

DRAFT 9/15/25 MINUTES

APPROVED ON _____

On _____, _____ moved to approve the 9/15/25 minutes as drafted (OR AMENDED) and _____ seconded. The Board unanimously approved and on _____, Melissa Manson signed the 9/15/25 minutes as drafted and submitted them to the clerk for publication.

**TOWN OF FAIRFIELD
PLANNING COMMISSION AND ZONING BOARD OF ADJUSTMENT
SPECIAL MEETING MINUTES**

Monday, September 15, 2025, 7:00 PM

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

Minute Taker: Vanessa Kittell

Public Present: Richard Berard, Linda Hodet, Robin Yates, Julie Wolcott, Sarah Flack, Jean Richardson, Rusty Branon, Cathy Branon, Dan Branon, Damian Branon, Chuck Verderber, Lynda Ulrich, Shanna Ratner, Michael Menard, Brian Jerosse; Via Zoom: Lisel Verderber, Emily Biron, Heather Darby, Brian Dubie;

1. **Meeting, Called to Order**, 7:05 p.m., and the Board determined a quorum was established.
2. **Adjustments to Agenda**: None. Don Wells moved to adopt agenda as noticed and Aaron Forbes seconded. The Board unanimously approved.
3. **Minutes**:
 - **Approval of Minutes of 8/4/25**: Melissa Manson approved the minutes of 8/4/25 as drafted and Dan Pipes moved to second. The Board unanimously approved.
 - **Proposed Revision to the Minutes of 2/3/35**: Dan Pipes moves to approve the proposed revision to Final Minutes of 2/3/25, proposing to amend typographical error on page 3 regarding Final Major Subdivision Plan, Application # 25-002, Holm & Spooner. Proposed amendment at 7 d. to strike: “[s]hould petitioners seek final approval...,” and demonstrate compliance with conditional approval. Vanessa Kittell seconded and the Board unanimously approved.
4. **Public Comment not Related to Agenda**: None.
5. **Bylaw Review: Emily Kloft, presentation of** proposed revision of LUR 8.4, “Conservation Resources. Proposed change at this section to amend to LUR 8.5, can be viewed at:

<https://www.nrpcvt.com/wp-content/uploads/2025/08/FairfieldBylawProposedRevision7.30.2025.pdf>

a. Public Comment Regarding Proposed Revision:

- a. Dr. Heather Darby testified. She is a soil scientist at UVM for 22 years, an agronomist, and farmer in Alburgh, Vermont. She testified regarding what prime agricultural soil is and why the state distinguishes this resource. She stated that Fairfield had been a leader both regionally and state-wide in protecting prime agricultural soils through Town Plan and Town Bylaws as presently drafted. Dr. Darby stated that this continued protection of prime agricultural soils was important as need for food continues and climate change makes farming more erratic and challenging. She urged the Board to continue to use the consideration of prime agricultural soils in consideration of any development petition and refrain from lifting this consideration to apply only to major subdivision as proposed.
- b. Sarah Flack testified in accord with written comments she provided to that Board. (Exhibit 1.) She is a farmer, soil scientist, farm consultant and farm succession planner that earns a living consulting on farm businesses of various sizes throughout North America. Sarah Flack testified that the overall package of proposed changes to the Bylaws are sensible and in accord with sound land stewardship with the exception of removing consideration of prime agricultural soils from minor subdivisions. She stated that the majority of development in the Town occurred through minor subdivisions. The impact of removing prime agricultural as proposed would remove a substantial authority by the Board and reduce a landowner's opportunity to improve proposed development through consultation with Zoning Board in the process of seeking petition. In addition, Sarah Flack testified that the proposed revision should be rejected on the basis that it contradicted the Town Plan at page 67, citing discouragement of encouraging agriculture, Town character and food production.

For a link to Town Plan: https://img1.wsimg.com/blobby/go/bcfe7f6a-21a0-4365-83b2-ca876176b0e8/downloads/Fairfield%20Town%20Plan_AsAdopted.pdf?ver=1758225959203

- c. Julie Wolcott testified. She is a farmer. She assisted in drafting the Town Plan in 2020. She stated that in the course of drafting, she shared the proposed plan with (5) separate families seeking broad input and was satisfied that the final adopted Town Plan reflects the Town's interests and intent with regard to prime agriculture soils and farmland. She stated that the purpose of the Town Plan was to encourage and support agriculture and the conservation of farmland and discourage development on areas of prime agricultural soil where alternative locations exist. She stated that the present Bylaws provided the Board with the ability to act appropriately with regard to individual petitions including minor

subdivisions and that the proposed Bylaw revision would unnecessarily harm the Board's ability to protect farmland and prime ag soils and farmland and fail to encourage the future of farming in the Town.

- d. Shauna Ratner testified in accord with the above public comments. She testified as a Town resident and agricultural economist. She testified that the present Bylaw considering farmland and prime agricultural soils on any subdivision assisted petitioners in learning about the value of their land. She stated that land values were ever-changing and prime agricultural land may at times have substantially greater value. She stated that the proposed revision may have unintended consequences because it removed the Board's "teeth," with regard to requiring a building envelope in consideration of conservation resource for parcels of any size, including, for example, a subdivision of 50 acres subdivided from a larger lot of 200 acres. She encouraged the Board to refrain from adopting the proposed revision.
 - e. Rick Berard testified regarding a recent experience before the Board. He testified that while the Board eventually granted him a permit after a three-month process, the delay was costly and stressful. He testified that the Board should not regulate minor subdivisions and encouraged the Board to adopt the proposal.
 - f. Emily Biron testified that the Board should reject the proposed revision at this section as drafted at 8.5. She stated that the proposal effected the majority of the Board's work, would harm the Town's stated mission of preserving agriculture and would be a departure from the protections the Town presently has in place for agricultural lands.
 - g. Liesel Vederber testified in accord with earlier comments and stated support for maintaining the consideration of prime agricultural soils and farmland for any subdivision. She stated that applying these considerations to all development helped codify the character and ethos of the Town.
 - h. Lynda Verderber testified regarding encouraging the Board to make a decision on the bylaw revision that took a broader view, one that considered more than one or two examples of proposed development petitions.
 - i. Linda Hodet testified that the aggregate amount of state regulatory considerations made development challenging and that where the Town added additional regulatory considerations, this would be burdensome to petitioners.
- b. Board member Vanessa Kittell moved to amend the proposed bylaw amendment at LUR 8.4 (now as drafted and proposed at 8.5) as follows:

A. "This section shall apply to **all subdivisions** ~~major subdivisions~~..."

&

C. (1) Building Envelopes:

....within the building envelope. ***Any lot containing a designated building envelope that remains undeveloped may be changed upon a showing that no other land is feasible for development or would render subsequent development substantially less valuable.***

Julia Callan seconded the amendment. By majority, the Board rejected the amendment.

Aaron Forbes moved to adopt 8.5 as drafted and Demetrius Bolduc seconded. By majority vote, the Board approved.

6. **Confirmation of next meeting:**

- Regular Monthly Meeting of DRB/PC: **Monday, Oct.6, 2025**
- Bylaw Warned for Public Consideration for Meeting: **Monday, Nov. 3, 2025**

7. **Adjourn:** Vanessa Kittell moved to adjourn and Julia Callan seconded. Meeting adjourned at 8:56 p.m.

(Ex. 1.)

Sarah Flack
5455 Duffy Hill Road Fairfield Vermont
802-933-6965
9/12/2025

To the Fairfield Planning Commission board,

I would like to thank the board for their work, and for listening to public comment from residents of the town. There are many good things in these proposed zoning bylaw changes. Serving on this board is a lot of work, and I want to express my gratitude to you all.

I have lived in Fairfield for over 50 years, and I own the farm on Duffy Hill Road where I grew up. Since the early 1990s, I have been self-employed as an agricultural consultant. My work is primarily with conventional dairy farmers, as well as some organic farmers. I also work with other types of livestock and diversified crop farms, some of whom produce value added products. My education and experience is in agronomy, crops and soils, but the primary focus of my work is supporting the financial viability of farms of all types and sizes as a farm business planning consultant.

My work allows me a unique view of agriculture in our region. The headlines about farming are often negative, however I see many farms and farmers, including new young farmers finding ways to succeed. I get to work with young people who are enthusiastic about being farmers. My experience working with farms of all types and sizes is why I remain optimistic about the future of agriculture in this region. It is also why I know that it is important for us to maintain many non-fragmented acres of good agricultural soils for future farmers. We also need affordable housing in our town. I think the work happening now to clarify the zoning regulations can support both the need to maintain adequate agricultural soils AND more housing.

My farm, which is just under 200 acres, is currently leased to a farm family who support their own family with income from the farm business which they took over from my Dad. They also hire several seasonal workers who are paid a livable wage. The food products they produce are all sold locally in Northern Vermont. When you drive by the farm you mostly see fields being hayed or grazed, and some wetlands. However, the vast majority of the income from the business comes from just under 2 acres of good agricultural soils where they grow annual crops which are processed into value added products for sale. My family figured out which areas on the farm to grow annual crops on by looking at the state soils maps, and picking out soils better suited for productive and financially viable crops. With the right crop, good management and the right

business plan... if a farm has good soils, a viable farm business is possible, even on a small acreage.

Those same soil maps, which have been updated and are now more accurate and more easily available to anyone online or at the local FSA or NRCS offices, are what I use regularly in my farm business consulting work as I help farmers develop plans to improve farm profitability and cash flow. It is not always possible to determine the quality or potential of a soil by looking at what is currently growing on it. Use of the soil map, and then hiking around with a shovel to observe the soil is the first step I take in helping a farmer develop or update their business plan.

I hear people say that you can't make a living farming on only 2 or 3 acres, but on good soils that is simply not an accurate statement. I work with financially successful farms that are just a couple of acres and farms that are many thousands of acres and it all starts with the soils. There are several farms here in Fairfield making a living on small acreages. There are also farms managing hundreds or thousands of acres. We need all these farmers of all sizes and types now and in the future to support our local agricultural economy, produce more food locally and maintain our rural landscape.

This is one of the reasons that I like many of the changes suggested to the Fairfield zoning bylaws.

I particularly like the changes suggested for section 8.4 and 8.5. Separating out slope and steepness from soils is good (8.4) and the new detail on agricultural soils (8.5) will provide helpful clarity for applicants, the board and your new zoning administrator.

However, since the vast majority of subdivisions and houses built in Fairfield are small subdivisions, it is important that the agricultural soils section be applied to ALL subdivisions, not just to major subdivisions. Having the board review all subdivisions, not just the major ones does not prevent people from being able to build a home on a lot which contains prime agricultural land. But it does allow our local town board to review the applications, and make decisions that can allow needed housing but keep it aligned with the future our community and residents want. This is also clearly stated as a priority on page 67 and other sections of the Fairfield Town Plan.

Fairfield's community and character has been shaped by agriculture. Maple syrup, large and small dairy farms, Conventional and organic farms, forestry, diversified livestock and vegetable farms all provide food or other essential products, employment, and they maintain our landscape which is what continues to draw new people to want to live here. Agriculture in our town has always been impacted by outside economic market

prices and regulations, but our farmers have adapted and will continue to do so. But we need good soils available for future farmers in order for our town to continue to have financially viable farms. This is why it is critical that section 8.5 apply to all subdivisions, not just major ones.

I also recommend that once these zoning regulations are approved, with the inclusion of all subdivisions, that the next round of regulatory work be to look at what other towns are doing to allow and encourage a higher density of houses without loss of good agricultural soils. I would like to see specific zones in the town where higher density housing, and much smaller lot sizes be allowed and even encouraged. This would obviously need careful planning, and ample opportunity for town residents to participate in the discussion and planning process.