

Town of Starksboro
Planning Commission meeting
August 16, 2018
Unapproved

Board members present: Dennis Casey, Dan Harris, Jeff Keeney, Denny Barnard, Dan Nugent, Hugh Johnson, Norm Cota
Others present: Rebecca Elder (ZA), Leslie Rublee, Linda Lathrop (sister), Shawn Lathrop (nephew)

The meeting was called to order at 7:00 pm by Chair Dennis Casey.

[Minutes of 7/18/18](#)

Motion: Jeff Keeney made a motion to approve the minutes of July 18, 2018. Hugh Johnson seconded.

Vote: All in favor

Town Plan final public hearing scheduled for Sept. 11, 2018 at 6pm at the Robinson School.

[Farmland conservation in the Village center – Allen Karnatz, VT Land Trust](#)

Allen Karnatz, Farm Project Director from the Vermont Land Trust (VLT), was in attendance to present some conservation possibilities with Leslie Rublee's farmland in the Village center.

Leslie Rublee, his sister Linda Lathrop, and nephew Shawn Lathrop were present. Mr. Karnatz passed out the letter from Mr. Rublee stating he wishes to open a conversation with the Town about planning for the future of the farm and protecting the agricultural land.

The conversation with the Rublee family about conservation has been going on for more than a decade. Neighbors Jim and Chris Runcie have expressed interest in conservation as well and they have met with Leslie Rublee in the past.

Mr. Karnatz said the research and planning is still at the early stage. They haven't gotten an appraisal yet, which would determine how much grant funding may be available and what the VLT might be able to pay for the conservation easement. They are looking at 2020 and 2021 for funding and grant applications as there are many projects in the pipeline and each receives grants individually.

Leslie said he wants to conserve the farmland and would like to see someone come along to farm it in the future. Leslie does not want to sell the land. He would be selling the development rights and keeping the land in the family.

Mr. Karnatz distributed a map of the area under discussion – 147 acres; 16-acre swamp in the middle. The Rublee land across Route 116 (opposite the Town Clerk's office) would *not* be conserved; they are looking at the main core piece of farmland. The group discussed how conservation could make sense for the Rublee family and for the Town. The land that the Planning Commission has been most interested in for future growth of the Village center is limited to the 5-acre parcel on Parsonage Road, 10 acres just before the ledges on Route 116 south, and a small segment behind the Town Clerk's office.

There are additional restrictions on portions of the land due to the meander line of the stream and floodplain areas. There is additional State funding to help protect the river corridor and allow the stream to follow its nature path. Eric Clifford is doing such work on his farm north of the Village.

The 5-acre lot has some development value and VLT is sensitive to the Town Plan and the needs of the Town. Mr. Karnatz said he doesn't usually see properties like the Rublees', which is so embedded in the center of town. It presents different challenges and opportunities for the community. Leslie and his family wanted to come here first and discuss the town village district. Several options are possible for the 5-acre lot that would benefit the town for future growth potential.

The entire farm is 210 acres (147 + 63). VLT would conserve the 63 acres as a unit – house, farm, and farm buildings would part of the easement as well as keeping the house with the land. Leslie has been in the house for 75 years and plans to continue living there. Separating the house out onto a lot of one acre would be tricky because it is a nonconforming lot, lacking the road frontage required. It would likely be easier to keep it part of the farm. There is probably not enough frontage to allow for a private road. There is already a narrow driveway in use.

Hank Bissell at Lewis Creek Farm has been using the fields this year. He might want to purchase the fields or continue to rent, but he won't be able to buy pieces of the fields. The land is enrolled in the Current Use program now and that would continue.

Leslie's nephew, Shawn Lathrop, might want to own the back woods area at some point in the future. He would need to figure out access from a zoning perspective; the sugarbush is in the front part. Access from Parsonage Road is possible.

A curb cut on 116 would be challenging and may not be allowed. Caution is needed due to the hill.

Regarding thinking about the future of the Town, the 5 acres would be valuable for future growth of the village. The most recent town survey showed a lot of support for an elder housing project and the 5-acre parcel could be a good location, close to the heart of the village, across from the school, and existing town road.

Rublee doesn't want to sell the land and VLT cannot say who land should be rented to. The easements include an option to purchase, if it comes up for sale (but doesn't apply to family members). They want to try to keep land in the family if possible.

Jeff Keeney asked about the barn and outbuildings and what happens if the farm doesn't get taken over and they go out of use. Does the conservation easement model allow those buildings to be used? Would they be allowed for re-purposing? Could there be a home business? Mr. Karnatz said a home occupation would be reviewed by the VLT and would have to receive approval from them first. Generally, if there is no new construction, the scale of the business is appropriate for the existing structures, and 50% or more of the receipts come from the land then the business would be allowed. Mr. Karnatz will send the definition of "rural enterprise."

There would be a conditional use hearing required for a site plan re: truck traffic or other similar needs. There is an historical precedent of milk trucking, which suggests the area can support it. The farm has existed since 1874.

The Town may also be interested in a legal mechanism for a "right of first refusal" or option to purchase should the land be sold in the future. There is more to discuss in the future after the Rublee family has more time to consider their options and possibilities for the land. The goal is to protect the main home farm. The small area in the village center behind the Town Clerk's office, as well as the 5 and 10 acre pieces are important to the future of the town. Conversations will continue soon.

The board thanked Leslie Rublee and his family for coming to the Planning Commission and discussing their plans and goals.

Motion: Norm Cota moved and Denny Barnard seconded. **Vote:** All in favor

The meeting adjourned at 9:00 p.m.

Respectfully submitted,

Rebecca Elder