

Thank you for creating space to take my testimony today. This is my first time participating in this way, and I am grateful for the opportunity.

I am here to ask you to clarify Act 181 by crafting an amendment that **exempts multi-use structures, primarily used for farming and/or AOFBs, from requiring an Act 250 permit**. Suggested amendment language is provided at the bottom of this testimony.

This year marks the 17th growing season at Fable Farm. What began as an organic vegetable CSA and wholesale farm in 2008 has evolved into a diverse vegetable, perennial fruit winery, and cidery called Fable Farm Fermentory. Over these years, my brother and I have worked tirelessly to create a farming model that is **financially viable, appropriately scaled to our land, and independent of the chemical-heavy practices required for certain markets**. Our experience over time—and more recently through our work with the Farm Viability Program—has made it clear that **direct-to-consumer sales are essential for our farm's survival**. A few years ago, our wholesale-to-retail ratio was 80/20. However, after a **significant downturn in wholesale sales and losing over \$10,000 due to unpaid invoices from national distributors**, we made a major pivot to increase our direct sales.

Throughout this evolution, one core principle has remained: **cultivating a farm as an interactive place where people can connect with each other, the land, and the food and drink produced here**. From our earliest CSA pick-up days, we provided space for live music and shared meals at potlucks. This has been **essential in drawing customers to our farm**, allowing us to sustain our agricultural business. Music has never been a separate activity—it has always been a **natural extension of our farm's culture and community engagement**.

In 2011 four farms, Kiss the Cow Farm, Eastmen Farm, Heartwood Farm and Fable Farm came together to form a cooperative to access land and share a lease of a beautiful idle dairy farm with the Vermont Land Trust. These farms evolved the Fable CSA pickups and potlucks into a veritable market called Feast & Field, where for the last 10 years we have collaborated with the local arts organization, BarnArts to schedule the music (an organization that was established in 2011/12 sometime by one of our first interns). In addition to the market, our coop currently has a lease on all the farmland on both sides of the road, as well as on a 275+ year old conserved barn located on the farm where the partner farms store and add value to their raw farm products.

At the end of last year, the NRB issued us a notice stating that a **multi-use pole barn structure we built last spring** is in violation of Act 250 and requires a permit. Their rationale is that the structure was “principally constructed” as a stage, and that Act 181 prohibits farms from building infrastructure for “non-farm” activity without a permit. However, this interpretation **misrepresents the reality of our operation**. The structure is used primarily for agriculture—**storing hay, bottles, and farm equipment for most of the year**—and is only **occasionally used (15-20 times in the summer) as covered space for music**.

Moreover, the structure itself is a **classic agricultural pole barn**, built minimally using round spruce trees that we harvested and peeled ourselves. It sits on piers and blends into the natural, working landscape of our farm. **The town administrator recognizes it as an agricultural structure, and our project is fully supported by our community and the Barnard Selectboard.**

We strongly believe that what we are doing is **not commercial entertainment but an expression of agricultural life**—one that fosters community engagement and **ensures the survival of small farms like ours**. The structure in question is **first and foremost an agricultural building**. Good design allows for **multi-use flexibility**, and it is important that Act 181 reflects this reality.

I urge you to clarify Act 181 by crafting an amendment that **exempts multi-use structures, primarily used for farming and/or AOFBs, from requiring an Act 250 permit**. We live in a world of nuance—this amendment would provide necessary flexibility for those of us **genuinely making a living from farming and enriching rural communities**, while ensuring that unrestricted event spaces do not proliferate under the guise of agriculture.

Thank you again for the time to share my thoughts. I am happy to return for further testimony or provide additional background information as needed. I also warmly invite any of you to visit our farm and see our work firsthand.

Suggested Amendment Language:

10 V.S.A. § 6081(t)(1). No permit or permit amendment is required for the construction of improvements used as part of an accessory on-farm business as defined in **24 V.S.A. § 4412(11)**, including for hosting events, **as long as the new or existing structure is primarily used as a farm structure** as defined in **24 V.S.A. § 4413(d)(2)(A)**. This subsection shall apply to new or existing structures.