

DRAFT 7/7/25 MINUTES

APPROVED ON _____

On _____, _____ moved to approve the 7/7/25 minutes as drafted (OR AMENDED) and _____ seconded. The Board unanimously approved and on _____, Melissa Manson signed the 7/7/25 minutes as drafted and submitted them to the clerk for publication.

**TOWN OF FAIRFIELD
PLANNING COMMISSION AND ZONING BOARD OF ADJUSTMENT
REGULAR MEETING MINUTES
Monday, July 7, 2025, 7:00 PM
On Zoom and In Person;**

Members Present: Aaron Forbes, Dan Pipes, Melissa Manson (Chair), Don Wells, Vanessa Kittell, Julia Callan, Demetrius Bolduc

Minute Taker: Vanessa Kittell

Public Present: Torrey Crossman, Patricia Branon, Megan Smith, Helen Heff (SP?) Rusty Branon, Lynda Ulrich, Chuck Verderber, Lisa and Gary Coon, David Graves, Terry St. Pierre, Jason Bapp, Emily Kloft (NRPC), Benjamin Toof, Sarah Toof, Jamie Archambault, Rick Berard, and Shawna Ratner, (via Zoom).

- 1. Meeting, Called to Order, 7:02 p.m., and the Board determined a quorum was established.**
- 2. Adjustments to Agenda:** Melissa Manson proposed that the agenda be adjusted to permit the public hearing to occur prior to public comment. Vanessa Kittell moved to adopt this proposed adjustment to the agenda and Dan Pipes seconded. The Board unanimously approved.
- 3. Approval of meeting minutes of 06.02.25:** Dan Pipes moved to adopt as drafted and Don Wells seconded. The Board unanimously approved.
- 4. Public Hearing: Gary & Lisa Coon, Boundary Line Adjustment, 376 VT Rt. 36, Application #25—030:** to permit adjustment of boundary line by deed to adjacent landowner.

- a. Melissa Manson confirmed hearing properly warned, swore in petitioners, Gary and Lisa Coon and adjacent property owner, Terry St. Pierre, and requested that any interested parties identify themselves. No person came forward.
- b. Peter Mazuuk, engineer for Gary and Lisa presented a plat, (Exhibit 1,) and described proposed project in accord with map. Peter Mazuuk testified that they proposed to deed approximately 21+- acres of their parcel to adjacent landowner, Terry St. Pierre (applicant's father), reducing their lot to 1.21 acres. Engineer testified that he proposed neither new building(s) nor changes to the home presently on the parcel. He testified that the reduced lot continued to satisfy the 200' ft road frontage requirement.
- c. Peter Mazuuk testified that he was presently working with the State to obtain a wastewater permit to bring property's septic into compliance with State standards.
- d. Terry St. Pierre testified that he was in agreement with the proposal as stated.
- e. Don Wells moved to approve and Dan Pipes seconded and the Board unanimously approved.

5. Public Comment not related to the agenda: Patricia Branon with Megan Smith requested to be heard regarding a conflict with adjacent property owner concerning possible violation in connection with activity at 778 Hill Road owed by Torrey Crossman.

- a. Patricia Branon stated that she sought clarification from the Board regarding the permitted use at 778 Hill Road. Patricia Branon stated that she had safety concerns regarding the adjacent property's usage of a deeded right of way that she shared with Torrey Crossman, where usage was, "for a commercial purpose." She stated that while she was not seeking the Board to weigh in on the right of way issue which was presently being litigated by parties, the Town held a public safety interest concerning applicants' adherence to the scope of permitted use.
- b. Torrey Crossman stated that he operated an on-farm accessory business in compliance with permitted use. He stated that he had attempted to, "fix the problem," and had been willing to compromise to work with the adjoining landowner regarding any issue.
- c. Melissa Manson presented a verification from the State of Vermont Department of Agriculture showing that the property at 778 Hill Road was a farm, authorized to undertake agricultural activities.

6. **Public Comment not related to the agenda:** David Graves, a realtor from Highgate, asked to be heard by the Board in connection with seeking information regarding whether a person seeking to purchase land on Route 36 would be permitted to locate a camper on the property for year-round dwelling. The Board directed David Graves to review LUR 6.4 and 6.11, controlling RV's and mobile homes, emphasizing the requirement of a dwelling suited to year-round use. The Board stated that it did not preapprove any application but would be glad to answer any questions that a specific applicant may have.
7. **Public Comment not related to the agenda** Jamie Archambault and Rick Berard asked to be heard regarding concerns regarding Application # 25-019, Jacques Leo Berard Revocable Trust at 1733 Reynolds Road.
- a. Rick Berard stated that he sought the Board's approval to locate the proposed building envelope for the petition conditionally approved by the Board, onto a portion of the proposed lot that included prime agriculture soils, a location discouraged under in conflict with LUR 8.4 C.(2). Rick Berard stated that due to a slope in the land including a drop off and other environmental features of the lot, it would not be feasible to locate building envelope in an area without prime agricultural soil.
 - b. Melissa Manson swore in Rick Berard to take testimony regarding Rick Berard's proposal. Rick Berard testified that he proposed to locate the building envelope at a location 75' from the road in the area of the lot containing prime agricultural soils, better suited for a building envelope due to contours and features of the lot. He testified that due to the location of a drop off in one area and a wooded and wet section in others, building anywhere else on the property would not be feasible. He testified that a requirement to locate a building envelope in an area on the lot without prime agricultural soils significantly devalued the appeal of the lot and would reduce its value.
 - c. Don Wells moved to modify the conditional permit granted to permit the building envelope on the area proposed by Rick Berard due to topographical and environmental constraints pursuant to LUR 8.4 C (2), and all other conditions as set forth in conditional permit. Dan Pipes seconded and the Board unanimously approved.

8. Bylaw Review: Emily Kloft, NRPC provided an updated presentation of draft revisions of Town's LUR with revisions dated 6.27.25, attached. Emily Kloft reviewed specific by-law revisions that included changes to:

- Article 3.6 Adaptive Re-Use Waiver, removing the standard requiring a demonstration of historical significance. The Board discussed using this revision to encourage use of abandoned housing stock. Following public comment, the

Board authorized Emily to further revise the standard to broaden the waiver to allow re-use to buildings of various ages and use for any purpose in compliance with Town Zoning bylaws.

- Article 7. Creation of subdivision classifications: Emily Kloft stated that this revised provision attempted to establish clearer definition of subdivision into major and minor classifications, generally to discourage the addition of subdivisions over time from the original subdivided parcel.
- Article 8.4 and 8.5 Creation of Steep Slope provision and separation of conservation resource section. This revision applied steep slope standards to all subdivision applications. The changes at 8.5 allows standards for farmland and agricultural conservation considerations to apply to major subdivisions, only.

Following discussion, by majority vote, the Board approved these draft revisions of the By-laws for presentation with the final version to be presented to the Board at the next Board meeting.

8. Deliberative Session: Dan Pipes moved to enter into deliberative session and Don Wells seconded.

The Board exited Deliberative Session at 9:14 p.m. The Board will contact Torrey Crossman regarding parking LUR applicable to permit for 778 Hill Road.

9. Confirmation of next meeting: August 4, 2025, 7:00 p.m. at Town Offices,
Regular monthly DRB/PC meeting & By-Law Review meeting.

10. Adjourn: Melissa Manson moved to adjourn and Vanessa Kittell seconded. Meeting adjourned at 9:32 p.m.