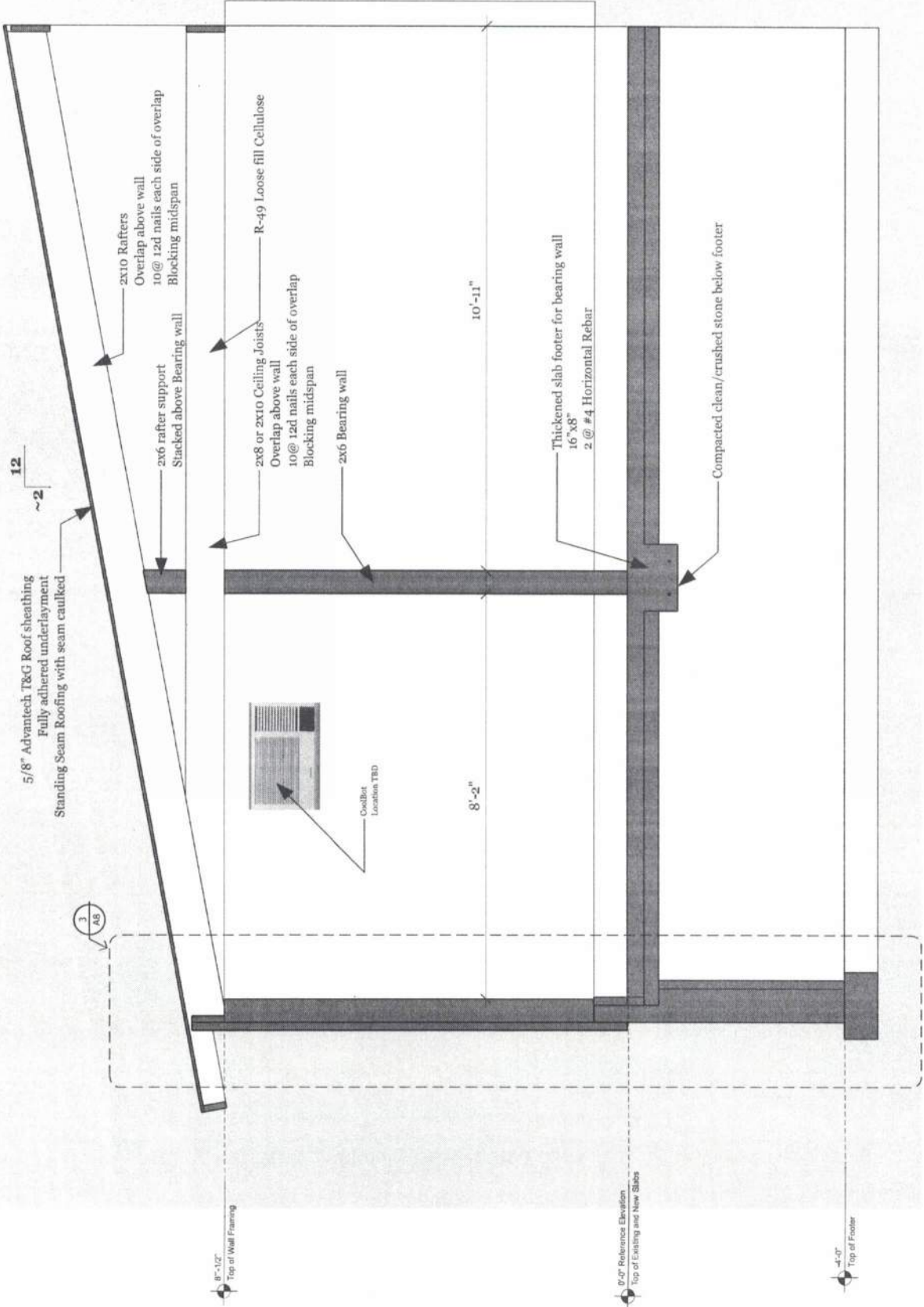
32

Amadon Woodworks and Design

Footprint Farm Wash/Pack Addition

Roof Plan

Town of Starksboro
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4/20/2027



NO.	DATE	REVISIONS	REMARKS
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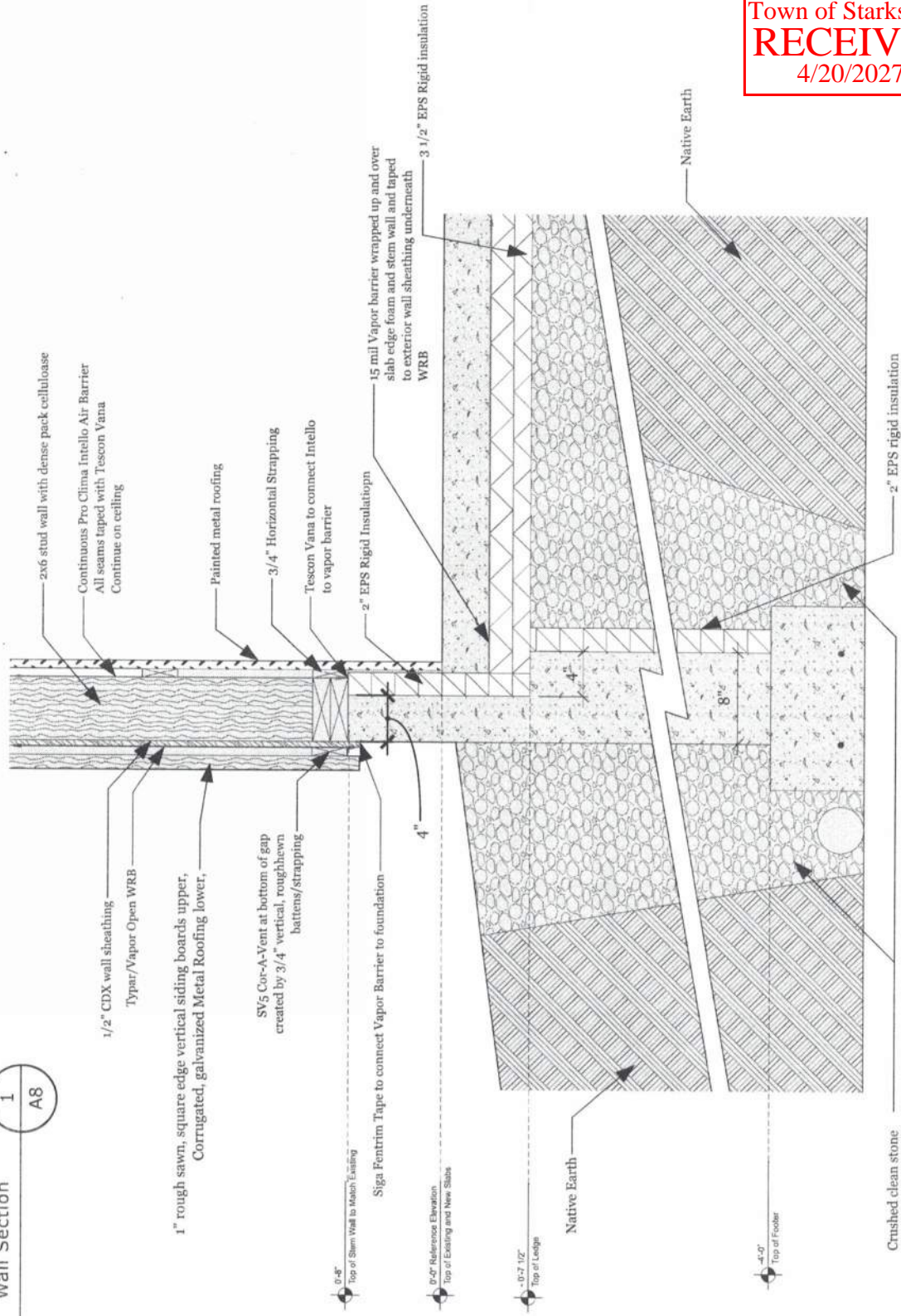
Amadon Woodworks and Design

Footprint Farm Wash/Pack Addition

Section

Wall Section

1
A8



26-ZP-11

Town of Starksboro
RECEIVED
4/20/2027

NO.	DATE	BY	REVISIONS
1	March 15, 2026		
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Footprint Farm Wash/Pack Addition

Slab edge/Wall Detail

Address of property: 760 Tatro Rd Parcel ID (last 5 digits of SPAN): 11101

Property Owner (see Page 2): Taylor Mendell (Hutchison)

Property Owner Jake Mendell

Mailing Address: 760 Tatro Rd, Starksboro VT 05487

Signature of Owner: [Signature] Date 4/17/26

Signature of Owner: [Signature] Date 4/17/26

Applicant (see Page 2): SAME

Mailing Address: _____

Phone: _____ Email: _____

Signature of Applicant: _____ Date _____

Application Type (check all that apply):

Variance (per section 422)
Specific relief requested: _____

Waiver (per section 423)
Specific relief requested: _____

Site Plan Review (per section 424, "S" designation in Use Table, or other Section). # 26-ZP-11
Project description and Zoning Permit # On-farm business/section 342.B in the Fc district

Conditional Use Review (per section 425, "C" designation in Use Table, or other Section)
Project description and Zoning Permit #: Amendment of 2017DRB_06_CU decision #26-ZP-11

Subdivision (per Section 426). Pre-application meeting date : _____
_____ Minor _____ Major Total # Lots _____

Planned Unit Development (per Section 427). Pre-application meeting date: _____

Appeal of decision by Zoning Administrator (per section 421)
Permit # or other decision being appealed: _____

Other (specify) _____

➤ Before the application can be deemed complete, the property owner or applicant must submit with this application the applicable fees and appropriate pertinent information as required by the Starksboro Land Use and Development Regulations. Once the application is deemed complete by the Zoning Administrator or DRB, the Town has 60 days to warn a public hearing. See Page 2 and 3 for required submittals and other information.

Administrator/DRB use only

DRB Application Number: 26-DRB-03CU-01SP Fee Paid: \$375 Date Deemed Complete: 4/27/2026

Warning Public Notice date: 5/14/26 Final Hearing date: 6/11/26 Date of decision: _____

DRB Chair: _____ DRB Clerk/ZA: _____

Zoning office notes: _____

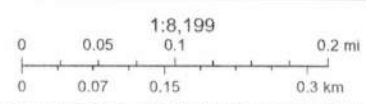
Site Plan Vermont Parcel Viewer



4/16/2026, 1:24:49 PM

Parcels - Active

- existing building
 - part residence
 - part wash/pack facility for farm. only place on property storing items pertaining to AOFB operations
 - x 7 greenhouses
 - x 2 sheds
- } all farm use



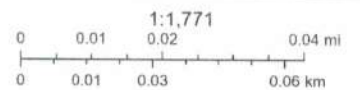
Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, VCGI

Site Plan, zoom on addition Vermont Parcel Viewer



4/16/2026, 1:26:35 PM

Parcels - Active



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, VCGI

Description of Footprint Farm & related AOFB operations

Footprint Farm is a small, diversified vegetable farm run by Taylor & Jake Mendell. The Mendells started the operation in 2013, first renting the land then subdividing and purchasing the subdivided parcel in 2017. The farm operates on about 3 acres of sandy farm land, 1.5 acres are used to grow annual vegetables, an acre is in annual cover crops at any one time, and the remaining .6 of an acre is occupied by unheated high tunnels used to grow vegetables year-round. Farmland is managed using regenerative, low input methods that put soil first and are monitored by several voluntary certifications such as CAPS (food safety), Real Organic and VOF (Organic and beyond Organic certifications), and oversight from the NRCS (Natural Resource and Conservation Services). In addition to the high tunnels, infrastructure includes a tractor shed, an equipment shed, a heated propagation tunnel, and a four-season wash/pack facility that doubles as the owners' primary residence. The farm employs six domestic workers in addition to Taylor & Jake, most of whom work seasonally. Two to three employees work year-round on a part-time basis. Most of them have been with us for 3-10 years. The farm's sales are split evenly between a 38-week CSA program and wholesale sales. Wholesale customers range from the Middlebury Foods Coop to caterers and restaurants between Middlebury and Burlington. The CSA program is a subscription model in which 200+ families sign up for a season of vegetables grown and chosen weekly by the farmers. About 20% of these customers received subsidized shares supported by up to 6 local food access programs. In addition to Footprint Farm vegetables, customers can choose to add products from other local producers: eggs, fruit, pork/beef, cheese, bread, and/or mushrooms. These products are typically delivered on the day of CSA distribution (bread, mushrooms, fruit) or are stored for short periods at the farm (up to two weeks) in designated storage spaces. Bought-in products represent about 10% of farm sales. It is these bought-in products that trigger the AOFB designation for Footprint Farm. CSA distributions are spread across 4 pick-up locations: Bristol, Hinesburg, Burlington and from the farm in Starksboro. There are typically 5-6 families who pick up from the farm, with the bulk of customers split between Bristol and Hinesburg pickup locations. Farm employees and owners deliver all farm products with the farm's delivery van.

Request of Relief from 100-foot setback from wetland

Our initial CU permit, 2017-DRB-06CU, listed "a minimum 100-ft setback from existing wetlands, and native vegetation shall remain undisturbed within 50-ft of the wetlands, with the exception that trees greater than 12 feet in height on the south side of the building envelope can be removed on an on-going basis to retain solar benefits on the site." We are requesting relief from the 100-ft setback, to be amended to the town's 50-foot setback. Included in this application are correspondence with Zapata Courage from the Watershed Management Division | Wetlands Program of the Vermont Department of Environmental Conservation who determined that the corner of the proposed addition would be just shy of 80-ft from the wetland.

Narrative regarding Site Plan Review Section 424.D and Conditional Use Criteria 425. D

Conditional Use Criteria 425.D

1. **Suitability of the Use** The proposed addition increases the ability for us (and future farmers) to use this land to maintain a viable agricultural business. The location of the addition does not affect the bulk of the property, and is located on a slope that will aid in the directional flow of any additional rainfall off the new roofline.
2. **Character of the area**
 - a. The proposed addition will maintain the aesthetic of the existing building and the Tatro Rd neighborhood: simple, blending into the surrounding woodland as much as possible, and practical. It will not alter the ability of neighboring properties (mostly residential, one commercial) to use their spaces as designed.
 - b. The proposed addition will not change the current activities on the property. It does not disturb the natural qualities of the surrounding area, nor will it create a situation in which additional municipal services are needed.
3. **Safety and Privacy** The proposed addition will not change the safety and privacy of neighboring landowners.
4. **Natural Setting** The proposed addition is sited in an area not currently wooded, or vegetated. It is, in fact, a rather sad area of the property with soils that have not been able to support much vegetation. The nearby woods and wetland will not be affected by the addition, and we plan to add native vegetation between the addition and the woods/wetland to help transition from human to natural spaces.
5. **Public Facilities and Services** Public facilities and services have been sufficient in the years since the original conditional use permit was created. This project will not change that.
6. **Performance Standards** This project will not change the performance standards already followed on our property. Noise is primarily contained within our main structure, the only noise above 50 dB(a) might be intermittent tractor or weedwhacker use, but our business uses both at far less frequency than most farms. Dust, odors and air pollution are no more than a normal residence. We have a few outdoor lights that are warm-toned, only on until about 6pm or later for resident safety, and are covered with an overhang. Vibration caused by tractor use is in the middle of the property and would not be felt by someone on a neighboring property. We do not store or accumulate junk, refuse, or fuel besides a propane tank for greenhouse heat. Traffic is concentrated to 6-7am when our employees arrive, and 3-4pm when they leave. We do get more deliveries than a standard home, but not more than one or two cars/large trucks per day. Any larger deliveries needed for everyday running of a farm business are typically organized into smaller trucks, or we meet the trucks on a class 2 road and bring the deliveries in ourselves to minimize vehicular impact on Tatro Rd.

Site Plan Review Criteria 424.D (AOFB designation)

1. **Siting and Design** The property is sited within the Forestry and Conservation district, and the original site plan designated a building zone that maintained the bulk of the usable agricultural and forested areas of the property. The now existing structure is on

an area that was previously cleared, so there was minimal tree removal. It is also on a sloped, sandy portion of the cleared area, both of which made the site undesirable for commercial agriculture. This new addition will not change the relationship of the building to its neighbors, as it will not be easily seen from the road, nor from neighboring properties.

2. **Vehicular Traffic and Circulation** Footprint Farm has been operating on this site for over a decade and in that time has increased traffic on Tatro Rd in three specific scenarios: employees getting to and leaving work, deliveries, and customers picking up orders. Employees (6 people 5 days per week during the main growing season and 3-4 people 2-3 days per week the rest of the year) arrive at and exit the property at the same time each day (6-8am and 3-4pm depending on the season), rarely crossing paths with everyday commuters/neighbors. In order to accommodate these regular vehicles we have added and maintained a pull-out below the most potentially dangerous part of Tatro Rd (a blind hill) and have instituted a rule that all visitors and employees should give a quick horn toot at the hill to warn oncoming traffic. In the event of a two-car meeting, our driveway serves as a pull out on one side, and the pull out serves cars on the other side of the hill. Neighbors already used the horn toot method when we moved here in 2013, and it has continued to work for everyone in the passing years. There will be a small increase in delivery traffic with any commercial operation, and we go to lengths to reduce that impact on Tatro Rd. We coordinate with suppliers of larger sized agricultural goods to both send deliveries in smaller vehicles (either the suppliers can accommodate this request or we hire or send a smaller vehicle to pick up and deliver), we batch orders or order with other farms to reduce the frequency of deliveries, and when a larger truck cannot be avoided, we meet them at a different location so that they do not drive on the Class 2 portions of Tatro Rd. At our busiest times of year there are an additional (more than an average residence) 2-3 delivery vehicles on the road per week.

Lastly we have customers who come to the farm to pick up their orders. There are two wholesale customers who come midday once per week, and there are 6-8 neighbors who pick up CSA shares from 4-6pm once per week from April - December.

The only previously described traffic directly associated with an AOFB designation would be deliveries made once per week by a mushroom grower, a bread baker, a delivery with cheese and eggs, and once in a while a fruit grower or meat delivery (3-4 per week). So far there have not been issues with snow removal and storage, and preventative safety protocols have addressed potential safety concerns.

3. **Pedestrian Traffic and Circulation** The farm itself is privately owned, and not a public accommodation. The interior spaces, and areas beyond the parking area, are private and not open to the public primarily for safety and biohazard/contamination exposure concerns. Customers who come to the farm to pick up produce do so from the outdoor, covered space which is accessible to the parking area. This project and its associated AOFB activities do not increase pedestrian activity.
4. **Parking** The property currently maintains parking for owners/residents, farm delivery vehicles (2), and employees. The parking areas blend well into the surrounding environment.

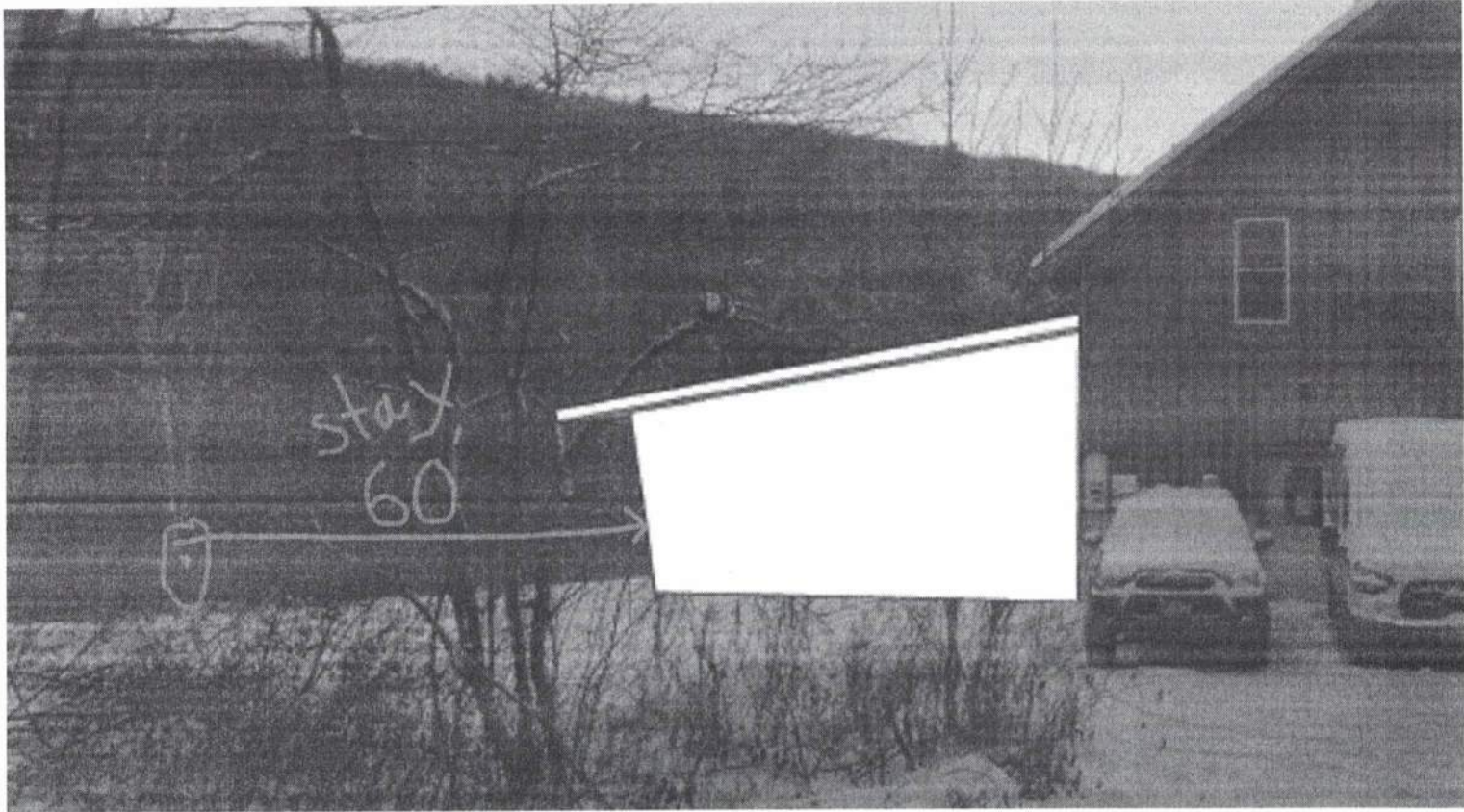
5. **Stormwater and Snow Storage** The design of the proposed addition uses a roof design that minimizes the impact of increased stormwater and snowfall. The driveway and farm roads have been designed to help stormwater drain away from buildings and farm fields, and do not pool or cause soil erosion.
6. **Lighting** The only exterior lighting on the building are three dim lights that provide a safe entry to the building. There is a motion sensor floodlight that has been used in rare cases when safety (local burglaries) was a concern.
7. **Signs** There is one small sign on a tree at the intersection of the driveway and Tatro Rd. The tree also holds the property's 911 address sign. The sign says Footprint Farm with an arrow pointing down the driveway. It is hand carved, and unobtrusive.
8. **Landscaping** There is no significant landscaping on the property. This building addition project finalizes the footprint of the property's main structure, which will give us the opportunity to introduce landscaping around the building. The bulk of the farm's activities are blocked from public view due to the topography of the property, though there is a propane tank near the parking area that we have started to hide with landscaping features.
9. **Energy Conservation** This property and the farm's operations have been designed with conservation in mind from the start. The existing building is sited so as to have the optimal solar capacity, and the entirety of the roof is covered in solar panels. The building is highly insulated to reduce heat and cooling loss, heating and cooling are controlled with heat pumps, the fixtures are energy saving, and switches have been installed in farm buildings in order to enable us to turn off high energy consuming equipment (fans) when they are not needed. All buildings have been sited as close as possible to roads to minimize human impact on the property, and the farm operates as a low-impact agricultural operation.
10. **Compatibility with the Town Plan and Other Regulations** Our farm's operations uphold many of the values identified by the Starksboro Town Plan. Agriculture is a named priority, and our use of this land preserves a space that has been used agriculturally for generations without putting undue pressure on the land itself. We are also farming this land with strategies and methods that provide the opportunity for a viable agricultural business to exist amongst the typically smaller and more hilled fields found in Starksboro. We initially introduced the idea of working with other agricultural producers to further strengthen the community ties that characterize the farming community, and to provide a diverse market for our neighbors while also increasing our own ability to run a profitable business. Our farm now has over 200 families who come back year after year, truly strengthening community through ties to food and land. We have also worked closely with the NRCS (Natural Resource and Conservation Services) to install more plants in the wetlands, habitat for birds and pollinators, and we have a conservation plan in place to help us maintain the natural beauty that is present on this property and characterizes this area of Starksboro as a whole. The work we do is rooted in sustainable growth, and we are honored to be part of this tight-knit, resourceful community.

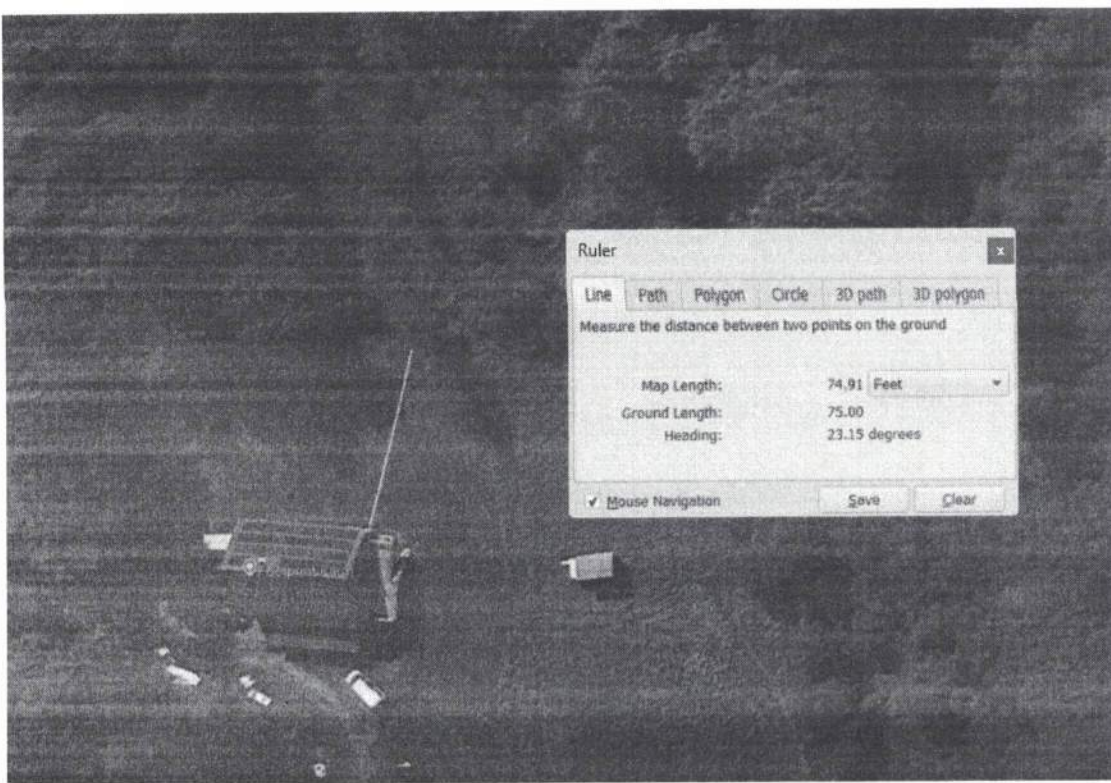
RE: 760 Tatro Rd-Starksboro: 2026-0071

Courage, Zapata <Zapata.Courage@vermont.gov>
To: Taylor Mendell <taylor@footprintfarmvt.com>

Tue, Jan 27, 2026 at 4:27 PM

Attachments came through just fine. If your addition can stay 60-ft from the yellow birch tree with the sign on it, then you do not need a site visit, no delineation and a wetland permit is not needed (i.e. The width of your addition off the existing can be about 20 ft wide). Based on photos and the topography, the yellow birch is right at the edge of the wetland, probably just outside by a couple of feet.





Let me know if you have questions. You can save my emails and forward them to the town.

So glad you know George. Say hello to him when you connect. With the Gov. shutdowns, we ended up not reviewing a couple of projects he had going on, so missed seeing him this summer.

Cheers,

Zapata

[Quoted text hidden]



AGENCY OF AGRICULTURE, FOOD & MARKETS
116 State Street
Montpelier, VT 05620-2901
Agriculture.vermont.gov

Taylor Mendell (via email: taylor@footprintfarmvt.com)
760 Tatro Road
Starksboro, VT 05487
Footprint Farm

RE: Determination of a Farm Operation

Dear Taylor Mendell,

Thank you for submitting your “farming” request. The Agency of Agriculture, Food & Markets (the Agency) renders opinions, based on the Agency’s Required Agricultural Practices Regulations (RAPs) as to whether a person is “farming” and the RAPs apply.

After reviewing your request, the Agency determines that you are “farming” and required to comply with the RAPs. The Agency provides more detail below.

Farm Operation Determination

This letter is documenting that activities occurring on acres, of a **32** total acre farm operation, located at **760 Tatro Road, Starksboro, VT**, meets the definition of “farming,” per the RAPs.

Section 2.14 of the RAPs in part, states “farm” means a parcel or parcels of land owned, leased, or managed by a person and devoted primarily to farming, ... and that meets the threshold criteria as established in Section 3 of the RAPs, provided that the lessee controls the leased lands to the extent they would be considered as part of the lessee’s own farm.

Section 2.16 of the RAPs states “farming” means:

- (a) the cultivation or other use of land for growing food, fiber, Christmas trees, maple sap, or horticultural, silvicultural, and orchard crops; or
- (b) the raising, feeding, or management of livestock, poultry, fish, or bees; or
- (c) the operation of greenhouses; or
- (d) the production of maple syrup; or
- (e) the on-site storage, preparation, and sale of agricultural products principally produced on the farm; or
- (f) the on-site storage, preparation, production, and sale of fuel or power from agricultural products or wastes principally produced on the farm; or
- (g) the raising, feeding, or management of four or more equines owned or boarded by the farmer, including training, showing, and providing instruction and lessons in riding, training, and the management of equines.

In part, you have described your **farm operation** as a **diversified vegetable operation specializing in year-round greens and CSA sales**, and therefore meets the definition of farming in Section 2.16 of the RAPs by meeting the provisions listed below:

- (a) the cultivation or other use of land for growing food, fiber, Christmas trees, maple sap, or horticultural, viticultural, and orchard crops;**
- (c) the operation of greenhouses; and**
- (e) the on-site storage, preparation, and sale of agricultural products principally produced on the farm.**

Your description also suggests that your farm meets the minimum thresholds enumerated in Section 3.1 of the RAPs that

makes the RAPs applicable. You indicated that you meet at least the following minimum criteria in Section 3.1:

- (b) has produced an annual gross income from the sale of agricultural products of \$2,000.00 or more in an average year;**
- (c) is preparing, tilling, fertilizing, planting, protecting, irrigating, and harvesting crops for sale on a farm that is no less than 4.0 contiguous acres in size; and**
- (f) is managed by a farmer filing with the Internal Revenue Service a 1040(F) income tax statement in at least one of the past two years;**

Agency Determination

Based upon this information presented at this time, the Agency has determined the activities described above occurring at **760 Tatro Road, Starksboro, VT**, meet the definition of farming pursuant the RAPs and are therefore considered a farming operation.

This farm operation determination does not exempt the Farm from compliance with any other provisions of the RAPs or any other applicable laws or regulations.

Farm operations that fall under the jurisdiction of the RAPs and operate an Accessory on Farm Business (AOFB) enjoy some zoning protections but may be required to participate in site plan review with their municipality and follow any relevant municipal performance standards. The Agency recommends that farms discuss their future operational plans with their municipality and work to comply with any/all AOFB requirements upfront to ensure a successful business plan. In part, an AOFB means the following activities conducted on a farm:

- The storage, preparation, processing, and sale of qualifying products, provided that the qualifying products are produced on a farm; the sale of products that name, describe or promote the farm or accessory on-farm business, including merchandise or apparel that features the farm or accessory on-farm business; or the sale of bread or baked goods; and
- educational, recreational, and social events that feature agricultural practices and /or qualifying agricultural products.

For more information, please review 24 V.S.A. § 4412 (11), visit: <https://agriculture.vermont.gov/land-use-renewable-energy-0/accessory-farm-business>, and talk to your town.

This letter outlines the Agency’s position based on the information provided and may change should the relevant information change. Please be aware that you will be required to comply with the Required Agricultural Practices (<https://agriculture.vermont.gov/rap>) by virtue of this determination by the Agency, and any other regulations applicable to your operation.

Please reach out with any additional questions.

Sincerely,

Signed by:

6712425C15074E9...

Laura DiPietro
Director of Water Quality
Agency of Agriculture, Food & Markets

4/20/2026 | 2:03:03 EDT

Date

CC: Steven Rooney - Zoning Administrator, Starksboro, VT (sent via email: zoning@starksborovt.org)

Please also be aware of the following, and contact the appropriate authorities if necessary:

Flood Hazard Area and River Corridor Construction: Construction of farm structures otherwise exempt from municipal regulation are subject to the [Flood Hazard Area and River Corridor Rule](#) administered by the Department of Environmental Conservation, Agency of Natural Resources. Obtaining appropriate permits in advance of construction will ensure compliance with National Flood Insurance Program (NFIP) criteria and enhance flood resilience.

Public Drinking Water Supplies: Nutrients, sediment, organic matter and microorganisms may also impact drinking water supplies derived from surface waters. Agricultural operations should be aware of the locations of surface drinking water source intakes and appropriately manage agricultural activities to reduce potential negative impacts.

Wetlands: Although wetlands are not mentioned in the RAPs, landowners need to be aware of existing rules pertaining to wetlands under state and federal jurisdiction. The Natural Resources Conservation Service, U.S. Army Corps of Engineers, and the Vermont Department of Environmental Conservation coordinate all agriculture/wetland issues in Vermont. It is strongly suggested that landowners contact the U.S. Army Corps of Engineers at 802-872-2893 and the Vermont Department of Environmental Conservation at 802-241-3760 before initiating farm related activities in or near wetlands.

Construction of New Farm Structures: Construction of new farm structures, specifically buildings and other farm related structures that disturb one or more acres of land must obtain authorization from the ANR before commencing with land disturbance or construction activities. Approval will be issued by ANR upon receipt of a Notice of Intent (NOI) which certifies that adequate measures for the control of erosion and sedimentation will be used during land disturbance and construction efforts. Persons needing additional information about the Construction General Permit/NOI concerning one or more acres of land disturbance are advised to contact the Water Quality Division of the Department of Environmental Conservation at 802- 241-3770 or visit the web site at www.vtwaterquality.org/stormwater. Authorization by ANR is not needed for construction or land disturbance related to cultivation, irrigation, drainage and fencing.

Vermont Fire and Building Codes: Farm structures, as determined by the Vermont Agency of Agriculture, Food & Markets (the Agency), may be required to comply with all applicable Vermont fire and building code regulations. In no way does a designation as a farm structure by the Agency limit the need for the structure to meet requirements listed under Title 20 of the V.S.A. Chapter 173, including obtaining a construction permit for eligible structures as defined in Chapter 173. For more information please visit: www.firesafety.vermont.gov

Solid and Hazardous Waste Management: Agricultural operations are advised to manage all wastes generated on the farm consistent with all applicable solid waste rules and hazardous waste rules. Information regarding the proper storage and disposal of waste oil, petroleum products and empty containers can be obtained from the Vermont Waste Management Division at 802- 241-3888.

Wastewater Management and Residuals Management: Farm operations generating wastewater indirect discharges or discharges to underground injection wells are advised that permits may be required from the Department of Environmental Conservation Watershed Management Division or Groundwater Protection and Management Division. The management of sewage, biosolids, and septage on a farm must be conducted consistent with the Vermont Solid Waste Management Rules and any Solid Waste Management Facility Certification authorizing these activities. Information regarding these requirements can be obtained by calling (802) 828-1535.

Water Withdrawal and Irrigation: Farm operations utilizing surface waters for irrigation purposes are advised that water withdrawals above a de minimis rate are required to obtain a permit from the Department of Environmental Conservation consistent with the Procedure for Determining Acceptable Minimum Stream Flows. More information regarding water withdrawals for irrigation purposes and permitting requirements can be obtained by calling the Watershed Management Division at (802) 828- 1535.

Alteration of Streams: Stream alteration permits regulate activities that take place in or along streams. The permit program is intended to prevent the creation of flood hazards, protect against damage to aquatic life, and protect the rights of neighboring landowners. The types of activities that are regulated include streambank stabilization, road improvements that encroach on streams, bridge construction or repair, and utility crossings under streambeds. More information regarding stream alteration and permitting requirements can be obtained by calling the River Management Division at (802) 828-1535.

Spill Prevention, Control, and Countermeasure (SPCC): EPA's oil pollution prevention regulation requires facilities that are subject to regulation to prepare and implement a plan to prevent any discharge of oil into navigable waters or adjoining shorelines of the U.S. A farm must prepare a SPCC Plan if it has an aggregate aboveground storage capacity of greater than 1,320 gallons. Only containers of oil with a capacity of 55-gallons or greater are counted toward this aggregate capacity threshold. The plan is referred to as a Spill Prevention, Control, and Countermeasure (SPCC) plan. More information regarding SPCC and permitting requirements can be obtained by calling the Environmental Assistance Office at 1(800) 974- 9559.

Vermont Act 250: Act 250 is Vermont's land use and development law, enacted in 1970 at a time when Vermont was undergoing significant development pressure. The law provides a public, quasi-judicial process for reviewing and managing the environmental, social and fiscal consequences of major subdivisions and developments in Vermont. "Farming" is defined similarly under both Act 250 and the RAPs, and "farming" is generally exempt from Act 250 review. But, the Agency does not have the authority to determine whether Act 250 applies to your farming activities and/or building project. If there are questions regarding whether Act 250 applies, please contact the Natural Resources Board (NRB) [District Coordinator](#). Please also be advised that if you have an existing Act 250 permit it may attach to your new activity or project. The NRB District Coordinator can help you assess the potential impact. More information regarding Act 250 can be obtained by calling the NRB at (802) 828-3309.

Town of Starksboro Development Review Board

Notice of Findings and Decision

In re: Jim Mendell and Peg Kamens- Application No. #2017DRB-06-CU, development in the Forest Conservation district, parcel# D2257S

INTRODUCTION AND PROCEDURAL HISTORY

1. This proceeding involves review of an application for conditional use (development in the Forest Conservation district) submitted by Jim Mendell and Peg Kamens (owners of record) pursuant to the Town of Starksboro Land Use and Development Regulations, adopted 2016.
2. The conditional use application was received by David Wetmore, Starksboro ZA, on September 14, 2017. A copy of the application and other exhibits are available at the Starksboro Municipal Office.
3. Public notice requirements for application #2017DRB-05-SD were completed as required in chapter #400 and evidenced in exhibit #1. This includes a warning in the Addison Independent, required postings, notice to abutting property owners, and owner/applicant.
4. The application for conditional use was considered by the Development Review Board (DRB) at a public hearing on October 12, 2017. The public hearing was closed on the same date. The DRB reviewed the application and conducted the public hearing pursuant to the Town of Starksboro Land Use and Development Regulations, adopted 2016, State law and Starksboro Rules of Procedure.
5. The following members of the DRB attended the hearing:
 - Dan Nugent, Chair; Marjorie Dickstein, V. Chair; Arnell Paquette, Secretary; Ben Campbell, Jon Fenner, and Rob Liotard.
 - DRB Member Richard Warren was present at the hearing, but did not participate, due to a stated conflict of interest.
6. At the outset of the hearing, the following people were present and a summary of their evidence with regard to the criteria, and a record of their participating at the hearing is part of the hearing record.
 - Taylor Hutchison; Peg Kamens; Dave Marshall; Jake Mendell; Jim Mendell; Kenneth Weston; and Dave Wetmore (Zoning Administrator).
7. During the course of the hearing the following exhibits were submitted to the Development Review Board:
 - Ex. #1: Application for conditional use, fee and narrative
 - Ex. #2: Applicant's project narrative.
 - Ex. #3: Proposed land survey by Ken Weston.
 - Ex. #4: Site plans (C1, C1.1, C1.2, C1.3 and C2) prepared by Civil Engineering Associates.
 - o Included are wastewater plans.
 - Ex. #5: Density summary and project description by Civil Engineering Associates.
 - Ex. #6: Project narrative addressing sections 260, 311, 312, 320, 330, 350 and 426.
 - Ex. #7: Public notice compliance.These exhibits are available at: Starksboro Municipal Office, Zoning Records.

TOWN CLERK'S OFFICE
STARKSBORO, VERMONT
RECORDED 7 20 17
at 12 o'clock 05 minutes P M
received this instrument for record
Vol 115 Page 002
Attest: *[Signature]*
Town Clerk

FINDINGS

Based on the application, testimony, exhibits, and other evidence the Development Review Board makes the following findings:

1. The applicant seeks conditional use approval to develop a single-family home and related accessory structures. The property is a 32+/- acre site bounded on the east by the private portion of Tatro Road and westerly by the mapped wetland. The property is more fully described in the following deeds in the Town of Starksboro Land Records:
 - Recorded in book 86, page 205, to Hogback Heaven Farm LLC from James Mendell and Peggy Kamens, dated September 21, 2006, recorded September 30, 2006.

Town of Starksboro Development Review Board

Notice of Findings and Decision

In re: Jim Mendell and Peg Kamens- Application No. #2017DRB-06-CU, development in the Forest Conservation district, parcel# D2257S

Recorded in book 86, page 209, to Hogback Heaven Farm LLC from James Mendell and Peggy Kamens, dated September 21, 2006, recorded September 30, 2006.

Recorded in book 91, page 119, to Hogback Heaven Farm LLC from John Painter and Lisa Divoll-Painter, dated March 4, 2008, recorded March 6, 2008.

2. The property is located almost entirely in the **Forestry and Conservation (FC)** district, as described on the Starksboro land Use Map on record at the Town of Starksboro Municipal Office, and in Chapter 26 and Article 260.A of the Zoning Bylaws. Chapter 210, Article 210.A, Figure 3. Use Table identifies that single-family residential uses in the FC district are conditional. Conditional Use approval is requested for the development pursuant to section 425 of the Zoning Bylaws.
3. The Applicants propose to develop a single-family residence and related accessory buildings on the parcel, which currently includes a large portion of open agricultural land presently being operated by the Applicants as "Footprint Farm". A building site is proposed on the south end of the farm operation, which is in the FC district, reducing the impacts upon the agricultural resources. Minimal clearing will be required to site the single-family home and related agricultural structures. Further, the building site is setback 100-ft from wetland boundary. The parcel has frontage along the private portion of Tatro Road. A complying 4-bedroom SFH wastewater has been developed (ex. #4).

Chapter 260. FC District Purposes.

This district is intended to protect the natural qualities of land that is generally not suitable for land development for many reasons, including poor or shallow soils, poor access to Class 3 or better roads and other municipal services, steep slopes, and the adverse effects on the habitat of wildlife or other natural resources. The Hogback Heaven Lands located in this district have good soils for wastewater disposal. The existing road provides access to Town-owned Tatro Road. The presence of wildlife is impacted by the open nature of the land due to its prior history of farming activities, and its close proximity to existing residential and commercial uses.

Chapter 263. Special District Standards.

The proposed driveway and house envelope avoid the existing wetlands that are located on the south and west sides of the lot. The building envelope has been laid out to provide a 100-foot separation to the wetlands while also providing a 130-foot separation to the private portion of Tatro Road. There are no significant natural and ecological resources within the building envelope, such as wetlands, vernal pools, flood hazard areas, steep slopes, surface waters, or significant natural areas for endangered or threatened species.

The remaining portions of the lot will continue to be used for agricultural purposes.

The proposed building envelope has been placed at a location which minimizes impacts on neighbors while also being in proximity to the existing private portion of Tatro Road, and has been sited to provide minimal intrusion on the aesthetics along the private portion of the road.

The proposed clearing limits are limited to that necessary for the construction of the driveway and proposed house. No other clearing is proposed.

Chapter 311. Driveways.

The proposed home will have access to the existing private portion of the Tatro Road via a driveway that is designed for both heavy construction equipment and emergency vehicles and equipment. This road meets the design standards set forth in the regulations for low volume private roads.

The proposed increase in trip ends on the property will be minimal as there is only one new home proposed. Currently the operators of Footprint Farm commute to the site, while under the proposed conditions they will live on the same site as the farm, possibly resulting in a reduction of trips per day.

Town of Starksboro Development Review Board

Notice of Findings and Decision

In re: Jim Mendell and Peg Kamens- Application No. #2017DRB-06-CU, development in the Forest Conservation district, parcel# D2257S

Chapter 330. Resource Protection.

The applicants propose to site the house a minimum of 100-ft from existing wetlands. Much of the existing 50-foot buffer area near the proposed house site has been mowed for hay as part of agricultural activities associated with the existing farm. In recognition that the use of solar energy is a goal set forth in the Town plan and these regulations, the applicant is proposing a natural vegetative re-establishment within the 50-foot buffer area in the vicinity of the proposed building envelope, with the exception that trees greater than 12 feet in height on the south side of the building envelope can be removed on an on-going basis in order to retain the solar benefits of the site.

Chapter 426. Subdivision Review

426.E Review Criteria.

- (1) Siting and Suitability. The building envelope for the new lot has been sited to minimize the agricultural potential of the remaining portions of the property.
- (2) Natural Features. The proposed driveway and house envelope avoid the existing wetlands that are located on the south and west sides of the lot. See Special Districts Standards and Resource Protection, above.
- (3) Character of the Area and Privacy. The proposed house site is buffered from the neighboring residential uses by setting the building envelope away from Tatro Road. The existing wetland is also a buffer between the house site and the homes to the south.
- (4) Energy Conservation and Access to Renewable Energy. The proposed building envelope provides south face access to sun. The wetland currently suppresses the forest in this area of the property, which will enable access to the sun later in the day and in the winter.
- (5) Access and Circulation. The change in existing traffic levels will be minimal. See Driveways, above. The low level of traffic will not impact existing Tatro Road's ability to accommodate vehicles, pedestrians, or bicyclists.
- (6) Infrastructure, Utilities, Facilities and Services. All of the new utilities serving the proposed home will be buried underground. The existing infrastructure is adequate to serve the one new home.
- (7) Lighting. The proposed building envelope has been designed to buffer light intrusion to abutting properties.
- (8) Recreation Access. The proposed residential use will not preclude access to a nearby existing open space conservation area.

CONCLUSIONS- the DRB concludes the following

1. The DRB concludes that the single-family residence can comply with the provisions of Chapter 330 – Resource Protection providing all construction complies with the “VT Handbook on Soil Erosion and Sediment Control on Construction Sites”.
2. There are presently numerous single-family residences within this area of Tatro Road. As proposed, the location of this residence minimizes intrusion further into the FC district. The DRB determines that site preparation and development should follow the “VT Handbook for Soil Erosion and Sediment Control”, and to ensure adequate access for fire and rescue services.
3. The size of the applicants' parcel has sufficient open space for recreation commonly associated with residential uses.
4. As proposed, this property is a legal conforming parcel and as such may be developed for the purposes permitted in the district. Compliance with all State permits shall be required prior to the ZA issuing a zoning permit for land development.
5. Compliance with Town of Starksboro Land Use and Development Regulations regarding down-shielded lighting will minimize negative impacts of light trespass into the night sky. Air and noise pollution will be limited to that commonly associated with residential uses. Extended generator operation is not anticipated but if one is

Town of Starksboro Development Review Board

Notice of Findings and Decision

In re: Jim Mendell and Peg Kamens- Application No. #2017DRB-06-CU, development in the Forest Conservation district, parcel# D2257S

used it should not exceed 50 decibels at the property line.

6. Energy conservation compliance must conform to the "Vermont Residential Building Energy Standards".

DECISION AND CONDITIONS

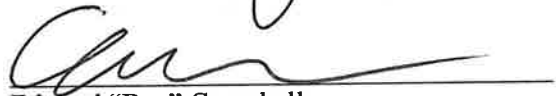
Based on the findings and conclusions the Starksboro DRB **APPROVES** Conditional Use Application 2017DRB-06-CU for single-family use of parcel #D2257S located primarily in the Forest Conservation District subject to the conditions outlined below.

1. The land development and single-family residential use of parcel #D2257S shall be in accordance with the application, plans, exhibits on file and the findings of fact which are incorporated herein.
2. All land development shall comply with the "VT Handbook on Soil Erosion and Sediment Control on Construction Sites".
3. The residence shall be located a minimum of 100-ft from existing wetlands, and native vegetation shall remain undisturbed within 50-ft of the wetlands, with the exception that trees greater than 12 feet in height on the south side of the building envelope can be removed on an on-going basis to retain solar benefits on the site.
4. The residence shall be built in compliance with the Vermont Residential Building Energy Standards.
5. All exterior lighting shall be down-shielded.
6. Noise from the use of a generator shall not exceed 50 decibels at the property line.

Dated at Starksboro Vermont, this 16th day of November 2017.

 11-16-17
Dan Nugent


Marjorie Dickstein


Edward "Ben" Campbell


Jon Fenner


Robert Liotard

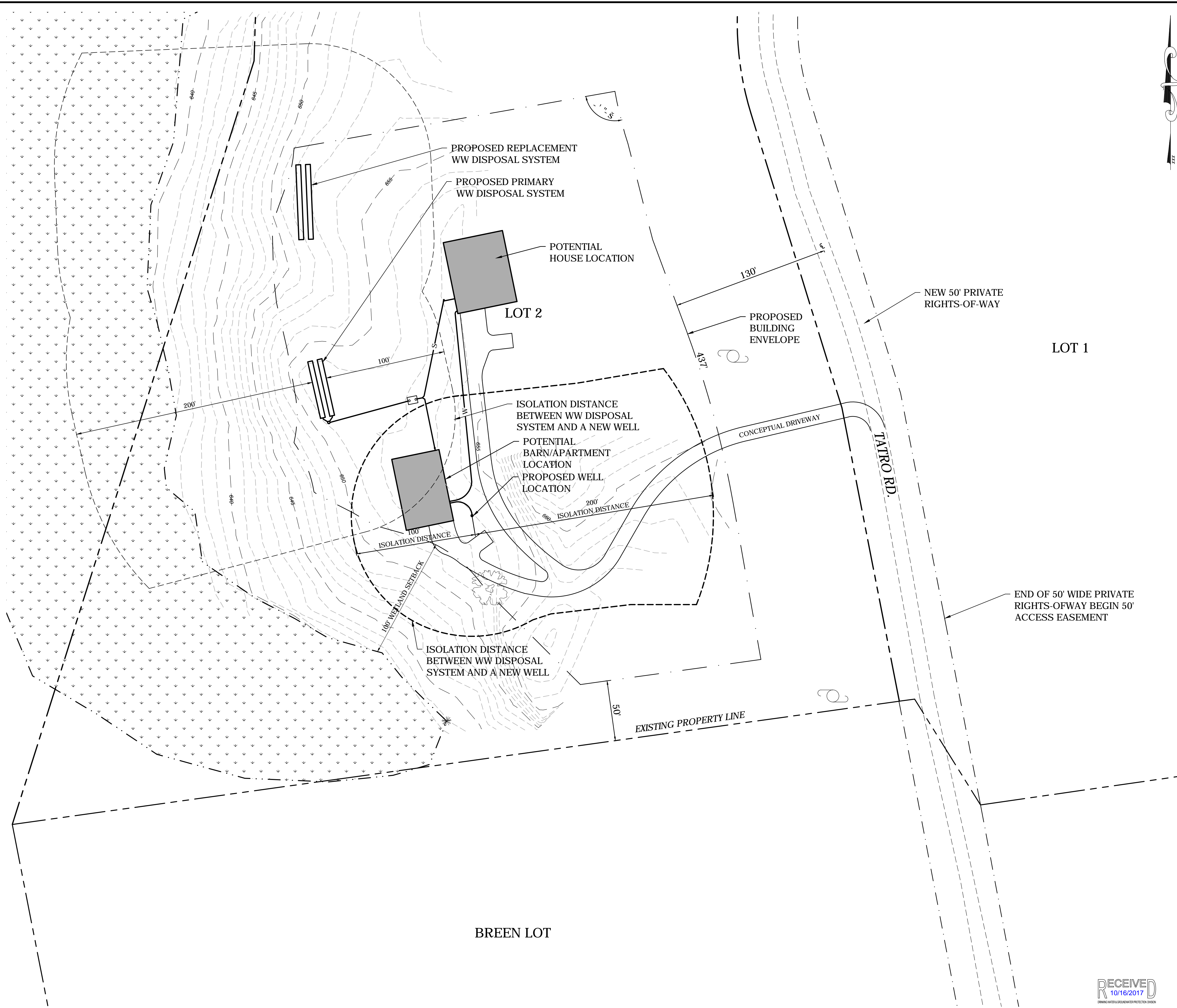

Arnell Paquette

NOTICE: This decision may be appealed to the Vermont Environmental Court by an interested person who participated in the proceeding(s) before the Development Review Board. Such appeal must be taken within 30 days of the date of this decision, pursuant to 24 V.S.A. § 4471 and Rule 5(b) of the Vermont Rules for Environmental Court Proceedings.

LEGEND

- PROPOSED PROPERTY LINE
- - - PROPOSED SETBACK LINE
- 100 PROPOSED CONTOUR
- ===== PROPOSED CURB
- ===== PROPOSED FENCE
- ===== PROPOSED GRAVEL
- ===== PROPOSED PAVEMENT
- PROPOSED GUARD RAIL
- E----- PROPOSED ELECTRIC
- FM----- PROPOSED FORCEMAIN
- G----- PROPOSED GAS
- ST----- PROPOSED STORM
- S----- PROPOSED GRAVITY SEWER
- T----- PROPOSED TELEPHONE
- W----- PROPOSED WATER
- PROPOSED SWALE

- ⊙ PROPOSED SEWER MANHOLE
- ⊙ PROPOSED STORM MANHOLE
- ⊙ PROPOSED CATCH BASIN
- ⊙ PROPOSED WELL
- ⊙ PROPOSED HYDRANT
- ⊙ PROPOSED SHUT OFF
- ⊙ PROPOSED UTILITY POLE
- ⊙ PROPOSED LIGHT POLE
- ⊙ PROPOSED EDGE OF BRUSHWOODS
- REBAR SET
- CONCRETE MONUMENT SET



SITE ENGINEER:



CIVIL ENGINEERING ASSOCIATES, INC.
10 MANSFIELD VIEW LANE, SOUTH BURLINGTON, VT 05403
802-864-2323 FAX: 802-864-2271 web: www.ceaa-vt.com

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DRAWN
SAL
CHECKED
DSM
APPROVED
DSM



OWNER:
HOGBACK HEAVEN FARM, L.L.C.

TATRO ROAD
STARKSBORO, VT

PROJECT:

COMMON GROUND SUBDIVISION

TATRO ROAD
STARKSBORO, VT

DATE	CHECKED	REVISION
8/31/17	DSM	REVISIONS PER AMR COMMENTS
9/27/17	DSM	NOTE REVISIONS
10/16/17	DSM	WW PERMIT REVISIONS

PROPOSED PARTIAL SITE PLAN

DATE
MAY 8, 2017

SCALE
1" = 40'

PROJ. NO.
15154

DRAWING NUMBER

C1.2

