

TESTIMONY BEFORE VERMONT SENATE AGRICULTURE COMMITTEE
FRIDAY, JANUARY 23, 2026

Tim Taylor, I am a retired vegetable farmer of 42 years founded with my wife, Janet, Crossroad Farm in the village of Post Mills, in the town of Thetford. I was 11 years Chair of District 3 Environmental Commission. I presently serve as Chair of the DRB in Thetford, upon which I have served served 27 years. I am a member of Board of Directors TRORC and 1978 graduate of Vermont law School.

At present the legislature and the Vermont Supreme Court seem to be at odds with one another. On the one hand, the Legislature over the past few years has extended privileges through exemptions to farmers that are not available to the non farmer businessperson. And on the other hand, the Vermont Supreme Court in a recent case has limited the traditional, (though perhaps not statutorily correct view) that farms are exempt from municipal review.

For instance, H 94 proposes to include weddings and concerts as events that can be part of an accessory on-farm business and by law are unable to be prohibited by the municipality. The municipality may regulate site plan and performance standards.

The Vermont Supreme Court case, *In re Taft Street DRB & NOV Appeals*, ruled that farming is not exempt from all municipal regulations. Rather, the court interpreted the “ag exemption” in 24 VSA section 4413(d)(1)(A) to apply only to policies intended to reduce water pollution. The court has opened the door for a myriad of municipal regulation of farms, including but not limited to prohibiting farms as a permitted use in a particular zone.

Recently, the legislature outlawed the municipalities from zoning only for single family homes. I would ask the Senate to not allow municipalities to zone out farms especially when the zoning districts have Prime and Statewide agricultural soils. Even small plots can produce high farming revenues and feed lots of folks. One 27 x 96 greenhouse, “Big Tom” at Crossroad Farm has produced approximately 160,000 pounds of tomatoes over the past 40 years for a total revenue of about \$500,000. Most of us who serve on town Planning commissions are lay people without planning expertise. Though I believe strongly in local control, preserving agricultural soils for the future demands statewide protection.

However, I would not give carte blanche to farms under the rubric of accessory on-farm business. I do not think wedding venues and concerts fall into the same accessory on farm business as farmers joining to sell farm grown products. It is a bridge too far to only permit site plan and performance standard review for farms with weddings and concerts. The municipality should have the authority to not permit weddings and concerts on farms after a conditional use review applying the Quechee test.

Finally, with the pressure to develop housing in the state and the difficulties implementing smart growth principles because many our towns lie along river corridors unsuitable for growth, pressure to develop on prime agricultural soils is only going to increase without protection.

Thank You.
Tim Taylor

H.94

Introduced by Representatives Harrison of Chittenden, Boyden of Cambridge, Casey of Montpelier, Logan of Burlington, McCann of Montpelier, O'Brien of Tunbridge, Sibilia of Dover, and Surprenant of Barnard

Referred to Committee on

Date:

Subject: Conservation and development; land use; agriculture; Act 250; accessory on-farm business

Statement of purpose of bill as introduced: This bill proposes to include weddings and concerts as events that can be part of an accessory on-farm business.

It would also exempt accessory on-farm business events from needing an Act 250 permit if the municipality has adopted performance standards and site plan review.