

FINAL 3/2/26 MINUTES

On 4/6/26, Demetirus Bolduc moved to approve the 3/2/26 minutes as AMENDED and Dan Pipes seconded. The Board unanimously approved and on 4/6/26, Melissa Manson signed the 3/2/26 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, March 2, 2026, 7:00 PM

Members Present: Julia Callan, Aaron Forbes, Vanessa Kittell, Dan Pipes, Melissa Manson, and Demetrius Bolduc

Clerk: Vanessa Kittell

Public Present: Lynda Ulrich, Chuck Verderber, David Howrigan, Paige Howrigan, Anthony Howrigan, Cathy Branon, Rusty Branon, Albert Menard, Dawn Menard, Josh Menard, Linda Hodet, Kelly Leroux, Martha Manning

(Via Zoom): Andrew Wallace, Emily Biron, Liesel Verderber, Peter Mazurak, Issac Jiwatram, Chloe Longe, Lexi Menard

1. **Called Meeting to Order at 7:03 p.m.** Board determined quorum established.
2. **Adjustments to Agenda:** None. Julia Callen moved to adopt agenda, seconded by Dan Pipes, and the Board unanimously approved.
3. **Approval of the minutes 2/2/26 Minutes:** Aaron Forbes moved to approve as drafted and Dan Pipes seconded and Board unanimously approved.
4. **Public Comment Unrelated to Agenda:** None.
5. **Public Hearing: Final Review of Minor Subdivision; 370 Menard Rd, David & Peggy Howrigan**
 - a. Town Zoning Administrator, Molly Mashtare affirmed that hearing was properly warned and all abutting property landowners were noticed of public hearing.
 - b. Julia Callen recused herself from hearing and deliberation, noting that she was an abutting landowner.
 - c. Melissa Manson requested that Petitioner and any interested persons that sought to be heard come forward. David Howrigan, Paige Howrigan, Anthony Howrigan and Peter Mazurak (via Zoom), came forward on behalf of petition and Kelly Leroux as adjacent landowner joined. Melissa Manson swore in each person.
 - d. Peter Mazurak on behalf of petitioner testified in accord with plat presented by petitioner, proposing a minor subdivision of two lots, consisting of Lot 1 of 149.6 acres and Lot 2, of

2.36 acres. David Howrigan testified that the road frontage and set back requirements met by the creation of a 30' wide access easement across Lot 1, benefiting proposed Lot 2. David Howrigan testified in accord with plat presented that the conservation resources were considered by minimizing impact to soils and agricultural fields by placement of lot and location of building envelope in southeasterly corner of parent parcel.

- e. Kelly Leroux, abutting landowner, testified that she had concern regarding possible damage to her well located on the opposite side of the proposed easement, indicating that the proposed easement will go over her waterline.
- f. David Howrigan testified that Petitioners were aware of location of Kelly Leroux waterline and would take reasonable care to avoid disturbing the waterline and well in the course of creation of easement and Lot 2 construction.

6. Public Hearing –Sketch Plan Review of Major Subdivision; 837 Church Rd, 837 Church LLC, Emily Biron;

- a. Town Zoning Administrator affirmed that hearing was properly warned and all abutting property landowners were noticed of public hearing.
- b. Melissa Manson requested that Petitioner and any interested persons identify themselves. Melissa Manson then swore in petitioner and the following interested persons:
(In person):
 - Albert Menard
 - Dawn Menard
 - Josh Menard
 - Lynda Ulrich,
 - Chuck Verderber,
 - Cathy Branon;
 - Rusty Branon and
 - Martha Manning

(Via Zoom):

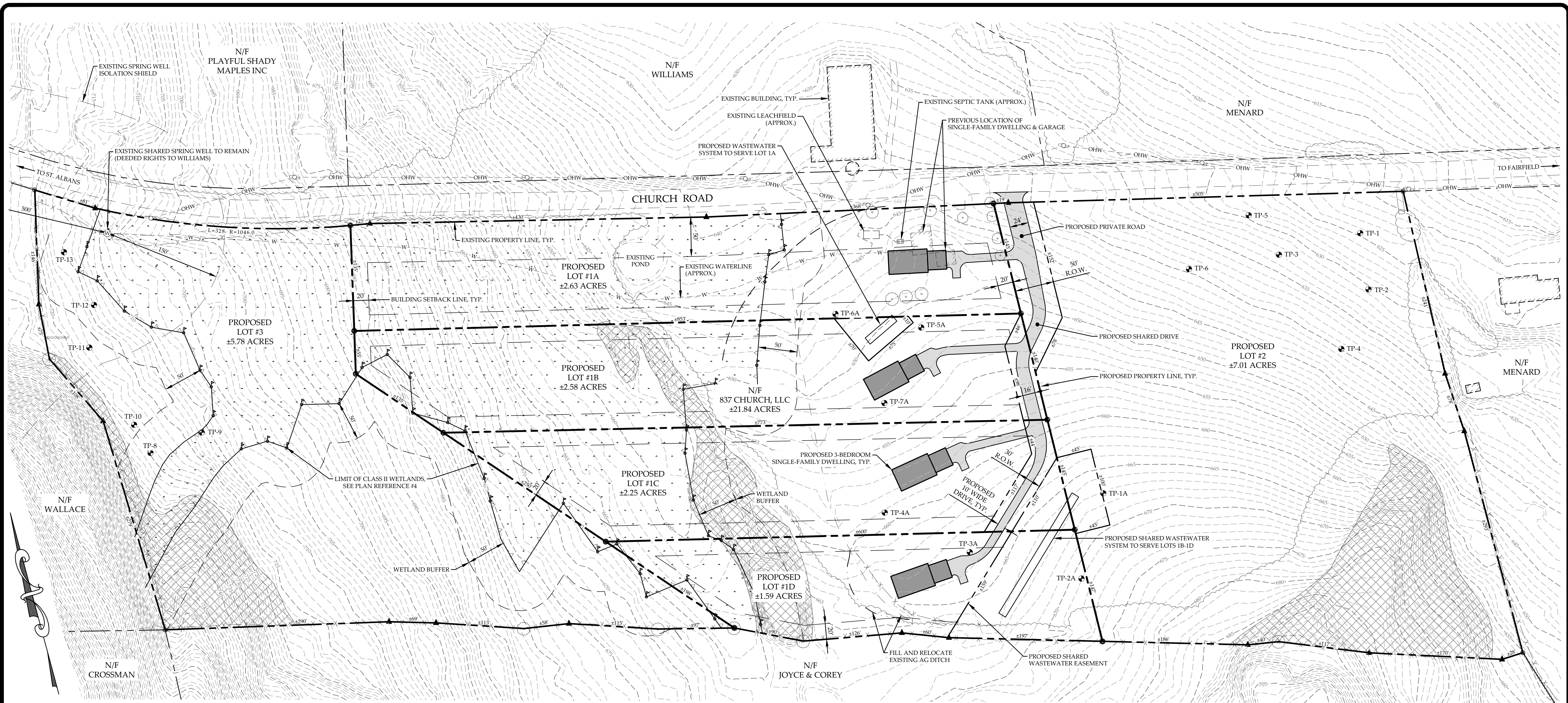
- Liesel Verderber
 - Andrew Wallace
 - Chloe Longe
- c. Emily Biron on behalf of Petitioner, 837 Church, LLC, testified in accord with a Subdivision Plan plat drafted by Mumley Engineering (Exhibit 1.1). Emily Biron testified that the petition seeks approval of a (4)-lot subdivision on what was designated as Lot 1 in Petitioner's October 2, 2025, Final approval with conditions, a (3)-lot subdivision, dividing a parcel of 21.84 acres into three lots by roughly north/south division, consisting of Lot 2 of 6.82 acres, on the easterly side of parcel, of Lot 1 of

9.26 acres in the middle of the parcel and Lot 3 of 5.75 acres on the westerly edge. Emily Biron testified in accord with the sketch plat provided (Exhibit 1.1), that she proposed to locate (4) additional lots on the original Lot 1, consisting of Lot 1A of 2.63 acres, (located adjacent to Church Road), Lot 1B of 2.58 acres, (located directly south of Lot 1A), Lot 1C, of 2.25 acres, (located directly south of Lot 1B) and Lot 1D of 1.59 acres, (located and the southern boundary and directly south of Lot 1C).

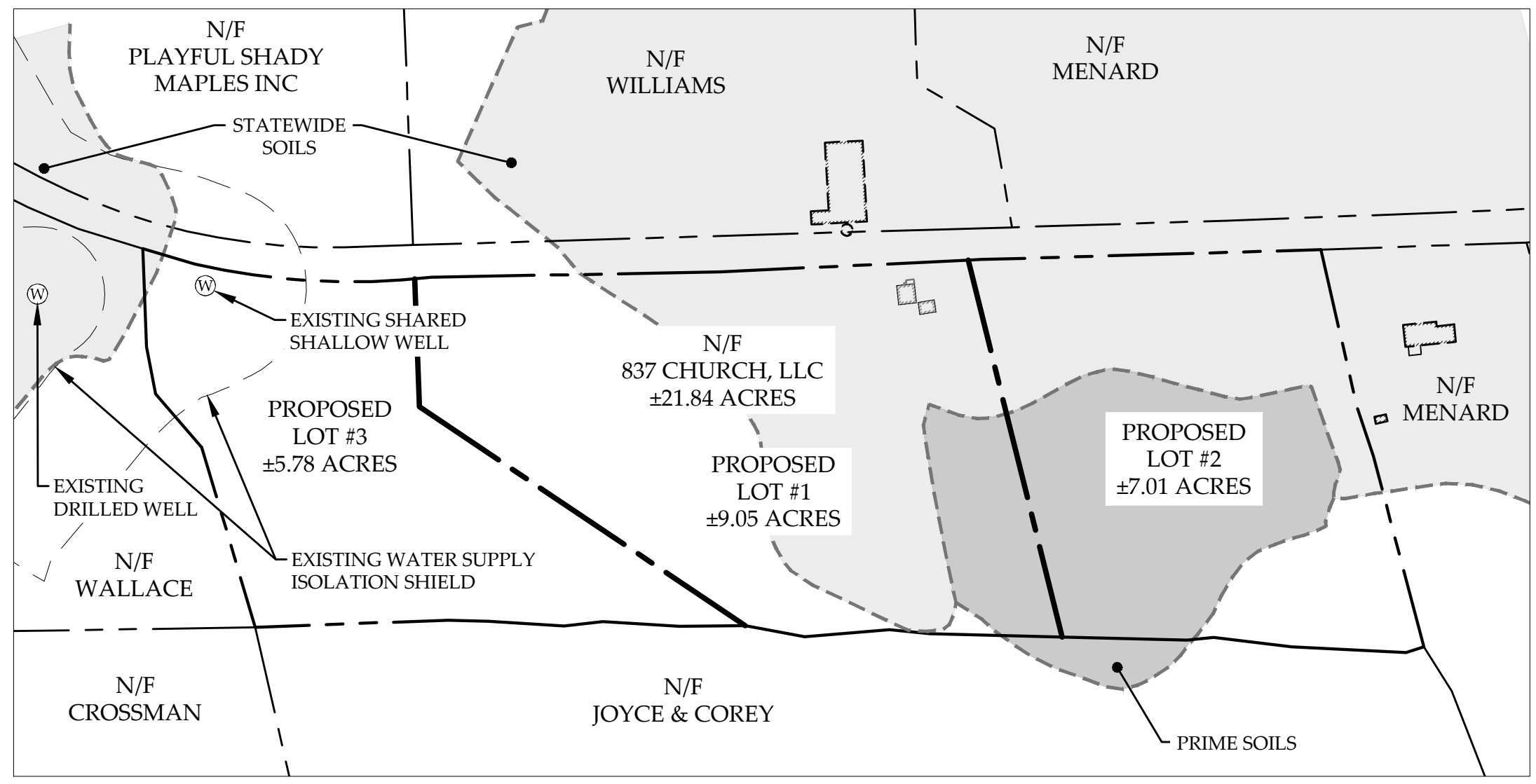
- d. Emily Biron testified that she proposed an approximate 800' shared driveway/easement off Church road that would be located on 837 Church, LLC's, Lot 2 and continue directly along the easterly edge of Lot 1 (and all proposed subdivided lots), to permit proposed lots 1A, 1B, 1C, and 1D road access.
- e. Emily Biron testified that she sought to minimize impact to conservation resources by locating all proposed lots and building envelopes outside of the prime ag soils zone and away from prime ag soils in the original Lot 2 as well as a proposed shared drive.
- f. Emily Biron testified that at this time, (original) Lot 2, Lot 1 and Lot 3 are owned and controlled by 837 Church Road, LLC. Emily Biron testified that she had no plans to build upon Lot 2 and no wastewater or septic permit had been submitted. 837 Church, LLC's, sketch plan sited a proposed wastewater system to serve proposed lots, 1B, 1C and 1D, located at the southern boundary crossing from (original) Lot 1 into (original) Lot 2. The proposed wastewater system on the plat submitted was located within the prime ag soils zone that begins in Lot 2 and extends into Lot 1.
- g. Emily Biron testified that on October 6, 2025, fire destroyed the existing home located on Lot 1. Emily Biron testified that this changed her mind with regard to seeking additional lots on Lot 1. She testified that a HOA would be established in service of the shared easement for access to Church Road.
- h. Public comment included questions with regard to Petitioner's expansion of Oct. 6, 2025, conditional approval of (3)-lot subdivision by proposing (3) additional lots within Lot 1.
- i. Lynda Ulrich testified that the proposed petition contradicted the Town Plan's priority to support agriculture by situating a subdivision in an area of ongoing agricultural use and character and that the proposed application for further subdivision encouraged fragmentation. Lynda Ulrich submitted written statements in support of her testimony (Exhibit 1.3 and Exhibit 1.4.)
- j. Albert Menard testified that he supported and seconded the testimony of Lynda Ulrich in opposition to the proposed application.
- k. Rusty Branon testified that Church Road remains heavily used to haul sap and for agricultural equipment, the fields adjacent to the proposed project are presently in agricultural use, and the Menards seasonally cross their cows over Church Road within several hundred feet of the parcel. Rusty Branon testified that the proposed subdivision

would be adverse to the use and character of the land in the immediate area of 837 Church Road.

7. **Deliberative Session:** Melissa Manson moved for Board to enter deliberative session to discuss pending petitions and Vanessa Kittell seconded. Board exited deliberative session at 10:08. Upon exit of deliberative session, Board announced:
 - a.) Conditional Approval of Final Plan for Minor Subdivision located at 370 Menard Road, David and Peggy Howrigan: The Board approved the Final Plat for minor sub-division upon the following conditions:
 1. Applicant to identify the waterline of the abutting landowner, Kelly Leroux and take responsibility for any damage to waterline or well arising out of creation of easement or Lot 2 building; and
 2. Applicant to submit Final Plat for recording in satisfaction of LUR.
 - b.) Conditional Approval of Subdivision Sketch Plan for (6) Lot Major Subdivision at 837 Church Road, 837 Church, LLC: The Board approves the sketch plan proposal upon the following conditions: See ~~attached~~ Findings and Decision.
8. **Confirmation of Next Meeting: Mon. April 6, 2026, at 7:00 p.m.,** regular monthly DRB/PC meeting.
9. **Adjourn:** Aaron Forbes moved to approve, Dan Pipes seconded and the Board unanimously approved.



SUBDIVISION PLAN
 SCALE: 1" = 60'
 Graphic Scale



KEY MAP
 SCALE: 1" = 200'

SUBDIVISION PLAN 837 CHURCH, LLC 837 CHURCH ROAD FAIRFIELD, VERMONT		
 MUMLEY ENGINEERING, INC. 46 HUTCHINS STREET MORRISVILLE, VT 05661 WWW.MUMLEYENGINEERING.COM COPYRIGHT © 2024 - MUMLEY ENGINEERING, INC.	PROJECT NO.....22111 DRAWN BY.....RCB CHECKED BY.....TRM SCALE.....AS SHOWN DATE.....01/09/26	SHEET NO. C-2 2 OF 2 SHEETS