Town of Starksboro Development Review Board Hearing
Exhibit List

Applicant: Alan Kirkpatrick
Application # 26-DRB-08CU

Date of Hearing: 11/12/2026
Hearing Type: Conditional use Review Hearing

Exhibit #	Description	Date entered	Submitted by:
A	Warning dated October 8,2026	11/10/26	ZA
B	Abutter Map dated 10/13/26	11/10/26	ZA
C	Abutter Mailing Affidavit dated 10/13/26	11/10/26	ZA
D	Applicant Letter 9/29/26 and review criteria responses dated 11/11/26	11/12/26	Applicant
E	DRB Application dated 9/29/26	11/10/26	Applicant
F	Zoning Permit Application dated 9/29/26	11/10/26	Applicant
G	Partial Site Diagram, rcvd. 9/29/26	11/10/26	Applicant
H	Waste Water Permit WW-9-1948-1 Site Plan S-2 dated 10/21/2019	11/10/26	Applicant
I	Plat Map 85D recorded 12/3/85	11/10/26	Applicant
J	ZA Review Memo dated 11/10/26	11/10/26	ZA
K	Waste Water Permit WW-9-1948-1 dated 3/26/2020	11/10/26	ZA

Exhibit A

TOWN OF STARKSBORO

DEVELOPMENT REVIEW BOARD

NOTICE OF HEARING

Alan Kirkpatrick submitted application 26-DRB-08CU for a Conditional Use Review Hearing to construct an Accessory Dwelling Unit (ADU) in an existing garage located on a 118+/- acre parcel #10444 at 864 Jim Dwire Road in the Town of Starksboro. The proposed ADU is in the FC district. The Conditional Use 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 **November 12, 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 at the Starksboro zoning office, and on the website at https://www.starksborovt.org/agendas-and-minutes

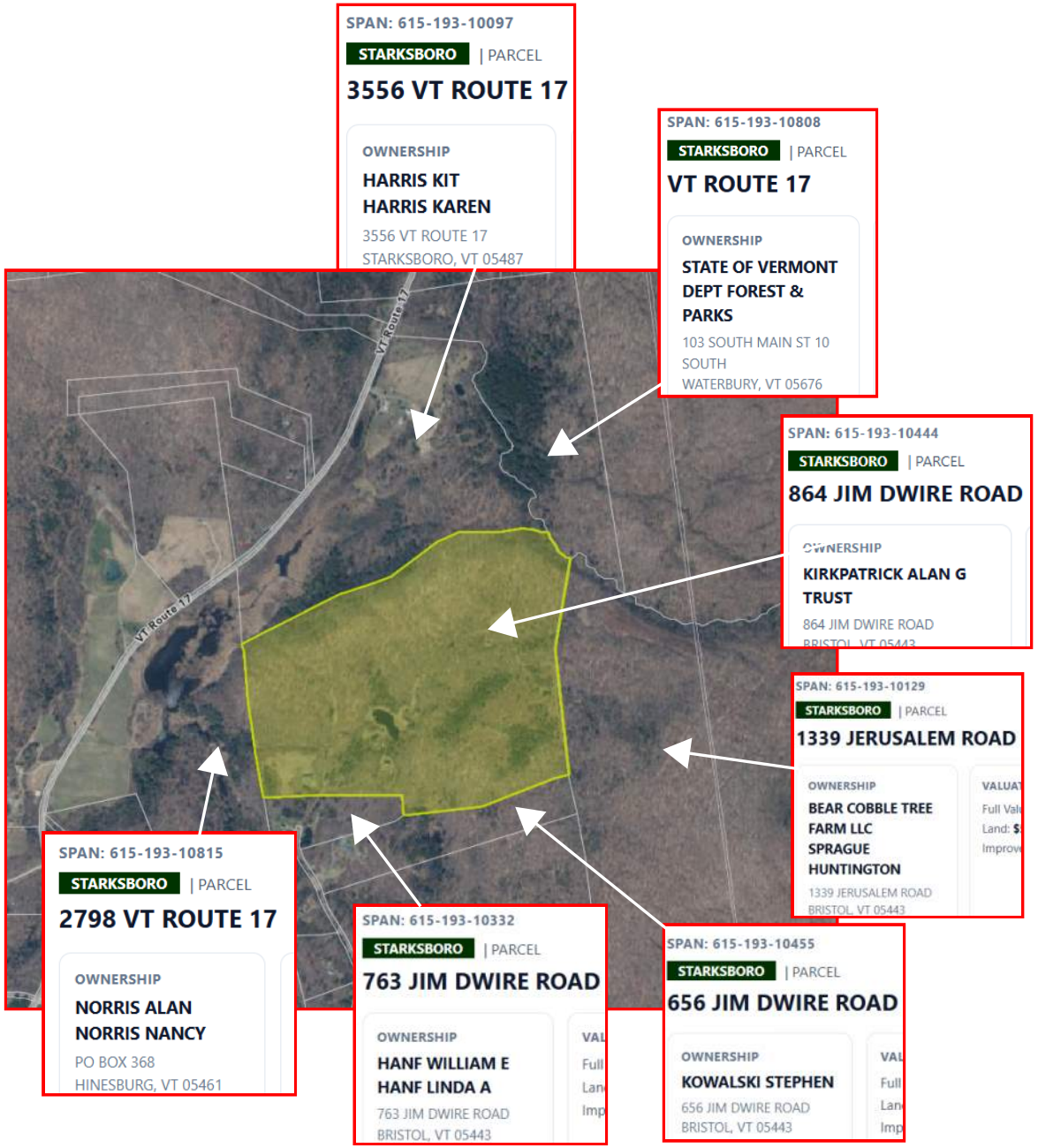
Pursuant to 24 V.S.A. §§ 4464(a)(1)(C) participation in this local proceeding is prerequisite to the right to take any subsequent appeal.

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 : October 8, 2026



26-DRB-08CU KIRKPATRICK ADU
ABUTTER MAP
10/13/26

Exhibit B

Exhibit C

Town of Starksboro
PO Box 91, Starksboro VT 05487
zoning@starksborovt.org

ABUTTERS MAILING AFFADAVIT

Pursuant to section #410 of the Starksboro Land Use Development Regulations I, Stephen Rooney, Zoning Administrator for the Town of Starksboro, hereby acknowledges that on 10/13/26 that I sent by US 1st class mail the attached "notice of public hearing", for application 26-DRB-08CU to the following list of abutting property owners and others requesting notice.

Stephen Rooney, Zoning Administrator

Date: 10/13/26

I attest by my signature below that I have reviewed this list and that it was mailed on 10/13/26

Attest: Amy McConnell, (Town Clerk/ Assistant Town Clerk/ Town Admin)

Notice Required to abutting Town per 24 VSA § 4463(a) for major subdivision (Y/N)? N
If yes, Address of Abutting Town: _____

Applicants: Alan Kirkpatrick, Parcel 10444, 864 Jim Dwire Road, Bristol, VT 05443

Abutters or Participants	
Parcel #	Name and Address
10097	Kit & Karen Harris 3556 Vt Route 17 Starksboro, Vt 05487
10808	State Of Vermont Dept Forest & Parks 103 South Main St 10 South Waterbury, Vt 05676
10129	Bear Cobble Tree Farm Llc Sprague Huntington 1339 Jerusalem Road Bristol, Vt 05443
10455	Stephen Kowalski 656 Jim Dwire Road Bristol, Vt 05443
10332	William & Linda Hanf 763 Jim Dwire Road Bristol, Vt 05443
10815	Alan & Nancy Norris Po Box 368 Hinesburg, Vt 05461

STARKSBORO VT 05487-9998
OCT 13 2026
USPS

ALAN KIRKPATRICK
864 JIM DWIRE RD.
BRISTOL, VT 05443

Exhibit D

Town of Starksboro
RECEIVED
9/29/26

September 29, 2026

To Whom It May Concern,

I have a 120 acre property at 864 Jim Dwire Road (the end of the road) with two structures, a house, and a garage. Most of the land is in the forest and conservation zone. I would like to finish the upstairs of the garage into an ADU. Both buildings already have water and septic approved by the state (WW-9-1948-1).

I've attached two drawings, and the wastewater completion letter from Barnard & Gervais. The garage has a 300' setback from the nearest boundary. Please let me know if I can provide any further info or documentation

Best Regards,

Alan

Exhibit D

Kirkpatrick ADU conditional use zoning request

Town of Starksboro
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Responses to the review criteria are in red text

2026-11-10

424.D Review Criteria.

In addition to meeting all applicable standards of these regulations, the DRB shall find that:

(1) *Siting and Design*. The siting and design of the proposed land development on the property will be compatible with its setting and context. This will include consideration of factors such as the relationship of the building(s) to the site and to adjoining property, the scale of the proposed land development in relationship to the site and neighborhood, and the transition and/or buffers between the site and adjoining properties.

All of these criteria were taken into account in the siting and design. The ADU is planned for an existing building, and will be within the building envelope.

(2) *Vehicular Traffic and Circulation*. Traffic generated by the proposed land development will not have an undue adverse effect on the condition, capacity, safety and function of the transportation infrastructure serving the subject property. The vehicular circulation within the site will not create unsafe conditions for drivers or pedestrians, will allow adequate access for service and emergency vehicles, and will allow for adequate snow removal and storage.

The traffic may increase by one car some of the time and will not impact the neighborhood. There is adequate access for emergency vehicles and snow removal.

(3) *Pedestrian Traffic and Circulation*. Pedestrian access will be provided within and through the subject property to adjacent properties and along roads as appropriate given the location of the subject property. Adequate access will be provided for people with disabilities and impaired mobility in accordance with applicable state and federal laws.

There is no public pedestrian access to the property

(4) *Parking*. The proposed land development will have an adequate, but not excessive amount of parking. Required parking has been designed and located to minimize its

Exhibit D

aesthetic and environmental impacts to the extent that is physically and economically feasible.

The building is a 3 car garage, and there is plenty of parking around the building.

(5) *Stormwater and Snow Storage*. The proposed land development will appropriately manage stormwater and snow storage. Low-impact development (LID) techniques that minimize the amount of run-off generated and allow infiltration of run-off and snow melt will be used to the extent that is physically and economically feasible.

Site work is already complete for the existing building, and allows for runoff and infiltration.

(6) *Lighting*. Lighting will be designed, located and used to: provide the minimum amount of lighting needed to create a safe environment for human activity; avoid increasing pre-existing light levels beyond the subject property; prevent glare and shield light sources; and minimize energy use.

No lights are being added for the ADU.

(7) *Signs*. Signs will be designed, sized and located to: minimize undue adverse effect on historic and scenic character; not be the dominant feature of the property; clearly and simply communicate their message; and enhance the appearance of the property and road corridor.

No signage is being added for the ADU.

(8) *Landscaping*. Landscaping will be established to: enhance the appearance of the property; screen service areas, equipment and utilities from public view; and create a buffer as needed to mitigate impacts on neighboring properties.

The nearest property is 300' away (through woods), and nearest house is over 1000' away (through woods). Landscaping is complete for the existing garage.

(9) *Energy Conservation*. The proposed land development has been designed and located to minimize its energy use to the extent that is economically and physically feasible. Energy-saving approaches to development may include: high-efficiency buildings, light fixtures and infrastructure; buildings oriented to maximize solar gain; landscaping to provide wind breaks, and reduce heat loss or gain as appropriate; buildings sited to minimize the length of road and utility corridors; and generating renewable energy on-site.

The building meets all these requirements.

Exhibit D

(10) Compatibility with the Town Plan and Other Regulations. The proposed land development will be compatible with the Starksboro Town Plan and any other applicable regulations, bylaws or ordinances adopted by the town.

I need a conditional use zoning permit for the ADU.

425.D Review Criteria.

The applicant shall demonstrate to the DRB that:

(1) Suitability of the Use. The parcel's size, shape, location, topography, natural features are suitable for the proposed use.

I meet this requirement.

(2) Character of the Area. The proposed use:

(a) Will not alter the character of the surrounding area in a manner that limits, impairs or precludes the use of neighboring properties for their permitted uses; and

(b) Will not result in an undue adverse effect on the character of the area as defined by the purpose of the zoning district within which the proposed land development is located and the specific policies and standards of the municipal plan for the area within which the proposed land development is located.

I meet these requirements.

(3) Safety and Privacy. The proposed use will not reduce the safety or privacy of neighboring landowners, and will create or retain appropriate transitions from public to private spaces and buffers between adjoining properties.

I meet these requirements

(4) Natural Setting. The natural landscape and topography will be preserved to the maximum extent practical considering the site's capacity and constraints.

I meet these requirements.

(5) Public Facilities and Services. The public facilities and services will be adequate to accommodate the proposed use.

I meet these requirements. There are no public facilities or services.

Exhibit D

(6) Performance Standards. The proposed use meets the performance standards listed in Chapter 320.

I meet these requirements.

(7) Site Plan Review Criteria. The proposed use meets the site plan review criteria listed in Subsection 424.D.

I meet these requirements – see the preceding page.

Starksboro VERMONT

Development Review Board Application

Exhibit E

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

Address of property: 864 Jim Dwire Rd. **Parcel ID** (last 5 digits of SPAN): 10444

Property Owner (see Page 2): ALAN KIRKPATRICK

Property Owner _____

Mailing Address: 864 Jim Dwire Rd, Bristol, VT 05443

Signature of Owner: Alan Kirkpatrick Date 9-29-2026

Signature of Owner: _____ Date _____

Applicant (see Page 2): same as above

Mailing Address: _____

Signature of Applicant: Alan Kirkpatrick Date 9-29-2026

Town of Starksboro
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9/29/26

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).
  Project description and Zoning Permit # _____
- ☑ **Conditional Use Review** (per section 425, "C" designation in Use Table, or other Section)
  Project description and Zoning Permit #: 26-ZP-37 ADU IN THE FC DISTRICT IN EXIST. GARAGE
- ☐ **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-08CU Fee Paid: 375 #1449 Date Deemed Complete: _____

Warning Public Notice date: _____ Final Hearing date: _____ Date of decision: _____

DRB Chair: _____ DRB Clerk/ZA: _____

Zoning office notes: _____

Permit # 26-29-37

Starksboro
VERMONT

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

ZONING PERMIT APPLICATION

Exhibit F

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: 864 Jim Dwire Rd Parcel ID (last 5 digits of SPAN): 10444

Zoning District: Forest Conserv Overlay District (if applicable): _____ Lot Size (acres): 118 acres

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

Property Owner(s) Name: ALAN KIRKPATRICK

Property Owner(s) Name: _____

Owner Mailing Address: 864 Jim Dwire Rd
Bristol, VT 05443

Applicant Information (see definition next page):

Applicant Name: ALAN KIRKPATRICK

Applicant Mailing Address: same

Phone : _____ Email : _____

Town of Starksboro
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9/29/26

Project Information:

Description of Project: ADU in an existing garage, already septic
no additional exterior construction

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.

Alan Kirkpatrick 9-29-2026
Property Owner Signature Date

_____
Property Owner Signature Date

SAME
Applicant Signature Date

OFFICE USE BELOW ONLY

Date received: 9/29/26 Date Application Deemed Complete _____ 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

Permit # 26-2P-37

Exhibit F

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 # 26-DRB-08CU

For New Structures or Additions: NO NEW SF 930SF ADU

Total new square footage: NA **Size in ft:** Length _____ Width _____ Height _____

Total Lot Coverage (includes driveways and other impervious surfaces) _____ % NO NEW LC

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:

☐ Floodplain

☐ Wetlands (Class I or II)

☐ Steep Slopes (20% or greater)

NA

☐ 50 feet from a waterbody, stream, etc.

☐ Water Source Protection Area

☐ Conservation Easement lands

Other regulatory permits (note NA if not applicable):

New E-911 Address Required? YES

State Highway Right-of-Way Access Permit Number:

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

State Water / Wastewater Permit Number: WW-9-1948-1

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.

Exhibit F

Permit # 26-ZP-37

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:

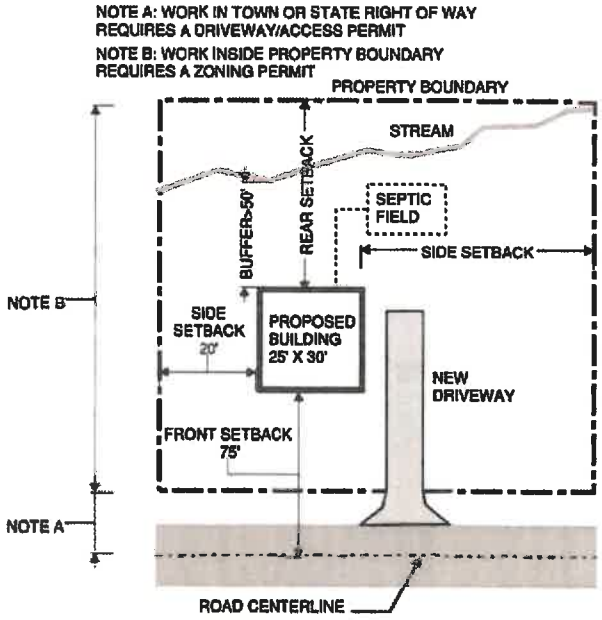
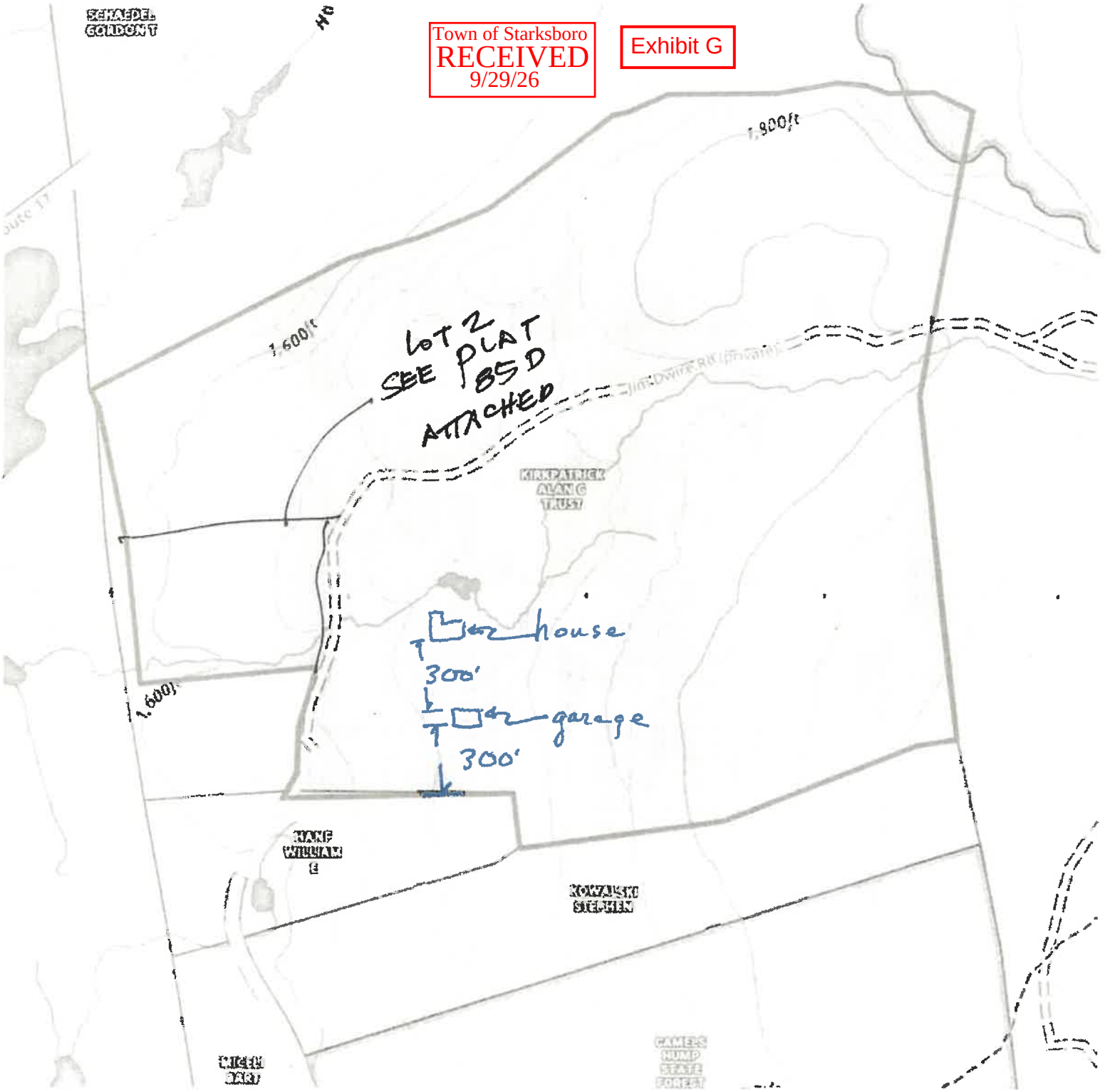


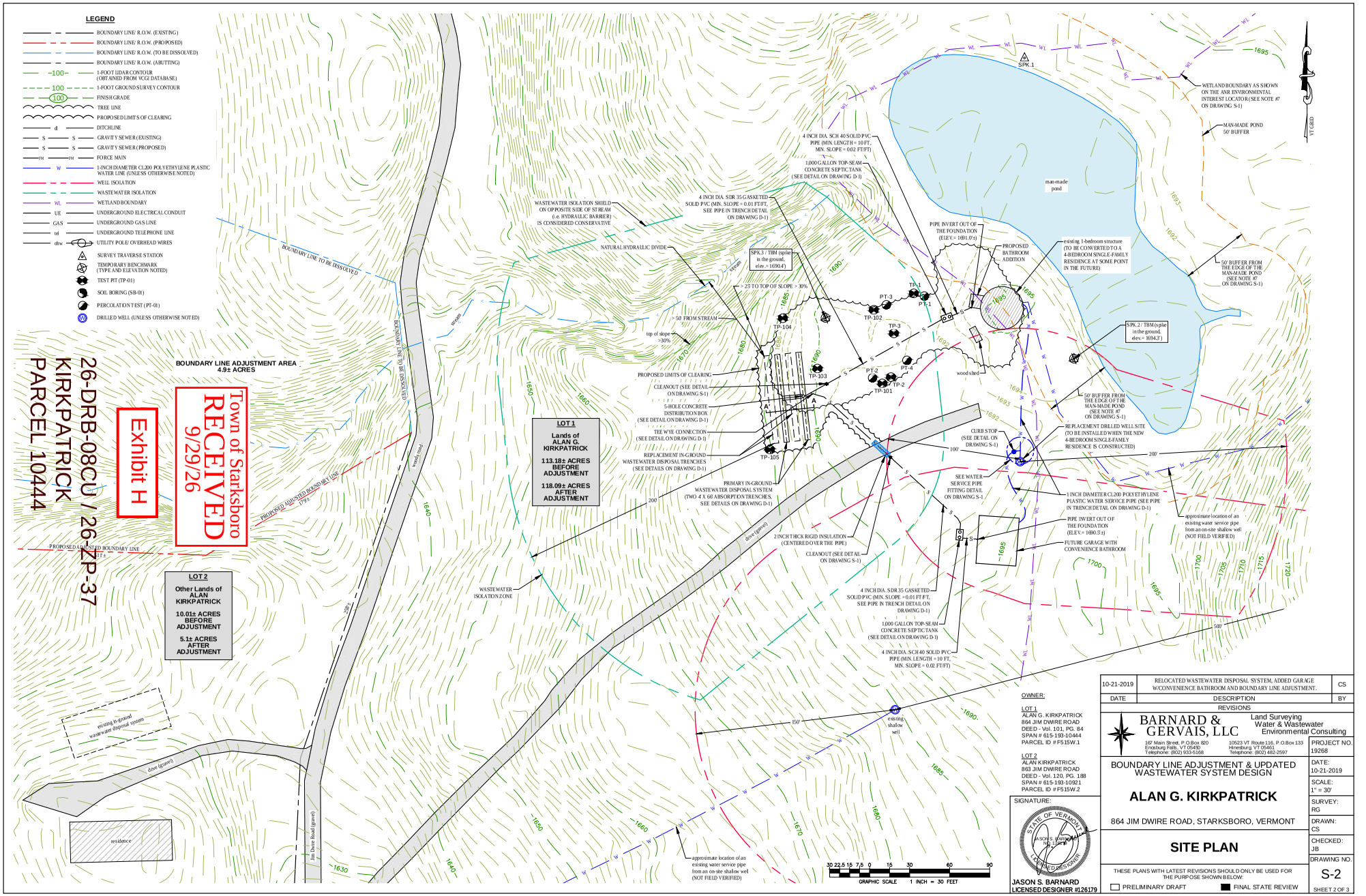
Diagram: see attachment



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Exhibit G

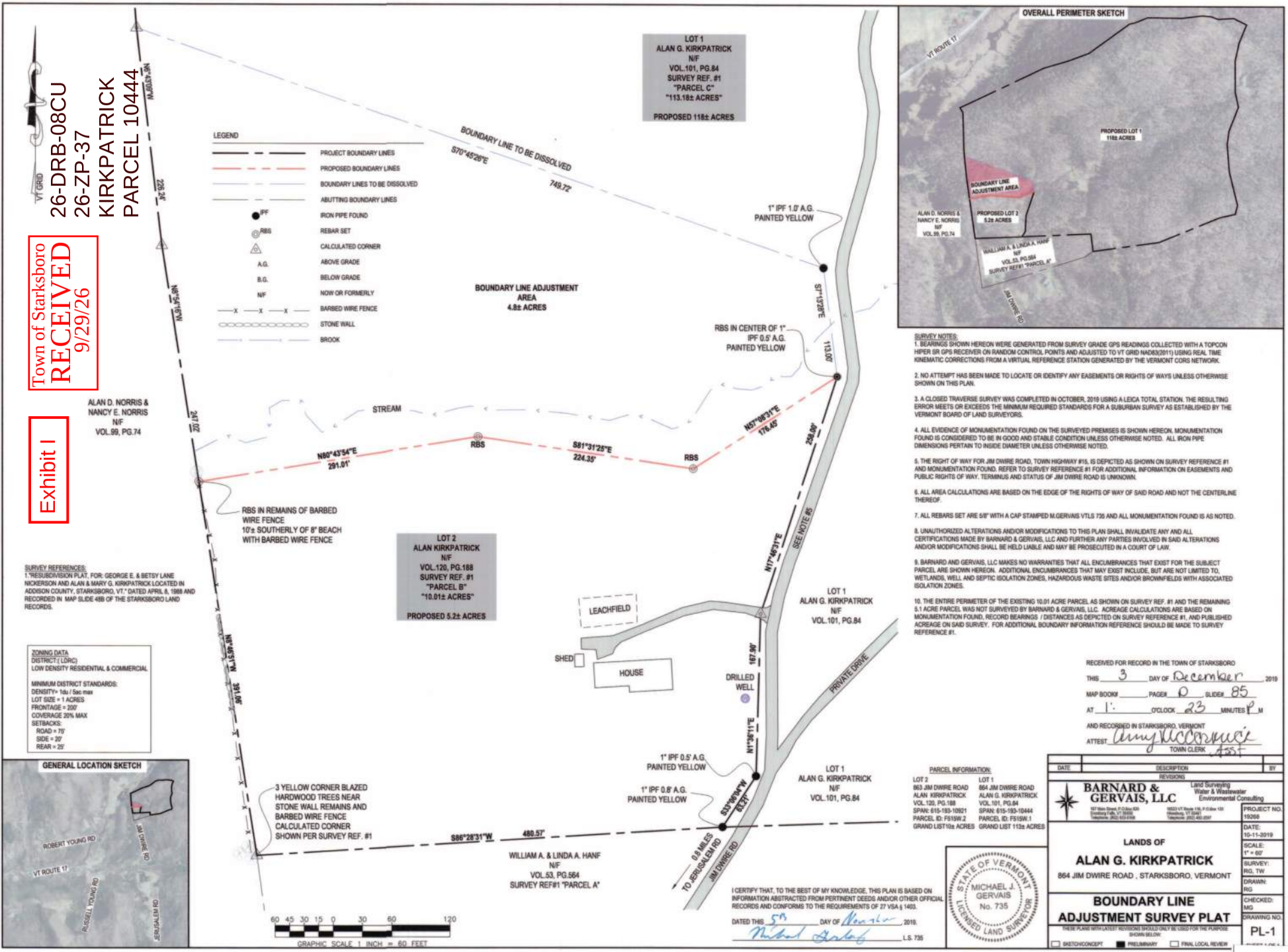
26-DRB-08CU / 26-ZP-37
KIRKPATRICK
PARCEL 10444


LEGEND
BOUNDARY LINE/ R.O.W. (EXISTING)
BOUNDARY LINE/ R.O.W. (PROPOSED)
BOUNDARY LINE/ R.O.W. (TO BE DISSOLVED)
BOUNDARY LINE/ R.O.W. (ABUTTING)
1-FOOT LIDAR CONTOUR (OBTAINED FROM VCGI DATABASE)
1-FOOT GROUND SURVEY CONTOUR
FINISH GRADE
TREE LINE
PROPOSED LIMITS OF CLEARING
DITCHLINE
GRAVITY SEWER (EXISTING)
GRAVITY SEWER (PROPOSED)
FORCE MAIN
1-INCH DIAMETER CL200 POLYETHYLENE PLASTIC WATER LINE (UNLESS OTHERWISE NOTED)
WELL ISOLATION
WASTEWATER ISOLATION
WETLAND BOUNDARY
UNDERGROUND ELECTRICAL CONDUIT
UNDERGROUND GAS LINE
UNDERGROUND TELEPHONE LINE
UTILITY POLE/ OVERHEAD WIRES
SURVEY TRAVERSE STATION
TEMPORARY BENCHMARK (TYPE AND ELEVATION NOTED)
TEST PIT (TP-01)
SOIL BORING (SB-01)
PERCOLATION TEST (PT-01)
DRILLED WELL (UNLESS OTHERWISE NOTED)
26-DRB-08CU / 26-ZP-37
KIRKPATRICK
PARCEL 10444
Exhibit H
Town of Starksboro
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BOUNDARY LINE ADJUSTMENT AREA
4.9± ACRES
BOUNDARY LINE TO BE DISSOLVED
PROPOSED ADJUSTED BOUNDARY LINE
LOT 1
Lands of ALAN G. KIRKPATRICK
113.18± ACRES BEFORE ADJUSTMENT
118.09± ACRES AFTER ADJUSTMENT
LOT 2
Other Lands of ALAN KIRKPATRICK
10.01± ACRES BEFORE ADJUSTMENT
5.1± ACRES AFTER ADJUSTMENT
WASTEWATER ISOLATION SHIELD ON OPPOSITE SIDE OF STREAM (i.e. HYDRAULIC BARRIER) IS CONSIDERED CONSERVATIVE
NATURAL HYDRAULIC DIVIDE
4 INCH DIA. SDR 35 GASKETED SOLID PVC (MIN. SLOPE = 0.01 FT/FT, SEE PIPE IN TRENCH DETAIL ON DRAWING D-1)
4 INCH DIA. SCH 40 SOLID PVC PIPE (MIN. LENGTH = 10 FT, MIN. SLOPE = 0.02 FT/FT)
1,000 GALLON TOP-SEAM CONCRETE SEPTIC TANK (SEE DETAIL ON DRAWING D-1)
SPK.3 / TBM (spike in the ground, elev.= 1690.4')
SPK.1
SPK.2 / TBM (spike in the ground, elev.= 1694.3')
> 25 TO TOP OF SLOPE > 30%
> 50' FROM STREAM
top of slope >30%
PROPOSED LIMITS OF CLEARING
CLEANOUT (SEE DETAIL ON DRAWING S-1)
5-HOLE CONCRETE DISTRIBUTION BOX (SEE DETAIL ON DRAWING D-1)
TEE WYE CONNECTION (SEE DETAIL ON DRAWING D-1)
REPLACEMENT IN-GROUND WASTEWATER DISPOSAL TRENCHES (SEE DETAILS ON DRAWING D-1)
PRIMARY IN-GROUND WASTEWATER DISPOSAL SYSTEM (TWO 4 X 60 ABSORPTION TRENCHES, SEE DETAILS ON DRAWING D-1)
2 INCH THICK RIGID INSULATION (CENTERED OVER THE PIPE)
CLEANOUT (SEE DETAIL ON DRAWING S-1)
WASTEWATER ISOLATION ZONE
4 INCH DIA. SDR 35 GASKETED SOLID PVC (MIN. SLOPE = 0.01 FT/FT, SEE PIPE IN TRENCH DETAIL ON DRAWING D-1)
1,000 GALLON TOP-SEAM CONCRETE SEPTIC TANK (SEE DETAIL ON DRAWING D-1)
4 INCH DIA. SCH 40 SOLID PVC PIPE (MIN. LENGTH = 10 FT, MIN. SLOPE = 0.02 FT/FT)
existing shallow well
approximate location of an existing water service pipe from an on-site shallow well (NOT FIELD VERIFIED)
PIPE INVERT OUT OF THE FOUNDATION (ELEV.= 1691.0'±)
PROPOSED BATHROOM ADDITION
existing 1-bedroom structure (TO BE CONVERTED TO A 4-BEDROOM SINGLE-FAMILY RESIDENCE AT SOME POINT IN THE FUTURE)
wood shed
CURB STOP (SEE DETAIL ON DRAWING S-1)
SEE WATER SERVICE PIPE FITTING DETAIL ON DRAWING S-1
1 INCH DIAMETER CL200 POLYETHYLENE PLASTIC WATER SERVICE PIPE (SEE PIPE IN TRENCH DETAIL ON DRAWING D-1)
PIPE INVERT OUT OF THE FOUNDATION (ELEV.= 1680.5'±)
FUTURE GARAGE WITH CONVENIENCE BATHROOM
approximate location of an existing water service pipe from an on-site shallow well (NOT FIELD VERIFIED)
WETLAND BOUNDARY AS SHOWN ON THE ANR ENVIRONMENTAL INTEREST LOCATOR (SEE NOTE #7 ON DRAWING S-1)
MAN-MADE POND
50' BUFFER
50' BUFFER FROM THE EDGE OF THE MAN-MADE POND (SEE NOTE #7 ON DRAWING S-1)
REPLACEMENT DRILLED WELL SITE (TO BE INSTALLED WHEN THE NEW 4-BEDROOM SINGLE-FAMILY RESIDENCE IS CONSTRUCTED)
man-made pond
existing in-ground wastewater disposal system
residence
Jim Dwire Road (gravel)
drive (gravel)
stream
wood line
VT GRID
GRAPHIC SCALE 1 INCH = 30 FEET
OWNER:
LOT 1
ALAN G. KIRKPATRICK
864 JIM DWIRE ROAD
DEED - Vol. 101, PG. 84
SPAN # 615-193-10444
PARCEL ID # F515W.1
LOT 2
ALAN KIRKPATRICK
863 JIM DWIRE ROAD
DEED - Vol. 120, PG. 188
SPAN # 615-193-10921
PARCEL ID # F515W.2
SIGNATURE:
STATE OF VERMONT
JASON S. BARNARD
NO. 126179
REGISTERED ENGINEER
JASON S. BARNARD
LICENSED DESIGNER #126179
10-21-2019
RELOCATED WASTEWATER DISPOSAL SYSTEM, ADDED GARAGE W/CONVENIENCE BATHROOM AND BOUNDARY LINE ADJUSTMENT.
CS
DATE
DESCRIPTION
BY
REVISIONS
BARNARD & GERVAIS, LLC
Land Surveying
Water & Wastewater
Environmental Consulting
167 Main Street, P.O.Box 820
Enosburg Falls, VT 05450
Telephone: (802) 933-5168
10523 VT Route 116, P.O.Box 133
Hinesburg, VT 05461
Telephone: (802) 482-2597
PROJECT NO. 19268
BOUNDARY LINE ADJUSTMENT & UPDATED WASTEWATER SYSTEM DESIGN
ALAN G. KIRKPATRICK
864 JIM DWIRE ROAD, STARKSBORO, VERMONT
DATE: 10-21-2019
SCALE: 1" = 30'
SURVEY: RG
DRAWN: CS
CHECKED: JB
SITE PLAN
DRAWING NO. S-2
THESE PLANS WITH LATEST REVISIONS SHOULD ONLY BE USED FOR THE PURPOSE SHOWN BELOW:
PRELIMINARY DRAFT
FINAL STATE REVIEW
SHEET 2 OF 3

26-DRB-08CU
26-ZP-37
KIRKPATRICK
PARCEL 10444

Town of Starksboro
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9/29/26

Exhibit I



SURVEY REFERENCES:
1."RESUBDIVISION PLAT, FOR: GEORGE E. & BETSY LANE NICKERSON AND ALAN & MARY G. KIRKPATRICK LOCATED IN ADDISON COUNTY, STARKSBORO, VT." DATED APRIL 8, 1988 AND RECORDED IN MAP SLIDE 48B OF THE STARKSBORO LAND RECORDS.

ZONING DATA
DISTRICT:(LDRC)
LOW DENSITY RESIDENTIAL & COMMERCIAL

MINIMUM DISTRICT STANDARDS:
DENSITY= 1du / 5ac max
LOT SIZE = 1 ACRES
FRONTAGE = 200'
COVERAGE 20% MAX
SETBACKS:
ROAD = 75'
SIDE = 20'
REAR = 25'

SURVEY NOTES:
1. BEARINGS SHOWN HEREON WERE GENERATED FROM SURVEY GRADE GPS READINGS COLLECTED WITH A TOPCON HIPER SR GPS RECEIVER ON RANDOM CONTROL POINTS AND ADJUSTED TO VT GRID NAD83(2011) USING REAL TIME KINEMATIC CORRECTIONS FROM A VIRTUAL REFERENCE STATION GENERATED BY THE VERMONT CORS NETWORK.

2. NO ATTEMPT HAS BEEN MADE TO LOCATE OR IDENTIFY ANY EASEMENTS OR RIGHTS OF WAYS UNLESS OTHERWISE SHOWN ON THIS PLAN.

3. A CLOSED TRAVERSE SURVEY WAS COMPLETED IN OCTOBER, 2019 USING A LEICA TOTAL STATION. THE RESULTING ERROR MEETS OR EXCEEDS THE MINIMUM REQUIRED STANDARDS FOR A SUBURBAN SURVEY AS ESTABLISHED BY THE VERMONT BOARD OF LAND SURVEYORS.

4. ALL EVIDENCE OF MONUMENTATION FOUND ON THE SURVEYED PREMISES IS SHOWN HEREON. MONUMENTATION FOUND IS CONSIDERED TO BE IN GOOD AND STABLE CONDITION UNLESS OTHERWISE NOTED. ALL IRON PIPE DIMENSIONS PERTAIN TO INSIDE DIAMETER UNLESS OTHERWISE NOTED.

5. THE RIGHT OF WAY FOR JIM DWIRE ROAD, TOWN HIGHWAY #15, IS DEPICTED AS SHOWN ON SURVEY REFERENCE #1 AND MONUMENTATION FOUND. REFER TO SURVEY REFERENCE #1 FOR ADDITIONAL INFORMATION ON EASEMENTS AND PUBLIC RIGHTS OF WAY. TERMINUS AND STATUS OF JIM DWIRE ROAD IS UNKNOWN.

6. ALL AREA CALCULATIONS ARE BASED ON THE EDGE OF THE RIGHTS OF WAY OF SAID ROAD AND NOT THE CENTERLINE THEREOF.

7. ALL REBARS SET ARE 5/8" WITH A CAP STAMPED M.GERVAIS VTLS 735 AND ALL MONUMENTATION FOUND IS AS NOTED.

8. UNAUTHORIZED ALTERATIONS AND/OR MODIFICATIONS TO THIS PLAN SHALL INVALIDATE ANY AND ALL CERTIFICATIONS MADE BY BARNARD & GERVAIS, LLC AND FURTHER ANY PARTIES INVOLVED IN SAID ALTERATIONS AND/OR MODIFICATIONS SHALL BE HELD LIABLE AND MAY BE PROSECUTED IN A COURT OF LAW.

9. BARNARD AND GERVAIS, LLC MAKES NO WARRANTIES THAT ALL ENCUMBRANCES THAT EXIST FOR THE SUBJECT PARCEL ARE SHOWN HEREON. ADDITIONAL ENCUMBRANCES THAT MAY EXIST INCLUDE, BUT ARE NOT LIMITED TO, WETLANDS, WELL AND SEPTIC ISOLATION ZONES, HAZARDOUS WASTE SITES AND/OR BROWNFIELDS WITH ASSOCIATED ISOLATION ZONES.

10. THE ENTIRE PERIMETER OF THE EXISTING 10.01 ACRE PARCEL AS SHOWN ON SURVEY REF. #1 AND THE REMAINING 5.1 ACRE PARCEL WAS NOT SURVEYED BY BARNARD & GERVAIS, LLC. ACREAGE CALCULATIONS ARE BASED ON MONUMENTATION FOUND, RECORD BEARINGS / DISTANCES AS DEPICTED ON SURVEY REFERENCE #1, AND PUBLISHED ACREAGE ON SAID SURVEY. FOR ADDITIONAL BOUNDARY INFORMATION REFERENCE SHOULD BE MADE TO SURVEY REFERENCE #1.

RECEIVED FOR RECORD IN THE TOWN OF STARKSBORO
THIS 3 DAY OF December 2019
MAP BOOK# _____ PAGE# D SLIDE# 85
AT 1: O'CLOCK 23 MINUTES P M
AND RECORDED IN STARKSBORO, VERMONT
ATTEST Amy McCormick
TOWN CLERK, asst

PARCEL INFORMATION:

LOT 2	LOT 1
863 JIM DWIRE ROAD	864 JIM DWIRE ROAD
ALAN KIRKPATRICK	ALAN G. KIRKPATRICK
VOL.120, PG.188	VOL.101, PG.84
SPAN: 615-193-10921	SPAN: 615-193-10444
PARCEL ID: FS15W.2	PARCEL ID: FS15W.1
GRAND LIST10± ACRES	GRAND LIST 113± ACRES

I CERTIFY THAT, TO THE BEST OF MY KNOWLEDGE, THIS PLAN IS BASED ON INFORMATION ABSTRACTED FROM PERTINENT DEEDS AND/OR OTHER OFFICIAL RECORDS AND CONFORMS TO THE REQUIREMENTS OF 27 VSA § 1403.

DATED THIS 5th DAY OF November 2019.
Michael Gervais L.S. 735

STATE OF VERMONT
MICHAEL J. GERVAIS
No. 735
LICENSED LAND SURVEYOR

DATE	DESCRIPTION	BY
	REVISIONS	

BARNARD & GERVAIS, LLC
Land Surveying
Water & Wastewater
Environmental Consulting
157 Main Street, P.O.Box 820, Vergennes, VT 05491, (802) 877-3495
10533 VT Route 116, P.O.Box 133, Hinesburg, VT 05461, (802) 482-2597

PROJECT NO. 19268
DATE: 10-11-2019
SCALE: 1" = 60'
SURVEY: RG, TW
DRAWN: RG
CHECKED: MG
DRAWING NO. PL-1

LANDS OF
ALAN G. KIRKPATRICK
864 JIM DWIRE ROAD , STARKSBORO, VERMONT

BOUNDARY LINE ADJUSTMENT SURVEY PLAT

THESE PLANS WITH LATEST REVISIONS SHOULD ONLY BE USED FOR THE PURPOSE SHOWN BELOW:
☐ SKETCH/CONCEPT ■ PRELIMINARY ☐ FINAL LOCAL REVIEW

85D

Exhibit J

Zoning Administrator (ZA) Review Memo

The following is an administrative summary of the project being heard on **11/12/2026** with recommendations for DRB consideration. This staff review memo is provided to the applicant prior to the hearing and, via the town website, to the general public.

I. General Information

- **Applicant(s):** Alan Kirkpatrick
- **Landowner(s):** Alan Kirkpatrick
- **Location:** 864 Jim Dwire Road
- **Parcel ID:** 10444
- **Zoning District(s):** FC
- **Project Description:** Construct an Accessory Dwelling Unit (ADU) in an existing garage.

II. Procedural History and Threshold Issues

- **Pre-Application / Prelim Review Meeting Date:** 9/29/26
- **Application Received Complete:** 10/5/26
- **Warning & Abutter Notification Dates:** 10/8/26, 10/13/26
- **Threshold Review (Stowe Highlands Analysis):**
  - *Is this an amendment to a previous permit?* No

III. Public Correspondence & White Papers

- **Summary of Public Comment:** (None as of 11/10).
- **Technical White Papers:** None

IV. Overview and Recommendations

Project Overview

The applicant is proposing to construct an ADU in an existing detached garage in the FC district.

ZA Technical Analysis

1. Per the Section 210 Figure 3 Use Table, an Accessory Dwelling is allowed in the FC district with a Conditional Use Review by the DRB.
2. The detached garage is constructed with an existing bathroom with it's own septic permitted under WW-9-1948-1. The ADU will utilize this septic facility. It should be confirmed that there are no issues under the current permit with the new bedroom use versus the permitted "convenience bathrooom", per WW permit condition 3.8 (a). See Exhibit K.

3. The site has adequate parking for the residence and ADU.
4. The parcel has interior lot lines with a separate residence on one of the lots, all owned by the applicant (See Exhibit I). The garage/ADU meets the setbacks from these interior lots lines.
5. An E-9-1-1 number of 862 Jim Dwire Road has been assigned to the garage and will be transferred to the ADU as part of the Town's E911 2026 mapbook review.
6. The driveway to the property is off the Class 4 portion of Jim Dwire Road, approximately 425 feet from the Class 3 portion of Jim Dwire Road.

Public Interest Tracking

- None to report

ZA Decision Recommendation: Approve with Conditions

Preliminary Project-Specific Conditions:

The conditions listed below are drafted for the Board's consideration and public discussion. The ZA recommends that the DRB **openly review these potential conditions with the applicant** prior to closing the public hearing for the following reasons:

- **Landowner Awareness:** This discussion provides the first formal opportunity for the applicant to realize specific conditions may be applied and to understand their technical implications.
- **Stakeholder Feedback:** It allows the DRB to solicit immediate concerns from neighbors or the applicant regarding the feasibility or impact of conceptual conditions. It does not limit the DRB from developing new conditions during deliberations nor foregoing conditions discussed at the public hearing.
- **ZA Technical Advice:** The ZA can advise the Board if adjusting a condition's wording would achieve the DRB's regulatory objective while minimizing unnecessary burden on the applicant and other interested parties.
- **Clarity of Process:** The DRB should clearly inform the applicant that these discussions are non-binding; conditions may be significantly altered, new conditions added or discussed conditions not incorporated during the **deliberative session** or upon review by the **Town Attorney**.

This "extra step" of transparent review before closing the hearing serves to strengthen the final record and reduce the likelihood of subsequent requests for reconsideration or legal appeals.

(continued on next page)

ZA's Proposed Conditions:

1. Site Plan Filing: A DRB signature titleblock must be added to the Site plan and signed by the DRB Chair and filed in the Zoning Records.
2. Zoning Permits required before start of construction**:** A zoning permit must be obtained prior to construction.
3. Confirm that the new septic use by the ADU versus the garage poses no State permit issues.
4. All land development shall be in accordance with this application, plans, exhibits on file, and the findings of fact and conditions that are incorporated herein.

Exhibits:
ZA comments are made in reference to the exhibits posted in the Packet on the Town website at https://www.starksborovt.org/agendas-and-minutes with entries up until the date of the hearing.

VERMONT

Exhibit K

State of Vermont
Department of Environmental Conservation

Agency of Natural Resources

WASTEWATER SYSTEM AND POTABLE WATER SUPPLY PERMIT

LAWS/REGULATIONS INVOLVED

10 V.S.A. Chapter 64, Potable Water Supply and Wastewater System Permit
Wastewater System and Potable Water Supply Rules, Effective April 12, 2019

Permit Number: **WW-9-1948-1**
Landowner: Alan G. Kirkpatrick
Address: 864 Jim Dwire Road
Bristol, Vermont 05443

PIN: RU13-0365
Town Tax Parcel IDs# F515W.1 (1)
F515W.2 (2)
SPANs: 615-193-10444 (1)
615-193-10921 (2)

This permit affects property identified and referenced in deed(s) recorded in (1) Book 101, Page 84, and in (2) Book 120, Page 188 of the Land Records in Starksboro, Vermont.

This project, consisting of the proposed modification of a previously-permitted wastewater system design for a proposed single family dwelling (864 Jim Dwyer Road) and its proposed associated detached private garage with a convenience bathroom, situated on an existing lot (so-called Lot 1) measuring approximately 113.18 acres in area, and the proposed modification of the configuration of an adjoining property (so-called Lot 2) improved with one existing single family dwelling (863 Jim Dwire Road), to be reduced in area to approximately 5.1 acres (with the balance of the existing lot being utilized to permanently enlarge Lot 2 to approximately 118.09 acres in area), located on Jim Dwire Road in Starksboro, Vermont, is hereby approved under the requirements of the regulations named above, subject to the following conditions:

1. GENERAL

1.1 The project shall be completed as shown on the plans and documents prepared by Jason S. Barnard, including those listed as follows:

Drawing No. S-1, Sheet 1 of 3 "OVERALL SITE PLAN & WATER SYSTEM DETAILS" dated 10/21/2019, with latest revision on 3/23/2020;
Drawing No. S-2, Sheet 2 of 3 "SITE PLAN" dated 10/21/2019; and
Drawing No. D-1, Sheet 3 of 3 "WASTEWATER SYSTEM DETAILS AND NOTES" dated 10/21/2019.

1.2 The project shall not deviate from the referenced plans and documents in a manner that would change or affect the potable water supplies or wastewater systems, building locations, or the approved use of the buildings, without prior review and written approval from the Drinking Water and Groundwater Protection Division.

1.3 This permit does not relieve the landowner from obtaining all other approvals and permits including, but not limited to, those that may be required from the Act 250 District Environmental Commission, the Drinking Water and Groundwater Protection Division, Public Water Section, the Watershed Management Division, the Department of Public Safety, Division of Fire Safety, the Vermont Department of Health, and local officials prior to proceeding with this project.

Exhibit K

1.4 The conditions of this permit shall run with the land and will be binding upon and enforceable against the landowner and all assigns and successors in interest. The landowner shall be responsible for the recording of this permit in the Starksboro Land Records within thirty (30) days of issuance of this permit and prior to the conveyance of any property subject to the jurisdiction of this permit.

1.5 The landowner shall record and index all required installation certifications, and other documents that are required to be similarly filed, pursuant to these rules or a specific permit condition, in the Starksboro Land Records, and ensure that copies of all such certifications are sent to the Rutland Regional Office of the Drinking Water and Groundwater Protection Division.

1.6 All conditions set forth in Wastewater System and Potable Water Supply Permit #WW-9-1948 dated 12/27/2013 shall remain in effect except as modified or amended herein.

1.7 By acceptance of this permit, the landowner agrees to allow representatives of the State of Vermont access to the property covered by the permit, at reasonable times, for the purpose of ascertaining compliance with the Vermont environmental and health statutes and regulations.

1.8 A copy of the referenced plans and this permit shall remain on the project during all phases of construction, and upon request, shall be made available for inspection by State or local officials.

1.9 Each purchaser of any portion of the subject project or property shall be shown a copy of this Wastewater System and Potable Water Supply Permit and the referenced plans, prior to such conveyance.

1.10 In issuing this permit, the Division has relied upon the licensed designer's certification that the design-related information submitted was true and correct, and complies with the Vermont Wastewater System and Potable Water Supply Rules and the Vermont Water Supply Rules. This permit may be revoked if it is determined that the project does not comply with these Rules.

1.11 No permit issued by the Secretary shall be valid for a substantially completed potable water supply and wastewater system until the Secretary receives a certification from a qualified Vermont designer, signed and dated, that states:

> "I hereby certify that, in the exercise of my reasonable professional judgment, the installation-related information submitted is true and correct and the potable water supply and wastewater system were installed in accordance with the permitted design and all the permit conditions, were inspected, were properly tested, and have successfully met those performance tests",

or which otherwise satisfies the requirements of §1-311 of the referenced rules.

1.12 This permit shall in no way relieve the permittee of the obligations of V.S.A. Title 10, Chapter 48, Subchapter 4, for the protection of groundwater.

1.13 Any person aggrieved by this permit may appeal to the Environmental Court within 30 days of the date of issuance of this permit in accordance with 10 V.S.A. Chapter 220 and the Vermont Rules of Environmental Court Proceedings.

2. WATER SUPPLY

Exhibit K

2.1 The existing single family dwelling on proposed Lot 2 remains approved for onsite potable water supply by continued utilization of its existing drilled (bedrock) well located as shown on the referenced plans. No other means of obtaining potable water shall be allowed without prior review and approval by the Drinking Water and Groundwater Protection Division.

2.2 The existing seasonal single family dwelling on proposed Lot 1 remains approved for onsite potable water supply by continued utilization of its existing shallow groundwater source, located as shown on the referenced plans. Except as otherwise provided herein, no other means of obtaining potable water shall be allowed without prior review and approval by the Drinking Water and Groundwater Protection Division.

2.3 Prior to any conversion of the existing seasonal single family dwelling on proposed Lot 1 into a year-round residence, and prior to any expansion of its capacity beyond one (1) bedroom, the proposed replacement drilled (bedrock) well for proposed Lot 1 shall be installed in accordance with the location and configuration depicted on the referenced plans. Upon the activation of such replacement drilled well, no other means of obtaining potable water shall be allowed for proposed Lot 1 without prior review and approval by the Drinking Water and Groundwater Protection Division.

2.4 The proposed replacement well and exterior water service piping for proposed Lot 1 shall be routinely and reliably inspected during construction by a qualified Vermont designer who shall, upon completion, report in writing to the Drinking Water and Groundwater Protection Division that the installation was accomplished in accordance with the referenced plans and permit conditions, as specifically directed in Condition #1.11 herein.

2.5 Prior to the use of the proposed replacement potable water supply for proposed Lot 1, the permittee shall test the water for Arsenic, Escherichia coli (E. coli), Fluoride, Lead, Manganese, Nitrate as N, Nitrite as N, Total Coliform Bacteria, Uranium, Adjusted Gross Alpha Particle Activity, Chloride, Sodium, Iron, Odor, and pH. All water quality analyses shall be conducted at a laboratory certified by the Vermont Department of Health (a list of which can be found on the VDH website). A copy of the results of such water tests shall be submitted to the Rutland Regional Office of the Drinking Water and Groundwater Protection Division, and to the Vermont Department of Health, prior to use of the proposed potable water supply.

2.6 The existing and proposed potable water supplies on proposed Lots 1 and 2 shall be operated and maintained at all times in a manner which will ensure that the water remains potable and free from contamination.

3. WASTEWATER DISPOSAL

3.1 The existing single family dwelling on proposed Lot 2 remains approved for onsite wastewater disposal by continued utilization of its existing soil-based wastewater system, located as shown on the referenced plans. Except as otherwise provided herein, no other method or location of wastewater disposal shall be allowed without prior review and approval by the Drinking Water and Groundwater Protection Division.

3.2 In the event of failure of the existing wastewater system on proposed Lot 2, as evidenced by surfacing effluent the or backup of wastewater into the building drain, the permittee shall immediately engage the services of a qualified Vermont designer to evaluate the problem

Exhibit K

and to prepare design plans for remedial action. Prior to any implementation of the corrective action, the permittee shall obtain written approval for such construction from the Drinking Water and Groundwater Protection Division, as an amendment of this permit.

3.3 The future wastewater disposal "replacement area" for proposed Lot 2, located as shown on the referenced plans, shall be held in reserve for the eventual construction of a mound-type replacement wastewater system in the event of failure of the primary system. No construction, earthwork, or other activity shall be allowed within the replacement area or its immediate vicinity which would diminish its natural suitability for such eventual use as a wastewater disposal site.

3.4 Prior to any conversion of the existing seasonal single family dwelling on proposed Lot 1 into a year-round residence, prior to the construction of the previously-permitted bathroom addition for that building, and prior to any expansion of that dwelling's capacity beyond one (1) bedroom or the construction of the proposed detached private garage structure with a convenience bathroom, the proposed replacement onsite replacement soil-based wastewater system shall be installed, to be configured and located as depicted on the referenced plans. Except as otherwise provided herein, no other method or location of wastewater disposal shall be allowed for proposed Lot 1 without prior review and approval by the Drinking Water and Groundwater Protection Division.

3.5 The components of the proposed wastewater system for proposed Lot 1 shall be routinely and reliably inspected during construction by a qualified Vermont designer who shall, upon completion, report in writing to the Drinking Water and Groundwater Protection Division that the installation was accomplished in accordance with the referenced plans and permit conditions, as specifically directed in Condition #1.11 herein.

3.6 The future wastewater disposal "replacement area" for proposed Lot 1, located as shown on the referenced plans, shall be held in reserve for the eventual construction of a replacement wastewater system in the event of failure of the primary system. No construction, earthwork, or other activity shall be allowed within the replacement area or its immediate vicinity which would diminish its natural suitability for such eventual use as a wastewater disposal site.

3.7 The existing and proposed wastewater systems for proposed Lots 1 and 2 shall be operated and maintained at all times in a manner that will not permit the discharge of sewage/effluent onto the ground surface or into the waters of the State, and that will not otherwise constitute a failed wastewater system.

3.8 This project is approved based on the anticipated daily potable water demand and volume of wastewater from the following elements:

a) proposed Lot 1: one (proposed) single family dwelling, having a total of four (4) bedrooms, maximum, with a corresponding total occupancy of seven (7) persons, maximum, and one (proposed) detached accessory private garage structure with a convenience bathroom; and

b) proposed Lot 2: one (existing) single family dwelling, having a total of three (3) bedrooms, maximum, with a corresponding total occupancy of six (6) persons, maximum.

There shall be no expansion of the project or increase in occupancy beyond this basis of design without prior review and approval by the Drinking Water and Groundwater Protection Division.

Exhibit K

Peter Walke, Commissioner
Department of Environmental Conservation

By David R. Swift
David R. Swift, Regional Engineer
Rutland Regional Office
Drinking Water and Groundwater Protection Division

Dated at Rutland, Vermont this 26th day of March, 2020.

c: Town Planning Commission
Jason S. Barnard