

Town of Starksboro
Development Review Board
Minutes (APPROVED)
June 11, 2026

Members Present: Ben Campbell (Chair) Evelyn Boardman (Vice Chair), Tom Perry, Luke McCarthy, Rob Liotard (second hearing only).

Members Not Present: Arnell Paquette, Rich Warren, Rob Liotard (1st hearing only).

Others Present: Stephen Rooney, Zoning Administrator (See hearing details for other participants).

Minutes prepared by S.Rooney on 6/12/26.

Meeting called to order: by Chair Ben Campbell at 6:35 pm

Changes to the Agenda: None

Public Comment on non-agenda items: None

Minutes Review:

The minutes from 5/28/2026 were reviewed and accepted without comment.

Hearing #26-DRB-03CU/01SP-Mendell Conditional Use / Site Plan Review Hearing.

Applicants Present: Taylor and Jake Mendell

Visitors Present: Dwyer Haney

B.Campbell opened the hearing at 6:41pm.

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

B.Campbell read the warning.

B.Campbell swore in applicants and visitors.

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

B.Campbell read the exhibit list. There were no additions or comments.

Hearing Testimony:

T.Mendell reviewed the project narrative for both the conditional use review and the site plan review provided in the exhibits. The conditional use review was necessary to amend a wetlands buffer condition required in the original conditional use approval to build an addition onto their processing space, and the site plan review was necessary as they were distributing their farm products and had begun adding on the products of other parties through their CSA, which falls outside of the basic farming definition into the On-Farm Business use category.

S.Rooney asked how long they had been conducting the business. T.Mendell noted the CSA had been running since around 2014, and J. Mendell noted that the add-on products did not start until 2020 during the pandemic.

T.Mendell then read the Site Plan review and Conditional use criteria responses to Sections 424.D and 425.D in Exhibit I.

S.Rooney asked about how product reached customers if only a few were coming to the site. T.Mendell stated they bring most of their CSA product to Bristol and Hinesburg and set up distribution locations there.

S.Rooney noted that the primary reason for the conditional use review was for the DRB to review the 100ft wetlands setback required by a condition in the previous approval. He asked if the applicants had any further insight as to where the 100ft dimension originated. T.Mendell said that they had asked others involved and did they could not recall. J.Mendell recalled that there may have been a neighbor concerned about bird habitat, and that perhaps the dimension was offered to address their concern. J.Mendell said he thought at the time of the original decision that the 100ft was from the Starksboro regulations, as he knew the state regulation was a 50ft buffer. B.Campbell recalled from his time on the board then that the primary concern was more for the wetland area to the west, not so much the wetlands to the south.

S.Rooney discussed the State wetlands office's opinion stated by Zapata Courage in Exhibit J that the state would not require a wetlands permit if 60ft is maintained from a noted birch tree that was determined to be outside the wetlands.

S.Rooney noted his recent discussion with the State Agriculture Dept.'s representatives regarding current state statute that govern agricultural and accessory on-farm business exemptions from municipal permitting. He discussed what determinations the town needed to make to qualify a project for those exemptions, and what further project review and restrictions the town could exercise under Section 342.B (ZA note: the correct section is noted from a misquote in the recording) once this exempt status was confirmed.

E.Boardman asked if the DRB was required to address each of the criteria in 342.B. S.Rooney noted that the DRB was free to conduct their review and place restrictions similar to other business uses, but could not outright deny the on-farm business permit.

L.McCarthy asked how the DRB could be certain the applicant qualified as a farm. D.Haney noted the DRB could ask if the applicant was following the state's RAP (required agricultural practices) program, which was required by the state to be considered an accessory-on-farm business.

T.Mendell noted that they had obtained a Farm Determination letter from the Dept. of Agriculture. S.Rooney noted that the state is able to provide guidance to municipalities through these letters, but the permit exemption is noted in VSA Title 24, which requires the town to make the final determination of whether the operation is a farm and/or an accessory on-farm business.

B.Campbell asked for a motion to determine if the conditional use and site plan review application was complete for the purpose of conducting the hearing.

Motion: E.Boardman moved to accept the application as complete for the purpose of conducting the hearing. L.McCarthy seconded.

Vote: All in favor

Motion: L.McCarthy moved to close the hearing at 7:13pm. B.Campbell seconded.

Vote: All in favor.

Motion: L.McCarthy moved to deliberate on the application decision in open session.

E.Boardman seconded.

Vote: All in favor

Open Deliberative Session for 26-DRB-03CU/01SP

The group discussed the history of the 100ft wetlands setback and if they considered this condition a critical condition. T.Perry asked if the town had come up with this dimension; S.Rooney replied that the 100ft was a proposal by the applicant, and the DRB codified this into the decision.

Motion: L.McCarthy moved to approve the conditional use amendment and the site plan application. E.Boardman seconded.

Vote: All in favor.

S.Rooney noted that a draft of the decision would be prepared and it would be included in an open deliberative session at the 6/25/2026 meeting for review and signing.

The board left the open deliberative session.

S.Rooney noted the appeal period would start today due to the board action and run for 30 days. The Zoning permit would be issued 15 days from this meeting, as today was the date of approval, so that its 15 day appeal period would expire concurrently with the DRB decision.

Hearing #26-DRB-02SP Haney-Fisher Site Plan Review Hearing

Applicants Present: Dwyer Haney

Visitors Present:

Carin McCarthy (zoom), Robert Turner (zoom)

Alice and Dan Dubenetsky

Susan Smiley

Carin and Dale Hoffman

David and Bonita Bedard

Corine Jennings

Kirsten St. Louis

Taylor and Jake Mendell

To determine if the Board still had a quorum, board members L.McCarthy and T.Perry discussed their relationship to abutting property owners with D.Haney. D.Haney did not have an issue with their continued participation.

B.Campbell opened the hearing at 7:41pm.

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

B.Campbell read the warning.

B.Campbell swore in applicants and visitors.

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

B.Campbell read the exhibit list. S.Rooney noted the following additions that were distributed at the beginning of the hearing:

- Exhibit J: Letter and photograph from Carin and Dale Hoffman to the DRB dated June 11, 2026.
- Exhibit K: Email letter to S.Rooney, Zoning Administrator from Joanne Swierz dated 11, 2026.

(ZA Note: These exhibits are attached at the end of these minutes).

Hearing Testimony:

D.Haney described the application request to add an on-farm business designation to their farm and add two business signs. They are growing trees, mainly mulberries and chestnuts, with

approx. 120 different species planted. The business would allow them to share their knowledge and the land with others and teach classes.

D.Haney noted neighbor's concern over parking discussed in the added Exhibits, and clarified that the two proposed parking spaces on the site plan are not sized for any particular event, they were areas available for parking that are as large as possible on land that was not agriculturally useful to them, while impacting the land as little as possible. He did not intend to have 29 car events frequently.

D.Haney reviewed the applicant's responses to Site Plan Review Criteria Section 424.D, provided in Exhibit I. He noted the parking areas would be just mowed pasture, with no gravel or pavement planned. He noted there will be no winter parking or plowing. He is willing to limit Dan Sargent Road traffic, and encourage car-pooling, etc. Pedestrian traffic and vehicle traffic would be separate as the vehicle parking would be adjacent to Dan Sargent Road and pedestrians would use existing farm paths interior to the site. He did not anticipate needing to address stormwater as the pasture would naturally handle stormwater, and he planned on providing an unmown buffer around the parking to further address stormwater. He discussed how the application fit in with the town plan, and would help to enhance the community and the local economy.

T.Perry asked for clarification on how the public would interact with the farm, what types of activities were proposed.

D.Haney noted classes on the type of agriculture being farmed, skills lessons, and potentially hosting lunches/brunches/dinners and sharing cooking techniques.

R.Liotard asked if the events would be advertised and scheduled, versus individuals requesting to visit and learn independently.

D.Haney noted he intended to advertise on social media. R.Liotard asked if that meant the size of the event would then depend on how many responses were received. D.Haney agreed.

R.Liotard asked if a limit on attendees would be considered. D.Haney said he is open to that, he wants to share the farm and the experience with as many people as possible but understood the need to respect the capacity of the road and the character of the neighborhood.

L.McCarthy asked about the distance from the northern parking lot to the neighboring property.

D.Haney thought it was between 35-50 feet, and noted that the property boundary pin is difficult to locate there, but they and the abutter agree on an approximate location.

B.Bedard read a prepared statement, which included reading Chapter 250, Agricultural, Scenic and Rural Residential Section 250. Purpose. (ZA note: A written version of this verbal testimony is attached to the end of these minutes and will be included as Exhibit L in the application materials. It should be noted that the subject parcel is in the LDRC District).

C.Hoffman noted that she and her husband are long time residents that abut the proposed parking near the barn, and noted that the proposed parking area is a wet area that they could not walk across, and that salamanders had been found there, and questioned if there were any vernal pools there. She was curious about septic, outhouses, will it be visible, how often changed out. parking

justification – 116 people could come (4 per 29 cars) is too much. She described how dangerous the intersection of Robert Young and Dan Sargent is. She wondered why bring the education classes to the farm, instead bring to a location in the village. She was concerned about oil runoff from the parking near a drinking water source, and if the runoff would affect downstream water sources. She questioned if the applicant had a septic system. She questioned the noise that might be generated, and noted a past school trip to the site that was hosted that was noisy. She suggested the cars could be parked up at the house on the driveway versus out by the road, or plant evergreens around the proposed locations to screen the neighbor's view. She pointed to the Exhibit J photo to indicate that the proposed parking area by the barn was not well maintained now. She reported that the neighbor to her north has to back out of their driveway and that it would be more dangerous with added traffic.

D.Haney responded that they do have a permitted septic system. They do not plan on having events that require sanitation and water facilities, and if they did, they would rent facilities for the event itself. He felt parking on his single lane driveway would not provide room for cars to pass. The events and the view of the cars would happen infrequently. The proposed southern parking area is sometimes wet, and is currently being used for woodchip storage.

K. St.Louis read a prepared statement: (ZA note: A written version of this verbal testimony is attached to the end of these minutes and will be included as Exhibit M in the application materials.)

C.Hoffman asked why aren't the cars parked up by the house where the applicant can see them, versus out by the road where they can't been seen by the applicant?

D.Haney noted that the grade around his house and drive are pretty steep and the goal in putting the parking by the road was to avoid having to do a lot of earthmoving and construction that would cause actual erosion versus mowing an existing pasture and wasn't the best use of the land.

D.Haney responded to K.St.Louis's statement by saying he wouldn't have people pooping on the ground, he wasn't going to break any state wastewater rules. Most classes might last an hour that would not require sanitary facilities, and if events lasted longer he would provide a compliant sanitation solution. He was willing to provide more parking buffer plantings. He pointed out that he would not be mowing the parking areas regularly, just before events, and this would have less impact on flooding than if the field was mowed regularly.

D.Dubenetsky noted that traffic on Dan Sargent is light, but can be heavy during morning/evening peak periods, and that he was not interested in more traffic. He noted that if there was no control over attendance at an advertised event it could be a problem. He questioned these controls, is there a charge for the event, is there a specified time and duration for events. He questioned if the health department would need to be involved in inspecting for cooking classes. He was also concerned about noise. He is not anti-farming, and encouraged farming.

L.McCarthy asked about how the southern lot would be accessed. D.Haney said it would be through the existing curb cut at the barn, the lot was sized for one row of cars facing the road.

T.Perry questioned if the extent of the activities needed better definition and control to be able to address what conditions might be applied to make the proposal acceptable to the neighbors.

E.Boardman questioned and it was confirmed that Dan Sargent is a Class 3 road.

A.Dubenetsky asked if the board had seen a comprehensive business plan. B.Campbell responded that one had not been submitted. D.Dubenetsky noted that this was a problem, that there was a discussion of intent, but nothing defined.

K.St.Louis noted that she did not see on the site plan where the stream ran through the property, and that she was concerned about the parking affect on the stream if it was close to the parking.

D.Haney responded that the application requirements did not ask for a comprehensive business plan, so one was not provided, and that his neighbors could have asked him in advance of the meeting and he would have been willing to discuss his plans with them. He noted his neighbors were free to contact him if they ever had concerns over what was happening on the farm. He noted that the closet point of the stream to the parking is 74 feet.

C.Hoffman said she had noticed D.Haney's instagram postings advertising the barns for rent or animal housing, and questioned what is really proposed for the future.

R.Liotard noted that it did not appear that any state review had been conducted on the proposal and questioned if it was the applicant's intent to have the state review the project. D.Haney stated it was not their intent to have any event that would require any water or waste water facilities beyond a port-a-let.

Motion: L.McCarthy moved that DRB accept the application and testimony provided as meeting the requirements to conduct the Haney-Fisher On-farm business site plan review as set forth in the bylaws. E. Boardman seconded.

T.Perry asked if the application is complete, as the business detail seems too vague. L.McCarthy noted that the bylaws do not require much. S.Rooney confirmed.

C.Jennings asked if it had been determined if this was a farm.'

E.Boardman read 342.B On Farm Business, and discussed what type of criteria under 342.B could be reviewed. L.McCarthy read the definition of farm, and questioned if that was enough definition.

S.Rooney asked T.Perry if it would help if the application could be considered complete if it met the criteria for materials to be provided in 424.B, and then debate during deliberation if the application can be approved based upon the submittals.

T.Perry felt the applicant's chances of gaining approval would be better with a more complete application, but was ok with moving forward.

Vote: All in favor.

Motion: E.Boardman moved to close the hearing at 8:43pm. B.Campbell seconded.

Vote: All in favor.

Motion: E.Boardman moved hold the deliberative session for this hearing in closed session.

L.McCarthy seconded.

Vote: All in favor

The Board came out of closed deliberative session at 9:48pm.

Motion: L.McCarthy moved to adjourn the meeting. E.Boardman seconded.

Vote: All in favor.