

Town of Starksboro
Development Review Board
Minutes (DRAFT)
May 14, 2026

Members Present: Evelyn Boardman (Vice Chair), Rob Liotard, Tom Perry, Arnell Paquette, Rich Warren, Luke McCarthy (via Zoom).

Members Not Present: Ben Campbell

Applicants Present: Bradley Boss, Crystal Kelly, Jason Barnard, Applicant's Agent

Visitors: Dennis Casey, Sharon Kelly, Joe Kelly

Others Present: Stephen Rooney, Zoning Administrator

Minutes prepared by S.Rooney on 5/15/26.

Meeting called to order by Vice Chair Evelyn Boardman at 6:33 pm

Changes to the Agenda: None

Public Comments: None

4/23/2026 Minutes Review:

Motion:

R.Liotard moved to accept the 4/23/26 minutes as amended by comments sent out to the DRB last week by email from T.Perry and E.Boardman.
T.P. Perry seconded.

Vote: All in favor

Hearing #26-DRB-02SD Boss-Kelly 2-Lot Major Subdivision Final Plan Review.

E.Boardman opened the hearing at 6:40pm.

Introductions were made and the Interested Parties and Visitors Sign-in Sheet was distributed.

E.Boardman read the warning.

E.Boardman swore in applicants and visitors.

E.Boardman asked if there were any conflicts of interest or Ex parte communications. None were reported.

D.Casey asked that T.Perry recuse himself due to comments regarding the gravel pit on the subject project during the 12/11/2025 pre-application meeting for this case, and for comments he made during discussions about open or closed deliberations during the Board rules adoption meetings. T.Perry stated he felt he could remain impartial regardless of these comments. R.Warren felt the actually subject of the hearing focus is the subdivision, not the gravel pit, so T.Perry's opinion would not be relevant. J.Barnard, B.Boss, C.Kelly, J.Kelly, and S.Kelly voiced their opinion that they don't believe the status of the existing sand and gravel pit should have any bearing on the subdivision's approval. R.Liotard voiced his agreement with the applicant and R.Warren. The Board did not take up a motion to ask T.Perry to recuse himself.

Hearing Testimony:

J.Barnard reviewed the application, plans, and review criteria, and noted the following.

- New S-1 and S-2 drawings dated 12-30-25 and revised 5-14-26 were submitted at the hearing with updated wetlands delineations recently conducted to comply with the State wetlands office 4/1/26 email notes included in Exhibit P, that indicated no development will occur in the wetlands buffer or 10ft from this buffer.
- The VTrans Route 116 right-of-way access permit has been recorded in the Town land records.
- The State Waste-water permit is still being amended to adjust the preliminary lots sizes used to obtain the original permit to the final lot sizes.
- Future development of Lot 1 beyond the new house currently noted by the applicant is a potential horse barn.

E.Boardman read through the Preliminary Determinations 1-6 issued in Exhibit K and asked the applicant to review their responses.

1. J.Barnard noted that revised lot sizes in the application now conform with the bylaws.
2. J.Barnard stated that the applicant does not know the historical extraction rate of the gravel pit. C.Kelly asked why it was being considered as part of the application. S.Rooney reviewed the commercial pit / residential mixed used question that was raised in the 12/11/26 pre-application meeting, and the Board's request to obtain a historical rate to understand the pit's status as conforming or non-conforming to Section 335 Extraction. If the pit was determined to be non-conforming, the Board was looking to gain an understanding of the current use to assure future compliance with Section 122.E regarding non-conforming uses. R. Liotard agreed with the intent but was not sure if the question was relevant to the application. B.Boss agreed. D.Casey described his interpretation of "grandfathered", and said it was the S.Rooney who brought the pits status question up to the board. S.Rooney stated that that was inaccurate. E.Boardman asked the applicant to clarify if the information the board requested would be provided at the hearing. J.Barnard and B.Boss stated that they did not know the information, and D.Casey stated that he would not open up his books. B.Boss repeated that there was no change in use proposed. S.Rooney said he believed the Board was looking to understand how to define any change. R.Warren noted the owner might want to record a figure for future record.
3. B.Boss noted the Vtrans permit has been recorded.

4. E.Boardman noted that a shared driveway agreement was not needed for a private drive under single ownership. C.Kelly asked about the emergency vehicle turnaround. J.Barnard and S.Rooney provided explanation of the bylaw requirement.
5. J.Barnard noted that the Wetlands Delineation confirmation requested by the State has been completed as evidenced in the revised S drawing submitted at the hearing.
6. J.Barnard noted that the new impervious area was under 10,000sf that would require a stormwater management plan, and that this was provided in responses in Exhibit L on 4/8/26.

T.Perry asked how Lot 6 was changed to comply and eliminate the waiver request. J.Barnard explained how the lot and building envelope and setbacks were laid out.

E.Boardman read the Exhibit List. The new S Drawings will be entered into the Exhibit List in the decision. The Exhibit B Cover Letter date is missing and was noted as April 13, 2026. The VTrans permit will be noted as received in the decision findings.

R.Warren asked if the application could be considered complete if the Board eliminated the requirement to comply with Preliminary Determination #2. E.Boardman noted that since the applicant stated that they would not provide the information, it might be considered a deliberation topic. J.Barnard wanted the record to be clear that the applicant is saying that they don't know the information.

T.Perry and R.Warren stated they would be more comfortable considering the application complete if the Board waived the requirement to comply with Preliminary Determination #2.

Motion: After several sample motions were aired but not seconded, T.Perry moved to accept the application as complete without the information requested in Preliminary Determination #2, as after discussion the Board has determined that information is not considered relevant to this application.

Vote: All in favor

Motion: R.Liotard moved to close the hearing at 7:45pm. A.Paquette seconded.

Vote: All in favor.

D.Casey requested the Board meet in open deliberative session.

Motion: R.Liotard moved to deliberate in open session. T.Perry seconded.

There was a process discussion on how to conduct the open session and keep it open if it needed to be recessed and continued. R.Liotard thought it was a relatively simplistic application without the pit discussion. E.Boardman agreed, but did not want to delay the release of the decision due to the different process. S.Rooney noted that the proofing of a draft would also need to be done in open session. S.Rooney felt email discussions allowed in closed session would not be allowed in open session. D.Casey said the proofing could be done in at a subsequent meeting. B.Boss asked if an approval would be provided tonight. E.Boardman noted that a vote was taken in

deliberative session to approve the application, but the decision would not be final until signed and the appeal period expires.

Vote: All in favor

Open Deliberative Session: The board went into open deliberative session at 7:56pm.

S.Rooney distributed a draft decision to facilitate discussion to the Board.

The Vtrans permit recording will be added to the findings.

S.Rooney noted that placeholder findings and conditions regarding the gravel pit could be eliminated, along with conditions about the wetlands and Vtrans permitting. S.Rooney noted the draft contained the standard conditions typically included subdivision decisions.

L.McCarthy asked if it was a driveway or a road. S.Rooney confirmed it was a driveway due to the number of residences served. L.McCarthy wanted to know if there should be more than one emergency turnaround or bypass between Rt 116 and the gravel pit due to the length (every 500ft is required). As the driveway from Rt 116 to the pit is existing, the group felt the requirement would not apply.

E.Boardman read through the standard conditions to be included. The Board had no additional conditions.

The findings and conclusions were discussed to be sure they reflected current testimony, submittals, and the motion on the pit information.

Motion: A.Paquette moved to approve the application. E.Boardman seconded.

Vote: All in favor.

The group discussed S.Rooney completing a draft decision and distributing it by email for individual review and then group editing for adoption at the next meeting on May 28th.

Motion: A.Paquette moved to recess the open deliberative session to May 28th. T.Perry seconded.

Vote: All in favor.

E.Boardman asked if the closed deliberative session for the Norris preliminary hearing could take place after this open session was adjourned. S.Rooney agreed.

Motion: A.Paquette moved to adjourn the meeting at 8:28pm. R.Warren seconded.

Vote: All in favor

Closed Deliberative Session: The meeting moved into a continuance of the closed deliberative session for application 26-DRB-01PUD Norris 9-lot subdivision.