

Town of Starksboro Development Review Board Hearing Exhibit List

Applicant: Benitez
Application # 26-DRB-06CU

Date of Hearing: 10/8/2026
Hearing Type: Conditional use Review Hearing

Exhibit #	Description	Date entered	Submitted by:
A	Warning dated Sept. 17,2026	9/15/26	ZA
B	Abutter Map dated 9/14/26	9/15/26	ZA
C	Abutter Mailing Affidavit dated 9/14/26	9/15/26	ZA
D	DRB Application dated 9/1/26	9/15/26	Applicant
E	Zoning Permit Application dated 9/1/26	9/15/26	Applicant
F	Applicant Cover Letter, Project Narrative, and Site Photos to DRB dated 9/15/26	9/15/26	Applicant
G	Site Plan dated 9/15/26	9/15/26	Applicant
H	Seasonal Camp Zoning Permit 08-ZP-151 dated July 16, 2008	9/16/26	ZA
I	Zoning Administrator's Review	9/16/26	ZA

TOWN OF STARKSBORO
DEVELOPMENT REVIEW BOARD

NOTICE OF HEARING

Bela Benitez (Ensign) submitted application 26-DRB-06CU for a Conditional Use Review Hearing for a Commerical Recreation Use Sauna and Spa located on a 9.60+/- acre parcel #10741 at 1174 VT Route 17 in the Town of Starksboro. The proposed conditional use is in the MDRC district. The Conditional Use Review Hearing on this application will be held per the 2020 Starksboro Land Use and Development Regulations (SLUDR).

The Starksboro Development Review Board will conduct the hearing on **October 8, 2026**, starting at 6:30p.m. at the Starksboro Town Office with remote access (info below). The full application is available to review by request at the Starksboro zoning office, and on the website at <https://www.starksborovt.org/agendas-and-minutes>

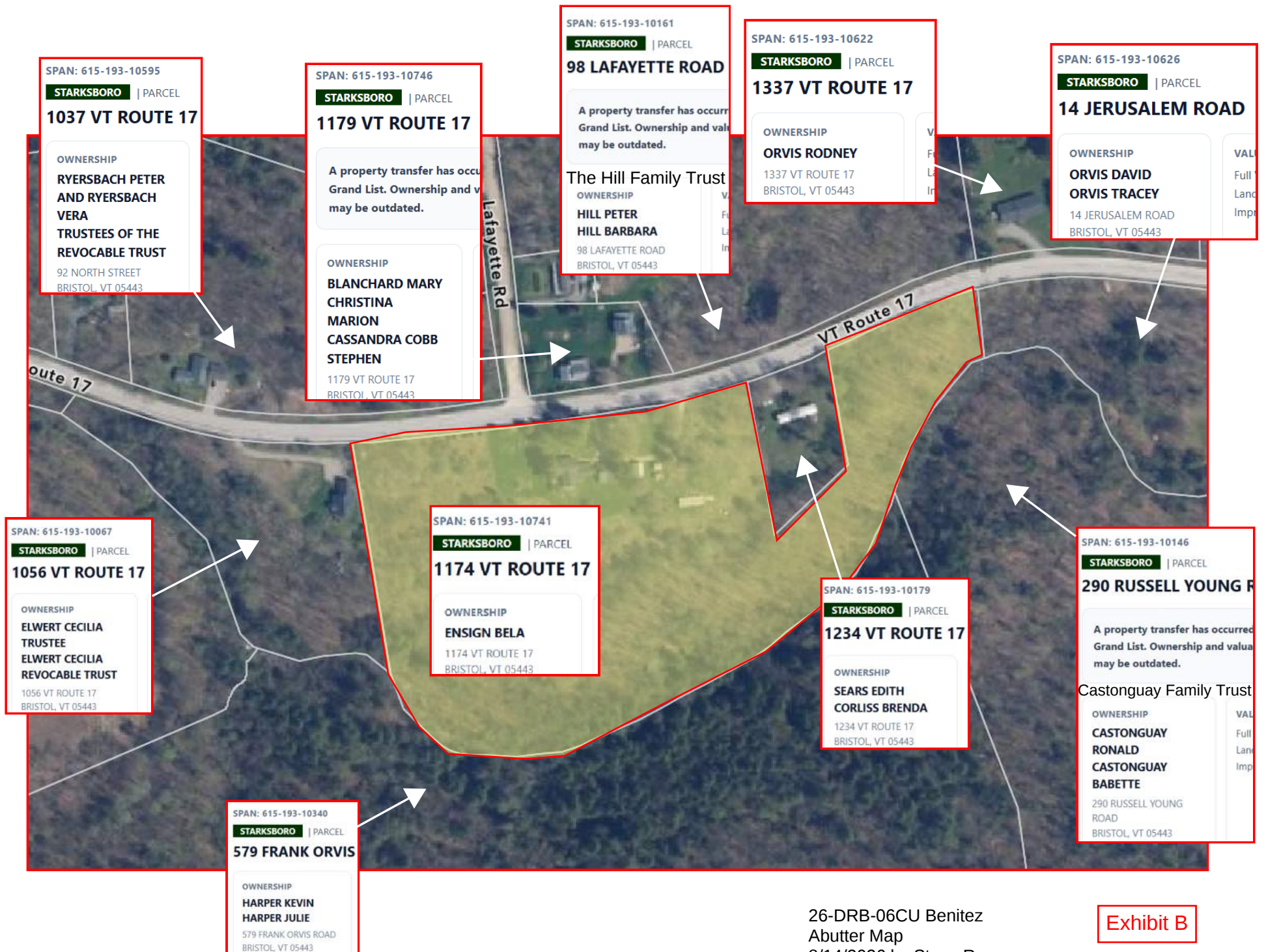
Pursuant to 24 V.S.A. §§ 4464(a)(1)(C) participation in this local proceeding is prerequisite to the right to take any subsequent appeal.

Town of Starksboro is inviting you to a scheduled Zoom meeting.

<https://us02web.zoom.us/j/89617415124>

Meeting ID: 896 1741 5124
Or by Phone: +13052241968

Warning Date : September 17, 2026



26-DRB-06CU Benitez
Abutter Map
8/14/2026 by Steve Rooney

Exhibit B

Town of Starksboro

PO Box 91, Starksboro VT 05487
 zoning@starksborovt.org

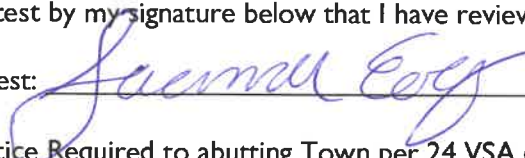
ABUTTERS MAILING AFFADAVIT

Pursuant to section #410 of the Starksboro Land Use Development Regulations I, Stephen Rooney, Zoning Administrator for the Town of Starksboro, hereby acknowledges that on 9/14/26 that I sent by US 1st class mail the attached "notice of public hearing", for application 26-DRB-06CU to the following list of abutting property owners and others requesting notice.


 Stephen Rooney, Zoning Administrator

Date: 9/14/26

I attest by my signature below that I have reviewed this list and that it was mailed on 9/14/26.

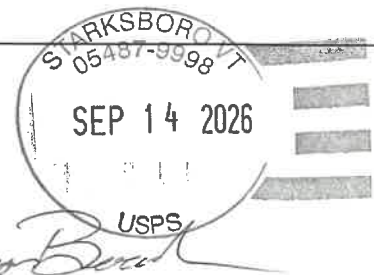
Attest: , Town Clerk/ Assistant Town Clerk/ Town Admin

Notice Required to abutting Town per 24 VSA § 4463(a) for major subdivision (Y/N)? N

If yes, Address of Abutting Town: _____

Applicants: Bela Benitez, Parcel 10741, 1174 VT Route 17

Abutters or Participants	
Parcel #	Name and Address
10067	CECILIA ELWERT TRUSTEE CECILIA ELWERT REVOCABLE TRUST 1056 VT ROUTE 17 BRISTOL, VT 05443
10595	PETER AND VERA RYERSBACH TRUSTEES OF THE REVOCABLE TRUST 92 NORTH STREET BRISTOL, VT 05443
10746	MARY CHRISTINA BLANCHARD CASSANDRA MARION STEPHEN COBB 1179 VT ROUTE 17 BRISTOL, VT 05443
10161	THE HILL FAMILY TRUST PETER AND BARBARA HILL 98 LAFAYETTE ROAD BRISTOL, VT 05443
10622	RODNEY ORVIS 1337 VT ROUTE 17 BRISTOL, VT 05443
10626	DAVID AND TRACY ORVIS 4 JERUSALEM ROAD BRISTOL, VT 05443
10146	CASTONGUAY FAMILY TRUST RONALD AND BABETTE CASTONGUAY 290 RUSSELL YOUNG ROAD BRISTOL, VT 05443
10340	KEVIN AND JULIE HARPER 579 FRANK ORVIS ROAD BRISTOL, VT 05443



Address of property: 1174 VT RT 17 Starksboro Parcel ID (last 5 digits of SPAN): 10741

Property Owner (see Page 2): Bela Benitez

Property Owner _____

Mailing Address: 1174 VT RT 17 Bristol, VT 05443

Signature of Owner: Bela Benitez Date 8/24/26 9/1/26

Signature of Owner: _____ Date _____

Applicant (see Page 2): Bela Benitez

Mailing Address: Same

Signature of Applicant: Bela Benitez Date 9/1/26

Exhibit D

Application Type (check all that apply):

☐ Variance (per section 422)

Specific relief requested: _____

☐ Waiver (per section 423)

Specific relief requested: _____

☐ Site Plan Review (per section 424, "S" designation in Use Table, or other Section).

Project description and Zoning Permit #: _____

☒ Conditional Use Review (per section 425, "C" designation in Use Table, or other Section)

Project description and Zoning Permit #: Commercial recreation use 26-2P-33

☐ Subdivision (per Section 426). Pre-application meeting date: _____

____ Minor _____ Major Total # Lots _____

☐ Planned Unit Development (per Section 427). Pre-application meeting date: _____

☐ Appeal of decision by Zoning Administrator (per section 421)

Permit # or other decision being appealed: _____

☐ Other (specify) _____

➤ Before the application can be deemed complete, the property owner or applicant must submit with this application the applicable fees and appropriate pertinent information as required by the Starksboro Land Use and Development Regulations. Once the application is deemed complete by the Zoning Administrator or DRB, the Town has 60 days to warn a public hearing. See Page 2 and 3 for required submittals and other information.

Administrator/DRB use only

DRB Application Number: 26-DRB-1000 Fee Paid: 375 Date Deemed Complete: 9/14/26

Warning Public Notice date: 9/17/26 Final Hearing date: 10/8/26 Date of decision: _____

DRB Chair: _____ DRB Clerk/ZA: _____

Zoning office notes: _____



P.O. Box 91 Starksboro, VT 05487
Zoning Phone: 802-453-2768
www.starksborovt.org/zoning

ZONING PERMIT APPLICATION

Permit # 26-ZP-33

Exhibit E

A Zoning Permit is required **prior** to any land development, as defined in the Starksboro Land Use & Development Regulations. Contact the Zoning Administrator prior to filing this form to confirm your permitting requirements and fees.

Site Information:

Physical Address of Property: 1174 VT Route 17 Parcel ID (last 5 digits of SPAN): 10741
Zoning District: LDRC/MDRC Overlay District (if applicable): Lot Size (acres): 9.60

Property Owner(s) Information (see definition next page):

Property Owner(s) Name: Bela Benitez

Property Owner(s) Name:

Owner Mailing Address: 1174 VT Route 17, Starksboro

Applicant Information (see definition next page):

Applicant Name: Same

Applicant Mailing Address:

Email:

Project Information :

Description of Project: New Commercial Recreation Use - Sauna / cold plunge retreat

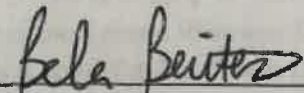
ACKNOWLEDGEMENTS:

The Administrative Officer has 30 days to act on a complete permit application. Permit approvals will be effective at the end of the 15-day appeal period. **No construction is allowed during the appeal period.** The applicant or an interested party has the right to appeal this permit decision within 15-days of issuance to the Starksboro Development Review Board. Local, state, and federal regulations may apply to projects and additional local, state and federal permits may be required. **It is the applicant's responsibility to acquire additional local, state, and federal permits.** If those regulations are not as restrictive as the Starksboro Land Use & Development Regulations, the Starksboro Regulations will apply. Please contact the State of Vermont Permit Specialist (802-477-2241) for more information on state permits. Any work in the Road or Highway Right-of-Way requires a Town or State Driveway/Access permit be filed with the Zoning Administrator. All residential projects must comply with the Vermont Residential Building Energy Standards. All representations made on application forms, drawings, and attachments are binding. Failure to build according to the approved zoning permit application is a violation of the Starksboro Land Use & Development Regulations. The Administrative Officer shall have the right to conduct inspections at any time during construction. A Certificate of Occupancy is required for new single-family home.

Signatures: The undersigned hereby certifies the information within this application to be true and accurate, and accepts the acknowledgements as noted above and in the Starksboro Land Use and Development Regulations.


Property Owner Signature Date 9/1/26

Property Owner Signature Date


Applicant Signature Date 9/1/26

OFFICE USE BELOW ONLY

Date received: Date Application Deemed Complete Fee: \$ Paid via: Check #: Online

PERMIT DECISION

Decision: DENIED/ APPROVED / REFERRED TO DRB

Zoning Administrator signature: Cert. of Occupancy req? ☐ Yes ☐ No

Date of Signature: Date Zoning Permit takes effect: Permit Expiration Date:

Zoning Administrator's Comments:

TOWN CLERK'S OFFICE Received for Record: A.D. at o'clock AM / PM

And Recorded in Book page Attest: Town Clerk/Assistant Town Clerk

Town of Starksboro
RECEIVED
09/15/2026

Bela Benitez
1174 VT RT 17
Starksboro, VT 05443
(302) 650-5998
belasonic@gmail.com

V2: September 15, 2026

Development Review Board

Town of Starksboro
P.O. Box 91
Starksboro, VT 05487

Re: Conditional Use Review Application – Parcel 10741

Dear Members of the Development Review Board,

Please accept the enclosed application materials for Conditional Use Review of a proposed small-scale commercial recreation use on Parcel 10741.

The proposed project consists of a private sauna and creek cold-plunge retreat operating by reservation only, with a maximum occupancy of two guests at a time. Guests would have access to an existing sauna, an existing relaxation cabin, and access to Baldwin Creek via an existing footpath.

Enclosed please find:

1. Completed Development Review Board Application
2. Completed Zoning Permit Application
3. Project Narrative, including responses to applicable Conditional Use Review criteria
4. Site Plan showing the location of existing improvements and proposed use areas
5. List of abutting property owners verified against the current Grand List
6. Application fee (or fee as assessed by the Zoning Administrator)
7. Photographs of existing site conditions, including access, parking, sauna, cabin, and creek access
8. Any additional supporting materials requested by the Zoning Administrator

Thank you for your consideration of this application. Please let me know if any additional information would assist the Board in its review.

Sincerely,

Bela Benitez
Property Owner / Applicant

PROJECT NARRATIVE - V2 (9/15/26)

Conditional Use Review Application

Parcel 10741

Proposed Sauna and Creek Cold Plunge Retreat

Project Description

The applicant seeks Conditional Use approval for a small-scale commercial recreation use consisting of a private sauna and creek cold-plunge retreat.

The proposed use will operate by reservation only and will serve a maximum of two guests at a time. Guests will have access to an existing sauna, an existing relaxation cabin used for changing and relaxation and access to Baldwin Creek via an existing footpath.

The retreat is intended to provide a quiet, nature-based experience centered around sauna use, cold-water immersion, relaxation, and enjoyment of the property's natural setting. No overnight accommodations, events, amplified music, or large gatherings are proposed.

Existing parking areas will be utilized. No additional roadway construction is proposed.

Response to Conditional Use Review Criteria

1. Suitability of the Use

The parcel is well suited to the proposed use due to its size, natural setting, existing improvements, and access to Baldwin Creek. Existing recreational features including the sauna, relaxation cabin, parking area, and creek access support the proposed use without requiring substantial additional development.

The natural landscape and forest setting are central to the experience and provide appropriate separation from neighboring properties. The proposed use is limited to a maximum of two guests at a time.

2. Character of the Area

The proposed use is low intensity and reservation-based. Guest occupancy will be limited to two persons at a time.

The use will not create significant traffic, noise, lighting, or activity beyond what is typical for a rural residential property. No overnight accommodations, weddings, events, or group activities are proposed.

Because of the limited scale of operations and the substantial privacy provided by the property, the proposed use will not alter the rural character of the area or impair neighboring properties.

No streambank alterations, structures, grading, dredging, or improvements within the creek channel are proposed.

3. Safety and Privacy

The property provides significant separation from neighboring properties.

Guests access Baldwin Creek via an existing footpath connecting the retreat area to the creek. The path follows existing site conditions and provides access to the creek access area.

The retreat operates by reservation only and is limited to a maximum of two guests at a time, minimizing impacts on neighboring landowners and preserving privacy for both guests and adjacent properties. Operations will occur during daylight. No overnight use is proposed.

4. Natural Setting

The project utilizes existing improvements and existing access routes wherever practical.

The natural landscape, forest setting, and creek environment are key features of the retreat and will be preserved. No platforms, docks, or structures are proposed within Baldwin Creek.

The project is intended to have minimal impact on the site's natural features while allowing guests to appreciate and enjoy the property's natural resources.

5. Public Facilities and Services

The proposed use is expected to have minimal impact on public facilities and services due to its small scale and limited occupancy.

Because the retreat is limited to a maximum of two guests at a time and operates by reservation only, the project is expected to generate only a small number of vehicle trips per day. Existing driveway access and parking are adequate to accommodate the proposed use.

An existing incinerating toilet is provided for guest use. The applicant is consulting with a Vermont licensed designer and the Vermont Department of Environmental Conservation regarding any wastewater permitting requirements associated with the proposed commercial use and will obtain any required approvals. No additional wastewater-generating plumbing facilities are proposed as part of this application.

6. Performance Standards

The proposed use is expected to comply with applicable performance standards.

Operations are limited in scale and are not expected to generate excessive noise, traffic, lighting, odors, dust, or other impacts on neighboring properties.

The use is designed to remain compatible with the surrounding rural environment.

7. Site Plan Review Criteria

The accompanying site plan identifies the existing driveway, parking area, sauna, relaxation cabin, incinerating toilet, creek access path, and creek access location.

*The relaxation cabin is the pre-existing “camp” that the previous owners built.

The proposed use relies primarily on existing improvements and existing site conditions. No significant additional site development is proposed.

Existing Improvements

The project area includes:

- Existing sauna

- Existing relaxation cabin
- Existing parking area
- Existing incinerating toilet
- Existing footpath to Baldwin Creek
- Existing creek access location

The relaxation cabin is used only as a changing, warming, and relaxation space associated with the sauna retreat and is not used for overnight accommodations.

An existing incinerating toilet is available for guest use. The facility is intended to support the limited occupancy of the retreat, which is restricted to a maximum of two guests at a time.

Site Photos



Existing parking area



Walking path to sauna & cabin



Sauna

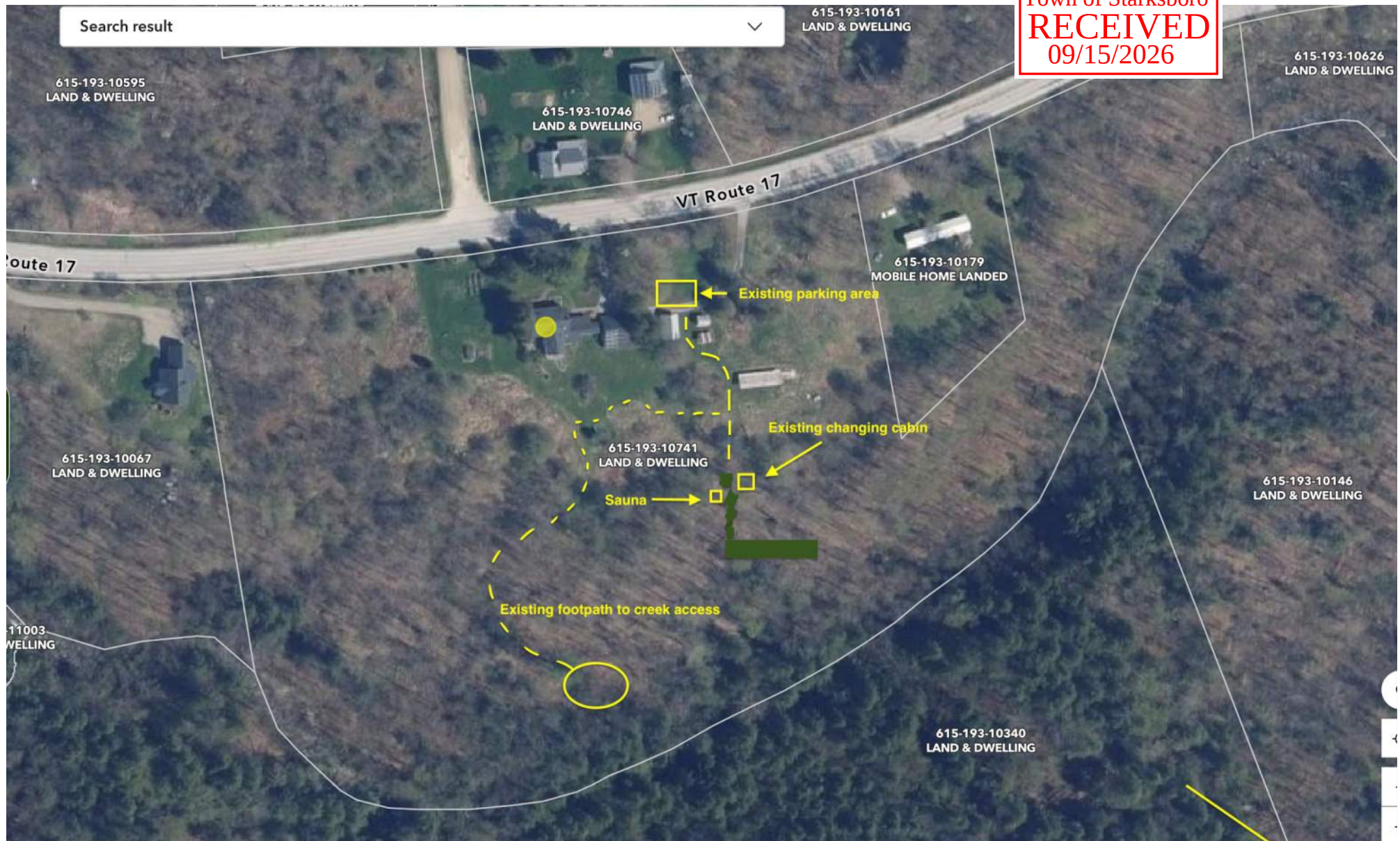


Changing cabin



Path to creek & Baldwin Creek access

Town of Starksboro
RECEIVED
09/15/2026



July 16, 2008

Peter and Vera Ryersbach
1174 VT Rte 17
Starksboro, VT 05487

In re: Zoning application 08-151-ZP,

Dear Mr. and Mrs. Ryersbach,

I am please to inform you that the development that you have proposed has been approved;

1. Primitive seasonal camp/accessory structure (10-foot by 16-foot, less than 15 feet high) with no plumbing, power, or insulation per application # 08-151-ZP on parcel # F41717E is considered exempt under Starksboro Zoning section 4.4.1.3. **The structure is to be used only by family/friends and will not be rented or leased.** The property is located in the Low Density Residential and Commercial district. Sections 4.4.1.3 specifically state:

- _____ 4.4.1.1 Fences, hedges, or walls less than 6 feet high which do not interfere with road access visibility.
- _____ 4.4.1.2 Improvements or additions to an owner's single family home that do not require additional septic capacity.
- XX 4.4.1.3 Doghouses, sheds, treehouses, or similar nonresidential, noncommercial structures having less than 400 square feet in floor area and less than 15 feet in height.
- _____ 4.4.1.4 Any sign erected by the Town or State for directional information or traffic control purposes.
- _____ 4.4.1.5 Accessory agricultural buildings less than 900 square feet in floor area, less than 20 feet high.
- _____ 4.4.1.6 Replacement of a single family year round home, or a single family seasonal home with a similar type home if such a home is a permitted use in the district.

Section 4.4 requires that "all other provisions of the zoning regulations apply to activities exempted by this section in accordance with their terms". This means that all land development activities must comply with the requirements outlined in the regulations. Additionally, by filing an application with the Zoning Administrator you are complying with section 4.4.2 that requires that a "notice of intent to build" be filed prior to any development. Be advised that the activities authorized in this zoning permit shall be completed within two years from (July 16, 2008), or the permit becomes void and you will need to reapply. During the two years the permit is in effect and if you have made substantial progress on the land development authorized by this permit, you may apply for a one-year extension (Starksboro Zoning Bylaws section 4.3.3). The approval in this permit is for the project as it has been depicted in this application. To the extent your actual project should deviate from the permit as approved, you must request an amended zoning permit and receive approval prior to actual construction or you will be in violation of this permit. Should you have any questions about what constitutes a deviation from the permit requiring an amendment, please contact me for clarification.

The following information is required to be provided in association with your permit or any decision of the Zoning Administrator:

Zoning Administrator (ZA) Review Memo

The following is an administrative summary of the project being heard on **10/8/2026** with recommendations for DRB consideration. This review memo is provided to the applicant prior to the hearing and, via the town website, to the general public.

I. General Information

- **Applicant(s):** Bela Benitez
 - **Landowner(s):** Bela Benitez
 - **Location:** 1174 VT Route 17
 - **Parcel ID:** 10741
 - **Zoning District(s):** MDRC / LDRC
 - **Project Description:** Conditional Use Review for a Commercial Recreation Sauna/Spa
-

II. Procedural History and Threshold Issues

- **Pre-Application Meeting Date:** 8/24/2026
 - **Application Received Complete:** 8/14/2026
 - **Warning & Abutter Notification Dates:** 8/17/26
 - **Threshold Review (Stowe Highlands Analysis):**
 - *Is this an amendment to a previous decision?* [No]
-

III. Bylaw Compliance Summary

1. See Technical review for jurisdictional review notes.
-

IV. Public Correspondence & White Papers

- **Summary of Public Comment:** (None as of 8/15/26)
 - **Technical White Papers:** (None).
-

V. Overview and Recommendations

Project Overview

The applicant is proposing to operate a for-profit Sauna and Spa on their property, utilizing only existing developed features and structures.

ZA Technical Analysis

1. The property spans the LDRC/MDRC districts, however the use is located only in the MDRC district.

2. The use falls by definition under Section 510.C(5): **Commercial Recreation and Entertainment.** *A site, structure or portion of a structure designed to be used for leisure-time activities and that is operated as a for profit business.*
3. This commercial use is noted in the Section 210.A Figure 3 Use Table as a Conditional Use in all districts.
4. Parking: The applicant proposes to limit activity to two customers per session. Section 313.D, Figure 12 Required Parking Table requires 2 parking spaces for a limited number of customers. It should be determined if adequate parking is available for both the residence and the business.
5. Use of the Seasonal Camp. This structure was permitted in 2008 for private use only, see Exhibit H. This CU approval will need to amend that condition to allow for the commercial use of the structure.
6. Sauna construction. The Owner has noted anecdotally that this installation was exempted by an earlier zoning administrator via phone call. The permit status should be clarified for the record during the hearing.
7. Incinerating toilet. The applicant is in discussions with the State regarding permitting the use of this device. Issuance of the zoning permit should be contingent on receipt of this approval.
8. Shower use: There is an existing shower near the Sauna which according to Owner presents permitting issues with the State and will therefore be removed. This action should be verified by the ZA and contingent to issuance of the zoning permit.
9. River Access: This access enters the new River Corridor jurisdiction under the interim bylaw adopted 9/15/26 by the Selectboard. No hard construction or changes to the river's edge are proposed or allowed. The access is allowed but must be maintained in its current state and allowed to be naturally modified at the river's edge as the river changes course.

ZA Decision Recommendation: Approve with Conditions

Preliminary Project-Specific Conditions:

The conditions listed below are drafted for the Board's consideration and public discussion. Staff recommends that the DRB **openly review these potential conditions with the applicant** prior to closing the public hearing for the following reasons:

- **Landowner Awareness:** This discussion provides the first formal opportunity for the applicant to realize specific conditions may be applied and to understand their technical implications.
- **Stakeholder Feedback:** It allows the DRB to solicit immediate concerns from neighbors or the applicant regarding the feasibility or impact of conceptual conditions. It does not limit the DRB from developing new conditions during deliberations nor foregoing conditions discussed at the public hearing.

- **Staff Technical Advice:** Staff can advise the Board if adjusting a condition's wording would achieve the DRB's regulatory objective while minimizing unnecessary burden on the applicant and other interested parties.
- **Clarity of Process:** The DRB should clearly inform the applicant that these discussions are non-binding; conditions may be significantly altered, new conditions added or discussed conditions not incorporated during the **deliberative session** or upon review by the **Town Attorney**.

ZA's Proposed Final Conditions:

1. Site Plan Filing: A DRB signature titleblock must be added to the Site plan and signed by the DRB Chair and filed in the Zoning Records.
2. Zoning Permits required before start of business: A zoning permit must be obtained prior to operation of the business.
3. State Permitting: Issuance of Zoning permits shall be contingent on receipt of a State water-wastewater permit for the incinerating toilet.
4. Shower removal: The existing shower in the Sauna vicinity must be removed and verified by the ZA prior to issuance of the zoning permit.
5. Parking verification: A total of 4 car spaces on site must be verified by the ZA prior to issuance of a zoning permit.
10. River Access: No hard construction or changes to the river's edge are proposed or allowed. The access is allowed but must be maintained in its current state and allowed to be naturally modified at the river's edge as the river changes course.

Exhibits:

ZA comments are made in reference to the exhibits posted on the Town website at <https://www.starksborovt.org/agendas-and-minutes> with entries up until Sept. 16, 2026.