Town of Starksboro
Development Review Board
Minutes (DRAFT)
October 29, 2026

Members Present: Ben Campbell, Evelyn Boardman, Rob Liotard, Tom Perry,

Luke McCarthy, Rich Warren.

Members Not Present: Arnell Paquette

Applicants Present: Nickolas Bissonnette

Visitors: Christopher Morrisey, Scott Ploof, Maura (Kate) Earley, Susan Klaiber, Roger Allen, Eric Hanson, John Buonincontro, Bridget Buonincontro, Julia Doucet, Isabelle Plunkett, Lisa Orvis, Logan Rotax, Wilfred Bissonnette, Jessica Pop Phillip Bissonnette, Even Roy, Makala Roy, Ellen Bissonnette, Alan Kirkpatrick, Derek Doucet, Susan Blethen, Jonah Mclysaght, Molly Bidwell, Emma Riggs, Noah Roulat, Savannah Earley, Nate Gusakov

Others Present: Stephen Rooney, Zoning Administrator

Minutes Prepared by: Stephen Rooney on 11/2/2026

Meeting called to order by B.Campbell at 6:33 pm

Changes to the Agenda:
None

Public Comment: None

Outstanding Minutes Review:

The minutes from the 10/8/26 meeting were reviewed and accepted with the following edits:

Page 2:
Correct the spelling of “Elewert” to “Elwert”.

Page 3:
Paragraph 8 - the 2 nd to last line should read "E. Boardman noted that she believed traversing the creek ... "
Paragraph 9 - the 2 nd to last line should remove the word "taking "

Hearing #26-DRB-07CU Bissonnette Wood Processing Conditional Use Review.

Introductions and Sign-in Sheet distributed.

Chair B.Campbell opened the Conditional Use Review Hearing at 6:38pm

B.Campbell read the warning.

B.Campbell asked if there were any conflicts of interest or Ex parte communications. None were reported

B.Campbell swore in the participants.

B.Campbell read the Exhibit List.
Exhibit W, "Vermont DEC letter to Samantha and Christopher Morrisey, dated 10/29/26" submitted by the Applicant, was added to the exhibit list.

Testimony:

N.Bissonnette stated that the application was primarily to continue operating current wood-processing business at a new location.

N.Bissonnette reviewed his narrative in Exhibit H. He noted the site was well suited to allow him to make improvements to his operation that he can't make now. The operation would occupy an area outside of the ANR mapped wetlands for now until a full delineation can happen in the spring. He noted the historical use of the general area was an old industrial mill. He noted he would be moving the screening trees at his current location to the new location and might plant more. He noted that power would be brought to the site underground. He noted he typically works by himself, with occasional help, so parking and traffic are not significant issues. He's contacted the state regarding a stormwater management plan, but has not heard back yet.

N.Bissonnette noted his preferred new drive location in Option A would be located west of the large maple on his parcel to avoid being in front of the Buonincontro residence, as discussed with Tony Porter (Selectboard member acting for the Road Foreman). S.Rooney noted that Tony had signed off on the design phase of the Town Driveway/ROW Access Permit in Exhibit G.

No site lighting is proposed and lighting would be limited to lights mounted on vehicles used as needed.

He noted he has an existing metal sign that he would be relocating. S.Rooney noted that no signage was noted in the narrative or application.

No wastewater facilities are proposed, as the location is next to the parcel with his residence.

A future consideration is the potential to erect a building to enclose his processing equipment, which he could not do at his existing location.

B.Campbell asked for Board questions.

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L.McCarthy asked for a general operations overview (hours, traffic, etc.).
N.Bissonnette responded the current operation is permitted to operate from 8am to 5pm, he occasionally unloads log trucks before that and has other projects that he does sometimes on weekends. T.Perry asked what other work was involved. N.Bissonnette responded that he also performs a variety of excavating work (i.e. septic systems, land clearing) from his existing location and his home location and is often moving equipment around between locations.

E.Boardman asked if the applicant's wetlands consultant still believes the actual wetlands extent may be smaller than shown on the ANR map. N.Bissonnette responded that some areas appear to be smaller, but others may be larger. He noted that due to time constraints, the design relied on the ANR map, and would likely change once the delineation was complete, with the goal to move the operation further south. S.Rooney noted that the current ANR wetlands inventory map is included in the packet in Exhibit L.

L.McCarthy asked about new impervious surfaces and equipment pads. N.Bissonnette responded that it would be mostly gravel on existing subgrade which gets muddy similar to his current operation, if he was able to afford it he would prefer to put down fabric with gravel above. He was unsure of the area of the gravel zone, noting it would be similar to his existing area. S.Rooney noted that he does provide proposed areas on his proposed plan (Exhibit J).

B.Campbell asked for any information from interested persons.

B.Buonincontro noted that she lives across from the proposed site, and in earlier conversations with the applicant understood the preferred drive location would be the existing drive (Option B), so was confused by the new Option A drive. She noted the application refers to the Option A location as an existing farm road, and that she's never seen traffic access this location. She offered her opinion that the existing screening trees do not provide much screening even after having been there since the business was located there. She noted that the current vegetation does not screen the proposed site from the road and doesn't think the replanted trees will provide an effective visual barrier.

J.Buonincontro questioned the route of the Option A drive, and noted it's shown going through the wetlands, and if it did tie into the east drive it may conflict with an existing well. He noted that if the Option A drive did cut east across the property it may reduce the effectiveness of any visual screening. He felt if the drive complied with the 50ft wetlands buffer it would be pushed further east, again reducing the ability to screen the operation.

C.Morrisey stated that he's seen four propane tanks and two diesel tanks at the existing site, which he did not believe were originally permitted. He saw that two propane tanks were discussed in the current application but did not see the diesel tanks in the current application, and was curious where that stood, and if they were permitted.

S.Klaiber was curious if pushing the new Option A driveway west would locate the drive across from her house which abuts the Buonincontro lot. She questioned the size of the drive entrance for logging trucks and how that might affect Jerusalem Road at that location.

K. Earley raised questions regarding an alternate drive that might be possible across the Sprague Huntington parcel. B.Campbell noted that questions would be addressed later in the meeting.

N.Gusakov stated that he lived approx. 450 yards from the current operation, and that the noise from the operation was constant and significant, and that anyone within that distance from the new operation will have a similar experience.

S.Blethen stated that during the summer it is almost impossible to sit outside due to the noise.

Isabelle Plunkett stated that she lives at 1002 Jerusalem Road, directly across from the current site, and during the 6 ½ years she has lived there, the applicant operated within the time constraints, and that the operation has not bothered her.

W.Bissonnette stated that this was the second time that neighbors have challenged the applicant's right to operate this firewood business. He stated the operation is in a zoning district which allows business like this. He noted that while neighbors previously voiced concerns about the effect of the business on real estate values, the most vocal has since sold and moved, and received full market value or better for their homes, so this argument does not hold weight anymore. He noted the applicant has worked with the state to remain in compliance and to try and be an asset to the neighborhood with his business and goodwill. He noted that hundreds of families would struggle to get firewood if the applicant was not allowed to continue the business. He questioned why those opposed lived here if they objected to this type of rural operation.

B.Campbell asked if the applicant had any responses. N.Bissonnette stated that he was not asking for permission to change his permitted operation, he was only asking for permission to move it.

B.Campbell asked for further Board questions.

L.McCarthy asked about the conversation with Tony Porter regarding the Option A drive. N.Bissonnette responded that Tony and he met on site, and that he didn't want to speak for Tony but he understood that Tony preferred Option A over B as long as the access was west of the maple and not across from the Buonincontro home, and that Option B at the Jim Dwire intersection was tight. N.Bissonnette stated that he did not care which drive location was approved, but that the Option A route would be a big expense.

R.Liotard noted that he participated in the original DRB hearing, and that sound testing was done as part of that hearing. He asked if any additional testing had been conducted since. N.Bissonnette stated no.

L.McCarthy asked about the potential future structure. N.Bissonnette noted it would be a tall steel beam lean-to structure that would be wood clad and open on one side, covering the wood processing and loading equipment. There are options for which way the opening might face.

B.Campbell asked for questions or comments from interested persons.

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P.Bissonnette asked why the applicant was moving. N.Bissonnette responded that it was due to the existing site's property being for sale, that he would not move otherwise, and the new location was for sale and next to his current home.

K.Earley asked if it was possible to access the site from either the applicant or W.Bissonnette's property, or if the operation could move to another commercial site (i.e. one currently for sale in Bristol). N.Bissonnette responded that he did not want to scale up his operation to afford a commercial property, nor move further from his home. He responded that access thru his home's property would require more extensive permitting and be a longer and tighter route. W.Bissonnette added that his property's access involves 3 other homes and that a lengthy legal process would be involved. N.Bissonette noted that that route would also be much tighter and involve more homes.

N.Gusakov noted that he understood that the use was allowed in this district, and vouched for the applicant's character, but asked why, when there was an obvious long-standing dislike of the operation voiced by his neighbors in this residential neighborhood, the applicant did not take this opportunity to move to a more suitable location. N.Bissonnette responded that his operation was currently permitted and that he fought several times to remain there and did not feel it was unreasonable to stay and felt the question of how appropriate the application was might be more appropriately directed to the Board.

S.Klaiber asked for clarification on why the Option B drive was considered too tight, but the Option A location was not, and how large the access opening would need to be for the operation versus a residential drive. N.Bissonnette noted that being tight had to do more with the line of sight at the Jim Dwire intersection, and that this was better at the Option A location, but that this needed to be confirmed with the Road Foreman. He noted that the drive would likely need to be about 40ft wide at Jerusalem Road but would then taper down to a normal drive width.

K.Earley questioned how the access to the site area to the south crossed the wetlands where the existing Option B drive ended. N.Bissonnette responded it was via an existing road over an existing culvert. K.Earley asked who installed the culvert. S.Ploof responded that he installed two culverts on this road a long time ago. K.Earley asked if that route would meet wetlands regulations. B.Campbell responded that the Board could not answer that question but that any approval would be conditioned upon receiving state wetlands approvals.

J.Buonincontro questioned if there would be any insulation conditions on the future steel building, as he felt an open building would only act as an ampitheatre in whichever direction it was open to, whether steel or wood. B.Campbell responded that the building was only a future proposal, and not included in this application. S.Rooney confirmed that this would require a separate application. B.Campbell responded that setting conditions on this structure was a grey area, but that he felt it would not be appropriate to address it in this application.

J.Buonincontro stated that he believed the original sound testing done as part of the applicant's current approvals was a simulated test done offsite due to logistics, and that the sound limit at the time was 60 decibels (db). He questioned if new sound testing based on the applicant's current

equipment would be considered as part of this application, as he believed the equipment and sound levels had changed from the original test.

Isabelle Plunkett responded that she conducts childcare at her home across the street from the current operation, and that children sleep during naps while the business is operating.

C.Morrisey responded that he also lives across the street, and that the noise exceeds the 60db limit in the current approval, and that he has provided sound readings from his phone app in his written testimony (Exhibit S). He noted that the noise consistently wakes his 4 year old from his naps, shakes the house, and disturbs his wife who works from home.

B.Campbell responded that the Board heard the various opinions on the noise and the sound levels, and would take that information under consideration.

J.Buonincontro asked that due to the consistent reference to the applicant's previous approval, what weight that carried in this application. S.Rooney responded that he believed conditional use approvals run with the land, and not the business, and that a new conditional use approval is required on this new lot, and that the previous approval was included for Board reference.

K.Earley noted that sound generated at the proposed new location may affect a greater audience than where it is currently more protected located, as its more open to the valley since an abutter removed a lot of trees, as she's been able to more clearly hear noise from across the valley since the trees were removed.

S.Klaiber asked how noise levels were enforced in town. S.Rooney responded that there first had to be a complaint made, then the Town might ask the operator to obtain third party independent testing. If an issue was identified there would be a negotiation with the operator to address it, and if the Town was not satisfied a violation notice might be issued. This would be handled administratively by the ZA unless the applicant appealed the ZA action to the DRB. R.Liotard asked if DRB decisions on the matter would be appealed to the Environmental Court. S.Rooney responded that he believed that to be the case, and also that the Selectboard needed to approve any assessment of violation fines.

E.Bissonnette noted that the new location abutted other family members and the applicant's properties, and the noise would be directed more at these properties, and may be an improvement over the current location.

J.Doucet stated that her concern after reading the testimony was that there appeared to be a pattern of disregard for environmental regulations, and if there was a concern that this would continue at the new location.

B.Campbell responded that the Board's review and any approvals or conditions would take into account compliance with any applicable regulations.

E.Bissonnette responded that the applicant has been investigated by the state for these complaints and there's been no confirmation of the allegations.

K.Earley asked about current complaints about fuel leaks and runoff and ongoing state investigations. B.Campbell responded that those questions are noted in the testimony and the Board is aware, but the question of resolution is not germane to the hearing and asked if anyone on the Board objected to that opinion. There were no objections from the Board.

W.Bissonnette asked about the process after the Board approves. B.Campbell responded that if the Board approves, there will be conditions which may include state approvals that needed to be met before the applicant could continue.

S.Rooney asked the Board about whether there were any questions regarding his technical review notes in his memo in Exhibit K.

E.Boardman asked if the wood storage baskets would meet the 50ft abutting property setback. S.Rooney noted that this issue would be checked in the zoning permit process, along with other issues identified in the DRB approval.

S.Rooney reviewed technical review item 6 in Exhibit K regarding access. He asked about the extent of the shared access easement in the Option B driveway and noted that the extent of this easement and its use is a private matter between easement holders. K.Earley described the approximate extent on her property. N.Bissonnette noted that this easement also extended onto the Sprague Huntington property, and the easement allowed for one additional (unbuilt) home on the Sprague Huntington property, and Scott Ploof concurred. K.Earley discussed the history of the reason behind the easement to allow access to the Sprague Huntington property. S.Rooney noted that the use of the easement may be disputed by the easement holders regardless of a DRB approval.

N.Bissonnette asked if there were any requirements by the bylaws for the driveway given the number of houses. S.Rooney noted that for an access serving up to 4 houses or 2 businesses, the access needed to be constructed per the driveway standards. If serving a greater number of houses or business, it would need to meet road standards. The bylaw does provide technical requirements but does not provide greater detail or requirements related to the type of business or traffic use, which the DRB might want to consider. S.Rooney also noted that in the Town Driveway/ROW access Permit there are residential and commercial standards for the entrance onto Jerusalem Road which may need to be considered.

S.Rooney reviewed the application's information regarding bulk fuel storage and fueling. He noted that in his discussion with the applicant, two of the current four propane tanks were empty and had not yet been removed by the vendor, and the other two would preferably be combined into one larger tank and buried. He asked the applicant to elaborate about the diesel tanks and on-site fueling. N.Bissonnette responded that he has all new diesel tanks meeting state standards for containment. There is some gasoline storage which he is phasing out. N.Bissonnette stated that his fuel vendor filled his logging truck and the tanks directly. He fuels his delivery trucks and the tank on his processor.

S.Rooney asked what operational support activities might be taking place at the applicant's shop at at 33 Harlow Drive. N.Bissonnette responded that he does maintenance in his driveway,

which he does for his other business as well. He does welding related maintenance in his shop. N.Bissonnette stated that his understanding from talking with the 3 past zoning administrators is that this activity is not limited in his approval and not restricted by the hours of operation in the approval. P.Bissonnette noted that he and others often use the shop to maintain their equipment as well.

N.Bissonnette questioned if his operation would be questioned if he was not moving, and if there were any complaints affecting his current operation. S.Rooney stated he was not aware of any active complaints.

R.Warren asked if there was room to turn a truck around in the proposed site. N.Bissonnette responded yes.

Motion:
L.McCarthy moved that the Board accept the submitted materials and testimony as a complete application for this conditional use hearing. B.Campbell seconded the motion, and explained this was not an approval, but the Board accepting that the application was complete.
Vote: All in favor.

T.Perry asked, due to the number of attendees, if steps to mitigate their concerns were proposed to the applicant, if the applicant would be willing to do these steps? N.Bissonnette said absolutely within reason, and said that he has discussed these matters with most of the attendees with the exception of the Doucets and Eric Hanson. He noted that he has had bad experience with past neighbors who were unreasonable. He saw no reason why he wouldn't try to make it easier on the neighbors if possible.

Motion:
L.McCarthy moved to close the hearing. R.Warren seconded.
Vote: All in favor.

Motion:
R.Liotard moved to go into closed Deliberative Session. B.Campbell seconded.
Vote: All in favor.

The applicants were dismissed.

<u>Closed Deliberation</u>

Motion:
B.Campbell made a motion to adjourn at 9:19pm. R.Liotard seconded. **Vote:** All in favor.

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