

**Farm Structure and/or Alternative Setback Request Form**Farm/Business Name:  Owner/Operator Name: House/Barn Phone:  Cell Phone Number: Email Address: Mailing Address: Main Farm E911 Address: 

What is your preferred method of communication with the Vermont Agency of Agriculture, Food &amp; Markets (VAAFMM)?

 Email  United States Postal Service  Fax # \_\_\_\_\_**A. FARM STRUCTURE DESCRIPTION:***Briefly describe the proposed structure and its proposed use.  
(Feel free to attach additional documents as needed.)***B. TOWN REGULATIONS**In what **town** is the proposed structure located? In what **zoning district** would the structure be located? What is the municipal Zoning Official's **name**? What is the municipal Zoning Official's **phone #**? What is the municipal Zoning Official's email address? Have you **notified the town in writing** of the proposed construction? **Yes**  **No****NOTE:** *You are required to notify the town in writing before initiating construction. Per RAP Section 9 written notification must contain a sketch of the proposed structure including setback distances from adjoining property lines, road rights-of-way, and adjacent surface waters. Please attach a copy of your letter to the town when submitting this form to VAAFMM.*

What are the **locally regulated setbacks**?

Will this structure meet the **locally regulated setbacks**, as described above?

Yes    No  
   

**If NO** go to C (Alternate Setback Variance). **If YES** skip to D (Documentation).

**C. ALTERNATE SETBACK VARIANCE** *(Complete if requesting an alternative setback)*

What is your proposed alternative setback? *(Please measure in feet and indicate which setback you are requesting an alternative setback for.)*

If any neighbors will be affected by this alternative setback, **enter their contact information below.**  
*VAAFMM will notify the adjacent property owners of your request for an alternative setback.*

Adjacent Landowner #1 Name and Address:

Adjacent Landowner #2 Name and Address:

**Attach a sheet describing why you need an alternative setback .**

*Highlight the specific site constraints that prevent your proposed structure from conforming to the municipal and/or state setbacks and describe how this hardship is beyond your control. Please additionally explain how developing the proposed site will not be detrimental to adjoining property or to public health and safety. Lastly, explain why this proposed alternative is the least possible deviation from the required setbacks.*

Alternative setback requests may be denied. The Secretary will consider the following in issuing an alternative setback:

1. There are unique existing physical conditions or exceptional topographical or other physical constraints peculiar to the particular property that would create a hardship for the farm operation; and because of such physical conditions or constraints, there is no possibility that the property can be developed in strict conformity with pre-existing setbacks and that the authorization of an alternative setback is therefore necessary to enable the reasonable operation of the farm.
2. The hardship has not been created by the applicant.
3. The alternative setback, if authorized by the Secretary, will not substantially or permanently impair the appropriate use or development of adjoining property, nor be detrimental to the public health, safety, and welfare.
4. The variance, if authorized by the Secretary, will represent the minimum alternative that will afford relief and will represent the least deviation possible from required setbacks.

**NOTE:** VAAFMM cannot approve any construction (including fences) within a highway right of way. You must request approval from the town in those cases.

**D. ADDITIONAL DOCUMENTATION**

**1. Letter to Municipal Zoning Authority:** *Any individual or operation planning to construct a Farm Structure is required to inform the Municipal Zoning Authority of their plans before starting construction . Please attach a copy of that written letter here.*

**2. Site Plan:** *Attach a site plan of the proposed construction project. The site plan is required to show distance to all property lines from the furthest projection of the proposed structure, road rights-of-ways, and location of surface waters. Additionally, the Agency strongly recommends you include the following on your site plan:*

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Entire parcel boundary                | <input type="checkbox"/> Existing Development                | <input type="checkbox"/> Proposed Development (required) |
| <input type="checkbox"/> Distance to all properties (required) | <input type="checkbox"/> Neighboring land use                | <input type="checkbox"/> Location of any easements       |
| <input type="checkbox"/> Wetlands (indicate class)             | <input type="checkbox"/> Open water/Surface Water (required) | <input type="checkbox"/> Buffers                         |

**E. APPLICANT CERTIFICATION**

I certify that the information provided here is, to the best of my knowledge, true, accurate, and complete.

Applicant Name (please print):

Signature of Applicant:  Date:

**Reminder -- submit to:**  
Vermont Agency of Agriculture, Food & Markets  
Water Quality Division  
116 State St. Montpelier, VT 05420  
**Contact Information: (802) 828-2431 or AGR.WaterQuality@vermont.gov**