Town of Danby
DRAFT Planning Commission Meeting Minutes
October 21, 2026
Town Office, Danby, VT 7:00pm
https://www.danbyvt.org/government-information
Zoom Meeting I.D. – 876 9010 0162

Attendees: Donny Keeler, Dana Heleba, Drea Stoddard, Janice Arnold, Dave Powers, Shelley Taylor, Hilda Haines
Absent – none

Public – Kim Corey, Andrea Myklebust, Sue Crosby, Ingrid Halligan, Barb Martin, Ed Stoehr, Andrea Stoehr, Tom Fuller, Zach Fuller, Rick Porter, Tracey Porter
Virtual – Bill Richardson, Lauren Dever, Chris Hardaway, Terry Parker, Gary Derr, Micheal Lees

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- Meeting called to order at 7:00pm by Shelley Taylor
  - Remote access statement
- Set Agenda
  - Motion to set agenda by Janice, seconded by Donny
    - Motion passes unanimously
- Public Comment
  - Andrea Myklebust
    - Was on virtual last week
    - The proposed amendment was not presented at the last meeting
    - The process seemed confusing and during the meeting items seemed confusing
      - The applicant had a lot to say and it felt like he was directing the conversation
      - The planning commission needs to consider more than what the applicant is presenting
      - Has only lived here since 2018, but has some experience with some of these challenges
    - Please look at this with broad lenses
      - Part of this proposal lies within a ¼ mile buffer around the village
    - It is inappropriate use of the land with how close it is to village center
      - Neighbors are close and need to be considered
      - How does this benefit the community
    - Suggests the amendment is incompatible with the current town plan
      - Housing would be better, or preservation of the forested area
  - Barb Martin
    - Second everything Andrea said
    - The village and surrounding area have been affected for almost 20 years
      - Clean air, home disruptions
- Review clarifications from town attorney
  - First clarification needed was about the report
    - The report needs to come from the planning commission, not the from who is requesting the amendment
      - There was a difference of opinion between the town's attorney and the applicants attorney
    - The planning commission will go by the town attorney's guidance

- Needed clarification on how the report and hearing notice are sent to neighboring towns etc.
    - It can be sent by certified mail or by email with a read-receipt or confirmation that the email was received.

- Work on report for amendment
    - As a planning commission we need to develop our report
    - Read draft report prepared
        - Will attach with minutes*
    - This will be sent to all the abutting towns
        - At what point does Act 250 come into play
        - If this is approved, then after going through the designation change
            - Then an act 250 application would follow
        - Had some difficulty locating what amount of vacant land is designated commercial industrial
    - Public Comment
        - Kim Corey
            - Might as well use Tom's report, it should have more public input in the report
            - It comes across that it is not as big of a deal as it is
    - The report was put together following the instructions from the statute
        - Barb Martin
            - Act 250 comment, the first thing they look at is the town plan
            - If the town plan allows it then they can't protect the people and their concerns
        - Ingrid Halligan
            - 24-4302 – if that section of state statute was reviewed
                - If not, encouraged to do so
    - Wondering if the town attorney should look at the draft report
        - it will be sent to him
    - What do we need to do to make it work
        - Add signature lines
    - For clarification it was presented to the planning commission for review from the Select Board
        - The planning commission can share their opinion with the select board or recommendation
            - The planning commission cannot stop it moving forward to the select board
            - The planning commission is to do the due diligence of the process
        - It will go to the select board regardless of the opinion of the planning commission because of how to was presented to the planning commission
    - Andrea Myklebust
        - Wants to point out that the reason this came to the planning commission is because the applicant is on the select board and asked the select board to do it
            - The select board voted on it and then it went to the planning commission
            - The applicant participated in the conversation prior to the vote
    - What needs to be done now
        - Send to Jim Barlow
        - The report needs to have signature lines added, review 24-4302 in making amendments to a town plan

- Pause for technical difficulties – Wi-Fi access, printing
    - Will send the draft report to the town attorney to get his feedback - Jim Barlow
    - Need to be aware of timeline to make sure it still works with the current hearing date

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- Kim Corey asked for clarification from the attorney regarding how the amendment was presented and the appropriate process
- Dave Powers sent the draft report to Jim Barlow during the meeting at 7:44pm
- Set a date for next meeting
- Motion to set next special meeting Wednesday November 4th at 7pm
    - Motion by Drea, Seconded Dave
        - Motion passed unanimously
    - Agenda
        - Review attorney notes, review statutue24- 4302, review report and hearing timeline
- Motion to adjourn at 7:52pm by Janice, Seconded by Hilda
    - Motion passes unanimously
        - Meeting Adjourned

Respectfully submitted
Secretary – Drea Stoddard

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DANBY PLANNING COMMISSION
WRITTEN REPORT ON PROPOSED TOWN PLAN AMENDMENT

Proposed change: Redesignation of approximately 12.49 acres (Book 118, Pages 138–139) from Agricultural and Rural Residential to Commercial/Industrial, adjoining the existing Fuller Sand and Gravel earth extraction operation.
Applicant: Fuller Sand and Gravel, Inc. and Southern Vermont Enhancements, LLC
Plan to amend: Danby Town Plan, as adopted September 10, 2020
Date of report: October 29, 2026

1. The probable impact on the surrounding area, including the effect of any resulting increase in traffic, and the probable impact on the overall pattern of any land use.

Response: There will be no undue adverse impact on the surrounding area. The Parcel is immediately contiguous to the existing Fuller Sand and Gravel operation and the proposed use will be continued extension of the existing Fuller Sand and Gravel quarry face. The proposal thus does not involve the establishment of a new quarry hole or any additional quarry infrastructure. In addition, there will be no resulting increase in traffic. The Parcel will have access from the existing Fuller Sand and Gravel pit and driveway. No new access will be constructed. There will be no change to off-site traffic as no change to the existing approved truck trips into or out of the Fuller Sand and Gravel access is proposed. In addition, there will be no significant alteration to the existing pattern of land use as the parcel is contiguous to the existing Fuller Sand and Gravel parcel and is land-locked.

2. The long term costs or benefit to the municipality based upon consideration of the probable impact on:
A. The municipal tax base; and
B. The need for public facilities.

Response: The Town Plan Amendment being proposed may result in a long-term cost benefit to Danby. Presently, the Parcel is undeveloped. It thus adds no significant value to the town tax base. Changing its use category to Commercial/Industrial and incorporating it into the Fuller Sand and Gravel operation will increase its grand list value as it will then become part of the existing Fuller Sand and Gravel operation and be put into productive use. In addition, because the existing access to Fuller Sand and Gravel will be used for access to the Parcel, there will be no need for additional public roads or extension of any public utilities in connection with the requested Amendment.

3. The amount of vacant land which is:
A. Already subject to the proposed new designation; and
B. Actually available for that purpose and the need for additional land for that purpose.

Response: The Parcel immediately adjoins land which is already in the Commercial/Industrial district. The 2018 land-use breakdown shows Commercial/Industrial at 3% in the Danby Land Use pie chart. The actual amount of vacant land currently designated Commercial/Industrial is unknown.

4. The suitability of the area in question for the proposed purpose, after consideration of:
A. Appropriate alternative locations; and
B. Alternative uses for the area under consideration; and
C. The probable impact of the proposed change on other areas similarly designated.

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Response: Unlike other types of development, earth extraction operations cannot be arbitrarily moved to any location. They must be located where demonstrated reserves exist and where cost and impacts of extraction can be minimized. The Parcel has sand, gravel, and rock resources on it and may be appropriate for the amended use designation. There are limited appropriate alternative locations in the Commercial/Industrial Land Use Area. There should be no adverse impact of the proposed change in designation on other Commercial/Industrial areas of the Town.

5. The appropriateness of the size and boundaries of the area proposed for change with respect to the area required for the proposed use, land capability and existing development in the area.

Response: The proposed Amendment seeks to designate the entire new parcel as Commercial/Industrial Land Use as the entire parcel is believed to contain valuable mineral resources which can be extracted through the existing Fuller Sand and Gravel operation and access. The Parcel does not immediately abut any residences other than those which already abut the existing Fuller Sand and Gravel operation.

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Planning Commission Members

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