

# BARNARD & GERVAIS, LLC

*Land Surveyors, Licensed Designers, Environmental Consultants*

www.barnardandgervais.com



April 13, 2026

Town of Starksboro  
Attn: Steve Rooney  
PO Box 91  
Starksboro, VT 05487



Subject: Bradley Boss & Crystal Kelly, Two-Lot Subdivision, 793 VT Route 116 Starksboro, Vermont - Final Plat Hearing Application and Required Information

Dear Steve:

I am writing on behalf of Bradley Boss & Crystal Kelly to formally request a final plat hearing for a proposed two-lot subdivision relative to their 153.2 +/- acre parcel (Lot 1) of land located at 793 VT Route 116 in Starksboro, Vermont. As you are aware from our previous email correspondence, the applicants are withdrawing the planned unit development (PUD) application and replacing it with this application so the subdivision is a "by right" subdivision that conforms with the current Land Use Regulations.

In accordance with the Town of Starksboro Land Use and Development Regulations, the following items are respectfully submitted:

1. Town of Starksboro Development Review Board (DRB) Application.
2. Authority To Act On Behalf Letter.
3. Project Narrative.
4. Names and Addresses of Adjoining Property Owners.
5. Wastewater Design Drawings dated December 30, 2025, revised on April 13, 2026.
6. Survey Plat PL-1 dated January 14, 2026, revised on April 13, 2026.
7. Final Plat Application Fee (under separate cover).

Please review the included information and let me know if there are any other items that are required for the final plat hearing. In the meantime, should you have any questions or comments, please do not hesitate to give me a call at (802) 482-2597.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jason S. Barnard".

Jason S. Barnard  
Licensed Designer #126179

c: Bradley Boss & Crystal Kelly



# Development Review Board Application

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

**Address of property:** 793 VT Route 116 **Parcel ID** (last 5 digits of SPAN): \_\_\_\_\_

**Property Owner** (see Page 2): Bradley Boss & Crystal Kelly

**Property Owner** \_\_\_\_\_

Mailing Address: 422 Hayden Hill Rd E, Hinesburg, VT 05461

**Signature of Owner:** Bradley Boss Date 4/13/2026

**Signature of Owner:** Crystal Kelly Date 4/13/2026

**Applicant** (see Page 2): Bradley Boss & Crystal Kelly

Mailing Address: 422 Hayden Hill Rd E, Hinesburg, VT 05461

Signature of Applicant: Bradley Boss Crystal Kelly Date 4/13/2026

**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 #: \_\_\_\_\_

**Subdivision** (per Section 426). Pre-application meeting date : \_\_\_\_\_  
\_\_\_\_\_ Minor  Major Total # Lots 2

**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-02SD FPR Fee Paid: in PPR app Date Deemed Complete: 4/20/2026

Warning Public Notice date: 4/23/26 Final Hearing date: 5/14/26 Date of decision: \_\_\_\_\_

DRB Chair: \_\_\_\_\_ DRB Clerk/ZA: \_\_\_\_\_

Zoning office notes: \_\_\_\_\_

# **BARNARD & GERVAIS, LLC**

*Land Surveyors, Licensed Designers, Environmental Consultants*

www.barnardandgervais.com



November 18, 2025

Barnard and Gervais, LLC  
10523 VT Route 116  
PO Box 133  
Hinesburg, VT 05461



## **Authorization Letter**

### **Re: Authorization to Act on Behalf of Property Owner**

Dear Steve,

I, the undersigned, hereby confirm that I am duly authorized by the legal owner of the property located at:

**Property Address:** 793 VT Route 116, Starksboro, VT

to act on their behalf in connection with the following application:

**Application Description:** Two-Lot Subdivision

This authorization includes, but is not limited to:

- Preparing, submitting, and managing the application on the Owner's behalf;
- Representing the Owner in all related matters before the relevant authorities;
- Sending and receiving all correspondence related to the application like approvals or determinations;
- Making decisions or representations as required during the course of the application process.

Furthermore, this authorization extends to **employees of Barnard and Gervais, LLC**, permitting them to act on behalf of the Owner with respect to this project, as described above.

This authorization shall remain in effect until completion of the application process or until it is revoked in writing by the Owner.

### **Authorized Representative Contact Details:**

Name: **Jason S. Barnard**

Company: **Barnard & Gervais, LLC**

Phone: 802-482-2597

Email: Jason@barnardandgervais.com

**Owner & Representative Details and Signature:**

Name of Legal Owner: **Bradley Boss & Crystal Kelly**

Owner Representative: **Bradley Boss & Crystal Kelly**

Signature of Owner: *Bradley & Br*


Signature of Owner: *Crystal Kelly*

Signature of Authorized representative: *Bradley & Br*

Signature of Authorized Representative: *Crystal Kelly*

Date: 11/20/2025

Sincerely,



Jason S. Barnard  
Licensed Designer #126179

c: Bradley Boss & Crystal Kelly

April 17, 2026

Brad Boss and Crystal Kelly  
422 Hayden Hill Road E.  
Hinesburg, VT 05461

CC: Jason Barnard, Barnard & Gervais

RE: Notification of incomplete #26-DRB-02SD Final Plan Review application,  
Parcel 10431, 793 VT Route 116

Dear Brad, Crystal, and Jason,

We've received your application for a final plan review hearing for application 26-DRB-02SD on April 13<sup>th</sup> and note that the 26-DRB-02PUD application has been withdrawn.

I've reviewed whether the submittals provided on 4/13/2026 address the preliminary determinations noted in the DRB's Notice of Findings and Preliminary Determinations dated May 26, 2026. In doing so, I made the assumption that the attached *Response to Preliminary Hearing Decision* received on 4/8/2026 as part of the 26-DRB-02PUD application applies to this application. This response should be updated and resubmitted as necessary to reflect the discussion below.

In my review of the application materials plus the responses noted above I find the following with regards to the Preliminary Determination Items:

Item 1: The application has been revised to comply with Section 252.B minimum lot size.

Item 2: The application does not provide the information requested by the DRB to determine if the pre-existing pit is conforming, or non-conforming and subject to Section 122.E. The applicant should indicate whether more information will be provided prior to the hearing, or whether they understand that the DRB will either deem the application incomplete at the hearing, or make the above determination without assistance from the applicant.

Item 3: A letter of intent or a permit from VTTrans for the Rt. 116 access work is not provided. I understand from verbal communication with Brad that the site visit by the State has taken place and that a permit is in the works. The permit must be provided prior to the hearing date to avoid the application being deemed incomplete during the hearing.

Item 4: The revised site plan does not indicate the emergency turnaround. This was indicated on the PUD site plan, and must be indicated on the revised site plan. If there will be a shared road maintenance agreement, it must be provided before the hearing date to avoid the application being deemed incomplete at the hearing. If there will not be an agreement, the Town will

assume that the Owner takes all responsibility for maintenance of the road to the residence and to the sand and gravel pit.

Item 5: Although no information is provided on the State wetlands review in this new application, an update to the April 1, 2026 email from Zapata Courage to Barnard & Gervais provided in the 26-DRB-02PUD application, including the work Barnard & Gervais noted would be confirmed must be provided before the hearing date to avoid the application being deemed incomplete at the hearing.

Item 6: I'm assuming that the stormwater information provided in the April 6<sup>th</sup> response remains valid. If so, this information should be included on the final site plan.

Other items noted:

1. Please confirm that you wish us to include Waste Water Permit WW-9-3425 (Exhibit J in the preliminary hearing) with this application. This permit may have required amending due to the change in Lot 6 configuration. If an amended permit is not provided prior to the hearing, the DRB will determine whether the application is complete.
2. Narrative bullet item "Natural Features": I believe the last sentence of the paragraph is intended to say "all **proposed and** existing infrastructure".
3. Information on how power and telephone utilities will be run across the wetlands is requested by the ZA and must be provided prior to the hearing date.

Fees: The previous fee paid for the 26-DRB-02SD preliminary hearing application covered this final hearing, so no fees are due until recording.

Regards,



Stephen Rooney  
Zoning Administrator  
Town of Starksboro  
Direct Line: 802-453-2768  
[zoning@starksborovt.org](mailto:zoning@starksborovt.org)  
Office Hours Mon & Tues 9am - 3:30pm

Encl: Responses to 02-DRB-02SD Preliminary Hearing Decision  
included with application 02-DRB-02PUD.

CC: Ben Campbell, Chair, DRB  
Evelyn Boardman, Vice Chair, DRB

# BARNARD & GERVAIS, LLC

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April 20, 2026

Town of Starksboro  
Attn: Steve Rooney  
P.O. Box 91  
Starksboro, VT 05487



Subject: Bradley Boss & Crystal Kelly – Two-Lot Subdivision, 793 VT Route 116, Starksboro, VT  
– Response to Comments.

Dear Steve:

I have reviewed your letter dated April 17, 2026, and provide the following responses. Based on the materials submitted with the initial application and the clarifications below, we believe the application meets the requirements to proceed with scheduling a hearing. Any additional materials, if warranted, will be provided during the DRB process and should not delay scheduling.

Our responses are as follows:

Item 1: Noted

Item 2: Please find attached a letter from Benjamin Putman regarding the gravel pit.

Item 3: This item is in process. The current access is existing and is being reviewed by VTRANS.

Item 4: Please see the revised drawing attached.

Item 5: Included below is correspondence with the state wetland ecologist, Zapata Courage. This applies to the subdivision. At the time this letter is dated, the Addison County Growing Season (ie. the window in which the state accepts wetland assessments) is not open yet. Once it is open, our Wetland specialist will assess the site. This information will be gathered and shared before the next hearing.

Item 6: The stormwater information submitted on April 6 remains valid.

Other items noted:

The wastewater permit is applicable and will be a simple amendment.

Addressed

Power and telephone utilities will not cross wetlands; they will be constructed within the same footprint as the road.

# BARNARD & GERVAIS, LLC

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www.barnardandgervais.com



At this time, the application materials are sufficient to support scheduling of the DRB hearing. We respectfully request that the application be advanced accordingly. Any remaining items can be addressed as part of the hearing process.

Sincerely,

Jason S. Barnard  
Licensed Designer #0126179

c: Bradley Boss & Crystal Kelly

April 16, 2026



Development Review Board  
Town of Starksboro  
2849 Route 116  
Starksboro, VT 05487

**Re: Crystal Kelly and Bradley Boss Two-Lot Subdivision, 793 Route 116, Starksboro**

Dear Members of the DRB:

I represent Crystal Kelly and Bradley Boss, the applicants in the above matter. Ms. Kelly and Mr. Boss have asked me to provide my opinion as to whether the DRB can impose a condition on the subdivision approval requiring them to gather and report historical information on the pre-existing gravel pit located on a portion of their property.

Ms. Kelly and Mr. Boss are seeking to subdivide their 153.2-acre parcel into two lots of 151.2 acres and 2.0 acres, in order to allow the 151.2-acre lot to be developed with a future residence. The application does not propose any expansion, alteration, or change in use of the gravel pit.

I have reviewed the Starksboro Land Use Development Regulations, with a particular focus on Section 350 (Subdivision and PUD Standards) and Section 426 (Subdivision Review). The standards deal with the layout and configuration of the proposed subdivision. I have not been able to locate any provisions that would provide a basis for requiring landowners to report on historical usage of a facility such as a gravel pit. As noted above, the pit on the Kelly/Boss property is not proposed to be expanded or altered in any way. The existence of the pit is irrelevant to the matter before the DRB (the proposed division of the property into two lots).

Based on the foregoing, it is my opinion that the DRB must base any conditions on the enumerated standards in the Regulations, and does not have authority to impose a condition requiring the applicants to obtain information and report on past or current usage of the gravel pit.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to be 'B. Putnam', written over a faint blue line.

cc: Crystal Kelly and Bradley Boss

Benjamin W. Putnam, Esq.  
[benj@pmlawvt.com](mailto:benj@pmlawvt.com)

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**Fwd: WW-9-3425-2, 2026-0033 793 VT-116-Starksboro**

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Jason Barnard <jason@barnardandgervais.com>  
To: Scott Baker <scott@barnardandgervais.com>

Wed, Apr 1, 2026 at 1:52 PM

Scott,

Here is the email from Zapata.

Jason



----- Forwarded message -----

From: **Courage, Zapata** <Zapata.Courage@vermont.gov>

Date: Wed, Apr 1, 2026 at 1:45 PM

Subject: RE: WW-9-3425-2, 2026-0033 793 VT-116-Starksboro

To: Jason Barnard &lt;jason@barnardandgervais.com&gt;

Cc: [babinco3@gmavt.net](mailto:babinco3@gmavt.net) <[babinco3@gmavt.net](mailto:babinco3@gmavt.net)>, [crystal.kelly77@gmail.com](mailto:crystal.kelly77@gmail.com) <[crystal.kelly77@gmail.com](mailto:crystal.kelly77@gmail.com)>, Derek Thibodeau <[derek@barnardandgervais.com](mailto:derek@barnardandgervais.com)>

Hi Jason,

Thanks for sending these over. So a couple of things:

1. The use of the access road to the gravel pit can be used as a driveway without a wetland permit, since no widening of it is necessary. If there is a culvert in place, it can be replaced, maintained, and repaired in its existing footprint without a wetland permit. Upsizing may require a Registration form.
2. Yes, have Derek confirm that the building envelope near the gravel pit is outside wetlands/buffers,
3. Also have Derek confirm that the proposed well location for Lot 6 is outside of wetlands and buffer.

I will not need a site visit unless something is really funky out there.

Please reference **#2026-0033 793 VT-116-Starksboro** in future communications about this project please!

Cheers,

Zap

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**From:** Jason Barnard <jason@barnardandgervais.com>**Sent:** Tuesday, March 31, 2026 12:34 PM**To:** Courage, Zapata <Zapata.Courage@vermont.gov>**Cc:** [babinco3@gmavt.net](mailto:babinco3@gmavt.net); [crystal.kelly77@gmail.com](mailto:crystal.kelly77@gmail.com); Derek Thibodeau <[derek@barnardandgervais.com](mailto:derek@barnardandgervais.com)>**Subject:** Re: FW: WW Application in Starksboro with recommended Wetlands Permit: WW-9-3425-2, Submission: HQJ-QBN2-EQ3PS**EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.**

Good Morning Zapata,

Hope you are doing well and thanks for your recent issuance of the wetlands crossing permit in Bristol. As always, it is a pleasure working with you on these projects.

I am following up regarding the property listed above and have included our site plans for the project. This project is relatively simple, utilizing an existing gravel farm road that

crosses a wetland complex and a new parcel with a building envelope created outside the ANR Class 2 wetland buffer, based on the ANR wetland mapping program.

Regarding the existing access road that crosses the wetland complex, this pit road has existed for as long as anyone can remember and no widening of the drive

is required as part of the project. Near the proposed building envelope, I was planning to have Derek review and delineate (if necessary) any wetlands at this location

when the growing season is underway. Once this is done, I will have Derek reach out to you to review his findings and likely rule this one out via a desktop review.

In the meantime, I wanted to touch base with you on this and provide a status update. Please feel free to reach out with any questions.

Best Regards,

Jason

On Thu, Feb 5, 2026 at 9:58 AM ANR - WSMD Wetlands <[ANR.WSMDWetlands@vermont.gov](mailto:ANR.WSMDWetlands@vermont.gov)> wrote:

PLEASE DO NOT REPLY. This is an automated message. This is a courtesy reminder that there may be other state environmental permits needed for your project. You have applied for a Wastewater permit. According to the Permit Navigator, your project may require a wetland permit before work starts. Most projects within 50-feet (ft) of a wetland require a wetland permit. This includes driveways, house locations, utility crossings, or grading for lawns. It is the responsibility of the landowner or their representative to identify Class II wetlands and obtain any necessary wetland permits. Not sure where there are wetlands? State wetland maps are approximate and not for project design. Wetland delineations following protocol are the only accurate way to determine the boundary of the wetland in relation to your project. You can find a list of consultants who perform that work here: <https://dec.vermont.gov/watershed/wetlands/what/id/wetland-consultant-list> Wetland boundary work needs to take place during the growing season (typically April – Oct). Your State District Wetlands Ecologist is copied on this email. They can help you. Just submit an inquiry using this link: <https://forms.office.com/g/NYE1dgvnuJ> and send your site plan for wetland review. Thank you.

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**From:** State Of Vermont Waste Water Install Certs <[ANR.WWInstallCerts@vermont.gov](mailto:ANR.WWInstallCerts@vermont.gov)>

**Sent:** Thursday, February 5, 2026 2:55:05 PM

**To:** ANR - WSMD Wetlands <[ANR.WSMDWetlands@vermont.gov](mailto:ANR.WSMDWetlands@vermont.gov)>

**Subject:** WW Application in Starksboro with recommended Wetlands Permit: WW-9-3425-2, Submission: HQJ-QBN2-EQ3PS

User selected that Permit Navigator Recommended a Wetlands Permit.

Submission: HQJ-QBN2-EQ3PS

Permit Number: WW-9-3425-2

Project: Bradley Boss & Crystal Kelly Two-Lot Subdivision

Description: This project is relative to a 153.2± acre property located at [793 VT Route 116](#) in Starksboro. The property is improved with a 4-bedroom single family farm house and several agricultural outbuildings. The existing residence is served by an on-site in ground wastewater system and provided water by an on-site shallow well. Mr. Boss & Ms. Kelly are proposing a two-lot subdivision to create two (2) new parcels.

Project Address: [793 VT Route 116 Starksboro](#)

Applicant Email: [babinco3@gmavt.net](mailto:babinco3@gmavt.net); [crystal.kelly77@gmail.com](mailto:crystal.kelly77@gmail.com)

Form Submitter Email: [jason@barnardandgervais.com](mailto:jason@barnardandgervais.com)

District: District 9

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Sincerely,

Jason Barnard

Licensed Designer

P: (802) 482-2597

[jason@barnardandgervais.com](mailto:jason@barnardandgervais.com)

Office Hours:

Monday through Friday, 8:00 a.m. until 5:00 p.m.

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Sincerely,

Jason Barnard

Licensed Designer

P: (802) 482-2597

[jason@barnardandgervais.com](mailto:jason@barnardandgervais.com)

Office Hours:

Monday through Friday, 8:00 a.m. until 5:00 p.m.

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 **25361-Boss\_Kelly -S-1-STAMP.pdf**  
1468K

**Bradley Boss & Crystal Kelly  
Two-Lot Subdivision  
793 VT Route 116  
Starksboro, Vermont**



### **Project Description**

Bradley Boss and Crystal Kelly own a parcel of land (Lot 1) located at 793 VT Route 116 in Starksboro. The parcel is 153.2 +/- acres in size and contains a 4-bedroom farmhouse, barn, and several agricultural outbuildings. The farmhouse is served by an on-site in-ground wastewater system and provided water by an on-site shallow well. Mr. Boss and Ms. Kelly are proposing to subdivide the parcel into two (2) lots. Lot 1 will be 151.2 +/- acres and is proposed to be improved with a new 4-bedroom single family residence that will be served by a new on-site in-ground wastewater system and provided water by a new on-site drilled well. Lot 6 will be 2.0 +/- acres and contain the existing 4-bedroom farmhouse, barns, and outbuildings. The farmhouse will continue to be served by the on-site in-ground wastewater system and will continue to be provided water by the shallow well located on Lot 1 via an easement. This subdivision and related water and wastewater systems have been issued a State of Vermont Wastewater System and Potable Water Supply Permit WW-9-3425-2.

Lot 1 also contains a grandfathered sand pit that has been in use prior to the adoption of any zoning regulations. The pit will continue to be used at the same capacity it has been historically and will continue to be accessed on the existing gravel road leading there. The approximate extents of the grandfathered pit are shown on the site plans and survey plat. No changes are being proposed to the use of the sand pit that is considered grandfathered and predates the Town of Starksboro Land Use Regulations.

### **Town of Starksboro, Land Use and Development Regulations**

In accordance with **Section 426.E Review Criteria** of the Town of Starksboro Land Use and Development Review regulations, the applicant shall demonstrate to the Development Review Board (DRB) that the project conforms to the review criteria listed below.

- **Siting and Suitability** – The proposed subdivision will create two (2) new parcels, Lot 1 and Lot 6. The proposed residential home on Lot 1 is situated at a location that contains well drained soils and gently sloped topography. At this time, there is no new development proposed on Lot 6 as it will contain all the pre-existing buildings. The proposed subdivision has been designed in general conformance with the density and dimensional standards presented in Section 211 of the Starksboro Land Use Regulations. Building envelopes are shown as required under sections 243.B and 263.C of the current Land Use Regulations.
- **Natural Features** – The proposed subdivision boundaries are based on existing infrnatural features, site improvements, and historic land use to the greatest extent practicable. The location of the existing buildings was taken into consideration, along with access and infrastructure (i.e. wastewater systems, water supply wells, and driveways). The proposed Lot 1 residence will be located near an existing gravel access road to reduce overall impacts. No new development is being proposed within flood hazard areas and the project will not have undue adverse impact on significant wildlife habitat. There are Class II wetlands associated with the parcel and all existing and proposed infrastructure will be adequately isolated from any Class II wetlands.

- **Character of the Area and Privacy** – The general character of the area associated with this part of Starksboro are single-family rural residential homes, businesses, and agriculture. As proposed, the subdivision creates one (1) new house lot. The proposed new residence will have no issues with privacy as it will be accessed using an existing access drive and will be built several hundred feet from any property lines. No new development is proposed on Lot 6, so this portion of the subject parcel will remain the same with the existing residential and agricultural buildings.
- **Energy Conservation and Access to Renewable Energy** – The proposed new residential home will meet the most recent energy conservation standards, including the VT Residential Building Energy Standards.
- **Access and Circulation** – Both proposed parcels will utilize individual existing gravel driveways as access. The driveways will be upgraded to applicable standards if necessary. Traffic generated by this subdivision will be negligible as there is only one single family residence being added and it will connect to Route 116. If required, a permit will be obtained by the landowner from VTRANS as part of this project.
- **Infrastructure, Utilities, Facilities and Services** – VT Route 116 is currently a State of Vermont highway and will continue to be maintained by VTRANS. Starksboro presently provides fire service to this area and will continue to provide this service. Utilities are currently located along VT Route 116.
- **Lighting** – Any new lighting will be typical of rural residential homes and will be installed so that exterior lighting is down-shielded to mitigate light trespass off the proposed parcels and therefore all new exterior lighting will be compliant with Section 314 of the Town of Starksboro Land Use Regulations.
- **Recreation** – Both parcels will have adequate access to recreation opportunities from on-site woodlands and agricultural fields.

**Town of Starksboro**  
**Development Review Board**  
**Notice of Hearing**

Bradley Boss and Crystal Kelly submitted a major subdivision application (26-DRB-02SD) for Final Plan Review of a Two-Lot Subdivision located on a 153.2 +/- acre parcel (10431) at 793 VT Route 116, Starksboro. The proposed subdivision is in the ASRR/FC Districts. The hearing on the application will be held per the 2020 Starksboro Land Use and Development Regulations (SLUDR).

The Starksboro Development Review Board will conduct the hearing on **May 14, 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 of 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 : April 23, 2026

# Town of Starksboro

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


## ABUTTERS MAILING AFFIDAVIT

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 4/21/2026 that I sent by US 1<sup>st</sup> class mail the attached "notice of public hearing", for application 26-DRB-02SD FPRH to the following list of abutting property owners and others requesting notice.

  
\_\_\_\_\_  
Stephen Rooney, Zoning Administrator

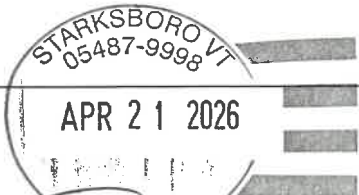

Date: 4/21/2026

I attest by my signature below that I have reviewed this list and that it was mailed on 4/21/2026

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

Applicants: Bradley Boss & Crystal Kelly 793 VT Route 116, Starksboro – Parcel ID#10431

Abutters or Participants	
Parcel #	Name And Address
10301	Laura's Rentals, LLC 1835 VT Route 116 Starksboro, VT 05487
10574 / 10573	Stuart Morrow 6666 Spear Street Shelburne, VT 05482
10609	DMV Properties. Inc. David & Veronica Casey 10663 Dennis & Peggy Casey PO Box 31 Starksboro, VT 05487
10732 / 10733	David L. & Janet Russell 1248 VT Route 116 Starksboro, VT 05487
10665	Wayne Place 690 VT Route 116 Starksboro, VT 05487
10665	Stephen Fortner 137 Meadowlark Lane Starksboro, VT 05487
10663	Keith & Grace Pike 1109 VT Route 116 Starksboro, VT 05487
10004 (Monkton)	A Johnson Company, 106 Andrew Johnson Dr Bristol, Vt, 05443
10709 (Monkton)	Russell Holly, Po Box 6 Hinesburg, Vt, 05461
10700	Miner Hills Llc, 548 Burrirt Road Hinesburg, Vt, 05461

## Town of Starksboro

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

## ABUTTERS MAILING AFFADAVIT

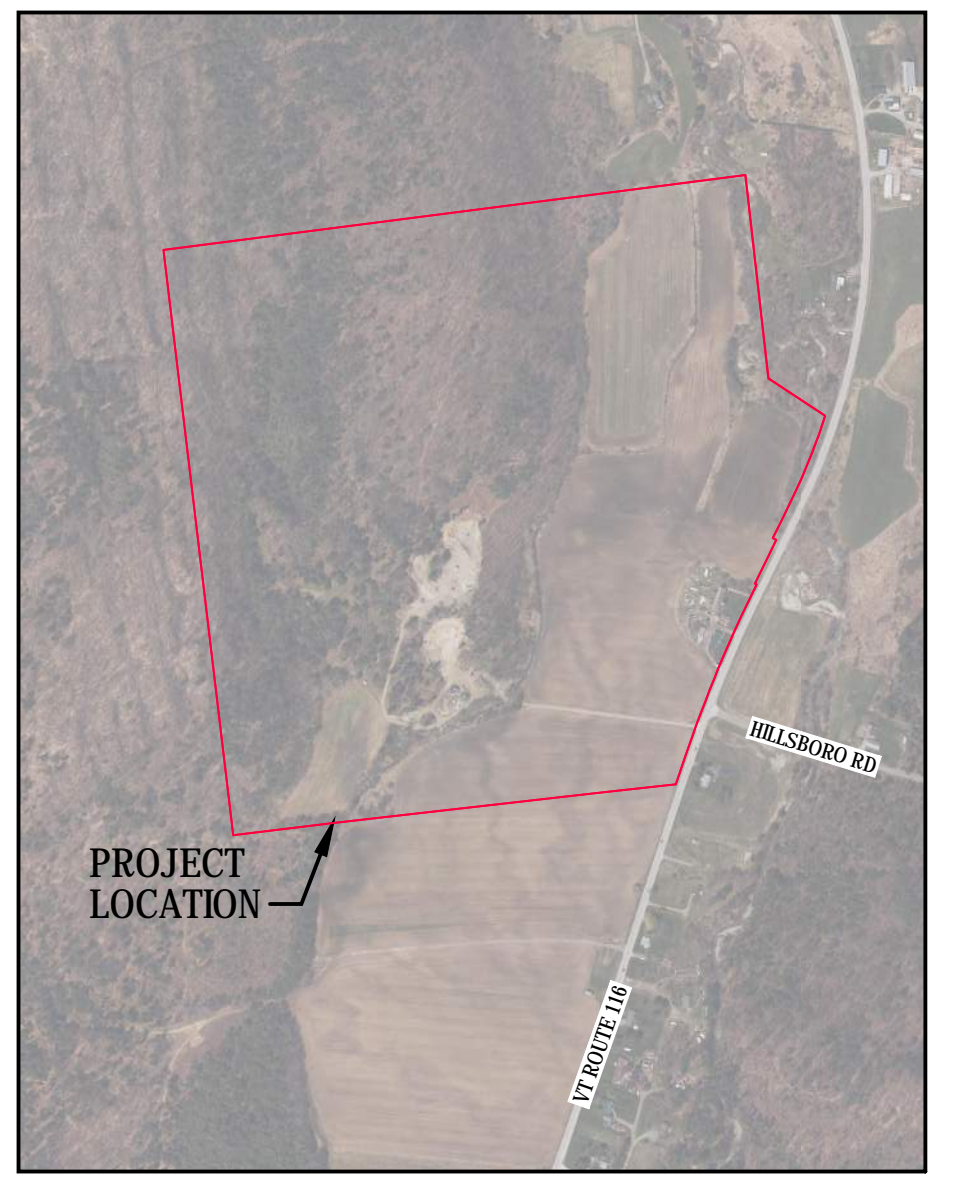
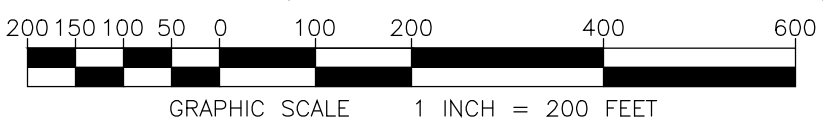
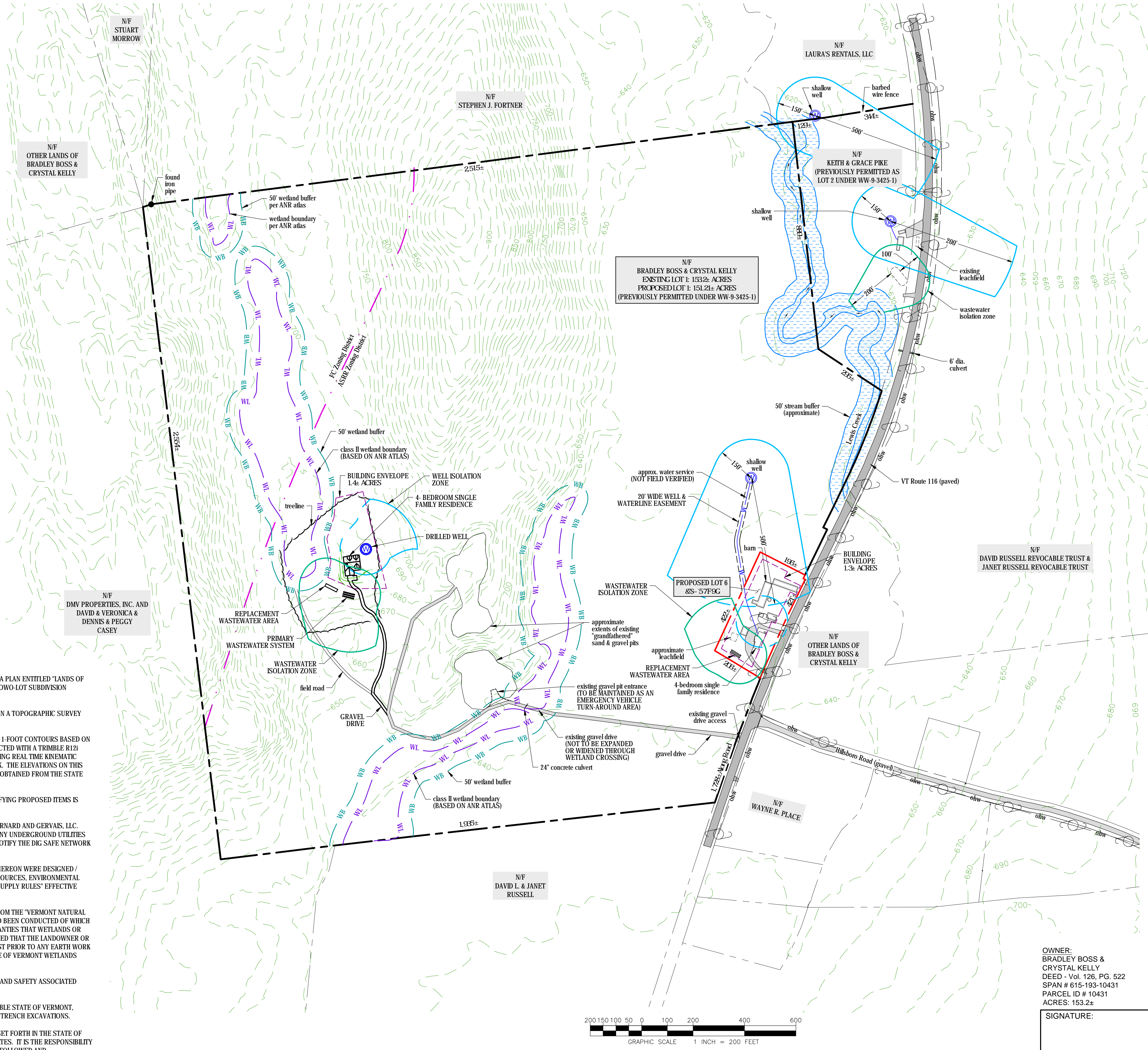
10698	David Gagnon Desiree Cousino 4437 River Road New Haven, VT 05472
10252	Habersang John Von Der Linn Kelsey 368 Hillsboro Road Starksboro, Vt, 05487
11055	Martin Shannon, 129 Hillsboro Road Starksboro, Vt, 05487
10429	Kelly Joseph, Kelly Sharon 210 Hillsboro Road Starksboro, Vt, 05487
10038	Webb Richard Scott, Webb Cynthia Marie 36 North Leno Lane Middlebury, Vt, 05753
10660	Atwood Barbara J, 568 Vt Route 116 Starksboro, Vt, 05487
11148	Melvin Kelly Mathew Burton-Kelly 1025 17 <sup>th</sup> Ave. SE East Grand Forks, MN 56721-2222

Any questions (office 453-2639)10660

ZONING INFORMATION <sup>1</sup>	
<b>ZONING DISTRICTS</b>	
AGRICULTURAL, SCENIC & RURAL RESIDENTIAL (ASRR)	
FORESTRY & CONSERVATION (FC)	
WATERSHED PROTECTION (WP)	
<b>DIMENSIONAL REQUIREMENTS</b>	
<b>ASRR DISTRICT:</b>	
RESIDENTIAL DENSITY:	1 DU/10 AC MAX.
LOT SIZE (RESIDENTIAL):	1/2 - 2 AC OR -25 AC
LOT SIZE (NONRESIDENTIAL):	2 ACRE MIN.
LOT FRONTAGE (LOT -2 AC):	100 FT. MIN.
LOT FRONTAGE (LOT 2 TO -5 AC):	250 FT. MIN.
LOT FRONTAGE (LOT 5 TO -10 AC):	350 FT. MIN.
LOT FRONTAGE (LOT -10 AC):	500 FT. MIN.
LOT COVERAGE (RESIDENTIAL):	20% MAX.
LOT COVERAGE (NONRESIDENTIAL):	LESSER OF 20% OR 3 ACRES MAX.
SETBACK - ROAD CENTERLINE:	100 FT. MIN.
SETBACK - ADJ. PROP. (RES.):	20 FT. MIN.
SETBACK - ADJ. PROP. (NONRES.):	50 FT. MIN.
BUILDING FOOTPRINT (1- & 2- FAMILY RES.):	NO MAX.
BUILDING FOOTPRINT (ALL OTHER BLDGS.):	NO MAX.
BUILDING HEIGHT:	35 FT. MAX.
<b>FC DISTRICT:</b>	
RESIDENTIAL DENSITY:	1 DU/25 AC MAX.
LOT SIZE (RESIDENTIAL):	1 ACRE MIN.
LOT SIZE (NONRESIDENTIAL):	5 ACRE MIN.
LOT FRONTAGE (LOT -2 AC):	100 FT. MIN.
LOT FRONTAGE (LOT 2 TO -5 AC):	150 FT. MIN.
LOT FRONTAGE (LOT 5 TO -10 AC):	200 FT. MIN.
LOT FRONTAGE (LOT -10 AC):	500 FT. MIN.
LOT COVERAGE (RESIDENTIAL):	10% MAX.
LOT COVERAGE (NONRESIDENTIAL):	LESSER OF 5% OR 3 ACRES MAX.
SETBACK - ROAD CENTERLINE:	75 FT. MIN.
SETBACK - ADJ. PROP. (RES.):	20 FT. MIN.
SETBACK - ADJ. PROP. (NONRES.):	50 FT. MIN.
BUILDING FOOTPRINT (1- & 2- FAMILY RES.):	NO MAX.
BUILDING FOOTPRINT (ALL OTHER BLDGS.):	NO MAX.
BUILDING HEIGHT:	35 FT. MAX.

<sup>1</sup>PER TOWN OF STARKSBORO LAND USE AND DEVELOPMENT REGULATIONS ADOPTED JANUARY 7, 2020.

- PROJECT NOTES:**
- THIS IS NOT A BOUNDARY SURVEY. PROJECT PERIMETER LINES ARE BASED ON A PLAN ENTITLED "LANDS OF BRADLEY BOSS & CRYSTAL KELLY, 793 VT ROUTE 116, STARKSBORO, VERMONT, TOWO-LOT SUBDIVISION SURVEY PLAT" BY BARNARD AND GERVAIS, LLC, DATED 01-14-2026.
  - THE LOCATIONS OF EXISTING PHYSICAL FEATURES ON THIS PLAN ARE BASED ON A TOPOGRAPHIC SURVEY COMPLETED BY BARNARD AND GERVAIS, LLC IN FEBRUARY 2025.
  - THE ELEVATIONS ON THIS PLAN WITHIN THE DASHED BOUNDARIES SHOWN ARE 1-FOOT CONTOURS BASED ON NAVD83 (GEOID12B) ESTABLISHED FROM SURVEY GRADE GNSS READINGS COLLECTED WITH A TRIMBLE R12 GNSS RECEIVER ADJUSTED TO VERMONT GRID ON RANDOM CONTROL POINTS USING REAL TIME KINEMATIC CORRECTIONS FROM A VIRTUAL REFERENCE STATION OF THE VT CORS NETWORK. THE ELEVATIONS ON THIS PLAN OUTSIDE THE DASHED BOUNDARIES SHOWN ARE 1-FOOT LIDAR CONTOURS OBTAINED FROM THE STATE OF VERMONT VCGI OPEN DATA PORTAL DATABASE.
  - FOR CLARITY, TEXT IDENTIFYING EXISTING ITEMS IS LOWER CASE; TEXT IDENTIFYING PROPOSED ITEMS IS UPPER CASE.
  - NO ATTEMPT HAS BEEN MADE TO LOCATE ANY UNDERGROUND UTILITIES BY BARNARD AND GERVAIS, LLC. THE CONTRACTOR WILL BE RESPONSIBLE FOR CONTACTING DIG SAFE TO HAVE ANY UNDERGROUND UTILITIES MARKED PRIOR TO ANY EXCAVATION OR SITE WORK. THE CONTRACTOR SHALL NOTIFY THE DIG SAFE NETWORK AT LEAST 72 HOURS PRIOR TO THE START OF CONSTRUCTION.
  - THE PRIMARY AND REPLACEMENT WASTEWATER DISPOSAL SYSTEMS SHOWN HEREON WERE DESIGNED / SIZED IN ACCORDANCE WITH THE STATE OF VERMONT, AGENCY OF NATURAL RESOURCES, ENVIRONMENTAL PROTECTION RULES, CHAPTER 1, "WASTEWATER SYSTEM AND POTABLE WATER SUPPLY RULES" EFFECTIVE NOVEMBER 6, 2023.
  - WETLANDS SHOWN ON THE SUBJECT PARCEL ARE BASED ON INFORMATION FROM THE "VERMONT NATURAL RESOURCES ATLAS" AND NO OTHER WETLAND DELINEATION OF SAID PARCEL HAD BEEN CONDUCTED OF WHICH BARNARD & GERVAIS, LLC IS AWARE. BARNARD & GERVAIS, LLC MAKES NO WARRANTIES THAT WETLANDS OR ASSOCIATED BUFFERS DO OR DO NOT EXIST ON SAID PARCEL. IT IS RECOMMENDED THAT THE LANDOWNER OR CONTRACTOR CONTACT A WETLAND SPECIALIST TO CONFIRM NO WETLANDS EXIST PRIOR TO ANY EARTH WORK OR CONSTRUCTION. FOR REFERENCE, THIS PROJECT IS LOGGED WITH THE STATE OF VERMONT WETLANDS PROGRAM PROJECT #2026-0033.
  - BARNARD & GERVAIS, LLC IS NOT RESPONSIBLE FOR ANY ASPECTS OF HEALTH AND SAFETY ASSOCIATED WITH THIS PROJECT.
  - ALL EXCAVATION WORK SHALL BE PERFORMED IN ACCORDANCE WITH APPLICABLE STATE OF VERMONT, OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) GUIDELINES FOR TRENCH EXCAVATIONS.
  - THE CONTRACTOR AND/OR LANDOWNER SHALL ADHERE TO THE GUIDELINES SET FORTH IN THE STATE OF VERMONT EROSION AND SEDIMENT CONTROL HANDBOOK FOR CONSTRUCTION SITES. IT IS THE RESPONSIBILITY OF THE LANDOWNER OR SITE CONTRACTOR TO ENSURE THESE GUIDELINES ARE FOLLOWED AND EROSION/SEDIMENT CONTROL MEASURES ARE MAINTAINED THROUGHOUT THE COURSE OF THE PROJECT.
  - IN THE EVENT THE REPLACEMENT WASTEWATER SYSTEM FOR LOT 1 AND/OR LOT 6 NEEDS TO BE BUILT, A FULL DESIGN SHALL BE COMPLETED AND A PERMIT AMENDMENT APPLIED FOR PRIOR TO THE START OF ANY CONSTRUCTION.
  - THIS PROPERTY IS SUBJECT TO STATE OF VERMONT POTABLE WATER SUPPLY AND WASTEWATER SYSTEM PERMIT WW-9-3425-1.



**Project Location Map**  
Not to Scale

**LEGEND**

	BOUNDARY LINE/ R.O.W. (EXISTING)
	BOUNDARY LINE/ R.O.W. (PROPOSED)
	BOUNDARY LINE/ R.O.W. (ABUTTING)
	BOUNDARY LINE/ R.O.W. (TO BE DISSOLVED)
	SIDELINE OF EASEMENT
	EDGE OF ROAD DRIVE (SURFACE NOTED)
	100
	100
	100
	FINISH GRADE
	ZONING DISTRICT BOUNDARY
	ZONING SETBACKS
	TREE LINE
	PROPOSED LIMITS OF CLEARING
	STONE WALL (EXISTING)
	dl dl
	S S
	S S
	FM FM
	W W
	1-INCH DIAMETER CL200 POLYETHYLENE PLASTIC WATER LINE (UNLESS OTHERWISE NOTED)
	WELL ISOLATION
	WASTEWATER ISOLATION
	WETLAND BOUNDARY
	WETLAND BUFFER
	UE
	UNDERGROUND ELECTRICAL CONDUIT
	UNDERGROUND GAS LINE
	GAS
	tel
	UNDERGROUND TELEPHONE LINE
	ohw
	UTILITY POLE/ OVERHEAD WIRES
	SURVEY TRAVERSE STATION
	TEMPORARY BENCHMARK (TYPE AND ELEVATION NOTED)
	TEST PIT (TP-01)
	DRILLED WELL (UNLESS OTHERWISE NOTED)

Town of Starksboro  
**RECEIVED**  
4/20/2026

DATE	DESCRIPTION	BY
04-13-2026	REVISED LOT 6 BOUNDARY LINES & BUILDING ENVELOPE	JG
04-01-2026	DESIGNATE EMERGENCY VEHICLE TURN-AROUND AREA	SB
03-18-2026	REVISED LOT 6 BOUNDARY LINES & BUILDING ENVELOPE	JG

**BARNARD & GERVAIS, LLC** Land Surveying, Water & Wastewater, Environmental Consulting

167 Main Street, P.O. Box 820, Starksboro, VT 05650  
Telephone: (802) 933-5168

10523 VT Route 116, P.O. Box 133, Hinsburg, VT 05641  
Telephone: (802) 482-2597

**TWO-LOT SUBDIVISION**

**BRADLEY BOSS & CRYSTAL KELLY**

793 VT ROUTE 116, STARKSBORO, VERMONT

**OVERALL SUBDIVISION PLAN**

THESE PLANS WITH LATEST REVISIONS SHOULD ONLY BE USED FOR THE PURPOSE SHOWN BELOW:

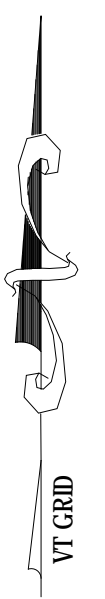
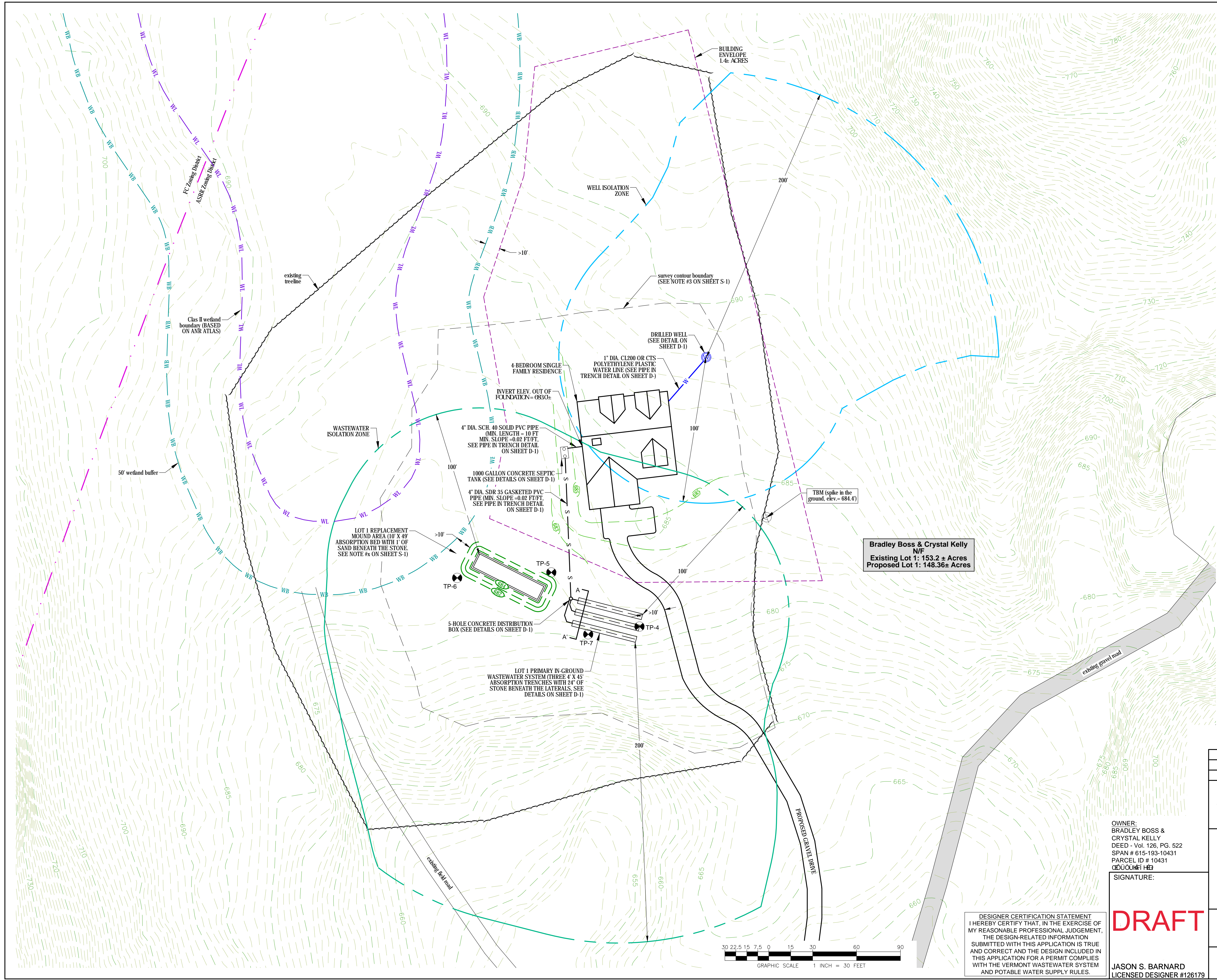
PRELIMINARY DRAFT  FINAL STATE REVIEW

PROJECT NO. 25361
DATE: 12-30-2025
SCALE: 1" = 200'
SURVEY: DT, TW, TG
DRAWN: CS, JG
CHECKED: JB
DRAWING NO. <b>S-1</b>
SHEET 1 OF 4

OWNER:  
BRADLEY BOSS & CRYSTAL KELLY  
DEED - Vol. 126, PG. 522  
SPAN # 615-193-10431  
PARCEL ID # 10431  
ACRES: 153.2±

SIGNATURE:  
**DRAFT**

**DESIGNER CERTIFICATION STATEMENT**  
I HEREBY CERTIFY THAT, IN THE EXERCISE OF MY REASONABLE PROFESSIONAL JUDGEMENT, THE DESIGN-RELATED INFORMATION SUBMITTED WITH THIS APPLICATION IS TRUE AND CORRECT AND THE DESIGN INCLUDED IN THIS APPLICATION FOR A PERMIT COMPLIES WITH THE VERMONT WASTEWATER SYSTEM AND POTABLE WATER SUPPLY RULES.



**LEGEND**

	BOUNDARY LINE/ R.O.W. (EXISTING)
	BOUNDARY LINE/ R.O.W. (PROPOSED)
	BOUNDARY LINE/ R.O.W. (ABUTTING)
	BOUNDARY LINE/ R.O.W. (TO BE DISSOLVED)
	SIDELINE OF EASEMENT
	EDGE OF ROAD/DRIVE (SURFACE NOTED)
	100
	100
	100
	FINISH GRADE
	ZONING DISTRICT BOUNDARY
	ZONING SETBACKS
	TREE LINE
	PROPOSED LIMITS OF CLEARING
	STONE WALL (EXISTING)
	DITCHLINE
	dl
	S
	S
	FM
	W
	WL
	WB
	UE
	GAS
	tel
	ohw
	SURVEY TRAVERSE STATION
	TEMPORARY BENCHMARK (TYPE AND ELEVATION NOTED)
	TEST PIT (TP-01)
	SOIL BORING (SB-01)
	DRILLED WELL (UNLESS OTHERWISE NOTED)

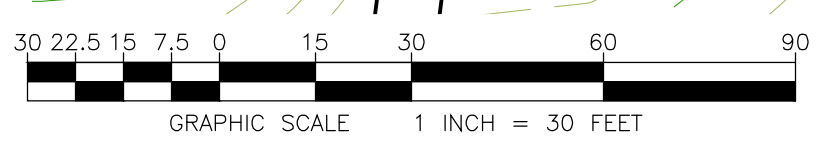
**Bradley Boss & Crystal Kelly  
N/F  
Existing Lot 1: 153.2 ± Acres  
Proposed Lot 1: 148.36 ± Acres**

OWNER:  
BRADLEY BOSS &  
CRYSTAL KELLY  
DEED - Vol. 126, PG. 522  
SPAN # 615-193-10431  
PARCEL ID # 10431  
CD00061183  
SIGNATURE:

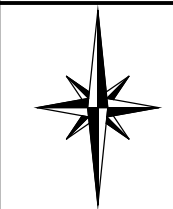
**DRAFT**

DESIGNER CERTIFICATION STATEMENT  
I HEREBY CERTIFY THAT, IN THE EXERCISE OF  
MY REASONABLE PROFESSIONAL JUDGEMENT,  
THE DESIGN-RELATED INFORMATION  
SUBMITTED WITH THIS APPLICATION IS TRUE  
AND CORRECT AND THE DESIGN INCLUDED IN  
THIS APPLICATION FOR A PERMIT COMPLES  
WITH THE VERMONT WASTEWATER SYSTEM  
AND POTABLE WATER SUPPLY RULES.

JASON S. BARNARD  
LICENSED DESIGNER #126179



DATE	DESCRIPTION	BY
REVISIONS		
<b>BARNARD &amp; GERVAIS, LLC</b> Land Surveying Water & Wastewater Environmental Consulting <small>167 Main Street, P.O. Box 820 Enosburg Falls, VT 05450 Telephone: (802) 933-5168</small> <small>10523 VT Route 116, P.O. Box 133 Hinesburg, VT 05461 Telephone: (802) 482-2597</small>		
PROJECT NO. 25361		DATE: 12-30-2025
SCALE: 1" = 30'		SURVEY: DT, TW
DRAWN: JG		CHECKED: JB
DRAWING NO. <b>S-3</b>		SHEET 3 OF 4
THESE PLANS WITH LATEST REVISIONS SHOULD ONLY BE USED FOR THE PURPOSE SHOWN BELOW: <input type="checkbox"/> PRELIMINARY DRAFT <input checked="" type="checkbox"/> FINAL STATE REVIEW		



**BARNARD & GERVAIS, LLC** Land Surveying  
Water & Wastewater  
Environmental Consulting

167 Main Street, P.O. Box 820  
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Telephone: (802) 933-5168

10523 VT Route 116, P.O. Box 133  
Hinesburg, VT 05461  
Telephone: (802) 482-2597

PROJECT NO.  
25361

DATE:  
12-30-2025

SCALE:  
1" = 30'

SURVEY:  
DT, TW

DRAWN:  
JG

CHECKED:  
JB

DRAWING NO.  
**S-3**

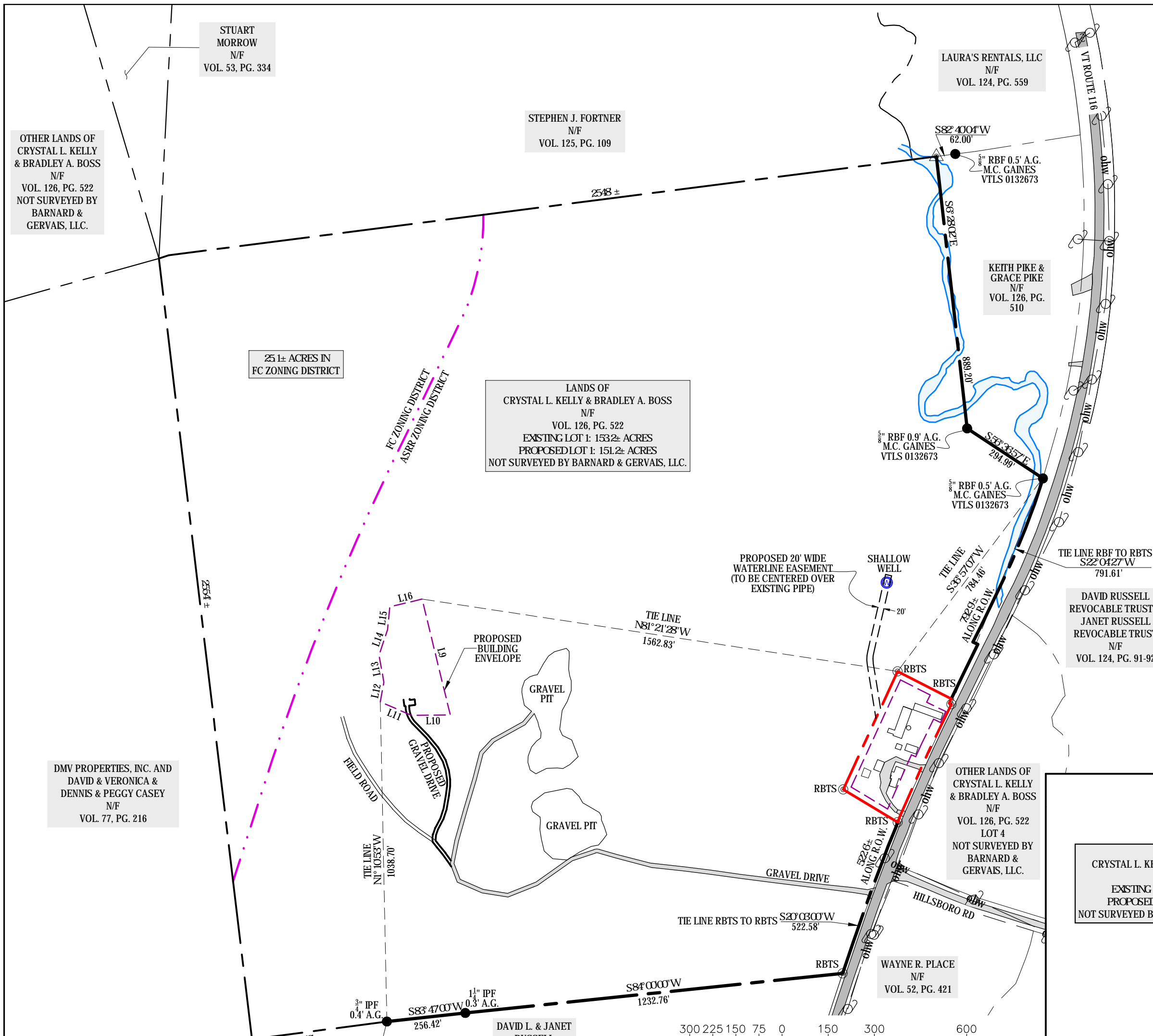
SHEET 3 OF 4

THESE PLANS WITH LATEST REVISIONS SHOULD ONLY BE USED FOR  
THE PURPOSE SHOWN BELOW:  
 PRELIMINARY DRAFT       FINAL STATE REVIEW

793 VT ROUTE 116, STARKSBORO, VERMONT

**BRADLEY BOSS & CRYSTAL KELLY**

**LOT 1 HOUSE SITE PLAN**



**ZONING DATA**  
 DISTRICTS:  
 (ASRR) AGRICULTURAL, SCENIC & RURAL RESIDENTIAL  
 (FC) FORESTRY & CONSERVATION

**ASRR DISTRICT MINIMUM STANDARDS:**  
 LOT SIZE (RES) = 1/2 - 2 OR > 25 ACRES  
 LOT SIZE (NONRES) = 2 ACRES  
 DENSITY = 1 DU / 10 ACRES  
 FRONTAGE (< 2 AC) = 100'  
 FRONTAGE (2 TO < 5 AC) = 250'  
 FRONTAGE (5 TO < 10 AC) = 350'  
 FRONTAGE (> 10 AC) = 500'  
 SETBACKS:  
 ROAD = 100' (CENTERLINE)  
 SIDE (RES) = 20'  
 SIDE (NONRES) = 50'  
 REAR (RES) = 20'  
 REAR (NONRES) = 50'

**FC DISTRICT MINIMUM STANDARDS:**  
 LOT SIZE (RES) = 1 ACRES  
 LOT SIZE (NONRES) = 5 ACRES  
 DENSITY = 1 DU / 25 ACRES  
 FRONTAGE (< 2 AC) = 100'  
 FRONTAGE (2 TO < 5 AC) = 150'  
 FRONTAGE (5 TO < 10 AC) = 200'  
 FRONTAGE (> 10 AC) = 500'  
 SETBACKS:  
 ROAD = 75' (CENTERLINE)  
 SIDE (RES) = 20'  
 SIDE (NONRES) = 50'  
 REAR (RES) = 20'  
 REAR (NONRES) = 50'

PER TOWN OF STARKSBORO LAND USE AND DEVELOPMENT REGULATIONS ADOPTED JANUARY 7, 2020.

**SURVEY NOTES:**

- BEARINGS SHOWN HEREON WERE GENERATED FROM SURVEY GRADE GNSS READINGS COLLECTED WITH A TRIMBLE R12I GNSS RECEIVER ON RANDOM CONTROL POINTS AND ADJUSTED TO VT GRID NAD83(2011) USING REAL TIME KINEMATIC CORRECTIONS FROM A VIRTUAL REFERENCE STATION GENERATED BY THE VERMONT CORS NETWORK.
- NO ATTEMPT HAS BEEN MADE TO LOCATE OR IDENTIFY ANY EASEMENTS OR RIGHTS OF WAYS UNLESS OTHERWISE SHOWN ON THIS PLAN.
- A SURVEY WAS COMPLETED IN DECEMBER, 2025 USING A TRIMBLE R750 / R12I BASE/OVER CONFIGURATION. THE RESULTING ERROR MEETS OR EXCEEDS THE MINIMUM REQUIRED STANDARDS FOR A SUBDIVISION SURVEY AS ESTABLISHED BY THE VERMONT BOARD OF LAND SURVEYORS.
- ALL EVIDENCE OF MONUMENTATION FOUND ON THE SURVEYED PREMISES IS SHOWN HEREON. MONUMENTATION FOUND IS CONSIDERED TO BE IN GOOD AND STABLE CONDITION UNLESS OTHERWISE NOTED. ALL IRON PIPE DIMENSIONS PERTAIN TO INSIDE DIAMETER UNLESS OTHERWISE NOTED.
- THE RIGHT OF WAY WIDTH FOR VT ROUTE 116 IS VARIABLE AND BASED ON DATA EXTRACTED FROM A PLAN ENTITLED "BRISTOL, STARKSBORO BART 'B', PROJECT F NO 171 (0), SHEET 28 OF 110 SHEETS" OBTAINED FROM THE STATE OF VERMONT RIGHT OF WAY SPATIAL DATA HUB, PREVIOUS SURVEYS OF RECORD, AND MONUMENTATION FOUND. ALL REBAR SET ARE AT THE LIMIT OF A 3-RD (49.5) WIDE SEGMENT OF SAID RIGHT OF WAY.
- ALL AREA CALCULATIONS ARE BASED ON THE EDGE OF THE RIGHTS OF WAY OF SAID ROAD AND NOT THE CENTERLINE THEREOF.

- ALL REBAR SET ARE 5/8" WITH A CAP STAMPED A.W.W. VTL5 0132699 AND ALL MONUMENTATION FOUND IS AS NOTED.
- UNAUTHORIZED ALTERATIONS AND/OR MODIFICATIONS TO THIS PLAN SHALL INVALIDATE ANY AND ALL CERTIFICATIONS MADE BY BARNARD & GERVAIS, LLC AND FURTHER ANY PARTIES INVOLVED IN SAID ALTERATIONS AND/OR MODIFICATIONS SHALL BE HELD LIABLE AND MAY BE PROSECUTED IN A COURT OF LAW.
- BARNARD AND GERVAIS, LLC MAKES NO WARRANTIES THAT ALL ENCUMBRANCES THAT EXIST FOR THE SUBJECT PARCEL ARE SHOWN HEREON. ADDITIONAL ENCUMBRANCES THAT MAY EXIST INCLUDE, BUT ARE NOT LIMITED TO, WETLANDS, WELL AND SEPTIC ISOLATION ZONES, HAZARDOUS WASTE SITES AND/OR BROWNFIELDS WITH ASSOCIATED ISOLATION ZONES.
- THIS SUBDIVISION PLAT IS NOT INTENDING TO CREATE ANY EASEMENTS OTHER THAN THOSE SPECIFICALLY LISTED AND DESCRIBED HEREON. ANY DRIVES, PATHS, TRAILS OR OTHER AMENITIES SHOWN HEREON ARE CONSIDERED PRIVATE UNLESS OTHERWISE NOTED.
- BOUNDARY LINES, DISTANCES, AND ACRESAGES SHOW HEREON AS APPROXIMATE ARE BASED ON SURVEY REFERENCES 1, 2, & 3 AND AVAILABLE TAX MAP DATA AND ARE FOR REFERENCE PURPOSES ONLY. BARNARD & GERVAIS, LLC. MAKES NO WARRANTIES TO ANY BOUNDARIES OTHER THAN THOSE SHOWN AS BEING SURVEYED.

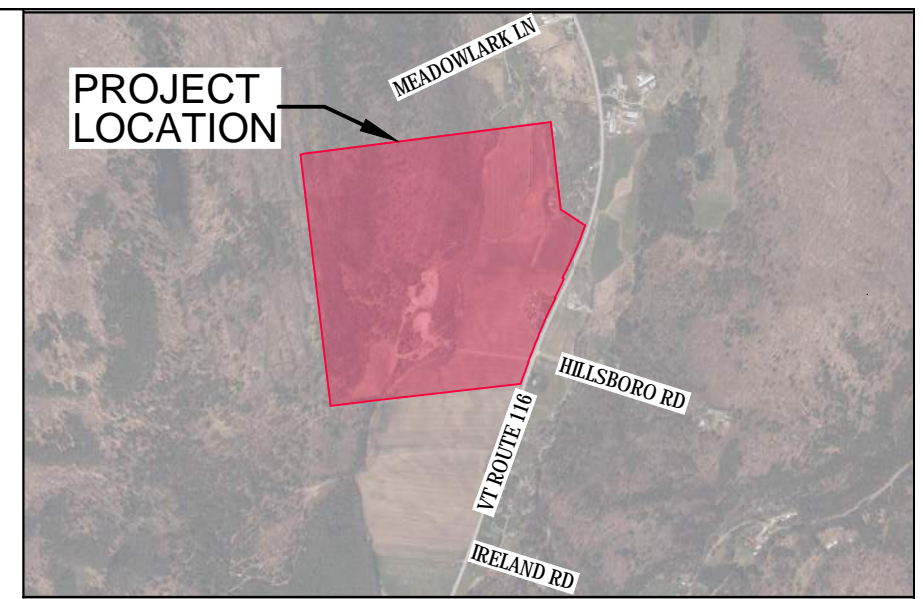
**SURVEY REFERENCES:**

- "LANDS OF THE ESTATE OF MITCHELL KELLY, VT ROUTE 116 & HILLSBORO ROAD STARKSBORO, VERMONT, TWO-LOT SUBDIVISION & BOUNDARY LINE ADJUSTMENT SURVEY PLAT DATED 03-31-2025 BY BARNARD & GERVAIS, LLC AND RECORDED IN THE TOWN OF STARKSBORO MAP RECORDS MAP SLIDES 92 B, C, D.
- "PORTION OF PROPERTY OF DAVID L. & JANET G. RUSSELL, ADDISON COUNTY, STARKSBORO, VT" DATED APRIL 26, 1983 BY RODNEY R. ORVIS AND RECORDED IN THE TOWN OF STARKSBORO MAP RECORDS MAP SLIDE 23B.
- "SURVEY PLAT OF LANDS BELONGING TO THE ESTATE OF FRANCIS O'CONNOR - VERMONT ROUTE 116, TOWNS OF BRISTOL, MONKTON, & STARKSBORO, ADDISON COUNTY, VERMONT" DATED 7 JANUARY 2004 BY SOUTH MOUNTAIN SURVEYING & MAPPING AND RECORDED IN THE TOWN OF BRISTOL MAP RECORDS MAP SLIDE #49, MAP #307.

I CERTIFY THAT, TO THE BEST OF MY KNOWLEDGE, THIS PLAN IS BASED ON INFORMATION ABSTRACTED FROM PERTINENT DEEDS AND/OR OTHER OFFICIAL RECORDS AND CONFORMS TO THE REQUIREMENTS OF 27 VSA §1403.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
 L.S. 0132699



LOCATION PLAN  
 N.T.S.

**TOWN OF STARKSBORO BUILDING RIGHTS TABLE**

IN ACCORDANCE WITH SECTION 351.D OF THE TOWN OF STARKSBORO, VERMONT LAND USE AND DEVELOPMENT REGULATIONS ZONING BYLAWS EFFECTIVE 1/28/2020, THE TOTAL NUMBER OF BUILDING RIGHTS ON THE PARCEL PRIOR TO SUBDIVISION SHALL BE ALLOCATED AMONG THE RESULTING LOTS. CALCULATIONS OF THE BUILDING RIGHTS WERE MADE USING THE ACRESAGES SHOWN HEREON AND ZONING DISTRICT DENSITY REQUIREMENTS STATED IN THE AFOREMENTIONED ZONING REGULATIONS. IT SHOULD BE NOTED THAT THE ACREAGE OF LOT 1 IS APPROXIMATE AND THEREFORE THE NUMBER OF BUILDING RIGHTS ON SAID LOT 1 ARE NOT WARRANTED BY BARNARD & GERVAIS, LLC. IT SHOULD BE FURTHER NOTED THAT THESE BUILDING RIGHTS ARE SUBJECT TO CHANGE IN THE EVENT OF AMENDMENTS TO THE CURRENT DENSITY REQUIREMENTS.

EXISTING PARCEL	TOTAL # OF BUILDING RIGHTS	PROPOSED PARCELS	BUILDING RIGHTS USED	BUILDING RIGHTS REMAINING
LOT 1	% = 75/971 @ 1 GB, APPROXIMATE ACRESAGES	LOT 1 = 25.1 AC. (FC) & 126.1 AC. (ASRR) LOT 2 = 2.0 AC. (ASRR)	0	% -

THIS FINAL PLAT HAS BEEN APPROVED IN DECISION 26-DRB-02SD BY THE DEVELOPMENT REVIEW BOARD OF THE TOWN OF STARKSBORO, VERMONT. THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, SUBJECT TO THE REQUIREMENTS AND CONDITIONS OF SAID DECISION.

SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

BY \_\_\_\_\_, DEVELOPMENT REVIEW BOARD CHAIR

RECEIVED FOR RECORD IN THE TOWN OF STARKSBORO

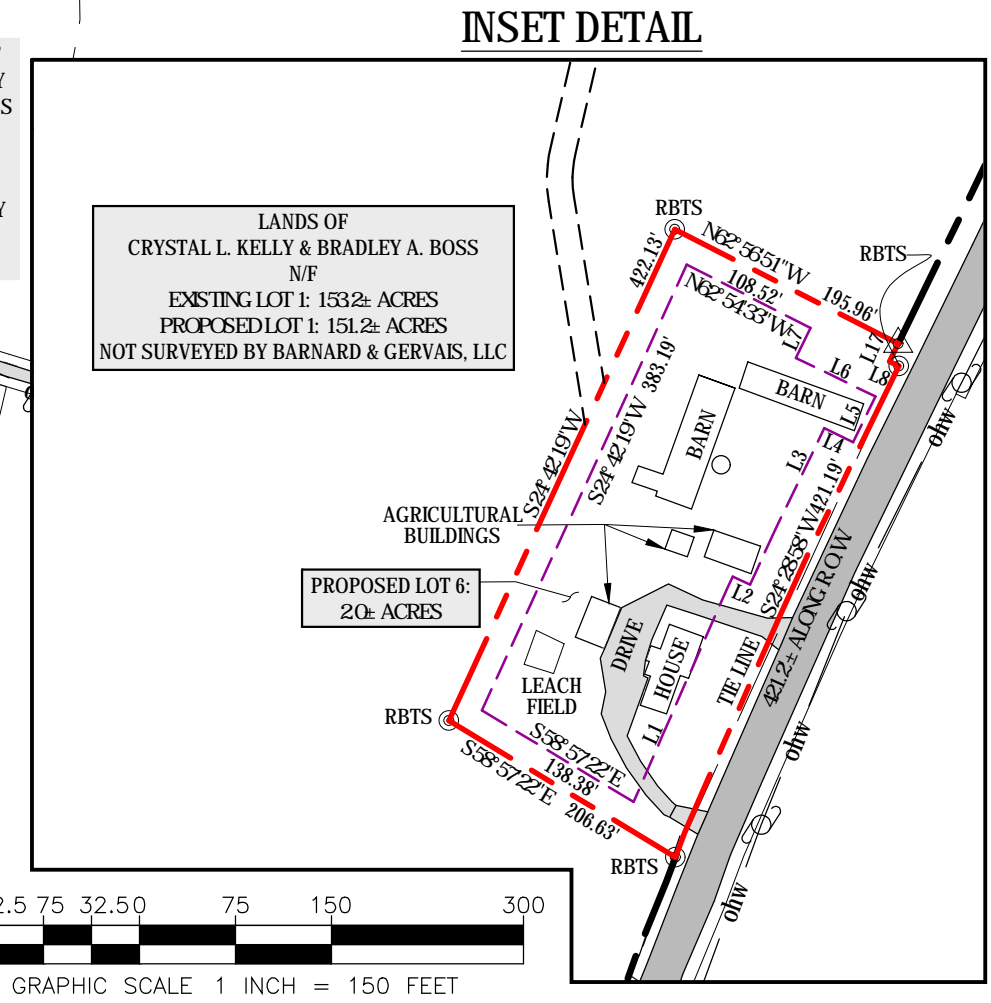
THIS **THIS IS A PRELIMINARY PLAN, AND SHOULD NOT BE USED FOR CONVEYANCES** DAY OF \_\_\_\_\_, 20\_\_\_\_.

MAP BOOK \_\_\_\_\_ PAGE \_\_\_\_\_ SLIDE \_\_\_\_\_

AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ MINUTES \_\_\_\_\_ M

AND RECORDED IN STARKSBORO, VERMONT

ATTEST \_\_\_\_\_ TOWN CLERK



**LINE TABLE**

LINE	BEARING	DISTANCE
L1	N23°58'07"E	192.26'
L2	S65°22'55"E	14.28'
L3	N25°26'17"E	135.10'
L4	S64°07'12"E	25.00'
L5	N25°32'48"E	39.70'
L6	N84°07'12"W	69.00'
L7	N25°32'48"E	26.00'
L8	N84°07'12"W	8.25'
L9	S13°40'44"E	387.40'
L10	S89°27'45"W	126.36'
L11	N83°38'10"W	110.10'
L12	N10°24'25"E	65.11'
L13	N10°14'47"W	88.77'
L14	N18°21'52"E	87.31'
L15	N5°41'09"E	74.90'
L16	N76°31'25"E	107.88'
L17	N25°32'54"E	15.56'

**LEGEND**

- PROJECT BOUNDARY LINES (SURVEYED)
- PROJECT BOUNDARY LINES (APPROX.)
- ABUTTING BOUNDARY LINES
- EXISTING EASEMENT / RIGHT OF WAY
- PROPOSED BOUNDARY LINES
- PROPOSED BUILDING ENVELOPE
- UTILITY POLE & OVERHEAD WIRES
- REBAR FOUND
- IRON PIPE FOUND
- REBAR SET
- CALCULATED CORNER
- SHALLOW WELL
- ABOVE GRADE
- BELOW GRADE
- N/F NOW OR FORMERLY

PARCEL INFORMATION  
 OWNER: CRYSTAL L. KELLY & BRADLEY A. BOSS  
 VOL. 126, PG. 522  
 SPAN: 615-193-10431  
 PARCEL ID: 10431

**DRAFT**

Town of Starksboro  
**RECEIVED**  
 04/13/2026

04-13-2026	REVISED LOT 6 BOUNDARY LINES & BUILDING ENVELOPE	JG
DATE	DESCRIPTION	BY
REVISIONS		
LANDS OF <b>CRYSTAL L. KELLY &amp; BRADLEY A. BOSS</b> 793 VT ROUTE 116, STARKSBORO, VERMONT <b>TWO-LOT SUBDIVISION SURVEY PLAT</b>		
THESE PLANS WITH LATEST REVISIONS SHOULD ONLY BE USED FOR THE PURPOSE SHOWN BELOW:		
<input type="checkbox"/> SKETCH/CONCEPT	<input type="checkbox"/> PRELIMINARY	<input checked="" type="checkbox"/> FINAL LOCAL REVIEW
PROJECT NO. 25361	DATE: 01-14-2026	CHECKED: AW
SCALE: 1" = 300', 1" = 150'	SURVEY: DT, TW, TG	DRAWN: AW, JG
DRAWING NO. <b>PL-1</b>		SHEET 1 OF 1

DOCUMENTS FOR RECORDING



State of Vermont  
Department of Environmental Conservation

Agency of Natural Resources  
Drinking Water and Groundwater Protection Division

WASTEWATER SYSTEM AND POTABLE WATER SUPPLY PERMIT

LAWS/REGULATIONS INVOLVED

10 V.S.A. Chapter 64, Potable Water Supply and Wastewater System Permit  
Wastewater System and Potable Water Supply Rules, Effective November 6, 2023

Permittee(s): **Bradley Boss**  
**Crystal Kelly**  
**793 VT Route 116**  
**Starksboro, VT 05487**

Permit Number: **WW-9-3425-2**

This permit affects the following properties in Starksboro, Vermont:

Lot	Parcel	SPAN	Acres	Book(s)/Page(s)#
1 - Existing	10431	615-193-10431	153.20	Book:126 Page(s):522
1 - Proposed			148.36	Book:126 Page(s):522
6 - Proposed			4.84	

This application, consisting of amending **WW-9-3425-1** for the subdivision of existing Lot 1 into proposed Lot 6 with an existing 4- bedroom single family residence and proposed Lot 1 for the construction of a 4-bedroom single family residence, located at 793 VT Route 116 in Starksboro, Vermont, is hereby approved under the requirements of the regulations named above subject to the following conditions. Any person aggrieved by this permit may appeal to the Environmental Court within 30 days of the date of issuance of this permit in accordance with 10 V.S.A. Chapter 220 and the Vermont Rules of Environmental Court Proceedings.

1. GENERAL

- 1.1. The permittee is responsible for recording this permit in the Starksboro Land Records within 30 days of issuance of this permit and prior to the conveyance of any lot subject to the jurisdiction of this permit.
- 1.2. The permittee is responsible for recording the design and installation certifications and other documents that are required to be filed under these Rules or under a permit condition in the Starksboro Land Records.
- 1.3. Each assign or successor in interest shall be shown a copy of the Wastewater System and Potable Water Supply Permit and the stamped plan(s) prior to the conveyance of a lot.
- 1.4. All conditions set forth in **WW-9-3425 and amendments** shall remain in effect except as amended or modified herein.
- 1.5. The landowner is responsible for establishing any easement(s) shown on the approved plans. The land deeds that establish and transfer ownership of the approved lot(s) shall allow future owner(s) the right to construct, maintain, and repair the wastewater and/or potable water supply systems approved herein. If the landowner does not properly execute said easement(s), this permit becomes null and void for any subject lot conveyed without easement(s).



- 1.6. By acceptance of this permit, the permittee agrees to allow representatives of the State of Vermont access to the property covered by the permit, at reasonable times, for the purpose of ascertaining compliance with the Vermont environmental and health statutes and regulations, and permit conditions.
- 1.7. The Drinking Water and Groundwater Protection Division relied upon the Vermont Licensed Designer's certification that the design-related information submitted is true and correct and complies with the Wastewater System and Potable Water Supply Rules. This permit may be revoked if it is determined the design of the wastewater system or potable water supply does not comply with these rules.
- 1.8. This permit does not relieve the landowner from obtaining all other approvals and permits from other State Agencies or Departments or local officials prior to construction.

**2. SUBDIVISION AND CONSTRUCTION**

2.1. Subdivision and construction shall be completed as shown on the plans and/or documents prepared by Jason Barnard, with the stamped plans listed as follows:

Title	Sheet #	Plan Date	Revision
<b>Water &amp; Wastewater System Details and Notes</b>	D-1	12/30/2025	
<b>Overall Subdivision Plan</b>	S-1	12/30/2025	
<b>Lot 6 Site Plan</b>	S-2	12/30/2025	
<b>Lot 1 House Site Plan</b>	S-3	12/30/2025	

- 2.2. Construction of wastewater systems or potable water supplies, or buildings or structures (as defined by the Wastewater System and Potable Water Supply Rules), or campgrounds, not depicted on the stamped plans, or identified in this permit, is not allowed without prior approval by the Drinking Water and Groundwater Protection Division.
- 2.3. No buildings, roads, water pipes, sewer services, earthwork, re-grading, excavation, or other construction that might interfere with the operation of a wastewater system or a potable water supply are allowed on or near the site-specific wastewater system, wastewater replacement area, or potable water supply depicted on the stamped plans. Adherence to all isolation distances that are set forth in the Wastewater System and Potable Water Supply Rules are required.

**3. INSPECTIONS**

3.1. No permit issued by the Secretary shall be valid for a substantially completed potable water supply and wastewater system until the Secretary receives a signed and dated certification from a qualified Vermont Licensed Designer (or where allowed, the installer) on a Secretary-approved form that states:

*"I hereby certify that, in the exercise of my reasonable professional judgment, the installation-related information submitted is true and correct and the potable water supply and wastewater system were installed in accordance with the permitted design and all permit conditions, were inspected, were properly tested, and have successfully met those performance tests."*

or which satisfies the requirements of §1-311 of the referenced rules.

3.2. Prior to the use of the potable water supply on Lot 1, the permittee shall test the water for Arsenic, Escherichia coli (E. coli), Fluoride, Lead, Manganese, Nitrate as N, Nitrite as N, Total Coliform Bacteria, Uranium, Adjusted Gross Alpha Particle Activity, Chloride, Sodium, Iron, and pH. The Lead sample shall be a first-draw. All water quality tests shall be conducted at a laboratory certified by the Vermont Department of Health (a list of which can be found on the VDH website). Results of the water tests shall be submitted to the Vermont Department of Health prior to use or within 60 days of the submission of the Installation Certification required in Condition 3.1, whichever comes first.

#### 4. DESIGN FLOW

4.1. The following table provides the flows that the wastewater system and potable water supply are designed to accept based on existing and proposed lot and building uses. The design flows in gallons per day (gpd) in the following table are derived from section 1-803 of the Rules:

Lot	Building	Building Use / Design Flow Basis	Wastewater (gpd)	Water (gpd)
1	Proposed	Residential Living Unit with 4-bedrooms (based on 7-person occupancy)	490	490
6	Existing	Residential Living Unit with 4-bedrooms (based on 7-person occupancy)	490	490

4.2. The table above reflects the designed capacity for wastewater systems and potable water supplies derived from the uses documented in the permit application. If additional capacities are needed, a permit amendment will be required for the total design flows.

#### 5. WASTEWATER SYSTEM

- 5.1. All wastewater system conditions set forth in **WW-9-3425 and amendments** shall remain in effect except as amended or modified herein.
- 5.2. The 4-bedroom single family residence on Lot 6 is approved with an existing wastewater system. No changes shall be made to the existing wastewater system unless otherwise exempt without prior approval from the Drinking Water and Groundwater Protection Division.
- 5.3. Prior to construction or site work on Lot 1, a designer shall flag the proposed leachfield, and the owner shall maintain the flags until commencement of construction of the system.
- 5.3. Future replacement wastewater areas are identified on the stamped plan(s). There shall be no construction or other activities that will affect the suitability of these areas for the design and construction of a wastewater system.
- 5.5. Prior to the construction of a replacement wastewater system in a replacement area, the landowner shall file an application with the Drinking Water and Groundwater Protection Division pursuant to the Wastewater System and Potable Water Supply Rules.
- 5.6. Should a wastewater system fail and not qualify as a minor repair or for an exemption, the landowner shall engage a qualified Licensed Designer to evaluate the cause of the failure and submit an application to the Drinking Water and Groundwater Protection Division, and obtain approval thereof, prior to correcting the failure.
- 5.7. This permit does not relieve the permittee of the obligations of Title 10, Chapter 48, Subchapter 4, for the protection of groundwater.

**6. POTABLE WATER SUPPLY**

- 6.1. All potable water supply conditions set forth in **WW-9-3425 and amendments** shall remain in effect except as amended or modified herein.
- 6.2. The 4-bedroom single family residence on Lot 6 is authorized to utilize the existing on site water supply system provided the potable water supply is operated at all times in a manner that keeps the supply free from contamination. No changes shall be made to the existing water system, and no other means of obtaining potable water shall be allowed, without prior review and approval by the Drinking Water and Groundwater Protection Division unless otherwise exempt. The landowner shall immediately notify the Division if the water supply system fails to function properly and becomes a "failed supply".
- 6.3. A location for a future replacement potable water source is identified on the plan(s) stamped by the Drinking Water and Groundwater Protection Division. There shall be no construction or other activities that would impact the suitability of this location for a potable water source. Unless otherwise exempt, the landowner shall submit to the Drinking Water and Groundwater Protection Division an application and required plans prepared by a Class 1, Class A, Class B, Class BW Designer for the use of the replacement well prior to drilling the well.
- 6.4. Prior to construction or site work on Lot 1, a designer shall flag the center of the proposed potable water source, and the owner shall maintain the flag until commencement of construction of the source.
- 6.5. Should a potable water supply fail and not qualify as a minor repair or for an exemption, the landowner shall engage a qualified Licensed Designer to evaluate the cause of the failure and submit an application to the Drinking Water and Groundwater Protection Division, and obtain approval thereof, prior to correcting the failure.

Julia S. Moore, Secretary  
Agency of Natural Resources



By \_\_\_\_\_ Dated February 26, 2026

Frederic Larsen  
Environmental Analyst VI  
Rutland Regional Office  
Drinking Water and Groundwater Protection Division

cc: Jason Barnard

# Town of Starksboro Development Review Board

## Notice of Findings and Preliminary Determination

In Reference to: Application No: 26-DRB-02SD  
for a 2-lot Major Subdivision Preliminary Plan Review Hearing  
by Bradley Boss and Crystal Kelly, Parcel ID: 10431, 793 VT Route 116

### INTRODUCTION AND PROCEDURAL HISTORY

1. Application No. 26-DRB-02SD seeks approval for a 2-lot major subdivision on the West side of VT Route 116 at 793 VT Route 116, Parcel 10431. The application is made pursuant to the 2020 Town of Starksboro Land Use and Development Regulations.
2. In accordance with Section 426.B, a Pre-Application meeting was held with the DRB on December 11, 2025. As a Pre-Application meeting no discussion during the meeting is considered “evidence” nor is it binding on the Applicant. The application was determined to be a major subdivision due to Parcel 10431 having undergone a subdivision approval within the last 5 years, per SLUDR Section 426.D(1). See DRB Decision 25-DRB-01SD dated May 10, 2025.
3. The preliminary application was formally submitted on February 2, 2026. The Zoning Administrator deemed the preliminary application complete on February 5, 2026.
4. Public notice requirements for the Preliminary Plan Review Hearing for Application 26-DRB-02SD were completed as required in Section 401 and evidenced in Exhibit A. This includes a warning in the Addison Independent on February 5, 2026, required public postings, notice to abutting property owners and owner/applicant mailings on February 2, 2026. A copy of the application and supporting materials were made available at the Starksboro Municipal Office and on the Town Website.
5. The Major 2-Lot Subdivision Preliminary Plan Review Application was considered by the Development Review Board (DRB) at a public hearing on February 26, 2026 at the Starksboro Municipal Office and Virtually via Zoom. The hearing was closed on February 26, 2026.
6. The following members of the DRB attending the hearing:
  - a. Rob Liotard, Evelyn Boardman (Vice Chair), Arnell Paquette, Tom Perry, Ben Campbell.
7. Pursuant to 24 V.S.A. § 4461(b), a record of the name and addresses of persons participating at the hearing is part of the hearing record. The following persons attended the hearing on February 26, 2026:
  - a. Bradley Boss and Crystal Kelly, Owner/Applicant.
  - b. Jason Barnard, Applicant’s Agent.
  - c. Sharon and Joe Kelly (abutters)
  - d. Dan Nugent, (abutter)
  - e. Dennis Casey (abutter)
  - f. John Habersang (abutter, via Zoom)

8. Prior to or at the hearing, exhibits were provided to the DRB and the following were accepted by the DRB at the public hearing. All exhibits are available at the Starksboro Municipal Office.

Exhibits A-J

Exhibit #	Description	Date entered
A	Warning, Abutter Map, and Abutters Mailing Affidavit	2/3/26
B	Cover Letter by Barnard & Gervais dated 2/2/26	2/3/26
C	DRB Application signed 1/30/26	2/3/26
D	Owner Authorization Letter by Barnard & Gervais dated 11/18/25	2/3/26
E	Project Narrative	2/3/26
F	Draft Drawing S-1 Overall Subdivision Plan dated 12-30-25	2/3/26
G	Draft Drawing S-2 Lot 6 Site dated 12-30-26	2/3/26
H	Draft Drawing S-3 Lot 1 House Site Plan	2/3/26
I	Draft Drawing PL-1 Two-Lot Subdivision Survey Plat dated 01-14-2026 (rec'vd 2/9/26)	2/9/26

Exhibit J was entered into the record at the meeting:  
Waste Water Permit WW-9-3425-2 dated 2/26/2026.

FINDINGS

*Based on the application, testimony, exhibits, and other evidence presented, the DRB makes the following findings:*

1. The Applicant requested approval for a 2-lot subdivision involving Parcel 10431 at 793 VT Route 116. Parcel 10431 is a tax parcel involving four contiguous lots on both the east and west side of VT Route 116. The lot to be subdivided was defined in the previous 25-DRB-1SD subdivision as Lot 1, which includes the original farmhouse and barns west of VT Route 116. See Exhibit A Abutter Map to see the full extent of the tax parcel. Lot 1 is further defined in an Administrator's Deed conveying the property from the Estate of Mitchell Kelly to Bradley Boss and Crystal Kelly recorded in the Town of Starksboro Land Records in Volume 126, Pages 522-524 dated August 25, 2025.
2. The Boss-Kelly Lot 1 property in the application is located in the Agricultural, Scenic and Rural Residential (ASRR) and Forest and Conservation (FC) districts as shown on the Town of Starksboro Land Use Map on record at the Town of Starksboro Municipal Office, and subject to the Density and Dimensional Standards Table requirements shown in Section

211, Figure 4 of the Starksboro Land Use and Development Regulations (SLUDR) adopted in 2020.

3. The application proposes no development or new lot lines within the FC portion of the involved lot.
4. Application 26-DRB-02SD proposes to subdivide Lot 1 into two lots as follows:
  - (1) Lot 1: 148.36 +/- acres, with an existing functioning sand and gravel pit, and a proposed single-family home.
  - (2) Lot 6: 4.84 +/- acres, with an existing single-family home and farm structures. The Lot 6 numbering is a continuation of the Lot numbering from the previous subdivision application 25-DRB-01SD.
5. The Application proposes residential uses permitted per Section 210 in the ASRR District. The existing sand and gravel pit is an Extraction use allowed with conditional use review in the ASRR district. The pit's use pre-dates zoning. It is unknown if the pit currently meets the requirements of Section 335 Extraction of Earth Resources, so it is unknown if the pit is a allowed pre-existing use meeting the requirements of Section 335, or an allowed non-conforming use governed under Section 122.E.
6. The proposed subdivision and development meet the Density and Dimensional Standards of Section 211, except for the size of Lot 6. As Lot 6 is larger than the minimum range and smaller than the upper range sizes noted in SLUDR Section 252.B (Lot size in the ASRR district), a waiver is requested as part of the application.
7. Building Rights for each subdivided lot are allocated on proposed Plat PL-1 per Section 351.D, and Building Envelopes are defined per 243.B in the ASRR District on proposed Plat PL-1.
8. A Utility easement for the existing well for the existing single-family home on Lot 6 onto Lot 1 is indicated on proposed Plat PL-1.
9. The Applicant is in conversation with the State Agency of Transportation regarding the need for a VT Route 116 right-of-way access permit to utilize the existing sand and gravel pit drive for the new residence, and to bring new power across the road.
10. The Applicant is in conversation with the State Agency of Natural Resources regarding the location and designation of the Class II Wetlands to the west of the proposed house site. The site plan currently indicates the approximate wetlands boundary based on state GIS website data pending an actual field delineation.
11. The applicant did not provide information in regards to compliance with Section 331, Stormwater Management.
12. The applicant provided application materials per Section 426.C and as noted in the Exhibits, which the Board found sufficient to conduct the hearing. This included a Narrative providing a written response to the review standards listed in Subsection 426.E (Exhibit E).
13. Waiver request for ASRR Lot size required by Section 252.B: The applicant provided a separate narrative (Exhibit E) to provide a response to Waiver Section 423.E review criteria.

## CONCLUSIONS

*The DRB concludes the following based on the findings of fact, the application materials and evidence and testimony received:*

1. Section 252.B: Waiver Request. After due consideration of the bylaws and the evidence presented in the record, the Board concludes that the waiver of the Lot 6 size required by SLUDR Section 252.B cannot be granted by the DRB, per Section 300.B, and Sections 423.A and 423.E(1) where in both locations it is stated “The DRB shall not grant a waiver to allow the establishment of a prohibited or conditional use, **or the subdivision of a lot that does not conform to the applicable provisions of these regulations.**”
2. Extraction Use: Without historical baseline knowledge of the extent and operating conditions of the existing sand and gravel pit, the Board is unable to determine if the use is pre-existing and compliant with Section 335 and requires no further current review, or if the use is non-conforming with Section 335. If non-conforming, having baseline historical knowledge of the use would allow the Board to determine what operational limits may apply for continued use pursuant to Section 122.E.
3. Section 426.E (1): Siting and Suitability. The siting, design and layout of the proposed subdivision is compatible with its setting and context, and conforms to the standards of these regulations with the exception of the requested lot size waiver. Lots and development envelopes establish suitable sites for future land development in terms of their size, shape, location, topography and capability.
4. Section 426.E(2): Natural Features. The natural landscape, vegetation and topography are preserved to the maximum extent practical considering the site’s capacity and constraints. The proposed subdivision is designed and located to minimize the loss and fragmentation of farmland and forestland.
5. Section 426.E(3): Character of the Area and Privacy. The proposed subdivision does not alter the character of the surrounding area in a manner that limits, impairs or precludes lawful use of neighboring properties. The proposed subdivision creates or retains appropriate transitions from public to private spaces within the subdivision and between the subdivision and adjoining properties.
6. Section 426.E (4): Energy Conservation and Access to Renewable Energy. The proposed subdivision is designed and located to minimize energy use and facilitate solar access to the extent that is economically and physically feasible
7. Section 426.E (5): Access and Circulation. Vehicular access is provided to each proposed lot or building envelope in accordance with the standards of these regulations. Traffic generated by the proposed subdivision will not have an undue adverse effect on the condition, capacity, safety and function of the transportation infrastructure serving the subdivision. Pedestrian access is provided within the subdivision and along roads as appropriate given the location of the subject property.
8. Section 426.E (6): Infrastructure, Utilities, Facilities and Services. Public facilities and services are adequate to accommodate the proposed subdivision. Infrastructure and utilities are provided within the subdivision as necessary to

- accommodate the proposed land development. Infrastructure and utilities are located underground to the extent economically and physically feasible.
9. Section 426.E (7): Lighting. Lighting will be designed, located and used to provide the minimum amount of lighting needed to create a safe environment for human activity, to avoid increasing pre-existing light levels beyond the subject property, to prevent glare and shield light sources, and minimize energy use.
  10. Section 426.E (8): Recreation Access. The proposed subdivision is designed and located to provide private or shared outdoor space for recreation.
  11. Section 331: Stormwater. The application does not address whether the project will comply with Section 331. A statement from the applicant should be provided to assist with this determination.

### **PRELIMINARY DETERMINATIONS**

Based on the standards and criteria referenced in the Starksboro Land Use Development Regulations, the Starksboro DRB provides the following determinations regarding Preliminary Plan Review application 26-DRB-02SD.

1. The applicant shall revise the Lot 6 size to meet the requirements of Section 252.B prior to applying for a Final Plan Review, including revisions to all submittals affected by this revision.
  - a. The applicant may wish to consider other development options available through PUD Sections 358 and 247, including lot size options in 358.G and open space requirements of 358.H. Should the applicant wish to revise the application to a PUD, a Preliminary Plan Review hearing will be required to be warned and held per Section 401.
  - b. If the applicant wishes to consider addressing the future use of Lot 6 as non-residential, the lot size would be compliant with Section 211, but the development would require a Conditional Use (CU) review following the application requirements of Section 425. If the application is revised for this purpose, a Subdivision Preliminary Review hearing will be required to be warned and held per Section 401. The CU review would be conducted concurrently with this Preliminary Hearing prior to a Final Plan Review per VSA 24 § 4462.
2. The applicant shall qualify the historical use of the sand and gravel pit. A statement by the applicant or other knowledgeable party attesting to the current area of the pit, the range of past extraction quantities and the pit's current compliance with Section 335 is acceptable. The board does not envision this to be a rigorous quantitative exercise.
3. The applicant shall provide confirmation from VTTrans that the existing sand and gravel pit driveway's Route 116 road entrance meets their requirements for access for the new use, and any requirements for the installation of the new power service across Route 116.

4. The emergency vehicle turnaround at the sand and gravel pit must be clearly defined and maintained. The applicant shall address if maintenance costs will be shared and addressed via a shared maintenance agreement or shouldered solely by the landowner.
5. The applicant shall provide confirmation of communication with the Vermont Wetlands Program regarding the disposition of the existing driveway wetlands crossing and the building envelope's proximity to the wetlands buffer prior to filing a final plan review application. A condition of final approval will be included as follows: Evidence of a State Wetlands permit or Exemption shall be provided prior to the issuance of a zoning permit. Changes to the approved plans resulting from final wetlands delineations and State permitting shall be reviewed by the DRB under an amended permit application per Section 428, unless the ZA finds the changes qualify for administrative review under Section 415.
6. The applicant shall attest that the project is exempt from the requirements of Section 331 Stormwater Management, or provide an amended application with these details.


Dated at Starksboro, Vermont, this 26<sup>th</sup> day of March, 2026.

  
\_\_\_\_\_  
Evelyn Boardman, Vice Chair

  
\_\_\_\_\_  
E. Ben Campbell

  
\_\_\_\_\_  
Arnell Paquette

  
\_\_\_\_\_  
Tom Perry

  
\_\_\_\_\_  
A. Robert Liotard

#### Notice of Appeal Rights and Participant Status

Pursuant to 24 V.S.A. § 4471 and Rule 5(b) of the Vermont Rules for Environmental Court Proceedings, an "interested person" who has participated in this municipal proceeding may appeal this decision to the Vermont Superior Court, Environmental Division, within 30 days of the date of this decision.

Please be advised:

**Participant Record:** Per 24 V.S.A. § 4461(b), the Board maintains a record of the name, address, and topic of testimony for all participants to establish the official hearing record.

**\* Party Status:** Participation in the DRB hearing does not automatically make you a "party" to a court appeal, even if you are the applicant.

**\* Action Required:** To participate in an appeal, you must enter a written appearance with the Environmental Division within 21 days of receiving a Notice of Appeal. Failure to file a timely appearance may result in the case proceeding without your involvement.

**Bradley Boss & Crystal Kelly  
Two-Lot Subdivision  
793 VT Route 116  
Starksboro, Vermont**



**Responses to Preliminary Hearing Decision**

In accordance to the items presented in the Preliminary determinations section of the March 26, 2026 decision, the following responses are being submitted:

1. The proposed subdivision is being resubmitted as a Planned Unit Development (PUD).
2. The applicant has discussed the historic pit usage with the current lessee and historic usage of the sand pit is not determined.
3. The applicant has met with the VTtrans representative for this area, and VTtrans permitting for the existing access is being determined.
4. An emergency vehicle turn-around is provided at the entrance to the existing sand pit. The location of the pit entrance is shown on the site plans, and a shared maintenance agreement of the pit entrance/ emergency vehicle turn-around can be provided at the final hearing.
5. See attached email from Zapata Courage.
6. The total amount of new impervious surface area being added is  $7,350 \pm$  SF. Because the new impervious surface area is less than 10,000 SF, a stormwater management plan is not required.